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REPORT ON VIOLATIONS OF HUMAN RIGHTS, INCIDENTS, AND SITUATION IN İMRALI PRISON IN 2017

I. INTRODUCTION

Almost 1,5 years passed since coup-counter coup mechanics has changed into an administrative system through the State of Emergency, which has been declared on 20 July 2016. It has become a period that the principles of any democratic administration were neglected and fundamental rights and freedoms were suspended. Moreover, many rights were either restricted or even eliminated [by public authorities] in this period.

In this regard, all forms of communication such as visits by lawyers and relatives, sending and receiving letters were completely eliminated for our clients namely **Mr Abdullah Öcalan, Mr Hamili Yıldırım, Mr Veysi Aktaş and Mr Ömer Hayri Konar**, who are held at İmrالی Prison, in 2017. These practices go beyond one or several human rights violations and constitute an “Absolute Isolation” viz a form systematic torture. Thus, İmrالی Island Prison has become a place where the “Ban on Torture” is violated in all senses. Similarly, this situation raises questions whether the physical and psychological integrity of clients are protected or not.

II. APPLICATIONS FOR VISITS

All applications for lawyer visits were refused on various grounds since the last lawyer visit took place on 27 July 2011. All applications for visits by lawyers, which were submitted on every Wednesday and Friday during the last year, were refused on the grounds of 1st Judge of Execution in Bursa’s decision dated 21.07.2016 and No. 2016/56. Although all of our clients are verdicts that means Articles 114/2-3 and 115/1-b of Law No 5275 cannot be applied to them, the 1st Judge of Execution in Bursa delivered its decision on the basis of these articles. We appealed against this decision. Yet, in response to our appeal Article 6/d of the Emergency Decree Law No. 667—which was published later and is contrary to the principle of lawfulness in crime and punishment—has automatically become a legal ground for these restrictions. In accordance with the judgment, our clients are banned from exchanging letters, communicating with the outside world and receiving visitors during the *State of Emergency*. The clients are held in a prison on an island that is isolated. It is unacceptable the prisoners’ fundamental rights and freedoms are violated during the State of Emergency of which period is not predictable and well-defined. As a result of the judge decision in question, the arbitrariness and unlawfulness in regard to visits to İmrالی Prison blatantly continue. **100 applications for lawyer visits and 44 applications for family visits** were arbitrarily refused on the basis of the 1st Judge of Execution in Bursa. In fact, all of the clients except for Mr Öcalan have received no visits from their lawyers or family members since they were transferred to İmrالی Island Prison.

Apart from lawyers and relatives, a delegation composed of member of parliaments from different European countries, trade unionists, academics and human rights defenders requested an appointment from the Ministry of Justice. The delegation wanted to visit İmrالی Island Prison on 17-18-19 February yet no response was given to the request.



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On the occasion of Kurban Festive in 2017, an application for the visit was submitted to the Chief Public Prosecutor's Office in Bursa. The application requested for a visit at any time the Chief Public Prosecutor's Office deems suitable from 28 August to 4 September 2017. Yet, the Chief Public Prosecutor's Office gave a negative response to the request.

Since the isolation system has become permanent, several fake media reports on our client namely Mr Öcalan's situation. We are of the opinion that these media reports are produced for his political identity. On 13 October 2017, some websites published media reports on the life of Mr Öcalan. Right after these media reports, the Chief Public Prosecutor's Office in Bursa issued a press release that indicates these media reports were "fake." We think that the absolute isolation provides a suitable atmosphere to issue such media reports and they are not free from current political developments/incidents in our country and ambiguity resulting from the absolute isolation. Our application for a lawyer and family visit was refused, as in the past, though these speculations raised the concerns of the family members as well as lawyers. An application for lawyer visit was submitted to the Chief Public Prosecutor's Office in Bursa was submitted on 16 October 2017 yet the application was refused on the grounds of 1st Judge of Execution in Bursa's decision dated 21.07.2016 and No. 2016/56. Similarly, an application for a family visit was refused on the same grounds on 16 October 2017.

Lawyers and legal experts from different bar associations applied for a visit to Mr Öcalan who has been held under an exceptional execution regime in İmralı Prison. The execution regime has turned into İmralı Isolation Regime that systematically violates general legal rules, neglects moral values of the society, and ignores established principles. However, the application of 250 lawyers was **refused** by the Chief Public Prosecutor's Office on the grounds of 1st Judge of Execution in Bursa's decision dated 21.07.2016 and No. 2016/56.

