

Policy Paper

# DEATH IN CUSTODY

RIGHT TO LIFE IN  
TURKISH PRISONS

AUGUST 2018



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# JOURNALISTS AND WRITERS FOUNDATION

The Journalists and Writers Foundation (JWF) is an international civil society organization dedicated to the culture of peace, human rights, and sustainable development. The JWF promotes diversity and inclusion by creating forums for intellectual and social engagement; generates and shares knowledge with stakeholders, builds partnerships worldwide and develops policy recommendations for positive social change.

*\* The JWF is a 501(c)3 not-for-profit organization incorporated in New York, USA.*

## CONTACT US

Address: 56 W45 Street 4th Floor New York, NY 10036

Phone: +1 (646) 838-4882

E-mail: [info@jwf.org](mailto:info@jwf.org)

Web: [www.jwf.org](http://www.jwf.org)

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## Death in Custody: Right to Life in Turkish Prisons

### Policy Paper<sup>1</sup>

The Journalists and Writers Foundation<sup>2</sup> has constantly noted with great concern, the increasing number of suspicious deaths in custody since the attempted coup of July 15, 2016 in Turkey, taking place in suspicious circumstances and in a pattern of systematic recurrence.<sup>3</sup> The sheer number of deaths amongst individuals deprived of their liberty comes amid severe persecution in the country and a steady deteriorating human rights situation, exacerbated by the erosion of the rule of law.

According to the Office of the High Commissioner for Human Rights,<sup>4</sup> following the coup attempt, at least 152,000 civil servants have been dismissed, and some were also arrested, for alleged connections with the coup, including 107,944 individuals named in lists attached to emergency decrees.<sup>5</sup> The Ministry of Interior announced that by the end of 2017, 159,506 individuals had been arrested in relation to the emergency decrees.<sup>6</sup> Among them are hundreds of journalists and some of the country's top police officers, civil servants, prosecutors, judges and lawyers.

Over the last two years, the Journalists and Writers Foundation has documented the death, under very suspicious circumstances, of at least **sixty (61)** individuals deprived of their liberty in the context of “measures undertaken against the coup plotters”. The profile of individuals who have lost their lives under custody in the aftermath of the attempted coup casts shadow over the official narrative pointing out in many cases to suicide. Ever since family members of other “high-profile” prisoners have launched desperate appeals<sup>7</sup> calling on the international community to save their loved ones from extrajudicial execution in Turkish prisons. This policy brief provides a closer look at this increasingly troubling situation and its international law implications.

<sup>1</sup> For further information or media inquiries, please contact the Journalist and Writers Foundation – [info@jwf.org](mailto:info@jwf.org).

<sup>2</sup> The Journalists and Writers Foundation is a New York based international civil society organization dedicated to globally advancing peace, human rights and sustainable development. For more information about JWF, please see [www.jwf.org](http://www.jwf.org).

<sup>3</sup> See for example: Journalists and Writers Foundation, *Post-Coup Turkey: State of Emergency, Torture and Impunity*, October 2016, p. 21. Available at: <http://jwf.org/jwf/wp-content/uploads/2018/05/Torture-Report-in-Turkey-2017.pdf>.

<sup>4</sup> See e.g. OHCHR, “Report on the impact of the state of emergency on human rights in Turkey, including an update on the South-East (January – December 2017), March 2018. The report is available at: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22853&LangID=E>.

<sup>5</sup> Decree 667, available at <http://www.resmigazete.gov.tr/eskiler/2016/07/20160723-8.htm>;

Decree 668, available at <http://www.resmigazete.gov.tr/eskiler/2016/07/20160727M2-1.pdf>;

Decree 669, available at <http://www.resmigazete.gov.tr/eskiler/2016/07/20160731-5.htm>;

Decree 670, available at <http://www.resmigazete.gov.tr/eskiler/2016/08/20160817-17.htm>;

Decree 673, available at <http://www.resmigazete.gov.tr/eskiler/2016/09/20160901M2-1.pdf>;

Decree 677, available at <http://www.resmigazete.gov.tr/eskiler/2016/10/20161029-4.htm>.

<sup>6</sup> OHCHR, “Report on the impact of the state of emergency on human rights in Turkey, including an update on the South-East (January – December 2017), March 2018, Para 12.

<sup>7</sup> See e.g. <https://stockholmcf.org/daughters-of-jailed-turkish-police-chief-voice-concerns-about-fathers-safety-in-video-message/>

## **I. Background – The Attempted Coup and the State of Emergency**

The Republic of Turkey is a State party to nine core international human rights treaties,<sup>8</sup> in addition to regional human rights treaties, to which it has acceded as a member of the Council of Europe. International norms into force in Turkey are further complemented by a number of standard-setting tools, which will be also referred to in the present paper.

Over the past several years preceding to the coup attempt, Turkey has experienced a sharp declining trend in almost all indicators, including freedom of expression, pluralism, freedom of association, press freedom, and the rule of law. The Gezi Park protests in 2013, the corruption scandal of December 2013 and the collapse of peace negotiations in July 2015 respectively, encouraged the intensification of hostilities in south-east and the crackdown on dissent, in particular against the Hizmet/Gülen Movement and its alleged members.

In the late hours of July 15, 2016<sup>9</sup> a small faction of the Turkish Armed Forces (TSK) that called themselves the “Peace at Home Council” attempted to seize control of several key places in Ankara, Istanbul and other locations. The so-called “Peace at Home Council” cited an alleged erosion of secularism, the elimination of democratic rule, the disregard for human rights, and Turkey's loss of credibility in the international arena as reasons for staging the coup.<sup>10</sup> As crowds of people took to the streets, dozens of pro-coup soldiers abandoned their tanks and other military vehicles. Forces loyal to the government were able to defeat the coup plotters and the attempted coup was thwarted within approximately 12 hours. According to official sources, at least 246 people were killed and more than 2,000 were injured during the attempt.<sup>11</sup> On the night of July 15, as the attempted coup was still unfolding, speaking through a smartphone to the TV channel CNN-Turk, President Erdoğan declared Fethullah Gülen<sup>12</sup> as the “mastermind of the coup” highlighting further that - “This uprising is a gift from God to us, because this will be a reason to cleanse our army.”

The attempted coup drove the regime to more extreme forms of repression, as it triggered president Erdoğan's extreme sense of threat from both domestic and foreign enemies. His assault on state and civil society institutions, particularly against the media education and academia, goes far beyond the reasonable. Unfortunately, many of the state and societal institutions that the

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<sup>8</sup> For the list of UN international human rights treaties ratified or acceded to by the Republic of Turkey, please see: [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=179&Lang=EN](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=179&Lang=EN)

<sup>9</sup> The events related to the attempted coup began at 7:29 p.m. in the evening of July 15, 2016.

<sup>10</sup> <http://www.haber3.com/asker-trt-binasinda-iste-darbe-bildirisi-3977124h.htm>

<sup>11</sup> Committee against Torture, Concluding observations on the fourth periodic report of Turkey, Addendum Information received from Turkey on follow-up to the concluding observations (CAT/C/TUR/CO/4/Add.1), November 8, 2016, para 61.

<sup>12</sup> Fethullah Gülen is 78-years-old reclusive preacher living in Pennsylvania, United States. He is the founder of the Gülen Movement (known as Hizmet, meaning *service* in Turkish).



regime associates with that threat are also the institutions that would traditionally provide structural defense against authoritarian descent.

On July 20, 2016, the Government decided that a nationwide state of emergency would be declared as from July 21<sup>st</sup>, pursuant to Article 120 of the Constitution and Article 3 § 1 (b) of the Law on the State of Emergency.<sup>13</sup> On July 21, 2016 the decision on the state of emergency was communicated to the United Nations and the Council of Europe, along with a notice of derogation from the International Covenant on Civil and Political Rights (ICCPR) and the European Convention on Human Rights (ECHR).<sup>14</sup> The Turkish Government notified the UN Secretary-General of its invocation of article 4 of the ICCPR, and that the derogation involved obligations under 13 Articles of the ICCPR.<sup>15</sup>

According to the United Nations Office of the High Commissioner for Human Rights (OHCHR), “many of the decrees contain provisions that fall short of basic human rights safeguards and Turkey’s obligations under international law.” In addition, “[...] emergency decrees foster impunity and lack of accountability by affording legal, administrative, criminal and financial immunity to administrative authorities acting within the framework of the decrees.” The OHCHR further has noted with concern that, “according to the decision of the Constitutional Court of November 4, 2016, the decrees are not subject to judicial review,” and that “several decrees regulate various matters unrelated to the state of emergency, for instance the closure of civil society organizations and medical centers, which seems to indicate that they are being used to limit various legitimate activities.”<sup>16</sup>

Initially meant to last only ninety days, the State of Emergency was extended seven times before being officially lifted two-years after the attempted coup. Thirty-two (32) arbitrary emergency decrees with a sweeping nature were issued during the two-year period. They have already radically transformed Turkey and used to consolidate extraordinary powers vested with the President, following the April 16, 2017 referendum and the June 24, 2018 elections.

Most of the measures introduced under the emergency decrees are not limited to the duration of the State of Emergency. Those measures include:

- Permanent dismissal from public office

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<sup>13</sup> Law No. 2935.

<sup>14</sup> The Journalists and Writers Foundation, Post-Coup Turkey: State of Emergency, Torture and Impunity, October 2016, p. 7.

