



# National Preventive Mechanism

(Simplified Version for Children)



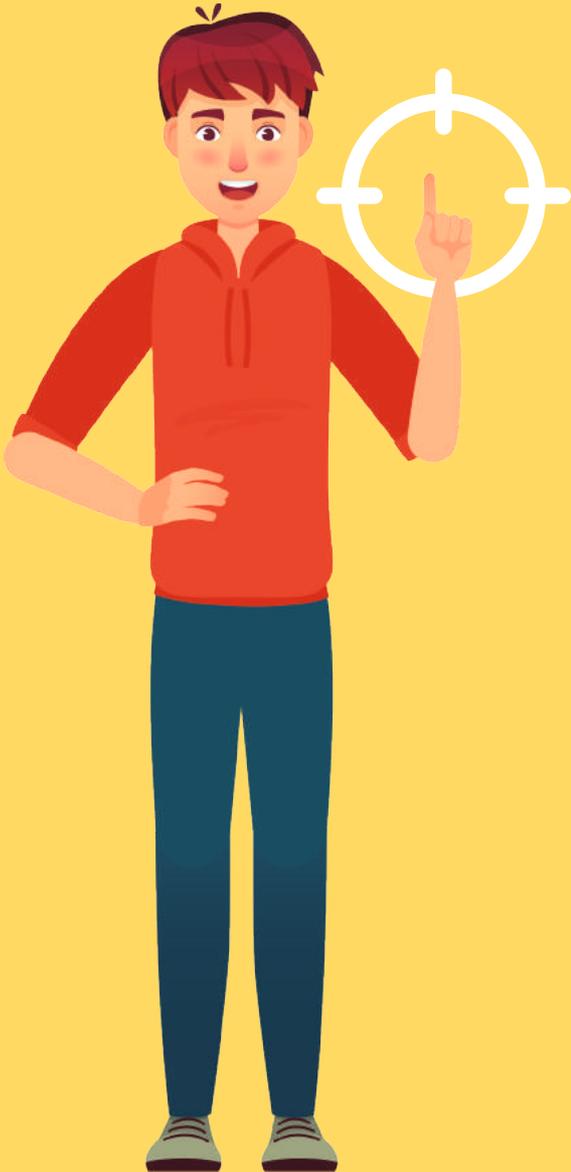
# Introduction



Until the age of  
18, we are all  
children and we  
all have rights!



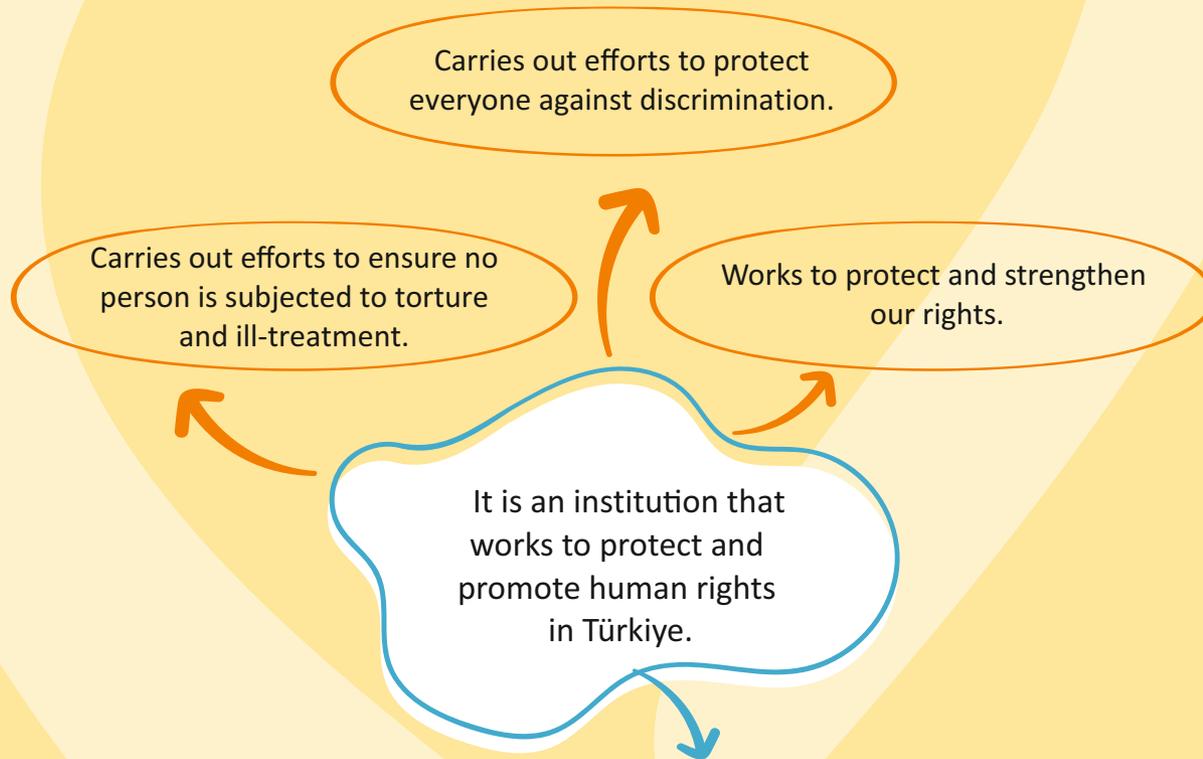
Our rights must always be protected. There are certain institutions both within and outside of our country that protect and promote our rights.



