

A black and white photograph of a man's face and upper body. He is wearing handcuffs on his right wrist, which is raised above his head. The background is dark and textured.

SYSTEMATIC TORTURE & ILL-TREATMENT IN TURKEY

In Turkey, especially after the so-called coup attempt on July 15, 2016, there have been mass arrests and grave human rights violations.

January, 2020



Torture is the biggest crime committed against human dignity...
The crime of torture is not subject to any statute of limitations...

WHO WE ARE

AST (Advocates of Silenced Turkey) is a 501(c)(3) not-for-profit charitable and educational organization based in New Jersey, USA exclusively committed to defend human and civil rights.

Our goal is...

To address all human rights violations in Turkey regarding civil, political, economic, social and cultural rights which are under the protection of the basic human rights conventions;

To prevent genocide, crime against humanity, arbitrary detention, torture and ill treatment, discrimination and to defend the principles and values such as right to life, rule of law, right to privacy, freedom of expression, freedom of thought, conscience and religion, freedom of associations;

To utilize all human rights advocacy tools, mechanisms, and systems that can possibly be used to protect and promote the human rights of those whose voices are being silenced in Turkey and beyond;

To hold accountable the perpetrators of human rights violations in Turkey and beyond, meanwhile to establish opportunities/platforms of justice and compensation for victims.

In order to achieve our goals, we use the power of the law to fight the impunity of despots, accomplices and perpetrators of these crimes; we defend the interests and rights of victims before the national and international court; and we bring individual cases before the appropriate international human rights organizations, in close collaboration with local institutions and the victims themselves to get authorities to take firm action against the violations of human rights.



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LIST OF ABBREVIATIONS

AA	<i>Anadolu Ajansi</i> , Anadolu Agency
AIHM	<i>Avrupa İnsan Haklari Mahkemesi</i> , European Court of Human Rights
AIHS	<i>Avrupa İnsan Haklari Sozlesmesi</i> , European Convention on Human Rights
AKP	<i>Adalet ve Kalkinma Partisi</i> , Justice and Development Party
AST	Advocates of Silenced Turkey
AYM	<i>Anayasa Mahkemesi</i> , Constitutional Court of Turkey
BIMER	<i>Basbakanlik Iletisim Merkezi</i> , Prime Ministry Communication Centre
CHP	<i>Cumhuriyet Halk Partisi</i> , Republican People's Party
DHKP-C	Devrimci Halk Kurtulus Partisi-Cephesi, Revolutionary People's Liberation Party-Front
FETO	Terrorist Organization (<i>referred as such by the current Turkish Government, otherwise known as Gulen Movement</i>)
HDP	<i>Halkların Demokratik Partisi</i> , Peoples' Democratic Party
HRA	Human Rights Association, <i>İnsan Haklari Dernegi</i>
HRFT	Human Rights Foundation of Turkey, <i>Türkiye İnsan Haklari Vakfı</i>
KHK	<i>Kanun Hukmunde Kararname</i> , Government Decree Law
KPSS	<i>Kamu Personel Seçme Sınavı</i> , Public Personnel Selection Exam
MIT	<i>Milli İstihbarat Teskilati</i> , National Intelligence Organization
MP	Member of Parliament
PKK	<i>Partiya Karkerên Kurdistanê</i> , Kurdistan Workers' Party
SADAT	<i>Uluslararası Savunma Danışmanlık Şirketi</i> , International Defense Consulting Company

SEGBIS	<i>Ses ve Görüntü Bilişim Sistemi</i> , Audio and Visual Information System
TBMM	<i>Türkiye Büyük Millet Meclisi</i> , Grand National Assembly of Turkey
TMA	Turkish Medical Association, <i>Türk Tabipleri Birliği</i>
TOKİ	<i>Toplu Konut İdaresi</i> , Housing Development Administration
TRT	<i>Türkiye Radyo Televizyon Kurumu</i> , Turkish Radio and Television Corporation
UN	United Nations

METHODOLOGY

AST reporter interviewed the victims of torture and witnesses personally while conducting this research. This report is prepared considering the court trial records, court hearings, statements of witnesses, health reports, and open source unrefuted information. AST reporter concealed the identities of some victims for security reasons. However, these victims declared that they are ready to prove their allegations before the independent institutions. This report includes cases of some of the victims of torture which has become systematic after 15 July 2016 once again.

SUMMARY

In Turkey, especially after the coup attempt on July 15, 2016, there have been mass arrests and detentions. Suleyman Soylu, Minister for Internal Affairs, has stated that 511,000 individuals have been taken into custody as of March 2019, on the grounds of their relationship with the Gulen Movement. Up until today, more than 100,000 individuals have been jailed. It has been confirmed that prisoners and detainees have been under systematic torture and ill-treatment, more severely during the state of emergency. Some of the cases are documented and reported by local and national human rights organizations, related videos and photos of some cases have received wide media coverage; and some cases have come to light by means of the statements of victims during the ongoing trials, which are consistent with their medical reports.

According to the research conducted by the AST, 93 prisoners have lost their lives due to torture, ill-treatment, and negligence.

Moreover, another 11 individuals have lost their lives during the arrest procedure and interrogation under torture. AST has recorded all these cases in this report and put 10 cases under the scope by including the evidence of torture.

Gokhan Acikkollu Died After 13 Days Of Torture In Police Custody

Gokhan Acikkollu, a teacher, after he was taken into custody with the accusation of attempting a coup and due to his relationship with the Gulen Movement; died in İstanbul Police Headquarters on August 5, 2016 after 13 days of torture. During the routine health controls, teacher Gokhan Acikkollu managed to record what he has lived through, day by day. He made sure that the photos of the torture marks were taken. Reports of the forensic medicine experts confirmed that his death was due to torture. During doctor visits Acikkollu had stated that he was afraid of dying, that his head was smashed against walls, kicked while

down on the floor, slapped and punched hundreds of times, and that he was feeling a never-ending pain in ribs. The autopsy made after his death detected fracture in his rib and beating marks.

This report has the torture testimonies of the teacher's prison mates and the forensic medicine expert. Public prosecution office, before conducting any investigation, declared that police were not negligent in his death. After the reports of the human rights organizations and upon the appeal of his family, the prosecution office had initiated an investigation. However, the statements of the witnesses were not taken, the entire video footage in the İstanbul Police Headquarters Counter Terrorism Branch, the place of death, were not examined and finally the case was closed noting that there was no need to file a lawsuit. The court found the raised objection justified and ordered an investigation to be opened; however the prosecution office has not taken any action, yet.

Other than the ones detected in the official detention centers and prisons, more severe and long-dated crimes of torture have been identified which are committed in the illegal

interrogation centers by the public officials of the government. In our report, 4 torture victims, who were abducted by *MIT*, narrate the months-long inhuman treatment in the secret and illegal detention centers.

A.G. (whose name is being withheld by the reporter for security reasons) who was abducted to the *MIT* Yenimahalle campus, putting sack over his head and beating him, has explained how he was strapped to a strappado while being subjected to electric shock, and beaten with whips, sticks, and batons; he further told about the rape attempts. A.G. who has stayed in a dark cell of 4.5 m² for several weeks, indicated that especially during the first 20 days he was actively exposed to the similar physical torture methods every single day. A.G. who was accused of being a member of the Gulen Movement, has explained that he was kept hungry and thirsty and he was inflicted to psychological torture methods such as swearing, insulting, and threatening with his family members.

“A Case Of Intestinal Tear Due Placing A Baton Inside The Rectum”

A.G. has stated that several individuals in the torture center had intestinal tear due placing baton inside the victim's rectum, forcing to sit on an artificial penis; he has further stated that they had attempted to rape him several times. A.G. told that in his cell he was constantly hearing the screams of the other torture victims and the laughter of the torturers; according to A.G. a typical torture session continued an average of 4-5 hours. He had further stated that in every cell security cameras were installed and they were deprived of sleep by being constantly exposed to directives.

He claimed that an official from the Office of the Presidency came to the interrogation center and was briefed by the torturers. A.G. further stated that he was asked to be an informant inside the Gulen Movement, to sign the previously prepared statements, and to work for *MIT*.

Ayten Ozturk is a 44-year old woman who was abducted by *MIT*. During the court hearing of the lawsuit in which she was

accused of being a member of the DHKP-C (Revolutionary People's Liberation Party-Front *Turkish: Devrimci Halk Kurtulus Partisi-Cephesi*), she has stated that she was tortured for 6 months long. She told that she was taken into custody by the Lebanese Police in the airport and turned over to the *MIT*, then brought to Turkey in a private plane, blindfolded, her mouth taped, handcuffed behind her back. Ozturk stated that she was being continuously tortured from March 13, 2018 till August 28, 2018. She stated that she was brought to the interrogation center which was only around 15 steps away from where the plane landed, that she was taken off all clothes, was dragged on the floor, and put in a padded cell.

Electric Shock, Beating, Attempted Rape

Ozturk stated that during the interrogation, she was exposed to following torture methods: Forced to stand naked in front of the torturers, sexually violated with batons, waterboarding, force-feeding, burning her fingers, keeping her in a coffin-like box, strappado torture, and many more. According to her statements in the court

trial, she was especially exposed to different methods of torture during her menstrual periods. She was kept in a cell for 25 days, being handcuffed behind her back, blindfolded, and a sack being put over her head. She was exposed to force-feeding and was forced to drink large quantities of water while she was brought to restroom. After 25 days, she got worse and was brought to the infirmary; since her eyes were kept closed during that time period, her eyelids could hardly be opened using a liquid. She could only see the eyes of the individuals who were treating her, because they were wearing snow masks. After treatment, the torture went on. She states that her entire body was full of wounds, that they had covered her body with a type of gel, that she was constantly exposed to profanity and harassment.

She stated that she was hung from her arms to the wall and force-fed, her hands and fingers were subjected to electric shock, and a hard-plastic tube passed through her mouth in order to force-feed liquid nutritional supplement. Some of the statements of Ozturk in the court trial are as follows: “It was impossible to move around inside the coffin-like box. And while in the cell, every

now and then, they were opening the door, beating me up, threatening, and cursing. My mouth and nose were drenched in blood, my entire face was swollen and bloodied, having black eyes. My little fingers and big toes were subjected to electric shock. They were attaching a metal ring on my fingers and using a remote controller to give electric shock. I had lost consciousness a few times and could not get up.

When they had a break from giving electric shock, they were keeping me on strappado and abusing my body with their fingers, sticks, and batons. They were trying to insert the baton into my genitalia and performing every other perverseness. They were threatening to rape me with a thick baton. My feet were swollen from standing for a long time and they were yet hitting my feet with sticks and batons. They put a sharp object under the nails of my three fingers and burned my little finger. The wound in my finger and the infection under my nails did not recover for months. Sometimes they were hanging me upside down and hitting my feet. When I was collapsing and feeling nauseated, they were lowering me down and using different methods of torture. They were letting me sit inside a tire and

attempting to rape me with a baton. They were increasing the intensity of the torture especially during my menstrual periods and they were depriving me from sleep”.

“Torture Continued After Treatment”

Ozturk stated that she has figured out that all of the 7-8 individuals in the adjacent cells were men just because she heard their screams and crying during torture. She stated that her body collapsed several times, she was treated by a special team and then the torture has continued. According to her statement, the torturers told her: *“We’ll treat you and then continue with torture sessions. This will go on just like that. There is no end. This is hell. You have no way out. We know everything about human anatomy. We are professionals. You won’t die but you will beg to die. If ever you get out, you will be mentally ill”.*

She stated that after 6 months she was delivered to the police and she was then officially arrested by police as if she was just caught ordinarily.

Ozturk is still in prison and she is saying that she has serious health problems due the torture she was exposed to and she maintains her life only with the help of her cellmates. She states that her cell mates found 898 wounds and scars of torture all over her body.

İ.S., who is accused of being a member of the Gulen Movement and whose case is discussed in detail in this report stated that he was exposed to torture in the same place for 7.5 months. Another individual, Zabit Kisi states that he was tortured in the same place for 108 days. İ.S was exposed to similar torture methods described above and lost 30 kilograms; when he was released even his wife couldn’t recognize him. İ.S states that the torturers told him that they were receiving money from the government in order to kill and torture. While İ.S was talking about the torture sessions, his voice was trembling and he was occasionally crying; he had not fully recovered from the trauma. Zabit Kisi talked in detail about the inhuman treatment of rotating teams. He stated that his penis was bleeding for days due to beating, his fingers were smashed, his ribs were fractured and cracked, he was harassed, exposed to electric shock, and that

they had injected drug into his body. They had told him that they would kill him by injecting drug and then tell the authorities that he died due to heart attack.

Declaring As Terrorists Without Any Trial

According to hearings recorded on the TBMM books, reports of the human rights associations and statements of the families 28 individuals were abducted and exposed to similar torture. It is unknown whether 6 of these individuals are still alive and if so, where they are. Almost all of the individuals who were abducted were asked to work as informants and to sign the prepared statements when they were delivered to police.

Recently some government officials who were working in the Ministry of Foreign Affairs in Ankara and arrested on allegations of their links to Gulen Movement were exposed to systematic torture in the official interrogation centers. Ankara Bar Association found evidence of torture and included them in its report which is compiled as a result of the investigations based on the statements of the victims.

While those government officials were arrested and before even they gave their statements, Minister of Foreign Affairs Mevlut Cavusoglu declared these officials as “FETO” terrorists completely ignoring the presumption of innocence. Omer Faruk Gergerlioglu, one of the HDP members of the Parliament stated that 100 individuals were exposed to different torture methods including rape with baton. After the report of the Ankara Bar Association about the torture, it has been asked for the officials who are responsible for the torture to be put on trial and to be suspended from their jobs, however until today no action has been taken about it.

No Investigation About Torturing Kurdish People

After July 15, it has been observed that the intensity of torture and ill-treatment has increased in the areas densely populated by Kurds. Three teenagers aged 14, 16, and 17 who were detained by police on suspicion that they were to protest on behalf of PKK, have obtained a health report from Van Training and Research Hospital and provided evidence that they were tortured in the police station. The teenagers explained

to the president of the Van Bar Association Zulkuf Ucar how they were severely beaten and their heads put inside the toilet. Zulkuf Ucar then filed a criminal complaint against the police officers; however no action has been taken.

Again in the city of Van, after an assault against police, 3 villagers were detained in a rural area and they were severely tortured. The photo images of beatings were released to the public via social media accounts by the police officers themselves. The Office of the Governor in Van, which is the highest ranked administrative office in the city, has released a note to the public stating that “3 terrorists were captured alive” before the statements of those individuals were taken and while the investigation about them was still going on. Moreover, the Office of the Governor also stated that those three individuals had confessed their crimes. Later it has been understood that those villagers, ages 35, 50, and 53 were walking in that rural area just with the purpose of picking wild mushrooms; hence they were released. Despite the pictures showing their bodies drenched in blood, no legal action has been taken against officials who tortured them.

The Government of the Republic of Turkey is responsible for the arrested or convicted individuals’ mind and body health and life safety. There are so many seriously ill, disabled, old, and pregnant individuals in prisons, arrested or convicted. The prisoners whose punishment should be postponed due to their conditions according to the law, are being kept in prison despite their health reports. In various prisons deaths, injuries and disabilities occurred due to torture, ill-treatment, and negligence. This report records that 93 individuals have lost their lives due to torture, ill-treatment, and negligence.

Systematic Torture Goes On

During the state of emergency, the maximum period of detention without charge was increased to 30 days; during that time period especially the military personnel was exposed to severe torture; their photo images were released to the public by the state official media outlets, such as TRT and Anadolu Agency, and some other pro-AKP government media outlets without any hesitation. Many deaths and injuries have been reported during the detention period. Although the state of emergency has ended,

systematic torture of the detainees still goes on in the detention centers. UN and European Union commissions keep criticizing and warning Turkey and recommending to improve the democracy and human rights at once. Local and national human rights organizations continue to document and report the cases of torture and the stories of the victims. The new cases of torture victims that AST has recently discovered and reported show that systematic torture and ill-treatment continue without slowing down.

INTRODUCTION

Systematic Torture Has Begun Again After July 15

AKP Government which is in power in Turkey since 2002 has been paving the way for human rights violations since the corruption investigations about Recep Tayyip Erdogan and AKP ministers came out on December 17-25, 2013. The prosecutors and police officers who initiated the corruption investigations have been accused by Erdogan of being members of the “Gulen Movement”, the leader of which is the scholar and preacher Fethullah Gulen who lives in the USA. While Erdogan was speaking of the Gulen Movement with praise earlier, he then declared the same movement as a terrorist organization after the National Security Council meeting.

After the AKP Government has completed the necessary legislative regulations, the courts in Turkey have also declared the Gulen Movement as a terrorist organization, and the movement is now being referred in Turkey as Fethullah Terrorist Organization (FETO). Gulen Movement has been alleged to support the July 15 coup attempt and since then mass arrests have occurred.

More Than 511,000 Individuals Have Been Detained

Suleyman Soylu, Minister for Internal Affairs, stated in March 2019 that 511,000 individuals have been taken into custody and 30,821 individuals have been arrested in the aftermath of the police operations against Gulen Movement since July 15, 2016.



According to the statistics provided by the opposition parties CHP and HDP, in the first 20-month long state of emergency alone, arrest warrants have been issued for 228,137 individuals including those who live abroad.

The deputy secretary of the Ministry of Justice symposium, Omer Faruk Aydinler, stated during a symposium 88,000 individuals have been arrested and jailed on grounds of being a member of the *Hizmet* Movement, as of July 2018.

According to the statement of the Ministry of Justice **29,487** individuals are jailed - arrested or convicted - because of the investigations against the Gulen Movement as of July 2019.

Since July 15, 2016 until now, more than 100,000 individuals have been arrested because of the investigations against the Gulen Movement, including the ones who have been later released.

In 2015, while he was campaigning for the presidential elections in Turkey, Erdogan ended the “Solution Process” which had

aimed the disarmament of the PKK. From then onward, Erdogan has used a nationalist discourse. He has paved the way for the increase in the violence policy against the civilians living in the Kurdish regions. In the southeastern Turkey mass murdering, forced migration, demolishment of the residential areas, arrests, and torture have increased.

It is still controversial by whom the military coup attempt in July 15, 2016 has been organized and after that coup attempt, the crime of torture and ill-treatment has been widespread and systematic as it was in the 90's. The state of emergency that was declared on July 21, 2016 right after the coup attempt has played an important role in the dissemination of this crime.

The decree laws of the AKP government have suspended the relevant articles in the European Convention on Human Rights and the International Covenant on Civil and Political Rights to which Turkey has been a contracting state and which set forth treatment which is compatible with human



dignity, ban torture and ill treatment, and protect the right of defense. New laws have been enacted which ensure the security forces not to be trialed for the crimes that they have committed, and thus the security forces have been encouraged. The Act 9 of the 667th decree law which was announced on July 23, 2016 states that “*Individuals who perform their jobs within the scope of the decree law shall not have any juristic, administrative, fiscal, and penal responsibility due to their jobs*”. Thus, the way for systematic torture and ill treatment, which, according to the international law, is absolutely forbidden even during warfare has been cleared. The “zero tolerance against torture” statements that Erdogan was making at the beginning of the 2000’s have been put on ice.

The fundamental human rights have been totally ignored and thousands of arrests have been made suddenly nationwide. The maximum period of detention without charge was increased from 7 days to 30 days. This long time period gave the police the time to sweep away the evidence of torture under arrest. The right to an attorney has been limited during the period of detention. Erdogan and the government

spokesmen, with their statements, have been encouraging the police and security forces as regards the unlawful treatment against the suspects.

Criminal complaints, testimonies, and medical reports have come in sight as regards the systematic torture applied in the buildings of the MIT (National Intelligence Organization, in Turkish - *Milli İstihbarat Teskilati*) campus, police headquarters, buildings of the Turkish Armed Forces, and prisons. Security forces have used much heavier torture in the unofficial interrogation and detention centers (sport center, farm, factory, mosque, etc.) since auditing was impossible in those places¹. Some individuals have lost their lives, some have become permanently disabled, and some others have suffered severe traumas.

After July 15, 2016 Erdogan government has designed the judicial system using partisans and thus managed to cover the oppression, threat, harassment, torture and ill treatment against opponent of the AKP government.

¹ Bianet, 25 July 2016, <https://m.bianet.org/bianet/insan-haklari/177141-af-orgutu-darbe-girisiminde-gozaltina-alinanlara-iskence-vetecavuz>

Despite all the attempts of the government, police and the justice system to hide and cover the torture and ill treatment during the detention and arrest, so many cases have been reported. The independent international human rights organizations documented, in their reports, the cases of the individuals who were exposed to torture and they have emphasized that “systematic torture is back in Turkey”.

The UN Rapporteur Has Documented The Torture Evidence.



The UN special rapporteur Nils Melzer has released a report on December 2, 2016. In his report Melzer stated that

“In the days and weeks following the coup attempt, the torture and ill treatment have been widespread. Information has been obtained about the torture made by police, gendarme

and military personnel in the official and unofficial detention locations”².

Nils Melzer, UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment., has conducted investigations in Turkey between November 27 - December 2, 2016. The UN Rapporteur has met, in different cities, with the officials of the Ministry of Foreign Affairs, the Ministry of Interior, Ministry of Justice, Supreme Court, Court of Cassation, Chief Prosecutors of Ankara and Diyarbakir, and Forensic Medical Institute; as well as with the human rights activists, lawyers, doctors, non-governmental organizations, diplomats, and individuals under detention or arrest. Melzer notes in his report that torture and ill treatment are forbidden due to many international conventions to which Turkey has been a contracting state and he states that *“Despite all the persistent allegations about the widespread torture and other ill treatments, especially after the unsuccessful coup attempt on July 15, 2016 and during the violent events in the southeastern part of the country, it is*

² Euronews, 28 February 2018, <https://tr.euronews.com/2018/02/28/bm-turkiye-de-iskence-sikayetlerinde-ciddi-art-s-var>

extremely rare that an official investigation or prosecution has been conducted about these cases. This situation creates a strong perception about the immunity of the perpetrators of torture and other ill treatments”³.

Melzer documented in his report several torture methods like brutal beating, punching and kicking, hitting with different objects, foot whipping, threatening and verbal harassment, sexual harassment and rape, depriving from sleep, forcing eyelids open for several days, and handcuffing. He has reported that many detention locations were extremely crowded and there was no sufficient access to food, water, and medical care.

Forensic medicine experts who accompanied the Special Rapporteur have observed during their medical examinations pain, stress, psychological trauma, depression, post-traumatic stress disorder, and other mental disorders which require psychological or psychiatric treatment and support.

³ Ahval, 22 January 2018, <https://ahvalnews.com/tr/iskence/bm-raportorunden-tuyler-urperten-turkiye-raporu-iskence-tecavuz>

Melzer states that prosecutors have not investigated the torture allegations due to the state of emergency laws and that this is consistent with the perception about the “immunity of the perpetrators of torture”.

The 47- page report prepared by the Human Rights Watch with the title “A Blank Check:

The logo of Human Rights Watch, consisting of the words "HUMAN RIGHTS WATCH" in white, uppercase, sans-serif font, arranged in three lines within a blue rectangular background.

Turkey's Post-Coup Suspension of Safeguards Against Torture” (October 25, 2016) documented that the rights of the individuals, who have been detained by the state of emergency decree laws, have been violated. The report, which details 13 different cases, has documented that police has used torture and ill-treatment against individuals in detention⁴. Another report that Human Rights Watch prepared after one year has documented that torture and ill treatment have become systematic in Turkey. The report also noted that some officials of the Turkish state have abducted Turkish citizens and interrogated them in the

⁴ AGOS, 25 October 2016, <http://www.agos.com.tr/tr/yazi/16827/khk-lar-gozaltinda-iskenceyi-kolaylastirdi>

unofficial interrogation locations for several months⁵.

Many suspects, at their first court trial, told that they have been exposed to torture, threats, and ill treatment during the prolonged detention periods and that the police resisted this situation to be recorded into their statement reports. When the victims tried to complain and asked an official report to be written about this situation, police didn't allow that and referred to the decree law dated July 23, 2016 stating that "no complaints can be made and no lawsuit can be filed against the police under the decree law". Also, the lawyers have not been allowed to add annotation to the interrogation reports as regards these complaints. The criminal complaints of the suspects who were exposed to severe torture and ill treatment under detention or arrest have resulted in decisions of the judicial institutions which protect the perpetrators of the torture. Esref Aktas, public prosecutor in the city of Trabzon closed the torture case by referring to the Act 9 of the 667th decree law of the government which states that

"Police officers who perform their jobs within the scope of the decree law shall not have any penal responsibility and shall not be put on trial"⁶.

During this time period of widespread torture and ill treatment, medical doctors haven't conformed to the Istanbul Protocol which regulates the rules about how the individuals to be medically treated when they claim that they are exposed to torture. Detailed medical examinations have not been performed. Some doctors who have detected evidence of torture and who wanted to report those couldn't do so because of the police coercion. Some of the doctors who prepare judicial control reports have not even documented the wounds, bruises, and chronic diseases of the suspects who were in detention.

The suspects who were alleged to be coup plotters have been tortured, completely ignoring the likelihood of their innocence. Their photo images after torture were released to the public by the state official media outlet Anadolu Agency and the state

⁵ HRW, 12 October 2017, <https://www.hrw.org/tr/report/2017/10/12/310066>

⁶ Evrensel, 16 January 2017, <https://www.evrensel.net/haber/304217/savci-iskence-suc-duyurusunu-khkye-dayanarak-reddetti>

TV network TRT, for the purpose of propaganda.

During the court trials suspects from different backgrounds such as teachers, doctors, businessmen, police and military personnel have talked about the torture methods that they were exposed to. Some of the widely used methods, totally incompatible with human dignity, are reported in the trial records as follows: Severe beating, applying pressurized cold water, inserting baton in the rectum, squeezing testis, electric shock, forcing head into a water filled bucket, placing the body in stress position, depriving from sleep for days, hogtie, strappado, threatening with raping family members, heavy insults. There are several individuals who have lost their lives, who have become insane and mentally instable, and who have developed psychological disorders due to the heavy torture they have been exposed to⁷.

According to the statement of Prof. Dr. Sebnem Korur Fincanci, the president of the Human Rights Foundation of Turkey (HRFT), more than 5,000 individuals have

applied in 2017 to the human rights organizations in Turkey after the coup attempt of July



15 claiming that they have been tortured and they asked for legal support⁸. More than 500 individuals have applied to the offices of HRFT in order to get support for the medical care they need due the torture they were exposed to. In the first 11 months of 2018, more than 2,600 individuals have applied to the HRFT claiming that they have been tortured. In the same time period, 558 individuals have applied to the HRFT to get support for the medical care they need due the torture they were exposed to.

“State Of Emergency Is Over But Violations Of Rights Keep Going On”

Human rights activist Prof. Fincanci, using an interesting statistic, states that although the government seems to be acting against torture on surface, the reality is very

⁷ TR7/24, 27 February 2017, <http://www.tr724.com/gozaltinda-akli-dengesini-yitiren-tugba-ogretmen-tekrar-cezaevine-konu/>

⁸ Ahval, 19 December 2018, <https://ahvalnews.com/tr/soylesi/prof-sebnem-korur-fincanci-akp-insan-haklari-ihlallerini-onlemede-en-basta-da-samimi>

different: “In 2017, 42 lawsuits were filed regarding Article 94 of the Turkish penal code which regulates the crime of torture. This is an unbelievable statistic. In 2017, the number of investigations regarding torture is 42. The number of the lawsuits filed regarding resisting arrest by the security forces is 26,000 !” These numbers show that police officers file lawsuit against the suspects in order to intercept the lawsuits of the suspects and hence to prevent the proof of torture. Since the victims cannot claim their rights, the crime of torture goes unpunished.

AKP government has used the coup attempt as a justification to declare state of emergency and to legislate decree laws which are against the constitution and the human rights conventions, and consequently torture has become widespread. Recently the state of emergency ended, however the human rights violations still keep going on. The ongoing research and the filed lawsuits document that the torture in the security forces centers continue systematically. Sezgin Tanrikulu, one of the members of Parliament representing Istanbul and serving in the Republican People's Party (CHP) and the deputy chairman of the Parliament

Human Rights Watch Commission, has announced to the public in the “Report of Violations of Rights - May 2019”



that just in the month of May 2019, there were 246 violations of the right to life and 515 cases of torture. According to the report, 364 of these cases are within the scope of torture, and the other 151 of them are within the scope of “torture and ill treatment”⁹.

Erdogan Regime Has Bred Hatred And Animosity

The AKP government under the leadership of Erdogan, instead of taking steps against the crimes committed against the human



dignity, has preferred to make statements which are impossible to be associated with the universal principles of law. Erdogan stated that they shouldn't be contended with the punishment of the members of the Gulen

⁹ Mezopotamya Agency, 11 June 2019, <http://mezopotamyaajansi18.com/GUNCEL/content/view/60278>

Movement by the judicial system. Erdogan has invited his supporters to lynching them, which is in absolute contradiction with the notion of state of law:

“These bloody-handed murderers will not be able to save themselves from the painful end which is waiting for them. Their amorality in the courtrooms will not bring them any benefit while they are perishing in the jails. When they complete their jailtime and are released, our people will give them the necessary punishment whenever they see them walking the streets. Our people will spit on their faces and they will be drowned in the spits of our people. Our fight will go on until the last FETO member pays the price of his treason”.¹⁰

¹⁰ GriHat, 7 June 2017, <http://grihat.com/erdogan-cezalarini-tamamlayip-disari-cikanlarolursa-milletimiz-sokakta-gordugunde-gereken-cezayi-verecektir/>

Mehmet Metiner, the then member of the Parliament and the President of the Penal Institution



Subcommittee in the Parliament stated that their commission will not visit the individuals who have been arrested due the investigations regarding the Gulen Movement, and that the commission will not conduct any research or investigation regarding the torture and ill treatment allegations regarding them.¹¹

Nihat Zeybekci, the Minister of Economy of that time period, made a speech on September 1, 2016 in Civril district of the



city Denizli saying that the coup plotters would die in the cells of 1.5-2 m² like sewer rats: ***“We will give them such a punishment that they will wish that they had rather died. They won’t be able to see any other human being, they won’t be able to talk to***

¹¹ Cumhuriyet, 2 October 2016, http://www.cumhuriyet.com.tr/haber/turkiye/608880/AKP_li_Metiner_den_vahim_sozler__iskenceye_inceleme_yok.html

anyone else". Then, he stated that "they would continue to bring the members of the Gulen Movement to account, until the last one of them is exterminated"¹².

Among the many civilians who have been arrested and put in jail due to accusation of their relationship with the coup and terror organization, the number of housewives, babies, children, teachers, academicians, students and philanthropist businessmen is especially striking. The number of the 0-6 aged children who stay in the prisons is 866 as of today. According to the Turkish penal code, the punishment of the pregnant women or women who recently gave birth should be postponed and these women cannot be imprisoned, however this decree of the penal code is not put in practice.

Speeches Of Hatred And Animosity Have Caused Lynch Attempts

It is notable that Erdogan has got in contact in recent years with some crime, militia and mafia organizations and he has provided

¹² BirGun, 1 September 2016, <https://www.birgun.net/haber/bakan-zeybekci-gebertin-bizi-diye-yalvaracaklar-122392>

them with privileges and immunities. Sedat Peker, a well-known mafia leader in Turkey has been organizing rallies and



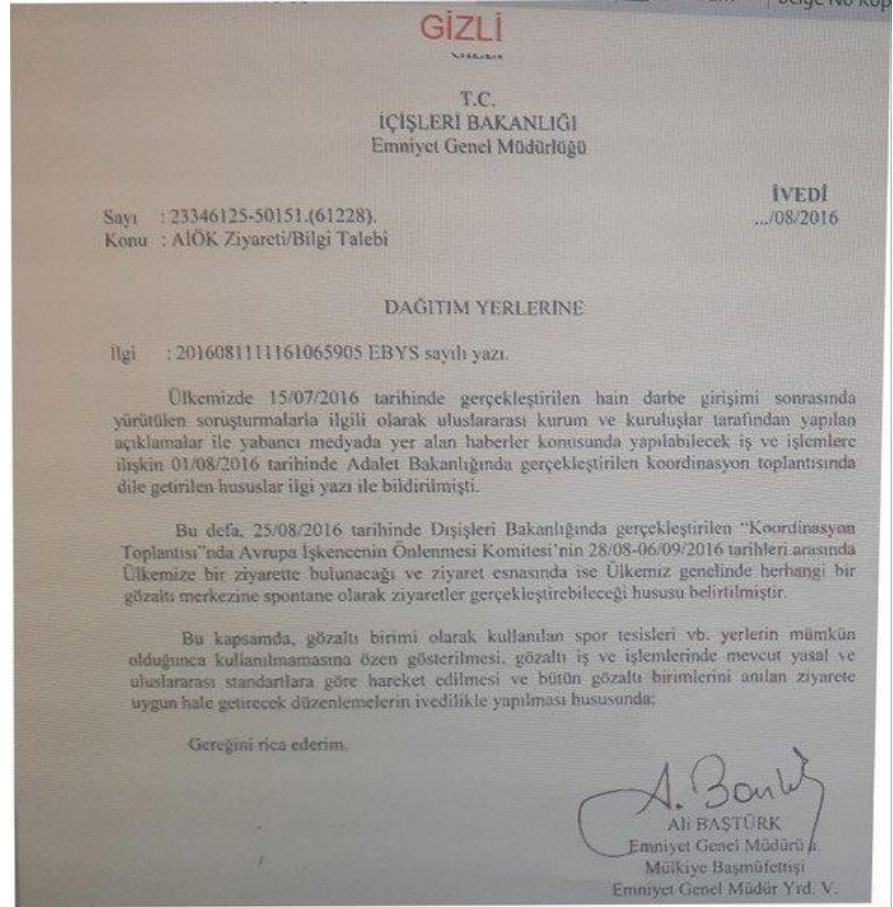
making public speeches, being encouraged by Erdogan. Peker threatens to kill and spill the blood of the opponents of the government. On July 16, 2017 Peker made a speech to the AKP supporters and said:

"Let them pray for the health of Erdogan whom they call a dictator. May God protect Erdogan. If Erdogan dies, even normally, then they will see what a true dictator is. We will hang them all on the nearest flagpoles; whoever has been sympathizing with the opponents, whoever has been walking with them, we will hang them all on the nearest trees. Afterwards, we will raid the prisons and we will hang the prisoners. We will hang them by their necks on flagpoles"¹³.

