

CPT/Inf (2026) 34

Response

**of the Turkish Government
to the report of the European Committee
for the Prevention of Torture and Inhuman
or Degrading Treatment or Punishment (CPT)
on its visit to Türkiye**

from 11 to 25 January 2021

The Government of Türkiye has requested the publication of this response.
The CPT's report on the 2021 visit to Türkiye is set out in document
CPT/Inf (2026) 33.

Strasbourg, 6 October 2026

INTRODUCTION

1. The views of the Turkish Government (hereinafter “the Government”) to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (hereinafter “the CPT”) on its visit to Türkiye from 11 to 25 January 2021 are set out below in the order adopted in the report. In this respect, the Government would like to refer to its comments to the preliminary observations of the CPT, in which the essential aspects of these views were submitted.

The Government is pleased to note that the CPT received very good cooperation at all levels throughout the visit. As mentioned in the report, the delegation generally enjoyed rapid access to all the establishments visited. Information requests were met and the delegation was able to interview all detained persons it requested.

On this occasion, Türkiye, honouring its resolute and long-established commitment to the policy of zero tolerance against torture, reaffirms its determination for cooperation with the CPT.

Türkiye gives due consideration to the recommendations and comments of the CPT and, on their basis, will continue to take necessary measures as appropriate in the field of prevention and punishment of torture and inhuman or degrading treatment.

RESPONSES TO THE RECOMMENDATIONS, COMMENTS AND REQUESTS FOR INFORMATION SET OUT IN THE REPORT

As regards para. 6:

There have not been any instances in the past where prisoners were subjected to reprisals for having talked to the CPT delegation. This will continue to be the case in the future.

As regards para. 10:

In 2020, the Human Rights and Equality Institution (TİHEK) as the NPM visited 5 prisons, 2 detention houses, 2 removal centers, 2 children's homes, 1 nursing home, elderly care and rehabilitation center and 1 disabled care center.

Although all planned visits could not take place in 2020 due to the pandemic, the NPM maintained its contact with detention houses and national and international institutions. The NPM also requested to be informed about the health status of the prisoners and personnel in the detention houses and the measures taken, immediately after the outbreak of the pandemic.

In 2021 a total of 56 visits have been carried out, of which 49 were monitoring visits, 4 follow-up visits, 2 ex-officio review visits and one joint visit by TİHEK and the Ukrainian Ombudsman.

Number of visits carried out by the NPM to places of detention in 2021 are as follows:

Prisons	26
Detention Houses	9
Removal Centers	5
Care Centers for the Disabled	6
Nursing Home, Elderly Care Centers	3
Temporary Refuge Centers	1
Children's Homes	2
Airport Transit Areas	1
Psychiatric Hospitals	2
Prisoner Wards and Services in Hospitals	1
TOTAL	56

55 visits are envisaged in 2022 to visit 60 detention houses/protection centers.

It is envisaged that the establishments in all 81 provinces be visited in 2022. In 5 years, all prisons and detention houses of Provincial Security Directorates will have been visited.

TİHEK has administrative and financial autonomy. The institution has its own budget and institutional expenditures can be made directly from this budget. While using its budget, the administration of the TİHEK distributes expenditure independently, and there is no outside interference.

The expenditures and budget of both the Institution and the NPM Unit have steadily increased. Institutional allowance amounts (in Turkish Liras) per year are as follows:

2017	2018	2019	2020	2021	2022
6,844,000	9,561,013	16,750,597	19,502,300	26,965,400	29,043,000

There is no financial obstacle to the realization of the NPM Unit's visits.

There are employees from various occupational groups working within the NPM Unit of the Institution. However, if additional personnel support is needed during the visits, people with professional qualifications can be assigned both from other units within the Institution and from outside the Institution.

The gender distribution of NPM staff is predominantly female. Expert personnel have knowledge of a foreign language and can communicate with foreign inmates. If a translator is needed in different languages, support is received in this regard. There are currently a total of 16 staff member (1 unit coordinator, 2 human rights and equality experts, 9 assistant human rights and equality experts, 1 expert psychologist, 2 judges, 1 social worker) under the NPM unit of the Institution.

As regards para. 11, 12 and 13:

Pursuant to the Code of Criminal Procedure (Law no. 5271, hereinafter "CCP"), the length of police custody shall not exceed 24 hours from arrest, excluding the time required to take the person to the judge or court closest to the place of arrest (which shall not exceed 12 hours).

If the suspected offense falls within the purview of assize courts (Article 250 § 1 of the CCP), the maximum duration is 48 hours.

For crimes committed collectively, due to hardships in the collection of evidence and the high number of suspects, the public prosecutor may order an extension in writing, the duration of custody, not exceeding one day in each case, for a total of three days. In this case, the order shall be immediately served on the detainee.

Furthermore, being limited to *flagrante delicto* cases, in respect of offenses enumerated under Article 91 § 4 of the CCP, law enforcement officers designated by the local public

administration chiefs can take decisions to hold suspects in custody for up to 24 hours, whereas during public disturbances where widespread acts of violence are likely to severely disrupt public order and in collective offenses, for up to 48 hours.

The person taken into custody shall be brought before a judge not later than 48 hours, or not later than four days in collective offenses.

The provision “the duration of police custody shall not exceed 48 hours from arrest, and four days in crimes committed collectively, excluding the time required to take the person to the judge or court closest to the place of arrest” is prescribed in Provisional Article 19¹ of the Anti-Terrorism Law (Law no. 3713), which was added by the Law no. 7145 on Amendments to Certain Laws and Decree-Laws. It has been laid down that the period of police custody may be extended twice due to difficulty in collecting evidence or the volume of the case file, bound by the periods laid down in the first sentence of the said article. The decision to extend the custody period is taken at the request of the prosecutor, and by decision of a judge who shall hear the detained person.

The upper-limit of period in custody is four days. The only exception is Provisional Article 19 of the Anti-Terrorism Law. Upper limits for duration of police custody have been redefined in line with Constitutional provisions, with respect to terrorism and terror organization related crimes, for reasons such as difficulties in combating such crimes, time spent in the disclosure of organizational connections, and hardships in reaching concrete evidence. Moreover, this legal arrangement is aimed at taking the statements of a large number of detainees in a sound manner, collection of evidence for and against the suspects, and thus fulfilling the State’s obligation of conducting an effective investigation.

As regards para. 14:

The use of handcuffs has been envisaged in two different ways under the law. Firstly, it can be used as a tool in the use of force against those resisting or attacking the police. Secondly, it can be used while transferring arrested or detained persons, where they pose risks, threatening the life and physical integrity of themselves or others.

¹ By Article 11 of the Law no. 7333, dated 18.07.2021, the phrase ‘three years’ contained in the provision “this Article shall apply for three years from its promulgation” has been amended as ‘four years’.

Excluding minors, the police are empowered to handcuff persons who

- Resist or attack them while performing duties,
- Have been arrested at the scene of incident and are being transferred to the police unit,
- Are being transferred from the police unit to medical institutions, or another police unit or judicial bodies.

However, when using the power to handcuff, a new assessment is made for each case, having regard to the physical and health status, age and gender of the persons and this measure is applied where necessary.

In this context, by the Circular no. 2020/06, dated 10 February 2020 by the General Directorate of Security, all police personnel were instructed that handcuffing behind the back can be applied among those persons arrested at the scene of incident and will be taken to police units, who resist, attack or pose a threat for fleeing or against the life and physical integrity of themselves or others, as well as on perpetrators of crimes deplored by the society such as sexual harassment, femicide, drug dealing and terrorism. Accordingly, where these exceptions do not exist and in respect of those being taken from police units to medical or judicial institutions, front handcuffing should be preferred.

Regarding the allegations involving juveniles;

The following procedures and principles are in force for children in need of protection or children pushed to crime and to safeguard their rights and well-being:

Under the Penal Code (Law no.5237), children who have not reached the age of twelve at the time of committing the offence have no criminal liability. No criminal prosecution can be made in respect of these persons. However, security measures specific to children may be applied.

Where a minor is older than twelve, but younger than fifteen at the time of committing the offence, and he/she is either incapable of appreciating the legal meaning and consequences of act or capability to control his/her behavior is not sufficiently developed, he/she shall also be exempt from criminal liability. However, such minors may be subject to security measures specific to children.

In accordance with Article 18 of the Child Protection Law (Law no. 5395) and Article 19 of the Regulation on Arrest, Custody and Statement Taking, chains, handcuffs or similar restraints cannot be used on minors. However, in compelling circumstances the required measures can be taken by the law enforcement officer to prevent escape and other risks that might arise, threatening the life or physical integrity of the minor or others.

Investigations into a child pushed to crime shall be conducted in person by the public prosecutor serving at the juveniles' office. Law enforcement duties in respect of children shall primarily be carried out by officers from the juvenile unit of the institution, in civilian clothes (the Regulation on the Establishment, Duties and Work of General Directorate of Security, Juveniles Department/Office, no. 24372 and dated 13 April 2001, defines juvenile police as the relevant service branch and staff members who have received in-service training on topics such as development characteristics of the 0-18 age group, behavioral sciences, interview techniques and communication skills, relevant to the services to be carried out by the police towards minors).

When proceedings are initiated in respect of children in need of protection or children pushed to crime, the juvenile unit of the law enforcement institution shall inform the parents, guardian or whoever has undertaken his/her care, the Bar association and the Social Services and Child Protection Institution, as well as the representative of the public institution the child stays in, where appropriate.

During statement taking and other actions in respect of the child, unless it is required otherwise by the interests of the child, a social worker or a relative is present and he/she is held at the juveniles unit of the law enforcement institution, or in a section separate from adults where such a unit is non-existent.

The distinction between torture and other forms of ill-treatment is made on the basis of intensity of the alleged treatment. The state of the perpetrator and victim of the treatment including age, gender, etc., its physical and mental impact and the manner and duration of the alleged treatment are also taken into consideration in making this distinction.

Within this context, contrary to the allegation in paragraph 14 of the Report, electro-shock devices do not exist in the inventory of law enforcement units. All proceedings are realized in

line with the Regulation on Arrest, Custody and Statement Taking, following the instructions of chief public prosecutors and lawfully. Moreover, among the allegations received by the CPT delegation in paragraph 16, there is no concrete finding regarding the use of such a device. There is no concrete data of an alleged treatment which could be considered as torture or other forms of ill-treatment. Conclusively, the use of the term “torture”, by several persons as expressed in this paragraph rely solely on statements and are not substantiated by medical findings or other evidence, thus is rejected.

As regards para. 15:

(i)

As a result of an examination made in the Law and Order Department of the Ankara Security Directorate, in respect of the person referred to as “AA” in the Report, the Ankara Chief Public Prosecutor’s Office had issued an arrest warrant based on Articles 91 § 1-2 of the CCP while the relevant court had issued a search warrant based on Articles 116 *et seq.* of the CCP, within the framework of an investigation in respect of the terrorist organization of DAESH. The person was arrested and taken in custody in accordance with these decisions. As it was an anti-terrorism operation, a risk-analysis procedure was applied prior to the operation. Despite the fact that the doorbell to the domicile was repeatedly rang by the officers, the door was not opened. As voices of a large number of people were coming from inside, the officers entered the domicile. The person referred to as AA resisted the officers. Therefore, the officers made use of gradual force, handcuffed the person and took him in custody. These circumstances were confirmed by the report of domicile search and arrest, undersigned by the arrested person, officers, inhabitants of the flat and other attendants. The person met with the bar-appointed defense lawyer as laid down in Section 6, Part 1 of the CCP, entitled “Selection, Appointment, Functions and Powers of the Defense Lawyer”. He could have informed his defense lawyer during their meeting and could have duly filed his complaint. However, the information and documents available do not suggest that he filed such an application. Moreover, it has been understood from the hospital transfer and consultation reports that besides regular forensic examinations, AA has been taken many times to hospital for treatment for other health issues.

Consequently, in accordance with the provisions of Article 16 of the Law on the Duties and Powers of the Police, which reads “in the event that the police is faced with resistance while performing their duties, they have the power to use force with the objective to break this

resistance and to the extent which will be sufficient”, and the arrest and taking into custody have been duly realized alongside the drawing up and signing of a relevant report, which indicate that no ill-treatment took place. It is clear that the pre-operation preparations, risk analyses, search and arrest actions are in line with globally accepted police tactical rules based on legal texts and legal norms.

(iii)

As a result of an examination made in the Law and Order Department of the Ankara Security Directorate, the person referred to as “CC” was arrested on 22 January 2021 by officers from the Altındağ District Directorate of Security, on suspicion of fraud. Following the obtaining of a medical report, before being handed over to the Pickpocketing and Fraud Office, he was taken to another medical examination on the same day at Ankara Gazi Mustafa Kemal State Hospital, where several lesions were recorded in the medical report. However, the report contained the sentence “the person stated that these lesions happened yesterday, which is consistent with the clinical findings”. Therefore, it was understood that it was indicated by a report that the lesions observed on the person were caused on 21 January 2021, before he was apprehended by the police team.

Therefore, contrary to the allegation, this person was not arrested on 21 January 2021 but on 22 January 2021, at around 15.00. It was established by a medical report that the injuries in question were formed one day before the arrest, which also included the person’s statement.

(vii)

As a result of an examination made in the İstanbul Esenyurt District Security Directorate, as regards the use of force, it was found that the arrest and taking into custody at issue was realized in accordance with the provision contained in Article 16 of the Law on the Duties and Powers of the Police. All steps were taken in accordance with the legal procedure, following the orders of the public prosecutor, and actions were realized following the obtaining of forensic examination reports.

As regards para. 16:

As mentioned in reply to paragraph 14, no electro-shock devices exist in the inventory of the General Directorate of Security. Through an inquiry at the Esenler District Security Directorate,

it was also confirmed that, despite the allegation, this unit does not possess any such devices there is no concrete evidence or indication to confirm the allegation.

As regards para. 17:

During actions by the law enforcement, in order to prevent any ill-treatment, supervisory officers at all levels make oral and written warnings to the staff. It is ensured that legal proceedings are brought by supervisors in the chain of command in respect of those law enforcement officers who resort to ill-treatment or breach laws. Every allegation suggesting a violation by the law enforcement is diligently examined.

All reports and complaints against law enforcement officials are also investigated administratively, evaluated by the relevant authorities, examinations/investigations are carried out by the Inspectors of Civil Administration at the Ministry of Interior, inspectors or investigators serving at the inspection units of law enforcement units, as deemed necessary based on the subject matter, and concluded by the competent Authority/Board.

With a view to ensuring a more effective and swift operation of the law enforcement complaint system, the Law on the Establishment of the Law Enforcement Oversight Commission (Law no. 6713) was adopted at the Turkish Grand National Assembly (TGNA) on 3 May 2016 and promulgated in the Official Gazette on 20 May 2016.

All members of the Law Enforcement Supervision Commission consist of civilian persons, namely the Deputy Minister in charge (as President), President of the Human Rights and Equality Institution, President of the Board of Civil Administration Inspectors, General Director for Legal Services and General Director for Criminal Affairs of the Ministry of Justice, one academic and one independent lawyer.

It has been envisaged in the Regulation on the Implementation of the Law on the Establishment of the Law Enforcement Supervision Commission, dated 7 August 2019 that, in principle Civil Administration Inspectors shall be in charge of preliminary and/or disciplinary investigations on the crimes of manslaughter, willful injury, torture, exceeding the limits of the power to use force, forming an organization with the aim of committing crimes and organized crime, allegedly committed by law enforcement officers.

The Commission has been receiving applications since 29 January 2020. The applications are entered into the central register.

As also mentioned in the said Regulation, tipoffs and complaints against law enforcement officials can be made through a wide-ranging application network, including handing a written petition or making an oral complaint to administrative authorities and law enforcement units, by telephone, mail, fax, e-mail, Presidential Communications Center ("*CİMER*") system and the Human Rights Violations website by the General Directorate of Security. It is ensured that the identity of the person who made the tipoff is kept confidential and the applicant gets information on the outcome of the examination/investigation.

Moreover, the Turkish Human Rights and Equality Institution and the Ombudsman Institution examine complaints. Among the 90,209 complaints made in 2020 to the Ombudsman Institution, the share of the General Directorate of Security is 0.33%, with 295 complaints.

Provincial and District Boards of Human Rights are also tasked with examining and investigating allegations of violation, examining, investigating and making recommendations. While applications can be filed in person, orally or in writing, through electronic means, phone and fax, with a view to extending ways of application, "Human Rights Application and Complaints Boxes" have also been made available in certain spots of provinces and districts, such as public buildings, shopping centers and metro stations. The complaints received are delivered to the relevant bodies.

Furthermore, in the event of any involvement by law enforcement officials to judicial incidents, these shall be followed from the judicial and administrative aspect by the supervisor of the unit where the officer serves, from the moment the crime has been committed. A follow-up and monitoring mechanism shall be set up regarding the incident. In addition, complaints and tipoffs by people received through the 112 Emergency Hotline are immediately drafted in reports, the highest provincial law enforcement chief is informed of the situation and the case is followed.

Applications alleging violations of human rights are also filed with the Human Rights Inquiry Commission of the TGNA. The Commission presents the results of its examinations and investigations in the field of human rights as reports every three months.

With regard to individual applications to the Constitutional Court, 490 (3.3%) of a total of 14,943 judgments from 2012 to 2021 (June) concerned the “prohibition on ill-treatment”.

As regards para. 18:

Comprehensive in-service training activities to law enforcement officials continue to be organized.

The General Directorate of Security organizes:

Trainings Regarding Proportionate Use of Force

Number of staff members who have attended training which includes the topic “Proportionate Use of Force”, within the last five years are shown below.

Year	Number of personnel
2017	28,115
2018	74,525
2019	76,425
2020	7,501
2021	34,437
Total	221,103

Human Rights Trainings

Among the organized training programs and those trainings which are required to pass to the professional branch, a minimum of one-hour “Human Rights” lecture is offered. Moreover, the lecture on human rights is mandatory in general improvement trainings for staff from all degrees and ranks.

Year	Number of personnel
2017	64,135
2018	118,043
2019	65,044
2020	66,589
2021	39,364
Total	353,175

In-Service Training Provided Through Pol-Net

Training videos have been published on Pol-Net for all law enforcement staff serving under the General Directorate of Security, covering the use of force and firearms, practice, and raising the awareness of the police on public relations.

	Name of Training	Start date	Number of recipients
1	Use of Force and Firearms by the Police and Practice	20.01.2020	264,307
2	Use of Equipment by the Law enforcement and Equipment Setup	25.06.2020	263,962
3	Powers of the Law enforcement to Use Force and Handcuffs	25.06.2020	260,077
4	Public Relations by the Police – How to Address People and Ways of Conduct	04.01.2021	292,882
5	Videos of the Police Power to Search, Arrest and Take into Custody	10.06.2021	261,738

The General Command of the Gendarmerie offers “Human Rights” lectures for candidate commissioned and non-commissioned officers studying at the Gendarmerie and Coast Guard Academies, which include the prevention of use of force which exceeds absolute necessity during arrest, as well as reminding that there can be no justification for physical violence once the arrested persons have been brought under control. Human rights issues are also duly addressed during other practical courses.

Whereas specialist sergeants are given training on “Fundamental Human Rights”, conscripts are given courses on Definition of Human Rights, Functioning of Human Rights, Contents of Human Rights, Protection Mechanisms, Fundamental Rights and the Protection of Human Rights.

Within the scope of on-site training, provincial gendarme units are visited, during which standards of the places of detention are checked and the staff are offered training on human rights and the examination and evaluation of human right violations. During the on-site training activities realized in the period 2020-2021, 10 provinces were visited, where 521 staff members were trained on-site and 164 detention units were inspected.

In addition to trainings, law enforcement officers are regularly instructed on basic principles.

As regards para. 19:

In accordance with the instructions of 16 September 2019 by the General Directorate of Security, body-worn cameras are used actively during traffic patrols and during any communication with people. "Lapel Camera Usage" guidelines are served on all duty officers and administrative proceedings are brought in respect of the faulty officer and hierarchical superiors upon any abuse identified. The cameras allocated to every team can only be used along with the badge on the officer, signs on vehicles and the officer's announcement indicating that audiovisual recording is made of the driver, pedestrian or passenger.

In February 2021 1,800 lapel cameras have been procured and delivered to the units of the General Command of the Gendarmerie. It is envisaged that a further 1,800 more cameras be bought.

As regards para. 20:

Handcuff use has been addressed in detail in the response given under paragraph 14. Persons are always warned in advance of handcuffing and due care is displayed to ensure that it is not excessively tight or too loose that might allow removal by the person.

As regards para. 22:

A copy of the Activity Report of the Law Enforcement Supervision Commission, inclusive of a summary of the main official findings, is enclosed (Annex-1)

As regards para. 23:

(a) During the period 1 January 2020 – 30 June 2021, a total of 615 applications were filed with the Law Enforcement Supervision Commission concerning ill-treatment allegedly committed by law enforcement officials.

Among the complaints, 509 of which concerned the police, proceedings were brought in respect of 1,146 staff members. 22 of them received various disciplinary sanctions under the Laws no. 657 and 7068. Pursuant to the Law no. 4483 on the Prosecution of Civil Servants and Other Public Officials, preliminary investigation was conducted in respect of 26 officers implicated in 13 application files. Decisions of no preliminary investigation were rendered with respect to 9 officers implicated in 5 files. In addition, the judicial authorities issued decisions of non-prosecution with respect to 6 officers implicated in 4 files.

In a total of 102 applications regarding gendarmerie staff, proceedings were brought in respect of 200 officers. 44 of them received various disciplinary sanctions under the Laws no. 657 and 7068. Pursuant to the Law no. 4483 on the Prosecution of Civil Servants and Other Public Officials, preliminary investigation was conducted in respect of 9 officers implicated in 3 application files. A decision of no preliminary investigation was rendered with respect to one officer implicated in one file. In addition, the judicial authorities issued decisions of non-prosecution with respect to 5 officers implicated in 2 files.

(b) During the period 1 January 2020 – 30 June 2021, a total of 26 proceedings were instituted *ex officio* regarding allegations of ill-treatment by law enforcement officials.

Among these, in 21 cases regarding the police, proceedings were brought in respect of 165 officers. 89 of them received various disciplinary sanctions under the Laws no. 657 and 7068.

In 4 cases of the Gendarmerie, proceedings were brought in respect of 5 officers, who received various disciplinary sanctions.