On 16.10.2017, we requested an appointment from the Ministry of Justice to discuss the isolation system, which has become permanent now, in a detailed way and to get some information about the above-mentioned media reports. We requested an appointment with the Ministry of Justice because it has legal and political responsibilities for the elimination of the İmralı İsolation Regime. However, no response has been given by the Ministry until now. Similarly, no response has been given by the Ministry of Justice though we requested an appointment on 12.04.2017.

III. PROBLEMS RELATED TO EXERCISING COMMUNICATION RIGHTS

As known, the client-Mr. Abdullah Öcalan-received a visit from his lawyers for the last time on 27 July 2011. After the meeting with the HDP delegation on 5 April 2015, the last as well as the only visit, (from relatives) took place with on 11 September 2016. The last visit was allowed after about 50 Kurdish politicians went on hunger strike. There has been no contact with Mr Öcalan and other three clients since 11 September 2016. Neither letters nor faxes are allowed for the clients. Similarly, letters sent to them are not delivered in this period. Lawyers sent a letter on 2 June 2017 through the Chief Public Prosecutor's Office yet this letter was not delivered, either. The letter in question was written to get news from him as well as to update him on the pending case, which we submitted to the court upon his request, before the Administrative Court in Athens. We neither got a response to our letter



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nor have an official reply whether the letter was delivered to the client. The last letter was sent on 29 December 2017. It was written to update Mr Öcalan on his current legal situation but we have no idea whether it was delivered or not. Lawyers have no chance to visit the clients in the prison and there is no possibility of communication even through posts. Unlike thousands of other detainees and convicts, the clients in this prison have never been allowed to exercise weekly phone calls.

IV. EUROPEAN COMMITTEE FOR THE PREVENTION OF TORTURE AND INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT'S (CPT) POSITION

Lawyers keep the Council of Europe anti-torture Committee (CPT), which is an organ of the Council of Europe (Turkey is a member of CoE) and has the power to visit prisons in the member States and prepare reports on violations, updated on the issues related to the clients during the absolute torture period. The CPT's last visit to İmralı Prison took place on 28-29 April 2016. 21 months passed yet, unlike its previous 6 visits, the CPT has not published its report on this visit on the ground that Turkey has not allowed the Committee to make the report public. Although the CPT made a large number of recommendations to the Government for violations in the past, the Committee's silence on the current absolute isolation and no news situation is not understandable. The CPT visited many detention places and prison in its these visits to Turkey from 29 August to 6 September 2016 and from 10 May to 23 May, yet it did not include İmralı Prison. This fact creates a perception that there is de facto consensus on İmralı Prison between the Committee and the Government.

We submitted reports on all issues related to legal and political incidents and the situation regarding İmralı Island Prison and Mr Öcalan in 2017. Similarly, regular reports on our observations for certain periods were submitted to the CPT. In this regard, we have submitted reports for the following periods; 25 November 2016-20 April 2017, 21 April-7 July 2017, 12 July-1 November 2017, and 1 November-31 December 2017. In addition to these reports, we expressed our concerns about Mr Öcalan and İmralı Prison in our bilateral meetings with the CPT.

It is known that the CPT has visited İmralı Island Prison several times since 15 February 1999. More specifically, these visits took places in 2001, 2003, 2007, 2010, 2013, and 2016 (its report has yet to be published). As a result of these visits, the CPT held that there are problematic conditions in terms of torture and ill-treatment, and made some recommendations to the Government of Turkey. It needs to be noted that the CPT has taken no initiatives though a coup attempt was staged in Turkey in 2016 (after its last visit), several serious media reports on Mr Öcalan were produced, the State of Emergency was declared, authorities put the Constitution aside, ban on lawyer visit has been in force for more than 6,5 years, and there has been no piece of news from İmralı Island Prison for 16 months.