<sup>15</sup> OHCHR, UN experts urge Turkey to adhere to its human rights obligations even in time of declared emergency, August 19, 2016.

<sup>16</sup> OHCHR, “Report on the impact of the state of emergency on human rights in Turkey, including an update on the South-East (January – December 2017), March 2018, paras 3-6. The report is available at: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22853&LangID=E>.

- Cancellation of professional licenses
- Dismissal from public institutions (targeting retired public officials)
- Reduction in rank
- Stripping of combat medals
- Confiscation of assets
- Ban on travel abroad and cancellation of passports
- Permanent closure of organizations and institutions
- Confiscation of assets of individuals or entities
- Appointment of trustees

In addition, important changes introduced to key pieces of legislation in Turkey, including criminal procedure law are not confined to the duration of the state of emergency. With many of the state of emergency measures remaining into force, the new extraordinary presidential powers continuing to strip away fundamental rights and freedoms and the adoption [July 25, 2018] of the new anti-terror law<sup>17</sup> following the termination of a state of emergency in the country - the lifting of the state of emergency is considered largely cosmetic.

## **II. Arbitrary Deprivation of Liberty**

The state of emergency into force since July 2016 in Turkey has removed the few existing legal safety nets against arbitrary detention and arrest. The sweeping measures introduced during the state of emergency have stripped individuals of all legal recourse against arbitrary measures, including through denial of access to a lawyer during police custody, prolonged pre-trial detention and ill-treatment of detainees.

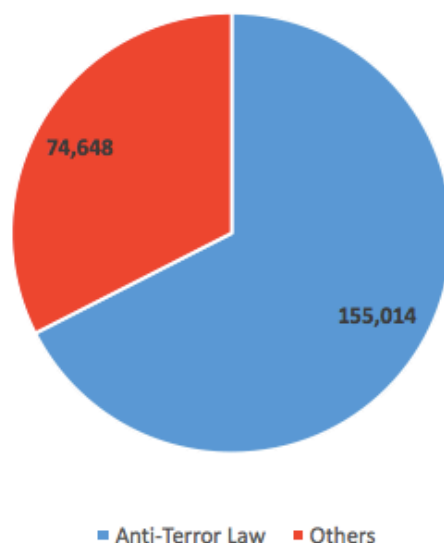
Under the state of emergency, the maximum period of police custody increased from 4 to 30 days. Article 3 of Decree Law No. 668 of 27 July 2016, entitled “Investigation and prosecution procedures”, under which the right of the suspect in custody to see his/her lawyer may be restricted for five days upon the decision of the public prosecutor, noting that no statement should be taken during that time. The government has also imposed restrictions on lawyers in visiting their clients as well as the recording of the conversations and seizure of documents pertinent to the defense, measures which in practical terms make the principle of undisturbed access to legal counsel and a fair trial impossible.

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<sup>17</sup> Please also see Human Rights Watch, Turkey: *Normalizing the State of Emergency Draft Law Permits Purging Judges; Prolonged Detention; Curbing Movement, Assembly*, available at: <https://www.hrw.org/news/2018/07/20/turkey-normalizing-state-emergency>.

Based on credible reports the Journalists and Writers Foundation and other civil society organizations, including the OHCHR have documented increased executive control over, and interference with the judiciary and prosecution service; the arrest, dismissal and arbitrary transfer of judges and prosecutors to other courts; and recurring instances of threats against lawyers.<sup>18</sup> The latter have been reluctant to represent those accused of alleged links to the coup for fear that they would be tainted by association or for being associated with the attempted coup if they did. OHCHR has also observed a pattern of persecution of lawyers representing individuals accused of terrorism offences, being associated with their clients' cause (or alleged cause) while discharging their official functions, and consequently prosecuted for the same or related crime

### Offences listed under the Anti-Terror Law in a Turkey in 2016 Offenses



Source: Journalists and Writers Foundation, [www.jwf.org/reports](http://www.jwf.org/reports)

attributed to their client.<sup>19</sup> In addition to extensive limitations, many lawyer's associations across the country have been shut down and at least 580 lawyers are under arrest, while detention warrants have been issued for 1,539 attorneys since the attempted coup.<sup>20</sup>

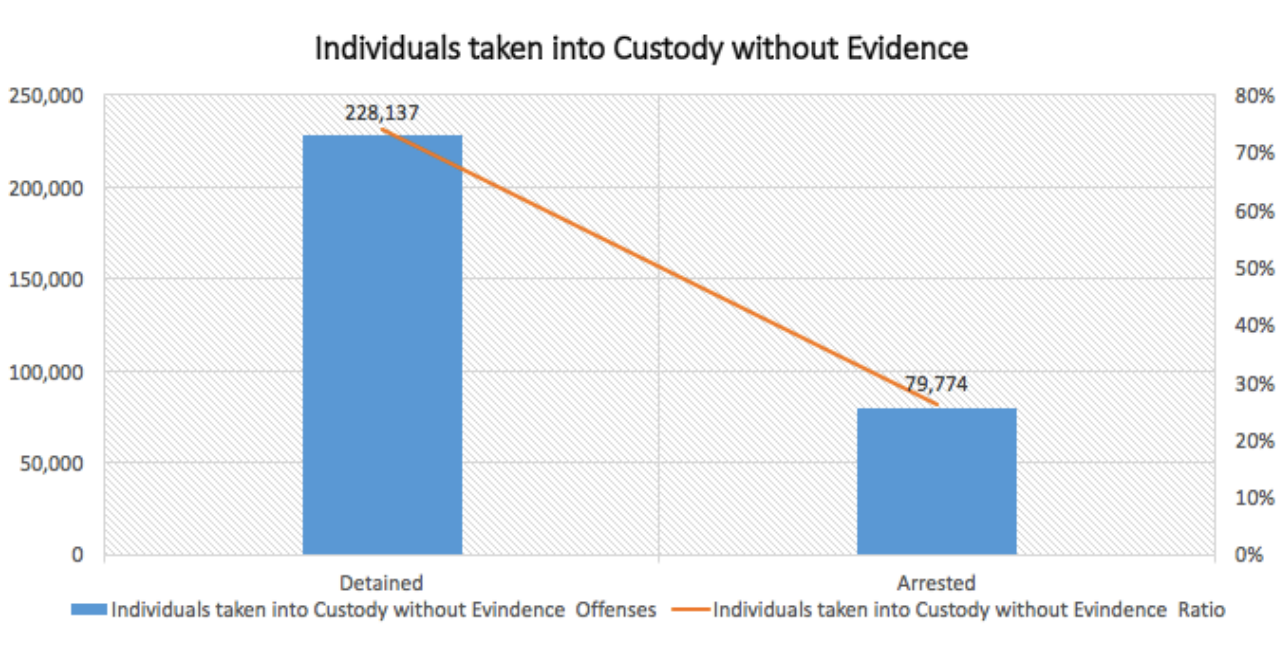
<sup>18</sup> See also "Report on the impact of the state of emergency on human rights in Turkey, including an update on the South-East (January – December 2017), March 2018, para 48.

<sup>19</sup> OHCHR, "Report on the impact of the state of emergency on human rights in Turkey, including an update on the South-East (January – December 2017), March 2018, para 56. The report is available at: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22853&LangID=E>.

<sup>20</sup> Please see: <https://arrestedlawyers.org/2018/03/27/report-incarceration-of-turkish-lawyers-en-masse-arrests-and-convictions-2016-2018/>



Based on the 2016 statistics released by the Ministry of Justice,<sup>21</sup> the number of investigations on offences listed under the Anti-Terror Law<sup>22</sup> and those provided for under the



Source: Journalists and Writers Foundation, [www.jwf.org/reports](http://www.jwf.org/reports)

Title “Offences against the Nation and the State”<sup>23</sup> increased fivefold compared to the preceding year, reaching 229,662 investigations. Out of them 67% (155,014) of those investigations were initiated based on Article 314 (1) of the Turkish Penal Code.<sup>24</sup>

The sheer number of 228,137 individuals taken into custody<sup>25</sup> and detained on remand as a result, and over 79,774 arrests<sup>26</sup> since the attempted coup with little or no clarity about the charges, is highly disturbing. The occupational profile of those detained reveals that the majority are members of the judiciary, public officials, members of the parliament, mayors, journalists, human rights defenders, academics, teachers, lawyers, businessmen, students and members of the military. From the number of detained persons, including immediately in the aftermath of the attempted coup, it is evident that reasonable suspicion, an essential requirement for the imposition of pretrial detention, has not been present at every stage of individual detention.

<sup>21</sup> See [http://www.adlisicil.adalet.gov.tr/AdaletIstatistikleriPdf/Adalet\\_ist\\_2016.pdf](http://www.adlisicil.adalet.gov.tr/AdaletIstatistikleriPdf/Adalet_ist_2016.pdf)

<sup>22</sup> Law No. 3713.

<sup>23</sup> Sections 4, 5, 6 and 7 of the second volume, Part 4 of the Turkish Criminal Code No. 5237.

<sup>24</sup> Establishment and membership of armed terrorist organization.

<sup>25</sup> Human Rights Joint Platform, Updated Situation Report – State of Emergency in Turkey 21 July 2016 – 20 March 2018, April 2018, p. 12.

