

It is recognized that the right to life is the most fundamental and basic of human rights. Indeed, theright to life is the fountain from which all the other human rights spring and it therefore deservesthe greatest respect. The Universal Declaration was thus a first and crucial step towards a steadily increasing protection of human rights, including the right to life, within the United Nations. The right to life was subsequently entrenched in the International Covenant on Civil and Political Rights, article 6 of which reiterates that "every human being has the inherent right to life". The provision continues by stating that "this right shall be protected by law" and that "no one shall be arbitrarily deprived of his life". As a result of these developments, the promotion and protection of the right to life, as guaranteed in several international instruments, is no longer considered to be a matter exclusively within the domestic jurisdiction of a State, but a matter of international concern. States have to ensure that their organs respect the life of persons within their jurisdiction.

**The Special Rapporteur on extrajudicial, summary or arbitrary executions and his or her mandate.**

1. To continue to examine situations of extrajudicial, summary or arbitrary executions;
2. To respond effectively to information which comes before him, in particular when an extrajudicial, summary or arbitrary execution is imminent or seriously threatened or when such an execution has occurred;[solitary confiniment and urgent health problems][prison riot]
3. To continue to pay special attention to **children** and **women** and or against persons belonging to minorities; or human rights defenders,
4. **Death threats;** Reports and allegations alerting the Special Rapporteur to situations where the lives and physical integrity of persons are feared to be at risk account for a large part of the information brought to his attention. The transmission of urgent appeals with the aim of preventing loss of life are therefore an essential part of the Special Rapporteur's mandate.
5. **Deaths in custody**; the Special Rapporteur also undertakes action in alleged cases of deaths in custody. In this context violations of the right to life occur mainly as a result of torture or other cruel, inhuman or degrading treatment, as well as of neglect, use of force and life-threatening conditions of detention.
6. **Genocide;** The Special Rapporteur may also act in situations of genocide. The crime of genocide is defined in the Convention on the Prevention and Punishment of the Crime of Genocide(15) as the killing of members of a national, ethnic, racial or religious group with the intent to destroy this group as a whole or in part. The Special Rapporteur may take action either on behalf of individual victims may draw the attention of the national authorities as well as international bodies and institutions, including the High Commissioner for Human Rights, to situations or imminent situations of genocide.
7. **Imminent expulsion of persons to a country where their lives are in danger** The Special Rapporteur also considers information on allegations concerning the imminent expulsion, refoulement or return of persons to a country or a place where their lives are in danger as well as concerning the closure of national borders so as to prevent persons seeking asylum fromleaving the country where their lives are in danger.
8. **Impunity**; The Special Rapporteur has noted that impunity continues to be the principal cause of the perpetuation of human rights violations, and particularly of extrajudicial, summary or arbitrary executions. It is the obligation of Governments to carry out exhaustive and impartial investigations into all allegations of violations of the right to life, to identify, bring to justice and punish their perpetrators, and to take effective measures to avoid recurrence of such violations. Therefore, the Special Rapporteur considers and takes action upon information on alleged cases of noncompliance with this obligation.

**Urgent appeals**

In cases which the Special Rapporteur fears present a possibility of imminent extrajudicial, summary or arbitrary executions, he may transmit urgent appeals to a Government. Such cases include death threats and fear of imminent execution of death sentences in contravention of thelimitations on capital punishment set forth in the pertinent international instruments. This fear issometimes based on alleged violations of the right to life which have already been committed. The Special Rapporteur may also send urgent appeals to Governments after having been informed of the imminent expulsion of persons to a country or to a place where their lives are at risk.

In an urgent appeal the Special Rapporteur requests the Government concerned to ensure effectiveprotection of those under threat or at risk of extrajudicial, summary or arbitrary execution. He alsourges the competent authorities to undertake full, independent and impartial investigations withrespect to violations of the right to life and to adopt all necessary measures to prevent furtherviolations of the right to life. The Special Rapporteur further requests that he be informed of all steps taken in these matters.