(c) The number of complaints involving allegations of ill-treatment by law enforcement officials (police/gendarmerie) and the number of criminal and/or disciplinary proceedings

which have been instituted as a result for the period 1 January 2020 – 30 June 2021 are indicated in the table below:

Disciplinary sanctions	Police	Gendarmerie	Coast Guard
Admonishment	2 officials in 2 files	16 officials in 7 files	-
Reprimand	12 officials in 6 files	2 officials in 2 files	-
Deduction from salary	5 officials in 4 files	16 officials in 5 files	-
Suspension of promotion	3 officials in 3 files	10 officials in 2 files	-
Discontinuation of proceedings / No action	896 officials in 399 files	93 officials in 56 files	4 officials in 4 files
Decision of no disciplinary sanctions	187 officials in 73 files	48 officials in 24 files	-
Decisions based on Law no. 4483	Police	Gendarmerie	Coast Guard
Authorization granted for preliminary investigation	-	-	-
Authorization not granted for preliminary investigation	26 officials in 13 files	9 officials in 3 files	-
Decision of no preliminary investigation	9 officials in 5 files	1 official in 1 file	-
Decisions by judicial authorities	Police	Gendarmerie	Coast Guard
Decision of non-prosecution	6 officials in 4 files	5 officials in 2 files	-

The number of criminal and/or disciplinary proceedings which have been instituted *ex officio* into allegations of ill-treatment by law enforcement officials for the period 1 January 2020 – 30 June 2021 are indicated in the table below:

Disciplinary sanctions	Police	Gendarmerie	Coast Guard
Admonishment	3 officials in 1 file	-	-
Reprimand	43 officials in 2 files	1 official in 1 file	-
Deduction from salary	43 officials in 2 files	2 officials in 2 files	-
Decision of no disciplinary sanctions	44 officials in 3 files	2 officials in 1 file	-
Discontinuation of proceedings / No action	32 officials in 13 files	-	2 officials in 1 file

Moreover, there have been investigations conducted exclusively by inspectors or investigators serving in the General Directorate of Security and the General Command of the Gendarmerie. The relevant tables are shown below:

Investigation Files Involving Allegations of Torture by the Staff of the General Directorate of Security		
State of Administrative Investigation		
Decisions	2020	2021
Pending	7	20
Awaiting decision by the competent disciplinary board	-	4
Discontinued	3	1
TOTAL	10	25

General Command of the Gendarmerie

	Subject of application	Period from 1 January 2020 to 30 June 2021	Number of applications	Outcome of investigation				TOTAL	
				Unfounded (officer was not found to be faulty in the investigation)	Subject to proceedings				
					Judicial		Administrative		
					Pending	Concluded	Pending		Concluded
					1	Torture	2		1
2	Ill-treatment	17	10	5	1	1	0	17	
TOTAL		19	11	5	1	2	0	19	

As regards para. 25:

As part of the admission procedure to the law enforcement detention facility, the relatives of the person taken into custody are notified. Upon admission, the name and surname, relation/affinity and contact information of the person who was notified are logged in the custody registry book. The signatures of both the officer on duty and the person in custody are taken to attest the notification and all acts and actions are carried out accordingly, as acknowledged by the CPT's report.

As regards para. 26:

During admission to police/gendarme custody, the suspect is asked if he/she requests a lawyer. The request is entered into the register, attested by the person's signature. Even if the lawyer has not been requested before but asked for later, it is also ensured that the suspect meets the lawyer and the lawyer be present during statement taking. Unless there is a temporary restriction by a judicial authority, the suspect can meet the lawyer at any time of the day.

The issue of access to lawyer by persons taken in custody is also followed by the Human Rights Center defined in Article 3 of the Regulation on Human Rights Center of the Turkish Union of Bar Associations. Any shortcomings that might occur are forwarded to the relevant Bar Association.

Exceptionally, certain offenses defined in the Penal Code or falling under the Anti-Terrorism Law, and the offense of “production and trade of narcotics and stimulants within the activities of an organization”, the detained suspect’s right to meet a defense lawyer may be restricted by the order of the judge for 24 hours, upon the request of the public prosecutor. No statement shall be taken during this period.

As regards para. 27, 28, 29 and 30:

A letter of instructions was sent on 01 February 2021 by the Department of Law and Order of the General Directorate of Security to all Provinces, the General Command of the Gendarmerie and the Coast Guard Command, urging caution that the officer taking the arrested person’s statement, conducting the investigation or whom the person complained of be different from the officer who takes the person to medical examination, in accordance with Article 9 of the Regulation on Arrest, Custody and Statement Taking.

It has also been conveyed by the letter that, in case another law enforcement official is not present due staffing shortage, this circumstance be documented. In addition, in case the doctor asks out of personal safety concerns that the examination be made in the presence of the law enforcement official, the relevant form be filled in two copies, one of which shall be kept by the doctor and the other by the law enforcement official.

The issue of how medical reports should be drawn up and sent to the relevant units had been specified by the “Principles to be Complied with in the Conduct of Forensic Medicine Services”, Circular no. 2005/143, dated 22 September 2005 and these procedures are duly implemented both by the healthcare professional and the law enforcement official in line with the legal provisions.

If, body examination, taking samples from the body and a relevant report of the examination has been requested in relation to a crime committed, from a suspect, defendant, victim and other

persons within the scope of the “Regulation on Bodily Examination, Genetic Examination and Identification of Physical Identity in Criminal Trial”, one copy of the report remains in the healthcare unit. If it is possible to issue a report immediately after the examination, two copies shall be handed to the law enforcement official, who is obliged to send these to the relevant judge, court or chief public prosecutor in a sealed envelope. When issuing a report immediately is not possible due to further diagnosis etc., once the report is ready the healthcare institution shall send it to the relevant judicial authority in a sealed envelope as soon as possible.

If a medical examination and issuing of a relevant report has been requested within the scope of the “Regulation on Arrest, Custody and Statement Taking” in respect of persons taken in custody with use of force by law enforcement, in case there has been an arrest or admission to law enforcement detention unit, one copy of the report remains with the healthcare unit, while the second copy is handed to the arrested person and third handed to the relevant law enforcement official to be appended to the investigation file.

When suspected persons are taken to hospital to obtain a battery/violence report, they meet the doctor in private and without handcuffs in the examination room. However, in respect persons such as drug addicts and members of criminal/terrorist organizations, doctors usually ask that the police remain in the room for safety reasons. In such cases the officer enters the examination room but does not interfere in any issue other than security.

In the event of prolongation of police detention, transfer to another location or release, one copy of the report shall be kept in the healthcare unit while two copies shall be sent by the issuing healthcare unit to the relevant chief public prosecutor’s office, by fastest means, in a closed and sealed envelope. Accordingly, a staff member can be tasked with transmission of the report, or sent via registered or express mail, or by electronic means where the Electronic Signature Law is in effect.

Rules of confidentiality shall be complied with in the preparation and transmission to judicial authorities and any such necessary measures shall be taken.

As regards para. 31:

As set forth in Article 90, paragraph 4 of the CCP, the law enforcement officer shall immediately inform the arrested person of his/her statutory rights, after taking the measures to prevent the person's escape, causing harm to oneself or others.

In accordance with Article 6, titled "Arrest procedure" of the Regulation on Arrest, Custody and Statement Taking, the arresting shall be registered in a report. In this report the suspected offense, place, time and conditions of the arrest, the arresting officer, which law enforcement unit located the person, and that all his/her rights were reminded to the person are clearly written. One copy of this report is handed to the arrested person. Moreover, the "Arrest and Custody Report and Suspect and Defendant Rights Form" are drawn up and a signed copy is handed to the arrestee, on which it has been indicated that the person has been notified of his/her rights in writing and that this matter has been understood by him/her.

The Human Rights Action Plan of 2 March 2021, contains the objective of "The forms concerning the rights of suspects, accused persons and victims that are prepared for foreigners will be translated into widely-spoken languages and provided to the persons concerned". Consequently, the "Arrest and Custody Report and Suspect and Defendant Rights Form" has been translated into French, English, German, Arabic and Russian. The forms have been sent to law enforcement units and announcement has been made that these forms be handed to foreign nationals.

As regards para. 32:

Every person taken in custody is recorded in the relevant section of the Custody Registry Book and stored by the relevant law enforcement unit. In addition, the personal information entered in the Custody Registry Book is also shared with the programs attached to the information systems of the General Directorate of Security and the General Command of the Gendarmerie.

As regards para. 33 and 34:

Detention units of the General Directorate of Security

Following the observation of the CPT delegation during the visit to Istanbul Bağcılar Police Station, benches having a sufficient width, covered with a sponge mat have been installed and thus the facility is brought in line with the standards.

Article 6.1.d. of the Human Rights Action Plan and its Implementation Schedule reads: “In the light of the recommendations of the European Committee for the Prevention of Torture and the UN Committee against Torture, the standards, including the physical capacities, of custody centres and removal centres will be maintained and regularly reviewed”. The General Directorate of Security currently is working on this goal and the issues contained in the report by the CPT delegation following its 8th periodic visit.

In accordance with the provisions of the Regulation on Arrest, Custody and Statement Taking, efforts are made to identify the current state of law enforcement detention cells, statement taking, meeting and identification rooms and rectify any shortcomings in all 81 provinces.

Oversight of the detention units are also carried out in conformity with the following provisions of Article 92, titled “supervision of custody procedures” of the CCP:

“As part of their judicial duties, chief public prosecutors or public prosecutors appointed by them shall examine and investigate the holding cells where persons taken into custody are placed, the interview rooms if any, the situation of persons in custody, the reasons for and duration of custody, and all records and procedures relating to custody; they shall record the outcome in the Custody Registry Book.”

A commission has been formed within the General Directorate of Security, under the supervision of Provincial Directors of Security and presided by the Deputy Provincial Directors of Security, with the participation of a sufficient number of staff from the Departments of Law and Order, Juveniles, Anti-terror, Anti-Smuggling and Organized Crime, Security, Protection, Anti-Drugs, Anti Cyber Crimes, Anti-Trafficking and Border Gates.

The commission has identified the current state of the detention cells, statement taking, meeting and identification rooms in use in provinces and districts, attached to the departments stated above or those controlled by other departments and used jointly.

Among the shortcomings identified by the commission, such as CCTV recordings kept shorter than 30 days, problems relating to bars of cells, inadequate seating/beds, the necessary arrangements shall be made at the local level.

As to other shortcomings such as lack of a CCTV system, insufficient area of cells, inadequate natural lighting and ventilation, coordination is undertaken with the Departments of Construction-Property and IT and Communication for the fast completion of the works.

Moreover, a Police Custody Module has been set up over the Polnet-5 system of the General Directorate of Security, with a view to obtaining up-to-date, continuous and reliable data as to the state of detention cells, statement taking, meeting and identification rooms.

Heating of the detention facility of the İstanbul Security Directorate, Department of Anti-Smuggling and Organized Crime, which has been visited by the CPT, is done by the central heating system. Ventilation system functions well, indoors air quality and hygiene is ensured with periodic maintenances.

The section of the detention facility which overlooks Vatan Street has 12 windows measuring 35 by 180 centimeters and allows in daylight. The 30 cm x 60 cm part of these windows can be opened and used to allow in fresh air whenever necessary, as permitted by the weather conditions. For indoor lighting, 34 panels are installed, measuring 45 by 45 centimeters, each containing four fluorescent tubes. Walls are painted in light cream color and unobtrusive to the eye, while the floor is covered with vinyl tiles.

In small cells two beds measuring 190 (L) x 90 (W) x 30 (H) cm. are available to allow persons taken into custody to take rest. In large cells 55 cm. wide wall-mounted stationary benches are available, on top of which are foam mattresses with plastic covering measuring 55 x 100 cm. In addition, in large cells foam mattresses with plastic covering, measuring 200 (L) x 120 (W) x 6 (H) cm. have been placed on the floor. Depending on the season and the request of the

person, every suspect is given two to three blankets. Three meals are given daily to the suspects. Shower with hot water is available.

As to the Diyarbakır Security Directorate, visited by the delegation and mentioned in the report, works are underway for another building.

On behalf of the General Directorate of Security and within the framework of the General Inspection Program, all units are inspected by Police Chief Inspectors and Police Inspectors, during which detention facilities are also checked. These inspections are made in three-year periods, by two visits each year which makes up a total of six visits in one period. The latest inspection was made from 20 September to 3 October 2021, when the detention facilities in 13 provinces were reviewed. The relevant report will be prepared following the completion of the inspections.

According to the Circular no. 2012/79 of the General Directorate of Security, biannual Review of High-Ranking Supervisors takes place within the context of a program prepared for the following units: The Central Organization, Provincial and District Security Directorates, Police Professional Training Centers, Police Training Centers, Police Moral Training Centers, Enhanced Agile Forces, Police Regional Criminal Laboratories, and Special Operations Directorates. The state of police detention units is also checked during these reviews.

The current number of detention facilities located within the law enforcement units is 4,080. There are 365 units without a detention facility.

AVAILABILITY OF CCTV IN DETENTION FACILITIES			
CCTV CAMERAS INSTALLED		DURATION OF CCTV RECORD STORAGE	
YES	NO	LESS THAN 30 DAYS	30 DAYS AND OVER
4,057	23	464	3,593

PHYSICAL ADEQUACY OF DETENTION FACILITIES							
AVAILABLE AREA		VENTILATION		NATURAL LIGHTING		SEATS/BEDS	
ADEQUATE	INADEQUATE	ADEQUATE	INADEQUATE	ADEQUATE	INADEQUATE	ADEQUATE	INADEQUATE
3,963	117	3,543	537	3,516	564	3,905	175

The current number of statement taking rooms located within the law enforcement units is 2,777.

AVAILABILITY OF CCTV IN STATEMENT TAKING ROOMS			
CCTV CAMERAS INSTALLED		DURATION OF CCTV RECORD STORAGE	
YES	NO	LESS THAN 30 DAYS	30 DAYS AND OVER
2,309	468	278	2,031

The current number of identification rooms located within the law enforcement units is 1,236.

STATE OF IDENTIFICATION ROOMS							
CAMERA OR OTHER FILMING DEVICE		DURATION OF STORAGE		REFLECTIVE GLASS		AT LEAST 7 LINEUP NUMBER PLACARDS	
YES	NO	LESS THAN 30 DAYS	30 DAYS AND OVER	YES	NO	YES	NO
599	637	88	511	1,172	64	1,057	179

The current number of meeting rooms located within the law enforcement units is 1,709.

AVAILABILITY OF CAMERA IN MEETING ROOMS			
CAMERA AVAILABLE		DURATION OF RECORD STORAGE	
YES	NO	LESS THAN 30 DAYS	30 DAYS AND OVER
430	1,279	60	370

Detention units of the General Command of the Gendarmerie

In order to bring the physical conditions of detention facilities in line with international standards, an allowance of 2,163,546 TL has been earmarked for the maintenance and repair of 63 facilities attached to 23 Gendarmerie units to be realized in 2021.

Clean mattresses and blankets are available in detention facilities attached to the Gendarmerie units. Meals are provided and additional needs that might arise are met by the relevant gendarme unit.

As regards para. 35:

Since all measures adopted by the Ministry of Interior in the fight against the COVID-19 pandemic are also diligently followed at the detention facilities, all parts of the facilities are disinfected and ventilated. Basic sanitary needs are met to maintain personal hygiene, by providing items such as soaps, paper towels and hand sanitizers.

As regards para. 39:

As of 28 November 2021, 379 penitentiary institutions are in operation, with a total capacity of 261,946. A total of 293,908 inmates are held in these institutions.

From the year 2002 onwards, 256 new prison establishments were put in service, raising the capacity by 201,958 inmates. During the same period, 372 establishments have been closed down, because of their incompatibility with modern sentence execution regime, the impossibility of giving education activities and the inability to improve their physical inadequacies. The construction of new and modern prisons has been prioritized in order to address the issue of overcrowding.

As of today, 66 prison establishments are under construction. An additional capacity of 42,381 inmates is envisaged once these prisons are put in service.

By means of an amendment to Article 108, titled “Execution regime applicable to recidivists, perpetrators of certain offenses and probation” of the Law no. 5275 on the Execution of Sentences and Security Measures (hereinafter “LESSM”), for determinate sentences, the amount of time served before parole has been reduced from 3/4 to 2/3, thus reducing the number of prisoners. Exceptions to this provision are terror crimes under the Law no. 3713, sex offenses and drug offenses, in respect of which the rate of 3/4 still applies.

As regards para. 43:

The Government is pleased that the CPT delegation acknowledges the effective COVID-19 preventive policy in the prisons visited. These measures were taken in all prisons from the start of the pandemic.

During first-admission of remand and sentenced prisoners to prison establishments, they are taken to hospital for a COVID-19 examination and are handled in accordance with the result of the PCR test. Those who display COVID-19 symptoms, depending on the doctor's recommendation, are either placed in isolated dormitories or treated and followed up in hospital before they are returned to prison.

Prisoners returning from hospital for illnesses other than COVID-19 are put back to their regular dormitories following a 14-day quarantine and a negative PCR test result. Regarding the prisoners to be handed over by law enforcement officials, an inquiry is made as to whether the persons travelled abroad over the last 14 days and if so, they are taken to the medical institution for the necessary checks before they are placed in the prisons.

Newly-admitted prisoners are placed in quarantine for 14 days in the designated rooms/dormitories. At the end of the period, a new PCR test is made and those who tested negative shall be placed in regular rooms/dormitories. Those who display symptoms while in quarantine or test positive at the end are promptly taken to the relevant medical institution, having taken the protective measures.

Every prisoner to be moved to another prison for an obligatory transfer or to be transferred to an open prison, shall also obtain a medical report and go through PCR testing.

From 14 March 2020 special leaves, the use of spouse and family rooms and activities involving inmates from different dormitories and transfers to other prisons were cancelled, with the exception of obligatory transfers for reasons of security and health.

It is ensured that visits by lawyers are made in areas designated for such visits, where physical contact is prevented in accordance with recommendations by the Scientific Advisory Board, or in the section for closed visits, without contact, using masks and in accordance with the rules of confidentiality as per the LESSM. These rules apply to notary actions as well. Masks shall be provided for lawyers and public notaries.

Concerning home isolation of the prison staff, within the decision of the Ministry of Health, based on a recommendation by the Scientific Advisory Board, from 15 November 2021 prison staff shall no longer be subject to home isolation and regular work order be restored.

In respect of staff who resumed duties following home isolation, the doctor or general practitioner at the prison shall inquire whether the officer, his/her family or close circles had any contact with COVID-positive persons. In such cases, the officer shall be referred to medical institutions in accordance with the COVID-19 guidelines by the Ministry of Health.

It is ensured that prison staff duly wear masks covering the nose and mouth while on duty and replace masks when they become moist.

By an amendment to the LESSM on 14 April 2020 (by Law no. 7242), "COVID-19 leave" has been laid down in Provisional Article 9, with respect to eligible sentenced prisoners. Based on these provisions,

- persons serving sentences in open prisons,
- those who were granted the right to be transferred to open prisons, and
- those who were subjected to the measure of probation

were released on COVID-19 leave.

Activities that could cause the spread of viruses as a result of contact with the outside world, out-of-prison works such as in restaurants, social facilities and external stores, were suspended including open prisons. In-prison mobilities such as dormitory changes are avoided if possible.

The training, rehabilitation and workplace activities continue within the same dormitory. Activities which were done jointly with multiple dormitories have been cancelled in line with the measures. If the same space is used in different times by inmates from different dormitories, it is ensured that essential rules of hygiene are fulfilled after each use.

In accordance with the chronic diseases and treatment algorithm of the Ministry of Health, inmates over the age of 60 and with chronic diseases are vaccinated against pneumonia, with their consent.

As of 9 September 2021, of the 199,944 remand and sentenced prisoners held in prisons, 177,417 received first and 148,589 received second dose of the COVID vaccine. Of the 80,441 inmates who are on COVID leave 43,223 received first and 24,997 received second dose of the vaccine. Vaccination rate among all prisoners is 92% for the first dose and 83% for the second.

Of the 70,543 staff members working in prison establishments, 64,242 (91.07%) received at least one dose while 59,813 (84.79%) received at least two doses.

As regards para. 47:

The training programs for custodial staff include the courses of Human Rights in Prisons, Sentence Execution Laws, Institutional Communication, Management of Tough Behavior, Inmate Psychology and Code of Ethics.

In this context, from 1 January 2019, training has been offered to a total of 65 staff members at the establishments in question, of which five served at Diyarbakır High-Security Prison No. 1, five at Diyarbakır T-type Prison No. 3, 38 at Kayseri T-type Prison No. 1 and 17 at Maltepe L-type Prison No. 1.

The necessary warnings are made to the staff regularly by prison managements in all prisons including those visited by the delegation. All such allegations are investigated and the staff are given the firm message that physical ill-treatment of prisoners, the use of abusive language and threatening behavior are unacceptable and will be sanctioned accordingly.

As regards para. 48:

The CCTV systems installed in prisons are in active use. A total of 65,497 cameras have been installed in 355 establishments.

By a letter of 16 October 2020, all management of prisons have been instructed that, administrative actions such as taking the inmates' statements within disciplinary proceedings, informing of the inmates and serving notifications shall be done in an area covered by CCTV. It was conveyed that, if such an area did not exist, a suitable area where cameras have been installed shall be created for such actions and thus no such actions shall be carried out in places without CCTV coverage.

Within the framework of the measures taken in the prison establishments visited by the delegation, the relevant staff have been warned to display care on this issue. Taking of

statements, interview with directors, meetings with inmates started to be done in rooms with CCTV coverage as a result.

An inquiry was made regarding the allegations of ill-treatment in Diyarbakır High-Security Prison No. 1, which were raised by the delegation but could not be verified due to lack of CCTV records. It was found that on 27 November 2020 at 15:27, CCTV servers experienced a shutdown as a residual current fuse blew out. The recording system could not restart after this incident and a recording blackout occurred. The company providing the service was informed and CCTV recording could only resume at 19:19, after their remote intervention. The checks after the recording resumed revealed that a number of servers failed to record and that all previous records had been erased. Efforts are made that CCTV recordings are duly stored in prison establishments and the relevant company has also been warned to be more careful on this issue.

As regards para. 50:

An examination of UYAP records reveals that as of 22 November 2021, the breakdown of complaints of ill-treatment received by the General Directorate of Prisons and Detention Houses is listed below:

Ill-treatment:	24
Sexual abuse:	9
Detailed search:	25
Battery:	212
Insult:	44
Ill-treatment of convict:	204
Torture:	67
Threat:	134
TOTAL:	719

All applications were forwarded to Chief Public Prosecutor's Offices for further proceedings.

As regards para. 52:

Incidents occurring in the prisons referred to in the paragraph and in Kayseri Woman's Closed Prison, which required the use of force or special equipment (handcuffs and rubber batons) warrant a disciplinary investigation. Whenever such incidents happen, within the framework of the disciplinary investigation conducted, all actions taken are registered in the files of the inmates stored in the UYAP system. In accordance with the recommendation of the CPT, an additional register has been installed, in which information as to whether force has been used and which special means (handcuffs, rubber batons, etc.) shall be written.

As regards para. 53:

Three transsexual inmates are currently held in Kayseri T-type Closed Prison No. 1. With regard to their situation and the difference in the offense categories, they are accommodated in single rooms. They are not discriminated against and benefit from all entitlements. The three inmates in the establishment are serving their sentences with long hair. None of the inmates' hair is a subject of intervention against their will.

In addition, an examination of UYAP records did not reveal any request made by these prisoners from the management of the establishment.

Further information on combating discrimination and exclusion against LGBTI persons in prisons can be found in paragraph 80 of this report.

As regards para. 58:

Maltepe L-type Prison No. 1

At the dormitories, 14 bunk-beds (2 beds each) and 28 beds are present. Each inmate has his own bed. Dormitories, rooms and annexes are checked frequently and utmost care is displayed for hygiene in these areas, having regard to the pandemic conditions. Clean bedclothes are given to all newly-admitted prisoners and are replaced once these are worn out in time. Inmates are also able to buy bedclothes from the shop of the establishment if they wish so.

Necessary repairs relating to paint, plumbing, windows etc. due to wear and tear in time or misuse, noticed during the frequent checks of the dormitories, rooms and annexes are completed without delay, having regard to the pandemic situation.