## Purpose of the Guide

**The purpose of this guide** is to inform you about the roles of the Human Rights and Equality Institution of Türkiye (HREIT), which protects your rights especially when you are deprived of liberty (for example, being in prison) or under protection for a special condition (**such as being in the child support center or children's homes**). The guide will also inform you about the process of applying to this institution when you experience any kind of adverse event.

# Come! Let's all get familiar with the Human Rights and Equality Institution of Türkiye (HREIT)!



**HREIT carries out its efforts to prevent torture and ill-treatment under the name of National Preventive Mechanism (NPM).**

This mission was granted to HREIT within the framework of a document known as OPCAT (Optional Protocol to the Convention Against Torture), a part of the United Nations Convention Against Torture.

# OPCAT

What is it?

**OPCAT is the Optional Protocol to the United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.**

OPCAT aims to prevent behaviors that humans do not deserve such as torture, ill-treatment, and degrading treatment in closed institutions including prisons, care institutions, and removal centers.

In order to achieve this, the Subcommittee on Prevention of Torture (SPT) was established alongside the entry into force of the OPCAT.

To ensure this is achieved, the Committee, which consists of independent and expert persons, conducts regular visits to these institutions without any prior notice.

OPCAT assures that the Committee conducts inspections during these visits, interviews with persons who are being held in these institutions and makes suggestions to improve the conditions SPT also works to collaborate with NPM's around the world.

# To summarize...

The United Nations has prepared a convention to prevent torture and ill-treatment. The OPCAT is one of the annexes to this Convention and defines regular visits to institutions where persons are deprived of their liberty.

In Türkiye, this duty is undertaken by the Human Rights and Equality Institution of Türkiye (HREIT) as the National Prevention Mechanism (NPM).





**Let's find answers to  
questions that may come  
across as unanswered!**



What does torture and ill-treatment mean?



What is deprivation of liberty?



What are the places of deprivation of liberty?



What does it mean to “regularly visit” places where people's freedoms are restricted and why is this important?



## What is Torture and ill - Treatment?



People can behave in ways that harm another person. These behaviors can occur in different levels, and even reach the level of **torture** or **ill-treatment**. What do these words mean?

A behavior that harms another person,

- ✘ If it is inflicted intentionally by a public servant or public servants (or if it is inflicted with their knowledge and consent),
- ✘ If it is inflicted to get information about something or to get a confession,
- ✘ If it is inflicted to scare, intimidate, or punish for an action taken,
- ✘ And if that behavior causes the person deep distress, physical or mental pain, it is called **torture**.

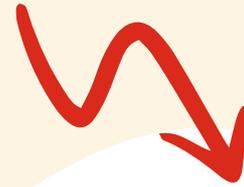
Any physically or psychologically damaging behavior that is not as severe as torture, but is still inflicted by a public servant or public servants (or, if not inflicted by them, inflicted with their knowledge and consent) is called **ill-treatment**.

Torture

ill-treatment



**The most significant difference between torture and ill-treatment** is that unlike ill-treatment, torture is intended for a specific purpose and is inflicted intentionally. Furthermore, torture leaves much heavier and deeper scars on people.



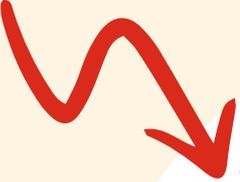
**What does  
Deprivation  
of Liberty  
mean?**

**Deprivation of Liberty** means limiting rights within a certain framework and restricting liberty.



It means the placement, detention or imprisonment of a person in a place by order of state institutions due to an action they have taken or a characteristic they possess.

