



TÜRKİYE
İNSAN HAKLARI VE
EŞİTLİK KURUMU

**REPORT ON VISIT TO GAZİANTEP
REMOVAL CENTRE (REPORT NO. 2019/05)**

FEBRUARY, 2019

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A. INTRODUCTION

1. Human Rights and Equality Institution of Turkey (“HREI”) was established by the Law no. 6701 and aims to work on the basis of human dignity, towards protection and promotion of human rights, ensuring individuals’ right to equal treatment, prevention of discrimination in the exercise of legally recognised rights and freedoms and which will carry out actions in line with these principles, effectively fight against torture and ill treatment.
2. On 14 September 2005 Turkey signed Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (“OPCAT”). The objective of the OPCAT which entered into force upon being ratified in 2001 and became binding for Turkey is: “*to establish a system of regular visits undertaken by independent international and national bodies to places where people are deprived of their liberty, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment.*”¹
3. Pursuant to Article 9/1-1 of the Law no. 6701 on the HREI, acting as the National Preventive Mechanism (“NPM”) within the framework of the provisions of the OPCAT is one of the duties of the Institution. Under Article 2/1-k of the Law, NPM is: “*The system put in place to carry out regular visits to places where persons are deprived of their liberty within the framework of the Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*”.
4. Removal centres are one of the places where persons are deprived of their liberty or protected, and the main basis is found in the Law no. 6458 on Foreigners and International Protection. Article 58 of the Law no. 6458 reads as follows: “(1) foreigners subject to administrative detention shall be held in removal centres, (2) the removal centres shall be operated by the Ministry. The Ministry may have these centres operated by public institutions and agencies, the Turkish Red Crescent Association or non-profit associations with expertise in the field of migration by means of a protocol, (3) the principles and procedures related to the establishment, management, outsourcing, inspection of removal centres and the transfer of foreigners subject to administrative detention to removal centres for removal purposes shall be regulated

¹ Amnesty International, Combating Torture: A Manual for Action, 1. Print, London, 2003, p. 141-142.

with a Directive.”

5. According to Article 3/1-ç of the Regulation on “Establishment, Management, Operation, Outsourcing the Operation of and Auditing the Reception and Accommodation Centres and Removal Centres” which was entered into force upon being promulgated in the Official Gazette no. 28980 and dated 22 April 2014 prescribed that *“the removal centres are the centres which are established in order to accommodate the foreigners, who have been held under administrative surveillance, and keep them under control; and directly operated or operated by the public institutions and organisations, the Turkish Red Crescent or associations, which work for public interest and have expertise in the field of immigration, by making a protocol.”*
6. Pursuant to Article 9/1-m of the Law no.6701, *“following and assessing international developments in areas of human rights and non-discrimination, cooperating with international organisations working in the field within the framework off relevant legislation”* are among the duties of the HREI.
7. On 18 October 2016 at the first stage of the “Project on the Role of National Preventive Mechanisms in Detention of Immigrants” which was run by the cooperation of the United Kingdom National Preventive Mechanism and the Oxford University, a visit was paid to our institution. Within the scope of the Project in question, similar visits have been organised to our country as well as to countries that receive intensive migration such as Greece, Italy and Hungary. At the second phase, Greece and Turkey were included in the Project due to being the most affected countries from migration. The aim of this phase is to stand close examination of the manner how the national preventive mechanisms monitor the detention centres in which the illegal immigrants are kept; to share information and experience on the subject between national preventive mechanisms in the United Kingdom, Greece and Turkey; to support the strengthening of capacity of the centres; and to pave the way for new cooperation opportunities.
8. In accordance with the Project on the Role of National Preventive Mechanisms in Detention of Immigrants and pursuant to Article 9-1/j of the Law on the Human Rights and Equality Institution of Turkey (the Law no. 6701), on 12 September 2018 an announced visit was organised to the Gaziantep Removal Centre upon the order of the

Presidency of HREI (order no. 16949670-704.02-3229 and dated 4 September 2018).

