

# **Turkey: Conditions in Seven Foreigners' Detention Centers in 2008-09**

submission to

**Council of Europe's Committee for the Prevention of  
Torture and Inhuman or Degrading Treatment or  
Punishment (CPT)**

by

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(edited version)

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Founded in 1993, **Iranian Refugees' Alliance, Inc.** is a US based non-governmental organization serving Iranian asylum seekers and refugees nationally and internationally. In addition to providing humanitarian assistance, maintaining a documentation center on Iran's human rights conditions and refugee case-law, authoring reports and articles on the conditions of Iranian refugees, the Alliance has conducted legal casework for numerous individuals before national tribunals and represented many before the UNHCR and the European Court of Human Rights.

# Turkey, Conditions in Seven Foreigners' Detention Centers in 2008-09

<b>A. Silopi Police Headquarters (8 to 31 January 2008)</b>	<b>1</b>
1. Capacity and number of inmates	1
2. Poor standards of general hygiene, lighting and ventilation	1
3. Unsatisfactory sleeping accommodation	2
4. Inadequate sanitary facilities and provision of hot water	2
5. Lack of provision of food and safe drinking water	2
6. Lack of medical and hygiene support	2
7. Lack of provision for outdoor exercise or indoor activities	3
8. Denial of communication with the outside world, and denial of access to legal counsel	3
<b>B. Hasköy Police Headquarters, Muş province (23 June to 26 September 2008)</b>	<b>4</b>
1. Capacity, number of inmates and overcrowding	4
2. Poor standards of general hygiene, lighting and ventilation	4
3. Unsatisfactory sleeping accommodation	4
4. Inadequate sanitary facilities and provision of hot water	5
5. Lack of medical and hygiene support	5
6. Unsatisfactory provision of food and lack of safe drinking water	5
7. Lack of provision for outdoor exercise or indoor activities	6
8. Unpaid labor and confiscation/theft of money	6
9. Denial of communication with the outside world, and denial of access to legal counsel	6
<b>C. Tunca Foreigners' Guesthouse (Tunca Yabancılar Misafirhanesi), Edirne province (7 July 2008 to 2 June 2009)</b>	<b>7</b>
1. Capacity, number of Inmates, and overcrowding	7
2. Poor standards of general hygiene, lighting and ventilation	8
3. Unsatisfactory sleeping accommodation	9
4. Inadequate sanitary facilities and provision of hot water	9
5. Lack of medical and hygiene support	9
6. Unsatisfactory provision of food, and lack of safe drinking water	9
7. Lack of provision for outdoor exercise or indoor activities	10
8. Denial of communication with the outside world, and denial of access to legal counsel	10
<b>D. Warehouse operated by Didim Gendarmerie Headquarters in Aydın (5 to 15 August 2008)</b>	<b>11</b>
<b>E. Aydın Police Headquarters (15 August to 5 September 2008)</b>	<b>12</b>
<b>F. Güzelçamlı Gendarmerie Station in Kuşadası, Aydın (16 to 26 September)</b>	<b>13</b>
1. Capacity, number of Inmates and overcrowding	13
2. Poor standards of general hygiene, lighting and ventilation	13
3. Unsatisfactory sleeping accommodation	13
4. Inadequate sanitary facilities and lack of provision of hot water	14
5. Unsatisfactory provision of food and lack of safe drinking water	14
6. Lack of medical and hygiene support	14
7. Lack of provision for outdoor exercise or indoor activities	15
8. Denial of communication with the outside world, and denial of access to legal counsel	15
<b>G. Gazi Osman Paşa (GOP) in Kırklareli (27 September 2008 - present)</b>	<b>16</b>
1. Unsatisfactory provision of food and lack of safe drinking water	16
2. Inadequate medical and hygiene support	17
3. Inadequate provisions for outdoor exercise or indoor activities	17
4. Poor standards of general cleanliness, sanitary facilities, and provision of hot water	18
<b>H. List of Attachments</b>	<b>19</b>

## **Turkey: Conditions in Seven Foreigners' Detention Centers in 2008-09**

In the course of preventing the deportation of thirteen Iranian refugees from Turkey, Iranian Refugees' Alliance compiled the information contained in this report, which relates to seven detention facilities where these refugees were or are as of July 2009 still detained. These facilities are located in east, southeast, northwest and southwest Turkey. (See **Attachment A – Map showing the seven detention centers**)

All the refugees who provided information about the conditions in which they were held had previously resided in Iraq within the US-controlled refugee camp known as the Temporary Interview and Protection Facility (TIPF). Twelve had been recognized as refugees by UNHCR before they fled to Turkey and one whose application was pending when he fled to Turkey was recognized as a refugee following his deportation back to Iraq from Turkey. All have filed applications at the European Court of Human Rights.

### **A. *Silopi Police Headquarters (8 to 31 January 2008)***

The detention facility in Silopi, a subprovincial town of the province of Şırnak in southeast Turkey is located in the basement of the Police Headquarters. The facility is used to detain foreigners as well as Turkish nationals. The six refugees who provided this report (all ex-Iraq Iranians) were detained there following an unsuccessful attempt to deport them to Iraq. (For further personal details, see the Statement of Facts for application no. 1157/08 + five others available at <http://cmiskp.echr.coe.int/tkp197/search.asp?skin=hudoc-cc-en>)

#### **1. Capacity and number of inmates**

The basement of Silopi Police Headquarters consists of a hallway with three rooms/cells on each side. Two of the rooms had barred doors. There were no beds in the facility. Two of the rooms had had cement narrow benches along three walls. (See **Attachment B – Detention facility in basement of Police Headquarters in Silopi/Şırnak, January 2008, approximate floor-plan**)

During the 23 days of their detention, they were the only foreigners held there. Turkish nationals were also occasionally locked up in one of the two rooms with barred doors.

