



HRFT

Human Rights Foundation of Turkey

**TREATMENT and REHABILITATION
CENTERS REPORT
2005**

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INTRODUCTION

Metin Bakkalçı*

The Human Rights Foundation of Turkey (HRFT) is a specialized organization founded in 1990 and aims to provide people who have been subjected to torture and other cruel, inhuman, degrading treatment and punishments, with physical and mental treatment and rehabilitation services and document cases in five treatment and rehabilitation centers, existing today (Adana, Ankara, Diyarbakır, Istanbul and Izmir).

This report has been written to make a current evaluation of the work of the Treatment and Rehabilitation Centers of the HRFT and also pursues the aim to achieve a better understanding of the problem in question in Turkey.

By the beginning of the year 2004, a number of 9757 people had applied to our Treatment and Rehabilitation Centers in five cities. With the addition of 692 further applicants, the total number of applicants reached 10449 by the end of 2004. As stated in the previous years, the meaning of the interdependency constituted by this project can be better understood when the families and friends of each applicant are taken into consideration.

Some hundreds of health workers, in both professional and voluntary capacity, give health services in multidisciplinary teams for the treatment of the physical, psychological and social problems of the applicants.

There have been positive developments in 2005 such as, a decline in applications to us, a relative decrease in the numbers of people subjected to torture, relatively decreased detention periods, and a relatively easy access to lawyers. Beyond European Union Harmonization Process, it should be noted that the HRFT, HRA,

* Secretary General and Coordinator of HRFT Treatment and Rehabilitation Centers

and the other concerned institutions have contributed greatly to those developments, which are considered to be positive ones.

There have doubtlessly been positive legal-administrational developments regarding torture in recent times. Despite the positive developments mentioned above however, the characteristic quality of this whole process is that as yet there is no sincere determination, especially no political determination, when it comes to the absolute prevention of torture. The discourse "zero tolerance to torturer" stated by the government officials fall short of reality since impunity is still on the agenda for legal, executive fields, and in practice.

- The applications to HRFT in 2005 refer to a downturn in the number of police headquarters, subjected to torture charge (25.9%). However, a marked increase in the torture cases out of official detention places is extremely crucial considering both their consequences and the general tendency in our country.
- During the course of the year, the torture cases in consequence of seemingly premeditated abduction cases have drawn particular attention. Such cases prove that the torture can be applied when it is needed and that it can absolutely exist favorable political conditions.
- Widespread and systematic use of violence by security forces has been observed especially during demonstrations.
- The fact that the implementations in prisons play a crucial role to reproduce violence has to be fixed by our study.

The torture cases experienced mainly in Diyarbakır at the end of March 2006 prove that the authority can use force when it needs. The draft law on Law to Fight Terrorism on Spring 2006 refers also a matter of concern on democracy. The amendments in the Turkish Penal Code and the Code of Criminal Procedures taking effect on 1 June 2005 have eroded some recent positive arrangements.

The Treatment project not only provides treatment services but also includes work on the improvement of the quality of this service by organizing trainings, scientific research and scientific events. A large number of national and international meetings were organized and attended with this aim. The HRFT has become a significant source of reference both in Turkey and abroad as time passed, thus its contribution to large number of programme on prevention of torture has been demanded by various organizations.

In addition to various training programmes implemented by itself or in alliance with other organizations on the national level, participation of our Foundation in the Istanbul Protocol Training Project in five countries (Morocco, Georgia, Mexico, Sri Lanka and Uganda) along with the IRCT, the World Medical Association and the PHR-USA, has demonstrated the expertise of the HRFT in this area. The HRFT has also undertaken the task of "training committee coordinator" under the scope of Istanbul Protocol Training Project which will be implemented in 10 countries in collaboration with the IRCT for 2006-2008.

The meetings, "An Approach to Traumatized Community" held in Diyarbakır on 11-12 December 2004 and "Mental Trauma" held in Istanbul on 1-4 December 2005 were to put forth the importance of "the center for training, research and implementation on torture and trauma" for consideration.

The HRFT is also a point of reference both in Turkey and abroad for training on torture.

A special issue on our agenda arose from the fact that a large number of the 3000 prisoners naturally applied to our Treatment Centers. These were set free at the end of the year due to the regulations of the New Turkish Penal Code, which came into force on 1st June 2005 and in the drafting of the topics on "torture" of which the HRFT endeavored to be directly involved. This development has shaped itself into an intensive issue on our agenda, at least in the period at hand.

The practice of "isolating prisoners in F-type prisons, especially in single or three persons cells" stayed the agenda, which received a "legal" character, when the "Law on Execution of Sentences" came into force in the last period of 2004. This was especially the case, since the experiences with the Type F prisons and the related hunger strikes were continued, even though the number of the strikers fell considerably. Furthermore, a special issue on our agenda has been the reincarceration of those prisoners facing health problems due to their hunger strike, which had been set free but were put in prison again on the basis of the reports, submitted by the same Forensic Medicine Institute, that their health was returned to normal.

The recent refugee programmes, aimed at turning refugees back to their own countries, have created special requests to our treatment and rehabilitation centers. To find out the possibilities for treatment of refugees, as a foremost condition for turning back, has been one of the fields which we are dealing with.

The studies on documentation and alternative forensic medicine have been sustained in 2005.

According to the article 67/6 of the new Code of Criminal Procedure taking effect on 1 June 2005, "Public prosecutor, participant, assignee, suspected person, defense lawyer or legal representative can ask scientific opinion on the case from expert on survey report or in order to evaluate this opinion during preparation period of survey report. Depending only on this account, a period of grace cannot be demanded". Thus, it is estimated that the function of HRFT having expertise knowledge will increase.

The issue of "refugees" has become a more important issue on our agenda with regard to our work on treatment and rehabilitation because of various reasons like growing inequality in the world and especially the efforts of "so-called developed countries" to limit human mobility and, additionally, to accelerate programmes aiming to send refugees back to their home countries.

The work of the HRFT is the work of hundreds of sensitive people, health professionals and human rights advocates, concentrated around a common aim in different cities of the country. We would like to thank all our friends who contributed to our work and to all associated institutions, who supported our work from the very beginning, especially the Human Rights Association and the Turkish Medical Association.

Ankara, May 2006

PREFACE

Yavuz Önen*

General Situation of Human Rights in Turkey

Turkey officially started full membership negotiations with the EU on 3 October 2005. Expressing that the legal arrangements made by the Turkish governments provided concordance to the Copenhagen criteria, this political oriented decision refers that "the situation in Turkey is compatible with the EU norms".

To see the situation more clearly, we evaluate the human rights in Turkey through data provided by the HRFT Documentation and Treatment Centers.

Right to Live and Personal Security

5 people died under detention during 2005 and at least 400 people were subjected to torture. In the first 11 months of 2005, 18 people, including 8 children, died because of unowned mine and bomb explosion and 45 wounded. In the first 11 months of the 2005 at least 86 people identified, 2 police officers, 8 village guards, 163 militants, 2 civilians, and 6 civil servants died during armed clashes. Meanwhile at least 52 people were shot to death and hundreds were wounded by police officers, soldiers, village guards or private security guards.

164 women, 13 children and 483 men applied to our rehabilitation centers in Ankara, İstanbul, İzmir, Diyarbakır and Adana for having been either tortured or ill-treated. 180 of those people were subjected to torture or ill-treatment in 2005 and more than half of these incidents took place out of detention centers.

Although the detention period was shortened, reaching lawyers is now easier for the detainees the number of torture incidents did not decrease. In spite of the

*President of the HRFT

“Zero Tolerance” policy of the government against torture in the recent years and legal amendments, the tendency of not sentencing the torturers either judicially or administratively makes the torture incidents continue.

For example;

A case which was opened against 16 policemen at the 2nd Heavy Penal Court of Kocaeli due to a killing under detention ended in the year 2005. A person, who was detained by the police raid on the Kocaeli Provincial Organization of HADEP on 20 November 1998, had died due to torture on 23 November 1998. While 7 policemen were sentenced to 1 year and 8 months, 12 were acquitted.

Another case which was opened on March 1999 against three policemen and their chief charged with torture to two female detainees at the Heavy Penal Court of İskenderun ended with acquittal for “lack of evidence” on 22 April 2005.

A case opened against a policeman who killed a person in Istanbul Kumkapı on 22 May 2004 at the 1st Heavy Penal Court of Istanbul, ended with acquittal on the ground that he did not go beyond the limits of his duty in accordance with the new Turkish Penal Code.

Freedom of Expression and Freedom of Thought

Passed by parliament on 26 September 2004 and entered into force on 1 June, 40 articles of the Turkish Penal Code, Law No. 5237, have been reamended on 29 June. Through the new amendment, the allegation of “Written or verbal misstatement in order to influence a fair investigation and trial” sentenced up to three years’ imprisonment. The allegation “To insult against national fundamental interests” has also been comprised of foreigners in Turkey. Instead of the articles 312 and 159 of former TPC, the articles 301 and 288 of the new TPC were started to be used against writers, journalists, and human rights defenders.

The Deputy Prime Minister and Foreign Minister of Turkey, Mr. Abdullah Gül stated on 21 December, during budget discussion in the GNAT and afterwards, that there is nobody put in prison in Turkey due to the expression of thought denied violence and insult at the back. He also stated that the freedom of thought in Turkey is under security. However, unfortunately, according to the 2005 report of Turkish Publishers Association, between January 2004 and June authorities opened court cases against 37 authors and 47 books and 4 compilations involving 25 publishers. As Solidarity Platform for Imprisoned Journalists stated, at present 8 journalists are in prison. Good news is that Birol

Duru, correspondent with Dicle News Agency, and Daimi Açık, HRA member, who were arrested in Yedisu region in Bingöl on 11 August, were to be released pending trial on 29 December.

According to the findings of our Documentation Centre only in December 2 executives of political parties, 20 journalist/writer/editor-in-chiefs, 3 human rights defenders, 2 correspondents, 2 TV programme producers, one news agency, 6 publishing house, one translator, 1 photographer were tried and the premises of daily Özgür Gündem were raided.

Freedom to Organize

While the case against the board members of HRFT was still on going a court case against HRFT Adana Representative, and a physician at HRFT Adana representation, was launched. At least 55 cases and 6 investigations were launched against the executives of Malatya, Van, Trabzon, Hatay, Bingöl, Siirt, Urfa, Adiyaman, Batman, Mardin, İstanbul, Diyarbakır, Tarsus, İzmir branches of Human Rights Association from November 2004 to the end of 2005. HRA Bingöl branch board members and chairman were subjected to 92 investigations and 51 court cases since the foundation of the branch in 2001. HRA executives were also threatened to death.

6 members of Human Rights Advisory Council, which had been founded for the coordination between the non-governmental organizations and government to discuss the legal amendments concerning human rights, but never had been asked any opinion, resigned on 24 March.

A court case was launched against Prof. Dr. İbrahim Kaboğlu, Chairman of Human Rights Advisory Council, and Prof. Dr. Baskın Oran in connection with the "Minority report" which had been released by the Council in October 2004, on charges of "inciting people separatism" and "insulting judiciary" according to the Article 301 TPC.

Ankara Labour Court No 2 concluded on 27 October the closure case against teachers' union Egitim-Sen. The case had been launched on the grounds that the expression concerning the education in mother tongue was not lifted from the Article 2 of its statute. On 25 May General Legal Chamber of the Court of the Cassation quashed the decision of Ankara Labour Court No 2 not to close the teachers' union Egitim-Sen. Afterwards the union changed the article in question and the court decided to drop the case. Ankara Labour Case No. 2 had rejected

closure case against teachers' union Egitim-Sen for the first time on 15 September 2004 but this decision had been quashed by the 9th Legal Chamber of the Court of Cassation. Upon this the court had rejected closure case for the second time on 21 February. This was the third trial.

Public prosecutor in Ankara launched a case against 12 former and current executives of Rights and Freedoms Party (Hak-Par) including chairman Abdülmelik Fırat for talking in Kurdish during the first ordinary congress of the party and sending invitation letters written in Kurdish to the State President, GNAT President and Prime Minister.

Prisons

6 persons started death fast in 2005. According to the figures of Documentation Centre at least 10 persons died in the prisons due to illness, suicide, burning or fights. 233 persons who were released from prisons in 2005 applied to our rehabilitation centers. Most of the applicants were suffering from the results of isolation and conditions in the prisons.

Human Rights in Southeast after the State of Emergency

The call to PKK to stop their action signed by 151 intellectuals and released on 15 June, the meeting of the Prime Minister with the representatives of the intellectuals, the support of 264 Kurdish intellectual to the call on 22 June, the announcement of the Prime Minister accepting the Kurdish question as a reality were positive developments. But on the other hand human rights violations and clashes increased in 2005. Incidents in Şemdinli and Yüksekova districts of Hakkari proved that the conditions of State of Emergency were still ongoing. There are strong evidences that the bomb attack against a bookstore in Semdinli was organized by a group of persons like Susurluk gang. During the investigation of the Public Prosecutor police officers opened fire against the crowd and prevented officers from collecting evidences. On the other hand the evidences were that the alleged attackers were military persons -2 intelligence service members and one informant-, there were plans and list of names in the vehicle of the detainees and the vehicle was belonging to the army. The announcement of Commander of Land Forces that he knew one of the non-commissioned officers, and he did not expect that he involved such an incident makes us think that the detainees were acting on order and were under protection.

4 persons were killed during an action in Yüksekova to protest the incidents in Semdinli, 7 officers and many demonstrators were wounded.

14 explosions -4 in Hakkari centre, 2 in Şemdinli, 8 in Yüksekova- were recorded in July 2005 in Hakkari. These figures show us that human rights violations continued in the region and a peaceful solution to Kurdish question could not be found.

State of Emergency is practically ongoing and the human rights violators were not sentenced. For instance, On 18 November Hakkari Heavy Penal Court concluded the case publicly known as "Yüksekova Gang Case" against soldiers, village guards and confessors launched on the allegations of "drugs and arms smuggling by using the facilities of the army, organized bomb attacks and killing some persons". PKK confessor was sentenced to 8 years' 4 months' imprisonment and he was released. Remaining 12 defendants were acquitted.

General Evaluation

We lived a year full of human rights violations all over the world. The CIA planes carrying alleged terrorist to secret prisons for interrogation were discussed. Those planes also landed Turkey and these landings started the discussion whether there were secret prisons of the US in Turkey.

In 2005 security forces killed civilians during demonstrations by opening fire. In spite of the "Zero Tolerance" policy of the government to torture and some positive legal arrangements, deaths in detention continued.

The judiciary continued to protect officers who were on trial for killing, torture, drug smuggling, and forming gangs. Few cases were concluded in 2005 and in those cases which ended with conviction the minimum sentences were given. Impunity was a rule in those cases.

