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I. Recent developments in Turkey

2. Situation of political prisoners due to the changes in anti-terror legislation and in the law enforcement code

F-Type prisons, isolation and its consequences

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There is a clear regulation of the following in Article 10 of the UN Covenant on Civil and Political Rights:

“All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person”.

Let us now have a look at how much of this is true in Turkey:

The issue of isolation in Turkish prisons has been on the agenda for the last ten years. “F Types” (there are also L, M, and D types with partial architectural differences), which are high security prisons with cells for 1 to 3 inmates based on strict isolation conditions, were launched on 19 December 2000 with an operation by thousands of soldiers in 20 prisons. This operation led to the murder of 6 women prisoner by burning and in total to the death of 28 left-wing political prisoners (mostly having bullet wounds) and 55 prisoners were wounded. This is how the story of F-type prisons which embodies isolation regimes thus begins.

The course the story takes is not less tragic than how it begins. In 2003 prisoners who lost their lives as a result of hunger strikes in F-type prisons numbered 107. The only consequence of the hunger strikes was not the death of prisoners but many of those who lived had irreversible physical damages manifesting itself as Wernicke-Korsakoff syndrome.

We continue to talk about what the real problem was. For the state the problem was to “establish its hegemony”. Whereas for the prisoners it was to prevent the state to completely remove the already restricted social life there was in prisons through the establishment of an isolation regime. In fact when they called the current execution regime “white torture” they were not wrong at all. We should not leave the subject without underlining the following: There are grave differences between penalties and parole given for crimes against the state and other crimes within the Turkish penal code. In the case of crimes against individuals or property, loss of one's liberty is arranged for shorter periods of time but when it comes to crimes against the state one could stay in prison for more than 20 years. When we note that especially since the 1990s concentration of internal clashes and political events have led to an increase in the number of political prisoners we can hence predict that the isolation regime has in fact been fundamentally designed for crimes against the state. The damages can be best seen on such prisoners. This is the section of prisoners who, in majority of cases, are put into F Type prisons and are mostly evaluated to have the status of being a “dangerous prisoner”.

The essence of the F Type system is to individualize the prisoners in an absolute silence and serenity so that they are isolated between white walls. The treatment technique seems to be directly connected to make accustomed to the sense of loneliness. The details of this policy, which are arranged in such a sophisticated manner especially when it comes to architecture of the

prison, its position, the policies of treatment and the education of personnel, are so elaborate that it exceeds the scope of this speech. The subject that I would like to focus on the most however is the physical and psychological effects of isolation regimes.

It may look as if F type prisons are accepted in Turkey. But it is only recently that one can see its damages. When this system began to be first discussed the example given in discussions would be the RAF prisoners in Germany. However now there are enough examples in Turkey now. Let me give you an example of A.D., who is imprisoned in Tekirdag F Type prison, he said the following after a suicide attempt:

“I kept on hearing cries. My mother was crying. When I heard these sounds I also cried. These sounds took me under their control. I would lose all control. When I went to bed the voice in my head would tell me that there is a snake. I could feel it. The voice would say these snakes are American and they will torture you... The voice in my head would say hang yourself and be free, they are torturing you. My veins would move inside of me and I would think that the snakes are inside of me. I tried to hang myself 4 or 5 times.”

Another example is that of a woman prisoner R.Ö. from Sincan Prison. This example is to show what kind of a self-defence political prisoners in F types have developed against the 10 year old implementation of isolation:

“...Loneliness, to be with yourself in a life that is continuously restricted to three people has a strange meaning. I remember that I used to yearn for that sometime ago. But now it is the one thing I am scared of... In my room, everything that we do while I am together with my two friends we do all together, that is we eat together, we watch the TV together. We try to do everything together. In order not to fall silent we try and force each other to speak. I try not to even read the newspaper alone...”

R.Ö. has been in prison since 1992. Resisting so as not to be silent; everyday of the week and every hour of each day. This must be quite difficult and wearisome!

In F type prisons, where social and sensory isolation are being institutionalised, such symptoms are encountered often. The physical effects of isolation and long term imprisonment are also quite destructive. According to the data provided by Human Rights Association for the year 2010 there are 325 prisoners (30 of them women and 295 of them men) who are in need of serious, very serious and urgent/continuous treatment. There are various illnesses that they suffer from. Here are some examples; heart problems, kidney problems such as nephritis and inflammation, cancer (bone marrow cancer, lung cancer, thyroid cancer, bowel cancer, bladder cancer, larynx cancer, bone cancer), Wernicke-Korsakoff syndrome, anaemia, hepatitis B, as well as illnesses which are a direct result of torture such as lymphoma, asthma, paralysis and partial paralysis, epilepsy, tuberculosis, pneumonia, diabetes, Behçet's disease, Celiac disease, hydrocephalus and degeneration of motor neuron and advanced/severe psychological disorders.