¹³ ABC News, 16 July 2017, <https://www.abcgazetesi.com/arsiv/sedat-peker-planini-acikladi-cezaevlerini-basacagiz/haber-58874>

They Attempted To Keep The Evidence Of Torture From The International Public Opinon

The AKP government which prevented the human rights organizations' activities and investigations in Turkey has also taken precautions to prevent the detection of the evidence related to torture in the detention centers and the ever-worsening conditions in the prisons. Within this framework, the General Directorate of Security has sent a confidential document to all the police departments in 81 cities and given instructions to out all the detention centers in order and “compatible” to international standards of law¹⁴.



Selcuk Kozagacli, president of the Progressive Lawyers Association, has formed committees to investigate violations of rights and has released his findings to public during the regular general assembly of the Ankara Bar. He explained that many suspects such as judges, prosecutors, police officers, civilians who have been arrested on allegations of their links to



¹⁴ Agos, 9 September 2016, <http://www.agos.com.tr/tr/yazi/16504/emniyet-ten-gizli-talimat-iddiasi-gozalti-birimlerini-uygun-hale-getirin>

Gulen Movement, have been exposed to heavy torture, some of them raped with hard objects, their intestines had been ripped out and they have been taken into surgery; moreover suspects were tortured not only in detention centers but also in prisons¹⁵.

Lawyer Kozagacli has also released several statements to the media and explained the details of the systematic torture: *“Almost everyone is exposed to torture in detention. Whatever torture methods were being used in the past, they are being used now. Men are tortured on bastinados, as a result of which many of the victims’ feet got bent. The medical doctors are taken to the detention and torture centers. This is a crime according to the law. Since the medical treatments are not done in the regular medical exam rooms, we cannot investigate and trace the torture...In detention, nobody is allowed to see a lawyer for the first 5 days. Although it is difficult to detect the torture, so many individuals contact us about it. The families are scared to talk to media because of the ongoing witch-hunt. Torture is a crime and it is never subject to any statute of limitations. We will go after these crimes of torture”*.¹⁶ He also stated that many women are facing sexual assault under detention or arrest. Lawyer Kozagacli has been arrested on November 13, 2017. He is still in prison.

Majority of the victims who have been arrested during the state of emergency were exposed to violations of their rights and ill treatments to the extent of “systematic torture”. After they were released, they have experienced major difficulties in medical treatment of the permanent damage caused by the torture and ill treatment they were exposed to. The victims cannot adapt normal life due to the reasons such as lack of the social security and discrimination against them in the job market. Therefore, the number of the individuals applying for refugee or asylum status in foreign countries has recently skyrocketed.

¹⁵ 16 October 2016, <https://www.youtube.com/watch?v=o9S3u8mQ4LM>

¹⁶ Yolculuk, 17 October 2016, <https://gazeteyolculuk.net/gozaltinda-tecavuze-ugradigi-icin-ameliyat-olanlar-var>

LEGAL STATUTE

Crime Of Torture:

Article 1 of the “Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment” which is adopted by the General Assembly of the United Nations on 10 December 1984, defines torture as follows: Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. The Convention entered into force on 26 June 1987. Turkey ratified the Convention on 25 January 1988, it is published in the Official Gazette on 29 April 1987 and has become effective.

Article 4 of this Convention is as follows:

- *Each State Party shall ensure that all acts of torture are offences under its criminal law. The same shall apply to an attempt to commit torture and to an act by any person which constitutes complicity or participation in torture.*
- *Each State Party shall make these offences punishable by appropriate penalties which take into account their grave nature.*
- **International norms decree the torture to be defined as a crime and punishable by penalties. Turkey is one of the state parties which ratified this Convention.**

Article 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms states that “*No one shall be subjected to torture or to inhuman or degrading treatment or punishment*”.

Prison Sentence Up To 25 Years For The Crime Of Torture

Articles 94 and 95 of the Turkish Penal Code require a penalty of imprisonment for a term of 3 to 12 years for the crime of torture committed by a public official. If the offence is committed against a child, a pregnant woman, a public officer or a lawyer, imprisonment for a term of 8 to 15 years shall be imposed. If the act is conducted in the manner of sexual harassment, the offender shall be sentenced to a penalty of imprisonment for a term of 10 to 15 years. The Article states that **“Any other person who participates in the commission of this offence shall be sentenced in a manner equivalent to the public officer”**. Where the act of torture causes (of the victim) a permanent impairment of the functioning of any one of the senses or an organ, or a distinct and permanent scar on the face, the penalty shall be increased up to 18 years. Where the act of torture causes (of the victim) an incurable illness, the complete loss of functioning of one of the senses or organs, the loss of the ability to speak or loss of fertility, a permanent disfigurement of the face, or the

loss of an unborn child, where the victim is a pregnant woman, then the penalty shall be increased up to 24 years. Where an act of torture causes the death of the victim, the penalty to be imposed shall be aggravated life imprisonment.

Torture Can Never Be Justified

After the preamble which points to the international rules of law, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment proclaims that torture and inhuman treatment can never be used under any circumstance whatsoever, including state of war and state of emergency. Article 2 of the Convention states that no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.

Crime Of Ill Treatment

The decisions of the European Court of Human Rights discriminate between torture and ill treatment by taking into consideration the criteria regarding the severity and intensity of the torture. These criteria are, in

general, the duration of the ill treatment, physical and psychological effects, the gender, age and health condition of the victim, and the method and procedure of the ill treatment.

Turkish Penal Code regulates the crime of ill treatment under the section of “Torment” in Article 96 as follows: *“Any person who performs any act which results in the torment of another person shall be sentenced to a penalty of imprisonment for a term of 2 to 5 years. Where the act is committed against a child, a person who is physically or mentally incapable of defending himself or a pregnant woman, then a penalty of imprisonment for a term of 3 to 8 years shall be imposed”*.

Turkish Constitution regulates the prohibition of torture in Article 17/3 as follows: *“No one shall be subjected to torture or mal-treatment; no one shall be subjected to penalties or treatment incompatible with human dignity”*.

As a result of all the above mentioned, torture and ill treatment are prohibited according to the national and international norms.

CASES

CASE 1: GOKHAN ACIKKOLLU, TORTURED AND LOST HIS LIFE IN DETENTION

History Teacher Gokhan Acikkollu was 42 years old, married and father of two children. He had graduated from Konya Selcuk University History Department in 1997. He had worked as teacher in the cities of Nevsehir, Aksaray, and Konya at the teaching institutions which are known to be affiliated with the Gulen Movement. In 2012 he had taken the KPSS (Public Personnel Selection Exam) and began working as a History



Teacher in a High School (*Umraniye Atatürk Teknik ve Endüstri Meslek Lisesi*) in Istanbul which is connected to the Turkish Ministry of National Education. According to his friends, he was someone who had great sense of humor, full of life, generous, and popular among his teacher friends. In 2013, he had learned that he was diabetic and begun to use medicines. He also had anxiety disorder and was sometimes having panic attacks.

According to his wife, Mumune Acikkollu, 15 July 2016 was the birthday of their son who was preparing for the university entrance examination. They were having a birthday party at home. They had learned about the coup attempt from TV stations. They were hearing gunshots outside in front of their house. There were no soldier or police on the streets but some of the people in the crowds were firing their guns. Gokhan Acikkollu had said: *“How can something like this happen in this day and age? There was never a coup before while the people were out on the streets. How can a coup happen with just blocking a bridge? This is something else.”*

Gokhan Acikkollu had attended his brother's wedding on July 17 and then took his family for a vacation to Konya which is hometown of his wife Mumune Acikkollu.

He Learned That Schools Were Shut Down And He Was Suspended From Duty

On July 21, Yusuf Tekin, the undersecretary of the Ministry of National Education has informed the public during a live broadcast on CNN Turk TV station that around 1,000 schools were shut down which were known to be affiliated with the Gulen Movement.¹⁷ According to his statement, work permits and licenses of the 21,000 of the 27,000 teachers working in these schools were cancelled. It was also stated that 138,000 students enrolled in these schools were to be placed in public schools. Thereupon Gokhan Acikkollu decided to return to Istanbul to go to his daughter's school and ask for the reimbursement of the registration fee. On Friday, July 22 Gokhan Acikkollu returned to Istanbul by high-speed train and on that day he received a call from the principal of the school where he was working. The principal told him that he was suspended from duty. Gokhan Acikkollu called his wife, let her know about the situation, and expressed his concerns, saying: *"How are we going to afford the diabetes medications if they dismiss me from public duty"*? His wife Mumune Acikkollu, who has been a public official for 23 years, received a call too, only one hour later and was informed that she was suspended from duty, too. Mumune Acikkollu had graduated from a medical vocational high school and worked as nurse for 10 years. Meanwhile she had received a university degree from the Department of Theology, and since then she was working as a teacher of religious studies. Since she had never worked in an institution which was affiliated with the Gulen Movement, when she asked for the reason of her suspension, she was told that it might have been because of her husband.

¹⁷ Cumhuriyet, 21 July 2016,
http://www.cumhuriyet.com.tr/haber/egitim/571900/MEB_den_kapatilan_okullardaki_ogrencilerin_durumuna_iliskin_aciklama.html

He Was Not Allowed To See A Lawyer

On Saturday, July 23 Gokhan Acikkollu went to the school of his daughter. But police had surrounded the school and they did not let him in. He couldn't cancel her school registration.

Around evening, he returned back to his home in Umraniye. His family was still in Konya. Around 11:00 pm, some 15 police officers with face masks raided his house. He was put on the ground facedown. His hands were cuffed behind his back. While searching his house, the apartment superintendent Ayten Karaoglan and her husband were asked to witness the search.

When Acikkollu asked *"I want a lawyer, why are you searching my house, on what grounds?"*, he got beaten. Police said that it was not necessary to call a lawyer. Since Acikkollu had been suffering from panic attack and diabetes, his blood sugar increased up to 400-450. Police tried to put some granulated sugar into his mouth , meanwhile the superintendent said that her mother is a diabetic, too, and that he should be injected insulin. Police found insulin in his bag. He was injected insulin without removing his handcuffs. Police continued to beat Acikkollu, the superintendent objected to this ill treatment and said *"I cannot tolerate this anymore, don't do this, I want to leave"*. However, she was not allowed to leave.

During the search, Acikkollu's cell phone, computer, camera, sd cards, engagement pictures, and his children's school payment receipts were seized, because they were considered to be evidence. Acikkollu was also beaten in the police car while he was taken to the Istanbul Security Anti-Terrorism Branch Office. When Acikkollu was taken to hospital for the medical check after his arrest, he told the medical doctor in detail how he was beaten on his back, eye corner, and shoulders. He also told how they kept beating him even in the police car.

His family received a call from a police officer in Anti-Terrorism Branch Office on Sunday morning, July 25 and was told that Gokhan Acikkollu was detained. No information was given about the accusation and about the location of detention. His wife returned to Istanbul and learned the details from the apartment superintendent. Mumune Acikkollu called the number of

the same police officer for 4 days long and told him that her husband was a diabetic suffering from panic attacks. The officer told her that there is a medical doctor in the police headquarters. She told him that they want to hire a lawyer, but the police officer told her that they cannot hire a lawyer themselves, but a lawyer may be appointed by the Istanbul Bar only if the prosecutor allows it. Gokhan Acikkollu was in detention for 7 days when a lawyer was appointed to assist him, with the permission of the prosecutor.

The lawyer told Mumune Acikkollu to ask permission from the prosecutor to bring an eyeglass for her husband. When she asked the reason, she was told: *“Your husband’s eyeglass is broken, he has difficulties to see”*.

Mumune Acikkollu states that her husband was using an unbreakable progressive transition eyeglass. It was expensive and it was difficult to break. She thought that her husband was exposed to police brutality and told the lawyer that she wanted to file a criminal complaint to the prosecution office. However the lawyer did not follow up on the torture allegation and did not file the criminal complaint. Mumune Acikkollu brought an eyeglass and handed it over to the police department.

He Was Taken To Emergency Room On The First Day

The first routine forensic medicine examination of Gokhan Acikkollu was held in Bayrampasa State Hospital on July 24, 2016. On the forensic examination report with the case number 15868, it was written: *“No marks of battery or physical coercion found”*. However, on the same day, another doctor in Haseki Hospital prepared another report with the number 4614729 and remarked the bruises, especially on the back of Acikkollu. On his first day in detention, he had a panic attack and fainted, whereupon the 112 Emergency Service was called. According to the call registration form, he fainted twice, at 1:17 pm and at 11:54 pm. His blood pressure and blood sugar were measured. With the pre-diagnosis of “Psychiatric-F41 Anxiety Disorders”, immediate treatment was applied in the detention room and then he was taken to the Haseki Training and Research Hospital. Although in Bayrampasa State Hospital it was noted that no marks of battery or physical coercion were found, the report of the Haseki Training and Research

Hospital remarks the bruises on his back; and this difference between two reports shows that the marks of torture are not monitored by every doctor closely.

On July 25, 2016 Acikkollu was brought to the Forensic Medicine Main Branch Office for the routine health examination. The report with the number 1746 indicates that Acikkollu stated that he was exposed to torture and ill treatment. Acikkollu stated that despite the fact that he had been suffering from panic attacks and was using medicine regularly, on the night of July 23 around 11 pm he was handcuffed behind the back and meanwhile he was beaten. In the report it is noted that there were bruises on his left shoulder, back, and left arm and he was feeling pain. Despite the bruises noted in this report, on the same day another medical examination was performed in the Haseki

HASEKİ EĞİTİM VE ARAŞTIRMA HASTANESİ
Acil Muayene ve Bildirim Formu

FORM NO :
REVİZYON :
REVİZYON TARİHİ :
SAYFA : 50

Hasta No : 4514726 Protokol No : 54252372
Servis : ACIL BARI ALAN Doktor : Uzm.Dr. MUSTAFA UĞUR GÖRKAŞ
Hasta Adı : GÖKHAN Soyadı : AÇIKKOLLU
Telefon : 5284463 Cep Telefonu :
Doğum Tarihi : 01/04/1974
Hasta Tipi : Acil Servis
Geçirilen Tarih : 24/07/2016

HASTA BİLGİLERİ
Oygun Durumda (daya tutulabilir ve sırtına yatırılabilir)
GÖZALTINDAKİ ŞAHIS

MUAYENE EDİLENİN ŞİKAYETLERİ
TIBBİYE BAŞ BÖLÜMÜ GÖRÜŞ BÖLÜMÜ PANİK ATAK HASTASI FİSİRA
M1 - FİYODUR

STEM MUAYENELERİ
Kalp Durum : D1 GKS : 15
Ritme : 48 TA : 120/80
Bilinc : AÇIK Işık Refleksi : +/0
Pupiller : EKOJİK Solunum : 18

LEZYON BULGULARI
SIRT BÖLGESİNDE EKİMOTİK BİLATERAL LEZYONLAR MEVCUT, BAĞIR LEZYON YOK

KONSÜLTASYON

72.07.2016
ASLI GİRDİR

Hospital and it was reported again that no marks of battery or physical coercion were found.

Day 3: They Beat Me On My Back, Shoulder, And Eye Corner

Gokhan Acikkollu was taken to Forensic Medicine Main Branch Office on July 26 for medical examination and the report with the number 1973 includes the statements of Acikkollu about the torture that he was exposed to. During the medical examination, bruises on different parts of his body were detected and it was recorded. All of these information show that Acikkollu was indeed exposed to torture in detention. Gurol Berber, a forensic science expert who was in detention together with Gokhan Acikkollu, stated that Acikkollu was telling him about the torture he was exposed to in the interrogation room. Gurol Berber also stated that Acikkollu told

them that the medical doctor has taken pictures of the bruises on his body during the medical examination.

They Slapped Me In The Face, Kicked Me In The Chest, Banged My Head Against The Wall

On July 27, Gokhan Acikkollu was taken again to Forensic Medicine Main Branch Office for medical exam and the report with the number 2142 includes his statements about the ongoing torture: *“After the medical examination, he told that he was slapped in both sides of the face, more on the right side, that he was kicked in the chest at the outer righthand side, that his head was banged from behind against the wall, and that he was constantly cursed at.”* Report includes also the findings of the medical doctor: *“...linear and spot ecchymosis scars at the right side of the face, forehead, and outer side of the eye, wound of 0.9 cm. behind the head inside the hairy area, tenderness on right side of chest, panic attack triggered due to psychological pressure, feeling sick, insomnia, the need of examination of the tenderness on right side of the chest, and suitability of the psychiatric consultation for the panic attack disorder...”*

According to the reports, in every medical examination since July 27, Acikkollu talked about a severe pain on his chest. However no x-ray image of his chest was taken. At the autopsy after his death, fractures in his ribs were detected. It is still not clear whether these fractures were due to the cardiac massage or due to the heavy beating he was exposed to on July 27.

Despite He Was In Coma For 4 Hours, It Was Reported That He Was Fit To Stay In Detention

Around 9:00 am on the 5. day in detention Gokhan Acikkollu got sick and went into a severe crisis. Police informed the 112 Emergency Service. Paramedics have taken Acikkollu into Haseki Training and Research Hospital. On July 28, he stayed under observation in the hospital for 4 hours. A medical report was prepared in the hospital stating that he was fit to continue to stay in detention.

On July 29, 2016 he was taken to Forensic Medicine Main Branch Office. The report #2620 included Acikkollu's statements and recorded the following: *"...that he was exposed to heavy swearing and insulting in detention for 6 days, he was slapped under his right eye 2 days ago, slapped hundreds of times during this time period, he was hit with knee on his back, hyperemia on his back in two areas of 20*4 cm and 10*5, tenderness in the front of his right chest, green colored ecchymosis of 6*7 cm on the right zygoma, green colored ecchymosis of 3*2 cm on his left shoulder..."*

His Fear Of Death In The Reports

According to the medical reports, the violence against Acikkollu continued and its intensity increased. On July 31, he went into a crisis for the third time and around 3:00 am he was taken by police into hospital emergency polyclinic for psychiatric examination. It was stated in the report after the examination of mental health in Istanbul University Medical School Mental Health and Disorders Emergency Polyclinic that *"...he was having nightmares, waking up at night shivering, sweating, shaking, difficulty in breathing, fear of death, anticipatory anxiety, possible diagnosis of panic disorder and acute stress disorder, increasing the Paxera 20 mg to 40 mg 1x2, suggested to add Xanax 0.5 mg 3x1 treatment..."*

When all the medical reports are taken into consideration, the color change in several parts - such as face, eye, head, neck, left shoulder, right side of the chest, scapula, and waist - confirm beating in detention. Hence, it is determined that all of these physical injuries happened in detention. Ecchymoses, pains, hemorrhages reveal that he was exposed to torture. Moreover, some of this evidence was photographed and recorded by doctors upon the request of Gokhan Acikkollu.

Day 13 In Detention: He Lost His Life

One of the most important evidence for the ill treatment that Gokhan Acikkollu was exposed to during the 13 days is the video footage of the ward C Area 3 in the detention location. The prosecution office which was investigating the torture allegations didn't go over the video

footage of the entire 13 days. The office only went over the video footage of 4:00-5:30 am in the morning of August 5 when he lost his life.

According to this video footage, Gokhan Acikkollu was staying in the detention ward c-3 with other 4 individuals together. Since Acikkollu couldn't sleep, he straightened up and sat for some time. Then he lied down on his back. Then he stood up and came next to the detention room door. He called out to the officer and waited there for 5 minutes. Then he came back and lied down again. After 4 minutes body spasms started with whimpers. Other 4 individuals in the room woke up to the noise, one by one. One of them was holding Acikkollu's hand while another one next to the door was calling out to officer. After 1 minute a police officer comes and opens the door and then leaves. The 4 individuals in the room raised Acikkollu from the bed, brought him into sitting position, and then carried him outside the room.



Around 4:40 am in the morning officers carry Acikkollu and put him over the table in front of the outer door of the detention ward. Forensic medicine officer Doctor Lokman Basar, who was also in detention in another ward, is called. Basar starts the cardiac massage. Then Dr. Cengiz Haluk İnce, another detainee, the former head of the Forensic Medical Institute and Professor in the Department of Forensic Medicine in the Istanbul University Medical School carries on the cardiac massage. İnce notices the absence of pulse when he comes next to Acikkollu. When he

asked since how many minutes he is in this condition, Dr. Basar says that there is no breathing and no pulse for the last 5-6 minutes. This conversation is on record and in the investigation file. In the statement that he gave to the prosecutor, Professor Haluk İnce told: *“I had noticed that he was already dead when I stepped in”*.

Afterwards, 112 Emergency Service officers come to the scene running. Acikkollu is taken from the tabletop, laid down on the ground, and they start cardiac massage. Then he is put on a stretcher and brought away. The investigation file of the prosecution office includes the audio CD's which have the call records of the 112 Emergency Service. These CD's include the conversation that held place on August 5, 2016 at 5:25 am between 112 Emergency Service Team 4 first aid officer Pinar Tongal and the doctor on duty in the central office. According to these call records, it is recorded that Acikkollu died in the detention center, cardiac massage is performed for 31 minutes, and it was requested to ask the prosecutor which morgue the body to be taken to.

Office Of The Chief Prosecutor Tried To Cover The Crime Of Torture Without Investigation

On the day when Acikkollu lost his life, İrfan Fidan, İstanbul's chief prosecutor released a written statement.¹⁸ In the statement, it is noted that a wide range of investigations has been conducted regarding the July 15 military coup attempt and the members of the terrorist

Cengiz Haluk İNCE isimli şahsın alınan Bilgi İfadesinde; “Ben 23/07/2016 günü göz altına alınarak Terörle Mücadele Şube Müdürlüğü nezaretine getirildim. Ben İstanbul Tıp Fakültesi Adli Tıp Anabilim Dalında profesör doktor olarak görev yapmaktayım. Olay günü yani 05/08/2016 günü saat 04:35 sıralarında nezarete yattığım esnada kendisini polis olarak bildiğim bir şahıs gelerek bana “yan koğuşta bayılan bir hasta var bakabilir misiniz” dedi. Bende hemen terliklerimi yiyerek koğuşumdan çıktım ve hastanın yanına gittim. Daha önceden hiç görmediğim bir şahsı sırt üstü masanın üzerine yatırmışlardı ve bu hastanın etrafında 6-7 kişi vardı. Bunların içerisinde daha önceden doktor olarak tanıdığım Adli Tıp kurumunda görevli Lokman BAŞAR isimli şahıs bu hasta şahsa kalp masajı yapıyordu. Bende hemen hastaya yardım etme amaçlı nabzına baktım fakat nabız atmıyordu. Daha sonra boynundan nabzına baktım fakat yine nabız alamadım daha sonra müdahalede bulunan doktor Lokman BAŞAR'a “hasta kaç dakikadır bu durumda” diye sordum Lokman BAŞAR da bana “hocam 5-6 dakikadır solunum ve nabız yok dedi. Bunun üzerine Lokman BAŞARIN yorulduğunu düşünerek kalp masajına ben devam ettim. 3-4 defa kalp masajı yaptığım sırada 112 görevlileri geldi. 112 görevlileri şahsa elektro şok vereceğinden hastanın sert zeminde olması gerektiğinden hastayı yere aldık ve 112 görevlileri hastaya müdahale ederken bende oradan ayrılarak kaldığım koğuşa geçtim. Daha sonra 112 görevlileri hastayı hastaneye götürdüklerini duydum. Ben o gece nezarethane bölümünde herhangi bir ses gürültü bağırma sesleri duymadım. Ben şahsa müdahale ettiğim esnada şahsın zaten öldüğünü anlamıştım fakat bu şahsın kesin olarak öldüğünü sabaha karşı görevli polis arkadaşlardan öldüğünü öğrendim” **Yönünde beyanda bulunmuştur.**

Lokman BAŞER isimli şahsın alınan Bilgi İfadesinde; “Ben 23/07/2016 günü göz altına alınarak Terörle Mücadele Şube Müdürlüğü nezaretine getirildim. Ben İstanbul Adli Tıp Kurumu 3. İktisas Kurumunda doktor olarak görev yapmaktayım. Olay günü yani 05/08/2016 günü saat 04:30-05:00 sıralarında nezarete yattığım esnada kendisini

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¹⁸ Sabah, 5 August 2017, <http://www.sabah.com.tr/gundem/2016/08/05/bassavciliktan-gozaltinda-olum-aciklamasi>

organization have been identified one by one, as a result of the statements of the individuals in detention. During his detention Acikkollu had not even given any official statement, and yet the chief public prosecutor's office claimed that he was using the code name "Fatih" within the organization. The prosecutor's statement, partially, is as follows: *"...Upon his complaint about his health Acikkollu was brought to Haseki Training and Research Hospital on July 28, 2016 by 112 Emergency Services and after the examination he was sent back to detention since he was deemed to be at no risk. But on August 5, 2016, at around 4:45 am, upon being informed that he had gotten ill again, police called 112 Emergency Services within two minutes and that in the meantime first aid was performed by a forensic medicine doctor who was in custody. Acikkollu was taken to the ambulance, where the necessary medical intervention was performed, and he was immediately brought to Haseki Training and Research Hospital. The İstanbul Security Directorate was informed by our officers and hospital officials that Acikkollu died in the hospital on August 5, 2016 at about 6:00 am. Since the suspect Acikkollu was known to be suffering from diabetes, he had been permitted to receive his medication."*

Chief public prosecutor's office did not accept that Acikkollu died in the detention center. Moreover, they didn't need to examine the torture allegations and conduct any investigation, yet they have stated that the public officials had committed no wrongdoing in his death, and this cast a long shadow over the judicial impartiality. Besides, when his family collected his belongings from the police, they were surprised to find the same amount of medication as it was at the beginning of police custody, without any having been used. Moreover, the chief public prosecutor's office rushed to make a statement even before the autopsy report was prepared.

HRFT And TMA: Prohibition Of Torture Is Flouted, Investigation Has To Be Conducted For The Responsibles

The first strong reaction to the death of Acikkollu and to the chief public prosecutor's office's statement came from the Turkish Medical Association (TMA) and Human Rights Foundation of

Turkey (HRFT).¹⁹ A joint statement of them emphasized that Acikkollu died in detention: *“Seeing the video footage showing that those who were detained in the ongoing investigations are being subjected to torture and ill treatment, we had warned that torture was absolutely prohibited. We had also underlined many times that the provision of the right of notice to relatives, the right to a lawyer, and the right to efficient access to medical examination - including his own choice - is obligatory and that these rights cannot be abrogated. Unfortunately, our concern that an extension of the period of custody to 30 days would prevent the detainees from benefitting from the guarantees against torture has been realized.*

News in the media based on the chief public prosecutor’s office’s statement contain strong evidence that the state violated the right to life of a person in its custody and deprived Gokhan Acikkollu of his right to not be subjected to ill treatment and torture.”

Fractures In The Ribs Detected In Autopsy

It is noteworthy that in the autopsy report of the Morgue Division of the Forensic Medical Institute, dated August 29 and numbered 16/70527/3425, fractures were detected, particularly in the chest area. The report states that fractures in ribs 3rd through 6th following an oblique line were detected. In a report by the 1st Forensic Medical Expert Council of the Ministry of Justice, dated November 23, 2016, it is stated that the fractures in the chest area could have been the result of efforts to resuscitate him (cardiac massage) and that the death was the result of a heart attack.

However, the report states that areas of bleeding in muscles under the skin of the neck and back are detected by the naked eye and verified by microscopic examination; and this supports Acikkollu’s complaints during medical examinations while in custody about the injuries that resulted from rough beatings.

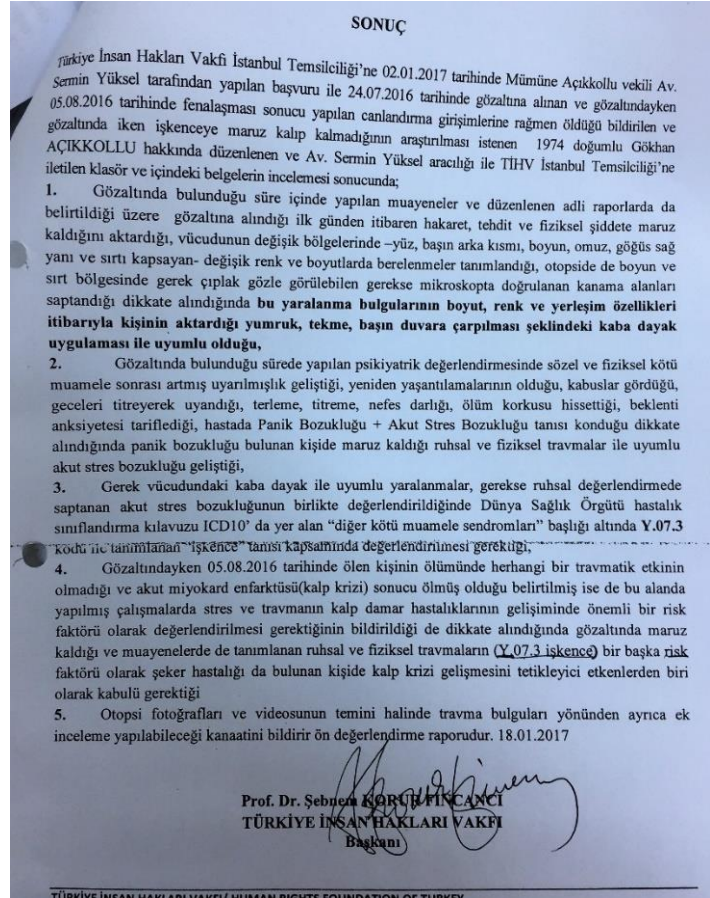
Gokhan Acikkollu had said that police officers kicked him in the chest, and during every medical examination he complained about an ongoing chest pain. It cannot be determined whether the

¹⁹ Human Rights Foundation of Turkey, 7 August 2017, <http://tihv.org.tr/gokhan-acikkolu-gozaltinda-olmustur/>

fractures in his ribs resulted from this kick because the doctors did not take an X-ray. The Istanbul Protocol and the Minnesota Protocol regulate how the necessary examinations should be carried out by forensic medical doctors to detect torture and ill treatment. But the records prepared regarding his routine health examinations show that these protocols were not followed.

Turkish Medical Association Report: Acikkollu Died Due To Torture

Prof. Dr. Sebnem Korur Fincanci, an expert in forensic medicine who is the head of the Human Rights Foundation of Turkey and an executive officer in the Turkish Medical Association, prepared an assessment report after she examined the doctors' reports, autopsy report and statements regarding the death of Acikkollu. In her 14-page report of January 18, 2017, which was also included in the investigation file, she emphasized that the cause of death should be recorded as torture.



The report contains the following findings:

- As stated in the medical examinations and reports during his custody, Acikkollu complained that beginning from the first day in custody he was subjected to insults, threats and physical violence; bruises of various colors and sizes were found in different parts of his body, such as the face, back of the head, neck, shoulders, right part of the chest and back; bleeding areas in the neck and back are detected in the autopsy that can

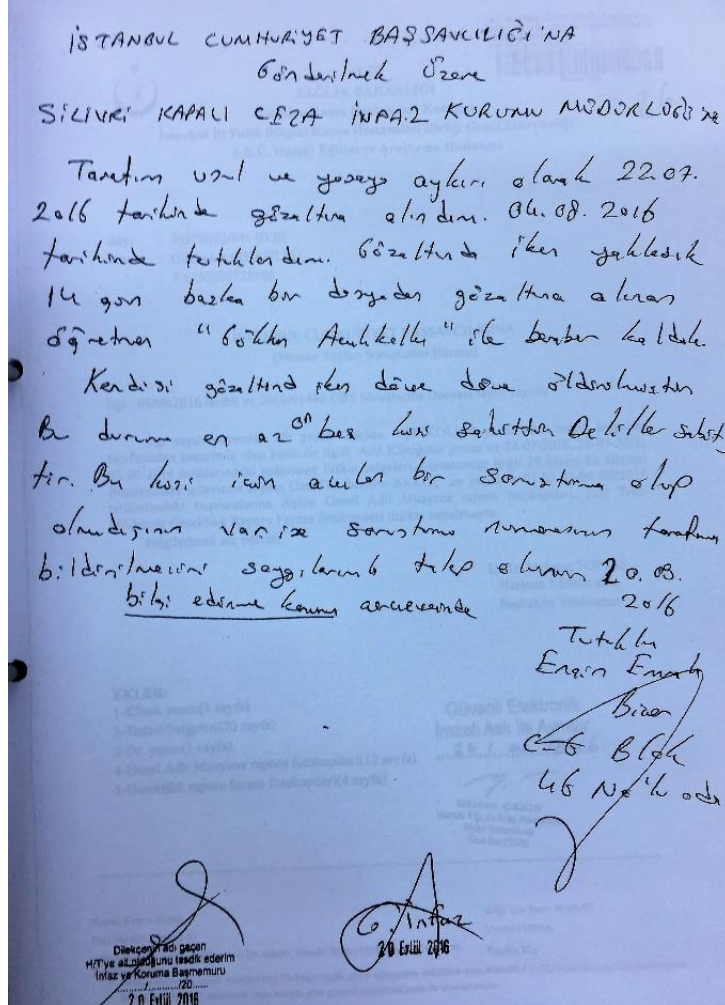
be seen by the naked eye and verified by a microscope. Taking all this into consideration, the findings of injuries regarding the size, color and location are in conformity with Acikkollu's complaints about rough beating such as punching, kicking, hitting and the banging of his head on wall.

- He had developed acute stress disorder, which is consistent with the mental and physical trauma he suffered.
- When the injuries that conform with rough beating and acute stress disorder detected in mental evaluations are considered together, the case should be classified as torture, which is classified with the code Y07.3 (Torture by official authorities) in the World Health Organization's International Statistical Classification of Diseases and Related Health Problems, 10th Revision (ICD-10).
- Although it was stated that he had died of a heart attack, stress and trauma are important risk factors for the development of cardiovascular disease. The mental and physical traumas he suffered during his custody which were also detected in the medical examinations should be considered as triggering elements of heart attack for a person who also had diabetes as another risk factor.
- The reason that led to Gokhan Acikkollu's death by heart attack was the torture that he was exposed to in detention. Regarding the fractures in the ribs that were detected in the autopsy, she said: *"The fractures may have happened during the cardiovascular massage or because of the kick of the police officer in his chest. An X-ray should have been taken during his medical examination when he said he had pain. The doctors should have requested that. At the end of the day, whether the fractures were a result of the beating or cardiovascular massage is not important. Because the death was due to torture."*

Lawyer Bicer: "They Have Beaten Him To Death"

One of the witnesses to Gokhan Acikkollu's torture under custody was lawyer Engin Emrah Bicer who himself was also arrested. Bicer in his handwritten petition dated September 20, 2016, to the Silivri Prison Administration, had stated *"While in detention, I have stayed together with*

teacher Gokhan Acikkollu who was arrested due to another file for 14 days. He was beaten to death under custody. There are at least 15 witnesses to this. Evidence is certainly admissible. I respectfully request to know whether there is any investigation for this person and if there is one, I request to learn the investigation number.”