Metris T-type Prison No. 1

This prison has been designated as the first-admission facility for remand and sentenced prisoners in the province of Istanbul. Approximately 60 – 80 daily admissions are made to the establishment. However, there is a high amount of circulation as part of the newly-admitted prisoners are transferred to other establishments in due time. Each newly-admitted inmate is given a bed and bedclothes and these are replaced from time to time. By an official letter of 10 August 2021, the management of the prison requested beds, bedclothes and pillows. On 20 August 2021 a set for 450 was provided. Bedclothes and beds used by the inmates are washed free of charge. Single-use plates, spoons and forks, garbage bags, liquid soap, disinfectants, cleaning brushes, detergent for surfaces, masks, gloves and jumpsuits for the inmates' use in the dormitories and for their personal hygiene, free of charge.

Kayseri T-type Prison No. 1

This prison has a capacity for 1,030 prisoners in 84 rooms, consisting of 62 dormitories each holding 16; 8 three-occupancy rooms and 14 single rooms. As of 4 October 2021, 1,350 inmates were held at the establishment. The over capacity was accommodated by placing additional bunk-beds and beds in the existing dormitories/rooms. All inmates have a personal bed, pillow, bedclothes and storage lockers.

Diyarbakır T-type Prison No. 3

This prison has a capacity for 1,034 prisoners, consisting of 62 dormitories each holding 16; 8 three-occupancy rooms and 18 single rooms. As of 25 November 2021, 1,178 inmates were held at the establishment. The over capacity was accommodated by placing additional bunk-beds and beds in the existing dormitories/rooms. All inmates have been given a personal bed, at least one blanket, pillow and bedclothes. Additional blankets are offered on request.

As regards para. 59:

In all prison establishments, including those visited by the delegation, all newly-admitted prisoners are given a blanket, bedclothes, pillow, sheet and bed by the management. Inmates

are also able to buy bedclothes and blankets from the shop of the establishment, other than those provided to them by the prison.

The procurement and allocation of items such as beds, bedclothes, etc. are evaluated by the Ministry of Justice, bound by budgetary resources.

Since the beginning of the COVID-19 pandemic, all facilities of establishment and service vehicles were disinfected. Resources have been allocated for the procurement of all goods and material, such as masks, gloves, disinfectants, thermometers, face shields, isolation suits, disposable bonnets and shoe covers, and cleaning material. In accordance with their needs, masks and general cleaning material were obtained from the budget of the institution and provided for the inmates. Those inmates who were released or went on leave were also given masks and gloves.

Diapers, other sanitary items and toys for the development of infants accommodated with their mothers, as well as sanitary and hygiene products for women are obtained without awaiting the allocation of funds, priority being given to nursing mothers, pregnant women and those with a poor financial situation.

As regards para. 60:

Diyarbakır T-type Prison No. 3 has a staircase connecting the dormitories with the upper floor where handrails have not been built as both sides are covered with walls. However, a small section not sided with walls is equipped with handrails. Pursuant to the recommendation of the CPT delegation, works have started to cover the whole staircase with handrails in dormitories, as shown in Annex-2.

As regards para. 63:

As per the recommendation by the Scientific Advisory Board of the Ministry of Health, sentenced prisoners sharing the same dormitory continue rehabilitation and workshop activities, whereas activities involving different dormitories have been cancelled. In case the same space is used by inmates from different dormitories, it is ensured that essential rules of hygiene are respected after each use.

As per the circular of July 2020 issued by the Directorate General for Prisons and Detention Houses, referred to in the report of the CPT, measures have been taken in accordance with the opinions of Scientific Advisory Board regarding the ongoing pandemic. These measures are regularly updated each month in accordance with the recommendations by the Board.

It is laid down in Article 6 (1) (f) of the LESSM that in prisons, all measures must be taken to protect the prisoner's right to life and bodily and mental integrity. Accordingly, sports, education, work and vocational training activities are maintained among inmates from the same dormitory, under the necessary health measures, and without contact with inmates from other units.

Education activities in prisons continue at all levels as per Article 75 of the LESSM. In accordance with the current procedure applied by the relevant Ministry and universities in cooperation, domain passwords have been provided to the relevant inmates to take online exams. It is ensured that eligible prisoners attend all centralized exams organized by open middle school / high school / universities and the Measuring, Selection and Placement Center ("ÖSYM"), by taking the necessary COVID-related measures.

Library activities in prisons continue as per Article 88 of the LESSM. Accordingly, inmates are able to borrow books, by requesting from the list. However, due to the current measures they cannot visit the libraries. Course activities have been suspended as Public Training Centers no longer assign qualified trainers in prisons due to the pandemic, as per the relevant circular by the General Directorate.

As per Article 29, titled "Employment of convicts" of the LESSM, vocational training is carried out in workshops under the supervision of workshop chiefs and the convicts working there receive wages. From 2020, a new concept has been adopted, involving the opening of Vocational Training Centers in prison campuses, attached to the Ministry of National Education. The first example is the vocational training center in Sincan Prisons Campus. There are currently 15 vocational training centers in the process of opening, with the directors already appointed and a total of 30 such centers are planned to be put in service.

For example, in Diyarbakır T-type Prison No. 3, visited by the CPT delegation, sports activities which had suspended due to the pandemic, resumed on 10 February 2021, in line with new

measures, on a dormitory-by-dormitory basis, so that each of the dormitories use the sport facilities once per week.

In Kayseri T-type Prison No. 1, inmates held in the same dormitory are able to attend sports activities every 14 days. Under pandemic measures, those who tested positive for COVID-19 and those who had contact with COVID-positive persons are held in quarantine, in isolated dormitories. Once the quarantine period is completed and they test negative, they return to normal dormitories and are able to take part in sports every 14 days, as of 18 January 2021.

The training activities which were suspended as per the recommendations by the Scientific Advisory Board, shall resume following the pandemic. It is envisaged that first and second grade literacy, computer operation, reading the Holy Quran, Arabic level 1 (reading and writing), *bağlama* (musical instrument), badminton and sewing courses be opened. Moreover, there is a shop, laundry station and four textile workshops attached to the workshop directorate of this establishment. A total of 101 inmates currently work in these workshops. 38 inmates serve in the internal works of the establishment.

As regards para. 69:

As of 1 November 2021, of the total 1,160 healthcare officers working in prisons, 7 physicians, 155 dentists, 89 nurses, 887 medical workers, 19 medical technicians and 3 nutritionists were performing duties. As of 29 November 2021, 348 general practitioners provided services.

Part of the dentists assigned in prisons for the dental treatment of inmates are regular dentists affiliated to the Ministry of Justice while the rest is assigned by the Ministry of Health. Whereas costs relating to dental treatments done within prison establishments are covered by the Ministry of Justice, those done outside the prison are covered by the Ministry of Health.

That being said, recommendations on dentist and doctor needs have been submitted to the Ministry of Health. Moreover, healthcare staff working in prisons do not wear prison officer's uniform but have clothing peculiar to medical staff.

As regards para. 71:

Remand and sentenced inmates found to be within the scope of Article 18 of the LESSM are held in dedicated sections of Elazığ E-type, Samsun T-type, Manisa E-type, Adana E-type and Metris R-type Prisons. The treatment and checks in respect of inmates held in these sections are carried out by a psychiatric specialist assigned by the Mental and Neurological Hospitals. Moreover, an Inmate Judicial Psychiatric Service (“*THAP*”) has been put in service at Elazığ Fethi Sekin City Hospital while works are at the final stage to open THAPs at Ankara and Kayseri City Hospitals. Furthermore, THAPs will also be present at City Hospitals in İzmir, Kocaeli and Gaziantep, which are currently under construction.

The professional qualifications of doctors are sufficient. They serve in line with code of ethics and are trained to identify common mental health disorders referred to in paragraph 71.

As per the Protocol of 30 April 2009 signed between the Ministry of Health and the Ministry of Justice on the arrangement of healthcare services in prisons, local polyclinics have been set up to operate within penitentiary campuses. During the period that followed, campus State hospitals have been put in service besides local polyclinics. In this scope, currently Campus State Hospitals operate at Ankara-Sincan, İstanbul-Silivri, İstanbul-Maltepe and İzmir-İzmir-Aliağa while Campus Local Polyclinics operate in Kayseri, Tekirdağ, Kocaeli, Elazığ, Van, Diyarbakır and Afyonkarahisar.

Examination, diagnosis, medical screening and treatment services in all disciplines are provided full time or in shifts at Campus State Hospitals and Polyclinics.

As regards para. 72:

In prisons, the Individualized Rehabilitation System (“*BİSİS*”) has been developed, a comprehensive system aimed at the conduct of all works in respect of the convicts in a holistic and qualified manner, which includes risk assessment, evaluation and oversight. Through the Research Evaluation Form (“*ARDEF*”), its tool for risk-assessment, *BİSİS* prioritizes the evaluation of personal risks and needs and the biological-psychological and social characteristics of each inmate and thus enables the development of compatible approaches and the implementation of a personalized rehabilitation program.

Moreover, the Structured Mental Evaluation and Intervention Program (“*YARDM*”) ensures that inmates are evaluated from admission to release pursuant to the risk-need-responsivity model. Room/dormitory choice shall be done accordingly; life inside the establishment shall be planned and mental healthcare services shall include standard practices based on effective evidence. In accordance with the Guide on Individual Intervention to Mental Problems, developed in the context of *YARDM*, trainings have been organized for all psychologists and social workers serving in prisons, where 26 different mental and behavioral problems most commonly observed in prisons and how individual intervention can be made were addressed.

Furthermore, 15 intervention programs have been developed within the framework of the EU-funded “Project for the Improvement of Evaluation, Profiling Tools and Rehabilitation Programs (“*DEPAR*”)”. With a view to carrying out prison execution and rehabilitation processes based on the individual, who is in prison for different criminal motives and criminal acts, and to classifying convicts by criminal motive, the Fast Assessment Tool is applied and based on the needs found, the relevant intervention program is implemented.

In this context, works have been conducted for years, with EU-assistance in some cases, for the improvement of psychologists working at the psychosocial units of prisons in the field of therapeutic clinical works. Accordingly, 30 psychologists were offered Eye Movement Desensitization and Reprocessing (EMDR) therapy training by local means. Moreover, the training modules created within the context of *DEPAR* and *YARDM* Projects contain topics relating to the strengthening of professional qualifications of psychologists, which are used in therapeutic works for the inmates. The basic trainings (orientation and candidate officer training) for psychologists and social workers serving in psychosocial service units, contain the recommendations that their existing professional qualifications should be supported by clinical works.

Moreover, the Twinning Project “Better Management of Terrorists and Dangerous Offenders in Prisons and Prevention of Radicalization”, which was within the framework of EU’s Instrument for Pre-Accession Assistance (IPA II) project from 2015, the “Therapy Skills Training” program was developed to raise the therapy skills of psychologists and social workers in prisons with the collaboration of Spanish and Turkish experts. The training was given to a

number of experts serving at the psychosocial service of prison establishments. The project officially concluded on 21 August 2021.

The project “Technical Assistance for Strengthening Institutional Capacity of the Judiciary and Execution System for the Fight against Addiction”, within the framework of the IPA II 2016 is aimed at organizing training programs to raise the professional qualifications of psychologists and social workers dealing with prisoners with addiction at the prisons or probation offices and offering the relevant trainings.

From 1 January 2019, a total of 137 staff members attended the four DEPAR Training Programs organized. The YARDM Training Program was organized two times during the same period, which was attended by 76 officials.

As regards para. 73:

A full-time dentist to Diyarbakır T-type Prison No. 3 was appointed in August 2021 and started providing services from 6 August 2021. The inmates’ complaints as to dental problems have been solved.

As regards para. 77:

Article 55 of the Regulation on the Administration of Prison Establishments and the Execution of Sentences and Security Measures stipulates the rules of admission and registration of inmates to prisons.

In a recent amendment to the Regulation, promulgated on 12 November 2021, a significant change has been brought by prohibiting the admission of inmates without a doctor report:

“Article 55

(2) Prisoners shall be admitted to the prison along with an exclusive report from the prison doctor or family practitioner, or from a hospital in the absence of both, establishing their state of health.”

Moreover, Section II, Part I, Article A (titled “first admission examination”) of the Circular no. 172 provides:

- “1. Upon the first admission of a remand or sentenced prisoner, with the purpose of establishing their general state of health, the “Inmate First Admission Observation Form” (Annex-3) shall be filled by the staff of the admission unit and the inmate shall be placed in the temporary room until the first admission examination is carried out (within 3 days at the latest), by the general practitioner or prison doctor in case he/she has been brought in within work hours, or by the doctor in case he/she has been brought in when the general practitioner or prison doctor were absent (out-of-work hours or holidays).
2. During the first admission examination the general practitioner, prison doctor or the inmate admission unit shall inquire whether the person suffers from contagious disease or shows signs of battery/violence and in case of such findings the person shall be immediately transferred to the hospital, taking all the necessary measures.
3. During the first admission examination, whether the person has any disability or not shall be detected. If so, the disability shall be registered in his/her file and the necessary healthcare assistance be provided.
4. In case the inmate has brought with him/her medicine but has not presented any report or prescription regarding their use, a list of the medicine shall be made until the presenting of valid reports or until a new prescription has been issued and on his/her request, daily doses shall be given to request of the inmate until the medical examination.
5. Regarding the admission of any equipment and tools such as medical devices, prostheses, medical material, etc., brought in by the inmate, the provisions of the “Regulation on Goods and Items which Can Be Held in Prisons” shall apply.”

The provisions cited above are implemented in all prisons.

A physical medical file is always opened for each inmate with illnesses.

During the transfer of inmates to hospital or to a closed prison, the physical medical file is kept by the accompanying prison staff or law enforcement officials in order to hand over to the relevant doctor for treatment or to the destination prison. In transfers from open penitentiaries, a copy of the medical file shall be handed to the prisoner for submission to the new prison while the original file is sent by Chief Public Prosecutor's Offices.

The following provisions of the Regulation on Patient Rights apply to the sharing of health information:

“Examination of Records

Article 16. The patient can examine, in person or through a legal representative, the file and records containing information on his/her state of health and obtain a copy. These records can only be seen by those directly relevant to the patient’s treatment.

[...]

Procedure for Providing Information

Article 18.

[...]

In principle, the patient should be informed in person. In the event that the patient requests that another person be informed instead, this request shall be registered in writing and information shall be provided for only those specified.”

In addition, subjects relating to medical checks and examinations of prisoners have also been covered in detail during the Admission Procedures Training Program, developed to convey to the staff the legal procedures relating to the admission of prisoners.

A total of 781 staff members have attended the 51 Admission Procedures Training Programs organized since 1 January 2019. Moreover, 40 staff members attended the three *ARDEF BİSİS* Juvenile Admission Procedures Training Programs organized during this period.

The “Draft Protocol on the Regulation of Health Services in Penitentiary Institutions” is being prepared by the Ministry of Justice in order to ensure that healthcare services to be provided in penitentiary establishments are carried out in accordance with the United Nations Minimum standards by the Ministry of Health and the Ministry of Justice. Arrangements have been envisaged in the Draft Protocol so that newly-admitted prisoners go through a health check for contagious diseases to allow for an assessment of the necessary examination, screening, diagnosis and treatment options and for storing such information.

As regards para. 78:

Medical examinations of all prisoners are carried out in accordance with the provisions of the Circular no. 172 of the General Directorate of Prisons and Detention Houses.

Accordingly, during the medical examination and treatment of prisoners at the infirmary of the establishment, no officials shall be present in examination rooms other than healthcare staff, unless requested otherwise by the physician of the establishment. Medical examinations of prisoners in healthcare institutions other than the infirmary of the establishment shall be made in protected rooms equipped with impediments against escape. The gendarmerie officer shall stay outside the room and take the necessary measures. However, upon the safety request of the examining doctor, the gendarmerie officer may be present in the room. In hospitals where protected rooms for examining prisoners have not yet been set up, the gendarmerie officer shall wait inside the examination room and take safety measures from a distance where the conversation between the doctor and the patient cannot be heard.

Works for the integration of the Medical Examination Information System to the UYAP database are in progress.

As regards para. 79:

Prisoners with contagious disease are accommodated separately from the rest of inmates if deemed necessary by the doctor in charge of treatment or monitoring.

Staff and inmates in all prisons are informed by leaflets about transmissible diseases, methods of transmission and means of protection. The required training and information have been provided and is done at regular intervals.

As regards para. 80:

The following programs are carried out by the psychosocial assistance service of prisons:

- Anger Control
- Tobacco, Alcohol and Substance Addiction
- Family Education up to 18 years of age

- Convict Development Prior to Release
- Think First
- Special Monitoring and Oversight
- Raising the Awareness of Staff on Suicide and Self-harm

Within the framework of the Structured Mental Evaluation and Intervention Program (“YARDM”) psychologists and social workers working in prisons have been trained on the general principles of how to approach LGBTI prisoners, and how to make observations, interventions and referrals concerning the mental health problems they may face, while all prison staff were given training on how to approach LGBTI prisoners.

Key points which require attention while dealing with LGBTI inmates are mentioned under the Special Circumstances section of the YARDM guidelines and works are carried out accordingly in psychosocial assistance services. Moreover, with a view to raising all prisoners’ awareness on their mental state and to ensure that the staff displays the right approach toward them, the “Institutional Approach Guide” has been delivered to all prison establishments, along with trainings realized on the issue.

Through the EU-funded “Project for the Improvement of Evaluation, Profiling Tools and Rehabilitation Programs (“DEPAR”)”, 15 intervention programs have been developed. Among these, the “Intervention Program for LGBTI convicts” is aimed at the rehabilitation of LGBTI persons in prisons with a holistic approach covering medical, psychiatric, psychological and social assistance, and at their re-adaptation to the society following their release. Seminars are organized in prisons in cooperation with civil society organizations where key issues requiring attention by both LGBTI persons and staff dealing with them are addressed.

As regards para. 81:

The principles and procedure relating to “The Use of Constraining Tools” have been laid down in Article 50 of the LESSM.

The Guidelines on the External Protection of Prisons and Transfer and Transport Services stipulates that: “[...] In case it has been requested by the doctor that handcuffs be removed as

it prevents the medical examination or treatment, a record undersigned by the doctor shall be drawn up, undersigned by the doctor, and handcuffs shall be removed after taking the necessary security measures. “[...] Handcuffs may be used where necessary to prevent the escape of prisoners, in a way which would not be detrimental to health. Handcuffs shall be opened in case it prevents the medical examination or treatment. Shortcomings that might be caused by this situation shall be overcome by additional measures.”

In line with these provisions, if requested by the doctor, handcuffs are removed during medical examination.

As regards para. 82:

The decision by the High Council Against Addiction regarding “the implementation of a holistic model in prisons, which started to be applied in Türkiye in cooperation with the relevant institutions, through a review of the rehabilitative works aimed at adaptation to treatment and social life during prison term” aims at improving services for the treatment of drug/substance addiction in prisons. Within the scope of the pilot project, which started in the provinces of Ankara, İstanbul and İzmir, a three-stage model is implemented for treatment procedures in prisons. By this model, the application of the Research Evaluation Form in respect of detainees or convicts in the first stage and the intervention programs to determine the risk situation and needs of the person are continued in the second stage. In accordance with the findings, as a third stage, for those inmates who are found to be prone to addiction, alcohol and substance abuse program, within the scope of the “Technical Assistance Project for the Improvement of Mental Health and Addiction Treatment Services in Penitentiary Institutions” and the “Cigarette Smoking, Alcohol and Substance Addiction Program” (“SAMBA”) are implemented by the psychosocial service experts of the institution, using individual and group work methods. During the implementation process, prisoners who are observed to need further examination and treatment by the psychosocial service specialists are referred to the physician of the establishment.

Moreover, preparatory works are underway for the project “Technical Assistance for Strengthening Institutional Capacity of the Judiciary and Execution System for the Fight against Addiction”. The project, which is under the EU’s IPA II framework, is aimed at improving

services for those who have been prosecuted for using drugs and were placed on probation, and raising the institutional capacity of the judiciary and the probation system.

A working group was formed for the implementation of a new model whereby intermediary checks for those placed on probation for 5 years can be realized.

Psychologists, social workers, nurses, and healthcare officers serving in all centers and units offering addiction counseling, cessation and rehabilitation, receive theoretical and practical training. Doctors specializing in adult and child/adolescent mental health and illnesses receive regular training on addiction, either face-to-face or through distance training system.

The monitoring of all illnesses of inmates held in prisons is maintained with care, in accordance with medical requirements and legal provisions.

As regards para. 84:

Because of the COVID-19 pandemic, in pursuance of the relevant recommendations by the Ministry of Health and the Scientific Advisory Board, all closed and open visits have been cancelled by a letter of 14 March 2020 by the General Directorate, until further notice. Following the start of the gradual normalization process, a new arrangement has been established in line with the Scientific Advisory Board's recommendations, whereby closed visits were granted for prisoners from June 2020 to November 2021. With a view to maintaining their contact with the outside world, cancelled visit entitlements were compensated by an additional weekly telephone call.

With the start of gradual normalization steps based on decisions by the Scientific Advisory Board, in December 2021, the following rules came into effect:

- prisoners receive one open and two closed visits by two relatives and children,
- those who have not used or do not wish to use open visits be granted three closed visits,
- all other visits be postponed until 1 January 2022, when a new evaluation shall be made,
- in vital cases visits be made upon the written permission by the Chief Public Prosecutor.

In addition, within the scope of the “Judicial Reform Strategy” and the Project for the Integration of Smart Technologies in Prison Establishments (“*ACEP*”), in establishments where technical infrastructure has been installed, phone calls by inmates can be made under the provisions of Article 74 (titled “Right to Telephone Calls”) of the Regulation on the Administration of Prison Establishments and the Execution of Sentences and Security Measures. Hence, a significant increase has been achieved in prisoners’ phone call entitlements.

Prisoners’ phone calls have been increased from 10 to 30 minutes; to 60 minutes if they do not have any visitors and finally to 90 minutes if they have been rewarded in addition to these entitlements. Whereas prisoners were previously able to call one family member, they are currently able to call up to six family members. A detailed explanation about *ACEP* is made under paragraph 88.

As regards para. 85:

In line with the decision taken on 20 March 2020, in the Metris T-type Prison No. 1, taking also into account pandemic restrictions, all newly-admitted prisoners are able to make a one-time 10-minute phone call to inform their family/relatives, without the requirement of a call authorization document.

In addition, within the framework of the *ACEP* project, works are undergoing for the installment of the relevant system in this establishment, through which the inmates will be able to make faster calls using the multimedia device installed in their rooms/dormitories provided that they are not subject to legal restrictions.

As regards para. 86:

It has been laid down in Article 83 § (3) of the LESSM that “visits shall be of two types, open and closed, with their conditions and durations specified in the Regulation issued by the Ministry of Justice”.

Article 5 (d) of the Regulation on Visiting Prisoners provides that with one week deemed suitable by the prison management for open visits and the remaining weeks of the month for

closed visits, prisoners may receive visits once a week by relatives enumerated in this Regulation herewith.

As laid down in Article 18, titled “open visits” of the Regulation, juvenile prisoners can always receive open visits.

There are currently no works for the amendment of the applicable provisions.

As regards para. 87:

In respect of prisoners serving an aggravated life sentence, the recommendation is noted.

There are currently no works for the amendment of the applicable provisions of the LESSM, Regulation on Visiting Prisoners and Regulation on the Administration of Prison Establishments and the Execution of Sentences and Security Measures in respect of prisoners serving an aggravated life sentence.

As regards para. 88:

The Judicial Reform Strategy Document, dated 30 May 2019 contains the Project *ACEP* in Aim 7, Objective 7.5 § (e) “new practices will be developed using the technology such as video-call of the convicts and detainees with their relatives and submission of electronic petitions”.

