



# General Assembly

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## Human Rights Council

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**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Mouvement contre le racisme et pour l'amitié entre les peuples, a non- governmental organization on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[6 February 2022]

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\* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



## **Turkey: Illegal practices against detained opponents**

Recently, the rule of law has come under severe attack in Turkey. Thousands of academics, opposition party members, journalists and other critics of the Turkish government have been arbitrarily detained and arrested.

Illegal practices in prisons are of particular concern and several international non-governmental organisations, the Human Rights Association of Turkey (IHD), the Human Rights Foundation (HRFT) and the Committee for the Prevention of Torture (CPT) of the European Council of Human Rights have repeatedly reported this.

In prisons, along with the pandemic conditions, treatment of detainees is hindered due to raids made on the wards by soldiers and guards, torture, rape, harassment, and the humiliating approaches of soldiers and guards, such as mouth-searching and bare-searching, as well as the racist approach by doctors and guards who take arbitrary disciplinary punishments against Kurdish detainees.

According to the data of the Human Rights Association, the Free Lawyers Association and the Prisoner Families Association, there are a total of 1'605 sick political prisoners, 604 of whom are seriously ill.

### **THE PRACTICE OF ISOLATION AND TORTURE**

Prison administrations respond to all kinds of complaints or reactions to violations in prisons by keeping records and launching disciplinary investigations. External reporting of rights violations and pressures within the prison may also be grounds for disciplinary investigations. As a result of disciplinary investigations, restrictions on communications and solitary confinement may be imposed on prisoners.

Prisoners who are subject to disciplinary punishment are subjected to practices such as solitary confinement, no assembly, no writing and no telephone calls. Those sentenced to life imprisonment are placed in solitary confinement and are forbidden to communicate with other prisoners.

The UN Special Rapporteur on the fight against torture, Mr. Juan Mendez, stated at the October 2011 conference<sup>(1)</sup> that "solitary confinement, when used as a punishment, can mean cruel torture, inhuman or degrading treatment or punishment."

Abdullah OCALAN is one of the prisoners sentenced to an aggravated prison term. He has been held alone in Imrali Island Prison since 16 February 1999. In March 2015, Hamili Yildirim, Omer Hayri Konar and Veysi Aktas, from other prisons, were transferred to his side. Abdullah Ocalan, after a short trial, was initially sentenced to death, later converted to aggravated life imprisonment after the Turkish parliament abolished the death penalty.

He has not been allowed to meet his lawyers, except for a few trips since July 2011. Apart from lawyers, prisoners are also not allowed to meet their families. Abdullah Ocalan, last met his lawyers on 7 August 2019; and his family on 3 March 2020. The other three prisoners in Imrali are subject to the same practice.

Another specific practice in Imrali prison is to deny prisoners their rights to communicate, neither by letter nor by telephone. They cannot watch television, newspapers are not distributed regularly, and when they are, they are censored.

Legal action is being taken against those who draw attention to the isolation of the prison on Imrali Island. A complaint has been filed against Abdullah Ocalan's lawyers, Rezan Sarica, Ali Maden, Baran Dogan, Cengiz Yurekli, Inan Akmese, Mahmut Tasci and Mehmet Selim Okcuoglu for stating that "their lawyers have not been able to see them for 300 days", under the pretext of belonging to a terrorist organisation.

The Council of Europe's Committee for the Prevention of Torture stated in its August 2020 report, which examined conditions in the F-type high security prison on Imrali Island, that Ocalan's detention conditions were inhumane. It stated that "the complete ban on all contact

with the outside world (including correspondence) for all prisoners in this prison means secret captivity"(2).

The CPT further stated that "such a situation is unacceptable and contrary to various relevant international human rights agreements and standards". Further, the CPT considered that the "Law on the Execution of Turkish Criminal and Security Measures" was fundamentally flawed. It concluded that it should be revised not only in Imrali Prison, but also in all prisons in the country.

Aysel Tuğluk, former MP for HDP and co-chairman of the Democratic Society Congress, she was arrested on the charge of organization leader, based on her speeches at the Parliament and at the 4 November 2016 rally and imprisoned in Kocaeli Kandira F Type Prison. In September 2017, she was brought to Ankara under the supervision of soldiers to attend the funeral of her mother. While her mother's body was being buried, Turkish nationalists shouted racist slogans, like "We do not allow terrorists to be buried in Ankara". Finally, the body was removed from her burial place and taken to Tunceli (south-east Turkey).