Another example that shows the strictness of the execution regime is that of Halil Yildiz who is kept at Antalya L Type. He is 82 years old and despite all pleas he is not freed.

In 2009 alone the number of prisoners in Turkish prisons who died due to an illness or other reasons was 25. 12 of these prisoners died due to cancer and heart attack, 4 committed suicide, the other 9 lost their lives either die to some attack or undetermined reasons.

After all the data presented if we now go back to the UN provision that we quoted at the beginning then we shall see that the present situation is not within the boundaries of conformity with humane treatment and human honour. On the contrary, it is clear that in terms of violation of rights and the lack of protection of the physical and psychological integrity of prisoners the present situation is at an alarming level.

The Imrali Example¹

The most striking and extreme examples of isolation regimes in Turkish prisons can be seen at Imrali Prison; it has been organized in such a way that it is many kilometres within an inland sea and has been evacuated so that a single prisoner may stay for 10 years. The architecture and the conditions of the prison have been arranged in such a way that contact with external social and natural environment is totally cut off. In fact it resembles a proto-Guantanamo experiment: It is under the supervision of the government and army but is outside the boundaries of legal guarantees. It is more of a field of implementation than a prison!

The phenomenon of isolation that we talked about for F Type prisons gains a different and specific depth when it comes to Imrali. In F type prisons prisoners can stay three people per cell, they can use common areas for 4 to 6 hours together with the other prisoners, can have unrestricted access to their lawyers during working hours and with their families periodically. They can make a telephone call once a week and have the right to have closed visitations from three others who are not of immediate family. They can send and receive letters and have a Television set. All these undoubtedly restrict the social isolation only partially.

However the procedure above was not implemented in Imrali Prison for 10 years. *In accordance with the national legislations Imrali Sole Inmate Closed Prison should have belonged to the Ministry of Justice. But for 10 years it was ruled and influenced by the National Security Council because of the Prime Ministry Crisis Centre Regulation. If I rephrase this it means that the administration of Imrali was the National Security Council and hence the Chief of Staff.*

Abdullah Öcalan stayed as the sole inmate continuously for 10 years. He did not benefit from any social activity and was allowed contact for one hour a week with his lawyers and family. But these visitations and consultations would be periodically prevented because of “bad weather” or “defect in the vessel”. He was also never given the right to telephone, write letters, a television set or to see three others who are not family members. In order to be able to implement the isolation in perfection all channels were systematically restricted. Even the fresh air court yard which was next to his cell was restricted to one hour a day. There was nothing left in the name of “socializing” apart from a censored newspaper that is given a week later, a single book and a radio that receives a single state radio channel. Even this radio, book and newspaper have been used as tools to threaten him and between 2006 to 2010 during 12 disciplinary punishments issued (this makes more than 200 days) they have been confiscated.

Let me just say that such a degree of isolation either does not have a legal basis or is far-fetched. In the case of Öcalan social isolation has been coined with sensory isolation. This has meant that flowers that sprout in between the stones of the airing court yard have been pulled out and the two tree tops that could be seen by Öcalan despite an 8 meter wall has been trimmed because Öcalan mentioned them. We are talking about ten years that passed under the above conditions in a 13 meters squared cell. I believe that even such a limited narration details the material basis of its resemblance to proto-Guantanamo.

CPT has determined all these points in its visitations and visit reports. Both CPT's activities and the applications made to ECtHR have contributed in pressuring the government to make partial adjustments in Imrali at the end of ten years. In accordance with this in December 2009 Öcalan was transferred to an adjoining building but placed in a cell where fresh airing was more limited and narrower which gave the feeling that it was like a pit. 5 prisoners have been transferred to Imrali and they are now able to meet in a common area 3 hours per week. While the other

1 The information has been taken from 2008 İHD (Human Rights Association) report.

prisoners can make use of their right to telephone and have a TV set Öcalan is not allowed to make use of these rights. The government now believes that with the above implementations it has given Imrali an “F Type status” and that the isolation has been lifted. But according to CPT and other NGOs the changes are only modest steps against the grave social and sensory isolation. Indeed there has been no changes to the implementations discussed above, Imrali's unique status has not been removed and Imrali has not gained the “F type” status in reality.

In reality though, this is what has happened: 5 other prisoners have been included in the grave isolation conditions instead of removing the isolation in Imrali. One of the prisoners placed in Imrali has described the current situations to his lawyer in a following manner:

“We were subjected to an isolation regime in F types but the situation here is ten times worse than a normal F type prison”.

Therefore in conclusion, from all the data above it really is not difficult to deduce that the “**one person isolation**” for the past ten years has turned into a “**small group isolation**” since 2010.