

URGENT ACTION

STUDENTS ALLEGE ILL-TREATMENT IN DETENTION

Police used tear gas and water cannons to disperse an overwhelmingly peaceful protest held at the Boğaziçi University on 4 January. At least 45 students were detained during dawn raids between 5 to 7 January after their alleged participation in a protest at the Boğaziçi University in Istanbul. Many among them have alleged torture or other ill-treatment, including being handcuffed on their back, beaten and some LGBTI+ students threatened with rape and subjected to insults. The prosecuting authorities must investigate these allegations and bring law enforcement officers found to be responsible to justice.

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

Istanbul Chief Prosecutor

Mr Şaban Yılmaz

Çağlayan Meydanı

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Dear Mr Yılmaz,

I am writing regarding the **alleged torture or other ill-treatment of students detained** during dawn raids carried out by the armed officers of the Special Forces (Ozel Harekat) between 5 and 7 January, on allegations that they have violated Article 32.1 of the Law on Meetings and Demonstrations during an overwhelmingly peaceful assembly at the Boğaziçi University in Istanbul on 4 January, protesting the appointment by the President of Prof Melih Bulu as the rector of the University. Law enforcement officials used tear gas and water cannons indiscriminately to disperse the largely peaceful protestors, and some students were dragged on the floor, beaten and briefly detained.

According to their lawyers and students Amnesty International spoke to, the students detained during the dawn raids were allegedly subjected to ill-treatment including being pushed, made to lay down and handcuffed on their backs, kept in that position for an hour and a half. One student was allegedly hit on the head with a police helmet and another reported that officers held a gun to their head soon after they entered the house. At least eight students said they were forcibly strip searched, some more than once, while two LGBTI+ students were allegedly threatened with rape with a truncheon and verbally abused regarding their sexual orientation and/or gender identity. During their arrest, all the students were handcuffed behind their back while lying on the floor. To date, at least fifteen students have reported being subjected to ill-treatment in and on the hospital grounds where they were taken for medical examination and that, in the case of one of them, the student believes the alleged ill-treatment had been filmed by people at the hospital.

Under both international human rights law conventions, to which Turkey is a state party to, as well as its own domestic laws, the exercise of the right to peaceful assembly cannot be arbitrarily prevented. Torture and other ill-treatment is prohibited under all circumstances in Turkey's domestic laws and under international law.

All those detained during the protest and dawn raids have since been released, the majority under judicial control, but the risk of prosecution remains should they be charged.

In light of this, I urge you to ensure that all allegations of torture or other ill-treatment and threats and abuse by law enforcement officials against the Boğaziçi University protestors are promptly, thoroughly, independently and impartially investigated with those found to have carried out acts of torture or other ill-treatment and threats are brought to justice, and to ensure the right to freedom of peaceful assembly is upheld.

Yours sincerely,

ADDITIONAL INFORMATION

The announcement on 1 January of the appointment by the President of Professor Melih Bulu as the rector of Boğaziçi University was met with widespread protests by students and academic staff at the University, including on social media. On 4 January, a group consisting mostly of Boğaziçi University students- though students from other universities also attended in solidarity- held an overwhelmingly peaceful protest at the entrance of the Boğaziçi University campus. According to the testimony of students and footage of the protests seen by Amnesty International, the protests were overwhelmingly peaceful. There were isolated incidents of very minor violence, such as a protestor kicking a police shield. Law enforcement officers who were in riot gear subjected the largely peaceful crowd – of around 500 - to tear gas and water cannons and several protestors were briefly detained on the ground.

The right to freedom of peaceful assembly cannot be arbitrarily prevented. The OSCE Guidelines on Freedom of Peaceful Assembly, which state “the use of violence by a small number of participants in an assembly (including the use of inciteful language) does not automatically turn an otherwise peaceful assembly into a non-peaceful assembly, and any intervention should aim to deal with the particular individuals involved rather than dispersing the entire event. [...] Dispersal should not, therefore, result where a small number of participants in an assembly act in a violent manner. In such instances, action may be taken against those particular individuals. Similarly, if *agents provocateurs* infiltrate an otherwise peaceful assembly, the authorities should take appropriate action to remove the agents provocateurs rather than terminating or dispersing the assembly or declaring it to be unlawful.” It follows also that, “individual participants in any assembly who themselves do not commit any violent acts should not be prosecuted, even if others in the assembly become violent or disorderly.”

On 5 January, at least 17 students were detained during the dawn raids. The officers used force to gain entry in the home of a student who was not there at the time, breaking the wall next to the door to the property. A student for whom an arrest warrant had not been issued but was present at an address where the raid was carried out was also detained. Several students detained reported that the warrant was presented to them after, not before their houses were raided and they were hand-cuffed from behind.

On 7 and 8 January, 35 students were released, most are subject to judicial controls.

PREFERRED LANGUAGE TO ADDRESS TARGET: English, Turkish

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 10 March 2021

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

NAME AND PRONOUN: Boğaziçi University protestors (they/their)