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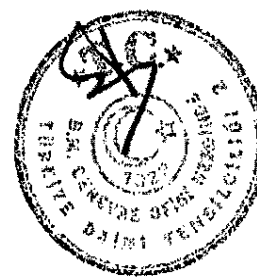
PERMANENT MISSION OF TURKEY
TO THE UNITED NATIONS
GENEVA

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The Permanent Mission of the Republic of Turkey to the United Nations Office at Geneva and other international organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights and with reference to the Latter's Note dated 31 March 2015 concerning the State Party contributions to the analytical report on the implications of over-incarceration and overcrowding for the human rights of persons deprived of their liberty, has the honour to transmit an informative note prepared by the Directorate General of Prisons and Detention Centers as the contributions of the Republic of Turkey.

The Permanent Mission of the Republic of Turkey avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 7 May 2015



High Commissioner for Human Rights,
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Contributions of the Republic of Turkey to the Analytical Report on the implications of over-incarceration and overcrowding for the human rights of persons deprived of their liberty

- One of the fundamental objectives of our policy concerning execution of sentence is that the number of prisoners held at any institution fall within the operating capacity. Overcrowding is considered the biggest obstacle against the proper provision of rehabilitation services.
- Steps are being taken to eliminate, or at least minimize the shortcomings caused by overcrowding. In this context, 22 substandard prisons have been closed down and 14 new prisons and five additional buildings have been built within 2014.
- In 2015, two prisons have been closed down and six new prisons have been put into service. 35 prison establishments are currently under construction, which are due to open by the end of this year. As of 17 April 2015, the total capacity of prison establishments is 165,666, in which 168,519 prisoners are held.
- Moreover, probation alternatives to imprisonment such as electronic monitoring and home confinement are in use. As of 17 April 2015, almost 80,000 convicts are on probation. The measure of detention is not automatically applied. Approximately 22,000 persons are on remand, which corresponds to 14% of all prisoners. The said average ratio for EU countries is 23%.
- Education and rehabilitation activities are underway in all prison establishments, provided by 2,000 psychosocial staff. Human rights education, anger management and vocational training are provided as the model courses. Around 40,000 sentenced inmates engage in production at the workshops of the establishments, including in leather goods, textile, food and handicraft production. An annual revenue of almost 100 million US Dollars are made out of these productions. In addition, the working inmates are able to earn money and specialize in these fields.
- Positive steps are taken in respect of disadvantaged groups, namely juveniles, women and the disabled. Currently approximately 2,000 juveniles and 5,000 women are held in prison establishments. Juveniles are accommodated in reformatories and establishments specially designed for them. We attach great importance to their education by ensuring that they are able to develop by following school education despite the fact that they are in prison. Out of 2,000 juveniles held, around 800 are continuing school education, while the remaining are using open school facilities. Moreover, individual and group studies are being made for their reintegration to the society.
- In addition to these improvements, projects are being developed to reduce incarceration. To that end, relevant international legislation and best practices are being investigated, projects are being realized and various alternatives are evaluated to reach concrete and effective results.
- The General Directorate of Prisons and Detention Centers has recently carried out important works based on international conventions, the Constitutional framework and other domestic laws on juvenile rights. Priority is given to works across national institutions to remedy the shortcomings in the child protection system.

- With a view to ensuring the protection of children's rights in the judicial system, in accordance with the rule of law in Turkey, the "Justice for Children" project has been put in operation by the Ministry of Justice on 3 January 2011, with the technical assistance of UNICEF and funding by the EU. The three objectives of the project are:
 - Protection of rights in the juvenile justice system based on the implementation of the right to a fair trial, protection of juveniles from secondary victimization and the principle that deprivation of liberty shall only be used as a last resort;
 - The development of specialized and institutionalized in-service training programs for juvenile justice staff;
 - Custom rehabilitation services based on the Individualized Rehabilitation System (BİSİS). As an outcome of the project, a "Coordination Strategy Document on Child Protection Services" has been prepared for the period of 2011-2015, to strengthen cooperation between the relevant institutions and to increase the use of alternatives to detention for minors. In general, the document includes the development of an early warning system, the implementation of preventive services and the effective application of preventive and supportive alternative measures. The renewed strategy document for the period of 2014-2019 and the relevant "Implementation Plans" specify the institutions in charge and durations in the course of the realization of the activities.

- Probation services have been established as a result of a number of amendments regarding criminal justice legislation in 2005, with the Law on Probation Services coming into force on 20 July 2005. Accordingly, the Department of Probation has been established, attached to the General Directorate of Prisons and Detention Centers. Since 2006, a total of 131 probation offices are in service. Thanks to probation services, recurrent crimes are prevented and reintegration is ensured without placing convicts in prisons.

- Juvenile probation services have provided a substantial alternative to prison sentence. From 2006 to 2015 (as of 5 March 2015), a total of 112,727 decisions of probation have been rendered by courts in respect of juveniles. Currently, 12,972 juveniles are on probation. In this context, probation offices execute the Courts' decisions of probation such as medical treatment, continuing to an educational institution, ban on travelling to certain places and designating a guide for the juvenile.

- From 2009 to 2010, the EU Twinning Project of "Development of work with juveniles and victims by the Turkish National Probation Service" has been carried out. It has been aimed that sentenced inmates and victims are approached in a systematic and scientific manner by the development of intervention strategies. The four basic strategies are; general approach towards juveniles, the prevention of drug use, general criminal approach (for serious offenders), and prevention of aggressive behavior.

- With a view to assisting victims of crime, programs for psychosocial support, intervention into cases of domestic and sexual violence have been carried out and national standards have been developed for effective implementation. From 2009 to 2011, a total of 721 staff have been trained on victim intervention programs, including domestic violence program. These improvement works have helped victims rebuild their lives and solve family issues.

- The services to be provided for victims of crime have been laid down in Article 17 § (a) of the Law on Probation Services. By the establishment of probation services in Turkey, protection boards have been set up and assistance to victims has started in 131 centers by the contribution of government and non-governmental organizations.
- Works are carried out through the protection boards at the 131 probation offices, whereby victims are given assistance regarding the economic and social problems they may face as a result of crime. For this purpose, the protection boards provide assistance on health, education, financing, aid in kind and money, employment and other matters.
- Amendments to the Law on the Execution of Sentences and Security Measures and the Law on Probation, Assistance Centers and Protection Boards have been made, which extended the duties and powers of probation services. To help reintegration and binding of family ties, it has been stipulated that sentenced prisoners including juveniles, who have one year or less prison term left shall be able to complete the remainder of their term on probation.
- Taking into account the risks and needs of the person, any of the following measures may be decided in respect of the convict who shall be put on probation until his/her conditional release: public service without remuneration, placing under supervision and monitoring in a house or area, ban on travelling to certain places, and attendance to certain programs.
- Special provisions have been introduced for vulnerable groups as well. Female convicts with children aged 0-6 and those who are unable to keep up alone due to serious illness, disability or old age shall be able to continue their term on probation, provided that a term of two years or less have been remaining.