<sup>26</sup> Source: TurkeyPurge (as of June 25, 2018), available at <https://turkeypurge.com/>

The disastrous consequences and the impact of the state of emergency on the Turkish society as a whole are yet to be fully understood in the future, as the impact of those measures will be felt in the many years to come. Based on the review of cases brought to the attention of the Journalists and Writers Foundation and many human rights and other organizations, the deprivation of liberty has been imposed in an unlawful and arbitrary manner - inconsistent with international standards set forth in the Universal Declaration of Human Rights and relevant international legal instruments accepted by Turkey.

Not only has the detention and arrest of hundreds of thousands of individuals been arbitrary, but law enforcement has also been subject to reprisals and punishment for declining to be part of government wrongdoings in fabricating charges on innocent individuals. The OHCHR has also received credible reports that “a number of police officers who refused to participate in arbitrary arrests, torture and other repressive acts under the state of emergency were dismissed and/or arrested on charges of supporting terrorism.”<sup>27</sup>

### **III. Torture and Ill-Treatment in Places of Deprivation of Liberty**

Even before the attempted coup of July 15, 2016, the Concluding Observations to the fourth periodic report of Turkey on the implementation of the Convention against Torture<sup>28</sup> reveal a disturbing track-record of systematic torture and ill-treatment that the authorities in Turkey have established in recent years, which goes mostly unpunished.

The response to the attempted coup exacerbated the already critical human rights situation, paving the way, *inter alia*, to unprecedented practice of systematic torture and ill-treatment throughout the country. Following the coup attempt, in places of deprivation from liberty across Turkey, prisoners started hearing moaning, screaming, and groaning for long periods of time, including during night - suggesting cruel methods of torture were used. To suppress horrific sounds from torture victims, in several establishments prisoners reported the erection of what they described as “sponged corporal punishment rooms.” They are better known as “soundproof rooms” used for torture.

The response of the international community to the horrors unfolding in the aftermath of July 15, 2016 aftermath has been swift. Among other, the Council of Europe Committee for the Prevention of Torture carried out two visits to the country; from August 29 to September 6, 2016 and between May 10 and 23, 2017. As of July 2018, the government of Turkey has yet to consent making public those reports. On December 18, 2017, the Special Rapporteur on torture and other

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<sup>27</sup> See for example, OHCHR “Report on the impact of the state of emergency on human rights in Turkey, including an update on the South-East (January – December 2017), March 2018, para 75.

<sup>28</sup> The Concluding Observations are available at <http://undocs.org/CAT/C/TUR/CO/4>.

cruel, inhuman or degrading treatment or punishment<sup>29</sup> released his report on his mission to Turkey, submitted to the 37<sup>th</sup> session of the Human Rights Council. His report<sup>30</sup> documents a consistent pattern of systematic practice of torture in Turkey in the wake of the coup attempt of July 15, 2016. The report further provides a comprehensive analysis regarding torture and ill-treatment following the attempted coup, including the methods of torture used; severe beatings, punches and kicking, blows with objects, *falaqa*, threats and verbal abuse, being forced to strip naked, rape with objects and other sexual violence or threats thereof, sleep deprivation, stress positions, and extended blindfolding and/or handcuffing for several days.

In addition, on February 27, 2018 the Special Rapporteur on Torture “expressed serious concerns about the rising allegations of torture and other ill-treatment in Turkish police custody since the end of his official visit to the country in December 2016. Melzer expressed alarm on the allegations that large numbers of individuals suspected of links to the Gülenist Movement or the armed Kurdistan Workers’ Party were exposed to brutal interrogation techniques aimed at extracting forced confessions or coercing detainees to incriminate others. The Special Rapporteur noted that no serious measures appeared to have been taken by the authorities to investigate these allegations or to hold perpetrators accountable.”<sup>31</sup>

In the same vein, the latest report<sup>32</sup> of the Office of High Commissioner for Human Rights (OHCHR) on the situation of human rights in Turkey published in the end of March 2018, “documents [*inter alia*] the use of torture and ill-treatment in custody, including severe beatings, threats of sexual assault and actual sexual assault, electric shocks and waterboarding by police, gendarmerie, military police and security forces.”

Government representatives have made sometimes little or no effort to hide most evidence of ill-treatment and torture emerging in the press or social media, including during the first days after the coup attempt. They have however repeatedly claimed that there have been no cases of torture or ill-treatment in prisons and all the claims to the contrary were “unfounded,” underlining also that “Turkey has zero tolerance for torture.”

Incapacitating and rendering completely ineffective, among other important prevention mechanisms, such as the Human Rights and Equality Institution of Turkey and the Parliament’s Committee on Human Rights Inquiry, the government has also ensured that perpetrators of

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<sup>29</sup> Mr. Nils Melzer.

<sup>30</sup> The report is contained in document A/HRC/37/50/Add/1.

<sup>31</sup> The press release is available at:

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22718&LangID=E>

<sup>32</sup> The report is available at

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22853&LangID=E>

serious human rights violations, including torture in places of deprivation of liberty, are granted complete impunity from prosecution.

One day before the attempted coup, on July 14, 2016, with the adoption of the retroactive Law No. 6722, state officials perpetrating human rights violations during curfews were protected legally. The pervasive climate of impunity in the country was legally “reinforced” with the promulgation of the Decree-Law No. 667<sup>33</sup> which states that “Legal, administrative, financial and criminal liabilities shall not arise in respect of the persons who have adopted decisions and fulfill their duties within the scope of this Decree Law.”<sup>34</sup> With a September 1, 2016 decree, the Government also dissolved the prison monitoring boards, evidently with the intention of avoiding any allegation on torture and ill-treatment making it beyond prison walls.<sup>35</sup> Further to granting impunity for public officials, Decree-Law No. 696 issued on December 24, 2017, extended that immunity to civilians “whether they have an official title or not, and whether they have carried out official duties or not”. The new provision<sup>36</sup> allows vigilantes to carry out political violence with impunity against opponents of the government, they might suspect of involvement in the attempted coup of July 15, 2016 (or its continuation). The decree granting immunity does not make it clear what sort of actions could be seen as furthering the aims of the coup, for which civilians carrying out revenge attacks are now be protected from punishment.<sup>37</sup>

In addition to torture and ill-treatment, in the two-years following the attempted coup, the Journalist and Writers Foundation and other organizations, have documented other widespread human rights violations, including alleged cases of extrajudicial executions and enforced disappearances.<sup>38</sup>

#### IV. Conditions of Detention and Imprisonment

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<sup>33</sup> Published in the Official Gazette on July 23, 2016.

<sup>34</sup> Decree Law No. 667, Article 9.

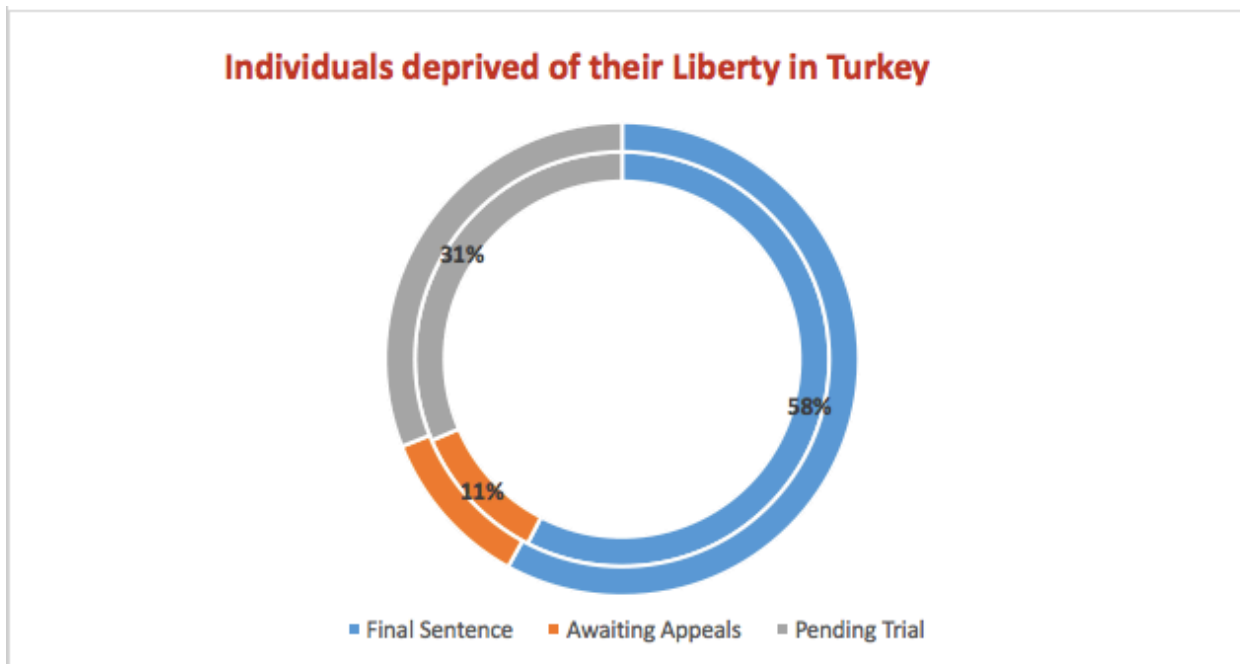
<sup>35</sup> See also Human Rights Watch, *Turkey: A Blank Check Emergency Decrees Facilitate Torture - Reinstate Safeguards to Curb Abuse by Police*, October 24, 2016, No monitoring of places of detention p. 25.

