



SYSTEMATIC TORTURE AND IMPUNITY IN TÜRKİYE: 2016–2025

A Comprehensive Human Rights Report

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Introduction

1.1 Research Objectives and Scope

The prohibition of torture stands as one of the most fundamental, absolute, and uncontested principles in both international human rights law and national constitutional frameworks. This prohibition cannot be suspended, qualified, or justified under any exceptional circumstances—whether in times of war, counter-terrorism operations, states of emergency, internal security threats, or the maintenance of public order. Türkiye is a party to the core international instruments enshrining this absolute prohibition, including the United Nations Convention Against Torture and the European Convention on Human Rights. The prohibition is further codified explicitly in the Constitution of the Republic of Türkiye and in the Turkish Penal Code, where torture is criminalized without qualification.

Nonetheless, particularly in the period following 2016, the prohibition of torture—while remaining formally robust on paper—has been severely eroded in practice. This report aims to examine the structural and sociological characteristics of torture and ill-treatment allegations in Türkiye between 2016 and 2025. The study does not confine itself to documenting isolated cases; rather, it seeks to analyze the institutional, legal, and social conditions under which these practices have been “normalized.” Accordingly, the report addresses—within a holistic framework—the organic connection between individual testimonies, on the one hand, and legal policy, security practices, and impunity mechanisms, on the other.

1.2 The Post-July 15 Political and Legal Environment: A Turning Point

The coup attempt of July 15, 2016 marked the beginning of a profound transformation in Türkiye’s political and legal structure. The State of Emergency (SoE) declared immediately following the coup attempt granted sweeping and largely unchecked powers to the executive branch and security apparatus—powers they would not ordinarily possess.

Emergency Decree-Laws (known by their Turkish acronym KHKs) issued during this period:

- Radically extended the permissible duration of pre-charge detention (up to 30 days),
- Restricted the right of detainees to access legal counsel,
- Removed independent oversight from medical examinations,
- Weakened judicial oversight mechanisms through legal protections extended to security personnel.

These conditions made the detection of torture more difficult while reinforcing among perpetrators a perception of impunity. In an environment in which thousands were taken into custody and the criminal justice system was severely overwhelmed, torture re-emerged not merely as an isolated violation but as an institutionalized state practice. Available data indicate that these practices were not confined to the initial months following the coup attempt; in several cases, they continued in altered forms.



1.3 Social and Sociological Dimensions of Torture

This report approaches torture not solely as an act of violence perpetrated against the body of the victim, but as a “technique of power” that disciplines society as a whole, producing fear and submission. Torture and ill-treatment erode trust in the rule of law, deepen social polarization, and generate collective trauma.

Through our sociological framework, it becomes possible to understand:

- Why torture is directed at particular social groups,
- How it is legitimized through political discourse and media representation,
- What spaces of silence and acquiescence it creates within society.

In this context, the debate around torture is too broad to be confined to the domain of criminal law alone; it sits at the very heart of wider discussions about democracy, human dignity, and the future of the rule of law.

1.4 Methodology and Structure of the Report

Three primary data sources were used in the preparation of this report:

- Comparative Report Analysis: The findings of two reports documenting the post-2016 period—*Systematic Torture and Ill-Treatment in Turkey Following the July 15 Coup Attempt* and *The Torturers of Turkey (2020)*—were subjected to a comprehensive critical review.
- Primary Data: Newly collected testimonies, victim statements, and interviews.
- Secondary Sources: Reports from international oversight bodies, court decisions, and academic studies.

The report is organized into three main sections:

- Part One: The conceptual, legal, and philosophical framework governing the prohibition of torture.
- Part Two: The methodological background of the research and the character of the data sets.
- Part Three: Case analyses, impunity mechanisms, and an analytical assessment of structural findings.

2. Conceptual and Legal Framework

2.1 The Prohibition of Torture in International Law

2.1.1 The Absolute Nature of the Prohibition Against Torture

The prohibition of torture is one of the most fundamental and uncontested principles of international human rights law. It is not a relative right that applies only under certain conditions; it is an absolute prohibition binding on all parties, in all circumstances, and without exception. In the literature of international law, this characteristic of the prohibition against torture distinguishes it from many other fundamental rights and places it in a special category.

The Absolute Nature of the Prohibition and Its Legal Significance

The characterization of the prohibition of torture as “absolute” means that this prohibition can in no way be suspended. Under international law, some rights may be temporarily restricted or suspended on grounds such as a state of emergency, war, national security threats, or the protection of public order. The prohibition of torture, however, is explicitly excluded from all such exceptions.

In this regard, the prohibition of torture:

- Cannot be suspended even in the event of a declared state of emergency,
- Cannot be justified on counter-terrorism grounds,
- Cannot be overridden in conditions of war or internal conflict,
- Cannot be set aside in emergencies that threaten the existence of the state.

This demonstrates that the prohibition of torture is not merely a treaty provision but one of the peremptory norms (*jus cogens*) of international law.

The *Jus Cogens* Character

Jus cogens norms are rules that are binding on states independently of their consent and that cannot be justified under any pretext if violated. The prohibition of torture, together with the prohibition of slavery and the prohibition of genocide, belongs to this highest normative category.

This character means that states cannot circumvent the prohibition of torture through:

- Domestic legal arrangements,
- Constitutional amendments,
- Emergency governance regimes,
- Administrative decisions.

In other words, even if a state has explicitly prohibited torture in its own legal system, it cannot evade this prohibition through actual practice; otherwise, it incurs international responsibility.

In the Turkish context, this point is of particular importance. During the post-2016 period, practices carried out under the State of Emergency and the Emergency Decree-Law regime gave the impression that the prohibition of torture had been *de facto* suspended—though from the standpoint of international law, such suspension is legally impossible.



The Tension Between States of Emergency and the Prohibition of Torture

International human rights law may allow states a degree of discretion in certain domains during states of emergency. That discretion, however, is not absolute. The prohibition of torture is recognized as one of the fundamental norms that defines the limits of emergency regimes.

The jurisprudence of the UN Human Rights Committee and the European Court of Human Rights makes clear that, even during states of emergency:

- Detention conditions must be compatible with human dignity,
- Physical and psychological violence must be avoided,
- Effective oversight mechanisms must be operational.

Nonetheless, the State of Emergency regime applied in Türkiye after July 15, 2016 created a domain of practice in which these limits were largely exceeded. The extension of pre-charge detention periods, the restriction of access to legal counsel, and the *de facto* elimination of independent medical examination stand out as elements that rendered the absolute nature of the prohibition of torture meaningless in practice.

The State's Negative and Positive Obligations

The absolute nature of the prohibition of torture does not impose on states merely a duty not to torture (negative obligation). States are also obligated to:

- Prevent torture,
- Effectively investigate torture allegations,
- Prosecute and punish perpetrators,
- Ensure reparation and rehabilitation for victims.

When these positive obligations are not fulfilled, the state is deemed to have acted in violation of international law even if it has not directly committed torture. Impunity practices are, in particular, among the most significant elements that undermine the absolute nature of the prohibition.

As both key reports demonstrate, the failure to conduct effective investigations into torture allegations in Türkiye, the non-collection of evidence, and the protection of public officials indicate that the state has systematically violated these positive obligations.

Legitimizing Discourses and the Erosion of the Principle of Absoluteness

The absolute nature of the prohibition of torture can be eroded not only by legal arrangements but also by social and political discourses. Discourses such as counter-terrorism, national security, state survival, or “extraordinary circumstances” may create a basis for the indirect legitimization of torture.

This discursive erosion leads to torture being presented as:

- A “necessary evil,”
- An “exceptional security measure,”
- The “excess of a few individuals.”

Yet the absolute nature of the prohibition renders such discourses legally and morally invalid.

The political and media language employed in Türkiye in the post-2016 period provides clear examples of these legitimizing practices that undermine the absolute nature of the prohibition. As a result, torture has faced the risk of being normalized not only legally but also at the social level.

The absolute nature of the prohibition of torture draws the moral boundary of the relationship between the state’s monopoly on violence and society. When this boundary is crossed, the consequences reach beyond individual victimization: they include the collapse of social trust, the erosion of faith in the law, and the deepening of collective trauma.

In societies where the absolute nature of the prohibition of torture has effectively ceased to exist:

- Relations of fear and submission are strengthened,
- Silence and acquiescence become widespread,
- Social disintegration accelerates.

2.1.2 The United Nations Convention Against Torture (UNCAT)

The United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) is the most comprehensive and binding instrument of international law with respect to the prevention of torture, its prosecution, and the protection of victims. Adopted in 1984 and entering into force in 1987, this Convention did not merely condemn torture on moral grounds, but also imposed clear, concrete, and verifiable obligations on states. Türkiye ratified UNCAT in 1988 and undertook to fulfill the requirements of the Convention.

Historical Significance and Context of UNCAT

UNCAT represents the belated but forceful response of the international community to state violence—particularly torture in detention and prison settings—applied systematically across different geographies throughout the twentieth century. The human rights regime developed in the aftermath of the Second World War had explicitly prohibited torture; yet, lacking detailed enforcement mechanisms, under military dictatorships, authoritarian regimes, and post-colonial states, torture persisted as a technique of governance.

UNCAT was drafted against this historical backdrop, proceeding from the recognition that torture is not an isolated aberration but very often an institutionalized state practice. The Convention

therefore not only defined torture but also included detailed provisions aimed at breaking the culture of impunity.



The Definition of Torture in UNCAT and Its Elements

Article 1 of UNCAT provides the most widely accepted definition of torture in international law. According to this provision, torture is:

“Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him [...], intimidating or coercing him [...], or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official [...].”

This definition contains four essential elements:

- Severe physical or mental pain or suffering: Torture encompasses not only physical violence but also psychological pressure, threats, humiliation, and mental breakdown. Prolonged sleep deprivation, threats, solitary confinement, and sexual humiliation fall within this scope.
- The purpose element: Torture is applied for a specific purpose—to extract a confession, to punish, to intimidate, or to discriminate. In the Turkish context post-2016, these purposes manifested particularly as the extraction of confessions and political/ideological punishment.

- The nexus to a public official: Torture is carried out directly by public officials or with their knowledge, consent, or acquiescence. This element transforms torture from an individual crime into a violation that engages the responsibility of the state.
- Intent: Torture is carried out not through negligence or accident but deliberately and with planning. Systematic cases clearly establish the existence of this intent element.

The cases documented in the reports *Systematic Torture and Ill-Treatment in Turkey Following the July 15, 2016 Coup Attempt* and *the Torture Report (2022)* contain all of these elements under UNCAT. This indicates that the violations described in those reports should be classified not merely as “ill-treatment” but as torture proper.

UNCAT’s Principle of Absolute Prohibition

Article 2 of UNCAT sets out the absolute nature of the prohibition of torture in clear and unequivocal terms. According to the Convention:

“No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.”

This provision is of critical importance in countries where counter-terrorism measures and states of emergency are applied intensively. The discourses of “extraordinary circumstances” and “state survival” invoked so frequently in Türkiye’s post-July 15, 2016 period carry no legal validity under UNCAT.

The Obligation to Prevent and Structural Responsibility

UNCAT does not impose on states merely a prohibition against committing torture; it also requires them to take preventive measures. In this regard, states are obligated to:

- Ensure that detention and prison conditions are compatible with human dignity,
- Guarantee access to legal counsel and independent medical services,
- Train law enforcement personnel on the prohibition of torture,
- Operate independent oversight mechanisms.

The findings of the relevant reports demonstrate that in Türkiye these preventive mechanisms were deliberately weakened, particularly during the State of Emergency. The violation of the prevention obligation played a decisive role in the proliferation of torture.

The Obligation to Effectively Investigate and Prosecute

One of UNCAT’s strongest features is its explicit regulation of the obligation to conduct effective investigations into torture allegations. The Convention requires states to:

- Open investigations on an *ex officio* basis,

- Operate independent and impartial prosecutorial mechanisms,
- Prosecute and punish perpetrators.

Both reports, however, establish that in Türkiye the vast majority of torture allegations:

- Were not investigated,
- Were closed without the gathering of evidence, and
- Resulted in the protection of perpetrators.

