

URGENT ACTION

COURT LIFTS TRAVEL BANS ON ANTI-WAR PROTESTERS

A Turkish court has lifted travel bans on 30 students facing terrorism-related charges for taking part in a peaceful protest on 19 March. The court rejected the students' allegations of torture and other ill-treatment while they were in custody on the basis that 'the incident did not take place in the presence of the court'. The students are still facing charges of 'making propaganda for a terrorist organization' and could face up to five years in prison if found guilty.

On 3 October, the Istanbul Heavy Penal Court No. 32 lifted travel bans on 30 **students from Boğaziçi University** facing terrorism-related charges for their participation in a peaceful protest against Turkey's military involvement in Afrin, Syria. The court however refused to accept the students' complaints of torture and other ill-treatment in custody and did not order an investigation, instead instructing the students' lawyers to 'submit any complaints of torture to the public prosecutor'. One of the lawyers representing the students spoke to Amnesty International about the case: 'An incident that should not even warrant an investigation under Turkish law has become this strange thing that has opened the door to many rights violations, from the [violation of the] right to education to the [violation of the] physical integrity of the human body.' The lawyer also confirmed that the students' legal representatives are in the process of preparing an official complaint to be submitted to the public prosecutor's office in connection with the students' treatment during police custody.

Twenty-two of the students had previously been taken into police custody in April and May 2018 on the basis of camera images [which] showed their mouths as 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 a graveyard for fascism'; 'We do not want supporters of the Free Syrian Army in our school'; '[Standing] shoulder to shoulder against fascism'; and 'The palace wants war, the people want peace.' Eight of the 22 students were released on bail soon after their arrests, on the grounds that the protest footage did not clearly show them shouting slogans or taking an active role during the demonstration. The remaining 14 students were only released on bail after the first hearing on 6 June 2018, during which they also complained of torture and other ill-treatment in detention. The remaining eight students could not initially be located by police and their cases were added to the trial after they came forward to the authorities.

In participating in the protest, the students exercised their right to freedom of expression and peaceful assembly, guaranteed under both Turkey's Constitution and international human rights law. The authorities must ensure the students' allegations of torture and other ill-treatment in detention are promptly, thoroughly, independently and impartially investigated and all those found responsible brought to justice in a fair trial.

As all 30 students are free on bail, this case no longer requires urgent action. Amnesty International will however continue to closely follow developments and reopen the action if and when necessary.

Thank you to all those who sent appeals. No further action is requested from the UA network.

This is the third update of UA 66/18. Further information: www.amnesty.org/en/documents/eur44/8565/2018/en/

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