9. The visit was carried out by Abdulmuttalip Zararsız (Coordinator for NPC, HREI), Dr. Abdulhamit Yağmurcu (Foreign Relations and Project Unit Specialist), Çiğdem Çelik and Merve Sisli (Experts) and Hindpal Singh Bhui and Gavriella Moris who work for the United Kingdom NPM.
10. This report includes, in the context of the national and international norms, an examination of findings, observations and complaints received during the monitoring visit conducted at the Gaziantep Removal Centre on 12 September 2018 within the framework of the research project carried out at the Oxford University as regards the conditions of the centres where the immigrants are kept and monitoring of those conditions, and within the scope of the duty of National Preventive Mechanism (NPM) of our institution.

B. GENERAL INFORMATION

B.1. GENERAL INFORMATION ABOUT THE CENTRE

11. The Gaziantep Removal Centre (“the Centre”) was conceptualised as a project in 2008. It is one of the six reception and accommodation centres entered into service in 2016. However, the Centre has been used as a removal centre since 2016 with the Protocol prepared according to the need as a result of the developments in the Middle East. The construction of the Centre was financed by 75% EU and 25% national capital.

B.1.1. PHYSICAL CONDITION OF THE CENTRE

12. The centre was built on an open area of 17.258 m² with a closed area of 4.417 m².
13. The additional materials (window grills, wire fence on exterior walls) were installed for the security reasons when it was changed into removal centre due to the fact that the Centre was constructed as a reception and accommodation centre in the first place.
14. The Centre has capacity for 750 persons.
15. Each room has six beds in a total of 123 standard rooms. The space per person measures approximately 4-4,5 m².
16. There are also 3 rooms for disabled persons.
17. The materials for bed are provided for those who are deprived of their liberty (hereinafter “detainee” or “inmate”) by the Centre after their admission. The personal stuff such as blanket, duvet cover, pillow etc. is given for each person who is deprived of his liberty. There are cabinets in the rooms in which each foreigner can put their

personal belongings.

18. Smoking is prohibited in the rooms; however there are separate rooms for smoking on the floors.
19. The families at the Centre stay in the “Family Floor” with their children. Each family has one room. Except the families, men and women are accommodated separately. In this context, the Centre has a block for men, while single women are kept in the rooms on the family floors.
20. Natural gas is used for heating.
21. Persons have access to hot water for 24-hour.
22. The Centre has a multi-purpose hall, a library and an indoor sports hall.
23. There is a unit which is used as prayer room. The prayer room was not allocated to any religion; however, as the majority of those held in the Centre are Muslims, the room is heavily used by them.
24. There are also 10 rooms for visits. Interviews with lawyers are conducted in a separate soundproof-room.
25. The Centre has two isolation rooms (soft room²).

B.1.2. STAFF

26. A total of 132 staff are employed at the Centre including a director, 4 provincial migration experts, a social worker, a civil servant, 2 psychologists, a food engineer, a teacher, 5 technical staffs, a welder, a doctor, 4 nurses, 87 private security officers, 18 cleaning staffs, 4 interpreters and 1 driver. The number of women working in the centre is 25.
27. The interpreters can translate in Russian, Farsi, Urdu, Turkmen, Uzbek, Pashto, Arabic and Finnish and, if necessary, external interpreting services are available.
28. Within the scope of the International Organisation for Migration Project, it was stated that security officers working in the centre are provided with one-day human rights training, and in-service curriculum for the staff is planned in cooperation with the Directorate General of Migration Management, and a number of training has been organised for different staffs on the subjects such as basic human rights, child rights, working with disadvantaged groups, trauma and victim identification process, gender

² The room covered with sponges

equality, cultural differences, social psychology, immigrant psychology, supervision of removal centres, deportation procedures, international protection application procedures and crisis response. However, no special training was provided to staff to investigate and document torture and ill-treatment.