Aysel Tuğluk began to have psychological problems and to suffer from severe memory loss and finally was diagnosed with Alzheimer's. While Kocaeli Research Hospital requested the release of Aysel Tuğluk so that she could receive the needed treatments, the Adli Tıp Institute (which is directly affiliated to the Ministry of Health) prevented the postponement of her sentence with the report "There is no harm in living alone".

In the Central Anatolia region in July-August-September 2021, at least 7 prisoners were subjected to torture and/or ill treatment. However, it is feared that this figure is only the tip of the iceberg, given the difficulties in obtaining information from detention centers, particularly from provincial prisons and that the number of physical or psychological forms of torture is extremely higher.

## SOUSPICIOUS DEATHS IN TURKISH PRISONS

A matter of serious concern is the recent death of 5 inmates occurred in different prisons due to suicide or illness.

One of the sick prisoners is Halil Güneş who was arrested on January 2, 1993 and received an aggravated life sentence and remained in prison for 29 years. For Halil Güneş, who was diagnosed with lung and bone cancer in 2014, but the Adli Tıp Institute prevented his release by saying "he can live on his own and stay in prison". Halil Güneş was found dead in a single-cell on 15 December 2021, where he was transferred five days before he died, while allegedly he didn't receive the needed treatments.

Garibe Gezer, a 28 years old Kurdish woman from Nusaybin, was sentenced to aggravated life imprisonment for political reasons. She conveyed information to HDP deputy Ömer Faruk Gergerlioğlu that she was tortured, abused and raped in Kandira prison when she was transferred from Kayseri Bunyan Prison to Kandira F-Type Prison. Garibe Gezer filed a criminal complaint, for act of torture and sexual abuse by prison guards in Kandira Prison. On 10 December 2021, her family was informed by the authorities that Garibe Gezer committed suicide in the sponge room, where she was placed because she wants to convey the situation to the deputies and her family. The autopsy took place in the absence of her lawyers.

Abdülrezzak Şuyur (56), detained in Muğla since 1993, was sentenced to life imprisonment. In 2006, the European Court of Human Rights requested a retrial of Abdülrezzak Şuyur by ruling on violation of rights in many ways. However, Turkish courts did not implement the decision Abdülrezzak Şuyur, who suffered from asthma, was diagnosed with lung cancer and his family filed petition to have him treated in a hospital, but the authorities never replied. He died on 14 December 2021 in İzmir Aliğa-Şakran T Type Prison.

It was alleged that İlyas Demir (32) who was convicted of aggravated life imprisonment; he was detained in different prisons since 2013 and finally in Bolu T Type Closed Prison. The family claimed he had psychological illnesses, but the prison administration argued that their applications to for the treatment were not processed. İlyas Demir was found dead in a single-

cell. The family was informed of his death by has the headman of the neighborhood, in the center of Urfa. Thereupon, the family requested confirmation to the prison's administration, which confirmed the death of İlyas Demir, but did not give any information about the cause of the death.

Most recently, Vedat Cem Erkmen, who was given aggravated life sentence and detained in Tekirdağ F Type Prison, was found dead in his solitary room on 19 December 2021. The prison's administration reported that he committed suicide. His autopsy was carried out in the absence of his lawyers. Vedat Cem Erkmen's body was abducted by the police who requested his family to bury him in Kars, otherwise they would bury him. After meeting with some prisoners, their lawyers explained to the press that Erkmen's death was suspicious and that he might have been killed.

## RECOMMENDATION

The Mouvement contre le racisme et pour l'amitié entre les peuples invites the UN Special Rapporteur on Torture to pay particular attention to the abusive practices taking place in Turkish prisons, and in particular Imrali Prison, and to urgently request to the Turkish authorities to visit these detention facilities.

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(1) <https://news.un.org/fr/story/2011/10/230512-un-expert-de-lonu-plaide-pour-larret-de-lisolement-en-cellule-des-detenus>

(2) <https://rm.coe.int/09000016809f20a1>