ACEP has also been mentioned in Aim 6, Objective 6.5 § (h) of the Human Rights Action Plan:

“Digital transformation will be achieved at penitentiary institutions; in this scope, facilities through the use of technology will be made available in the conduct of certain activities such as enabling convicts and detainees to have video calls with their relatives, send and receive letters, submit petitions and have their medical conditions monitored.”

The *ACEP* project is aimed at the provision of various services, previously carried out by taking the prisoner out of the room/dormitory, by means of a multimedia device installed in rooms / dormitories, with less human resources and without circulating staff members, in a fast and reliable manner.

Plans are also afoot for the implementation of applications such as videocall and e-doctor. An extendable design has been adopted in terms of content. Content currently under development are voice and video calls, count, petition, order from prison store with online payment, request book from library, e-letter, e-doctor and contact with the Ministry.

By the implementation of the project, prisoners had the possibility of making video calls with their families for the first time. This opportunity especially saved relatives of prisoners who live in a remote location from travelling back and forth to visit the prisoner.

Moreover, young children of convicts are also able to have conversations with their parents, which avoids a potentially offending experience on their part such as visiting a prison.

It is a well-known fact that communication with family has significant contribution to the rehabilitation of convicts. The project will have significant contribution to the convicts' psychosocial development and their reintegration to the society.

With respect to legal amendments on this issue, the Regulation on the Administration of Prison Establishments and the Execution of Sentences and Security Measures was promulgated in the Official Gazette on 29 March 2020 and entered into force.

In this context, in prisons where the technical infrastructure has been set up, the weekly 10-minute voice call entitlements of prisoners were raised to 30 to 90 minutes, depending on rewards and whether he/she had visitors, unless they are subject to statutory restrictions. Moreover, in prisons where the technical infrastructure is available, while prisoners were previously able to call one contact, now they can have voice and video calls with up to six contacts, depending on call duration.

Furthermore, prisoners will be able to directly submit petitions to Ministry units through the multimedia device, without being subjected to monitoring.

Following successful pilot applications in Sincan Women's, Bakırköy Women's and Sincan Juvenile and Youth Closed Prison Establishments, works for the extension of the project to other prisons has started.

Works relating to infrastructure, laying of cables and hardware installations have been completed in all women's and juvenile prisons across the country. Besides the said institutions, by 4 October 2021 infrastructure, laying of cables and hardware installations have been completed in 84 prisons, including 50 prisons located at penitentiary campuses in Ankara, Afyonkarahisar, Diyarbakır, Elazığ, Hatay, İzmir, Kayseri, Kocaeli, Maltepe, Silivri, Tarsus and Van. Plans are underway for the implementation of the system in all prisons by the installment of 20,000 multimedia devices until the end of 2022.

Prison establishments in which the ACEP project has been actively put in service have been specified in Annex-3.

As regards para. 89:

There are currently no legislative works on this issue. However, as acknowledged by the CPT report, recourse to disciplinary confinement are not excessive and in practice the periods of cellular confinement were often well below the maximum provided for by law.

The officers or supervisors in duty are not in a position to issue penalties to remand or sentenced prisoners on their own. The disciplinary board of the institution is in charge of making an investigation and issuing the penalty corresponding to the act, to the extent prescribed by laws. Decisions are notified to the prisoner concerned. The prisoner has the right to challenge the decision before the prison enforcement judge and also challenge the decision of the prison enforcement judge before the assize court.

As regards para. 90:

The Structured Mental Evaluation and Intervention Program ("YARDM") has been developed to ensure that all prisoners are evaluated pursuant to the risk-need-responsivity model (see paragraph 72). Within the framework of the Implementation Guidelines on Individual Intervention to Mental Problems developed under the YARDM program, short and advanced interventions are applied for prisoners with a risk of suicide and they are transferred to the relevant sections of hospitals where necessary.

The Program of Risk Management for Suicide and Self-Harm Behavior and Awareness-Raising of the Staff includes the issues of care and supervision for convicts who pose a risk of self-harm or suicide, and how the staff approaches suicidal and self-harm behavior.

Moreover, since suicide and self-harm incidents are also traumatic experiences for the prison staff, works are carried out for assisting them as well. Within the framework of the Program of Risk Management for Suicide and Self-Harm Behavior and Awareness-Raising of the Staff, case assessment meetings are made, presided by the prison director and attended by the psychologist, social worker, instructor, health officer, chief custodial officer and the relevant custodial officer. During these meetings the risk assessment forms that have been filled are examined, care and supervision plans are made in respect of those deemed to pose risks and the relevant observations are made.

As regards para. 91:

“Disciplinary investigation

Article 47 of the LESSM:

(1) The penalties of admonishment, reprimand and deprivation from participating in certain activities shall be imposed and implemented by the highest authority of the institution.

[...]

(4) No disciplinary penalty may be imposed without receiving a defense statement. The prisoner in respect of whom a disciplinary investigation has been started shall be notified in writing of the nature and consequences of the act with which he/she is charged and that he must submit his/her defense within three days, failing which he/she shall be deemed to have waived this right. The defense may be submitted in writing or made orally. The oral defense shall be taken down in writing. The defense of a convict who does not know the Turkish language, or who is deaf or mute shall be received by an interpreter.

(5) Disciplinary penalties shall be discussed by the disciplinary board on the basis of documents and shall be decided within three days. The disciplinary board may decide to impose the prescribed disciplinary penalty or that no penalties shall be imposed. The disciplinary board decisions shall be written along with justifications and the authority and time-limit for appeal shall be clearly indicated.

(6) The decision by the disciplinary board shall be immediately notified by the administration to those subject to the investigation.”

The provisions of Article 47, cited above, are complied with in all acts which warrant a disciplinary penalty. During a disciplinary investigation, as well as taking the statements of the parties to the incident, the information and testimonies of those who are not a party but witness to the incident(s) are also taken into consideration.

Convicts in respect of whom disciplinary proceedings have been brought are able to object or challenge the decision before the prison enforcement judge and the assize court, with or without the assistance of a lawyer. As they deem necessary, courts may take the statements of the persons concerned in a hearing.

As regards para. 92, 93 and 94:

Padded rooms in prison establishments are not used for the purpose of a disciplinary penalty but rather as a precaution to prevent those prisoners who display offensive behavior towards other inmates and staff or pose risks of self-harm, from performing such acts. Such prisoners are not held in padded rooms for long periods but until they are calmed down.

Taking into account the risk of suicide and self-harm, items such as belts and shoe laces are taken away from certain prisoners as a precautionary measure before they are placed in a padded room.

As previously communicated to the CPT, before prisoners are accommodated in the padded rooms, all the proceedings regarding their health situation are completely carried out, including transfer to the hospital. Placing prisoners in padded rooms is an exceptional practice. The prisoners are put in these rooms only for a very limited duration. They are observed regularly by cameras. Their condition is officially registered. In case their condition improves, they are taken out of the room immediately and placed into their rooms and to the unit proper to their status. The reason for taking the prisoner to the padded room, the information on entrance to and exit from the room and the time between entrance and exit are written down in the prepared specially for this purpose.

As regards para. 96:

The padded room in Kayseri T-type Closed Prison No. 1, visited by the delegation, is cleaned after each use.

The glass in the window of the padded room at Diyarbakır T-type Prison No. 3 had been temporarily removed during repair works and was reinstalled, as is the case in the padded room in Diyarbakır High-Security Prison No. 1.

As regards para. 97 and 98:

Pursuant to Article 56 § 2 of the Regulation on the Administration of Prison Establishments and the Execution of Sentences and Security Measures, remand and sentenced prisoners in all establishments, including in those visited by the delegation, are able to send their petitions to the authorities concerned.

Moreover, prisoners are also able to file complaints about the practices in prisons with prison enforcement judges, and challenge decisions by the latter before assize courts.

Further information on the effectiveness of the complaint system had been provided in the Governments reply to the preliminary observations (para. 14-15).

Every complaint and news report indicating allegations of torture and ill-treatment in prisons are immediately taken into account. It is ensured that these are investigated both by the Ministry of Justice and public prosecutors and legal proceedings are brought against those who have the slightest liability.

As regards para. 102:

From 15 May 2018, the date on which Kayseri Women's Prison was put into service, to 22 January 2021, when the delegation visited the establishment, there have been no noteworthy incidents warranting a judicial or administrative investigation. Explanatory briefing has been provided to the staff regarding the observations of the CPT delegation.

Both Kayseri and Bakırköy Women's Prison staff is regularly reminded that any form of ill-treatment of inmates, including verbal abuse and threats, is not acceptable and will be sanctioned accordingly and those who resort to such behavior are not tolerated. The staff is fully aware that ill-treatment is a crime and subject to punishment.

Since 2019, the "Training Program for the Specialization of Staff Dealing with Female Prisoners", consisting of four modules, the fourth being "Children accompanying mothers in prisons", has been offered to the relevant staff. 454 officers in total have attended the 12 training programs.

As regards para. 103:

The staff working in the Bakırköy Women's Prison have completed adequate in-service training on how to approach prisoners, line of conduct during an incident, crisis management, crisis prevention, de-escalation, safe methods of control and confinement, and dealing with high-risk situations without using unnecessary force. They are performing their duties in compliance with these trainings.

Prisoners with a tendency of violence and agitated prisoners are monitored exclusively by the psychosocial service of the prison. The psychologist and social worker serving in the psychosocial service provide constant information to the security and supervisory staff as regards such inmates.

As regards para. 104:

A register for instances of use of manual force and special means is available both at Kayseri and Bakırköy Prisons and whenever special means are needed these instances are kept in this register.

As regards para. 105:

The specific recommendation, along with others, have been transmitted to the management of the Bakırköy Women's Prison.

As regards para. 106:

The total capacity of Bakırköy Women's Prison is 950 inmates. As of today, 1,129 remand and sentenced inmates are accommodated at the establishment, as well as 39 children aged up to 6 with their mothers. As it is Türkiye's largest and İstanbul's only Women's Closed Prison, the establishment hosts prisoners from various offense categories.

In addition, many prisoners from other establishments outside the province are also temporarily held here while waiting to obtain reports from the Forensic Medicine Institute and the Bakırköy Mental Illnesses Hospital.

The establishment consists of three blocks housing 38 dormitories holding 36 prisoners, two dormitories holding 12 inmates, 45 single rooms and one padded room. Each room inside the 36-occupancy dormitories measures 12.5 m², in-room toilets 1.6 m², lower floor common space is 40 m², upper floor common space is 54 m², lower floor corridor is 30 m², upper floor corridor is 30 m², four bathrooms located in dormitories in both floors measure 12 m² (3 m² each), open-air yard is 75 m², which totals 380 m² per unit.

45 single rooms measure 13,5 m² each, including a 3 m² WC-shower and 10,5 m² living space. There are four open-air yards shared by 11 prisoners, measuring 95 m² each.

On daily average, ten new admissions are made in the establishment, as well as ten inmates are either released or transferred to open prisons. Pursuant to the decision by the board of administration and observation, unit rooms hold three beds.

As regards para. 107:

The main reasons of the overcrowding in quarantine areas at Kayseri Women's Prison are transfers from other prisons and detention orders by courts. Although occupancy rates are of changing nature, efforts are made to reduce overcrowding by opening new quarantine dormitories.

It has also been observed that there are currently no broken windowpanes at the establishment.

As regards para. 108:

As per the instructions by the General Directorate of Prisons and Detention Houses, the procurement of sanitary items are realized for female prisoners, juvenile girls detained on remand and children accompanying their mothers, in all prisons including Bakırköy Women's Prison. These items include bathroom soap, liquid soap, chlorine bleach, surface cleaner, and diapers (size 1 to 7).

In addition, items such as baby food, diapers, hygienic peds, children's shampoo, toothbrush, toothpaste and clothes (dress, pajamas, underwear, etc.) are categorized to be handed to the inmates on the basis of their needs.

Although priority is given to indigent prisoners, all prisoners are offered sanitation and hygiene products.

Moreover, in accordance with the COVID-19 measures in place, since April 2020, cleaning and sanitary products such as chlorine bleach, liquid soap, surface cleaner and dishwashing detergent are delivered to dormitories every Sunday. In a similar way, these items are also delivered to single or 3-occupancy observation rooms.

All prison managements have been instructed to be more careful in supplying all sanitary material needs due to the pandemic.

Diapers for infants staying with their mothers, other sanitary material and toys for children's development are provided with priority to pregnant, lactating and indigent mothers. Sanitary items requested by the remaining female prisoners are also obtained and provided without awaiting the reception of funds.

As regards para. 109:

In Kayseri Women's Closed Prison, prisoners are allowed to participate in sports activities during daytime. Due to pandemic measures, the timeline is determined separately by the board of administration and observation taking into account the status and dormitories of the inmates. Prisoners from the same dormitory are able to take part in sports activities for a minimum of one hour in the indoor sports hall.

In Bakırköy Women's Closed Prison, within the program prepared, inmates from the same unit are able to engage in sports, receive individual intervention programs and moral guidance in groupwork, once in 15 days and in case of juvenile prisoners, twice every 15 days. Prisoners held in different units can attend education/training, moral guidance, groupwork, sociocultural and sports activities, provided that they comply with COVID-19 measures including masks, distance and hygiene.

As regards para. 110:

(See response to paragraph 63 of the Report).

Following the recommendation made in the report by the CPT following its visit, beginning from 27 July 2021 prisoners held in quarantine areas in Bakırköy Women's Prison are able to get into open air. Moreover in all separate prisons for women, inmates are able to use the open air yard during the specified period of the day.

Open-air yards are kept available throughout the day so that prisoners can use the area for fresh air and different activities. Moreover, the management has installed a volleyball net for each yard and provided a volleyball.

As regards para. 112:

As of today, 15 juvenile prisoners are held in the Bakırköy Women's Prison. Upon conviction, juvenile girls are granted COVID-19 leave. Since most juvenile girls are on remand, they are not held for very long periods at the establishment. On average, they are released by court order after a few months. Juveniles on remand who have completed the quarantine period are accommodated in 12-occupancy units with an independent open-air yard. They are able to use the yard freely from 07:00 to 18:00 hours. They are able to exercise together with their peers, take part in sports such as volleyball and play games in groups.

Moreover, they are allowed to keep publications in their units such as books and magazines. Several mind games have been made available, which could contribute to their cognitive development. Juvenile convicts are able to regularly use the services of the psychosocial service

and are subject to supervision and classification by the specialist staff. The education service closely follows the education and training activities for the juveniles and conducts education activities without interruption. The moral service unit of the establishment provide active services by broadcasting educative and informative material through the centralized system. Juvenile remand and sentenced prisoners attend rehabilitative works, and courses such as First and Second Grade Literacy, Oil Painting, Accessory Production, and Tailoring Women's Clothing. When they complete the courses they are able to obtain certificates approved by the public training directorate.

Before the pandemic began, during 2019, 25 juveniles received certificates following the courses. Moreover, 13 juveniles enrolled in the Open Middle School, one of which graduated. Seven juveniles enrolled in the Open High School. From the date they were admitted to the establishment, juveniles collectively received 12 lawyers and 49 visitors in total. During this period, juvenile inmates made mail correspondence 262 times, without any restrictions imposed.

From the beginning of 2020, the psychosocial service has made a total of 89 individual talks with eight adolescents. Works by the psychosocial service in respect of them are notified at two-month intervals to the Ministry, which are evaluated. The following issues were heard during the meetings:

- Crisis (self-harm, risk of suicide): 20 cases
- Psychological state: 40 cases
- Family problems: 9 cases
- Institutional problems: 12 cases
- Room change request: 8 cases

ARDIÇ is an in-service training program aimed at strengthening the psychosocial and managerial skills of the staff. One psychologist working at the establishment has received this special training. Nevertheless, the staff has been warned once again to be more careful and diligent in their communication with the inmates and perform their duties in accordance with the laws and the relevant provisions.

Pursuant to the decision by the Board of Administration and Observation of the Bakırköy Women's Closed Prison, within the scope of the schedule, once every 15 days prisoners from

the same dormitory and twice every 15 days juveniles are taken out to take part in sports, individual intervention programs, group works and moral guidance works. On the other hand, prisoners held in different dormitories are able to participate in education-training and guidance activities, group works, sociocultural and sports activities, provided that anti-COVID-19 measures such as masks, distancing and hygiene are met.

During the lockdown conditions from March 2020, the prisoners were able to regularly watch movies, documentaries and moral activity videos. Prisoners were allowed to have one-on-one talks with the specialists and preachers of the establishment when they so requested and were provided guidance on the issues they needed. Prisoners who continue middle school, high school or university education are assisted with the enrollment process, exams and the provision of books and material.

From September 2021, following the programs prepared by specialist staff, participation to sport and other activities has begun. During September 2021, 475 inmates took part in sports activities whereas 181 attended moral guidance works.

Vocational training activities will be resumed as soon as the pandemic-related restrictions are lifted by the Ministry of Health.

As regards para. 113:

Following the visit of the CPT delegation, one room in the infirmary of the Kayseri Women's Closed Prison has been converted to a mother-and-baby unit.

The mother-and-baby unit planned to be built in Bakırköy Women's Closed Prison is currently at project phase. Once this unit is completed, children staying with their mothers will move to a different unit, separate from dormitories.

Works are underway for all women's prisons, provided that available space exists within the campus, to build separate building for mothers and children or otherwise a section inside the establishment be converted to such a unit. Mother-and-baby units will be included in all new women's prison projects.

Within the framework of the 2016 IPA 2nd term program, the Project for Developing an Institution Model for Children Staying with Their Mothers has been carried out. The project is aimed at the development of an environment for children staying in prisons with their mothers, which has physical and social conditions in conformity with the high interests of the child.

Within this scope, a facility shall be built, integrated to the Diyarbakır Women's Prison, dedicated for women staying with their children. This unit, which will cover 2,000 m² area of a total 4,000 m², shall be connected to the Women's Prison by a corridor. The two-floor building will comprise six units with eight rooms, which makes up a total 48 rooms having 20 m² each, playgrounds for children, kindergarten, common spaces, kitchen and laundry.

Moreover, a daily life and education program shall be formed for children aged 3 to 6. Educative and practical training shall be provided for such children, their mothers and the staff, along with the educative material to be developed.

In Sincan Women's Closed Prison, the annex building, designed to host mothers with their children up to 6 years of age in better conditions, was put in service on 23 October 2020.

The two-floor facility, consisting of six units has a capacity for 48 mothers and 48 children. Each unit contains eight rooms (17.25 m² each) in which the mother and child stay together. The units are independent from one another and each unit has a common living space, closed and open playground for children, kitchen, laundry space and balcony.

The administrative building hosts two closed children's playground and one multi-purpose hall. Various visual presentations and educative activities are made in the multi-purpose hall. The project also contains a 300 m² wide garden. Here, children will be able to take part in many activities along with the teacher in charge and staff, as well as spend their time during the day in the playground in a more productive way. Photographs relating to the project are enclosed (Annex-4).

As regards para. 115:

The penitentiary facility under construction in Silivri will have a capacity of 526 prisoners and be put in service as a Women's Closed Prison. The mother-child unit designed within the establishment shall have a capacity for 24 mothers and 24 children. A children's playground

has also been designed at the ground floor of the unit. On the first floor a living space with a kitchen, washing machine and TV will be available.

As regards para. 116:

At Bakırköy Women's Prison, one GP and one dentist provide full-time service during work hours, while one gynecologist, one internist and one psychiatrist visit the establishment once a week. One dermatologist visits the prison on a monthly basis. Five health officers are present at the medical unit while four prison guards, having completed medical schools, are also in charge at the infirmary.

Each dormitory at the establishment has a designated time frame for medical examinations at the family medicine unit. Upon their written request, prisoners are able to get examined by the doctors at the family medicine unit. In emergencies prisoners are taken to the family medicine unit regardless of the determined days or time for examination. They are also taken to research hospitals, which are higher medical institutions, or to university hospitals for diagnosis and treatment if deemed necessary. In emergency cases, the 112 Emergency Hotline is called and the inmates are taken to outside hospitals. Photographs have been enclosed as regards the dentist unit and the inpatient infirmary (Annex-5)

The diagnosis and treatment of all prisoners are realized without distinction. There have been no shortcomings or omissions so far on this issue.

At Kayseri Women's Closed Prison, doctor and nurse assignments are made by the Provincial Health Directorate as per the Protocol on the Arrangement of Healthcare Services in Prisons, signed between the Ministry of Justice and the Ministry of Health. Talks are in progress to increase the number of doctors and nurses and the days on which they will be in charge.

Two health officers actively provide services at the Kayseri Women's Prison. A polyclinic having a capacity for 36 is located in the Prison Campus. Doctors are available on a round-the-clock basis. Moreover, at this prison those with mental illnesses are regularly followed up, with diagnosis and treatment provided by the specialist psychiatrist. Doctors serving at the prison are general practitioners attached to the Health Ministry. Their training in the identification of

mental disorders is provided by the Ministry of Health. Moreover, plans are afoot to offer such training to health officers working at the establishment as well.

Currently 35 custody officers of the Kayseri Women's Closed Prison have received first-aid training. The Provincial Health Directorate will be requested to provide of such training for the remaining prison staff.

In addition, through the first-aid center established in all five personnel training centers in Türkiye, the staff is offered certified first-aid courses. Penitentiary Institutions are recommended to ensure that sufficient number of staff members envisaged by law (at least 1/20 of total) are offered certified first-aid training and that certificates expiring in three years, be renewed each year. The total number of staff who received training during the COVID-19 measures has risen significantly over the past three years.

Since 1 January 2019, a total of 534 staff members attended 36 certified first-aid training programs. During the same period, 22 officers working at Kayseri Women's Closed Prison received certified training on first-aid.

As regards para. 117:

At Kayseri Woman's Closed Prison, a new consultation room has been allocated for the use of healthcare personnel, which has sufficient area and lighting, designed as recommended by the CPT. Medical examinations are made in the presence of the doctor and health officer. The stretcher has been removed and an examination bed has been installed instead. A defibrillator has been procured and the device is in use.

As regards paragraph 118:

The admission procedures at Kayseri Women's Closed Prison takes into account the gender-specific needs of female prisoners. Comprehensive screening is made regarding sexual abuse and other forms of gender-based violence inflicted prior to entry and this plays a role in the determination of the dormitory the prisoner will be placed in. The staff working in the admission unit of the establishment have been given the necessary instructions and this issue shall be included in the in-service training program as a topic.

Remand and sentenced inmates are admitted to the establishment along with medical reports obtained by law enforcement agencies and are subsequently sent to the local polyclinic for admission examination. The required tests are applied during the examination. In cooperation with the Kayseri Tuberculosis Dispensary, all prisoners go through annual tuberculosis screening. Following the examination, Hepatitis B/C and HIV tests are also carried out if deemed necessary, upon consent by the inmate. A full list of the medical findings are collected during the first admission examination and the health staff are informed accordingly. In cases where the person shows signs of ill-treatment and the information obtained from him/her raises suspicion, all health-related procedure is applied and the required proceedings are initiated as regards judicial and administrative investigations. Those who sustained battery and injurious ill-treatment go through the necessary treatment in the medical unit.

A dedicated register is kept for traumatic injuries identified during the medical examination. Such injuries are photographed and together with body charts for marking traumatic injuries are kept in the prisoner's individual medical file. Upon request, the results of the examination and assessment by health staff are shared with the prisoner's lawyer. In case an injury allegedly caused by ill-treatment is observed during the examination, the Bünyan Chief Public Prosecutor's Office is informed by a report drawn up, regardless of a complaint by the person.

