

**PRESS RELEASE AS TO THE NEWS PUBLISHED BY AMNESTY
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It has been observed that many unsubstantial and unfounded allegations that the suspects who were taken into custody after the coup attempt taking place in our country have been tortured and ill-treated are maintained in the news published by the Amnesty International (“the AI”) on 24 July 2016.

In the news published by the AI introducing itself as one of the defenders of human rights, rule of law and democracy, the AI did not make any assessment as to the attempt of taking over the Government and the President by force of arms, as to the bombing of the Turkish Grand National Assembly (the TGNA), which is the foundation of democracy, during the coup attempt with a view to dissolution of the TGNA and the abolishment of the Constitution, as to shooting of civilians stopping the tanks and death and wounding of hundreds of civilians, military officers and police officers. Nor did the AI condemn or criticize the coup in question and those staging it. These facts indicate that the AI is not an impartial and objective organization.

It is stated in the news in question that the National Human Rights Institution of Turkey was abolished and that therefore, there is currently no institution to make an inspection in this respect. This explanation shows that the Amnesty International is unaware of the developments taking place in Turkey. Indeed, the National Human Rights Institution of Turkey has been re-structured and its powers have been extended. This Institution continues carrying out its activities under the name of the Human Rights and Equality Institution of Turkey.

On the other hand, the allegations that detainees are exposed to torture do not absolutely reflect the truth. The rule of law is main principle of the Republic of Turkey, and even under the conditions of state of emergency, arrest and custody procedures are performed primarily in accordance with the national and international law concerning human rights.

In the light of the relevant legislation, the detainees’ states of health, both at the time of their arrest and under the custody period, are subject to control by the doctors. In this respect, Article 9 of the Regulation on Arrest, Custody and Statement-Taking Processes envisages that

“in cases where the person arrested is to be taken into custody or has been arrested by use of force, his state of health at the time of arrest shall be determined by means of being medically examined by a doctor”.

In line with the relevant provision which provides “detainee’s state of health shall be determined by a medical report also before the place where this person is held under custody is changed, the custody period is extended, they are released or they are referred to the judicial authorities for any reason”, the suspects shall undergo medical control in the course of the arrest and custody procedures. According to the relevant legislation, in cases where it is found established in the course of the forensic examination that the offences of torture, aggravated torture on account of its consequences and torment, which are respectively set out in Articles 94, 95 and 96 of the Turkish Criminal Code no. 5237, have been committed, it is requisite that the doctor must immediately inform the public prosecutor of this situation. Where there is any finding of torture and ill-treatment, the public prosecutors directly initiate an investigation against the relevant law-enforcement officers. Accordingly, the allegations that the suspects have been tortured after being taken into custody are definitely unsubstantial and unfounded.

Moreover, the detention centres are continuously inspected by the public prosecutors. All places where persons are deprived of their liberties, including the detention centres, may be always visited by both the national institutions and organizations and by the international institutions, notably the European Committee for the Prevention of Torture, and independent observers in line with the conventions to which Turkey is a party.

Furthermore, Turkey is one of the few countries abolishing the statutory limitation in respect of the offence of torture by virtue of its policy of zero tolerance for torture.

The allegations maintained in the news without adducing any evidence that the detainees are subject to rape are completely fictional claims and only amount to aspersion. By means of including such abstract aspersions in its report, the AI must not lend itself to the unfounded and falsified propaganda of the Fetullahist Terrorist Organization (“FETÖ”) for creating perception.

Order of the placement of a suspect in custody and the request for their detention on remand are considered and given by the public prosecutors. All persons taken into custody were not

requested to be detained on remand or were not detained on remand, and those who had not involved in the incident were released.

Moreover, any restriction for holding a hearing in the course of the assessment to be made by the relevant courts as to the detentions on remand or for receiving opinions from accused persons, suspects or defence counsels has not been imposed. The relevant judge or court has discretion in this respect.

The democratic reactions shown by the Republic of Turkey against FETÖ, which proves with its bloody coup attempt that it is a threat for the Turkish State, are its incontestable right. Judicial and administrative investigations initiated for fighting against this illegal structure/entity infiltrating into the public institutions and organizations have been conducted in accordance with legal rules.

Respectfully announced to the public