Freedom of thought and expression continued to be a field full of mines. Opposition parties of the society were always kept under pressure of the related articles of TPC. Although the legal changes made for the integration to EU were accepted as a part of democratization. The case against Orhan Pamuk proved that those articles were only the regenerated versions of the older ones.

Freedom to organize was also subjected to pressures. Those opposition unions, professional chambers, associations, foundations, political, parties were subjected to administrative or judicial pressures in 2005.

The severe conditions in the prisons could not be improved; political prisoners were subjected to isolation.

Although Kurdish question was expressed by the Prime Minister none of the necessary steps were taken. The measures to decrease unemployment were not taken; damages and losses of the people of the region could not be recovered.

Pressures on human rights defenders and organizations continued. Non-governmental organizations were not included into decision-making procedures. While non-governmental organizations were excluded, the pressure and effect of the army on political life was accepted.

But still social reactions were staged and the government was informed by some of the non-governmental organizations.

We hope that the New Year will bring us less human rights violations, more democracy and peace.

**HRFT
Treatment and Rehabilitation
Centers Report**

**2005
*Evaluation Results***

EVALUATION RESULTS OF THE HRFT TREATMENT AND REHABILITATION CENTERS FOR THE YEAR 2005¹

692 people applied to the Treatment and Rehabilitation Centers of the Human Rights Foundation of Turkey in the year 2005. 24 of these applicants were made by relatives of torture survivors. The following evaluation presents information obtained in interviews and medical examinations of 675 applicants, stating that they have been subjected to torture and ill-treatment.

METHODOLOGY

The data used in our evaluation has been obtained by physicians, social service experts, and consultant physicians through interviews, medical examinations and other diagnostic procedures.

The data was entered in a specially developed SQL based computer programme under the name of "Human Rights Foundation of Turkey Applicant Recording", after being collected in application files and forms, designed for data preservation. The evaluations were analysed by transforming data gathered in this programme to the programmes MS Office Access 2003 and MS Office Excel 2003. The tables, graphics and statistical calculations were made by using the programmes Office Excel 2003 and SPSS 12.0 for Windows.

As in the year 2004, the evaluation was made in two major parts. In the first section of the evaluation, the data obtained from all of the 675 applicants was examined, while in the second section, the information obtained from 193 of the total number of people, who stated that they were subjected to torture and ill-

¹ The report has been based on the data obtained by the HRFT Treatment and Rehabilitation Centers. The organisation has stated constantly, that no direct relation can be deduced between the application figures to the HRFT Treatment and Rehabilitation Centers and the total number of persons who were subjected to *torture and other cruel, inhuman and degrading treatments or punishments*. However, it remains a fact that the statistical distribution of the HRFT applicants over the years, who were subjected to *torture and other cruel, inhuman degrading treatments or punishments* can be regarded as fairly significant indicators.

treatment in detention in the year 2004 was examined. This way, a comparative analysis of the data relating to people who were tortured in the said year will concretely contribute to our evaluation of the developments in our country in this area.

Of these evaluations in two sections, the first chapter examines the social and demographic characteristics of the applicants, the second chapter analyses the results obtained from the statements of torture and ill-treatment, while the third chapter evaluates the medical processes of the applicants. The last chapter of the first section presents the results of the treatment and rehabilitation work related to these applicants in the year 2004.

Before passing on to the evaluation of the data obtained from the applicants, information on the following points will be provided: The distribution of the applicants according to the HRFT offices and months in which the applicants were made, the number and distribution of applicants stating that they have been subjected to torture and ill-treatment in detention in 2005 and the channel of contact which directed the applicants to the HRFT.

Number and Distribution of the Applicants

675 people applied to the Human Rights Foundation of Turkey, Treatment and Rehabilitation Centers in 2005, stating that they had been subjected to torture and ill-treatment. Additionally 17 people applied as relatives of torture survivors and asked to receive treatment. These people were left outside the evaluation. The distribution of the applicants in the year 2005 according to the offices of the Foundation is presented in Table 1.

Table 1. The distribution of the applicants in 2005 according to the HRFT Treatment and Rehabilitation Centers

| Centre | Number of Examined Torture Survivors | Number of Relatives of Torture Survivors | Total Number of Applicants |
|---------------|---|---|-----------------------------------|
| Adana | 124 | 2 | 126 |
| Ankara | 24 | 2 | 26 |
| Diyarbakır | 125 | 0 | 125 |
| İstanbul | 299 | 1 | 300 |
| İzmir | 103 | 12 | 115 |
| Total | 675 | 17 | 692 |

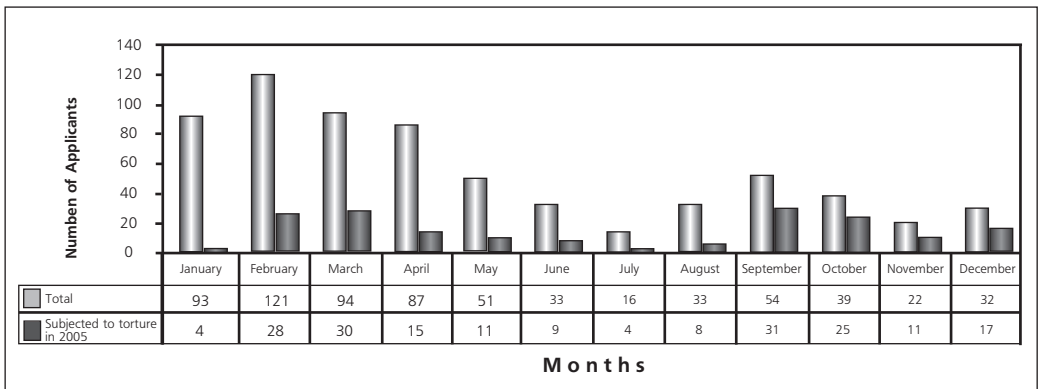
From the total number of 675 people who applied in the year 2005, the number of people who stated that they had been subjected to torture and ill-treatment in detention was 193 (in the year 2004, the number of applicants, who had been subjected to torture had been 348). The distribution of these applicants according to the HRFT offices is presented in Table 2.

Table 2. The distribution of people applied in 2005, stating that they had been subjected to torture and ill treatment in detention in the same year according to the HRFT Treatment and Rehabilitation Centers

| Centre | Number of Applicants Tortured in 2005 in Detention | Total Applications | Ratio |
|--------------|--|--------------------|-------------|
| Adana | 42 | 124 | 33,9 |
| Ankara | 3 | 24 | 12,5 |
| Diyarbakır | 9 | 125 | 7,2 |
| İstanbul | 110 | 299 | 36,8 |
| İzmir | 29 | 103 | 28,2 |
| Total | 193 | 675 | 28,6 |

The distribution of the applicants to our Treatment and Rehabilitation Centers according to months is presented in Graphic 1. According to this graphic, applicants were most often in the first four months of the year.

Graphic 1. The distribution of the applicants whom were tortured in 2005 and previous years according to months in the year 2005



We observed an increase in the number of applications to the HRFT in the first four months of the year. The most important reason is that a large number of convicts were to be placed on probation before the completion of sentence in accordance with the new Turkish Penal Code. And some of them began to apply to our centers due to health problems occurred due to torture and ill-treatment during the detention or imprisonment processes. Such applications began at the end of the year 2004 and continued during the first months of 2005.

Regarding the people and institutions which referred applicants to the HRFT, it appears that in most cases, the applicants were made directly without any reference, followed by applicants referred by the Human Rights Association, democratic organisations and parties. One important reason of increase in the ratio of direct applicants compared to previous years must be the fact that the work of the HRFT is better known (13,3 % for the year 2002). Table 3 presents the distribution of the information channels on the HRFT for all applicants and for those applicants involving statements of torture and ill-treatment in detention in the year 2005.

Table 3. The distribution of the information channels on the HRFT for all applicants and for those applicants involving statements of torture and ill-treatment in detention in the year 2005

| Information Channel | All Applicants | % | Applicants Torture in 2005 in Detention | % |
|-------------------------------------|----------------|--------------|---|--------------|
| Directly | 248 | 36,7 | 82 | 42,5 |
| Democratic Organizations or Parties | 140 | 20,7 | 31 | 16,4 |
| HRFT applicants | 127 | 18,8 | 20 | 10,4 |
| The Human Rights Association | 119 | 17,6 | 51 | 26,4 |
| Her/his lawyers | 19 | 2,8 | 6 | 3,1 |
| Press | 9 | 1,3 | 2 | 0,5 |
| HRFT volunteers | 7 | 1,0 | 0 | 0,0 |
| HRFT professionals | 6 | 0,9 | 1 | 0,5 |
| Total | 675 | 100,0 | 193 | 100,0 |

The following sections of the evaluation will consist of two major sections. In the first section the total of 675 applicants will be evaluated, while the second section will deal separately with the 193 applicants who include statements of torture and ill-treatment in detention in the year 2005.

I- EVALUATION RESULTS OF ALL APPLICANTS

A- SOCIAL AND DEMOGRAPHIC CHARACTERISTICS

1- Age and Sex:

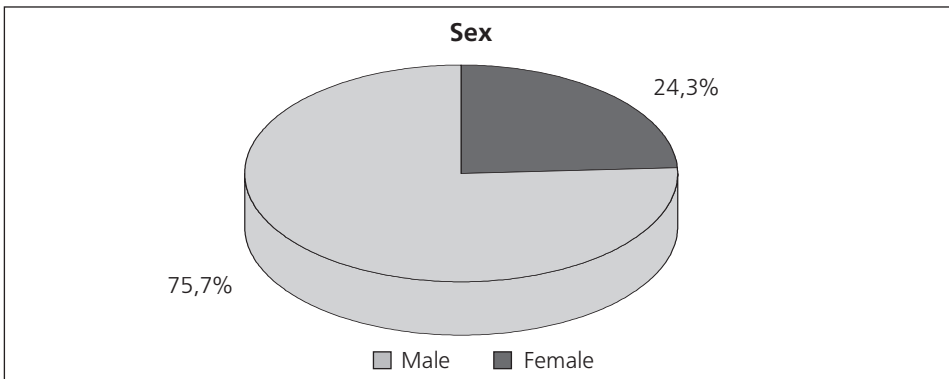
The age of the applicants ranged from 14 to 72 years. The average age was 33,1 ± 8,9. The number of applicants at the age of 18 or under was 13 (1,9 %) and 11 of them were subjected to torture. The table below presents the age of the applicants in the year of their application and therefore naturally does not directly state the age they were subjected to torture. The actual number, thus, higher then represented below. The distribution of the applicants according to age groups is presented in Table 4.

Table 4. The distribution of the applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to their age

| Age group | Number of Applicants | % |
|--------------|----------------------|--------------|
| 0-18 | 13 | 1,9 |
| 19-25 | 113 | 16,7 |
| 26-30 | 160 | 23,7 |
| 31-35 | 164 | 24,3 |
| 36-40 | 97 | 14,4 |
| 41-45 | 63 | 9,3 |
| 46 and above | 65 | 9,6 |
| Total | 675 | 100,0 |

511 of the applicants are male (75,7 %), while 164 are female (24,3 %) (Graphic 2).

Graphic 2. Distribution of the applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to sex

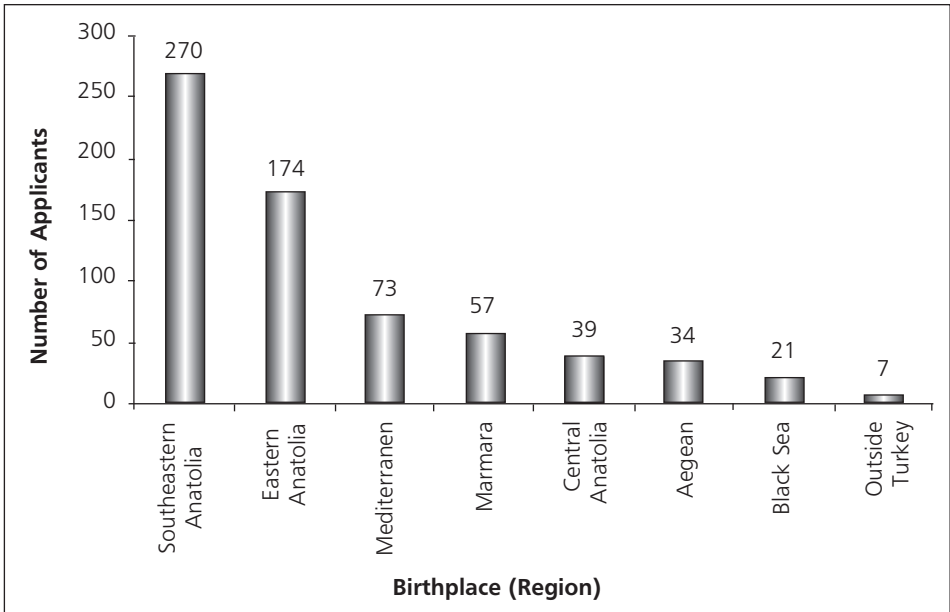


2- Place of Birth

Approximately 40% of the applicants were born in the South-Eastern Anatolian Region, while those born in Eastern Anatolia and in the Central Anatolia take up the second and third places respectively. The proportion of applicants born in Eastern and South-eastern Anatolia makes up around 2/3 of the total number of applicants.

10,8% of the applicants were born in Central Anatolian Region, while 8,4 % were born in the Mediterranean Region and 5,8% are from Marmara Region. The distribution of the applicants according to their place of birth is presented in Graphic 3.

Graphic 3. Distribution of the applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to place of birth



When the units of places of birth are cities, it becomes apparent, that most applicants were born in Diyarbakir (98 people, 14,5 %), Mardin (59 people, 8.7%), Siirt (37 people, 5,5 %), Istanbul (36 people,5,3 %), and Batman (34 people, 5.0%).

A major reason for the high proportion of Eastern and South-Eastern Anatolian Regions in the distribution according to places of birth of torture survivors is thought to be the high amount of citizens with a Kurdish origin.

3- Educational Level and Employment Status

277 (41,0 %) of the applicants graduated from secondary school or high school, 261 (38,7%) graduated from primary school while 105 (15,5%) graduated from or dropped out of university. 32 (4,7%) of the applicants were illiterate. A more detailed distribution of the educational level of the applicants is provided in Table 5.

Table 5. The distribution of the applicants to the HRFT Treatment and Rehabilitation Centers according to their educational level

| Educational Level | Number of Applicants | % |
|--------------------------|-----------------------------|--------------|
| Illiterate | 32 | 4,7 |
| Literate | 53 | 7,9 |
| Primary School | 208 | 30,8 |
| Secondary School | 113 | 16,7 |
| High School | 164 | 24,3 |
| University Drop Out | 65 | 9,6 |
| University | 40 | 5,9 |
| Total | 675 | 100,0 |

Regarding the employment status of the applicants; 451 people (66,8%) appear to be unemployed at the time of the interview. 46 people (6,8 %) were university students, while 5 people (0,7 %) were students of primary or secondary schools. Additionally, 5 applicants (0,7 %) were members of the press.