**Other allegations**

Alleged cases of extrajudicial, summary or arbitrary executions which do not require the Special Rapporteur to take immediate action are transmitted to the Government in the form of casesummaries accompanied by letters requesting Governments to provide the Special Rapporteur with information in response to specific questions which concern the progress and results of investigations conducted, penal or disciplinary sanctions imposed on the perpetrators, compensationprovided to the family of the victims, as well as with any other pertinent comments or observations. The list of questions to which Governments are requested to reply are reproduced in the annex to this Fact Sheet. Allegations of a general nature, such as reports about persistent impunity or about legislation alleged to be in contravention of restrictions on the application of capital punishment contained in pertinent international instruments, are also transmitted to Governments. In this connection, the Special Rapporteur requests clarification of the substance of the allegations and/or more specific information, such as legal texts and other relevant documents.

**How to bring information or appeals to the attention of the Special Rapporteur**

Any individual, group, non-governmental organization, intergovernmental agency or Governmentwho has reliable knowledge of the occurrence of an extrajudicial, summary or arbitrary execution, falling into one or more of the categories outlined on page ... of this publication can bring therelevant information before the Special Rapporteur.

**The following information is needed:**

(a) Information regarding the incident: date; place; description of how the incident occurred; in

cases of alleged violations of the right to life in connection with the death penalty, information on

shortcomings with regard to fair trial guarantees; in cases of imminent violations of the right to life,

the reasons for which the person's life is feared to be at risk; in cases of imminent alleged violations

in connection with the death penalty, in addition to the aforementioned information, the appeals

submitted;

(b) Information regarding the victims of the incident; the number of victims; if known, their name,

age, sex, profession and/or activities if related to the (imminent) violation of the right to life;

(c) Information regarding the alleged perpetrators: if known, an explanation of the reasons why

they are suspected of being responsible; if the perpetrators are not State agents, details about how

these forces or individuals relate to the State (e.g. cooperation with State security forces including

information on chains of command; State connivance with or tolerance of their operations, etc.);

(d) Information regarding the source of the allegation: name and full address of the organization or

individual submitting the allegation to the Special Rapporteur.

Other information which is of interest to the Special Rapporteur, if available, includes:

(a) Additional information regarding the victims of the incident which may help identify them, e.g.

their place of residence or origin;

(b) Additional information regarding the alleged perpetrators: names, the unit or service to which

they belong as well as their rank and functions;

(c) Information regarding steps taken by the victims or their families and, in particular, about complaints filed, by whom, and before which organ. If no complaint was filed, information as to why

not;

(d) Information regarding steps taken by the authorities to investigate the alleged violation of the

right to life and/or measures adopted to protect persons under threat as well as to prevent similar

incidents in the future, in particular: if complaints were filed, the action taken by the competent

organs upon their receipt; the progress and status of investigations at the time of the submission of

the allegation; in case the results of the investigation are said to be unsatisfactory, an explanationof why this is so.More general information relating to the right to life, e.g. on recent legislative developments inregard to capital punishment, on amnesty laws, or reliable information indicating a pattern withregard to impunity, is welcomed by the Special Rapporteur as well. Such information enables him to evaluate better the general situation of the right to life in particular countries.

Any information of interest to the Special Rapporteur on extrajudicial, summary or arbitrary executions should be sent to the following address either by mail or by fax: Special Rapporteur on extrajudicial, summary or arbitrary executionsc/o OHCHR-U NOG 1211 Geneva 10, Switzerland

**LIST OF QUESTIONS TO WHICH GOVERNMENTS ARE REQUESTED TO REPLY IN REGARD TO**

**ALLEGED CASES OF EXTRAJUDICIAL, SUMMARY OR ARBITRARY EXECUTIONS**

1. Are the facts alleged in the summary of the case accurate? If not, please provide details of the

inquiries carried out to refute these allegations.

2. What is the case of death as indicated on the death certificate?

3. Was an autopsy conducted? If so, by whom? What are the results of the autopsy? (Please provide

a copy of the complete autopsy report.)

4. Has a complaint, formal or informal, been made on behalf of the victim? If so, who made the

complaint and what is the relation of the complainant to the victim? To whom was the complaint

made? What action was undertaken upon receipt of the complaint and by whom?

5. Which is the authority responsible for investigating the allegations? Which is the authority

responsible for prosecuting the perpetrators?

