



The European Parliament's  
**Intergroup on LGBTI Rights**

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Ombudsman, **H.E. Şeref Malkoç**  
President of the National Human Rights and Equality Institution, **Süleyman Arslan**

Cc: Ambassador of Turkey in Brussels, **H.E. Mr. Mehmet Kemal Bozay**  
EU Delegation to Turkey

Brussels, 21 June 2021

**Subject: The situation of LGBTI rights defenders in Turkey, and in particular police abuse of human rights defender of Seren Kahraman Çotak**

Dear Excellencies,

We, Members of the European Parliament, write to you today to convey our serious concerns regarding the situation of LGBTI rights defenders in Turkey, and in particular the case of Seren Kahraman Çotak.

Seren Kahraman Çotak is a human rights defender who works to tackle homophobia, transphobia, and sexism on university campuses as well as academic freedom. He is also a student at Boğaziçi University, where he is an active member of the "BU LGBTI+ student club," recently banned during protests following the appointment of a new university rector in January 2021. We recall the closing of the association was deemed "unacceptable" by the European External Action Service Spokesperson.<sup>1</sup>

It is with great concern that we learned about the violent arrest of over 159 students of Boğaziçi University on 1 February 2021 during peaceful protests in defence of academic freedom. Human rights defender Seren Kahraman Çotak in particular was badly beaten during the arrest. We are especially shocked at the filing of serious charges<sup>2</sup> against students and human rights defenders peacefully exercising their rights to freedom of expression and assembly, in accordance with the Constitution of the Republic of Turkey and international conventions ratified by the State.<sup>3</sup> The measures imposed by the court (strict judicial controls in the form of travel bans, house arrests and presenting himself at a police station once a week) seem disproportionate. Moreover, we have learnt of several instances of forced naked searches, sexual harassment and threats by the police, physical assaults and excessive use of force by police (including the use of tear gas and plastic bullets) of protesters and human rights defenders who took part in the demonstrations, and in particular of LGBTI rights defenders who have been detained.

We are especially alarmed by the brutal assault suffered by human rights defender Seren Kahraman Çotak on 20 April 2021 at the hands of special operations unit police officers at the Armutlu Fatih Sultan Mehmet police

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<sup>1</sup>Turkey: Statement by the Spokesperson on the detentions of students and developments around Boğaziçi university, 4 February 2021, [https://eeas.europa.eu/headquarters/headquarters-homepage/92622/turkey-statement-spokesperson-detentions-students-and-developments-around-boğaziçi-university\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/92622/turkey-statement-spokesperson-detentions-students-and-developments-around-boğaziçi-university_en).

<sup>2</sup> Article 109 of Turkish Penal Code, "Depriving a person of his liberty" and article 32 of Law no 2911 – Law on Assembly and Demonstrations "joining an unarmed unauthorised demonstration and refusing to disperse."

<sup>3</sup> Articles 26 and 34 of the Constitution of the Republic of Turkey, and articles 19 and 21 of the ICCPR (ratified by Turkey since 2003).

station while the human rights defender was reporting to the station as part of the judicial control procedure he was put under. We also strongly condemn the utter lack of disregard for life, as officers assaulting the human rights defender did so unmasked, in the midst of the COVID-19 pandemic. The level of violence carried out by police officers, including threats of sexual assault, is unacceptable. We are taken aback by the clear feeling of impunity among the group who assaulted the human rights defender – who had previously made death threats to Seren Kahraman Çotak, alluding they would walk free for his murder as it would have occurred on “anti-terrorism” grounds.

We would like to highlight the crucial work carried out by LGBTI rights defenders and students in Turkey and especially within Boğaziçi University to defend academic freedom, scientific autonomy and democratic values. We recall the European Parliament urgency resolution calls on the Turkish authorities to *“put an end to its judicial harassment of human rights defenders, academics, [...] and members of the lesbian, gay, bisexual, transgender and intersex community, whose fundamental rights have been infringed, especially after the failed coup d’état attempt.”*<sup>4</sup> We also fully echo the February 2021 statement by EU Spokesperson, calling on Turkey “to respect its national and international obligations and to release those arbitrarily detained for exercising their right to peaceful assembly [during the protests]” and condemning actions which are “contradictory to Turkey’s obligations as a candidate country and long-standing member of the Council of Europe.”<sup>5</sup> In its resolution on the Commission report on Turkey, the Parliament reiterated these positions.<sup>6</sup>

We finally wish to remind you that equality, respect for the rights of persons belonging to minorities – including the rights of LGBTI+ persons –, and the rule of law are one of the founding values of the European Union,<sup>7</sup> with which any candidate country must abide by should it have any real ambition of becoming a member of the European Union. In that spirit, the latest European Commission report has also flagged that the 2016, 2018, and 2019 reports recommendations were not implemented, and that Turkey should in particular address the necessity to *“refrain from undue restrictions on freedom of expression in line with the Council of Europe Committee of Ministers Guidelines on protecting freedom of expression and information in times of crisis”*<sup>8</sup>; it also confirms there are *“serious concerns regarding the fundamental rights of LGBTI persons.”*

**We therefore call on the authorities in Turkey to:**

- 1. drop all charges against all human rights defenders and students arbitrarily arrested as part of the Boğaziçi University protests, including Seren Kahraman Çotak;**
- 2. ensure that the judicial harassment against them ceases immediately and restrictions on their movements are lifted;**
- 3. ensure that independent, impartial, swift investigations into attacks against human rights defenders and protesters be carried out, with a view to publishing the results and holding the perpetrators to account, including regarding the attack suffered by Seren Kahraman Çotak at the hands of special operations unit police officers.**

According to the EU Guidelines on Human Rights Defenders, we will ask the EU Delegation in Turkey to follow up on the elements raised in this letter.

Yours sincerely,

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<sup>4</sup> European Parliament resolution on the Human rights situation in Turkey, in particular the case of Selahattin Demirtaş and other prisoners of conscience, January 2021, [https://www.europarl.europa.eu/doceo/document/TA-9-2021-0028\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2021-0028_EN.html).

<sup>5</sup> Turkey: Statement by the Spokesperson on the detentions of students and developments around Boğaziçi university, 4 February 2021, [https://eeas.europa.eu/headquarters/headquarters-homepage/92622/turkey-statement-spokesperson-detentions-students-and-developments-around-boğaziçi-university\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/92622/turkey-statement-spokesperson-detentions-students-and-developments-around-boğaziçi-university_en).

<sup>6</sup> European Parliament resolution of 19 May 2021 on the 2019-2020 Commission Reports on Turkey, [https://www.europarl.europa.eu/doceo/document/TA-9-2021-0243\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2021-0243_EN.html).

<sup>7</sup> Article 2, Treaty on the European Union.

<sup>8</sup> European Commission, Turkey 2020 Report Accompanying the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/turkey\\_report\\_2020.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/turkey_report_2020.pdf).

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