

EXTERNAL

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*MEDICAL CONCERN*

The Recent Hunger Strike, Provision of Medical Care  
and Ill-treatment of Prisoners

**TURKEY**

*The hunger-strike*

On 27 July 1996, a large-scale hunger-strike was called off after the death of the 11th hunger-striker in a period of a week. A 12th hunger-striker died after the strike was ended.

The first death occurred on 21 July on the 62nd day of the strike and others followed shortly afterwards. The hunger-strike ended on the 69th day by which time many participants were in a critical state and had suffered irreversible damage to internal organs and the central nervous system. The condition of 18 was described as serious and seven were reported to be in intensive care.

By 26 July, according to data provided by the Ministry of Health, 2,174 political prisoners had been on hunger-strike and 355 were on a "fast to the death" in 43 prisons distributed throughout 38 cities. Some of the prisoners' demands—for example, that ill-treatment and obstruction of medical treatment be stopped—reflected concerns repeatedly raised with the Turkish authorities by Amnesty International. During the period of the hunger-strike AI reiterated its calls for these particular concerns to be dealt with in order to create conditions where the hunger-strikers could call off their protest, thus avoiding further loss of life. The prisoners who died (and the date of their death) are:

Aygün U_r, aged 25.	21 July, Ümraniye prison, Istanbul
Altan Berdan Kerimgiller, 28	23 July, Bayrampasa prison, Istanbul.
Ilginç Özkessin, 3524	July, Bayrampasa prison, Istanbul
Hüseyin Demircio_lu, 36	25 July, Ankara central closed prison
Ali Ayata, 32	25 July, Bursa Special Type prison
Müjdat Yanat, 32	25 July, Aydın E Type prison
Tahsin Yilmaz, 3526	July, Bayrampasa prison, Istanbul
Ayçe Idil Erkmen (female), 26	26 July, Canakkale E Type prison
Ulas Hicabi Küçük, 2427	July, Bursa Special Type prison
Yemliha Kaya (female), 2827	July, Bayrampasa prison, Istanbul
Osman Akgün, 3227	July, Ümraniye Prison, Istanbul
Hayati Can, 2528	July (in hospital)

The hunger-strike was called off shortly before midnight on 27 July, following a nine-hour meeting between the authorities and prisoners' representatives at Bayrampasa

prison in Istanbul. Justice Minister Sevket Kazan, who earlier had stated "*I don't give a damn about the foreign press and letters from Amnesty International*", finally accepted the prisoners' key demands. He had earlier talked of using stricter measures against political prisoners, talking of Bayrampasa prison in particular as being "*a nest of terrorists for training*" and saying "*Up until now, we have taken a patient approach .. we have done what we can, but failed to convince them. We may resort to tougher measures.*"

The key demands of the prisoners included an end to ill-treatment during transfers to and from court or between prison and hospital (something which has been common ); a halt to the ill-treatment of relatives visiting prisoners (which has also occurred on several occasions in recent months) and a halt to the newly introduced practice of dispersing remand prisoners to prisons remote from the towns where they are to be tried. This latter practice resulted in prisoners having a lack of contact with their families and lawyers. As a result of the agreement reached when the hunger-strike ended, 102 political prisoners who had been transferred to Eski\_ehir prison were to be returned to prisons in and around Istanbul.

### Obstructions to the provision of medical care

Obstacles to the provision of medical care was one of the issues which fuelled the spread of the hunger-strike, as was the heavy-handed management of prison protests which, from mid-1995 to January 1996, had resulted in the deaths of prisoners (see below). Prisoners are seen by prison doctors who, when necessary, arrange appointments for specialist examination or treatment outside the prison. In practice, however, prisoners are not always taken to the hospital at the appointed time. Appointments must thus be re-arranged and some hospitals appear reluctant to accept prisoners for this and other reasons. The cumulative effect can be that months may pass between the prison doctor's referral for specialist attention and the detainee receiving that attention.

Prior to the recent dramatic developments in the hunger-strike, Amnesty International received information on a number of prisoners who were encountering serious blocks to obtaining hospital appointments. A summary of some of this information is given in an appendix. These are by no means the most serious cases of obstruction of medical care, but the extracts of their medical details, taken from prison medical records, illustrate the serious problems in obtaining medical care faced even by gravely ill prisoners. Of particular note is the fact that, of these 10, four are prisoners suffering neurological deficit as a result of head injuries sustained when gendarmes were called in to quell prison protests.