<sup>36</sup> The paragraph reads in pertinent part: “regardless of an official title or duties or the lack thereof, people who played a role in the suppression of a failed coup attempt on July 15, 2016 and subsequent events and terrorist activities will be exempt from criminal, administrative, financial and legal liability”.

<sup>37</sup> See for example: <https://www.reuters.com/article/us-turkey-security/turkish-lawyers-say-decree-grants-impunity-for-political-violence-idUSKBN1EJ0MW>.

<sup>38</sup> See for example, Journalists and Writers Foundation, *Post-Coup Turkey: State of Emergency, Torture and Impunity*, October 2016, p. 5-6. Available at <http://jwf.org/jwf/wp-content/uploads/2018/05/Torture-Report-in-Turkey-2017.pdf>. See also “*Escaping the witch-hunt from Turkey and around the world, the right to leave*, April 2018, p. 41. Available at <http://jwf.org/jwf/wp-content/uploads/2018/05/Escaping-the-Witch-Hunt-from-Turkey-and-Around-the-World-JWF-Report-April-2018.pdf>.

Even before the July 15 coup attempt, Turkey's criminal system was overstretched, with crowded prisons and backlogged courts. Prisons quickly filled to capacity in the days and weeks after the coup attempt, and many detainees found themselves sleeping in shifts, even in the communal spaces, often without any bedding. Authorities also used sports arenas, temporary



Source: Journalists and Writers Foundation, [www.jwf.org/reports](http://www.jwf.org/reports)

tents and other unofficial detention facilities to house the tens of thousands rounded up in alleged connection with the coup attempt. Detainees were reportedly kept naked and handcuffed as they were deprived of their basic human rights, including sufficient water and food. In August 2016, acting under powers granted by the state of emergency, authorities announced (and implemented) plans to release 38,000 prisoners (roughly one in five in Turkish prisons, convicted of fraud, rape, theft, looting extortion and other serious crimes), to make room for the wave of journalists, teachers, lawyers, civil servants and judges detained after the coup attempt.

As of March 20, 2018, at least 224,974 inmates and detainees were deprived of their liberty in Turkey.<sup>39</sup> Out of them 57.5% (129,472) were inmates having received final sentences, 11% (24,813) deprived of liberty and awaiting the outcome of respective appeals and 33.2% (70,689) detainees pending trial or investigation. In comparison, in 2015 the total number of those arrested/convicted/sentenced was 178,089 and 154,179 in 2014. When the AKP came into power, this number was around 59,429, or only one-fourth of those currently deprived of liberty.

Based on the information provided by the Ministry of Justice General Directorate of

<sup>39</sup> Source: <http://istatistikler.uyap.gov.tr/>.

Prisons and Detention Houses, there are currently<sup>40</sup> 389 penitentiary institutions prisons with a total capacity of 210,882 individuals.<sup>41</sup>

The Standard Minimum Rules for the Treatment of Prisoners<sup>42</sup> are often regarded by states as the primary – if not the only source of standards relating to treatment in detention, and are the key framework used by monitoring and inspection mechanisms in assessing the treatment of prisoners. In 2015 the Standard Minimum Rules were revised and adopted<sup>43</sup> as the Nelson Mandela Rules following a process or revision that started in 2010.

A comprehensive study carried out in 2017 on prison conditions in Turkey<sup>44</sup> by the Platform for Peace and Justice<sup>45</sup> reveals that 72 out of 80 prisons are inadequate for accommodating individuals deprived of their liberty. In addition to being in breach of most of the Nelson Mandela Rules, it does certainly appear that the government of Turkey is also intentionally disregarding the Basic Principles, contained in Rules 1-5, which provide for the following:

1. Prisoners must be treated with respect for their inherent dignity and value as human beings.
2. Torture or other ill-treatment is prohibited.
3. Prisoners should be treated according to their needs, without discrimination.
4. The purpose of prison is to protect society and reduce reoffending.
5. The safety of prisoners, staff, service providers and visitors at all times is paramount

None of the arbitrary restrictions and limitations imposed in particular on those allegedly linked to the Hizmet/Gülen Movement have any penological goal, other than intentional infliction of unwarranted and unlawful pain and suffering. Among the restrictions are also the ban of watching TV or listening the radio, access to books, access to cultural and art events, attendance of courses, use of sports facilities, incoming and outgoing communications etc.

The Journalists and Writers Foundation is finally, seriously concerned that those deprived of their liberty face significant obstacles and the required medical personnel and equipment are not available. In this connection, a recent study from the Human Rights Association of Turkey

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<sup>40</sup> As of July 12, 2018.

<sup>41</sup> These institutions include 287 closed prisons, 74 are open prisons, 4 are juvenile reformatory houses, 10 closed prisons for women, 7 open prisons for women and 7 closed prisons for juveniles. For more please see <http://www.cte.adalet.gov.tr/#>.

<sup>42</sup> The Standard Minimum Rules for the Treatment of Prisoners were first adopted in 1957.

<sup>43</sup> The revised Standard Minimum Rules were adopted unanimously by the UN General Assembly (Contained in document A/Res/70/175) of December 17, 2015.

<sup>44</sup> Available at: <http://www.platformpj.org/wp-content/uploads/IN-PRISON-2017.pdf>

<sup>45</sup> More information on the Platform for Peace and Justice can be found here: <http://www.platformpj.org/>.



(IHD) found that there are 1,154 sick prisoners, including 401 seriously ill in Turkey's prisons.<sup>46</sup> Measures undertaken against the alleged members of the Hizmet/Gülen Movement have had an adverse effect on family members, and it is believed, in all instances in particular on children.

The denial of the right to life has been "extended" to include children born in discriminated families, through intentional, targeted discriminatory policies in the provision of health care and other necessary services to children. In many cases, unborn children have not survived due to government's victimization and the psychological pressure on their parents. The government has cut off disability and social benefits to spouses or children of parents detained or arrested over alleged links to the Hizmet/Gülen Movement. Children of individuals perceived close to the movement are also denied health care in hospitals and health centers.<sup>4748</sup>

The government has resorted to intentional methods and practices of violence that are particularly harmful and dehumanizing against alleged members or sympathizers of the Hizmet movement, with the intention of causing humiliation, fear, and terror. As a direct result of these policies, children of individuals accused of being close to the Hizmet movement have increasingly resorted to changing their last names, in order for them not to be associated with their parents [Hizmet movement] and avoid, *inter alia*, discrimination, harassment, and pressure at schools, in their neighborhoods and beyond.<sup>49</sup> In several cases brought to the attention of the JWF, children have succumbed to the immense psychological and other pressure. Some also appear to have committed suicide.<sup>50</sup>

The comprehensive report of the Journalists and Writers Foundation on the rights of children also found that by the end of August 2017, six hundred sixty-eight (668) children under the age of six were deprived of their liberty across Turkey with their mothers, detained or arrested as part of the government crackdown on the Hizmet Movement. One hundred forty-nine (149) of those children were infants under a year old.<sup>51</sup> Growing up in prison conditions, sometimes lacking adequate food, necessary health care and other services, their physical and psychological development is at serious risk.

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<sup>46</sup> Human Rights Association, *2017 Balance-sheet of human rights violations in Turkey*, April 2018, p. 14. Available at: [http://ihd.org.tr/en/wp-content/uploads/2018/05/IHD\\_2017\\_report-2.pdf](http://ihd.org.tr/en/wp-content/uploads/2018/05/IHD_2017_report-2.pdf).

<sup>47</sup> See e.g. <https://turkeypurge.com/3-year-old-child-with-fever-denied-treatment-as-father-under-arrest-over-gulen-links>.

<sup>48</sup> See also, Journalists and Writers Foundation, *The state of Turkey's children & victims of unlawfulness*, October 2017, p. 12. Available at: <http://jwf.org/jwf/wp-content/uploads/2017/10/Children-Report-2017-.pdf>.

<sup>49</sup> See e.g. <https://turkeypurge.com/imprisoned-journalists-children-changes-surname-amid-peer-pressure>

<sup>50</sup> B.N.M., a high school student committed suicide on October 24, 2016 by jumping to her death from the walls of the Boyabat fortress (Northern Turkey) - after being reportedly bullied by classmates and lecturers over her father's alleged links to the Hizmet movement.

<sup>51</sup> Journalists and Writers Foundation, *The state of Turkey's children & victims of unlawfulness*, October 2017, p. 4. Available at: <http://jwf.org/jwf/wp-content/uploads/2017/10/Children-Report-2017-.pdf>.

On the basis of numerous interviews and credible reports, OHCHR identified a particularly alarming pattern of detaining women just before or immediately after giving birth. OHCHR estimates that approximately 600 women with young children were being held in detention in Turkey as of December 2017.<sup>52</sup> Numerous reports of ill-treatment during childbirth in health facilities across Turkey provide a deeply distressing picture of the extent of the exposure of discriminated women to degrading treatment, verbal and physical violence.<sup>53</sup> Many women have as a result lost their unborn babies and suffered miscarriage.<sup>54</sup>

Persons with disabilities, elderly and the sick have also been disproportionately targeted, following the attempted coup. As a State Party to the CRPD, Turkey has the obligation to recognize the rights of persons with disabilities and take appropriate steps to safeguard and promote the realization of their rights without discrimination. Instead, disabled persons in prisons, alleged members of the Hizmet Movement, face unnecessary suffering and humiliation, solitary confinement, incommunicado detention, denial of medical treatment and adequate nutrition – a situation which in itself amounts to torture and other cruel or degrading treatment or punishment.

