

Vulnerable Behind Bars

Ongoing Human Rights
Violations
in Türkiye's Prisons



solidarity with
OTHERS

October 2026
BELGIUM

This report has been published by Solidarity With OTHERS. The views expressed herein are those of the authors and do not necessarily reflect the views of any donors or affiliated institutions.

Vulnerable Behind Bars: Ongoing Human Rights Violations in Türkiye's Prisons

Author : Dr. Fikret Demirçivi

Research contributor : Ahsen Ayhan (Mothers in Prison interview project)

© 2026 **Solidarity With OTHERS**

Weiveldlaan 41 Unit D, 1930 Zaventem BELGIUM

www.solidaritywithothers.com

info@solidaritywithothers.com

Solidarity With OTHERS, an international human rights organisation registered in accordance with the Belgian Code of Companies and Associations (**OTHERS AISBL**, BCE number: 0715.742.907).

This publication may be used for advocacy, education, and research purposes, provided the source is acknowledged.

“Sen camın arkasındayken ben çok korktum”

“I was so scared while you were behind the glass”

Çiğdem Arjin

daughter of imprisoned journalist Gazel Bulut, age 5

Table of Contents

Executive Summary	x
The argument.....	x
The evidence	x
The scale of the problem.....	xi
The vulnerable prisoner population.....	xi
Key findings	xii
Cases requiring immediate action	xii
Key recommendations.....	xiii
1. Introduction	1
1.1. Background and Context.....	1
1.2. Objectives of the Report	5
1.3. Methodology.....	6
2. Vulnerable Prisoners: The Cases.....	8
2.1. Imprisoned Mothers and Children Inside Prison Walls.....	8
2.2. Critically Ill, Elderly, and Dying Prisoners.....	13
2.3. Influential Dissenters: Writers, Journalists, Politicians and Civil Society Figures.....	16
3. Health Care Denial and Medical Neglect.....	20
3.1. Denial of Hospital Transfer and Treatment Postponement.....	21
3.2. Medical Ethics Violations Inside Prison Clinics	23
3.3. Children with Severe Illness Separated from Imprisoned Mothers	24
3.4. Geriatric Detention and the Slow-Death Pattern.....	25
4. Inhuman and Degrading Treatment (ECHR Article 3)	28
4.1. Strip Searches and Transfer Practices	29
4.2. Physical Mistreatment and Religious-Dress Interference.....	31
4.3. Long-Term Solitary Confinement	32
4.4. Degrading Treatment of the Dying and Their Families.....	34
5. Family Contact and the Right to Family Life (ECHR Article 8).....	37

5.1.	The Closed-Visit Regime and Its Impact on Children	38
5.2.	Denial of Video Calls and Communication Restrictions.....	39
5.3.	Sequential and Simultaneous Detention of Both Parents.....	40
5.4.	Preliminary Findings: Behavioural Change in Children of Imprisoned Mothers	41
6.	Discipline, Suppression, and Differential Treatment.....	43
6.1.	Disciplinary Sanctions Used to Silence Complaints	43
6.2.	Arbitrary Micro-Punishments	45
6.3.	Differential Treatment Based on Alleged Affiliation.....	46
7.	The Underlying Conviction Problem.....	48
8.	Needs, Protection Gaps, and Policy Recommendations	51
8.1.	Cases Requiring Immediate Action.....	52
8.2.	Gaps in Protection Mechanisms.....	54
8.3.	Recommendations	56

Abbreviations, Turkish Terms, and Legislative References

This list collects the acronyms, Turkish-language terms, and Turkish legislative references used in *Vulnerable Behind Bars: Ongoing Human Rights Violations in Türkiye's Prisons*. It is intended for readers unfamiliar with the Turkish carceral and human-rights vocabulary, and may be consulted from any chapter without sequential reading.

Acronyms and abbreviations

Acronym	Expansion
ATK	Adli Tıp Kurumu — Council of Forensic Medicine (Türkiye's state forensic-medicine authority; its reports determine eligibility for execution suspension on health grounds)
Bangkok Rules	UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (UNGA Res. 65/229, 21 December 2010)
BCE	Banque-Carrefour des Entreprises (Belgian companies register, cited in the publisher's identifying details)
CAT	UN Committee Against Torture (treaty body for the Convention against Torture)
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CİSST	Ceza İnfaz Sisteminde Sivil Toplum Derneği — Civil Society in the Penal System Association
CPT	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (Council of Europe)
CRC	UN Convention on the Rights of the Child; also the Committee on the Rights of the Child as treaty body
CRPD	UN Convention on the Rights of Persons with Disabilities; also the Committee on the Rights of Persons with Disabilities

Acronym	Expansion
ECHR	European Convention on Human Rights (Convention for the Protection of Human Rights and Fundamental Freedoms)
ECtHR	European Court of Human Rights
EU	European Union
HRD	Human rights defender
ICCPR	International Covenant on Civil and Political Rights
İHD	İnsan Hakları Derneği — Human Rights Association (Türkiye)
LGBTI / LGBTQ	Lesbian, gay, bisexual, trans, intersex / queer (terminology follows the citing source)
Mandela Rules	UN Standard Minimum Rules for the Treatment of Prisoners (UNGA Res. 70/175, 17 December 2015)
MoJ	Ministry of Justice (Türkiye)
NHRI	National Human Rights Institution
NPM	National Preventive Mechanism (under OPCAT)
OHCHR	Office of the United Nations High Commissioner for Human Rights
OPCAT	Optional Protocol to the Convention against Torture
SCF	Stockholm Center for Freedom
SPT	UN Subcommittee on Prevention of Torture (under OPCAT)
SR Torture	UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

Acronym	Expansion
TİHV	Türkiye İnsan Hakları Vakfı — Human Rights Foundation of Türkiye
TPC	Turkish Penal Code (Türk Ceza Kanunu)
TTB	Türk Tabipleri Birliği — Turkish Medical Association
UN	United Nations
UNGA	United Nations General Assembly
WGAD	UN Working Group on Arbitrary Detention
WMA	World Medical Association

Turkish terms used in the report

Term	Meaning
<i>açık görüş</i>	“Open visit.” Family visit in which the prisoner and visitors meet in the same physical space without barriers. Normatively reserved for once-monthly contact and for religious holidays.
<i>Adli Tıp Kurumu</i> (ATK)	Council of Forensic Medicine. State authority whose reports are decisive for eligibility for execution suspension on health grounds under Article 16 of Law No. 5275.
<i>ceza infazı</i>	Execution of sentence. The third of the three temporal stages of liberty deprivation under Turkish law (after custody and pre-trial detention).
<i>Çocuk Esirgeme Kurumu</i>	State social-services authority responsible for the care of children, including infants separated from imprisoned mothers.
<i>entelektüel etki</i>	“Intellectual influence.” Legal-doctrinal category used in Turkish anti-terrorism prosecutions to denote the asserted impact of a writer’s published work on its readers (see the case of Ali Ünal, §2.3).

Term	Meaning
<i>gözaltı</i>	Police custody. The first of the three temporal stages of liberty deprivation under Turkish law.
<i>kapalı görüş</i>	"Closed visit." Family visit conducted through a partitioned cabin, with the parties separated by a glass partition and communicating by telephone receiver. The more frequent weekly default.
<i>tutukluluk</i>	Pre-trial detention. The second of the three temporal stages of liberty deprivation under Turkish law.

Turkish prison-type designations

Designation	Description
F-Type	High-security facility characterised by cellular accommodation, used for prisoners convicted under anti-terrorism legislation. Subject to repeated CPT scrutiny in respect of prolonged solitary confinement.
L-Type	"Closed" facility (e.g. Antalya L-Type Closed Prison, where Asuman Birinci is held). Among the standard closed-prison categories.
R-Type	Rehabilitation facility, designed for prisoners requiring continuous care (referenced in §2.2 as the alternative offered to Erol Şengök; located in Istanbul and Izmir).
T-Type	General-population closed facility (e.g. Sincan T-Type Prison, where Erol Şengök is held). Not adapted for prisoners requiring continuous care.
"Pit-type"	Civil-society term for facilities whose architectural design prioritises isolation, drawing intense criticism for inhumane conditions (referenced in §2.0).

Key Turkish legislative instruments cited

Instrument	Description
Law No. 5275	Law on the Execution of Sentences and Security Measures. The principal domestic instrument governing prison administration. Articles 16 and 16/A govern the suspension of execution on health and family grounds; Article 16/4 governs pregnancy and the postpartum period; Article 16/6 governs prisoners unable to maintain life independently; Article 116 extends specific execution-stage protections to detainees; Article 83 governs prison visits.
Article 16	Of Law No. 5275. Permits the suspension of execution where continued detention poses a definite threat to life.
Article 16/A	Of Law No. 5275 (the so-called “Yusuf Kerim Law”). Permits the suspension of execution for mothers whose children, aged between zero and six, would be seriously harmed by continued separation.
Article 314 TPC	Article 314 of the Turkish Penal Code. The offence of membership of an armed terrorist organisation, on the basis of which the substantial majority of cases the report documents have been prosecuted. The ECtHR Grand Chamber found violations of Articles 6 § 1, 7, and 11 in <i>Yalçınkaya</i> , and of Article 7 in <i>Yasak</i> , in respect of the convictions before it.
Law No. 7242	April 2020 amending law (the “COVID-19 release law”). Led to the release of approximately 100,000 convicted prisoners; explicitly excluded those convicted under anti-terrorism legislation, those held in pre-trial detention, and those convicted of crimes against the state and constitutional order.
11th Judicial Package	December 2025 amending law. Projected to release up to 50,000 prisoners initially and as many as 115,000 over time; maintained the blanket exclusion of terrorism convictions established by Law No. 7242.
Article 109 CCP	Article 109 of the Code of Criminal Procedure (Ceza Muhakemesi Kanunu). Provides for judicial control measures, including house arrest, as alternatives to pre-trial detention.

A note on terminology

Türkiye / Turkey: this report uses *Türkiye* as the country name, in line with the United Nations' recognition of the change effective June 2022. Citations and direct quotations from sources predating that recognition, or that retain the earlier spelling, are reproduced as published.

Transliteration of Turkish names: Turkish names are reproduced with their original diacritics (ç, ğ, ı, İ, ö, ş, ü) throughout. Names appearing in cited sources without diacritics are corrected where the underlying spelling is established.

Turkish-language quotations: where a prisoner's, family member's, or institutional statement is quoted in Turkish, the original is given in italics and followed by an English translation in quotation marks (e.g. "*Beni burada öldürecekler*" / "They will kill me here"). Translations are by the report's author.

Executive Summary

A decade after Türkiye's 15 July 2016 coup attempt and the state of emergency that followed, the human-rights violations experienced by vulnerable detainees inside Türkiye's prison estate continue. The patterns this report documents have been the subject of repeated and detailed engagement by the Council of Europe's Committee for the Prevention of Torture, the UN Committee Against Torture, the UN Human Rights Committee, the UN Special Rapporteur on Torture, the UN Working Group on Arbitrary Detention, and Turkish civil-society organisations across the past decade. Despite this volume of engagement, the patterns remain materially unchanged. This report documents their continuation, examines the cases of currently detained prisoners who experience them, and sets out recommendations addressed to the actors with the authority and obligation to act.

The argument

The report's central argument is that the violations documented across its chapters share a common analytical structure, which the report names *deliberate neglect*. By deliberate neglect we mean the targeted denial of a specific right or service to a specific detainee, presented to the detainee, the family, and any external interlocutor as the result of a systemic, infrastructural, or external constraint. A hospital referral that is "not currently possible." A medication that is "out of stock." In each instance, the explanation is generic and superficially plausible; the result is the deprivation of one identifiable person whose deprivation serves a recognisable institutional purpose. Recognising deliberate neglect as a distinct mode of treatment, rather than as bureaucratic delay or systemic shortage, is essential to understanding what the report's cases demonstrate. It is also essential to assessing remedies: a problem framed as systemic shortage invites infrastructural responses; a problem identified as targeted denial requires accountability.

The evidence

The report draws on three complementary bodies of evidence: a corpus of approximately twenty individual case files compiled by Solidarity With OTHERS during 2025 and 2026; eight semi-structured interviews with imprisoned and formerly imprisoned mothers conducted in 2026 by Fikret Demirçivi and Ahsen Ayhan as part of an ongoing research project on motherhood and children in Turkish prisons; and the international and Turkish secondary literature on Türkiye's prison system over the past decade. The report's analytical framework is informed by seventy-nine in-depth interviews with victims of state repression conducted by the author during doctoral research.

The scale of the problem

As of 3 September 2026, Türkiye's prison population stood at 434,681, some 43% above the official capacity of 304,278 places across the country's 402 prisons. Official parliamentary records show 1,001 deaths in Türkiye's prisons in 2025, a year in which the Human Rights Association documented at least 24,207 rights violations in prisons. Civil-society monitoring identified at least 1,412 ill prisoners as of April 2025, of whom 335 were classified as seriously ill, many unable to meet their basic needs without assistance. As of late 2024, 759 children under the age of six were living in prison with their incarcerated mothers; the figure had risen to nearly 900 by early 2026.¹

The vulnerable prisoner population

The report identifies four categories of vulnerable prisoner: imprisoned mothers and the small children whose lives are organised around their detention; the seriously ill; the elderly; and influential dissenters — writers, journalists, academics, politicians, and civil-society figures targeted for their role in challenging the state's narrative or mobilising opposition. The fourth category is under-recognised in the victimological literature; the report treats it on an equal footing with the other three, because its members are routinely subjected to harsher treatment than the general prison population, including prolonged solitary confinement and exclusion from release mechanisms (§§4.3, 6.3).

The report introduces, in particular, **Asuman Birinci**, a prisoner held with severe anaemia and complete depletion of iron stores while hospital referral is repeatedly deferred; **Yusuf Bekmezci**, an 81-year-old Alzheimer's patient who died in custody after the Council of Forensic Medicine's recommendation of execution suspension was ignored; **Selman Tekin**, a child with active lymphatic tuberculosis whose treating hospital has determined that maternal care is required while his mother remains imprisoned; **Gazel Bulut** and her daughter **Çiğdem Arjin**, separated by closed-cabin visit regimes for nine years, until Bulut's release on completion of her sentence in August 2026; and **Ali Ünal**, a 71-year-old writer in custody for more than ten years and held in long-term solitary confinement on charges concerning his published writing. The report addresses influential dissenters, including writers, journalists, and academics, as a vulnerable population in their own right.

¹Stockholm Center for Freedom, *Torture, Ill-treatment and Prison Conditions in Turkey: 2025 in Review*, March 2026; İHD, *2024 Prison Rights Violations Monitoring Report*, August 2025; Civil Society in the Penal System Association (CİSST), "Eylül 2026 Hapishane İstatistikleri," 8 September 2026, drawing on General Directorate of Prisons and Detention Houses data of 3 September 2026. İHD, *2025 Yılı Türkiye Hapishaneleri Hak İhlalleri İzleme Raporu*, July 2026, citing official parliamentary records for the number of deaths, as reported in Habere Güven, "İHD: Hapishanelerde en az 24 bin hak ihlali tespit edildi," 14 July 2026.

Key findings

The report documents five recurrent patterns across the case corpus and the secondary literature:

- **Deliberate medical neglect** (Chapter 3): deferred hospital transfers, refused treatment, and Council of Forensic Medicine determinations that cannot be reconciled with the underlying medical evidence from local and university hospitals.
- **Inhuman and degrading treatment** (Chapter 4): strip searches conducted as routine practice on women prisoners during transfers, and prolonged solitary confinement falling within the scope of Article 3 ECHR.
- **Family-contact restriction** (Chapter 5): the closed-visit regime applied to prisoners convicted under anti-terrorism legislation, with preliminary signals of developmental harm — mothers describe children as openly sociable before imprisonment and withdrawn after.
- **Disciplinary retaliation** (Chapter 6): disciplinary sanctions imposed on prisoners who report mistreatment to lawyers, parliamentarians, or external monitoring bodies.
- **The underlying convictional problem** (Chapter 7): the European Court of Human Rights' Grand Chamber has twice held — in *Yüksel Yalçınkaya v. Türkiye* (26 September 2023) and *Yasak v. Türkiye* (5 May 2026) — that the convictions on which much of the prisoner population this report documents has been imprisoned violate the Convention. Yasak additionally found a violation of Article 3 in respect of overcrowded prison conditions, locating both the convictional and the conditions-of-detention dimensions of the problem within the Court's binding jurisprudence.²

Cases requiring immediate action

Several cases require urgent intervention on humanitarian grounds. The cost of delay is already documented: Abdullah Tırpan, 73, whose case this report placed first, died in custody on 26 October 2026, four days after the amputation of his left leg, without the suspension of sentence his condition required (§8.1). The cases that remain are Erol Şengök (89, wheelchair user, still held at Sincan T-Type Prison: Article 16/6), Asuman Birinci (urgent surgery recommended in February 2026 and still outstanding: Article 16), Selman Tekin and his mother Melek Tekin (Article 16/A), Şehabettin Harput (76, imprisoned since May 2026 on a Yalçınkaya-vulnerable conviction), Havva Dönmez (third year of cancer treatment at Edirne Closed Prison), and Ali Ünal (more than ten years in custody: review of his isolation regime against Mandela Rules 43–45). The İHD's 2024 Prison Report identifies 335 prisoners classified as seriously ill

²ECtHR, *Yüksel Yalçınkaya v. Türkiye*, App. No. 15669/20, Grand Chamber judgment, 26 September 2023; ECtHR, *Yasak v. Türkiye*, App. No. 17389/20, Grand Chamber judgment, 5 May 2026; Joint communication of UN Special Procedures and the Working Group on Arbitrary Detention to the Government of Türkiye, 8 October 2025.

and unable to meet their basic needs without assistance; the cases listed are illustrative of the larger population requiring intervention.

Key recommendations

To the Turkish authorities:

- End the practice of deliberate neglect documented in this report: require that every refusal or deferral of a hospital referral, medication, specialist treatment, video call, or family visit be issued in writing, with reasons and a time limit, recorded in the prisoner's file, and open to prompt independent review, including the Council of Forensic Medicine's determinations on suspension of execution; and hold accountable the officials responsible for refusals that rest on false or pretextual grounds.
- End political imprisonment, as defined by the Parliamentary Assembly of the Council of Europe in Resolution 1900 (2012): release Osman Kavala and Selahattin Demirtaş, as the European Court of Human Rights has ordered; release all persons whose detention the UN Working Group on Arbitrary Detention has found arbitrary; and cease the use of pre-trial detention against journalists, writers, human rights defenders, and elected officials, including the opposition mayors detained since 2024, for the exercise of expression, association, or political office.³
- Apply Articles 16 and 16/A of Law No. 5275 to the cases identified in §8.1 and to the broader population of seriously ill prisoners and imprisoned mothers.
- Ensure that ATK determinations follow the underlying medical evidence from local and university hospitals.
- Implement the *Yalçınkaya* and *Yasak* Grand Chamber judgments in respect of all cases falling within their reasoning, including by making available the retrial mechanisms the judgments provide.
- Revise the legislative-exclusion structure of Law No. 7242 (April 2020) and the 11th Judicial Package (December 2025).
- Bring strip-search practice and solitary-confinement practice into compliance with the Mandela Rules and the Bangkok Rules.

To the Council of Europe and the CPT:

- Pursue publication of the report on the April 2025 visit to Türkiye, and of any report still withheld, without the multi-year delays that preceded the October 2026 publications.

³Parliamentary Assembly of the Council of Europe, Resolution 1900 (2012), "The definition of political prisoner," adopted 3 October 2012; ECtHR, *Kavala v. Turkey*, App. No. 28749/18, 10 December 2019; ECtHR (GC), *Selahattin Demirtaş v. Turkey* (No. 2), App. No. 14305/17, 22 December 2020.

- Intensify the supervision of the execution of *Yalçınkaya* and *Yasak* by the Committee of Ministers.
- Consider the application of Article 46 § 4 ECHR (infringement proceedings) if the pattern of non-implementation continues.

To the United Nations:

- Continue and accelerate UN Working Group on Arbitrary Detention opinions on individual cases falling within the *Yalçınkaya* reasoning.
- Follow up the joint Special Procedures communication of 8 October 2025, which restated the Working Group on Arbitrary Detention's warning that the pattern of detentions may, under certain conditions, amount to crimes against humanity: publish Türkiye's reply, raise the communication in interactive dialogues before the Human Rights Council, and request that the Office of the High Commissioner assess whether the threshold of a widespread or systematic attack has been met.
- Consider a country mission by the UN Special Rapporteur on the Right to Health, focused on prison healthcare, which has not previously been undertaken in respect of Türkiye.

To the European Union:

- Integrate the findings of this report into the EU's political and economic engagement with Türkiye, including the Customs Union update negotiations, visa-liberalisation discussions, and any future framework for accession-related dialogue.
- Apply the EU's human-rights guidelines on torture, on human-rights defenders, and on freedom of expression with reference to the documented patterns.
- Support, including through targeted financial assistance, the work of Turkish and international civil-society organisations engaged in the documentation, advocacy, and litigation of the cases the report addresses.

To international media and press-freedom organisations:

- Report on vulnerable prisoners in Türkiye beyond the small number of prominent cases that already receive sustained coverage, including seriously ill and elderly prisoners and mothers held with infants.
- Follow individual cases over time, including applications for suspension of execution, the Council of Forensic Medicine's determinations, and the European Court of Human Rights' follow-up judgments to *Yalçınkaya*.

To international human rights organisations:

- Extend urgent actions, case campaigns, and submissions to international bodies to seriously ill, elderly, and isolated prisoners, to mothers held with infants, and to influential dissenters beyond the most prominent names, including the opposition mayors detained since 2024, drawing on the case files documented in this report.

The patterns documented in this report can be addressed. The legal architecture, both domestic and international, contains the mechanisms necessary for the protection of the prisoners whose situations have been described. The international monitoring bodies have, across a decade of engagement, identified the matters that require attention. The remaining task is the application of available standards to the cases that require them, the publication of inspection findings that have been adopted but withheld, the implementation of judgments that have been delivered but not given effect, and the alignment of domestic legislative practice with the international standards by which Türkiye has bound itself. The recommendations addressed to the actors with the authority to take these steps are made in the expectation that the next decade can look different from the last, and that the cases described in §8.1, in particular, can be addressed before further harm accrues.

1. Introduction

1.1. Background and Context

A decade has now passed since Türkiye's 15 July 2016 coup attempt and the state of emergency that followed. The waves of dismissal, prosecution, and detention that began in those weeks have continued. As of 3 September 2026, Türkiye's prison population stood at 434,681, some 43% above the official capacity of 304,278 places across the country's 402 prisons.⁴ The Ministry of Justice confirmed in mid-2025 that 11,640 remanded and convicted persons alleged to be linked to the Gülen movement remained in prison, with investigations continuing against 58,000 and trials against a further 24,000.⁵ New investigations, new convictions, and new deaths in custody continue to accrue. Official parliamentary records cited by the Human Rights Association (İHD) show 1,001 deaths in prison in 2025;⁶ civil-society monitoring identified at least 1,412 ill prisoners as of April 2025, of whom 335 were classified as seriously ill, many unable to meet their basic needs.⁷ As of late 2024, 759 children under the age of six were living in prison with their incarcerated mothers; the figure had risen to nearly 900 by early 2026.⁸

These figures describe the carceral system as it operates today.

Throughout this period, international monitoring of Türkiye's prisons has been frequent and serious. The UN Special Rapporteur on Torture conducted a country mission in late 2016 and reported, two years later, on widespread post-coup ill-treatment.⁹ The Council of Europe's Committee for the Prevention of Torture (CPT) carried out periodic and ad hoc visits in 2017, 2019,

⁴Stockholm Center for Freedom, *Torture, Ill-treatment and Prison Conditions in Turkey: 2025 in Review*, March 2026; Human Rights Association (İHD), *2024 Prison Report*, August 2025. Civil Society in the Penal System Association (CİSST), "Eylül 2026 Hapishane İstatistikleri," 8 September 2026, drawing on General Directorate of Prisons and Detention Houses data of 3 September 2026.

⁵Human Rights Watch, *World Report 2026 — Türkiye*, February 2026.

