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Report of Violations of Right to Life as a Result of
Disproportionate Use of Force by Law Enforcement Officials

THEY DIDN'T HAVE TO DIE

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“Report of Violations of Right to Life as a Result of Disproportionate Use of Force by Law Enforcement Officials – They Didn’t Have to Die” was prepared in Turkish and English by expert reporters **Dr. Günal Kurşun and Mehmet Tursun**, who were assigned with the financial support provided to Baran Tursun Foundation by the ETKINIZ EU Programme¹ to ensure access to national and international human rights mechanisms.

RIGHT TO LIFE VIOLATIONS IN TURKEY

With the Law No. 5681 dated 02.06.2007, some amendments were made in Law of Police Powers (LPP) No. 2559 for reasons such as “a very rapid increase in terrorism, complaints and crime rates”. The legal basis for the power “to stop and ask for identification”, which was regulated in the “Regulation on Judiciary and Prevention Searches” (RJPS) dated 01.06.2005, was created especially with the Article 16 titled “Use of Force and Weapon”. There was an unlawful use of power before that date.

Concepts such as “**reasonable doubt, foresight and discretion**” were reformulated with some amendments made in the Law No. 6638, which entered into force on 27.03.2015 with the name “Law Amending the Law of Police Powers, Gendarmerie Organization, Duties and Powers Law and Some Other Laws” and known by the public as Internal Security Law.

Due to lack of adequate training for law Enforcement Officials regarding abstract concepts such as reasonable doubt, foresight and discretion, more than 400 cases that, in fact, should have been processed according to the Law of Misdemeanors have resulted in death as a result of the fact that each law enforcement officer attributes a meaning to the Article 16 of the LPP, which regulates the authorization to use weapons by law Enforcement Officials, and therefore each law enforcement officer takes an action according to this, despite a regulation was made on the reasons, subjects and purposes of stopping and asking for identification, the form, duration and form of the procedure.

In cases that resulted in the deaths of civilians, including children and women, the right to life of the suspects was abolished although there was no attack and violence against the police, no armed conflict with the police, no response to the government’s influence and actions with weapons, and no violence and rape that endanger the life and property of others.

As a result of these severe violations of rights, serious perceptions have emerged in the society that law Enforcement Officials can at any time use violence, shoot with a gun, and kill anyone who continues his in daily life or opposes the Law of Misdemeanors.

¹ ETKINIZ EU Programme 2020/DS386

The society has a strong perception both about the violations of the right to life and that the disproportionate force exerted by the police against the awareness of claiming rights and social reflexes in the society goes unpunished. The fact that administrative mechanisms ignore the obligation of law Enforcement Officials to comply with the “proportionality and necessity” criteria of international human rights law, and the perception of protecting and guarding the criminal created by the statements of bureaucrats in executive positions play an important role in the formation of these perceptions.

Extrajudicial Killings and Summary Executions of Women by the Law Enforcement

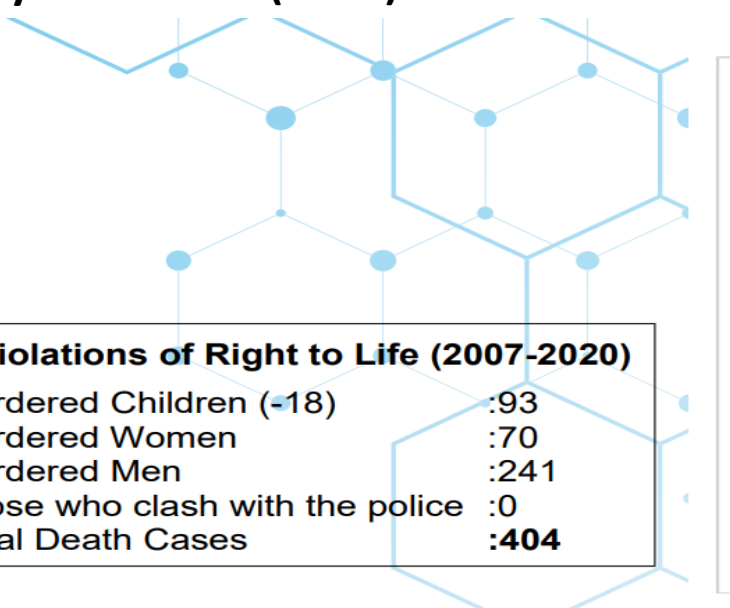
Extrajudicial and summary executions in Turkey manifest themselves in a wide range of ways from killing people for not obeying a stop warning to deaths in peaceful demonstrations and detention. As a result of abstract and unfulfilled concepts such as “foresight”, “reasonable doubt” and “appreciation” left to the police officers’ margin of appreciation and perception of the law, the right to life of more than 400 civilians, who do not threaten life, do not use violence against the police, and who must be treated according to the Law on Misdemeanours, have been violated.

The police, who use lethal force, consider it a legal duty to commit the murder by exceeding their legal powers and to punish the suspect with death with the decision given at that moment, instead of including the suspect in the judicial process and leaving the punishment to the judiciary. This situation is determined as the most important source of the problem.