In addition, according to the OHCHR, hundreds of women, children and elderly were among approximately 1,200 local residents summarily killed between July 2015 and December 2016, in the context of security operations in South-East Turkey. Women, children and elderly also constituted the majority of those reported internally displaced persons (IDPs) in South-East Turkey, estimated between 355,000 to half a million people, mainly citizens of Kurdish origin.<sup>55</sup> Finally, the report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment submitted to the 37<sup>th</sup> session of the Human Rights Council on the visit to Turkey found, *inter alia*, that many places of detention were allegedly severely overcrowded, and did not have adequate access to food, water or medical treatment.<sup>56</sup>

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<sup>52</sup> OHCHR *Report on the impact of the state of emergency on human rights in Turkey, including an update on the South-East* (January – December 2017), March 2018, para 12.

<sup>53</sup> The Journalists and Writers Foundation, *Women's Rights Under Attack in Turkey*, April 2017, page 34. Available at <http://jwf.org/jwf/wp-content/uploads/2017/05/Womens-Rights-Under-Attack.pdf>.

<sup>54</sup> See e.g. <https://turkeypurge.com/istanbul-woman-suffers-miscarriage-in-police-custody-report>.

<sup>55</sup> OHCHR, *Report on the human rights situation in South-East Turkey, July 2015 to December 2016*, para 14.

<sup>56</sup> Para 26 of the report contained in document A/HRC/37/50/Add/1. Available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/362/52/PDF/G1736252.pdf?OpenElement>.

## V. Right to Life

The ‘right to life’ has been described at times as ‘the supreme right’ (see above), ‘one of the most important rights’,<sup>57</sup> ‘the most fundamental of all rights’,<sup>58</sup> ‘the primordial right’,<sup>59</sup> ‘the foundation and cornerstone of all the other rights’,<sup>60</sup> the ‘prerequisite for all other rights’,<sup>61</sup> and a right which is ‘basic to all human rights’.<sup>62</sup> It is deemed to be a norm of customary international law and is an indispensable element of human rights treaties, at the international and the regional level.

The Universal Declaration of Human Rights, adopted by the United Nations General Assembly on 10 December 1948, declared the right to life in absolute fashion, any limitations being only implicit. It provides in its Article 3 that “Everyone has the right to life, liberty and security of person.” The International Covenant on Civil and Political Rights, to which Turkey is a state party, recognizes and protects the right to life of all human beings. It is the supreme right from which no derogation is permitted<sup>63</sup> even in situations of armed conflict and other public emergencies. The right to life has crucial importance both for individuals and for society as a whole. It is most precious for its own sake as a right that inheres in every human being, but it also constitutes a fundamental right,<sup>64</sup> whose effective protection is the prerequisite for the enjoyment of all other human rights and whose content can be informed and infused by other human rights. European law underwent an evolution parallel to that of the United Nations. At the

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<sup>57</sup> *Stewart v. United Kingdom* (App. No. 10044/82), (1985) 7 EHRR 453.

<sup>58</sup> Theo C. Van Boven, ‘The Need to Stop Deliberate Violations of the Right to Life’, in Daniel Premont, ed., *Essais sur le concept de ‘droit de vivre’ en memoire de Yougindra Khushalani*, Brussels: Bruylant, 1988, pp. 285–292, p. 285.

<sup>59</sup> Bertrand G. Ramcharan, ‘The Concept and Dimensions of the Right to Life’, in Bertrand G. Ramcharan, ed., *The Right to Life in International Law*, Dordrecht/Boston/Lancaster: MartinusNijhoff, 1985, pp. 1–32, p. 12; Ren e Brunet, *La garantie internationale des droits de l’homme d’apres la Charte de San-Francisco*, Geneva: Grasset, 1947, p. 211.

<sup>60</sup> Inter-American Commission of Human Rights, *Diez A nos de Actividades, 1971–1981*, Washington, D.C.: Organization of American States, 1982, p. 339; Annual Report of the Inter-American Commission on Human Rights, 1986–1987, OAS Doc. OEA/Ser.L/V/II.71 doc. 9 rev. 1, p. 271.

<sup>61</sup> ‘Initial Report of Uruguay’, UN Doc. CCPR/C/1/Add.57.

<sup>62</sup> General Comment 14(23), UN Doc. A/40/40, Annex XX, UN Doc. CCPR/C/SR.563, para. 1.

<sup>63</sup> General Comment 6, para. 1; Communication No. R.11/45, *Suarez de Guerrero v. Colombia*, Views adopted on 31 March 1982, para. 13.1; Communication No. 146/1983, *Baboeram Adhin v Suriname*, Views adopted on 4 April 1985, para. 14.3.

<sup>64</sup> CCPR General Comment 14, para. 1. Available at [https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCCPR%2fGEC%2f4723&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCCPR%2fGEC%2f4723&Lang=en)

regional level relevant for the instant case, the European Convention on Human Rights specified, in 1950, that “Everyone’s right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law.”

The right to life is a right which should not be interpreted narrowly. It concerns the entitlement of individuals to be free from acts and omissions intended or expected to cause their unnatural or premature death, as well as to enjoy a life with dignity. Paragraph 1 of Article 6 of the ICCPR provides that no one shall be arbitrarily deprived of his life and that the right shall be protected by law. This provision lays the foundation for the obligation of States parties to respect and ensure the right to life, to give effect to it through legislative and other measures, and to provide effective remedies and reparation to all victims of violations of the right to life. This provision guarantees the right to life for all human beings, without distinction of any kind, including for persons suspected or convicted of even the most serious crimes.

At the United Nations level, those obligations are elaborated in two key documents; (1) the UN principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions (1989), complemented by (2) the UN Manual on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions (1991), or the Minnesota Protocol. The latter sets out international legal standards for the prevention of unlawful death and the investigation of potentially unlawful death. To ensure that the Protocol retains its relevance and reflects advances in international human rights law, it was revised and updated in 2016.

The obligations on states to respect and protect life and the procedural obligation to investigate suspicious deaths have firm bases in international law.<sup>65</sup> International law imposes both, the obligations to respect and protect life in all circumstances and to duly investigate suspected violations of the right to life. In particular States have the duty:<sup>66</sup>

- To respect and ensure the right to life of persons within their jurisdiction, including when such persons are held in custody, whether in public or in private settings.

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<sup>65</sup> See, e.g. Art. 6(1), 1966 International Covenant on Civil and Political Rights (ICCPR); Art. 6, 1980 Convention on the Rights of the Child; and Art. 1, 1948 Convention on the Prevention and Punishment of the Crime of Genocide; Arts. 12 and 13, 1984 UN Convention against Torture; Art. 10, 2006 International Convention for the Protection of All Persons from Enforced Disappearance (ICPED); UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, Principles 6, 22 and 23; UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, Principle 9; and the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, Principle 34. In situations of international armed conflict, see Art. 121, 1949 Geneva Convention III (with respect to prisoners of war); and Art. 131, 1949 Geneva Convention IV (with respect to civilian internees).

<sup>66</sup> See also the ICRC Guidelines for Investigating Deaths in Custody, available at: <https://www.icrc.org/eng/assets/files/publications/icrc-002-4126.pdf>.

- To respect and ensure the right to life implies that no one may be arbitrarily deprived of his or her life.
- To ensure that no exceptional circumstance whatsoever, including a public emergency as in the case of Turkey, may be invoked to justify derogation from the duty to respect and ensure the right to life.
- To respect and ensure the right to life from all branches and organs of the State, including law enforcement agencies, security forces and the military.

The right to life also entails positive obligations for States. They are therefore not only obliged to refrain from violating the right to life in any circumstance. States are also required to:

- Adopt legislative, judicial, administrative and other measures to ensure that no one is arbitrarily deprived of his or her life.
- Ensure adequate conditions of detention for all those in custody, which includes providing access to food and water in sufficient quantities and of adequate quality, as well as to medical care, and guaranteeing their safety and security.
- Conduct a prompt and independent official investigation whenever a person dies in custody.
- Take appropriate measures to protect the lives of persons detained by non-State actors whose acts or omissions are not attributable to the State and who operate within its jurisdiction.
- States should finally ensure that a competent body investigates the deaths of persons detained by non-state actors.

Since the attempted coup, president Erdoğan and his government have gone to the extreme many times by declaring that Hizmet/Gülen Movement members do not have a right to life and will beg for death in prisons.<sup>6768</sup> He and members of his government have repeatedly and publicly discussed the idea of reinstating the death penalty specifically for the members of the Hizmet/Gülen Movement.<sup>69</sup> While the reinstatement of the death penalty may not be legally feasible<sup>70</sup> and would in turn further isolate Turkey, an avenue that the authorities seem not be willing to follow, the analysis of this increasingly concerning issue and also empirical evidence show that the same “result” is now been pursued through extrajudicial executions, both in places of deprivation of liberty and in the streets of Turkey, in very suspicious circumstances and also through enforced and involuntary disappearances.