We would like to remind that the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment states: "The Committee shall, by means of visits, examine the treatment of persons deprived of their liberty with a view to strengthening, if necessary, the protection of such persons from torture and from inhuman or degrading treatment or punishment. (Article 1)", "Each Party shall permit visits, in accordance



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with this Convention, to any place within its jurisdiction where persons are deprived of their liberty by a public authority. (Article 2)”, “The Committee shall organise visits to places referred to in Article 2. Apart from periodic visits, the Committee may organise such other visits as appear to it to be required in the circumstances. (Article 7)”, and “In the application of this Convention, the Committee and the competent national authorities of the Party concerned shall co-operate with each other. (Article 3)” Turkey signed the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment on 11.01.1988. The Convention was ratified by Turkey in 1988. The date of its entry into force is 01.02.1989. In this regard, Turkey has recognised the CPT’s mandate when the Convention was ratified. Given the fact that CPT does not follow its mandate, it can be concluded that there is a consensus among the Committee and authorities in regard to the İmralı Isolation Regime.

Furthermore, the CPT has the capacity to “Make a Public Statement” as part of its mandate. Article 10/2 of the Conventions reads as follows: “*If the Party fails to co-operate or refuses to improve the situation in the light of the Committee's recommendations, the Committee may decide, after the Party has had an opportunity to make known its views, by a majority of two-thirds of its members to make a public statement on the matter.*” In other words, this Article includes the conditions for making its report—on the basis of its visit from 28 to 29 April 2016—on İmralı Island Prison public. It is interesting that the Committee is reluctant to exercise this capacity though no recommendations, made within the framework of its visits in 2010 and 2013, have been realised [by authorities]. On the contrary, detention conditions have worsened in İmralı Prison.

V. PENDING CASES and LEGAL INITIATIVES

Sometimes authorities state “ Mr Öcalan is a convict and has no pending cases so that he cannot receive a visit from his lawyers” in order to manipulate and legitimize the isolation at İmralı. In accordance with the national and international legislation, lawyers have a right visit their clients at any time even if clients are convicts. It is also a legal fact that these clients have all rights except for some specific rights that detainees are deprived of. Indeed, detainees and convicts face higher risks of torture and ill-treatment when their contact with the outside world is prevented by authorities. Lawyer visits and consultations are an important tool to prevent such cases as well as an important guarantee to monitor whether authorities obey rules and principles. In spite of this legal fact, the special İmralı execution regime was created and this regime recognises none of the rights that the clients have. As a result, there are several pending cases of Mr Öcalan before judicial organs. The following list is about the pending cases related to Mr Öcalan and other clients.

A. Pending cases before the Constitutional Court:

1-Mr. Öcalan was not taken to a fully equipped general hospital to be examined in other words has never exercised his right to health as a convict since he was put into the İmralı Prison Island resulting from an international plot. Although the family, the lawyers and the democratic segment of the society have demanded a medical examination of Mr Öcalan by an independent team of medical experts for 18 years, the demand has yet to be met by the



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authorities and Mr Öcalan was not taken to a general hospital. In accordance with Article 25 of the Law on the Execution of Penalties and Security Measures No. 5275, if this is not possible to examine and/or treat health problems in the penal execution institutions detainees or convicts shall be taken to a fully equipped general or university hospital. In fact, this is an obligation resulting from this provision yet neither Mr Öcalan nor other convicts benefit the right to health. In this regard, we submitted an application to the Judge of Execution in Bursa on 12 July 2013. The application demanded access to the right to health and putting an end to the ban on lawyers. When these applications were rejected by the Judge of Execution, we submitted an individual application to the Constitutional Court (application no **2015/12433**) in 2015. This individual application is about the prohibition of torture, right to liberty and security, right to a fair trial, right to an effective remedy, right to respect for private and family life, and prohibition of discrimination. The Constitutional Court has not delivered its judgement in the case of Mr Öcalan yet.

On 28.07.2017, there was a media report saying “*Apo’s Doctor on the İmralı Island is Fetö Imam* [translator’s note “Apo” is the code name of Mr Öcalan within PKK and “Fetö Imam” is a term to describe high-rank Gulenist people].” After this media report, we applied to the Chief Public Prosecutor’s Office in Bursa and asked a copy of medical examinations records that belong to Mr Öcalan. We asked these records to check whether Mr Öcalan’s right to health was respected in a proper way. Although Mr Öcalan has been never examined by an independent medical doctor at a general hospital since 1999, the public prosecutor’s office did not provide these documents to us on the ground of “*privacy of personal life*.” It is known that access to medical files is an individual issue but the individual in question can authorize his/her legal representatives to access to files. However, the principle of privacy of personal life is reversed by authorities.

