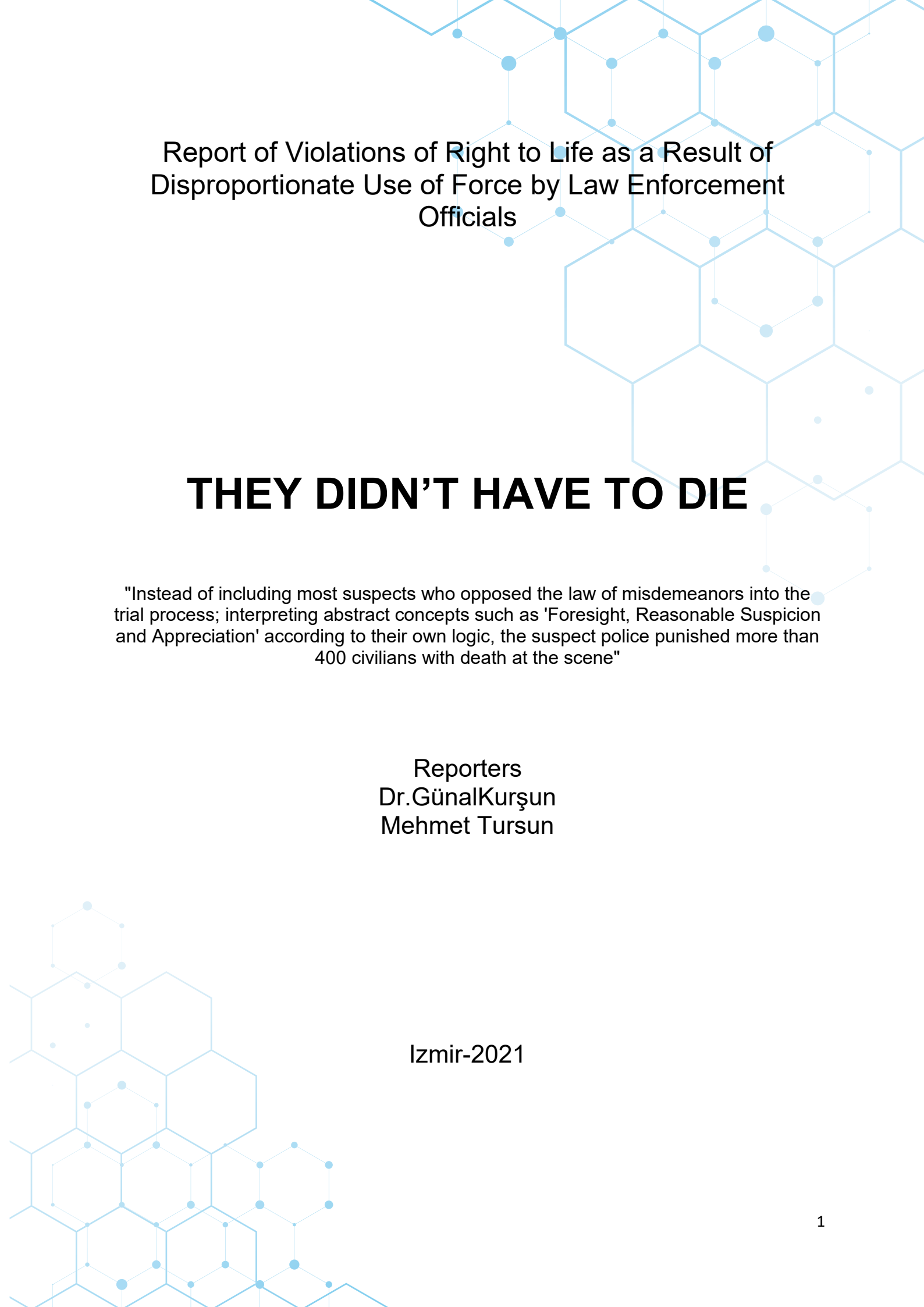


**Report of Violations of Right to Life as a
Result of Disproportionate Use of Force
by Law Enforcement Officials**





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

"Instead of including most suspects who opposed the law of misdemeanors into the trial process; interpreting abstract concepts such as 'Foresight, Reasonable Suspicion and Appreciation' according to their own logic, the suspect police punished more than 400 civilians with death at the scene"