B.2. PERSONS DEPRIVED OF THEIR LIBERTY

29. It has been stated that foreigners are kept above the capacity in the Centre due to the border crossings of the people of Afghanistan in recent months and the number of detainee in the Centre at the date of the visit is 808.
30. There are 554 Afghans, 139 Syrians, 47 Pakistani, and 28 Iraqi nationals deprived of their liberty in the Centre. In addition, Palestinians, Georgia, Turkmenistan, Tunisia, Egypt, Nigeria, Kazakhstan, and Azerbaijan nationals are also accommodated in the Centre.
31. The detainees in the Centre consist of one hearing-impaired, 26 women, 2 pregnant and 3 breastfeeding mother (one woman is both breastfeeding mother and pregnant), 12 families and 35 children, and 2 people who are over 65 years old.
32. The period for administrative detention is envisaged as six months. It is possible to extend this period for another six months by the order of the Governorship. The persons who have stayed in the Centre for 12 months are not kept in the Centre in any way, and they are released with the obligation of sign. It has been stated that the persons who have a travel document are sent back within 15-20 days, but this period may be extended for those who have not a travel document due to the contact of the embassies of the country where they have nationality and the attempt to obtain the document.
33. Syrian citizens are not sent back to their countries because of the civil war; they can be sent back to their countries if they complete the voluntary leave forms. Volunteer forms are only available to Syrian citizens.

C. FINDING, OBSERVATION AND INTERVIEWS

C.1. PHYSICAL CONDITIONS

34. It has been observed that the physical conditions of the Centre are generally in good state.
35. In order to prevent any trouble between the persons deprived of their liberty; it has been stated that their nationalities and ages are taken into consideration when they are placed in the floors and rooms, each individual is interviewed, and each person has a bunk bed; however, the population which is above the capacity sleep on a bed on the floor.
36. It has been observed that the rooms have sufficient daylight and adequate ventilation, and railings are installed on the windows for security reasons. Each room is equipped with a bathroom and toilet.
37. It has been stated that the corridors of the floors where the detainees stay are disinfected every day; if the rooms are empty, they are cleaned before a new detainee comes, and shelter and the bed covers are changed; the Centre is disinfected and painted at certain intervals. The rooms are cleaned by the detainees and equipment required for the cleaning is provided by the Centre. During the visit, it has been observed that the Centre is clean.
38. Crib is given for new-born and the rooms are decorated.
39. The staffs of the Centre pick up dirty clothes and wash them free of charge. However, it has been noted that the foreigners would like to wash their clothes themselves. In such situation, detergent is provided to them.

C.2. FINDING, OBSERVATION AND INTERVIEWS AS TO MANNERS, BEHAVIOURS AND SERVICES IN RESPECT OF PERSONS DEPRIVED OF THEIR LIBERTY

C.2.1. Procedure on the First Admission to the Centre and Information

40. Those deprived of their liberty are brought to the Centre after general judicial examination carried out by law enforcement officers.
41. At the entrance to the Centre, the detainees and the accompanying goods are passed through the x-ray device. Primarily, the identity information and file of the foreigners

admitted to the Centre by the law enforcement officers are examined. Their valuable belongings are secured. Subsequently, their finger prints were recorded and their photos are taken and then they are placed in the rooms.

42. At the first entrance to the Centre, the detainees and their belongings are searched. It has been stated that clothes such as jackets and coats on the detainees are removed in cabinets; people are not searched while they are naked or while they wear only underwear and they are only searched by hand with their clothes on. This situation has been approved during the interviews with the detainees. Female detainees are searched by female staff. In addition to this, a form is filled in at the entrance indicating that valuable belongings and money of foreigners are secured; a sample of the form is given to the administration and a sample is given to the foreigner; and the person can get his money by using this form as needed.
43. During interviews with the detainees, it has been observed that these persons are generally informed about the reasons for their detention in the Centre.
44. At the entrance, it has been seen that the rights of detainees are explained and there are information brochures in different languages. Those brochures are present in the section where the detainees are first accepted to the Centre and where the body search is performed, as well as in the cafeteria. Additionally, it has been observed that information regarding the rules that should be followed by the detainees is hung on boards in different languages in the common areas.