Forensic expert Gurol Berber, who was under custody in the same days with Acikkollu also confirms torture. Berber, after being released after a period of custody, has informed the reporter that “There were marks of beating all around his body. There were bruises and scratches. While we were under custody, they had taken him away 3-4 times and brought him back severely beaten.. In first 4-5 days, the forensic doctors had made his health examinations. Gokhan Acikkollu said he had told everything he lived through especially in the first days, and doctors had recorded them. He said he let doctors to take pictures in order to be evidence. Once, after they had beaten him, the police officers had

not taken him to health examination, deliberately.

They had taken him away 3-4 times while he was with us. Each time they had beaten him and then brought back. He used to ask us “Will they take me again?”. We tried to cheer him up saying “No, why should they?”, but they took him again. He was so anxious and distressed.”

“I Will Accept Anything You Want, Stop Torturing”

Berber said Gokhan Acikkollu was ready to accept all allegations against him to get rid of torture: *“He told us that he said to them ‘You write anything, and I will sign under it, just stop the torture. But police replied ‘No, you will tell us some names’. They asked him to make the chart of the organization. He was telling us that they were severely beating him. He told all of us, including the doctors, everything.”*

“They Kicked Him In The Chest Before His Death”

Gurol Berber told about the night Gokhan Acikkollu lost his life as follows: *“Acikkollu said that during the interrogation that night, they kicked him very hard in the chest. He came back to our room holding his chest. He said it was hurting even when touched. He could not sleep that night for some time. Afterwards, we fell asleep. We woke up suddenly to his screaming and whimpering. We called out to the police officers. Then they took him and called ambulance. I thought the situation was serious when I noticed that he could not keep his head upright. Then we received the news that he died. He died under torture. Although they said it was heart attack, it was because of the torture he had the heart attack”.*

A.B.G., Another Witness Of Torture

Another witness who stayed with Gokhan Acikkollu under custody over the same time period was recently released and then told the AST reporter what he has witnessed about. For security reasons, he had to conceal his identity . According to him, *“Acikkollu died due to torture. The prosecutor in charge of the investigation of his death should have taken our statement as witness but he did not.*

I had met Acikkollu in the prison. His psychology was damaged, he was in a timorous mood. He said he was read-handcuffed in his house and was slapped. He showed the marks of beating on

his body when he was brought to the police station. Police officers were severely insulting, especially the teachers. He was brought to investigation before I met him, he was beaten severely and went into insulin shock. He was kicked hard in chest. The doctor wrote down all these.

Another time, it was around 9 pm in the evening of Tuesday or Wednesday, a short blonde overweight police officer about the height of 1.65 m told Acikkollu: 'Get your insulin injection first, tonight we have scores of things to do. You almost died in our hands last time'. They took Acikkollu around 9 pm and brought him back around 2-3 am. That was the night he had the heaviest torture. He looked so bad, and there was a stinking smell of cigarette on him. Since there were marks of beating after the previous session of torture, this time they only slapped him in order not to leave any trace. When Gokhan said 'Please, do not hit, for the name of God', they replied 'There is no God here, we are the God!' They had slapped him for hours while he was handcuffed from behind. When he said 'I will sign whatever you write', they replied "No, you will tell us yourself". When he came back, he hugged me and cried for minutes. I got scared when I saw him like that, we let him take a shower. They gave our belongings 7-8 days later. I had received my belongings, but he had not, yet. I gave him my underwear. We were allowed to take shower after 7 days. He came and sat down after the shower, he seemed a bit relaxed. I talked with him shortly and then he had fallen asleep."

"He Showed Me The Police Officer Who Tortured Him"

He showed me the young police officer while he was taking another detainee to the restroom. He said this was one of the officers who tortured him. I can identify him. This was a tall police officer with long hair and about 25 years old.

The other overweight officer came with a photo in his hand. He asked Gokhan whether he had known them. Gokhan said he did not. His glasses were broken, he cried for his broken eyeglasses for hours just like little kids. His psychology was not good. He became very happy when his wife brought him new glasses 3-4 days later.

During one of the health examinations I have seen a doctor taking the photos of Gokhan's chest and back. There were many bruises on his body. The forensic medicine doctors stopped coming in the last 2-3 days. Instead, doctors from the Ministry of Health were coming. When we told them about our troubles they were replying 'These are quite normal, we are going through a very difficult period' and they were trying to cover the torture.

I told the doctor from the Ministry of Health to remove the police officer out the room first. I told the doctor that I was being tortured. Then the doctor called police alongside and told him, 'He says he is being tortured, what shall we do?' Then I said, 'You had taken Hippocratic oath, shame on you'. They were not reporting about what was happening."

"His Nails Were Cut To Remove The Evidence"

Police called Acikkollu's wife on August 5 around 9:10 am in the morning and asked her to come to the Haseki Hospital urgently. About one hour later another police officer called and asked her to come to the Forensic Medical Institute. His family first thought that he was sick but learned later in the institution that he was dead. His immediate family members were asked to identify his body.

However they prevented the family to bury him in Istanbul. They were told that the only cemetery to bury him in Istanbul was the "Traitors Cemetery" newly arranged by the AKP mayor for the deceased coup attempters at Pendik Ballica village. Moreover, the burial should be without the religious rituals and without preparing and cleaning the body. His family told them that Acikkollu had not even given an official statement, there was no verdict confirming that he committed a crime, and there was no court trial, so therefore it is impossible to declare him as traitor. Yet, the officer responsible for the funeral services told them to bring a document from the prosecutor's office or from the security directorate which states that Acikkollu was innocent.²⁰ The family could do nothing but taking Acikkollu's dead body out of Istanbul.

²⁰ TR724, 5 August 2017, <http://www.tr724.com/iskence-altinda-olen-ogretmenin-dosyasi-kapatildi/>

Belongings from Acikkollu were given to his wife Mumune Acikkollu at the Istanbul Security Directorate. Mumune Acikkollu received back almost the same amount of diabetes medications that she had brought for her husband at the beginning of police custody.²¹ Mumune Acikkollu told the reporter that “...there were two types of insulin medication that Gokhan Acikkollu had to take after every meal.. The one in tablet form was the same amount, not lessened at all; and only four injectors from his pack of 100 injectors were absent. His nails attracted my attention. He used to bite his nails and was not using nail clippers. I have noticed that his nails were cut straight and too deep. I thought police officers who tortured my husband did this to prevent the detection of their DNA”.

Can Tuncay, the prosecutor who had decreed to take Gokhan Acikkollu under custody, after some time gave the order to take his wife Mumune Acikkollu under custody, too. According to Mumune Acikkollu, prosecutor Can Tuncay asked her during interrogation questions like “Where were you on July 15? How did you meet husband? Tanks were mobilized under your husband’s command. He is responsible for the coup”. She replied to these claims as “How can he be related to all of these? How can he give orders? He does not know even one military personnel in person.” The prosecutor Tuncay released her since he could not find any links between her and Gulen Movement. Mumune Acikkollu has lived in panic and fear after that day, in her own words. She got startled each time the doorbell rang. Her mood of uneasiness has reflected to her children. Their daughter who had just started school had psychological support.

The Prosecutor Covered The Investigation Of Torturing Acikkollu

Based on the complaints stating that Gokhan Acikkollu lost his life under torture, an investigation was opened for “negligent homicide” and was conducted by Prosecutor Burhan Gorgulu. Prosecutor Gorgulu did not listen to witnesses Engin Emrah Bicer and Gurol Berber presented by the family, did not examine the video footage of the 13 days of Acikkollu in detention, and did not pay any attention to the report of Prof. Fincanci stating Acikkollu died under torture and yet the prosecutor closed the case for lack of evidence. Moreover, photos taken

²¹ TR724, 5 August 2017, <http://www.tr724.com/iskence-altinda-olen-ogretmenin-dosyasi-kapatildi/>

by the forensic medicine doctors to record the marks of torture as evidence were not included in the file. In the justification of the verdict of non-prosecution, dated 20 December 2016, the prosecutor stated that "...there is no intention or negligence of anyone regarding Acikkollu's death, there is no one instigating this event, and there is no information and evidence to consider as a possible external factor affecting or contributing to Gokhan Acikkollu's death".

T.C.
İSTANBUL
CUMHURİYET BAŞSAVCILIĞI
MEMUR SUÇLARI SORUŞTURMA BÜROSU

Soruşturma No : 2016/91448
Karar No : 2016/81222

KOVUŞTURMAYA YER OLMADIĞINA DAİR KARAR

DAVACI : K.H.
ÖLEN : GÖKHAN AÇIKKOLLU, AYHAN Oğlu ASYA'den olma, 01/04/1974 doğumlu
MÜŞTEKİ : MÜMÜNE AÇIKKOLLU, MEHMET Kızı HATİCE'den olma, 21/01/1975 doğumlu, Cemil Meriç Mahallesi Bestekar Sokak Ekşioglu Birlik Sitesi No:3/G A Blok Kat:6 Daire:27 Ümraniye/ İSTANBUL
VEKİLİ : Av. EROL BAYRAM, İSTANBUL
Ali Rıza Gürcan Cad. Çırpıcı Yolu No:1 Meridyen İş Merkezi K:2/220 Merter Güngören / İSTANBUL
ŞÜPHELİ : İstanbul Emniyet Müdürlüğü Terörle Mücadele Şubesinde Görevli Polis Memurları
SUÇ : Taksirle Ölüme Neden Olma
SUÇ TARİHİ VE YERİ : 05/08/2016 İSTANBUL/FATİH

Soruşturma Evrakı İncelendi:

15-16/07/2016 tarihinde FETÖ/PDY terör örgütü mensuplarına "Darbe Teşebbüsü" olayı ile ilgili olarak İstanbul Cumhuriyet Başsavcılığı Terör ve Örgütli Suçlar Soruşturma Bürosu'nun 2016/83705 numaralı soruşturması kapsamında, 24/07/2015 tarihinde saat 00.15'de yakalanan şüpheli GÖKHAN AÇIKKOLLU'nun aynı gün saat 08.05'te İstanbul Emniyet Müdürlüğü'nün "Nezarethaneye Alınanların Kaydına Alt Deftere" kaydı yapılarak soruşturma kapsamında gözetilme alındığı,

Şüpheli GÖKHAN AÇIKKOLLU nezarethaneye alınması sırasında şeker hastası olduğunu üst aramasında bulunan ilaçlarını kullanması gerektiğini ve bozulmaması için buzdolabında muhafaza edilmesini istediğini beyan ettiğinden ilaçları buzdolabında muhafaza edilmek üzere kendisinden teslim alınarak talebi doğrultusunda düzenli olarak kullanmasının sağlandığı,

Şüpheli GÖKHAN AÇIKKOLLU'nun İstanbul Emniyet Müdürlüğü nezarethanesinin C Koğuşu 3 Nolu Bölümüne konulduğu, talebi doğrultusunda ilaçlarının kullanmasının sağlandığı, şüpheli hakkında 25-26-27-28-29/07/2016 tarihlerinde Adli Tıp Şube Müdürlüğünden, 30/07/2016 tarihinde Bayrampaşa Devlet Hastanesinden, 01-02-03-04/08/2016 tarihlerinde Haseki Eğitim ve Araştırma Hastanesinden gözetilme uzatma doktor raporlarını alındığı, şahsın mutat alınan raporları dışında rahatsızlığını beyan ettiğinden 24-28-31/07/2016 tarihlerinde gözetilme rahatsızlığını beyan ettiğinden muayene ve tedavisi için Haseki Eğitim ve Araştırma Hastanesi (28/07/2016 tarihinde talep edilen 112

1/6

Metformin, Parasetin, Alprazolam, Nondiazepam, Diazepam, Diklofenak'ın ilaç etken maddeleri olduğu, şeker hastalığı, panik atak tedavisinde ve ağır kesici ilaçlar olduğu, tedavi doruğunda olduğu, toksik düzeyde olmadığı aranan diğer maddelerin bulunmadığı dikkate alındığında kişinin zehirlenerek öldüğünün tıbbi delillerinin bulunmadığı,

2. Otopsisinde dış muayenede travmatik değişim tanımlanmadığı, iç muayenesinde kafa kemiklerinde kırık, kafa içi travmatik değişim, iç organ ya da büyük damar yaralanması tespit edilmediği dikkate alındığında kişinin travmatik bir tesirle öldüğünün tıbbi delillerinin bulunmadığı,

3. Otopsisinde tespit edilen göğüs ön yüz kaşoid sol tarafta parasternal ile midklaviküler hat arasında 2,5x0,5 cm'lik normal cilt dokusuna göre daha koyu renkte renk değişimi alanı, sternum ve kot kırıklarının lokalizasyonları ve özellikleri dikkate alındığında yeniden canlandırma işlemleri sırasında olgunlaşmanın mümkün olduğu,

4. 24/07/2016 tarihinde gözetilme alındığı, 05/08/2016 tarihinde gözetilme bulunduğu sırada rahatsızlanarak 112 ile kaldırıldığı Haseki Eğitim ve Araştırma Hastanesi'nde yapılan CPR'a, yanıt alınmayarak öldüğü, otopsi sırasında alınan organ parçalarının histopatolojik incelemesinde; miyokarda taze miyokard enfarktüsü (M'n ilk 24 saati ile uyumlu bulgular), sol koroner arter tıkanıklığı lümenin %75'den fazlasını daraltıcı vasıfta aterosklerotik plak, akciğerde ödem, yağembolisi ile uyumlu bulgular (Grade 2), parankimde nonnektrotizan granülomlar ve eşlik eden dev hücreler içinde asteroid cisimcikler (sarkoidoz?), beyin, beyincik, beyin sapı: konjesyon tespit edildiği dikkate alındığında; kişinin ölümünün akut miyokard enfarktüsü sonucu meydana gelmiş olduğu" yönünde raporun düzenlendiği,

Olayda herhangi bir kimsenin kastı yada ihmali bir eylemi bulunmayıp, herhangi bir kimsenin azmettirmesi sonucunda eylemin gerçekleşmediği anlaşılmış olup, Gökhan Acikkollu'nun ölümünde etkisi veya katkısı olduğunu düşündürmek haricinde bir etkenin varlığını gerektiren bilgi ve bulgu ile şüpheli gerektiren bir durum olmadığı görülmektedir.

Olay kapsamında şüpheliler hakkında kamu adına **KOVUŞTURMAYA YER OLMADIĞINA**,

Kararın müsteki vekiline tebliğine

Tebliğinden itibaren 15 gün içinde 6545 sayılı kanunun 71.maddesi ile değişik 5271 sayılı CMK'nın 173.maddesi uyarınca, İstanbul Sulh Ceza Hakimliğine veya İstanbul Sulh Ceza Hakimliğine gönderilmek üzere Cumhuriyet Başsavcılığımıza verilecek dilekçe ile itiraz yolu açık olmak üzere,

5271 Sayılı CMK'nın 172 ve 173. Maddeleri uyarınca karar verildi. 20/12/2016

e-imza
BURHAN GÖRGÜLÜ 118838
İstanbul Cumhuriyet Savcısı

6/6

Criminal Court Of Peace Had Agreed With The Objection Of The Family Seven Months Later

Erol Bayram, the lawyer of Acikkollu family objected to the verdict of non-prosecution and indicating "no effective investigation" was conducted. Lawyer Bayram appealed to the Criminal Court of Peace and asked for the investigation to be reopened, listing down all the evidence, statements, witnesses who are not listened to, and medical reports of doctors. Although the

decision should have been given in at most 15 days according to the judiciary procedures, Criminal Court of Peace decreed to reopen the investigation 7 months later. But to this day, no investigation has been opened about torture. Acikkollu's lawyers state that the prosecutors are trying to gain time to cover the torture.

Prosecutor Can Tuncay who ordered to take Gokhan Acikkollu under custody and to interrogate him still keeps his office, so does the Istanbul Chief Prosecutor Irfan Fidan who released a written statement on the day of the death of Acikkollu without any investigation, noting that "police officers did not torture him". Prosecutor Burhan Gorgulu, too, keeps his office who closed the investigation of torture without listening to the witnesses and without examining the video footage.

While there is no police officer brought to justice regarding the death of Gokhan Acikkollu, those having the responsibility have been surely promoted. Mustafa Caliskan, who was the police chief in Istanbul when Acikkollu was tortured to death still keeps his position and no investigation has been opened about him. Ahmet Metin Turanli, who was the deputy police chief in Istanbul and was the chief counter terrorism and intelligence branches has been promoted to 1st rank police chief position and appointed as the police chief of Zonguldak. Kayhan Ay, who was the chief of the counter terrorism office, has been promoted to 2nd rank police chief position in May 2018. İlker Kucukhidir, who was the deputy chief of the counter terrorism office has been promoted to the 3rd rank police chief position and appointed as the chief of the office for combatting financial crimes and then chief of the intelligence office.

CASE 2: A.G., KIDNAPPED BY MIT AND TORTURED FOR WEEKS

The systematic torture especially after July 15 coup attempt was concentrated in unofficial interrogation sites. After all, custody and interrogation under the authority of Police Department were subject to a time period due the regulations of law. However, the National Intelligence Organization (*MIT*) kidnapped his own citizens, tortured for months, and interrogated them illegally. Individuals kidnapped in this way did not appear in any official record and therefore could not be kept track of.



Kidnappings from streets and torture under interrogation by the mobilized “FETO” teams of MIT which was established after July 15 have become more and more frequent. the current issue. One of the illegally kidnapped persons, A.G., indicated that he was subject to physical and psychological torture for weeks in the interrogation location.

A.G. told the AST reporter that he wants his name to be withheld for security reasons. A.G. is observed to be still under the influence of treatment by MIT staff and had difficulty in telling his story, time to time crying. His family did not know his whereabouts during the time that he was deprived of his freedom. All other relevant government offices rejected his family’s appeals, they did not search for him, and did not open any investigation. The justice system ignored similar cases and tried to cover them due to the pressure of the government.

A.G. told everything that happened as follows:

They Beat And Kidnapped Me, Put Sack Over My Head

“I was on my way to visit a friend. A Transporter van approached next to me while I was walking. 4-5 people getting off the van jumped on me. Meanwhile, I was shouting “Police, somebody help!” and tried to resist but since they were five they pulled me inside the van. They took my clothes off inside the van. They stripped off my clothes in a minute. They took all I have including my wallet, belt, socks and cuffed my hands and feet, blindfolded my eyes. They were searching for a flash disk or alike in my belongings, they asked me when they could not find it. They put sack over my head. After a long ride under these circumstances I was brought to a location. During the ride, they continuously punched me in the ribs, head, legs, and arms.

I Think I Was Brought To MIT’s Yenimahalle Campus

They were acting very carefully so that I could not see where I am brought to and could not be seen by others. They laid me on the ground and sat over my body. While passing through the main gate, they said if I were to make any noise, I would be shot; meanwhile they were sitting on me. Apparently, they did not want the security staff at the main gate to see me. When I entered the campus area, I heard the voices of children. And 30-40 seconds later the van carrying me entered the basement of a building. I think I was brought to MIT’s Yenimahalle campus. I guess it was the voices of the children of personnel living at the campus housing. We had to pass through the housing area to reach the location of torture. When the van entered the basement, they dragged me to a separate area. A person, who I thought was a doctor asked whether I had a serious disease or health problem. Apparently they were determining the type and intensity of the torture according to the health problems (hearth, diabetes, etc.) of the kidnapped individuals. I told them I had some pain, they did not care about it. I was in a dark cell with my hands tied and eyes blindfolded. After some time, they took me to the torture room and the physical and psychological torture started which lasted for weeks.

“Torture Started: Electric Shock, Whipping, Baton, Rape Threat”

I was handcuffed behind the back, my feet were tied, and my eyes blindfolded. They hanged me to a hook and started hitting. They applied electric shock, and beat with whips, sticks and batons. They threatened to rape. They threw me to a cell after hours of torture. I stayed in this 4.5 m² dark cell for weeks, with my eyes blindfolded and handcuffed most of the time, and suffered in severe pain.



The torture continued very intensively for 20 days. On an everyday basis it was beating, electric shock, insult, humiliation, swear, deprivation of food and water. In the first days it was so intense that I wanted to commit suicide. I searched for something to commit suicide with, but they had already thought about this possibility and designed the room accordingly. Rooms were covered with carpets from ground to the ceiling. It was not possible to commit suicide even if you wanted to. In the first three days, one of them attempted to rape with baton and in person. They abused with batons and other similar tools that cannot be expressed in words. When I was unconscious during the attempt of rape by one of them, they threw me down from the table and then in the cell.

Mit Marsandiz Campus: The Illegal Interrogation Center

As far as I could figure it out about, we were in a two floored building with torture rooms of 50 by 20 meters in the basement and computer analysts and data experts working in the first floor. After I was released, I watched the videos of two top administrators of the MIT, Erhan Pekcetin and Aydin Gunel who were kidnapped by PKK. In front of the camera, they were telling that the MIT had two centers for torture and interrogation. Everything became more and more clear after listening to them. They said that one of the two centers was in Marsandiz, a rural area, close to the President’s Bestepe Palace and the other was in the Yenimahalle Campus of the MIT.

They had taken us to the Yenimahalle Campus. I heard the children's voices while entering, so it cannot be Marsandiz. There were offices upstairs. I heard noises of desks and chairs moving. They were able to access all relevant information easily and put it in front of me.

Around 40-50 of them were on duty around where I was. Some of them were interrogators, some were mobile kidnapping team members, and some were the supporting database personnel. All put together, this was a million-dollar facility with 40-50 individuals working in it. There were six cells, torture rooms, and torture tools/devices in the facility.

No Food And Water Given For Three Days, I Was Forced To Stand Up

Food was not given for three days. Only a glass of water a day. I had to stand up nonstop, and they did not let me rest at all. They were giving orders through the cameras and audio system. If I were to fall down after long hours of standing, they were coming in, kicking, beating and let me stand up again. They were continuously interrogating for days and nights. The interrogation and torture team was around 7-8 people. In pairs, they were interrogating those who were kidnapped.

Very little food was given, we never got enough food.. They were giving food just to keep us alive.

They Had Him Sit On Dildos And Tore Their Intestines

There were using electric shock torture devices that make you jump half a meter up when you were lying down. They were inserting dildos inside the rectum, or letting us to hold the dildos and meanwhile threatening us.

After these torture sessions some of the kidnapped had bleeding in the rectum. I heard their screams and the laughter and mockery of the torturers. Torturers were throwing cotton pieces into the cells and asking the victims to treat their wounds themselves.

They were threatening to rape us with sticks and batons. They were insert these into our bodies. Torture continued during the night, too. A torture session was around 4-5 hours. They were

beating and insulting us while taking us to the restrooms. They were not reply to our requests. They were monitoring us with cameras. They were depriving us from sleep with constant orders and insults.

One Of The Torturers Was A Woman She Was Telling That She Was Taking The Revence Of Kuddusi Okkir And Ali Tatar

They were constantly giving orders such as lie down, stand up, crawl, jump, and duck walk. By doing so, they were trying to terrorize us and make us informants. They were trying to legitimize their illegal database. They were very careful at hiding their identities. I have not seen the face of any one of them. Our eyes were always blindfolded.

The person who tortured me was hissing while speaking, most probably he was ex-military personnel. Once he had asked me to sing some folk songs. When I had not done so, he used electricity shock. I sang a few songs. From then on, he made me sing while he was torturing me, I was crying and singing; and he was torturing me. He was increasing the intensity of the electric shock when I stopped singing. He used to tell me that my daughter would be taken away and be raised for espionage activities of the government. “Do you know what espionage is?” he asked me once, and then answered himself; “She will be a prostitute working for our government!”

Sometimes there were more than one interrogator. One a woman interrogator came. She participated in just one interrogation, did not come again. I think she was around 1.60 meter tall. She sounded like she was from Izmir. Her diction was proper and while torturing me she named Kuddusi Okkir and Ali Tatar who had lost their lives during the Ergenekon Trials; she was shouting “*It was you who killed them, they died because of you*”.

Someone From The President's Office Was Getting Briefed Constantly

I think that location was not used only for interrogations, some of the activities of SADAT and paramilitary forces were undertaken there, too (SADAT is a company established by ex-military personnel close to President Recep Tayyip Erdogan, and formally serving as a consulting firm on international defense and providing military training. But this nontransparent organization allegedly participates in illegal activities). I think so, because an interrogator who told that he was an ex-police officer was threatening us constantly saying things such as *“The state is not the old state. Civil and militia forces are getting ready. Get this into your head!”* This person was in charge of the torture unit at the basement.

As far as I can understand they gained a lot of prestige after they found a USB and some documents on someone. That is why they were always asking me about SD cards, USB or other digital equipment.

Once a ranking official came during the torture. He had a deep voice and used to speak slowly emphasizing all the words, was about the age of 60-65. He was talking about President Erdogan's visits abroad. He was getting briefed by the torturers. He stayed for a short amount of time and then left.

This Place Does Not Exist Formally, Anything May Happen To You

I lost so much weight while I was there. There were serious traces of torture on my body. They threatened me seriously while they released me, in case I would go to a doctor or attempt to take report I would be brought back, my wife would be kidnapped, and my children would be killed in something like a traffic accident. They threatened me not to go to press, prosecutors, hospital, and human rights institutions. What they said to us is: *“This building does not exist, anything may happen to you here”*. The torturer said to me *“You may die here. If you die here, we can easily throw your dead body across the border of Syria. Even more, they might find you dressed like an ISIS member in the desert. No one cares about your death”*. There was another torturer.

He told us that they can use injections to let us see hallucinations, hit our heads on walls, lose our memories. Another one said that they might put our eyes out, and that they did it before.

They Made Us Hear The Sounds Of Torturing Pkk Supporters

PKK supporters were tortured here heavily. They made us listen to the sounds of their torturing, my eyes were blindfolded, and I was strapped to a strappado. From what I could hear, I can say that they were raped. Objects were inserted to their rectum. I think some of them died. The torturer made me listen to the screams of those kidnapped using his cellphone, he called them PKK supporter journalists. He said they were Hursit Kulter, Taskin Yasak and Mujgan Ekin.

Torturers were experienced police and military officers, I think the kidnappers and others in the torture center were former police officers, military and special forces personnel. I guess many of them were ex-noncommissioned officers. I can also say that most probably they had received dishonorable discharge and even jailed for some time. According to them, it was the Gulen Movement which had imprisoned them, hence they were cruel and relentless against us.

My Wife And Relatives Struggled But The State Was Negligent

My wife had struggled so much to find my whereabouts and had noticed how reluctant the authorities were about it. Some human right organization in Turkey and Europe had supported my wife. But, the society and media in Turkey, in general, were insensitive to this situation. The families of other kidnapped individuals had struggled similarly. More or less I know about the other individuals who were tortured at the same location while I was kept there. People from different professions and backgrounds were being tortured.

I Will Keep On Fighting For Justice

What I and other victims have lived through must be brought before the courts. All of them who are responsible for this torture must be brought to account and be trialed, from top ranked

government officials to the lowest ranked staff. Our legal struggle for justice will continue when Turkey survives this period of difficulties.

I was deprived of my freedom. They did not let me pray. I was not given food and water. I could not get any health examination. I had to wait for two months to have a shower. They deprived me from sleep using camera surveillance system and loud music. They said they would use us like guinea pigs subject to experiments. I will bring them to account when its time comes. Torture is a crime against humanity and is not subject to any statute of limitations.

CASE 3: İ.S., KIDNAPPED BY MIT: “I WAS TORTURED FOR 8 MONTHS, MY WIFE COULD NOT RECOGNIZE ME”



İ.S. is an individual about whom an investigation was opened due to his link to Gulen Movement and he was dismissed from public service.

He was kidnapped by MIT using a transporter van after being followed for some time. He said that he was tortured severely, had lost 30 kilos during his detention, and that he could see his own face and

his family after 8 months when he went back home. Since he was unrecognizably different, his wife did not open the door when he came home and he had to persuade her that he was indeed her husband.

İ.S. worked as a teacher in the schools of the Gulen Movement until 2009. Then, İ.S. started to work as an academician in a university. In January 2017, he was dismissed from his job. He thought that he could be arrested and tried to find a way to go abroad.

İ.S. told us in detail how he was kidnapped and tortured.

They Tore And Stripped Off My Clothes, Laid Me Down Naked Inside The Van

I was following the news about how MIT was kidnapping individuals using transporter vans. I was living in Ankara and I thought I also could be kidnapped. This is why I was trying to go abroad. I think they had no criterion whatsoever in determination of the people to be kidnapped. If one's child was enrolled in a school of the Gulen Movement, even that alone was sufficient reason for him to be kidnapped. They were flouting the law, thinking themselves superior, and were saying that were getting paid by the government to beat, torture, and kill.

In 2018, I had gone out to meet with a friend of mine in the evening. We spent some time at a cafe. I left the cafe after 45 minutes. While I was about to get in my car, they attacked from behind and started to beat me. I was resisting and screaming for help. 2-3 of them attacked from behind and another 2-3 of them were coming right across. While I was resisting one of them took his gun out and inserted a round into the chamber of the gun. They were beating me nonstop.

“We Are Getting Paid By The Government To Torture And Kill”

A black transporter van pulled alongside. It was a busy location with cameras everywhere. It is impossible for this entire event not to be recorded. My wife tried to see the video recordings of the cameras around but they were not given to her by the police. Recently I was telling my wife about wherever I was going, because of the risk of being arrested. While I was resisting them, I realized that I was being kidnapped. They were constantly insulting. They threw me inside the van. They let me on the ground inside the car face down. They tore and stripped off my clothes and let me completely naked. They handcuffed my hands behind and tied my feet, very tightly. They asked for the password of my cellphone and I told them. They drove half an hour with my toes being squashed in the door of the van. Meanwhile the election campaign music of AKP, *dombra*, was being played inside the van loudly. They were constantly insulting and swearing. The driver was driving very fast, at some point they shouted “*Haydar, slow down!*”. My mouth and nose were drenched in blood. They blindfolded my eyes after about 30-45 minutes. They put

my underwear on me and put a sack over my head. The team leader was someone with the Black Sea region accent. While beating, they pulled me out of the van and took me to a place. They told me: *“We know what you did. We have been following you for 3-4 months. You will talk. We are getting paid by the government to torture and kill. There is no lawyer here, no doctor. We are the state, if we want, we can bring your wife here and do the same things to her”*.

They Beat Me On A Strappado Using Batons



We were in an ordinary building, on the ground floor. They put me in a cell. It had doors with iron slides. It was a dark cell, about 3 square meter. Walls were covered with padding and carpets. It was like a government building. I could hear the sound of the women upstairs walking back and forth wearing high heel shoes. It is impossible for them not to hear the sounds of the torture that we were exposed to. My eyes were blindfolded for almost a week. They did not give any food in the first 3-4 days, then some cheddar cheese in a piece of bread. Later they gave soup and rice. They let us drink one glass of water while taking us to the restroom three times a day. There was another cell across where I was staying. It was where they were torturing us. They were torturing us half an hour or an hour every day. When they used electric shocks I lost consciousness from pain. They were strapping us

to a strappado and beating us with batons. The national anthem and songs like “I die for you, Turkey” were being played in the cell. While national anthem was played, they made us stand up and sing it loudly.

I Had Not Seen My Face For 8 Months

I was exposed to constant psychological and physical torture for 8 months. It was only my cell, the torture room and the restroom that I have been to. There was a video camera and loudspeaker in every cell. And a light which was on all the time. They were giving us orders using the

loudspeaker. They were telling us to sit, stand and wait standing. There was a loudspeaker in every cell. They were calling out to each cell separately. When I couldn't stand anymore and fell down, they came and beat me. Three sides of the cell were wall and one side was iron door. The loudspeaker and the light source were behind a wired crenel. I had not seen my face and the sun for 8 months. Walls were covered with padding and carpets for isolation. I had lost track of the time. They were taking us to restroom three times a day. When you need to go to the restroom, you knock the door, turn your back to door, go on your knees and wait so that you cannot see their faces. They blindfold your eyes, put sack over your head, put the slipper on and take you to the restroom ten feet away, always blindfolded. Meanwhile they insult and curse you out. They called each other usually "Devrem". It was very seldom that they called each other with their real names, they were careful about it. They called each other with names Haydar, Hacı Ali, Emin, Muammer, Taskin, Seckin, Devrem. Two of them had Aegean region accent, an interrogator and a guard.

Men From East Turkistan Were Also Being Tortured

There were other victims in the cells adjacent to my cell. They were also being tortured. They were from East Turkistan. And one of them was a woman. That woman knew Turkish, she told me that they were from East Turkistan.

During interrogations, they put the photos and the information about all the people in my cellphone directory. They said they knew everything. I still don't know how they got all the information. They told me to sign a few documents which state that some military students were members of the Gulen Movement. I had never known those students. They told me if I would not sign those documents, I could never get out of that place. They said: "*We will bring your wife here, there is an arrest warrant about her and we know where she is*". They showed me the photos about how they followed me for 4 months. They told me to confess that I was a member of the secret hierarchy of the Movement.

They Made Me Sign The Statement Under Torture And Asked Me To Confess At The Police Station

They constantly asked me to give names to them. The intensive torture kept going on for 1-1.5 months. After this period, they made me wait to sign the statements but still kept on insulting and beating. They interrogated and tortured the members of the Movement while I was there. They asked them about the soldiers. When we said we will sign their statements they made us still wait. I was 92 kilos when I was kidnapped. When I was released after 8 months, I was 62 kilos, I had lost 30 kilos (*crying during this part of the interview*). I was trying to track the passing days by counting the breakfasts they brought. There was no bed, I was sleeping on the floor. They gave a blanket later. They said, “*You will go to the police station, we will hand you over to the police, you will sign these statements over there*”. They told me these 2 or 3 months after I was kidnapped. “*If you will not sign, we will take your wife*” they said, “*you will both stay in jail for 5 years*”. They were threatening constantly.

Couple of days before my release they started to ask about what I would be doing outside. I told them that I would move back to my village. They said they wanted to use me for the intelligence service as an informant, they would give me a clean slate, reinstate me to my job, and so I should serve my country. I was torn apart due to the dilemma about whether to sign the statement at the police station or not. I did not want to point my finger at other innocent people and accuse them. They told me they would release me soon. But then they exposed me to more torture by playing music extremely loudly in my cell.

They Released Me At A Mountainside In Freezing Cold

I decided to resist them in the last 15 days and told them that I will not sign their statements when they hand me over to the police station. Then they told me that they would not hand me over to the police. They left me at a mountainside. Before getting out of the torture center, their chief in command told me: “*You will buy a SIM card on your name in 1-2 days. We will call you in 1-2 months. We will introduce ourselves to you, you will understand that it is us. You will go*

to the location they will tell you about. It won't be good for you if you will not". They threatened me not to go to the prosecutor, police, and lawyer. They blindfolded my eyes, put a sack over my head, and a large headset on my ears. They gave out a loud engine sound into the headset so that I couldn't track where we go. They brought me somewhere, removed the sack over my head, and unfolded my eyes. They told me to walk straight in a direction, then turn left and merge to the main road. *"We will shoot you behind your back if you look back"* they said. I had about 2000 TL in my wallet when I was kidnapped, they had left 900 TL. They returned my phone with its line disconnected. I did not even try my phone at that mountainside since I thought they would have disconnected my line. It was as if my nerves were removed. I walked to the direction they told me.

