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Responses to Information Requests

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16 August 2013

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Turkey: Frequency of torture used by authorities, particularly on Kurdish and Alevi protestors and activists, including instances when torture is used on temporary detainees (2012-August 2013)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Overview

International human rights organizations indicate that reports on the use of torture and other ill-treatment by the authorities in Turkey persisted in 2012 (AI 2012; FIDH 15 May 2013). In a public speech in July 2012 reported on by the Turkish news source Bianet, the head of the Istanbul branch of the Human Rights Association (HRA), a Turkish NGO, called attention to "massive violations of the right to life" as well as "unabated" torture and ill-treatment (Bianet 17 July 2012). In correspondence with the Research Directorate, a representative of the Human Rights Foundation of Turkey (HRFT) in Ankara, a not-for-profit organization that provides treatment and rehabilitation services for torture survivors and documents human rights violations (HRFT n.d.), stated that, in the opinion of his organization, "it is clear that torture and ill-treatment remains a systematic problem in Turkey" (13 Aug. 2013).

The HRFT representative indicated that torture and ill-treatment by the authorities occur frequently in the eastern and southeastern parts of the country and also in other parts of the country "when State authorities find it necessary" (HRFT 13 Aug. 2013). The representative also stated that "anyone in Turkey, irrespective of age, sex, occupation, social status, political opinion, beliefs or whether the person is guilty or not, is at risk of being subjected to torture," adding that members of minority groups, including Alevis and Kurds, are at "high risk" of ill-treatment by the authorities (ibid.). According to the representative, the HRFT has

... seen an increase in methods aiming specifically at damaging the psychological well-being of the victim. Moreover, torture and ill-treatment is increasingly applied to frighten, threaten, punish and/or impose authority, rather than to obtain information. Although detainees (individuals who are deprived of personal liberty as a result of being suspected of or accused of a crime) have mostly been subjected to torture and other forms of ill-treatment outside of official detention centres, there has also been an increase in torture and other forms of ill-treatment against prisoners (individuals who [are] being detained in prison by virtue of having been convicted of an offence). (ibid.)

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The HRA reportedly received 397 reports of torture in 2012 (Bianet 10 Dec. 2012). Sources indicate that the HRFT was informed of 553 incidents of torture in 2012, including 220 incidents that took place that year (DIHA 7 Feb. 2013; US 19 Apr. 2013, Sec. 1c). The General Secretary of the HRFT indicated that his organization used "universal definitions of torture or ill-treatment which refer to any kind of physical or psychological act against [an individual's] security in custody" (DIHA 7 Feb. 2013). Meanwhile, the International Federation for Human Rights (Fédération internationale des ligues des droits de l'homme, FIDH) reports on 2,571 allegations of torture and ill-treatment in prisons and "public areas" in 2012 (15 May 2013). In contrast, the Deputy Prime Minister of Turkey, Besir Atalay, reportedly stated in 2013 that only two cases of torture or ill-treatment had been reported in the previous three years (Bianet 6 Feb. 2013; DIHA 7 Feb. 2013). The representative of the HRFT stated that "allegations of torture are often assessed [by the authorities] under charges of 'wounding' or 'excessive use of force,' which results in milder sentences and the 'disappearance' of

torture from official statistics" (13 Aug. 2013). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The US Department of State's *Country Reports on Human Rights Practices for 2012* states that "[h]uman rights organizations continued to report cases of alleged torture and abuse, especially while the alleged victim was in police custody but not in a place of detention, during demonstrations, and during transfer to prison ... in more informal venues where it was harder to document" (US 19 Apr. 2013, Sec. 1c). Similarly, a joint statement by the HRA and the HRFT indicates that torture is increasingly taking place in places other than official security locales, such as in cars and conference rooms (qtd. in Bianet 10 Dec. 2012). The HRFT representative explained that "[i]t is thus becoming increasingly common that people are tortured and subjected to torture while for example being transported or after having been 'kidnapped' by security forces (i.e. without official registration of their detention)" (13 Aug. 2013).

2. Reported Instances of Torture

Media sources report that the police allegedly tortured members of the Grup Yorum music group, who were in police custody after being detained in September 2012 (Kurdish News and Information Network 20 Mar. 2013; *Hürriyet Daily News* 19 Sept. 2012; *Today's Zaman* 18 Sept. 2012) during a public protest in Istanbul (ibid.). The group's lawyer claimed that the police intentionally beat the musicians to prevent them from producing and performing music, by rupturing the singer's eardrum and breaking the violinist's arm (ibid.; *Hürriyet Daily News* 19 Sept. 2012). The group's lawyer also reportedly indicated that the musicians were beaten while handcuffed on the ground as well as in a police car (ibid.). Sources indicate that 26 other people were also detained at the same time by police and subjected to torture (ibid.; Kurdish News and Information Network 20 Mar. 2013).

