

URGENT CALL FOR ACTION

ACTS OF TORTURE, ARBITRARY DETENTION AND JUDICIAL HARASSMENT AGAINST BOĞAZIÇI UNIVERSITY STUDENTS ERSİN BERKE GÖK AND CANER PERİT ÖZEN

The Human Rights Foundation of Turkey (HRFT) requests your urgent action in the following situation in Turkey.

Description of the Situation

HRFT has been informed about the acts of torture, arbitrary detention and judicial harassment of Ersin Berke Gök and Caner Perit Özen, senior students at Boğaziçi University respectively majoring in physics and history, and participants of peaceful demonstrations and protests against government appointments of rectors to Boğaziçi University.

On 2 January 2021, ruling Justice and Development Party (AKP) leader and President Recep Tayyip Erdoğan appointed Melih Bulu, a former parliamentary candidate from the AKP, as the new rector of Boğaziçi University by presidential decree. Giving voice to both protracted frustration with government stifling of academic freedom and genuine alarm over the autonomy of the universities; hundreds of Boğaziçi students, joined by hundreds more students from other universities, as well as the university staff and academicians, and thousands of people in multiple cities began peacefully protesting against the appointment of Bulu.¹ These large-scaled and still on-going series of peaceful protests have been known as “Boğaziçi Resistance Movement”, or “Boğaziçi Solidarity Movement”, and continue today against the appointment of next rector Naci İnci, who replaced Melih Bulu on 21 August 2021, through yet another presidential decree.² The government’s response to the ensuing protests has been highly violent. Students and protestors have faced police brutality and torture, arbitrary detention, and unlawful arrests.³ They have been targeted as “terrorist” by the government officials and depicted with sexist, homophobic and transphobic rhetoric.⁴ International criticism on United Nations and European level has been dismissed by the authorities.⁵

According to the information from attorneys of Ersin Berke Gök and Caner Perit Özen; on 5 October 2021, while releasing a public statement in front of the rectorate building, 10 students, including Ersin Berke Gök and Caner Perit Özen, had been brutally battered by the security guards and been detained by the police forces. Three students were released from detention after giving their statements at the police station. On the same day, Recep Tayyip Erdoğan made a speech at the 2021-2022 Higher Education Academic Year Opening Ceremony and targeted the protesting students. Erdoğan briefly said: “Your rector is inside the vehicle, you intercept him and then get on top of the vehicle and start stamping. There cannot be such a student. They must be terrorists who infiltrated universities at the most.” Within the same day, Naci İnci submitted a complaint to the prosecutor’s office against students, on charges of

¹ For the detailed chronology of the protests, see (in Turkish), Civic Space Studies Association, [Boğaziçi Direnişi Kronolojisi \[Boğaziçi Resistance Chronology\]](#).

² For the decisions, see, respectively, [Official Gazette No. 31542](#), 2 January 2021, and [Official Gazette No. 31575](#), 21 August 2021.

³ In the first month of the protests, more than 800 demonstrators in at least 38 cities faced police brutality and torture, and more than 560 students and demonstrators have been detained. So far 11 students have been arrested because of their participation to the protests, and then released with judicial control measures. Many of the protestors have been facing criminal charges and various criminal proceedings are pending against them. HRFT had issued an urgent call on 6 February 2021, regarding Boğaziçi University protests. Also see HRFT, [Preliminary Assessment Report on Violations of Rights During the Protests against the Appointment of Rector to Boğaziçi University by the President](#); Amnesty International, [Turkey: Further information: Release detained Boğaziçi protesters](#); and Human Rights Watch, [Turkey: Student Protesters at Risk of Prosecution](#).

⁴ See, Council of Europe Commissioner for Human Rights Dunja Mijatovic’s letter, [Turkish authorities should stop the stigmatisation of LGBTI people](#).