C.2.2. Procedure as regards Complaint

45. It has been stated that the life conditions in the Centre are monitored monthly by the Turkish Red Crescent and that no one has applied for the allegation of torture and ill-treatment during the last year.
46. There is no disciplinary punishment in the Centre, no restriction on the rights of the detainees in any case, but in isolation rooms called interest rooms, people are kept in order to calm, to prevent harm to themselves or to others. The period of detention in the isolation room is at the outset applied as an hour, and if necessary, this period may be extended. It has been stated that the isolation rooms are monitored by camera and the entrances and exits are recorded, and one person was taken to the isolation room in the last two months. It has been noted that psychologist support is provided in such cases.

47. In the interviews with the detainees, it has been alleged that employees were disrespectful to them, listened to loud music at night, one of the security officers on the family floor treated hard and reprimanded the inmates.
 48. During the interviews, one person claimed that a staff at the night shift hit the head of his child next to table and locked him in the room with his children for 3 hours. His claims were recorded and a report in respect of the incident was drawn up (see Annex 1). The report in question was submitted to the administration. According to the “Information Report” submitted by the Centre, a foreigner stated that he had been misunderstood; he tried to tell that his child had been referred to the hospital; however; the staff told him to go to the room because he was not aware of the situation; after that another staff came and took him to the hospital. The person concerned did not wish to initiate proceedings or did not file a complaint (see Annex 2).
 49. One of the inmates stated that one of the security officers held her arm firmly while she was outdoor yard and attempted to hit her but did not, about fifteen days before the date of the visit. Two detainees were heard as witnesses as regards the allegations in question and their statements were recorded in a report (see Annex 3). This report was submitted to the administration. The defence submission of the relevant security officer was heard as to the said allegations (see Annex 4). The security officer alleged that the inmate had beaten her child; he had intervened in the situation by holding her arm since the inmate had continued to beat the child despite his warnings; the inmate had sworn and insulted him; thereupon they had quarrelled verbally. However, no information report or document drawn up in respect of the relevant inmate was submitted.
50. During the visit, one of the members of the delegation stated that a security officer had hit a detainee in the main cafeteria of the Centre during the dinner. Thereupon, the footages of security camera were analysed and it was established that the security officer had hit the detainee’s head slightly around 06:30 p.m. A report was drawn up in respect of the incident (see Annex 5). The administration heard the defence submissions of the security officer (see Annex 6), and the detainee was also asked about the incident. According to the “Information Report” submitted by the administration, the detainee stated that the private security officer had touched his head and warned him to move while he had been talking; the security officer had not hit his head; and he did not wish to initiate proceedings or file a complaint against the security

officer (see Annex 7).

51. No information was provided about any judicial proceedings concerning the above allegations and incidents.
52. The administration has stated that the petitions of the detainees are responded within an average of 2 weeks. There are also complaint boxes on the floors. However, in general, it has been established that although the boxes are full, they are not emptied and no specific day was set for the opening of the complaint boxes.
53. It has been stated that during the admission to the Centre and leaving the Centre, the detainees are taken for the medical examination by the police officers in order to establish whether there are signs of battery or coercion on their bodies.
54. It has been stated that a detainee died in hospital and the cause of death was natural (heart attack).

C.2.3. Health-Care Services

55. There is a health unit and infirmary in the Centre. Since the General Directorate of Migration Management does not have health staff, the Ministry of Health assigns them. In this context, it has been stated that there are 1 doctor and 4 nurses assigned from the Provincial Health Directorate and there is always a nurse in order to provide service for 24-hour. It has been noted that at the health unit, detainees' health status is checked and outpatient treatments are performed. If necessary, or when an uncommon disease in Turkey occurs, detainees are referred to a specialist doctor. In addition, the kids younger than 2 year-old are vaccinated and their health status is checked.
56. It has been further pointed out that detainees' health status, psychological disorders, chronic diseases, drug use, pregnancy status and whether they need for urgent medical assistance are established by the "Pre-Assessment Form". According to these issues, necessary measures are taken and additionally, while detainees are leaving the Centre, they are medically checked and a medical report is drawn up.