I Thought I Would Die Freezing

It was around 10-10:30 pm at night. It was too cold. They had put my summer trousers and t-shirt on me, same outfit I had when they had kidnapped me 8 months ago in the summer. My trousers were slipping down since I lost 30 kilos. I had tightened it with my belt. My feet were not good since I had rarely walked in the last 8 months. I walked for more than one hour. No car and no one was around. I could not see anyone. When the dirt road ended, I just collapsed on the ground. It was too cold; my body was shaking. My chin, my feet were almost frozen. I thought I would die freezing. I stood up again, walked towards the lights far away, staggering. There was a signboard and it was written "Power Transformer Center" on it. There was a security guard at the gate carrying a heavy weapon. He came out of the gate. I told him that I lost my way and that I am about to die freezing. He brought me blanket, winter hat, and gloves. He called the gendarmerie units.

A noncommissioned officer and two sergeants came. They were surprised, asked me questions about my job and what I was doing there. I couldn't tell them the truth, because they had threatened me in the torture center, saying that I shouldn't go to police or prosecutor, or else I would have a bad ending. I said I was on my way to Ankara and someone gave me a ride, and the driver left me down at the mountainside. The gendarmerie officer asked, *"Are you looking for*

the main road while you are on it?”, he was a bit suspicious. They brought me to a police station, took my statement and called a taxi. I came home about half an hour later at midnight around 12 am.

I Saw My Face In The Elevator Mirror After 8 Months, My Wife Could Not Recognize Me

I got into the elevator and saw my face in the mirror for the first time in 8 months. I could not recognize myself. I was extremely slim, exhausted, and looking so bad due to the cold I was exposed to. I knocked on the door and noticed that my wife was looking at me behind the door. But first she did not open the door since she could not recognize me. *“I am I...!”* I shouted and she recognized my voice and opened the door. We were very careful while speaking since they could have set a listening bug at our home. I told what happened to my wife. She asked me what we should do next. I said I would find a job, work and continue with our lives. We didn’t sleep until sunrise. I told my wife quietly *“We will go abroad, we will not talk about it at home, do not talk about this to anyone, even to our children”*. I said I would plan all about it. I stayed in Ankara for one month.

Police Had Told My Wife “We Will Find His Dead Body In 1-2 Days”

I was getting out of my home once a day. I noticed a car was waiting in front of my home, with some individuals in it. Some time later, I contacted some human smugglers and we left the country. Officials in the torture center had told me that they would call me in 1-2 months and that I had to do whatever they tell me to do. They had threatened: *“It is up to you whether you do what we’ll tell you to do, if you won’t you will end very badly. We will bring you and your wife back here. This time, you will die here”*. I had decided to leave the country before they called me.

After I was kidnapped, my family members had gone to police and prosecution office frequently. Instead of helping her, police officers told her *“Don’t worry, we will probably find his dead body in a couple of days”*. They did not open any missing-person investigation and the prosecutor

decreed a verdict of non-prosecution. Police did not give her the video recordings of the cameras where I was kidnapped. My lawyer had appealed to the European Court of Human Rights but didn't get any result. During my absence my children received psychological treatment and were diagnosed with a heart disease.

CASE 4: AYTEN OZTURK, TORTURED FOR 6 MONTHS

Ayten Ozturk was kidnapped in Lebanon and brought to Turkey with a private plane, she was exposed to heavy torture for 6 months. The young woman of age 44 spoke about what she lived through.

Often, torture became sexual abuse in her case. Ayten Ozturk's

statements are in line with the statements of other victims kidnapped by MIT.



Accused of being a member of the DHKP-C, Ayten Ozturk was arrested in Lebanon Airport on March 8, 2018. She was brought to Turkey with a private jet. She had not seen a judge in a courtroom for more than one year. Then, in the court, she had made a long speech explaining in detail the heavy torture she was exposed to for six months in Ankara.

Ayten Ozturk said the official records in Ankara Counter Terrorism Branch indicate that she was arrested on August 28, 2018. However, she said, this is not true and she was illegally brought to the detention center on March 13, 2018. She said that after 6 months of torture, one night she was handed over to the police in a rural area.

Tortured For 6 Months At “The Bottom Of The Hell”

Ayten Ozturk, a college graduate, talked about the torture she was exposed to, during the trial in the Istanbul 3rd High Criminal Court, charged with being a member of DHKP-C. She said she was handed over to Turkish authorities by the Lebanese officials and was brought to Turkey by a private jet on March 13, 2018. She stated that she was kept and exposed to torture in a government building for six months until August 28, 2018.

The 12-page defense statement of Ozturk, a Turkish citizen of Syrian descent, is reported in the court records as an evidence of systematic torture in Turkey.

Officers At Work Upstairs, Inhuman Treatment Downstairs

Ozturk said there were hundreds of wounds and scars all over her body, due to heavy torture she was exposed to, and her weight decreased to 40 kilos. She thought that the torturers were trained on human anatomy. Ozturk stated that her body collapsed several times, she was treated by a special team and then the torture continued. Ozturk thinks that she was kept in the basement of a government building since she heard other people upstairs talking during working hours as well as the sound of the women walking back and forth wearing high heel shoes.

Ozturk told that she was exposed to following torture methods: Forced to stand naked in front of the torturers, sexually violated with batons, waterboarding, force-feeding, burning her fingers, keeping her in a coffin-like box, hitting her feet with sticks and batons, strappado torture, and many more. Ayten Ozturk, in her defense statement, had talked about the torture in detail and it is all officially recorded in the court.

Since she is a woman, she was especially exposed to different methods of torture, during her menstrual periods. She also witnessed the sounds of the torture that other individuals in the adjacent cells were exposed to, she heard their screams and crying during torture.

“Mustafa Ozgur Gultekin Brought To The Same Location After Being Kidnapped”

Three police officers from Counter Terror Department were in the audience at the court trial of Ozturk (case number 2014/105) in the Istanbul 3rd High Criminal Court. Although Ozturk and her lawyers asked the judge to remove these officers from the courtroom, the court rejected this request. Ozturk’s lawyers stated that she could not defend herself under this threat properly, however the court still rejected their request and the police officers kept listening to her defense. Lawyers from the law firm called “*Halkin Hukuk Burosu*” presented to the court the letter sent by Mustafa Ozgur Gultekin who used to work for the Turkish Competition Authority and was kidnapped on December 21, 2016 at Bestepe, Ankara. The lawyers stated that Gultekin was kidnapped after his name was mentioned in the investigations about Gulen Movement, he was brought to the same location that Ayten Ozturk was brought and was exposed to torture there. The lawyers presented some letters and other documents to the court and requested for an investigation about torture to be opened.

Ayten Ozturk told about her health problems caused by the torture she was exposed to, and about the medications she has to use all her lifetime. She said in the court that she was able to maintain her life only with the help of her cellmates. The panel of judges consisted of three judges two of which were women, and yet that panel her request to be released. Ayten Ozturk is still under arrest.

The defense statement of Ayten Ozturk is in the official records of the Istanbul 3rd High Criminal Court. Ozturk’s statement, partially, is as follows:

“What I Have Lived Through Is Absolutely Inhuman”

“Actually, I was released after I had defended myself first on September 10, 2018 via SEGBIS. But I was arrested again after my case is merged with my other case in Ankara.

The reason that another case was opened in Ankara was that police was looking for me for the case in Istanbul, but I did not know that they were looking for me. Besides, since I was released at the trial in Istanbul, my arrest warrant for the case in Ankara should have been cancelled. Yet I am still under custody and this doesn't make sense.

I will respond to the claims against me regarding both cases, but first I would like to explain to you what I have lived through so far. I have been looking for an authority to talk about what I lived through for the last one year. They have all blocked and ignored me each time I attempted to talk to them. But the truth cannot be hidden or covered, the truth comes out eventually. This is why I want my statement to be recorded.

My statement will be about my arrest due to a fabricated scenario after 6 months of torture and interrogation at a secret location where I was kept illegally and unlawfully. What I have lived through is absolutely inhuman and illegal.

Istanbul 3. Ağır Ceza Mahkemesi'ne
2014/105 Esas Nolu Davaya ilişkin savunmadır:

Ben bu dava ile ilgili ilk savunmamı 10 Eylül 2018 tarihinde serbest bırakılmaya çalışıldıktan sonra serbest bırakıldım. Ancak, Ankara'daki davam la bu davam birleştikten sonra yeniden tutuklu yapılmaya başlandı. Ankara'da hakimimle dava açılmasının temel sebebi İstanbul'da girdiğim davamdan arıyorum olmam olarak gösterildi. Ki, arandığım bilmiyordum. İstanbul'daki davamdan serbest bırakılmam, Ankara'nın tutuklanma nedenini de ortadan kaldırıyor. Fakat hâlâ anlamsız bir şekilde tutukluğum devam ediyor.

Her iki davamla ilgili hakimimle iddialara cevap vereceğim. Ama önce buraya gelinceye kadar neler yaşadığımı size anlatmak istiyorum. Ben yalnızlık bir senedir yaşadıklarımı anlatılabilecek bir merci arıyordum. Her anlatmaya çalıştığımca engellendim, görmezden, duyamazdan geldim. Ancak gerçekler gizlenemez, üstü kapatılmaz. Er ya da geç ortaya çıkar. Bu nedenle, anlatıcaıklarımın tepki geçmesini talep ediyorum.

Anlatcağım; gizli bir yerde, yasadışı ve gayri- meşru bir şekilde altı ay yaşadığım istenceci sorguların sonra kurgulanmış bir senaryo ile tutuklanmam üzerinedir. Yaşadıklarım, bastırılan insanlık dışı ve hukuksuzdur.

Ankara iddianamesinde belirtildiği tarihte, 28 Ağustos 2018 olarak geçiyor. Bu tarih emniyet kayıtlarına geçen resmi tarihtir. Oysa ki ben 28 Ağustos'tan önceki, altı ay boyunca gizli bir yerde gayri- resmi bir şekilde tutulurak istenceci sorgatım. Bu nedenle belirtildiği tarih, yanlış, sahtedir.

Ben, 8 Mart 2018 tarihinde Lübnan havaalanından Lübnanlı yetkililer tarafından gözaltına alındım. Gözaltındayken, Türkiye konsolosluğundan "kaki" isimli bir şahıs benimle görüşti ve kendi telefonuyla resimlerini çekti. Bu görüşmeden sonra Lübnanlı yetkililer defalarca istihni ve eşyalarımı anımsızca oradılar. Herhangi bir suç unsuruna rastlamadılar. Gözaltında tutulmalarının sebebi, üzerinde kataraktların satın aldığım ve başta bana ait olan bir pasaport tasımanıydı. Ben on yıldırlı Suriye'de yaşıyordum. Ve vizesi kısıtları nedeniyle Avrupa'ya vizesiz gidebileceğim bir pasaport tene edere gitmek istedim.

A.Ö.

In the Ankara indictment my arrest date is written as August 28, 2018. This is the official date in the police records. But I was kept and tortured at a secret location illegally for six months before this date. Therefore the date in custody report is wrong and fake."

They Put Sack Over My Head And Handcuffed Behind My Back

I was arrested by the Lebanese authorities at the Lebanon Airport on March 8, 2018. While I was under custody, someone named “Kadri” from the Turkish Embassy cam and talked to me and took my pictures by his smartphone. After this meeting, Lebanese authorities searched all over my body and my belongings several times, and disgracefully. They could not find any crime element. They kept me under custody due to the passport belonging to someone else which I had obtained from the human smugglers. I had been living in Syria for ten years. Due to the conditions of war I wanted to get a passport with which I could access Europe without a visa.

Lebanese authorities said they would release me. But they brought me to the airport pell-mell on March 13 evening. I was brought these my eyes tied and hands rear cuffed. They opened my eyes and released my hands when we were at the airport. It was a private entry to the airport. They hastily pulled me to a blind point. Someone whose I could not see tied my eyes fast and put bag over my head. And rear cuffed my hands. And put me into the plane with the same speed as if they were running in panic. I understood that it was a private jet since it was working silent.

“I Am Being Kidnapped” I Shouted, They Covered My Mouth

While getting out of the plane after one hour, I tried to shout who I was and that I was kidnapped, they duct-taped my mouth and they put their hand on my mouth to stress my breathing. About 15 feet after getting out of the plane, they put me in somewhere running and attacking. The same persons uncuffed me fast and enforce me to dress off naked. Then they dragged me naked to a cell covered with sponge inside. My eyes were still tied. They threw two pieces of clothes. I waited my hands rear cuffed and eyes tied for some time. They opened my door attacking me and put me six feet away torturing me. They made me sit on a chair and went out. Someone who cannot pronounce “R” asked “*Welcome Ayten. We know you. We would like to learn a few things from you. Indeed, we know these things, but we want you to approve them. Will you speak?*” I had nothing to talk to them.

A person who I thought was middle aged was speaking a proper Turkish. He said “No one else than me will talk to you. Just you and I are in the room. No cameras. Whatever we talk will be in between us only. Then you will go free.”

Torturer: The Government Took Off A Plane For You, We Have Limitless Authority

When I repeated that there is nothing to talk about, he responded in a rough voice: “I have unlimited authorization about you. This government took off a private jet for you. This place is like nowhere else. Everyone here does his job professionally. You cannot get out of here if you don’t talk. You may stay here for months, even years. We don’t want to harm the integrity of your body. Will you talk?” I told him that I will never talk in this unknown place, where I am tortured by people about whom I know nothing. The interrogator said “This place is not a police station or prison. There is no time limit here. There is only God and us here. We have the final say here”. They dragged me back into the cell when I replied I would not talk.

Lübnanlı yetkililer, beni serbest bıraktıklarını söylediler. Ancak 13 Mart akşamı beni ağır lapa havaatması yaptılar. Oraya, gözlerim bağlı ve ellerim arkadan kilitli bir şekilde götürüldüm. Havaatlamaya başladı. Arabada ellerimi ve gözlerimi ağız indirdiler. Havaatlamaya özel bir girişim. Beni ateşle bir bir noktaya çektiler. Orada gözlerimi dörmeyen şahıslar, gözlerimi hızla bağlayıp kafama ağız geçirdiler. Ellerimi de arkadan kilitlediler. Aynı hızla ve pantele kışkırtırsınlar, istenceyle beni bir ucup bindirdiler. Uçagin sessiz çalışmasında özel bir ucat olduğunu anlattılar.

Taklitlik bir saatlik bir uçuştan sonra ucatan inerken, bağıratırmam ve din olduğunu düşünmeye çalışınca hem ağzımı kilitlediler, her de elleriyle silice kapatarak nefes almamı engel. Ucatan inerken, yaklaşık 15 dakikalık bir mesafeden sonra kışkırtırsın ve saldırıya, beni bir yere soktular. Aynı kişiler, girişimim yerde hızla kilitlerini ağız, istenceyle zorla çıkartıp oturdular. Sonra ağızla her de sürükleyerek beni süngeri bir hücreye attılar. Gözlerim hâlâ bağlıydı. Yanına iki parça giysi attılar.

Bir süre ellerim arkadan kilitli ve gözlerim bağlı halde bekledim. Yine saldırıya kapımı açıp hızla, istenceyle beni attı. Ağızla ucatıktaki bir yere soktular. Beni bir sandalyeye oturtup, ağızla çıktılar.

Orada “K” harfini telaffuz eden bir ses: “Hizmetli Ayşe. Biz seni tanıyoruz. Biz senden biraz şey öğrenmek istiyoruz. Burada bir elimiz şeyler, ama enayusmal istiyorduk. Tanıyacak mısın?” diye soran benim anıları konusarak hiç bir şeyi yoldu.

Birkaç yoldu olduğunu tahmin ettim. Bu kişi, ağızla her deyle konusuyordu. “Bak, seninle benden başka kimse konuşmuyacak. Bu sandalye sadece sen ve ben varız. Kamera yok, kayıt yok. Konuşulurken ara-mızda kalacak. Sonra çıkıp gideceksin” dedi.

Yine konuşmuyacağımı söyledince, ağızla sert bir ses tanyla: “Eğer seninle ilgili sorular yetki verildi! Bu ağızla senin için özel ucat kilitli! Bu arada başta yere benzeriz. Sıcaklık herkeş için profesyonelce yapıldı. Konuşmadan buradan sileneceksin. Ayırtıcı, yollarca yapıldı. Vücud bütünlüğüne bir zarar vermez. Konuşacak mısın, diye sorar. Ben de, bilmediğim bir yere, tanımadığım kişiler tarafından istenceyle tabi tutulduğum bir ortamda, hızla kilitli bir

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Blindfolded And Handcuffed For 25 Days

I was blindfolded, handcuffed from behind, and with a sack over my head for almost 25 days. First couple of days, I could not track the time period when they were opening the cell door. I was pushing my brain in order not to lose my thinking ability and my consciousness. I was able to track the days by counting the times when the door was opened. I knew that it was morning when they brought me breakfast. The door was opened twice to for force-feeding and three times to take me to the restroom. They were enforcing me to eat what they gave me. I only drank water the first couple of days. They used to give me a glass of water when they brought me to the restroom. And sometimes they did not give even that. I had difficulty in breathing with the sack over my head in the small cell. My mouth, throat and nose dried out due to lack of water. Sometimes my nose was bleeding, and blood was running down and then drying out on my face.

My hands were always cuffed except when I was brought to the restroom. My eyes were blindfolded even when I was in the restroom. There was pain, swelling and numbness at my arms. There were wounds occurred on my wrists. When I realized that the restroom door was half open when I was inside, I asked them *“I am supposed to do it while you can see me?”* They disgracefully shouted *“Yes, you are, and we may look if we wish.”* Every moment of my time there was torture. They were shouting *“Here there is no honor, morality, decency. They are all left outside”*.

“If You Die Here, Nobody Will Even Know, You Do’nt Have A Record”

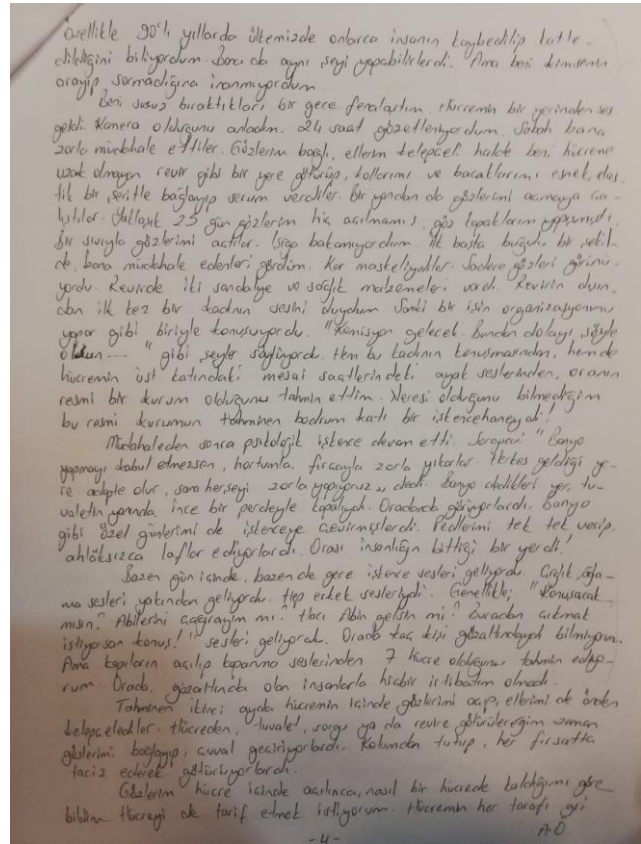
In the first days, that one who could not pronounce “R” was interrogating me, almost every day. In one of the sessions he removed the sack over my head. I was still blindfolded. He saw the blood accumulated and dried out in my nose and around my mouth. My wrists were infected and my hands were covered with dried blood. I guess it was around the end of the first month in the torture center. That was the first time I could wash my mouth and nose while still blindfolded. I knew that I was smelling very bad. But I did not want to take a shower there. Indeed, I was not asking for anything from them. And this was making them more angry. They were saying:

"There is no lawyer, judge, or prosecutor here. No one will ever know if you die here. Nobody will care. No one is looking for you outside anyhow They gave up hope on you. There is no record about you anywhere". I knew that there were tens of citizens disappeared and killed in 1990's. They could do the same to me. But I did not believe that no one was looking for me outside.

I collapsed in one of those days they left me with no water. I heard a sound in my cell. I realized that it was a camera. I was being monitored 24 hours. They treated me by force in the morning.

After 25 Days, They Could Hardly Open My Eyelids Using A Liquid

They brought me somewhere like an infirmary close to my cell, blindfolded and handcuffed. They tied my arms and legs with tape and gave some medications by an IV. Meanwhile, they tried to open my eyelids. My eyes were closed for 25 days and therefore my eyelids got stuck together. They opened my eyelids using a liquid. I could not look at the light. I could see them indistinctly, while they were treating me. They were wearing snow mask. Only their eyes were visible. There were two chairs and medical supplies in the infirmary. For the first time, I heard the voice of a woman outside the infirmary. She was talking to someone regarding organizing an event. She was saying something like "The committee will arrive soon. Therefore ...". From what I have heard then and from the sounds of people walking upstairs during working hours, I thought that this was a government building.



I don't know where it is located, but the basement of the building was surely used as a torture location.

The psychological torture continued after the treatment. The interrogator said: *"If you don't accept to take a shower, they will power wash you with hose and brush forcibly. You should adapt here willingly, we shouldn't force you to do things"*. What they called a shower area was next to the toilet covered with a thin curtain. They could see behind the curtain. They turned my menstrual period days to torture just like my shower days. They were giving the pads one by one and saying disgraceful things. Humanity was dead in that place.

Sounds Of Others In The Adjacent Cells Screaming And Crying

I was hearing sounds of torture, on some days and nights. Screams and cries were coming from very close by. All male voices. I usually heard *"Will you talk now? Should I call your brothers? Should your brother come here? Talk if you want to get out of here"*. I don't not know how many of us were being tortured in that location. But I think there were around 7 cells and that I figured out from the opening and closing sounds of the doors. I never got in touch with any of the other victims while being there. It was around the second month when they unfolded my eyes and handcuffed me in front, while I was in my cell. While they were taking me to interrogation room, restroom, or infirmary they were still blindfolding my eyes and putting a sack over my head, holding my arm and harassing on every occasion.

I could finally see inside my cell when they started to unfold my eyes. I would like to describe it. All the walls were covered with grey colored carpets. There was a camera on the top right corner. Walls were about two meters high. There was a ventilation opening about the size of a plate on two opposite walls. That was the air condition system. The wall aligned to the white door right across was grey. The cell was about 1.5 x 2 meters. There was a barred gap around 25 cm above the door, a spotlight in that gap was lighting the cell, partially. The face of the door inside was also covered with carpet. No sound was coming when I knocked on the door. The floor was covered with hard padding.

My Body Was Full Of Wounds

Around 2.5 months had passed. There were wounds all over my body and my skin was peeling off. I was losing weight very fast. They treated me many times, forcibly, and did medical tests. They were applying gel to the wounds on my body and meanwhile talking to me disgracefully.

After one of those medical treatments, the interrogator who cannot pronounce “R” turned me over another person and told me that new interrogator was fully authorized and would make the final decision about me. He meant that they would use coercion from now on, and indeed they did. Each moment that door opened, they tortured me. They were constantly saying disgraceful things like: *“You will die here, is it worth it? Nobody knows that you are resisting us. What do you achieve when you don’t talk to us? No one gives a f..k about you! F..k you!”*.

They were blowing hot or cold air into the cell, and sometimes blowing cigarette smoke. Several times, they blew cold air for 12 hours. I was getting almost frozen. The hot air that they were blowing inside the cell was causing excessive sweating difficulty to breathe. Sometimes they made me listen to excessively loud music for 6-7 hours. It was mostly anthems, loud foreign rock, and emotional Turkish songs.

We Won’t Kill You But You Will Beg To Die

Psychological torture continued every day. They were frequently saying *“The government trained us. We have every equipment here. If you have a fracture or broken bone, we’ll apply a cast; if you have an organ failure, we’ll transplant it. We’ll treat you, you’ll recover and then we’ll continue with the torture. This will go on like that. There is no end to it. This is the bottom of the hell. You can’t get out of here. We know everything about human anatomy. We are professionals. You will not die, you will beg to die. If you ever get out of here one day, you will remain insane”*.

They were entering into my cell in pairs. One was always very aggressive while the other one was playing the role of a mild character trying to persuade me. But they were all eager to torture

me physically, because they were threatening me every day. As far as I could identify from their voices, they were a total of ten. Their Turkish was proper. A couple of them had the Central Turkey accent. I also figured out that they were also in charge of cleaning the location.

They Applied Electric Shock To Force-Feed Me

The interrogator who was in charge told others that I will stay there for very long time, so he ordered the other torturers to force-feed me, by any means necessary. They took me to the interrogation room, blindfolded. I was handcuffed to the wall mounted rings. While one was applying electric shock to my hands, fingers and other body parts, the other one was opening my mouth and force-feeding me some type of liquid nutritional supplement. They had passed a hard-plastic tube through my mouth. Wounds developed around my mouth and lips. Then they removed the tube, pulled my hair, laid my head back and forced it. I could barely breath and was about to vomit. That sugary liquid was running all over my face. The sticky smell of that liquid stayed on me for about one month during that time of the torture. After that liquid, they also force-fed solid food, accompanied with electricity shock and threats while I was hung on the wall.

Non-Stop Torture For 20 Days, 898 Wounds On My Body

After a while, they used physical torture to make me talk. I will briefly talk about the torture that continued for twenty days non-stop.

First couple of days, they were torturing in the morning, noon and evening. Later on, it was mostly during night hours. During other times of the day, they were using psychological torture, abusing, and keeping me stand for hours.

I was brought to the torture room blindfolded. They were first stripping off my clothes, then handcuffing and hanging me to the wall mounted iron rings. While they were pressing the electric shock device all over my naked body, my entire body was shaking, and I was screaming the loudest I could. They kept on doing this until I fainted. Each time they were pressing the

electric shock device on my body, two dots were occurring going deep in the skin. There was around 2 cm distance between the dots. When I was officially arrested and brought to the prison, my cellmates counted 898 wounds and scars on my body. During the torture, when I was to faint, they were taking me to the shower area and torturing using high pressure water. They were waterboarding me for hours. While one was spraying high pressure water on me, another one was holding the sack over my head to fill water into it. They used the electric shock device also during waterboarding. Sometimes, they were removing the sack over my head and spraying pressure water on my eyes and mouth.

After I Saw The Face Of One Of Them, They Intensified Torture

The door was mistakenly opened once, then I saw someone without a snow mask. He was tall, slim, around 45 years of age, slim long face, with a goatee beard, eyeglasses, slightly grey hair, and small eyes. When he noticed that I saw him, he slammed the door and went away. That day, they intensified torture since I had seen him. They used waterboarding for about five hours. They kept me standing in my cell or in a separate coffin-shaped closet, during the remaining time of the day.

It was impossible to move inside that closet they call coffin. While in the cell, they were opening the door, beating, threatening and insulting on every occasion. They were hitting my face and head very intensively. They were doing all this until my mouth and nose were drenched in blood, and my face and eyes were swollen. They were applying electricity from me at my pinkies and big toes. subjected to electric shock, attaching a metal ring on my fingers and using a remote controller. I had lost consciousness a few times and could not get up.

They Sexually Violated With Baton

When they stopped electric shock torture, they were keeping me on a strappado and abusing all my body with their fingers, sticks and batons. They were trying to insert the baton into my genitalia and performing every other perverseness. They threatened me several times with rape using a big stick they called “*Harbi*”. My feet were so much swollen from standing for a long

time and they were yet hitting my feet with sticks and batons. They threatened with twisting and breaking my toes using pliers. They put a sharp object under the nails of my three fingers and burned my little finger. The wound in my finger and the infection under my nails did not recover for months. Sometimes they were hanging me upside down and hitting my feet. When I was collapsing and feeling nauseated, they were lowering me down and using different methods of torture. They were letting me sit inside a tire and attempting to rape me with a baton. They were increasing the intensity of the torture especially during my menstrual periods and they were depriving me from sleep.

Once, they kept the pads right in front my eyes for hours until I had nausea. They said *“This is nothing, we have many other technological methods. We can apply chemical substances on you, if necessary.”* Once, while I was on the strappado they injected a liquid in my arm, I don’t know what it was. One of them was present at all stages of torture and the others were calling him *“Devrem”*. Another one was called *“Haci”*.

I Rejected To Cooperate And To Be An Informant, They Whipped Me

Once, they unfolded my eyes in the torture room. There were 5-6 of them inside, all dressed in black and having black snow masks. The torture room was about 2.5 x 4 meters in size. There were two iron rings mounted on one of the walls inside. There were stains of blood and smoke on the wall. A part of the room was two steps elevated, at this part there was an office desk, behind which there was a picture of Ataturk in military uniform, a chair and a small table. On the table there were things like whip, baton, stick, pliers, electric shock device, and two spotlights.

They gave me a mirror to take a look at. My face was beyond purple, it was so dark and swollen. All my body was in purple bruises and wounds. Yet, they were telling me that they have been so nice and kind to me and therefore I should cooperate with them. They told me that they would give any amount of money I want, a new life wherever I want, and a new identity, but first I should be cooperating with them. When I replied I would not talk to them they put me on the strappado and started whipping me.

They said that they would intensify the torture and apply different torture methods. Though I had nothing to tell them, they were hitting my head against the wall and shouting “*What is going on inside your head? What is your motivation? Take it out of your head!*”. They were pulling my hair and throwing me from one side to another. Clumps of my hair were falling out in their hands. They were saying “*We will even scalp your head, if we wish so*”. There were bruises and swellings on my head, forehead and nose.

They Treated Me Only To Torture More

They treated me one more time, injecting IV and rubbing cream-gel on my body and face. They kept me on IV for three days as far as I can remember. They were saying that they were treating me in order to torture me more. This period of treatment continued for about twenty days. During this time period two snow-masked, short, old men with suits and ties were checking the torture marks on my body every day. There were another 5-6 of them besides those two. All of them were checking my body. But it seemed like those two were in charge. They were still asking whether I would talk to them and then threatening.

I guess it was the twentieth day of the treatment torture. They took me to the interrogation room, blindfolded and handcuffed. The last interrogator who talked to me said “*Your time here is up, you will be leaving soon, let’s talk a little bit*”. I said I would not talk to them and he said “*We will hand you over to justice. Don’t get any ideas. You will rot in jail.*”

Then they took me to my cell and let me wear my own clothes. They handcuffed me behind the back with plastic cuffs and blindfolded my eyes. I was put in a vehicle with a high ground clearance, with opposing seats inside and sliding doors. There were two people next to my sides, and they gave out a loud engine sound into the headset they placed on my ears. The vehicle stopped after an hour. They let me out of the car and walked me a few steps. Then they cut the plastic cuff, unfolded my eyes, and drove away quickly.

They Handed Me Over To Their Police Allies In Ankara Counter Terrorism Branch

It was pitch dark, I had hardly noticed my belongings they left next to me.. A few seconds later some people surrounded me. They quickly approached me with flashlights in their hands and asked questions like “*Who are you? What is your name?...*” It was a rural area, at a high elevation. The lights of the city were far away, appearing like dots. I did not answer their questions. They were acting as if they just found me there. One of them, dark skinned, with slick back hair, thick unibrow held my arm and asked others to search my bag. They pretended to be searching it as if they were in a panic. The same person showed me his ID and said “*I am from Ankara Counter Terrorism Branch. There is a tip about you*”. They put me in a van. They were calling me with my name: “*You are Ayten, right? Is your name not Ayten?*” I realized that those police officers from the Counter Terrorism Branch were cooperating with those who had tortured me for six months and I did not reply to them.

The date I was taken at that rural area by Counter Terrorism Branch officers is recorded as August 28, 2018. They had prepared a wrong and fake detention record as if the previous six months of torture never happened.

How can Ankara Counter Terrorism Branch claim that they wouldn’t know those people who kept me in detention and tortured me for six months? Since Ankara Counter Terrorism Branch covers what they know, is this not sufficient evidence that they have indeed collaborated in the crime of torture?

What would I be doing at that rural area by myself, which I have never been before? With hundreds of scars and wounds on my body, 40 kg of weight, and so weak that I could hardly stand. And what is more, in the middle of the night, not knowing anything about Ankara, and without any money on me, what could I be doing there? In addition, my belongings in my bag were so messy and some of them ripped, yet can the Counter Terrorism Branch claim that they came to that location due to a tip? This fabricated scenario is indeed unjust, unlawful, and

illogical. It is impossible that anyone would believe in this scenario which does not make any sense, whatsoever. If the police were indeed looking for me, which I did not know, why did not they apply the formal procedures? Why was I kidnapped and tortured?

I Have To Use Medication All My Lifetime

I have been under medical treatment for several months now, due to all that torture I was exposed to. The treatment process, the physical and psychological damage on me and the medication I have been using are all in my health files at the prison. Some of the marks of torture are still visible on my body. There is weakness, numbness and no sensation on my arms and legs due to myolysis. The pain at the damaged and swollen parts on my head due to severe beating continues. I have to use medication all my life and get regular check-ups due to chronic asthma, Mediterranean anemia carrier, and goiter nodules. I can maintain my life only with the help of my cellmates in prison. All in all, many of the wounds on my body are healed; but the wounds in my soul will never heal.

My Father Died Longing For Me

Although I love Turkey very much, long time ago I had decided to live in Syria due to all the injustice going on in Turkey. My family and I had more than enough share of injustice in Turkey. Some of my family members got killed, and during these last six months in that torture location my family didn't receive any news about me. During this time period, my father experienced pain and longing beyond description and then he died. He never had the chance to learn that I was alive. I was at that torture location when he died. I learned about his death during the first court trial from my lawyer.

