**Psychosocial dynamics conducive to torture and ill-treatment**

**(Turkey as a case study)**

**Submitted to**: The UN Special Rapporteur on torture and ill-treatment.

**Submitted by:** Maat for Peace, Development and Human Rights (an organization in special consultative status with the UN Economic and Social Council).

**Submitted on**: June 2020

**Preamble**

The right not to be tortured or treated in an inhuman or degrading way is absolute and guaranteed by international law, and is expressly prohibited in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as the UN Standard Minimum Rules for the Treatment of Prisoners (SMRs). Torture shall be understood to be any act intentionally and systemically performed whereby physical or psychological pain or suffering is inflicted on a person by another authority for purposes of a criminal investigation, as a means of intimidation, as personal punishment, as a preventive measure, as a penalty, or for any other purpose. Torture, whether physical or psychological, has many devastating psychological and social effects on survivors and society[[1]](#footnote-1). In this context, torture is a systematic practice in official and unofficial places of detention in a number of countries. For example, in Turkey, there is no independent and effective regulatory body to monitor the conditions of detention centers, and allegations of torture are rarely investigated in light of the continuing and increasing lack of judicial independence and investigative bodies. During 2019, 830 cases of torture were reported inside Turkish prisons in addition to the death of 93 people from 2016 until late 2019. All this is topped by the suffering and torture inflicted upon the refugees by Turkey’s security forces, and the suffering experienced by the people in the Syrian city of Afrin at the hands of the Turkish intelligence body and the Ankara-backed militias.[[2]](#footnote-2)

Therefore, **Maat for Peace, Development and Human Rights** discusses, in this report, cases of torture took place in Turkey from the beginning of the year 2019 until mid-2020, while mentioning the adverse social and psychological impacts of torture inflicted on some individuals who decided to go public with their cases during the period covered in this report. It is worth noting the methodology of this report relied on monitoring and documenting data and information reported in the media and social media platforms about cases of torture in Turkey and its adverse consequences. Maat stresses the need to establish effective guarantees to prevent torture in Turkey that include the right of prisoners to have an independent medical examination in a fixed time-frame to ensure that there is no torture, in addition to installing a set of monitoring devices that can be referred to anytime to ensure that there is no torture in places of detention by police officers during the investigation while keeping civil society organizations in the picture.

**Torture is a systematic policy: specific incidents of torture of citizens by members of the Turkish security agencies**

Torture and ill-treatment are used by Turkish security agencies to silence and shut up political oppositions and human rights activists who criticize the Turkish government and its various policies or to punish, intimidate, and forcefully extract confessions from them, despite the fact that Article XVII of the Turkish constitution provides for preventing torture and criminalizing it because it contradicts human dignity. Article 94 of the Turkish Penal Code also stipulates that a public official who engages in cases of torture and ill-treatment shall be punished with imprisonment for a period of three to twelve years, and Article 3 of the European Convention on Human Rights signed by Turkey provides that torturing people and abusing them is not permissible. And in the context, the Istanbul Protocol against Torture signed by the Turkish government stipulates the necessity of conducting medical examinations for detained persons continuously; however, the Turkish government failed to comply with it. It is worth noting that the Turkish government says that it lives up to its zero-tolerance policy on torture, but at the practical level, and despite the legal articles criminalizing torture in Turkey, there are some torture cases committed by the Turkish security personnel in official detention centers, prisons, and places outside the prison, in addition to an excessive and disproportionate interference in the application of the law that levels up to torture in gatherings and demonstrations. This comes in conjunction with the absence of a policy of accountability and the impunity of many perpetrators[[3]](#footnote-3). The following cases are only a few:

* In May 2019, clashes took place between Turkish police officers and PKK figures in the city of Khalafi in Shanli Urfa in southern Turkey, which resulted in the death of 2 members of this party, in addition to violent house storming by the police, during which many people were mistreated and abused blindfolded and some of them were arrested. Among the attacked, was a father with special needs who refused his son to be beaten while being arrested, so the father was arrested, beaten, and also imprisoned. It is worth noting that the city contains incommunicado detention affiliated to the counter-Terrorism Unit to practice psychological torture against detainees, where citizens are severely tortured to extract a forced confession from them. Additionally, from time to time, the police abuses the residents of the town who are a mixture of Kurds, Arabs, and Turks, and there is a lack of accountability for torture by the security agencies[[4]](#footnote-4). Accordingly, Maat believes that such systematic events of torture without accountability in Turkish provinces with Kurdish majority may lead to the division of Turkish society, and it also has serious consequences on the unity of society, by separating the Kurdish minority from the rest of society and persecuting it, which calls on the Turkish government to put an end to these practices.
* In May 2019, officials of the Ankara Police Department practiced physical, psychological, and sexual violence and torture against 46 former employees of the Ministry of Justice where these people were placed in a dark room in the Ankara Police Department, stripped of their clothes, beaten, and sexually harassed.[[5]](#footnote-5) This context legitimizes torturing and intimidating Turkish employees with other-oriented attitudes, who hold opinions against the party’s policies, which can be considered among the negative impacts and social dynamics that the Turkish government devotes to within the work environment, especially in the sovereign places to intimidate employees who violate the wrong policies through systematic torture against others who previously violated these orientations and policies. Maat for Peace, Development and Human Rights condemns this behavior and considers it a practice countering forced political opposition through intimidation and torture.
* On March 11, 2020, Turkish forces stormed the home of Helen Polik and Ibrahim Gokcek, members of the music band Yorum Grup who were on hunger strikers. Helen and Ibrahim were forcibly transferred to Al-Omraniyya Hospital for Training and Research to be fed by force and both refused forced feeding and insisted on their right to go on a hunger strike, but over the course of six days inside the hospital, they were tortured, deliberately subjected to stress and banned access to health facilities by Turkish security personnel. The strike aimed to end violent police raids on the cultural center where the band holds their activities. But, eventually, after 288 days of going on a food strike[[6]](#footnote-6), Helen Polik lost her life in April 2020, while Ibrahim Gokcek lost his life after a 323-day hunger strike[[7]](#footnote-7). This incident illustrates that due to policies of violent police raids of places inconsistent with law enforcement, activists and opposition parties object peacefully, but the government does not respond to their demands, subjecting them to torture and suffering. This shows that torture and other forms of ill-treatment cannot be effectively eliminated from any government that has failed to fully acknowledge its devastating effects and in dealing with the issue with crisis containment policies. Maat for Peace, therefore, stresses that the Turkish political environment allows security men to practice torture and excessive violence against human rights activists and political opponents.
* In February 2020, Lieutenant-Colonel Ersoy Oz was revealed to have been tortured by the Turkish National Intelligence Agency and Oz was working as an intelligence planning officer at the military headquarters of NATO between 2010 and 2013, and he was kidnapped by Turkish intelligence agents and subjected to severe torture after the coup attempt in July 2016 in Turkey. Oz says in his testimony: "Various parts of my body, including my genitals, were subjected to electric shock and beaten, and my face was covered with wet towels and fabrics so that I couldn't breathe, as well as about 150 marks of injuries and burns caused by torture and electronic shocks are still visible in different parts of my body. Moreover, I still suffer from muscle pain and numbness as a result of the beating and I suffer from a hernia that was operated on in one of the hospitals in Ankara. Additionally, there is still severe pain in my spine, penis, urinary tract, and other parts of my body where I was beaten.[[8]](#footnote-8)

The analysis of the text of the testimony of Lieutenant-Colonel Ersoy Oz shows that he was subjected to physical torture in different parts of his body, which caused him psychological pain expressed in some terms such as that I could not breathe I still suffer from numbness, a group of words showing Oz fear, anxiety and severe depression. Moreover, he developed chronic STD.

* In February 2020, 80 Turkish university students were humiliated and tortured in the Ankara Police Department after being arrested for joining the service movement[[9]](#footnote-9), while some Turkish border guards reportedly tortured a group of migrants on the border with Iran in February 2020.[[10]](#footnote-10) In another case, a Syrian journalist, Mazen al-Shami has sustained bruises and injuries after he was assaulted by Turkish officers at the border with Syria,[[11]](#footnote-11) and a video clip showing a group of Turkish soldiers violently attacking a Syrian citizen was circulated[[12]](#footnote-12), while Ankara-backed militias who cooperates with the Turkish security forces committed violent incidents and torture in the Afrin region, which was evidenced by the case of Citizen Jamil Khojah, who is based in the Mabtali area of ​​Afrin, and tells the story of his torture by the Turkish security forces and the Ankara-backed militias in the region. The story shows the extent of the psychological damages he suffered from as a result of his torture.[[13]](#footnote-13) Israa Yurt, a former worker in the TRT channel, also told the story of her psychological torture at the hands of the Turkish police after she moved to Europe after her release. All previous cases illustrate the social and psychological reverse effects of torture, whether on the victims or the whole community. [[14]](#footnote-14)

**Recommendations**

Finally, it can be said that torture in Turkey represents a systematic policy applied by the government against the opposition and human rights activists. Therefore, Maat for Peace, Development and Human Rights recommends that Nils Melzer, the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, should:-

* Establish effective guarantees to prevent torture in Turkey, including the right of citizens and prisoners to have an independent medical examination in a fixed time-frame to ensure that there is no torture, in addition to installing a set of monitoring devices that can be referred to anytime to ensure that there is no torture in places of detention by police officers during the investigation while keeping civil society organizations in the picture.
* Form an international committee to investigate all torture crimes carried out by the Turkish government while providing all guarantees that prevent the recurrence of these incidents.
* Pressure the Turkish government to punish those responsible for torture crimes while providing mechanisms to ensure that they are not subjected to torture again while reintegrating them into the community.

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12. Peshmerga (Kurdish Army. Twitter. · Mar 1, 2020. <https://bit.ly/30Tc7WP> [↑](#footnote-ref-12)
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14. Solidarity with Others. Youtube. 25‏/05‏/2020. <https://bit.ly/3fy1tJ9> [↑](#footnote-ref-14)