As in the previous years, the proportion of unemployed applicants grows and points to a problem area, which should be examined and worked on specifically. Factors like the loss of employment due to detention and prison processes drop out from school and problems faced in job applications play a role in this problem. The employment status of the applicants is presented in more detail in Table 6.

Table 6. The distribution of applicants to the HRFT Treatment and Rehabilitation Centres in the year 2005 according to their employment status

| Profession or Employment | Number of Applicants | % |
|---|----------------------|--------------|
| Unemployed | 451 | 66,8 |
| University Student | 46 | 6,8 |
| Industrial worker in the private sector | 32 | 4,8 |
| Housewife | 32 | 4,8 |
| Employed in an NGO | 22 | 3,3 |
| Office Craft in the private sector (Secretary, Bank Clerk etc.) | 20 | 3,0 |
| Tradesmen (working in a shop or office of their own) | 17 | 2,5 |
| Construction worker | 13 | 1,9 |
| Industrial Worker in the Public Sector | 7 | 1,0 |
| Artist | 6 | 0,9 |
| Student of primary or secondary schools | 5 | 0,7 |
| Journalist | 5 | 0,7 |
| Pedlar | 5 | 0,7 |
| Farmer | 5 | 0,7 |
| Retired | 4 | 0,6 |
| Teacher | 3 | 0,5 |
| Farm worker | 1 | 0,1 |
| Office Craft in the Public Sector (Secretary, Bank Clerk etc.) | 1 | 0,1 |
| Total | 675 | 100,0 |

B- PROCESS OF TORTURE:

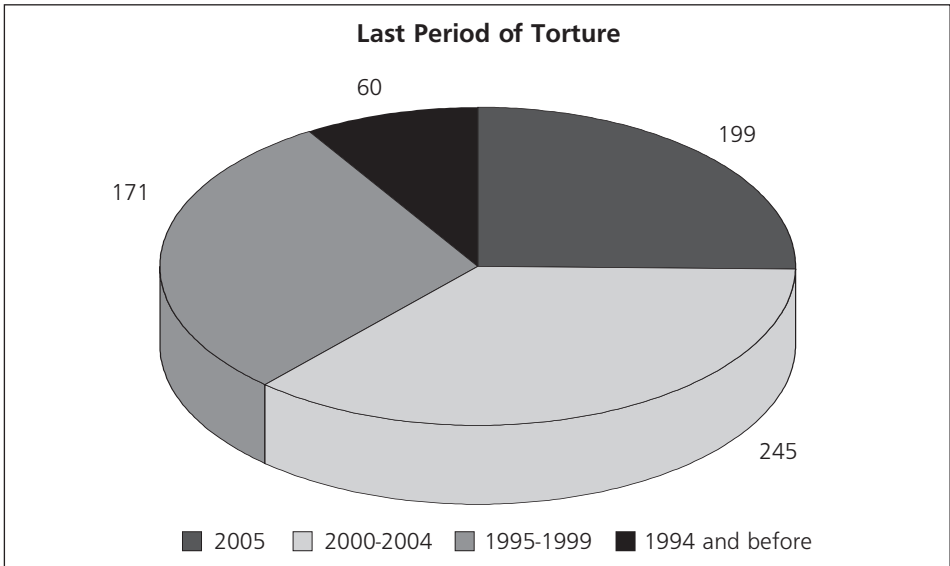
The number of people who applied to the HRFT because of torture and illtreatment in the year 2005 is 675. Regarding the year in which these applicants were last subjected to torture, it appears that 199 people were tortured in the year 2005, 245 people between the years 2000-2004, 171 people between the years 1995-1999 and 60 people in the year 1994 and before (Graphic 4).

Among the 199 people subjected to torture in 2005, the information obtained from 193 applications except from 6 people subjected to torture in prison has separately been handled in the second part.

1- Process of Detention and Torture in Detention:

639 (94,7%) of the applications made in the year 2005, had political reasons while 35 people (5,2%) stated experiencing torture because of ordinary offences. Moreover, one person stated that he was subjected to torture because he was an asylum-seeker (according to reports published by human rights organisations, a large number of people who were taken in detention due to ordinary offences and were subjected to torture, do not apply to human rights organizations and

Graphic 4. The distribution of the applicants in the year 2005 according to the period when they were last tortured



judicial authorities. All the people who were subjected to torture due to ordinary offences stated that they were treated in order not to consult human rights organizations and judicial authorities.

Regarding the detention period last experienced by the applicants, 178 (26,4%) people remained in detention for less than 24 hours, 151 (22,4%) between 8-15 days and 88 people (13,0%) between 16-30 days.

As will be seen more clearly in the second section, dealing with the evaluation of torture survivors who were tortured in 2005, there is an evident decrease in the detention periods.

As will be examined in section two, this decrease in the detention periods could be regarded as a positive development. However it is evident that this development does not realise the decree in the European Convention on Human Rights Article 5/3, stating that "Everyone arrested or detained in accordance with the provisions of paragraph 1.c of this article shall be brought promptly before a judge or other officer authorised by law to exercise judicial power [...]. Furthermore, considering methods developed for torture and further cruel, inhuman and degrading treatment and punishments in periods of four days and the results of these practices and additionally un-recorded short-termed detentions, it becomes evident that this is still a most serious and important issue. The duration of the most recent detentions of the applicants are presented in Table 7.

Table 7. The distribution of the applicants to the HRFT Treatment and Rehabilitation Centers according to the duration of their most recent detention

| Most Recent Detention Duration | Number of Applicants | % |
|---------------------------------------|-----------------------------|--------------|
| Less than 24 hours | 178 | 26,4 |
| 24-48 hours | 61 | 9,0 |
| 49-72 hours | 39 | 5,8 |
| 73-96 hours | 65 | 9,6 |
| 5-7 days | 75 | 11,1 |
| 8-15 days | 151 | 22,4 |
| 16-30 days | 88 | 13,0 |
| Longer than one month | 18 | 2,7 |
| Total | 675 | 100,0 |

As regards the place where the applicants were detained, it appears that 379 people (56,1 %) were outdoors while 219 (32,4%) were in their homes.

Our experiences with arrests, which take place outdoors, show that such practices make unrecorded detentions easier to carry out. The distribution of applicants according to the place of their last arrest is presented in Table 8.

Table 8. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in 2005 according to the place of their last arrest

| Place of Last Arrest | Number of Applicants | % |
|--|-----------------------------|--------------|
| Outdoors | 379 | 56,1 |
| Home | 219 | 32,4 |
| Organisation (NGO office, press office, etc) | 19 | 2,8 |
| Public office | 21 | 3,1 |
| Working place | 20 | 3,0 |
| Other | 9 | 1,3 |
| Not known | 8 | 1,2 |
| Total | 675 | 100,0 |

Regarding the place in which the applicants last experienced torture in detention, it appears that 429 people (63,6%) were in the security centre, 94 people (13,9%) were outdoors, while 56 people (8,3%) were in the gendarmerie centre. Since it appears to be constructive to evaluate this issue in the light of recent developments, this matter will be dealt with in more detail in the second section. The distribution of the applicants according to the place where they were tortured is presented in Table 9.

Table 9. The distributions of the applicants to the HRFT Treatment and Rehabilitation Centers according to the place of most recent torture in detention

| Place of Most Recent Torture in Detention | Number of Applicants | % |
|---|----------------------|--------------|
| Security center | 429 | 63,6 |
| Outdoors | 94 | 13,9 |
| Gendarmerie center | 56 | 8,3 |
| Police station | 33 | 4,9 |
| Gendarmerie station | 23 | 3,4 |
| Police car | 9 | 1,3 |
| Home | 1 | 0,1 |
| Other | 5 | 0,7 |
| Not known/not remembered | 8 | 1,2 |
| Empty* | 17 | 2,5 |
| Total | 675 | 100,0 |

**People who were not subjected to torture during their last detention and who applied on the basis of torture experienced in former detention periods or in prison*

As regards the regional distribution of the region of most recent torture, it appears that the Marmara Region holds the first position, followed by the Mediterranean Region and the South-Eastern Anatolian Region (Table 10). One of the main reasons for the applications from the Eastern Anatolian Region, although there has not been an HRFT Treatment and Rehabilitation Centre in that region, is the large scale migration rate experienced in the region. Thus the migrants applied to the centers in the host city.

Table 10. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to the region of the most recent torture in detention

| Region of Most Recent Torture | Number of Applicants | % |
|-------------------------------|----------------------|--------------|
| Marmara | 238 | 35,3 |
| Mediterranean | 123 | 18,2 |
| Southeastern Anatolia | 118 | 17,5 |
| Aegean | 71 | 10,5 |
| Eastern Anatolia | 51 | 7,6 |
| Central Anatolia | 47 | 7,0 |
| Black Sea | 7 | 1,0 |
| Abroad | 3 | 0,4 |
| Empty* | 17 | 2,5 |
| Total | 675 | 100,0 |

**People who were not subjected to torture during their last detention and who applied on the basis of torture experienced in prison or in former detention periods.*

Regarding the cities in which the applicants were last subjected to torture, it appears that Istanbul (34,1%), Adana (10,4%), Izmir (8,4%), Diyarbakır (8,0%) and Ankara (7,1%)” in which HRFT Treatment and Rehabilitation Centers founded take up the first places. These cities are followed by Mersin (4,9%), (Mardin 2,5%), and Şırnak (1,8%). These cities are relatively near to HRFT centers. To provide easy access to the service to other cities is an urgent requirement. Through the “Five Cities Project” the HRFT meets fare, accommodation, and the daily wants of applicants, however, to access the services provided by the foundation is not possible for all torture survivors. In the coming days this project will tried to be supplemented.

The use of the programme in the Treatment and Rehabilitation Centers from the beginning of 2004 provided the opportunity to monitor centers practicing torture directly and do specific work regarding this subject.

As regards the centers in which apply torture, it appears that the Anti-Terror Branches (ATB) in Istanbul, Adana, Izmir, Diyarbakır, Mersin, Ankara and Mardin, as well as the Center of Special Forces in Diyarbakır, the Security Centre in Istanbul, the Gayrettepe Security Centre in Istanbul, the Security Centre in Adana and Gendarmerie Intelligence Service (JITEM) in Diyarbakır stand out as the places where torture is the most common.

The distribution of the torture methods inflicted on the applicants is presented in Table 11 (This evaluation comprises 658 people of the total number of 675 applicants excepting 17 people who were not subjected to torture during their last detention period). Since it will be constructive to consider this matter in the light of recent developments, a more detailed analysis will follow in section 2.

Table 11. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to the methods of torture they experienced during their last detention

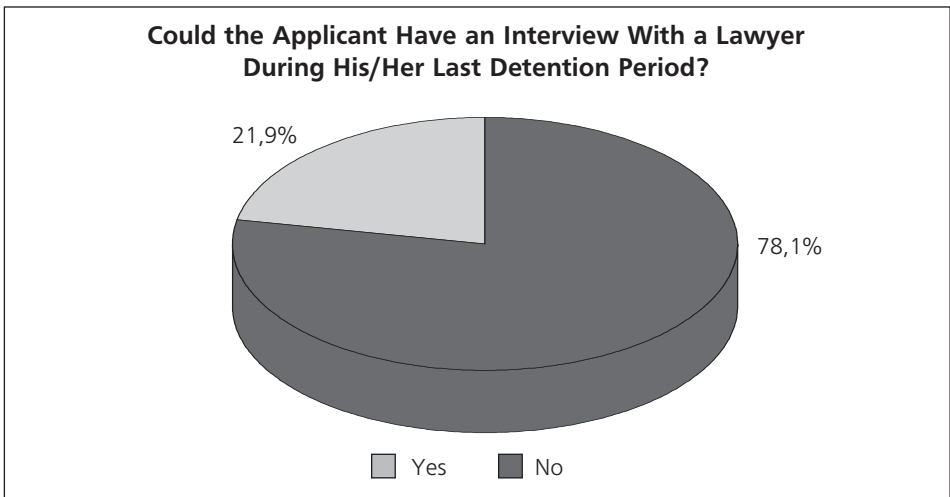
| Method of Torture | Number of Applicants | % |
|--|-----------------------------|--------------|
| Beating | 593 | 90,1 |
| Insulting | 582 | 88,4 |
| Bindfolding | 377 | 57,3 |
| Stripping naked | 329 | 50,0 |
| Other threats against his/her person | 327 | 49,7 |
| Death threat | 323 | 49,1 |
| Restricting sleep | 315 | 47,9 |
| Cell isolation | 295 | 44,8 |
| Pressurized/cold water | 281 | 42,7 |
| Electricity | 264 | 40,1 |
| Restricting food and water | 246 | 37,4 |
| Restricting defecation and urination | 227 | 34,5 |
| Squeezing testicles | 224 | 34,0 |
| Suspension on a hunger | 222 | 33,7 |
| Humiliation | 221 | 33,6 |
| Forcing to wait on cold floor | 219 | 33,3 |
| Sexual harassment | 207 | 31,5 |
| Forcing to witness (visual/audial) torture to others | 206 | 31,3 |
| Forcing to listen to marches or high volume music | 195 | 29,6 |
| Other positional torture methods | 143 | 21,7 |
| Threats against relatives | 127 | 19,3 |
| Forcing to obey nonsensical orders | 123 | 18,7 |
| Forcing to extensive physical activity | 119 | 18,1 |
| Continuously hitting on one part of the body | 108 | 16,4 |
| Pulling out hair/moustache/beard | 95 | 14,4 |
| Falanga | 93 | 14,1 |
| Mock execution | 91 | 13,8 |
| Asking to ask as an informer | 79 | 12,0 |
| Application of chemical substances | 68 | 10,3 |
| Torturing in the presence of relatives/friends | 34 | 5,2 |
| Strungling | 30 | 4,6 |
| Rape | 16 | 2,4 |
| Burning | 9 | 1,4 |
| Medical intervention without consent by force | 2 | 0,3 |
| Other | 82 | 12,5 |
| Total | 7530 | 11,4* |

* Average number of torture methods one person is subjected to

2- Legal Procedures During and After Detention:

1478 (21,9%) of the applicants subjected to torture in detention stated that they were able to talk to a lawyer during their most recent detention (Graphic 5). As it will be constructive to consider this matter in the light of recent developments, it will be taken into hand more thoroughly in section 2.

Graphic 5. The ratio of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 regarding interviews with lawyers



The number of applicants who were set free without charges and without facing prosecutor is 115 (17,0%). 71 applicants (10,5%) were set free by the prosecution office or the court (Table12)

348 applicants (51,6%) were imprisoned, while the trials of 172 applicants (25,5%) still continue (Table13).