Medical examinations of all remand and sentenced inmates at Kayseri Women's Closed Prison are conducted in a special room only in the presence of the doctor and the health officer. Prison staff do not attend the examination. Only health officers have been authorized to access UYAP files which contain medical information of prisoners and to enter such information into the database. Having regard to medical confidentiality, two health officers are tasked with the duty.

At Bakırköy Women's Prison, during the medical examination on admission, prisoners are asked if they have any chronic illnesses, are pregnant, have been exposed to any battery and violence, and use illegal substances. If the answer to the last question is "yes", the person is also asked if she shows any signs of withdrawal. In case of violence/battery, the relevant report is obtained. In terms of screening at the establishment, they are tested for COVID-19. All new prisoners are admitted on the condition that they have been tested for COVID-19 prior to coming to the establishment.

As regards para. 119:

See explanations under paragraph 81.

As regarding para. 120:

The prisoner referred to in the report is a full-aged person born on 4 September 2003, detained on remand upon the decision by the İstanbul Anadolu 8th Criminal Magistrate dated 11 May 2019, on suspicion of “willful killing of an antecedent”. As she had psychological problems and had a tendency to harm others, she has been held in a single cell since admission and visited by her mother every week.

The prisoner, awaiting a final judgment, is being interviewed on a regular basis by the psychologist and social worker at the psychosocial service of the prison, either on their initiative or her request. The required assessment reports have been drawn up as regards the interviews made.

As a result of the interviews with the psychologists of the establishment, the inmate was transferred 33 times to the Forensic Psychiatric Polyclinic at the Bakırköy Mental Hospital. However, she was only admitted for inpatient treatment on 18 May 2019 and discharged on 19 June 2019, when she was handed back to prison. All diagnoses and treatment for her have been duly completed.

As regards the procedure for deferment of sentence, a report has been issued by the 3rd Forensic Medicine Specialization Board on 5 May 2021, which decided unanimously that the prisoner:

1. was not considered to fall within “chronic illness, disability or old age” under Article 104 of the Constitution, based on which the President could remit or commute sentences,
2. was not considered within the scope of Article 16 § 6 and Article 105/A of the LESSM, therefore was able to maintain her life on her own,
3. was not considered within the scope of Articles 16 § 1 and 16 § 2 of the LESSM, and that the execution of her sentence could continue along with treatment and regular medical checks made at the clinic.

As of 4 September 2021, the prisoner is held in a single room within a unit for young adult inmates.

As regards para. 121:

As mentioned in the response under paragraph 102, within the framework of the “Training Program for the Specialization of Staff Dealing with Female Prisoners”, the staff has been provided training with a total of four modules by the İstanbul Personnel Training Center since 2019. The fourth module is “children staying with mothers in prisons”. A total of 454 staff members attended this training.

Within the framework of the ARDIÇ Training program organized by the Denizli Personnel Training Center, with the assistance of the EU and UNICEF, training programs are organized for raising the professional and personal qualifications of staff dealing with juvenile inmates. 422 officers in total have attended the eight ARDIÇ training programs organized since 1 January 2019.

Works have also been planned for the post-pandemic period for offering the relevant staff on-the-job and continuing training on the gender-specific needs of female prisoners. In this context, the staff assigned to work with children aged 0-6, staying with their mothers will be given special training as well.

As regards para. 123:

At the establishments visited by the delegation, namely the Diyarbakır T-type Prison No. 3, Kayseri T-type Prison No. 1, Kayseri Women’s Prison, Maltepe L-type Prison No. 1, Metris T-type Prison No. 1 and Maltepe Juvenile and Youth Prison, video calls have been made available for prisoners to reach their families.

The transfer procedure of prisoners to another establishment is laid down in Articles 53 § 1 and 54 of the LESSM. Hence, utmost care is displayed to avoid such grievances on the part of prisoners and their relatives.

The General Directorate for Prisons and Detention Houses, decided on a one-off basis to accept transfer requests between 1 – 19 March 2021 and between 1 – 10 September 2021. From the first group, requests by 10,575 remand and sentenced (including those at the appeal stage) inmates (69%) and from the second group, 7,507 (53%) of the requests were approved.

That being said, a final decision will be taken and procedure will be followed in accordance with the recommendations by the Scientific Advisory Board of the Ministry of Health on transfers, taking into account the state of the current pandemic.

Prisoners who have been unable to be visited due to the pandemic are given compensative visitor entitlements. These issues are evaluated by the Board of Administration and Observation. Moreover, due to the pandemic measures, the weekly telephone entitlement has been combined with the 10-minute additional entitlement to allow a total 20 minutes at once. As regards communication through the VoIP technology, detailed information has been provided about the project “ACEP” in the response to paragraph 88.

As regards para. 124:

Placement in solitary confinement as a penalty has been prescribed in detail under Article 44 of the LESSM. Disciplinary investigations are initiated in response to certain acts by prisoners and the Disciplinary Board might order that the person in question be put in solitary confinement based on the provisions of this Article. However, the Board shall take into consideration factors such as whether the person previously received such a sanction and his/her good conduct at the establishment, before imposing this penalty. Penalties imposed by the Disciplinary Board can be challenged before the prison enforcement judge. The procedure and principles relating to recurrence of acts warranting disciplinary penalties, the execution of disciplinary penalties and lifting of these penalties have been laid down in Article 48 of the Law.

In practice, before the execution of the penalty in respect of mothers with infants aged up to 6, they are asked if they would hand her child over to the family members outside or to the social services directorate. In case she refuses to hand over, she can keep her child during the solitary confinement. However, the child takes advantage of social activities during the day.

As regards para. 125:

In line with international conventions and good practices of modern prison regimes in other countries, rooms padded with soft material have been designed in a number of prisons.

At Bakırköy Women's Prison, observation rooms no. 27 and 29 are not much different from other single observation rooms and are used for the placement of prisoners when the padded room is occupied. Like in every single room, rooms no. 27 and 29 are equipped with windows, wire meshes and bars.

According to law, any placement in a padded room is logged in a register kept to that effect and the prison enforcement judge is notified. In this respect, the management of the prison has been warned that in case juveniles are placed in the padded room they diligently record every placement in a dedicated register.

As regards para. 126:

Article 34 concerning searches of the Regulation on the Administration of Prison Establishments and the Execution of Sentences and Security Measures was amended 12 November 2021. In this context, the phrase "strip-search" has been replaced with "detailed search" and it has been stressed that this is not an ordinary measure applied to every newly-admitted prisoner but an exceptional one. In addition to the existing clause of "suspicion" of banned substances or material, which was the only prerequisite for a strip-search, the following clause reading as "if it is impossible to identify by other means" has been added for executing a detailed search.

Moreover, additional improvements have been brought such as the provision of disposable overalls, the use of gloves and drawing up a report of the procedure carried out. Safeguards have also been instituted to prevent embarrassment and protect human dignity. Considered as a priority topic in all basic training programs, the issue of prisoner body searches is included for years in staff training programs such as "Prison Security", "Human Rights in Prisons" and "Admission Procedures", and taught in practice. Works have begun for the development of a staff training module dedicated to searches.

At Kayseri Women's Prison, the prisoners' clothes are searched on admission to the establishment and after they return to prison from hospital, court hearing etc. two officers at the admission unit perform the search in a closed room. Strip-searches are not conducted unless a written tipoff has been received. Detailed searches are performed in accordance with the provisions of the LESSM, the Regulation on the Administration of Prison Establishments and the Execution of Sentences and Security Measures, and the internal regulations of the establishment. Legal proceedings are brought in respect of prison officers who act arbitrarily and in violation of laws and prison staff is reminded of this topic on a regular basis. Searches in the establishment are performed within the knowledge of the supervisors and in accordance with the applicable legal provisions.

As regards para. 128:

Since the open air-yards are shared by multiple single cells, the metal mesh cannot be removed in order to prevent exchange of items through the windows, any climbing attempt through the windows up to the roof and communication between the rooms.

Article 67 § 1 of the LESSM provides: "Where there is a central broadcasting system in the penal execution institution, the convict shall have the right to hear or watch radio and television broadcasts provided by this system" while paragraph 4 of the same article provides: "These rights may be restricted for dangerous convicts and those convicted for organized crime." In accordance with these provisions, remand and sentenced inmates held in single cells are able to use a TV set provided that it has been purchased from the prison store.

As regards para. 131:

The detention regime applied to inmates sentenced to aggravated life imprisonment is laid down in Article 25 of the LESSM. In this respect, the regime is applied in conformity with the law. Attendance to activities by inmates sentenced to aggravated life imprisonment is ensured in accordance with the provisions. As such, all prison establishments have been instructed that education-training, moral guidance activities, group works and sociocultural and sport activities be carried out in respect of prisoners held in the same room/dormitory, by respecting epidemiologic measures such as masks, distance and hygiene. The psychosocial service shall make one-on-one interviews with the prisoners, works for vocational improvement shall be

launched, social and cultural activities made jointly with other dormitories shall be resumed in accordance with the recommendations by the Scientific Advisory Board of the Ministry of Health, depending on the state of the current pandemic.

As regards para. 134:

Following the instructions by the Ministry of Justice, the quarantine practice for the staff at Maltepe Juvenile and Youth Prison ended on 25 January 2021. The 14-day quarantine applied to newly admitted juveniles ended on 1 March 2021. Newly admitted juveniles for whom the law enforcement has issued a report stating that they do not have any respiratory infection will go through PCR testing for COVID-19 and remain in quarantine in a designated area until the test result is obtained. Those who tested negative are placed in regular rooms/dormitories. There have been no restrictions on the newly-admitted juveniles in their interactions during the day for the months of September to December 2021 on the condition that epidemiologic measures are respected.

It is ensured that following the morning count, prisoners are able to reach the open-air garden for exercise and the rehabilitation activities offered, up to one hour before dusk. Before they return to their rooms, the inmates are also able to spend time in the common area of the units, including the hobby garden and the fitness equipment. Photographs of these areas are enclosed (Annex-6).

As regards para. 136:

The General Directorate for Prisons and Detention Houses does the necessary reminders and warnings in respect of the Maltepe Juvenile and Youth Prison, to the supervisors and staff that physical ill-treatment, excessive use of force and verbal abuse of prisoners is illegal and will be punished accordingly. The management regularly does monitoring and supervision of the areas occupied by prisoners.

The table indicating the outcome of judicial and administrative investigations brought on allegations of battery/ill-treatment in juvenile and youth prisons in 2020-2021 is enclosed (Annex-7).

In 2019, judicial and administrative investigations were made in two cases involving ill-treatment, while in 2020 one judicial and administrative investigations were opened. In 2021, no files have been opened in respect of ill-treatment.

In an incident in 2019, one prisoner attacked and beat an officer, following which the officer allegedly ill-treated the juvenile by kicking. Following the result of the disciplinary proceedings, the Disciplinary Board of the prison decided on 21 September 2020 to punish the officer with a “reprimand”.

In another incident in 2019, disciplinary proceedings were brought as one officer slapped a prisoner, which resulted in a decision of “reprimand”. The officer was discharged from the establishment and was assigned to another prison. An indictment has also been submitted by the Istanbul Anadolu Chief Public Prosecutor’s Office.

In an incident in 2020, disciplinary proceedings were brought by the Disciplinary Board of the establishment in respect of a staff member who allegedly beat and threatened a juvenile inmate, which resulted in a decision of “reprimand”. The officer was discharged from the establishment and was assigned to another prison. An indictment has also been submitted by the Istanbul Anadolu Chief Public Prosecutor’s Office.

Regarding the recommendation on taking the appropriate measures to upgrade the skills of the staff; one-on-one talks are organized with the staff by the experts serving at the psychosocial assistance service on methods for crisis prevention, de-escalation and dealing with stress. Anger control courses are also planned for the staff.

Within the framework of the in-service training program “*ARDIÇ*”, training is provided on the principles of approaching juveniles, characteristics of the adolescent period, helping acquire positive behaviors, personality development, national and international laws, neglect and abuse, communication inside prison, crisis management, etc.

In the basic training for custodial staff, the course of “Professional Intervention Methods and Tactics” is offered theoretically and in practice, dealing with the statutory, legitimate and proportionate use of force as a last resort, after evaluating alternative methods of persuasion.

During the course, the procedure before, during and after the intervention is taught using the methods of the communication and psychology disciplines.

All members of the custodial staff at Maltepe Juvenile and Youth Prison have received this basic training.

Within the context of the ARDIÇ Training Program provided by the Denizli Personnel Training Center, trainings are organized for raising the professional and personal qualifications of staff dealing with juvenile inmates. 22 officers from the Maltepe Prison have attended the ARDIÇ training programs organized since 1 January 2019.

As regards para. 137.

Following the visit of the CPT delegation, CCTV system has been installed in the room where chief custody officer interviews juveniles as well as in the room where the prison director carries out interviews and takes statements.

As regards para. 140:

The number of incidents of inter-juvenile violence, bullying and theft recorded in the establishment is indicated below:

	Violence	Bullying	Theft
January 2021	3	1	1
February 2021	6	1	0
March 2021	10	2	2
April 2021	23	12	0
May 2021	14	4	1
June 2021	12	3	0
July 2021	19	2	0
August 2021	20	0	0
September 2021	17	1	1

According to the procedure adopted in prisons, personal characteristics, physical and mental health state, life before committing the crime, social environment and relations, artistic and professional activities, moral tendencies, views toward crime, length of sentence and crime

types of the juveniles are identified, following which the detention regime, rehabilitation and training plan suitable to their case is implemented.

In line with the BİSİS system (see explanations under para. 72), juveniles' preparation to post-release life begins upon their admission to prison and all their activities in the establishment are planned in line with this objective.

Originally designed as face-to-face training, the BİSİS program went online during the current pandemic. From 1 January 2019, 22 staff members attended the two BİSİS Group Leadership Training Program through the remote training method.

One of the most striking features of the BİSİS system is the concept of "Group Leadership". The custody officer who has a high degree of communication and problem-solving skills, and who has received the pedagogic-based group leadership training, shall be designated as the group leader. Group leaders serve duties in the common areas occupied by juveniles and are responsible for 10-15 juveniles. Therefore, they have the opportunity to monitor the juveniles closely, so that their needs and development can be followed, their life in the establishment can be planned, and a role model is presented while preparing them for the society.

As regards para. 141:

Juvenile prisoners are considered among special and priority groups. All sentenced and remanded juveniles are accommodated in separate prisons.

In separate closed prisons for juveniles, nine cells are located in each ward. The wards also contain a common living space where nine inmates can spend time together, watching TV, having a meal, playing table-tennis, etc. In the cells holding sentenced and remand juveniles, each juvenile gets a work table, bed and cabinet. In juvenile reformatories every juvenile is held in single room. Insofar, the construction of new establishments are underway, where all juveniles will have their own rooms in line with the international standards. In this context, eight separate juveniles prisons (İstanbul, Ankara, İzmir, Hatay, Tarsus, Kayseri, Diyarbakır and Kavak) and four reformatories (Ankara, İstanbul, Elazığ and Urla) are operational. Girls are held in the Urla Reformatory.

Maltepe Juvenile and Youth Prison has been designed on the basis of a single bunk-bed system and consists of three blocks. Each block comprises nine units (wards) and a total of 36 units (wards) are available. Each unit has its own open-air yard, living area, kitchenette and nine cells where juveniles can stay alone and safely. Each cell contains a bed, shower, WC, cabinet for clothes and a desk. A custodial officer is present 24/7 in the cabin built inside each unit to monitor the juveniles. In establishments holding juveniles, the juveniles' cells are checked by at least two custodial officers during evening and night shifts in random periods. The officers on duty perform the required checks. In addition, the juvenile is able to reach the duty officer and the infirmary officer who also works 24/7, using the button located in the cells.

Therefore, every juvenile held in the establishment has been provided with a cell with sanitary facilities and juveniles only spend time together in the living areas under the supervision of the group leader.

As regards para. 142:

It was found in Maltepe Juvenile and Youth Prison that the inmates who were held in quarantine as per COVID restrictions damaged the walls of quarantine areas by opening holes. Therefore, the necessary repair works such as paint, plaster and maintenance have been completed in the units.

Every room where juveniles are held is equipped with a steel WC and shower basin. The black mold referred to in the Report is the result of leakages due to damages to the installations, which causes leakage to lower floors. The necessary repair and maintenance works have begun by the technical staff to eliminate these shortcomings.

The heating of the administrative building and areas where prisoners are accommodated is provided by the central heating system located in the Maltepe Open Prison facility. The works required to provide sufficient heating to the units and rooms in the winter months have begun and the problem are solved through the regular repair and maintenance program.

At Maltepe Juvenile and Youth Prison every cell occupied by juveniles is provided with liquid soap and surface cleaner, covered from the general budget of the establishment.

All inmates are given chlorine bleach solution, provided that it is used under the supervision of the officer and the bottle is returned to the officer. Clothes and cleaning material donated by civil society organizations, associations and foundations are stored in a depot. Clothes and sanitary items such as toothpastes, toothbrushes, shampoos, soap and towels are regularly provided to indigent juveniles on their first admission.

As regards para. 143:

Following the lifting of the 14-day quarantine rule on first admission as of 1 March 2021, social, cultural and sports activities, education and training programs, assistance works and courses resumed, albeit with restrictions. In this context, the juveniles held at the establishment are offered the following activities once a week: sports in the open-air artificial turf field, playstation and games in the hobby room, movie screening, basketball, football, computer operating, personal development and cultural awareness training, drawing/painting, Turkish folk dances, textile and overlock seam course, hairdressing, chess, 1st and 2nd grade literacy courses and religious education by the preachers at the moral guidance unit.

Figures relating to the vocational training, education, leisure and sports activities offered to juveniles at Maltepe Juvenile Prison between March and December 2021 are provided below:

Activity	Number of juveniles attended
1 st grade Literacy courses	35
Movie screening	454
Playstation hobby room	226
Football	433
Basketball	421
Computer Operating	81
Personal development and cultural awareness course	23
Textile course	93
Hairdressing course	83
Overlock course	56
Chess course	29
Turkish folk dances course	47
Drawing/painting course	85

Number of books borrowed from the library of the establishment is 845, and from Maltepe District Public Library is 194. Number of books borrowed from the library of Maltepe L-type Prison by prisoners of foreign nationalities is 46.

Maltepe Juvenile Prison obtains books for foreign prisoners from Maltepe L-type Prison. Photographs showing the workshops are enclosed (Annex-8).

As regards para. 146:

At Maltepe Juvenile and Youth Prison, healthcare services are provided at the infirmary unit with two beds. One general practitioner affiliated with the Ministry of Health as well as three health officers, two nurses and two custodial staff members who have received first-aid and general medical training, affiliated to the establishment provide services. A health officer is present 24/7 at the infirmary.

Regarding the recommendation on the screening for transmissible diseases, the recording of injuries and confidentiality, all newly-admitted prisoners are subject to a comprehensive medical examination by the prison doctor within 24 hours of admission. During the examination the juvenile is asked if he suffers from any chronic and/or transmissible disease. If such conditions exist, the required checks and examinations are performed. The results of all examinations and treatments carried out in general or upon illness shall be entered in the medical card and kept in file.

Following the admission of the juvenile, information on his state of health, traumatic injuries (if any), observations on allegations of ill-treatment are recorded during the examination and kept in the medical file. If during the examination, medical staff receives allegations of ill-treatment and finds injuries indicative of such allegations, a criminal complaint is filed with the chief public prosecutor through the management, regardless of whether the juvenile consents to such an action.

During the medical examination and treatment of prisoners, no officials shall be present in the examination room other than healthcare staff, unless requested otherwise by the physician of the establishment. However, the measures are taken by the management, which do not allow conversations to be heard.

As regards para. 147:

The Research Evaluation Form “ARDEF” is drawn up with respect to all newly-admitted remand and sentenced inmates in prisons, which is a three-stage assessment tool implemented separately by the admission officer, psychosocial assistance service officer and psychosocial assistance service expert.

To avoid self-harm by the prisoner, private talks are made with every inmate by the psychologist serving at the psychosocial service and group leaders. As a result of the evaluation, the level of risk is determined and the juvenile is referred to the children’s or teenagers’ psychiatric service. A case meeting is held in respect of juveniles with suicidal risk and the relevant security measures are taken in respect of the prisoner depending on the level of risk.

In addition, as detailed in response to paragraphs 72 and 140, the Individualized Rehabilitation System (“BİSİS”) is implemented for the juveniles, whereby one custodial officer per unit shall be in charge of a group leader 24/7, encouraging juveniles to educative, social and cultural activities, observing their psychological and mental state and referring them to the psychosocial service when necessary and identifying and fulfilling the juveniles’ individual needs.

Educative content is also available in juvenile prisons for preventing of self-harming. Besides the training program “ARDİÇ”, training programs for custodial officers include issues such as handling high-risk behavior, communication, persuasion, talking into quitting [undesired behavior], alternative preventive approaches and dynamic security.

The BİSİS and Group Leadership training provide for effective approaches and practices for the education and rehabilitation of juveniles by safeguarding the best interests of the juvenile.

In Maltepe Juvenile Prison, until August 2021 there have been two juveniles who attempted suicide. There has been one juvenile who committed suicide in this prison, who was previously pushed to commit crimes.

Moreover, all illnesses suffered by prisoners are followed with care in accordance with medical necessities and laws. A dedicated service is being set up for juveniles pushed to crime inside

the Inmate Judicial Psychiatric Service (“THAP”) at Bakırköy Mental Hospital and Elazığ City Hospital.

As regards para. 149:

All newly-recruited custodial officers are provided with a four-week training program which includes their professional duties, powers and obligations.

The ARDIÇ training program, explained in detail under the response to paragraph 112, has been developed for improving the social and managerial skills of the staff dealing with the rehabilitation of juveniles. The psychosocial assistance services and education-training services carry out training and rehabilitation activities for juvenile inmates and their families.

Trainings have been provided through the Remote Training System of Prisons and Detention Houses on 12-14 July 2021, 23-25 August 2021 and 1-3 September 2021 for the prison staff about ARDEF/BİSİS Information for Juveniles, Juvenile ARDEF Applications, ARDEF/BİSİS First Admission of Juveniles, Promotion of the ARDEF/BİSİS Project, Inmate Psychology, ARDEF Applications, Duties of the Custodial Officers Serving at the Psychosocial Assistance Unit, ARDEF Questions, ARDEF Interview methods, Approach to Psychological Problems, Usage of the UYAP/BİSİS Screen, and Difficult Answers to Difficult Questions. The General Directorate of Prisons and Detention Houses also regularly continues ARDEF/BİSİS Trainings for the staff.

The ARDIÇ Program consists of the Supervisor and Staff Training Program along with the Psychosocial Intervention Program.

ARDIÇ Program is an in-service training program which is based on the best interests of the juvenile and prepared focusing on the juvenile in a holistic point of view, aiming to strengthen the social and supervisory skills of the staff working for the reintegration of the juveniles to the society.