57. If necessary, an ambulance is sent from the district. Where there is an emergency, the nurses at the Centre make the first medical intervention; the 112 emergency services hotline is called; and patient is taken to hospital. It has been stated that the ambulance reaches at the Centre in 5 or 10 minutes.
58. It has been stated before the date of visit, due to the outbreak of an epidemic diarrhea in the district, the said epidemic was also experienced in the Centre. Thereupon, the medical treatments were administered; food menus were changed during that period and diarrhea-appropriate menus were given with plenty of water; the water was disinfected against dysentery; and food samples have been under analysis against the possibility of food poisoning. It has been also noted that except the epidemic diarrhea, there is no epidemic and no detainee having infectious disease in the Centre. After the epidemic diarrhea in the Centre, a room was prepared in order to be used as observation room.
59. Those deprived of their liberty cannot keep their medicines in their rooms in order to prevent suicide. Medicines are stored in the medicine cabinet and can be taken with a security officer.
60. In interviews with those deprived of their liberty, it has been claimed that certain pregnant women were not referred to the gynaecologist, for example; a 2-month pregnant woman did not go to the gynaecologist during her stay at the Centre. Additionally, it has been also alleged that kids of a woman, who has been accommodated in the Centre for more than 10 months, have heart disease and they have to be medically checked at intervals of 6 months. However; the kids could not be medically examined.
61. The Centre also provides psychosocial support services. It has been declared that staff at the psychosocial department identify the inmates who need support, follow-up their situation, refer them to the hospital if needed and give psychological support, as well participate in interviews and providing psychological support to children, victims of trauma or suspected victim of human trafficking; and carry out the various social activities at the Centre.
62. In the interviews with the detainees, it has been told that psychological support is provided when they demand. In this scope, it is possible to meet with the psychologist every week and interviews with the psychologist are conducted in the presence of an interpreter.

63. 5 inmates committed suicide in the Centre. It has been stated that the reason of those suicides was the fact that the persons deprived of their liberty suffered trauma in their own country first and then in our country as a result of being brought to the Centre to be deported after their arrest. Psychological support is given to the persons in case of attempted suicide. It has been stated that the person is released with administrative supervision if it is considered that the situation is serious and it is not appropriate for him to stay in the institution.

C.2.4. Food Provision

64. There are 2 cafeterias where all detainees eat their meal in the Centre. As the cafeteria has a capacity of 250 people, the detainees come to the cafeteria in groups according to the floors they stay. Hot meals are provided for 3 times in a day free of charge. Meals are prepared by a catering company which was determined as a result of tender. The followings have been observed and established in respect of the food provision at the Centre during the visit: (i) menu is determined by a food engineer if it is necessary to follow a certain diet programme for diabetics; (ii) an appropriate menu is provided for sick, old, and pregnant detainees who should follow a fasting programme; (iii) supplementary food is provided for pregnant women and kids; and (iv) there are certain problems regarding both the quality and variety of foods, as well as preparation of menus as determined by the food engineer and providing supplementary food.
65. It has been stated that a sample from each meal is taken by both the Centre and the catering company preparing the meals, and these samples are stored for 72 hours, and additionally the mains water is analysed monthly.
66. There is also a canteen in the Centre and is open for 5 days. The detainees have complained about canteen prices and claimed that the products are sold at a higher price than the label prices. In the interview with the person responsible for the canteen, it has been stated that all sales can be documented by receipts, label prices are used and the recent price increase throughout the country was reflected in the canteen prices. In addition, the administration has stated that the detainees have been staying in the Centre for a long time, so that they are not aware of the price increase in the country. It has been observed that the prices of the products in the canteen are at market value.