For about a week the six refugees were locked up in the 3.5 x 4 m<sup>2</sup> room with barred door. After the refugees protested on the grounds of the very cold weather, they were moved to the 2 x 2 m<sup>2</sup> library room which had a solid door and was therefore less draughty.

#### **2. Poor standards of general hygiene, lighting and ventilation**

Because the facility was in the basement, it was damp and had no natural light or ventilation. The facility was extremely dirty and dusty, was never cleaned, and had no form of heating.

When the refugees complained about the cold, an electrical heater was provided. During the day all six refugees crammed into the library room in order to keep warm.

### **3. Unsatisfactory sleeping accommodation**

The facility had no beds, mattresses, pillows or sheets. For the first week, all six refugees slept on the narrow cement benches and on the floor. They were each provided with a single filthy blanket. In response to protests they were provided some extra blankets. In the course of the 23 days that they were held there, these extra blankets were taken away on a number of occasions when regular detainees were brought in.

In response to further protests about the extreme cold, all the detainees were transferred to the library room. Because of the lack of space and their need to access the toilet, the door was left open. In addition to some book-cases, the room had two narrow couches. Three of the refugees slept on the couches, one on the floor, and two, because of lack of space, on the floor in the cold hallway.

### **4. Inadequate sanitary facilities and provision of hot water**

The facility had a bathroom with a toilet, sink and shower, all of which were dirty. No cleaning supplies were provided. The bathroom had no hot water supply. In response to protests, an electrical heating element was provided for the shower at the end of the first week. But due to wiring problems the element shut down after a few minutes. As a result no one could have a proper shower. All their other washing needs too had to be done with cold water.

### **5. Lack of provision of food and safe drinking water**

The detained refugees were not provided any meals or safe drinking water. They drank unsafe tap-water, and were obliged to buy in all their food themselves. Sometimes they were given a picnic stove to cook food. Because they had little money, and had no idea how long they were going to be detained, they bought as little food as possible in order to extend their resources.

### **6. Lack of medical and hygiene support**

Apart from some cold-remedy tablets they were provided with no medical services at all. As a result of the substandard conditions, the physical condition of one refugee with long history of neuropathy (nerve lesions) in the feet began to deteriorate from the outset. The neuropathy was caused by beating on the soles of the feet to which this refugee had been subjected during the ten years he spent as a political prisoner in Iran (1980-1990). Cold and damp weather in particular intensified his pain and made him unable to walk. Another refugee who suffered from sinusitis was also constantly ill.

They were provided with no personal hygiene items apart from soap, nor any change of clothing. They were obliged to make do with the resources they had brought with them in their bags, or buy in hygiene products, or go without.

**7. Lack of provision for outdoor exercise or indoor activities**

Throughout the 23 days, refugees were deprived of any in-cell or out-of-cell activity. No outdoor exercise was provided until the last week of their detention, when they permitted outside on a number of occasions to walk round the block. For the most part, they spent 24 hours a day without fresh air or natural light.

**8. Denial of communication with the outside world, and denial of access to legal counsel**

Apart from the last week of their detention, the refugees were not allowed to make or receive phone calls. The phone calls permitted to them in the last week were supervised, and restricted to family members. They had cell-phones when they got arrested, but these were confiscated at their arrest. However, on 8 January 2008, when they were transferred from the court to the Police Headquarters, they were able to hide a cell-phone and one extra SIM card and were therefore able to make and receive limited unauthorized calls to and from the outside during their detention.

They were twice allowed to have a UNHCR staff member visit them. However, they were not allowed visit from a lawyer who had expressed an interest in providing legal assistance, and the authorities gave no response to the lawyer's complaints on this matter.

**B. Hasköy Police Headquarters, Muş province (23 June to 26 September 2008)**

The detention facility in Hasköy, a town in the province of Muş, is located in the basement of the Provincial Police Headquarters. The two refugees who reported the conditions were detained there for three months following returning back to Turkey after a successful summary deportation to Iraq and another unsuccessful deportation attempt to Iran about a week later. (For further personal details, see Statement of Facts for application no. 30471/08 and 50213/08 available at <http://cmiskp.echr.coe.int/tkp197/search.asp?skin=hudoc-cc-en>).

**1. Capacity, number of inmates and overcrowding**

The facility consisted of two rooms measuring 12 m<sup>2</sup> and 24 m<sup>2</sup>. The smaller room had 10 beds (five bunks) and the larger had 24 (12 bunks). There were also two 4 m<sup>2</sup> rooms with narrow cement benches along the walls, one of which was used as the prayer room and the other for sleeping. Two more bunk beds existed against the walls of the hallway. (See **Attachment C- Detention facility in basement of Provincial Police Headquarters in Hasköy/Muş, third quarter of 2008, approximate floor-plan**)

For the first five weeks of their stay, there were about 85 foreigners detained there. From week 6 to 10, the numbers reduced to 31 when over half of the inmates were deported in a single group. In the final two weeks, the remaining detainees were also gradually deported. In the end, the two refugees who provided the report were the only remaining detainees.

