



APPENDIX

20 March 2017

Hunger Strikes Begin in Turkish Prisons

Rights violations in Turkish prisons have reached a stage that now targets human dignity. We are confronted with an exceptional regime that has been destroying acquired legal rights of prisoners by means of decree laws under the State of Emergency Rule (OHAL in Turkish). The Turkish government has been systematically violating its own laws and the Constitution as well as the international conventions of which Turkey is a signatory party. Recently, these systematic violations of rights and intensifying policies of isolation, exile and torture have sparked a new wave of hunger strikes in prisons:

1. Prisoners in İzmir Aliğa-Şakran Prison (which is an infamous place for rights violations) started a hunger strike action. 8 prisoners in Şakran T2 Closed Prison and 5 prisoners in Şakran T3 Closed Prison started an indefinite-irreversible hunger strike on 15 February 2017. Following them, 5 prisoners in Şakran Women's Prison also announced an indefinite-irreversible hunger strike on 24 February.
2. 15 convicts and detainees started a hunger strike in Edirne F-Type Closed Prison (where HDP Co-Chair Selahattin Demirtaş and Hakkari Deputy Abdullah Zeydan are also detained) to protest oppressive practices of the penal execution institution and the restrictions imposed due to the OHAL regime. They announced that the indefinite and irreversible hunger strike, which they had begun on 25 February, would continue until the termination of such practices. Relatives of the prisoners also reported that an additional 120 political prisoners simultaneously started a three-day alternate hunger strike to support the 15 hunger strikers. Prison administration has remained indifferent to their demands and increased the pressure on them with exile orders. Recently, around 30 prisoners, also including some of those in irreversible hunger strike, have been transferred to the Silivri Penal Execution Authority.
3. The female political prisoners in Ankara Sincan Prison launched an indefinite-irreversible hunger strike on 23 February to protest the abduction of the PKK leader Abdullah Öcalan and also to protest the military blockade in XerabêBava village of Nusaybin (a town in Kurdish region) and the torturing of villagers. The hunger strike of seven women still continues.

As known, Turkey experienced a coup attempt on 15 July 2016. After the coup attempt, the AKP government issued a three-month-long countrywide State of Emergency Rule (OHAL) on 20 July, which has so far been extended two times. The country has been ruled under decree laws (in Turkish, Kanun Hükümünde Kararname -KHK) since then. The prisons in Turkey have unfortunately received their own share from these decree laws.

The first Decree Law (Law No. 667, dated 23 July) basically destroyed the majority of rights gained in previous years; current practices in prisons are very similar to those during coup periods. Article 6 of the decree law specifies that only their spouses, first-degree relatives, guardians, or trustees may visit the detainees. In addition, the right to make phone calls once a week has been reduced to once every fifteen days.

On 18 August 2016, the Ministry of Justice also issued a bylaw that rearranged the visits that convicts and detainees could receive. With the subdivision added to Article 5 of the "Regulation on the Visits of Convicts and Detainees," the open-air visits to convicts and detainees have been reduced to once every



two months. Prison administrations are granted further authorization to not let prisoners have open-air visits, if they “deem it necessary.”

With the Decree Law No. 676 dated 29 October 2016, new regulations were introduced for detainees in communicating with their lawyers. For a duration of three months, the chief prosecutor’s office and the judges can record or videotape the detainees’ communication with their lawyers, assign an attendant to be made available during lawyers’ visits with their clients, keep or confiscate the documents exchanged between them, or limit the days and hours of the lawyers’ visits. It is possible to extend the period of three months, “if deemed necessary.”

Restrictions were also imposed on the prisoners’ right to education with the Decree Law no. 677, dated 22 November 2016. Article 4, entitled “Measures for exams,” suggests that those who are in detention or convicted due to crimes committed within the framework of terrorist organization membership or activities of terrorist organizations shall not be allowed to take any centralized exams (that are applied throughout the country) or any educational training offered by public or private institutions during the state of emergency rule. The right to education is a fundamental one guaranteed by international laws and regulations. Whatever the reason, no one should be denied access to education. The limitation on the right to education is a violation of universal law and human rights principles.