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<sup>67</sup> See e.g. “Economy minister says gov’t will make coup plotters beg for death”, available at <https://www.turkishminute.com/2016/08/01/economy-minister-says-govt-will-make-coup-plotters-beg-for-death/>  
Ekonomi Bakanı: Bu darbecilere öyle bir ceza vereceğiz ki “Gebertin bizi” diye yalvaracaklar!

<sup>68</sup> See also <http://odativ.com/polis-sizi-tehdit-de-etse-darp-da-etse-bir-sey-yapamazsiniz-1501171200.html>.

<sup>69</sup> See e.g. <https://turkeypurge.com/president-erdogan-gulenists-will-not-enjoy-right-to-life-in-turkey>.

<sup>70</sup> See also “*Escaping the witch-hunt from Turkey and around the world, the right to leave*, April 2018, p. 45. Available at <http://jwf.org/jwf/wp-content/uploads/2018/05/Escaping-the-Witch-Hunt-from-Turkey-and-Around-the-World-JWF-Report-April-2018.pdf>

During the first days in the aftermath of the attempted coup, the Turkish government removed all the safeguards against torture, effectively writing a blank check to law enforcement agencies to torture and mistreat detainees.<sup>71</sup> Even though the government has vehemently denied that torture and ill-treatment has played a role to deaths under custody and autopsy reports, as well as investigation files have been kept confidential, it is beyond doubt that at least several of the deaths under police custody were a direct consequence of widespread, systematic and deliberate torture by the government of Turkey.<sup>72</sup>

Several months after the attempted coup it appears that plans were made for many detainees, real or perceived members of the Hizmet/Gülen Movement to be summarily executed by allegedly opening prison gates with deployed soldiers or members of the SADAT militia shooting down prisoners “escaping” in a staged prison break. Widespread claims in social media claimed that militants planned to launch a killing spree in prisons under the pretext of an orchestrated escape plan, aiming to kill those involved in coup plot rendering any insight into the truths behind the coup attempt useless. The plan was aborted, allegedly due to public exposure.<sup>73</sup>

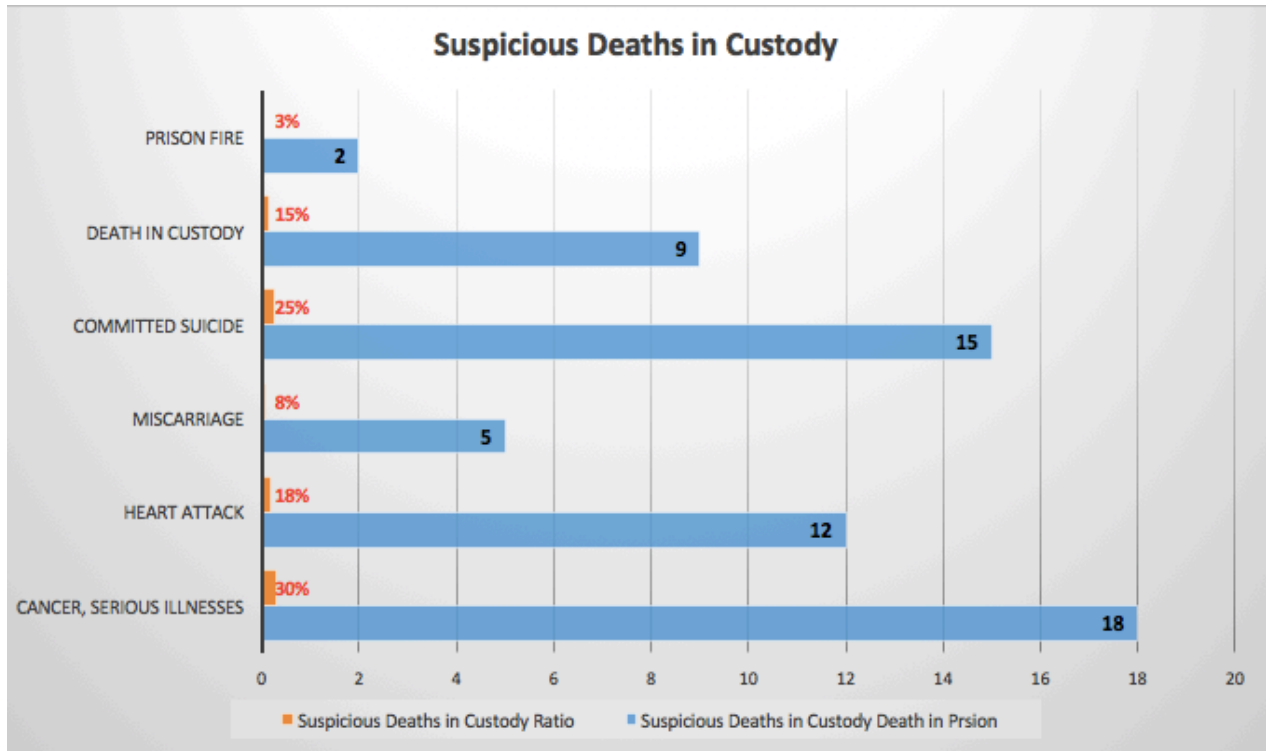
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<sup>71</sup> Human Rights Watch, *Turkey: Emergency Decrees Facilitate Torture, October 2016*. Available at <https://www.hrw.org/news/2016/10/25/turkey-emergency-decrees-facilitate-torture>.

<sup>72</sup> See e.g. the case of Gökhan Açikkollu, a 42-year-old history teacher who died after 13 days of torture and abuse in police detention in İstanbul. More information about his tragic death under custody can be found here <https://stockholmcf.org/tortured-to-death-holding-gokhan-acikkollus-killers-to-account/>.

<sup>73</sup> See e.g. <https://www.turkishminute.com/2016/11/21/ministry-warns-jails-revolts-amid-fears-staged-prison-breaks/>.





Source: Journalists and Writers Foundation, [www.jwf.org/reports](http://www.jwf.org/reports) (December 2, 2016 - August 30, 2018)

Suspicious deaths of alleged members of the Hizmet/Gülen Movement in places of deprivation of liberty however only intensified. From the information contained in the enclosed lists, it can be concluded that the most common causes of death made public by the authorities are suicide, heart attack of seemingly healthy individuals and death as a result of lack of medical care. In all the cases no prompt or independent official investigations have been conducted.

The Journalists and Writers Foundation is further seriously concerned on the clear trend of increasingly “high-profile” detainees among those dead in suspicious circumstances in places of deprivation of liberty. In particular, the family members of police officers and members of the judiciary who have in the past investigated high-level cases of corruption or other wrongdoing by individuals close to the ruling AKP party, have long shared concerns that their loved ones in prisons would become the next victim.

On July 1, 2018, Mr. Zeki Güven, former intelligence chief of the Ankara Police Department,<sup>74</sup> was found dead at Sincan No 1 F Type Prison in Ankara. The authorities claim he died due to a heart attack in his bed, but this does not explain how a seemingly healthy individual dies in prison less than two months after he was taken into custody, especially given the fact that

<sup>74</sup> Mr. Zeki Güven was arrested by a Turkish court in May 2018 under accusations of being an alleged member of the Hizmet/Gülen Movement.

he had no prior medical issues. His death has sent a shockwave among family members of other “high-profile” prisoners, who anticipate further extrajudicial executions in prison, targeting in particular individuals who might have actual knowledge of corruption or other crimes by those close to the ruling AKP party.

Family members have now launched desperate appeals<sup>75</sup> on the international community to help save their loved ones from extrajudicial execution in Turkish prisons.

## **VI. Recommended Steps for the International Community Response**

In light of the above analysis and the anticipation of future unlawful actions in Turkish prisons by state agents acting on behalf of the government of Turkey, the Journalists and Writers Foundation urges the international community to ensure the protection of individuals who are at risk of arbitrary deprivation of their life. Below are some recommendations in this regard:

*Directly address*, as a matter of priority and importance, the deteriorating human rights situation in Turkey, including in relation to the arbitrary deprivation of life in Turkish prisons, through relevant and appropriate United Nations, Council of Europe and other international and regional mechanisms, as well as through country visits and bilateral diplomatic engagement.

*Strongly urge* the Turkish authorities, to respect and ensure the right to life of persons within their jurisdiction, including when such persons are held in custody.

*Urge* the Turkish government to organize all State organs and governance structures through which public authority is exercised, including law enforcement agencies, security forces and the military, in a manner consistent with the need to respect and ensure the right to life.

*Strongly urge* the Turkish government to ensure adequate conditions of detention for all those in deprived of their liberty, including adequate medical care.

*Strongly urge* the Turkish government to conduct prompt and independent investigations whenever a person dies in custody.