Table 12. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to their situation after detention

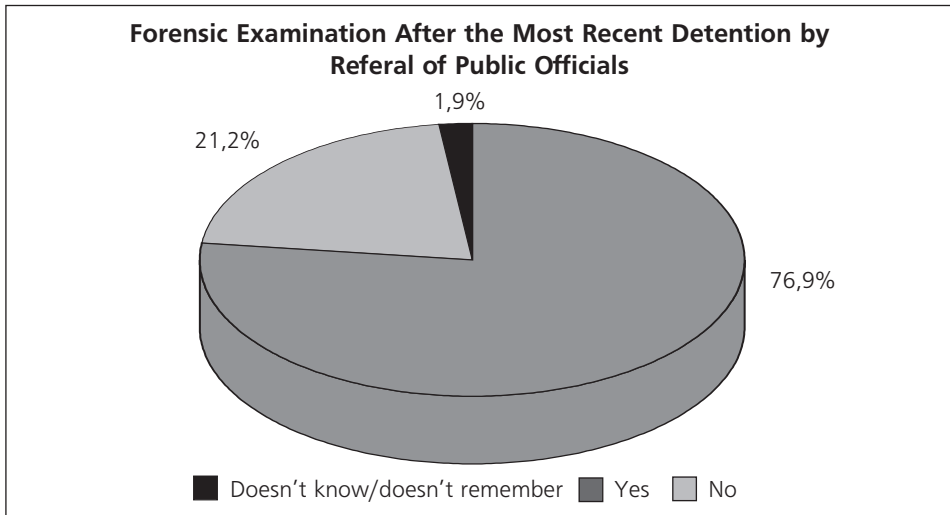
| Situation After Last Detention | Number of Applicants | % |
|---|----------------------|--------------|
| Was arrested | 488 | 72,3 |
| Was set free without facing prosecutor | 115 | 17,0 |
| Was set free by prosecution office or court | 71 | 10,5 |
| Not known/not remembered | 1 | 0,1 |
| Total | 675 | 100,0 |

Table 13. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to their trial processes

| Trial Process After Last Detention | Number of Applicants | % |
|--|----------------------|--------------|
| Applicant was tried and convicted | 348 | 51,6 |
| Applicant was not tried | 109 | 16,1 |
| Applicant was charged, the trial continues | 172 | 25,5 |
| Not known whether there is a trial | 34 | 5,0 |
| Applicant was tried and acquitted | 7 | 1,0 |
| Applicant was tried, result unknown | 5 | 0,7 |
| Total | 675 | 100,0 |

The number of applicants whom was referred to a health institute for forensic examination by public officials according to legislations in force is 622 (69,3%) (Graphic 6).

Graphic 6. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to whether they were referred for a forensic report by public officials



309 applicants (49,7%) out of 519 were examined in hospitals or health centers, while 208 people (40,1%) were examined in the Forensic Medicine Institute in Istanbul or in branches of Forensic Medicine Institute in other cities. 42 people (8,1 %) report that they were examined in their place of detention (Table 14). Furthermore, 50 people stated that they provided themselves with forensic reports on their own initiative.

Table 14. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to their place of forensic medical examination after their most recent detention

| Place of Forensic Medical Examination After Most Recent Detention | Number of Applicants | % |
|---|----------------------|--------------|
| Branch of Forensic Medicine Institute | 197 | 38,0 |
| Hospital | 147 | 28,3 |
| Health center | 81 | 15,6 |
| Place of detention | 42 | 8,1 |
| Not known/not remembered | 41 | 7,9 |
| Forensic Medicine Institute | 11 | 2,1 |
| Total | 519 | 100,0 |

As regards the statements of 519 applicants who underwent forensic medical examination after detention, approximately 2/3 of the applicants reported that the security forces were taken out of the room during the forensic examination (358 people, 69%), that the physician did not take note of their complaints (311 people, 59,9%), that the physician did not provide himself with the anamnesis of the applicants (325 people, 62,6%) and that he/she did not write a report in accordance with the findings (312 people, 60,1%), while around 3/4 of the applicants (384 people, 74,0%) stated that the physician examined as he ought to (Table 15).

Table 15. The distribution of applicants to the HRFT Treatment and Rehabilitation Centres in the year 2005 according to their evaluation of the forensic examination after detention

| Evaluation of Forensic Examination | Yes | % | No | % | Not/ known/not remembered | % | Total | % |
|---|-----|------|-----|------|---------------------------------|------|-------|-------|
| Were the security forces taken out of the room during the forensic medical examination? | 142 | 27,4 | 358 | 69,0 | 19 | 3,7 | 519 | 100,0 |
| Did the physician take note of the complaints? | 201 | 38,7 | 311 | 59,9 | 7 | 1,3 | 519 | 100,0 |
| Did the physician provide himself with the anamnesis of the patient? | 185 | 35,6 | 325 | 62,6 | 9 | 1,7 | 519 | 100,0 |
| Did the physician examine as he ought to? | 122 | 23,5 | 384 | 74,0 | 13 | 2,5 | 519 | 100,0 |
| Did the physician write a report that was in accordance with the findings? | 90 | 17,3 | 312 | 60,1 | 117 | 22,5 | 519 | 100,0 |

An actual interpretation on medical examinations will be made in the following section. Nevertheless it might be stated that the medical examination does not apply for all detainees in our country.

268 of the applicants (39,7) stated that they were subjected to torture during their interrogation in court or in the prosecution office and additionally 128 people (19,0 %) made a claim to the prosecution office afterwards. Furthermore, 8 applicants made a claim to the prosecution office on the advice of the HRFT. 261 people (38,7%) people stated that they did not make any claim against security forces.

These issues will be dealt with further in the second section since their evaluation in the light of recent developments will be constructive.

3- Imprisonment period

The number of applicants who have been imprisoned at one point or other amounts to 519 (76,9%) while the number of those who were imprisoned after their most recent detention is 499 (73,9%). The duration of their stay in prison varies between 2 and 300 months. The approximate duration is 77,7 months (Standard variation: 50,5, Median: 82 months).

The total distribution of the duration of the imprisonments of the 519 applicants is presented in Table 16. According to these data, around 1/5 of the applicants (101 people) consists of people who remained in prison for 9-11 years, while one out of every seven imprisoned applicants was behind walls for 11-25 years.

As regards the time, which elapsed between the release of the imprisoned 519 applicants and their application to the foundation, it appears that 84 of these applicants (16,2%) applied to the HRFT within a month of their release, while 376

Table 16. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to the duration of their imprisonment

| Total duration of imprisonment | Number of Applicants | % |
|--------------------------------|----------------------|--------------|
| 0-2 months | 28 | 5,4 |
| 3-12 months | 55 | 10,6 |
| 13-36 months | 44 | 8,5 |
| 37-60 months | 33 | 6,4 |
| 61-84 months | 91 | 17,5 |
| 85-108 months | 94 | 18,1 |
| 109-132 months | 101 | 19,5 |
| 11-20 years | 68 | 13,1 |
| More than 20 years | 5 | 1,0 |
| Total | 519 | 100,0 |

people (72,4%) applied in 1-12 months and the others (59 people, 11,4%) applied to the HRFT after more than one year.

Furthermore, it appears that approximately 57,6% of the 519 people released from prison (299 people), were released because they had served their time, while 158 people (30,4%) were released to be released pending trial, and 55 (10,6%) because of an amnesty, on conditional release or because of postponements of their sentences due to health problems.

Among the applicants who have been imprisoned, those who were subjected to isolation in the F type prisons are especially important. Out of the 519 imprisoned applicants, 198 people were confined to F type prisons (38,2%). The imprisonment period of these people in F type Prisons varies between 1 month and 60 months, with an approximate duration of 21,7 months. The number of applicants among the 198 former F type prisoners, who were confined to a single cell amounts to 71 (35,6%). The approximate detention period of these people in these cells varies around 1 and 40 months and is 7,9 months.

Practices based on isolation, which started as prototypes in F type prisons and turned to standard procedures in some prisons, will be dwelled on under a special heading in the coming period in the Treatment and Rehabilitation Centers.

Furthermore, there are 42 applicants, who were punished with isolation on various grounds in prisons (8,1%). The isolation period of these applicants varies between 1 day and 210 days, with an approximate of 35,4 days.

169 of the 519 imprisoned applicants (32,6%), experienced a prison operation. All the applicants experienced the prison operations, which took place simultaneously in a great number of prisons on 19th December 2000 as an answer to hunger strikes. Furthermore, some applicants witnessed the 1995 Buca prison operation and others (Table 17)

As regards the specific traumas which were experienced by these applicants, it appears that the most common trauma experienced by approximately half of the applicants experiencing prison operations, consist of subjection to chemical materials and beatings; furthermore, that 9 people were wounded by guns, while 7 people were wounded by bombs or shrapnel and 7 people by burning (Table 18). 65 people stated that they were hindered from receiving medical treatment after the prison operations.

Table 17. The distribution of applicants, who had been imprisoned, to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to the operation they witnessed while in prison

| Prison Operation | Number of Applicants | %* |
|------------------|----------------------|-------|
| 19 December 2000 | 169 | 100,0 |
| Buca 1995 | 11 | 6,5 |
| Diyarbakır 1996 | 6 | 3,6 |
| Ümraniye 1996 | 1 | 0,6 |
| Ulucanlar 1999 | 4 | 2,4 |
| Burdur 1999 | 4 | 2,4 |
| Others | 9 | 5,3 |

* The ratio of the applicants who experienced a prison operation to total applicants

Table 18. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to the traumas they experienced during the prison operations

| Traumas Experienced in the Prison Operations | Number of Applicants | % |
|---|----------------------|-------------|
| Subjection to chemical substances | 113 | 66,9 |
| Beating and harassment | 90 | 53,3 |
| Leaving on a cold and wet floor for a long period of time | 49 | 29,0 |
| Stripping and keeping naked | 40 | 23,7 |
| Cell isolation | 33 | 19,5 |
| Tortured in vehicles used for transportation of prisoners | 33 | 19,5 |
| Wounding with a gun | 9 | 5,3 |
| Other | 8 | 4,7 |
| Wounding by bomb or shrapnel | 7 | 4,1 |
| Burning | 7 | 4,1 |
| Trapped under rubble | 1 | 0,6 |
| Total | 390* | 2,3* |

* Since the 169 people who experienced traumas more than once during the prison operations, the total number is greater than 1693. Therefore, the number 2,3 is not a percent but the average number of traumas a person experienced.

Among the 519 applicants who were imprisoned, the number of applicants stating that they were subjected to torture in prison amounts to 313. Furthermore 16 of the applicants stated that they were taken away to be interrogated while serving their sentence and that 11 of them were tortured during interrogation.

The distribution of the torture methods these 313 people were subjected to is presented in Table 19.

Table 19. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to the methods of torture in prison

| Torture Method | Number of applicants | % |
|---|-----------------------------|-------------|
| Beating | 260 | 83,1 |
| Insulting | 205 | 65,5 |
| Stripping naked | 131 | 41,9 |
| Cell isolation | 86 | 27,5 |
| Other threats against the person | 72 | 23,0 |
| Death threat | 70 | 22,4 |
| Hindering visits of relatives/lawyers | 58 | 18,5 |
| Forcing to obey nonsensical orders | 55 | 17,6 |
| Forcing to wait on a cold floor for a long period of time | 49 | 15,7 |
| Humiliating | 46 | 14,7 |
| Other positional torture methods | 38 | 12,1 |
| Forcing to witness torture (visual/auditory) | 38 | 12,1 |
| Restricting sleep | 36 | 11,5 |
| Sexual harassment | 35 | 11,2 |
| Pulling out hair, moustache, beard | 35 | 11,2 |
| Restricting food and drink | 35 | 11,2 |
| Continuously hitting on one part of body | 34 | 10,9 |
| Forcing to excessive physical activity | 33 | 10,5 |
| Restricting defecation and urination | 21 | 6,7 |
| Pressurized/cold water | 18 | 5,8 |
| Forcing to listen to marches and high volume music | 18 | 5,8 |
| Subjection to chemical substances | 18 | 5,8 |
| Blindfolding | 17 | 5,4 |
| Falanga | 12 | 3,8 |
| Rape | 12 | 3,8 |
| Mock execution | 12 | 3,8 |
| Asking to ask as an informer | 8 | 2,6 |
| Medical intervention without consent of people and by force | 8 | 2,6 |
| Threats to relatives | 8 | 2,6 |
| Strungling | 7 | 2,2 |
| Forcing to wear uniform clothing | 7 | 2,2 |
| Squeezing testicles | 3 | 1,0 |
| Suspension on a hunger | 2 | 0,6 |
| Forcing to wear uniform clothing | 2 | 0,6 |
| Torturing in the presence of relatives | 6 | 1,9 |
| Electricity | 1 | 0,3 |
| Forcing to wait by handcuffs | 1 | 0,3 |
| Burning | 1 | 0,3 |
| Other | 14 | 4,5 |
| Total | 1930 | 6,2* |

*The average number of torture methods experienced by one person.

Considering that torture and ill-treatment involves any kind of violence towards the physical and mental integrity of incarcerated people, prisons appear to have an important place among torture application areas.

Cases of torture and ill-treatment are reported to be experienced during controls and searches, during transportation to interviews with lawyers or family members or during transportations to hospitals or the court.

The distribution of the answers to questions on the conditions in prisons, by 514 of the 519 applicants who had been imprisoned is presented in Table 20.