C.2.5. Daily Life, Activities and Training Services

67. It has been noted that in general, each detainee can benefit from the library and

gymnasium in the Centre; activities such as playgrounds for children and film screenings are planned on a weekly basis; additional programs are organised for special days such as holidays and mother's day; movies are played for kids and adults; and various activities are organised for all foreigners, especially for women and kids.

68. The use of the indoor sports hall is determined by the social worker. It has been observed that there are opportunities such as playing volleyball and basketball in the indoor sports hall, the hall can be reached by stairs and there is an entrance on the ground for people with physical disabilities. During the interviews, there were those who claimed that the indoor gym had not been used for four months.
69. The library has 1404 books in 18 different languages. The Russian translator is responsible for the library. During the visit, it has been noted that the books are taken to the floors by a portable library. However, it has been alleged that the library is not used by detainees, while the official letter received from the Centre indicated that the detainees could read in the library under the guidance of social worker. In the interviews, the detainees have stated that they could borrow two books once a week and they do not have any problems in getting books.
70. Religious books and other worship items are also provided to the detainees upon request.
71. If it is demanded, Turkish language education is provided. However, it has been pointed out that there are difficulties in providing regular education opportunities in the Centre, because there is a problem in determining a common language due to foreigners speaking different languages, and the short-term stay of most people makes it difficult to provide continuous education.
72. It has been stated that certain activities are organised for the detainees such as hand skill courses like jewellery design, cinema, inflatable pool activity in the garden of the institution (by giving priority to families and kids), picnic, and going to the cinema outside the Centre during holidays.
73. The Centre has a kindergarten for children aged 3-6 years.

In the kindergarten, a preschool teacher assigned by the Public Training Centre provides education, and it is difficult for children of different nationalities and age groups to stay together and the length of their stay varies; however, children can benefit from kindergarten every other day. There is also a children's playroom and a park.

74. The detainees benefit from the open air for at least one hour each day; kids can benefit from the outdoors if they are with their parents; older children can go out in company with social workers and psychologists, and the ventilation period is applied longer for children. In addition, floor doors are kept open until 12:00 p.m.
75. During the interviews, the detainees have complained that the Centre does not have any activities to spend their time in, and requested permission to play games such as chess or cards in the rooms. The administration has responded that the games in question are not allowed because of the possibility of gambling.
76. The detainees, in addition, have stated that they are able to get books to study; however, they cannot study due to the lack of pencils in their rooms. It has been established that no pen is given to the detainees for security reasons.
77. It has been observed that there are television rooms on the floors which are mostly used by children. It has been stated that there are very few channels on television and all channels are in Turkish.

C.2.6. Access to a Lawyer, Communication with the Outside and Visit

78. The detainees meet their visitors in interview rooms within the framework of the Procedures and Principles of the Removal Centre. Relatives of the detainees up to 3rd degree may visit the Centre twice a week. There are suitable areas for face-to-face interviews in the interview rooms. In addition, the detainees, if deemed necessary, are allowed to communicate with embassies via the Internet (Skype). In addition to this, during the interviews, there are those who requested to be transferred to a centre close to their family, stating that they cannot meet with their family due to the fact that their families live in another province.
79. The detainees can only make calls 2 days in a week via payphone. On the other hand, the detainees have claimed that the right to telephone contact is frequently restricted and the duration of the telephone call lasts 5 minutes.
80. The followings have been observed in respect of interviews with lawyer: (i) most of the detainees have a lawyer; (ii) necessary measures are taken to access to a lawyer; (iii) they are able to interview with their lawyers within working hours whenever they wish in the lawyer interview rooms; (iv) phone cards are distributed to access to a lawyer and to provide communication with the Bar; and (v) the number of the Gaziantep Bar is found where the pay phones are.

The detainees have not complained about access to/interview with the lawyer. However, there have been complaints that the lawyer fees are very high.