⁶İHD, 2025 Yılı Türkiye Hapishaneleri Hak İhlalleri İzleme Raporu, July 2026, citing official parliamentary records for the number of deaths, as reported in Habere Güven, "İHD: Hapishanelerde en az 24 bin hak ihlali tespit edildi," 14 July 2026.

⁷İHD, *2024 Prison Report*, August 2025, as reported in Stockholm Center for Freedom, "Over 26,000 rights violations reported in Turkey's prisons in 2024," 7 August 2025. İHD, 2025 Yılı Türkiye Hapishaneleri Hak İhlalleri İzleme Raporu, July 2026, citing official parliamentary records for the number of deaths, as reported in Habere Güven, "İHD: Hapishanelerde en az 24 bin hak ihlali tespit edildi," 14 July 2026.

⁸Stockholm Center for Freedom, *Human Rights in Turkey 2024*, March 2025; Civil Society in the Penal System Association (CİSST), monthly prison statistics, March 2026 (891 children aged 0–6 living with their mothers in prison), as reported in TR724, "Yeni rapor: Cezaevlerinde 891 bebek, 6 bin 572 yaşlı, 476 engelli mahpus var," 22 March 2026.

⁹UN Human Rights Council, *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Nils Melzer, on his mission to Turkey*, A/HRC/37/50/Add.1, March 2018.

2021, 2022, February 2024 and April 2025, documenting severe overcrowding, prisoners sleeping on floor mattresses, the situation of inmates with chronic somatic and mental-health conditions, and the prolonged solitary confinement of prisoners.¹⁰ The UN Committee Against Torture reviewed Türkiye in 2024 and issued Concluding Observations addressing deaths in custody, restrictions on detainee communication with relatives, and the conditions of life imprisonment.¹¹ The UN Human Rights Committee, in November 2024, expressed serious concern about the use of arbitrary detention and politically motivated prosecutions.¹² The Working Group on Arbitrary Detention adopted 24 opinions between June 2017 and March 2024, and at least twenty-six by 2025, finding that detentions of individuals with alleged links to the Gülen movement are arbitrary; in its most recent opinions it warned that the pattern may, under certain conditions, amount to crimes against humanity.¹³ Most recently, in October 2025, six Special Rapporteurs and two Working Groups jointly addressed Türkiye in a twenty-one-page communication concerning two large-scale operations against students and other persons with alleged Gülen-movement links.¹⁴

Despite this volume of engagement, the patterns documented in international reports remain materially unchanged. The CPT's own findings have reached the public only after long delays. CPT reports are published with the consent of the state concerned, and the Turkish authorities authorised the release of a backlog of reports only in October 2026: the report on the January 2021 periodic visit appeared more than five years after its transmission, and the report on the February 2024 visit on high-security, women, and LGBTI prisoners more than two years after its transmission. The report on the April 2025 visit, conducted in the context of the post-İmamoğlu protests, remains unpublished.¹⁵ *The delay is itself part of the pattern this report addresses.*

Domestic legislation over the same period has compounded these exclusions. In April 2020, in response to the COVID-19 pandemic, Türkiye's parliament adopted Law No. 7242, leading to the release of approximately 100,000 convicted prisoners. The law explicitly excluded those convicted under anti-terrorism legislation, those held in pretrial detention, and those convicted of crimes

¹⁰Council of Europe, Committee for the Prevention of Torture, *Report to the Turkish Government on the visit to Turkey from 10 to 23 May 2017*, CPT/Inf (2020) 22, 5 August 2020; *Report to the Turkish Government on the visit to Turkey from 6 to 17 May 2019*, CPT/Inf (2020) 24, 5 August 2020.

¹¹UN Committee against Torture, *Concluding observations on the fifth periodic report of Türkiye*, CAT/C/TUR/CO/5, 14 August 2024.

¹²UN Human Rights Committee, *Concluding observations on Türkiye*, CCPR/C/TUR/CO/2, 28 November 2024.

¹³Solidarity with OTHERS, *Turkey Rights Monitor — Issue 301*, March 2026, citing the cumulative count of WGAD opinions on detentions linked to the Gülen movement issued between 2017 and 2025.

¹⁴Joint communication of UN Special Procedures and the Working Group on Arbitrary Detention to the Government of Türkiye, 8 October 2025, AL TUR 9/2025.

¹⁵Council of Europe, Committee for the Prevention of Torture, "CPT and Türkiye" page, <https://www.coe.int/en/web/cpt/turkiye>, news items of 6 and 12 October 2026; *Report to the Turkish Government on the periodic visit to Türkiye carried out from 11 to 25 January 2021*, CPT/Inf (2026) 33, and *Report to the Turkish Government on the ad hoc visit to Türkiye carried out from 13 to 22 February 2024*, CPT/Inf (2026) 35, both published 6 October 2026; Solidarity With OTHERS, "CPT reports 'falaka' allegations in Turkish prisons, electric shocks on juveniles in custody, and Europe's highest incarceration rate," 8 October 2026, recording the transmission dates of 13 July 2021 and 16 July 2024.

against the state and constitutional order, regardless of age, illness, or other vulnerability.¹⁶ Consequently, this exclusion effectively withheld relief from political prisoners while granting what amounted to amnesty for individuals convicted of violent catalogue crimes. In December 2025, parliament adopted the 11th Judicial Package, projected to release up to 50,000 prisoners initially and as many as 115,000 over time. The same blanket exclusion of terrorism convictions was maintained, prompting cross-party criticism that the package extends release to prisoners convicted of homicide, assault, and drug trafficking while keeping in prison thousands convicted on terrorism charges in cases involving no violence.¹⁷ Prisoners whose cases the European Court of Human Rights subsequently found, in the *Yalçınkaya* Grand Chamber judgment, to involve fundamental fair-trial and lawfulness violations have remained excluded from each successive release mechanism. Persecution has been embedded in the legal architecture of release. We refer to this pattern throughout the report as the **legislative-exclusion problem**: the systematic exclusion of anti-terrorism convictions from generally applicable release mechanisms, with the result that the protective architecture of those mechanisms operates discriminatorily by conviction category.

This report focuses on a specific dimension of that pattern: the violations experienced by *vulnerable prisoners* inside Türkiye's prisons today. The report identifies four categories of vulnerable prisoner: imprisoned mothers and the small children whose lives are organised around their detention; the seriously ill; the elderly; and influential dissenters. The first three are well-established categories of vulnerability in domestic and international law, requiring no extended defence. The fourth — writers, journalists, academics, politicians, and civil-society figures targeted for their role in challenging the state's narrative or mobilising opposition — is under-recognised in the victimological and human-rights literatures, but the present report treats it as a vulnerable category on equal footing with the other three. Where the first three forms of vulnerability arise from pre-existing condition (pregnancy, motherhood, serious illness, advanced age) or from conditions produced by the carceral environment itself (chronic illness deteriorating untreated, frail elderly held in high-security regimes), the fourth arises from the systematic targeting that follows from public dissent against a state whose interest in containing the dissident's influence is precisely what generates the criminal charge. The report uses "prisoner" in the sense of the Mandela Rules, to cover both convicted persons and those held in pre-trial detention; it addresses the police-custody stage on the basis set out below.

The patterns this report documents operate across the categories of detainees held in Türkiye's prison estate, including those held in connection with alleged Gülen-movement affiliation, Kurdish political and civic actors, journalists, lawyers, and prisoners held under non-political charges. The case files surveyed here draw most heavily on the Gülen-related corpus because it is the corpus

¹⁶ Law No. 7242 Amending the Law on the Execution of Sentences and Security Measures and Certain Laws, Official Gazette, 15 April 2020. See also Amnesty International, "Turkey: Prison release law leaves innocent and vulnerable prisoners at risk of COVID-19," 14 April 2020; Human Rights Watch, "Turkey: COVID-19 Puts Sick Prisoners at Grave Risk," 3 April 2020

¹⁷ 11th Judicial Package, adopted 24 December 2025. See Stockholm Center for Freedom, "MP slams new bill for denying early release to thousands wrongfully jailed under post-coup crackdown," 28 November 2025; Turkish Minute, "Turkish gov't submits new bill that could free up to 55K inmates with expanded supervised release," 27 November 2025.

most extensively documented in the post-2016 period. The mechanisms producing the documented violations (the Forensic Medicine Institute's reporting practice, the Prison Administration and Observation Board's release-denial pattern, the legislative exclusion of Article 314/2 convicts from accommodation reforms, the Y-type and S-type "pit-type" prison architecture, and the systemic overcrowding affecting a prison population of approximately 435,000 against an official capacity of approximately 304,000) operate on the prison population as a whole.

A particular analytical thread runs through the cases this report examines, which we describe as **deliberate neglect**. By deliberate neglect we mean the targeted denial of a specific right or service to a specific detainee, presented to the detainee, the family, and any external interlocutor as the result of a systemic, infrastructural, or external constraint. A hospital referral that is "not currently possible." A medication that is "out of stock." A video call that cannot be scheduled because of "infrastructure problems." A diet provision that is "not available in this facility." In each instance, the explanation provided is generic and superficially plausible; the result, however, is the deprivation of one identifiable person whose deprivation serves a recognisable purpose.

Among the most consequential variants of this pattern operates at institutional level. The Council of Forensic Medicine (*Adli Tıp Kurumu*, ATK), the body whose reports are decisive for eligibility for execution suspension on health grounds under Article 16 of Law No. 5275, has been documented by Turkish civil society as repeatedly issuing fit-to-stay determinations in cases where the underlying medical evidence, whether from local hospitals, from treating physicians, or from the prisoner's own evident inability to perform self-care, points clearly in the other direction.¹⁸ In other cases, the ATK has issued execution-suspension recommendations that prosecutors and courts have then ignored: Yusuf Bekmezci, an 81-year-old Alzheimer's patient, died in custody after the ATK's three-month suspension recommendation was ignored.¹⁹ In each variant, a clinical determination, whether the ATK's own or the local hospital's, is overridden by an institutional decision that produces the same result: the prisoner remains in conditions incompatible with their medical situation.

The protective architecture this report examines operates across three temporal stages of liberty deprivation: police custody (*gözaltı*), pre-trial detention (*tutukluluk*), and the execution of sentence (*ceza infazı*). The international and constitutional standards applicable to vulnerable detainees, set out in the chapters that follow, apply with particular force at the execution stage, with continuing force at the detention stage, and, by the reasoning of *a fortiori* application set out in Solidarity With OTHERS' parallel research, with equal force at the custody stage that precedes both. The argument is straightforward: where the law provides enhanced protection for a vulnerable detainee at the stage where her liberty deprivation is most prolonged, the same protection cannot rationally be

¹⁸iHD, 2024 *Prison Report*, August 2025: documenting cases in which the Council of Forensic Medicine (ATK) has refused to endorse release recommendations issued by university and state hospitals in respect of seriously ill prisoners.

¹⁹Case file, Yusuf Bekmezci (1940–2022), Solidarity With OTHERS, 2026.

withheld at the stage where her liberty deprivation begins. The report addresses violations across all three stages on this basis.²⁰

The pattern is documented across the case files this report examines and is theorised in greater depth in the author's forthcoming work.²¹ Deliberate neglect has its own institutional signature: targeted in selection, consistent in execution, and dressed in the language of systemic constraint. Recognising the pattern as such is essential to understanding what the cases in this report demonstrate and what the international evidence cited above describes. It is also essential to assessing remedies: a problem framed as systemic shortage invites infrastructural responses; a problem identified as targeted denial requires *accountability*.

1.2. Objectives of the Report

This report has four objectives. The first is to document specific, currently active cases of human rights violations experienced by vulnerable prisoners in Türkiye's prisons, drawing on a body of correspondence, family testimony, medical reports, and lawyer-supplied information assembled during the 2025–2026 period. The cases include imprisoned mothers whose small children live with them in custody or whose children are separated from them by closed-cabin visit regimes; prisoners with serious or terminal illness whose treatment has been delayed, denied, or actively obstructed; elderly prisoners held in conditions incompatible with their physical and cognitive capacities; and writers and journalists whose continued imprisonment turns on charges that international monitoring bodies have repeatedly found to be incompatible with human-rights standards.

The second objective is to demonstrate the ongoing character of these violations. The report situates each case against the documented record of the past decade, drawing on the work of the CPT, the UN treaty bodies, the UN Special Procedures, and Turkish and international civil-society monitoring, in order to show that the violations now being documented are continuations of patterns that have been raised with the Turkish authorities repeatedly and over many years, and that they continue to occur despite ECtHR jurisprudence, domestic statutory provisions, and successive cycles of international engagement.

The third objective is to assess the gap between formal protection and daily practice. The formal apparatus is substantial: Law No. 5275 on the Execution of Sentences and Security Measures, Article 17 of the Constitution, the European Convention on Human Rights as authoritatively interpreted in the *Yalçınkaya* Grand Chamber judgment, and the UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules). The persistent gap between this formal apparatus and the

²⁰ Solidarity With OTHERS, *Pregnancy Behind Bars: Pre-Trial Detentions of Pregnant Women in Turkey*, March 2026, developing the a fortiori argument that the protective regime applicable to detention and execution must apply to custody as the initial stage of liberty deprivation; see also Solidarity With OTHERS, *Women's Struggle for Adequate Medical Care in Incarceration*, March 2025

²¹ Demirçivi, F. (forthcoming) *Victimology of State Repression: A Grounded Theory of Victimization Under Democratic Backsliding in Türkiye*, Palgrave Studies in Victimology series.

daily practice of Türkiye's prison administration is, the report contends, the most significant single feature of the prison-internal human-rights landscape in Türkiye today.

The fourth objective is to translate these findings into recommendations addressed to domestic actors, to the Council of Europe and its specialised bodies, to the United Nations treaty-body and Special-Procedures system, and to the European Union. The report aims to identify where attention can most usefully be focused if the next decade is to look different from the last.

1.3. Methodology

The findings presented in this report draw on three complementary bodies of evidence and an underlying analytical framework grounded in extensive prior fieldwork.

The first body of evidence is a corpus of approximately twenty individual case files compiled by Solidarity with OTHERS during 2025 and 2026. Each case file integrates prisoner correspondence (where the prisoner has been able to write or to convey messages through visits and lawyers), family testimony, medical reports where available, lawyer-supplied procedural information, and contextual information from civil-society monitoring organisations. The cases were selected on three criteria: the prisoner's situation engages one or more of the vulnerabilities the report addresses; the case is sufficiently documented to support analysis; and the prisoner or family has consented, directly or through advocates, to the responsible use of their account. Identifying details have been retained where the case is already in the public domain through prior reporting or family advocacy, and have been altered or omitted in the small number of instances where additional exposure could create concrete risks.

The second body of evidence consists of eight semi-structured interviews with imprisoned and formerly imprisoned mothers, conducted in 2026 by Fikret Demirçivi and Ahsen Ayhan as part of an ongoing Solidarity with OTHERS research project on motherhood and children in Turkish prisons. The interviews were conducted with informed consent and with attention to risk of retaliation, and form the basis of one of the report's preliminary findings, which is presented in Chapter 5. The interview sample is small, and the findings drawn from it are accordingly framed as preliminary signals. The fuller results of the project will be published separately as data collection continues.

The third body of evidence is the international and Turkish secondary literature on Türkiye's prison system over the past decade: published reports by the CPT, Concluding Observations of the UN Committee Against Torture and Human Rights Committee, the country mission report and subsequent communications of the UN Special Rapporteur on Torture, opinions of the UN Working Group on Arbitrary Detention, statements and communications of the Special Rapporteur on Human Rights Defenders, the joint communication of October 2025, ECtHR jurisprudence including the *Yalçınkaya* and *Yasak* Grand Chamber judgments, and the work of Turkish civil-society organisations including the Human Rights Association (İHD), the Civil Society in the Penal System Association (CİSST), the Human Rights Foundation of Türkiye (TİHV), and the Stockholm Center for

Freedom. Throughout the report, each thematic chapter situates the contemporary case material against this longer documentary record in order to evidence the continuity argument set out in §1.1.

Underlying these three bodies of evidence is an analytical framework informed by seventy-nine in-depth interviews with victims of state repression conducted by the author during doctoral research. The framework includes the report's interpretation of the institutional machinery of repression, its typology of the populations most affected, and its conceptualisation of deliberate neglect as a distinct mode of treatment. The full results of that doctoral research are forthcoming in the Palgrave Studies in Victimology series and are currently under embargo pending publication.²² References to that work are made in this report as forthcoming, without verbatim quotation; the analytical lens it provides is, however, present throughout the chapters that follow.

A note on limitations is in order. This report is based on documentary and interview evidence. Its author lacks the power of independent inspection, and the conditions described are those reported by prisoners, their families, and their lawyers, supplemented where possible by official medical and judicial records. Where civil-society or international monitoring has corroborated the patterns described, that corroboration is noted. The number of cases examined in detail is small relative to the population of Türkiye's prisons. The report's claim is that the cases it documents are illustrative of patterns that have been independently documented by international monitoring bodies and Turkish civil society over the period 2016–2026, and that the continued occurrence of those patterns warrants the urgent attention of the actors to whom the report's recommendations are addressed.

²²*Ibid.* The forthcoming volume is based on the author's doctoral research, comprising eighty-three semi-structured in-depth interviews: seventy-nine with victims of state repression and four with experts.

2. Vulnerable Prisoners: The Cases

This chapter introduces the people whose cases recur throughout the report. They are presented in three sections, which together cover the four vulnerable categories identified in §1.1: imprisoned mothers and the small children whose lives are organised around their detention (§2.1); the seriously ill and the elderly, treated jointly in §2.2 because the cases most often engage both conditions, together with those who have died in custody; and influential dissenters (§2.3), the writers, journalists, politicians, and civil-society figures targeted for their role in challenging the state's narrative or mobilising opposition. These categories overlap in practice. Gazel Bulut belongs to both 2.1 and 2.3; Ali Ünal, profiled in 2.3, is also among the elderly and chronically isolated of 2.2. The chapter uses the categories to order presentation, with the understanding that the boundaries between them are porous in the lived experience of those concerned.

Each profile is partial. The aim is to introduce people whose situations the thematic chapters that follow will analyse in greater depth, against the legal standards and the international monitoring record set out in Chapter 1. Where possible, names have been retained, because they are already in the public domain through family advocacy and prior reporting and because the affected persons or their families have asked that the cases be raised.

A significant proportion of these victims of repression endure detention within high-security regimes. Human rights defenders identify these facilities as "Pit-type" prisons, a term describing an architectural design that prioritizes isolation and draws intense criticism for its inhumane conditions.

2.1. Imprisoned Mothers and Children Inside Prison Walls

Of the children identified at §1.1, a sub-population lives outside the prison while shaped by it: small children separated from mothers serving sentences in distant facilities and raised by grandparents or relatives, who see their mothers when the family can make the journey, often at intervals of two to four weeks, mostly through the glass of a closed visiting cabin and, where the prison grants it, in a monthly open visit (see below).

Domestic law contains provisions intended to protect this group. Article 16/A of Law No. 5275 (the so-called "Yusuf Kerim Law") permits the suspension of execution for mothers whose children are aged between zero and six and would be seriously harmed by separation. International standards

require equivalent protection: the UN Standard Minimum Rules for the Treatment of Women Prisoners (Bangkok Rules) provide that pregnancy, motherhood, and breastfeeding require specific accommodations and that detention of mothers should be a measure of last resort; the UN Convention on the Rights of the Child (Article 3) requires that the best interests of the child be a primary consideration in any decision affecting the child; and the European Convention on Human Rights, in Article 8, places the state under a positive obligation to facilitate family contact.²³ The cases described below illustrate the gap between this framework and its application.

Family visits in Türkiye's prison system take two principal forms. *Açık görüş* ("open visit") brings parent and child together in the same room, allowing physical contact and shared time without barriers. *Kapalı görüş* ("closed visit") confines the encounter to a partitioned cabin in which communication takes place through a telephone receiver, with a glass partition separating the parties throughout. The two forms differ profoundly in their psychological and developmental consequences. Open visits are normatively reserved for once-monthly contact and for religious holidays; closed visits operate as the more frequent weekly default. For prisoners convicted under anti-terrorism legislation, open visits are routinely restricted, often denied entirely, or used as a disciplinary lever.²⁴ The result, in many of the cases described in this report, is that small children have grown up without ever having held the parent who is in prison.

A particular sub-population requires separate treatment within the broader category of imprisoned mothers: women detained while pregnant. The OHCHR's March 2018 report on the post-coup state of emergency documented approximately 100 pregnant or newly postpartum women in custody as of December 2017.²⁵ Solidarity With OTHERS' systematic review of the period 2016–2025 has identified approximately sixty individually documented cases of pregnant women taken into custody or pre-trial detention on charges arising from alleged Gülen-movement affiliation, with cases continuing into 2025 and 2026.²⁶ The pattern documented across these cases extends the analytical features of the broader corpus into the antenatal and perinatal period: deferred medical referral, denial of prescribed medication, transfer to hospital in handcuffs, and the return of newborns to prison conditions within 24 hours of birth. In several cases, the consequences have been irreversible: Nurhayat Yıldız lost twins at 19 weeks of pregnancy in an overcrowded ward in

²³UN General Assembly Resolution 65/229, *United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)*, 21 December 2010, in particular Rules 4, 33, 48–52, 64; UN Convention on the Rights of the Child, Article 3; European Court of Human Rights jurisprudence on Article 8 ECHR, including the Court's identification of a positive obligation on states to facilitate the maintenance of family ties during detention.

²⁴Article 83 of Law No. 5275 on the Execution of Sentences and Security Measures and the implementing Regulation on the Administration of Penal Institutions and the Execution of Sentences (*Ceza İnfaz Kurumlarının Yönetimi ile Ceza ve Güvenlik Tedbirlerinin İnfazı Hakkında Yönetmelik*) establish the framework for prison visits, distinguishing between *açık görüş* (open visit, with physical contact, normatively allowed monthly or on religious holidays) and *kapalı görüş* (closed visit, through a partitioned cabin with telephone communication, available weekly). On the differential application of this framework to prisoners convicted under anti-terrorism legislation, see Civil Society in the Penal System Association (CISST) prison-monitoring documentation, 2024–2026.

²⁵ UN Office of the High Commissioner for Human Rights, *Report on the impact of the state of emergency on human rights in Turkey, including an update on the South-East: January–December 2017*, March 2018, documenting approximately 100 pregnant or newly postpartum women in custody at the close of 2017.

²⁶ Solidarity With OTHERS, *Pregnancy Behind Bars: Pre-Trial Detentions of Pregnant Women in Turkey*, March 2026, presenting approximately sixty individually documented cases of pregnant women in custody or pre-trial detention between 2016 and 2025.

which she was forced to sleep on the floor in front of the toilet; Ayşe Bozbayır's pregnancy ended in fetal death during police custody, confirmed by subsequent ultrasound to have occurred while she was in custody; Gülden Aşık unknowingly carried a deceased fetus for approximately three weeks before its discovery during an emergency referral, with a prison officer reportedly characterising it as "*yedi-sekiz haftalık bir çöp*" ("a 7–8-week-old piece of trash"); Hatice Şahnaz gave birth without a companion under gendarmerie supervision after a judge had reportedly assured her that release would follow at six months of pregnancy.²⁷ Tuba Yazıcıoğlu's family was permitted to see her newborn only through a glass partition, an image that anticipates the barrier-mediated contact pattern this report's epigraph addresses in respect of older children.²⁸

The domestic legal framework applicable to this sub-population is set out at Article 16/4 of Law No. 5275, which provides for mandatory postponement of the execution of sentence for pregnant women and for women within 18 months of childbirth.⁶ The provision does not grant discretionary power; postponement is the rule, with exceptions provided for in narrow circumstances. The cases documented across the period of this report demonstrate that the provision has been substantively disregarded in respect of women detained on anti-terrorism charges. Article 116 of the same law provides that certain execution-stage provisions, including the Article 16/4 protections, may be applied to detainees, supporting the *a fortiori* argument set out in §1.1.

