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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.

[23 August 2023]

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\* Issued as received, in the language of submission only.



## **The Increasing Repression of Hundreds of Political Prisoners in Türkiye**

Several sources (NGOs and media) concur in saying that there has been an increase in torture, isolation and burning executions of political prisoners even though their sentences have been completed. The government of Türkiye is putting into action in prisons the first application of the repression against the people, democratic and opposition parties, associations, cultural and political groups. This is causing concern among prisoners' families, democratic and opposition groups.

According to the data of the General Directorate of Prisons and Detention Houses, as of 1st June 2023, there are 407 penal execution institutions in Türkiye, including 282 closed penal execution institutions, 93 detached open penal execution institutions, 4 children's education centres, 11 women's closed, 8 women's open and 9 children's closed penal execution institutions. The total capacity of these institutions is 296,202 persons. 22 new prisons were opened in 2022. In 2023, 20 new prisons are planned to be opened. This clearly shows that the current understanding of the government in Türkiye envisions a future based on imprisoning people.

Problems in Türkiye's prisons are concentrated in the areas of: right to health, prevention of release, prevention of social rights, torture and ill-treatment and discrimination, right to a fair trial, economic and social rights, violations of communication and information rights, isolation.

On 29 December 2020, the Regulation on "Observation and Classification Centres and Evaluation of Prisoners" was put into force and the committees are formed to decide on the well-being of prisoners every 6 months. This board is chaired by the director of the institution and consists of the second director, the administrative officer, a prison doctor, a psychiatrist, a psychologist, a social worker, a teacher, and an execution and protection officer. This board replaces itself as a court and assesses the prisoners' good behaviour and decides whether they should be granted conditional release and probation ().

As evidenced by the statements of families and prisoners whose release has been postponed, the observation boards make abstract and subjective comments in their evaluation of prisoners. They require statements of remorse from prisoners convicted for their political views. As of June 2023, at least 120 prisoners had had their probation and release suspended by administrative and observation boards.

Monitoring boards often cite disciplinary penalties as the legal basis for withholding release. In prisons, the administrations file reports and initiate disciplinary proceedings against any demand for rights or reaction to violations. Sometimes prisoners' greetings to each other are interpreted as organisational meetings, singing songs in Kurdish, dancing the halay (Kurdish dance) as organisational propaganda, shouting slogans, etc. and disciplinary proceedings are initiated. Prisoners' sharing their rights violations with their families, civil society organizations and lawyers can be considered a crime and lead to investigations. Families report that prisoners are provoked during social activities, trips to and from the infirmary, hospital transfers, roll-calls or searches, leading to disciplinary proceedings. Prisoners who refuse to accept arbitrary practices of the administration and guards are also subjected to investigations.

In addition, in some prisons, mouth searches are imposed when travelling to and from hospitals. Seriously ill prisoners are handcuffed when taken to hospital. In some prisons prisoners are subjected to strip searches. Prisoners' resistance to this degrading practice is used as grounds for disciplinary proceedings.

As a result of these disciplinary investigations, inmates are subjected to penalties such as solitary confinement, being placed in a sunken room, being denied the right to communicate for a period of time, and being denied access to open visits.

The most important point here is that the observation boards use these investigations and sentences as a justification for the burning of prisoners' executions and the denial of their probation rights. Even seriously ill and well-behaved prisoners with one year left on their sentences are sometimes treated arbitrarily and their executions are burned.

One of these is Cetin Arkas, one of those who were executed for saying "Mr. Ocalan". On 21 May 2012, the 9th Criminal Chamber of the Supreme Court acquitted Hatip Dicle and Siirt Mayor Selim Sadak for saying "Mr. Ocalan", stating that it fell within the scope of the articles of the European Convention on Human Rights regulating freedom of expression. Zafer Saglam, who is currently in Silivri L-type prison no. 7 in Istanbul, is one of those whose release has been postponed. He has served 7 years and 6 months of his sentence, but has not been released due to a disciplinary penalty imposed by the prison administration. The reason for the disciplinary punishment is that when he was transferred from Silivri Prison No. 5 to Prison No. 7, the administration did not allow him to take his personal belongings. Zafer Saglam has expressed this. He was subjected to disciplinary proceedings and his release was postponed on the grounds that his friends in prison shouted slogans because they were dancing the halay.

Among them is Mukaddes Kubilay, former co-Mayor of Agri. Mukaddes Kubilay, who was elected co-mayor of Agri in 2014 from the Peace and Democracy Party (BDP). He was arrested on 27 December 2016, sentenced to 7 years and 6 months in prison and replaced by a trustee on 1st March 2017. Her release was postponed on the grounds that she had not repented.

There are a considerable number of prisoners who have been in prison for 30 years who have not been released even though their probation has expired as decided by the observation boards. One of them is Tevfik Yasli in Karabuk T-type prison. Imprisoned since 1993, Tevfik Yasli was deprived of his right to probation by the observation board on the grounds of his cell sentences and was ordered to stay in prison for 6 more years.

The release of Soydan Akay, who has been in prison for 30 years and has cancer, was postponed for 6 years on the grounds of cell sentences.

One of the major problems of prisons is sick prisoners. According to data from the Human Rights Association of Turkey and the Association for Solidarity with Prisoners' Families, there are 1'517 patients in prisons, 651 of them seriously ill. There are no adequate treatment conditions in prisons. Prisoners avoid going to hospitals because of humiliating treatment such as strip searches, provocation, handcuffed examinations, etc. In addition, due to the conditions of the prisons, seriously ill prisoners should have their execution postponed so that they can be treated outside.

The Turkish authorities seem to have an ideological approach to this. Sick prisoners who have been declared "unable to remain in prison" by university or research hospitals are denied release by the forensic medicine institution, which gives a contrary opinion. Especially the ideological attitude towards dissidents and Kurdish prisoners leads to the death of many prisoners in prison or a few days after their release. Halil Gunes, despite being diagnosed with cancer in his lungs in 2007, was denied release based on the forensic medical institution's report that he "could remain in prison" and died on 15 December 2021.

The Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP) is deeply concerned about the arbitrary treatment of prisoners in Turkish prisons, psychological and physical torture, the treatment of sick prisoners, and the arbitrary delay of release despite the right to probation.

We urge the United Nations High Commissioner for Human Rights, the Special Rapporteur against Torture and the Working Group on Arbitrary Detention to pay special attention to the treatment of Turkish prisons, especially the treatment of Kurdish prisoners, to visit prisons and to take steps to ensure that Türkiye acts in accordance with international human rights standards and obligations, and to take action against the arbitrary denial of the right to supervised release.