This demonstrates that UNCAT was not merely violated but rendered ineffective.

Redress and Rehabilitation for Victims

UNCAT grants torture victims not merely the right to justice but also the right to redress. This right encompasses:

- Material and moral compensation,
- Medical and psychological rehabilitation, and
- Reintegration into social life.

In Türkiye, however, the majority of victims:

- Are unable to obtain compensation.
- Are deprived of psychosocial support, and
- Are compelled into silence through stigmatization and exclusion.

This picture stands in clear contradiction with UNCAT's victim-centered approach.



2.1.3 European Convention on Human Rights (ECHR) Article 3 and ECtHR Case Law

Article 3 of the European Convention on Human Rights enshrines the prohibition of torture in one of the clearest, most categorical, and unequivocal formulations:

"No one shall be subjected to torture or to inhuman or degrading treatment or punishment."

This provision constitutes the ethical and legal backbone of the European human rights regime. The European Court of Human Rights (ECtHR), since its inception, has treated Article 3 as the inviolable core of a democratic society, and its case law on this Article has left no room for even the most minor exception.

The Absolute Nature of ECHR Article 3

According to ECtHR case law, Article 3 is an absolute right. In numerous decisions, the Court has reiterated that none of the following circumstances can justify torture or inhuman treatment:

- Counter-terrorism operations,
- Public security,
- States of emergency, and
- Conditions of war or internal conflict.

The ECtHR has emphasized the absolute nature of Article 3 particularly with regard to countries that have declared states of emergency, and has made clear that states are obligated to maintain respect for human dignity even "in difficult times." In this respect, Article 3 functions as a red line in the European legal order.

In the Turkish context, this principle is of vital importance. While a State of Emergency was declared following July 15, 2016, ECHR Article 15 strictly prohibits any derogation from Article 3, meaning it remained entirely binding despite the emergency notification. Despite this, numerous allegations and findings have emerged indicating that Article 3 was violated in practice.

The Distinction Between Torture, Inhuman Treatment and Degrading Treatment

The ECtHR recognizes three distinct types of violations under Article 3:

- Torture: Treatment that is especially severe and deliberate, inflicting physical or psychological pain and applied for a specific purpose.
- Inhuman treatment or punishment: Treatment that causes intense physical or mental suffering that breaks the victim's resistance but does not reach the threshold of "torture."
- Degrading treatment or punishment: Treatment that violates a person's human dignity, humiliates, shames, and causes fear.

While this distinction constitutes a legal classification, it does not imply a hierarchical preference

from the ECtHR's perspective. The Court emphasizes clearly that all three categories are equally prohibited and constitute a violation of Article 3.

Many practices documented in Türkiye—including strip searches, sexual threats, prolonged solitary confinement, systematic insults and humiliation—should, according to ECtHR case law, be characterized at a minimum as inhuman or degrading treatment.

Detention and the State's Burden of Proof

ECtHR case law (established in landmark cases such as *Tomasi v. France* and *Ribitsch v. Austria*) has developed an extremely important principle regarding injuries sustained in custody:

If a person enters detention in good health and is released with injuries, the obligation to explain how those injuries were sustained rests with the state.

In such cases, the Court:

- Does not regard the testimony of law enforcement officers alone as sufficient,
- Requires camera footage, health reports, and timelines,
- Evaluates contradictory or insufficient explanations against the state.

In numerous cases reported in Türkiye after 2016, several practices have emerged as serious indicators of violation by ECtHR standards:

- Injuries being explained away as caused by “resistance,”
- Camera footage disappearing or not being shared,
- Health reports being prepared under law enforcement supervision.

The Procedural Dimension of Article 3: The Obligation of Effective Investigation

The ECtHR does not view Article 3 as limited to substantive violations alone. The failure to effectively investigate torture and ill-treatment allegations is itself recognized as a violation of Article 3.

The key criteria the ECtHR looks for in an effective investigation are:

- The investigation must be initiated *ex officio*,
- It must be conducted independently and impartially,
- Evidence must be collected in a timely manner,
- The investigation must be completed within a reasonable time,
- Perpetrators must be identified and punished.

As both key reports establish, in Türkiye the vast majority of torture allegations satisfy none of these criteria. The passive stance of prosecutors, the protection of law enforcement personnel,

and the closure of files constitute, in terms of ECtHR case law, systematic procedural violations.

Impunity and ECtHR Case Law

The ECtHR characterizes the culture of impunity as one of the most dangerous forms of violation of Article 3. According to the Court, impunity:

- Encourages the repetition of torture,
- Confers effective immunity on public officials,
- Undermines the sense of justice in society.

The promotion, retention in post, or protection from investigations of public officials alleged to have engaged in torture in Türkiye should, in light of ECtHR jurisprudence, be assessed as a grave structural violation.

ECtHR Case Law and Türkiye's International Responsibility

Under ECtHR case law, violations relating to torture and ill-treatment:

- Are not limited to individual compensation,
- Impose on the state obligations of structural reform, and
- Intensify international oversight in cases of repeated violations.

In this context, Türkiye's failure to fulfill its obligations under Article 3 is not a problem limited to past violations; it constitutes an ongoing state of international responsibility.



2.1.4 International Covenant on Civil and Political Rights (ICCPR) Article 7

Article 7 of the International Covenant on Civil and Political Rights (ICCPR) regulates the prohibition of torture within a framework centered on human dignity and makes this prohibition one of the foundational pillars of the international human rights regime. Article 7 provides:

"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation."

This provision does not limit the prohibition of torture to physical violence alone; it offers a broad normative framework aimed at protecting the bodily and mental integrity, free will, and human dignity of the individual.

The Normative Position of ICCPR Article 7

The ICCPR was adopted in 1966 and entered into force in 1976. The Covenant aims to limit the power of the state over the individual and to establish universal minimum standards against arbitrary interference. Article 7 constitutes the ethical and humanitarian core of the Covenant in this regard.

Like ECHR Article 3 and UNCAT provisions, Article 7 is among the rights that cannot be suspended. While Article 4 of the Covenant acknowledges that certain rights may be temporarily restricted in states of emergency, it explicitly states that Article 7 will under no circumstances be derogable. Accordingly, ICCPR Article 7 cannot be suspended even on grounds of war, internal conflict, terrorist threats, or states of emergency.

Broad Interpretation of the Concepts of Torture and Ill-Treatment

One of the most important features of ICCPR Article 7 is that it does not confine torture to a narrow technical definition. The UN Human Rights Committee (HRC), in General Comment No. 20 on Article 7, emphasizes that torture and ill-treatment must be assessed according to the circumstances, context, and the victim's vulnerability.

Practices falling within the scope of Article 7 include:

- Physical violence and assault,
- Sexual violence and sexual threats,
- Prolonged solitary confinement,
- Sleep deprivation,
- Continuous threats and degrading treatment,
- Pressure and blackmail directed at family members,
- Strip searches and violations of privacy.

This approach demonstrates that numerous practices reported in Türkiye during the post-2016 period constitute grave violations under ICCPR Article 7, even if they do not reach the threshold of “torture” as defined in UNCAT.

Non-Consensual Medical and Scientific Interventions

The second sentence of Article 7, directly connected to the prohibition of torture, prohibits non-consensual medical and scientific experimentation. While this provision was historically developed in response to grave crimes against humanity such as the medical experiments conducted in Nazi Germany, it remains relevant today in the context of custodial and prison settings with respect to forced medical examinations, medically coerced consent obtained under pressure, and non-independent health reports.

In the Turkish context, particular concern arises regarding:

- Medical examinations conducted under law enforcement supervision,
- Health reports that fail to document torture allegations or contain contradictory findings,
- Situations in which the victim’s consent was effectively rendered meaningless.

Such practices violate not only forensic medical ethics but also the individual’s bodily autonomy.

Positive Obligations of the State

ICCPR Article 7 imposes on states not merely a prohibition against committing torture but also a responsibility to take measures to prevent, deter, and remedy torture. According to the Human Rights Committee, states are obligated to:

- Ensure that detention and prison conditions are compatible with human dignity,
- Guarantee access to legal counsel and independent health services,
- Investigate torture allegations *ex officio*,
- Prosecute and punish perpetrators,
- Provide rehabilitation for victims.

Failure to fulfill these obligations is assessed as a violation of Article 7 even in the absence of direct torture. The failure to effectively investigate the vast majority of torture allegations in Türkiye, the non-collection of evidence, and the lack of protection for victims indicate that these positive obligations have been systematically violated.

Impunity and Structural Violation

In the context of ICCPR Article 7, impunity is treated not as an isolated problem but as a structural violation. The Human Rights Committee emphasizes that repeated violations demonstrate that the state has failed to establish a system compliant with Article 7 and has not shown the will to prevent violations.

The practice of impunity in Türkiye regarding torture allegations manifests as:

- *De facto* immunity for law enforcement personnel,
- The passive stance of prosecutors, and
- The dragging out of prosecutions,

effectively nullifying the protective function of Article 7.

Vulnerable Groups and Article 7

ICCPR Article 7 is interpreted broadly with particular regard to vulnerable groups. When women, children, the elderly, people with disabilities, sick detainees, and groups subject to political pressure are concerned, the same practices are assessed as constituting more severe violations.

In Türkiye:

- Sexual threats and strip searches targeting women,
- Denial of access to treatment for sick detainees,
- Prolonged solitary confinement

indicate that Article 7 has been violated in this context.

ICCPR Article 7 draws firm and inviolable limits on the state's authority to use force by regulating the prohibition of torture along the axes of human dignity, bodily integrity, and free will. Practices documented in Türkiye during the post-2016 period demonstrate that these limits have been systematically exceeded and that Article 7 has been violated in both its substantive and procedural dimensions.

2.2 National Law in Türkiye: The Prohibition of Torture Under the Constitution, TPC, and CCP

The prohibition of torture in Türkiye has a strong normative legal framework at the formal level. The Constitution, the Turkish Penal Code (TPC), and the Code of Criminal Procedure (CCP) contain provisions both categorically prohibiting torture and including procedural safeguards aimed at its prevention. Yet practices that emerged after July 15, 2016 demonstrate that this normative strength has been *de facto* eroded and that the prohibition of torture has been rendered ineffective at the implementation level.

2.2.1 Constitutional Guarantee: Article 17 of the Constitution of the Republic of Türkiye

The third paragraph of Article 17 of the Constitution of the Republic of Türkiye regulates the prohibition of torture in clear and unambiguous terms:

"No one shall be subjected to torture or ill-treatment; no one shall be subjected to a penalty or treatment incompatible with human dignity."

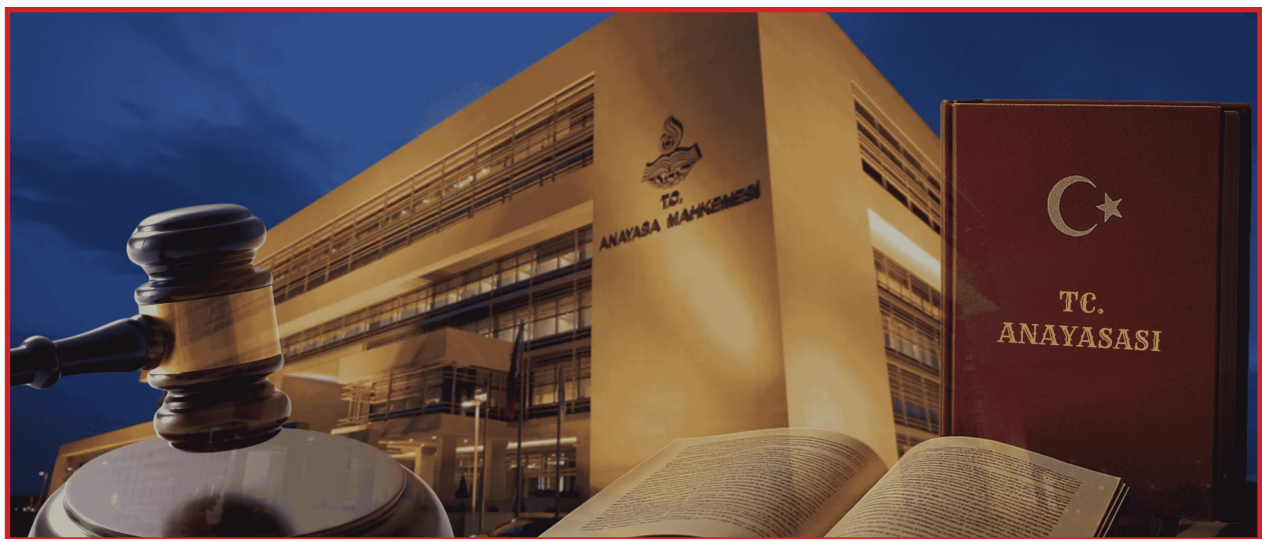
This provision demonstrates that the prohibition of torture in Türkiye is constitutionally guaranteed. The Constitution defines the prohibition not merely as a matter of criminal law but as a fundamental right directly connected to human dignity and honor.