A finding from the Mothers in Prison interview project requires separate treatment. Mothers held with infants in prison have reported that when their babies require medical attention, whether for routine paediatric monitoring, vaccinations, or specific concerns such as fever or feeding difficulty, the mother is not permitted to accompany the child to the medical referral. The infant is taken from the ward by prison staff for the appointment and returned afterwards. Several mothers interviewed described declining to seek medical care for their babies in consequence, on the grounds that handing an infant to a guard for an unaccompanied trip outside the ward was itself a risk they were unwilling to accept. The result is a feedback structure in which the institutional practice of excluding mothers from their children's medical referrals produces the secondary harm of deferred or unsought medical care for the infants concerned.

The legal architecture this practice engages is precise. The child held with a mother in prison under Turkish law is not a prisoner. The Regulation on the Administration of Penal Institutions recognises children aged 0–6 staying with their mothers as separate rights-holders, and the deprivation of liberty applicable to the mother does not extend to the child. The mother retains her status as the child's legal guardian and primary caregiver. The exclusion of the mother from her child's medical referrals therefore engages, in cumulative form: Article 24 of the UN Convention on the Rights of the Child (the child's right to the highest attainable standard of health, with parental accompaniment during medical care a recognised component); Article 3 of the same Convention (the best interests of the child); Bangkok Rule 51(1) (provision of community-equivalent health-

²⁷ Case files of Nurhayat Yıldız, Ayşe Bozbayır, Gülden Aşık, and Hatice Şahnaz, as documented in Solidarity With OTHERS, *Pregnancy Behind Bars*, March 2026, pp. 26, 38, 41, 36

²⁸ Case file of Tuba Yazıcıoğlu, as documented in Solidarity With OTHERS, *Pregnancy Behind Bars*, March 2026, p. 32.

care services to children of imprisoned mothers); and Article 8 of the European Convention on Human Rights, in respect of the mother-child relationship the practice severs at each medical contact. The downstream effect, mothers declining care to keep their infants with them, constitutes, on the visible facts, the practical denial of health care to a non-prisoner child arising directly from a prison administrative practice.

The CPT found related failings in the conditions of mothers and children during its February 2024 visit to Antalya L-Type Prison. It found the women's accommodation units in a poor state of repair and hygiene, worsened by overcrowding, and concluded that mothers and their children were held in living conditions unsuited to them. The Committee called on the Turkish authorities to establish a dedicated mother-and-baby unit at the prison offering a child-friendly environment in the best interest of the child, to provide for the specific dietary needs of pregnant women, breastfeeding mothers, infants and children, and to ensure that "mothers should never be placed together with their children in solitary confinement as a punishment."²⁹

Gazel Bulut is a journalist sentenced to ten years and ten months on charges arising from her professional activity. She was imprisoned in July 2017 and released from Kandıra No. 1 F-Type High-Security Prison on completing her sentence in August 2026. In 2025 the prison authorities refused her application for supervised release on the ground that she was held in an "organisation ward", a two-person cell she shared with the former HDP co-chair Figen Yüksekdağ.³⁰ Her daughter Çiğdem Arjin was approximately one and a half years old when her mother entered prison and had reached school age by the time of her release. The case file records, during a *kapalı görüş* visit, the child saying to her mother the words this report has taken as its epigraph.

Sümeyye Aydın was placed under house arrest at home with her infant son for eight months following her sentence. She complied fully with the conditions of house arrest and surrendered voluntarily when those conditions ended; the case file records that her surrender was officially described as a capture in operation. She was imprisoned with her son when the postpartum suspension expired. Her son was eleven months old at the time of her transfer to prison; he will reach four years of age before the case becomes eligible for review. The supervised-release and continued-house-arrest mechanisms available under Turkish law remained unused in her case.³¹

Esra Soyaktaş is held at Sincan Women's Prison. At the time of her detention, she was unable to produce identification because the relevant document had been confiscated, and her husband was abroad. Her infant was placed with the state social-services authority (*Çocuk Esirgeme Kurumu*).³²

²⁹Council of Europe, Committee for the Prevention of Torture, *Report to the Turkish Government on the ad hoc visit to Türkiye carried out from 13 to 22 February 2024*, CPT/Inf (2026) 35, published 6 October 2026, executive summary.

³⁰Yeni Demokrasi, "Tutsak Partizan Gazel Bulut tahliye edildi," 25 August 2026; İlke TV, "Gazel Bulut'un denetimli serbestlik talebi reddedildi," 7 October 2025.

³¹Case file, Sümeyye Aydın, Solidarity With OTHERS, 2026.

³²Case file, Esra Soyaktaş, Solidarity With OTHERS, 2026.

The case is illustrative of the way bureaucratic decisions taken at the moment of detention generate consequences that long outlast the immediate procedural setting.

Melek Tekin is detained while her son Selman, who has lymphatic tuberculosis, has been the subject of a hospital report stating that he requires maternal care. The medical evidence is documented and the legal mechanism for execution suspension under Article 16/A exists. Neither has been activated.³³

Kevser Sinan is detained at a women's facility in Ankara while her husband Nuri is imprisoned in Sivas, approximately 450 kilometres from Ankara. Their two children, Ali İhsan and Seher, are growing up in the care of relatives. Their visiting access to either parent is constrained by geography and by the restriction of family contact to closed visits. Ali İhsan has experienced documented weight loss; Kevser is being treated for hypertension. Nuri Sinan is serving a sentence of sixteen and a half years.³⁴

Nagehan Yüksel was transferred from Bakırköy Women's Prison in Istanbul to Eskişehir in August 2022. The transfer included a strip search of the kind whose continued occurrence the UN Committee Against Torture and the Council of Europe's Committee for the Prevention of Torture have repeatedly raised with the Turkish authorities. A subsequent letter Yüksel addressed to the parliamentarian Ömer Faruk Gergerlioğlu, in which she described the transfer, was confiscated by the prison administration; its confiscation became the subject of disciplinary proceedings against her.³⁵

These cases share a common structure with the further cases of Yeliz and Kadir Temur (both parents detained, the father for six years, the mother for approximately two years), Emine Sarioğlu (child eighteen to twenty months old at her recall to prison after the postpartum suspension expired), Safiye Özdemir, Mihriban Külüs, Ayten İçten Erdoğan, and Kübra Demir, which are referenced in subsequent chapters. In each, the mother is detained on charges arising from anti-terrorism legislation whose application the European Court of Human Rights has subsequently found incompatible with the Convention. Her child or children are then caught in the resulting regime: confined to closed visits, in some cases separated by hundreds of kilometres, in some cases left effectively without parental presence because both parents are imprisoned simultaneously. Article 16/A and the Bangkok Rules contain the available legal apparatus. The apparatus remains substantially unused.

³³Case file, Melek Tekin and Selman Tekin, Solidarity With OTHERS, 2026.

³⁴Case file, Kevser and Nuri Sinan, Solidarity With OTHERS, 2026.

³⁵Case file, Nagehan Yüksel, Solidarity With OTHERS, 2026. On the strip-search pattern, see UN Committee against Torture, *Concluding observations on the fifth periodic report of Türkiye*, CAT/C/TUR/CO/5, 14 August 2024; Council of Europe, Committee for the Prevention of Torture, *Report to the Turkish Government on the visit to Turkey from 6 to 17 May 2019*, CPT/Inf (2020) 24, 5 August 2020.

2.2. Critically Ill, Elderly, and Dying Prisoners

This section introduces a small number of these cases whose circumstances are documented in detail and whose situations the report's analysis returns to in Chapter 3.

The legal and medical-ethical framework applicable to these cases is comparatively well developed. Article 16 of Law No. 5275 permits the suspension of execution where the prisoner's continued detention poses a definite threat to life. Equivalent international standards include the UN Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules), in particular Rules 24 and 27 on the equivalence of prison healthcare with community healthcare; the World Medical Association's Tokyo Declaration on the obligations of physicians who care for detainees; and ECHR Article 3 jurisprudence holding the denial of necessary medical care to seriously ill prisoners incompatible with the prohibition of inhuman and degrading treatment.³⁶ The cases below illustrate the distance between this framework and current Turkish prison practice.

Asuman Birinci is held at Antalya L-Type Closed Prison. At the time of writing, her haemoglobin level is recorded at 6.8 g/dL, approximately half the lower clinical bound for an adult woman, against a background of twenty days of continuous gynaecological bleeding. Her ferritin level, at 1.8 ng/mL, indicates complete depletion of iron stores. The case file records that requests for vitamin and B12 supplementation in a sunlight-deprived environment were refused, and the prison physician's response is documented in §3.2. Repeated applications for hospital referral and for execution suspension under Article 16 have been deferred on the basis of administrative and scheduling reasons.³⁷

Yusuf Bekmezci (1940–2022) was an 81-year-old prisoner with Alzheimer's disease, sleep apnoea, and prostate complications, held at an F-Type High-Security Prison in conditions of cellular isolation incompatible with his cognitive state. The Council of Forensic Medicine (ATK) issued a recommendation for three-month execution suspension on the basis of his condition; the recommendation was ignored. A petition of approximately sixty pages, prepared by his son-in-law and addressed to the prison administration and the Ministry of Justice, went unanswered. He was held in intensive care, unconscious, for forty-seven days before his death. Contemporaneous reports record that he was dragged with his cane during his initial transport to detention, and that his son-in-law was escorted by gendarmerie to his funeral.³⁸

The pattern Bekmezci's case illustrates is not historic. In May 2026, **Şehabettin Harput**, a 76-year-old former Governor of Hakkâri, Bilecik, Kırıkkale, Şanlıurfa, and Bursa, and former Undersecretary of the Interior Ministry, was re-incarcerated after the Court of Cassation upheld his sentence of

³⁶UN Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules), General Assembly Resolution 70/175, 17 December 2015, in particular Rules 24, 25, and 27; World Medical Association, *Declaration of Tokyo*, 1975 (revised 2016); see, among others, ECtHR, *Mouisel v. France*, App. No. 67263/01, 14 November 2002, and *Khudobin v. Russia*, App. No. 59696/00, 26 October 2006.

³⁷Case file, Asuman Birinci, Solidarity With OTHERS, 2026.

³⁸Case file, Yusuf Bekmezci (1940–2022), Solidarity With OTHERS, 2026.

eight years and nine months for membership of an armed terrorist organisation. Detained after the July 2016 coup attempt, he had been released pending trial in light of his age and health and later placed under house arrest. The Bursa 8th High Criminal Court sentenced him to six years and three months in December 2018; the regional court of appeal increased the sentence to eight years and nine months in October 2019; the Court of Cassation quashed that ruling on procedural grounds; and the regional court imposed the same sentence again in January 2023, which the Court of Cassation has now upheld. At 76, he is in prison on an Article 314 membership charge of the kind the European Court of Human Rights found, in *Yalçınkaya*, to have been applied in violation of Article 7 of the Convention.³⁹

The same week Harput entered prison, public attention focused on a different case: İzzet Kalyon, also 76, who in July 2025 shot dead a father and son in Karamürsel in a private dispute over an unpaid car payment, was released to house arrest after the Forensic Medicine Institute reported that his prostate cancer made continued detention inappropriate.⁴⁰ The juxtaposition (a confessed double-murderer released to home on health grounds while a former governor in the same age bracket is incarcerated on terrorism-membership charges arising from his decade-old workplace) is the legislative-exclusion problem set out at §1.1 and §6.3 captured in a single week. The Forensic Medicine Institute's report on Kalyon and the systematic exclusion of Article 314/2 convicts from the same accommodation are not legal events of different categories; they are the same legal architecture producing differential outcomes.

A further profile worth setting alongside Bekmezci and Harput is that of **Erol Şengök**, who at 89 years of age is among the oldest political prisoners held in Türkiye's prison system. Şengök is wheelchair-dependent, unable to manage daily hygiene without assistance, and is held at Sincan T-Type Prison, a facility designed for the general prison population rather than for prisoners requiring continuous care. He is reported to have said to family members, "Beni burada öldürecekler" ("They will kill me here").⁴¹ Sincan T-Type's Administration and Observation Board has, according to the case file, systematically denied conditional release applications even where prisoners meet the "good conduct" criteria. The alternative offered to Şengök has been transfer to one of the R-Type (Rehabilitation) facilities in Istanbul or Izmir, neither close to his family in Kırşehir. The R-Type proposal addresses the wheelchair issue while structurally displacing the family-contact protection in Article 8 of the Convention, an arrangement that resolves the immediate concern while creating the longer one. The case engages Article 16/6 of Law No. 5275, which provides for postponement of execution where the prisoner cannot independently maintain life, and the case's progress turns on whether the Forensic Medicine Institute will issue a report consistent with the visible facts of wheelchair dependence and inability to perform basic self-care.

³⁹Stockholm Center for Freedom, "Former governor jailed after top Turkish appeals court upholds conviction over alleged Gülen links," 12 May 2026; Zaman Avustralya, "76 yaşındaki Şehabettin Harput yeniden tutuklandı," May 2026.

⁴⁰ Türkiye Gazetesi, "İki kişinin öldüğü, Türkiye'nin konuştuğu olayda sanık tahliye edildi," May 2026.

⁴¹ Case file of Erol Şengök, Sincan T-Type Prison, as documented in Solidarity With OTHERS, *Special Victims* file, addressing Article 16/6 of Law No. 5275 (postponement of execution for those unable to maintain life independently) and the family-contact dimension of Article 8 of the Convention.

Betül Aygün was a cancer patient whose biopsy was delayed by approximately six months while she was held at Ödemiş Prison. Following her release she travelled to Germany for treatment, where she died. Her statement, recorded before her death, identifies the prison administration as responsible for the delay: *"Sorumlusu Ödemiş Cezaevi'dir"* ("The prison administration is responsible").⁴²

Abdullah Tırpan (1953–2026) was imprisoned in February 2025 to serve a Gülen-related sentence of seven years and six months, despite advanced diabetes, hypertension, and non-healing foot wounds. His condition deteriorated in custody; on 22 October 2026 his left leg was amputated, and on 26 October 2026 he died in intensive care at Başakşehir Çam and Sakura City Hospital, still formally a prisoner. His case is set out in full in §8.1.⁴³

The same ATK reporting pattern documented in the Bekmezci, Tırpan, and Birinci files operates across categories of prisoner. The case of **Aysel Tuğluk**, former co-deputy chair of the Peoples' Democratic Party (HDP) and a founding figure in the Democratic Society Party (DTP), illustrates the pattern in the Kurdish political-detention context. Tuğluk was detained in December 2016 and diagnosed with dementia in March 2021. Despite repeated reports from Kocaeli University Forensic Medicine and Istanbul University Faculty of Medicine concluding that she "could not maintain life alone" and that her dementia was progressing rapidly, the Forensic Medicine Institute initially issued a contrary report in September 2021 concluding that she "could stay in prison." Her condition continued to deteriorate over the following thirteen months. The Constitutional Court rejected her release plea in August 2022. She was eventually released in October 2022 after a further ATK report, prompted by sustained advocacy from sixty-eight women's organisations, the HDP parliamentary group, and her legal team led by lawyer Reyhan Yalçındağ. Tuğluk was re-arrested in November 2023 over a 2012 speech, before the arrest warrant was rescinded on the basis of her health condition.⁴⁴

These cases sit on a foundation laid by earlier deaths that continue to shape Turkish civil society's understanding of the pattern. **Halime Gülsu** was a young female prisoner who died in custody in April 2018 after the medication she required for an autoimmune condition was repeatedly denied. **Mustafa Kabakçıoğlu**, a former deputy police lieutenant, was found dead in his cell in August

⁴²Case file, Betül Aygün, Solidarity With OTHERS, 2026.

⁴³TR724 (Sevinç Özarslan), "Adli Tıp, ağır hasta Abdullah Tırpan için 'R Tipi cezaevinde kalabilir' dedi," 17 September 2026; TR724, "Hasta mahpus Abdullah Tırpan'ın sol bacağı kesildi: İltihap yayıldığı için ikinci kez ameliyat edilecek," 23 October 2026; TR724 (Sevinç Özarslan), "Ağır hasta mahpus Abdullah Tırpan yoğun bakıma alındı, entübe edildi," 25 October 2026; BoldMedya, "Abdullah Tırpan Ölüyor: Gergerlioğlu: Herkes Hesap Verecek," 26 October 2026. Solidarity With OTHERS, "Abdullah Tırpan, 73, has died in prison. His leg was amputated; forensic medicine said he could stay in prison," 26 October 2026; Bianet, "73 yaşındaki hasta tutuklu Abdullah Tırpan yaşamını yitirdi," 26 October 2026.

⁴⁴Bianet, "Aysel Tuğluk expected to be released after Forensic Medicine Institute report," 27 October 2022; Bianet, "Kurdish politician Aysel Tuğluk's sentence suspended for one year for health reasons," 26 May 2023; Stockholm Center for Freedom, "Turkey frees Kurdish politician with dementia from jail," 28 October 2022; Kurdistan 24, "Kurdish politician Aysel Tuğluk again released due to health condition," 8 November 2023.

2020 after being denied the medical attention he had repeatedly requested.⁴⁵ These deaths continue to be cited in legal and advocacy submissions years after they occurred.

Alongside these documented deaths from medical neglect, a related category of cases raises distinct concerns. **Zeki Güven**, a former chief of the Ankara Police intelligence unit, was found dead in solitary confinement in July 2020 in circumstances Turkish civil society has characterised as suspicious.⁴⁶ Such cases raise the question, central to the analytical frame set out in Chapter 1, of whether the death resulted from active lethal violence or from a degree of deliberate neglect indistinguishable from active harm in its consequences. The question is unanswerable without independent investigation; that no such investigation has been conducted is itself part of the pattern.

Recent cases continue this trajectory. The September 2025 death of **İbrahim Güngör**, a 73-year-old Alzheimer's patient whose family had repeatedly petitioned for his release on health grounds,⁴⁷ and the April 2025 hospitalisation of **Esila Ayık**, a Belgian-resident photography student detained at Bakırköy Women's Prison while visiting family and denied her prescribed medication for chronic heart and kidney conditions until her collapse,⁴⁸ indicate the continued operation of the same pattern across a wide range of detainee profiles.

2.3. Influential Dissenters: Writers, Journalists, Politicians and Civil Society Figures

The continued imprisonment of writers, journalists, and others held on the basis of their public role engages a set of considerations distinct from those examined in the preceding sections. Those targeted for what they have published, said, or thought constitute a vulnerable group in their own right, a category that victimology has historically under-recognised, despite the well-established empirical relationship between political dissent and state violence documented in the political-science literature.⁴⁹ The category is developed at greater length in the typology of state-repression victims set out in the forthcoming dissertation cited above, where it covers individuals and groups targeted for their role in challenging the state's narrative or mobilising opposition, and is identified

⁴⁵On Halime Gülsu, see *inter alia* Stockholm Center for Freedom, "Halime Gülsu died in prison," 28 April 2018; on Mustafa Kabakçioğlu, see Arrested Lawyers Initiative, "Mustafa Kabakçioğlu, found dead in his cell after being denied medical attention," 24 August 2020.

⁴⁶Stockholm Center for Freedom, "Zeki Güven, jailed police intelligence chief, becomes latest suspicious death in a Turkish prison," 15 July 2020.

⁴⁷Stockholm Center for Freedom, "Elderly Alzheimer's patient jailed over Gülen links died in Turkish prison after repeated pleas for release," September 2025.

⁴⁸Stockholm Center for Freedom, "Turkish student with chronic illness jailed for 'insulting' Erdoğan is denied medication in prison," 14 April 2025; Turkish Minute, "Student jailed over İmamoğlu protests taken to hospital after fainting in cell during quake," 25 April 2025.

⁴⁹On the consistency of the empirical relationship between dissent and state repression, see Christian Davenport, "State Repression and the Tyrannical Peace," *Journal of Peace Research*, 2007; Davenport, *How Social Movements Die: Repression and Demobilization of the Republic of New Africa*, Cambridge University Press, 2015. The recognition of political dissidents as a distinct vulnerable group within victimology, and the implications of this recognition for state accountability and victim support, is developed at length in Demirçivi, F. (forthcoming), Palgrave Studies in Victimology series.

as a population that victimological scholarship has historically under-recognised. The vulnerability of influential dissenters does not arise from age, illness, motherhood, or other conditions pre-existing the moment of detention. It arises from the systematic targeting that follows from public dissent itself, against the resources of a state whose interest in silencing the dissident is precisely what generates the criminal charge.

This vulnerability has practical expression in the specific custodial conditions to which influential dissenters in Türkiye are subjected. Prolonged solitary confinement, in particular, is reserved disproportionately for prisoners identified as targets, those whose continued isolation serves the state's interest in containing the influence of their voice on others. Article 10 of the European Convention on Human Rights generally prohibits the imprisonment of a person for what she has published or said, regardless of the conditions of that detention. Where, as in the cases described below, those conditions also engage Articles 3 and 8, the report's argument is cumulative: the prisoner's imprisonment is itself unlawful, and the conditions of that unlawful imprisonment, calibrated as they often are to the prisoner's status as an influential dissident, are themselves further violations.

Ali Ünal is a 71-year-old writer who has been in custody since August 2016 and is held in long-term solitary confinement, a regime reserved in Türkiye's prison estate for prisoners whose voice the authorities have sought specifically to contain. The charges against him include the use of the legal-doctrinal category "intellectual influence" (*entelektüel etki*), referring to the asserted impact of his published writing on its readers, on the basis of articles dating from 2011 and 2012 (a period before the Turkish authorities designated the Gülen movement as a terrorist organisation). The UN Working Group on Arbitrary Detention has issued an opinion finding his detention arbitrary, characterising the underlying conduct as the exercise of rights protected under Articles 19 and 22 of the International Covenant on Civil and Political Rights and identifying the absence of any evidentiary basis sufficient to bring the conduct within the criminal law.⁵⁰ The conditions of his confinement, in particular his long-term isolation, are addressed further in §4.3.

Gazel Bulut, whose family situation was described in §2.1, served a sentence of ten years and ten months, enforced from 2017 until her release in August 2026, on charges arising from her work as a journalist, including charges relating to her presence at events she was reporting and to articles she had published. Her case is among those for which the *Yalçınkaya* Grand Chamber judgment of the European Court of Human Rights has direct application: the evidentiary base on which she was convicted overlaps substantially with the categories of evidence the Court found incompatible with Articles 6, 7, and 11 of the Convention.⁵¹

⁵⁰Case file, Ali Ünal, Solidarity With OTHERS, 2026; UN Working Group on Arbitrary Detention, Opinion No. 3/2023 concerning Ali Ünal (Türkiye), A/HRC/WGAD/2023/3, adopted at its 96th session (2023).

⁵¹Case file, Gazel Bulut, Solidarity With OTHERS, 2026; ECtHR, *Yüksel Yalçınkaya v. Türkiye*, App. No. 15669/20, Grand Chamber judgment, 26 September 2023.

The cases of Ünal and Bulut share with those described in §2.1 and §2.2 the underlying feature analysed in Chapter 1: the application of anti-terrorism legislation in ways that the European Court of Human Rights, the UN Working Group on Arbitrary Detention, and successive UN Special Procedures have repeatedly found incompatible with international standards.