C.2.7. Disadvantaged Groups

81. The status of detainees is examined by the psychosocial service before being taken to the Centre, and if the persons with special needs are identified, they are then evaluated in detail by the social worker and psychologist. Those who are found to have special needs are followed and if needed, they are referred according to their sensitivity; their needs are met and the procedures that should be followed are accelerated.
82. There are no unaccompanied children in the Centre.
83. It has been stated that there are three rooms with a capacity of three persons with disabilities which were prepared for disabled people who are deprived of their liberty; these rooms are accessible by a lift; there is also a disabled access ramp at the entrance of the Centre; and if a person with disability is present at the Centre, the procedures in respect of him are primarily completed.

C.2.8. Security

84. Internal security of the Centre is provided by 87 private security officers and external security is provided by 45 law enforcement officers assigned by the District Gendarmerie Command. The gendarmerie staff do not carry out any activities within the Centre. The security officers work for 24 hours a day.
85. There are 302 security cameras in the Centre. The cameras were located in public areas only and no security cameras were installed in the rooms. The camera footage is kept for 6 months.
86. There have been 8 judicial cases which were occurred at the Centre and communicated to the relevant authorities. 5 of them were attempt to suicide, one was forgery of official document, and one was attempt to take drug into the Centre (staff recognised that the health status of a detainee, who swallowed the capsule, was not good and the detainee was taken to the hospital).
87. The Centre has an active fire alarm system.

88. It has been noted that there are no incidents of absconding or rebellion in the Centre frequently; only one detainee absconded on 11 June 2016. Thereupon, the necessary staff and measure in respect of the material conditions of the Centre were taken around the building.

D. RECOMMENDATIONS

89. During the visit, various complaints have been made about the staff of the Centre. Where people are deprived of their liberty, attitudes and behaviour of staff towards detainees are important. Pursuant to Article 16 entitled “General Provisions as to Staff” of the Directive on the Working Principles and Procedures of Removal Centres, “Staff working at the centre shall be respectful, serious, honest and impartial towards the people who are accommodated there”. In this framework, as stated in the standards developed by the European Committee for the Prevention of Torture (“CPT”), the staff responsible for the surveillance of the detainees should be carefully selected, have the necessary professional skills and appropriate training². Likewise, the CPT should possess well-developed qualities in the fields of interpersonal communication and cultural sensitivity, given the diverse backgrounds of the detainees. Further, at least some of them should have relevant language skills. In addition, they should also be taught to recognise possible symptoms of stress reaction (related to post-traumatic or socio-cultural changes) displayed by detained persons and to take appropriate action.
90. It has been welcomed that a number of training have been provided for the different groups working at the Centre on the subjects of fundamental human rights, children's rights, working with disadvantaged groups, trauma and victim identification process, gender equality, cultural differences, social psychology, migrant psychology, supervision of removal centres, deportation procedures, international protection application procedures, crisis intervention etc. However, in order to ensure the continuity of such in-service trainings and in addition to these trainings, a training should be provided for the staff covering national legislation and international standards, including Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), in respect of torture and ill-treatment.