One of the prisons where the provision of health care is said to be particularly bad is Bayrampasa prison where there is no infirmary. There is only one doctor who works without assistance or any adequate medical equipment. It has been reported that, in general, outside examinations and treatment are frequently delayed as a simple consequence of the arbitrary behaviour of guards.

### Ill-treatment of prisoners

Severe and sometimes fatal beatings of convicted and remand prisoners in Turkish prisons are frequent. Most are inflicted on political prisoners as gendarmes transport them for trial or medical treatment, and also when gendarmes and police are brought into prisons to quell prisoners' protests. Police and gendarmes take these opportunities to "punish" alleged or convicted members of illegal armed organizations. For example, some of the hunger-striking prisoners reported that during transfer from Diyarbakir to Gaziantep prison they had been laid on the

ground and cut on the body with broken glass. A medical report of 6 June 1996 confirmed signs of beating and sharp cutting injuries.

Prisoners thus have good grounds for fearing ill-treatment during transfers. This appears to have been an important factor in one of the demands the hunger-strikers were making - that prisoners should not be transferred to prisons outside the provinces where they are tried. In addition, remand prisoners justifiably complain that transfer to distant prisons interferes with their right to fair trial. Access to defence lawyers is inevitably greatly limited by the very long journeys entailed and, as trials frequently drag on for months or longer in Turkey, this has genuine implications for the exercise of due process. A lawyer in Istanbul visiting a client in Sinop Prison in the north of the country, for example, would need two days or more for the round trip. The Justice Ministry eventually decided to abandon the plan to disperse political prisoners, and this was an important factor in bringing the hunger-strike to an end.

### **Deaths and serious head injuries in Ümraniye and Buca prisons**

In January 1996, gendarmes were called in to Ümraniye prison in Istanbul to deal with a prison protest and are reported to have acted in a particularly violent manner, beating prisoners, four of whom died from head injuries. They were described as having facial injuries of such seriousness that it was difficult to immediately identify them. This was the latest in a series of fatalities and serious injury resulting from similar incidents. A few weeks earlier, on 13 December 1995, gendarmes had been called in to the same prison and had used similar tactics which left several prisoners with head injuries. There had also been another similar incident in Buca prison in Izmir in September 1995 during which three prisoners were beaten to death.

Following the deaths in Ümraniye in January 1996, unrest spread to other prisons across the country as inmates staged protests. Relatives who came to the prison after hearing of events were not allowed into the prison and were reported to have been humiliated and beaten with truncheons themselves. Legal proceedings were reportedly taken against relatives of ten prisoners after filing a complaint about the incident; they were accused of "having directed baseless accusations" at the Minister of Justice's under-secretary and the Prisons Director General. Turkish embassies issued a 3-page statement following the Ümraniye killings which defended the need to use force. Not once, however, did the statement mention the dead or the number of head injuries sustained by prisoners.

Attached in appendix are the cases of the 10 prisoners experiencing delays in obtaining medical attention which were recently brought to AI's attention. Amnesty International is seeking information from the Turkish authorities about whether they have now received proper medical attention and is urging the authorities to ensure that, as a matter of course, prisoners are treated in accordance with humane standards.

## Prisoners in need of medical attention

### 1.1 Four prisoners injured at Ümraniye prison in December 1995 and January 1996

**Cengiz Çalikoparan** is a 28-year-old prisoner badly injured during the Ümraniye incidents on 4 January 1996 and admitted to Haydarpa\_a hospital unconscious. Medical reports noted bruising all over the body and reduced breath sounds. He was found to have suffered a fractured rib and left pneumothorax. He also suffered a depressed fracture of the skull with subarachnoid bleeding and, furthermore, subglottic stenosis was diagnosed and a tracheostomy performed. He is reported to have remained unconscious until 31 January and appeared to have suffered some brain damage and peripheral facial paralysis. He was referred from intensive care at Haydarpa\_a hospital to the Istanbul Faculty of Medicine on 31 January 1996. Information dating from 10 May 1996 indicates that the tracheostomy was still in place at that time, but that he was not being monitored as recommended and had not been taken for hospital appointments.

**Süleyman Acar**, aged 34, was also injured during the incidents at Ümraniye Prison and admitted unconscious to Haydarpa\_a Hospital. A frontal depressed fracture of the skull and cerebral contusion were diagnosed and he remained in the department of neurosurgery of Haydarpa\_a hospital for 12 days. He had two further appointments at the hospital after his return to prison, but had not been taken to hospital for some time when Amnesty International received this information and to Al's knowledge has no further appointments. He complains of constant tinnitus and says that when he looks down "his eyes black out".