ARDIÇ Staff Training Program (Specialization Training)

A training program offered in personnel training centers for the prison staff, aiming to strengthen the capacities of directors, custodial and other officers working in prisons. This

program consists of five modules, namely The sociology of juvenile crime, The relevant legal framework and life in prison, Juvenile psychology and ways to approach, Emotional and behavioral problems and problems affecting mental health (case based), Interaction within the establishment and personal development skills, Works with sensitive groups and juveniles requiring special needs

ARDIÇ Psychosocial and Intervention Program

Developed for juveniles in prison, the staff and juveniles' families, it is provided by the psychosocial service through individual and group work. The revised modules of the ARDIÇ Psychosocial and Intervention Program are as follows: Personal Development Module, Family Training Module, Anger Control Module, Addiction Intervention Module, Developing Safe Behavior ("*Buradayım*"), Module for the Offense of Sexual Assault, Reproduction and Sexual Health and Seminars (Addiction Prevention, Harms of Smoking, Order of Life, Internet and Media, Protection from Abuse, Anger and Stress and Communication)

Information on *Individualized Rehabilitation System* ("*BİSİS*") is provided under para. 140 and 147.

Regarding the recommendation on steps to be taken to increase the number of female custodial officers working at Maltepe Juvenile Prison, from 1 November 2021, 19 new custodial officers started serving duties at this prison. As of 3 December 2021, total number of custodial officers is 159, of which three are chief custody officers (men), 130 are male and seven are female officers.

From 1 January 2021 to 30 August 2021, the psychosocial assistance service has made 4,023 private interviews with the juveniles. Individual intervention programs were implemented in respect of 49 juveniles. Photographs relevant to private interviews have been enclosed (Annex-9).

As regards to para. 151 and 154:

The use of solitary confinement in respect of juvenile prisoners is not allowed under Article 46 of the LESSM. Juvenile prisoners may only be imposed the penalty of room confinement up to five days, reserving the right to two hours of open-air exercise every day. This penalty is applied

in a way that does not prevent the juvenile from reaching the staff anytime. The juvenile goes through medical examination before, during and after the penalty. The juvenile is also allowed to receive family members, lawyer and legal representatives as visitors during this sanction.

Pursuant to paragraph 3 (a) of Article 48 (titled “repetition of acts that call for a disciplinary penalty; execution and lifting of disciplinary penalties”) of the LESSM, the penalty of confinement in room shall only be imposed after it has been approved by the prison enforcement judge.

As regards para. 152:

In order to eliminate incidents of self-harm, private interviews are made with all juveniles by the specialist psychologist and group leaders at the psychosocial assistance service of the Maltepe Juvenile Prison. Private interviews are also made with those juveniles who were determined to be at risk of suicide or self-harm according to the ARDEF form filled after an interview following first admission. The juvenile or teenager who was identified to pose risk according to the evaluation following the interview is referred to the psychiatric service. Moreover, a case meeting is made in respect of prisoners with suicidal risk and the necessary security measures required by the level of risk are taken.

As regards para. 155:

The requested information had been provided through our letter of 17 August 2021.

As regards para. 156 and 157:

The rules concerning open and closed units have been explained in para. 84.

Due to the COVID-19 pandemic, in order to limit the prisoners’ contact with the outside world, cancelled visit entitlements were compensated by additional weekly telephone calls (which have been explained in detail in response to the recommendations under paragraphs 43 and 88). Prisoners’ telephone calls have been increased from 10 to 30 minutes; to 60 minutes if they do not have any visitors and finally to 90 minutes if they have been rewarded in addition to these

entitlements. Whereas prisoners were previously able to call one family member, they are currently able to call up to six family members.

Maltepe Juvenile Prison is among the prisons in which the ACEP system has been installed and currently in use.

In a very recent amendment made to paragraph 2 (g) of Article 74 of the Regulation on the Administration of Prison Establishments and the Execution of Sentences and Security Measures (on 12 November 2021 by Law no. 4773), juveniles and female sentenced prisoners who have children aged up to six years of age (regardless of where the child stays) benefit twice the duration from these call entitlements. Moreover, sentenced prisoners have been given an additional 30 minutes to be used on their religious holidays.

Therefore, if the juveniles are unable to receive visitors, their 60-minute call entitlements will be doubled and they will be able to use 120 minutes in 12 calls.



T.R. MINISTRY OF INTERIOR
LAW ENFORCEMENT
MONITORING
COMMISSION

MINISTRY OF INTERIOR
LAW ENFORCEMENT MONITORING COMMISSION

2020 YEAR ACTIVITY REPORT



**MINISTRY OF INTERIOR
LAW ENFORCEMENT MONITORING COMMISSION**

2020 YEAR ACTIVITY REPORT

JANUARY 2021

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*Yalnız tek bir şeye ihtiyaç vardır,
çalışkan olmak!*

K. Atatürk

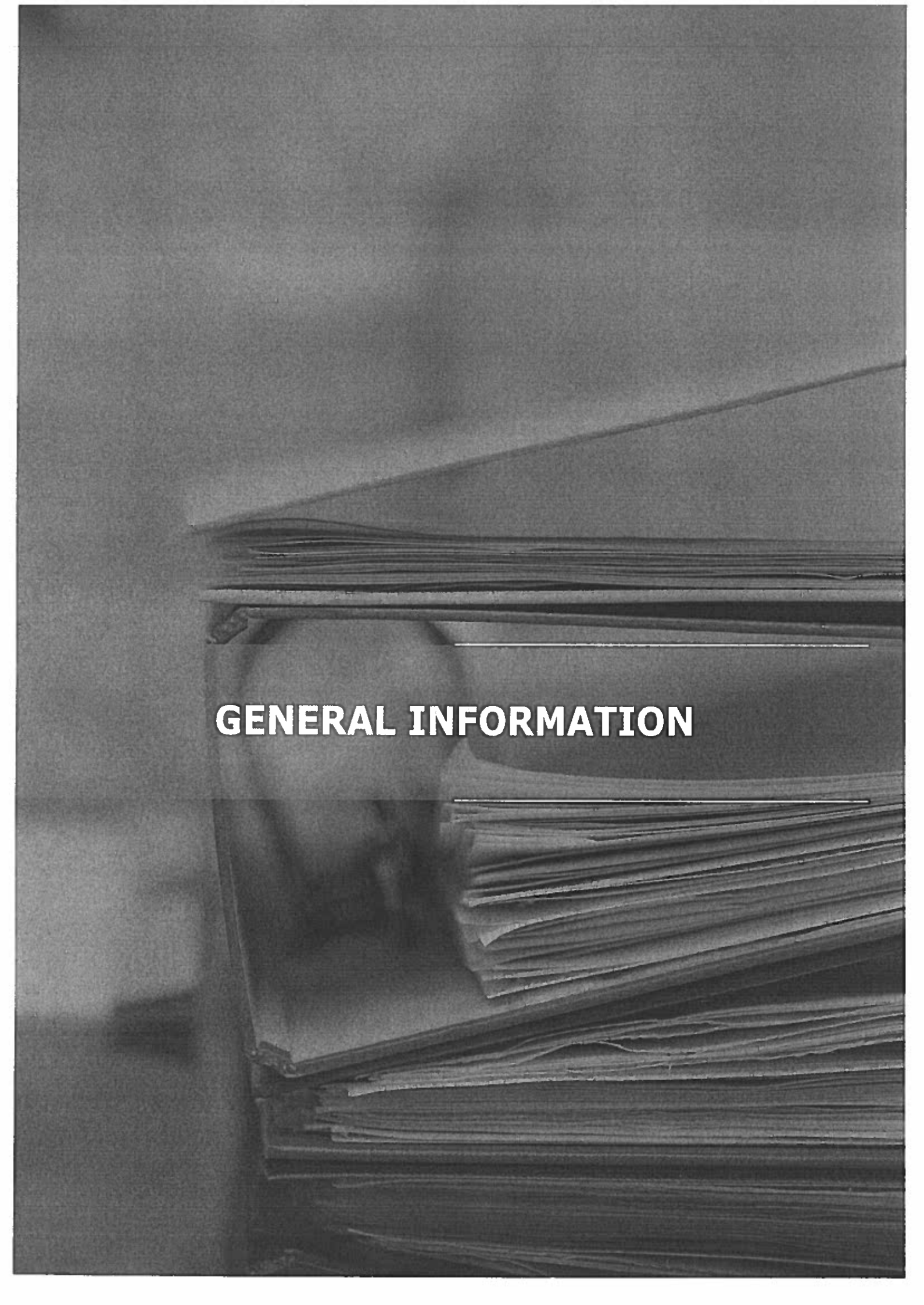


**THE LAW
ENFORCEMENT
MONITORING
COMMISSION
2020 YEAR
ACTIVITY REPORT**

TABLE OF CONTENT

GENERAL INFORMATION	9
1. Mission and Vision	11
2. Legal Arrangements	11
3. Duty and Powers	12
4. Information about the Management	13
4.1. Physical Structure	13
4.2. Organisational Structure	13
4.2.1. The Law Enforcement Monitoring Commission	13
4.2.2. Secretariat of the Law Enforcement Monitoring Commission	14
4.2.3. Civil Inspectors	17
4.2.4. Law Enforcement Complaint Offices and Units	17
5. Personnel Composition	17
WORKS CARRIED OUT AND ACTIVITIES PERFORMED	19
1. Works Carried Out	21
2. Activities Performed	25
INNOVATIONS BROUGHT BY THE LAW ENFORCEMENT MONITORING SYSTEM	33
OPINIONS AND PROPOSALS ABOUT ORGANISATIONAL CAPACITY	37





GENERAL INFORMATION

GENERAL INFORMATION

1. Mission and Vision

The mission of the Law Enforcement Monitoring Commission is to monitor the work and transactions carried out or to be carried out by the administrative authorities due to the crimes alleged to be committed by law enforcement officers or their actions, attitudes or behaviours that require a disciplinary punishment, for the purpose of ensuring that the law enforcement complaint system works more effectively and quickly and improving its transparency and reliability, and to record and monitor the notice/complaint or satisfaction notifications about law enforcement officers in a central system, and to determine the procedures and principles regarding administrative measures for the law enforcement complaint system

The vision of the Commission is to improve the transparency and reliability of law enforcement services by taking fundamental rights and freedoms as a basis, and by ensuring that the law enforcement complaints system operates more effectively and quickly.

The Law Enforcement Monitoring Commission, as a central authority, aims to ensure the unity of practice among Turkish Gendarmerie, Turkish National Police, Turkish Coast Guard and Turkish Gendarmerie and Turkish Coast Guard Academy on the issues on law enforcement complaint system and to contribute to the development of future policies by the created database to contribute to the development of future policies, and to strengthen the accountability, effectiveness and transparency of law enforcement agencies, and to contribute to the increase of social trust in law enforcement.

2. Legal Arrangements

Legal arrangements regarding the law enforcement complaint system were planned as primary, secondary and tertiary legislation, and laws, regulations, directives and resolutions prepared within this framework were put into effect

Primary Legislation;

The fundamental structure of the law enforcement complaint system is comprised of the Law no: 6713 on Establishment of the Law Enforcement Monitoring Commission dated 03/05/2016 published on the official gazette dated 20 May 2016 and numbered 29717 and entered into force, and the Law no: 7068 on Adoption of Decree Law on General Disciplinary Provisions of Law Enforcement dated 31/01/2018 published on the official gazette dated 8 March 2018 and numbered 30354 and entered into force and the Regulation on Implementation of the Law no:6713

on Establishment of the Law Enforcement Monitoring Commission published on the official gazette dated 7 August 2019 and numbered 30855 and entered into force.

Secondary Legislation;

The Directive on Function of the Law Enforcement Complaint System and Central Registry System and the Circular no:2020/06 on Function of Law Enforcement Complaint Offices, which were prepared in order to in order to clarify the details in the implementation of the law no:6713, to carry out the law enforcement monitoring acts and actions duly, to guide for the personnel in charge and our citizens, to regulate where and how notice, complaints or satisfaction notifications about law enforcement personnel can be made, were published.

Tertiary Legislation;

From decisions taken within the framework of acts and actions regarding notice, complaint and satisfaction notification about law enforcement in the meetings held by the Law Enforcement Monitoring Commission on the various dates;

- "the resolution on the actions to be taken in cases where a decision not to be processed should be established in applications with the nature of disciplinary offense against law enforcement officers at the provincial and district level" dated 29.07.2020 and numbered 2020/5
- Resolution on the criteria, procedures and principles to be taken into account when requesting a civil inspector in research, preliminary examination and/or disciplinary investigations related to catalogue offences were circulated to the relevant units. In addition, the resolutions were published on the Commission's organisational website (www.kollukgozetim.gov.tr).

3. Duty and Powers

Duty and Powers of the Commission are;

- a) To make suggestions to the Ministry of Interior by determining the principles on the functioning of the law enforcement complaint system; to monitor activities regarding this issue and to ensure the coordination among public institutions and organizations
- b) To demand a disciplinary investigation against law enforcement officers by the competent authorities when necessary for crimes and actions, attitudes or behaviours allegedly committed by the law enforcement officers that require a disciplinary punishment
- c) To make recommendations to the Ministry of Interior for inspection and supervision on issues related to the functioning of the law enforcement complaint system; to evaluate the reports issued in consequence of these inspections and supervisions; to determine the administrative measures to be taken regarding the identified deficiencies and to propose them to the Ministry of Interior and to declare the reports to the public which they deem suitable
- ç) To make recommendations to the Ministry of Interior for the effective functioning and development of the central registry system and to monitor the functioning of this system.
- d) To prepare statistics related to the data and information to be obtained from the central registry system, to create a database; to analyse and to have analysed the obtained data and information, to make suggestions on strategy determination and implementation, and to announce the results of these analyzes to the public when considered necessary.
- e) To prepare annual reports containing determinations, opinions and suggestions on issues falling into its remit and to submit these reports to the Human Rights Investigation Commission of the Turkish Grand National Assembly and to the Presidency of the Republic every year in March and to declare them to the public.
- f) To carry out researches or have researches done for improving the working conditions of law enforcement officers; to monitor, evaluate the actions carried out for the development and improvement of law enforcement services and to make suggestions to the Ministry of Interior on these issues.
- g) To monitor the implementation of law enforcement's ethical principles; to make suggestions to the competent authorities on the effective implementation of these principles and to make a cooperation with the law enforcement agency and other relevant organizations in this respect.
- ğ) To conduct or have opinion researches conducted at least once in every two years in order to measure the public's trust in the law enforcement complaint system and to evaluate the opinions and thoughts of the public regarding the system.

- h) To communicate and make a cooperation with universities, public professional organisations, and relevant non-governmental organizations on issues falling into its remit.
- i) To express opinions and make suggestions to the authorized units regarding the in-service training programs of the law enforcement
- j) To express opinion on legislative arrangements related to the issues falling into its remit.

4. Information about the Management

4.1. Physical Structure

The Commission, which independently fulfils the duties and powers given to it by the law and other relevant legislation under its own responsibility, is formed as a permanent board under the Ministry of Interior.

The secretariat, which is the executive body of the commission, carries out its activities a ministerial additional building at Kavaklıdere Mahallesi, Atatürk Bulvarı, No:191, B Blok, 10. Floor

4.2. Organisational Structure

The law enforcement complaint system, which has been legalized by the Law no: 6713 on Establishment of the Law Enforcement Monitoring Commission and the Regulation on Implementation of the Law no: 6713 on Establishment of the Law Enforcement Monitoring Commission, is comprised of

- Law Enforcement Commission,
- Secretariat of the Law Enforcement Commission,
- Civil Inspectors,
- Law Enforcement Complaint Offices and Units.

4.2.1. Law Enforcement Monitoring Commission

The Commission, which is the decision-making body in the law enforcement monitoring system, is consisted of a head and 6 members within the framework of Article 3 of Law No. 6713.

The Commission, in order to take and implement all kinds of decisions on the issues within the scope of the said Law; under the chairmanship of the Deputy Minister of Interior, is consisted of Head of the Human Rights and Equality Institution of Turkey, Head of the Civil Inspection Board of the Ministry of Interior, General Director of Legal Services at the Ministry of Internal Affairs, General Director of Criminal Affairs of the Ministry of Justice, academic members working in the criminal and criminal procedure law departments of universities and one member each to be elected by the President of the Republic from among self-employed lawyers with qualifications for election as head of the bar association.

Members of the Commission, their names and titles are shown in the table below

Table 1. Head of the Law Enforcement Monitoring Commission and its Members

Muhterem İNCE / Deputy Minister	
	Süleyman ARSLAN / Head of Human Rights and Equality Institution of Turkey
	Dr. Turan ERGÜN / Head of Civil Inspection Board
	Harun SARIFAKIOĞULLARI / Acting Director General for Legal Services
	Yakup MOĞUL / Director General of Penal Affairs of Ministry of Justice
	Prof. Dr. Mahmut KOCA / Academician
	Lawyer İsmail GAZEL / Self-Employed Lawyer

4.2.2. Secretariat of the Law Enforcement Monitoring Commission

The Secretariat of the Commission, within the body of the Civil Inspection Board, under the responsibility of an appointed deputy head, continues to work with 3 head of section and sufficient personnel, and the duties of the said units are shown below;

Duties and Powers of Head of Civil Inspection Board

- a) To lead the secretariat services of the Commission; to ensure that these services are carried out in a harmonious, efficient and regular manner.
- b) To propose to the Head of the Commission the chief civil inspector to be appointed as the Deputy Head of the Board.
- c) To propose the civil inspectors to be assigned to carry out the duties given in accordance with the provisions of Articles 4 and 8 of the Law.
- ç) To ensure the implementation of commission's decisions.
- d) To fulfil other duties assigned to the Head of the Board by law.

Duties and Powers of Deputy Head of Civil Inspection Board

- a) To assist the Head of the Board in the management of the secretariat services of the Commission, in the execution of the decisions of the Commission referred to the Head of the Board, in the fulfilment of the duties assigned to the Head of the Board.
- b) To complete the deficiencies and to correct the inaccuracies in reports prepared by the inspectors, in laws, regulations and other regulatory procedures, if there are contradictions, mistakes and deficiencies.
- c) To carry out the procedures for sending the reports to the authorities.
- ç) To fulfil the instructions to be given by the Head of the Board in the preparation of inspection and supervision programs.

Duties of Section of Investigation and Supervision Services

- a) To carry out acts and actions related to research, preliminary examination, examination and disciplinary investigations related to catalogue offences.
- b) To carry out the actions regarding the decisions taken by the Commission to carry out a disciplinary investigation.
- c) To carry out the actions regarding the complaints and denunciation petitions submitted directly to the Commission, the denunciations and complaints sent to the Commission by the relevant units, and the issues that are included in the agenda ex officio by the Commission.
- ç) To carry out the necessary actions in accordance with the general provisions in cases where a disciplinary investigation is requested by the commission.
- d) To carry out the actions regarding inspection and supervision duties of the commission
- e) To prepare the agenda of the commission and to record its decisions
- f) To monitor the implementation of decisions, actions, orders and instructions in the issues falling within the remit of it.
- g) To perform other duties assigned by the Head and the Head of the Board.

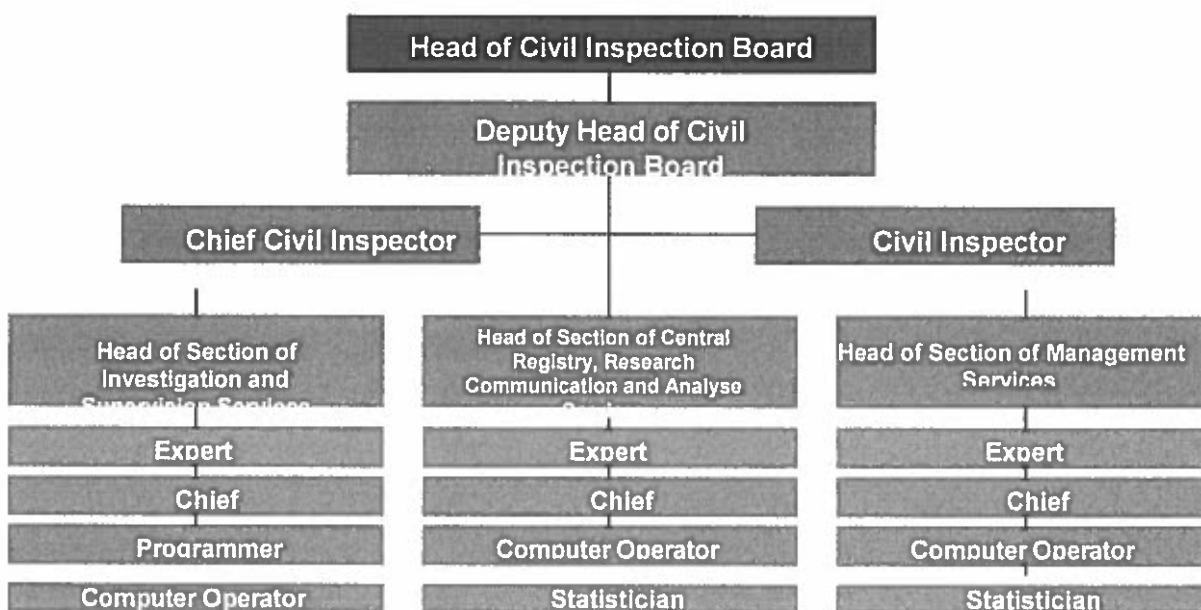
Duties of Section of Central Registry, Research, Communication Analyse Services

- a) To carry out the actions to ensure the function of the central registry system.
- b) To monitor the function of the central registry system.
- c) To prepare statistics on data and information to be obtained from the central registry system; to analyze the obtained the data and information or have them analyzed; to make recommendations on strategy determination and implementation; and, when deemed necessary, to carry out the actions to announce the results of these analyses to the public.

- ç) To ensure the security of the central registry system and to carry out the actions for the protection of the personal data kept in the system
 - d) To carry out the actions regarding the determination of the principles and standards regarding the function of the law enforcement complaint system, the monitor of the practices in this regard and the research of the developments.
 - e) To carry out the actions to ensure coordination among public institutions and organizations in the function of the law enforcement complaint system.
 - f) To carry out the actions regarding the research for improvement of the working conditions of law enforcement officers.
 - g) To carry out the actions regarding the monitoring and evaluation of the law enforcement complaint system and the activities for the development and improvement of law enforcement services.
 - ğ) To carry out the actions to monitor the implementation of law enforcement ethical principles and to make recommendations to the competent authorities on the effective implementation of these principles and to make a cooperation with law enforcement agencies and other relevant organizations in this regard.
 - h) To carry out the actions to prepare annual reports containing determinations, opinions and recommendations on the issues falling within the remit of the commission, to send these reports to the Presidency and the Human Rights Investigation Commission of the Grand National Assembly of Turkey in March every year and to announce them to the public.
 - ı) To carry out the actions regarding public opinion polls.
 - i) To carry out the actions regarding communication and cooperation with universities, public professional organizations and relevant non-governmental organizations on issues falling within the remit of the commission.
 - j) To carry out the actions for the Commission to prepare legislation regarding the implementation of the Law and to amend the legislation when necessary.
 - k) To carry out correspondence related to the decision-making mechanisms of the countries, international and regional organizations and the European Union, submitted to the Commission
 - l) To carry out the actions to give opinions and to make suggestions to the authorized units regarding the in-service training programs of the law enforcement.
 - m) To carry out the actions to express opinions on the relevant legislative regulations on the issues falling within the remit of the commission.
 - n) To carry out press and public relations activities.
 - o) To carry out the actions regarding the answering of the proposals.
- Duties of Section of Management Services**
- a) To carry out acts and actions regarding the members of the commission.
 - b) To prepare proposals for the commission's activities and other needs and for the allocation of appropriations to the budget of the Ministry of Interior every year for travel expenses.
 - c) To carry out personal and discipline affairs, health and social service activities of the personnel working in the commission.
 - ç) To carry out acts and actions regarding the movable and immovable properties in the use of the commission.
 - d) To carry out secretarial services such as execution of secretarial services related to the commission's field of duty and preparing and monitoring daily, weekly and monthly programs.
 - e) To check the compliance of the domestic and international temporary assignment travel notices and their annexes with the current legislation of Head of the Commission and members of the Commission and its personnel;

- to prepare the accrual documents of the notifications and to present them to the assessment officer and the authorizing officer; to ensure that it is delivered to the relevant units.
- f) To carry out the actions regarding the use of the module implemented within the scope of e-interior.
 - g) To work on the workforce planning and personnel policy of the commission; to make proposals for the improvement of the personnel system; and to prepare and implement the in-service training plan of the personnel working in the commission.
 - ğ) To carry out the archive services of the Commission.
 - h) To organize and execute general paperwork activities
 - ı) To carry out the actions related to requesting information and documents from the Ministries and other public institutions and organizations regarding the activities of the Commission and ensuring their follow-up.
 - i) To carry out actions regarding the in-service trainings of inspectors.
 - j) To prepare the information and documents required by the relevant unit of the Ministry for the defense to be made against the lawsuit petitions regarding the administrative lawsuits filed against the Ministry for the decisions of the commission and for the execution of the court interim decision.
 - k) To carry out protocol works, various contacts and visits, daily programs and similar social activities that do not exclusively fall within the remit of other branch directorates, by cooperating with other relevant branch directorates, if necessary.
 - l) To carry out the actions regarding the preparation of the website of the Commission and the necessary updates on the page.