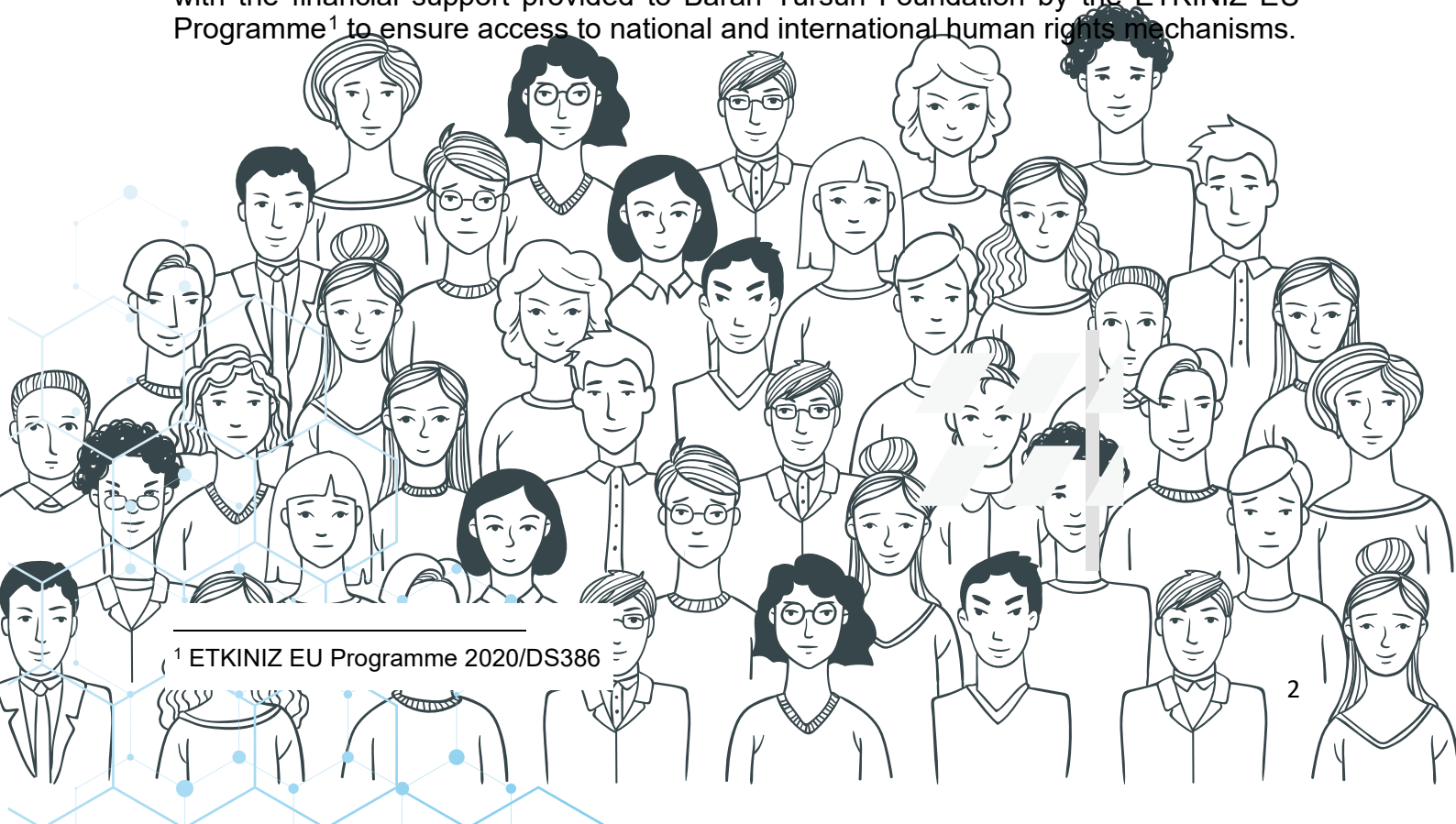
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“Report of Violations of Right to Life as a Result of Disproportionate Use of Force by Law Enforcement Officials – They Didn’t Have to Die” was prepared in Turkish and English by expert reporters Dr. GünalKurşun and Mehmet Tursun, who were assigned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



¹ ETKİNİZ EU Programme 2020/DS386

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Summary

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.

