

URGENT ACTION

TEN STUDENTS REMANDED FOR ANTI-WAR PROTEST

Three separate Istanbul courts have remanded in prison a total of ten Boğaziçi University students, for 'making propaganda for a terrorist organization', and released seven others on bail. On 19 March, the students had peacefully protested Turkey's military operation in Afrin, northern Syria. They must be immediately and unconditionally released.

Up to 17 Boğaziçi University students held in police custody, some for up to two weeks, for protesting Turkey's military operation in Afrin, northern Syria appeared in front of three separate Istanbul Criminal Courts of Peace on 3 and 5 April. The prosecutor had requested that they be remanded in prison on the charge of 'making propaganda for a terrorist organization', which carries a sentence of up to five years in prison.

On 3 April, the Istanbul Criminal Court of Peace No.8, which considered the prosecutor's request for remand of seven of the 17 students, remanded four students in pre-trial detention 'because camera images showed that their mouths were open in a manner indicating that they were shouting slogans, showing that they were taking [an] active and continuing part in the protest which included hanging banners with the slogans 'Kurdistan will be the graveyard for fascism', 'We don't want supporters of Free Syria Army in our school', 'Shoulder to shoulder against fascism' and 'the palace wants war, the people want peace'. The Istanbul Criminal Court of Peace No.6, considering the cases of eight students, also remanded five students in pre-trial detention on the grounds that 'they held banners and shouted slogans'. The two courts conditionally released the remaining six students on the grounds that photos indicated that, while they were present, they were not actively participating in the protest. On 5 April, the Istanbul criminal court of peace No. 2 remanded one of two students detained on 3 and 4 April, and released the other on bail.

The ten remanded students have been identified as: Deniz Yılmaz, Yusuf Noyan Öztürk, Agah Suat Atay, Berke Aydoğan, Şükran Yaren Tuncer, Zülküf İbrahim Erkol, Esen Deniz Üstündağ, Sevde Öztürk, Kübra Sağır, and Tevger Uzay Tulay. İbrahim Musab Çurabaz, Hamza Dinçer, Kültigin Demirlioğlu, Ali İmran Şirin, Denizhan Eren, Mustafa Ada Kök and Emir Eray Karabıyık have been released on bail.

In participating in the protest, the students exercised their rights to freedom of expression and peaceful assembly, guaranteed under both domestic and international law.

Please write immediately in Turkish or your own language calling on the Minister of Justice to:

- Immediately and unconditionally release the ten students held in pre-trial detention;
- Ensure that no Boğaziçi University students face further investigation or prosecution for taking part in a peaceful protest;
- Ensure that they are not subject to any administrative sanction and are able to continue their studies at university.

PLEASE SEND APPEALS BEFORE 18 MAY 2018 TO:

Minister of Justice
Mr. Abdülhamit Gül
Adalet Bakanlığı
06659 Ankara
Turkey
Tel: +90 (0312) 417 77 70
Fax: +90 (0312) 419 33 70
Email: ozelkalem@adalet.gov.tr
Salutation: Dear Minister

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR ABDURRAHMAN BILGIÇ, Embassy of the Republic of Turkey, 43 Belgrave Square SW1X 8PA, 020 7393 0202,

embassy.london@mfa.gov.tr Please check with your section office if sending appeals after the above date. This is the first update of UA 66/18. Further information: www.amnesty.org/en/documents/eur44/8142/2018/en/

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ADDITIONAL INFORMATION

Between 22 March and 4 April, 17 students from Istanbul's Boğaziçi University were taken into police custody, accused of 'making propaganda for a terrorist organization', for staging a peaceful protest on the university campus on 19 March, against Turkey's military operation in Afrin, Syria.

Reacting to the protest and the initial detentions on 23 March, President Erdogan stated: 'we will find these terrorist students and do what's necessary. The academics in our universities must also be very careful. When we establish a link between these students and the academics we will also do what's necessary about them'. On 24 March, commenting on the detentions again, President Erdogan said: 'we will not grant those communist students, those terrorist enemies of the state the right to education at university'.

The right to freedom of expression is guaranteed in Article 10 of the European Convention on Human Rights and Article 19 of the ICCPR, both of which Turkey is a party to. Although international human rights law does permit certain restrictions on freedom of expression, these restrictions must meet a strict three-part test: they must be provided by law; be limited to specific purposes such as national security, public order or respect of the rights or reputation of others; and be necessary and proportionate to the achievement of one of those permissible purposes.

Further information on UA: 66/18 Index: EUR 44/8188/2018 Issue Date: 6 April 2018