Table 2. Organisational Chart of Secretariat of the Commission



4.2.3. Civil Inspectors

In law enforcement notice, complaint or satisfaction notification acts and transactions; 15 chief civil inspectors/inspectors have been appointed by the Civil Inspection Board to carry out actions such as research, preliminary examination and investigation

Other civil inspectors are also assigned by the Board if deemed necessary, and in some cases, notices and complaints are requested to be evaluated either by the inspection boards of the affiliated organizations or by the civil authorities (governor, district governor).

4.2.4. Law Enforcement Complaint Offices and Units

Pursuant to 75th and 76th articles of the Regulation on Implementation of the Law no: 6713 on Establishment of the Law Enforcement Monitoring Commission;

a total of **1007 law enforcement complaint offices** was established across the country including

- provincial administrative board directorate in provinces, registry directorate of district governorate in districts,
- one each within Turkish National Police, Turkish Gendarmerie and Turkish Coast Guard as well as Turkish Gendarmerie and Coast Guard Academies at central organisation.

At the same time, the central registry system has been actively used by the secretariat, affiliated units, governorates and district governorates by establishing law enforcement complaint units in the provincial organizations of the affiliated units.

5. Personnel Composition

The staff distribution in the list (1) attached to the Law No. 6713 is shown in the table below:

Table 3. Cadre, Degree and Number Assigned for the Commission

GRADE	TITLE	DEGREE	FREE STAFF NUMBER
Local Authority Services	Chief Civil Inspector	1	10
Local Authority Services	Civil Inspector	1	5
General Administrative Services	Head of Section	1	1
General Administrative Services	Head of Section	3	1
General Administrative Services	Head of Section	4	1
General Administrative Services	Expert	1	1
General Administrative Services	Expert	4	1
General Administrative Services	Expert	5	1
General Administrative Services	Chief	4	1
General Administrative Services	Chief	5	1
General Administrative Services	Chief	6	1
General Administrative Services	Programmer	7	2
General Administrative Services	Computer Operator	8	1
General Administrative Services	Computer Operator	9	2
General Administrative Services	Computer Operator	10	2
Technical Services	Statistician	7	2
Technical Services	Statistician	8	2
TOTAL			35

While some of the cadres stated in the table above are appointed, some are temporarily assigned, and planning is made for vacant cadres.



WORKS CARRIED OUT AND
ACTIVITIES PERFORMED

WORKS CARRIED OUT AND ACTIVITIES PERFORMED

1. Works Carried out

The Law Enforcement Monitoring Commission launched its activities on 20.09.2019 following elections for members of the Law Enforcement Monitoring Commission upon the Presidential Decision dated 12 July 2019 and no: 2019/196.

- The Commission held its first meeting headed by Deputy Minister Mr. Muhterem INCE with the participation of its all members on 20 September 2019.
- The Commission made 13 decisions during 4 meetings in 2019 and 15 decisions during 11 meetings in 2020 and put the decisions into practice.
- In addition, regarding the issues requiring coordination within the framework of Article 12 of the Regulation, a meeting was held at conference hall of Ministry of Interior on 9 December 2020 with the participation of representatives of public institutions and organisations. Representatives of Ministry of Justice, Ministry of Foreign Affairs, Ministry of Agriculture and Forestry, Ministry of Trade, Ombudsman Institution and its affiliated bodies, Turkish National Police Academy, Turkish Gendarmerie and Coast Guard Academy were consulted on function of the law enforcement complaint system. Opinion, proposals and offers of public institutions and organisations were evaluated.

Photo 1. The Law Enforcement Monitoring Commission's first meeting on 20.09.2019

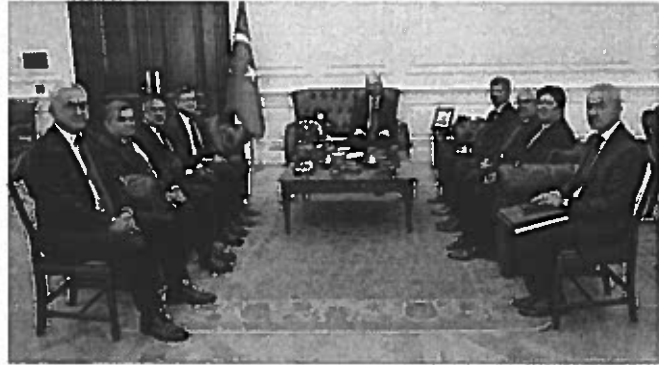
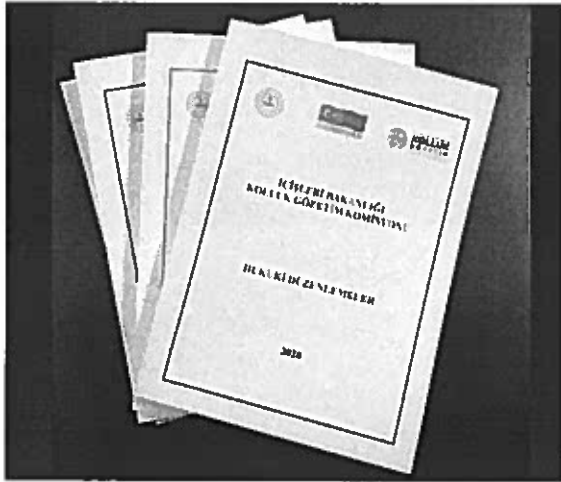


Photo 2. The Law Enforcement Monitoring Commission's Coordination Meeting on 09.12.2020

- A Program on the Law Enforcement Monitoring Commission Training for Trainers" was held on 4-6 December 2019 at Gölbaşı Social Facility in Ankara. At the training, a total of 168 personnel including provincial administration board directors was provided a training on "e-internal affairs, Law Enforcement Monitoring, Complaint and Report System Module".
- An Instruction and a circular on function of law enforcement complaint offices were submitted to Turkish National Police, Turkish Gendarmerie and Turkish Coast Guard, 81 governorates and Turkish Gendarmerie and Coast Guard Academies.

Photo 3. The Program on the Law Enforcement Monitoring Commission Training for Trainers on 04.12.2019

- On-site training was provided to other personnel assigned to law enforcement complaint offices across the country through trainers trained in Ankara.
- An official letter was sent to the Ministry of Justice for information of the investigations initiated by the Chief Public Prosecutor's Offices against law enforcement officers and their results.
- "Central Registry System Software" was made by the Department of Information Technologies under our Ministry for commission's acts and transactions.
- The Law Enforcement Monitoring Commission's Communication Plan for 2020 was prepared and put into practice.
- The Legislation on the law enforcement monitoring commission, central registry system and e-internal affairs law enforcement monitoring, complaint and report system module were included in the annual in-service training programs of the law enforcement.
- One "Advisory/Help Desk" was established under the Secretariat of the Law Enforcement Monitoring Commission and one for the Department of Information Technologies of Ministry of Interior.
- An "Annual Training Plan" was prepared and implemented for the civil inspectors assigned in the law enforcement monitoring commission's acts and transactions.
- A "Judicial Precedent Program" was taken and put into practice for the purpose of training for the civil inspectors on the subject.

Photo 4. Legal Regulations Booklet

- All legislation enacted regarding the law enforcement monitoring commission and the law enforcement complaint system was collected in a booklet called "Legal Regulations". 9000 copies were printed and sent to the relevant units in the center and the provinces.
- In accordance with our Ministry's In-Service Training Plan for 2020 and the Law Enforcement Monitoring Commission's Annual Communication Plan for 2020;
- A program on "Training for Deputy Governors" was organised between 25 and 27.02.2020 within the scope of the Law Enforcement Monitoring Commission's acts and transactions.

Photo 5. The Law Enforcement Monitoring Commission's Training for Deputy Governors- Ankara

- For the purpose of raising public awareness on the Law Enforcement Monitoring Commission and the Law Enforcement Complaint System, introductory activities were planned in our 10 provinces;

among these, "Program on Raising Public Awareness" was organised in Kocaeli on 10 March 2020. The activities in our remaining 9 provinces were postponed due to the Covid-19 pandemic.

Photo 6. Training for Raising Public Awareness" - Kocaeli

- On 24-25 December 2020, in-service training was provided for civil inspectors within the scope of the "Training Plan for 2020".
- 2569 personnel were assigned to the governorates, district governorates, Turkish National Police, Turkish Gendarmerie and Turkish Coast Guard, and the law enforcement complaint offices established at Turkish Gendarmerie and Coast Guard Academies, and 2297 personnel of them were authorized for the central registry system module.
- The institutional website of the Law Enforcement Monitoring Commission was activated (www.kollukgozetim.gov.tr) and the necessary infrastructure was completed so that citizens can report, complain and/or report satisfaction about law enforcement personnel through this website.

Photo 7. The Commission's Institutional Website- (www.kollukgozetim.gov.tr)



Photo 8. Institutional Website - Citizen Application Form



- The official logo of the Law Enforcement Monitoring Commission was prepared by our Ministry and started to be used in official correspondence and on the institutional website.

Photo 9. Institutional Logo



- Head of the Law Enforcement Monitoring Commission and members went to Uşak on 24.12.2020 for the purpose of examining on-site the claims of "strip searches of detained women", which was voiced by several media organs within the scope of the operations against FETO performed on August in Uşak. As a result of examination-research activities at governorate, no information, findings or documents could be found to confirm the claims in question. It has been assessed that accusations that are not based on any evidence or concrete document do not reflect the truth, and that such unfounded claims aim to disrupt the operations to fight against FETO, and to damage security officials and state institutions. A press statement was made on this issue and information was given to the public so that disinformation, defamation and propaganda activities directed from certain centres would not be respected.

Photo 10. The Commission's observations in Uşak



2. Activities Performed

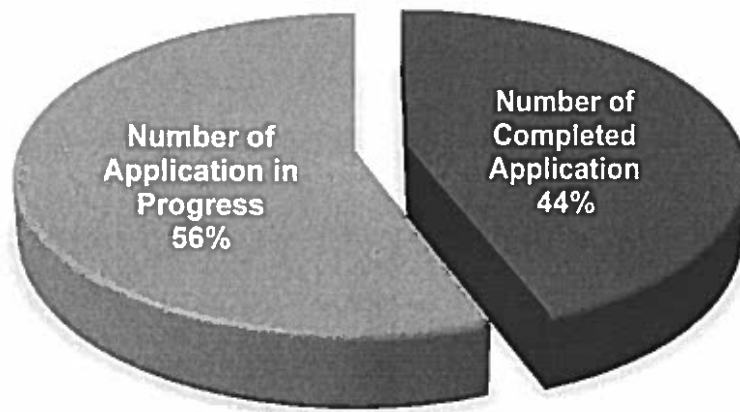
In a total of 42,501 files of application for 53,081 personnel were made to the law enforcement monitoring commission central registry system between the date of 29.01.2020 and 31.12.2020 regarding to the notices, complaints and/or satisfaction

notifications about law enforcement personnel. The proceedings against 26,189 personnel in 18,811 of those files were completed and investigations, preliminary examinations, disciplinary investigations, etc., were carried out on 26,892 personnel in the remaining 23,690 files.

Table 4. Number of Application in Total (File/Personnel)

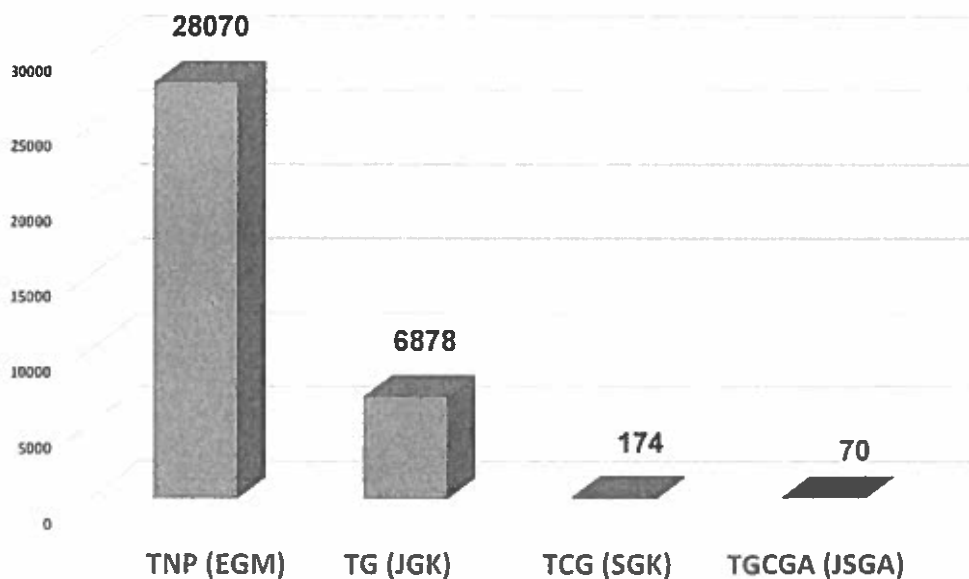
NUMBER OF APPLICATION (File/Personnel)	42.501 / 53.081
NUMBER OF COMPLETED APPLICATION (File/Personnel)	18.811 / 26.189
NUMBER OF APPLICATION IN PROGRESS (File/Personnel)	23.690 / 26.892

Graphic 1. Number of Application (File) in Total



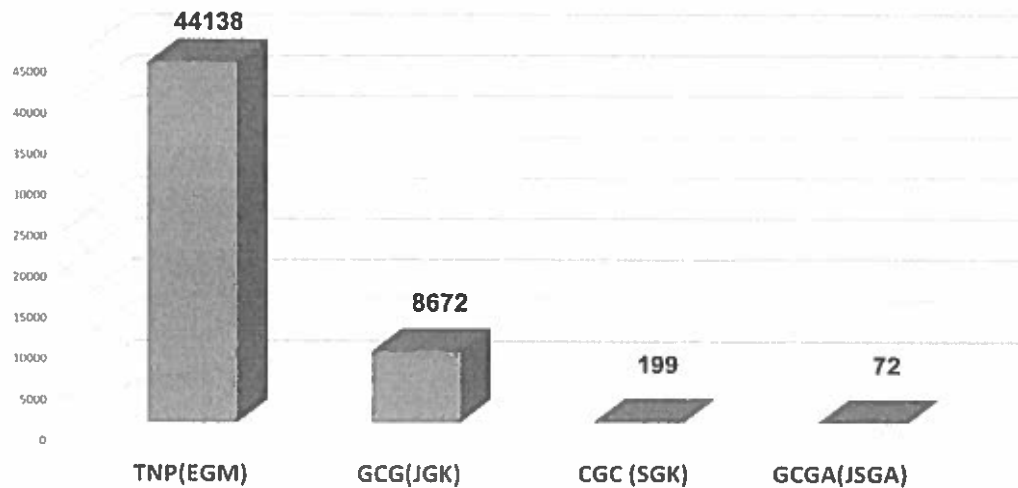
The distribution of a total of 42,501 applications (files) made to the Central Registry System regarding to their affiliated units is given in the chart below:

Graphic 2. Distribution of Total Applications (Files) Regarding to Their Affiliated Units



Action has been taken against 53,081 personnel in a total of 42,501 applications made to the Central Registry System; and their distribution by the affiliated units is given in the chart below:

Graphic 3. Total Number of Personnel for whom Legal Action Is Requested



The distribution of records (files) entered in the Central Registry System by application making types is given in the table below:

Table 5. Distribution of Application according to application making types

Received from Law Enforcement Units	25.978
Received from Judicial Authorities	6.561
Initiated by the Order of the Authority	3.686
Received from Institutional Channels	3.445
Application Made Directly by Citizen	2.831
TOTAL	42.501

Graphic 4. Distribution of Application Regarding to Their Receiving Types

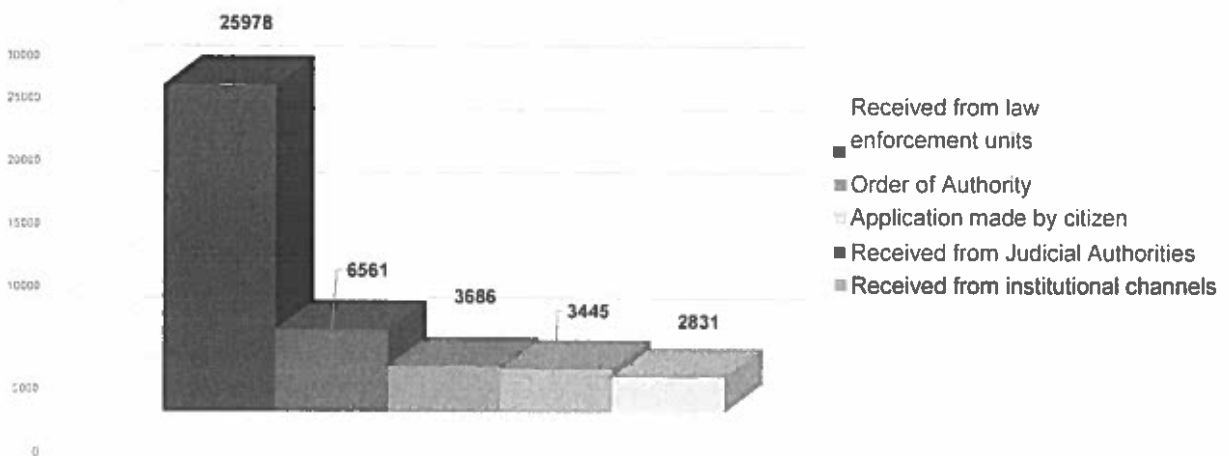
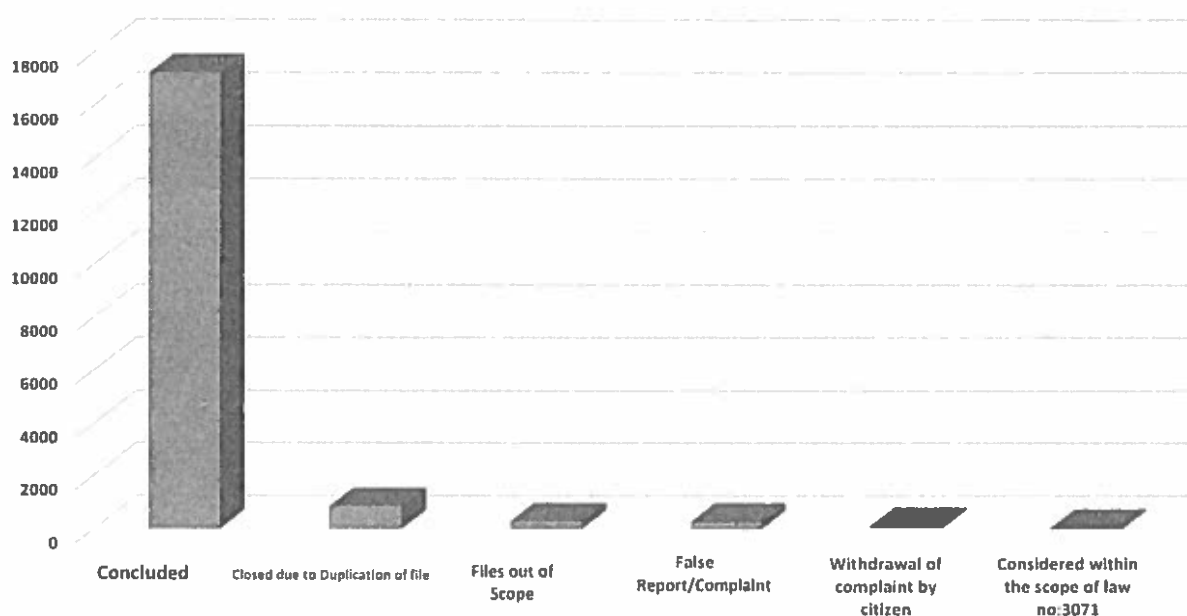
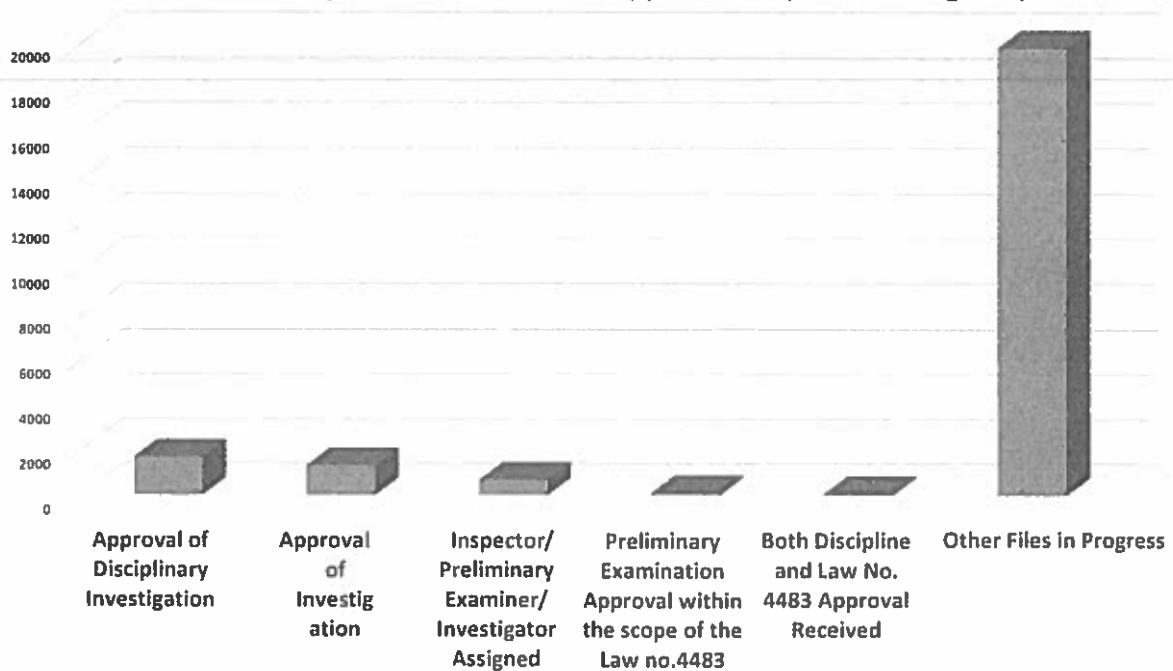