Selahattin Demirtaş (former HDP co-chair, detained since 4 November 2016) and **Osman Kavala** (civil-society figure, detained since 1 November 2017) are the most internationally prominent prisoners in the corpus on which this chapter draws. The European Court of Human Rights has held in respect of each that the detention pursued an ulterior purpose under Article 18 taken together with Article 5, and has ordered immediate release in both cases (*Kavala v. Turkey*, 10 December 2019; *Selahattin Demirtaş v. Turkey (No. 2)*, 22 December 2020). Türkiye has implemented neither judgment. In the Kavala case, the Committee of Ministers invoked the infringement procedure under Article 46 § 4, only the second such referral in the Convention's history after İlgar Mammadov v. Azerbaijan, and the Grand Chamber confirmed on 11 July 2022 that Türkiye had failed to comply with the judgment. Rights organisations have urged the Committee to take the same step in respect of Demirtaş. Kavala has since been convicted and sentenced to aggravated life imprisonment without the possibility of parole — the sentence category statutorily excluded from postponement of execution on medical grounds under Article 16 of Law No. 5275, a point developed further at §4.3. In institutional terms, the two cases constitute the apex of the patterns documented across this report. Because they are already the subject of sustained international jurisprudential, advocacy, and journalistic attention, the present report does not develop them at length; readers seeking detailed treatment are referred to the existing literature.⁵²

The targeting of influential dissenters has widened during the preparation of this report, and the main opposition party now bears much of it. Since the local elections of 31 March 2024, in which the Republican People's Party (CHP) came first nationwide, at least 40 CHP mayors have been arrested, among them Istanbul Mayor Ekrem İmamoğlu, arrested on 19 March 2025, brought to trial in March 2026, and still in detention. In July 2026 the Council of Europe Commissioner for Human Rights, Michael O'Flaherty, raised "grave issues regarding the right to a fair trial" in the case, reporting that İmamoğlu had been prevented from presenting his defence in the main case and excluded from substantial parts of the proceedings. He was able to complete his defence only on 17 October 2026, more than 600 days after his arrest, in a case with 436 defendants, 46 of them still in detention. More than 30 CHP-elected mayors remained in prison in late August 2026, and operations against CHP municipalities continued into October 2026. The pressure now reaches the

⁵² For sustained treatment of the *Kavala* and *Demirtaş* cases see the Council of Europe Department for the Execution of Judgments' case pages for *Kavala v. Turkey* (Application No. 28749/18) and *Selahattin Demirtaş v. Turkey (No. 2)* (Application No. 14305/17), with the successive Committee of Ministers Human Rights meeting decisions and Interim Resolutions, <https://hudoc.exec.coe.int/>; the Joint Rule 9.2 submissions to the Committee of Ministers by Human Rights Watch, the International Commission of Jurists, and the Turkey Human Rights Litigation Support Project, <https://www.hrw.org>; the Amnesty International case pages on each prisoner, <https://www.amnesty.org>; and the academic commentary on the *Kavala* infringement proceedings and on the Article 18 line of jurisprudence published in *Strasbourg Observers* (<https://strasbourgobservers.com>). On the Article 46 § 4 procedure, see ECtHR (GC), *Proceedings under Article 46 § 4 in the case of İlgar Mammadov v. Azerbaijan*, App. No. 15172/13, 29 May 2019; ECtHR (GC), *Proceedings under Article 46 § 4 in the case of Kavala v. Türkiye*, App. No. 28749/18, 11 July 2022; Human Rights Watch et al., "Joint Rule 9.2 submission to the Committee of Ministers on Demirtaş and Şenoğlu cases," 24 January 2025.

party's leadership itself: a court ruling annulling the CHP's leadership congress has installed its former chair, Kemal Kılıçdaroğlu, at the head of the party. Elected opposition politicians held in pre-trial detention now form a growing part of the population this section describes, and their detention raises the same concern: the use of the criminal process against those who challenge the state's narrative or mobilise opposition.⁵³

The pattern's significance in the present chapter lies in its category-spanning character. The cases drawn from across the Gülen-related, Kurdish, broader-left, journalist, lawyer, and ordinary-prisoner corpora examined in this report operate through the same legislative provisions, the same Forensic Medicine Institute reporting practice, the same Prison Administration and Observation Board release-denial framework, and the same statutory exclusions of particular categories of prisoner from particular pathways of relief. The prisoner categories vary; the institutional mechanisms producing the violations do not.

The continuing detention of these prisoners, taken together with the conditions of that detention as described in subsequent chapters, is the central evidentiary foundation of the report.

⁵³Solidarity With OTHERS, "Forty CHP mayors arrested since the 2024 local elections, alongside trustee appointments, council re-runs and party defections," 12 October 2026; Turkish Minute, "CHP mayor among 28 detained in fresh operation targeting an İstanbul district municipality," 2 October 2026; Human Rights Watch, "Türkiye: Leading Opponent of Erdoğan on Trial," 3 March 2026. On the fair-trial concerns, see Turkish Minute, "Council of Europe rights chief raises 'grave' fair trial concerns in İmamoğlu trial," 10 July 2026, reporting the statement of Commissioner for Human Rights Michael O'Flaherty; Stockholm Center for Freedom, "HRW urges Turkey to lift courtroom restrictions in İmamoğlu trial," 23 March 2026. On the completion of İmamoğlu's defence, the number of defendants and detainees, and the court ruling on the CHP leadership, see BBC News Türkçe, "İmamoğlu İBB davasındaki savunmasını dördüncü günde tamamladı," 17 October 2026.

3. Health Care Denial and Medical Neglect

This chapter examines what is, in the assessment of Turkish civil society and a substantial body of international monitoring documentation, the most consequential category of in-prison violations in Türkiye today: the systematic denial, deferral, and obstruction of medical care to prisoners who require it. The pattern is documented across the post-2016 period in successive reports of the Council of Europe’s Committee for the Prevention of Torture, the UN Committee Against Torture, the UN Human Rights Committee, and the Special Rapporteur on Torture, and in the annual reporting of Turkish civil-society organisations including the Human Rights Association, the Civil Society in the Penal System Association, and the Stockholm Center for Freedom.⁵⁴ The cases the chapter examines, drawn from the 2025–2026 case-file corpus described in §1.3, illustrate patterns that international monitoring has been raising with the Turkish authorities throughout the past decade.

The selective withholding of life-sustaining medication serves as a primary demonstration of targeted intent. The case of Halime Gülsu provides a clear illustration of this mechanism. Her death from systemic lupus erythematosus followed the repeated denial of her essential prescriptions during her detention in Mersin. This specific deprivation demonstrates that the withholding of care functions as an active instrument of carceral pressure rather than a simple administrative failure. Within this environment, the medical prescription becomes a site of negotiation and control.

This targeted approach finds further support in the structural disparity between political prisoners and those convicted of catalogue crimes. The Turkish penal framework establishes a hierarchy of rights where political prisoners encounter significantly more restrictive conditions than individuals convicted of serious violent offences. While perpetrators of catalogue crimes frequently benefit from parole eligibility or medical release provisions, political prisoners remain explicitly excluded

⁵⁴Council of Europe, Committee for the Prevention of Torture, *Report to the Turkish Government on the visit to Turkey from 10 to 23 May 2017*, CPT/Inf (2020) 22, 5 August 2020, and *Report to the Turkish Government on the visit to Turkey from 6 to 17 May 2019*, CPT/Inf (2020) 24, 5 August 2020; UN Committee against Torture, *Concluding observations on the fifth periodic report of Türkiye*, CAT/C/TUR/CO/5, 14 August 2024; UN Human Rights Committee, *Concluding observations on Türkiye*, CCPR/C/TUR/CO/2, 28 November 2024; UN Human Rights Council, *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Nils Melzer, on his mission to Turkey*, A/HRC/37/50/Add.1, March 2018; İHD, *2024 Prison Report*, August 2025; Civil Society in the Penal System Association (CİSST), prison-monitoring documentation, 2024–2026; Stockholm Center for Freedom, *Torture, Ill-treatment and Prison Conditions in Turkey: 2025 in Review*, March 2026.

from these mechanisms. This legal exceptionalism ensures that vulnerability is mandated for the political subject. By codifying this disparity, the state transforms the carceral system into a tool for the differential application of human rights, where the level of protection depends entirely upon the nature of the prisoner's perceived influence.

The chapter is organised around four overlapping dimensions of the medical-neglect pattern: the denial or postponement of treatment that requires hospital transfer; the violation of medical-ethical standards within prison clinics; the separation of imprisoned mothers from children whose serious illness requires their presence; and the geriatric-care failures whose cumulative effect can be described as a slow-death pattern. The analysis returns to the concept of deliberate neglect set out in §1.1.

3.1. Denial of Hospital Transfer and Treatment Postponement

Domestic and international standards on prison healthcare are well established. Article 16 of Law No. 5275 permits the suspension of execution where continued detention poses a definite threat to life. Rules 24, 25, and 27 of the UN Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules) require that prisoners receive healthcare equivalent in standard to that available in the community, and that prisoners requiring specialised treatment unavailable in the prison be transferred to specialised institutions or to civil hospitals. Article 3 of the European Convention on Human Rights, in the Court's jurisprudence in cases including *Mouisel v. France* and *Khudobin v. Russia*, holds that the denial of necessary medical care to a seriously ill prisoner can amount to inhuman or degrading treatment.⁵⁵ The CPT has identified prison healthcare as an area of particular concern in successive visit reports on Türkiye, finding in 2017 and again in 2019 that the system exhibited shortcomings of sufficient seriousness to warrant specific recommendations to the Turkish authorities.⁵⁶

Asuman Birinci's case (§2.2) illustrates the pattern in its most acute form. At the time of writing, Birinci is held at Antalya L-Type Closed Prison with a haemoglobin level of 6.8 g/dL, against a clinical lower bound for adult women of approximately 12.0 g/dL, and a ferritin level of 1.8 ng/mL, indicating complete depletion of iron stores. These values, taken together with twenty days of continuous gynaecological bleeding, place her in a clinical category requiring urgent hospital evaluation: severe anaemia of this magnitude carries documented risk of cardiac complications, syncope, and progressive haemodynamic instability. The case file records that requests for hospital referral and for the application of Article 16 have been deferred on the basis of administrative

⁵⁵UN Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules), General Assembly Resolution 70/175, 17 December 2015, Rules 24, 25, 27; ECtHR, *Mouisel v. France*, App. No. 67263/01, 14 November 2002; ECtHR, *Khudobin v. Russia*, App. No. 59696/00, 26 October 2006; see also *Vasyukov v. Russia*, App. No. 2974/05, 5 April 2011, and *Tekin Yıldız v. Turkey*, App. No. 22913/04, 10 November 2005.

⁵⁶CPT/Inf (2020) 22, paragraphs on prison healthcare, mental-health services, and screening of newly arrived prisoners; CPT/Inf (2020) 24, observations on the deterioration of healthcare provision linked to overcrowding.

scheduling considerations.⁵⁷ The prison has, in effect, treated a clinical emergency as a routine bureaucratic matter. The pattern as it specifically affects women, including in respect of pregnancy, the postpartum period, and gender-specific serious illness, has been examined at greater length in Solidarity with OTHERS 2025 report on women's medical care in incarceration and its 2026 report on the pre-trial detention of pregnant women.⁵⁸

The framing of this delay is part of the violation. Birinci's family has been told, on multiple occasions, that the referral cannot be processed because of "scheduling" or "appointment availability" at the receiving hospital. The form of the explanation matches the form documented across other cases in the corpus: a generic and superficially plausible obstacle, presented as external to the prison administration's discretion, whose practical effect is the deprivation of urgent medical care to one identifiable person. The pattern, set out in §1.1 as deliberate neglect, recurs.

Yusuf Bekmezci's case (§2.2) illustrates the pattern in its terminal form: the ATK's suspension recommendation was overridden by the executing authority, producing the institutional outcome described above.

Betül Aygün's case (§2.2) shifts the timeline. The biopsy delay at Ödemiş Prison, approximately six months in duration, was effected through the same mechanism documented in Birinci's case: scheduling unavailability, administrative deferral, the assertion of constraints external to the prison administration's discretion.⁵⁹ The mechanism produced, in Aygün's case, a delay of sufficient duration to render the disease untreatable in the standard course. The mechanism is, in this sense, lethal. Its lethality is concealed by its bureaucratic form.

The medical-neglect pattern documented in this chapter operates on a population that includes the infant children of imprisoned mothers, whose access to paediatric care is mediated by an institutional practice that excludes their mothers from medical referrals (see §2.1 above). The patterns documented in Birinci's, Bekmezci's, and Aygün's cases follow a trajectory the international monitoring record traces back through the post-2016 period. Earlier deaths in custody, including those of Halime Gülsu (2018) and Mustafa Kabakçioğlu (2020), profiled in §2.2, established the pattern; recent cases, including those of İbrahim Güngör (2025) and Akif Şimşek (2024), evidence its continuation. The case of Ömer Yaman, a 70-year-old prisoner in Tokat province who lost vision in his left eye after being denied cataract treatment for six months, illustrates the spread of the pattern across non-fatal but life-altering harms.⁶⁰ The CPT raised these concerns in its 2017 and

⁵⁷Case file, Asuman Birinci, Solidarity With OTHERS, 2026.

⁵⁸ Solidarity With OTHERS, *Women's Struggle for Adequate Medical Care in Incarceration*, March 2025; Solidarity With OTHERS, *Pregnancy Behind Bars: Pre-Trial Detentions of Pregnant Women in Turkey*, March 2026.

⁵⁹Case file, Betül Aygün, Solidarity With OTHERS, 2026.

⁶⁰On Halime Gülsu, see *inter alia* Stockholm Center for Freedom, "Halime Gülsu died in prison," 28 April 2018; on Mustafa Kabakçioğlu, see Arrested Lawyers Initiative, "Mustafa Kabakçioğlu, found dead in his cell after being denied medical attention," 24 August 2020; on İbrahim Güngör, Stockholm Center for Freedom, "Elderly Alzheimer's patient jailed over Gülen links died in Turkish prison after repeated pleas for release," September 2025; on Akif Şimşek and Ömer Yaman, İHD, *2024 Prison Report*, August 2025.

2019 visit reports. The UN Committee Against Torture raised them in its 2024 Concluding Observations.⁶¹

3.2. Medical Ethics Violations Inside Prison Clinics

Medical ethics in prison settings is governed by a specific body of professional-ethical instruments addressing the particular ethical strain that medical practitioners face when employed in custodial institutions. The World Medical Association's Tokyo Declaration of 1975, revised most recently in 2016, prohibits physicians from participating in or condoning torture, cruel, inhuman, or degrading treatment, and requires that physicians caring for detainees provide care equivalent in standard and in clinical judgment to care provided to non-detained patients. The Tokyo Declaration has been incorporated into the ethical guidance of the Turkish Medical Association (*Türk Tabipleri Birliği*). The 1982 UN Principles of Medical Ethics relevant to the role of health personnel in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment make the same prohibition explicit at the level of UN soft law.⁶²

The Birinci case provides the report's most acute documented instance of the violation. The case file records that a prison physician, responding to Birinci's repeated reporting of symptoms consistent with severe iron-deficiency anaemia and to her presentation of laboratory values placing her well below clinical thresholds for hospital evaluation, told her: "*Bu değerlerle yaşayabilirsin*" ("You can live with these values").⁶³ The statement requires careful unpacking. Read literally, it asserts that the patient is capable of survival at the indicated values. The clinical literature on severe anaemia, however, establishes that haemoglobin levels at or near 6.8 g/dL place adult women in a category requiring urgent transfusion or aggressive iron-replacement therapy, with documented increases in cardiac strain, syncope risk, and cognitive impairment. The statement is, in clinical terms, false. It is also, in ethical terms, a refusal of the equivalence-of-care standard that the Tokyo Declaration and the Mandela Rules together require. The prison physician's role, in the moment captured by the statement, was to act as a medical professional. The statement displaces that role with one closer to that of a custodian: a person whose purpose is to retain Birinci in the institution rather than to address her medical condition.

This kind of displacement recurs across the corpus. The case files record similar patterns: the refusal of vitamin and B12 supplementation despite documented sunlight deprivation; the refusal of dietary accommodations for documented gastrointestinal conditions; the routinised characterisation of medical complaints as exaggerated or feigned; the deferral of investigation of

⁶¹CAT/C/TUR/CO/5, 14 August 2024, paragraphs concerning deaths in custody and access to medical care.

⁶²World Medical Association, *Declaration of Tokyo: Guidelines for Physicians Concerning Torture and other Cruel, Inhuman or Degrading Treatment or Punishment in relation to Detention and Imprisonment*, adopted October 1975, editorially revised May 2006 and revised October 2016; Turkish Medical Association ethical guidance incorporating the Declaration; UN General Assembly Resolution 37/194 of 18 December 1982, *Principles of Medical Ethics relevant to the role of health personnel, particularly physicians, in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment*.

⁶³Case file, Asuman Birinci, Solidarity With OTHERS, 2026.

presenting symptoms in favour of administrative scheduling. Taken together, these patterns describe a clinical environment in which the standard of care operates structurally below the equivalence-of-care standard required by the applicable ethical instruments, and in which the physician's professional identity has been compromised by the institutional setting in which the physician operates.

The role of the Council of Forensic Medicine (ATK) in this pattern requires separate treatment. The ATK, as set out in Chapter 1, is the body whose reports determine eligibility for execution suspension on health grounds under Article 16. ATK reports are, formally, expert clinical determinations. In a body of cases documented by Turkish civil-society monitoring, the ATK has issued fit-to-stay determinations in respect of prisoners whose underlying medical evidence, drawn from local hospitals, treating physicians, and the prisoner's own functional capacity, points unambiguously in the opposite direction. The case of **Aysel Tuğluk** (§2.2) is the clearest documented instance in the corpus. Two university-hospital reports — by Kocaeli University Forensic Medicine and Istanbul University Faculty of Medicine — concluded that her dementia had progressed to the point where she "could not maintain life alone." The ATK's contrary determination of September 2021, that she "could stay in prison," cannot be reconciled with that underlying clinical evidence on any defensible reading of the same diagnostic record. The thirteen-month interval between the ATK's adverse determination and Tuğluk's eventual release in October 2022 — during which her condition continued to deteriorate, and over which sustained advocacy by sixty-eight women's organisations, the HDP parliamentary group, and her legal team was required to produce a revised report — illustrates the operational consequence of the gatekeeping pattern: the legally required mechanism for release operated, in practice, only when overridden by sustained external pressure. The İHD's 2024 Prison Report documents cases in which the ATK has refused to endorse release recommendations issued by university and state hospitals in respect of seriously ill prisoners.⁶⁴ The pattern is institutionally significant. The ATK occupies a gatekeeping position in the execution-suspension pipeline. Where it issues clinical determinations whose content cannot be reconciled with the underlying medical evidence, the gate it controls fails to perform the protective function the legal architecture assigns to it.

3.3. Children with Severe Illness Separated from Imprisoned Mothers

Article 16/A of Law No. 5275, the so-called "Yusuf Kerim Law," addresses a particular sub-set of the cases this chapter examines: cases in which the imprisoned parent's continued detention produces direct harm to a child whose welfare depends on her presence. The provision permits the suspension of execution for mothers whose children, aged between zero and six, would be seriously harmed by continued separation. Its statutory language is grounded in Article 3 of the Convention on the Rights of the Child, under which the best interests of the child are a primary consideration

⁶⁴İHD, *2024 Prison Report*, August 2025: documenting cases in which the Council of Forensic Medicine (ATK) has refused to endorse release recommendations issued by university and state hospitals in respect of seriously ill prisoners.

in any decision affecting the child.⁶⁵ The provision was named after a child whose case prompted its enactment. Its operative purpose is to provide a legal pathway for the protection of children in this position.

Selman Tekin's case (§2.1) is the central documented case in the corpus. Selman is a child with lymphatic tuberculosis whose treating hospital has issued a report stating, in terms, that he requires maternal care for his condition's effective management. His mother, Melek Tekin, is detained.⁶⁶ The medical evidence, in the form of the hospital report, is unambiguous. The legal mechanism, Article 16/A, was enacted precisely for cases of this type. The pathway between the two has remained closed.

Several features of the Tekin case bear analytical attention. The medical evidence has the form of a clinical determination by a treating institution, setting out the child's condition and the recommendation that maternal care is required. The legal mechanism's statutory language addresses the harm to the child rather than the situation of the parent, in line with the best-interests-of-the-child principle. The executing authority, in the form of the prosecutor or the prison administration, has declined to engage with the application in the manner the statutory pathway contemplates. The result is a child with active tuberculosis, separated from the parent whose presence the treating hospital has identified as necessary, while the legal mechanism to address the situation remains formally available and substantively unused.

The Tekin case shares structure with the situation of the Sinan family (§2.1), in which Ali İhsan Sinan has experienced documented weight loss while both parents are imprisoned in geographically separated facilities. In both, the proximate cause of a documented developmental harm is the continued imprisonment of one or both parents, and the legal correction is available under Article 16/A or the more general administrative discretion of the execution authority. The persistence of the pattern across multiple cases evidences a systemic non-application of the corrective mechanism.

3.4. Geriatric Detention and the Slow-Death Pattern

The geriatric population in Türkiye's prison estate has grown substantially over the past decade. Prisoners over the age of 65 now constitute a meaningful proportion of the documented seriously ill population. Domestic and international standards on this group are clear. Rule 2(2) of the Mandela Rules requires prison administrations to take account of the individual needs of prisoners, in particular the most vulnerable categories, and Rules 24 to 27 require health care equivalent to that available in the community. Article 16 of Law No. 5275 makes age-related health conditions a possible basis for execution suspension. ECtHR jurisprudence, in cases including *Papon v. France*

⁶⁵Law No. 5275 on the Execution of Sentences and Security Measures, Article 16/A, the so-called "Yusuf Kerim Law"; UN Convention on the Rights of the Child, Article 3.

⁶⁶Case file, Melek Tekin and Selman Tekin, Solidarity With OTHERS, 2026.

and *Farbtuhs v. Latvia*, has held that the continued detention of elderly prisoners with seriously deteriorating health can amount to inhuman or degrading treatment.⁶⁷

Yusuf Bekmezci's case (§2.2) is the most fully documented instance in the corpus of what this chapter terms the slow-death pattern. The cellular-isolation regime of the F-Type prison in which he was held was structurally incompatible with the orientation cues, environmental support, and continuous medical attention his condition required.

The case's analytical importance lies in its temporal structure. Bekmezci's clinical decline operated as a sustained, cumulative refusal of the modifications that his condition required. Across months, the refusals accumulated into a continuous source of harm, against a background in which the legal mechanism for execution suspension was available, the clinical recommendation for its application existed, and the administrative pathway for activation remained closed. The analytical phrase *slow death* captures this temporal dimension in a way that the standard human-rights vocabulary of "denial of medical care" or "inhuman treatment" tends to obscure.

The pattern recurs across diagnostic categories. **Havva Dönmez**, a healthcare worker dismissed by emergency decree, has been held at Edirne Closed Prison since 2021 on a 6-year, 3-month sentence arising from the routine criteria addressed in Yalçinkaya. She is in the third year of treatment for thyroid cancer. Cancer treatment requires regular oncological follow-up, dietary precision, and a managed immunological environment, none of which the overcrowded ward conditions at Edirne Closed Prison support. Her husband Bekir, a computer teacher, is held simultaneously in a separate facility on charges arising from the same investigation; their children, aged 8 and 11, have been without both parents for the duration. The Dönmez case operates at the intersection of three of the patterns documented in this chapter: the medical-neglect pattern of §3.1, the simultaneous-spousal-detention pattern documented in Chapter 5, and the legislative-exclusion problem analysed at §6.3. None of the three features is exceptional in the case-file corpus; their cumulative effect is.⁶⁸

Ali Ünal's case (§2.3) raises a related concern from a different direction. The literature on prolonged solitary confinement documents a well-established risk of cognitive, affective, and somatic harm in adults of any age, a risk that the ordinary processes of ageing can compound in a prisoner of 71.⁶⁹ Limited access to Ünal means that this report can make no assessment of his condition, and the public record gives no indication that he has suffered such harm. The point concerns the state's

⁶⁷UN Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules), Rule 2(2) and Rules 24–27; ECtHR, *Papon v. France*, App. No. 64666/01, 7 June 2001 (admissibility decision); *Farbtuhs v. Latvia*, App. No. 4672/02, 2 December 2004; *Enea v. Italy*, App. No. 74912/01, Grand Chamber judgment, 17 September 2009.

⁶⁸ Case file of Havva Dönmez, Edirne Closed Prison; case file of Bekir Dönmez (separate facility), on file with Solidarity With OTHERS, March 2026.

⁶⁹For an overview of the literature, see Sharon Shalev, *A Sourcebook on Solitary Confinement*, Mannheim Centre for Criminology, London School of Economics, 2008; Stuart Grassian, "Psychiatric Effects of Solitary Confinement," *Washington University Journal of Law and Policy*, 2006; Peter Scharff Smith, "The Effects of Solitary Confinement on Prison Inmates: A Brief History and Review of the Literature," *Crime and Justice*, 2006. On the obligation of health-care personnel, see UN Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules), General Assembly Resolution 70/175, 17 December 2015, Rule 46(1).

obligation, independent of his present health: Mandela Rule 46(1) requires prison health-care personnel to pay particular attention to the health of prisoners held under any form of involuntary separation, including by visiting them daily, and the justification for an isolation regime of this length rests with the authorities who impose it.