Article 15 of the Constitution, which governs the restriction of fundamental rights and freedoms during states of emergency, explicitly protects the “integrity of corporeal and spiritual existence,” which firmly secures the prohibition of torture among non-derogable rights. Accordingly, it is legally impossible for the prohibition of torture to lose its validity even during State of Emergency periods.

Yet in the post-2016 period, despite constitutional guarantees:

- The worsening of detention conditions,
- The restriction of the right to consult with an attorney, and
- The undermining of oversight mechanisms

rendered the constitutional protection of the prohibition of torture a norm that exists only on paper.



2.2.2 Torture and Ill-Treatment Offenses in the Turkish Penal Code

The Turkish Penal Code explicitly defines torture as a crime and attaches severe sanctions to it.

TPC Article 94 – Torture

Under TPC Article 94:

A public official who, abusing their position, subjects a person to conduct incompatible with human dignity that causes them to suffer physically or mentally, or that affects their perception or volitional capacity, commits the crime of torture.

This provision:

- Is predicated on torture being perpetrated by a public official,
- Encompasses mental suffering as well as physical suffering, and
- Links torture to the concept of human dignity.

Article 94(2) provides for enhanced penalties when torture is committed against:

- A child,
- A pregnant woman, or
- A vulnerable person.

These provisions are largely consistent with international law and are robust from the standpoint of combating torture.

TPC Article 96 – Torment (Eziyet)

TPC Article 96 defines “torment” as conduct that does not reach the threshold of torture but is continuous and injures human dignity. This article is particularly significant with respect to prolonged psychological pressure, threats, and humiliation.

In practice, however, it is frequently observed that:

- Acts of torture are re-classified as “ill-treatment” or “simple injury;”
- This leads to the imposition of lesser sentences.

This undermines the criminal deterrence of the prohibition of torture.

2.2.3 The Code of Criminal Procedure (CCP) and Preventive Safeguards

The Code of Criminal Procedure is the primary source of procedural safeguards aimed at preventing torture. The CCP provides for the following procedural safeguards:

- The right of an arrested person to immediate access to legal counsel,
- Limits on the duration of pre-charge detention,
- Independent and impartial medical examination, and
- The conduct of interrogations in accordance with specific procedures.

These safeguards, while not eliminating torture entirely, are designed to serve a preventive and deterrent function.

However, through the Emergency Decree-Laws issued during the State of Emergency and practices developed in implementation:

- Meeting times with legal counsel were restricted,

- Meetings were rendered ineffective through the threat of monitoring and recording,
- Medical examinations were conducted under law enforcement supervision, and
- Pre-charge detention periods were extended.

These practices effectively nullified the spirit of the CCP's provisions aimed at preventing torture.

2.2.4 The Structural Contradiction Between Norm and Practice

The most fundamental problem regarding the prohibition of torture in Türkiye is that, despite the existence of legal arrangements, these arrangements are not effectively enforced. Although the Constitution, TPC, and CCP provide an adequate framework for combating torture:

- Investigations are not conducted effectively,
- Law enforcement personnel are protected,
- Prosecutors behave passively, and
- The judiciary does not deliver deterrent decisions.

This transforms the violation of the prohibition of torture from an exceptional illegality into a foreseeable practice.

2.2.5 State of Emergency, Emergency Decree-Law Regime, and *De Facto* Immunity

The State of Emergency declared after July 15, 2016 and the Emergency Decree-Laws issued during this period fundamentally affected the regime of legal accountability. The *de facto* perception of immunity accorded to security forces in particular has made it more difficult to investigate torture allegations.

Both reports establish that:

- Public officials implicated in torture allegations were retained in their posts,
- Although standard Turkish law abolishes the permission-to-investigate requirement for torture, Emergency Decrees (such as KHK 667 and 668) bypassed this by granting blanket administrative and criminal immunity to security personnel, effectively using permission mechanisms as an arbitrary obstacle.
- Judicial processes were rendered ineffective.

This picture demonstrates that torture has been perpetuated not in the absence of law but through the instrumentalization of law.

3. Methodology

3.1 Research Design

This report was prepared using qualitative and comparative analysis methods to examine torture and ill-treatment allegations in Türkiye between 2016 and 2025. Rather than focusing solely on the documentation of individual cases, the study adopts a holistic approach that aims to understand the institutional and social context in which these cases arose. The research design is therefore based on a multi-layered analytical method that brings together different types of data sources.

The methodology used in this research is grounded in qualitative data analysis approaches widely employed in the field of human rights. This approach plays a particularly important role in examining cases of state violence—such as torture and ill-treatment—because such violations can often be uncovered not through official documents alone, but rather through the narratives and testimonies of victims.

In this context, the fundamental aim of the research is to reveal the structural characteristics of torture and ill-treatment allegations by comparing data obtained from different sources. The report therefore evaluates data relating to both individual testimonies and institutional practices together.

The core components of the research design are:

- Analysis of the reports published by AST: *Systematic Torture and Ill-Treatment in Turkey Following the July 15, 2016 Coup Attempt (2020)* and *The Torturers of Turkey (2020)*,
- Interviews conducted with victims and witnesses,
- Court decisions and legal documents,
- Reports from human rights organizations,
- Academic studies and secondary sources.

This multi-source approach makes it possible to compare different types of data and increases the reliability of findings.

3.2 Data Sources

3.2.1 Previous Human Rights Reports

One of the primary data sources for the research consists of two previously published human rights reports. These reports document in detail allegations of torture and ill-treatment that emerged in Türkiye following 2016. In this study, the findings of these reports were re-examined and compared with new data.

As in both reports, torture allegations are concentrated particularly in cases relating to detention processes and prison conditions. In this report, these findings have been updated and re-assessed in light of new testimonies.

3.2.2 Testimonies and Interviews

One of the most important data sources for the research consists of interviews conducted with victims and witnesses. These interviews make it possible to examine torture and ill-treatment allegations directly through victim narratives.

Within the scope of this report, 10 interview datasets collected from May 2025 through 2026 were analyzed in detail. These interviews contain important information relating particularly to allegations of ill-treatment encountered in prison conditions, access to healthcare, and interrogation processes.

Interviews were conducted using a semi-structured interview method. This method allows the interview to proceed within a specific framework while simultaneously enabling participants to describe their own experiences in detail.

When utilizing these testimonies throughout the report, participants' identities were kept confidential and necessary anonymization procedures were implemented to ensure their security.

3.2.3 Legal Documents and Court Decisions

Another data source used in the research consists of court decisions and legal documents. These documents provide important data for understanding how investigation processes relating to torture allegations are conducted.

Analysis of court decisions plays an important role in examining how investigations into torture allegations have concluded and how impunity mechanisms have operated.

As emphasized in both previous reports, a significant portion of investigations into torture allegations conclude with decisions of non-prosecution. This report examines whether this trend has continued.

3.2.4 Secondary Sources

The research also drew on secondary data sources such as academic studies, international human rights reports, and media sources. These sources contribute to the assessment of torture allegations within a broader context.

3.3 Data Analysis Method

The data used in this report were examined using qualitative data analysis methods. Qualitative

data analysis makes it possible to systematically evaluate textual data such as testimonies and interviews.

During the analysis process, data were divided into thematic categories and cases showing similar characteristics were evaluated together. The principal themes that emerged during this process are:

- Physical violence in detention,
- Psychological pressure during interrogation,
- Ill-treatment in prison conditions,
- Obstruction of access to healthcare,
- Impunity mechanisms.

This thematic analytical method makes it possible to identify common patterns across different cases, thereby demonstrating that torture allegations have emerged not merely as individual cases but within a specific systemic context.

3.4 Ethical Principles

Research on cases of torture and ill-treatment involves serious ethical responsibilities. Accordingly, various measures were taken during the research process to protect the safety and privacy of participants.

First, the identities of the interviewed individuals are strictly withheld from the report. Participants are identified using anonymous codes. This approach is important for ensuring the safety of participants.

In addition, in strict adherence to the “do no harm” principle and guided by the standards of the Istanbul Protocol, participants’ psychological states were continuously assessed, and no pressure was applied regarding the narration of traumatic experiences.

This ethical approach is consistent with standards widely used in human rights research.

3.5 Limitations of the Research

Some methodological limitations were encountered during the preparation of this report. Given the nature of torture and ill-treatment cases, such violations are frequently not fully reflected in official records. Accordingly, the available data may not reflect the totality of violations that occurred.

Additionally, some victims may refrain from sharing their experiences due to security concerns. This is an important factor that complicates the data collection process.

Nevertheless, the combined use of different data sources helps to reduce the impact of these limitations.

As similarly expressed in the previous reports, the documentation of torture cases is often a difficult and risky process. For this reason, the data obtained may reflect only a portion of the current situation.

3.6 Reliability and Verification

Cross-verification methods were used in this research to increase the reliability of the data obtained. Under this method, data obtained from different sources were compared and consistency among similar cases was examined.

For example, an event described in one testimony was, to the extent possible, compared with other testimonies, court documents, or reports. This approach strengthens the accuracy of the findings presented in the report.

4. Findings

4.1 A Note on Primary Source Materials

This study rests on four core evidentiary layers: reports from the current period, health and court records, civil society data, and newly compiled testimonies. Two of the existing reports function as particularly determinative reference points.

The report *Systematic Torture and Ill-Treatment in Turkey Following the July 15 Coup Attempt* identified—as administrative mechanisms that facilitated the perpetuation of torture—the extension of pre-charge detention to thirty days under Emergency Decree-Laws 667 and 668, the deprivation of legal counsel during the first five days (later modified to 24 hours by KHK 684), and medical examinations conducted under police supervision. The report documented the cases of Gökhan Açıkkollu, Ayten Öztürk, Zabit Kişi, and Mustafa Kabakçioğlu as concrete evidence of systematic practice. The Açıkkollu case has been comprehensively documented in legal proceedings by the Constitutional Court’s finding of a violation in 2024; that decision is notable as the Constitutional Court’s first ruling to simultaneously establish the violation of both the right to life and the prohibition of ill-treatment in direct connection with the post-July 15 period.



The report *The Torturers of Turkey (2020)* shifts its focus from victims to perpetrators and institutional protectors. The report’s central finding is the existence of an administrative structure in which public officials against whom concrete torture allegations existed were

promoted rather than investigated. This finding points to a pattern of impunity completed by physicians who failed to document signs of torture and prosecutors who issued decisions not to prosecute complaints.

Considered together, these two reports form a complementary analytical framework—one documenting practices, the other documenting the perpetrators of those practices and their institutional foundation. The findings below test this framework against new testimonies and documents from the 2016–2025 period, revealing the methodological continuity of torture and the conditions of its reproduction.

4.1.1 Detention Facilities and Legal Status Ambiguity

Mass detention operations carried out after July 15, 2016 created conditions in which suspects were effectively deprived of formal legal guarantees. Interview findings reveal that individuals in custody were held in venues not constituting official detention facilities—such as police academies, police stations, and sports halls—and were left without contact with family or legal counsel for prolonged periods, kept waiting without knowing where they were being held or what charges they faced.

This picture is not specific to the initial period of operations. According to data from the Human Rights Foundation of Türkiye (HRFT) and the Human Rights Association (HRA), 697 persons applied in 2024, of whom 481 reported having been subjected to torture or ill-treatment in the same year. In the first five months of 2025, at least 2,939 persons were registered as cases of torture or ill-treatment. Türkiye features in the high-risk category on indices measuring global torture risk. This continuity demonstrates that the system established after 2016 has now become entrenched.