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<sup>75</sup> See e.g. <https://stockholmcf.org/daughters-of-jailed-turkish-police-chief-voice-concerns-about-fathers-safety-in-video-message/>

## VII. Annex 1 – Suspicious Deaths of Individuals Under Custody

<b>Suspicious Deaths in Custody (61 people)</b>							
<b>Date</b>	<b>Last Name</b>	<b>First Name</b>	<b>SEX</b>	<b>Age</b>	<b>Profession</b>	<b>Place of Death</b>	<b>Reason for Death</b>
8/25/18	Colak	Sabri	Man	69	Engineering Professor	Van Prison	Heart Attack
7/27/18	Abdioglu	Recep	Male	53	Teacher	Trabzon Prison	Cerebral hemorrhage, denial of medical treatment
7/12/18	Gençosman	Nesrin	Female	30	Teacher	Ordu Prison	Pneumonitis, denial of medical treatment
7/1/18	Güven	Zeki	Male	48	Former Police Intelligence Chief	Sincan Ankara	Found dead in his prison cell
6/17/18	Ulker	Ismail	Male	42	Former Police Officer	-	Colon cancer after 23 months of pre-trial detention
6/1/18	Ozyavuz	Ibrahim Halil	Male	30	Doctor	Istanbul-Silivri Prison	Committed suicide in pre-trial detention due to his alleged link to the Gulen movement
5/7/18	Hocaoglu	Ali	Male	42	Businessman	Izmir Prison	Cancer, denial of medical treatment in pre-trial detention
4/28/18	Gulsu	Halime	Female	32	Teacher	Mersin Prison	Heart attack
4/25/18	Gurer	Cemal	Male		Teacher	Elazig Prison	Cancer, denial of medical treatment in pre-trial detention
4/2/18	Gokce	Teoman	Male	-	Judge	Ankara Sincan Prison	Heart attack
2/16/18	Cetin	Adnan	Male	-	Air Forces' colonel	Istanbul Silivri Prison	Serious illness - cerebral hemorrhage, denial of medical treatment
2/12/18	Ozcerit	Ahmet Turan	Male	-	Computer Science Professor	Bandirma Prison	Liver cancer, denial of medical treatment

2/9/18	Bayat	Vahyettin Yahya	Male	65	Businessman	Diyarbakir Prison	Heart attack, denial of medical treatment
2/3/18	Seker	Celal	Male	-	-	Diyarbakir Prison	Denial of medical treatment
1/22/18	Citir	Naim	Male		Businessman	Konya Prison	Cancer, denial of medical treatment
1/17/18	Dincer	Mesut	Male	-	Court Clerk	-	Serious illness - multiple sclerosis (MS) several weeks after he was released from prison pending trial, late access to medical treatment
1/8/18	Ersay	Lokman	Male	-	Teacher	Balıkesir Kepsut Prison	Cancer, denial of medical treatment
12/27/17	Asci	Selman	Male	32	Charity Membership	Izmir Sakran Prison	Cancer, denial of medical treatment
12/28/17	Saat	Murat	Male	-	Author	Bandırma Prison	Heart attack
12/16/17	A.	Murat	Male	18	-	Antalya Prison	Committed suicide - jumping from a third floor window of the local police station
12/1/17	Sen	Abdurrahman	Male	-	-	Alanya Prison	Death in custody
11/29/17	Takmakli	Unal	Male	77	Businessman	Izmir Menemen Prison	Heart attack
11/17/17	Duruk	Yilmaz	Male	-	-	Mersin Prison	Death in custody
11/6/17	Arslan	Yavuz Ekrem	Male	-	Brigadier General	Istanbul Prison	Death in custody
11/5/17	Mother & Baby	-	Female	-	-	Konya Prison	Miscarriage - imprisoned pregnant woman died along with her unborn baby, the pregnant woman was denied access to hospital
10/20/17	Ok	Ahmet	Male	61	-	Anamur Prison	Heart attack
9/30/17	Baby	Baby Busra Atalay	Unknown	0	-	Istanbul Prison	Miscarriage - miscarriage in police custody, mother Bursa Atalay denied access to hospital

9/10/17	Baby	-	Unknown	0	-	-	Miscarriage - pregnant woman lost her unborn baby due under police custody
8/22/17	Erdogan	Mustafa	Male	-	Supreme Court Member	Antalya Prison	Serious illness, appeals for treatment were denied, died in critical care after release from prison
8/14/17	Turkel	Davut	Male	59	-	Antalya Prison	Death in custody
8/3/17	Tatar	Ahmet	Male		Police Officer	Osmaniye Prison	Heart attack
7/4/17	Ulgut	Kamil	Male	61	Businessman	Elbistan Prison	Death in custody, poor conditions
6/23/17	Babies (Twins)	Baby Yildiz Nurhayat	Unknown	0	-	Sinop Prison	Miscarriage - mother Yildiz Nurhayat miscarried twins in prison, dead bodies not returned to family
6/18/17	Uzun	Eren	Male	22	-	Izmir Prison	Committed Suicide
5/29/17	Pembe	Huseyin	Male	62	Teacher	Kayseri Prison	Cancer, denial of medical treatment
4/6/17	Erdem	Recep	Male	74	Businessman	Erzurum Prison	Heart attack
4/11/17	Eyce	Kadir	Male	33	Police Officer	Sivas Prison	Paralyzed due to ill-treatment in prison
3/23/17	Ozer	Ali	Male	48	Doctor	Corum Prison	Heart attack
3/6/17	Tosun	Mehmet	Male	29	Judge	-	Cancer, denial of medical treatment
2/23/17	Bolek	Yavuz	Male	-	Police Chief	Izmir Prison	Colorectal cancer, denial of medical treatment
1/5/17	Inam	Mehmet	Male	-	Dentist	Izmir Menemen Prison	Heart attack
12/23/16	Ekinci	Hakan	Male	-	-	Edirne Prison	Committed Suicide
12/11/16	Akil	Beytullah	Male	-	-	Sirnak Prison	Committed Suicide
11/19/16	Emdi	Behcet	Male	43	Teacher	Karabuk Prison	Committed suicide
11/18/16	Dogan	Mehmet Emin	Male	29	-	Tekirdag Prison	Committed Suicide
11/11/16	Bahcivan	Muharrem	Male	-	Laborer	Aydin Prison	Committed suicide

11/8/16	Acikalin	Burak	Male	-	Engineer	Kirikkale Prison	Committed Suicide
11/5/16	Kizilarslan	Irfan	Male	-	Colonel	Tokat Prison	Committed suicide
10/20/16	Inal	Mehmet Ali	Male	47	Laborer	Sivas Prison	Committed suicide
10/13/16	SenTurk	Enver	Male	31	Prison Guard	Adiyaman	Committed suicide
10/10/16	Irmak	Onder	Male	39	Sergeant	Eskisehir Police Depart.	Committed suicide
9/28/16	Akdeniz	Cegerxwin	Male	17	Student	Sirnak Prison	Prison fire
9/28/16	Saran	Seyit Riza	Male	16	Student	Sirnak Prison	Prison fire
9/16/16	Yigit	Seyfettin	Man	47	Public prosecutor	Bursa Prison	Committed suicide
9/1/16	Cubuklu	Omer	Man	-	Prison guard	Izmir Prison	Death in custody
8/5/16	Acikkol	Gokhan	Man	42	Teacher	Istanbul Prison	Death in custody
7/28/16	Torer	Mustafa	Man	42	Businessman	Iskenderun Prison	Heart attack
7/23/16	Cakmak	Ismail	Man	-	Lieutenant Colonel	Silivri Prison	Committed suicide
7/19/16	Alp	Hasan Hayri	Man	-	Businessman	Ankara Sincan Prison	Heart attack
7/18/16	Yaman	Sevgan	Man	42	The Democratic Regions Party (DBP) district board member	Rize Prison	Committed suicide

## VIII. Annex 2 – Other Suspicious Deaths and Suicides

Other Suspicious Deaths and Suicides (73 people)							
Date	Last Name	First Name	SEX	Age	Profession	Place of Death	Reason for Death
8/30/18	Dag	Nevin	Female	-	-	Gaziantep	Cancer, after her husband dismissed from his job