The September 2025 death of **İbrahim Güngör** (§2.2) illustrates the pattern in its terminal form; the death of Abdullah Tırpan on 26 October 2026, days after the amputation of his leg (§8.1), is its most recent instance.⁷⁰ The structural similarity to Bekmezci's case, three years earlier, is striking: an elderly prisoner with significant cognitive impairment, family advocacy through formal channels, refusal of the available legal mechanisms for execution suspension, and death in custody. The recurrence of the pattern evidences its continuing operation.

What emerges across the four sub-sections of this chapter is a coherent picture. The denial of hospital transfer to acute cases, the medical-ethical violations within prison clinics, the separation of mothers from children whose treating institutions have identified maternal care as necessary, and the cumulative harm to elderly prisoners whose conditions exceed what the carceral environment can accommodate are different surfaces of the same underlying pattern. The pattern is, in each case, identifiable as deliberate neglect: targeted, person-specific, administered through explanations framed in the language of generic constraint, producing deprivations that match in their consequences what active harm would produce. The pattern has been documented across the post-2016 period in the work of the CPT, the UN treaty bodies, the UN Special Procedures, and Turkish civil society. It continues into the period the present report documents.

⁷⁰Stockholm Center for Freedom, "Elderly Alzheimer's patient jailed over Gülen links died in Turkish prison after repeated pleas for release," September 2025.

4. Inhuman and Degrading Treatment (ECHR Article 3)

This chapter examines violations of Article 3 of the European Convention on Human Rights inside Türkiye's prison estate. Article 3 prohibits torture and inhuman or degrading treatment in absolute terms. The prohibition admits of no exceptions and cannot be suspended in any circumstance, including states of emergency. The Court's jurisprudence has developed a body of standards on what constitutes a breach: treatment that causes severe physical or mental suffering, that humiliates or debases the recipient, that diminishes the recipient's human dignity, or that creates feelings of fear, anguish, and inferiority capable of breaking the recipient's moral and physical resistance. The threshold for a violation depends on the totality of the circumstances, including the duration of the treatment, its physical and mental effects, and, in some cases, the sex, age, and state of health of the recipient.⁷¹

Chapter 3 examined withholding: the denial of services and care as the operative form of violation. This chapter examines active imposition. The patterns documented here operate through positive treatment: strip searches conducted as routine practice on women prisoners during transfers; physical mistreatment during detention and interrogation; the prolonged isolation of prisoners in cellular conditions; and the degrading treatment of dying prisoners and their families. The patterns share a structural feature with those examined in Chapter 3. Each is dressed in the language of institutional routine: "security search," "disciplinary measure," "operational requirement," "administrative procedure." This vocabulary conceals the targeted character of the practice and the suffering it produces. The CPT, the UN Committee Against Torture, the UN Special Rapporteur on Torture, and the UN Special Rapporteurs through joint communications have each, in successive reports across the past decade, identified these patterns as established features of the Turkish prison estate and have recommended that the Turkish authorities address them. The patterns continue.

⁷¹ECtHR, *Ireland v. United Kingdom*, App. No. 5310/71, 18 January 1978; *Selmouni v. France*, App. No. 25803/94, Grand Chamber judgment, 28 July 1999; *Labita v. Italy*, App. No. 26772/95, Grand Chamber judgment, 6 April 2000.

4.1. Strip Searches and Transfer Practices

The legal standards governing body searches in custodial settings are well developed. Rules 50 to 53 of the Mandela Rules require that searches respect the prisoner's inherent human dignity and privacy, that intrusive searches be conducted only when absolutely necessary, that they be performed by trained staff of the same gender as the prisoner, and that they not be used to harass, intimidate, or unnecessarily intrude on the prisoner's privacy. Rule 19 of the Bangkok Rules requires that effective measures be taken to ensure that women prisoners' dignity and respect are protected during personal searches, which should be carried out only by women staff trained in appropriate searching methods. The CPT's standards on body searches require that intrusive searches be exceptional, performed in circumstances respecting the prisoner's privacy, and recorded with reasoned justification. The European Court of Human Rights has held in cases including *Valašinas v. Lithuania*, *Frérot v. France*, and *Wainwright v. United Kingdom* that strip searches conducted without sufficient justification, in degrading circumstances, or as routine practice can violate Article 3.⁷²

Despite these standards, strip searches remain a documented feature of women's prison practice in Türkiye. The CPT raised the issue in its 2017 and 2019 visit reports.⁷³ Its report on the February 2024 visit, published in October 2026, found that women at Antalya L-Type Prison, where Asuman Birinci is held (§2.2), were strip-searched on admission and that mothers were strip-searched after open visits; at Maltepe L-Type Prison No. 3, transgender women reported being required to undress fully and squat under the supervision of male officers.⁷⁴ The UN Committee Against Torture, in its 2024 Concluding Observations, expressed specific concern about reports of intrusive body searches conducted in degrading conditions on women prisoners and asked Türkiye to take measures to ensure that such searches comply with international standards.⁷⁵ In June 2025, eight UN Special Rapporteurs and two Working Groups jointly addressed the Turkish government concerning the post-İmamoğlu protest detentions, documenting strip searches accompanied by gender-based slurs and sexual violence.⁷⁶ The Ankara Bar Association documented seven women subjected to

⁷²UN Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules), General Assembly Resolution 70/175, 17 December 2015, Rules 50–53; UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules), General Assembly Resolution 65/229, 21 December 2010, Rules 19 and 24 (the latter on the prohibition of restraints on women during labour, childbirth, or immediately thereafter); Council of Europe, CPT Standards, CPT/Inf/E (2002) 1 (revised), section on body searches; ECtHR, *Valašinas v. Lithuania*, App. No. 44558/98, 24 July 2001; *Frérot v. France*, App. No. 70204/01, 12 June 2007; *Wainwright v. United Kingdom*, App. No. 12350/04, 26 September 2006; *Korneykova and Korneykov v. Ukraine*, App. No. 56660/12, 24 March 2016 (strict-necessity test for the use of physical restraints on pregnant women in pre-trial detention; routine handcuffing held incompatible with human dignity).

⁷³CPT/Inf (2020) 22, paragraphs concerning body searches; CPT/Inf (2020) 24, observations on the treatment of women prisoners during transfers.

⁷⁴Council of Europe, Committee for the Prevention of Torture, *Report to the Turkish Government on the ad hoc visit to Türkiye carried out from 13 to 22 February 2024*, CPT/Inf (2026) 35, published 6 October 2026; summarised in Solidarity With OTHERS, "CPT reports 'falaka' allegations in Turkish prisons, electric shocks on juveniles in custody, and Europe's highest incarceration rate," 8 October 2026.

⁷⁵UN Committee against Torture, *Concluding observations on the fifth periodic report of Türkiye*, CAT/C/TUR/CO/5, 14 August 2024.

⁷⁶Joint communication of UN Special Procedures and the Working Group on Arbitrary Detention to the Government of Türkiye, 19 June 2025; Government of Türkiye reply, 8 August 2025.

strip searches and physical abuse during the same period.⁷⁷ Despite the volume and consistency of this documentation, civil-society sources noted in 2025 that strip searches “continued to be reported, even as the government maintained that such practices do not occur.”⁷⁸

Nagehan Yüksel’s case (§2.1) illustrates the pattern in its individual specifics. In August 2022, Yüksel was transferred from Bakırköy Women’s Prison in Istanbul to Eskişehir. The transfer included a strip search of the kind whose continued occurrence the international monitoring record had documented for years. Yüksel subsequently described the transfer in a letter addressed to the parliamentarian Ömer Faruk Gergerlioğlu. The letter was confiscated by the prison administration. Disciplinary proceedings were opened against Yüksel for the act of writing it.⁷⁹ The pattern that emerges is significant on its own terms. The strip search itself violated the standards set out above. The confiscation of Yüksel’s letter to a parliamentarian compounded the violation by closing the channel of complaint that the international monitoring system identifies as a basic safeguard. The opening of disciplinary proceedings extended the violation by making the act of complaint itself a punishable offence.

The Yüksel case therefore exhibits three connected features: an underlying violation, a suppression of the prisoner’s complaint about the violation, and a punishment imposed for the complaint. The connection runs throughout the corpus. Strip searches recur as an event during transfers and during disciplinary proceedings. Their occurrence is denied or minimised at the institutional level. Prisoners who report them are subject to disciplinary sanctions for the report. The configuration produces an institutional environment in which the practice continues without effective constraint, because the channels through which constraint would be applied have themselves been compromised.

The most severe documented instance of sexual violence during strip search in the corpus is the case of **Garibe Gezer** (§4.4), where the criminal complaint filed in October 2021 by her lawyer Eren Keskin (Co-Chair of İHD) documented sexual assault during strip searches alongside beatings, being dragged half-naked along corridors by male guards, and confinement in a padded cell. The Yüksel pattern of underlying violation, suppression, and punishment operates here in compounded form: the underlying violation included sexual violence; the suppression took the form of repeatedly extended disciplinary solitary confinement; the institutional response to the complaint took the form of non-prosecution. The case is examined in full in §4.4 because its terminal stage — Gezer’s death, recorded as suicide, in solitary confinement, with her lawyers excluded from the autopsy — engages the full range of Article 3 issues this chapter addresses.

⁷⁷Ankara Bar Association Human Rights Centre, report on the accounts of seven women detained at the Güvenpark and METU protests of 22 March 2025, as reported in Cumhuriyet, “Gazetemiz Cumhuriyet, çıplak aramayı gündeme getirmişti, baro rapor yayımladı,” 10 April 2025, and BirGün, “Ankara Barosu’ndan Ankara Emniyeti’ndeki işkence ve kötü muamele iddiaları raporu: Mağdurlar çıplak arama ve darbı anlatırken ağladı,” 10 April 2025.

⁷⁸Stockholm Center for Freedom, *Torture, Ill-treatment and Prison Conditions in Turkey: 2025 in Review*, March 2026.

⁷⁹Case file, Nagehan Yüksel, Solidarity With OTHERS, 2026.

4.2. Physical Mistreatment and Religious-Dress Interference

The legal standards governing the physical treatment of prisoners are absolute. Article 3 of the European Convention on Human Rights prohibits any physical mistreatment that causes pain or suffering of sufficient severity to engage the threshold of inhuman or degrading treatment. Article 9 of the Convention protects the freedom to manifest religion, including through dress and appearance. The Mandela Rules require that prison authorities respect the religious practices of prisoners and that searches and other security measures be conducted with the prisoner's dignity in view. The Convention against Torture defines torture as the intentional infliction of severe physical or mental pain or suffering, when inflicted by or with the consent of a public official, for purposes including the obtaining of information or a confession.⁸⁰

The case of **Melek Tekin** (§2.1, §3.3) places a documented instance of physical mistreatment within the broader pattern of post-2016 detention practice that the UN Special Rapporteur on Torture's mission report of March 2018 set out at length.⁸¹ During her initial detention in 2016, Tekin experienced symptoms consistent with severe physical mistreatment, including temporary paralysis and the consequences of stress-position confinement. The case file records that she was made to stand on one leg for extended periods and that her headscarf was forcibly removed.⁸² The temporal placement of these events within the immediate post-coup detention period, when the SR Torture documented widespread ill-treatment, situates Tekin's experience within an established pattern. The continuing detention of Tekin under conditions described in this report compounds the harm of those original events: the prisoner whose 2016 treatment caused lasting physical and psychological consequences continues, in 2026, to be held in conditions that have been independently documented as themselves constituting inhuman treatment.

Religious-dress interference in particular has been identified by Turkish civil society as a recurrent feature of women's prison practice during the post-2016 period. Headscarves, modest dress, and the right to maintain religious observance during detention are protected under Article 9 ECHR and under the Mandela Rules' requirement that religious practices be respected. The pattern documented in Tekin's case, in which a religious dress item was forcibly removed during interrogation, appears in additional cases in the corpus and in civil-society reporting beyond the corpus. The pattern's significance lies partly in its specific religious dimension and partly in the way it operates as an additional form of degradation, layered on top of the physical mistreatment whose absolute prohibition Article 3 establishes.

⁸⁰ECHR, Articles 3 and 9; Mandela Rules, Rules 65–66 (religious practices); UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 10 December 1984, Article 1.

⁸¹UN Human Rights Council, *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Nils Melzer, on his mission to Turkey*, A/HRC/37/50/Add.1, March 2018.

⁸²Case file, Melek Tekin, Solidarity With OTHERS, 2026.

4.3. Long-Term Solitary Confinement

The Mandela Rules contain specific provisions on solitary confinement. Rule 43 prohibits indefinite solitary confinement, prolonged solitary confinement, the placement of a prisoner in a dark or constantly lit cell, corporal punishment, and the reduction of a prisoner's diet or drinking water. Rule 44 defines solitary confinement as the confinement of a prisoner for 22 hours or more per day without meaningful human contact, and prolonged solitary confinement as solitary confinement for a time period in excess of 15 consecutive days. The UN Special Rapporteur on Torture, in the 2011 Mendez report on solitary confinement, identified prolonged solitary confinement as conduct that can constitute torture or cruel, inhuman, or degrading treatment, depending on the specific circumstances, the personal characteristics of the prisoner concerned, and the duration of the confinement. The Court has held in cases including *Ramirez Sanchez v. France* that prolonged solitary confinement, even where partial, can in certain circumstances constitute a violation of Article 3.⁸³

The prolonged isolation of individual prisoners in cellular conditions is a documented feature of Türkiye's prison estate across the post-2016 period. The cases this section examines share three features that together engage Article 3: confinement extending well beyond the fifteen-day threshold that Mandela Rule 44 sets for prolonged solitary confinement; duration determined by the prisoner's identity as an influential dissenter rather than by any reviewable disciplinary criterion; and the absence of meaningful judicial or administrative review of the continuing isolation decision. The CPT has recommended in successive visit reports that conditions producing this pattern be addressed; practice has remained substantially unchanged. **Ali Ünal's** case (§2.3) is the principal documented instance of this pattern in the corpus. As described earlier, Ünal is 71 years old, has been in custody for more than ten years, and is held in long-term solitary confinement. Isolation of this length, imposed on a writer prosecuted for his published work, bears no proportionality to any disciplinary purpose.⁸⁴ The 2025 statement by the UN Special Rapporteur on Human Rights Defenders, Mary Lawlor, drew attention to a comparable case in the form of **Turan Canpolat**, who has been held in solitary confinement for almost three years without specific disciplinary orders justifying the extension.⁸⁵ Former judge **Hüsamettin Uğur** was held in a single-person cell at Kırıkkale Keskin Prison from October 2016 for a period he documented as 4 years and 4 months, during which prisoners in his unit were permitted only two hours of outdoor time per day. In a letter circulated by his daughter Nalan Dilara through human-rights defenders, Uğur reported that prisoners in the unit were "denied access to any educational, cultural, or artistic programs and activities" by what he described as "a secret directive from the Ministry," and that "whether we were

⁸³Mandela Rules, Rules 43–45; UN General Assembly, *Interim report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment*, Juan E. Méndez, A/66/268, 5 August 2011 (the Mendez report on solitary confinement); ECtHR, *Ramirez Sanchez v. France*, App. No. 59450/00, Grand Chamber judgment, 4 July 2006.

⁸⁴Case file, Ali Ünal, Solidarity With OTHERS, 2026.

⁸⁵Statement by the UN Special Rapporteur on the situation of human rights defenders, Mary Lawlor, on long-term detention of human rights defenders and lawyers in Türkiye, January 2025, including the case of Turan Canpolat.

suitable for being held in a single cell and our psychological state were never monitored." His own summary of the regime's purpose was: "to overwhelm us and make us confess to a crime we didn't commit. Indeed, many people in single cells became 'confessors-slanderers'!"⁸⁶ The three cases mentioned evidence that prolonged solitary confinement in Türkiye operates through three distinct mechanisms: a high-security architectural regime (such as the F-Type configuration) that operates as cellular isolation by design; the indefinite extension of disciplinary segregation without specific justification; and the de facto isolation of prisoners whose nominal regime allows interaction but whose practical conditions produce isolation equivalent in effect.

A related dimension of long-term confinement under Article 3 concerns life imprisonment without meaningful prospect of release. The European Court of Human Rights has held, in the Grand Chamber judgment *Vinter and Others v. United Kingdom*, that a life sentence may be reconciled with Article 3 only where it is *de jure* and *de facto* reducible: where both a prospect of release and a mechanism of review exist for the prisoner concerned. The Court extended this in *Murray v. Netherlands* to require that the regime of imprisonment provide a genuine opportunity for rehabilitation as a precondition of any meaningful prospect of release. The Court has applied this standard to Türkiye directly. In *Öcalan v. Turkey (No. 2)* and again in *Kaytan v. Turkey*, it held that aggravated life imprisonment (*ağırlaştırılmış müebbet hapis cezası*), as the sentence operates in Turkish law, violates Article 3, because the prisoner has no realistic prospect of release and no mechanism of review.⁸⁷ The aggravated-life regime, by statute, carries no possibility of conditional release; it is also the only sentence category statutorily excluded from postponement of execution on medical grounds under Article 16 of Law No. 5275. The combination has specific consequences for ageing prisoners. Where the standard Article 16 mechanism opens a pathway for elderly or seriously ill prisoners to seek suspension of execution on health grounds — the pathway whose operation Chapter 3 examines at length — the aggravated-life regime closes that pathway *ex ante*, regardless of the prisoner's age or medical situation at any future point. The CPT's report on its February 2024 visit found that prisoners serving aggravated life sentences in high-security prisons were held in small-group isolation, many of them alone in their cells for 21 hours or more a day, and described the regime as fundamentally flawed.⁸⁸ The legislative-exclusion problem set out at §1.1 operates here in its most absolute form: a sentence category that statutorily excludes its own holders from the protective mechanism applicable to every other category of prisoner. **Osman Kavala** (§2.3), convicted on 25 April 2022 by the Istanbul 13th Heavy Penal Court and sentenced to aggravated life imprisonment without the possibility of parole (the conviction confirmed by the Court of Cassation on 28 September 2023), is the principal documented instance in the present

⁸⁶ Hüsamettin Uğur, letter to human-rights defenders, circulated by his daughter Nalan Dilara, 2021, as documented in F. Demirçivi, *Victimology of State Repression: The Türkiye Case*, dissertation (cited at §1.3 above).

⁸⁷ ECtHR, *Öcalan v. Turkey (No. 2)*, App. Nos. 24069/03, 197/04, 6201/06 and 10464/07, judgment of 18 March 2014; *Kaytan v. Turkey*, App. No. 27422/05, judgment of 15 September 2015; see also *Gurban v. Turkey*, App. No. 4947/04, judgment of 15 December 2015; *Vinter and Others v. United Kingdom*, App. Nos. 66069/09, 130/10 and 3896/10, Grand Chamber judgment, 9 July 2013; *Murray v. Netherlands*, App. No. 10511/10, Grand Chamber judgment, 26 April 2016.

⁸⁸ Council of Europe, Committee for the Prevention of Torture, *Report to the Turkish Government on the ad hoc visit to Türkiye carried out from 13 to 22 February 2024*, CPT/Inf (2026) 35, published 6 October 2026; summarised in Solidarity With OTHERS, "CPT reports 'falaka' allegations in Turkish prisons, electric shocks on juveniles in custody, and Europe's highest incarceration rate," 8 October 2026.

corpus of the convergence between the convictional dimension addressed in Chapter 7, the Article 3 jurisprudence on irreducible life sentences set out above, and the legislative-exclusion problem to which Chapter 3's medical-vulnerability cases are linked.

Serkan Onur Yılmaz, a prisoner held in connection with alleged affiliation with the Revolutionary People's Liberation Party-Front (DHKP-C), began an indefinite hunger strike in late 2024 and converted it to a death fast on 31 July 2025, demanding the closure of S-type, R-type, and Y-type "pit-type" (*kuyu tipi*) prisons and the transfer of eight named fellow prisoners away from those facilities. By the time of his forced transfer to hospital on the 317th day of his strike, Yılmaz was unable to walk and could not breathe normally. A second prisoner, **Fikret Akar**, joined the hunger strike, with at least eight further prisoners joining the protest by September 2025. The Istanbul Bar Association's Human Rights Centre, following a visit to Çorlu Karatepe High-Security Prison, issued a report in September 2025 calling for the closure of the pit-type facilities, citing what it characterised as systematic violations of human dignity. The pit-type architecture (tiny cells without ventilation or sunlight, isolation of prisoners from human contact, severe restriction of yard time, sports, and recreational activities) is the same architecture that produces the solitary-confinement effects documented earlier. The Yılmaz protest is one of the most sustained challenges to that architecture in the contemporary period, and the prisoner movement leading it is constituted across detainee categories rather than within any single one.⁸⁹

The targeting argument set out in Chapter 2 (§2.3) returns here with particular force. Across the documented record, the prisoners subject to the most prolonged isolation in the Turkish prison estate are, disproportionately, prisoners whose identity as influential dissenters the state has reason to want contained. The official disciplinary justification for their isolation has tended to be reverse-engineered from a prior decision to isolate. The pattern is consistent with the broader argument the report develops: the standard institutional vocabulary ("security regime," "disciplinary measure," "operational requirement") conceals a distribution of treatment that follows the political identity of the prisoner more closely than it follows any institutional criterion the vocabulary suggests.

4.4. Degrading Treatment of the Dying and Their Families

The European Court of Human Rights has held that the prohibition of inhuman and degrading treatment under Article 3 extends to circumstances in which a prisoner's vulnerability, by reason of illness, age, or other condition, compounds the seriousness of treatment that would, in respect of an able-bodied prisoner, fall below the Article 3 threshold. The Court has further held, in a body of cases including *Kurt v. Turkey* and *Maskhadova and Others v. Russia*, that the dignity of the prisoner extends to the period surrounding death and that the treatment of the deceased prisoner's family

⁸⁹ Turkish Minute, "Turkey's 'pit-type' prisons under fire amid hunger strikes, rights concerns," 22 August 2025; Stockholm Center for Freedom, "Prisoner on hunger strike in maximum security Turkish prison calls facility a 'grave for the living,'" 13 June 2025; Stockholm Center for Freedom, "İstanbul Bar calls for closure of 'pit-type' prisons, citing human dignity violations," 12 September 2025; İstanbul Bar Association Human Rights Centre, report on conditions at Çorlu Karatepe High-Security Prison, September 2025.

by the state can itself engage Article 3 considerations in cases involving aggravating circumstances.⁹⁰

The case of **Yusuf Bekmezci** (§2.2, §3.4) illustrates the pattern in its terminal form. Contemporaneous reports record that Bekmezci, by then 81 years old and in advanced cognitive decline from Alzheimer's disease, was dragged with his cane during his initial transport to detention. The phrase used in the case file and in family accounts is unusually direct: he was dragged. The verb implies a physical handling distinct from the guiding, escorting, or assisting that would be appropriate for an elderly prisoner with cognitive impairment. The treatment of an 81-year-old prisoner with significant cognitive impairment in this manner falls squarely within the Article 3 threshold the Court has articulated for vulnerable prisoners. The treatment continued after death. Bekmezci's son-in-law, who had assumed responsibility for the family's advocacy throughout his detention, was escorted by gendarmerie to the funeral.⁹¹ On the available record, the escort had no operational rationale beyond the extension of institutional control that had been imposed on Bekmezci during his life into the period of his family's grief.

The pattern's significance lies in its temporal extension. Where the violations examined in earlier sections operate during the prisoner's continued detention, the violations examined here extend beyond the prisoner's death. The state's punitive interest in the prisoner is treated as extending to the family who survived the prisoner. The treatment of Bekmezci's son-in-law during the funeral fits within a documented pattern of post-mortem control that Turkish civil society has begun to characterise as part of the broader continuum of detention-related harm. The pattern's existence requires that the international monitoring record's framework be extended to encompass treatment of family members that, in conventional analysis, would lie outside in-prison violations because the prisoner is no longer alive. The reasoning that justifies bringing such treatment within the analytical scope of this report is straightforward: the family member is being treated as the prisoner. The state's interest in the prisoner has been transferred, post-mortem, to those who advocated on his behalf.