⁵ See, Gazete Duvar, [Turkey dismisses int’l criticism of its response to Boğaziçi protests](#).

threat, insult, damage to property, and resisting for preventing duty and violating the Law on Meetings and Demonstrations. Held in detention at night, on 6 October 2021, seven students had been referred to the Istanbul Courthouse in Çağlayan. After interrogated at the prosecutor's office, four students had been released with judicial control measures, while three had been referred to magistrate's judge to be placed in pre-trial detention. Istanbul 9th Magistrate's Judgeship decided to release one student with judicial control measure, and place Ersin Berke Gök and Caner Perit Özen in pre-trial detention for the charges of resisting for preventing public duty, and not complying with orders by the security forces for the dispersal of an unlawful demonstration. In its reasoning, Istanbul 9th Magistrate's Judgeship had pointed out the acts of moving together with a group for intercepting Naci İnci's vehicle, and standing on the vehicle in a lying down position as grounds for pre-trial detention. On 13 October 2021, attorneys of Ersin Berke Gök and Caner Perit Özen had objected to Istanbul 10th Magistrate's Judgeship and this objection had been overruled on 18 October 2021. On 19 October 2021, their attorneys applied to the Constitutional Court of Turkey, and this application is pending for Caner Perit Özen. Their attorneys will lodge an application for Ersin Berke Gök soon. On 26 November 2021, İstanbul Public Prosecutor has issued an indictment on the charges of not complying with orders by the security forces for the dispersal of an unlawful demonstration, deprivation of liberty, resisting for preventing public duty and hijacking or seizure of transport vehicles against Ersin Berke Gök and Caner Perit Özen, and 12 other protestors. The first hearing of the case will be held on 7 January, 2022.

As of today, Ersin Berke Gök and Caner Perit Özen have been arbitrarily detained for 70 days. They both had been held in solitary confinement cells for more than 50 days, and been unable to access to their school exam papers and necessary medicine.⁶ On 26 October 2021, they have been transferred from Metris Prison to Silivri Prison. Following their transfer, letters written by their relatives have not been given to them, and since Ersin Berke Gök is vegan, the prison administration has not provided proper food compatible with his diet. They had also faced violence from authorities during peaceful protests at Boğaziçi University earlier than 5 October 2021 and currently, they have been imposed to inhumane confinement conditions. **Overall treatment of Ersin Berke Gök and Caner Perit Özen has clearly violated the prohibition of torture.** Their physical and mental integrity is under real and imminent risk, and their right to education has been infringed as well.

HRFT expresses its utmost concern regarding the acts of torture to which Ersin Berke Gök and Caner Perit Özen has been subjected to, arbitrary detention and judicial harassment of them, which are merely aimed at reprising and punishing their enjoyment of legitimate human rights activities. HRFT urges the authorities of Turkey to immediately and unconditionally release Ersin Berke Gök and Caner Perit Özen, put an end to all acts of harassment - including at the judicial level - against them, and guarantee in all circumstances their physical and mental integrity.

Actions requested

HRFT kindly and urgently invite you to support and take action for the authorities of Turkey:

- i. Guarantee, in all circumstances, the physical and mental integrity of Ersin Berke Gök and Caner Perit Özen and of all participants of peaceful Boğaziçi University protests;
- ii. Release Ersin Berke Gök and Caner Perit Özen immediately and unconditionally as their detention is arbitrary and merely aimed at punishing them for their human rights activities;

⁶ Ersin Berke Gök and Caner Perit Özen told their conditions with interviews they gave to [Cumhuriyet newspaper on 16 October 2021](#) and [Diken newspaper on 3 December 2021](#) (in Turkish).

- iii. Drop all charges against Ersin Berke Gök and Caner Perit Özen, as well as all participants of peaceful Boğaziçi University protests;
- iv. Put an end to any harassment against all human rights defenders in Turkey, and ensure in all circumstances their right to security and liberty, and that they are able to carry out their legitimate activities without any hindrance or fear of reprisals.
- v. Conform to the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, in particular with Articles 1, 5(c), and 12.2.

Addresses

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Metin Bakkalcı

Chairperson of Human Rights Foundation of Turkey (HRFT)

Kindly inform us of any action undertaken quoting this appeal in your reply.

Established in 1990, HRFT is a non-governmental and non-profit organisation focusing on treatment, rehabilitation, documentation and eradication of torture and other ill-treatment.

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