Dicle News Agency (DIHA), an Istanbul-based news site published in Turkish, Kurdish and English (n.d.), reports that in February 2012, a man claimed that his brother, a prisoner in the Mersin E Type Prison, was tortured and beaten by wardens because he protested with other prisoners against the arrest of the leader of Kurdistan Workers Party (DIHA 22 Feb. 2012). DIHA also interviewed a man in March 2013 who indicated that his son and another inmate in Tekirdag 2 No F Type Prison had been tortured by prison guards (ibid. 6 Mar. 2013). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

A member of the Peace and Democracy Party of Turkey stated in a May 2013 conference that minors jailed in Sakran and Antalya prisons were subject to rape, torture, and other violence (qtd. in *Today's Zaman* 28 May 2013). Bianet also indicates that in May 2013, the Prison Commission of the Izmir Branch of the Contemporary Lawyers Association released a report indicating that juvenile inmates in Sakran Prison were subject to torture, including

- Abuse of doctor visits and right to treatment
- Torture and humiliating ill-treatment [in a] sound proof room
- Confinement torture. (Bianet 27 May 2013)

2.1 Incidents of Torture Involving Kurdish Victims

According to the online news source Firat News Agency (ANF), which publishes articles in English, Turkish and Kurdish, among other languages, a statement issued by the Kurdistan Workers' Party (PKK) and the Party for a Free Life in Kurdistan (PJAK) in December 2011 reported on daily incidents of torture of Kurdish prisoners in various prisons (ANF 13 Dec. 2011). The statement reportedly demanded an independent investigation in all prisons and in the Osmaniye prison in particular (ibid.). In June 2012, the Executive of the Diyarbakir branch of the HRA released a statement stating that torture by the authorities was becoming more prevalent in Turkey, and in the Kurdish region in particular (ibid. 26 June 2012). Quoted by the Firat News Agency, the HRA statement affirmed that the police "'not only intervene in almost all activities and meetings but also use disproportionate force on people'" and gave the example of a citizen who was tortured both during and after being detained by the police after a social event (ibid.).

The Firat News Agency also reports that, in 2012, the Diyarbakir branch of the HRA recorded 3,263 violations of prisoners' rights in eastern and southeastern Turkey, the Kurdish region of the country, including 186 cases of prisoner torture (ANF 12 Feb. 2013). The HRA Diyarbakir branch reportedly received 876 reports of torture and inhumane treatment across the entire Kurdish region in 2012 (ibid. 20 Mar. 2013). Corroboration for the information provided by the Firat News Agency could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Reports emerged in 2012 that Kurdish minors incarcerated in Pozanti prison were being subject to sexual abuse and torture (ANF 12 May 2012; *The Guardian* 10 June 2013; Al Akhbar 9 Mar. 2012). Kurdish youth incarcerated in the prison reported being sexually abused by prison staff, denied medical attention and hung from basketball hoops until choking as a form of torture (*The Guardian* 10 June 2013; Al Akhbar 9 Mar. 2012). Adult inmates also reportedly subjected minors to sexual abuse (ibid.; DIHA 24 Feb. 2012) and "racist and violent behaviour" (ibid.). According to the Firat News Agency, the youth continued to be subject to "systematical pressure and torture" after they were transferred to Ankara Sincan Closed Prison following the uncovering of the Pozanti prison abuse (ANF 12 May 2012).

The Fırat News Agency also reports that, in May 2013, a woman detained in Mardin E Type Prison alleged that she had been arrested while delivering Kurdish newspapers in March 2013, subject to psychological torture while under interrogation and to beatings leading to a miscarriage, and remained in prison (ibid. 13 May 2013).

Additional or corroborating information on this incident could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2.2 Incidents of Torture Involving Alevi Victims

The English-language Turkish newspaper *Today's Zaman* reported in January 2013 that, according to the Hubyar Sultan Alevi Culture Association, Alevi and Kurdish youth were subject to torture while carrying out compulsory military service (30 Jan. 2013). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. Additional information on torture involving Alevi victims could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral sources: A former member of the Kurdish Human Rights Project was unable to provide information for this Response. Attempts to contact a representative of the Human Rights Association of Turkey were unsuccessful.

Internet sites, including: Al Jazeera; Centre kurde des droits de l'homme; CNN; ecoi.net; eKurd.net; European Committee for the Prevention of Torture; European Union Turkey Civic Commission; The Globe Times; Human Rights Watch; Kurdish American Human Rights Campaign; Kurdish Human Rights Project; Kurdish Studies Network; Marxist Leninist Communist Party, Turkey/Northern Kurdistan; Organisation mondiale contre la torture; United Nations – Office of the High Commissioner for Human Rights; United States Commission on International Religious Freedom.

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