

URGENT ACTION

RELEASE DETAINED BOĞAZIÇI PROTESTORS

Nine people, the majority university students, are in pre-trial detention and 27 others under house arrest in Turkey for participating in peaceful protests following the appointment of Professor Melih Bulu as rector of Istanbul's Boğaziçi University on 1 January 2021. Those deprived of their liberty, including under house arrest, simply for exercising their right to peaceful assembly must be released immediately and unconditionally.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

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Anadolu Chief Public Prosecutor / Kartal, Mr İsmail Uçar

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Dear Mr Yılmaz and Mr Uçar,

I am writing regarding the orders of pre-trial detention issued by a court in Çağlayan Courthouse, (in Istanbul's Sisli district), of two peaceful protestors, both students at Boğaziçi University, and the orders to hold 14 others in house arrest. The two students were detained pending trial on 30 January 2021 for allegedly 'inciting the public to enmity and hatred' over an artwork on display in an art exhibition held at the Boğaziçi University Campus.

Seven others, the majority of them students, were remanded in pre-trial detention by courts in the Anadolu Courthouse (in Istanbul's Kartal district) between 5 and 8 February for their participation in peaceful protests in the Kadıköy district of Istanbul in support of the Boğaziçi University protestors. 13 others are under house arrest.

The decisions to deprive these people of their liberty were made because of their participation in overwhelmingly peaceful protests following the appointment of Professor Melih Bulu as rector of Boğaziçi University on 1 January 2021. According to the Minister of Interior, more than 800 protestors have been taken into police custody throughout Turkey for exercising their rights to freedom of peaceful assembly and expression since the start of the protests on 4 January. Hundreds have been subjected to judicial controls. Law enforcement officers used unnecessary and excessive force against protestors and several detainees were allegedly subjected to ill-treatment.

Amnesty International believes the unfair pre-trial detention and house arrest decisions are in violation of the Boğaziçi University protestors' right to freedom of expression and peaceful assembly.

In the light of the above, I urge you both to:

- **Drop all criminal investigations against all protestors for peacefully exercising their rights to freedom of expression and peaceful assembly;**
- **Request the immediate and unconditional release of all those deprived of their liberty solely for peacefully exercising their human rights, either in pre-trial detention or house arrest;**
- **Launch prompt, thorough independent and impartial investigations into all allegations of use of unlawful force and ill-treatment and bring those responsible to justice in fair trials.**

Yours sincerely,

ADDITIONAL INFORMATION

The appointment by President Erdoğan of Professor Melih Bulu, who is known for his political affiliation with the ruling AK Party, as the rector of Boğaziçi University was met with widespread protests by students and academic staff at the University and beyond. Protests were held in at least 38 provinces around the country, which were met by the use of unnecessary and excessive force by the police to disperse peaceful demonstrations and detain participants. On 21 February, the Minister of Interior announced that there had been 806 detentions, with 11 people remanded in pre-trial detention, of whom two were released after five days, and 27 people subjected to house arrest. Hundreds were placed under judicial controls, including travel bans and requirements to report frequently at a police station.

On 1 February, the President's Communications Director Fahrettin Altun shared on social media the decision taken by rector Melih Bulu to revoke the "candidate status" of the Boğaziçi University LGBTI+ club. The decision led to the closure of the club, that had been active for years, on grounds that two criminal investigations allegedly concerning the LGBTI+ club had been launched. One of the criminal investigations concerned the two students accused of 'incitement to hatred and enmity' in relation to an artwork displayed during an art exhibition in which the LGBTI+ club had not been involved. The artwork depicted the mythical figure of Shahmaran on a picture of the holy site of Kaaba with LGBTI+ flags on the four corners of the image. The other criminal investigation under charges of 'propaganda for a terrorist organisation' was based on a book allegedly found in the LGBTI+ club's office by the police during a search which was carried out in the absence of anyone representing the LGBTI+ club. Several high-level authorities, including the Minister of Interior, made homophobic comments directed at LGBTI+ students in the context of a large number of posts attacking the artwork on social media. The Minister of Interior's tweets referring to LGBTI+ people as 'deviants' were twice restricted by Twitter for contravening the platform's rules.

An indictment was accepted on 26 February in which seven students are facing prosecution under 'incitement to hatred and enmity' under Article 216/1 of the Turkish Penal Code, in relation to the art exhibition on campus described above. Two of the seven are the students who were remanded in pre-trial detention on 30 January.

Under the European Convention on Human Rights, to which Turkey is a state party to, as well as its own domestic laws, the exercise of the rights to freedom of expression and peaceful assembly cannot be arbitrarily restricted, and people must not be detained solely for the exercise of these rights.

PREFERRED LANGUAGE TO ADDRESS TARGET: Turkish, English.

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 23 April 2021

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Names withheld for privacy reasons (all genders)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/eur44/3501/2021/en/>