**2. Poor standards of general hygiene, lighting and ventilation**

Because the facility was in the basement it was damp. The facility was also extremely dirty, with no cleaning arrangements nor any provision of proper cleaning supplies. The detainees only had a sponge mop which was provided in order to collect water that leaked from a wall of the facility, leaving pools of water on the floor. In response to protests, a small quantity of detergent was provided to clean the toilet.

The facility was also infested with insects, including mosquitoes and cockroaches in particular. In the last weeks of their detention, the refugees also had to deal with cat excrement because detention staff refused to remove the cats that had lodged in the basement.

The two small street level windows provided little natural light or ventilation. When the facility was overcrowded the air was constantly fetid and foul, and contaminated with cigarette smoke.

**3. Unsatisfactory sleeping accommodation**

Bedding consisted of thin mattresses and army blankets, which were worn and filthy. For a while, the blankets were infested with lice. No sheets or pillows were provided.

Due to the overcrowding, both refugees slept in the hallway for the first five weeks, on the bare floor next to the bathroom for the first five days. They later shared a blanket and a top bunk in the hallway.

After the sixth week, when more than half of the detainees had been deported, they moved to the 4 m<sup>2</sup> bare room where they had two mattresses and two blankets which remained dirty and unsanitary in spite of efforts to wash them with cold water.

#### **4. Inadequate sanitary facilities and provision of hot water**

The facility did not have showers or hot water. There were two sinks and two toilets, but only one of each was functional at any one time. Satisfying the needs of nature was extremely difficult during the first five weeks due to long queues and the unsanitary conditions of the toilet. During the first three weeks of their detention, they were twice taken to an outside public bathhouse. Then, for two weeks they were refused access to the bathhouse. In response to protests they were provided an electrical heating element. Thereafter, they bathed by filling a bucket with water and heating its contents with the element.

#### **5. Lack of medical and hygiene support**

During the three months spent there, they were not provided with effective medical attention. During the initial weeks they were constantly sick, apparently due to contaminated water. One had fever and throat pain for several days but was not provided with any medical treatment. Both refugees developed skin complaints from the outset, and although they were taken to a doctor for examination, they never received the medication the doctor prescribed.

Soap was the only personal hygiene products provided, and was limited. Because the refugees had no laundry detergent, they washed the clothes they wore in water alone. They were also obliged to dry their clothes indoors, as they had no outdoor access.

In the fifth week, in response to a serious infestation of lice in the blankets and mattresses, detainees were allowed to wash them (with cold water) and dry them outdoors under the sun.

When the refugees were arrested and detained the only clothing they had was what they were wearing (T-shirts and jeans). All their extra clothing was confiscated when they were summarily deported to Iraq a week before they re-entered Turkey. Despite repeated requests, they were given no clothing and were obliged to wear the same clothes for three months. During the last two weeks they requested warm clothing due to the cooling weather, but none was provided.

#### **6. Unsatisfactory provision of food and lack of safe drinking water**

Meals were provided twice a day at 10 am and 5 pm. They consisted mainly of soup with inadequate quantities of bread. The refugees believe that by the end of the end of the third month, judging from the loose fit of their clothes, they had each lost at least 10 kilograms.

Drinking water was not provided. They had to use the tap-water which is unpalatable in Turkey. For the first weeks of their detention they were constantly sick, and they believe that this was due to water contamination.

### **7. Lack of provision for outdoor exercise or indoor activities**

The facility had no provisions for indoor activities, and no arrangements to give detainees access to the open for fresh air or exercise. The refugees stayed indoors nearly 24 hours a day seven days a week. The exceptions were limited occasions on which they were taken out to perform jobs such as refuse collection, loading and unloading, watering the lawn, or when they went to a bathhouse or to the doctor.

### **8. Unpaid labor and confiscation/theft of money**

The refugees were expected to do jobs such as sweeping and washing the floors and stairs located outside the detention area or the outdoor jobs mentioned above, they were never paid anything for such work. One refugee stated that he was punched in the face when he refused to work on grounds of sickness.

When they were arrested all their possessions were confiscated. This included 495 US dollars and 105 Turkish Liras. They constantly demanded the return of their money so that they could buy food, water and other personal articles, but only 130 Turkish Lira were returned to them in the last weeks of their detention.

### **9. Denial of communication with the outside world, and denial of access to legal counsel**

When arrested, the detainees had a cell-phone which was immediately confiscated. When this cell-phone was eventually returned to them, it was inoperable because the SIM card had been stolen. Throughout the three months they were held in Muş/Hasköy, they were completely prohibited from making or receiving any telephone calls despite the fact that other detainees were allowed to make and to receive phone calls from the office. When the refugees protested at this, detention staff said that they were under strict orders not to allow the Iranian refugees to use the telephone. While in custody they were subjected to two body searches for cell-phones.

The refugees were not permitted any visitors during the three months with the exception of a UNHCR staff member who visited them on 4 August 2008 on permission from the Ministry of Interior. A domestic lawyer who had agreed to provide the refugees with legal assistance at UNHCR's request was persistently denied access. During this time, the refugees submitted several written complaints to the detention authorities concerning their conditions and the restrictions placed on communication. However, the authorities refused to accept these letters of complaint.