2- After about 1 year from 27 July 2011, we submitted an application to the Judge of Execution in Bursa on 05.11.2012. The application made demands for improvement in prison conditions and putting an end to ban on visits by lawyers. Yet, after a while, the Judge of Execution rejected our application. We took also this case to the Constitutional Court (application no **2015/11221**) and raised our concerns about the prohibition of torture, right to liberty and security, right to a fair trial, right to an effective remedy, and prohibition of discrimination. The Constitutional Court has not delivered its judgment in this case, either.

3-) a-The declaration of State of Emergency on 20 July 2016 made an impact first on the İmralı Prison Island. As we explained in the II section of this report, there is an attempt to close the doors of İmralı forever through the decision of the 1st Judge of Execution in Bursa. Appeals against the decision, which is not possible from any legal regulation or perspective, were rejected by relevant authorities. Then we submitted an individual application to the Constitutional Court on **27 October 2016**. The application demands the Court should hold that there are violations of Articles 17, 20, 22, 36, 13, 15, and 18 of the Constitution.

b- An application was made to the Ministry of Justice on 06.10.2017. The application was submitted to the Chief Public Prosecutor’s Office and demanded the abolishment of the 1st Judge of Execution in Bursa’ decision. We asked the Ministry of Justice to abolish the decision in question **within the framework of the appeal for the sake of law**. This decision



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came into force without any appeal and cassation process. The decision does not meet criteria of any law. On the contrary, there is error of facts and inconsistencies. It should also be noted this decision blatantly violates the ban on torture. It is impossible to accept the decision as legitimate, valid and permanent for being contrary to fundamental rights and freedoms. We expect that the Ministry of Justice should examine our application, hold that there are violations, and apply to the Court of Cassation. However, there has been no improvement until now.

c-As we explained in our previous reports that the 1st Judge of Execution in Bursa' decision, which is the legal basis of the İmralı Isolation System for last 1,5 years, is not a simple legal mistake or an error of fact. Making the isolation system permanent, which no legal rule allows, falls into the following categories of offence, intentional or unintentional misconduct (Article 257 of the Turkish Penal Code), negligence of duty and prevention of exercising rights (Article 298 of the Turkish Penal Code). An application was submitted to the Council of Judges and Prosecutors on 21.08.2017. The application is about a complaint against 1st Judge of Execution in Bursa, which ruled the restriction on visits, and the President as well as members of the panel of the 2nd Heavy Penal Court in Bursa. Moreover, there has been no reference to "restriction of lawyers" in the 1st Judge of Execution in Bursa's decision yet lawyers' visits have been prevented for 14 months. Another application was submitted to the Council of Judges and Prosecutors on the same date. The application is about complaints against officers who restrict right to visit our clients for 14 months. We submitted our application for the following offences: Prevention of the right to submit an application (Article 121 of the Turkish Penal Code), misconduct (Article 257 of the Turkish Penal Code) and Prevention of people from exercising their rights (Article 298 of the Turkish Penal Code). Yet, there has been no development until now.

d- On 19.10.2017, an application was submitted to the 1st Judge of Execution in Bursa and it demands to put an end to the absolute isolation that has become permanent in the İmralı Prison. This application was made with reference to Law on Execution Judges No. 4675 and Law on Execution of Sentence No. 5275. In accordance with the Constitutional and international conventions' obligations and requirements, no legal organ or decision can violate the prohibition of torture. The Law on Execution Judges No. 4675 imposes a responsibility on Judges of Execution to protect prisons and prisoners from torture and isolation. In this regard, our application was repeatedly rejected on the following ground "*In accordance with the 1st Judge of Execution in Bursa's decision no. 2017/1; there has been no change in the conditions that the 2nd Heavy Penal Court in Bursa examined for its decision dated 26.07.2016 and no 2016/1127. The 2nd Heavy Penal Court examined the conditions upon an appeal against the 1st Judge of Execution in Bursa decision dated 21.07.2016 and No. 2016/56. There has been no change in regard to the State of Emergency and it is still in force. According to Article 6/d of the Emergency Decree-Law No 667 and Article 114/2-3 of the Law No. 5275.*" These are generic and same decisions that rejected our applications and do not present any other ground. However, our appeal to the 5th Heavy Penal Court in Bursa was rejected on the ground that "*there is no contrary aspect to the law*" in a decision no 2017/1631.