Unofficial Detention Facilities and the Conversion of Conditions into a Tool of Pressure

One of the most striking findings concerning the detention process is the holding of detainees in venues not constituting official detention facilities. K6 (male, engineer, 51) describes the Police Academy in Ankara as a transit point:



"It was exactly like a concentration camp. People with their arms cuffed behind their backs, forced down onto their knees. I saw people lying on stretchers there."

He reports even witnessing a person who had suffered a cardiac spasm and had been fitted with a stent being brought in and left on a stretcher. (K6)

Physical conditions were themselves converted into a tool of pressure. K6 reports that 14 people were crammed into a three-person cell, that people clung to iron bars trying to breathe, and that they were left hungry and thirsty in the August heat. (K6)

The process of institutional erosion addressed in the report acquires a deeper dimension through data provided by K10, who offers testimony as both an attorney and a victim. Having personally observed the initial phase of lawlessness in the pre-July 15 period (2014–2016), K10 documents irregular transfer processes from prisons to police custody in the following words:

"In 2015, we would go to attorney visits for clients who were already detained and in prison, and we would find our clients missing. Where is our client? They have been taken into custody, to Vatan Security Directorate. Neither their families are being notified, nor are we."

This practice directly violates the obligation to provide immediate access to counsel and family under Rule 56 of the Nelson Mandela Rules, and simultaneously satisfies the conditions described in the UN Declaration on the Protection of All Persons from Enforced Disappearance.

Another critical piece of data concerning the erosion of judicial independence is the non-execution of release orders. K10 personally experienced a legal anomaly without precedent in Turkish history:

"During that period, a release order issued by a court—by a judgeship—was not enforced. Families gathered outside the prison, the press gathered. But the order of one court was rendered ineffective by the order of another court."

The use of the concepts of family and children as elements of threat also became systematic during the process. K10 gives the following example of clients being pressured through their children: "Ali Fuat Yılmaz is in a file where he was threatened with his own daughters... It was a period in which directors were threatened through their families."

During the same period, pressure on and physical violence against attorneys also escalated. Recounting how colleagues were treated during the July 22, 2014 operations, K10 notes that attorneys were directly taken into custody with reverse handcuffing and crude physical force, with normal procedures entirely abandoned.

Deprivation of Legal Safeguards: Family Notification and Access to Counsel

The concealment of the detention location and the failure to notify next of kin left victims in a state of legal uncertainty. K1 (male, court clerk, 40) states that his family only learned of his whereabouts through their own investigation: "At first [family notification] was not happening. Then my wife found out after making inquiries." (K1)

Deprivation of legal counsel also took on a systematic character. K1 reports an explicit denial of

his request: “When we were about to be brought before the court, we wanted to shave; they did not allow that either. They did not let us meet with anyone.” (K1)

Interrogation in Locations of Unknown Identity

The concealment of the detention location functioned not only as a physical condition but also as a tool of psychological pressure. K9 (male, civil society volunteer) describes being taken to an unknown location without his family being notified: “We went to a place I didn’t know. I mean we went to a dark place I didn’t know... I insisted four or five times to notify my family; they did not notify them.” (K9)

Extended Detention: The Administrative Mechanism Under the State of Emergency

The extension of pre-charge detention periods to this degree during the State of Emergency reveals that the violations that occurred were shaped not by individual initiatives alone but by a deliberate administrative choice. K6 relays cases he personally witnessed: “I know people who remained in detention for thirty-three days, using the State of Emergency as a pretext. Normally, pre-charge detention is three days.” (K6) *(Author’s Note: Prior to the State of Emergency, under standard provisions of the Turkish Code of Criminal Procedure [CMK Art. 91], the pre-charge detention period was 24 hours for individual offenses and a strict maximum of 4 days for collective or terrorism-related offenses. Emergency Decree-Law No. 667, issued on July 23, 2016, arbitrarily extended this limit to 30 days.)*

The 2024 reports of HRA and HRFT documented numerous cases of ill-treatment in police, gendarmerie, and official detention centers. A Bianet report of June 2025 reveals that in the first five months of 2025, 2,651 persons—including children and journalists—were subjected to ill-treatment across 191 demonstrations and meetings. The Council of Europe has also placed on record its concerns regarding the increase in torture cases in Türkiye.

The institutional dimension of violations occurring during the detention process presents a picture that goes beyond individual testimonies. It has been documented that Interior Minister Süleyman Soylu issued instructions to the security units under his command to use violence; that Kırıkkale Anti-Terror Branch Director Yasin Demir applied methods including severe beating, cold-water hosing, and insertion of objects into the rectum to multiple victims including a dentist, a teacher, and a school principal. One of the most striking indicators of this situation is the case of Oktay Kapsız, who continued in his post despite a life sentence; this example concretizes the institutional dimension of the culture of impunity.

The report *Systematic Torture Following July 15* identified the extension of the pre-charge detention period under Emergency Decree-Laws and the five-day restriction on access to legal counsel as the principal administrative mechanisms that facilitated the perpetuation of torture. The report *The Torturers of Turkey* (2020) revealed an institutional structure in which public officials alleged to have committed torture were promoted rather than investigated. The interview findings provide concrete corroboration for both findings.

K6, male, engineer, age 51:

"I was not beaten. But for the eight days I remained in detention, we were kept hungry and thirsty, kept without sleep. Someone nearby was constantly being tortured. We were subjected to psychological violence."

K9, male, civil society volunteer:

"They put me in a car, they put me in the trunk of the car. My arms were cuffed behind my back. Every time they braked I hit my head from side to side. They asked me for names. They threatened me with death: 'We will kill you here, we are the state, we are also the law.' Even though I told them what they were doing was unlawful, they did not listen."

The documented cases are in direct conflict with multiple international standards. UNCAT Article 2 explicitly provides that State of Emergency conditions cannot be used as a pretext to suspend the prohibition of torture. Despite this, the systematic concealment of detention locations and the systematic refusal to notify families satisfies the criteria described in the UN Declaration on the Protection of All Persons from Enforced Disappearance. Rule 56 of the Nelson Mandela Rules requires the immediate notification of the family and legal representative of a person in custody; Rule 43 requires that detention conditions not be converted into a tool of torture. The ECtHR, *in Aksoy v. Türkiye (1996)*, addressed prolonged detention and obstruction of access to legal counsel under Article 3 of the ECHR and clearly established the unacceptability of such practices.

4.1.2 Forms of Treatment Documented During the Initial Contact Period

The first hours and days of detention—the timeframe during which legal oversight is weakest and access to counsel and family is most restricted—emerge as the phase marked by the most intense physical and psychological violence. Interviews and official documents reveal a consistency in the methods applied across mutually independent testimonies, strongly indicating that these practices stem from institutional policy rather than individual initiative.

Physical Violence

The forms of documented treatment cluster across a broad spectrum—from physical assault and stress positions to sexual humiliation, threats against family members, and systematic pressure to confess. The fact that independent testimonies from different cities and different institutions point to the same methods suggests that these practices are not individual aberrations but reflect a shared practice.

K2 describes a teacher who was repeatedly taken away and beaten at the Ankara Police Directorate: "Every kind of treatment imaginable was applied to those in custody. Placing a bag over the head, genital interventions, forced kneeling with hands on the back of the neck... I personally witnessed all of these. They were threatened through their wives and daughters. They were threatened with 'you will leave here as a corpse.' I personally experienced all of this." (K2)

K2's statements demonstrate that torture and ill-treatment were sustained not only in their physical dimensions but also through threats and psychological pressure. K9's experience concretizes the continuity of physical violence:

K9, male, civil society volunteer: "They put me in reverse handcuffs. They put me in a car and placed me in the trunk. Every time they braked I hit from side to side. My wrists were bruised. They asked me for names. I said I didn't know. I remained in that state for hours."

K10 recounts how colleague attorneys were taken into custody during the July 22, 2014 operations:

"As they were frozen and taken away in minibuses, they were subjected to the first crude verbal abuse by the police. Reverse handcuffs, heads being knocked around, hitting heads—it was in this manner that attorneys were encountered." (K10, female, attorney)

Health reports document certain torture and ill-treatment cases that have come before the courts, with specifics based on victim identities and medical findings. It has been documented that Kırıkkale Anti-Terror Branch Director Yasin Demir applied severe beating, cold-water hosing, and insertion of objects into the rectum to suspects in custody, including a dentist, a teacher, and a school principal. In Antalya, teacher Eyüp Birinci's intestines were ruptured by the insertion of a baton into his rectum; he was operated on in hospital due to internal bleeding, and his family was not notified at all.

Stress Positions and Physical Exhaustion

Physical violence did not manifest solely in the form of direct assault; stress positions designed to keep the individual's body under prolonged strain were also applied systematically.

K6 reports being kept for hours facing the wall with hands on the back of the neck and being subjected to a continuous stream of curses and insults throughout: "I was kept for hours facing the wall in reverse handcuffs. Squatting was forbidden, leaning against the wall was forbidden." (K6)

K9 describes being kept for hours in the trunk of a vehicle in reverse handcuffs and being thrown against the sides of the car by deliberate braking and acceleration. His handcuff marks remained for a long time. (K9)

K10's experiences while eight months pregnant in August 2017 reveal the gravity of treatment inflicted on pregnant women. Beginning with an unlawful home search conducted at 3:00 a.m., K10 was subjected to severe psychological pressure during transfer:

"They make such immoral, such degrading comments, like 'you get pregnant, you get pregnant on orders'... And I am already eight months pregnant."

K10, who spent seven days in the subterranean (-1st floor) conditions of Vatan Security Directorate, which was airless with lights on 24 hours a day, reached the point of fainting every day due to malnutrition. The most striking aspect of medical neglect was that despite the doctor's diagnosis of "risk of premature birth and dehydration," the period of custody was

continued. K10 documents the empathy-devoid stance of female police officers and the threats made in secret interrogation rooms, with statements such as “Here, we are the law. You must do what we want.”

The conduct of Prosecutor Hasan Yılmaz and the Court President during the trial phase is of such a nature as to prove that the legal profession itself was treated as a crime rather than the legal character of the file: “We are prosecuting you solely because... we know whose attorney you are. That is why we are prosecuting you.” (K10, female, attorney)

Strip Searches and Sexual Humiliation

Sexual humiliation carries a distinct weight among documented forms of treatment. While strip searches have been justified on security grounds, testimonies reveal that in many cases this practice was converted into a deliberate instrument of degradation.

K7 (female, former religious culture teacher) states that she was subjected to a strip search twice—both upon entering Edirne Prison and upon entering Tekirdağ Prison. She describes the treatment at Tekirdağ: “They search the hair again, they touch the hair with a stick. Strange behavior; they make you squat and stand... Their looking at each other and smiling, their raised eyebrow glances, made me very uneasy. I experienced treatment I had never seen in my life.” (K7)

K3 (female, teacher) shares the same experience and reports that all women in the ward underwent strip searches and that they were unable to speak with each other about this subject for months: “For years we were ashamed even to tell ourselves. As though it were our own shame.” (K3)

It has been documented that Ankara Police Directorate Anti-Terror Branch Chief Elif Sümercan applied severe torture to numerous officers, including General Akin Öztürk. This person’s subsequent appointment as a department head in the Ministry of Culture stands out as a concrete indicator of the pattern of impunity.

Physical Intervention in Court

It has been documented that physical intervention was not limited to detention and prison settings but penetrated judicial proceedings as well. K4’s experience constitutes the most striking example of this dimension.

K4 (female, cancer patient) reports that after fainting while making her defense at the hearing court she attended one week after her operation, she was slapped on the face to be revived: “The court panel slapped my operated face to revive me... Then the trial continued there. And there they remanded me in custody.” (K4)

Pressure to Confess and Psychological Torture

Pressure to confess, applied simultaneously with or as a substitute for physical violence, constitutes another systematic dimension of the detention period. This pressure rests on a multi-

layered interrogation methodology that instrumentalizes family threats, career destruction, and death threats.