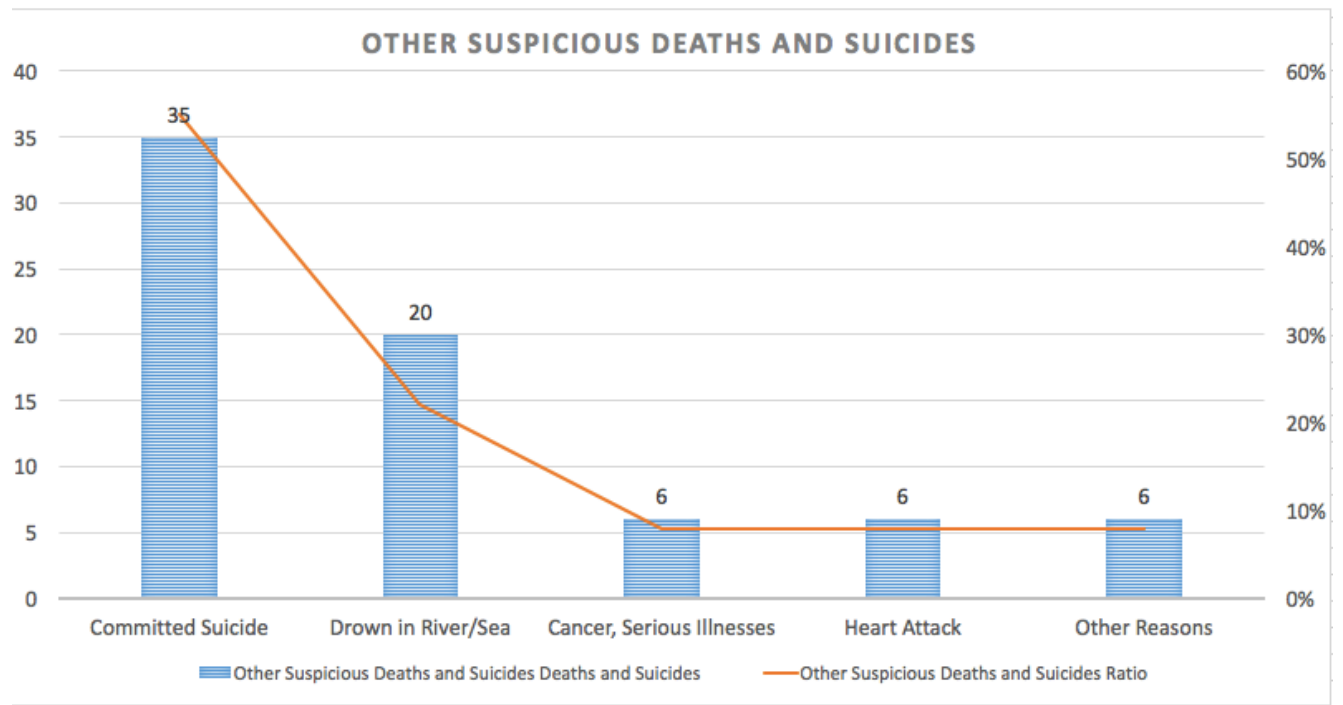


8/16/18	Dinc	Halil	Male	45	Principal	Greece	Heard Attack
8/8/18	Atanur	Akat	Male		Former Police Officer	-	Brain hemorrhage after dismissed from job
7/29/18	Avci	Sumeyye	Female	-	-	Aegean Sea	Drown in Aegean Sea
7/29/18	Yeni	Burhan	Male	2,5	Baby	Aegean Sea	Drown in Aegean Sea
7/29/18	Yeni	Nurbanu	Female	0	Baby	Aegean Sea	Drown in Aegean Sea
7/29/18	Yeni	Gokhan	Male	-	-	Aegean Sea	Drown in Aegean Sea
7/29/18	Aksoy	Bahar	Male	-	Baby	Aegean Sea	Drown in Aegean Sea
7/29/18	Aksoy	Sena	Female	-	-	Aegean Sea	Drown in Aegean Sea
7/27/18	Ozturk	Mesut	Male	5	Child	Evros River-Greece	Brain tumor after dismissed from job
7/20/18	Ozturk	Rukiye	Female	-	Teacher	-	Brain tumor after dismissed from job
7/20/18	Akcabay	Hatice	Female	36	-	Evros River-Greece	Drown in Evros River
7/20/18	Akcabay	Bekir Aras	Male	1	Baby		Drown in Evros River
7/3/18	Demir	Safak	Female	-	Teacher	Mersin	Brain hemorrhage after dismissed from job
7/2/18	F.	C.	Male	31	Former Police Officer	Kahramanmaras	Committed suicide
5/9/18	Orcan	Hatice Ezgi	Female	33	Teacher	Adana	Cancer, after dismissed from job
5/1/18	Gunes	Recep	Male	-	Businessman	Bosnia-Sarajevo	Fled the witch hunt, died at a public park
4/30/18	Uludag	Esmâ	Female	35	Civil Servant in District Governor	Greece	Heart attack
4/18/18	Gezer	Erdem	Male	25	Police Officer	Bitlis	Committed Suicide
4/18/18	Kostan	Fatih Ugur	Male	-	Former Captain	Izmir	Committed Suicide

4/1/18	Cetin	Hasan Orhan	Male	30	Doctor	Izmir	Committed Suicide
3/27/18	Cagdir	Adalet Betul	Female	-	Teacher	Istanbul-Basaksehir	Committed Suicide
3/9/18	Kosar	Mehmet	Male	38	computer teacher	Mugla- Fethiye	Committed Suicide
2/13/18	Dogan	Fahrettin	Male	30	-	Evros River - Greece	Drown in Evros River
2/13/18	Dgan	Asli	Female	28	-	Evros River - Greece	Drown in Evros River
2/13/18	Dogan	Ibrahim Selim	Male	2.5	-	Evros River - Greece	Drown in Evros River
2/13/18	Abdurrezzak	Ayse	Female	37	Teacher	Evros River - Greece	Drown in Evros River
2/13/18	Abdurrezzak	Abdulkadir Enes	Male	11	-	Evros River - Greece	Drown in Evros River
2/13/18	Abdurrezzak	Halil Munir	Male	3	-	Evros River - Greece	Drown in Evros River
2/7/18	Unlu	Ali	Male	42	Police Officer	Refugee Camp, Germany	Heart attack in a refugee camp in Stuttgart
1/17/18	Yabaneri	Ali Furkan	Male	24	Student	Istanbul	Committed Suicide
1/5/18	Gormez	Berk	Male	14	-	-	Colon cancer
12/25/17	Ozaydin	Husamettin	Male	-	-	-	Heart attack
12/2/17	Ozturk	Vina	Female	-	-	Antalya	Heart attack
11/27/17	Yildiz	Ergulu	Male	54	Teacher	Corum	Committed Suicide
11/25/17	Gundoglu	Selim	Male	26	Teacher	Samsun	Committed Suicide
11/20/17	Maden	Huseyin	Male	40	Teacher	Edirne - Greece	Drown in Aegean Sea
11/20/17	Maden	Nur	Female	36	-	Edirne - Greece	Drown in Aegean Sea
11/20/17	Maden	Nadire	Female	13	-	Edirne - Greece	Drown in Aegean Sea
11/20/17	Maden	Feridun	Male	7	-	Edirne - Greece	Drown in Aegean Sea
11/20/17	Maden	Bahar	Female	10	-	Edirne - Greece	Drown in Aegean Sea
11/2/17	Bayar	Irfan	Male	-	Former Soldier	Kastamonu	Committed Suicide
10/29/17	M.	B.N.	Male	16	High School Student	Sinop	Committed Suicide
10/26/17	Korkmaz	Cahit	Male	44	Police Officer	Bursa	Committed Suicide
10/21/17	T.	H.	Male	42	Police Officer	Corum	Committed Suicide

10/12/17	Turkalp	Turgut	Male	53	Imam	Mersin	Committed Suicide
10/11/17	I.	O.	Male	39	Military Officer	-	Committed Suicide
10/5/17	O.	E.	Male	-	Police Officer	Bayburt	Committed Suicide
10/5/17	T.	A.	Male	-	Police Officer	Mersin	Committed Suicide
9/27/17	Eski	Ibrahim	Male	31	Police Officer	Sakarya	Committed Suicide
9/6/17	Guneyler	Mustafa	Male	50	Teacher	Bilecek	Committed Suicide
8/19/17	Cetin	Durmus Ali	Male	-	Former Police Officer	Istanbul	Committed Suicide
7/21/17	Mertoglu	Muhammed	Male	-	Chief of Police	Bartin	Committed Suicide
7/20/17	Onder	Levent	Male	-	Collanel	Siirt	Committed Suicide
7/20/17	Cil	Mutlu	Male	-	Chief of Police	Ankara	Committed Suicide
7/20/17	Yucel	Hasan	Male	-	Collanel	Bartin	Committed Suicide
7/18/17	Akman	Necmi	Male	-	Provincial governor	-	Committed Suicide
7/18/17	Pekiyi	Baki	Male	-	Chief of Police	Kirklareli	Committed Suicide
7/1/17	Cinar	Pinar	Female	29	-	Bursa	Heart attack
6/29/17	Ozcan	Betul Seda	Female	10	Student	Elazig	Car accident on his way to visit father in prison
6/12/17	G.	H.	Female	60	-	Aydin- Soke	Committed suicide
6/11/17	Olcer	Tugce	Female	21	Student	Istanbul	Committed suicide
5/21/17	Canik	-	Male	5	Student	-	Car accident on his way to visit father in prison
5/11/17	Kayapali	Mustafa Hikmet	Male	59	Writer	Balikesir	Reported falling from the building as attempting to escape a police raid
5/4/17	Payat	Gultekin	Male	41	Teacher	Denizli	Reported falling from the building as attempting to escape a police raid

4/27/17	E.	H.	Male	-	Police Officer	Ankara	Committed suicide
2/28/17	Aksag	Mustafa Sadik	Male	34	Assistant professor	Ordu	Committed suicide
2/25/17	Tras	Mehmet Fatih	Male	-	Research assistant	Adana	Committed suicide
2/7/17	Dizdar	Furkan	Male	12	Student	Izmir	Cancer, denied right to travel for cancer treatment abroad
1/16/17	Cezayirlioglu	Zeki	Male	23	Police Officer	Karabuk	Committed suicide
1/8/17	K.	Sadullah	Male	-	Police Officer	Istanbul	Committed suicide
12/24/16	Oldum	Mehmet	Male	34	Police Officer	Corum	Committed suicide
12/2/16	Canik	Hasan Huseyin	Male	46	Police Officer	Hatay	Committed suicide



Source: Journalists and Writers Foundation, [www.jwf.org/reports](http://www.jwf.org/reports) (December 2, 2016 - August 30, 2018)



56 W45 STREET 4TH FLOOR NEW YORK, NY 10036 1 (646)  
838-4882 INFO@JWF.ORG WWW.JWF.ORG