

Detention procedures during the recent state of emergency in Turkey

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Dear editor

After an attempted coup d'état in Turkey on 15 July 2016, the Turkish government declared a state of emergency that remained in effect until 20 July 2018. During this period, dissent and criticisms of the Turkish government were systematically oppressed through torture and mistreatment. Additionally, 96,885 people were arrested, judicial proceedings were conducted against 500,650 persons (civil servants, judges, prosecutors, teachers, etc.) and many organisations, associations, foundations and media were shut down.¹ During this process, forensic experts were also detained, and 72% of them were exposed to torture and abuse.² These circumstances forced many academics, journalists, teachers and medics to leave Turkey and seek asylum, mainly in other European countries, given their geographical proximity.³

We surveyed 294 people who emigrated to Germany from Turkey after 15 July 2016 using Google Forms. All participants had been taken into custody in Turkey and had applied for asylum in Germany. Participants anonymously answered a questionnaire that included basic demographic and detention information. Demographic data of the cases are presented in Table 1.

Confiscation, or attempted confiscation, of passports was attempted in 73 (25%) cases. A total of 91 (31%) participants were detained for between four and seven days, and 100 (34%) participants were detained for more than seven days. A total of 120 (41%) participants could not meet their legal representatives, while 257 (87%) could not meet family members. Fifty-seven (19%) participants were subjected to physical trauma during detention, while 219 (74%) participants stated that they were subjected to psychological violence. Most participants stated that they were prevented from receiving medical treatment ($n = 273$; 93%), while 214 (73%) participants had police officers present during their medical examinations (Table 2).

All participants stated that they were not punished or arrested before these events. Many were highly educated and had opposed the government, but were removed from their jobs by the state administration.

One of the participants in the study stated that he was subjected to torture on an empty plot of land for four hours, while another stated that the authorities had detained his son because he himself was not at home. In the absence of the relevant person, taking family members into custody instead is common in Turkey. This is intended to force the intended detainee to surrender themselves. As regards the detention period of participants, 91 (31%) were detained for between four and seven days, and 100 (34%) participants were detained for more than seven days. Such detention is used to force detainees into compliance and sometimes also into confessing. This disrupts people's resistance and prevents a fair investigation.

The United Nations (UN) Special Rapporteur on Torture, Nils Melzer, has acknowledged the widespread allegations against Turkey and urged the state to take all necessary measures to punish and prevent unlawful practices. According to their report, these violations were carried out by designated teams within law-enforcement agencies.⁴ However, the Ministry of Justice of Turkey has refused to comment on the matter. Many people face threats not only to themselves, but also to family members, relatives and friends, further expanding the impact of this humanitarian tragedy, according to the Stockholm Centre for Freedom.⁵

We found that the reported detention procedures and practices do not respect human dignity and appear to violate the UN Convention Against Torture. International public opinion should make its voice clearly heard in this regard, and oversight bodies should tighten their inspections. International

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Table 1. Sociodemographic data of cases.

	n	%
Sex		
Male	248	84.4
Female	46	15.6
Age (years)		
<18	1	0.3
18–23	5	1.7
23–28	31	10.5
29–34	59	20.1
35–40	66	22.4
41–45	63	21.4
45–50	43	14.6
50–60	22	7.5
60–70	3	1.0
>70	1	0.3
Marital status		
Single	29	9.9
Divorced	3	1.0
Widow/widower	1	0.3
Married	260	88.4
Engaged	1	0.3
Education		
Associate Professor	1	0.3
PhD/medical specialisation	40	13.6
Master's degree	66	22.4
License	166	56.5
Collage	11	3.7
High school	7	2.4
Primary school	3	1.0

organisations such as the UN should further clarify sanctions on countries and show greater willingness to use these powers.

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Table 2. Periods of detention.

	n	%
Year of detention		
2016	174	59.2
2017	89	30.3
2018	23	7.8
2019	8	2.7
How many times have you been detained?		
1	242	82.3
>1	52	17.7
Who accompanied the search?		
Démarche	87	32.2
Family	7	0.3
Attorney	2	0.3
Roommate	1	0.3
I wasn't home	37	12.6
Janitor/neighbour/site security	121	8.8
There was no one but the police	38	12.9
Prosecutor	1	0.3
How many days have you been detained?		
1	28	9.5
1–3	75	25.5
4–7	91	31.0
8–10	42	14.3
11–15	27	9.2
16–25	18	6.1
25+	13	4.4

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