Table 6. Distribution by the Situation of the Applications

Finished / Completed Files	18.811
Concluded	17.264
Closed due the duplication of file	848
Files out of scope	291
False report / complaint	271
Withdrawal of application by citizen	86
Considered within the Scope of Law No. 3071	51
Files in Progress	23.690
Approval of Disciplinary Investigation	1.693
Approval of Investigation	1.327
Inspector/ Preliminary Examiner/ Investigator Assigned	682
Both Discipline and Law No. 4483 Approval Received	73
Preliminary Examination Approval Received in accordance with Law No. 4483	88
Other Files in Progress	19.827
TOTAL	42.501

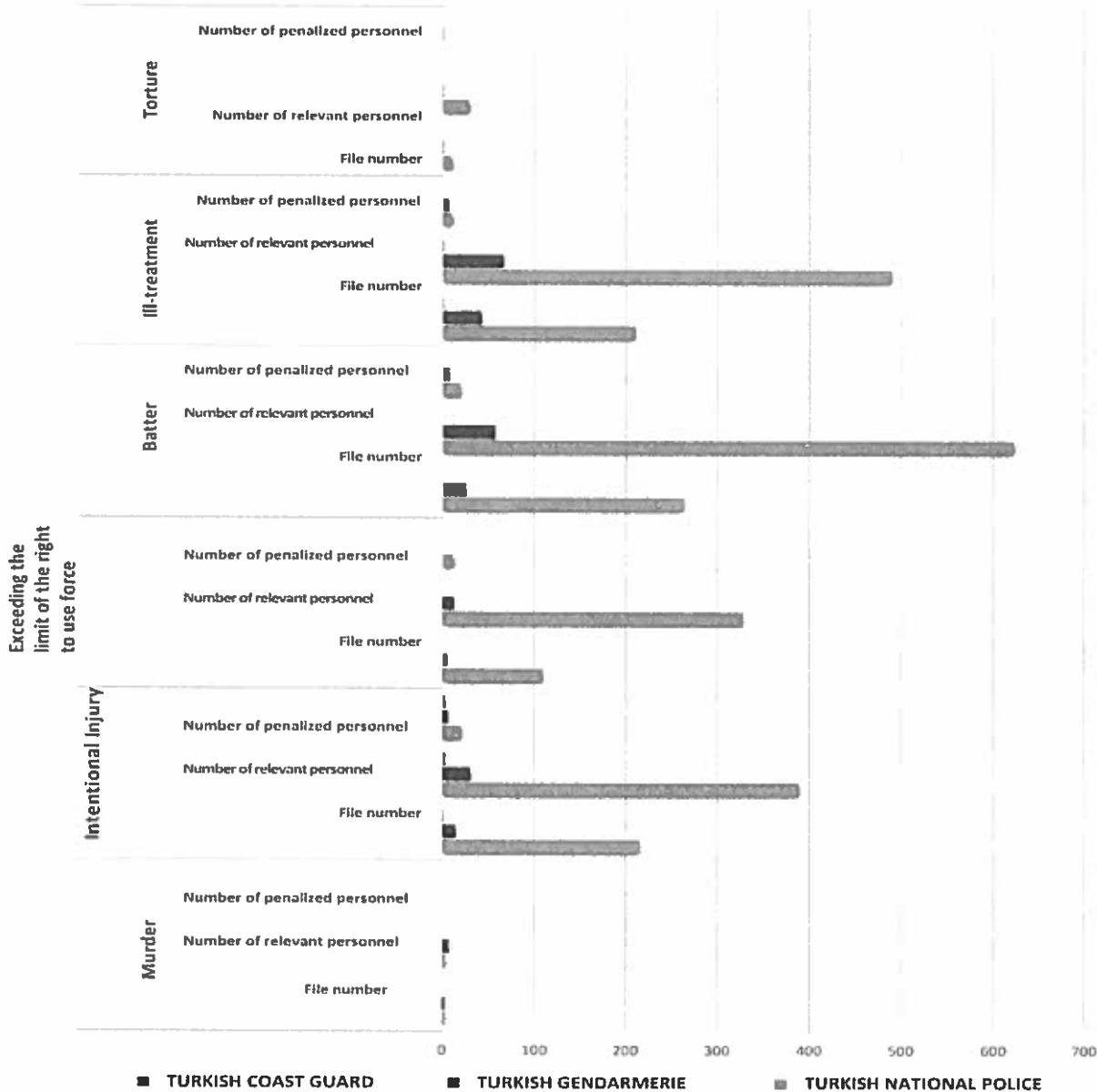
Graphic 5. Distribution by the Situation of the Applications

Graphic 6. Distribution by the Situation of the Applications (Files in Progress)

Data regarding to those considered as catalogue offences within the scope of Article 66 of the Regulation on the Implementation of the Law on the Establishment of Law Enforcement Monitoring Commission No. 6713, from out of the 42,501 applications entered into the central registry system, are given below

Table 7. Data Regarding to Catalogue Offences

		EGM	JGK	SGK
Murder	File Number	3	3	0
	Number of Relevant Personnel	3	7	0
	Number of Penalized Personnel	0	0	0
Intentional Injury	File Number	215	14	1
	Number of Relevant Personnel	389	30	3
	Number of Penalized Personnel	20	6	3
Exceeding the limit of the right to use force	File Number	109	5	0
	Number of Relevant Personnel	328	12	0
	Number of Penalized Personnel	11	0	0
Batter	File Number	264	25	0
	Number of Relevant Personnel	623	57	0
	Number of Penalized Personnel	18	7	0
Ill treatment	File Number	210	42	1
	Number of Relevant Personnel	490	66	1
	Number of Penalized Personnel	9	6	0
Torture	File Number	7	0	0
	Number of Relevant Personnel	27	0	0
	Number of Penalized Personnel	0	0	0

Graphic 7. Information about Catalogue Offenses

The procedures regarding the completed files and the provisions regarding the disciplinary penalties given to the law enforcement officers are shown in the tables and graphs below:

Table 8. Transactions Regarding Files which of the Process is Completed

Disciplinary Actions Under the Law No. 657 and 7068	8.166
Warning	1.159
Reprimand	1.602
Cutting salary	1.771
Stoppage of promotion	283
Dismissal	38
Removal from civil service	44
Disciplinary punishment	309
No need to inflict a disciplinary punishment	2.960
Processes Under the Law No. 4483	10.420

The province with the highest number of applications to the law enforcement complaint system across the country is Istanbul with 11,691 applications, the province with the least number of applications is Bayburt with 41 applications.

The following table shows the provinces that received the most and least applications:

Table 9. Distribution of Application Numbers by Provinces

PROVINCES WITH THE HIGHEST NUMBER OF APPLICATION		PROVINCES WITH THE LEAST NUMBER OF APPLICATIONS	
Province Name	Application Number	Province Name	Application Number
İstanbul	11.691	Yozgat	62
İzmir	2.689	Kırıkkale	59
Antalya	1.894	Bayburt	41

Some of the information requested by the board in applications for report, complaint or satisfaction notification to the Central Registry System is not required; providing information about personal data such as gender, age, educational status is left to the discretion of the applicant.

In this context, the distribution of parameters such as gender, age and education level formed from the information optionally declared by the citizen; is shown in the tables and graphs below:

Graphic 8. Distribution of Applicants by Gender

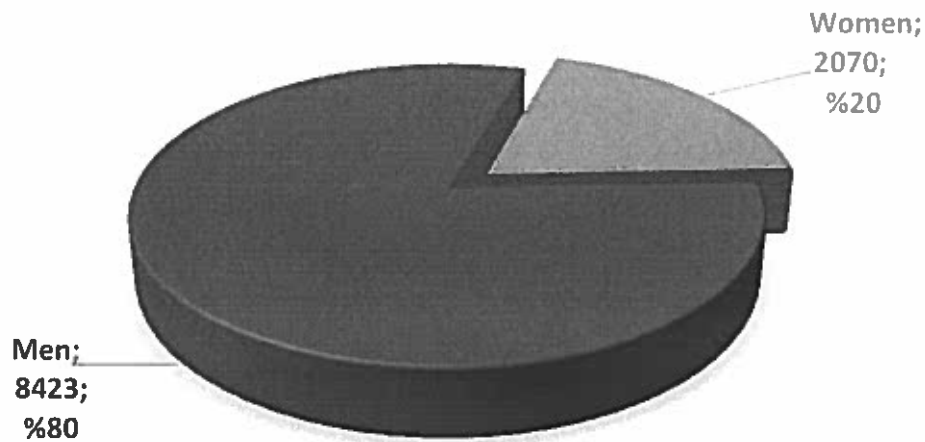
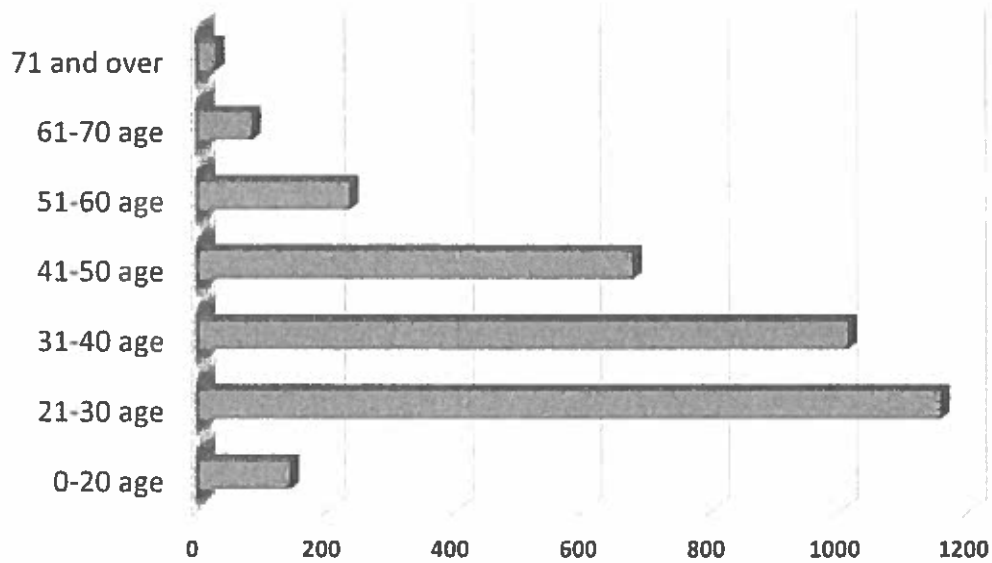
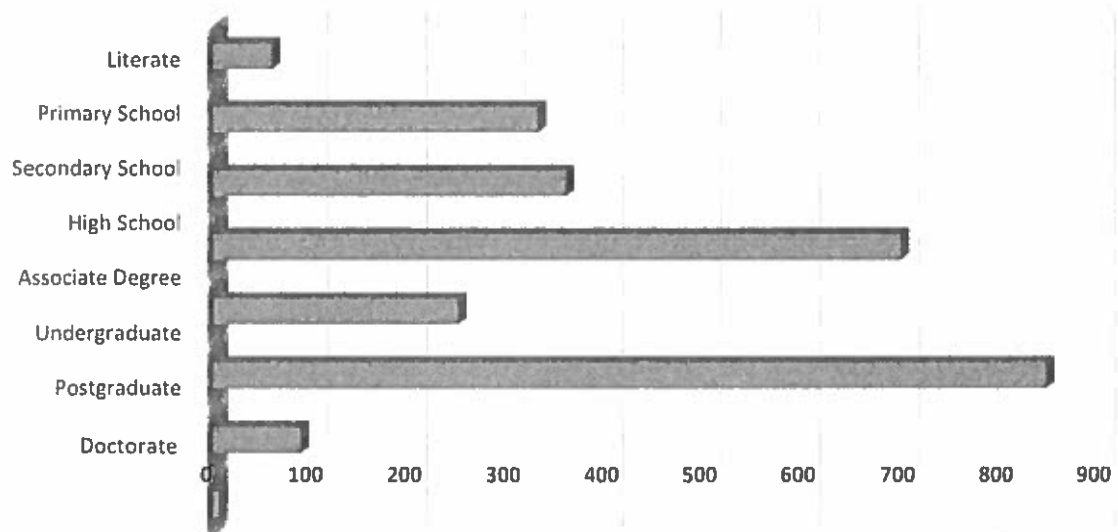


Table 10. Age Range of Applicants

AGE RANGE	NUMBER
0-20 Age	130
21-30 Age	1.083
31-40 Age	935
41-50 Age	627
51-60 Age	212
61-70 Age	77
71 and Over	25
TOTAL	3.089

Graphic 9. Age range of Applicants**Table 11. Educational status of Applicants**

TYPE OF EDUCATION	NUMBER
Doctorate	6
Postgraduate	79
Undergraduate	787
Associate Degree	223
High School	634
Secondary School	335
Primary School	295
Literate	53
TOTAL	2,412

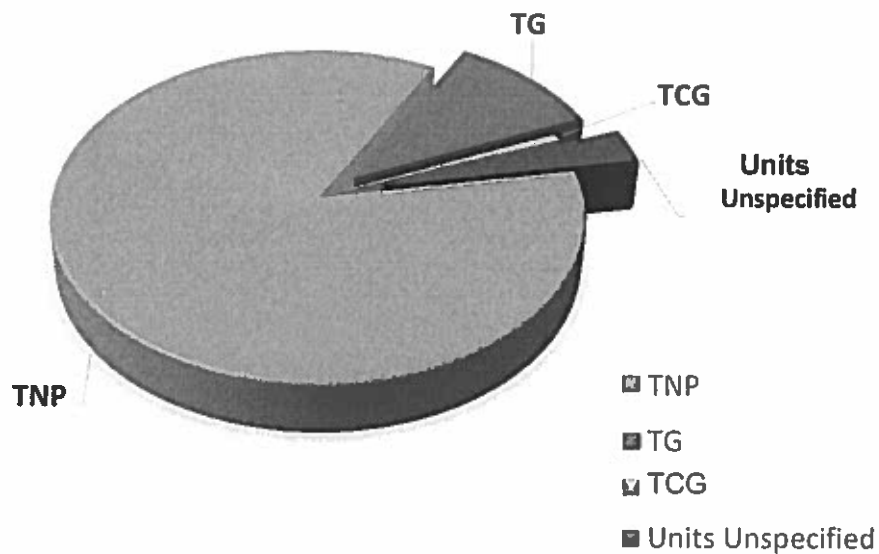
Graphic 10. Educational status of Applicants

With the update made in the Central Registry System, satisfaction notifications started to be recorded as of 27.11.2020 and a total of 149 satisfaction records were entered into the system in 2020. Satisfaction statement was made for 314 personnel in the mentioned 149 records. Data on satisfaction statements are given in the table and graph below:

Table 12. Satisfaction Statements - Distribution of Personnel regarding to Institutions

Law Enforcement Unit	Number of Personnel
Turkish National Police	269
Turkish Gendarmerie	33
Turkish Coast Guard	2
Satisfaction Statements without specifying any unit	10
TOTAL	314

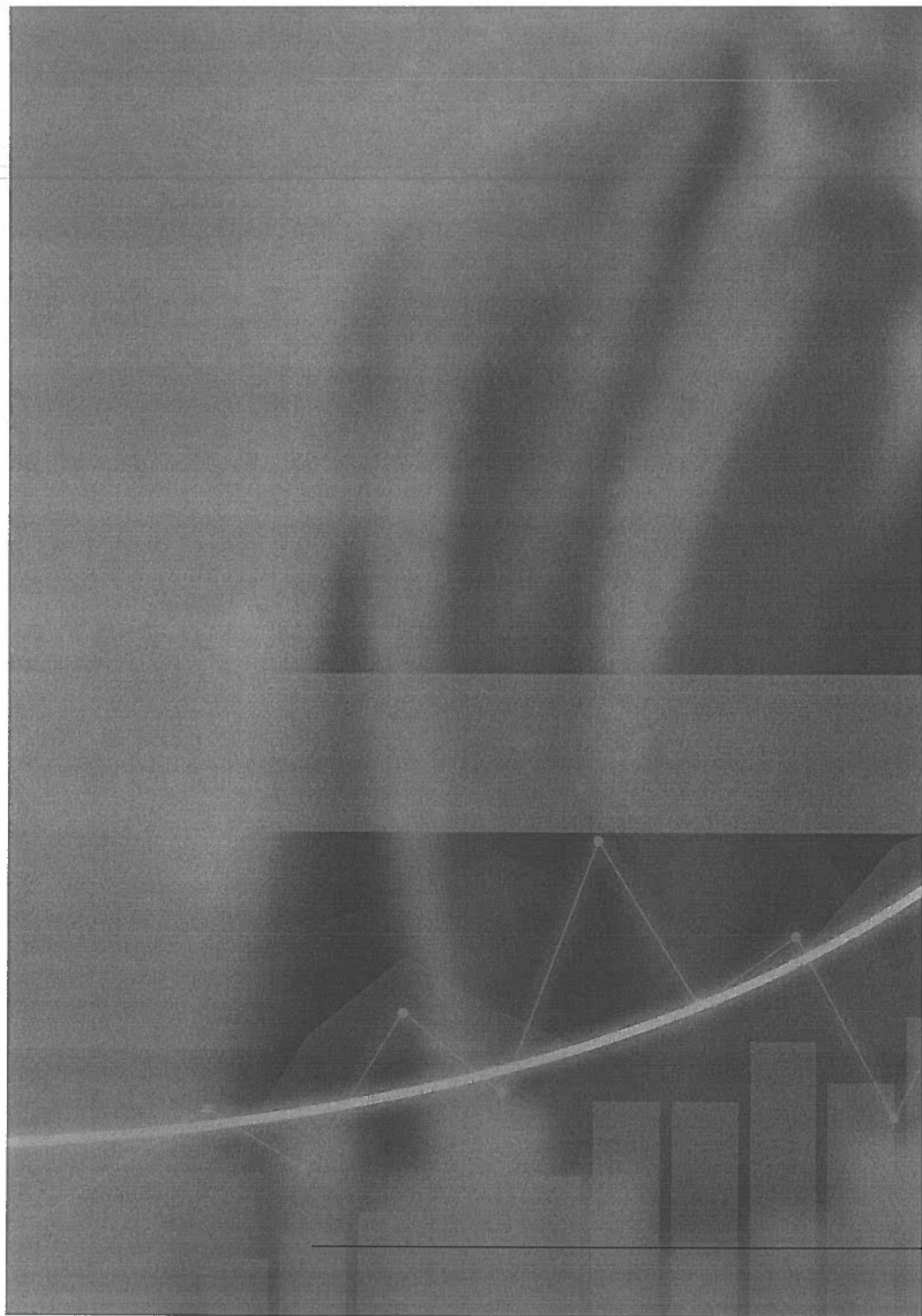
Graphic 11. Distribution of Satisfaction Statements for the Law Enforcement Units



INNOVATIONS BROUGHT BY
THE LAW ENFORCEMENT
MONITORING SYSTEM

INNOVATIONS BROUGHT BY LAW ENFORCEMENT MONITORING SYSTEM

- Citizens are provided with the opportunity to quickly and effectively report complaints, notices or satisfaction.
- Citizens are informed in every two months about the outcome of the process by the authority which the application is made.
- Assurance is provided regarding the evaluation of the complaint, notice or satisfaction notification by the relevant units as soon as possible.
- Citizens are assured that the confidentiality of personal data will be protected.
- Observation and supervision of all acts and transactions by the independent Commission (functional independence) has been provided.
- Complaints/notices or satisfaction notifications about law enforcement officers are monitored, followed up and inspected by a civil authority.
- It is aimed to inform the public with the reports prepared for the carried out transactions.
- It is one of the important features of the system that the good and exemplary practices of law enforcement personnel can be reported through the system, and that they can be recorded and followed up.
- Evaluation, analysis and strategy development by collecting all complaints, notices and satisfactions about law enforcement personnel in one place; reveal the importance of the system.
- Administrative authorities can conduct more independent and more effective examination, research and investigations regarding crimes alleged to have been committed by law enforcement personnel or their actions, attitudes or behaviours that require disciplinary punishment.



OPINIONS AND PROPOSALS
ABOUT ORGANISATIONAL
CAPACITY

OPINIONS AND PROPOSALS ABOUT ORGANISATIONAL CAPACITY

The new law enforcement complaint system, which was legalized with the Law No. 6713 on the Establishment of the Law Enforcement Monitoring Commission and the Regulation on the Implementation of the Law No. 6713 on the Establishment of the Law Enforcement Monitoring Commission, started its activities at the beginning of 2020 and the central registration system established within the mentioned structure in has been improved with necessary updates.

Considering the revision requests from affiliated organizations and provincial organizations, it was ensured that the most appropriate interface and user screen were created for users and citizens.

Small deficiencies that may occur due to the new establishment of the system emerge with the application and are completed as soon as possible by our Ministry

With the system established within the Law Enforcement Monitoring Commission, it is ensured that law enforcement notices, complaints and satisfaction notifications are managed with a more accurate understanding within the framework of a management approach that is open to innovations and developments. The Commission, which can cooperate with and direct the public institutions and organizations for the issues falling within its responsibility area, within the framework of the relevant legislation provisions, has a strong audit infrastructure with the Central Registration System.

The Commission is able to effectively carry out civilian control and monitoring on law enforcement officers by conducting investigations, research and making suggestions on related issues in order to achieve its founding objectives better. Thus, it is ensured that self-control in law enforcement units is increased. The created system includes not only denunciations and complaints, but also efforts to improve the working conditions of law enforcement personnel.

The transactions made against law enforcement personnel with the central registry system will be analyzed in the upcoming periods, and necessary studies will be carried out to solve the mentioned problems by revealing which law enforcement unit and from which crime or claim the most complaints come. In this direction, it will be possible to see in which regions the behaviours requiring disciplinary offenses are intensified by making a regional evaluation. Especially; As a result of the analyzes carried out in order to prevent important crimes such as battering, ill-treatment and torture, necessary training and psychological support will be provided to the relevant personnel, and a qualified security service will be provided to our country.

One of the other important tasks of the central registry system is to further develop the citizens' sense of trust in the State and law enforcement agencies.

Selection of qualified personnel is considered to have an importance in order to carry out the works and services more quickly and effectively due to the new functionality of the system.

Especially because of the personnel circulation in the provincial organization, time is needed in the formation and development of institutional memory.

Due to the Covid-19 epidemic, which affected the whole world in 2020, the trainings planned for the personnel assigned in the governorates and district governorates were postponed.

For the same reason, the national presentation process of the law enforcement grievance system was also postponed, and the programs planned to increase public awareness were transferred to the following year.

Despite these situation, a continuous communication channel was established with our provincial organizations through the "Consultation and Helpdesk" channel created in the Secretariat, and immediate solution suggestions were developed for the problems that may/may arise from the implementation.

Accordingly;

It is considered to be important to accelerate the work intended to establish and develop an institutional memory in order to carry out the central registry works and transactions of Law Enforcement Monitoring Commission, in a healthier way and to provide a better service to the citizens,

intended to employ qualified personnel in law enforcement grievance offices and units in order to provide services more effectively and efficiently, and for the improvement of physical working areas with the increasing number of personnel,

intended to improve the capacities of the personnel assigned in the central and provincial law enforcement grievance offices/units,

intended to the promotion of the system of notification, complaint or satisfaction notifications about law enforcement personnel.



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