### **C. Tunca Foreigners' Guesthouse (Tunca Yabancılar Misafirhanesi), Edirne province (7 July 2008 to 2 June 2009)**

The Tunca foreigners' guesthouse, or more properly, detention center, is located in Edirne province in the westernmost part of Turkey, close to the borders with Greece and Bulgaria. The three refugees who reported conditions at Tunca were detained there after they had been deported by the Greek authorities and arrested by Turkish border guards. One stayed there for 11 months and two for 1½ months. (For further personal details, see Statement of Facts for application nos. 32940/08 and 43616/08 available at <http://cmiskp.echr.coe.int/tkp197/search.asp?skin=hudoc-cc-en>)

The Tunca center comprises two buildings, each divided into two wards. In Building 1, the larger ward is for men and the smaller for women and children. In Building 2, both wards are for men. One refugee stayed in both buildings for five and six months respectively. (See **Attachment D – Edirne-Tunca foreigners' detention center, Building 1 and Building 2, approximate map**)

On 7 December 2008 all men from Building 1 were transferred to Building 2 following a fire that broke out in a section of the men's ward.<sup>1</sup> Although the ward has since been renovated,<sup>2</sup> it had not admitted any new occupants at least until 2 June 2009.

Between 29 May and 2 June 2009, all 350 men detained in the two wards of Building 2 were unexpectedly released or transferred elsewhere. The hasty transfers from Tunca preceded the fifth periodic visit to Turkey of a delegation of the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) which was carried out from 4 to 17 June 2009 and included Tunca, one of the seven immigration detention centers visited by the delegation.

#### **1. Capacity, number of Inmates, and overcrowding**

In June 2008, the head of the Passport and Foreigners Department of the Edirne Province Police Headquarters, Chief of Police Ali Türedi, told Human Rights Watch that the capacity of the facility as a whole was 200.<sup>3</sup> In March 2009, the authorities provided the European Court of Human Rights with the figure of 300.<sup>4</sup>

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<sup>1</sup> For a report of the fire incident see: *Today's Zaman*, 8 December 2008, *12 hospitalized after fire in Edirne migrant facility*, <http://www.todayszaman.com/tz-web/detaylar.do?load=detay&link=160909>, [visited on 1 June 2009]

<sup>2</sup> Based on photographs Turkish Government submitted in March 2009 to the European Court of Human Rights in the proceedings of individual complaints.

<sup>3</sup> Human Rights Watch, November 26, 2008, *Stuck in a Revolving Door: Iraqis and Other Asylum Seekers and Migrants at the Greece/Turkey Entrance to the European Union*, (IX. Detention in Turkey), <<http://www.hrw.org/en/node/76211/section/12>>.

<sup>4</sup> As noted in the Turkish Government's submissions to the European Court of Human Rights in the proceedings of individual complaints.

According to the three refugees, during the 2<sup>nd</sup> half of 2008, the population of the men's ward of Building 1 was usually 120 to 150 persons, though this rose to over 200 or fell to 50 for various periods of about a week. At the time of the 7 December 2008 fire, domestic reporters said that there were 173 inmates.<sup>5</sup>

Yet, the entire men's ward in Building 1 measured 233 m<sup>2</sup> (with a sleeping area of 169 m<sup>2</sup>), had a total of 55 beds (of which 16 had no proper mattress, because the mattresses were so old that they had begun to disintegrate, or no mattress at all), one functioning toilet and one functioning door-less shower. (See **Attachment E- Edirne-Tunca detention facility, Building 1, Men's Ward, second half of 2008, approximate floor-plan**)

During the first half of 2009, there were usually 250 to 300 persons in Ward 1 of Building 2, with periods of a few days when it decreased to around 50. The entire Ward 1 in Building 2 measured 408 m<sup>2</sup> (with a sleeping area of 288 m<sup>2</sup>). Prior to February 2009, the ward had no beds at all. Thereafter, up to 90 beds (bunks) were gradually added. The ward had three flush-less toilets and no working showers. (See **Attachment F - Edirne-Tunca detention facility, Building 2, Ward 1, first half of 2009, approximate floor-plan**)

As reported, a year earlier, in June 2008, at the time of a visit by a Human Rights Watch team, the Tunca center held 703 detainees in the two buildings (four wards). Human Rights Watch was also informed that at one point in summer of 2007, Tunca held as many as 1,030 detainees.<sup>6</sup>

## **2. Poor standards of general hygiene, lighting and ventilation**

Both wards had dirty walls and floors. There was daytime natural light in the men's ward of Building 1 but the artificial lighting was inadequate. The air was constantly fetid and foul and heavily contaminated with cigarette smoke. Local people who approached the windows from the courtyard told detainees that they picked up the horrid stench of their place even from the outside. The windows were not equipped with screens to exclude insects. Constant overcrowding made it impossible to maintain cleanliness.

The ceiling of Ward 1 of Building 2 was festooned with cobwebs. The building had no winter heating. Provision of natural and artificial light was so inadequate that people could hardly read at any hour of the day or night. Windows did not have screens to keep out insects. The air was always fetid, foul and heavily contaminated with cigarette smoke. On the rare occasions that guards entered the ward, they wore surgical masks. Constant overcrowding alone made it impossible to maintain cleanliness.

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<sup>5</sup> Above note 1.

<sup>6</sup> Above note 3.

### **3. Unsatisfactory sleeping accommodation**

In the men's ward of Building 1, the sleeping accommodation was limited to 55 beds, 39 full mattresses and 55 blankets which were dirty, worn out and insufficient to meet the numbers detained there. Sixteen of the 55 beds in the ward had no proper mattress because the mattresses had begun to disintegrate, or no mattress at all.