Table 20. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to their answers to the conditions in the prisons they were last kept in

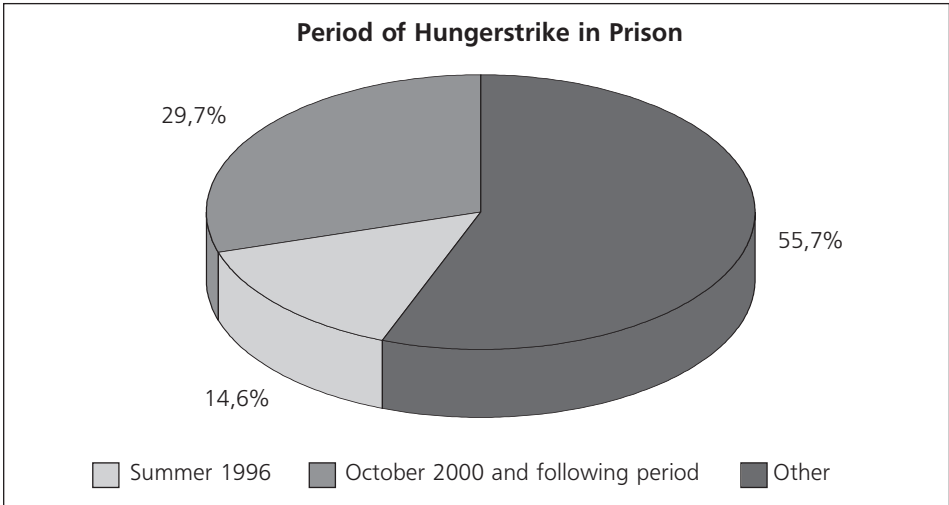
| Conditions | Positive | Partly | Negative | Total |
|---|----------|--------|----------|-------|
| Accommodation | 28 | 89 | 397 | 514 |
| Nutrition | 17 | 61 | 436 | 514 |
| Hygiene | 20 | 63 | 431 | 514 |
| Access to open air and sport facilities | 17 | 80 | 417 | 514 |
| Communication facilities | 24 | 64 | 426 | 514 |
| Health services | 27 | 49 | 438 | 514 |
| Conditions of transfers | 18 | 44 | 452 | 514 |
| Reaching to publications/media | 28 | 89 | 397 | 514 |

383 of the imprisoned 519 applicants state that they went on hunger strike in prison on varying occasions and because of various reasons. 138 applicants reported to have taken part in the hunger strikes against F type prisons, starting on 20th October 2000 and 68 people reported to have taken part in the hunger strikes starting in August 1996, while 259 people went on hunger strike on various other occasions (Graphic 7).

C- MEDICAL EVALUATION

This chapter contains information on the health situation of the applicants, which was obtained by the anamnesis, physical examination and other tests, made by physicians working in the Centers together with consultants (psychiatrists, physiatrist, ophthalmologists, ENT specialist etc) of the Treatment and Rehabilitation Centers.

Graphic 7. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to the period of their hunger strike in prison



The process in which the 675 people who applied to Treatment and Rehabilitation Centers because they had been subjected to torture will be better understood if the methods of the HRFT are described first. In the first interview, the applicant relates his experiences of torture and his complaints to the doctor in his own words. The applicants tell of those complaints, which, in his opinion, are connected with torture. Following this, the doctor asks for the necessary laboratory tests and consultations after examination and evaluation. He/she expresses his opinion openly to the applicant. In the last stage, the anamnesis, examination and tests are evaluated as a whole and the relation between the disorder and torture is established. In this stage it is important to consider the health of the applicant as a whole.

During the application process to the HRFT Treatment and Rehabilitation Centers, it is aimed that the applicants meet all the members of the treatment team, but such applicants, as do not wish to consult the psychiatrist, are simply informed of their having the option to and are not pressed further.

After the evaluation, the applicant receives suggestions as to possible treatment methods for disorders not related to torture, while disorders related to torture are treated in the HRFT Treatment and Rehabilitation Centers. The applicant is first informed about the programme suggested for his treatment and rehabilitation. After a joint evaluation (e.g. when specific conditions of the applicant affects the

programme), necessary amendments are made to the programme which is subsequently carried out.

For the establishment of the relation of diagnosed disorders with torture, one of the following relations for each of the following diagnosis is used: The only etiological factor; worsened or made apparent an existing pathological state; one of the etiological factors; no relation; and a relation could not be established.

1- Medical Complaints of the Applicants

All of the 675 applicants of the year 2005 had physical or psychological complaints. Totally, 6702 complaints had been diagnosed.

The most common among psychological complaints are those related to sleeping disorders and appear in more than 1/3 of the applicants (239 people). The most common physical complaint is headache (177 people). The most common 10 physical and psychological complaints are presented in Tables 21 and 22.

Table 21. The distribution of the applicants to the HRFT Treatment and Rehabilitation Centres in the year 2005 according to the frequency of their physical complaints

| 10 Most Common Physical Complaints | Number of Complaints | Percentage of Applicants | Percentage of Physical Complaints | Percentage of All Complaints |
|--|----------------------|--------------------------|-----------------------------------|------------------------------|
| Headache | 177 | 26,2 | 5,3 | 3,4 |
| Stomachache | 158 | 23,4 | 4,7 | 3,0 |
| Visual impairment | 121 | 17,9 | 3,6 | 2,3 |
| Low back pain | 107 | 15,9 | 3,2 | 2,0 |
| Discoloration of the skin | 88 | 13,0 | 2,6 | 1,7 |
| Fatigue, weakness | 88 | 13,0 | 2,6 | 1,7 |
| Indigestion | 88 | 13,0 | 2,6 | 1,7 |
| Prickle | 79 | 11,7 | 2,4 | 1,5 |
| Low back pain together with pain in legs | 77 | 11,4 | 2,3 | 1,5 |
| Back pain | 74 | 11,0 | 2,2 | 1,4 |
| Other physical complaints | 2295 | - | 68,5 | 43,9 |
| Total | 3352 | - | 100 | 64,1 |

2- Findings of the physical examinations

The total number of physical findings amount to 2133, as regards the distribution of which according to systems, it appears that findings in connection with the oro-dental system (25,1%), musculoskeletal system (22,4%) and dermatological findings (18,3%) are the most common (Table 23).

Table 22. The distribution of the applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to the frequency of their psychological complaints

| 10 Most Common Psychological Complaints | Number of Complaints | Percentage of Applicants | Percentage of Psychological Complaints | Percentage of All Complaints |
|--|-----------------------------|---------------------------------|---|-------------------------------------|
| Amnesia | 239 | 35,4 | 10,4 | 4,6 |
| Sleeping disorders | 223 | 33,0 | 9,7 | 4,3 |
| Anxiety | 208 | 30,8 | 9,0 | 4,0 |
| Irritability | 205 | 30,4 | 8,9 | 3,9 |
| Concentration difficulties | 194 | 28,7 | 8,4 | 3,7 |
| Feelings of detachment from others | 158 | 23,4 | 6,9 | 3,0 |
| Flashbacks | 120 | 17,8 | 5,2 | 2,3 |
| No enjoyment of life | 105 | 15,6 | 4,6 | 2,0 |
| Urge to weep | 102 | 15,1 | 4,4 | 2,0 |
| Nightmares | 89 | 13,2 | 3,9 | 1,7 |
| Other psychological complaints | 233 | - | 10,1 | 4,5 |
| Total | 1876 | - | 81,4 | 35,9 |

Table 23. The distribution of the applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to the physical findings of the medical examinations

| Systems | Number of Findings | % |
|-----------------------|---------------------------|--------------|
| Oro-Dental | 536 | 25,1 |
| Musculoskeletal | 477 | 22,4 |
| Dermatological | 390 | 18,3 |
| Digestive | 219 | 10,3 |
| Ear, Nose and Throat | 191 | 9,0 |
| Urogenital | 109 | 5,1 |
| Ophthalmological | 60 | 2,8 |
| Respiratory | 56 | 2,6 |
| Neurological | 54 | 2,5 |
| Cardiovascular | 28 | 1,3 |
| Endocrinological | 8 | 0,4 |
| Visual disabilities | 3 | 0,1 |
| Auditory disabilities | 2 | 0,1 |
| Total | 2133 | 100,0 |

Missing teeth (24,9%), and Muscular pain and sensitivity (16,7%) are the most common physical findings. The most common 10 findings are presented in Table 24.

Table 24. The distribution of the applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to their physical findings

| The Distribution of the Most Common 10 Findings and Other Findings | Number of Findings | Percentage of Applicants | Percentage of all Physical Findings |
|---|---------------------------|---------------------------------|--|
| Missing teeth | 168 | 24,9 | 7,9 |
| Muscular pain and sensitivity | 113 | 16,7 | 5,3 |
| Epigastric sensitivity | 103 | 15,3 | 4,8 |
| Ecchymosis on the skin | 92 | 13,6 | 4,3 |
| Scar tissue | 88 | 13,0 | 4,1 |
| Dental discoloration | 82 | 12,1 | 3,8 |
| Filled teeth | 78 | 11,6 | 3,7 |
| Tooth decay | 66 | 9,8 | 3,1 |
| Dental plaque | 58 | 8,6 | 2,7 |
| Periodontal disease | 55 | 8,1 | 2,6 |
| Other physical findings | 1230 | - | 57,7 |
| Total | 2133 | - | 100,0 |

3- Psychiatric Symptoms and Findings:

310 of the applicants (47,3%) had an interview with a psychiatrist. The interviews with these applicants revealed psychiatric symptoms and findings in 290 people. Regarding the distribution of these symptoms and findings, it appears that more than half of the applicants had anxiety, difficulties in falling or staying asleep, concentration difficulties, memory impairment and irritability and/or a lower reaction threshold. Psychological symptoms and findings observed in 10 and more of the 319 applicants are presented in Table 25.

4- Diagnosis:

The evaluation of the diagnosis on the applicants involved 615 applicants, who were diagnosed till the end of the year 2005. Regarding the 198 different diagnosis, it appears that soft tissue injury was the most common among physical diagnosis (125 people, 18,5%), while posttraumatic stress disorder was the most common among psychiatric diagnosis (142 people, 21,0%). The most common 10 psychiatric diagnoses and their frequency among the 880 applicants who have been diagnosed, are presented in the tables 26 and 27.

Table 25. The distribution of the applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to their psychological symptoms and findings

| Psychological Symptoms and Findings Observed in at Least 10 of the Applicants | Number of Symptoms and Findings | Percentage of Applicants Who Were Examined by a Psychiatrist | Percentage Among Psychiatric Symptoms and Findings |
|--|--|---|---|
| Anxiety | 202 | 29,9 | 6,6 |
| Concentration difficulties | 187 | 27,7 | 6,1 |
| Difficulty in falling or staying asleep | 187 | 27,7 | 6,1 |
| Memory impairment | 169 | 25,0 | 5,5 |
| Irritability and/or outburst of anger | 164 | 24,3 | 5,4 |
| Intense psychological distress at exposure to stimuli associated with the trauma | 129 | 19,1 | 4,2 |
| Feelings of detachment from others | 128 | 18,9 | 4,2 |
| Increase or decrease in sleep duration | 120 | 17,8 | 3,9 |
| Fatigue/weakness | 116 | 17,2 | 3,8 |
| Intense physiological reactions to stimuli associated with the trauma | 115 | 17,0 | 3,8 |
| Markedly diminished interest or participation in significant events | 102 | 15,1 | 3,3 |
| Sense of foreshortened future | 94 | 13,9 | 3,1 |
| Hypervigilance | 92 | 13,6 | 3,0 |
| Recurrent and intrusive distressing recollections of the traumatic event | 87 | 12,9 | 2,9 |
| Depressive affect | 85 | 12,6 | 2,8 |
| Exaggerated startle response | 81 | 12,0 | 2,7 |
| Recurrent distressing dreams of the event | 80 | 11,9 | 2,6 |
| Efforts to avoid activities, places or people that arouse recollection of the trauma | 76 | 11,3 | 2,5 |
| Flashback experiences and acting or feeling as if the traumatic event were recurring | 72 | 10,7 | 2,4 |
| Responses of intense fear, helplessness or horror to the traumatic events experienced or witnessed | 71 | 10,5 | 2,3 |
| Changes in appetite/weight (increase or decrease) | 69 | 10,2 | 2,3 |
| Efforts to avoid thoughts, feelings or conversations associated with the trauma | 69 | 10,2 | 2,3 |
| Agitation (irritability, hyperactivity) | 66 | 9,8 | 2,2 |
| Diminished psychomotor activity | 59 | 8,7 | 1,9 |
| Restricted range of affect (blunted affect) | 55 | 8,1 | 1,8 |
| Decrease in sexual interest | 44 | 6,5 | 1,4 |
| Depressive mood | 27 | 4,0 | 0,9 |
| Suicidal thoughts or attempt | 27 | 4,0 | 0,9 |
| Obsession | 27 | 4,0 | 0,9 |
| Not being to remember significant parts of the trauma | 27 | 4,0 | 0,9 |
| Dysphoria | 20 | 3,0 | 0,7 |
| Dysphoric mood | 20 | 3,0 | 0,7 |
| Compulsion | 17 | 2,5 | 0,6 |
| Delusion | 14 | 2,1 | 0,5 |
| Other psychiatric symptoms | 10 | 1,5 | 0,3 |
| Other psychiatric findings | 144 | 21,3 | 4,7 |
| Total | 3052 | | 100,0 |

Table 26. The distribution of the applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to their physical diagnoses

| The 10 Most Common Physical Diagnosis | Number of Applicants | % |
|---------------------------------------|----------------------|------|
| Soft tissue injury | 125 | 21,0 |
| Gastritis | 64 | 11,3 |
| Myalgia | 58 | 5,9 |
| Lumbar disk disorder | 48 | 2,7 |
| Lumbar strain | 24 | 1,9 |
| Servical strain | 19 | 1,8 |
| Infection of the urinary system | 19 | 1,3 |
| Lumbar strain | 18 | 1,0 |
| Cut or bruises on the skin | 15 | 0,6 |
| Hemorrhoid | 15 | 0,4 |

Table 27. The distribution of the applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to their psychiatric diagnoses

| The 10 Most Common Physical Diagnosis | Number of Applicants | % |
|---------------------------------------|----------------------|------|
| PTSD (chronic) | 142 | 21,0 |
| Major depressive disorder | 76 | 11,3 |
| Adjustment disorder | 40 | 5,9 |
| Generalized anxiety disorder | 18 | 2,7 |
| Obsessive compulsive disorder | 13 | 1,9 |
| PTSD (acute) | 12 | 1,8 |
| Acute stress disorder | 9 | 1,3 |
| Dystimic disorder | 7 | 1,0 |
| Sleep disorders | 4 | 0,6 |
| Social anxiety disorders | 3 | 0,4 |

When the relation between the diagnosis and the torture experienced by the applicant is examined, while disregarding such diagnoses as were not related to the trauma, it appears that in 41,7% of all diagnoses related to the trauma, the torture period was regarded as the only etiological factor, in 38,2% of the cases it was regarded as one of the etiological factors, while in 20,1% of the cases it aggravated or inflamed the pathological situation.

Out of the 675 applicants in the year 2005, no disorder connected to the torture and trauma period could be found in 55 of the applicants (8,1%).

D- TREATMENT AND REHABILITATION PROCESS

This chapter includes the treatment and rehabilitation services provided in the HRFT Treatment and Rehabilitation Centers and their results.

1- Applied Treatment Methods

As regards the treatment methods applied on a total number of 675 applicants, it appears that 495 of them were given medication other than psychoactive drugs (73,6%), that 242 people (35,9%) were given psychoactive medicines; 110 people (16,3%) people were given an exercise programme and 35 people (5,2%) were given physical treatment, 55 people (8,1%) received psychotherapy while 8 people (1,2%) were treated surgically. The distribution of the treatment methods used is presented in Table 28.