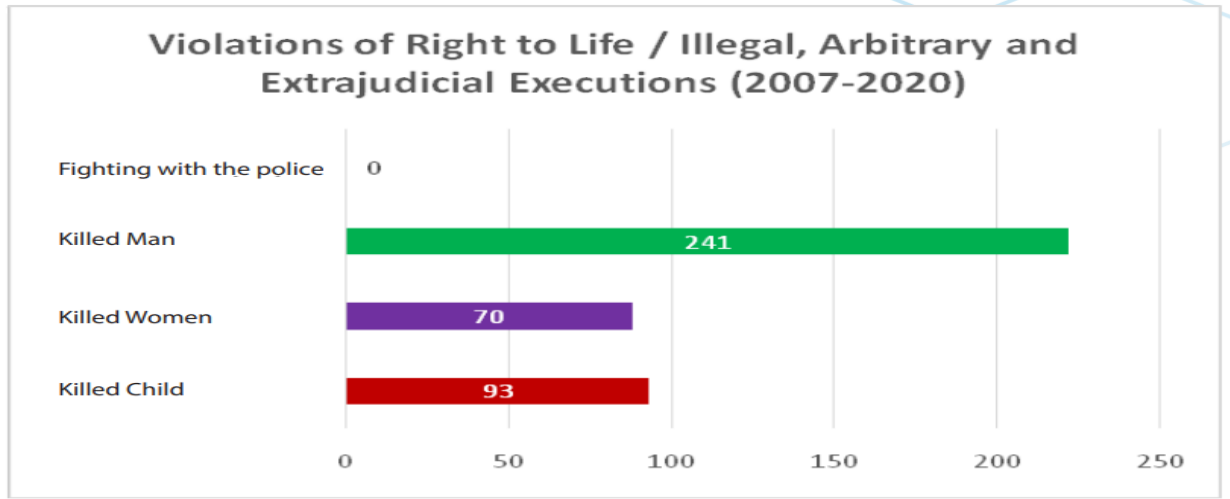
The police, charged with protecting life, trained and equipped to do so, have used their lethal weapon as a “first choice” in hundreds of cases, instead of “last choice” according to international criteria approved by the United Nations.

As the table below shows, the police executed a total of 404 people, including 93 children, 70 women and 240 adult men, without including them in any judicial proceedings.

Extrajudicial Killings and Summary Executions (Total)



Murdered Children (-18)	:93
Murdered Women	:70
Murdered Men	:241
Those who clash with the police	:0
Total Death Cases	:404



List of extrajudicial and summary execution of women cases in Turkey from 2007 to 2019

	Name	Age	Date of incident	Place of Incident	Cause of death
1	MERVE ÜNAL	23	26.05.2019	Diyarbakır	Police officer shot and killed his colleague
2	HANDE ŞEKER	22	10.01.2019	İzmir	Police officer killed a transgender person during solicitation of sex in her flat
3	ELİF KAYA	38	25.06.2018	Kocaeli	Intimate partner killing
4	ÜMRAN YETİŞGEN	28	14.00.201	Antalya	Police killed his own colleague
5	A girl child	4	28.12.2017	Diyarbakır	Run over by a speeding police vehicle
6	EMİNE SABAN	21	17.12.2017	Sakarya	Run over by armoured police vehicle
7	FELEK BATUR	7	21.10.2017	Siirt	Run over by armoured police vehicle
8	GÜLTEN YARAŞLI	55	19.10.2017	Bitlis	Run over by armoured police vehicle
9	REMZİYE MENTEŞE	29	19.06.2017	Diyarbakır	Run over by armoured police vehicle
10	PAKİZE HAZAR	85	15.06.2017	Diyarbakır	Run over by armoured police vehicle
11	FATMA EROĞLU	54	24.05.2017	Hatay	Police officer killed his mother
12	BERFİN DİLEK	7	09.02.2017	Mardin	Run over by armoured police vehicle
13	NACİYE ÖZDEMİR	73	06.09.2016	Tunceli	Run over by armoured police vehicle
14	ZELİHA CUMA	7	19.05.2016	Istanbul	Shot by police
15	PINAR GEMSİZ	28	15.05.2016	Istanbul	Shot by police
16	GÖNÜL ÇAKI	45	29.04.2016	Istanbul	Killed by her policeman husband
17	TANSU ÇAKI	18	29.04.2016	Istanbul	Shot by police
18	HATUN ELHUN	55	24.04.2016	Diyarbakır	Run over by armoured police vehicle
19	SEMRA ÇELİK	17	05.04.2016	Diyarbakır	Shot by police
20	GÜLŞAH AK	59	19.02.2016	Mardin	Run over by armoured police vehicle
21	SERAP ÇINAR	33	20.01.2016	Antalya	Shot by police
22	NİDAR SÜMER	17	07.01.2016	Sirnak	Shot by police
23	MİRAY İNCE	3 month old	25.12.2015	Sirnak	Shot by police - special operations
24	ADİLE KARADUMAN	55	23.12.2015	Sirnak	Shot by police in public demonstrations
25	AZİME AŞAN	46	22.12.2015	Sirnak	Shot by police in public