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.



Introduction

1. Law enforcement officials (security forces, police, gendarmerie, military) have important roles to protect society from violence, to enforce justice and to ensure people's rights. They often do this under harsh and dangerous conditions, and they cannot function without force in some cases. Governments that have to deal with a range of challenges cannot function without law enforcement. Human rights and situations where justice must be fulfilled cannot be created without the use of force and without law enforcement.

This power comes with responsibility, of course. The broad powers vested in the police department can be easily abused in any society, and it is in the interest of society, human rights and democracy that these powers are subject to constant vigilance. In order for law enforcement to function properly, appropriate guidelines on the use of force and appropriate mechanisms for accountability are needed. These are set out in the fundamental human rights conventions, the United Nations (UN) Code of Conduct for Law Enforcement Officials², the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials³, and the UN Manual on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions⁴.

Although the laws set forth in the aforementioned international standards and some improvements have been tried to be implemented in Turkey, Baran Tursun Worldwide Disarmament, Right to Life, Freedom, Democracy, Peace, and Solidarity Foundation (BARANSAV) has documented 404 deaths as a result of lethal force or unreasonable use or abuse of weapons by law enforcement officers in the last 11 years. These deaths are defined as unlawful, arbitrary, and extrajudicial executions, which are also accepted as serious human rights violations, and are violations of the right to life directly committed by state officials.

In this context, this report has been prepared to keep the issue on the public agenda and thus to provide concrete amendments, based on the fact that the issue cannot be kept on the public agenda sufficiently due to the scarcity of reporting studies on people who lost their lives as a result of the disproportionate use of force by the security forces and the excess of their authority to use weapons in Turkey. With this report, with the available data of more than 400 cases subjected to the fatal or unreasonable use or abuse of weapons by the security forces, most of which are tasked with protecting the life and right to life, which should be processed according to the Misdemeanor Law No. 5326, the level of protection of the right to life in Turkey, both in law and in practice, is analyzed and the extent to which security forces can adhere to national and international legislation on the subject is investigated.

² General Assembly resolution 34/169, Code of Conduct for Law Enforcement Officials, commentary to art.1, (1979) <https://www.ohchr.org/Documents/ProfessionalInterest/codeofconduct.pdf>

³ Basic Principles on the Use of Force and Firearms by Law Enforcement Officials <https://www.un.org/ruleoflaw/files/BASICP~3.PDF>

⁴ The Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016), Office of the United Nations High Commissioner for Human Rights, New York/Geneva, 2017. <https://www.ohchr.org/Documents/Publications/MinnesotaProtocol.pdf>



2. In the preparation of the report, it was benefitted from the legislations of the Republic of Turkey, as well as The Code of Conduct for Those Responsible for the Implementation of the United Nations Laws, enacted by the United Nations General Assembly Resolution No. 34/169 dated 17 December 1979, Fundamental Principles on the Authorities of Law Enforcement to Use Force and Weapons, adopted at the Eighth United Nations Conference on the Prevention of Crime and the Rehabilitation of Convicts, convened in Havana between 27 August - 7 September 1990, Resolution of the Parliamentary Assembly of the Council of Europe No.690 dated 1979 on the Declaration on the Police, Recommendation No. 10 dated 2001 on the European Rules of Police Ethics of the Committee of Ministers of the Council of Europe, Recommendation No. 10 dated 2000 on the Model Code of Conduct for Public Officials of the Committee of Ministers of the Council of Europe, "Regulation on Principles of Ethical Conduct and Application Procedures and Principles for Public Officials" published in the Official Gazette No. 25785 dated 13.04.2005, Ethical Agreement for Public Servants, which is an annex to the Regulation on Principles of Ethical Behavior of Public Officials and Application Procedures and Principles, Code of Ethics of International Association of Chiefs of Police, Fundamental Human Rights Standards Document for Law Enforcement, prepared by Amnesty International in December 1998, based on the standards of the United Nations on law enforcement, criminal justice system and human rights issues, while expressing the 10 most important expectations from law enforcement officers for good conduct, the French National Police Professional Ethics Law, enacted by Decree No. 86-592 dated 18 March 1986 and Australian New South Wales Region Police Code of Conduct and Ethics documents and the content of the report is interpreted within the framework of international and national standards introduced with all these documents listed above⁵.