Table 28. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to the treatment methods applied

| Applied Treatment Methods | Number of Applicants | % |
|--|----------------------|-------------|
| Medication | 495 | 73,3 |
| Psychoactive medication | 242 | 35,9 |
| Recommendations on daily life | 230 | 34,1 |
| Exercises | 110 | 16,3 |
| Psychotherapy | 55 | 8,1 |
| Physical treatment | 35 | 5,2 |
| Orthopedic implements (Orthesis, crutches, sole support, etc.) | 15 | 2,2 |
| Surgical treatment | 8 | 1,2 |
| Eye glasses | 6 | 0,9 |
| Dental treatment | 2 | 0,3 |
| Other | 1 | 0,1 |
| Total | 1199 | 1,8* |

**The average number of treatment methods applied on one applicant.*

2- Results of the Treatment and Rehabilitation Applicants:

The results of the applied treatment and rehabilitation methods to the applicants to our Treatment and Rehabilitation Centers are presented in Table 29.

Table 29. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to the results of physical treatment

| Results of the Physical Treatment | Number of Applicants |
|--|----------------------|
| The treatment was completed | 303 |
| No disorder was detected related to torture or prison experience | 140 |
| The treatment continues | 77 |
| The treatment was discontinued | 75 |
| The treatment was discontinued without a diagnosis | 54 |
| The diagnostic stage continues | 13 |
| Total | 662 |

The results of psychiatric treatment processes applied to applicants to our Treatment and Rehabilitation Centers are presented in Table 30.

Table 30. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 according to the results of psychological treatment

| Results of the Psychological Treatment | Number of Applicants |
|--|-----------------------------|
| The treatment was discontinued | 110 |
| The treatment continues | 81 |
| The treatment was completed | 76 |
| The applicant did not want psychiatric treatment | 41 |
| No disorder was detected related to torture or prison experience | 37 |
| The applicant did not appear at the first appointment | 28 |
| The treatment was discontinued without diagnosis | 12 |
| The diagnostic stage continues | 4 |
| The psychological treatment of the applicant was undertaken by the physician working in the Centre | 5 |
| Total | 394 |

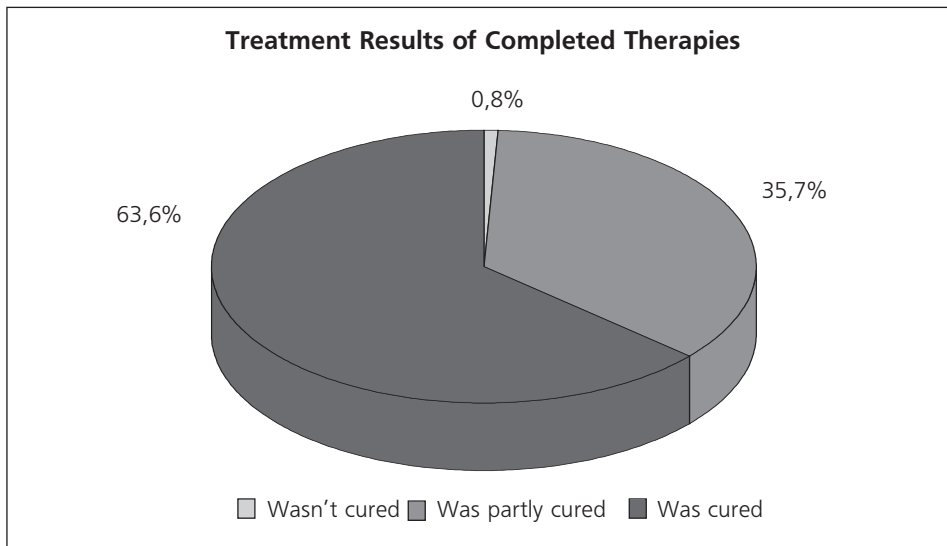
The progress of the treatment and rehabilitation stages of all the applicants in 2005 till the end of the year is presented in Table 31.

Table 31. The results of the physical and psychiatric treatment stages of the applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005

| Progress of the Files | Number of Applicants |
|---|-----------------------------|
| The treatment was completed | 258 |
| The treatment continues | 134 |
| The treatment was discontinued | 162 |
| The treatment was discontinued without diagnosis | 55 |
| No illness was detected in connection with torture or prison experience | 55 |
| The diagnostic stage continues | 11 |
| Total | 675 |

154 of the 258 applicants, whose treatments were completed in the year 2005, were cured completely, while 92 were partly cured (Graphic 8).

Graphic 8. The distribution of the applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005, whose treatments were completed, according to the treatment results



II- EVALUATION OF THE APPLICANTS WHO WERE SUBJECTED TO TORTURE AND ILL-TREATMENT IN DETENTION IN THE YEAR 2005

This section contains a separate evaluation of the social and demographic characteristics, the information obtained on the process of torture and the medical evaluations of the 193 people among the applicants to the HRFT in the year 2005, who stated to have been subjected to torture in detention in the same year.

Information on when the applicants were last subjected to torture, provides an objective criterion with regard to the claims that torture still continues to be applied systematically.

A- SOCIAL AND DEMOGRAPHIC CHARACTERISTICS

1- Age and Sex

The age of the applicants varies between 14 and 72. The average age of the applicants is $29,5 \pm 9,6$. 11 applicants were at the age of 18 years or younger (5,6%). As stated in the first section and regarding the proportion of people under 18 years experiencing torture, this figure seems to be more realistic.

According to the current laws, the security forces have not the authority for taking children into custody and taking statement. Although special units were founded to fulfill these functions in provinces, and there have been legal arrangements that the statements must be taken by the public prosecutor, a great many problems in implementation are still going on. To solve such problems, new legal arrangements should be implemented and sanctions should be strengthened.

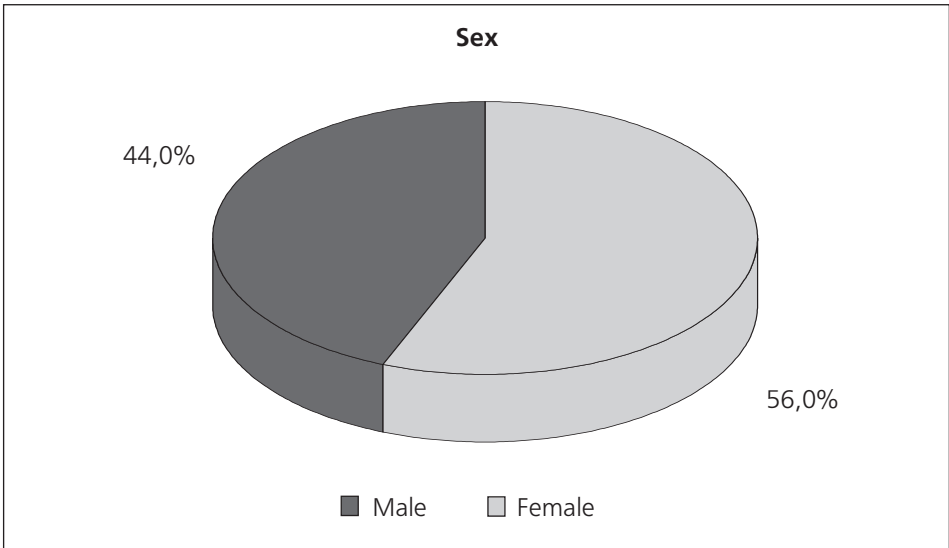
The distribution of the applicants according to age is presented in table 32.

Table 32. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year, according to their age

| Age Group | Number of applicants | % |
|--------------|----------------------|--------------|
| 0-18 | 11 | 5,7 |
| 19-25 | 68 | 35,2 |
| 26-30 | 40 | 20,7 |
| 31-35 | 35 | 18,1 |
| 36-40 | 15 | 7,8 |
| 41-45 | 9 | 4,7 |
| 46 and over | 15 | 7,8 |
| Total | 193 | 100,0 |

108 of the applicants were male (56%) while 85 were female (44%) (Graphic 9).

Graphic 9. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year, according to sex

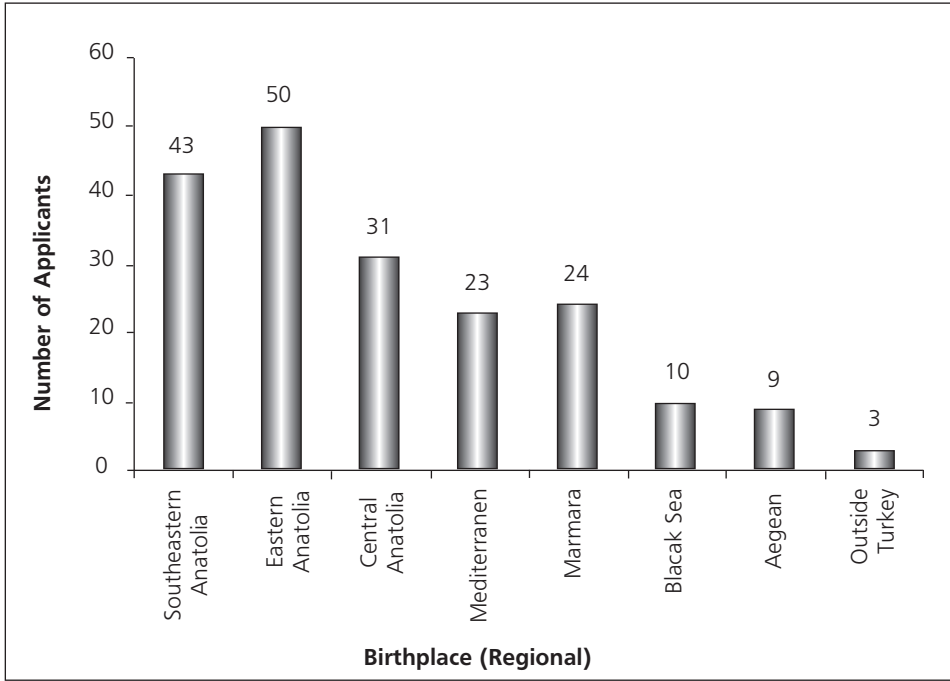


It should be observed that the proportion of women, who have been subjected to torture during the year, is higher than that of the proportion of women in the total number of applications in the year 2005. This indicates a fact that women apply mainly to our centers in acute period.

2- Place of Birth

More than 2/5 of the applicants were born in the Eastern and Southeastern Anatolian Regions, while those born in the Black Sea and Marmara Regions are the third and fourth most common. The distribution of the applicants according to their birthplace is presented in Graphic 10.

Graphic 10. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year, according to their birthplace



When cities are taken as the units of places of birth, it becomes apparent, that most applicants were born in Istanbul (21 people, 10,9%), Diyarbakir (17 people, 8,8%), Tunceli (12, 6,2%), Sivas (11 people, 5,7%) and Adana (8 people, 4,1%).

3- Education Level and Employment Status

96 (49,7 %) of the applicants graduated from secondary school or high school, 58 (30,1%) graduated from primary school or are literate, while 22 (11,4%) graduated or dropped out of university. 17 (8,8%) of the applicants were illiterate. A more detailed distribution of the education level of the applicants is provided in Table 33.

Regarding the employment status of the applicants, it appears that 70 people (36,3%) were unemployed, 23 people (11,9%) were housewife, 19 people (9,8%) were industrial worker in the private sector, 17 people (8,8%) were university students, while 4 people (2,1%) were students of primary or secondary schools. There were also 4 members of the press (2,1 %) among the applicants.

Table 33. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year, according to their education level

| Education Level | Number of Applicants | % |
|-----------------------------|----------------------|--------------|
| Illiterate | 17 | 8,8 |
| Literate | 11 | 5,7 |
| Primary School | 47 | 24,4 |
| Secondary School | 38 | 19,7 |
| Highschool | 58 | 30,1 |
| College-University Drop Out | 9 | 4,7 |
| College-University | 13 | 6,7 |
| Total | 193 | 100,0 |

It should be observed that the ratio of unemployed torture survivors is considerably lower than the ratio of the total of the applicants in the year 2005. This issue points to the gravity of the problem of unemployment among applicants who were imprisoned for a long time. The employment status of the applicants is presented in more detail in Table 34.

Table 34. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year, according to employment status

| Employment or Profession | Number of Applicants | % |
|---|----------------------|--------------|
| Unemployed | 70 | 36,3 |
| Housewife | 23 | 11,9 |
| Industrial worker in the private sector | 19 | 9,8 |
| University Student | 17 | 8,8 |
| Office craft in the private sector (secretary, bank clerk etc.) | 12 | 6,2 |
| Employed in an NGO | 10 | 5,2 |
| Tradesmen (working in a shop or office of their own) | 8 | 4,1 |
| Artist | 6 | 3,1 |
| Construction Worker | 5 | 2,6 |
| Journalist | 4 | 2,1 |
| Student of primary or secondary schools | 4 | 2,1 |
| Pedlar | 4 | 2,1 |
| Industrial worker in the public sector | 3 | 1,6 |
| Teacher | 3 | 1,6 |
| Professional in an NGO | 3 | 1,6 |
| Farmer | 2 | 1,0 |
| Total | 193 | 100,0 |

B- PROCESS OF TORTURE

Among the people who applied to the HRFT in 2005 because of torture and ill-treatment, 193 people were such as were subjected to torture while in detention in 2005. Although 199 out of all applicants were subjected to torture in the year 2005, those 6 who were last tortured in prisons were not included in the evaluation. Only such information as was obtained from the 193 applicants, who were tortured while in detention was included in the evaluation.

1- Process of Detention and Torture

Of the applicants, who were subjected to torture in detention in 2005, 168 (87,0%) stated that they were tortured because of political reasons, while 24 people (12,4%) gave ordinary offences as the cause of torture.

As the ratio of tortured applicants, taken into detention because of ordinary offences of the total applicants in 2005 amounted to 5,2%, the fact that the percentage of torture survivors, who were charged with ordinary offences is 12,4%, suggests that people facing problems because of ordinary offences tend to apply to our Centers more often today. Reasons for this increase might be that the HRFT is better known in public, that there is a relative increase in the tendency of individuals to seek justice and especially the rise in the efforts of bar associations and human rights organizations towards torture survivors.

As regards the duration of the most recent detention of the applicants, it appears that 136 people (70,5%) remained in detention for less than 24 hours, while 43 people (22,3%) remained in detention between 24-48 hours. The duration of the detention of 2 people (1,0%) was between 16-30 days. These two people were subjected to torture in the detention experienced outside of Turkey. The need to shorten the detention periods to prevent torture is a fact we have expressed for years. However, the security forces, thus, develop new implementations. One of them is the increasing informal detentions. The figures in relation to this implementation are presented below. Furthermore, as regarded in international statements, the detention period starts as soon as a person is detained. However, the security forces generally start this duration after recorded the case in the detention center. The actions taking place in between the detention and the detention center are evaluated as evaluated as resistance to security forces. And these people are sued due to the resistance to the security forces.