I was arrested while attempting to access Europe and then lived through all those that I explained above. I have no relationship whatsoever with any illegal organization anywhere. I do not know those people whose names are mentioned in the indictment. I have no code name. I did not know that there was a lawsuit was filed against me, and that my name was on that list. I have not

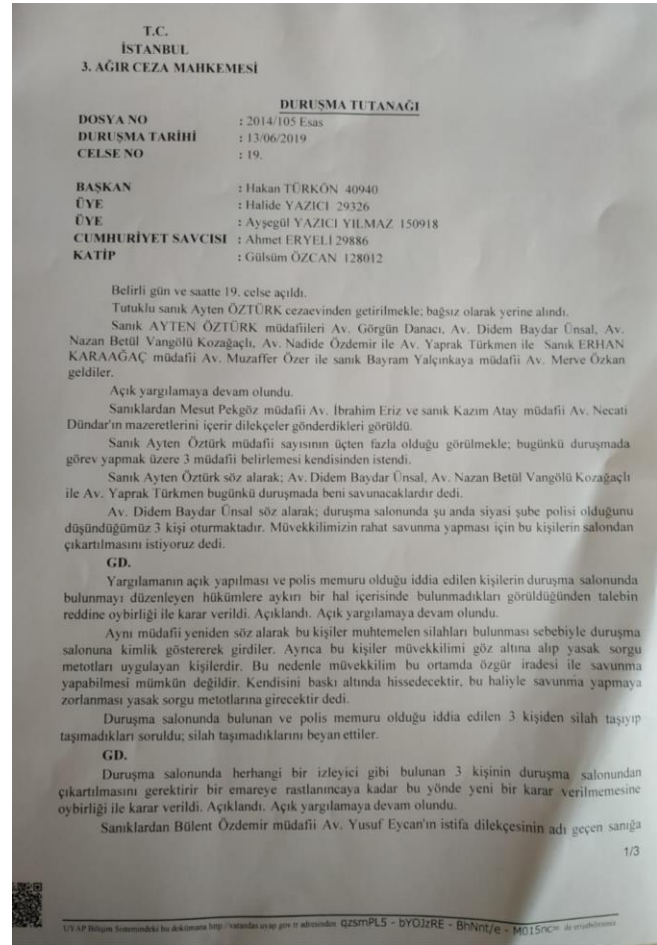
performed any illegal act and there is no information about me otherwise, so then why am I still under arrest? Why was I tortured for six months long?

Prosecutor And Judge Didn't Bother Listening To Me Or Recording What I Have Told Them

I was in detention in Ankara Counter Terrorism Branch for 3 days. I asked to appear in front of the prosecutor and the criminal court of peace. My body was full of wounds, I was so skinny, and I could hardly stand; yet they didn't even bother looking at me once. They didn't even listen to me and said: *"This is not our subject matter"*. They did not even ask a single question. They told me to file a criminal complaint.

I did file a criminal complaint while I was in jail. Shortly after, the prosecutor decreed a verdict of non-prosecution. His justification was that my name was on the list. In Turkey, there are many intellectuals, artists, anti-imperialists, and anti-fascists whose names appear in those lists. They are revolutionary and democrat individuals. Your name may appear in a list if you are wanted by the police even for a minor lawsuit.

I have read the indictment of the Istanbul lawsuit due to which I was arrested, it is so obvious that I have nothing to do with that event stated in the indictment. Hence, I was released in Istanbul after my first oral defense. You know it very well that in that indictment there is no



allegation about me. Yet, I was detained and tortured for six months at a location I don't know where it is, and by some people who were saying that they were working for the government. Who will be brought to account for this? Will it be covered as if it never happened? I hope you will not be silent about this. They tortured me and rendered the verdict about me before I even appeared in court. I have lived through all this while politicians were giving speeches about "zero tolerance policy for torture". Torture does indeed exist in Turkey, very much so. And it will continue to exist if people keep silent about it. I will keep going with my fight for justice, all the way. I am calling you for duty to fight against torture."

Ayten Ozturk stated at the end of her oral defense that she is rejecting all the allegations against her, she is innocent, she was exposed to inhuman treatment and torture for six months long, and that she wants the responsible ones for her torture to be brought to account. She stated that she will never forget what she has lived through and requested her release. However, the court decided for the continuation of her detention.

Her Lawyers Got Arrested After The Trial

Ayten Ozturk's lawyers from the law firm "*Halkin Hukuk Burosu*" made effort to form a public opinion about her defense. One week after the lawyers talked about the torture in detail for the first time and shared all the relevant information with public, they got arrested on June 20, 2019 after a police raid.

The lawyers Ebru Timtik, Gorkem Agdede, Nadide Ozdemir and Aysegul Cagatay were brought to Istanbul Counter Terrorism Branch by police. The lawyers were kept in detention, and then sent to the court for arrest on June 25, without being interrogated by the prosecutor. They got arrested.

CASE 5: ZABİT KİSİ: I WAS TORTURED FOR 108 DAYS

While MIT has especially asked for the extradition of the Turkish members of the Gulen Movement that are being prosecuted in court cases in Turkey through legal procedures, it has also kidnapped tens of them illegally. These people, who are brought to Turkey by private jets that belong to MIT, are first interrogated using torture, then given to custody of police. Turkey's official news agency Anadolu Agency (AA) announces such kidnappings as the success of MIT.²² Vice Prime Minister Bekir Bozdag, in a statement he made on April 6, 2018, said "MIT has packed up and brought 80 FETO members from 18 countries."²³ On the other hand, Justice Minister of Turkey Abdulhamit Gul declared in March



2019 that 107 FETO members have been brought to Turkey.²⁴ MIT's kidnappings abroad was also in UN's agenda. UN asked for the release of those that were kidnapped.²⁵ In Kosovo, six teachers who worked for the school with Gulen connection were taken into custody and taken to Turkey by MIT in 2018. After this incident that led to a government crisis, Kosovar prime minister removed the Minister of Internal Affairs and the Intelligence Chief from duty.²⁶

Rough Beating Started In The Plane

On September 30, 2017 one of the individuals who were taken from Kazakhstan to Turkey by MIT was a teacher named Zabit Kisi. There was no information about Zabit Kisi (age 45) for 108 days (after his disappearance). During this period, Turkish government did not admit to his

²² Anadolu Agency, 15 July 2018, <https://www.aa.com.tr/tr/15-temmuz-darbe-girisimi/fetonun-sosyal-medya-uzmani-turkiyeye-getirildi/1204878>

²³ Sozcu, 6 April 2018, <https://www.sozcu.com.tr/2018/gundem/mit-18-ulkeden-80-fetocuyu-paketleyip-turkiyeye-getirdi-2333375/>

²⁴ Aksam Newspaper, 28 March 2019, <https://www.aksam.com.tr/guncel/firari-107-fetocu-turkiyeye-getirildi/haber-858253>

²⁵ Euro News, 25 May 2019, <https://tr.euronews.com/2019/05/29/bmden-mit-operasyonu-ile-malezyadan-turkiyeyegoturulen-2-kisi-icin-serbest-birakin-cag>

²⁶ T24, 30 March 2018, <https://t24.com.tr/haber/kosova-basbakani-icisleri-bakani-ve-istihbarat-sefini-gorevden-aldi,593630>

family and his lawyer that he was in custody. Through his family's efforts in Kazakhstan, Kazakhstan's Intelligence Directorate issued an official document that included information about Zabit Kisi's delivery to MIT personnel and stated that he was taken to Turkey on Turkish Airlines Almati-Ankara plane, flight number TT-4010, on September 30, 2017 at 23:32.²⁷

Based on Zabit Kisi's statement that was recorded in court proceedings, torture started in the plane. These people (torturers) introduced themselves as MIT members. Due to a blow to his genitals, blood discharged from his penis for days. After his landing in Ankara, he was detained in a container that was in an unknown location about 6-minute drive to the airport. He was stripped naked. He was electrocuted, and not given water for days. He was sexually abused. He was continuously beaten. He was watched while he was performing toilet needs. When he was nearing death, torture continued after being injected medications that he did not know. After 108 days of torture, he was delivered to Ankara Anti-Terror Police at a location he did not know.

After 3.5 months of unofficial captivity, he had lost 30 kilograms when he was taken to the Ankara courthouse. He asked the judge to be arrested and sent to prison since he was afraid of getting killed. He was arrested. Zabit Kisi told the committee members in court (who tried him with the accusation of being member of a terror organization) in detail about the tortures he experienced. He was tried in Kocaeli 5th Criminal Court by a judicial committee that consisted of head Judge Yusuf Sevimli, member Judge Muhammet, Nedim Ozbey, member Judge İsmail Avci, and prosecutor Bulent Elmas. He asked that the individuals responsible for the torture be investigated. In spite of the information he gave, court committee did not start any legal procedures for investigation. Torture case was not filed. The court sentenced Zabit Kisi to 13 years and 6 months in prison for working in institutions affiliated with the Gulen Movement. Zabit Kisi, who is in Kandira Prison, filed complaint about the court committee as well claiming that they misused their authority.

²⁷ Bold Medya, 26 June 2019, <https://boldmedya.com/2019/06/26/zabit-kisi-iskencede-gecen-108-gunu-anlatti-intihar-edenleri-artikyadirgamiyorum/>

They Continuously Hit, Blood Discharged From My Penis For Days

Zabit Kisi, in his defense that was recorded in court proceedings, told his experiences as follows:

“My name is Zabit Kisi. As a result of the developments that unrolled related to the atrocious July 15 coup attempt, and several accusations in that regard against me that led to a decision for my capture, I was detained by Kazakh officials at Kazakhstan Almati Airport. After judicial procedures based on Kazakhstan justice system, a decision was made to return me to Kyrgyzstan. Regardless, me and my friend named Enver Kilic²⁸ were kidnapped by MIT by a MIT plane: On the return trip from Almati to Kyrgyzstan on September 30th, 2017, I was detained once again. My belongings were confiscated, and I was locked into a room. Around 22.30, when the runway was completely empty, I was given to civilian looking individuals who came from Turkey.

By brute force, I was boarded on a pattern painted plane I could not describe, that had no numbers or signs on it. They jumped on me right after I was boarded. They slapped and kicked me while cursing at myself and my values. I was trying to understand what was going on. They were continuously hitting my genitals and my head. When I tried to ask something, they shut me down by cursing at me and saying “*you will soon understand...*” They blindfolded me while also covering my nostrils. The impacts on my genitals hurt me a lot, I was in agony. My head was pounding with pain, I had hard time holding my head straight. My underwear that had blood due to the impact on my genitals was later eradicated. Blood discharged from my penis onto my underwear for days.

When I was boarded on the plane, I felt all my life darkened. I did not know what was going on, I was defenseless, and I was faced with two brutal men who through their actions indicated that anything they would do to me were permissible. Torture was proceeding without any slowing down. They did not even let me move. I was ignored even though I told them many times that I was in discomfort and I was having difficulty breathing due to the sack on my head and being

²⁸ Zabit Kisi, in his court defense said, “On September 30th 2017, we were kidnapped with Enver Kilic. There have been no news about Enver Kilic for 185 days. I heard his voice when I was there”. What happened to Enver Kilic is unknown.

blindfolded with my nostrils covered. I told them insistently to tear the collar portion of my pullover [to be able to breathe], but they completely ignored me. I lost my consciousness due to being beaten systematically.

When I gained my consciousness, they continued their cursing saying, “*These will be your last breaths...*” One of them while trying to revive me by slapping my face, was to ripping the collar of my turtleneck pullover to enable me to breathe. He checked my pulse, and said “*No problem*” to the other person. My loss of breath, my loss of consciousness were not a concern to these villains. These people who called themselves MIT members, told me that having a sack on my head is beneficial to me since it would be a sufficient reason for me to die if I saw their faces.

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Kendime geldiğimde “Bunlar aldığın son nefeslerin olacak, amin! kayduğunun pisi” diye konuşuyordu. Suratımı tokatlayarak uyandırmaya çalışırken, balıkçı yaka kurtarmanın yaka kısmını yırtarak nefes almama sağlamayı çalışıyordu. Nabzımı yokladı “Problems yok” diye diğer şahsa seslendi. Öldüğümü sanmıştı. Nefessiz kalmamı, bayılmamı bu canilerin umurunda olan bir şey değildi.

Kendilerinin MIT elemanı olduğunu söyleyen bu kişiler bana, kafamda suval olmasının benim hayrına olduğunu, kendilerinin görünmez halinde ise “Ölmem için yeterli sebep sağlayacağını” söylediler. İcinden buraya kadar mı dedüğünü hatırlıyorum. Allah’ım, neler duyuyordu, ben ne yapmıştım, bu yaşadıklarımın neler olduğunu anlamıyordum. Kimdin ben, ne yapmıştım, bu işkencenin sebebi neydi? Kafamda bu sorulara cevap verememem bazen aldığım darbelerden daha acı veriyordu bana. Beynim çatlayacak gibiydi, bu adamlar benden ne istiyordu, bu amansız duraksız işkencenin sebebi neydi? Ben acıdan kıranırken onlar yemek yeşip nescafelelerini içiyordu.

Gök şeker uçak inişe geçmişti, Biran olsun icinden bu işkencenin biteceği, beni koltuk ve adli gözetimlere vereceklerini düşünerek rahatlamıştım ama işkence aslında yeni başlayacaktı ve bunu biran sonra tüm şikâyetlerime kadar hissedecektim. Uçak pistte inip motor durdurduğunda, ters keleşeli, göbelerim bağli kafamda ayaal olduğu variyette iki kişi koluma girerek, koltuk aralığı ne yüksekliğinden anladığım kadarıyla transporter tarı araca olduğunu düşündüğüm bir araca bindirildim. Yola çıktıktan yaklaşık beş-altı dakika sonra havaalanı yakınlarında bir mekânı getirdiler. Bundan sonra dile kolay yürsekiz gün yaşam mücadelesi vereceğim konteyner hücresi; güneş ışığı görmeyen, yaklaşık üç metre kare, sadece insanın kendi eksenini etrafında dönmesine yetecek bir msaflığı sahip, kapalı kutu gibi penceresi hiç olmayan bir yer, merandan, park sırdı benim için; sadece arap erkeci başlanıştı.

Mekânı girer girmez ağırlıplak soydular, soyarken yapılan taciz ve bel-altı muhabbetleri yaşamaya elim varmıyor. İki kişi kollarımdan tutarak durdur tarı yere hırlıca atptılar. Birisi “Sen burada sikeceğin” diyerek kakanı silmeye başladı. Vücudumun üst kısmından başlayarak ayaklarıma, ve farklı bölgelere zaman zaman voltağı arttırılarak elektrik verdiler.

2K

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Aracılığı ile
S. Ağır Ceza Mahkemesi Başkanlığı'na
Kocaeli

Dosya No: 2017/260 E

Sanık : Zabıt Kişi - 41797811042

Müdafii : Av. Murat ALTUN

Konu : Kötü muamele ve işkence kaynaklı his kaybı
ve EMG sonucu

Açıklamalar:

- 1- 30 Eylül 2017 tarihinde Kazakistan'dan (Almati) Türkiye'ye
rıman dönünde getirildim.
- 2- Türkiye'ye getirilişimden 15 Ocak 2018 tarihinde Emniyet
birimlerine teslim edilisime kadar bir havacıyı yakın birim-
den konteyner tesisinde zorla tutularak işkenceye maruz
kaldım.
- 3- Bu süre içerisinde yaşadıklarımın ilişkin detayları
2017/260 E no'lu dosya kapsamında 3 Nisan 2018 tarihinde
huzurunda verdiğim savunmamda ifade ettim ve 2018/6388
no'lu dilekçemde de detaylıca belirttim.
- 4- Gördüğüm kötü muamele ve işkence sonrasında
sağ el parmaklarında oluşan his kaybı ve uyusmadan
dolayı muayene kullandığım ilaçlar, sevk ve EMG rapo-
rnu ekte dir.

**Handwritten petition to the Court [picture of the petition is at page 66 in the original
Turkish version of this report]:**

Through [name unreadable] to the Directorate of 5th Criminal Court in Kocaeli

File Number: 2017/260E

Defendant: Zabıt Kişi - 41797811042

Lawyer: Av. Murat ALTUN

Subject: Loss of sensation due to mistreatment and torture and EMG result

Explanations:

1. On September 30th, 2017, I was brought to Turkey from Kazakhstan (Almati) without my
consent

2. *From the day I was brought to Turkey until I was delivered to the Police units on January 18, 2018, I was held in a container by force while I was tortured.*
3. *I expressed the details of the experiences I was exposed during this time at my defense in front of you on April 3rd, 2018 as part of the file 20171260E and I also explained those in my petition numbered 2018/6388 in detail.*
4. *The physician examination, medications I used, the referral, and the EMG report due to the loss of sensation and numbness in my right-hand fingers, after the mistreatment and torture I was exposed to, are attached.*

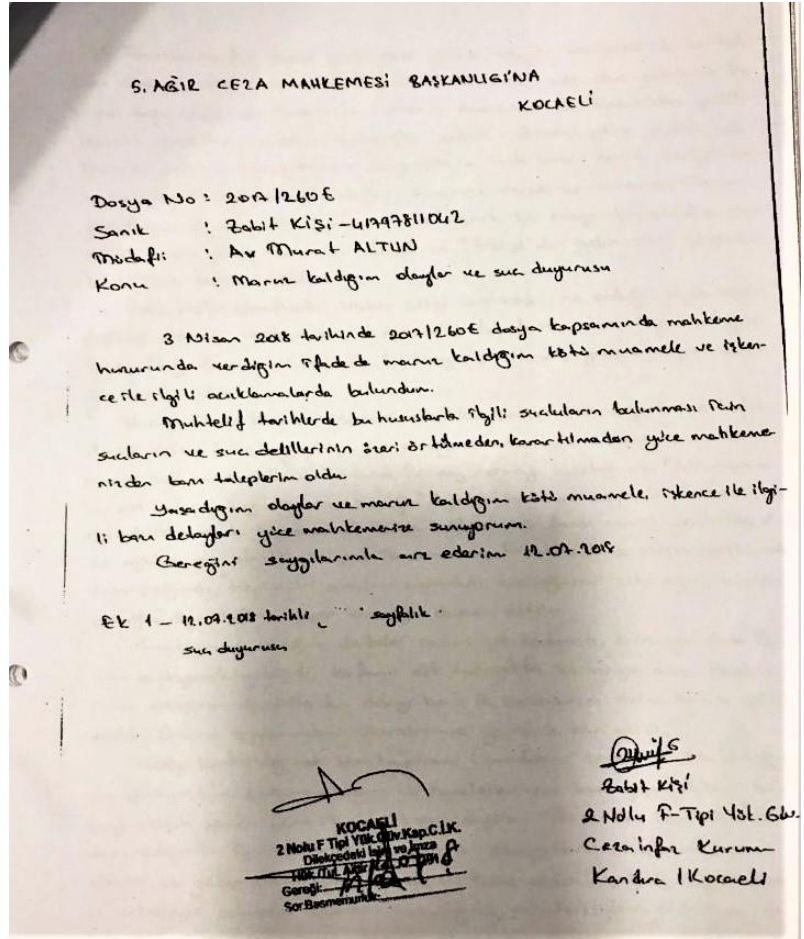
They Took Off My Clothes, Molested Me, And Crushed My Fingers

I remember saying this must be the end, to myself. My God, what was going on, what did I do? I did not understand what I have been experiencing. Who was I, what did I do, what was the reason for this torment? My not being able to answer these questions in my head sometimes gave me more pain than the blows I received. My brain felt as though it was going to crack [throbbed with pain]. What did these men want from me, what was the reason of this merciless and non-stop torture? While I was convulsed with pain, they were eating food and drinking coffee. Thank God, the plane started landing. I was relieved momentarily thinking they were going to give me to the police and judiciary. But torture was in fact just about to start and I would soon feel this deep in my bones.

When the plane landed and the engine stopped, reverse handcuffed, blindfolded, with the sack on my head, two people linked arms with me. I was taken to a Transporter style car, which I could guess from its seat spacing and height. Six minutes after we started driving, they took me to a place near the airport where I could identify later as a container.

Thereafter, the container cell where I would struggle for my life for 108 days. An area that is 3 square meters that does not receive any sunshine, just enough to turn around one's own circumference like a closed box without any windows. It was no different from grave to me. They stripped me naked as soon as I entered the place. I am ashamed to write the molestation

and the foul language I experienced while they took off my clothes. Two people crashed me to a wall-like place while holding my arms. Starting from my upper body, they electrocuted my feet and different parts while increasing the voltage from time to time. While I was in sitting position, they pushed the bottom of my feet facing upwards and crushed my toes one by one. Meanwhile they continued cursing by saying “We will bring your generation to extinction, we will ... your wife, you will never be able to see...”.



After a month, my toes started healing and as time passed some of my nails started growing. While I was sitting reverse handcuffed, they stepped on the handcuffs by their feet and exerted pressure.

Handwritten petition to the Court [picture of the petition is at page 67 in the original Turkish version of this report]:

To the Directorate of 5th Criminal Court in Kocaeli

File Number: 20171260E

Defendant: Zabit KİŞİ – 41797811042

Lawyer: Av. Murat ALTUN

Subject: Events I was exposed to and criminal complaint

I expressed the explanations of the mistreatment and torture I was exposed to at my defense in front of the court on April 3rd, 2018 as part of the file 20171260E.

On various dates, I requested multiple times from your court to investigate the crime related to these issues in order for the perpetrators to be found, before the evidence and crime could be hidden.

I am presenting to the exalted court some details related to the events I lived and the mistreatment I experienced.

I respectfully ask that the court do what is needed. December 7th, 2018.

Attachment 1 – Criminal complaint dated December 7th, 2018 number of pages [unreadable]

Signed by Zabit KİSİ, F-type High Security Criminal Prison, Kandira / Kocaeli

With official stamp and signature of the Prison official.

They Threatened To Rape With Hard Object, They Fractured My Rib

For several days, I had hard time holding a spoon while eating the food they gave. Since the nerves were damaged, due to loss of feeling in my fingers, I had to use medication while I was in the prison.

When I was naked, they threatened to rape me and tried to rape me with a hard object. They repeated it even though I insistently begged. They continued cursing by saying “son of a ..., we will ... you here, no one will rescue you here, try to enjoy it”.

While I was in sitting position and two people holding my arms, they hit my back rib cage with a hard object. My rib was fractured. I felt pain every time I breathed due to my rib exerting pressure on my lung. While torturing me with the sack on my head, they asked me to answer

them loudly. Since I breathed through my mouth fast and deeply, I experienced a serious breathing problem and had heart palpitations.

“We Would Kill [You] With Injection, They [Officials] Would Report It As Hearth Attack And Forget About It”

While in sitting position two people pushed my head forward holding my arms, stepping on and pressing my back with their feet. They tortured me while singing [and/or playing] the National Anthem, *Mehter* Anthem, National songs and Ismail Turut songs. They questioned my patriotism despite no one’s patriotism could be questioned. I do not remember how many times I prayed to God to take my life and save me from these savages. The reasons that made death appealing were harder than death itself. My only salvation from here was my death. I had never imagined death could seem so likeable.

My God, what did these men want from me, I could never figure out and I still cannot figure out. I think I will never be able to figure out before I die. Because whatever the conditions are, one must be deprived of humanity to be able to inflict such torment.

During torture, they said
“Here, we are both the
judge and the prosecutor.
Here, there is no lawyer,
no police. The way out of
here is by accepting what
we say, accepting
everything. Do what we
day, we will torture as
long as you do not die. If
you die, we will bury you.
You would become an
unresolved case. If you do
not accept, we would give
you medication from your
back and your mouth. We
would inject you, they
would not be able to detect
it in autopsy. They would
report heart attack and
forget about it”.

The teams changed, but

torture continued without change, only increased. For 108 days, in the 3 m² container cell, while stepping [on the floor of the cell] with their shoes that they wore in the restroom and outside, they made me lie and sleep on the non-hygienic floor. Since they watched me from the video camera 24 hours [a day], they did not let me lie, sit or sleep [by disturbing]. I was woken up by loud music or by shouting. I was forced to stand up for long periods and left tired.

5K-27
3/15

Oturma pozisyonunda iken ayaklarının taban kısmı yutunu bakacak duru-
ma getirilip, parmaklarını teker teker ezdiler. Bir taraftanda "Neslini kurtar-
giz, ezini onuspu yaparsan, bir daha göremeyeceksin, amına koyduğumun plö,
diğerle küfürler ediyorlardı. Parmaklarının tırnak kesimlerini tamamen ezme-
ler, mara-mıştı. Bir aydan sonra parmakların iyileşmeye başladı ve ilerle-
yen zamanda da tırnaklarından çıkanlar oldu.

Oturma varlığında ellerim ters kelepçe ile iken ayakla bir yolla kelepçe zincirine sa-
karak bastı uyguladılar. Bir kaç gün verdikleri yemeği yarken kasık tutulmuş, zan-
landı. Sırtlar tahrip olduğundan el parmaklarımda his kaybından dolayı az-
za tıfır kurumunda iken 1100 kullandım esasında kaldım.

Çıplak varlığında iken tecavüzle tehdit edip, sert cisimle tecavüze geçtiler, sa-
rarda yakarmama rağmen telantadılar. "Sırt ağları, seni burada sıkacağı, sık-
ılmayan baktı, seni buradan kim kurtaracak" dediler.

Oturma pozisyonunda iken kımıldamamı engelleyecek şekilde kollarından
iki kişi tutarak sırtına sert cisimle vurdular, kalbimden çıktı, her nefes al-
tı-verişte kalbimin dışlarına yaptığı bastırma dolayı ciddi acı çektim.
Kafamda cıvıltı olduğu, göğüs ağrısı burun deliklerini de kapatarak zehirlen-
miş olduğum halde, sıkence yaparlarken yüksek sesle cıvıltı vermemi isteme-
leri ve nefes alıs-verişimi ağrımdan hızlı ve derin olmamdan dolayı ciddi so-
nunun sıkıntısı, kalp çarpıntısı yaşadım. Oturma varlığında iken kollarından
iki kişi tutarak bacağımı öne bastırıp sırtına ayakla bir yolla çıkarak bastı uy-
guladılar.

Tahdit Marsı, Mender Marsı, vatan Türkleri ve Tımarlı Tımarlı Türkleri an-
lığında sıkence yapılan Vatandaşlığım sorgulandı, ayda kimse kimse vatan
sorgusunu sorgulayamam ki.

Tahdimden sonra defa "Allah'ın canını al da beni bu canilerden kurtur" diye
dua ettiğimi hatırlıyorum. Ölmekten çok, ölme riskleri sebebiyle olduğu
sebepler daha ağırdı. Burada tek kurtuluşum ölmektir. Ölmün bence bu-
kadar sevimli geleceğini his hayal etmemistim.

Allah'ım bu acıdanlar benden ne istiyordu, bir türlü anlayamamıştım ve
hata da anıyamamıştım, zamanca da anıyamamıştım.

Çünkü, ne şartlarda olursa olsun böyle kötü muamele ve sıkence yap-
ılmam için Anadoludan nasibini almamış olmak gerekirdi.

2 K

[Signature]

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They Took Me To The Toilet By Dragging On The Floor

Since I have bone degradation and femoral head avascular necrosis, I used to use crutches in my daily life. While taking me to the restroom, they pressed on my neck and dragged me on the floor like a dog. Since I had a sack on my head, I could not properly locate the squad type toilet. Since they asked me to urinate while standing, and since I could not urinate into the hole on the toilet stone, they crushed my head to the wall saying that I would have to lick the urine that went outside. When I was trying to make my toilet, they were counting, then they were removing me before I was done. They were taking me to the restroom not when I wanted, but when they wanted.

They deprived me of personal hygiene. When they were disturbed from the foul smell that emanated from my mouth and my body, they let me take a shower. When they let me take a shower, they wanted me to turn my back to them while naked and sexually molested me. I was made to wait naked under cold. I could not clip my finger nails for 2.5 months. I was forced to shave my arm pit and genital hair with hair trimmers that were blood stained by someone else. Because of the problems in the trimmers, they inflicted harm to my body. Not only they tormented me, but also threatened to inflict harm on my wife and kids who live abroad, by paying some people. They threatened to force them into prostitution and inflict on them the same experience that was inflicted on me.

I Just Wanted To Die

They frequently repeated that if I see one of them I would become an unknown case. If I did not accept what they said, I was threatened with my parents who are about 75 years old and living with health problems. I was told that I would not be able to see them again. They dropped me at some [unknown] place, and told me to denunciate myself. If I accepted, they offered to relocate me to a public institution job at a city of my choice with 7-8 thousand TL salary; to close the legal cases against me and my wife and removing myself from the indictment. They said they have the power to do these.

I had no reason left to live. I could not wait to die. I did not find the people who committed suicide odd anymore. In a 3 square meter grave like dark place, I was inflicted systematic torture for 108 days. During the periods when they did not torment me, I could hear the voices of tormented

defective people who were in the other cells. During this period, my weight dropped from 105 kilos to 75 kilos.

lara muktedir olduklarını belirttiler.
Yaşamamın bir anımı kalmamıştı. Ölmek için can atıyordum. Çamaşırhanesi artık yadırgamıyordum. Üç metrekaarelik göğüs ızgarasının olmadığı meter çibit yerde, yör sekiz gün sistematik bir şekilde fiziki ve psikolojik işkence gördüm. İşkence yapmadıkları zamanlarda kantinlerin diğer hücrelerinde işkence gören, sakat olan insanların sesini duyuyordum. Bu süre zarfında yör beş kilo dan yetmiş beş kiloya düştüm. Yaşadığım işkencelerden dolayı sağlık problemlerim arttığından ağrı kesici olduğunu söyledikleri ne olduğunu bilmediğim, anlayamadığım ilaçlar verildiler. İlaçları yalnızca rahattayış kendimden geçiyordum, sııııyordum. Yör sekiz günün yaklaşık doksan günü bu şekilde geçti. İlk günler özellikle su vermiyorlardı. Binde küçük plastik bardakla bir bardak su verdikleri oldu.

5/18 *[Signature]*

Since my health problems increased due to the torture I went through, they gave me medications they called pain killers which I did not know and could not understand. During the initial days, they especially did not give me water. There were some days they only gave me water once with a small plastic cup. I begged for water few times, but did not get anything. During the torture period I told them repeatedly that I had Langerhans operation in the past, I received chemotherapy, I had femoral head avascular necrosis, I had bone degradation, and I had Pneumothorax; however, it did not help. They continued while increasing the torture.

I was having really hard time due to the health issues, but it felt as if this made their job easier. As I groaned, they tortured me more. It was as if they had no feelings of mercy left. As if it was not me who was tortured for 3.5 months, they did not answer my questions. They acted like everything was normal.

They told me that they knew everything about me [and my family], and that they opened a file on all my relatives; [so] they would not be able to find employment in the public sector. They told me that I was not kidnapped from Almati, Kazakhstan; asked me to say that I came on my own will. They asked me to not to apply to institutions such as AYM, AIHM and the like about my kidnapping; not put them in a tough situation, and if I did otherwise they threatened to take me even from the prison and inflict the same torture on me. They videotaped me by force while

threatening me that they would follow this business all my life. The possibility of the torture coming to light and being talked about made them worry.

On January 18th, They Delivered Me To The Police

After 108 days, on January 18, 2019 at around 20.00, while I was blindfolded, with a sack on my head, my hands shackled with plastic shackles, they delivered me to a team. As the teams changed, where the third team took me, they took the sack out and removed the blindfold. That is when I saw Ankara Justice Palace's lighted sign. After being held prisoner for 108 days by force under dim light and blindfolded, I had hard time looking at the street lights and the lighted sign even during the darkness of the night as it made my eyes uncomfortable.

I was delivered to the address at a night under snowstorm. My pants dropped due to excessive weight loss. The team said they are Ankara Anti-Terror Police while we went to the acting prosecutor first, and then the Anti-Terror Branch building. I was held under arrest here for 14 days. I felt under pressure to sign the testimonies they brought in front of me after what I have lived through. They recorded in the testimony as if I came by myself. As a person who did not know Ankara how could I even find the Anti-Terror building which is separate from the Police Headquarters.

I saw that white hair on head and beard increased by 50 percent when I looked in the mirror. I had hard time recognizing myself. During this period between 09.30.2017 and 01.18.2018, my family and my lawyer could not get any news from me. My mother was let known about my kidnapping 20 days after it took place due to her possibility of having an attack. Although my family applied many times to BIMER and Ministry of Justice, no official steps were taken. On the subject, Amnesty International's system had my information. As a result of my family and lawyer's application to the United Nation's Kazakhstan office, Kazakh officials made ticket arrangements to show as if I came to Turkey at my own will. My family and my lawyer applied to AYM and AIHM.

country reaches bright days, I respectfully ask that the court proceedings that are under your authority start on its own motion.

07.17.2018 Zabit Kisi F Type Number 2 High Security Prison Kandira Kocaeli”

“*Hak İnisiyatifi*”, a human rights organization, published a report on 28 individuals who were kidnapped similarly.²⁹ The report was prepared based on interviews with people who claim their relatives have been illegally taken, parliamentary questions submitted to the parliament, claims submitted to the court files on the related cases, and open internet sources. It has been emphasized [in the report] that those who were kidnapped were interrogated under torture similarly and were taken to police and arrested while there were no news in any form from six of the individuals who were kidnapped.



CASE 6: BUREAUCRATS IN THE MINISTRY OF FOREIGN AFFAIRS TORTURED IN DETENTION

Ankara Attorney General’s office issued orders for concurrent operations in 42 cities. It was requested that 249 suspects who had worked in the Ministry of Foreign Affairs be detained and interrogated. In the operations, about 100 people were taken into custody. These individuals were accused of being a member of the Gulen Movement and of cheating in the test for



recruiting candidates to be employed in the Ministry of Foreign affairs between the years of 2010 and 2013. It has been claimed that some of those who were taken into custody were inflicted systematic torture “for them to become confessors by signing the petition for the active guilty

²⁹ Ahval, 19 June 2019, <https://ahvalnews.com/tr/hak-ihlalleri/15-temmuz-sonrasi-devlet-gorevlileri-tarafindan-kacirilanlarraporlandi-akibetleri?amp>

plea deal".³⁰ Ankara Police Directorate denied the torture allegations in a press release. Ankara Attorney General, on the other hand, declared **that "There are 5 different investigations regarding the charges attributed for misconduct in the tests for recruiting personnel for the Ministry of Foreign Affairs by FETO members in favor of candidates who are FETO members"**. Foreign Affairs Minister Mevlut Cavusoglu, too, right after the operations while the interrogations continued, declared that those people who were taken into custody are members of FETO.

HDP Kocaeli Member of the Parliament and human rights advocate Omer Faruk Gergerlioglu, in light of the information that he received, spoke out on the claims that there are allegations of torture in Ankara Police. He carried the issue to the Turkish Parliament (TBMM) agenda saying that he has received tips on heavy torture being inflicted on the ex-employees of the Ministry of Foreign Affairs.³¹ Gergerlioglu, who announced that 100 people were inflicted torture, 20 of whom were heavily tortured. He said he has invited the Ministry of Internal Affairs and Ministry of Justice to take a step in being a state of justice, but a he could not get any results. With the application of the detained diplomats under custody regarding the complaints of torture and mistreatment, he visited the Center for Ankara Lawyer Rights, Prison Committee and Human Rights Center, and Financial Crimes Bureau on May 27. In the report prepared by the Center for Ankara Lawyer Rights (that is under Ankara Bar) with Prison Committee and Human Rights Center, about 100 people who were expelled by government decree law (KHK) were reported to be tortured while under police custody.