K1 describes the mechanism by which confession pressure was concretized: "They brought my wife's file. Apparently my wife also faces prosecution. At least let this be of benefit to your wife. Talk. Help us. Give us names. Otherwise you will rot in prison." The police officer at the security directorate also confirms the scale of this pressure: "Our report is very important. Your report from the security directorate will go before the judge. If you help us, we will secure your release." (K1)

K6 relays the psychological pressure applied through propaganda broadcasts: "They would put on A Haber for us... They would play speeches by Binali Yıldırım and Erdoğan. They had set up a special loudspeaker system. They would make us listen to them constantly. That is another method of torture." (K6)

During the detailed interrogation process described by K9, a classic good cop-bad cop scenario was applied between two unidentified police officers, and direct death threats of the kind "We will kill you here, we are the state, we are also the law" were made. (K9)

Medical Neglect and Obstruction of Access to Healthcare

During the initial contact period, the violation of the right to health drew not only from neglect but from the deliberate exploitation of chronic conditions. The obstruction of medical intervention in an environment where detention conditions were already physiologically exhausting deepened violence indirectly.

These statements by K6 demonstrate that individuals with chronic conditions were confronted with serious violations not only in access to health services but also in basic living conditions. That this situation was not isolated is evident across different testimonies. As K6 observed regarding fellow detainees: "If he was a diabetic, every environment for entering a diabetic coma was present. They both starve you and inflict psychological torture and physical torture and keep you sleepless." This individual is known to have later struggled with an insulin problem in prison as well. (K6)

K4's testimony demonstrates that individuals in critical health condition were subjected not only to deprivation of medical support but also to direct physical intervention.

K4, female, cancer patient, housewife:

"I fainted. My husband was right in front of me, he turned around, A... he said... At that moment they did not allow my husband near me. The court panel slapped my (operated) face to revive me there."

On the other hand, K7's narrative shows that the violations experienced created not only physical but long-term psychological effects and that victims had difficulty even articulating these experiences.

K7, female, religious culture teacher:

"I had not told even myself this for many years. After coming out, for two years I did not tell my family I had been strip-searched. As though it were my own shame. It is the shame of those who did it. God will call them to account."

Similarly, K6's testimony reveals that vulnerable groups—particularly women and mothers with babies—were systematically subjected to harsher conditions during this process, indicating that the scope of violations extends beyond individual cases.

K6, male, engineer:

"I saw how they threw women, women with babies, into dark corners. I saw women with babies in their arms, women breastfeeding. People in fear like that."

The documented cases are in direct conflict with multiple international standards. Under UNCAT Article 1, severe pain or suffering intentionally inflicted for the purpose of obtaining a confession or intimidation falls within the scope of torture; physical assault, stress positions, death threats, and threats against family members fall within this definition. Articles 78–99 of the Istanbul Protocol characterize strip searches conducted without independent oversight and in a degrading manner as clear violations; physical intervention in a court setting further aggravates this violation. The ECtHR, in *Selmouni v. France (1999)*, characterized the combined application of physical assault, sexual humiliation, and death threats as torture within the scope of the absolute prohibition; the documented forms of treatment satisfy this criterion. As for accountability, the picture is striking: police officers continuing in service despite life imprisonment sentences, the promotion of individuals documented as torturers to ministerial level, and the suppression of complaints at the precinct level concretize the fact that torture is institutionally encouraged.

4.2 Torture and Ill-Treatment in Prison Conditions

4.2.1 Methods of Physical Torture

Physical violence that began during the pre-prison detention period continued in various forms throughout the prison process as well. Methods applied in detention—assault, stress positions, prolonged handcuffing—were re-documented during prison transfers and ward-level interventions. When interview findings and official documents are evaluated together, it is apparent that physical violence has a specific methodological repertoire that recurs consistently from institution to institution and from province to province. Particularly noteworthy is the fact that this violence was in most cases applied simultaneously with pressure to confess or to inform; this points to the conclusion that the violence originated not from individual outbursts of anger but from a systematic interrogation methodology.

Assault and Systematic Physical Violence Patterns

Interview findings reveal that assault was maintained as a consistent practice throughout both

the detention and prison process. K6 describes a teacher who was repeatedly taken away and beaten at the Ankara Police Directorate: “Every time [the young man] came back, his arms were red, his face was red, his eyes were swollen, he was crying. They would keep taking him away and beating him.” The same participant describes the treatment he himself experienced: “Kicks, punches to the chest, the back, the legs. I don’t count the curses—there were curses and insults of every kind.” (K6)

Violence was not limited to interrogation rooms. K1 reports that prison guards would burst into the ward: “They would shout ‘Get up!’ while banging on the door. They would bang on the ward bars and the iron door with the iron bars in their hands.” (K1)

Official records support this picture. Kırıkkale Anti-Terror Branch Director Yasin Demir has been documented as having applied severe beating, cold-water hosing, and insertion of objects into the rectum to multiple persons in custody, including a dentist, a teacher, and a school principal. It has been documented that Antalya Chief Prosecutor Ahmet Gürbüz suppressed the family’s complaint petition concerning the assault of teacher Eyüp Birinci and took no action against the relevant police officers. In cases of mass assault against military personnel in Ankara, Major Barış Dedebağı has been documented as having applied severe torture to numerous soldiers in a sports hall, with images broadcast on television.

The dimension of violence against military personnel is particularly serious. The case of SAT commando Murat Fırat constitutes one of the most comprehensively documented cases in this area: Commissioner Alper Korkmaz applied severe beatings for days in a forest; numerous commandos sustained permanent injuries. Admiral Turhan Ecevit pointed a gun directly at victims and threatened them with death and gave instructions for extra torture to be applied to the police officers.



Falaka (Foot Beating)

In addition to assault and stress positions, falaka—the method of beating the soles of the feet—also appears in multiple testimonies and official records.

K6 relays what soldier friends taken from his ward recounted upon returning: “Some soldier friends taken from our ward were in a very different state when they returned. According to what they told us, falaka had been applied.” (K6)

Official records also confirm this practice. Among the methods of torture attributed to Elif Sümercan and Tahir Darbazoglu, who served at the Ankara Anti-Terror Branch, is also falaka. As many as 16 victims personally filed complaints against Darbazoglu.

Electric Shock Applications

The application of electric shock has been documented in multiple cases through independent testimonies and official records. This method is particularly prominent in detention processes within the Turkish Armed Forces. In testimonies concerning Zekai Aksakallı and İrfan Özsert within the General Staff, it was reported that suspects were kept blindfolded without food for two days and subjected to electric shock. Multiple officers, including Kübra Yavuz, filed criminal complaints against these individuals. K4 states that among the methods applied to her during the detention process was also electric shock.

Prolonged Handcuffing and Binding Positions

Prolonged handcuffing appears systematically in both detention and transfer processes. K6 describes the process of being taken from prison to hospital:

“My hands were handcuffed in front... I was in a wheelchair... There were eight or nine gendarmes around me in the hospital corridors.” K4 states that she was kept handcuffed even in the ambulance: “They put handcuffs on me in the ambulance too... Very strange.”

In the trunk incident recounted by K9, reverse handcuffing lasted for hours; the wrist tissue was damaged. Multiple testimonies confirm that handcuffs were never removed during hospital visits and that all examinations were conducted with handcuffs on. (K1, K4)

K6 recounts the scene he observed in the mass detention location at the Police Academy: “People laid on stretchers with their hands in reverse handcuffs. I saw people trying to pray. How chilling.” (K6)

Physical Torture in Transfer Vehicles

Transfer vehicles equipped with single-person compartments—frequently referred to by inmates as “coffin boxes” (*tabutluk*), borrowing the term from the infamous historical solitary confinement cells of previous coup eras—functioned as sites of physical violence in their own right.

K2 describes this experience: “I was taken from Sincan to Tarsus in a coffin box. A single seat... you sit but they close the door above you... you are alone... your hands are handcuffed... the journey lasted 17 hours.” (K2)

K1 expresses the physical toll of long-distance transfers: “I needed to use the toilet with the handcuffs on... you couldn’t go to the toilet... so every time I went to the hospital I went hungry... because I was afraid... of eating or drinking anything.” (K1)

K10’s testimony—of being arrested and sent to Tokat T-Type Closed Prison with a forty-day-old baby—is one of the most detailed documents concerning prison conditions for mothers with children. The ordeal began with a 12-hour transfer in a “Doblo” vehicle from Istanbul to Tokat and continued in prison with the baby’s feeding and sleep problems. K10 reports washing the fatty and spicy adult food to feed her baby, and sleeping for approximately 1.5 years without being able to lie on her back, rocking her baby in her arms.

The documented cases are in direct conflict with multiple international standards. Under the scope of UNCAT Article 1, assault patterns, electric shock, falaka, and prolonged stress positions directly satisfy the definition of severe pain or suffering intentionally inflicted by a public official for the purpose of obtaining information or a confession. Articles 78–99 of the Istanbul Protocol require the systematic documentation of signs of physical torture; ignoring injuries before hospital referral constitutes evidence tampering within this scope. The ECtHR, in *Aksoy v. Turkey* (1996), assessed the binding position known as “Palestine hanging” within the scope of torture; in *Selmouni v. France* (1999), it characterized the combined application of assault, humiliation, and prolonged stress positions as torture within the scope of the absolute prohibition. As for accountability, the picture is striking: police officers continuing in service despite life sentences, the promotion of persons documented as torturers, and the suppression of complaints constitute concrete indicators of the institutional basis that renders physical torture unpunished. Prosecutor Eşref Aktaş’s ruling, in an investigation opened on a torture complaint, that no action could be taken against police officers based on the immunity provisions of Emergency Decree-Laws 667 and 668, documents the judicial dimension of this institutional shield.

4.2.2 Psychological Torture and Cruel Treatment

Psychological torture has been documented not as an independent category from physical violence but as a practice that complements it and very often leaves more long-lasting marks. Interview findings reveal that methods including humiliation, isolation, being kept in a state of uncertainty, threats against family members, and forced witnessing of violence were applied systematically and in combination with each other.

The determinative point for the findings in this section is this: Psychological destruction is not specific to the detention period alone. The daily practices of prison administration—count procedures, searches, communication restrictions, propaganda broadcasts—demonstrate that psychological pressure was sustained throughout the prison period as well. Official records document that these practices drew not on individual guard initiative but on an institutional chain of command.

Humiliation and Inhuman Treatment

Humiliation stands out as one of the most visible and systematic forms of psychological torture. Participant narratives demonstrate the prevalence of practices targeting the individual's self-respect and aiming to reduce them to a passive object.

K3 (female, teacher) recounts the experience of her first phone call from prison: "I called home. My daughter said 'Mom'; I started to cry. Two prison guards were standing over us; 'Crying is forbidden,' they said. They looked into my eyes and said 'You cannot cry.'" (K3)

K1 expresses the feeling of humiliation created by count practices: "We would line up. One, two, three, four. It was so heavy [degrading], lining up and being counted like sheep." The same participant's account of the nighttime count—"They would also do it at 11:30 at night. Just for us. Solely to torment us like that"—reveals that discipline was used not merely for the purpose of maintaining order but as a tool of psychological exhaustion. (K1)

K7 (female, teacher) describes the attitude of enforcement officers after the strip search upon entering prison: "Their strange smiling at each other, their raised eyebrow glances... Solely to humiliate, to apply psychological pressure... Perhaps if they had beaten me it would have been less heavy; their manner was very different." (K7)

K6 expresses the psychological effect of ward searches: "Ten people at once would burst with their shoes into that ward you had cleaned spotlessly, shouting 'Get up!' while banging on the ward bars and the iron door with the iron bars in their hands."

Propaganda and Psychological Conditioning

Participant experiences demonstrate that individuals were surrounded not only physically but also at the cognitive and emotional level.

K1 similarly describes the content to which he was involuntarily exposed during transfer: "In the car there was a radio on at full volume; Ötüken Radio. Insults, curses, and degrading expressions targeting our values were broadcast continuously." (K1)

This compulsory exposure was not limited to media content but was sustained through direct discursive interventions by prison administration. K3 recounts the ward director's attitude after the count: "The director would say to us, 'Be grateful you are not sleeping in the corridor.'" The same participant also expresses humiliating discourse directed at religious identity: "In one visit he told a friend of ours 'Godless.' As though they had God and we didn't." (K3)

Isolation and Social Isolation

One of the fundamental mechanisms ensuring the continuity of psychological torture is the systematic weakening of the individual's social bonds. Participant narratives demonstrate that isolation was applied as a deliberate strategy.