The distribution of the duration of the most recent detentions is presented in Table 35.

Table 35. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year, according to the duration of their most recent detentions

| Duration of Most Recent Detention | Number of Applicants | % |
|--|-----------------------------|--------------|
| Less than 24 hours | 136 | 70,5 |
| 24-48 hours | 43 | 22,3 |
| 49-72 hours | 11 | 5,7 |
| 73-96 hours | 1 | 0,5 |
| 16-30 days | 2 | 1,0 |
| Total | 193 | 100,0 |

As regards the places where the applicants were taken into detention, it appears that 165 people (85,5%) were outdoors. The distribution of the places, where the applicants were last taken into detention is presented in Table 36.

Table 36. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year, according to the place of their most recent arrest

| Place of Most Recent Arrest | Number of Applicants | % |
|---|-----------------------------|--------------|
| Outdoors | 165 | 85,5 |
| Public office | 5 | 2,6 |
| Organisation (NGO office, press offices, etc) | 2 | 1,0 |
| Home | 17 | 8,8 |
| Work place | 4 | 2,1 |
| Total | 193 | 100,0 |

As regards the place where the applicants were tortured during their last detention periods, it appears that 90 people (46,6%) were outdoors, 50 people (25,9%) were in police departments, while 27 people (14,0%) were tortured in police stations.

It is significant, that there is a remarkable increase in the subjection of a major part of our applicants to torture and ill-treatment outdoors. The most important characteristics of such places are that practices in questions are not recorded. This situation indicates that the real numbers of the practices in question are in reality quite high, while it also demonstrates how arbitrarily people may be detained. Furthermore, it indicates that violence is turning into a systematical method. Since such incidents, including the treatment of people in vehicles, unofficial detentions and abductions, are not recognized by officials, it becomes impossible to take legal action against the responsible officers.

On the other hand, although a decline is observed, the ratio of the Security Centers including special branches is still high. The distribution of the applicants according to the place where they were tortured is presented in Table 37.

Table 37. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year according to the place of most recent torture in detention

| Place of Most Recent Torture in Detention | Number of Applicants | % |
|---|----------------------|--------------|
| Outdoors | 90 | 46,6 |
| Security centre | 50 | 25,9 |
| Police station | 27 | 14,0 |
| Police car | 8 | 4,1 |
| Gendarmerie headquarters | 4 | 2,1 |
| Gendarmerie station | 12 | 6,2 |
| Not known/not remembered | 2 | 1,0 |
| Total | 193 | 100,0 |

As regards the regions in which the applicants were last subjected to torture, it appears that the most common region is the Marmara region, followed by the Mediterranean and Aegean regions (Table 38).

Table 38. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year according to the regions in which they last experienced torture

| Region of Most Recent Torture | Number of Applicants | % |
|-------------------------------|----------------------|--------------|
| Marmara | 106 | 54,9 |
| Mediterranean | 37 | 19,2 |
| Aegean | 28 | 14,5 |
| Southeastern Anatolia | 9 | 4,7 |
| Central Anatolia | 10 | 5,2 |
| Eastern Anatolia | 1 | 0,5 |
| Abroad | 2 | 1,0 |
| Total | 193 | 100,0 |

Regarding the cities in which the applicants were last subjected to torture, it appears that Istanbul, Adana, Izmir, Ankara and Diyarbakır take up the first places. The distribution of the applicants according to the cities in which they experienced torture in detention is presented for the first twenty cities in Table 39.

Table 39. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year according to the cities in which the applicants where last subjected to torture

| City of Most Recent Torture | Number of Applicants | % |
|-----------------------------|----------------------|--------------|
| İstanbul | 105 | 54,4 |
| Adana | 35 | 18,1 |
| İzmir | 22 | 11,4 |
| Ankara | 10 | 5,2 |
| Manisa | 6 | 3,1 |
| Diyarbakır | 4 | 2,1 |
| Şırnak | 3 | 1,6 |
| Batman | 2 | 1,0 |
| Mersin | 2 | 1,0 |
| Erzincan | 1 | 0,5 |
| Kocaeli | 1 | 0,5 |
| Abroad | 2 | 1,0 |
| Total | 193 | 100,0 |

Regarding in more detail the centers in which torture was applied, it appears that the Anti-Terror Branch (ATB) in Adana is regarded as the intensity of cases (22 people, 11,4%). Additionally, ATB's in Ankara, İstanbul and Diyarbakır reflects a similar condition. İstanbul Beyoglu, Kadikoy Iskele, and Umraniye Police Station and İzmir Urkmez Gendarmerie Station spring to eye.

The distribution of the torture methods which the applicants were subjected to during their last detention is presented in Table 40.

Along with the high level of beating and insulting cases, the decline in other methods draws attention. Declining detention periods, easy access to lawyer and relatives might be regarded as the reasons for this decline.

Table 40. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year according to the methods of torture

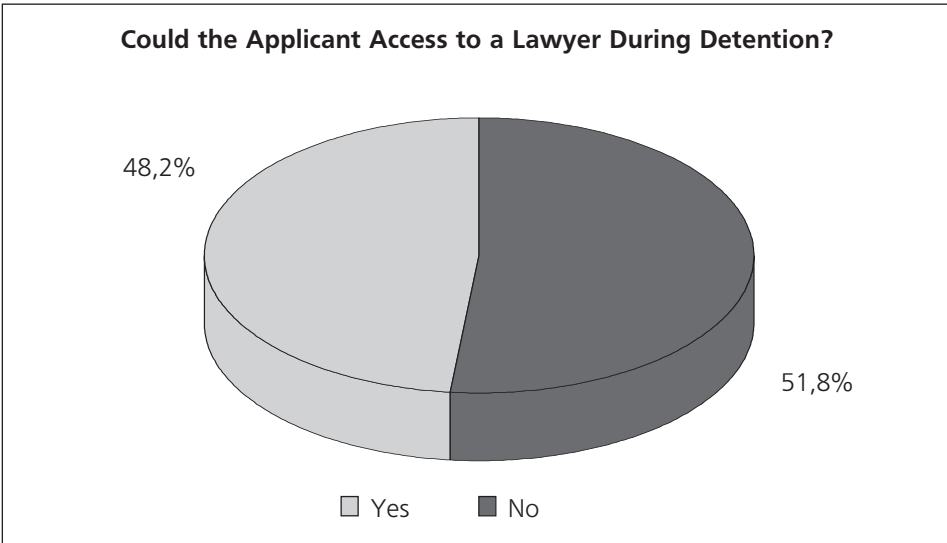
| Method of Torture | Number of Applicant | % |
|--|---------------------|-------------|
| Beating | 168 | 87,0 |
| Insulting | 150 | 77,7 |
| Humiliating | 65 | 33,7 |
| Subjecting to chemical substances | 62 | 32,1 |
| Other threats against the person | 59 | 30,6 |
| Forcing to obey nonsensical orders | 35 | 18,1 |
| Other positional torture methods | 27 | 14,0 |
| Forcing to witness torture (auditory/visual) | 27 | 14,0 |
| Continuously hitting on one part of the body | 24 | 12,4 |
| Forcing to extensive physical activity | 22 | 11,4 |
| Restricting food and water | 21 | 10,9 |
| Death threats | 20 | 10,4 |
| Restricting defecation and urination | 17 | 8,8 |
| Sexual harassment | 16 | 8,3 |
| Verbal sexual harassment | 14 | 7,3 |
| Forcing to wait on cold floor | 13 | 6,7 |
| Pulling out hair/moustache/beard | 12 | 6,2 |
| Threats against relatives | 12 | 6,2 |
| Torturing in the presence of relatives and friends | 11 | 5,7 |
| Restricting sleep | 10 | 5,2 |
| Cell isolation | 9 | 4,7 |
| Physical sexual harassment | 7 | 3,6 |
| Stripping naked | 7 | 3,6 |
| Blindfolding | 6 | 3,1 |
| Other | 4 | 2,1 |
| Squeezing testicles | 3 | 1,6 |
| Strangling | 2 | 1,0 |
| Asking to act as an informer | 1 | 0,5 |
| Suspending on a hanger | 1 | 0,5 |
| Pressurized/cold water | 1 | 0,5 |
| Suspending or crucifying | 1 | 0,5 |
| Electricity | 1 | 0,5 |
| Falanga | 1 | 0,5 |
| Preventing conversation | 1 | 0,5 |
| Forcing to listen to marches or high volume music | 1 | 0,5 |
| Mock execution | 1 | 0,5 |
| Total | 832 | 4,3* |

*The average number of torture methods a person was subjected to.

2- Legal Procedures During and After Detention

93 (48,2%) of the applicants stated that they were able to have an interview with a lawyer during their detention. Compared to the years before, there is an increase in the access to legal services. Also, when only recorded cases are taken into consideration, this ratio is regarded more than actual one. However, it is clear that this ratio cannot reach 100%. Providing access to lawyer is of crucial importance to prevent torture.

Graphic 11. The distribution of applicants to the HRFT Treatment and Rehabilitation Centres in the year 2005 who were subjected to torture in said year according to their access to a lawyer



The number of applicants who were set free without charges and without facing prosecutor is 95 (49,2%). 62 applicants (32,1%) were set free by the prosecution office or the court. The cases against 8 applicants (4,1%) resulted in prison sentences while the trials of 75 applicants (38,9%) still continue (Tables 41 and 42)

Table 41. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture according to their situation after detention

| Situation After Most Recent Detention | Number of Applicants | % |
|---|----------------------|--------------|
| Was set free without facing prosecutor | 95 | 49,2 |
| Was set free by prosecution office or court | 62 | 32,1 |
| Was arrested | 36 | 18,7 |
| Total | 193 | 100,0 |

Table 42. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture according to the process of their trial after their last detention

| Trial Process After Last Detention | Number of Applicants | % |
|--|----------------------|--------------|
| Applicant was not tried | 77 | 39,9 |
| Applicant was charged, the trial continues | 75 | 38,9 |
| Not known whether there is a trial | 31 | 16,1 |
| Applicant was tried, result unknown | 1 | 0,5 |
| Applicant was tried and convicted | 8 | 4,1 |
| Applicant was tried and acquitted | 1 | 0,5 |
| Total | 193 | 100,0 |

The fact that a very large part of our applicants was set free without even facing the prosecutor demonstrates how arbitrarily people may be detained and that this practice itself is used as a penalty.

On the other hand, information on the legal process of cases, which begin with detention is important with regard to discussions on the legal system.

The number of applicants whom was referred to a health institute for forensic examination by public officials according to legislations in force is 121 (62,7%) (Graphic 12).

More than half of these 121 applicants (68 people, 56,2%) were examined in hospitals or health centers, while 51 people (42,1%) were examined in the branches of Forensic Medicine Institute (Table 43). Furthermore, 19 people state that they provided themselves with forensic reports on their own initiative.

Graphic 12. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year according to whether they were referred for a forensic report by public officials

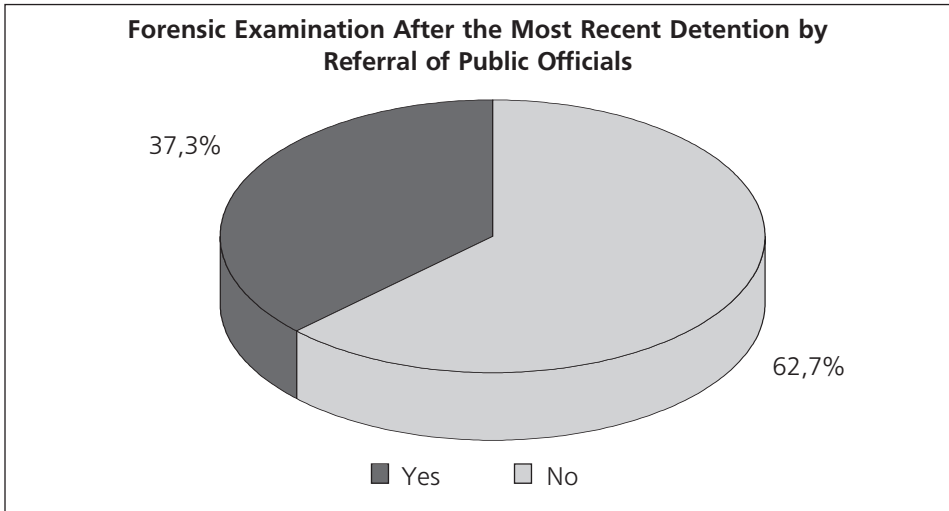


Table 43. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year according to their place of forensic medical examination after their most recent detention

| Place of Forensic Medical Examination After Most Recent Detention | Number of Applicants | % |
|---|----------------------|--------------|
| Hospital | 57 | 47,1 |
| Health center | 11 | 9,1 |
| Branch of Forensic Medicine Institute | 51 | 42,1 |
| Not known/not remembered | 2 | 1,7 |
| Total | 121 | 100,7 |

As regards the statements of the 121 applicants who underwent forensic medical examination after detention, approximately 2/3 or the applicants reported that the security forces were taken out of the room during the forensic medical examination (73 people, 60,3%), that the forensic doctor took note of their complaints (88 people, 72,7%), that the forensic doctor provided himself with the anamnesis of the applicants (83 people, 68,6%) and that he/she wrote a report in accordance with the findings (64 people, 52,9%), while around 1/3 of the applicants (46 people, 38,0%) stated that the forensic doctor examined as he ought to have (Table 44).

Table 44. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year according to their

| Evaluation of Forensic Examination | Yes | % | No | % | Not known Not remembered | % | Total | % |
|--|------------|----------|-----------|----------|-------------------------------------|----------|--------------|----------|
| Were the security forces taken out of the room during the forensic medical examination | 73 | 60,3 | 45 | 37,2 | 3 | 2,5 | 121 | 100,0 |
| Did the forensic doctor take note of the complaints? | 88 | 72,7 | 31 | 25,6 | 2 | 1,7 | 121 | 100,0 |
| Did the forensic doctor provide himself with the anamnesis of the patient? | 83 | 68,6 | 36 | 29,8 | 2 | 1,7 | 121 | 100,0 |
| Did the forensic doctor examine as he ought to | 64 | 52,9 | 53 | 43,8 | 4 | 3,3 | 121 | 100,0 |
| Did the forensic doctor write a report that was in accordance with the findings | 46 | 38,0 | 34 | 28,1 | 41 | 33,9 | 121 | 100,0 |

However, it is apparent that such work aiming at the abolition of the deficiencies in question must be continued in a multi-dimensional manner. It is evident that forensic examination must be carried out in accordance with the guidelines and that the reports must be written in accordance with the findings if torture is to be avoided and officials using torture are to face penalties.