Ward 1 of Building 2, prior to February 2009, had no beds at all. Thereafter, up to 90 beds (bunks) were gradually added. About two dozens of the beds were the old worn out beds used in Building 1 prior to the fire incident. The mattresses and blankets that were used on floors had mites and lice.

### **4. Inadequate sanitary facilities and provision of hot water**

Sanitary facilities in both wards were in a very poor state of cleanliness and repair, and were also far from adequate for the numbers detained. Neither ward was equipped with cleaning supplies for the sanitary facilities.

The only bathroom in the men's ward of Building 1 had only one working toilet and one working door-less shower. The waste from the three sinks drained externally first into a bucket and then into the only working toilet.

In Ward 1 of Building 2, the three toilets had no flush and there were no working showers. Detainees used a wall faucet, a bucket, and a blanket (for privacy) in order to bathe.

In both wards, hot water was available only 2-6 hours per week. In warm weather, hot water was not available for weeks at a time. Laundry had to be dried inside the wards which left a musty smell in clothing and contributed to the already foul air.

### **5. Lack of medical and hygiene support**

The Edirne-Tunca center lacked medical support, other than for the most serious emergency cases. No detainees received any medical screening whatsoever, and no medical records were maintained even for detainees who were held for long periods.

Detainees had to provide all their personal hygiene articles themselves. The general unsanitary conditions and the constant overcrowding made it impossible to maintain personal hygiene.

### **6. Unsatisfactory provision of food, and lack of safe drinking water**

The food provided in Edirne-Tunca was of poor nutritional and caloric value. Breakfast, often consisting of soup was frequently inedible. Lunch and dinner was a monotonous provision of cooked bulgur, plain pasta, legumes, and soups with zucchini, cabbage or potatoes. The diet never included salad greens or fruit or fresh vegetables, and rarely any meat or dairy products. The bread was frequently stale. The portions were severely reduced

when the number of detainees increased. Detainees often had to eat with their fingers because utensils were not provided regularly.

Neither building had an allocated dining area, and in both buildings, food was distributed through an opening in the iron-bar gate of the ward. Detainees had to eat in the same crowded conditions in which they were locked up 24 hours a day.

Detainees had to buy their groceries from private shop-owners at inflated prices in humiliating circumstances. Every day a shop-owner would come to one of the windows in the men's ward of Building 1. Detainees had to struggle with one another to reach him. He took their orders and after receiving payment he delivered the groceries through the iron bars of the window. In Ward 1 of Building 2, a shop-owner came to a small, fully enclosed space sectioned off from one corner of the warehouse. He sold groceries to detainees through a hole.

The water supply in Tunca was mains water from the bathroom taps. Mains water is not palatable anywhere in Turkey. Detainees either had to buy bottled water at inflated prices or else do without.

## **7. Lack of provision for outdoor exercise or indoor activities**

Male detainees in the Edirne-Tunca center were generally locked up 24 hours a day and not permitted outside for fresh air or exercise. The refugee who was held in Tunca for 11 months was taken outside for a total of eight half-hour exercise periods, all within the final three months of his stay. Even if the authorities had wanted to permit outdoor exercise for detainees, it would have been impossible since the Tunca center's courtyard did not have secure fencing, and there were insufficient security staff to provide supervision.<sup>7</sup> The eight periods for which refugee was taken out for half an hour in the last three months of his stay in Building 2 took place in the unusual circumstances when numbers had fallen below 50.

## **8. Denial of communication with the outside world, and denial of access to legal counsel**

Building 1 men's ward, and Building 2, Ward 1 had one public telephone each, which was inadequate for the large number of detainees. Lack of telephones was a cause of tension and violence among detainees. Detainees who lacked money had to rely on the generosity of other detainees to make phone calls because the authorities did not provide telephone cards for the public telephone. The refugee who stayed in Tunca for 11 months was not permitted to meet either with lawyers or with UNHCR for most of his stay there.

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<sup>7</sup> In June 2008, the head of the Passport and Foreigners Department of the Edirne Province Police Headquarters, Chief of Police Ali Türedi, told Human Rights Watch that the Tunca center had just four guards on each shift, who were responsible for supervising 700 detainees. Above note 3.

**D. Warehouse operated by Didim Gendarmerie Headquarters in Aydın (5 to 15 August 2008)**

The unofficial warehouse operated as a holding station for foreign nationals, mainly refugees, is located in Aydın, capital of Aydın province in Turkey's southwest Aegean region, about 20 km from Didim Gendarmerie Headquarters who are responsible for operating the centre. The refugee who was detained for ten days in this facility was arrested in Didim. (For personal details, see Application no. 41626/08, Statement of Facts, available at <http://cmiskp.echr.coe.int/tkp197/search.asp?skin=hudoc-cc-en>).

The warehouse covers approximately 300 m<sup>2</sup>, though it is still partly occupied by abandoned machinery. During the period in question, the facility was occupied by 200-300 foreign nationals including about 50 women and children. Fellow detainees said that sometimes as many as 500 foreigners had been locked up there.

The warehouse was infested with mice, caterpillars, scorpions and flies, and everything was covered with dust. The walls had no windows. The roof had some windows which provided limited natural light. The artificial light was switched on 24 hours a day. There was no ventilation system and the refugee reported that the facility was extremely hot at all times, since he was held there in August. The air was constantly dusty, which made breathing uncomfortable. Detainees were not permitted to leave the building for outside exercise, and remained inside 24 hours a day.