The patterns of degrading treatment this chapter documents operate across categories of prisoner with particular severity in the case of women political prisoners. **Garibe Gezer**, a 28-year-old Kurdish woman from Nusaybin held at Kandıra No. 1 F-Type High-Security Prison, died on 9 December 2021 after a sustained period during which she had publicly reported torture and sexual assault by prison personnel. Her lawyer Eren Keskin (Co-Chair of the Human Rights Association, İHD) filed a detailed criminal complaint in October 2021 documenting that Gezer had been beaten, dragged half-naked along corridors by guards including male guards, placed in a "padded cell" (*ped odası*), subjected to sexual assault during strip searches, and held in solitary confinement on disciplinary penalties of repeatedly extended duration. A Kocaeli Forensic Medicine Institute report

⁹⁰ECtHR, *Mouisel v. France*, App. No. 67263/01, 14 November 2002 (vulnerable prisoners); *Kurt v. Turkey*, App. No. 24276/94, 25 May 1998 (family member as victim); *Maskhadova and Others v. Russia*, App. No. 18071/05, 6 June 2013 (treatment of bodies of deceased).

⁹¹Case file, Yusuf Bekmezci (1940–2022), Solidarity With OTHERS, 2026.

dated 9 November 2021 recorded her account of the assaults in detail and recommended further specialist examination, which did not occur. After Gezer attempted suicide and was placed in further solitary confinement, the prison administration recorded her death as suicide; her lawyers were excluded from the autopsy. The Kandıra Chief Public Prosecutor's Office issued a non-prosecution decision on the underlying torture allegations. A fellow prisoner, Deniz Tepeli, recorded as witness that Gezer was alive when guards reached her cell. The cumulative features of the case (sustained sexual violence in custody, padded-cell confinement, repeated disciplinary solitary punishments, non-investigation of torture complaints, death in solitary confinement classified as suicide, exclusion of lawyers from the autopsy, non-prosecution of the underlying allegations) intersect every category of Article 3 violation addressed in this chapter.⁹²

The patterns examined in this chapter share a structural feature: each operates within a vocabulary of institutional routine that conceals targeted treatment. The prohibition on inhuman and degrading treatment under Article 3 ECHR, despite its absolute character, despite its non-derogability, and despite a decade of documentation by every major international monitoring body, continues to be violated systematically inside Türkiye's prison estate. The violations follow patterns that the international record has identified, named, and addressed to the Turkish authorities through formal recommendations, treaty-body Concluding Observations, ECtHR judgments, and UN Special-Procedures communications. The prisoners experiencing the violations are, in many cases, the same prisoners whose situations Chapter 3 documented as subject to medical neglect, whose family contact Chapter 5 will document as restricted in violation of Article 8, and whose conditions of detention Chapter 6 will examine in the context of disciplinary practice and differential treatment. The cumulative picture, against which the report's recommendations in Chapter 8 will be developed, is a prison system in which the formal protections of domestic and international law operate at a substantial distance from the daily practice that prisoners and their families experience.

⁹² Bianet, "Sexual assault and torture against woman prisoner in padded cell," 8 October 2021; Bianet, "Garibe Gezer suspiciously loses her life in prison," 10 December 2021; Bianet, "Letter from prison: 'Garibe Gezer was killed, they want to cover it up,'" 22 December 2021; Bianet, "Prosecutors dismiss investigation into 'torture' claims of prisoner who died suspiciously," 4 January 2022; criminal complaint of Eren Keskin (Co-Chair, Human Rights Association / İHD), submitted to Kandıra Chief Public Prosecutor's Office, October 2021.

5. Family Contact and the Right to Family Life (ECHR Article 8)

This chapter examines the third major dimension of in-prison violations the report documents: the restriction of family contact between imprisoned parents and their children, and between imprisoned spouses, in ways that fall below the standard required by Article 8 of the European Convention on Human Rights and by the international and regional instruments governing the treatment of women prisoners and the rights of the child. The chapter situates the contemporary case material within the documented record of CPT visit reports, UN Committee Against Torture Concluding Observations, and Turkish civil-society monitoring across the past decade. It then presents preliminary findings from an ongoing research project conducted by Solidarity With OTHERS on the developmental consequences for children of imprisoned mothers, drawing on eight semi-structured interviews completed during 2026.

Article 8 of the European Convention guarantees respect for private and family life. The European Court of Human Rights has held in a body of cases including *Messina v. Italy* (No. 2), *Khoroshenko v. Russia*, *Trosin v. Ukraine*, and *Vintman v. Ukraine* that the imprisonment of a person carries with it inherent restrictions on the exercise of family life, but that the state retains a positive obligation to facilitate the maintenance of family ties during detention. The Court has scrutinised, among other matters, the frequency and duration of family visits, the conditions under which visits take place (including the use of glass partitions and other physical barriers), the geographical placement of prisoners in relation to their families, the availability of alternative forms of contact such as telephone and video communication, and the impact of these arrangements on minor children whose primary attachment is to the imprisoned parent.⁹³ The Court has held that disproportionate restrictions, applied as a blanket regime rather than on the basis of individualised assessment, can constitute a violation of Article 8.

These standards are reinforced by other instruments addressed to the situation of women prisoners and to the rights of children whose parents are detained. The UN Convention on the Rights of the

⁹³ECtHR, *Messina v. Italy* (No. 2), App. No. 25498/94, 28 September 2000; *Khoroshenko v. Russia*, App. No. 41418/04, Grand Chamber judgment, 30 June 2015; *Trosin v. Ukraine*, App. No. 39758/05, 23 February 2012; *Vintman v. Ukraine*, App. No. 28403/05, 23 October 2014.

Child, in Article 3, requires that the best interests of the child be a primary consideration in any decision affecting the child; in Article 9, it provides that a child separated from a parent has the right to maintain personal relations and direct contact with that parent, save in cases where contact would itself be contrary to the child's best interests. The Mandela Rules require that prisoners be allowed to communicate with their family and friends at regular intervals and that prison administrators encourage and support, by all reasonable means, the maintenance of relationships between prisoners and their families. The Bangkok Rules contain specific provisions for women prisoners, including the requirement that prison authorities encourage and facilitate visits to women prisoners as an important prerequisite for safeguarding mental well-being and social reintegration.⁹⁴ The UN Committee on the Rights of the Child has clarified, in General Comment No. 14, that the best-interests principle requires the assessment of the impact of decisions on individual children and on children as a group, and that this assessment has procedural requirements as well as substantive ones.⁹⁵

5.1. The Closed-Visit Regime and Its Impact on Children

As established in §2.1, the kapalı görüş (closed-visit) regime is the operative default for prisoners convicted under anti-terrorism legislation; the açık görüş alternative is conditional or unavailable. The cases described in this section illustrate the developmental consequences of this restriction in concrete form.

Çiğdem Arjin, the daughter of **Gazel Bulut** (§2.1, §2.3), entered her mother's detention regime at approximately one and a half years of age and had reached school age by the time of her mother's release in August 2026. The whole period in which she formed her earliest lasting memories passed under the closed-visit regime. In a remark recorded in the case file during one such visit, Çiğdem said to her mother: "*Sen camın arkasındayken ben çok korktum*" ("I was so scared while you were behind the glass").⁹⁶ The remark is significant on several levels. The child is articulating, in her own vocabulary, a perception of her mother as physically inaccessible, separated from her by a barrier whose existence she does not understand. She is expressing fear in the context of what should be the most reassuring relationship in her life. The developmental and clinical literature on early-childhood attachment establishes that the absence of physical contact during the years in which attachment is consolidated has measurable consequences for the formation of trust, security, and

⁹⁴UN Convention on the Rights of the Child, Articles 3 and 9; UN Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules), General Assembly Resolution 70/175, 17 December 2015, Rules 58–60, 106; UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules), General Assembly Resolution 65/229, 21 December 2010, Rules 26–28, 49–52.

⁹⁵UN Committee on the Rights of the Child, General Comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, CRC/C/GC/14, 29 May 2013.

⁹⁶Case file, Gazel Bulut and Çiğdem Arjin, Solidarity With OTHERS, 2026.

social competence.⁹⁷ In Çiğdem’s case, the consequences of barrier-mediated contact are compounded by the absence of any video-call alternative. Video calls are formally available under Turkish prison regulations but were refused in Bulut’s case on the basis of “infrastructure problems” from the notional lifting of COVID-19 pandemic restrictions until her release.⁹⁸

The Bulut–Arjin case illustrates a pattern that recurs across the corpus. Where the imprisoned parent is held under a regime that restricts open visits, the alternative forms of contact through which Article 8 considerations might be partially addressed (video calls, extended phone contact, supervised periodic open visits) are themselves restricted on grounds presented as administrative or technical. The result is a configuration in which the formal availability of multiple contact modes coexists with the practical unavailability of all of them, and in which the burden of demonstrating that the configuration violates Article 8 falls on the prisoner whose communication channels are themselves the subject of the restriction. The configuration matches the deliberate-neglect pattern set out in §1.1.

5.2. Denial of Video Calls and Communication Restrictions

During the COVID-19 pandemic, Turkish prisons introduced video-call provision as a partial substitute for visits that pandemic conditions made impossible to conduct in person. The provision was retained in the formal regulatory framework after pandemic restrictions were lifted. In practice, civil-society documentation indicates that video calls have been routinely refused or restricted for prisoners convicted under anti-terrorism legislation, on the basis of explanations referencing technical infrastructure, scheduling capacity, and security considerations. The UN Committee Against Torture, in its 2024 Concluding Observations, expressed specific concern about a decree limiting detainee visits to closest relatives and restricting telephone communication to ten-minute calls.⁹⁹ The post-pandemic restriction of video-call provision has not been raised by the Turkish authorities to international monitoring bodies as a temporary or extraordinary measure justified by particular circumstances. It operates as a settled feature of the regime applied to the prisoner population this report documents.

Beyond video calls, the Sinan family’s situation (§2.1) illustrates the way geographical separation operates as a further restriction on family contact in cases where one parent is imprisoned. Kevser Sinan is held at a women’s facility in Ankara; her husband Nuri is held at a men’s facility in Sivas, approximately 450 kilometres away. Their children, Ali İhsan and Seher, are in the care of relatives.

⁹⁷On the developmental significance of physical contact in early childhood and on the consequences of barrier-mediated contact, see *inter alia* Tiffany Field, *Touch*, MIT Press, 2014; Allan Schore, *Affect Regulation and the Origins of the Self: The Neurobiology of Emotional Development*, Lawrence Erlbaum, 1994.

⁹⁸Case file, Gazel Bulut and Çiğdem Arjin, Solidarity With OTHERS, 2026; comparative civil-society reporting on the post-pandemic continuation of communication restrictions in Turkish prisons, including Civil Society in the Penal System Association (CİSST) prison-monitoring documentation, 2024–2026.

⁹⁹UN Committee against Torture, *Concluding observations on the fifth periodic report of Türkiye*, CAT/C/TUR/CO/5, 14 August 2024, paragraphs concerning communication restrictions and the regime of detainee visits.

The geographical configuration produces a contact pattern in which the children can visit either parent only with significant logistical and financial commitment from the relatives caring for them, and in which the imprisoned parents themselves have no contact with each other. The European Court of Human Rights has held in cases including *Khodorkovskiy and Lebedev v. Russia*, *Polyakova and Others v. Russia*, and *Vintman v. Ukraine* that the placement of prisoners in facilities at significant distance from their families, where alternative facilities closer to the family exist, can constitute a violation of Article 8 unless justified by considerations of penological necessity.¹⁰⁰ The Sinan case file records no such justification for the geographical separation that the family is required to bridge.¹⁰¹

5.3. Sequential and Simultaneous Detention of Both Parents

Among the most consequential patterns the corpus documents is the simultaneous or sequential detention of both parents in a single family. In simultaneous detention, both parents are imprisoned at the same time, with the children placed in the care of relatives or, in some cases, of state social-services authorities. In sequential detention, one parent is released as the other is detained, in a configuration that maintains a continuous parental absence throughout the children's formative years. Several families in the corpus exhibit one or the other configuration, including the Temur, Yüksel, Erdoğan, Özdemir, and Sinan families.¹⁰² In each, the children experience a continuous absence of one or both parents during the period in which child-development research identifies parental presence as most consequential.

The pattern has consequences that extend beyond the per-parent analysis the standard Article 8 framework conducts. Where one parent is detained, the question is whether the restrictions on family contact are proportionate to penological need and consistent with the state's positive obligation. Where both parents are detained, the question changes. The state has, by sequence of decisions, removed the entirety of the child's parental support structure. The Convention on the Rights of the Child's requirement that the best interests of the child be a primary consideration in any decision affecting the child applies with particular force to the second decision in such a sequence: the decision to detain the second parent in the knowledge that the first has already been detained. The case files do not record any evidence that this consideration has been engaged in any of the documented cases. The detention decisions appear to have proceeded as if each parent were the only parent under consideration, with the cumulative effect on the child treated as outside the scope of the relevant assessment.

¹⁰⁰ECtHR, *Khodorkovskiy and Lebedev v. Russia*, App. No. 11082/06 and 13772/05, 25 July 2013; *Polyakova and Others v. Russia*, App. No. 35090/09 and others, 7 March 2017; *Vintman v. Ukraine*, App. No. 28403/05, 23 October 2014.

¹⁰¹Case file, Kevser and Nuri Sinan, Solidarity With OTHERS, 2026.

¹⁰²Case files, Yeliz and Kadir Temur, Nagehan Yüksel, Ayten İçten Erdoğan, Safiye Özdemir, Kevser and Nuri Sinan, Solidarity With OTHERS, 2026.

5.4. Preliminary Findings: Behavioural Change in Children of Imprisoned Mothers

This section presents preliminary findings from an ongoing research project conducted by Solidarity With OTHERS on motherhood and children in Turkish prisons. The project is being carried out by Fikret Demirçivi and Ahsen Ayhan and consists, at the time of writing, of eight semi-structured interviews with imprisoned and formerly imprisoned mothers, conducted in 2026 with informed consent and anonymisation protocols as set out in §1.3.¹⁰³ The interview corpus is small and the findings reported here are accordingly framed as preliminary signals warranting further investigation rather than as established conclusions. The fuller results of the project will be published separately.

A consistent pattern emerges across the interviews. Mothers describing their children before the period of imprisonment characterise them as openly sociable, smiling at strangers, willing to approach unfamiliar adults, and at ease in social environments outside the family. The same mothers, describing the same children after the period of imprisonment, characterise them as withdrawn, wary of strangers, reluctant to engage with unfamiliar adults, and uncomfortable in social environments outside the immediate family. The contrast is reported in similar terms across all interviews, with variation in degree but not in direction. The change is, in the mothers' accounts, marked enough that they were able to identify a discrete difference in their children's social orientation that had not been present before.

The clinical interpretation of this pattern, drawing on the developmental literature on early-childhood attachment, points to disrupted social trust as a plausible mechanism. The years of early childhood during which the imprisoned mothers were detained are precisely the years during which children form the foundational attachments that organise their subsequent capacity for engagement with adults outside the family. A child whose primary attachment figure is, during these years, physically separated from her by a glass partition, intermittently visited under closely controlled conditions, and frequently absent from daily life, may develop a generalised template of adult relationships as marked by distance, unpredictability, and the possibility of sudden disappearance. Encountered subsequently in unfamiliar social environments, the child draws on this template. The result is the wariness of strangers and the reluctance to engage that the interview accounts consistently report.¹⁰⁴

¹⁰³Solidarity With OTHERS, ongoing research project on motherhood and children in Turkish prisons, 2026, conducted by Fikret Demirçivi and Ahsen Ayhan; semi-structured interviews (n=8) with imprisoned and formerly imprisoned mothers, conducted with informed consent and anonymisation protocols as set out in §1.3.

¹⁰⁴On attachment, separation, and the development of social trust in early childhood, see *inter alia* John Bowlby, *Attachment and Loss, Vol. 1: Attachment*, Hogarth Press, 1969; Mary Ainsworth et al., *Patterns of Attachment: A Psychological Study of the Strange Situation*, Lawrence Erlbaum, 1978; Edward Tronick, *The Neurobehavioral and Social-Emotional Development of Infants and Children*, W. W. Norton, 2007.

Several caveats apply to the preliminary character of this finding. The sample size of eight interviews is too small to support claims of statistical significance. The reports are maternal accounts of children's behaviour, with the methodological limitations associated with single-source observational data. The mothers describing the change are themselves the persons most affected by the imprisonment, and their accounts of pre-imprisonment behaviour may be subject to retrospective reconstruction. The behavioural change may have multiple causes, including the disruptions to family life that imprisonment produces beyond the mother-child dyad. Each of these limitations means that the finding requires further investigation before it can be presented as established. The further investigation is the purpose of the ongoing project.

Notwithstanding these caveats, the finding has analytical and policy weight on its own terms. The pattern, even taken as a preliminary signal, is consistent with what the international and regional standards on prisoners' family contact identify as the harm those standards are designed to prevent. The cumulative case law of the European Court of Human Rights on Article 8, the Convention on the Rights of the Child's best-interests requirement, the Mandela Rules and Bangkok Rules on family contact, and the Committee on the Rights of the Child's General Comment No. 14 each, in their different idioms, identify the disrupted attachment of children to their imprisoned parents as a foreseeable and preventable consequence of the regime under examination. The behavioural change reported in the interviews is what disrupted attachment looks like from the perspective of the parent observing the child. The analytical lens that connects the international-law standards and the maternal observations is the framework of victimisation patterns developed in the prior research informing this report.¹⁰⁵

Across the four sub-sections of this chapter, the violations of Article 8 ECHR documented in the corpus follow a consistent pattern: blanket restrictions applied as a function of conviction category rather than individualised assessment; geographical separation imposed without recorded justification; the restriction of communication channels through which the impact of physical separation might be partially addressed; and the cumulative detention of both parents in single families with consequences for children that the documented decision-making process does not appear to engage. The pattern matches what the international monitoring record has documented in respect of Türkiye throughout the past decade. The pattern continues into the period the present report documents, with the additional preliminary evidence presented in §5.4 indicating that its developmental consequences are now becoming observable in the children whose early lives have been organised around it.

¹⁰⁵Demirçivi, F. (forthcoming), Palgrave Studies in Victimology series.

6. Discipline, Suppression, and Differential Treatment

This chapter examines the formal disciplinary and administrative apparatus through which the patterns documented in earlier chapters are sustained and reproduced inside Türkiye's prison system. The earlier chapters examined what is done to prisoners, in the form of medical neglect (Chapter 3), inhuman and degrading treatment (Chapter 4), and restrictions on family contact (Chapter 5). This chapter examines the apparatus that processes these violations within the institution: the disciplinary procedures used to penalise prisoners who report mistreatment; the micro-punishments through which routine institutional control is exercised; the differential application of activities, privileges, and amnesty mechanisms based on conviction category; and, in a brief framing section that closes the chapter, the underlying conviction problem that determines which prisoners are subjected to this apparatus in the first place.

The relevant standards are set out across a body of international and regional instruments. The Mandela Rules require that disciplinary measures be governed by law and proportionate to the offence, that prisoners be informed of the disciplinary regulations applicable to them, that they be allowed an effective opportunity to defend themselves, and that adequate procedures exist for the lodging and resolution of complaints. The European Prison Rules contain corresponding provisions adapted to the Council of Europe context.¹⁰⁶ The European Court of Human Rights has held in cases including *Yankov v. Bulgaria* and *Polyakov v. Russia* that disciplinary measures imposed in retaliation for the exercise of complaint rights or the communication of allegations to outside parties can themselves violate the Convention, particularly Articles 8, 10, and 13.¹⁰⁷ The patterns documented in this chapter operate at a substantial distance from these standards.

6.1. Disciplinary Sanctions Used to Silence Complaints

¹⁰⁶UN Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules), General Assembly Resolution 70/175, 17 December 2015, Rules 36–39 (discipline and sanctions), Rules 54–57 (information to and complaints by prisoners), Rules 71–72 (investigations); Council of Europe, *European Prison Rules*, Recommendation Rec(2006)2 of the Committee of Ministers, Rules 56–63 (discipline and punishment) and Rules 70 (requests and complaints).

¹⁰⁷ECtHR, *Yankov v. Bulgaria*, App. No. 39084/97, 11 December 2003; *Polyakov v. Russia*, App. No. 77018/01, 29 January 2009.

The case of **Nagehan Yüksel** (§2.1, §4.1) provides the corpus's most fully documented instance of the disciplinary-as-retaliation pattern. As described earlier, Yüksel was strip-searched during her August 2022 transfer from Bakırköy Women's Prison to Eskişehir. She subsequently wrote to the parliamentarian Ömer Faruk Gergerlioğlu describing the transfer and its conduct. The letter was confiscated by the prison administration before it could be delivered. Disciplinary proceedings were opened against Yüksel for the act of writing it.¹⁰⁸

Several features of the Yüksel case bear analytical attention. The disciplinary action was directed at the act of communicating mistreatment to a person outside the prison administration, in this case a member of parliament whose constitutional and political role includes the receipt of complaints from constituents about the conduct of state authorities. The communication was made in writing, in a form addressed to a designated recipient, through the means available to a prisoner in detention. The confiscation prevented the recipient from receiving the letter and prevented the parliamentarian from exercising his role in respect of its content. The disciplinary proceedings transformed the prisoner's exercise of complaint rights into an offence against institutional discipline. The configuration constitutes a violation of multiple Convention rights: Article 8 (private life and correspondence), Article 10 (freedom of expression), and Article 13 (effective remedy). It also constitutes a violation of the basic Mandela Rules requirement that prisoners be allowed to make complaints to designated authorities outside the prison administration without fear of retaliation.¹⁰⁹

The case of **Garibe Gezer** (§§4.1, 4.4) shows the same mechanism in its most severe documented form. Gezer publicly reported torture and sexual assault by prison personnel at Kandıra No. 1 F-Type High-Security Prison. The prison administration answered her complaint with repeated extensions of disciplinary solitary confinement. A Kocaeli Forensic Medicine Institute report of 9 November 2021 had recorded her account of the assaults in detail and recommended specialist examination; that examination never took place. The Kandıra Chief Public Prosecutor's Office then issued a non-prosecution decision on the underlying torture allegations, closing the external channel of accountability. Gezer died in further solitary confinement on 9 December 2021. The prison administration recorded the death as suicide, her lawyers were excluded from the autopsy, and a fellow prisoner, Deniz Tepeli, stated as witness that Gezer was alive when guards reached her cell. In Gezer's case, the disciplinary apparatus functioned as the institution's answer to a torture complaint, and her death foreclosed any further remedy.¹¹⁰

The Yüksel and Gezer cases illustrate a recurrent pattern. The corpus records additional instances of disciplinary measures imposed in response to prisoners' communications with lawyers,

¹⁰⁸Case file, Nagehan Yüksel, Solidarity With OTHERS, 2026.

¹⁰⁹ECtHR, *Yankov v. Bulgaria*, App. No. 39084/97, 11 December 2003.

¹¹⁰Bianet, "Sexual assault and torture against woman prisoner in padded cell," 8 October 2021; Bianet, "Garibe Gezer suspiciously loses her life in prison," 10 December 2021; Bianet, "Prosecutors dismiss investigation into 'torture' claims of prisoner who died suspiciously," 4 January 2022; criminal complaint of Eren Keskin (Co-Chair, İHD), submitted to the Kandıra Chief Public Prosecutor's Office, October 2021.

parliamentarians, family members, and civil-society organisations regarding conditions inside the institution. The pattern operates as a feedback mechanism. Where prisoners' ability to communicate institutional violations to external parties is itself made an offence, the prospect of external accountability for those violations is correspondingly diminished. The institutional environment that the international monitoring record has documented is then sustained in part by the very disciplinary apparatus that should constitute one of the channels through which violations come to external attention. The mechanism documented in §3 (denial of medical care framed as bureaucratic delay), in §4 (degrading treatment framed as routine procedure), and in §5 (restriction of family contact framed as security necessity) is here joined by the additional mechanism through which prisoners' attempts to report these patterns are themselves criminalised at the level of institutional discipline.