K1 expresses this situation directly: "They do this deliberately. The purpose is to isolate completely." The same participant notes that isolation extended to social relations outside of

prison as well, reporting that a neighbor who wanted to visit him was dismissed from work for this reason. Solitary confinement—the most intense form of isolation—produces severe psychological consequences. K4 describes the effects of five days spent alone: “On the fifth day I lost my mind. When I came to, I found that I had taken a water bottle in my lap and was rocking it like a baby.” (K4)

Threats Against Family Members

Another important dimension of psychological pressure consists of threat mechanisms constructed through the individual’s closest social circle. The family is used as a direct tool aimed at breaking the person’s resistance.

K6 expresses a more severe form of threat he witnessed: “They bring his wife and son behind a window. ‘Look, your wife is young, your son is still a child. This child will grow up but you will never see any of them,’ they say. For the woman, threats are made over her honor.” (K6)

Cases of Psychological Collapse: Faruk Bey

The most severe consequences of these systematic practices are manifested in permanent deterioration of individuals’ mental health. The Faruk Bey case, noted by K6 and further detailed by K9, reveals the devastating effects

Faruk Bey, who was taken into custody due to an old diary entry while serving in Bursa and interrogated together with his wife, shows advanced trauma symptoms when he arrives at the prison:

“He started making terrible noises in the bathroom. He didn’t eat, didn’t drink. He was exhibiting strange behavior. One day we looked, and he was standing there completely undressed, his arms open like that. Everyone was in shock.”

Despite insistent petitions from ward mates, Faruk Bey was not referred to psychiatry and was not taken to the infirmary. Left in this state for approximately two weeks, his situation only changed later under collective pressure from the ward. K9 summarizes this process: “We asked repeatedly for emergency referral. But they did not take him. He was only released after a year when he had lost his mental faculties. Permanent damage occurred.” (K9)

Anxiety and Chronic Psychological Damage

The effects of psychological torture were not limited to the prison process but continued in the form of chronic mental health problems over the long term. K7 describes symptoms that began during the detention period and lasted for years: “My heart is pounding, as though it is about to come out of my chest. My hands and feet going numb, weakness, dizziness, nausea. It turned out I was having panic attacks. That night anxiety symptoms began for me.” She describes how these symptoms continued years after being released from prison: “I still see the prison in my dreams. I wake up with my heart pounding.” (K7)

Humiliation Based on Religious and Ethnic Identity

Another dimension of psychological torture consists of systematic attacks on individuals' identities. Religious practices and beliefs in particular are targeted and a degrading discourse is produced.

K1 recounts his experience during interrogation: "I said I wanted to pray. 'I don't believe in the God you believe in. You believe in a deviant religion; there is no need for you to pray,' he said." (K1)

K3 describes the deliberate collection of prayer blankets during searches: "We would spread a blanket on the floor to pray. When they came for a search, they would say 'blankets must not be spread on the floor' and collect and take them away." (K3)

Legitimization Through Media and Political Discourse

Finally, it is apparent that psychological violence was not limited to closed spaces; it was also reproduced in the public sphere through media and political discourse. The open praise of torture by certain journalists and statements encouraging security forces created a basis for this violence to acquire social legitimacy. Similarly, political actors entrusted with oversight of prison conditions explicitly stating that they would not investigate such allegations demonstrates the continuity of the institutional impunity regime.

4.2.3 Medical Neglect and Violation of the Right to Health

The violation of the right to health during the prison process constitutes a systematic structure in its own right. Interview findings reveal four main categories of violation: the imprisonment of persons known to have existing illnesses, the bureaucratic blocking of access to the infirmary and hospital to the point of practical impossibility, the deliberate delay of treatment, and the complicity or silence of medical personnel in torture processes.

These violations are not coincidental. The failure to respond to petitions, the non-processing of referrals, doctors issuing medical reports to avoid investigation being opened, and the systematic refusal of stay of execution convert the violation of the right to health into an institutional pattern. A common mechanism emerges in documented cases: action is taken when the person reaches death's door or when social media pressure builds; otherwise the system remains dysfunctional.

Imprisonment Despite Existing Illness

Interview data clearly reveal that individuals in critical health condition were imprisoned despite medical risks, and that prison conditions further deepened these risks.

K4 (female, maxillary sinus cancer patient) reports that she was brought before the court and remanded in custody only one week after her operation, while her stitches were still in. She

was forced to make her defense standing at the remand hearing, fainted, and was revived by slaps to her operated face. Her attorney had documented in reports submitted to the court: "Her husband has been remanded; there are three small children; prisons are very crowded and unhealthy; if you remand her, the probability that even her healthy lungs will be damaged is high." Despite this, the decision to remand was made. (K4)

K7 notes that she had previously lost the lower left lobe of her lung through surgery and therefore had the necessity of clean air, good nutrition, and staying away from stress. This information was recorded upon entering prison; however, no measures were taken. (K7)

Bureaucratic Obstruction of Access to the Infirmary

Access to health services was walled off by a bureaucratic barrier. K1 describes how the system works: "If you fall ill in a prison, there's a system like this for falling ill in prison. You need to write a petition to go to the infirmary. Very strange. Let me write 'infirmary' now to guarantee it before I fall ill... There are petition days. If you can't submit a petition on that day you can't go to the infirmary again." In an emergency the guard must be convinced: "You will knock on the door. The guard will come. If they feel like it they will look at you. They say drink water. Rest. They are playing doctor." (K1)

K1 reports that when he noticed a swelling in his throat it took him a month to be able to go to the infirmary. An ultrasound referral waited another month, and a separate process had to be initiated to learn the result. In total, diagnosis took seven months: "In total it took 6-7 months. Just the diagnosis. 6-7 months, sister." (K1)

Deliberate Delay in Hospital Referral

Access to health services was impeded not only by bureaucratic obstacles but also by conscious delays. K1 reports that during the treatment process following a cancer diagnosis, the gendarmerie cancelled the referral three times on the grounds of personnel shortages: "The gendarmerie cancelled my referral. Oh, now everything starts all over again from the beginning." A separate bureaucratic process was initiated for hospital transfer during chemotherapy, and the referral to the hospital was delayed by ten days. (K1)

K5 (male, former academic) reports that he had a stomach hemorrhage at İzmir Şakran Prison and that this was left untreated for a long time: "I am getting weaker every day. I can't eat anything." Prison doctor Ayşe Candan refused to write a referral despite repeated applications. However, after talking with the director, the referral was made; the hospital confirmed the stomach hemorrhage. K5 describes this process: "I am dying, I told the director. 'I have lost 18 kilos, I can no longer walk. The sin and guilt of this is on your neck.' Finally they referred me. It was confirmed that I had vomited blood. Even though it was confirmed, they sent me back." (K5)

The Cruelty of Treatment Conditions: Prisoner Wards

The conditions of detainees transferred to hospital environments also present a picture incompatible with human dignity. K1 describes the prisoner ward at the hospital: "A dark environment. There is iron on the ceiling to prevent escape through the ventilation system.

There is a camera in the room. They watch you 24 hours. No window. In other words, oxygen is zero." He reports receiving chemotherapy in these conditions and being unable to access even water due to the stitches in his mouth. (K1)

Handcuffed Treatment and Dignity Violations

The practice of applying handcuffs during hospital visits transformed medical care into a demeaning experience. K1 describes this practice: "Our hands are handcuffed. The guard handles everything. The doctor only looks at us. When entering the machine where there must be no metal, they remove the handcuffs, that's it." (K1)

K1 notes that he was kept handcuffed even in the ambulance: "They put handcuffs on me in the ambulance too. Even the nurse there said 'even if you released this person they couldn't go anywhere.' But even so they handcuffed me." K4 also reports being handcuffed even in intensive care: "The gendarmerie is waiting at the door in intensive care. And your foot is handcuffed. You are handcuffed by your foot to the bed."

Medical Personnel Made Complicit in the System

The role of health personnel in torture processes was not limited to passive silence alone. K5 reports that prison doctor Ayşe Candan refused to write a referral during the period when he was experiencing a stomach hemorrhage. The presence of military personnel beside the doctor during hospital examinations and their conducting interrogations effectively made independent medical evaluation impossible. (K5)

K7 describes her experience at the state hospital she went to for an eye examination: "I am currently under arrest; my guilt has not yet been determined," I said. The doctor subsequently refused to treat me." (K7)

Official records document this picture even more severely. Doctor Mithat Uysal, working in Gölbaşı on July 15, recorded "no change in condition" on the reports of soldiers who stated they had been tortured and signed them. This is a documented example of medical personnel being directly complicit in torture processes.

Deaths and Unexplained Fatalities

The most severe consequences of medical neglect are manifested in cases culminating in death. K5 describes in detail the death of Ünal Takmaklı, a former district governor (*kaymakam*), from his ward. Petitions were written repeatedly and hospitalization was requested for this person, who had undergone open heart surgery and had diabetes and other chronic conditions. When a common cold combined with his other illnesses worsened his condition, he was still not taken to hospital: "We called the nurse. But the head guard Selçuk said 'Does a nurse enter here; what nonsense are you talking?'" Ünal Takmaklı lost his life that night. (K5)

Tacettin, diagnosed with cancer at Manisa Prison, wrote petitions for a month requesting to be sent to the doctor. He was not helped until he collapsed in front of the ward; he was then acquitted and released, and lost his life one week later. (K9)

In the case of Seyfettin Kurtçu at Tarsus Prison, it has been documented that the guards delayed the intervention by saying “stop play-acting,” and only acted when the person lost consciousness. The request for a lower-body sweatsuit after his death suggests a loss of bowel or bladder control at the moment of death. (K6)

Systematic Refusal to Postpone Sentences on Medical Grounds (Law No. 5275, Art. 16)

Legal safeguards were also rendered dysfunctional within this picture. K1 describes the de facto obstacle created by the Forensic Medicine Institute (*Adli Tıp Kurumu – ATK*) process: “Going to forensic medicine takes 6 months. You wait another 1-2 months for the result. During this process you have become wretched, developed cancer, started treatment. The forensic medicine [evaluation process] also doesn’t [suspend the sentence].” K1, who was taken back inside when stay of execution expired while receiving chemotherapy, expresses how this situation directly harmed treatment: “No sun, no nutrition, a closed environment, no movement. We became ill while we were healthy. You put a cancer patient back in there—the person won’t get better.” (K1)

4.3 Patterns and Systematic Nature

4.3.1 Geographic Distribution and Institutional Recurrence

One of the most striking findings to emerge when the interview data compiled in this study, official records, and current data are evaluated together is this: the documented violations are not specific to a single institution, a single province, or a single period. Similar methods, similar bureaucratic obstacles, and similar impunity practices have recurred consistently across a broad geography extending from İzmir to Ankara, from Mersin to Manisa, from Kırıkkale to Tarsus, and over a ten-year timeframe extending from 2016 to 2025. This geographic and institutional recurrence points to the conclusion that practices draw from central coordination, or at minimum are produced on a basis of institutional tolerance. Individual aberrations cannot have such a broad geographic distribution and such a high degree of methodological consistency.

Similar Practices Documented in Different Provinces

Interviews cover facilities across multiple regions, including prominently Kastamonu E Type, Tekirdağ, İzmir Şakran, and Afyon Bolvadin. Common findings in all these settings can be enumerated as follows: excessively overcrowded wards, bureaucratic restriction of access to the infirmary, handcuffed hospital transfers, the conversion of count practices into a tool of humiliation, and delays in obtaining medications.