**Akin Durmaz**, aged 23, was diagnosed with a depressed fracture of the left temporoparietal region of the skull, cerebral oedema and traumatic shock when admitted to the same hospital after being injured at Ümraniye. He is reported to have been unconscious when admitted, but to have responded with "unintelligible sounds" upon revival. He was discharged from Haydarpa\_a hospital on 31 January and admitted to Sa\_malcilar hospital that same day where he was kept under observation for "post-traumatic delirium". Forty days later, on 26 March 1996, he was able to carry out attention and abstraction tests adequately and was discharged. He has no recollection of the day of the incident and is unable to concentrate for long periods. He says he is very hesitant about using stairs and he is unable to make serial or complex movements.

**Oktay Karata\_**, aged 28, was injured in the earlier incident at Ümraniye prison on 13 December 1995 and admitted to Haydarpa\_a's neurosurgery unit. On physical examination there was widespread bruising of the head, face and other parts of the body and widespread oedema of the scalp. Oktay Karata\_ was barely conscious, disoriented and unresponsive. A scan performed the following day revealed widespread pneumocephalus and a craniotomy was performed. He was discharged from Haydarpa\_a hospital and admitted to Sa\_malcilar hospital where he was found to have a traumatic perforation of the left tympanic membrane. He was experiencing problems with his balance and was unable to walk. As full hearing tests could not be performed there, he was referred back to Haydarpa\_a but, although several hospital appointments were made, there were 17 separate occasions on which he was not taken to hospital. On another, he did not receive the necessary tests. A lesion of the left cochlear nucleus has now been diagnosed and he has been advised to wear a hearing aid.

Oktay Karata\_ states that the loss of his sense of balance not only continues, but has worsened and he is unable to walk without assistance. He also complains of dizziness and states that he is unable to see more than a few metres ahead of him. Audiometric tests were finally carried out on 6 and 7 May 1996 at Istanbul Medical Faculty. AI is monitoring his case.

### 1.2 Other prisoners in need of medical attention (Bayrampasa prison, Istanbul)

**Gülderem Baran** is a 23-year-old woman who was tortured in police custody in August 1995, including by repeated hanging by the arms which left her with a loss of movement in both arms. She was taken to Sa\_malcilar hospital and later to a neurological unit at Bak\_rköy Hospital. Medical reports note linear marks under both arms, minimal movement in her fingers and only partial flexion of the left wrist was possible. Physiotherapy and stimulation of the muscles was recommended and a complex treatment programme was designed at \_irinevler Physiotherapy Centre. However, although several appointments for physiotherapy sessions were made, she was not taken to the majority of them. On 5 February 1996—six months after her torture—she was assessed at the neurology department of Istanbul Medical Faculty where magnetic resonance imaging was undertaken. She had further appointments in February and March 1996 but, again, was not taken to these and finally attended an appointment on 25 April 1996 [see Medical Action, EUR 44/20/96, 15 February 1996, for further details of this case]. Recent information suggests that in early August she was taken to hospital under guard of gendarmes and was beaten en route, though AI does not have details at time of writing. The torture-related problems with her left arm are reported to be improving though her right arm still causes her problems.

**Münevver Köz** is a 31-year-old woman who, in 1991, suffered 30% burns. She had first degree burns on her face and neck and second and third degree burns to other parts of her body. She was arrested immediately after sustaining the burns and was taken to Sa\_malcilar hospital where her burns were bandaged, but she received no plastic or reconstructive surgery. Her facial skin was taut to the point where it caused a reduction in movement of the face and neck and some difficulties with speech. Following her release, she commenced treatment at Istanbul Medical Faculty's plastic surgery clinic. On 22 December 1994 she was re-arrested and in March the following year was referred back to the plastic surgery clinic from Sa\_malcilar hospital. A decision was made to undertake an operation to stretch the skin using a balloon, but after the balloon had been expanded to a certain degree, the skin tore. It was decided that a second attempt would be made, but she has not received any further attention since March 1995.

**\_engül Mert** is a 26-year-old woman who has suffered from attacks of acute bronchitis since childhood for which she has received hospital treatment. Nine months after her arrest in 1992 she was admitted to Sa\_malcilar hospital where she was diagnosed with asthma. She was discharged after 15 days in hospital, but returned to hospital with pneumonia for 12 days. Subsequently in the course of her imprisonment, she has required hospital admission on a number of occasions during which she was treated with oxygen, decongestants and glucocorticoid medication. She had several referrals to hospital in April 1996 to which she was not taken.