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e- An application was submitted to **the Monitoring Board of Prisons and Detention Centres in Bursa** on 19.10.2017. Our application demands examinations of the detention conditions, preparing reports on these conditions and making them legally acceptable. No development has occurred so far. In accordance with the Regulation on Monitoring Board of Prisons and Detention Centres, these boards should visit prisons in every two months and submit their reports to the Ministry of Justice to be published on the Ministry's website in every 4 months. Similarly, these reports should be sent to the Human Rights Inquiry Commission of the Grand National Assembly of Turkey, to the Chief Public Prosecutor's Office responsible for the prison in question, and the execution judge.

4-The European Court of Human Rights merged Mr Öcalan's four separate applications, which were submitted in 2003, 2004, 2006 and 2007, and reached a decision on 14 March 2014 and delivered its judgment on 18 March 2014. While the ECtHR held that there had been violations of some articles, the Court did not examine some other articles in its judgment. Within the scope of the right of defence, lawyers submitted an application to the Constitutional Court and demanded a visit to Mr Öcalan so that they can discuss their strategy regarding the appeal before the Grand Chamber. The application demanded an interim measure with regard to banning on the visit. The Constitutional Court did not deliver its judgment in the case (**application no 2014/5264**) or demand for an interim measure.

5-After the coup attempt on 15 July 2016, many commentators stated the İmralı Prison and Mr Öcalan were the targets of the plotters. These comments resulted in serious concerns about Mr Öcalan's health and security situation. In order to alleviate these concerns, an application was submitted to the Constitutional Court. The application demanded an interim measure with regard to banning on visits. The Constitutional Court rejected the demand for the interim measure while it has not delivered its judgment in the case yet.

6- Mr Öcalan's communication rights, right to respect for private and family life, and freedom of expression, which are among the fundamental rights, including his right to a ten-minute telephone call with his lawyers. We submitted an individual application to the Constitutional Court and claimed violations of this right in **September 2016** but the case is still pending before the Court. The essence of the application is about lifting the ban on the telephone call for Mr Öcalan who is under an absolute restriction. The application demands that the Court must hold that there are violations of the prohibition of torture, right to respect for private and family life, and freedom of expression under the European Convention on Human Rights.

7-In addition to unbearable conditions of the execution regime at İmralı Island Prison, there is another problem since Mr Öcalan's several books were unjustly banned by Courts. These bans aim to prevent the public from accessing to ideas and information. The 1st Criminal Peace Judgeship (Former the 1st Court) banned and ordered to seize the following books "Uygurluk [Civilisation]", "Kapitalist Uygurluk [Capitalist Civilisation]", and "Özgürlük Sosyolojisi [Freedom Sociology]", which Mr Öcalan submitted to the ECtHR as part of his defence materials. We submitted an application to the Constitutional Court on **15 February 2016** and to lift the local court's decision and order but the application is still pending.



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Although the Constitutional Court ruled that the ban on of the fifth book of this series violates freedom of expression on 25.06.2014, local courts banned the book again. As a result, the local courts' judgements violate the Constitution.

B. Pending Cases before the European Court of Human Rights:

1-The application submitted to the ECtHR (**application no 12261/10**) demonstrates that controlling the situation of visits and execution regime system is highly important in İmralı Island Prison. This application is related to a physical attack on him namely guards got him on the ground and threatened with death in 2008. Since no results were obtained before domestic courts, an application was submitted to the ECtHR in 2010. Similarly, the ECtHR has not delivered its judgment yet. We sent a letter to the Court and asked the case in August 2015 but as of today, there has been no judgment.

2-is the 7th anniversary of the ban on lawyer visits. It began on 27 July 2011. After 3 months and failed to get any result before domestic courts, we submitted an application (**no. 74751/11**) to the ECtHR in October 2011. We submitted this application on behalf of Mr Öcalan and 5 other clients, who were held at İmralı at that time, and it is about isolation. Although lawyers have kept the Court updated on the situation and asked the application in 2015, no progress has been made in this case.

3-The ECtHR held that there had been a violation of the right to a fair trial with regard to domestic trials in 1999 in other words after Mr Öcalan had been given to Turkey through an international plot. Article 311 of Code of Criminal Procedure, which regulates retrial, was drafted on 11.04.2013 so as to prevent Mr Öcalan from retrial. Consequently, hundreds of other cases were excluded from retrials. However, an exception was added also to this new regulation so as to prevent Mr Öcalan from benefitting from the provision. The provision in question is a clear example of a violation of constitutional equality. We applied to domestic courts on the ground that this legal provision was drafted for a specific person and cannot prevent Mr Öcalan from benefitting from retrial. Since we failed to win the case, we took our case to the ECtHR (**application no 34836/16**). The case is still pending before the ECtHR.