6.2. Arbitrary Micro-Punishments

The disciplinary apparatus operates not only through formal sanctions imposed for serious institutional offences but through a continuous series of small administrative decisions whose cumulative effect on the prisoner's daily life is significant. The corpus records multiple instances of these micro-punishments. The case of **Kübra Demir** provides a particularly clear example. Demir is a vegetarian and asked the prison administration for accommodations consistent with the dietary requirements of her practice. The administration's response involved, on one occasion, the imposition of a disciplinary sanction in connection with the possession of a jar of olives that had been included in a permitted family parcel. The sanction was, in formal terms, a response to an alleged disciplinary offence; in practical terms, it operated as a punishment for the assertion of dietary preferences whose accommodation the institution had declined to provide.¹¹¹

Demir's case illustrates a pattern recurrent across the corpus. The micro-punishment is not, in any individual instance, sufficient to constitute a violation of any specific Convention provision. Considered as a sequence, however, the micro-punishments organise the prisoner's daily life around a continuous expectation of arbitrary sanction for actions whose disciplinary character is determined by the institution at the moment of the sanction. The cumulative effect is the production of a regulatory environment in which prisoners are required to anticipate, manage, and pre-emptively avoid forms of conduct that the institution may, at any moment, redefine as disciplinary offences. The European Court of Human Rights has not, to date, developed jurisprudence specific to micro-punishment patterns of this kind. The pattern operates, in effect, beneath the threshold at which Article 3 or Article 8 jurisprudence has been triggered. Its analytical significance lies in its function as the connective tissue through which the institutional control documented in earlier chapters is exercised on a daily basis.

¹¹¹Case file, Kübra Demir, Solidarity With OTHERS, 2026.

6.3. Differential Treatment Based on Alleged Affiliation

Across the corpus, prisoners convicted under anti-terrorism legislation are subjected to a distinct regime in respect of activities, privileges, amnesty and supervised-release mechanisms, and family-contact arrangements. The differential treatment manifests in multiple forms: denial of access to vocational and educational programmes that are available to other prisoners; restricted yard time; exclusion from supervised-release mechanisms applied to other categories of prisoner; restriction of open visits and video calls; and, as set out in Chapter 1, exclusion from successive judicial-package release laws (Law No. 7242 of April 2020 and the 11th Judicial Package of December 2025) that have applied to substantial portions of the prison population convicted of other offence categories.¹¹²

The differentiation is not exclusive to one prisoner population. Civil-society reporting in 2025 documented six LGBTQ inmates held in single-person cells at Aksaray Prison and denied medical care; the regime applied to them parallels in structure the regime applied to prisoners convicted under anti-terrorism legislation, although the populations are not coextensive.¹¹³ The CPT found during its February 2024 visit that prisoners at Antalya L-Type Prison who declared themselves gay were held in near-solitary conditions for months while awaiting medical certification, a wait that led some of them to self-harm or attempt suicide.¹¹⁴ The CPT, in its 2019 visit report, raised specific concerns about the differential treatment of certain groups of prisoners, including allegations of restricted access to communal activities and to programmes available elsewhere in the prison estate.¹¹⁵ The differentiation, where it operates, has the structural feature that the report has identified across earlier chapters: the formal vocabulary of the regime (security classification, risk assessment, programme eligibility) does work that the actual distribution of treatment does not match. Prisoners with comparable offence histories, comparable disciplinary records, and comparable institutional behaviour receive substantially different treatment as a function of the political category to which their conviction assigns them. The Working Group on Arbitrary Detention has itself identified “a pattern emerging whereby those with alleged links to the movement are being targeted based on their political or other opinion, in violation of articles 2 and 7 of the Universal Declaration of Human Rights and articles 2(1) and 26 of the Covenant.”¹¹⁶

¹¹²Case files, multiple cases recording discriminatory denial of activity participation, restricted yard time, and exclusion from amnesty and supervised-release mechanisms applied to prisoners convicted under anti-terrorism legislation, Solidarity With OTHERS, 2026; İHD, *2024 Prison Report*, August 2025.

¹¹³Stockholm Center for Freedom, “LGBTQ detainees held in one-person cells in Turkish prison, denied medical care,” 5 May 2025, citing BirGün, “Aksaray Cezaevi’nde sistematik ayrımcılık: LGBTİ tutuklular tek kişilik hücrede tutuluyor,” 2025.

¹¹⁴Council of Europe, Committee for the Prevention of Torture, *Report to the Turkish Government on the ad hoc visit to Türkiye carried out from 13 to 22 February 2024*, CPT/Inf (2026) 35, published 6 October 2026; summarised in Solidarity With OTHERS, “CPT reports ‘falaka’ allegations in Turkish prisons, electric shocks on juveniles in custody, and Europe’s highest incarceration rate,” 8 October 2026.

¹¹⁵Council of Europe, Committee for the Prevention of Torture, *Report to the Turkish Government on the visit to Turkey from 6 to 17 May 2019*, CPT/Inf (2020) 24, 5 August 2020.

¹¹⁶UN Working Group on Arbitrary Detention opinions on detentions linked to the Gülen movement, as summarised in Mandates of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; the Working Group on Arbitrary Detention; the Special Rapporteurs on the right to education, on freedom of opinion and expression, on

Within the documented record, the operative consequences of differential treatment include reduced access to rehabilitation programmes, prolonged effective sentence durations through exclusion from sentence-reduction mechanisms, restricted family contact through the open-visit / video-call configuration described in Chapter 5, and the cumulative micro-punishment regime described in §6.2. The Demir case illustrates the way these dimensions interact. Demir's assertion of dietary preferences, the institution's refusal to accommodate them, the imposition of a disciplinary sanction over a permitted item, and the surrounding pattern of micro-punishments compound a documented health consequence: tooth loss attributable to inadequate nutrition over the period of detention.¹¹⁷ The analytical category that organises this pattern is the same one that organises the patterns documented in Chapters 3 through 5. Treatment that, in formal terms, is governed by neutral institutional criteria operates, in actual distribution, as a function of political identity assigned at the level of conviction.

the rights to freedom of peaceful assembly and of association, on the right to privacy, and on freedom of religion or belief; and the Working Group on discrimination against women and girls, communication to the Government of Türkiye, AL TUR 9/2025, 8 October 2025.

¹¹⁷Case file, Kübra Demir, Solidarity With OTHERS, 2026.

7. The Underlying Conviction Problem

The treatment patterns documented across this report rest on an underlying problem that lies, strictly speaking, beyond the scope of a prison-conditions report but which the report cannot leave unaddressed. The prisoners whose situations the report describes are imprisoned, in the substantial majority of cases, on the basis of convictions whose evidentiary foundation has been the subject of authoritative international findings of incompatibility with international and European human-rights standards.

The principal such finding was, until recently, the European Court of Human Rights' Grand Chamber judgment in *Yüksel Yalçınkaya v. Türkiye*, delivered on 26 September 2023, in which the Court held by sixteen votes to one that Türkiye had violated Article 7 of the Convention (no punishment without law), Article 6 § 1 (right to a fair trial), and Article 11 (freedom of assembly and association) in respect of the applicant's conviction for membership of a terrorist organisation. The Court's findings concerned, among other matters, the use of the ByLock encrypted-messaging application, alleged Bank Asya account activity, and certain forms of association as the evidentiary basis for the offence of armed terrorist organisation membership under Article 314 § 2 of the Turkish Criminal Code. The judgment was identified by the Court as a pilot judgment of sorts, with the Court indicating that the violations identified resulted from a systemic problem affecting a large number of cases.¹¹⁸

On 5 May 2026, the Grand Chamber delivered its judgment in *Yasak v. Türkiye*, reversing a Chamber judgment that had been the subject of substantial criticism for its apparent retreat from *Yalçınkaya*. The Grand Chamber found, by eleven votes to six, that Türkiye had violated Article 7 of the Convention in respect of the applicant's conviction under Article 314 of the Turkish Penal Code on the basis of his pre-2014 work in an education network associated with the Gülen movement, his account at Bank Asya, his employment at a private tutoring centre, his membership in associations alleged to be affiliated with the movement, and mobile-telephone records.¹¹⁹ The Court held that the Turkish courts had failed to demonstrate that the applicant's involvement in a structure perceived at the time as a religious group could, in itself, justify the conclusion that he had the

¹¹⁸ECtHR, *Yüksel Yalçınkaya v. Türkiye*, App. No. 15669/20, Grand Chamber judgment, 26 September 2023.

¹¹⁹ECtHR, *Yasak v. Türkiye*, App. No. 17389/20, Grand Chamber judgment, 5 May 2026; on the criticism of the 2024 Chamber judgment, see *inter alia* Strasbourg Observers, "Results of the 2024 Strasbourg Observers Best/Worst Poll," 18 March 2025, in which the Chamber judgment of 27 August 2024 was voted the worst ECtHR judgment of 2024.

intent required for conviction of membership in a terrorist organisation. By nine votes to eight, the Court further found a violation of Article 3 of the Convention in respect of the conditions in which the applicant had been held for nearly four years at Çorum Prison, where the Court accepted that the overcrowding had been severe and persistent. The *Yasak* judgment is significant for the report's analysis on two distinct grounds. It confirms and extends the *Yalçınkaya* line on the convictional dimension, restoring the trajectory that the 2024 Chamber judgment had appeared to disrupt. It also brings prison-conditions findings under Article 3 into the same line of authority, in respect of the same prisoner population whose conditions the report has documented. The two Grand Chamber judgments, taken together, place the Turkish authorities under accumulated treaty obligations to address both the underlying convictions and the conditions in which those convicted are held.¹²⁰

The UN Working Group on Arbitrary Detention, in at least twenty-six opinions issued between 2017 and 2025, has reached conclusions to similar effect on individual cases. The joint UN Special-Procedures communication of 8 October 2025 to the Turkish government restated the Working Group's warning that this pattern of detentions may, under certain conditions, amount to crimes against humanity.¹²¹ The legislative-exclusion problem set out in §1.1 compounds the convictional problem: successive judicial-package laws have released prisoners convicted of homicide, assault, drug trafficking, and other serious offences while explicitly excluding prisoners convicted under anti-terrorism legislation, regardless of age, illness, or other vulnerability.¹²²

The implication for the prison-conditions analysis the rest of the report has developed is direct. The prisoners subjected to the patterns of medical neglect, inhuman and degrading treatment, family-contact restriction, and disciplinary differentiation that this report documents are, to a substantial degree, prisoners whose underlying convictions rest on evidence that the European Court of Human Rights has authoritatively found incompatible with the Convention's requirements. The standard analytical framework that addresses prison conditions in isolation from the underlying lawfulness of the detention reaches, in this case, an analytical limit. The conditions documented in this report do not, on the facts as presented, occur to a population of prisoners whose detention is itself uncontroversially lawful. They occur, in the substantial majority of cases, to a population whose detention has been the subject of authoritative international findings to the contrary, and whose continued imprisonment under conditions documented as violations of Articles 3, 8, and 10

¹²⁰Stockholm Center for Freedom and Turkish Minute reporting on *Yasak*, 5–7 May 2026; İHD statement of 7 May 2026 calling for the revision of Article 314 of the Turkish Penal Code and effective retrial mechanisms.

¹²¹Joint communication of UN Special Procedures and the Working Group on Arbitrary Detention to the Government of Türkiye, AL TUR 9/2025, 8 October 2025, restating the Working Group on Arbitrary Detention's concern that the pattern of detentions of alleged Gülen-movement supporters, if widespread or systematic, could amount to crimes against humanity.

¹²²Law No. 7242 Amending the Law on the Execution of Sentences and Security Measures and Certain Laws, Official Gazette, 15 April 2020; 11th Judicial Package, adopted 24 December 2025; see also Stockholm Center for Freedom, "MP slams new bill for denying early release to thousands wrongfully jailed under post-coup crackdown," 28 November 2025.

thus operates as the continuing application of a regime whose foundational evidentiary and legal basis has been independently identified as deficient.

The *Yasak* judgment of May 2026 closes the analytical gap between the convictional and conditions-of-detention dimensions of the problem. The same prisoner population whose convictions the European Court of Human Rights has found to violate Article 7 also has, in the Court's most recent Grand Chamber jurisprudence, an Article 3 claim in respect of the conditions of the imprisonment those convictions have produced. The two findings, considered together, locate the entirety of the situation this report addresses within the binding jurisprudence of the European Court of Human Rights.

The report's recommendations in Chapter 8 will accordingly address both dimensions of the problem the chapters have collectively documented. The conditions in which vulnerable prisoners are held require immediate attention through the mechanisms that international human-rights protection makes available. The underlying detentions whose conditions are documented in this report require a separate response through the mechanisms by which *Yalçınkaya's* implementation can be secured, and through the international and European procedures by which a state's general failure to give effect to the Convention as authoritatively interpreted can be addressed. The recommendations chapter that follows will set out specific proposals on both dimensions.

8. Needs, Protection Gaps, and Policy Recommendations

This closing chapter translates the findings of the previous seven chapters into a structured set of recommendations addressed to the actors with the authority and obligation to act on them. It is organised in three parts. Section 8.1 identifies cases requiring immediate intervention on humanitarian grounds, drawn from the corpus and from civil-society monitoring. Section 8.2 sets out the gaps in domestic, regional, and international protection mechanisms that the chapters have collectively identified. Section 8.3 presents recommendations, grouped first by thematic dimension (vulnerable prisoners, healthcare, family contact, conditions of detention, the disciplinary regime, the underlying convictional problem) and then by addressee (Turkish domestic authorities, the Council of Europe and the CPT, the UN treaty bodies and Special Procedures, the European Union, international media and press-freedom organisations, and international human rights organisations).

The recommendations address two analytically distinct dimensions of the problem the report has documented. The first dimension concerns the conditions in which vulnerable prisoners are currently held: the medical neglect, the inhuman treatment, the family-contact restrictions, and the disciplinary differentiation that Chapters 3 through 6 examined. These conditions can be addressed, in principle, through measures internal to the existing legal and institutional framework: the application of Articles 16 and 16/A of Law No. 5275; the implementation of the Mandela Rules and the Bangkok Rules; the bringing of disciplinary procedures into line with the Convention; the publication of the pending CPT reports; the implementation of the UN treaty-body Concluding Observations. The second dimension concerns the lawfulness of the underlying detention. The substantial majority of the prisoners whose conditions this report has documented are detained on the basis of convictions that the European Court of Human Rights has authoritatively found incompatible with the Convention in the *Yalçınkaya* Grand Chamber judgment. This second dimension cannot be addressed through prison-conditions reform alone. It requires the implementation of *Yalçınkaya*, the reopening of cases that fall within its reasoning, and the inclusion of those prisoners within the framework of the successive judicial-package release laws from which they have been excluded. The recommendations that follow address both dimensions.

8.1. Cases Requiring Immediate Action

Several cases documented in the corpus require urgent intervention on humanitarian grounds, independent of the broader policy questions the report addresses. The cases share a feature: in each, a clinical or developmental harm is currently in progress, the legal mechanism for its arrest is formally available, and the time within which intervention can be effective is finite.

The status of each case is given as of 22 October 2026, and as of 26 October 2026 for Abdullah Tırpan, on the basis of the most recent public reporting and the Solidarity With OTHERS case files.

Abdullah Tırpan (§2.2) died in custody on 26 October 2026, and his case shows what the delays documented in this section produce. Aged 73, he had advanced diabetes, hypertension, and neuropathy with loss of sensation in his hands and feet; non-healing foot wounds led to gangrene in his left leg, and he had become dependent on a wheelchair. A neurologist requested a brain MRI in February 2026 after he developed speech difficulties; the scan took place only on 8 June 2026, about four months later, and showed severe narrowing of the cerebral blood vessels with a risk of stroke. He underwent surgery on his foot wounds in July 2026. In a report made public in September 2026, the Council of Forensic Medicine (ATK) concluded that he could remain in an R-type prison, and the authorities moved him from Tekirdağ No. 2 T-Type Prison to Metris R-Type Prison in Istanbul in place of suspending his sentence. He was then admitted to Başakşehir Çam and Sakura City Hospital in Istanbul, where surgeons amputated his left leg below the knee on the night of 22 to 23 October 2026 and operated again as the infection spread. On 25 October he was placed in intensive care and intubated; his daughter reported that his heart had stopped and been restarted with medication.¹²³ He died there on 26 October 2026. The authorities never suspended his sentence: he died formally a prisoner of Metris R-Type Prison, having served about 39 of the 90 months to which he was sentenced. His death requires a prompt, independent, and effective investigation, as Article 2 of the European Convention on Human Rights requires for every death in custody, into each decision that kept him in prison, including the ATK determination and the refusal to apply Article 16 of Law No. 5275. His case also shows the R-type transfer operating as a substitute for release, the same mechanism now at work in the case of Erol Şengök.

Erol Şengök (§2.2), aged 89 and a wheelchair user, remains in Sincan T-Type Prison according to the most recent public report. At a parliamentary press conference on 15 September 2026, DEM Party MP Ömer Faruk Gergerlioğlu stated that the authorities had refused him release under the

¹²³TR724 (Sevinç Özarslan), "Adli Tıp, ağır hasta Abdullah Tırpan için 'R Tipi cezaevinde kalabilir' dedi," 17 September 2026; BoldMedya, "Ağır hasta Abdullah Tırpan'ın kızı: 'Babamın bacağı kesilecek, acilen tahliye edin'," 20 October 2026; Velez, "Mustafa Yeneroğlu, 73 yaşındaki hasta tutuklu Abdullah amca'yı yazdı: 'Ya bir sabah cezaevinden ölüm haberi gelirse?'," October 2026; MAZLUMDER call for suspension of execution, reported by Zaman Avustralya, 2026. TR724, "Hasta mahpus Abdullah Tırpan'ın sol bacağı kesildi: İltihap yayıldığı için ikinci kez ameliyat edilecek," 23 October 2026; TR724 (Sevinç Özarslan), "Ağır hasta mahpus Abdullah Tırpan yoğun bakıma alındı, entübe edildi," 25 October 2026; BoldMedya, "Abdullah Tırpan Ölüyor: Gergerlioğlu: Herkes Hesap Verecek," 26 October 2026. Solidarity With OTHERS, "Abdullah Tırpan, 73, has died in prison. His leg was amputated; forensic medicine said he could stay in prison," 26 October 2026; Bianet, "73 yaşındaki hasta tutuklu Abdullah Tırpan yaşamını yitirdi," 26 October 2026. On the duty to investigate deaths in custody, see ECtHR (GC), *Salman v. Turkey*, App. No. 21986/93, 27 June 2000.

provisions for elderly prisoners, citing a past Bank Asya deposit and an association membership, and warned that he faces death in custody. The ATK has issued no execution-suspension report and has instead proposed transfer to an R-type facility in Istanbul or İzmir, far from his family in Kırşehir.¹²⁴ His case requires the immediate application of Article 16/6 of Law No. 5275.

Asuman Birinci (§§2.2, 3.1, 3.2), a physics teacher dismissed by emergency decree and held at Antalya L-Type Closed Prison since 29 May 2024, was taken to hospital on 20 February 2026 after a delayed referral. She received five units of red blood cells, was diagnosed with uterine fibroids, and was told by doctors that she needed urgent surgery. She declined surgery under custodial conditions, described being handcuffed to the hospital bed while guarded by male gendarmes, and was returned to prison on 22 February 2026, to a cold basement ward.¹²⁵ On the available record the recommended surgery remains outstanding. Her case requires the application of Article 16 so that the surgery can take place outside custody.

Selman Tekin and his mother **Melek Tekin** (§§2.1, 3.3). Melek Tekin and her husband Yusuf Tekin were both arrested in Edirne on 12 September, according to reporting in November 2025. Her retrial sentence of six years and three months is pending before the Court of Cassation. Selman, aged about four, was diagnosed with tuberculosis around three years ago and is treated at Dokuz Eylül University Children's Hospital, which has stated that his condition requires maternal care. With both parents in custody, he is in the care of relatives.¹²⁶ The case requires the immediate application of Article 16/A of Law No. 5275 and engages the simultaneous-detention pattern examined at §5.3.

Şehabettin Harput (§2.2), aged 76 and a former governor of Bursa and Şanlıurfa, entered prison in May 2026 after the Court of Cassation upheld his sentence of eight years and nine months for membership of an armed terrorist organisation. Courts had earlier released him pending trial on grounds of age and health. No public report since May 2026 records a change in his situation.¹²⁷

Ali Ünal (§§2.3, 3.4, 4.3) passed ten years in custody on 14 August 2026. He is serving a sentence of nineteen and a half years in İzmir, more than three years after the UN Working Group on Arbitrary Detention found his detention arbitrary in June 2023.¹²⁸ His isolation regime requires

¹²⁴Ömer Faruk Gergerlioğlu, "Cezaevi Hak İhlalleri ve Gündemi Değerlendirme Basın Toplantısı," Grand National Assembly of Türkiye, 15 September 2026; Zaman Avustralya, "89 yaşında ve hasta tutuklu Erol Şengök: 'Hayır yaptığım için cezaevindeyim, hayat benim için işkenceye döndü'," 3 March 2026; BoldMedya, "Suçlama hayır işlerine katılması: 89 yaşındaki Erol Şengök cezaevinde yaşam mücadelesi veriyor," 21 February 2026.

¹²⁵BoldMedya, "KHK'lı öğretmen Asuman Birinci için çağrı: 'Görüşte yerinden kalkamıyordu, acilen ameliyat olması lazım, sesimizi duyun'," 4 March 2026; Aktif Haber, "KHK'lı öğretmen Asuman Birinci: Bir elimde kelepçe, bir elimde serum, başımda jandarmalar," 6 March 2026, relaying a letter first published by TR724.

¹²⁶TR724, "Verem tedavisi gören Selman'ın anne-babası tutuklandı," 24 November 2025, updated 18 March 2026; Samanyolu Haber, "Sürekli hastanede tedavi görmek zorunda olan Selman'ın anne-babası tutuklandı," 2025.

¹²⁷Stockholm Center for Freedom, "Former governor jailed after top Turkish appeals court upholds conviction over alleged Gülen links," 12 May 2026; Zaman Avustralya, "76 yaşındaki Şehabettin Harput yeniden tutuklandı," May 2026.

¹²⁸Turkish Minute, "Calls grow for release of columnist Ali Ünal as he nears 10 years in prison," 2 February 2026; Solidarity With OTHERS, "UN WGAD Declares Detention of Turkish Journalist Ali Ünal Arbitrary," 2023.

immediate review against Mandela Rules 43 to 45 and the 2011 Mendez report, and the WGAD opinion requires implementation through his release.

Havva Dönmez (§3.4), in the third year of thyroid cancer treatment at Edirne Closed Prison while her husband is held in a separate facility, remains on this list on the basis of the Solidarity With OTHERS case file.¹²⁹

The principle in each case is identical: where the statutory pathway exists for the postponement of execution on health, age, or pregnancy grounds, the authorities should apply it on the available medical evidence, and the ATK should cease issuing reports, such as the R-type findings in the Tırpan and Şengök cases, that keep prisoners in custody against that evidence.

These cases are illustrative rather than exhaustive. The İHD's 2024 Prison Report identifies 335 prisoners classified as seriously ill and unable to meet their basic needs without assistance, of whom Birinci, Tırpan, and others in this report are individual instances. The recommendations that follow are framed at the level of policy. In parallel, each of the cases listed in this section warrants direct action by the relevant domestic authorities through the mechanisms already provided in Law No. 5275.

8.2. Gaps in Protection Mechanisms

The chapters of this report have identified gaps in the protection of vulnerable prisoners at four levels: in the operation of the domestic execution regime; in the implementation of European Court of Human Rights jurisprudence; in the publication and follow-through of regional inspection findings; and in the engagement of UN treaty bodies and Special Procedures. This section sets out each in summary form.

8.2.1. Domestic execution-regime failures

Articles 16 and 16/A of Law No. 5275 contain the legal mechanisms necessary to address most of the cases documented in this report. The mechanisms have remained substantially unused in respect of the case-file population the report describes. The principal points of failure identified across the chapters are: the deferral of hospital-referral applications on grounds presented as administrative scheduling; the issuance by the Council of Forensic Medicine (ATK) of fit-to-stay determinations that cannot be reconciled with the underlying medical evidence from local and university hospitals; the disregard by prosecutors and courts of ATK execution-suspension recommendations where these are issued; and the systemic non-application of Article 16/A in respect of mothers whose children meet the conditions the provision addresses.¹³⁰ The cumulative

¹²⁹Case files, Asuman Birinci, Abdullah Tırpan, Melek Tekin and Selman Tekin, Ali Ünal, Solidarity With OTHERS, 2026; İHD, *2024 Prison Report*, August 2025, listing of seriously ill prisoners requiring urgent attention.