² CPT Standards, CPT/Inf/E (2002) 1 - Rev. 2010

91. During the visit to the Centre, it has been understood that the measures to be taken in accordance with the principles and standards mentioned above are of importance for the Centre, especially considering the allegations and attitudes witnessed in the treatment of the staff responsible for surveillance towards the detainees. On the other hand, it is considered that psychosocial support might be provided to the staffs who work in places where the persons deprived of their liberty are kept, when they need it due to the particular difficulties of the duty they perform.
92. According to the CPT, effective complaints procedures are basic safeguards against ill-treatment in removal centres³. In this context, it is recommended that at the Centre, in order to avoid any issues that may constitute ill-treatment, interviews be conducted on a regular basis as to whether ill-treatment is at stake providing that the information of those deprived of their liberty is kept confidential, and it is further recommended that open-ended questions be asked during the psychologist interviews to clarify this issue. Furthermore, it is considered that the complaint boxes in the Centre should be opened on a certain day of the week by a staff who is trusted by the detainees, such as social workers, and that the petitions should be regularly submitted to the administration.
93. One of the safeguards against ill-treatment is disciplinary procedure. This procedure should be carried out in parallel with judicial proceedings, and the disciplinary offences of the relevant staff should be systematically examined whether or not the conduct in question constitutes a criminal offence⁴. As mentioned under the title of “Procedures on Torture, Ill-treatment and Complaint”, during the visit, the detainees made various allegations and a case is witnessed regarding the treatment of staff against detainees. Within this framework, it has been seen from the documents submitted to our Institution and included in the annex of the Report that the administration heard statements of the relevant staff and detainees and got information from them. However, the fact that the detainees informed them that they did not wish to file complaint in respect of the allegations and incidents in question should not prevent the detailed, comprehensive and rigorous conduct of the administrative investigation. Within this framework, an effective administrative investigation process should be carried out in order to determine whether the relevant staff has a responsibility and to apply the necessary

³ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), Factsheet, March 2017, CPT/Inf(2017)3, “Immigration detention”. <https://rm.coe.int/16806fbf12m>

⁴ CPT Standards, CPT/Inf/E (2002) 1 - Rev. 2010, p.86.

sanctions if their responsibilities are determined.

94. Having regard to the purpose of the detention of the persons deprived of their liberty, a varied regime of activities should be constituted, which should reflect the nature of their deprivation of liberty and should include limited restrictions⁵. In this context, the detainees should have every opportunity, including regular access to a telephone and accepting visitors, to remain in meaningful contact with the outside world, and within the detention facility, detained persons should be restricted in their freedom of movement as little as possible. The longer the period for which persons are held, the more developed should be the activities which are offered to them, such as language classes, computer classes, gardening, arts and crafts, and cookery skills⁶. Within the framework of the said standards, the duration of phone calls should be at a level that detainees are able to be in contact with the outside world. Particularly, necessary measures should be taken to ensure that detainees whose family lives far away can protect family ties; and if necessary, they should be accommodated in a removal centre near their family. In addition, the number and diversity of activities at the Centre should be increased to reduce the negative effects of their detention. In addition, considering the needs and demands of detainees, it should be considered to provide access to channels on television in Arabic and other languages understood by detainees. Lastly, although the persons deprived of their liberty are not given pen for security reasons, it is considered appropriate to give pen to people by taking the necessary measures in order to maintain their personal development.
95. In addition to the activities organised at the Centre, having regard to the Article 3 of the Convention on the Rights of the Child prescribing that “In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration”, and similarly the principle of “best interest of child” set out in the Constitution of the Republic of Turkey, there is a need to create opportunities for children to improve themselves by providing more activities for children.

⁵ CPT Standards, CPT/Inf/E (2002) 1 - Rev. 2010

⁶ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), Factsheet, March 2017, CPT/Inf(2017)3, “Immigration detention”, s.5.

<https://rm.coe.int/16806fbf12m>

96. Considering the fact that the quality and variety of the meal sent to the Centre by the company from which the food is supplied is low, and that the appropriate meals are not sent to the food lists determined by the food engineer; appropriate attempts should be made in this regard. Within this context, it is considered that the tender specifications should be evaluated and if it is necessary, the catering company should be changed and a new agreement should be made with another company which can provide meal of good quality at affordable price.
97. According to the CPT; health care provided to persons deprived of their liberty must have standards equivalent to those provided to patients in society, and in the case of women deprived of their liberty, compliance with the principle of equivalence in health-care requires that doctors and nurses trained in health problems for women, including gynaecology, provide health care⁷. In this context, it is necessary to ensure that the pregnant women accommodated in the Centre are examined as often as needed by the gynaecologist. In addition, the health services provided to children should comply with the principles of adequate health care and access to doctor as prescribed by the CPT, and the medical needs of children must be taken into consideration.

⁷CPT Standards, CPT/Inf/E (2002) 1 - Rev. 2010, p.81.