CHP Istanbul Member of the Parliament Sezgin Tanrikulu carried the allegations about ex-diplomats being tortured in Ankara Police Headquarters by MIT to the Turkish Parliament (TBMM) agenda.³² Tanrikulu conveyed the report prepared by the Center for Ankara Lawyer Rights (that is under Ankara Bar) with Prison Committee and Human Rights Center and attracted

³⁰ BBC Turkish, 28 May 2019, <https://www.bbc.com/turkce/haberler-turkiye-48433324>

³¹ Yeni Yasam Newspaper, 27 June 2019, <http://www.yeniyasamgazetesi1.com/eski-disisleri-personellerine-iskence-iddiasi/>

³² T24, 1 June 2019, <https://t24.com.tr/haber/khk-ile-ihrac-edilen-eski-diplomatlara-mit-terafindan-iskence-iddiasi-meclis-gundeminde,824028>

attention to the findings of the report about the 100 people who were inflicted torture. He issued a parliamentary question on the issue to Vice President Fuat Oktay and requested an answer. Tanrikulu asked, *“Is it true that torture was inflicted, by individuals who came to Ankara Police Headquarters and introduced themselves as MIT, on ex-personnel of the Ministry of Foreign Affairs who were expelled by KHK?”*

Ankara Bar Established That Torture Was Inflicted

Ankara Bar committee, completed their examination in Ankara Police Headquarters Financial Crimes Bureau, and published a report that proved that the police did torture, and the judge ignored the torture despite the notifications [he received on the ongoing torture].³³ In the report, allegations that were being investigated on about 100 ex-personnel of the Ministry of Foreign Affairs under custody were exposed to were, *“beating till subjects became unconscious, sexual abuse and forced watching people who were being tortured; torture that is against human dignity inflicted by individuals who came to Ankara Police and introduced themselves as MIT; one of the diplomats who fainted and taken to the hospital with no report prepared by the doctors on the incident; and that torture still continued and would get heavier, and the allegations that testaments were imposed by force on people to sign through torture.”* It was reported that Ankara Bar committee went to Ankara Police Headquarters Financial Crimes Bureau on my 27, 2019 and conducted interviews and examinations.

Following was stated in the report:

“The committee has conducted interviews with 6 individuals in a closed room and along with the people who were exposed to mistreatment, individuals’ stories were officially recorded and signed. (The names of the interviewees has been kept confidential in this report.)

³³ Ankara Bar, 28 May 2019, http://www.ankarabarosu.org.tr/HaberDuyuru.aspx?BASIN_ACIKLAMASI&=3099

As has been demonstrated through official records, following are the findings regarding claims of mistreatment and torture:

- All 6 people who have been interviewed [by the committee] stated that they have been taken to interrogations which were called “interviews”, forced to plead guilty, exposed to threats and insults, as well as psychological pressure.
- 5 of the 6 people interviewed stated that they were exposed to torture and mistreatment outside the interviews. One of the interviewees stated he was not exposed to torture or mistreatment, however he said he heard allegations of torture and mistreatment from the people who he stayed with in the same dorm room as well as people who he was taken with to the Judge’s office together as a group. This individual’s telling of what he heard is in parallel with the mistreated and tortured individuals’ stories.
- According to the common stories of the 5 individuals who stated that they were tortured and mistreated, they (one individual on Saturday night, one individual on the night in between Saturday and Sunday, three individuals on Sunday night) were taken out of the dorm that they were detained in, brought to Ankara Police Headquarters Financial Crimes Bureau entry level section (one individual said he was taken there without shackles, while four people said they were taken reverse shackled), were forced at the narrow corridor through the door that had the sign “no entry” on it, from here were forced into a dark room. Thereafter, people who took them to the dark room left. Individuals whose faces they could not see due to darkness first pushed them against the wall, blindfolded them (the person who was not reverse shackled stated he was first shackled in this room), then were made to kneel, were made to crawl, hit by a club on the head, were threatened to be molested with the club, and moved the club on their bodies.
- After all this, three individuals told their clothes were taken off completely, one individual told his pants and underwear were taken off, one individual’s pants were taken half way off; and thereafter the first four individuals who were naked or partly naked were forced to an embryo like position, with the club being moved on their anuses while

touching the bodies, meanwhile being threatened and insulted to talk, were given one or two minutes of time; thereafter, while the men were talking about “transitioning to the second stage”, they poured oil or lubricant on their anuses, and they were exposed to torture while a club was moved on their anuses touching the body.

- Five individuals who stated that they were exposed to torture and mistreatment told that the people who tortured them in the dark room were different from the people who were in the Financial Crimes Investigation Bureau. One individual told these people said “we came from outside, we are a professional team.”
- Five individuals who stated that they were exposed to torture and mistreatment told that during physician checkup there was an enforcement officer that accompanied them, due to the fear for and threat against their lives, they could not tell the physician about what they lived through.
- One of the individuals who stated that they were exposed to torture and mistreatment told that during the so called second stage, one of the individuals in the room asked him if he was married or not. When he said he was married, this individual threatened him saying that “you might not be able to sleep with your wife anymore.”
- One of the individuals who stated that they were exposed to torture and mistreatment told that during the forced crawling, he developed purple spots on his knees (the purple spots have been seen by the committee and photographed). Following the end of the torture, during the first physician checkup during the daytime, the [tortured] individual stated that he told about the purple spots to the physician, and right after the physician said he noted the purple spots in his report, the accompanying women officer panicked and sent text messages to some people. Thereafter, he was taken out of the room and the finished report was not showed to him. In continuation, for extension of police custody, he was transferred to the Judge’s office, then after the judge’s extension decision, he was taken back to the same physician, who wrote on the [second] report that ‘there is no indication

of physical beating or force' and did not know about what happened to the other [first] report.

- One of the individuals who stated that they were exposed to torture and mistreatment told that before starting the torture and mistreatment he was told “We force the club in, you must have heard of these, they are all true.” Thereafter, he was exposed to the torture and mistreatment told above.
- One of the individuals who stated that they were exposed to torture and mistreatment told that after what he experienced, he could not say anything to his friends in the prison cell, he could only say that there is torture, and then slept. When he woke up, he wanted to go to the restroom, fainted when he tried to go, emergency health team came, checked his blood pressure, and then the emergency team left. After all the things he lived through, he fainted again in the morning, and could not sleep for 48 hours.
- One of the individuals who stated that they were exposed to torture and mistreatment told that he mentioned about the mistreatment to the Judge when he was taken to the Court, and the Judge responded that “is it only you, why doesn’t anybody else have it.” Then another person who stated that they were exposed to torture and mistreatment also said [to the Judge] that “I too was tortured,” and the Judge’s response was “I am not a physician, this is not my job, tell these to the physician,” confirmed the two individuals who were present in the court.

The Torturer Police Officers Should Be Taken Off The Case, The Investigation Should Be Ended

The Ankara Bar committee also noted that the physical torture signs they found out were not written in the physician reports. In their report, it was stated that the physician’s report by itself, as also written in AIHS and other international agreements, is not [necessarily] a proof of [absence of] torture and mistreatment: *“Above findings when evaluated as a whole, individuals were taken to physician checkup with accompanying officer in violation of the law. Statements*

of interviewees do not conflict with each other, on the contrary they are in harmony. Statements, when evaluated as a whole, confirm that individuals were exposed to torture and mistreatment in ways that did not leave traces of physical impact” the report wrote.

In the conclusion section of the report, it was defended that continuation of torture and mistreatment to the detainees should be prevented and the police officers should be withdrawn from the case in order for the investigation to continue properly. It was requested that the orders be given for daily physician checkups to be conducted in compliance with the Istanbul Protocol that Turkey is also a cosigner of. It was also requested that the suspects be taken to the Prosecutor’s office without waiting for interrogation procedures, and those who perpetrated the crime of torture be identified through official investigation that should be independently started.

Official Investigation Should Be Started Against The Judge Who Condoned The Torture

It has been emphasized that the raw video camera recordings be immediately gathered starting on May 20, 2019 since when detainment procedures have started, until May 28, 2019. Since the officers who have been conducting the case could be possible suspects for a torture and mistreatment claim investigation, it was stated that the personnel who were tasked in the aforementioned investigation should be suspended. In addition, it was reminded that the judge who learned about the torture and mistreatment allegation had the responsibility to act. It has been requested that legal proceedings be started to investigate the Criminal Court Judge who did not act and ruled to extend the detention period, by also finding out the Judge’s name, despite the detainees stated that they were tortured.

I Personally Witnessed The Inhumane Treatment

A bureaucrat who was detained wrote his experience on a news site. In the article written with a pen name, he asserted that he personally witnessed the inhumane treatments. The person who introduce himself as “an ex Ministry of Foreign Affairs officer who was expelled from public service in 2016” states that he was detained on May 20, 2019. The bureaucrat who told he was

released after being taken to the prosecutor's office, wrote *"For the first four days we waited for our testimonies to be taken, but the officers instead of taking our testimonies took us to interrogations that they named "interview," and reminded us many times of the things that would happen to us, along with curses and insults, if we did not testify the way they wanted.*

On the fourth day of the detention, the detention period was extended by the court, but still the testimonies were not being taken, and "interviews!" continued with full violence. On May 25, Saturday at night around 24:00, a friend from the next door cell was again taken to interview. Next morning he looked very bad and quiet. He could not resist our repeated questions and started telling: "They blindfolded me and put a bag on my head, they harshly punched my stomach where there would be no scar left. Then they took off my clothes leaving me naked, asked me to take crawling position on the floor, they made me creep for a while, as they talked with unspeakable curses and made disgusting sexual jokes and laughed. Then one of them started touching the club and moving it on my body, then they said "now we transition to the second stage" and applied a lubricant on my anal region and started moving the club on my anal region. They said when the club was pushed in and taken out few times you would kick the bucket here" said the friend and left without being able to talk anymore. The person [who wrote the article] told a similar treatment was perpetrated to one more of his friends, "Every morning physician came for checkup, but friends were so scared that they could not say anything to the physician. In addition, the torturers were so professional that they professionally hit body parts where it was hard to leave sign of physical damage and rape for now (!) was left at the stage of attempt".

CASE 7: IN VAN, 3 CHILDREN TORTURED

In Van, three of the children taken into custody as suspects for “*preparing to conduct [illegal political] action*” before the anniversary of PKK leader Abdullah Ocalan’s bringing to Turkey, were heavily exposed to torture. For the children, whose exposure to torture was also reflected in reports, the Van Bar filed a criminal complaint to the prosecutor’s office.³⁴



The children stated that their heads were kicked and hit with gunstock, their faces and bodies were punched, and in addition their heads were dipped into the toilet. The torture perpetrated on the children was also proved by the report taken from the Van Regional Education and Research Hospital. 14-year-old O.S., who shared the torture they experienced with Van Bar authorities, said, “*I left home to go to the store. When I went out, a police vehicle stopped by me. 8 policemen got out of the vehicle, they reverse shackled me. They laid me on the floor and hit my back twice with gunstock. The 8 policemen beat me by kicking. Then 3 policemen stood me up and punched me on my face. They took me into the police vehicle. While in the car, one of the policemen was hitting my head forcefully with a bullet. They took us to the police station behind Van Shopping Mall. There they tried to get information. I told I did not know anything and I did not see anything. They slapped me there. They cursed and insulted very heavily. They did the same at the vehicle. After slapping, they took me to the restroom and dipped my head into the toilet. Right now I have blurred vision and itching on my left eye. Then they took me to Van Regional Hospital. Late at night, they brought me to the Children Branch [of the police station]*”. 17-year-old O.D. and 16-year-old S.Y., told that they were taken into custody at the Hacibekir Neighborhood where the events took place and that they were exposed to similar treatments.

³⁴ Evrensel, 17 February 2019, <https://www.evrensel.net/haber/373846/vanda-gozaltindaki-3-cocuga-iskence>

Van Bar: There Is Serious Torture And Mistreatment



Van Bar President Zulkuf Ucar, stating that they have found out that the children were tortured, announced, *“We have been seeing and hearing torture cases that were perpetrated on the local citizens, and the most recent occurrence is on the children. It is incredible. This kind of violence against children is unacceptable. In no way you can mistreat or humiliate people”*. Ucar said, *“There were 11 children who were taken into police custody. The torture of three of these children also exist in the physician reports. Our committee also found out the same. Photographs were taken. There is serious torture and mistreatment on the children. We directly went to the prosecutor’s office. We filed complaint as needed, they said they will look into it. We have no information on whether they started investigation about the torture case. Our national law, constitution, and European Human Rights Accord state this also in the third article. Especially, we were deeply hurt by this being done on children. I hope the prosecutor’s office executes an investigation that is urgent, fast, in a way that will not allow covering of the evidence. [I hope that] the prosecutor turns in the perpetrators, because this is torture, there is no other explanation. We will follow up on this incidence”*. The 11 children who were taken into police custody for *“preparing to conduct [illegal political] action”* on February 15 and three of whom were tortured, were released on February 18 after their testimony at the prosecutor’s office.

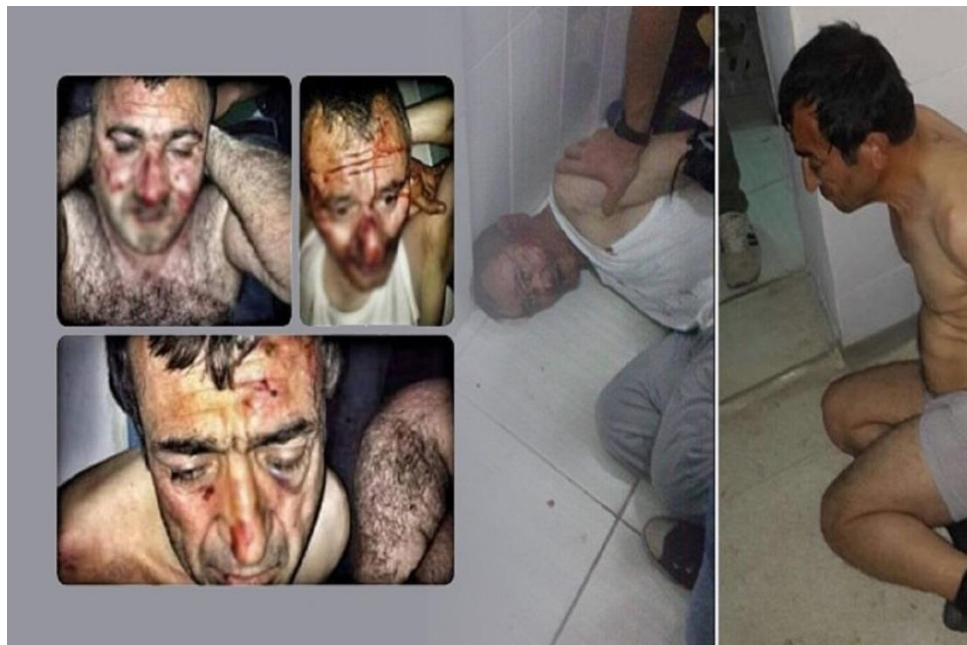
The Directorate of Police, instead of investigating the incidence, file a criminal complaint against Van Bar. CHP Mersin Member of the Parliament Alpay Antmen carried the incidence to the agenda of the Turkish Parliament, and criticized the Directorate of Police. Antmen, requesting answers from the Ministry of Internal Affairs, issued a parliamentary question:

- Were the children named O.D., S.Y. and O.S. beaten and mistreated while detained in police custody in the Children’s Branch of the Van Police? Has any legislative and executive process and investigation been started regarding the incidence?

- If the claims are true; has an investigation opened on the personnel who applied mistreatment? Are these people still on duty? Have there been complaints filed on these individuals because of previous torture and mistreatment?
- Why has not been an investigation and case started regarding the incidence despite the physician report stated that O.D., S.Y. and O.S. were tortured?
- Based on which reasons did the police authorities filed criminal complaint against the bar and the lawyers who performed their responsibilities based on law? Instead of investigating the incidence and informing the public with reports and documents, why attack the bars, lawyers, and legal people? Is there going to be any legal procedures executed about the authorities who did this?

CASE 8: VILLAGERS DECLARED TO BE TERRORISTS AND TORTURED, THEN DECLARED TO BE INNOCENT

In the town of Gevas in Van, there was an attack with grenade launcher on the Police Station on the evening of June 9, 2017. Then it was announced that “3 PKK terrorists who were the perpetrators of the attack were caught.”³⁵ The photos of these people were serviced to the newspapers that are close to the AKP government. It could be observed from the photos that the 3 suspects were obviously tortured.



³⁵ SCF, 15 June 2017, <https://stockholmcf.org/kurdish-villagers-who-were-severely-tortured-in-turkey-turn-out-to-be-innocent/>

While the media ignored the tortured, journalist Fatih Tezcan, who stated that he is an AKP member, shared messages of hate from his social media account saying, *“The person who fired grenade to the Van Gevas Police Station is caught. You are seeing him [in the photos] while he is hitting his head on the walls and saying ‘let me kill myself’ and crying”*. On the other hand, while the testimonies and investigation procedures were going on, the office of the Van Governor announced the 3 people who were caught as **“terrorists have been caught alive.”** Moreover, the office of the Van Governor announced that these 3 individuals admitted their crimes.

They Were Released

Cemal Aslan (53), Halil Aslan (50) and Abdulselam Aslan (35), who were declared as terrorists, turned out to be villagers who were picking mushrooms in the country. The villagers, who were taken to the Criminal Court after police interrogation, were deemed to be innocent and were released.

While the villagers who were heavily tortured and declared as ‘terrorist’ to the public were released, no legal action was taken against the torturers and the governor’s office who declared them as guilty. No investigation was opened. This incidence showed once again that in Turkey the crime of torture is being committed openly, photos of torture are being serviced to the public without hesitation, and innocent people suddenly can be declared as guilty of crime without any active investigation.

CASE 9: PREGNANT WOMEN JAILED UNLAWFULLY

After July 15, 2016 pregnant women, new mothers, and mothers with babies have been arrested and put in jail, against the law and violating human rights. “The Law on the Execution of Sentences and Security Measures” with the number 5275 is in force and the 4. paragraph pf the Article 16 of that law states that *“Execution of the sentences shall be postponed for the pregnant women or for the women who gave birth in the last 6 months”*. This article protects

all the women who are pregnant or who have babies younger than 7 months old and sets forth the postponement of the execution of any sentence.³⁶

Some Of The Pregnant Women In Jail Have Lost Their Babies Due To Miscarriage

Nurhayat Yildiz: Lost Her Twin Babies



Nurhayat Yildiz (38) who was living in Sinop and who was 14-week pregnant, was on the way to Samsun for pregnancy checkup on August 29, 2016 when arrested during the identification control. Nurhayat Yildiz was accused, during the interrogation of the prosecutor, of being a member of terrorist organization because she had ByLock communication application installed on her cellphone.

Yildiz rejected the allegations against her, yet she was arrested at the Criminal Court of Peace. She was put in the Sinop Prison, in a ward of 25 total inmates. She was not released in spite of the doctor reports which stated that it was inappropriate that she were to stay in the prison, being pregnant to twin babies. Nurhayat Yildiz lost her babies due to miscarriage on October 6, 2016 at the 19. week of her pregnancy. She was treated in a hospital after the miscarriage and then put back in jail. The bodies of the babies were not given to the family for funeral procedure. Sinop High Criminal Court with the chief judge Hasan Kol (Registry ID no: 101190) sentenced her for 7 years and 6 months in jail, due to her relationship with the Gulen Movement.

Gulden Asik: Lost Her Baby Due To Miscarriage In 7. Week

Gulden Asik (40), who is a mother of three children, the youngest of whom is 6 years old, is arrested and put in Bandirma Prison due to her alleged membership of the Gulen Movement. While being pregnant to her fourth child, she was urgently brought to Bandirma State Hospital on May 31, 2019. The doctors detected that the baby's heart stopped



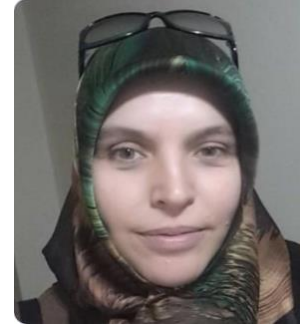
³⁶ <http://www.mevzuat.gov.tr/MevzuatMetin/1.5.5275.pdf>

beating, one day later they performed abortion. After she had lost her baby due to negligence of the authorities, Asik was put back in the prison.

Asik, in a letter that she wrote to her husband from the prison, summarized her situation as follows: *“I am still thinking about whether what I lived through is real or just a dream. May God not let someone else live through what I did, my soul is very tired. I don’t want to think, I don’t want to talk. I am just reading books like crazy, in order to suppress the enormous disappointment and the anger inside me. ...just reading, non-stop, almost forgetting to eat and drink. I have to be like this, otherwise I might lose my sanity, I can’t take it anymore...especially that no one cares about this injustice. I just keep reciting the name of God, “Allah”, and then take a deep breath”.*

Hanife Ciftci: Lost Her Baby Due To Miscarriage In 2. Month

Hanife Ciftci (36), mother of three children, and 2-month pregnant, is arrested and put in Osmaniye T-type Prison on June 27, 2019 within the scope of the investigation about the Gulen Movement. Her arrest is in violation of the Law No. 5275. Although she had stated and it was recorded in the police station, in the office of the prosecutor, and in the court trial that she was experiencing a high-risk pregnancy with abnormal bleeding, she was simply ignored. In a prison ward of 15 inmates and the heat of 43 C, she did struggle for her life and for her baby’s life.³⁷



Ciftci appealed one more time to the office of the prosecution in Osmaniye on July 1, 2019 stating that she was experiencing difficulties in her pregnancy often with abnormal bleeding, and that the environment in prison was endangering her pregnancy. Ciftci’s lawyer also appealed to the Institute of Forensic Medicine in Adana stating that his client was in no condition to stay in

³⁷ TR724, 7 August 2019, <https://www.tr724.com/akil-almaz-vicdansizlik-karnindaki-bebegini-kaybeden-hanifeciftciyi-tekrar-cezaevine-goturduler/>

the stressful prison environment and requested a medical committee report. In spite of all the attempts, her appeal for release from prison was rejected.

Hanife Ciftci became ill on July 29 and was taken to the hospital. After it was found out that she had lost the baby in her womb, they performed abortion in the hospital and on the same day she was taken back to the Osmaniye Prison.

Human Rights Watch Committee Member Gergerlioglu: This Is Murder !

HDP Kocaeli member of the Parliament and the Human Rights Watch Committee member Omer Faruk Gergerlioglu has been following and investigating the violations of rights regarding the pregnant women, babies, and children. He recently gave an interview to a media outlet and stated that there have been hundreds of pregnant women and new mothers in prisons in Turkey for the last three years.³⁸ Gergerlioglu, who had devoted his life to human rights struggle, said the following in the interview: *“The Law No. 5275 explicitly states that the execution of the sentences shall be postponed for the women while they are pregnant or after they gave birth until the baby becomes 7-month old and that these women shall not be arrested”. Despite this, hundreds of pregnant women and new mothers have been arrested in Turkey recently. This is unbelievable. They are staying in prisons under extremely difficult conditions. These crimes against humanity have to be monitored thoroughly. Rule of law will return one day and those who commit these crimes will be brought to account. I know it firsthand that major crimes and transgressions have been committed in the last three years”. Gergerlioglu then talked about some of the mothers who had lost their babies in prisons: “There are three cases which hurt me so deeply: Nurhayat Yildiz, Gulden Asik and Hanife Ciftci. These women were pregnant when they got arrested. They have not been released from prison despite all the appeals. They have lost their babies due miscarriage, abortion was performed, only a few hours later they were handcuffed and taken back to the prison. Hanife Ciftci lost her baby last week. 2-3 later, she was*

³⁸ Medyascope, 9 August 2019, <https://medyascope.tv/2019/08/09/cezaevlerinde-bayram-anneler-ve-mahpus-cocuklari-omer-faruk-gergerliogluile-soylesi/>

taken back to the prison. I have talked to her husband. He told me that this is an inhuman treatment, that his wife lost her baby because of the wrongdoing of the public officials, and that she was taken back to prison after 2-3 hours, and that this was cruelty. This is murder”.

Gergerlioglu then stated that a pregnant woman who was about to give birth was taken to the hospital in a prison van, accompanied by the gendarmerie. She was handcuffed to the hospital bed while she having labor pain, and she gave birth while she was handcuffed, ‘*this is against humanity*”, he said.

Gergerlioglu further said that another woman, Yasemin Baltaci, was taken to hospital from Tarsus Prison and after she gave birth, she was taken back to prison only after 1-2 hours later, by the gendarmerie, making excuses such as “we have a guard duty in prison, we need to go back”. Gergerlioglu said: “*They don’t even allow a companion to stay with her. They don’t allow her mother to go in her room. Prosecutors don’t allow this. All of these are documented and I am following them all. I know which police officers were waiting in front of the door of the delivery room, to arrest the new mother. Women who just a few hours ago gave birth have been arrested and taken to prison*”.

There Are 864 Babies And Children In Prisons

Gergerlioglu stated that according to the data that is released by the General Directorate of Prisons and Detention Houses on October 31, 2018 there are 743 babies and children between ages 0-6, and 343 of them are between 0-3. Saban Yilmaz, the General Director of Prisons and Detention Houses gave these numbers when he was answering the questions of the members of the Human Rights Watch Committee in the Parliament, on November 14, 2018. 519 of those mothers of those 743 babies and children are convicted, and the other 224 of them are under arrest. The mothers who are convicted or arrested because of the FETO investigations form the largest group. The second largest group is related to PKK trials, and others are related to ordinary trials.



According to the data that Saban Yilmaz provided, there were 22 women in prisons as of October 31, 2018 who were arrested although they were pregnant.³⁹

Gergerlioglu further said that as of August 2019, no new data has been released, however according to the unofficial data, at least 864 babies and children are staying in prisons. According to him, these numbers are the highest numbers ever observed in the history of Turkey.

Gergerlioglu said that prisons are not suitable for the physical and emotional development of the children: *“Mothers in prisons are experiencing extreme difficulties with the nutrition and development of their children. The food in prisons are not proper for children. They cannot find milk and the food is hygienic enough. Babies are crawling on the concrete floors. Children see a tree or a bird for the first time in their lives when they are taken to the court trial with their mothers in a prison van. Mothers are trying to communicate with their other children behind the thick glass window when they visit and so many dramatic scenes happen. The children in prisons are drawing mostly mother-child pictures who are behind the wire fences. Some prisons have day care rooms inside but children are searched by security at four different places while they go the day care room. In that room, they are still between concrete walls and they don’t see and touch any soil or greenery. There is no father model around. They often get sick. They often get allergic diseases and they stop breastfeeding”*.

Gergerlioglu said that there is not adequate health service for babies and children in prisons, and that he has received notes from mothers who couldn’t take their sick children to hospital for 15 days long. Although there are around 900 babies and children in prisons, this only the tip of the iceberg; because there are around 20,000 children whose mother or father is in prisons. He said: “We don’t know the exact numbers but it is estimated to be around 20,000. There are children whose mother and father, both, are in prison; and since they have past 6 years old age, they are not admitted to prison next to their parents. They are being raised by their elderly relatives. All of them are experiencing psychological problems. There will be so many problems in the society in future, regarding this.

³⁹ Omer Faruk Gergerlioglu, 13 May 2019, <https://www.omerfarukgergerlioglu.com/basin/iste-turkiyede-hapisteki-cocuklarin-durumu/9348/>

In Solitary Confinement Together With Her 10-Month Old Baby

Gergerlioglu, who reported and posted on his website his findings about the human rights violations in prisons explains one case in detail: *“Mothers cannot get proper baby food from the prison canteen. A mother had requested baby food for her 10-month old baby from a prison guard. There was an argument between her and the guard, because the guard had brought a wrong type of baby food. After this argument, the woman got punished to 10 days in solitary confinement. We were told about this case and got horrified. I called the prison warden and told him” “Are you out of your mind? How can a mother stay in solitary confinement with her 10-month old baby? How can you give such a punishment for such a minor argument?” Thank God that this punishment was overruled by the court of criminal execution, Otherwise, the mother had to stay in solitary confinement with her baby for 10 days, a living hell.*⁴⁰ *There are so many cases like this, however no measure have been taken. On the visiting days in prisons, children and their mothers are searched intensively and harassed by security. Because of this harassment, children do not want to come to prisons to visit their mothers. Some of them don’t see their mothers for several months and eventually forget their mothers. I have seen children who have been living with their aunts or grandmothers and have forgotten their mothers”.*

Human Rights Violations In Prisons End Up With Death

According to the data released by the Ministry of Justice, there are 264, 031 individuals staying in prisons as of January 2019. After July 15, 2016 the Ministry of Justice increased the capacity of 389 prisons from 111,135 to 213,322. However, especially due to the mass arrests regarding the Gulen Movement, this increase in the capacity was not sufficient. The occupancy level in prisons has increased to 121%.⁴¹ As a result, the negligence in prisons has increased.

According to the European Committee for the Prevention of Torture, *“While in custody, prisoners should be able to have access to a doctor at any time, irrespective of the period of*

⁴⁰ Omer Faruk Gergerlioglu, 13 May 2019, <https://www.omerfarukgergerlioglu.com/basin/iste-turkiyede-hapisteki-cocuklarin-durumu/9348/>

⁴¹ Hurriyet, 2 January 2019, <http://www.hurriyet.com.tr/gundem/cezaevi-nufusu-264-bin-31-41070059>

detention. The health care service should be so organized as to enable requests to consult a doctor to be met without undue delay”.

Elderly, ill and disabled prisoners who are unable to sustain their lives in prisons by their own means are not released despite their medical reports and requests for release.⁴² According to the Human Rights Association there are 1334 chronically ill prisoners as of April 12, 2019, including 458 severe cases.⁴³

In Turkish prisons, crimes such as torture, ill-treatment, and discrimination are committed. These include failure to let prisoners go to the infirmary when ill, failure to refer them to a hospital, inadequate and poor practices during treatment stages, handcuffed medical examinations, refusal to provide examination and refusal to refer the prisoner to a hospital based on the prisoner’s ethnic identity. Deaths are increasing in prisons due to neglect of treatment. Especially in solitary confinement cells, prisoners lose their mental and physical health, at a fast pace.⁴⁴

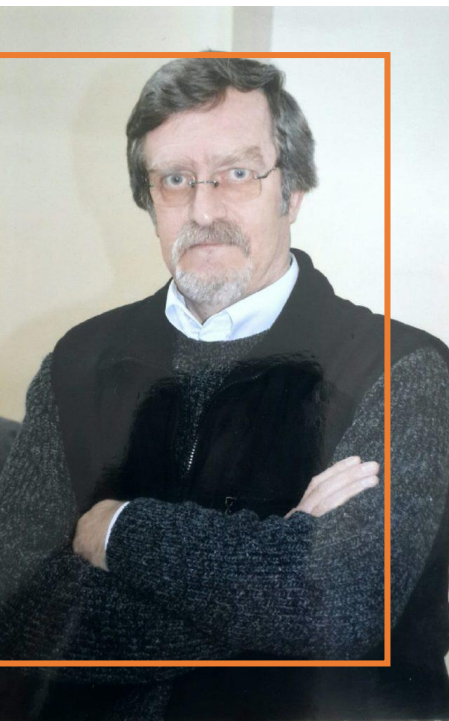
⁴² According to Article 51 of the Turkish Penal Code, the sentence of an individual older than 65 years shall be postponed, if the sentence is maximum 3 years. However, there are many individuals older than 65 years, who are in prison, arrested and not convicted. Several of them died in prison.

⁴³ İHD, 12 April 2019, <https://www.ihd.org.tr/bu-ulkenin-hapishanelerinde-binlerce-hasta-ve-olumun-sinirinda-insan-yatiyor/>

⁴⁴ Deutsche Welle, 10 May 2019, <https://www.dw.com/tr/t%C3%BCrkiyede-tek-ki%C5%9Filik-h%C3%BCcrelerde-ka%C3%A7-mahk%C3%BBm-var/a-48624244>

CASE 10: A FEW DAYS BEFORE HIS DEATH, HE WROTE:

“Don’t Take My Right To Life Away”



Muzaffer Ozcengiz was one of the ill prisoners. On 26 April 2019, it was announced that he died as a result of a heart attack in Corum Prison. He was sentenced to 12.5 years in prison. He was held in the solitary confinement cell for 2 years. He suffered from high blood pressure, diabetes, stomach disease, herniated disc, neck hernia, and prostate; deaf in one ear, meniscus in one knee. Prior to his death, he was also receiving psychological treatment. He had found out in prison that his mother had passed away.

In the petition he submitted 4 days before he lost his life, he wrote: *“My living conditions are getting worse every day and I am not getting any better. I demand that my right to life should not be taken away, and I request to be transferred into a normal ward from the solitary confinement cell...for the sake of humanity”*.⁴⁵

58-year-old Ozcengiz had listed, in his own handwriting, the human rights violations and negligences leading to his death as follows:

“After staying in a normal ward for a year, I was put in a solitary confinement cell on February 28, 2018 without any crime, punishment, questioning, or reason. A few days after I was put in the cell, I met with the prison doctor following my request. Following the evaluation of my chronic health problems, the doctor stated to me and to the warden that due to the critical condition of my current situation, I should continue to stay in the normal ward. However, this statement of the doctor to the warden regarding my critical health conditions has not changed anything.

⁴⁵ Bold Medya, 1 May 2019, <https://boldmedya.com/2019/05/01/hucrede-tek-basina-olenmuzaffer-ozcengizin-4-sayfalik-dilekcesi-nefes-alamaz-hareket-edemez-ayakta-duramaz-haldeyim/>

I have been receiving treatment for hypertension, thyroid, high blood sugar, prostate, herniated disc, neck hernia, severe hearing loss problems; I have been also receiving psychiatric treatment for the last year.

On Friday, April 5, I was taken to the psychiatric doctor. He said that I should continue medication without interruption, that I should be examined every month by him and that I should be transferred from the cell to a normal ward due to my existing physical and psychological problems. 17 days have passed, today is 22 April 2019. I am still in the solitary confinement cell.

On November 29, 2017, the Cankiri Heavy Penal Court requested the Corum Prison administration to determine whether I had participated in any terrorist activity, action, or propaganda while in prison. In his signed and submitted response on January 24, 2018 Prison Management Institution warden Mustafa YASAR stated that no such action has been found as a result of all the examinations and investigations made about me. Exactly one month after this resp, I was put in the solitary confinement cell.