¹³⁰Law No. 5275 on the Execution of Sentences and Security Measures, Articles 16 and 16/A; UN Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules), General Assembly Resolution 70/175, 17 December 2015, Rules 2(2), 24, 25, 27.

effect is that the protective architecture set out in domestic law operates, in respect of the prisoners this report documents, at a level substantially below the level at which it operates in respect of the general prison population. The İHD's 2024 Prison Report records the systemic character of this divergence.¹³¹

8.2.2. Disregard of ECtHR Grand Chamber jurisprudence

In *Yalçınkaya* (§7), the Court identified a systemic problem affecting a large number of cases. Domestic implementation has, in the period since the judgment, been limited. Cases on substantially identical evidentiary facts have continued to be prosecuted and convicted before Turkish courts, and the retrial mechanism that the Court's judgment makes available has been unevenly applied.¹³² *Yalçınkaya* himself was retried in Kayseri and convicted again in September 2024. The Court has since applied the *Yalçınkaya* reasoning in successive follow-up judgments covering several thousand applicants, most recently on 29 September 2026, when three judgments found violations in respect of a further 947 applications.¹³³ The UN Working Group on Arbitrary Detention has issued at least twenty-six opinions to consistent effect across the same period, with similarly limited domestic uptake.¹³⁴

8.2.3. Delayed publication of Council of Europe inspection reports

Publication of CPT reports requires the consent of the Turkish authorities, and that consent has arrived years late. In October 2026 the authorities authorised the release of a backlog of reports: the report on the January 2021 periodic visit appeared more than five years after its transmission in July 2021, and the report on the February 2024 visit more than two years after its transmission in July 2024. The report on the April 2025 visit remains unpublished.¹³⁵ Delays of this length withhold the most recent evidence on the conditions documented in this report from the

¹³¹İHD, *2024 Prison Report*, August 2025, documenting cases in which the Council of Forensic Medicine (ATK) has refused to endorse release recommendations issued by university and state hospitals in respect of seriously ill prisoners; Stockholm Center for Freedom reporting on ATK practice in execution-suspension cases, 2024–2025.

¹³²ECtHR, *Yüksel Yalçınkaya v. Türkiye*, App. No. 15669/20, Grand Chamber judgment, 26 September 2023; Council of Europe Committee of Ministers, decision on the supervision of the execution of the *Yalçınkaya* judgment adopted at the 1531st meeting (DH), 10–12 June 2025, reported in Turkish Minute, "Council of Europe urges Turkey to complete retrial in *Yalçınkaya* case in line with ECHR standards," 13 June 2025.

¹³³Turkish Minute, "Council of Europe urges Turkey to complete retrial in *Yalçınkaya* case in line with ECHR standards," 13 June 2025; Turkish Minute, "ECtHR faults Turkey in 947 more cases over post-coup terrorism convictions," 29 September 2026, reporting the judgments in *Ünal and Others v. Türkiye* (591 applicants), *Parun and Others v. Türkiye* (345 applicants) and *Korkmaz and Others v. Türkiye* (11 applicants), and earlier follow-up judgments of July 2025, December 2025 and June 2026.

¹³⁴UN Working Group on Arbitrary Detention, opinions on detentions linked to the Gülen movement issued between 2017 and 2025; cumulative count of at least twenty-six opinions reported in *Solidarity With OTHERS, Turkey Rights Monitor — Issue 301*, March 2026.

¹³⁵Council of Europe, Committee for the Prevention of Torture, "CPT and Türkiye" page, <https://www.coe.int/en/web/cpt/turkiye>, news items of 6 and 12 October 2026; *Report to the Turkish Government on the periodic visit to Türkiye carried out from 11 to 25 January 2021*, CPT/Inf (2026) 33, and *Report to the Turkish Government on the ad hoc visit to Türkiye carried out from 13 to 22 February 2024*, CPT/Inf (2026) 35, both published 6 October 2026; *Solidarity With OTHERS, "CPT reports 'falaka' allegations in Turkish prisons, electric shocks on juveniles in custody, and Europe's highest incarceration rate,"* 8 October 2026, recording the transmission dates of 13 July 2021 and 16 July 2024.

international policy environment in which decisions about Türkiye are taken. The findings, once released, confirm the patterns this report documents (§§4.1, 4.3, 6.3). The reports on the UN Subcommittee on Prevention of Torture's September 2022 visit likewise remain unpublished, pending Turkish authorisation.¹³⁶

8.2.4. Limits of UN engagement

UN treaty-body engagement with Türkiye on the matters this report addresses has continued throughout the past decade. The Committee Against Torture, the Human Rights Committee, the Committee on the Rights of Persons with Disabilities, and the Committee on the Rights of the Child have each, in their respective Concluding Observations, identified concerns that overlap substantially with the patterns the report documents. Implementation of these Concluding Observations has been limited. The most recent CRPD review of Türkiye remains the 2019 review of its initial report, and the structural concerns raised in that review, including those affecting persons with disabilities in detention, still await further examination by the Committee.¹³⁷ UN Special Procedures, including the Special Rapporteur on Torture (mission report 2018), the Special Rapporteur on Human Rights Defenders (statement on long-term detention of HRDs, January 2025), and joint communications including those of June 2025 and October 2025, have continued to engage with Türkiye on overlapping matters. The leverage available through these engagements has been limited by Türkiye's response, which has consistently disputed the findings rather than addressing the underlying conditions.

8.3. Recommendations

The recommendations that follow are grouped first by thematic dimension, addressing the substantive conditions the report has documented, and then by addressee, identifying the institutional actors with capacity to act. The two organising principles are complementary: the same recommendation may be addressed to multiple actors, and the same actor may be the subject of multiple recommendations across thematic dimensions.

8.3.1. On vulnerable prisoners (mothers, children, the seriously ill, the elderly, influential dissenters)

To the Turkish authorities: end the practice of deliberate neglect documented in this report by requiring that every refusal or deferral of a hospital referral, medication, specialist treatment, video call, or family visit be issued in writing, with reasons and a time limit, recorded in the prisoner's file,

¹³⁶UN Subcommittee on Prevention of Torture (SPT), September 2022 visit to Türkiye, two confidential reports prepared (one to the Government, one to the National Preventive Mechanism), on the status of authorisation for publication of which see OHCHR public records.

¹³⁷UN Committee on the Rights of Persons with Disabilities, *Concluding observations on the initial report of Turkey*, CRPD/C/TUR/CO/1, 2019. The 2019 review remains the most recent CRPD review of Türkiye listed by OHCHR.

and open to prompt independent review, including the Council of Forensic Medicine's determinations on suspension of execution, and by holding accountable the officials responsible for refusals that rest on false or pretextual grounds.

To the Turkish authorities: end political imprisonment, as defined by the Parliamentary Assembly of the Council of Europe in Resolution 1900 (2012); release Osman Kavala and Selahattin Demirtaş, as the European Court of Human Rights has ordered; release all persons whose detention the UN Working Group on Arbitrary Detention has found arbitrary; and cease the use of pre-trial detention against journalists, writers, human rights defenders, and elected officials, including the opposition mayors detained since 2024, for the exercise of expression, association, or political office.¹³⁸

To the Turkish authorities: apply Articles 16 and 16/A of Law No. 5275 to the cases identified in §8.1 and to the broader population of seriously ill prisoners and imprisoned mothers documented by Turkish civil-society monitoring; ensure that ATK determinations are made on the basis of the underlying medical evidence and that, where local-hospital and university-hospital evidence supports release, ATK determinations follow that evidence; require that prosecutors and courts give effect to ATK execution-suspension recommendations where these are issued; suspend the practice of cellular isolation as a default regime for prisoners convicted under anti-terrorism legislation, with particular urgency in respect of elderly prisoners and prisoners held in such conditions for periods exceeding the 15-day threshold of prolonged solitary confinement set out in Mandela Rule 44.

To the Turkish authorities, on pregnant detainees specifically: apply Article 16/4 of Law No. 5275 in respect of all pregnant women and women within 18 months of childbirth currently held in custody or pre-trial detention, in line with the mandatory character of the provision; apply Article 16/2 to documented high-risk pregnancies, on the basis of medical board reports; apply Article 109 of the Code of Criminal Procedure to provide judicial control measures, including house arrest, as alternatives to detention for pregnant women in cases where pre-trial detention has nonetheless been considered; extend the protective regime by analogy to the custody (*gözaltı*) stage, in line with the *a fortiori* reasoning set out in Solidarity With OTHERS' 2026 report on the pre-trial detention of pregnant women; cease the practice of returning newborn infants to prison conditions within 24 hours of birth; bring restraint practice into compliance with Bangkok Rule 24 and the Strasbourg jurisprudence in *Korneykova and Korneykov v. Ukraine* in respect of pregnant women during hospital transfers and childbirth.¹³⁹

To the Turkish authorities, on imprisoned mothers with infants: amend the Regulation on the Administration of Penal Institutions to codify the right of a mother to accompany her child to all medical referrals, given the child's status as a non-prisoner rights-holder and the recognised role

¹³⁸Parliamentary Assembly of the Council of Europe, Resolution 1900 (2012), "The definition of political prisoner," adopted 3 October 2012; ECtHR, *Kavala v. Turkey*, App. No. 28749/18, 10 December 2019; ECtHR (GC), *Selahattin Demirtaş v. Turkey* (No. 2), App. No. 14305/17, 22 December 2020.

¹³⁹ Law No. 5275, Articles 16/2, 16/4, and 116; Code of Criminal Procedure, Articles 100 and 109; Bangkok Rules, Rules 24, 48, and 64; ECtHR, *Korneykova and Korneykov v. Ukraine*, App. No. 56660/12, 24 March 2016; Solidarity With OTHERS, *Pregnancy Behind Bars: Pre-Trial Detentions of Pregnant Women in Turkey*, March 2026.

of the primary caregiver in paediatric care. The current administrative practice, under which the mother is excluded from her infant's medical appointments, produces a documented chilling effect on mothers' willingness to seek care for their children and is incompatible with Article 24 of the UN Convention on the Rights of the Child and Bangkok Rule 51(1).

To the Turkish authorities, on mothers and children in custody: implement the CPT's February 2024 recommendations by establishing dedicated mother-and-baby units, beginning at Antalya L-Type Prison, that offer a child-friendly environment; provide for the specific dietary needs of pregnant women, breastfeeding mothers, infants and children; and end any practice of placing mothers together with their children in solitary confinement as a disciplinary measure.¹⁴⁰

To international monitoring bodies: coordinate the request for an immediate humanitarian visit by the Council of Europe's CPT or the UN Subcommittee on Prevention of Torture, with a focus on the population of seriously ill, elderly, and isolated prisoners; press for a periodic review of Türkiye by the CRPD Committee, with specific attention to prisoners with acquired disabilities; consider a country mission by the UN Special Rapporteur on the Right of Everyone to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health, focused on prison healthcare, which has not previously been undertaken in respect of Türkiye.

8.3.2. On healthcare access and medical ethics in prisons

To the Turkish authorities: ensure that the equivalence-of-care standard set out in Mandela Rules 24, 25, and 27 is applied across the prison estate; revise the procedures by which hospital-referral requests are processed, with particular attention to the documented pattern in which referrals are deferred on grounds presented as administrative scheduling; institute an independent oversight mechanism for ATK determinations in execution-suspension cases, with the participation of the Turkish Medical Association, that can review ATK fit-to-stay determinations against the underlying clinical evidence; require that prison physicians' employment status and ethical obligations be brought into compliance with the Tokyo Declaration as incorporated by the Turkish Medical Association, with appropriate professional consequences for departures from those standards.

To the World Medical Association and the Turkish Medical Association: review, in light of the cases documented in this report, the ethical position of physicians employed in Turkish prisons, with particular attention to incidents in which clinical statements appear to have served custodial rather than therapeutic ends; consider the development of professional-supervision arrangements that can support physicians in maintaining the equivalence-of-care standard against institutional pressure.

¹⁴⁰Council of Europe, Committee for the Prevention of Torture, *Report to the Turkish Government on the ad hoc visit to Türkiye carried out from 13 to 22 February 2024*, CPT/Inf (2026) 35, published 6 October 2026, executive summary.

8.3.3. On family contact and children's rights

To the Turkish authorities: extend access to *açık görüş* (open visits) to all prisoners on the basis of individualised assessment rather than blanket categorisation by conviction; restore the video-call provision introduced during the COVID-19 period to its formally regulated frequency, with infrastructure constraints addressed through the allocation of resources rather than used as the basis for indefinite restriction; ensure that prisoners are placed, where geographically possible, in facilities accessible to their families, in line with the Strasbourg jurisprudence on Article 8 in cases including *Khodorkovskiy and Lebedev*, *Polyakova*, and *Vintman*; require that decisions to detain a parent in cases where the other parent is already detained engage the best-interests-of-the-child consideration set out in Article 3 of the Convention on the Rights of the Child as a primary, and not merely a supplementary, consideration.

To the UN Committee on the Rights of the Child: consider, in its next periodic review of Türkiye, specific attention to the situation of children whose mothers are detained, including the developmental consequences described in §5.4 and the structural pattern of simultaneous and sequential parental detention described in §5.3.

8.3.4. On conditions of detention, searches, and solitary confinement

To the Turkish authorities: bring strip-search practice into compliance with Mandela Rules 50–53 and Bangkok Rule 19, including the requirement that intrusive searches be exceptional, performed in conditions respecting the prisoner's privacy, and recorded with reasoned justification; address the documented pattern of strip searches conducted during transfers of women prisoners; bring the regime to population of prisoners held in cellular isolation into compliance with Mandela Rules 43–45 and the standards set out in the Mendez report on solitary confinement; provide for periodic, individualised, and judicially reviewable assessment of any continuing solitary-confinement decision, with the burden of justification on the institution rather than on the prisoner.

To the CPT: pursue publication of the April 2025 visit report concerning Türkiye and press the Turkish authorities to authorise future reports promptly, in light of the volume and consistency of the documentary record on the conditions the reports examined; consider a follow-up visit specifically focused on prison healthcare, which has not been the subject of a dedicated CPT visit to Türkiye since the 2017 periodic visit examined the situation of prisoners with chronic somatic and mental-health conditions in two specialised institutions.

8.3.5. On disciplinary procedures and the right to complain

To the Turkish authorities: bring disciplinary procedures into compliance with Mandela Rules 36–39 and the European Prison Rules' Rules 56–63, including the requirement that disciplinary measures be proportionate to the offence and that prisoners have effective opportunity to defend themselves; ensure that prisoners' communications with parliamentarians, lawyers, civil-society organisations, and international monitoring bodies are protected from confiscation and from

disciplinary consequences, in line with Mandela Rules 54–57 and the Strasbourg jurisprudence in cases including *Yankov v. Bulgaria* and *Polyakov v. Russia*; institute an independent complaints mechanism, accessible to prisoners without requiring transit through the prison administration whose conduct may be the subject of the complaint.

8.3.6. On differential treatment based on conviction category

To the Turkish authorities: review the differential application of activities, privileges, supervised-release mechanisms, and family-contact arrangements to prisoners convicted under anti-terrorism legislation, with the objective of bringing the operative regime into compliance with the principle of individualised assessment that Strasbourg jurisprudence and the Mandela Rules together require; revise the design of future judicial-package release laws to ensure that exclusions are based on individualised risk assessment rather than blanket exclusion of conviction categories that include, in their composition, prisoners convicted on the evidentiary basis the European Court of Human Rights has authoritatively found incompatible with the Convention; address the differential treatment documented in respect of LGBTQ inmates, in line with Türkiye's obligations under Article 14 ECHR and equivalent provisions of the ICCPR and CEDAW.

8.3.7. On the underlying conviction problem

To the Turkish authorities: implement the *Yalçınkaya* and *Yasak* Grand Chamber judgments in respect of all cases falling within their reasoning, including by making available the retrial mechanisms that the judgments provide and by reviewing prison conditions in respect of prisoners whose continuing detention engages Article 3 considerations on the basis articulated in *Yasak*; suspend the prosecution and conviction of new cases on substantially identical evidentiary facts pending such implementation; revisit the legislative-exclusion structure of Law No. 7242 (April 2020) and the 11th Judicial Package (December 2025) to ensure that prisoners convicted on the evidentiary basis identified in *Yalçınkaya* and *Yasak* are not categorically excluded from release mechanisms applied to other portions of the prison population.¹⁴¹

To the Council of Europe's Committee of Ministers: continue and intensify the supervision of the execution of *Yalçınkaya* and now *Yasak*; consider, in light of the documented pattern of non-implementation in the period since *Yalçınkaya* and the Grand Chamber's reaffirmation in *Yasak*, the application of the procedures provided in Article 46 § 4 ECHR (infringement proceedings) if the pattern of non-implementation continues.

To the UN Working Group on Arbitrary Detention and the UN Special Procedures: continue and accelerate the issuance of opinions on individual cases falling within the *Yalçınkaya* reasoning; follow up the joint communication of 8 October 2025, which restated the Working Group on

¹⁴¹Law No. 7242 Amending the Law on the Execution of Sentences and Security Measures and Certain Laws, Official Gazette, 15 April 2020; 11th Judicial Package, adopted 24 December 2025; *Yalçınkaya v. Türkiye*, App. No. 15669/20, Grand Chamber judgment, 26 September 2023; *Yasak v. Türkiye*, App. No. 17389/20, Grand Chamber judgment, 5 May 2026.

Arbitrary Detention's warning that the pattern of detentions may, under certain conditions, amount to crimes against humanity, by publishing Türkiye's reply, raising the communication in interactive dialogues before the Human Rights Council, and requesting that the Office of the High Commissioner assess whether the threshold of a widespread or systematic attack has been met.

8.3.8. To the European Union

To the European Union institutions: integrate the findings of this report and of the broader documentary record into the EU's political and economic engagement with Türkiye, including in the context of the Customs Union update negotiations, visa liberalisation discussions, and any future framework for accession-related dialogue; ensure that the EU's human-rights guidelines on torture, on human rights defenders, and on freedom of expression are applied with reference to the documented patterns this report describes; support, including through targeted financial assistance, the work of Turkish and international civil-society organisations engaged in the documentation, advocacy, and litigation of the cases the report addresses.

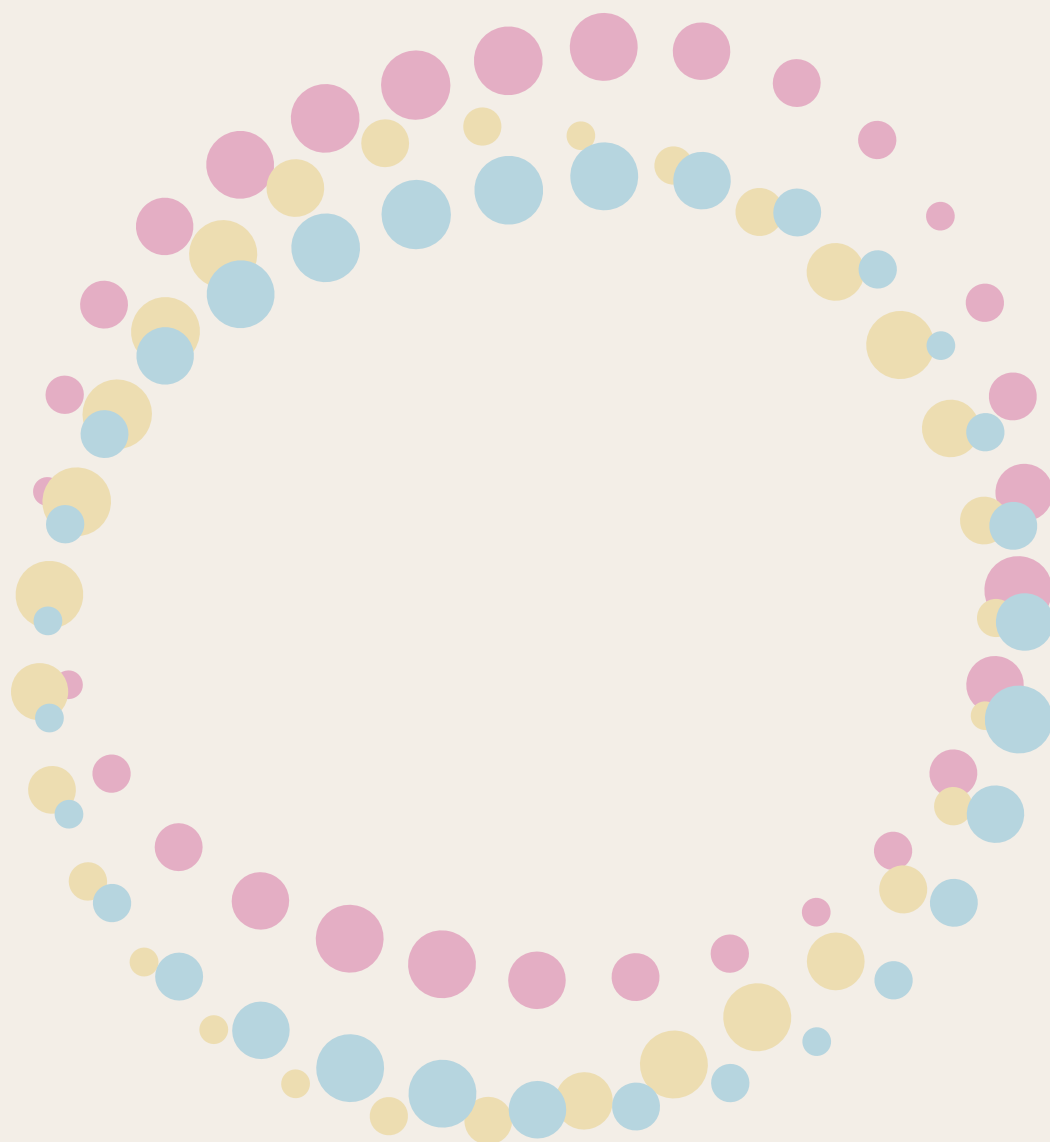
8.3.9. To international media and press-freedom organisations

Report on the situation of vulnerable prisoners in Türkiye beyond the small number of prominent cases that already receive sustained coverage. The prisoners whose cases this report documents, among them seriously ill and elderly prisoners, mothers held with infants, and children growing up behind glass partitions, receive little attention outside Turkish civil-society and diaspora media, and that silence lowers the political cost of their treatment. Follow individual cases over time, report the outcome of applications for suspension of execution and the Council of Forensic Medicine's determinations, and cover the European Court of Human Rights' follow-up judgments to *Yalçınkaya*, which now concern thousands of applicants. Where families and lawyers consent, Solidarity With OTHERS can facilitate contact, with attention to the risk of retaliation against prisoners and their relatives.

8.3.10. To international human rights organisations

Extend urgent actions, case campaigns, and submissions to international bodies to the less visible prisoners whose situations this report documents: seriously ill and elderly prisoners awaiting suspension of execution, mothers held with infants, prisoners in long-term solitary confinement, and influential dissenters beyond the most prominent names, including the growing number of opposition mayors and local politicians held in pre-trial detention since 2024. International advocacy on Türkiye's prisons has rightly focused on emblematic cases; the patterns documented here show that the same institutional mechanisms operate, with less scrutiny, on thousands of prisoners whose names are unknown outside their families. Solidarity With OTHERS invites partner organisations to draw on its case files, with the consent of the persons concerned, and to join in submissions to the Committee of Ministers under Rule 9.2 and to the UN Special Procedures.

Across these recommendations, the report's underlying argument is that the patterns it has documented can be addressed. The legal architecture, both domestic and international, contains the mechanisms necessary for the protection of the prisoners whose situations have been described. The international monitoring bodies have, across a decade of engagement, identified the matters that require attention. The remaining task is the application of available standards to the cases that require them, the publication of inspection findings that have been adopted but withheld, the implementation of judgments that have been delivered but not given effect, and the alignment of domestic legislative practice with the international standards by which Türkiye has bound itself. The recommendations addressed to the actors with the authority to take these steps are made in the expectation that the next decade can look different from the last, and that the cases described in §8.1, in particular, can be addressed before further harm accrues.



Solidarity With OTHERS

Belgium, 2026

www.solidaritywithothers.com

info@solidaritywithothers.com