K6 reports encountering similar conditions in four different prisons—Sincan, Tarsus, Tekirdağ, Tokat—and makes the following observation: “The Ministry of Justice of the Republic of Türkiye is one. The prison system is one. But there are different practices everywhere. For example, you look at one prison and the person is even washing their blanket. You look to one side and they can’t even wash their clothes.” (K6)

Official records concretize the geographic distribution: Ankara Anti-Terror Branch (Elif Sümercan,

Tahir Darbazoğlu, Abdurrahman Akünel), Kırıkkale Provincial Security Directorate (Yasin Demir), Zonguldak Provincial Security Directorate (Gökhan Karagöz, Okan Çakıroğlu), Antalya Chief Prosecutor's Office (Ahmet Gürbüz, Muhsin Türkeş), Istanbul SAT Command (Alper Korkmaz, Turhan Ecevit), Mersin Anti-Terror Branch (Halil İbrahim Dilek, Berat Günçicek), Şırnak Provincial Security Directorate (Hacı Murat Dinçer), Manisa T-Type Prison (Volkan Akkuş, Özgür Kutlu), and Mersin Tarsus Prison (Mahmut Çaç). This list reveals that similar institutional structures are operational in virtually every region of Türkiye.

The Recurrence of the Same Names in Multiple Cases

One of the most important findings of official records is that certain names appear in multiple cases alongside multiple victims. This recurrence suggests that these practices draw not from individual outbursts of anger but from a shared professional understanding.

As many as 16 victims personally filed complaints against Tahir Darbazoğlu of the Ankara Anti-Terror Branch. Elif Sümercan appears in torture cases involving numerous officers, including General Akın Öztürk, and was subsequently promoted to Department Head in the Ministry of Culture. Within the Istanbul SAT Command, Alper Korkmaz, Levent Bahadır, Erdal Çerçi, Uğur Günaslan, and Burat Çelik were jointly documented in connection with the Murat Fırat case. Oktay Kapsız, who was sentenced to life imprisonment for torturing and killing Murat Konuş in custody, continued in his post and continued to be named in other cases.

4.3.2 Chain of Command and Institutional Responsibility

The ability to sustain documented violations across such a widespread and consistent geography requires an institutional foundation. Interview findings and official records reveal this foundation through three basic mechanisms: a top-down chain of command, an institutional reward mechanism, and a multi-layered cover-up system encompassing judicial and medical dimensions.

Indicators of Command Responsibility

Findings point to the conclusion that violent practices were shaped not by individual decisions but by institutional approval. K1 describes how judicial independence effectively ceased to exist: "Judges also know, but there is enormous pressure. If the judge does not remand us, he will be suspended, he will lose his post. But if he remands us, he will advance further. And that man went to the Supreme Court of Appeals." (K1)

Official records document command responsibility at the highest level. It has been recorded that Interior Minister Süleyman Soylu gave instructions to the security units under his command to use violence. Testimonies concerning National Intelligence Organization (MİT) Undersecretary (later President) Hakan Fidan indicate that torture interrogations were directed from this level. Within the General Staff, numerous officers filed complaints stating that Zekai Aksakallı and İrfan Özsert applied severe torture including electric shock. These profiles reveal that responsibility exists not only at the implementer level but also at the decision-maker level.

Documentation of the Impunity Environment

Impunity is concretized not only through the absence of accountability but also through the open rewarding of perpetrators. K1 expresses the daily reflection of this picture: “Guards are not afraid of you. Why? Because the man at the very top wants oppression to be inflicted on you. Who are you going to complain to?” (K1)

Official records clearly reveal the institutional dimension of impunity. The case of Oktay Kapsız, who continued in service despite a life sentence, constitutes the most striking example of this picture. Prosecutor Eşref Aktaş ruled in an investigation opened on a torture complaint that, based on the immunity provisions of Emergency Decree-Laws 667 and 668, no action could be taken against police officers. The promotion of Elif Sümercan to ministerial level despite being documented as a torturer reveals that impunity has been converted into an institutional reward.

Ineffectiveness of Internal Investigations

Legal recourse avenues also reveal the same situation of ineffectiveness. K1 summarizes the fate of applications made to the highest judicial bodies: “We applied to the Constitutional Court many times. They don’t read them. I say this definitively. Because if they read them the template that comes back would definitely change. From Europe, regarding our file, no response has yet come.” (K1)

K6 describes the template application in the Regional Courts of Appeal and the Court of Cassation: “Copy-paste. For example, looking at the appellate documents that came to each friend in the ward—the template is the same. They copy and paste from the same template and play around with the decision.” (K6)

4.4 Victim Profiles and High-Risk Groups

4.4.1 Victims by Professional Category

Operations carried out after July 15, 2016 disproportionately targeted certain professional categories. When interview findings and official records are evaluated together, it is apparent that members of the education, judiciary, police, military, and media sectors faced processes of systematic detention, torture, and professional dismissal. This situation is not coincidental; it can be read as an institutional preference aimed at silencing groups with credibility and reach in the public sphere.

Education Personnel

The majority of interviews cover participants from the education sector. K3 (female, former teacher), K7 (female, former religious culture teacher), K8 (female, visually impaired former teacher), and K5 (male, former academic) represent this group.

K3 describes how a career spanning a decade came to an end overnight: “I have been a teacher for ten years. I looked after my students. I never imagined the state would treat me like this.”

During the detention process, separation from her children was converted directly into a tool of attrition. (K3)

Judiciary and Legal Personnel

K1 (male, former court clerk) recounts how someone from inside the court system came to be held in custody within that same system: “I worked in the courthouse. I knew the law. But looking from within, I saw something completely different. Judges were also afraid. So were prosecutors. They used the system to destroy the system.” (K1)

Official records also document violence against legal personnel. It has been recorded that Volkan Murat Kaşıkçı and Ercan Alagöz from the Ankara Police Directorate Financial Branch subjected attorney Erdem Semih Yıldız to physical assault, baton threats, and insults. This case stands out as an example of the right to legal representation being silenced by violence directed at the attorney’s very body.

Police Personnel

K9 witnessed the systematic purging of persons from different factions within the same institution. He reports that an older colleague he refers to as “Sezai abi” (Brother Sezai), whom he describes as having served for many years in the police and having nothing to do with the coup attempt, was nonetheless taken into custody: “Sezai abi’s innocence was clear. But the system took him in too. Nobody could protect anybody.” (K9)

Military Personnel

K6 reports personally witnessing the torture inflicted on military personnel in custody. SAT commandos and officers in particular were among those who encountered the harshest conditions in this group. The Murat Fırat case—systematic assault inflicted on a SAT commando, severe torture lasting for days in a forest, and permanent physical damage—constitutes a documented summary of the experiences of this group.

4.4.2 Experiences of Female Detainees

The experiences of female detainees are distinguished by gender-specific forms of violation. Interview findings encompass: the use of strip searches as a tool of humiliation, the conversion of family and child separation into an attrition strategy, the chronic disregard of health needs, and sexual threats and abuse. These experiences are reflected not only in individual testimonies but also in current reports documenting the Saraçhane detentions of 2025.

Strip Searches: As a Practice of Humiliation

While strip searches have been justified on security grounds, testimonies reveal that in many cases this practice was converted into a deliberate instrument of degradation. The long delay in victims articulating these experiences—often resulting in years of silence—is a profound

indicator of the deep trauma created by sexual humiliation and the atmosphere of institutional fear.

K7 reports being subjected to a strip search twice—both upon entering Edirne and Tekirdağ prisons. She describes the treatment at Tekirdağ: “They search the hair again, they touch the hair with a stick. ‘Squat and stand; they make you do... Their smiling at each other in a strange way, their raised eyebrow glances, made me very uneasy. I experienced treatment I had never seen in my life.” She notes that she was unable to tell even her family for many years: “I still see that day in my dreams. I could not tell even myself this for many years.” (K7)

K3 recounts the same practice with a similar silence: “For a long time we were ashamed to tell even ourselves. As though it were our own shame. It is the shame of those who did it. God will call them to account.” (K3)

Official records document this dimension at the institutional level. It has been recorded that Tarsus T-Type Closed Women’s Prison Director Mahmut Çaçça was held responsible for dragging 56 female prisoners by the hair, assaulting them, threatening them with rape, and subjecting them to sexual violence. The General Directorate of Prisons Director Enis Yavuz Yıldırım has been documented as having failed to take the necessary action in response to these acts. Bianet’s March 2025 report documented gender-based psychological pressure and humiliation practices directed at women during the detentions following the arrest of Ekrem İmamoğlu. This finding reveals that the practice in question is not specific to the post-2016 period; it carries structural continuity.

Mother-Child Separation

Separation from children is among the experiences most frequently articulated by victims and leaving the deepest marks. K3, noting that she had young children when taken into custody, reports that this separation left permanent marks on both herself and her children:

“My children were waiting crying. I am inside, they are outside. I am thinking about them, they are thinking about me. This separation was the heaviest torture for me. Heavier than everything done to my body.” (K3)

Sexual Violence and Threats

Sexual threats have been documented as a systematic tool of pressure in both direct and indirect forms. K6 recounts a threat he personally witnessed at the detention center: “For the young woman, threats are made over her honor. Threatening with wives and daughters. I personally experienced or witnessed all of this.” (K6)

Official records document this dimension within a wider framework. In the Tarsus Women’s Prison case, it was recorded through the testimony of 56 persons that inmates were threatened with rape and subjected to sexual violence. In the ES case relayed by the British government, ill-treatment including sexual assault in custody was taken to a US immigration court.

4.5 Legal Processes and Obstruction of Remedies

4.5.1 The Fate of Investigation Complaints

Access by victims of torture and ill-treatment to legal remedies has been systematically blocked by multiple layers of obstacles. Interview findings and official records reveal these obstacles through three basic mechanisms: complaints being rendered futile through institutional cover-up, applications being rendered ineffective through bureaucratic delays, and complainants being deterred through the threat of retaliation. The picture that emerges is a system in which the right to legal remedy exists on paper but is inaccessible in practice.

Antalya Chief Prosecutor Ahmet Gürbüz suppressed the complaint petition of the family reporting torture inflicted on teacher Eyüp Birinci and no action was initiated against the relevant police officers. Birinci's intestines were ruptured by the insertion of a baton into his rectum; he was operated on in hospital due to internal bleeding; yet despite all of this, no investigation was opened.

Prosecutor Eşref Aktaş, in response to the complaint of Abdullah B., who was tortured in Trabzon, ruled based on Emergency Decree-Law provisions that the police bore no criminal responsibility. This decision demonstrates that the Emergency Decree-Laws were used not only to extend custody powers but to arm perpetrators with immunity.

Beyond individual prosecutorial decisions, the most comprehensive judicial documentation of these impunity practices was established through the Gökhan Açıkkollu case. This case concretizes in a single file the ineffectiveness of domestic legal mechanisms, the tension between international avenues of appeal and internal oversight, and the fact that delayed justice can itself become a form of violation.

Açıkkollu was taken into custody in July 2016; forensic reports reflected findings fully consistent with trauma, including ecchymotic lesions, ecchymosis, and soft tissue damage in the back region. Although the Third Superior Board of Forensic Medicine had explicitly stated in August 2016 that the stress of custody conditions could have triggered the cardiac arrest that caused his death, the Chief Prosecutor's Office attributed the death solely to chronic diseases and never investigated the possible role of violence during the detention process. When domestic remedies proved ineffective, Açıkkollu's wife applied to the UN Human Rights Committee; citing the failure to open an *ex officio* investigation consistent with the Istanbul Protocol and the state's inability to explain the source of injuries, the Committee found violations of the right to life (ICCPR Article 6) and the prohibition of torture and ill-treatment (ICCPR Article 7). The Committee also found in the same decision that the prohibition of ill-treatment had been violated with regard to the relatives of the deceased due to the severe suffering caused by this ineffective process on family members. The Constitutional Court confirmed the violation three years after the UN decision, but did not see fit to share the decision with the public and delayed its notification for eight months.

4.5.2 Evidence Tampering and Document Destruction

Another fundamental reason why torture allegations cannot be brought to investigation is the systematic obstruction of evidence production and preservation. This obstruction has been documented across a wide spectrum—from the manipulation of medical documents to the failure to keep court records, from the disappearance of physical evidence to the silencing of witnesses.

Manipulation of Medical Records

The direct complicity of health personnel in the process of concealing evidence constitutes the most striking finding of this section. Doctor Mithat Uysal, working in Gölbaşı on July 15, recorded “no change in condition” on the reports of soldiers who stated they had been tortured and signed them. This act encompasses both the abuse of a medical duty and the direct obstruction of evidence production.

