



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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The Board		29 January 2004
About the Board	<b>TUR42377.FE</b>	
Biographies		
Organization Chart	Turkey: Authorities with whom Kurds in Istanbul could file a complaint of harassment or extortion by nationalists or the police; the protection offered to such complainants	
Employment	Research Directorate, Immigration and Refugee Board, Ottawa	
Legal and Policy		
References	No information on the authorities with whom Kurds in Istanbul could file a complaint if they are the victims of harassment or extortion could be found among the sources consulted by the Research Directorate.	
Publications		
Tribunal		
Refugee Protection Division	However, the mandate of the Turkish National Police is to maintain security, enforce the laws and protect human rights in urban areas (the <i>Jandarma</i> , paramilitary forces, carry out this function in the countryside) ( <i>Country Reports 2002</i> 31 Mar. 2003). The Turkish Bar Association must provide counsel to indigents who request it, but in practice, only a small percentage have access to this service ( <i>ibid.</i> , Sec. 1.e). However, in large cities such as Istanbul, the Association offers free legal aid 24 hours a day ( <i>ibid.</i> ).	
Immigration Division		
Immigration Appeal Division		
Decisions		
Forms		
Statistics	The following information on relations between Kurds and the Turkish authorities may also be of interest. An Asylum Aid report, written by a delegation responsible for an investigation conducted in 2000 on the situation of Kurds in Turkey, indicated that Kurds are at risk of arbitrary detention by the security forces because they are suspected of supporting the Kurdish national movement (Feb. 2001, 15). Kurds in shanty towns, who are always under heavy surveillance, are probably at greatest risk (Asylum Aid Feb. 2001, 15). According to that report, 20 to 40 per cent of Kurds living in one area of Istanbul had not registered in their place of residence, even though they are required by law to do so when they move ( <i>ibid.</i> , 16). They refuse to register for fear of being harassed by the police, but they must then face the consequences of that refusal, namely, not having access to various social services that are available only to those who have registered ( <i>ibid.</i> , 17).	
Research		
Research Program		
National Documentation Packages		
Issue Papers and Country Fact Sheets		
Responses to Information Requests		
Recent Research		
Media Centre		
News	Over 95 per cent of people detained by the police in Turkey are released without charge, indicating a high rate of arbitrary detention, particularly for Kurds and Alevis ( <i>ibid.</i> , 17-18). If charges are not laid, detainees have no proof of their detention ( <i>ibid.</i> , 18).	
Information Sheets		
Media Relations		
Proactive Disclosure	The Asylum Aid report indicated that almost all displaced Kurds know someone who has been tortured ( <i>ibid.</i> , 19). <i>Country Reports 2002</i> indicated that, in the southeast of the country, a predominantly Kurdish region (31 Mar. 2003, Sec. 1.a), only 5 to 20 per cent of people who were tortured reported the torture, because they feared retaliation or believed that a complaint would be futile (31	

Mar. 2003, Sec. 1.c).

In a report dated 27 May 2003, the United Nations Committee Against Torture concluded that, despite the high number of complaints of torture or ill-treatment by the security forces, the state rarely prosecutes the offenders (para. 5). Furthermore, the punishment is often non-existent or minimal, the proceedings are lengthy, and officers accused of torture are rarely suspended from duty during the investigation (United Nations 27 May 2003, para. 5). Of 577 police officers accused of torture between 1995 and 1999, only 10, or 1.7 per cent, were convicted (Asylum Aid Feb. 2001, 24).

For more information on the general situation of Kurds in Turkey, please consult TUR41724.E of 11 November 2003.

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 to refugee status or asylum. Please find below the list of additional sources consulted in researching this Information Request.

#### References

Asylum Aid. February 2001. *A Report to Asylum Aid - Asylum Seekers from Turkey: The Dangers They Flee*. Report of a mission to Turkey, 4-17 October 2000. <<http://www.asylumaid.org.uk/Publications/turkey%20report.PDF>> [Accessed 26 Jan. 2004]

*Country Reports on Human Rights Practices for 2002*. 31 March 2003. United States Department of State. Washington, DC. <<http://www.state.gov/g/drl/rls/hrrpt/2002/18396.htm>> [Accessed 26 Jan. 2004]

United Nations. 27 May 2003. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). (CAT/C/CR/30/5) "Conclusions and Recommendations of the Committee Against Torture: Turkey." <[http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CAT.C.CR.30.5.En?OpenDocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CAT.C.CR.30.5.En?OpenDocument)> [Accessed 28 Jan. 2004]

#### Additional Sources Consulted

IRB databases

#### **Internet sites, including:**

Amnesty International (AI)

European Union

Freedom House

Human Rights Association (HRA) (Turkey)

Human Rights Foundation of Turkey (HRFT)

Human Rights Watch (HRW)

Kurdish Human Rights Project (KHRP)

Turkish Daily News

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