Individuals cannot leave these places voluntarily and they have to behave accordingly with the rules there.

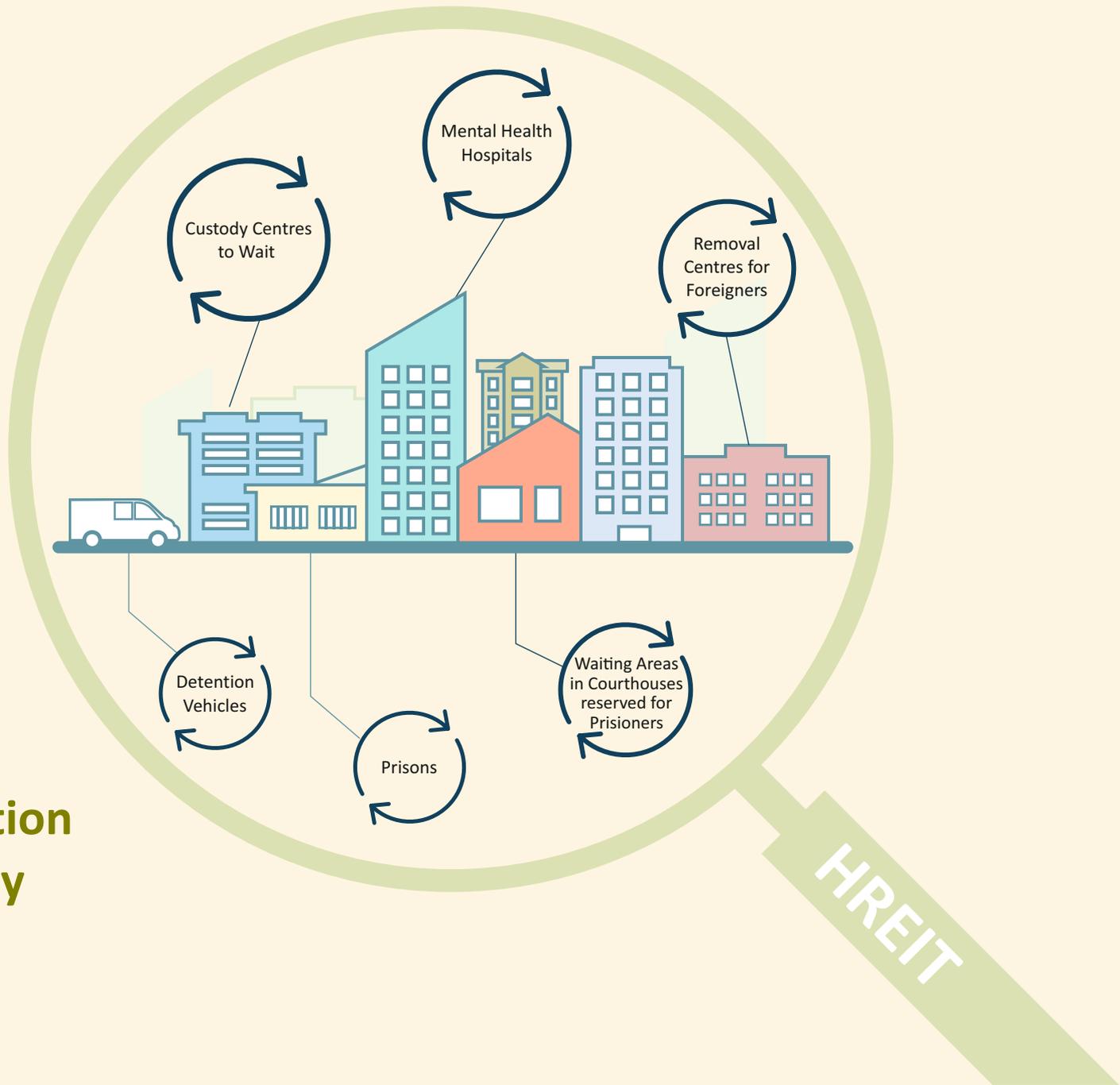


## What are some examples to places with Deprivation of Liberty?



- Prisons,
- Custody Centre,
- Mental Health Hospitals,
- Removal Centers for Foreigners,
- Detention Vehicles,
- Waiting Areas in Courthouses reserved for Prisoners,
- Similar places.