4- The ECtHR held that there had been a violation prohibition of torture and ill-treatment under Article 3 of the Convention in its judgment on 18 March 2014 (**application nos. 24069/03, 197/04, 6201/06 and 10464/07**). There are hundreds of convicts, who were sentenced to aggravated life imprisonment, in prisons in Turkey. After the ECtHR judgment, in this case, the Government should have changed this provision and improved the legal situation. In line with this judgement, life imprisonment must be abolished in the country. Lawyers are still following this issue before the Committee of Ministers of the Council of Europe, which has obligations and power to monitor the implementation of the judgment. The Committee of Ministers decided to monitor the judgment in the case of Mr Öcalan. We submitted applications to the Committee of Ministers on 06.06.2016 and 10.10.2016. In



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these applications, we requested the Committee of Ministers to take necessary steps to ensure the implementation of the ECtHR judgment as well as to hold that Turkey has not fulfilled its obligations though 4 years passed since the Court delivered its judgment.

VI. CONCLUSION

- 16 months passed since there has been no news from İmralı F Type Prison and our clients. There is a systematic ban on all forms of communications as well as visits and exchanging letters.
- Under the State of Emergency, Turkey violates its national and international obligations. As a candidate country to the European Union, Turkey acts in a contrary way to democratic values and human rights that are the basis of Europe. In fact, these violations led to the Council of Europe's decision about monitoring process. It should be noted that when the CPT and the Council of Europe fulfil their responsibilities, they will become a very significant body to find a solution to this chaotic situation.
- However, it seems that the CPT forgot its recommendations and observations from previous reports. Although the Committee has a capacity to make its report (related to its visit on 28-29 April 2016) public, the report has not been published yet. Similarly, in accordance with its mandate resulting from Article 10/2, the Committee can make its report public but no step has taken so far. Therefore, the Committee has become one of the elements that maintain the situation of no news from İmralı Island Prison.
- The Committee of Ministers of the Council of Europe does not reach a conclusion that Turkey has not made required legal changes though ECtHR judgements were not implemented for a long period. Therefore, the Committee of Ministers encourages Turkey to ignore these judgements.
- ECtHR violates legal rules by ignoring human rights principles because it has not taken any steps in regard to banning on lawyer visits for about 6,5 years. However, it should be noted that Turkey's position is contrary to the European Convention on Human Rights and European democratic values *per se*.
- The Ministry of Justice does not fulfil its legal and political responsibilities resulting from the European Convention on Human Rights and the Constitution of the Republic of Turkey.

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- It is known that legal requirements were not met by authorities at the domestic level. On the other hand, our applications and appeals were either rejected or received no response from authorities.
- The Constitutional Court's judgement was not recognized by a local court for the first time in Mr Öcalan's case. Moreover, the Constitutional Court judgement was rejected by the local court.
- We applied to the Constitutional Court in regard to the local court's decision, which cuts all contact with the outside world, but there has been no improvement yet. It should be pointed out that the Constitutional Court has a weak control mechanism over human rights violations in Turkey. The 1st Judge of Execution in Bursa's decision has closed the doors of İmralı on the basis of the State of Emergency. Similarly, the Constitutional Court announced that it could not examine the State of the Emergency process and Emergency Decree Laws. In this regard, there is no problem to underline that no legal control mechanism exists in the country anymore.
- It is a period that the isolation system has become permanent. There are several media reports of which sources are unknown in this period. These media reports are produced mainly for the political identity of Mr Öcalan. Despite our numerous efforts to visit Mr Öcalan and to get information about his situation, no positive steps were taken by the Chief Public Prosecutor's Office in Bursa, the İmralı Prison Board, Bursa Prison Monitoring Body, the Council of Judges and Public Prosecutors, and the Ministry of Justice. It is known that all these organs and institutions have legal responsibilities in this regard. In addition to these organs and institutions, which have constitutional and legal obligations, the CPT and ECtHR have become main elements of the system in İmralı Island Prison.

ASRIN LAW OFFICE