There were no beds or blankets in the warehouse. All detainees were obliged to sleep on dusty and dirty cement floors, though the more fortunate had found themselves cardboard boxes to use as bedding. The women slept in a partially separated but still exposed area near the bathroom. Nobody had any privacy even at nights because the lights were kept on permanently.

There was no hot water and the facility had only two toilets and two showers. Before entering the facility, detainees were forced to check in with the guards their socks and shoes (as well as belts). They were all barefoot and slippers were not provided, not even for use in the toilet. As a result the floors were constantly contaminated with toilet filth.

Safe drinking water was not available. Meals consisted of bread only, distributed twice a day at about 9:00 am and 5:00 pm. Each person received about half a loaf each day. Neighboring farmers twice brought the detainees some olives, cheese and tomatoes as a charitable act.

The refugee who reported the conditions at the warehouse developed a foot infection. He was not taken to a doctor and just provided some ointment to apply. Because of the dust, his lungs hurt constantly, and he had difficulty in breathing. His health further deteriorated as he had a long history of kidney dysfunction and was obliged to shower with cold water.

During his stay he was also banned from communication with the outside world. His cell-phone, which was confiscated when he was taken into custody, was never returned to him.

**E.           Aydın Police Headquarters (15 August to 5 September 2008)**

The detention facility in Aydın, the capital of Aydın province in Turkey's southwestern Aegean region, is located at Aydın Police Headquarters. The refugee who gave the account in section D was subsequently transferred to this facility. There, he was put in a small open door cell with six other foreigners. The room was quite crowded, being occupied by seven beds (three two-tier bunks and one single bed), so only one person could walk sideways between the beds. His bedding consisted of a dirty and torn mattress. Another detainee lent him a bed sheet.

The cell had a small window which opened onto the street but the room itself and the facility in general received little natural light during the day, and consequently the electric lights were always on. There was no ventilation system which meant considerable discomfort at the height of summer. Detainees were not permitted to spend any time outdoors, and had no opportunities for indoor recreational activities or activities other than assisting with chores such as cleaning and distribution of meals.

Meals were provided twice a day, at noon and in the evening. Safe drinking water, essential for the refugee in question, who had a kidney condition, was not provided, and he was unable to buy any from outside because all his money had been confiscated when he was first taken into custody.

The facility had two private showers but no hot water. Because the refugee had to shower with cold water his kidney complaint repeatedly flared up. No personal hygiene articles were provided other than small quantities of soap. No clothing was provided, and since the refugee's spare clothing was also confiscated when he was taken into custody, he had no change of clothes.

During his stay at Aydın he was refused all communication with the outside world. His cell-phone was confiscated when he was taken into custody and never returned to him.

**F. Güzelçamlı Gendarmerie Station in Kuşadası, Aydın (16 to 26 September)**

The detention facility in Güzelçamlı, a sea-side town in the district of Kuşadası in Aydın province, is located in the Gendarmerie Station. The refugee who was detained in this facility was arrested along with his friend after Turkish coastguards rescued them in Kuşadası bay. They both requested asylum. His friend was immediately deported to Iraq but the refugee in question was detained for another 11 days, apparently because of his skills in electrical repairs before he too was deported to Iraq. They were both deported to Iraq irregularly and dangerously. (For further personal details, see Statement of Facts for application no. 46134/08 available at <http://cmiskp.echr.coe.int/tkp197/search.asp?skin=hudoc-cc-en>)

**1. Capacity, number of Inmates and overcrowding**

Güzelçamlı Gendarmerie station has two basement levels. Foreigners who were arrested in Kuşadası were detained either in a storage room in the first level of the basement or in one of the three locked door cells of the second level of the basement. One of the three cells in the second level were reserved for men while the other two were allocated to women and children. (See **Attachment G- Detention facilities in basements of Gendarmerie Station in Güzelçamlı/Aydın, September 2008, approximate floor-plan**)

For the first three days, the refugee was locked up in the storage room in the first level of the basement. The room was L-shaped measuring less than 25 m<sup>2</sup>. It was occupied by over 40 male detainees, some of whom had been held there for several months.

During his initial interview, the refugee had informed the detention authorities that he had studied electrical engineering and had experience in electrical repairs, so after the fourth day he was transferred to one of the closed door cells of the second level of the basement. On that floor there were three cells measuring between approximately 6 to 9 m<sup>2</sup>. His cell, which was already occupied by 11 men, measured approximately 9 m<sup>2</sup>. The other two cells were also crammed with women and children.

**2. Poor standards of general hygiene, lighting and ventilation**

The facility was never cleaned. Conditions in the L-shaped storage room which was originally used to store coal were truly wretched. Detainees in the second level attempted to clean their room and the sanitary facilities with their own cleaning supplies. Both the first and second level rooms were insufficiently lit and barely had any ventilation.

**3. Unsatisfactory sleeping accommodation**

The L-shaped storage room in the first level of the basement had no beds, and there was insufficient floor space for everyone to lie down with the result that detainees fought over space. Some shared their lice-infested blankets but most had no blankets at all.

The men's cell on the second level had one bed. Four persons crowded in to sleep on it while the other seven slept on the floor. As there was no room left on the floor, the refugee slept on a bare metal-bar arm-chair with one blanket which he used as both cushion and cover.