K4 reports that when taken to the hospital the doctor first asked about her charges: “Why are you being prosecuted?” he said. That was the first question he asked. OK he said, immediately wrote and sent it. Did not examine me.” Reports prepared without examination make it impossible to create an accurate record of physical condition. (K4)

The Ineffectiveness of Constitutional Court and ECtHR Processes

Legal blockages extend to the highest judicial bodies as well. K1 directly expresses this reality: “We applied to the Constitutional Court many times. They don’t read them. I say this definitively. Because if they read them the template that comes back would definitely change. From Europe, regarding our file, no response has yet come.” (K1)

K6 describes how seeking justice is itself punished: “There were those who complained about these things. All those who won their cases were sent to other provinces. To places very far from their families.” This makes applications both futile and dangerous. (K6)

The KHK Shield: Structural Immunity

Prosecutor Eşref Aktaş’s decision is the clearest example documenting how Emergency Decree-Laws were instrumentalized as a means of concealing evidence. In an investigation opened on a torture complaint, Aktaş ruled, based on State of Emergency Decree-Law provisions, that the police bore no criminal responsibility regarding their duties. This decision was made without opening an investigation, without gathering evidence, without hearing the victim. K1 summarizes this structural immunity: “They issued Emergency Decree-Laws. We will complain, and the prosecutor will say there is an Emergency Decree-Law, I cannot act. These people donned armor. Armor.” (K1)

5. Conclusions and Recommendations

5.1 General Assessment

This report establishes that in Türkiye between 2016 and 2025, torture and ill-treatment were sustained not as isolated aberrations but as an institutionalized practice. When testimonies, official documents, court records, and findings of international oversight mechanisms are evaluated together, the picture that emerges transcends a simple image of negligence. Torture manifests as a deliberate state choice aimed at intimidating specific social groups, extracting forced confessions, and suppressing the voice of political opposition.

The State of Emergency declared after July 15, 2016 and the Emergency Decree-Laws did not remove the legal barriers in front of torture. International law does not permit such barriers to be overcome. However, this regime created a practical environment conducive to torture—by restricting access to legal counsel, extending pre-charge detention periods, rendering independent medical examination *de facto* impossible, and providing security personnel with Emergency Decree-Law immunity. This environment persisted in altered form even after the formal end of the State of Emergency; cases documented in 2024 and 2025 provide concrete evidence of this continuity.

The report's findings demonstrate that torture continued not only in the first hours of detention but also during prison transfers, ward searches, hospital visits, and court hearings. In addition to physical violence, psychological torture, medical neglect, and the systematic violation of the right to health constitute inseparable parts of this picture. Gender-based violations against women, the denial of treatment to sick detainees, and the conversion of motherhood into a tool of attrition clearly reveal how torture instrumentalizes social vulnerabilities.

The most serious finding is impunity. The promotion of public officials documented as torturers, prosecutorial decisions covering up complaints, court presidents refusing to keep records, and prosecutors refusing to open investigations based on Emergency Decree-Law grounds form a mutually complementary institutional immunity system. This system proves that torture draws not from isolated violations but from a foreseeable and repeatable state practice.

The *jus cogens* character of the prohibition of torture in international law ensures that this prohibition cannot be suspended under any pretext—neither the State of Emergency, nor counter-terrorism, nor public order. Türkiye undertook this obligation under both UNCAT and the ECHR; domestic law has also explicitly codified this prohibition. The deep and persistent gap between norm and practice stems not from the inadequacy of the legal framework but from deliberately rendering this framework ineffective.

5.2 Recommendations for Türkiye

5.2.1 Urgent Measures

Ending Impunity

Independent and impartial investigations must be immediately opened against all public officials involved in torture allegations, regardless of rank or institution. It must be made mandatory that public officials facing torture allegations be suspended from duty during the investigation period. All Emergency Decree-Law-sourced immunity provisions regarding the crime of torture must be removed; the statute of limitations regime in these cases must be restructured in conformity with international standards. Effective investigations must be opened against public officials named in the report *The Torturers of Turkey (2020)* and shared with the public.

Restoring Detention Safeguards

The right to access legal counsel from the very moment of detention must be guaranteed unconditionally; this right must be made such that it cannot be restricted by any administrative decree or operational justification. Family notification must be codified as a standard detention procedure and mechanisms must be established that will generate institutional responsibility in case of delay. Detention venues must be ensured to be only authorized and registered facilities; the use of sports halls, police academies, and similar unofficial venues for detention purposes must be prohibited under legal guarantee. Detention and interrogation processes must be recorded by camera from start to finish; these recordings must be stored securely in an independent institution.

Independent Health Guarantee

Examinations of persons in custody or detained must be conducted by an independent physician in an environment free of law enforcement personnel. These examinations must be documented in conformity with Istanbul Protocol standards and records must be kept accessible to the victim. The infirmary system, petition waiting periods, and referral procedures governing access to health services in prisons must be restructured within the framework of the Nelson Mandela Rules. The detention of individuals with chronic illnesses or serious health problems without comprehensive medical evaluation must be strictly prohibited.

5.2.2 Structural and Institutional Reforms

Strengthening Judicial Independence

The professional guarantees of prosecutors and judges handling cases involving torture allegations must be protected through a structure insulated from administrative pressure. The keeping of complete court records must be made a legal requirement; disciplinary proceedings must be initiated against judicial officials who deliberately keep incomplete records. The necessary institutional capacity and independence guarantees must be established for the Constitutional Court to effectively examine torture applications.

Independent Oversight Mechanisms

Prisons, detention centers, and transfer vehicles must be opened to unannounced inspections by civil society organizations. All CPT reports concerning Türkiye must be shared with the public without interruption of information. The Human Rights and Equality Institution of Türkiye (TİHEK), in its capacity as the National Preventive Mechanism (NPM), must be fundamentally restructured to be fully independent of government interference and fully compliant with OPCAT obligations, equipping it to effectively investigate torture complaints.

Victim-Centered Reparation

An independent compensation and rehabilitation fund must be established for torture victims. Psychological support, forensic medicine services, and legal counsel must be made available free of charge to victims. Professional rights, personal rights, and social security lost due to torture must be reviewed and their restitution ensured. Specialized support mechanisms with confidentiality guarantees must be established—especially in cases of sexual violence and strip searches—for victims of gender-based violations.

5.3 Recommendations for the International Community and Oversight Mechanisms

UN Oversight Bodies

The UN Committee Against Torture (CAT) must take the findings of this report into account in examining periodic reports submitted by Türkiye and must demand comprehensive responses from Türkiye regarding systematic violations. UN Special Rapporteurs—especially the Special Rapporteur on Torture—must request concrete dates for Türkiye visits and share this demand with the public. During the Universal Periodic Review of the UN Human Rights Council, member states must obtain from Türkiye specific and traceable commitments on accountability mechanisms and structural reforms.

Council of Europe and the ECtHR

The Committee of Ministers of the Council of Europe must more strictly monitor compliance with ECtHR decisions against Türkiye relating to torture and must activate the infringement procedure (Article 46§4) mechanism when necessary. The CPT must urgently invoke its powers under Article 10(2) of the Convention to issue public statements regarding Türkiye’s systematic violations, bypassing the state’s refusal to authorize the publication of standard visit reports. The ECtHR must systematically apply Rule 41 of the Rules of Court to treat applications from Türkiye relating to torture and ill-treatment (Article 3) as priority category cases.

European Union

The EU must identify compliance with the prohibition of torture as a concrete and measurable criterion in the accession process and dialogue mechanisms conducted with Türkiye. The human rights conditionality principle must be consistently applied in external assistance and cooperation programs; security sector support must be made conditional on recipient

institutions meeting accountability standards.

Civil Society and Academia

International human rights organizations must increase coordination with local civil society partners—especially HRA and HRFT—in order to strengthen documentation capacity in Türkiye, and must provide resource support to these organizations. Academic institutions must develop research agendas covering impunity practices, victim rehabilitation, and institutional reform processes. International funding access must be facilitated for legal support networks serving torture victims in Türkiye.

5.4 Final Assessment

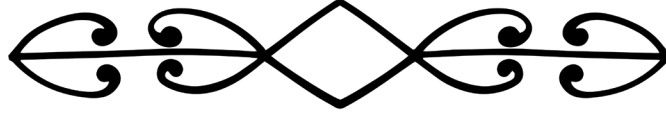
The prohibition of torture is not a matter of preference; it is an absolute and universal legal imperative not open to negotiation. The cases documented in this report establish that Türkiye has systematically violated its obligations under both international law and its own constitutional commitments. The geographic distribution of violations, their methodological consistency, the responsibility of institutional actors, and the ongoing structure of impunity prove that this situation draws not from the sum of individual aberrations but from an institutional choice.

The most serious among the report's core findings is this: Torture has been perpetuated not in the absence of law but through the instrumentalization of law. Emergency Decree-Laws were converted into shields of immunity, court records into tools of silencing, medical reports into means of concealing evidence. The reversal of this transformation requires not merely the modification of individual decisions but the fundamental reconstruction of institutional culture, accountability mechanisms, and judicial independence.

Victims appear in this report not by name but by code. Yet the reality they carry is concrete: women who for years could not tell their own families; men who permanently lost their sanity in prison; those handcuffed to a bed while receiving cancer treatment; those forced to enter an interrogation room with a baby in their arms. The experiences of these people constitute the foundation not of an abstract legal debate but of an urgent and concrete demand for accountability.

Legal and institutional solutions are indispensable; yet they are not sufficient alone. The discursive practices that made the social normalization of torture possible, the media content legitimizing torture, and the political actors who tolerate these practices must also be named and held accountable. Confronting torture is not limited to prosecuting certain public officials. This confrontation also encompasses investigating the conditions that created and sustained these perpetrators and transforming the institutional, social, and political environment in which torture was made possible.

That the period covered by this report has not yet closed is confirmed by 2025 data as well. Decades of human rights struggle have shown this: documentation is the beginning of this struggle; accountability is its ultimate aim. This report is intended to contribute to both goals.



List of Abbreviations

- ATB** — Anti-Terror Branch / Terörle Mücadele Şubesi (TEM)
- ATK** — Forensic Medicine Institute / Adli Tıp Kurumu
- CAT** — Committee Against Torture (UN)
- CCP** — Code of Criminal Procedure / Ceza Muhakemesi Kanunu (CMK)
- CPT** — European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
- CRPD** — Convention on the Rights of Persons with Disabilities
- ECHR** — European Convention on Human Rights / Avrupa İnsan Hakları Sözleşmesi (AİHS)
- ECtHR** — European Court of Human Rights / Avrupa İnsan Hakları Mahkemesi (AİHM)
- GNAT** — Grand National Assembly of Türkiye / Türkiye Büyük Millet Meclisi (TBMM)
- HRA** — Human Rights Association / İnsan Hakları Derneği (İHD)
- HRC** — Human Rights Committee (UN)
- HRFT** — Human Rights Foundation of Türkiye / Türkiye İnsan Hakları Vakfı (TİHV)
- ICCPR** — International Covenant on Civil and Political Rights / Uluslararası Medeni ve Siyasi Haklar Sözleşmesi (UMSHS)
- KHK** — Emergency Decree-Law / Kanun Hükmünde Kararname
- MİT** — National Intelligence Organization / Millî İstihbarat Teşkilatı
- NPM** — National Preventive Mechanism / Ulusal Önleme Mekanizması
- OPCAT** — Optional Protocol to the Convention Against Torture
- SAT** — Underwater Assault Command / Sualtı Taarruz
- SoE** — State of Emergency / Olağanüstü Hâl (OHAL)
- TİHEK** — Human Rights and Equality Institution of Türkiye / Türkiye İnsan Hakları ve Eşitlik Kurumu
- TPC** — Turkish Penal Code / Türk Ceza Kanunu (TCK)
- TRT** — Turkish Radio and Television Corporation / Türkiye Radyo ve Televizyon Kurumu
- UN** — United Nations / Birleşmiş Milletler (BM)
- UNCAT** — United Nations Convention Against Torture

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