# Deprivation of Liberty



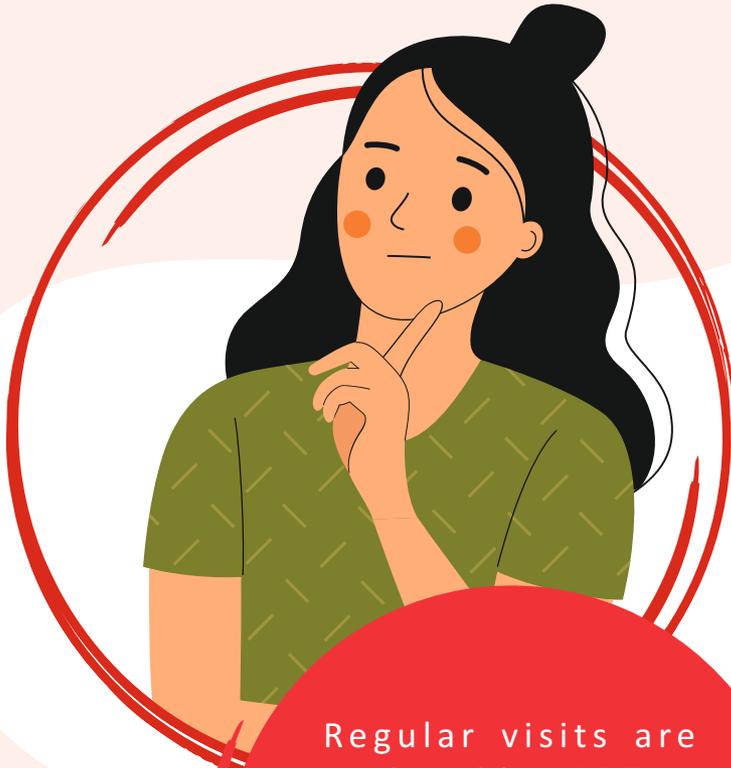
HREIT



OPCAT isn't only concerned with places of detention. It does not only define visits to such places but also describes conducting visits to living places where people with special needs and vulnerabilities are protected.

Some of these are:

- Care Homes for Persons with Disabilities,
- Nursing homes and Elderly Care Homes,
- Child Homes,
- Child Support Centers,
- Places of Refugee camps,
- Camps Inhabited for a certain period,
- Similar places.



## What is a regular visit?

Regular visits are conducted by HREIT on certain dates within the framework of a plan to places of Deprivation of Liberty (detention) and protection.

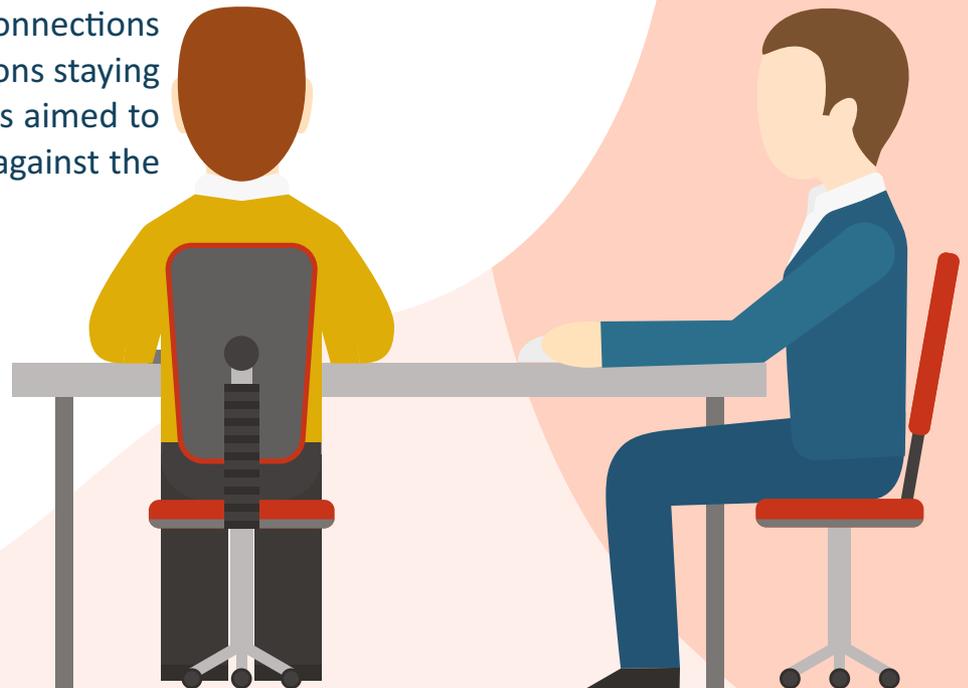


## Why are regular visits important?

Places where people are deprived of their liberty (detained) or where people are forced to stay because of their special needs are "closed" to the outside and don't get many visitors. Therefore, these places may be invisible to the public, remain unnoticed and without supervision.