#### **4. Inadequate sanitary facilities and lack of provision of hot water**

The L-shaped storage room in the first level had no sanitary facilities. Detainees were taken to the upstairs sanitary facility (toilet and sink), four at a time, every 24-30 hours. The guards kicked the toilet door or poured water from above the door on anyone who stayed longer than a few minutes. No soap was provided, and detainees were allowed only a minute or so to wash their hands in the sink with cold water. Those who procrastinated were kicked and pushed away. As a result of the lack of access to sanitary facilities when required, detainees relieved themselves into empty bottles and plastic bags in the basement in the presence of others.

The men's cell in the second level of the basement had one toilet and one sink in a fully partitioned section of the cell. As there were no showers, detainees used the sink to bathe. They also used the sink to wash their dishes and spoons using soap purchased with their own money.

Hot water was not available anywhere in the facilities.

#### **5. Unsatisfactory provision of food and lack of safe drinking water**

Because it was the fasting month of Ramadan (1-30 September 2008), meals were provided twice a day, before sunrise and after sunset. The refugee was told that at other times of the year, food was only provided once a day. Although meal portions were still very small, the quality and content improved during Ramadan as a result of food donations, and sometimes included cheese or meat in addition to the usual bread, tomatoes and beans. Meals were served in the storage room on dirty dishes and eaten with dirty spoons.

Safe drinking water was not provided. Detainees drank the unsafe tap-water. In the L-shaped storage room, where even tap-water was not available for much of the day detainees filled old bottles with tap-water when they visited the upstairs sanitary facilities.

#### **6. Lack of medical and hygiene support**

During the time that the refugee was detained he received no medical attention or medication other than two sedative pills given to him by coastguards after he had been rescued from the sea.

The only personal hygiene article he had during this time was a towel that the coastguards had given him when they rescued him.

In the L-shaped storage room, the detainees' clothing was infested with lice. Detainees also suffered from skin complaints. When the refugee was rescued, the only clothing he had was a

pair of swimming trunks and a T-shirt. He constantly requested clothing, especially trousers and shoes, he was only given a pair of worn out shoes three sizes larger than his feet so that he could go outdoors in order to carry out repairs.

**7. Lack of provision for outdoor exercise or indoor activities**

In both the first and second level basement rooms, detainees were locked up 24 hours a day. In the first level they were taken upstairs for a few minutes each day to use the sanitary facilities. Neither location had a television or any other form of indoor activity.

The refugee was exceptionally permitted to leave the cells and even go outdoors in order to carry out repairs for the authority running the facility.

**8. Denial of communication with the outside world, and denial of access to legal counsel**

From the moment he was taken into custody, the refugee was barred from communicating with the outside world. He nevertheless managed to call his brother for a few minutes four days after his detention. His brother found a local lawyer who with the assistance of the UNHCR located him after seven days. Two hours after he met the lawyer and gave him written authorization to represent him, he was removed from there and deported to Iraq.

**G. Gazi Osman Paşa (GOP) in Kırklareli (27 September 2008 - present)**

Gazi Osman Paşa Yabancı Kabul ve Barındırma Merkezi (Gazi Osman Paşa Foreigner Admission and Shelter Center - GOP) is located in Kırklareli, a province in northwest Turkey bordering Bulgaria. The six refugees who reported the conditions in GOP had previously been detained in other detention facilities in Turkey for periods ranging from one to 11 months.

Although the facility has 320 beds for men (in 80 cells divided in four blocks), 48 for women (in 12 cells) and there are 6 cells for families it is not suited for this many people. The measurement of each cell is only 14.2 m<sup>2</sup> (L-shaped, 4.35\*2.35 + 2.1\*2.1). Each has four beds (two bunks). (See **Attachment N – Kırklareli GOP: map and cells**).

As of July 2009 one or two of the refugees lived in each of the 14.2 m<sup>2</sup> cells. Overcrowding has not so far presented a problem but the refugees have been continually criticizing GOP for its poor state of cleanliness, unsafe drinking water, insufficient access to hot water, poor food quality, inadequate medical support, lack of equipment for exercise, and lack of programs for work and education.

**1. Unsatisfactory provision of food and lack of safe drinking water**

During weekdays, food is prepared by a catering company and on weekends by local staff. The menu was apparently designed without consideration for nutritional or caloric content. The caloric needs of the general population there (men of 30-50 years of age) is around 2500 but the caloric value of the GOP meals are approximately 1500. Meal courses are monotonous, rarely appetizing and often inedible. The menu consists mainly cooked bulgur and/or plain pasta, legumes, a limited range of cooked vegetables, or soup. It never includes meat or salad greens and rarely any fresh vegetables or fruit or dairy foods. Hot beverages are never served. Occasionally a small soft drink or half a cup of tap-water mixed with as much as a tablespoon of yogurt or milk is served as the third course. (See **Attachment H – Kırklareli GOP: meal menu (21-26 May 2009)**)

Because the catering company delivers all three meals of the day in the morning, the lunch and dinner items are thinned or moistened with GOP's unsafe tap-water when they are reheated. Refrigeration is not available for perishable foods. Because the kitchen is not in a usable condition, when GOP's staff prepare the food at weekends, they do the cooking on a picnic burner in a storage room which has no running water. When food is prepared inside the premises at weekends, the entire menu is prepared using GOP's unsafe water supply. Detainees often reject the food when it is watery because they would expect to get sick afterwards. Even during the week, food is not served hot but either lukewarm or cold because GOP lacks a kitchen or even a stove. Staff at GOP never eat the food, and the day's leftovers are fed to the guard dogs.