3. The present study aims to contribute to the change of the current practice and to attract the attention of all the addressees of the subject, in particular the Ministry of Interior of the Republic of Turkey. In the report, the cases that took place throughout Turkey in the last fifteen years (since 2007) and where the security forces were responsible were taken within the scope of the research. The main reason for the initiation of the study from the cases in 2007 is the amendment to the law regulated by LPP article 16 in 2007 to expand the police's authority to use weapons.

In the report formed as a result of the analysis of 404 cases recorded in the database of Baran Tursun Foundation, violations of the right to life arising from ongoing armed conflicts, especially in the east and southeast of the country, were excluded and the deaths indirectly related to this issue and the cases referred to as "judicial cases" and reflected in the records as "reckless killing" were included in the study. The list and brief summaries of the cases can be seen in Baran Tursun Foundation database, internet pages and in the annex at the end of the report⁶.

⁵ All documents, whose names are listed, can be accessed collectively at the following address: Cengiz Sayin, Ethical Principles of Law Enforcement, Unpublished Master's Thesis, Ankara University Thesis Catalog, <https://dSPACE.ankara.edu.tr/xmlui/bitstream/handle/20.500.12575/27935/1869.pdf?sequence=1> (26.12.2020).

⁶ Baran Tursun Foundation data bank- www.baransav.com (26.12.2020).

Methodology

4. This report, which examines the violations of the right to life, was prepared in Turkish and English by **expert reporters Mehmet Tursun and Dr Günel Kurşun**, who were assigned with the financial support provided by the European Union-ETKINIZ Programme to the Baran Tursun Foundation, to ensure access to national and international human rights mechanisms. The most important asset of the report is the database created by the Baran Tursun Foundation through observations and reports over the years. It is possible to access this database on the Foundation's websites and other digital portals. Open sources, national and international media and news and reports of human rights organizations were used while creating the database. The data obtained from the sources were tried to be verified with other open sources, national or international media organizations and the reports of human rights organizations. When this was not possible, efforts were made to directly contact with the relatives of the person(s) who were involved in the incident and died. Besides general problems, threats and difficulties encountered in civil reporting activities specific to Turkey were not included within the scope of this report.

Current Situation

I. Violations of Right to Life

A. Deaths as a result of the Disproportionate Use of Force by the Police

6. Violations of the right to life in Turkey manifest themselves in a wide range 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 officer's current initiative 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 Misdemeanors, have been violated⁷.

7. With the amendments made in the Law of Police Powers in 2007 and 2015, it is observed that violations of the right to life have increased significantly as a result of the police officers to resort to their increased powers in using firearms without hesitation. As the law stipulates, the police officers, who should use their gun as “**the last resort**”, attribute some meaning to abstract concepts that they are not trained enough such as reasonable doubt, foresight, and discretion, and they use their gun in a

⁷According to the Turkish Human Rights Foundation's 2019 Annual Human Rights Report, it was determined that 7 people, one trans woman and one child, died in 10 separate incidents and 11 people were injured in 2019 as a result of extrajudicial executions, not following the warning to stop, random fire or police raid. In a retrospective examination of HRFT reports, it is seen that at least these numbers of cases are encountered every year. For the HRFT 2019 Annual Human Rights Report and previous years reports, see: <https://tihv.org.tr/yillik-insan-haklari-raporlari/2019-yillik-insan-haklari-raporu/> (26.12.2020).

fatal way almost as **“the first resort”**. Instead of including those who opposed the Law of Misdemeanors to the judicial process, they punished hundreds of suspects with death without trial, with abstract concepts such as reasonable doubt, foresight and discretion, to which each police officer attributes the meaning in his mind⁸.

8. The power to use force and weapons specified in LPP article 16 includes various ambiguous statements within itself. In this context, considering that police officers are also security experts, it is seen that the police are in a state of hesitation and a perception of security weakness in most of the images examined. Reasons such as legal knowledge in general and hesitation about the principle of proportionality in particular, lack of empathy, inadequate mobile shooting ability in the authorization to use weapons, and lack of sufficient training or incorrect training in law and mobile shooting training in schools are effective in this weakness.