The main purpose of **regular visits** is to strengthen and make visible connections with the outside world for persons staying in these places. By doing so, it is aimed to prevent any negative behavior against the people living there.

During regular interviews, conditions of the institutions and how people working there treat people who live there are inspected.



**To express everything explained in more detail, issues listed below are examined within the scope of these visits:**

- Whether there is torture and/or ill-treatment,
- Suitability of physical conditions (For example, suitability of the ventilation system, the sufficiency of hygiene conditions, whether there is a heating system, sufficiency of foods or if the foods are healthy, whether there is enough material for everyone, etc.),
- The attitude of the management and personnel (For example, if any personnel yells, curses or uses humiliating nicknames, etc.),
- Access to the complaint and request mechanisms (For example, if the petitions written to the administration are answered in time, and if sufficient information about complaint and request mechanisms is provided, etc.),
- Communication with the outer world (For example, whether visiting times are arbitrarily shortened, whether access to means of communication such as the telephone is blocked, etc.),
- Opportunities of the event (For example, whether there are activities/if any, whether they are sufficient, whether participation in social activities is prevented arbitrarily or not, whether the facilities of the institution are utilized, etc.),
- Access to healthcare services (For example, whether access to healthcare personnel is prevented, whether a health need is timely responded to, etc.),
- Other issues related to human rights.

## Who carries out the regular visits?

Regular visits are carried out by the **HREIT Experts**.



If needed, professionals (such as doctors, psychologists, etc.) can be included in the committee formed by the HREIT as NPM. Representatives from civil society organizations and bar associations working in related fields may also participate in these visits.



## How are regular visits carried out?

The committee may carry out the visit with or without prior notice to the institution. The committee may also make a follow-up visit later in the process to see whether the recommendations made in the previous visit have been implemented.



By the end of the visit, the committee evaluates the visit and writes a report assessing the visit.

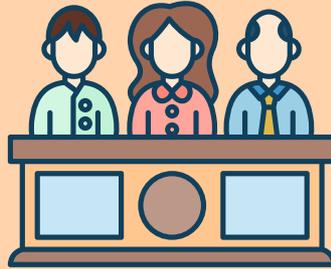
Recommendations are given to the authorities within institutions.

In their next visit, the committee examines whether there has been change according to their recommendations from the previous visit.



## How are regular visits carried out?

1



The committee arrives at the institution for visit.

2



Committee members conduct interviews with people who are detained and personnel who work in these institutions. Committee members freely determine the people they will meet and conduct one-on-one or group interviews with.

3



When the committee visits, they may also examine and take notes about the rooms where people detained in these institutions accommodate, including areas of activity and other annexes within there.



The committee reviews files and records about the institution and people there, and may take copies regarding this.

4



The committee takes measures to provide confidentiality on the information given in these interviews and to ensure safety of informants. Also, information about informants is not included in the reports, which the institution prepares related to these visits. The report gets published on the institutions website, with exclusion of personal data.

5



After the committee finishes all interviews and examinations, they share their observations and identifications with the authorities in these institutions.

Issues that need urgent solution are particularly identified by the committee.



## **Other Important Points and the Application Process**

The main duty of HREIT, as a NPM, is to prevent torture and ill-treatment before they occur.

However, if torture and ill-treatment is not prevented and the person residing in a closed institution thinks that their rights are being violated, they can apply to HREIT.

One of the duties of the institution is inquiring into, examining, taking a final decision and monitoring the results of applications filed by persons deprived of their liberty or placed under protection, which falls into the scope of the NPM.

**What can a person who believes they have been subjected to torture and ill-treatment do?**



**Then you can apply to HREIT!**

✓ Are you staying in an institution where your liberty is restricted or you are under protection?

✓ Do you believe that the conditions of where you are staying are poor or that you are being subjected to torture or ill-treatment by the personnel or within their knowledge and approval?