	Name	Age	Date of incident	Place of Incident	Cause of death
					demonstrations
26	TAYBET İNAN	57	21.12.2015	Sirnak	Shot by police - special operations
27	A baby girl	0	20.12.2015		Shot by police in public demonstrations
28	ZEYNEP YILMAZ	45	20.12.2015	Sirnak	Shot by police in public demonstrations
29	EMİRE GÖK	39	20.12.2015	Mardin	Shot by police in public demonstrations
30	AYŞE BURUNTEKİN	40	19.12.2015	Sirnak	Shot by police
31	HEDİYE ŞEN	30	17.12.2015	Sirnak	Shot by police in public demonstrations
32	FEHİME ATKI	56	07.12.2015	Mardin	Shot dead on the grounds of not obeying the stop warning/curfew of the police
33	HATİCE ŞAHİN	31	2015	Kocaeli	Familial dispute
34	DİLAN KOTAK	20	03.12.2015	Istanbul	Shot by police
35	SELMAN AĞAR	10	02.12.2015	Sirnak	Shot dead on the grounds of not obeying the stop warning/curfew of the police
36	NURHAN KAPLAN	45	19.11.2015	Mardin	Shot dead on the grounds of not obeying the stop warning/curfew of the police
37	FATMA YİĞİT	20	11.11.2015	Sirnak	Killed as a result of the gas canister used by the police.
38	DİLEK DOĞAN	25	25.10.2015	Istanbul	Shot by police in her house
39	HELİN ŞEN	12	10.10.2015	Diyarbakır	Shot by police - special operations
40	REZAN KAYA	20	04.10.2015	Diyarbakır	Shot by police
41	SELMAN AĞAR	10	09.09.2015	Sirnak	Shot dead on the grounds of not obeying the stop warning/curfew of the police
42	ZEYNEP TAŞKIN	17	07.09.2015	Sirnak	Shot by police - special operations
43	CEMİLE ÇAĞIRGA	10	07.09.2015	Sirnak	Shot by police - special operations
44	AYTEN GÜLHAN	32	05.09.2015	Tunceli	Shot by police in public demonstrations
45	GÜLAY MEMİŞ	38	28.08.2015	Manisa	Intimate partner killing
46	GÜLGÜN TUNA	72	17.08.2015	İzmir	Run over by a speeding police vehicle
47	GÜNAY ÖZARSLAN	31	25.07.2015	Istanbul	Shot by police
48	AYŞE ŞAHİN	75	17.06.2015	Bursa	Shot by police
49	SEVDA UYSAL	42	17.06.2015	Bursa	Shot by police
50	FATMA ZAIM	21	10.11.2014	Trabzon	Shot by police
51	ŞENGÜL ÖZEK	Unknown	01.07.2014	Ankara	Shot by police
52	NURAY ATAY	Unknown	01.07.2014	Ankara	Shot by police
53	BİRCAN TANYELİ	Unknown	01.07.2014	Ankara	Shot by police
54	AYŞE UĞUR	70	03.11.2013	Karaman	Run over by a speeding police vehicle
55	AYŞE KANAT	72	27.10.2013	Hakkari	Run over by a speeding police vehicle
56	ZELİHA MERAL	23	27.09.2013	Elazig	Shot by police
57	MELEK DANIŞMAN	32	04.10.2012	Antalya	Shot by police
58	YASEMİN AKPAN	Unknown	20.11.2011	Ankara	Shot by police
59	KAMİLE ÖZBEK	Unknown	14.09.2011	Adana	Shot by police
60	YEŞİM ÇELİK	23	20.11.2011	Istanbul	Shot by police
61	TUBA KORKMAZ	21	17.03.2011	Tunceli	Intimate partner killing
62	ÇİĞDEM ŞAHİN	20	11.11.2010	İzmir	Shot by police

	Name	Age	Date of incident	Place of Incident	Cause of death
63	SABİRE YAMAN	29	27.07.2010	Istanbul	Shot by police
64	MAZİYE ASLAN	8	29.04.2009	Van	Run over by armoured police vehicle
65	ÖZGE KEYİKÇİ	13	19.10.2009	Kutahya	Killed as a result of the gas canister used by the police.
66	NARİN BÖĞÜR	32	2008	Antalya	Shot by police
67	VİSUALE SÜLEYMANOVA	22	2008	Kocaeli	Died in detention at the police station
68	KEVSER MIZRAK	38	08.12.2007	Ankara	Shot by police
69	YÜKSEL NERGİZ	Unknown	22.10.2007	Malatya	Shot dead on the grounds of not obeying the stop warning/curfew of the police
70	NARİN BULUT	35	03.08.2007	Antalya	Shot dead on the grounds of not obeying the stop warning/curfew of the police

These details reflect the category of women who lost their lives in the Report of Violations of the Right to Life as a result of the Disproportionate Use of Force by Law Enforcement