9. When it comes to the power to use force, within the framework of the principle of proportionality, necessity, and convenience criteria before and during the use of force, law enforcement officers should use force by putting themselves in the position of the person, trying to understand him, and trying to find a balance between the psychological or physical problems that the person and himself will fall into as a result of the use of force. In this context, the empathy and professional use of force in accordance with human rights and laws will protect both the public order and the person who disrupts the order. When some events are evaluated, empathy, which can be named as “psycho-legal empathic power”, and the empathy to be shown when deciding how to intervene in the relevant person, even if the legal conditions of using a weapon or using force in an event are legal, will ensure the use of legal authority in a healthier manner. Empathy determines how the police will approach the incident, the psychological state of the other person, whether it is really necessary to use force, and whether the consequences of force to which the person will be exposed are proportional.

10. There are international laws and standards that strictly regulate when and how the police can resort to the use of force, especially lethal force. The United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (BPUFF) is the most important international document regulating the use of force by the police. It is understood from the police vocational school curricula that such international documents are not based on the training given to the security forces.

11. The first condition for the use of lethal force by the police in both national and international documents is proportional to whether the suspect’s action would lead to the death or obvious injury to the body of the security force itself or another person. This proportion and necessity are also taught in vocational education. A police officer is not a normal officer working in the land registry office or registry office. The police officer is a security expert who is tasked with protecting life, trained, and equipped in this direction. With the training and equipment a police officer receives, it is possible and necessary to implement the use of lethal force in a purely professional manner.

⁸ Baran Tursun Foundation data bank, www.baransav.com (26.12.2020).

Bittner (1991/42) argues that the role of the police in having the capacity to use force is fundamental to understanding the policing profession⁹.

12. Police officers understand it as a “legal duty” to use guns without hesitation as “the first resort” rather than being “the last resort” in using disproportionate and lethal force. In cases resulting in death, police officers prosecuted as defendants often put forward arguments that can be summarized as “**We have done our legal duty**”. While police officers should use a weapon as the “**last resort**” with these defenses, as the law stipulates, they perceive using a weapon as the “**first resort**” in the sense they attribute to the Law of Police Powers’ article of use of force and weapon. This perception of the police puts Turkey, which claims to be among democratic countries, let alone authoritarian and totalitarian regimes, among countries where the rate of police killing people is high¹⁰.

13. 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.

B. Violations of Right to Life

14. Among the cases where the right to life is violated, some sample cases, mostly publicly known, compiled from hundreds of cases obtained by observing human rights through judicial and non-judicial mechanisms are listed below:

Ali Hemdan/Adana-Seyhan/27.04.2020: He was shot in the heart as a result of the fire opened by the police in Adana Seyhan. The detained police officer was arrested at the courthouse where he was referred by the criminal court of peace for ‘deliberate killing’.

Suspected police officer: “While the individuals were coming towards us, they became anxious and suddenly started to run away. I caught someone. The deceased child continued to run away. While running, I had gloves in my hand. I was fasting, tired, and I stumbled and fell to the ground. The gun caught fire as it fell to the ground. I definitely did not point the gun at the person.”

Lawyer Tugay Bek: “As soon as the deceased turned away after hearing the police’s warning to stop, the police officer committed the murder of Ali El Hemdan, who was 15-20 meters away, by shooting him coldbloodedly in the heart with a single shot.”

Result: The case is pending.

*

Yaşar Alperen Savaş/Samsun/23.12.2019: He was shot in the head when the deputy commissioner hit him in the shoulder with his gun.

Suspected police officer: “I asked the deceased Alperen why they ran away. He said that they did not have a driver’s license, so they were scared and ran away. The moment I hit his shoulder with my gun in my hand, my gun was fired. I had no intention of killing.”

Lawyer Adem Erol: “It is impossible for a person, who has had an academic training in using a gun, to think that the gun could not fire when he hit the shoulder of the deceased with a bullet fed into the barrel. The police officer should be punished for intentional murder.”

Result: The suspect police was sentenced to 7 years and 6 months in prison.

*

⁹ Bittner (1991/42) page 879 <https://dergipark.org.tr/tr/download/article-file/223133>

¹⁰ Freedom House, Freedom In The World 2020, <https://freedomhouse.org/country/turkey/freedom-world/2020> (26.12.2020).