**Nazarat Vartano\_lu** was referred to Sa\_malcilar Hospital on 3 November 1995 after complaining of back, shoulder and neck pain. After initial examination, he was referred to the orthopaedics department, the pain being thought to be connected to a blow. Around the same time he also had five epileptic fits in a matter of days. He said that he had had fits previously and was referred to the neurology department of Sa\_malcilar Hospital where the anti-epileptic drug tegretol was prescribed and he was told that as a result of trauma the frequency of his attacks was likely to increase. He was referred to Bak\_rköy Hospital for investigations in December 1995, and January and February 1996 but he was not taken to these hospital appointments. Most recently he had an appointment in May 1996 to which he was again not taken and he currently has no further appointment arranged.

**\_aban Tonta**, aged 27, has been diagnosed as suffering from Parkinson's disease. In 1993 he attended a neurology clinic after complaining that his left hand shook and became rigid when he was tense. Parkinson's disease was diagnosed and he was sent to Istanbul Medical Faculty where he underwent a right pallidotomy in December 1994. His latest hospital check-up was on

12 October 1995 when it was noted that marked bradykinesia and rigidity were present in the left side of the body. He was given medication and told that this was to be taken regularly. He was then arrested on 27 December 1995 and since that time has not had access to medication. Although a prescription has been filled, he has still not obtained the medicines. He currently complains of being unable to finish his sentences, of dribbling, slowness of movements, reduced ability to flex the left hand and sweating of the left palm.

**Cuma \_at** is 39. He saw the prison doctor on 21 November 1994 complaining of sudden back pain which increased on bending. He was referred for examination and found to have a slipped disk at L4-L5. He was given a prescription and on 19 January 1995 referred to a physiotherapy centre where he was told he would begin physiotherapy from 27 February onwards. Physiotherapy was halted and he was given exercises to undertake in the prison, but further physiotherapy was again recommended when his pain returned. Appointments were arranged for him in October and December 1995 and January and April 1996. He was not taken to attend these appointments.

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From: Medical Office / Europe Regional Program  
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### *MEDICAL LETTER WRITING ACTION*

#### The Recent Hunger Strike, Provision of Medical Care and Ill-treatment of Prisoners

#### TURKEY

#### **Keywords**

Theme: Torture/ ill-treatment/ ill-health/ medical care/ hunger strikes

#### **Summary**

The recent Turkish mass hunger-strike which resulted in the deaths of 12 hunger-strikers focused attention on a number of demands made by the prisoners, including the ending of ill-treatment, of the practice of transferring prisoners to distant prisons and of the blocking of prisoners' access to medical care. The attached external paper gives brief information on the outcome of the hunger-strike and presents details of 10 illustrative cases of prisoners whose access to medical appointments and medical care has been systematically blocked. AI is seeking information on their current state of health and for guarantees that they will be given access to whatever medical care they need.

#### **Recommended Actions**

Letters are requested from medical professionals to the addresses below:

- noting that one of the complaints prisoners made during the recent hunger-strike was that medical care - in particular that involving outside specialist appointments - is often blocked and impeded when prisoners are not taken to hospital for these appointments at the allotted time
- noting that this can result in delays of up to several months in the provision of care
- raising the 10 cases outlined here in appendix, giving their name and the name of the prison in which they are held, and noting that these are examples of prisoners who have experienced delays in the receipt of medical attention
- asking whether they have now received access to the attention they require, urging that they do receive whatever care they may need without further delays and that efforts are made to ensure that blockages to the provision of medical care do not occur in the prisons generally
- expressing particular concern that four of the prisoners named here were among those who suffered head injuries in Ümraniye prison in December 1995 and January 1996 when

gendarmes used excessive and apparently deliberate force when called in to deal with protests among prisoners

- recalling that the ill-treatment of prisoners was another of the grievances which led to so many prisoners undertaking a hunger-strike. Urging that instructions are given to ensure that the arbitrary ill-treatment of prisoners ends and that any future prison disturbance is dealt with in accordance with UN Basic Principles on the Use of Force and Firearms by Law-Enforcement Officials
- urging the authorities to ensure that medical care available to prisoners meets the requirements embodied in the UN Standard Minimum Rules for the Treatment of Prisoners

### Addresses

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### Copies

Please send copies of your letters to Turkish diplomatic representatives in your own country and to prison medical officers in the relevant prisons:

*Prison medical officer, Bayrampas prison*

*Prison medical officer, Ümraniye prison*

Cezaevi Tabibi  
Bayrampa\_a Cezaevi  
Istanbul  
Turkey

Cezaevi Tabibi  
Ümraniye Cezaevi  
Istanbul  
Turkey

Copies could also be sent to:

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