As a result of the investigation carried out, it was found that I committed no act to violate or infringe the general safety of the institution, the ward or the room. I am not able to understand why I was put in this situation without any reason for punishment, and based on which regulation or law.

- *We have the right to go to prison yard for one hour in 24 hours. That right is also taken away if it conflicts with the time to meet with a lawyer, doctor, etc.*
- *I cannot participate in any social activity despite requesting multiple times*
- *Since there is no separate sink in the cell, all the work related to meals, dishes and cleaning are handled from the toilet sink.*
- *I am claustrophobic, I get anxious, overwhelmed and I am worried about hurting myself.*

- *My diseases and related medication I use have increased 4 times in prison.*
- *Due to the over-population in the prison, I cannot see the prison doctor sometimes even when it is absolutely necessary. Referral to the hospital takes months. Because of these, I get worse every single day.*
- *Several weeks and months pass by, and yet my medications are not provided to me.*
- *We have no access to the TV, internet, or computer.*
- *I suffer from dizziness, loss of balance, high blood pressure, etc. due to my chronic illnesses. During my stay at the normal ward, other inmates helped me with shared responsibilities such as cooking, dishes, cleaning the room; and I could solve some other issues with their help. However, in the cell I am all alone and have difficulties in preparing food, cleaning and washing the dishes.*
- *I need the help of others to maintain my life day and night.*

My right to life shouldn't be taken away from me, otherwise will yield to both legal and conscientious responsibility. My chronic health problems have been quadrupled and I have been suffering from depression, psychiatric illness that I have never experienced in the past 58 years and I have been gradually forced to commit suicide. Despite all my written and verbal applications and my valid justifications, I would like to know which law and what rule necessitates this ignorance.

On March 28, 2019, I had a very serious stomach disorder and spasm. My request for medical examination was answered 6 days later. Meanwhile I have become unable to breathe, move, and stand properly.

When the prison doctor finally examined me on April 2, he immediately said that I could not be treated there; he asked an ambulance to be called and transfer me to emergency room in Corum State Hospital.

I demand that my right to life should not be taken away, and I request to be transferred into a ward from the solitary confinement cell...for the sake of humanity”.

22.04.2019

Muzaffer ÖZCENGİZ

E-9 AHİ ÖZNOĞURİNE ÇATIM

KAPALI C.İ.K.

Adi Özgür Çatım

Recep Tayyip Erdoğan Bulvarı

15440 Çarşı

15. Nispetiye

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“He Passed Away, Flutteringly”

Parliament member Omer Faruk Gergerlioglu announced that Muzaffer Ozcengiz, a detainee whose medication was not given, died in the solitary confinement cell, flutteringly.

Especially after July 15, increase in death rates of the ill prisoners, as well as the increase in suicide and suspicious deaths is noticeable.

Republican People's Party (CHP) Manisa deputy Dr. Tur Yildiz Bicer stressed that every prisoner is under the responsibility of the government and that suicide incidents in prison point a failure to fulfilment of this responsibility.⁴⁶ In her speech to the General Assembly, Bicer asked Justice Minister Bekir Bozdag about the suicide allegations in the prisons following July 15.

DEATHS IN PRISONS DUE TORTURE AND NEGLIGENCE AND TORTURE AFTER JULY 15 (93 CASES)

Selim Bugrahan, September 9, 2019: 87-year-old Mehmet Selim Bugrahan, who was arrested 45 days ago on charges of aiding the PKK after being sentenced to 4 years and 2 months in prison, died in Kahramanmaraş Turkoglu L-Type Closed Prison. Bugrahan's wife was sick and bedridden, one of his five children was disabled and other was imprisoned in Bingöl M-Type Closed Prison. Bugrahan was arrested back in 2014 after an ongoing investigation, he stayed in prison for seven months and was conditionally released by the court, pending a trial. Bugrahan was taken into custody 45 days ago after his sentencing was determined and his home was raided by police. His two other sons went



⁴⁶ Bianet, 16 November 2016, <http://bianet.org/bianet/siyaset/180787-15-temmuz-sonrasi-cezaevlerinde-yasanlar-intihar-mi-cinayet-mi>

to Europe after allegedly being tortured under custody.⁴⁷

Omer Guni, September 1, 2019: 45-year-old Gendarmerie Staff Colonel Omer Guni



was expelled from his duty with an emergency decree law, was arrested and sent to Sincan F-Type Prison. His wife, a social services specialist, was also expelled with a decree law. He was imprisoned for 8 months, although he had a heart disease report that stated he could not remain in prison. He was released when his health condition became

severe. He was placed on the heart transplantation list in a hospital. Guni was taken to hospital several times during this time period. Due to the social pressure policies against the individuals whose names were in the decree laws, Guni told his family members: “*I cannot take it anymore, what I have been through*”. He passed away due to a heart attack.⁴⁸

Tacettin Toprak, August 24, 2019: 36-year-old Tacettin

Toprak, who was left unemployed after being dismissed from his duty as a teacher by a decree law, was placed in Manisa Prison after being arrested within the scope of an investigation of the Gulen Movement, despite having a bladder cancer. He was not allowed to be treated in prison. Toprak insistently demanded his release from



prison to receive treatment. Despite the doctor's reports, the court decided to reject Toprak's release request three times. The disease progressed and the cancer spread to his lungs. Human rights defender MP Omer Faruk Gergerlioglu announced the victimization of Toprak to the Ministry of Justice on 8 August 2019 and said: “*Will you hold him until he dies? You will release him in a coffin? Chronically ill prisoners should be released!*” Two days later, on 10 August 2019, his sentence was postponed. Toprak, who had two small children, died two weeks later, on

⁴⁷ Mezopotamya Agency, 9 September 2019, <http://mezopotamyaajansi21.com/search/content/view/68610?page=1&key=af0bd5afcf52763d2c926f9edc65404>

⁴⁸ Bold, 2 September 2019, <https://boldmedya.com/2019/09/02/khkli-kurmay-albay-omer-guni-hayata-gozlerini-yumdu/>

August 24, 2019.⁴⁹

Tahir Cetinkaya, August 2, 2019: Placed in Van F-type prison at 67-year-old age



with a disabled foot, accused with aiding the PKK, he became paralyzed; after being diagnosed with a brain tumor, he was transferred from Van Prison to Sincan Prison for treatment. All requests made to the public prosecutor's office, to the prison, and to the ministry, demanding a postponement to his punishment due to his health problems were denied. On July 26, the Ministry of Justice

General Directorate of Prisons and Detention Houses responded to the appeal made on July 13, saying “*conditions of probation are not established yet*”. Cetinkaya, who was detained for 8 months, was taken to the Ankara City Hospital 4 days prior to his death, when his condition became worse. He died on August 2, 2019. His situation got worse three times in prison earlier.⁵⁰

Hanife Ciftci's baby, July 29, 2019: Hanife Ciftci (36),

mother to 3 children, was arrested on June 27, 2019 within the scope of an investigation about the Gulen Movement. She was put into Osmaniye T-type prison despite being 2 months pregnant, contradictory to law no. 5275. Although she had told and it was recorded in the police



station, the office of prosecution and the court that she was experiencing a risky pregnancy with abnormal bleeding, it was not taken into consideration. She struggled to live with her baby in a ward of 15 people at a temperature of 43C. Despite all attempts, demands for her release were denied. She was taken to hospital on 29 July after her situation got worse. After it was found out that she had experienced a miscarriage, an abortion was performed and she was taken back to prison on the very same day.⁵¹

⁴⁹ Aktif Haber, 24 August 2019, <http://aktifhaber.com/15-temmuz/tahliye-talebi-3-kez-reddedilen-kanser-hastasi-khkli-ogretmen-tacettintoprak-vefat-etti-h136597.html>

⁵⁰ Karınca Newspaper, 3 August 2019, <http://gazetekarinca.com/2019/08/yasamini-yitiren-hasta-tutuklu-tahir-cetinkaya-topraga-verildi/>

⁵¹ Bold, 29 July 2019, <https://boldmedya.com/2019/07/29/iktidar-in-eline-bir-kez-daha-bebek-kani-bulasti/>

Ali Ayverdi, July 24, 2019: 58-year-old Ali Ayverdi, Eskisehir

Surat Cargo Regional Manager died in Eskisehir Prison. Ali Ayverdi was sentenced to 3 years in prison, and was released after a year due to his health condition. A brain tumor was detected and a surgery was performed. Ayverdi, who had to stay in prison for another 3.5 months, was arrested again. His friends and family started a campaign demanding Ayverdi's release, who at the time was denied hospital care and was not able to take care of himself alone. Ali Ayverdi, who suffered from memory loss and psychological problems, was able to see his visitors in prison on a wheelchair. All requests for his treatment were denied, stating "*he would get treatment after his release*". Ayverdi, father of two children, passed away in Eskisehir Prison.⁵²



Yavuz Bolek, June 16, 2019: Bolek was a 2nd degree police chief before he was



expelled from his duty at the age of 49. He suffered from colon cancer. Despite medical reports, he was arrested on August 25, 2016. His treatment in Antalya was abandoned and he was sent to İzmir Aliaga Prison. No treatment was provided while in prison. Due to severe prison conditions, cancer spread throughout his body. Following a stroke, he was immediately

hospitalized. He had an open brain surgery on the right side of his brain. However, he was put back in prison following the operation. A week later, he had another stroke and the left side of his brain was opened and operated. However, he was not released again and was sent to prison again. He had another surgery after cancer spread to his lungs. But he was not released again. Despite the medical reports provided to the court by his lawyer, his requests for release were rejected. Yavuz Bolek, about whom there were medical reports stating the *risk of death* and who was in need of care, was finally released from prison on May 2, 2017 and taken into medical treatment. However, Bolek, who had 3 children, passed away on June 16, 2019 on Father's

⁵² Bold, 24 July 2019, <https://boldmedya.com/2019/07/24/hasta-tutuklulara-zulmun-son-ornegi-ali-ayverdi-hayatini-kaybetti/>

Day.⁵³

Gulden Asik's baby, May 31, 2019: Gulden Asik (40), mother of 3 children, was



arrested and placed in Bandirma Prison within the scope of the Gulen Movement investigation. Asik, who spent her pregnancy with her 4th child in prison, was urgently transferred to Bandirma State Hospital on 31 May 2019. When doctors found out that the baby's heart had stopped, an abortion was performed one day later. Following the loss of her baby in the 7. week of the pregnancy due to negligence of the authorities, she was put back in prison after an abortion.⁵⁴

Dundar Kaya, June 13, 2019: Retired preacher Kaya was detained in Izmir Aliaga Prison for a year, despite his advanced age and illnesses. It was announced that Kaya weighed nearly 200 kg due to the medication he was taking, he was in intensive care for the last one month and then passed away.⁵⁵



Murat Korkmaz, May 12, 2019: He was a lawyer and father of two daughters. He was



imprisoned in Kirsehir Prison for about 20 months. He had heart disease. He demanded release due to health problems but was refused. He had a battery in his heart, his heart stopped temporarily in prison. He was taken to a hospital in Ankara, handcuffed. After treatment, he was put back to prison. It was announced that he died of a heart attack shortly after his release.⁵⁶

Ilyas Yildirim, May 3, 2019: Ilyas Yildirim, who had the fear of being alone (monophobia), was kept in a solitary confinement cell for 28



⁵³ TR724, 17 June 2019, <https://www.tr724.com/cezaevinde-kanser-hastasi-olan-emniyet-muduru-babalar-gununde-vefat-etti/>

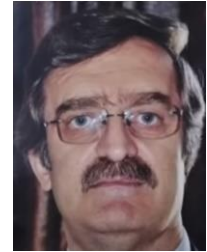
⁵⁴ Ahval, 15 June 2019, <https://ahvalnews.com/tr/hak-ihlalleri/cezaevinde-bebegini-kaybetti-bebegime-cop-muamelesi-yaptilar>

⁵⁵ https://twitter.com/biten_hayatlar/status/1139284075884306433?lang=en

⁵⁶ Omer Faruk Gergerlioglu, 16 May 2019, <https://www.omerfarukgergerlioglu.com/basin/basindan/16-mayis-2019-basin-toplantisi/9478/>

months. He got skin cancer. When he was released, it was stated that it was too late for his treatment. He passed away in the hospital. His lawyer told that during his stay in the cell, Yildirim's health condition was extremely poor, but he was not transferred to a normal ward despite all his requests.⁵⁷

Muzaffer Ozcengiz, April 26, 2019: Ozcengiz who was dismissed from his teaching duties, arrested and put in Corum Prison, died as a result of a heart attack. He was sentenced to 12.5 years in prison. He was severely ill and although he explained his situation with several petitions, he had been held in a solitary confinement cell since February 28, 2018 under difficult conditions. In



a petition he wrote prior to his death, he stated: *“My living conditions are getting worse every day and I'm getting worse every single day. I demand that my right to life should not be taken away, and I request to be transferred into a ward from the solitary confinement cell...for the sake of humanity”*.⁵⁸

Deputy Omer Faruk Gergerlioglu announced that his medication was not given to Muzaffer Ozcengiz and he died in his cell, flutteringly. whose medication was not provided. Gergerlioglu stated, *“Since they did not give his blood pressure medication, he bought from the prison canteen 250 grams of honey and some garlic for 20 Turkish liras in total. He made a mixture in a glass jar and used it as a natural antihypertensive. During a search it was taken away from him. So, his medication was not given to him and his natural antihypertensive garlic honey mixture was taken away, and then his death took place”*.

Mustafa Celikbilek, April 22, 2019: Mustafa Celikbilek, a system expert at the Ministry of Justice, was detained on 30 July 2016 for 12 days and was subjected to ill-treatment. He was arrested on August 11 and was sent to the F 2 ward of the Ankara Sincan L2-Type



⁵⁷ Aktif Haber, 5 May 2019, <https://aktifhaber.com/15-temmuz/erdogan-rejiminin-cezaevi-olumlerine-bir-yenisi-daha-eklendi-h132027.html>

⁵⁸ BOLD, 28 April 2019, <https://boldmedya.com/2019/04/28/cezaevinde-bir-supheli-olum-daha/>

Closed Prison. He had 2 seizures in the ward. He wasn't taken to the infirmary. After the third seizure, Celikbilek was taken to the infirmary where he got much worse. Celikbilek, who was taken to the hospital handcuffed in a prisoner transportation car, was diagnosed with a brain tumor following medical examinations. His lawyer's requests for Celikbilek's release in order to continue his treatment in the hospital was rejected by the court. He was released only after the report of the doctors, which read "*He has a very low chance of survival now*". He had two surgeries but he did not respond to treatment. After a month of intensive care, he died. He had 2 children.⁵⁹

Goksin Oz, April 21, 2019: 43-year-old Goksin Oz, was dismissed from duty with a decree law while she was working as a biology teacher at Bursa Gursu Toki Anatolian Imam Hatip High School, and was then arrested. She got diagnosed with cancer in prison. When her condition got worse, she was released and she passed away because she could not be treated in time. She had a 7-year-old daughter.⁶⁰



Bekir Bicakci, April 16, 2019: Bekir Bicakci, age 74, was detained in Isparta E-Type Prison for 34 months. On April 13, 2019, he fell in the bathroom. He was hospitalized as a result of brain hemorrhage and died three days later. Human rights defender and HDP MP Omer Faruk Gergerlioglu made a press statement in the Turkish Grand National Assembly and he said that the detention of people who need to be released due to age limits is a violation of human rights.⁶¹



⁵⁹ Turkey Purge, 23 April 2019, <https://turkeypurge.com/purge-victim-engineer-dies-of-brain-cancer-weeks-after-beingreleased-from-prison-hdp-deputy>

⁶⁰ Ahval, 28 April 2019, <https://ahvalnews.com/tr/konusa-konusa/gergerlioglu-olumunden-bes-gun-once-kendi-cinayetini-yazanbir-insan-var-karsimizda>

⁶¹ Omer Faruk Gergerlioglu, 26 April 2019, <https://www.omerfarukgergerlioglu.com/basin/basindan/26-nisan-2019-basin-aciklamamiz/8981/>

Hakan Dumanay, April 13, 2019: Dumanay, age 41, was held as a prisoner in Kandira Semi-Open Prison. As a result of a heart attack, he died in prison infirmary without being referred to the hospital.⁶²



Yusuf Pacaci, April 15, 2019: 39-year-old Pacaci, a teacher at Batman Cumhuriyet High School, was imprisoned for 20 months in Batman M-Type Prison. He was sentenced to 8 years and 3 months in prison due to investigations about the Gulen Movement. He was kept in a 14-person-capacity ward with 27 other inmates. He was father of one child. It was announced that teacher Yusuf Pacaci died due to heart attack.⁶³



Cemil Dilber, March 21, 2019: Dilber, age 57, was sentenced to 8 years and 3 months in Afyonkarahisar 2nd High Penal Court. In his defense at the hearing, he said: “I am 56 years old. I have always respected our republic and flag. I've taken no action against. I've never been a member of a terrorist organization. I want to be acquitted or otherwise be released pending trial. My wife and daughter are psychologically impaired. They have no one to look after them. There is stent in my heart ”. The court ruled against his release and decided to continue his detention. Dilber had a heart attack in front of his family on the day of their visit to the prison. He was taken to the hospital, had an angiography, and then sent back to prison. Dilber, who became ill again in the ward, was taken to the hospital. However, he died after being in intensive care for a while. Her family was not allowed to see him one last time even when he was at the intensive care.⁶⁴

⁶² Kocaeli Denge News, 17 April 2019, <https://www.kocaelidenge.com/asayis/cezaevinde-kalp-krizinden-oldu-h15103.html>

⁶³ Bold, 17 April 2019, <https://boldmedya.com/2019/04/17/hayatini-kaybeten-tutukluogretmen-yusuf-pacaci-neden-izcilik-faaliyeti-yaptin-diye-sorgulanmis/>

⁶⁴ Omer Faruk Gergerlioglu, 21 March 2019, <https://www.omerfarukgergerlioglu.com/basin/haberler/21-mart-basin-toplantisi/7830/>

Saim Uyanik, March 15, 2019: Saim Uyanik, the principal of Adana Ceyhan Burc School, was arrested within the scope of the Gulen Movement investigation. He had been diagnosed with cancer while he was in Adana prison. After being released by pending trial due to his severe medical condition, it was announced that Uyanik died due to brain tumor. He had two daughters.⁶⁵



Ridvan Baris, March 11, 2019: It was announced that he had a heart attack and died in Elazig Prison. Family members of the 18-year-old Ridvan Baris said that he was an epilepsy patient, he did not receive any treatment and the necessary measures were not taken.⁶⁶

Huseyin Cakir, February 28, 2019: He was a recording clerk in Diyarbakir. While he



was in prison, he filed petitions for his release because he had splenic disease. However, he was released 13 months later. Huseyin Cakir, father of two children, died on February 28 after having undergone a surgery on his spleen.⁶⁷

Mehmet Gok, February 13, 2019: It was announced that 62-year-old Mehmet Gok, who was in Tarsus T-Type Closed Prison due to the PKK trial, died as a result of a heart attack.⁶⁸



Ali Haydar Yildiz, February 10, 2019: Istanbul Office of Human Rights Association



(HRA) announced that Ali Haydar Yildiz, who was taken into custody in 2012 and later got paralyzed due to negligence, died in Metris R-Type Prison. HRA stated: "*Despite the Forensic Medicine Institute's report that he could not remain in prison because he could not take*

⁶⁵ <https://www.youtube.com/watch?v=NNJfPdAVQQQ>

⁶⁶ SCF, 11 March 2019, <https://stockholmcf.org/young-epileptic-dies-of-heart-attack-in-turkish-prison/>

⁶⁷ Magduriyetler, 2 March 2019, <https://twitter.com/magduriyettr1/status/1101777351636148224>

⁶⁸ ANF Turkish, 13 February 2019, <https://anfturkce.com/kadin/tutsak-mehmet-goek-cezaevinde-hayatini-kaybetti-120383>

care of himself and could not meet his needs, Yildiz had not been released. Ali Haydar Yildiz, who suffered from wounds on his body due to being bedbound, died on the night of February 10 in Metris R-Type Prison where he was held".⁶⁹

Gungor Onol, January 30, 2019: It was announced that the retired non-commissioned officer Gungor Onol, who was arrested in December 2017 within the scope of investigation of the Gulen movement and put in Aydin E-Type Prison, died due a heart attack.⁷⁰



Burak Cihangir, January 24, 2019: Burak Cihangir, age 26, was arrested in Antakya a while ago during the PKK investigation. He was put in İskenderun M-Type Closed Prison. Burak Cihangir was found hanging from the ceiling in the toilet of the C 16 ward where he stayed.⁷¹



Recep Dogru, January 9, 2019: 61-year-old chronic heart patient Dogru, who was receiving help from Social Welfare Institution and living alone, was arrested and charged with breaking the seal on the water meter at his home since he could not pay his water bill. He had been in Sakarya Ferizli Prison for 20 months. It was announced that his medication was not provided to him regularly, and he had passed away after suffering a heart attack in prison.⁷²



Mehmet Ali Tokel, January 6, 2019: Tokel, age 48, was a mathematics teacher in Kemer, Antalya. He was released from duty by the 672nd decree law. He was arrested on the grounds that he was a member of Aktif Educators Union (Aktif-Sen). He was the president of Antalya Education Volunteers Association. The association was shut down on 24 July 2016. He got tried in Antalya 8th Heavy Penal Court. He developed lung cancer in Antalya Prison. His

⁶⁹ TiHV, 15 February 2019, <https://tihv.org.tr/15-subat-2019-gunluk-insan-haklari-raporu/>

⁷⁰ Biten Hayatlar, 30 January 2019, <https://biten hayatlar.com/vefatlar/2019/gungor-onol/>

⁷¹ T24, 24 January 2019, <https://t24.com.tr/haber/cezaevinde-olu-bulundu,805396>

⁷² Omer Faruk Gergerlioglu, 14 March 2019, <https://www.omerfarukgergerlioglu.com/basin/haberler/cezaevlerinde-yasananhak-ihlalleri-uzerine-mecliste-yaptigimiz-14-mart-basin-toplantimiz/7764/>

treatment was delayed. He died shortly after his release.⁷³

İbrahim Akbaba, December 28, 2018 : He was arrested on 21 July 2017 on



charges of being a member of the PKK. İbrahim Akbaba had an open-heart operation, an amputated leg and diabetes. Despite his illnesses, a medical report stated that he could actually stay in prison. He was transferred to Edirne F-Type High Security Penitentiary Institution from Mardin. Akbaba, a 72-year-old political prisoner, had passed away after

having a heart attack while he was testifying with the Audio and Video Information System (SEGBİS) from Edirne Prison for his trial in Mardin. His release from prison was ruled on the same day.⁷⁴

Vasif Bayram, December 13, 2018 : Financial accountant Vasif

Bayram, age 65, who had been arrested for 14 months at Sakarya Ferizli Prison got diagnosed with stomach cancer while in prison because of poor and unhealthy conditions in prison, and was released after his condition worsened. Vasif Bayram passed away at the hospital in Istanbul where he was receiving treatment.⁷⁵



Recep Turk, November 25, 2018 : Recep Turk, who worked as a postman at PTT

was released from his duty with a decree law and got arrested, was diagnosed with pancreatic cancer in Samsun Bafra prison. He was released pending trial due to his medical condition. Recep Turk was a father of three and he passed away in hospital while receiving treatment.⁷⁶

⁷³ Biten Hayatlar, 6 January 2019, <https://bitenhayatlar.com/vefatlar/2019/mehmet-alitokel/>

⁷⁴ KRD News, 29 December 2018, <https://www.krdnews.net/news/yasam/70-yasindaki-hasta-tutuklumardindogumlu-ibrahim-akbaba-cezaevinde-ifade-verirken>

⁷⁵ Yeni Hamle News, 12 December 2018, <http://www.yenihamle.com/2018/12/12/cezaevininsagliksiz-kosullari-bir-can-daha-aldi-mide-kanserine-yakalanan-mali-musavir-vasif-bayram-hayatini-kaybettiler/>

⁷⁶ TR724, 26 November 2018, <http://www.tr724.com/cezaevinde-kansere-yakalanan-ptt-calisani-hakka-yurudu/>

Orhan Dalgic, November 18, 2018 : He was first dismissed from duty with a decree law and became unemployed, subsequently he was arrested. After he got out of prison, he opened a stationery store to make a living. However, he was arrested again. It was announced that he died as a result of a heart attack in Manisa Akhisar Suleymanli Closed Prison.⁷⁷



Burhan Karatay, November 7, 2018 : The 67-year-old high blood pressure patient had been imprisoned in Giresun E-Type Closed Prison for 3 years and 10 months. Angiography was not allowed. He died of a heart attack. Angiography was not allowed. He died of a heart attack. His son İsmail Karatay stated that his father had not been released despite their petitions. Karatay said that his father called them 5 months ago and said that he should have an angiography but the prison did not allow it.⁷⁸



Mehmet Akbulut, November 7, 2018 : Teacher Akbulut was 48 years old. He was brought to Turkey and arrested on June 21, 2018 following a request for extradition from Bosnia and Herzegovina. He was put in Silivri Prison. He was sentenced to 10 years in prison. He got sick under heavy prison conditions. He was not even taken to the infirmary. When he could not take care of himself and collapsed twice in the ward, he was taken to hospital. However he passed away. He had three children.⁷⁹

Suleyman Savut, November 3, 2018 : He was dismissed from his duty when he was the chief judge of the Sincan 1st High Penal Court. Suleyman Savut, who had stayed in prison for more than 1 year, had passed away in the hospital where he was being treated due to his illness



⁷⁷ Haberdar News, 18 November 2018, <http://www.haberdar.com/gundem/hdp-li-gergerlioglu-cezaevinde-bir-khk-li-olumu-daha-h111004.html>

⁷⁸ Evrensel, 7 November 2018, <https://www.evrensel.net/haber/365370/67-yasindaki-hasta-tutuklu-burhan-karatay-yasamini-yitirdi>

⁷⁹ TrNews, 15 November 2018, <https://trnews0.blogspot.com/2018/11/extradited-to-turkey-despite-un-notice.html>

caused by high stress and sadness.⁸⁰

Mehmet Ali Ozbir, October 16, 2018 : He was 41 years old, a small business owner



in Manisa Alasehir. He was detained on August 2, 2016 and sent to Manisa Prison where he stayed for 17 months. Mehmet Ozbir got diagnosed with cancer while in prison. Requests for treatment were rejected by the prison administration. Because he didn't receive any treatment on time, his arm was amputated. When his condition got worse, he was released on December 14, 2017, and later died on October 16, 2018, while

his treatment at the hospital continued. He had three little children.⁸¹

Elmas Cankurt, October 6, 2018: Elmas Cankurt, the former owner of the Yesilyurt Newspaper published in Kırklareli, lost his health during his stay in prison and was diagnosed with cancer. Requests for release were rejected. After his release, he had liver transplantation. However, when his health did not improve, he passed away.⁸²



Mehmet Ali Basar, September 23, 2018 : M. Ali Basar, who worked as an



accountant in a law firm, developed lymphoma cancer in prison. He was released nine months after his arrest due to lack of evidence. His deteriorated health in Silivri Prison got worsened after Basar started working at though day-to-day jobs to look after his family. Basar, who had fought for his life through nine months of imprisonment, unemployment and cancer, had passed away. Basar had 3 children.⁸³

⁸⁰ Aksehir Postası News, 3 November 2018, <https://www.aksehirpostasi.com/yunakli-agir-ceza-hakimi-suleyman-savut-hayatini-kaybetti/20202/>

⁸¹ Haber Ozetim News, 17 October 2018, <http://www.haberozetim.com/haber-cezaevinde-kansere-yakalanan-mehmet-ozbir-hayatini-kaybetti-5574.html>

⁸² Hudut News, 6 October 2018, <http://www.hudutgazetesi.com/haber/50410/elmas-cankurt-vefat-etti.html>

⁸³ Haber Ozetim News, 24 September 2018, <http://www.haberozetim.com/haber-cezaevinde-lenfoma-kanserine-yakalanan-muhasebeci-mali-basar-vefat-etti-5439.html>

Murat Tufekci, September 20, 2018 : He was detained in Karabuk Prison for 2.5 years within the scope of the investigation about the Gulen Movement. It was announced that he had died of a heart attack one day before the final outcome of his trial.⁸⁴



Musa Gulbeyaz, September 16, 2018: 97-year-old sick detainee Musa Gulbeyaz lost his life in Menemen R-Type Closed Prison. Despite requests of his family and lawyers, his sentence was not postponed and his requests for release were rejected. Reacting to Gulbeyaz's death in prison, his family said, "Gulbeyaz's death is murder".⁸⁵



Kocer Ozdal, August 27, 2018: 13 human rights organizations had made a joint statement and the deputies brought the matter to the Parliament for the release and treatment of the sick 70-year-old detainee Kocer Ozdal. Arrested in 2014, Kocer Ozdal was transferred on July 9, 2018 to Ankara Numune Hospital from Bafra Prison in Samsun. Kocer Ozdal's family had applied to the Human Rights Association saying that *"he cannot take care of his needs and his medications are not given"*. Kocer Ozdal was diagnosed with bladder cancer and blood pressure disorder. Since he experienced kidney failure, he needed to receive regular dialysis treatment. Due to disruptions in his treatment, his condition became more severe and shortly after he passed away.⁸⁶



Sabri Colak, August 24, 2018 : Professor Colak, a retired faculty member at the Faculty of Engineering at Ataturk University, was 70 years old. He was arrested on July 22, 2016. He was placed in



⁸⁴ Milliyet, 21 September 2018, <http://www.milliyet.com.tr/karabukteki-feto-pdy-davasinda-karar-karabuk-yerelhaber-3048194/>

⁸⁵ Ozgur Manset, 18 September 2018, <https://ozgurmanset.net/97-yasindaki-agir-hasta-tutuklu-musa-gulbeyaz-yasamini-yitirdi/>

⁸⁶ Bianet, 27 August 2018, <https://m.bianet.org/bianet/insanhaklari/200222-hasta-mahpus-kocer-ozdal-hayatini-kaybetti>

Van High Security Closed Prison. He was not released for 2 years despite his medical report stating he cannot remain in prison. He was sentenced to 7.5 years in prison and passed away in prison.⁸⁷

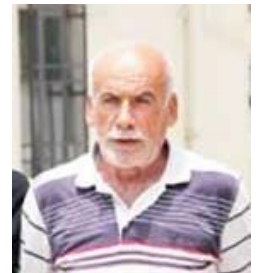
Atanur Akat, August 7, 2018: Police captain Atanur Akat was a science high school graduate. He left the Marmara University Medical School because he wanted to be a police officer. He was the Turkish champion in intelligence games in Turkey. He was dismissed from his duty by a decree law and was arrested. When he got out of prison, he worked at a *kebab house* to support his family. Akat, who had two children, passed away due to a brain hemorrhage.⁸⁸



Recep Abdioglu, July 27, 2018: He was a religious education teacher. He was announced dead due to brain hemorrhage in Trabzon Bahcecik prison at the age of 53. Abdioglu, who was arrested in March 2018, became unemployed after July 15. Abdioglu had graduated from Dokuz Eylul University, Faculty of Theology, and he had 5 children. After his death, his body was not shown to his family, it was revealed that the municipal staff was instructed not to perform the duties required by his religion such as washing his body prior to his burial.⁸⁹



Davut Demirkale, July 13, 2018: Demirkale, one of the owners of Arbel Food Company, who was arrested on July 8, 2018 in Mersin, is announced to have committed suicide by hanging himself with sheets in Mersin E-Type Closed Prison, 5 days after his arrest. An investigation was



⁸⁷ Ahval, 24 August 2018, <https://ahvalnews.com/tr/muhalliflere-baski/profesör-sabri-colak-cezaevinde-hayatini-kaybettiler>

⁸⁸ TR724, 8 August 2018, <https://www.tr724.com/zeka-oyunlari-sampiyonu-khkli-komiser-beyin-kanamasi-gecirerek-vefat-etti/>

⁸⁹ Turkey Purge, 6 August 2018, <https://turkeypurge.com/hdp-deputy-confirms-turkish-teacher-dies-of-brain-hemorrhage-in-trabzon-prison>

opened following his suspicious death. The media reported that Demirkale's hands were tied when he was found dead.⁹⁰

Nesrin Gencosman, July 11, 2018: She was a teacher of Quran. She was detained on 30 May 2018 in Ordu, arrested and put in Ordu Efirli Prison on June 1, became ill as a result of pneumonia germs transmitted in prison. She went into coma because her medication was not provided on the ground that it was weekend and because her referral to hospital was delayed 5 days. She was then hospitalized and taken to intensive care. While she was in the intensive care unit, the court decided her to be released from prison but she died before she could hear that news and before even appearing in court, not even once.⁹¹



Safak Demir, July 3, 2018: Safak Demir, a 41-year-old Turkish language teacher and mother of two children was arrested after she was dismissed from her duty with a decree law in February 2017. She had a brain hemorrhage in Silifke Prison on June 30, 2018 and passed away in Adana City Hospital. It was stated that Safak Demir's husband Mehmet Demir has been detained in Tarsus Prison since November 2016. Safak Demir had 2 children.⁹²

Zeki Guven, July 1, 2018: He was the former chief of the Intelligence Branch of Ankara Security Directorate. It was announced that he died of a heart attack 40 days after he was put in the solitary confinement cell in Sincan No. 1 F-Type Prison. He was allegedly tortured to death. Former police chief Hanefi Avcı had pointed him as a target in a statement he made: "*Guven is a very critical man, I hope they interrogate him well*".⁹³



⁹⁰ Ahval, 14 July 2018, <https://ahvalnews.com/tr/cezaevleri/feto-iddiasıyla-tutuklanan-adami-olu-bulunmustu-intihar-mi-infaz-mi>

⁹¹ Yeni Asya, 19 July 2018, https://www.yeniasya.com.tr/gundem/vefat-eden-genc-hafizenin-ailesi-konustu_467926

⁹² Haber Ozetim News, 4 July 2018, <http://www.haberozetim.com/haber-cezaevinde-beyin-kanamasi-geciren-safak-ogretmen-vefat-etti-esi-hapiste-5148.html>

⁹³ Ahval, 1 July 2018, <https://ahvalnews.com/tr/feto-davalari/eski-istihbaratci-cezaevinde-intihar-mi-etti-infaz-mi-edildi>

Sevket Saygin, June 26, 2018: 61-year-old Saygin, who stayed at Gumushane E-Type Closed Prison, became ill in prison. It was claimed that he died of a heart attack in the state hospital.⁹⁴

İsmail Ulker, June 17, 2018: He was arrested in July 2016. The 42-year-old, 3rd degree police chief İsmail Ulker was imprisoned in Kilis Prison for 23 months. He developed colon cancer in prison and despite the medical committee report, his request for release and treatment was rejected for a long time. Only one month before his death, they had allowed him to be treated. Ulker died in hospital. Ulker's children were left orphan on Father's Day.⁹⁵



İbrahim Halil Ozyavuz, June 3, 2018: Radiology specialist Ozyavuz, who graduated from Cerrahpasa Medical Faculty, was arrested on charges of membership of terrorist organization. After 27 days in Silivri Prison, it was announced that he hung himself with "laundry rope". His family found marks of physical beating on his body at the morgue. A criminal complaint was filed stating he was tortured to death.⁹⁶



Ali Hocaoglu, May 6, 2018: 42-year-old small business owner Hocaoglu was arrested and stayed at Izmir Sakran Prison for more than a year. He was diagnosed with stomach cancer. He was released after being hospitalized in the last phase of his sickness. He died in the intensive care unit after 1 month of treatment.⁹⁷



⁹⁴ Mezopotamya Agency, 26 June 2018, <http://www.mezopotamyaajansi.com/GUNCEL/content/view/28056>

⁹⁵ Yeni Asya, 18 June 2018, https://www.yeniasya.com.tr/gundem/cezaevi-mi-eza-evi-mi_465059

⁹⁶ IPA News, 16 July 2018, <https://ipa.news/tr/2018/07/16/harranli-doktorun-hucrede-olumune-sorusturma/>

⁹⁷ Aktif Haber, 7 May 2018, <https://aktifhaber.com/15-temmuz/ohal-bir-can-daha-aldi-mide-kanseri-olan-esnaf-vefat-etti-h116603.html>

Halime Gulsu, April 27, 2018: She was a 34-year-old English teacher. She used to make and sell meatballs to help the families of imprisoned victims. She was arrested within the scope of the investigation about the Gulen Movement and put in Tarsus Prison. She had a very serious disease called chronic systemic lupus erythematosus. She was not treated, and her medication was not given to her for 2 months. She was not taken to the infirmary. She died in Tarsus Prison.