Ekrem Görkem Karakan/G. Antep/31.12.2017: Murdered as on the grounds of not obeying the stop warning of the police.

Suspected police officer: "I had no intention of killing. We had received live bomb intelligence before. We were nervous. That's why I shot."

Lawyer Bülent Duran: "300 children were killed by the police after the internal security draft was issued. Maybe we will not bring Ekrem back. But we will prevent other mothers from crying by preventing the crime from going unpunished."

Result: Police officer Hasan Bilki was sentenced to 5 years, 7 months, and 15 days in prison for "murder by gross negligence".

*

Çağdaş Gemik/Antalya/ 27.10.2008: Çağdaş Gemik, who stopped and got off his motorcycle as a result of a stop warning from the police while riding his motorcycle, was shot and killed by the fire opened by the police.

Suspected police officer: "He warned stop and fired my gun up in the air. As I tried to warn again, my foot slipped from the gravel on the ground. Meanwhile, the gun in my hand fired against my will. I saw Çağdaş fall to the ground."

Lawyer Münip Ermiş: "As it is known, dozens of people have died with police bullets since the Law of Police Powers came into force in 2007. One of them is Çağdaş Gemik, who was murdered at the age of 18 in Antalya."

Result: The police officer was sentenced to 13 years and 4 months in prison.

*

Uğur Kurt/Istanbul/26.05.2014: He lost his life as a result of the fire opened by the police while waiting for a funeral in Okmeydanı Djemevi.

Lawyer Turgut Kazan: "We warn the public. Our lives are in danger. This is not just limited to an injustice suffered by the Kurt family. This example also puts our life safety and right to life at risk. Turkey will be the new Mexico, none of us will have any security of life."

Result: The accused police officer was sentenced to 1 year and 8 months in prison. The penalty was converted to a judicial fine of 12 thousand and 10 TRY.

*

Baran Tursun/İzmir/25.11.2007: On his way back from his birthday celebration, he died as a result of the fire opened by the police at the crossroads after the police flashed the car headlights from a distance of 250 meters.

Suspected police officer: "I stumbled as Baran's vehicle passed me quickly. My foot slipped and the gun in my hand was fired spontaneously. I didn't kill anyone on purpose. I acted according to the authority given to me by the law. I did my duty."

Baran's father: "Police officers and other police officers who testified are lying. They shot my son and issued a traffic accident report to make it look like a traffic accident. They delivered my son to the hospital as a person who had a traffic accident and drawn up a report in this way. They informed us that "your son had a traffic accident". When a bullet belonging to the police was detected in Baran's head in the hospital, they changed the course of the event with false documents and false testimonies."

Result: Police officer Oral Emre Atar was sentenced to 2 years and 1 month in prison.

*

Muhammet Alican Razi/Ankara/25.05.2020: He died as a result of the fire opened on the grounds that the police did not obey the stop warning.

The investigation is ongoing.

Mother Gönül Razi: "When the police officers called us, they said 'your son has died in the accident'. As far as we have been told, the police officers broke the windshield to make it look like an accident and that he was killed. They also smeared blood on the window next to my son.

A confidentiality order has been given for the file and the investigation is ongoing. In the autopsy report, it is written that the victim was "shot in the back of his head with a bullet".

*

Dilek Doğan/Istanbul/25.10.2015: She was killed when a police officer shot her while there was a police search in her home in the Armutlu district of Istanbul.

Suspected police officer: In his defense, the suspect said, "I came from the state of emergency zone on the day of the incident. I was very tired. I did not kill anyone. I did not aim a gun at anyone on purpose. Therefore, I am in good conscience. I fulfilled the duty my state gave me. I did not shoot anyone."

Lawyer Metin Doğan: "We do not expect justice in this case, which was held in the 2 sessions. The lawyers' requests were denied and there were no arrests. The accused police officer is also absent. He may also have escaped. Crimes committed by public officials are protected by the judiciary. The sin of the judiciary is enormous in terms of impunity."

Result: The accused police officer was sentenced to 6 years and 3 months in prison for murder by gross negligence.

*

Cem Aygün/Ankara/30.08.2012: He was killed in Ankara Keçiören while arguing with his lover on the grounds that he did not obey the police officer's warning to stop.