31 the applicants (16,1%) stated that they were subjected to torture during their interrogation in court or prosecution office and 35 people (18,1 %) made a claim to the prosecution office after detention period. Furthermore, 7 applicants made a claim to the prosecution office on the advice of the HRFT. 120 people (62,2%) people stated that they did not make any claim against security forces.

3- Imprisonment Phase

Among those applicants, who were tortured in detention, 58 people (30,1%) have been imprisoned at one point or other. The number of those who were imprisoned after their most recent detention is 36(18,7%). The duration of their stay in prison varies between 2 days and 7 months. The approximate duration is 2,2 months (Standard variation: 1,86, Median: 2 months).

C- MEDICAL EVALUATION

This chapter contains information on the health situation of the applicants, which was obtained by the anamnesis, physical examination and other tests, made by

physicians working in Centers together with consultants (psychiatrists, physiatrists, ophthalmologists, ENT experts etc) of the Treatment and Rehabilitation Centers.

1- Medical Complaints of the Applicants

All of the 193 applicants who were subjected to torture in detention, in the year 2005 had physical or psychological complaints.

The most common psychological complaints are those related to sleeping problems and appear in 1/5th of the applicants. The most common physical complaint is skin discoloration (57 people). The most common 10 physical and psychological complaints are presented in Tables 45 and 46.

Table 45. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year according to the frequency of their physical complaints

| 10 Most Common Physical Complaints | Number of Complaints | Percentage of Applicants | Percentage of Physical Complaints | Percentage of All Complaints |
|-------------------------------------|----------------------|--------------------------|-----------------------------------|------------------------------|
| Discoloration of skin | 57 | 29,5 | 7,9 | 5,7 |
| Headache | 49 | 25,4 | 6,8 | 4,9 |
| Swelling | 36 | 18,7 | 5,0 | 3,6 |
| Neck-arm pain | 33 | 17,1 | 4,6 | 3,3 |
| Backache | 26 | 13,5 | 3,6 | 2,6 |
| Neck pain | 26 | 13,5 | 3,6 | 2,6 |
| Abrasion of skin | 25 | 13,0 | 3,5 | 2,5 |
| Shoulder pain | 24 | 12,4 | 3,3 | 2,4 |
| Pain in hand and wrist | 23 | 11,9 | 3,2 | 2,3 |
| Back pain together with pain in leg | 20 | 10,4 | 2,8 | 2,0 |
| Other physical complaints | 402 | | 55,8 | 40,5 |
| Total | 721 | | 100,0 | 72,7 |

Table 46. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year according to the frequency of their psychological complaints

| 10 Most Common Psychological Complaints | Number of Complaints | Percentage of Applicants | Percentage of Psychological Complaints | Percentage of All Complaints |
|---|----------------------|--------------------------|--|------------------------------|
| Anxiety | 29 | 15,0 | 10,7 | 2,9 |
| Irritability | 26 | 13,5 | 9,6 | 2,6 |
| Sleeping problems | 25 | 13,0 | 9,2 | 2,5 |
| Concentration difficulties | 22 | 11,4 | 8,1 | 2,2 |
| Amnesia | 21 | 10,9 | 7,7 | 2,1 |
| Urge to weep | 19 | 9,8 | 7,0 | 1,9 |
| Feelings of detachment from others | 16 | 8,3 | 5,9 | 1,6 |
| No enjoyment of life | 13 | 6,7 | 4,8 | 1,3 |
| Nightmares | 13 | 6,7 | 4,8 | 1,3 |
| Flashbacks | 12 | 6,2 | 4,4 | 1,2 |
| Other psychological complaints | 75 | | 27,7 | 7,6 |
| Total | 271 | | 100,0 | 27,3 |

2- Findings of the physical examinations

As a result of physical examinations, 179 of the 193 applicants, who were subjected to torture in detention were observed to have physical disorders. The total number of findings are 531 and the findings in connection with the dermatological system were the most common (40,3 %). This was followed by muscoskeletal findings, (26,2%). (Table 47).

Table 47. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year, according to the physical findings

| Systems | Number of Findings | % |
|----------------------|--------------------|--------------|
| Dermatological | 214 | 40,3 |
| Musculoskeletal | 139 | 26,2 |
| Ear, Nose and Throat | 57 | 10,7 |
| Oro-dental | 41 | 7,7 |
| Ophthalmological | 26 | 4,9 |
| Urogenital | 22 | 4,1 |
| Digestive | 15 | 2,8 |
| Respiratory | 12 | 2,3 |
| Cardiovascular | 3 | 0,6 |
| Neurological | 2 | 0,4 |
| Total | 531 | 100,0 |

The most common physical findings are ecchymosis (45,6%) and muscular pain and sensitivity (34,2%). The distribution of the most common 10 findings and other findings is presented in Table 48.

Table 48. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year, according to the physical findings

| The Distribution of the Most Common 10 Findings and Other Findings | Number of Complaints | Percentage of Applicants | Percentage of All Physical Complaints |
|---|-----------------------------|---------------------------------|--|
| Ecchymosis on the skin | 88 | 45,6 | 16,6 |
| Muscular pain and sensitivity | 66 | 34,2 | 12,4 |
| Skin erosion | 35 | 18,1 | 6,6 |
| Edema | 33 | 17,1 | 6,2 |
| Crusted wound | 15 | 7,8 | 2,8 |
| Pain and restriction of the movements of ankles and toes | 14 | 7,3 | 2,6 |
| Pain and restriction of the movements of the neck | 13 | 6,7 | 2,4 |
| Scar tissue | 12 | 6,2 | 2,3 |
| Pain and restriction of the movements of the shoulders | 12 | 6,2 | 2,3 |
| Costovertebral sensitivity | 11 | 5,7 | 2,1 |
| Other psychical findings | 232 | | 43,7 |
| Total | 531 | | 100,0 |

The most common physical findings are dermatological and musculoskeletal ones. The most common findings are again related with these systems. The findings related with suspension, falanga, and electricity which was mostly diagnosed torture methods formerly does not take place. All these findings are related with dermatological and musculoskeletal systems which are exposed to trauma during beating. Authorities might claim that these findings occurred due to the resistance to security forces.

3- Psychiatric Symptoms and Findings:

29 of the applicants (15,0%) had an interview with a psychiatrist. The interviews with these applicants revealed psychiatric symptoms and findings. Regarding the distribution of these symptoms and findings, it appears that more than half of the applicants displayed anxiety, difficulties in falling or staying asleep, concentration difficulties and irritability and/or a lower reaction threshold. Psychiatric symptoms and findings observed in 10 and more of the 29 applicants are presented in Table 49.

Table 49. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year, according to their psychological symptoms and findings

| Psychological Symptoms and Findings Observed in at Least 10 of the Applicants | Number of Symptoms and Findings | Percentage of Applicants (n=193) | Percentage Among Psychological Symptoms and Findings |
|---|--|---|---|
| Anxiety | 28 | 14,5 | 6,2 |
| Difficulties in falling or staying asleep | 28 | 14,5 | 6,2 |
| Concentration difficulties | 23 | 11,9 | 5,1 |
| Intense vigilance | 21 | 10,9 | 4,7 |
| Irritability and/or outburst of anger | 21 | 10,9 | 4,7 |
| Increase or decrease in sleep duration | 21 | 10,9 | 4,7 |
| Memory impairment | 20 | 10,4 | 4,4 |
| Intense physiological reactions to stimuli associated with the trauma | 20 | 10,4 | 4,4 |
| Sense of detachment or estrangement from others | 18 | 9,3 | 4,0 |
| Recurrent distressing dreams of the event | 17 | 8,8 | 3,8 |
| Exaggerated startle response | 16 | 8,3 | 3,5 |
| Recurrent and intrusive distressing recollections of the traumatic event | 16 | 8,3 | 3,5 |
| Sense of foreshortened future | 15 | 7,8 | 3,3 |
| Markedly diminished interest or participation in significant events | 15 | 7,8 | 3,3 |
| Efforts to avoid activities, places or people that arouse recollection of the trauma | 15 | 7,8 | 3,3 |
| Efforts to avoid thoughts, feelings or conversations associated with the trauma | 15 | 7,8 | 3,3 |
| Fatigue/weakness | 15 | 7,8 | 3,3 |
| Changes in appetite/weight (increase or decrease) | 14 | 7,3 | 3,1 |
| Intense psychological distress at exposure to stimuli associated with the trauma | 14 | 7,3 | 3,1 |
| Response of intense fear, helplessness or horror to the traumatic events experienced or witnessed | 14 | 7,3 | 3,1 |
| Depressive affect | 12 | 6,2 | 2,7 |
| Flashback experiences and acting or feeling as if the traumatic event were recurring | 12 | 6,2 | 2,7 |
| Other psychological symptoms or findings | 61 | | 13,5 |
| Total | 451 | | 100,0 |

4- Diagnosis

The evaluation of the diagnosis involved 184 applicants, who were diagnosed till the end of the year 2005. Regarding the 77 different diagnoses, it appears that soft tissue injury was the most common among physical diagnosis (122 people, 63,2%), while acute stress disorder was the most common among psychiatric diagnoses (12 people, 6,2%). The most common 10 physical diagnosis, the psychiatric disorders diagnosed on two or more people their frequency among the 184 applicants who have been diagnosed, are presented in the tables 50 and 51.

Table 50. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year, according to the frequency of the most common physical diagnosis

| The 10 Most Common Physical Diagnosis | Number of Applicants | % |
|---------------------------------------|----------------------|------|
| Soft tissue trauma | 122 | 63,2 |
| Myalgia | 42 | 21,8 |
| Cuts or bruises on the skin | 14 | 7,3 |
| Gastritis | 8 | 4,1 |
| Bone fracture | 5 | 2,6 |
| Infections of the urinary system | 5 | 2,6 |
| Dermatitis | 3 | 1,6 |
| Pharengitis | 3 | 1,6 |
| Fracture of nasal bone | 3 | 1,6 |
| Traumatic conjunctivitis | 3 | 1,6 |

Table 51. The distribution of applicants to the HRFT Treatment and Rehabilitation Centers in the year 2005 who were subjected to torture in said year, according to the frequency of the most common psychiatric diagnosis

| Psychiatric Diagnosis Diagnosed on at Least Two People | Number of Applicants | % |
|--|----------------------|-----|
| PTSD (Acute) | 12 | 6,2 |
| Acute stress disorder | 9 | 4,7 |
| PTSD (Chronic) | 6 | 3,1 |
| Major depressive disorder | 6 | 3,1 |
| Generalized anxiety disorder | 3 | 1,6 |
| Obsessive compulsive disorder | 2 | 1,0 |

When the relation between the diagnosis and the torture experienced by the applicant is examined disregarding such diagnosis as not related to the trauma, it appears that in 65,7% of all diagnoses related to the trauma, the torture period was regarded as the only etiological factor, in 4,7% of the cases it was regarded as one of the factors, while in 13,4% of the cases it aggravated or inflamed the pathological situation. Out of the 193 applicants, who were subjected to torture in detention in the year 2005, no disorder connected to the torture and trauma period could be found in one of the applicants (2,0%).

EVALUATION and CONCLUSION

The main aim of the HRFT - an organization working on the prevention and abolition of torture - is to create a Turkey where nobody is put to torture.

It becomes evident that- unfortunately - despite some legal amendments made in our country, especially since 1999, it is evident that torture and other cruel, inhuman degrading treatments or punishments continue to exist today in a widespread and systematic manner.

It will be useful to evaluate and plan our study considering the fact that "torture and other cruel, inhuman or degrading treatment or punishment" regarding its types of existence and changes in its forms.

a- Some positive amendments have certainly materialized but the specific feature of this process is the lack of a sincere will as political will ahead considering absolute prevention of torture. To provide legal and administrative developments HRFT should become an intervening body and thus, the Treatment and Rehabilitation Centre Project depended on knowledge and concrete events should be activated.

b- Unfortunately, when need arises, a required amount of torture helps to reproduce violence and the culture of torture on a social level (The fact that the world was made witness to the torture cases in Guantanamo and Iraq could be regarded from this perspective).

c- Torture includes all kinds of violence against the personality of imprisoned people as a whole. This violence against individuals also functions as a way to reproduce violence in society. (One dimension of the violence in daily life should also be grounded on this level). Therefore the phenomenon of torture has significance beyond qualitative assessments, even though qualitative assessments are important.

- The percentage of the applicants who have been subjected to torture in the year in question is 27,8% and it regards a decline in comparison to previous years. However, it must also be reminded that the number of actual persons subjected to torture. And the torture continues to become existent beyond all qualitative assessments.

- There is an observable decline in the duration of detentions.

-There are observable differences in torture methods (there is a rise in common beating and psychological methods, while other, "classical" methods are in the decline).

-There is a 25,9% decline in the proportion of Security Centers (where special branches are on duty) among places where torture happens

-Nevertheless, the apparent rise in the places beyond official detention areas (such as places outdoors or vehicles) is important considering its results and also the tendencies in our country.

- Especially significant this year is the cases of torture after "abductions", which seem quite well prepared. These cases show that torture can and does happen, when some people or organization finds it necessary. This can doubtless be only the case in the suitable political setting.

- There is an observable rise in direct, common and systematic violence by security forces, especially during demonstrations, when the people are not taken into detention on purpose.

-Our work has shown that the proceedings in prisons in our country have an important role in reproducing violence and the culture of torture.

d- In our work with applicants released from prison this year (337 applicants in the year 2003, 404 in 2004, and 240 in 2005) we are unfortunately confronted by the results of the prison policy, especially in the past four years, besides and by means of chronic complaints

Among the applicants released from prison we face a profile very different from that of the years before. We are now acquainted first hand with the results of the prison methods based on isolation, which, up to now, we were expressing on a theoretical basis (The complaints and diagnosis of our applicants are extremely remarkable).

These practices, which started as a prototype in the F type prisons but are used more commonly, especially in some prisons, functions as a reproducer of the culture of torture inherent in isolation and violence in individuals as well as in society.

e- Therefore retrospective and prospective scientific work on isolation is planned. (The presentation on "isolation" in the International Trauma Meeting held on 1-4 December 2005) was a guiding one). Additionally, new meeting on isolation will be planned especially for the year 2007.

f- As psychological treatments of our applicants are getting more intensive, work in this area must be made more effective, as justified in the items c and d.

g- As we constantly expressed in recent years,

Intensifying inequalities in the world and the restrictions put by so called developed countries to mobility of people, followed by programmes to send refugees back to their own country, has formulated a weighted agenda on the problem of "refugees" for the works of treatment and rehabilitation.

As a crucial juncture for human trafficking, in our country, our approach towards the refugees who applied with the complaint of torture has also been reviewed.

The HRFT and the Treatment and Rehabilitation Centers of the HRFT, who make great efforts to prevent torture and at the same time work on the treatment of the health problems tortured people face, will continue to work determinedly to turn into reality the vision of a Turkey and a world, where such efforts will be needless.

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