In summary, these decree laws have made life much more difficult for prisoners and ripped them off their most basic rights. Severe violations and sanctions are not an exception, but now a routinized and ordinary situation. These violations and sanctions involve arbitrary disciplinary punishments, busting and searching the wards, restricting TV and radio broadcasts and all other means of communication, the seizure of personal properties, books, newspapers and other personal belongings, the violation of judicial principles of criminal proceedings (in the form of arbitrary trials and the violation of the right to direct and face-to-face defense). Some concrete cases of rights’ violations and torture are listed below:

- According to reports written by the Forensic Medicine Institute, Ergin Aktaş, who is detained in İzmir Menemen R Type Prison, should be released immediately, because he lacks both of his arms. The Ministry of Justice, however, has not still implemented this decision due to “public security reasons.”
- Cameras have been installed to watch the bathrooms and toilets in Alanya L Type and Elazığ T Type Closed Prisons for Women. Women who did not accept this practice (Nazlı Solgin, Sudan Güven, Yaprak Taştan, Ahiret, Hayat) were tortured (battered and insulted) and put into solitary confinement.
- Seyit Reza Saran (16) and Cigerxun Akdeniz (17) committed suicide by burning themselves on 28 September 2016, as they were exposed to intense pressure and torture in Şırnak T Type Closed Prison. Beytullah Akil committed suicide for the same reasons on 12 December 2016 in the same prison.
- On 10 October 2016, Ms. Sevcan Adıgüzel was exposed to heavy torture and harassment in Silivri Prison, where her head was hit on the walls, her nipples were squeezed, and sewing needles were pricked into her body in her cell.
- On 6 November 2016, Ms. Zehra Epli took her own life by burning herself in the ward bathroom in Gebze Women’s Prison.

- Seven people who were alleged to be members of the Gulenist movement (including colonel İrfan Kızılarşlan, prosecutor Seyfettin Yiğit, an engineer working for the intelligence agency - Burak Açıkalın and a mosque imam Hasan Taştan) also committed suicide in prisons since the coup attempt on July 15.

Even this very limited report covering a couple of the violations in Turkey’s prisons should be sufficient for the international human rights organizations and institutions to pay immediate attention to the Turkish prisons. With the draft law on “Security Services in Penal Institutions,” which will soon be brought to the



agenda of the Turkish parliament, these practices and violations would be given a legal framework and institutionalized. If approved by the parliament, with this bill:

- Tear gas, pressurized water, firearms will become basic intervention equipment in prisons.
- In preventing incidents that “disrupt public order,” security officers will be given the right to use excessive force, but no clear definitions are made to define its limits.
- Intervention units and external security officers can enter prisons with firearms. Note that this will not do anything other than increasing suspect deaths in prisons.
- Law enforcement officers can be put in charge in case of widespread resistance and collective violence that disrupt public order or in other serious dangerous situations as well. Police operations that may result in the death of prisoners may easily be legitimized and covered up with this arrangement.
- Identity information will be kept confidential while investigating and prosecuting all of the security officers. This is a clear indication of the intention to protect the perpetrators of torture and death.
- New restrictions on the right to have visitors and on the freedom of communication and expression will be introduced.

With the emergency rule regime, ill-treatment and torture have intensified in Turkish Prisons, which were always infamous for their lethal violation of rights. Many prisoners are applying to the European Court of Human Rights for such violations. Remaining indifferent to the aggravating situation in prisons may result in irreversible loss of rights for prisoners.

Considering the aggravating situation of the hunger strikes in particular, we urge all the relevant international institutions, organizations and activists defending human rights and freedoms to urgently send missions to Turkey, investigate the issue on the ground, raise awareness and take immediate action to stop inhumane conditions in Turkish prisons.

HDP’s Prison Commission

Mrs. Ayşe Acar Başaran, HDP MP For Batman

Mr. Berdan Öztürk, HDP MP For Ağrı

Ms. Besime Konca, HDP MP For Siirt (Jailed at Kocaeli F Type Prison since 13 December 2016)

Ms. Burcu Çelik, HDP MP For Muş

Mr. Erdal Ataş, HDP MP For İstanbul

Ms. Gülser Yıldırım, HDP MP For Mardin (Jailed at Kocaeli F Type Prison since 4 November 2016)

Ms. Sibel Yiğitalp, HDP MP For Diyarbakır

Mr. Ziya Pir, HDP MP For Diyarbakır