Father Ismet Aygün: "The police killed my son without blinking. In the daytime, they chased my child, shooting one after the other. Here they fired, shot, and killed him. You've all seen it. For the sake of God, tell what you see. If young people are dying today, they are dying because we are silent. Do not fall into sin. Tell whatever you know."

*

Kemal Kurkut/Diyarbakır/21.03.2017: He died as a result of the fire opened by the police after passing the barricades at the checkpoint at the entrance to the celebration area to attend the Nevruz celebrations held in Diyarbakır.

Older brother Ercan Kurkut: "I really care about the punishment they will give to my brother's killer, but will the state punish itself? We, as a family, know that this case will not be resolved fairly. I do not expect justice."

Lawyer Mehmet Emin Aktar: "The police officer's shoot is intentional. In addition, the police officer is in a position to predict the consequences if he fires. All in all, a trained and safety responsible person knows how and where to shoot. There is a deliberate action here. In this case, the practice of impunity works with considerably intentionally."

Result: The prosecutor gave his opinion, and the hearing was adjourned.

15. When the above results are examined, in almost all cases, the lack of education, the difficulty and severity of working conditions, misinformation, wrong perception, trust to not to be punished, and common and systematic impunity come to the fore as common points. The total of violations of the right to life between the years 2007-2020 is given in Table 1.

16. When the total violations are evaluated by years, it is seen that close number of cases are experienced each year and the numbers vary in a certain variance depending on the political and economic conditions of the period. Detailed classification based on age and gender by years is given in Table 2.





Table 1- Total Violations of Right to Life (2007-2020)

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

Violations of Right to Life / Illegal, Arbitrary and Extrajudicial Executions (2007-2020)

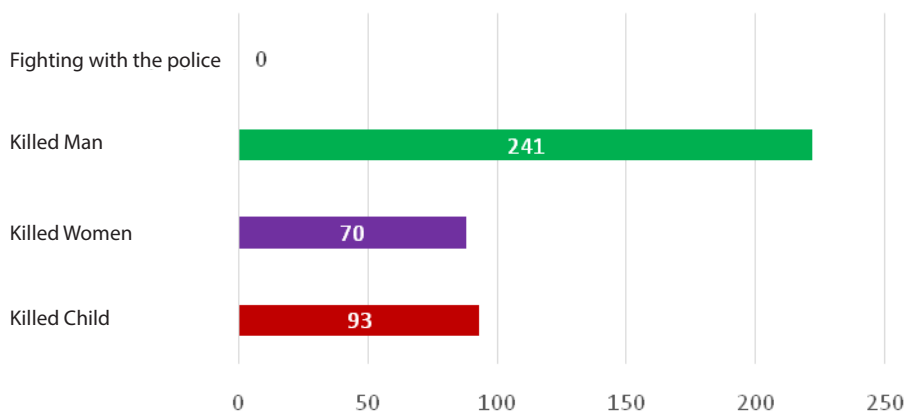
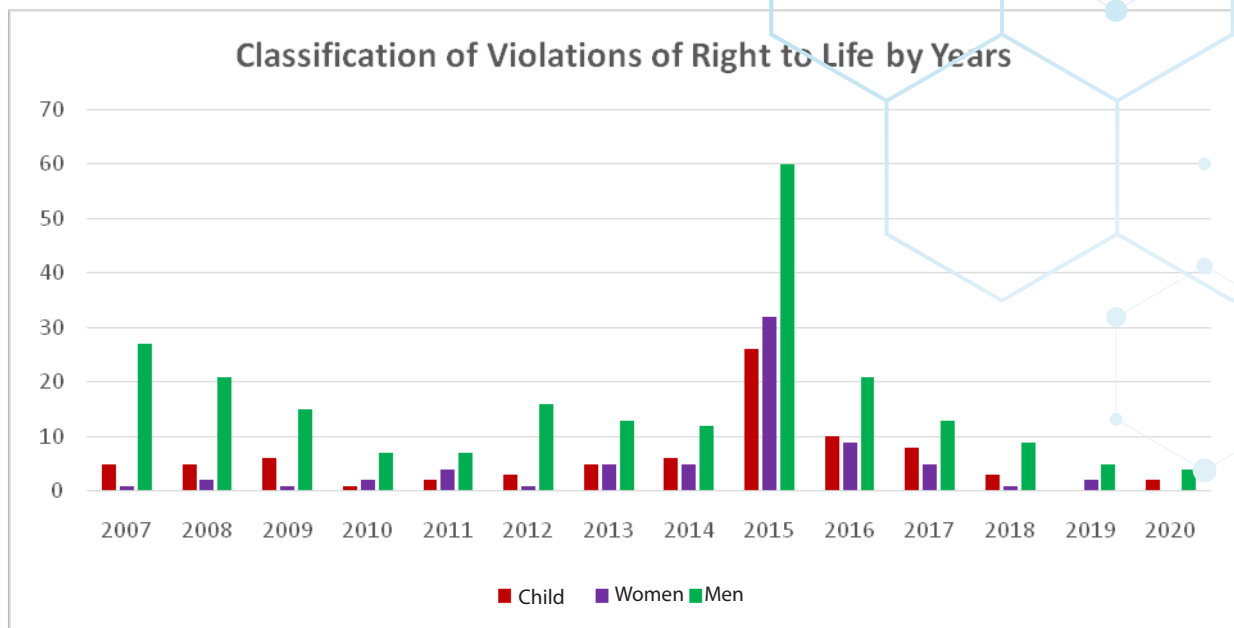