6. Are any inquiries or judicial or other procedures in connection with the case under way? If so,

please provide details of their progress to date and the timetable envisaged for their conclusion. If

such inquiries or procedures have been completed, please provide details of the conclusions

reached. (Please attach copies of any relevant documents.) Are these conclusions definitive?

7. Has the person alleged to have carried out the extrajudicial, summary or arbitrary execution

been identified? To which unit or branch of the police, security forces, armed forces or groups

cooperating with them does he/she belong?

8. Have penal or disciplinary sanctions been imposed on the alleged perpetrators? If so, please

provide details of the procedures followed to ascertain the penal or disciplinary responsibility of the

perpetrators before imposing such penalties. If no such sanctions have been imposed, why not?

9. If no inquiries have been undertaken, why not? If the inquiries which were undertaken were

inconclusive, why so?

10. Has any compensation been provided to the family of the victim? If so, please provide details

including the type and the amount of the compensation involved. If no compensation has been

provided, why not?

**Extrajudicial, summary or arbitrary executions on the right to life in Turkey**

The number of people who have lost their lives in detention in the aftermath of the coup attempt is casting a shadow over official statements pointing out in many cases to suicide. Relatives of most of the detainees claim that the detainees were indeed not the kind of people to commit suicide, shedding doubt on the official narrative.

1-Colonel İsmail Çakmak was arrested in the aftermath of the coup attempt and was found dead in Silivri Prison in Istanbul on July 23, 2016. Çakmak was discovered hanging by his bed covers in the stairwell of the prison.

2-Gokhan Acikkolu, a high school history teacher was detained on July 23, 2016, presumably for being a follower of Fethullah Gülen. According to press reports Mr. Acikkolu was hospitalized on July 28, 2016 over diabetes and harsh treatment, but later returned in detention at the Istanbul's police anti-terrorism department, where he died on August 5, 2016. His father rejected any link to the coup attempt and claimed that his son was denied access to his medics in his last six days. Mr. Accikolu never appeared before a judge to face any charge, but he was nevertheless denied a funeral service because he was labelled as “a traitor.” Peace Islands Institute noted that Istanbul chief prosecutor's office launched a probe into the death of Mr. Acikkolu, however no results have been brought to light since the announcement of the investigation.

3-Mustafa Torer, a businessman from Southern Turkey was taken under custody in Iskenderun jailhouse, as part of a massive crackdown following the coup attempt on July 15. Under severe stress and trauma, Mustafa, who had already been suffering of diabetes, died in detention of a heart attack on July 31, 2016.

4-Ömer Çubuklu, a prison guard arrested on August 31, 2016 over alleged links to Gulen movement was found dead in a prison in the western province of İzmir on September 1, 2016. No statement regarding the cause of his death has been made and his body was subsequently sent to the İzmir Forensics Institute for an autopsy.

5-On September 9, 2016 prison authorities of Muğla E-type prison (Southeastern Turkey) announced the suicide of Bedih K., without disclosing any further information on the circumstances surrounding the case.

6-Seyfettin Yiğit, a 47-year-old public prosecutor who was detained in the western province of Bursa was found hanging in the prison bathroom on September 16, 2016. Yiğit was among the prosecutors who oversaw an investigation into allegations of irregularities within Turkey’s Mass Housing Administration (TOKI) in late 2013, when widespread graft allegations implicating four cabinet ministers and a son of the former Prime Minister Erdoğan were revealed. The daughter of Mr. Yiğit rejected claims that her father was linked to the Gülen movement. She also added that his death was not a suicide but a murder, since her father was not the kind of person to commit suicide. On October 10, 2016 the Platform for and Independent Judiciary in Turkey urged all European authorities, in particular all bodies of the Council of Europe and the European Union “to ask the European Committee for Prevention of Torture to examine every individual assertion of torture and the circumstances of every suicide of judges and prosecutors in the detention, especially the reported death of Seyfettin Yigit.”

7-39-year old noncommissioned officer Ö.İ. committed suicide on October 10, 2016 at the police station in Eskişehir, Northwestern Turkey, where he was detained for alleged links to the Gülen movement. Ö.İ. reportedly ended his life by drinking cleaning solvents taken from the restroom of the police station where he was under detention.