In a petition she wrote four days prior to her death, Halime Gulsu stated: *“I was told to sign a paper saying the officers informed my family members about the medication I have to receive. However, after I was sent to prison, during my brother’s visit, he told me no one had called them and he did not know about any medication. During detention, my daily medication was not given to me by the officers because I failed to submit my request in writing.*

*While in custody, I could not take two doses of my medication despite the fact that I had it at home. In accordance with the rules of the prison, I requested many times to be taken to the infirmary. I cannot even remember the number of times I put 'urgent' on my petition. All those petitions were left unanswered and I was not taken to the infirmary. In the meantime, my disease recurred again. I started to experience fatigue, tiredness, joint pain, and nausea. I wrote a petition again to be taken to the infirmary and the infirmary referred me to internal medicine department. **An ambulance came from 112 service, I told ambulance officers about my disease. After they measured my blood pressure and pulse, they said 'we hope nothing will happen' and they sent me back to my ward.***

The guards in prison thought I was lying and they often scolded me. My illness is a very serious and fatal disease. I demand that the necessary procedures be initiated for all officers who have disregarded their duty and who have neglected their tasks as I detailed in my written petitions. These officers are from Mersin Police Department, Counter Terrorism Branch Office, Tarsus

*Closed Penal Institution for Women, and Tarsus State Hospital.”*⁹⁸

The investigation about the criminal complaints regarding Halime Gulsu's death was closed because the district governor did not give administrative permission for the investigation. Mersin Public Prosecutor Zeki Topaloglu closed the file stating that no one had responsibility in her death.

Cemal Gurer, April 25, 2018: Teacher Cemal Gurer's cancer recurred in prison. However, he was not released. When his health condition in Elazig Prison got worse, he was taken to hospital where he died.⁹⁹



İsmail Arslan, April 7, 2018: Chronically ill İsmail Arslan (66), who was imprisoned in Balıkesir Bandırma No. 1 T-Type Closed Prison for 25 years due to the PKK trial, had died at the hospital he was referred after his condition worsened. Arslan, who had respiratory and nutritional problems for years, was on the Human Rights Association's list of severely ill prisoners. Despite all the appeals, Arslan's requests for release were rejected.¹⁰⁰



Teoman Gokce, April 2, 2018: High ranked chief judge, former member of the Supreme Council of Judges and Prosecutors, was being held in solitary confinement cell in Sincan Prison. It was announced that he died of a heart attack. He was allegedly tortured. No investigation was opened on allegations of torture.¹⁰¹



⁹⁸ Omer Faruk Gergerlioglu, 31 December 2018, <https://www.omerfarukgergerlioglu.com/basin/haberler/tbmm-halime-gulsu-mersin-cezaevinde-kendicinayetini-olumunden-4-gun-once-bimer-e-yazdi/2268/>

⁹⁹ Aktif Haber, 25 April 2018, <http://aktifhaber.com/15-temmuz/cezaevinde-bir-egitimci-daha-hayatini-kaybetti-h116015.html>

¹⁰⁰ GriHat News, 7 April 2018, <https://grihat.com/agir-hasta-tutuklu-ismail-arslan-bandirma-1-nolu-t-tipi-kapali-cezaevindeyasamini-yitirdi/>

¹⁰¹ GriHat News, 5 April 2018, <https://grihat.com/hucre-iskencesi-sonucu-olen-hakim-gokcenin-anne-ve-babasi-dauzuntuden-hayatini-kaybetmis/>

Ahmet İncir, March 16, 2018: İncir, age 39, who was living in Diyarbakir Baglar, was arrested and taken to Diyarbakir E-Type Closed Prison on March 16, 2018 around 11:00 am, due to his final sentence of 4 years, 9 months regarding the PKK trial. His family received a call from the prison only 2 hours later and was informed that he committed suicide.¹⁰²



Deniz Hakan Sen, March 6, 2018: Pharmaceutical sales representative Sen, age 42, was arrested on October 1, 2017 and put in Silivri Prison although he had stomach cancer. He had appealed 45 times, but 60 days later he was taken to hospital. His weight dropped from 85 kilos to 50 kilos. He was released from the prison, but it was too late. On February 19, 2018 he was released pending trial, on March 6, 2018 he lost his life.¹⁰³



Nihat Baymis, February 26, 2018: Arrested 7 years ago in the PKK trial, he was sent to Izmir Sakran T-Type No. 4 Prison. Baymis got diagnosed with leukemia disease while in prison and the disease progressed because of the delayed treatment. Baymis died at the Dicle University Hospital where he was being treated. Baymis was released on parole on June 9, 2017, 10 months before the end of his sentence. He died in the intensive care unit of Dicle University Hospital.¹⁰⁴



Adnan Cetin, February 16, 2018: Air Force Colonel Adnan Cetin was arrested on 25 July 2016. He suffered a brain hemorrhage in Silivri Prison. When his referral to the hospital was delayed, his brain death occurred. He died before he could appear in court.¹⁰⁵

¹⁰² Evrensel, 20 March 2018, <https://www.evrensel.net/haber/348136/cezaevinde-intihar-iddiasi-kardesimin-olumu-supheli>

¹⁰³ Bold, 20 March 2018, <https://boldmedya.com/2019/03/20/tutuklu-deniz-hakan-senin-adim-adim-oldurulusunun-belgeleri-ve-vahimhikayesi/>

¹⁰⁴ Evrensel, 26 February 2018, <https://www.evrensel.net/haber/346397/hasta-tutuklu-nihat-baymis-hayatini-kaybettiler>

¹⁰⁵ Biten Hayatlar, 16 February 2018, <https://bitenhayatlar.com/vefatlar/2018/adnan-cetin/>

Ahmet Turan Ozcerit, February 12, 2018: Associate Professor Ozcerit was



dismissed from his duty at the Sakarya University, Computer Engineering Department by a decree law. His cancer got worse in Bandirma Prison, where he stayed for 14 months. His treatment was delayed and he died in hospital. He was father of two daughters and two sons.¹⁰⁶

Vahyettin Yahya Bayat, February 9, 2018: The benevolent businessman was a severe heart-disease patient. Despite the requests, he was not released. He passed away due to heart attack in Diyarbakir Prison where he was kept in solitary confinement for 8 months.¹⁰⁷



Omer Yaba, February 9, 2018: 20-year-old Yaba was sentenced to 5 years and 9



months in Adana Open Prison. Epilepsy patient Omer Yaba's medication was not given by prison officials and he died. An investigation was launched about this case. His mother, Kadriye Yaba, stated that his son was using a prescription drug called Epixx when he was in the closed prison. But after he was transferred to the open prison,

the medication was taken away from his son. She stated *"My son called his father the night before he passed away. He said to his father: 'They took my medication from me when I was taken to this prison. I insisted that I will have a seizure if I do not use my medication but they still won't give it to me, please come here to the prison and convince them'. We got so worried. When we went to prison to see him next day, they said that my son passed away that night"*.¹⁰⁸

¹⁰⁶ Yeni Asya, 14 February 2018, https://www.yeniasya.com.tr/gundem/ozcerit-vefatetti_453715

¹⁰⁷ SCF, 9 February 2018, <https://stockholmcf.org/yet-another-prisoner-who-was-arrested-arbitrarily-by-turkish-govtunder-rule-of-emergency-dies-in-jail/>

¹⁰⁸ Gunaydin Newspaper, 12 March 2018, <https://www.gunaydingazetesi.com.tr/cezaevinde-hukumlunun-ilaclari-verilmedigi-icin-oldugu-iddiasi/81545/>

Celal Seker, February 2, 2018: Seker was sentenced to 6 years, 3 months, 15 days due



to the PKK trial. Being a severe dialysis patient, he was taken to the institute of forensic medicine twice, the corresponding medical report stated that he cannot stay in prison. Celal Seker, who had a medical report stating that he was 96% disabled, stayed in Diyarbakir D-Type Closed Prison. On January 19, 2018 he had a heart attack and was taken to Gazi Yasargil Training and Research Hospital. He lost his life in the intensive

care unit.¹⁰⁹

Lokman Ersoy, January 8, 2018: Ersoy, a teacher and cancer patient, was arrested and put in Balikesir Kepsut Prison. Although he appealed 8 times, he was neither released nor taken to the infirmary. When his condition got worse, he was taken to hospital. Three days before his death, the court decided him to be released. He died before he was freed.¹¹⁰



Murat Saat, December 28, 2017: Saat, who was kept in Bandirma T-Type No. 2



Closed Prison, had a heart attack on December 13, 2017. Saat was taken to a hospital, not in an ambulance but in a prison van. His heart stopped beating and then started up again, after the cardiac massage. He was kept in intensive care unit because of the intensity of the attack and related risks. Later he was taken to Balikesir hospital where he had angiography,

and shortly after he lost his life.¹¹¹

¹⁰⁹ Evrensel, 3 February 2018, <https://www.evrensel.net/haber/344769/raporlara-ragmen-tahliye-edilmeyen-hasta-tutuklu-oldu>

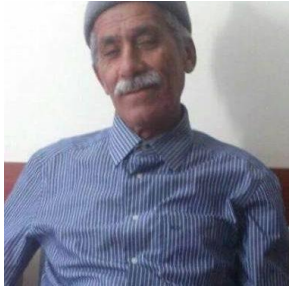
¹¹⁰ TR724, 8 January 2018, <https://www.tr724.com/ohalde-cezaevinde-bir-olum-daha-tutuklu-ogretmen-8-defa-dilekce-verdi-revire-bile-cikarmadilar/>

¹¹¹ Bianet, 28 December 2017, <http://bianet.org/bianet/insan-haklari/192847-mahpus-yazar-murat-saat-hayatini-kaybetti>

Selman Asci, December 27, 2017: 32-year-old and father of two children, Asci was arrested and kept in İzmir Sakran Prison on the ground that he was a volunteer of the “*Kimse Yok Mu?*” relief organization. He was diagnosed with cancer. He wasn't released. He was taken to hospital 10 days after his intestines burst and shortly after he died.¹¹²



Abdurrahman Sen, December 1, 2017: Chronically ill Abdurrahman Sen was detained in Antalya's district Alanya seven months ago due to allegedly aiding and abiding a terrorist organization. He was held in the Alanya L-Type Closed Prison. The medical committee in the Alanya Alaeddin Keykubat University Training and Research Hospital prepared a report on October 31, 2017 which states that Sen is medically fit to stay in prison. After less than one month, on November 23, his condition got worse and he was taken to Alanya State Hospital. After he was treated there for a week handcuffed, he lost his life.¹¹³



Yavuz Ekrem Arslan, November 4, 2017: Manisa Brigade Commander General Arslan was held in İzmir Buca F-Type Prison. Despite the medical report which mentions a “risk of death”, he was not released for a long time. He was finally released on March 31, 2017 for medical reasons. He died in hospital.¹¹⁴



¹¹² Bold, 27 December 2018, <https://boldmedya.com/2018/12/27/sakran-cezaevinde-olumu-terkedilmisti-selman-asci-unutulmadi/>

¹¹³ Artı Gerçek News, 1 December 2017, <https://www.artigercek.com/haberler/cezaevinde-kalabilir-raporundan-bir-ay-sonra-oldu>

¹¹⁴ Hurriyet, 9 November 2017, <http://www.hurriyet.com.tr/yazarlar/sedat-ergin/bir-tuggeneralin-sessizce-olumu-40638836>

Mustafa Erdogan, August 22, 2017:

Judge Mustafa Erdogan, age 49, member of the Court of Cassation was detained and held in Antalya Prison. Although he had brain surgery and other health problems, he was not released. He was taken to hospital and continued to be treated in the prisoner ward. After he lost his consciousness, they

decided to release him on 18 August 2017. Four days later he died in the hospital's prisoners ward.¹¹⁵



Hamza Kacmaz, August 15, 2017:



Hamza Kacmaz, age 21, was detained in the Antalya E-Type Prison for violating the probation law. He was taken to Antalya Training and Research Hospital on August 15, 2017 because he allegedly hung himself. 5 days later, Kacmaz died in the hospital. However, preliminary autopsy report of Kacmaz revealed no signs of hanging. The report stated that there were bruises behind his neck and on his waist. After his death, his family argued that their son did not commit suicide and was beaten to death by the prison guards. They filed a complaint against the prison management. Kacmaz's uncle, Abdulbari Kacmaz, claimed that his nephew was beaten to death by prison officials. He stated: *"Why would Hamza commit suicide? He was going to be released in four months. Other inmates from the prison ward called their family members and told about everything. They told that Hamza was severely beaten by the prison guards"*.¹¹⁶

Ahmet Tatar, August 3, 2017:

Police chief Tatar was held in Osmaniye No.2 T-Type Closed Prison. He had chronic heart disease. After his condition got worse, on August 1 he was taken to Osmaniye State Hospital. He died in the hospital due to a heart attack. He was



¹¹⁵ Cumhuriyet, 25 August 2017, http://www.cumhuriyet.com.tr/haber/turkiye/810869/Bilinci_kapanana_kadar_tahliye_edilmeyen_eski_Yargitay_uyesi_yasamini_yitirdi.html

¹¹⁶ Duvar, 24 August 2017, <https://www.gazeteduvar.com.tr/gundem/2017/08/24/hayatini-kaybeden-mahkumun-ailesi-kendini-asmadi/>

father of three children.¹¹⁷

Seyit Sevgin, July 31, 2017: Sevgin, a businessman in Kayseri, was arrested within the scope of the investigations after July 15, 2016. He stayed in prison for 10 months and released on June 21, 2017 due to his health condition. Shortly after, on July 31, 2017, he passed away.¹¹⁸



Kamil Ungut, 4 Temmuz 2017: Businessman Ungut, age 61, was arrested within the scope of the investigations about Gulen Movement on August 14, 2016. He was held in Kahramanmaraş Elbistan E- Type Prison. On his family members' visit day of July 4, 2017, he had a heart attack while he was in shower.¹¹⁹



Huseyin Penbe, May 29, 2017: Theologist Penbe, age 62, was a cancer patient. 3 days after his surgery, he was put back to Sincan Prison. He was not allowed to see his family members. The court decided on his conditional release only after his death.¹²⁰



Recep Erdem, April 6, 2017: The businessman was 72 years old. He was detained together with his two sons in Erzurum Prison. After a while, his daughter was arrested, too. He had a heart attack in prison. He was hospitalized and died after he was treated for one week.¹²¹

¹¹⁷ TR724, 3 August 2017, <https://www.tr724.com/cezaevinde-bir-supheli-olum-daha-emniyet-muduru-hayatini-kaybetti/>

¹¹⁸ Deniz Postası News, 9 February 2018, <https://www.denizpostasi.com/index.php/kayseri/20-gundem-haberleri/14722-feto-sanigi-vefat-etti>

¹¹⁹ Magduriyetler, 6 July 2017, <http://magduriyetler.com/2017/07/06/elbistan-cezaevinde-olum-var/>

¹²⁰ Aktif Haber, 2 June 2017, <https://aktifhaber.com/gundem/olduktensonra-sartli-tahliye-verdiler-h98158.html>

¹²¹ Magduriyetler, 13 April 2017, <http://magduriyetler.com/2017/04/13/74-yasinda-tutuklanan-hayirsever-recep-erdem-kalp-krizi-sonucu-vefatetti/>

Kadir Eyce, April 11, 2017: Former police officer Eyce, became ill in Sivas E Type Prison where he was detained. He was tortured and ill-treated. He was diagnosed with cancer. It was stated that doctors could not intervene anymore because it was too late. He died shortly after he was released.¹²²



Ali Ozer, March 23, 2017: Doctor Ali Ozer, age 48, was arrested while he was working at Ankara Nallihan State Hospital as a deputy chief physician. It was announced that he died of a heart attack while he was detained in Corum L-Type Prison.¹²³

Mehmet Ozturk, February 14, 2017: While he was working as a police officer in the



Lice district of Diyarbakir, Ozturk, age 25, was expelled from his duty with a decree law. He was arrested on charges of terrorism and put in Diyarbakir Prison where he was found dead. According to the official statement, he committed suicide. However his family stated he was tortured at the Diyarbakir Branch Office of Anti-Smuggling and Organized Crime with electric shock, as a result of which his

fingers burst. Mahmut Ozturk, father of Mehmet Ozturk, said that they made it look like a suicide: *“I think my son was murdered in prison. It is not possible for a person to commit suicide with a shirt tied to the heater core which is only one meter above the ground. I will not let go of this”*.¹²⁴

¹²² Bold, 12 March 2017, <https://boldmedya.com/2019/04/12/kadir-eyce-vefat-edeli-2-yil-oldu-cezaevlerinde-yuzlerce-tutuklu-hasta-var/>

¹²³ TR724, 24 March 2017, <https://www.tr724.com/cezaevinde-bir-olum-daha/>

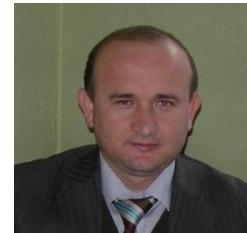
¹²⁴ İskence Raporu, 19 October 2017, <https://iskenceraporu.com/diyarbakir-kom-subemudur-ayhan-ertugrul-iskence-ile-oldurdikleri-polis-mehmet-ozturkun-olumune-intihar-susu-verdirtti/>

Mehmet İnam, January 5, 2017: He was a dentist. He was detained in Izmir Menemen Prison where he died as a result of a heart attack. It was claimed that his medication was not given to him.¹²⁵

Unal Takmakli, November 29, 2016: One of the former co-owners the Ugur Deep Freezer Company, 78-year-old businessman Takmakli was arrested on July 28. 4 months later, it was announced that he died as a result of a heart attack in Izmir Menemen T-Type Prison.¹²⁶



Behcet Emdi, November 19, 2016: Emdi, age 48, was a Social Sciences teacher. It was announced that he committed suicide Karabuk T-Type Prison by hanging himself with a shoelace in the ward's toilet. His death was recorded as suspicious.¹²⁷



Burak Acikalin, November 8, 2016: Engineer Acikalin was detained in Kirikkale Hacilar F-Type Prison. It was announced that he ended his life by committing suicide. Burak Acikalin's family stated the cause of death as torture. The family said that there are marks on his body, that he might have experienced internal bleeding, that he was beaten to death, and they made it look like a suicide.¹²⁸

¹²⁵ "Suspicious Deaths And Suicides In Turkey – Updated List", 25 January 2019, <https://stockholmcf.org/suspicious-deaths-and-suicides-in-turkey-updated-list/>

¹²⁶ "Suspicious Deaths And Suicides In Turkey – Updated List", 25 January 2019, <https://stockholmcf.org/suspicious-deaths-and-suicides-in-turkey-updated-list/>

¹²⁷ "Suspicious Deaths And Suicides In Turkey – Updated List", 25 January 2019, <https://stockholmcf.org/suspicious-deaths-and-suicides-in-turkey-updated-list/>

¹²⁸ "Suspicious Deaths And Suicides In Turkey – Updated List", 25 January 2019, <https://stockholmcf.org/suspicious-deaths-and-suicides-in-turkey-updated-list/>

İrfan Kizilarслан, November 5, 2016: Colonel Kizilarслан was detained in Tokat Camlibel T-Type Prison. He was allegedly committed suicide. His death was recorded as suspicious.¹²⁹



Fatih Korkmaz, October 25, 2016: The 30-year-old teacher was receiving cancer treatment. He had brain surgery. He was detained on August 17, 2016. He was exposed to ill-treatment and torture. Despite the medical reports that stated he had a recent surgery and an ongoing treatment, he was arrested in September in Ankara. He was transferred to Bartın Prison. His treatment was interrupted. When it was realized that he would die soon, he was released after 1.5 months of detention. He died 25 days later. He had 2 children.¹³⁰



Ahmet Ok, 20 Ekim 2016: Businessman, 61-year-old Ahmet Ok was announced dead as a result of a heart attack in Mersin Anamur T-Type Closed prison. He was the brother of the district president of AKP in Bozyazi.¹³¹

Nurhayat Yildiz's Twin Babies, October 6, 2016:

Housewife Yildiz lost her twin babies in prison due to miscarriage. On August 29, 2016, although she was 14-week pregnant, Yildiz was detained on her way from Sinop to a medical checkup in Samsun. She was arrested and put in Sinop Prison. Despite objections and appeals, she was not released. On October 6, 2016, on the 40th day of her imprisonment, both of her babies died due to miscarriage. She was still not released. She was sentenced to 7.5 years in prison on Bylock charge. She is still in Sinop Prison.¹³²



¹²⁹ "Suspicious Deaths And Suicides In Turkey – Updated List", 25 January 2019, <https://stockholmcf.org/suspicious-deaths-and-suicides-in-turkey-updated-list/>

¹³⁰ Magduriyetler, 21 January 2017, <http://magduriyetler.com/2017/01/21/fatih-korkmaz-hakka-yurudu/>

¹³¹ "Suspicious Deaths And Suicides In Turkey – Updated List", 25 January 2019, <https://stockholmcf.org/suspicious-deaths-and-suicides-in-turkey-updated-list/>

¹³² Bold, 12 September 2019, <https://boldmedya.com/2019/09/12/irfan-buna-dokunma-doktor-ikisi-de-olmus-dedi-sok-oldum/>

Seyfettin Yigit, August 16, 2016: Public Prosecutor Seyfettin Yigit's death was



announced approximately 1 month after his detainment in Bursa H-Type Prison. It was said that he committed suicide by hanging himself. His family filed a criminal complaint stating that he had been killed in prison. Yigit was one of the first prosecutors to look into the “*TOKI* corruption” investigation file, which was examined within the scope of the December 17 bribery and corruption investigations in which four AKP ministers and their three children were tried.¹³³

Omer Cubuklu, August 1, 2016: Cubuklu was a detained prison guardian. He was found dead in İzmir F-Type Prison in the temporary-admission-room where he was held alone. It was stated that he committed suicide by hanging himself with a shoelace and a sportswear belt. His death was recorded as suspicious.¹³⁴

Mustafa Torer, July 28, 2016: A businessman, having a severe form of diabetes, born in 1964, was arrested immediately after July 15 and was put in İskenderun Prison. Soon after, it was announced that he went into a coma and died. His death was recorded as suspicious.¹³⁵



İsmail Cakmak, July 23, 2016: Cakmak, a lieutenant colonel, was arrested on July 20 and put in Silivri Prison. On July 23, it was announced that he committed suicide by hanging himself in room 25 of the 9th ward.¹³⁶



¹³³ “Suspicious Deaths And Suicides In Turkey – Updated List”, 25 January 2019, <https://stockholmcf.org/suspicious-deaths-and-suicides-in-turkey-updated-list/>

¹³⁴ “Suspicious Deaths And Suicides In Turkey – Updated List”, 25 January 2019, <https://stockholmcf.org/suspicious-deaths-and-suicides-in-turkey-updated-list/>

¹³⁵ “Suspicious Deaths And Suicides In Turkey – Updated List”, 25 January 2019, <https://stockholmcf.org/suspicious-deaths-and-suicides-in-turkey-updated-list/>

¹³⁶ “Suspicious Deaths And Suicides In Turkey – Updated List”, 25 January 2019, <https://stockholmcf.org/suspicious-deaths-and-suicides-in-turkey-updated-list/>

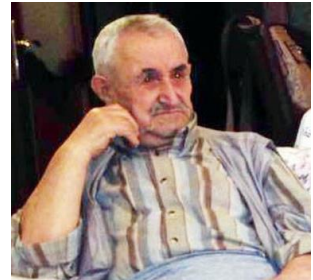
Hasan Hayri Alp, July 19, 2016: Died of a heart attack in Ankara Sincan F-Type Prison, where he was held due to an investigation about DHKP-C (*Revolutionary People's Liberation Party-Front*).¹³⁷

Zeynep Epli, November 7, 2016: Zeynep Epli, a prisoner due to PKK trial, was declared to commit suicide by burning herself in Gebze Closed Prison.¹³⁸



DEATHS IN CUSTODY DUE TORTURE AND NEGLIGENCE (11 CASES)

Yusuf Topal, July 24, 2018: Following an argument with a primary care physician in Giresun, 82-year-old Yusuf Topal became a subject of violence of two police officers. Topal, who was pepper sprayed and handcuffed behind his back while, died as a result of a heart attack he had while he was being arrested. The pictures of the incident were shared and spread on social media, and "involuntary manslaughter" charge was filed against the two police officers involved in Yusuf Topal's death. The prosecution demanded that police officers H.S. and T.K. be sentenced to two to six years in prison on charges of "committing involuntary manslaughter." 82-year-old wife, Fatma Topal stated that her husband went to the Family Health Center to get the prescribed medicines he uses for his chronic illness and had an argument with the doctor O.Y. who refused to write a prescription.¹³⁹



¹³⁷ "Suspicious Deaths And Suicides In Turkey – Updated List", 25 January 2019, <https://stockholmcf.org/suspicious-deaths-and-suicides-in-turkey-updated-list/>

¹³⁸ "Suspicious Deaths And Suicides In Turkey – Updated List", 25 January 2019, <https://stockholmcf.org/suspicious-deaths-and-suicides-in-turkey-updated-list/>

¹³⁹ BBC, 29 July 2018, <https://www.bbc.com/turkce/haberler-turkiye-44999997>

Davut Türkel, August 3, 2017: Antalya AKCA-DER labor union member was

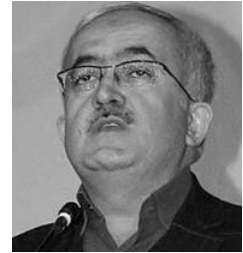


detained on July 13, 2017 within the scope of the investigation against Gulen movement. It was announced that 59-year-old Davut Turkel was taken to a hospital after he went into a coma on the 12th day of detention. Police officers claimed that Turkel fell while he was being taken to testify and he hit his head on the stairs in the courthouse. Davut Turkel, who was in a coma in the hospital for about 10 days, died in the intensive care unit on August 3, 2017. It drew attention that he was released of charges while

he was in coma and that no autopsy was performed after his death. No investigation was opened regarding this incident.¹⁴⁰

Mustafa Hikmet Kayapali, May 10, 2017: It was claimed that

Kayapali, a theologist-author, fell from the balcony of his apartment and died while he was being detained in Balikesir.¹⁴¹



Önder Irmak, October 10, 2016: Irmak, the 39-year-old Air NCO First Sergeant, was



detained by the Eskisehir Security Directorate for his alleged links with the Gulen Movement. He allegedly ended his life by drinking cleaning materials found in the toilet, when he was held in custody. However, no chemicals and cleaning agents are supposed to exist in the toilets of the detention centers.¹⁴²

Muhammet Mertoğlu, July 22, 2016: Mertoglu, was a chief

of police. He died in a suspicious way while he was trying to be detained in his office at the Bartın Ulus Police Headquarters. According to the initial official information provided, it was stated that Mertoglu



¹⁴⁰ SCF, 14 August 2017, <https://stockholmcf.org/davut-turkel-a-59-years-old-detainee-died-under-police-custody-in-turkey/>

¹⁴¹ TR724, 30 January 2018, <https://www.tr724.com/mustafa-hikmet-kayapalinin-hikayesi/>

¹⁴² TR724, 29 November 2016, <http://www.tr724.com/erdogan-rejimi-tarafindan-intihar-susu-verilen-infazlar/>

committed suicide with his own gun. Later, it was stated that he died as a result of an accident. Karabuk Police Chief Serhat Tezsever explained that the incident was an accident and said: “*Our sergeant brother was on duty, to serve the country and the nation. Unfortunately, he died as a result of an accident. May Allah put him in the highest rank of heaven. Our government stands by him, he became a martyr on duty*”.¹⁴³

Gökhan Açıkkollu, August 5, 2016: He was tortured to death for 13 days in custody. The Turkish Medical Association confirmed the cause of death as torture in its report.¹⁴⁴



Vedat Savlu, August 2, 2016: It was claimed that, during the police raid, he fell from the fourth floor of his apartment building and died.¹⁴⁵

Ahmet Beşli, August 10, 2016: He was a police chief. He allegedly committed suicide with his service pistol while he was being detained on duty at the Belen District Police Headquarters in Hatay.¹⁴⁶



Gültekin Payat, May 2, 2017: It was announced that the 41-year-old teacher fell from the balcony and died while he was being detained. It was reported as a suspicious death.¹⁴⁷

E.U., 20 Ağustos 2016: 32-year-old E.U., who served as a court clerk in the courthouse in Trabzon, was detained for using ByLock, within the scope of the investigation about the Gulen

¹⁴³ Medya Karabuk, 21 July 2016, <http://medyakarabuk.com/intihar-eden-ilce-emniyet-muduru-karabukte-topraga-verildi-2172.html>

¹⁴⁴ TR724, 28 November 2017, <https://www.tr724.com/iste-gokhan-acikkollu-cinayetinin-belgeleri-iskenceyle-oldugune-sahidim/>

¹⁴⁵ “Suspicious Deaths And Suicides In Turkey – Updated List”, 25 January 2019, <https://stockholmcf.org/suspicious-deaths-and-suicides-in-turkey-updated-list/>

¹⁴⁶ “Suspicious Deaths And Suicides In Turkey – Updated List”, 25 January 2019, <https://stockholmcf.org/suspicious-deaths-and-suicides-in-turkey-updated-list/>

¹⁴⁷ “Suspicious Deaths And Suicides In Turkey – Updated List”, 25 January 2019, <https://stockholmcf.org/suspicious-deaths-and-suicides-in-turkey-updated-list/>

Movement. E.U. was 8-week pregnant when she was taken into custody. She was taken to hospital after a stress and panic. The doctor said there was something wrong with the baby's heartbeat. Although her family asked the police officers for E.U. to stay in the hospital, they said it was not possible and took the young woman back to the detention center. On her 4th day at the center, it was found that E.U.'s name was not on the ByLock list and the young woman was released. E.U. immediately went to the hospital, but the doctors said she lost her baby. E.U. was suspended from her duty as a court clerk, where she worked for 4,5 years. 6 months later, she was expelled. E.U. got acquitted of the charges against her two years later.¹⁴⁸

Büşra Atalay's baby, September 27, 2017: Following a police raid to detain her



while she was receiving treatment in a private hospital in Gebze on September 17, 2017, Büşra Atalay started to vomit. While she was in such condition, police kept questioning her. When the 6-month pregnant woman's condition got worse, she was taken to Farabi State

Hospital. Atalay who underwent surgery for cesarean section gave birth to twin babies. However, one of the babies passed away, and the other received treatment in intensive care.¹⁴⁹

¹⁴⁸ Milliyet, 30 June 2018, <http://www.milliyet.com.tr/gundem/bylock-suphesi-hayatini-karartti-2697755>

¹⁴⁹ TR724, 29 September 2017, <https://www.tr724.com/erdogan-rejiminin-zulum-fotografi-anne-birbebegini-kaybetti-digeri-yogun-bakimda-kapida-ise-polis-bekliyor/>

CONCLUSIONS AND RECOMMENDATIONS

Crimes of torture and ill treatment, which became systematic in Turkey once again, has grave consequences and cause irreparable grievances. The Government of the Republic of Turkey has to present a strong will against such actions for the restoration of human rights by taking the Constitution, the Turkish Penal Code and the conventions it has adopted into account.

Statements of AKP government's spokespersons, stating they would disregard complaints against crimes of torture and inhumane treatment, have caused grave consequences. There have been deaths due to torture in detention centers and prisons. However, there are no lawsuits filed against the perpetrators of crimes of torture despite tens of cases. The investigations are closed without proper examination. Turkey has been blocking torture monitoring units of the European Union and the United Nations, and has been denying their documented claims. In addition, it was found that secret instructions were given to eliminate the

marks of torture before any inspection and auditing. Hidden torture cases and the resulting deaths increase the concerns.

In accordance with the demands of the United Nations Committee against Torture, the definition of torture must be made clear in the provisions of the law and those who commit the act of torture should not remain unpunished. Laws which encourage the police force and pave the way for the impunity of torturers, such as the article 9 of the Decree Law #667, should be abolished. The sanction of crime of torture should be aggravated.

Torture is a crime against humanity and it does not have a statute of limitations. The perpetrators of such crime should be identified immediately, an investigation should be initiated and a punishment must be given. The authorities and power holders who shut their eyes to the crime of torture must be identified and punished.

The necessary instructions must be given to conduct daily doctor examinations in accordance with the Istanbul Protocol, which Turkey also stands by. Those instructions should be effectively audited and it should be ensured that the doctors who abuse their duty are punished.

Legal arrangements should be made to impose sanctions on members of the judiciary who cover the allegation of torture and ill-treatment, who do not open investigations and do not conduct the investigations effectively.

The AKP government should open up the interrogation centers and penal institutions, which were allegedly involved in systematic torture, to independent institutions and human rights organizations for audits. A sound investigation of suspicious deaths and allegations of torture in prisons should be ensured. Incidents such as sexual harassment in prisons, sheltering prisoners 4-5 times the capacity of the wards, insufficient supply of food, monitoring of the shower areas for men and women should be terminated and inspections should be carried out.



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