Food is distributed at the iron-barred gate to the block. Detainees eat their food in their cells because the space that once used to be a dining hall is now covered with mold and grime, and has no furniture. Washing food trays and discarding food waste is done in one of the shower stalls because the kitchen is not in a usable state. (See **Attachment I – Kirklareli GOP: food distribution, dish-washing and kitchen**)

Any food preparation that detainees do for themselves is done in their own cells with their own equipment. The “canteen store” is run by private shop assistants who set their own prices which are not subject to any control by the authorities, and in the absence of any other option, detainees are obliged to buy essentials at inflated prices. (See **Attachment J – Kirklareli GOP: inflated grocery prices**)

The water in GOP contains not only the usual impurities that make tap-water unpalatable all over Turkey but also oily solid substances, the source of which is the old water storage tower. (See **Attachment K – Kirklareli GOP: sediment from 2 Liters of boiled water**) Reportedly, the storage tank in the tower (located 70 meters from the facility fence as shown in the 1<sup>st</sup> photo of Attachment D) has not been cleaned in recent memory. The doctor who visits the facility advises the detainees not to drink GOP’s water. Staff at GOP do not drink the tap-water. Detainees purchase water, to the extent that their resources permit, at inflated prices from GOP’s canteen store. (See **Attachment J – Kirklareli GOP: inflated grocery prices (May 2009)**)

## **2. Inadequate medical and hygiene support**

There is a room at GOP for medical consultations, and a doctor frequently visits the center. However, his visits are reportedly very brief, not usually exceeding 20 minutes to offer consultation to the whole population,. It appears that the doctor does not keep records on the detainees’ health. Some refugees who were referred to outside doctors complained that examinations and treatments were superficial and insufficient. A refugee whose bifocal glasses were confiscated upon arrest was provided one set of reading glasses. When the refugee requested long distance glasses he was told “not to be greedy”. Another refugee whose kidneys had been operated on for kidney-stones and had been experiencing urinary problems following transfer to GOP was merely provided with sedatives. No psychological assessment or treatment is provided.

## **3. Inadequate provisions for outdoor exercise or indoor activities**

GOP offers no programs for work, no facilities for education, not even a daily newspaper or magazine. The lack of work and education programs have been particularly frustrating and depressing for the refugees at this centre because many of them are held for long periods there.

Detainees are allowed to spend time outdoors in the courtyard between 12-5 p.m. daily. However, like its interior, the exterior of the GOP has a carceral character. The yard is

surrounded by a chain-link fence topped with barbed wire, and is equipped with 21 closed circuit cameras. The premises are guarded at all times by one permanently stationed guard, five to seven duty police and six police dogs. (See **Attachment L – Kirklareli GOP: forbidding carceral exterior**)

The courtyard is earth and gravel. The only patch of greenery is an area of overgrown grass, which is reportedly snake-infested. The refuse disposal corner is usually filled with garbage. The only sports equipment in GOP is one tennis-table. Detainees must provide their own rackets and balls.

There is a TV room with a single television set, despite the fact that the foreigners' center will inevitably house a population speaking several different languages. The room is not properly furnished, and has no heating. The TV was out of order from mid-January to mid-March 2009).

#### **4. Poor standards of general cleanliness, sanitary facilities, and provision of hot water**

There is no regime for cleaning or repairs for the cells or the common areas at GOP. Detainees clean their own cells and the bathrooms using the minimal cleaning equipment and materials available. In November 2008 detainees used razor blades to remove years of accumulated mold and grime from walls and fixtures, but the toilets remained in a state of poor hygiene and repair due to the lack of maintenance and cleaning. (See **Attachment M – Kirklareli GOP: sanitary facilities and general state of cleanliness**)

The water heater in GOP is turned on only for a few hours on Mondays and Fridays, but even during these times, the water is lukewarm rather than hot and tends to run out before all have had their shower or completed their washing. For the rest of the week, all laundry and bathing must be done with cold water.

## **H. List of Attachments**

Attachment A -	Map showing the seven detention centers	1
Attachment B -	Detention facility in basement of Police Headquarters in Silopi/Şırnak, January 2008, approximate floor-plan	2
Attachment C -	Detention facility in basement of Provincial Police Headquarters in Hasköy/Muş, third quarter of 2008, approximate floor plan	3
Attachment D -	Edirne-Tunca foreigners' detention center, Building 1 and Building 2, approximate map	4
Attachment E -	Edirne-Tunca detention facility, Building 1, Men's Ward, second half of 2008, approximate floor-plan	5
Attachment F -	Edirne-Tunca detention facility, Building 2, Ward 1, first half of 2009, approximate floor-plan	6
Attachment G -	Detention facilities in basements of Gendarmerie Station in Güzelçamlı/Aydın, September 2008, approximate floor-plan	7
Attachment H -	Kırklareli GOP: meal menu (21-26 May 2009)	8
Attachment I -	Kırklareli GOP: food distribution, dish washing and kitchen	9
Attachment J -	Kırklareli GOP: inflated grocery prices	10
Attachment K -	Kırklareli GOP: sediment from 2 Liters of boiled water	10
Attachment L -	Kırklareli GOP: forbidding carceral exterior	11
Attachment M -	Kırklareli GOP: sanitary facilities and general state of cleanliness	12
Attachment N -	Kırklareli GOP: map and cells	13

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