8-Ahmet Ok, 61-year-old from Mersin (Southern Turke) died after suffering a heart attack in Anamur Prison, on October 20, 2016. Ahmet Ok was among 34,000 people detained over alleged links to the Gülen movement. He was brought to Anamur State Hospital after suffering a heart attack at about 4:30 a.m. on October 20. Ok died despite the efforts of medical staff.

A total of 20 people, among which are police officers, prosecutors and teachers, have been found dead in Turkish prisons since the failed coup attempt of July 15, causing serious concern about the fate of thousands of civilians who have been kept in jail in very poor conditions across the country.

The relatives of most of them claim that the detainees are not the kind of people to commit suicide, shedding doubt on the official narrative. Rumors also have it that some of the detainees were killed after being subjected to torture under custody.

Here are some of the most controversial deaths and related stories:

Ömer Ç. a prison guard who was arrested over alleged links to the Gülen movement, was found dead in a jail in the western province of İzmir on Sept. 1. No statement was released regarding the cause of Ömer Ç.’s death.

A 47-year-old public prosecutor who was recently put behind bars in the western province of Bursa as part of an ongoing witch-hunt against the Gülen movement was found hanging in the prison bathroom on Sept. 16. Seyfettin Yiğit was among those prosecutors who oversaw an investigation into allegations of irregularities within the Housing Development Administration of Turkey (TOKI) in late 2013, a landmark year when widespread graft allegations implicating four Cabinet ministers and a son of then-PM Recep Tayyip Erdoğan were revealed.

Gökhan Açıkkollu, a history teacher detained as part of operations against the movement, died after he reportedly felt faint in İstanbul’s Ümraniye Prison, on Aug. 5.

İsmail Çakmak, who was arrested in the aftermath of the coup attempt, was found dead in Silivri Prison on July 23. Çakmak was discovered hanging by his bed covers in the stairwell of the prison.

Necmi Akman, the provincial governor of Manisa’s Ahmetli district, committed suicide two days after he was suspended over links to the movement, on July 18.

An assistant professor at Aydın Adnan Menderes University, Emin Kömürcüler was denied a request for a meeting with Rector Cavit Bircan after the former was implicated in an anti-Gülen operation within the university. Kömürcüler jumped from the fourth floor of a university building.

Levent Önder shot himself at the command building in Siirt on July 20. A written statement from the Siirt Governor’s Office said Önder was suffering from depression as he felt guilty for failing to prevent the coup plotters.

The lifeless body of a kindergarten principal, Ali Derebaşı, whose wife was among thousands of teachers who have been suspended from their posts due to alleged links to the Gülen movement, was found hanging in his school in Kayseri province on Monday, the first day of the new academic year in Turkey.

Deputy Chief of Police in Ankara’s Güdül district Mutlu Çil fatally shot himself after he was suspended as part of an investigation into the Gülen movement, on July 20.

Deputy Chief of Police in Bartın’s Ulus district Muhammet Mertoğlu fatally shot himself after a warrant was issued for his detention over his alleged links to the movement, on July 21.

A 50-year-old man who was arrested following a failed coup on July 15 on charges of alleged involvement in the attempt was found dead on Tuesday in a prison in Turkey’s Kırıkkale province, the pro-gov’t daily Yeni Şafak reported.

Here is the full list:

Necmi Akman: District Governor, July 20

Mutlu Çil: Police Officer, July 20

Muhammet Mertoğlu: Police Officer, July 21

Halil Gök: Police Officer, July 22

Levent Önder: Lieutenant Colonel, July 22

İsmail Çakmak: Lieutenant Colonel, June 23

Mithat Aynacı: Police Officer, June 25

Vedat Savlu: Businessman, August 2

Ahmet Beşli: Chief Police Officer, August 10

Ömer Çubuklu: Warden, September 1

Mustafa Güneyler: Teacher, September 6

Ali Derebeşı: Principal, September 19

Seyfettin Yiğit: Prosecutor, September 25

Emrah Oğuz: Police Officer, October 3

Adem Tıraş, Police Officer, October 4

Önder Irmak: Sergeant, October 10

Enver Şentürk: Warden, October, 20

Hakkı Topal: Police Officer, October 20

İrfan Kızılarslan: Staff Colonel, October 5

A 50-year-old man, November 9