Table 2- Classification of the Violations of Right to Life by years

Year	Children	Women	Men	Total
2007	5	1	27	33
2008	5	2	23	30
2009	6	1	15	22
2010	1	2	8	11
2011	2	4	7	13
2012	3	1	17	21
2013	5	5	13	24
2014	6	5	16	27
2015	26	32	50	108
2016	10	9	25	44
2017	8	5	20	33

2018	3	1	9	13
2019		2	6	8
2020	2		4	6
Total	93	70	241	404



The issue to be considered here is that the deaths that occur in events that do not require the use of lethal force by law enforcement officers or other means within the framework of international human rights standards are defined as unlawful, arbitrary, and extrajudicial executions. Because these are all events that do not involve a conflict with the police/law enforcement.

17. The essence of the right to life is the survival of the individual. This right, which constitutes the basis and precondition of all human rights, is a right that cannot be limited in any way in democracies. Both the strong effect of international conventions and the binding effect of judicial jurisprudence have undeniably imposed obligations on states to protect the right to life. One of these is the obligation under Article 3 of the Universal Declaration of Human Rights that “life, freedom and personal security are everyone’s right”. Another is that, according to Article 2/1 of the European Convention on Human Rights, states have the guarantee and obligation to “protect life by law”. Turkey has fulfilled that obligation by making regulations in the Constitution. In the 17th article of the Constitution, the statement “Everyone has the right to live, to protect and develop his/her material and spiritual existence” is included.

18. Violations of the right to life in Turkey manifest themselves in a wide range from killing people for not obeying the “stop” warning to deaths in peaceful demonstrations and detention. The right to live has been violated in more than 400 cases, all of which must be processed in accordance with the law of misdemeanors

and the detailed breakdown given above. The police force that does not take into account the “**proportionality**” and “**necessity**” obligations according to the ECHR and UN definitions and within the framework of international human rights law violated hundreds of civilians, including children, women and adults, the right to life under the Law of Police Powers.

19. International law states that the police may resort to direct fire or the use of lethal force as a last resort for the use of disproportionate force in order to protect life and on the condition of proportionality and necessity. Hundreds of cases in Turkey resulting in death as a result of unreasonable use or abuse of weapons by the police force rendered the “**obligation to protect life by law**” dysfunctional in the context of ECHR article 2/1.

20. When the events are analyzed deeply, it appears that indispensable fundamental rights such as the right to live, security and freedom of person and the immunity of private life, and abstract concepts such as reasonable doubt, foresight, and discretion, which each police officer attributes to his own perception and meaning, are completely left to the will of the police. For example, reasonable suspicion is defined by the European Court of Human Rights as the availability of sufficient information and facts to convince an objective observer that the person concerned may have committed the crime. From this point of view, there is no sufficient doubt to convince an independent observer of the use of weapons in almost any of the events.

21. An abstract justification for the prevention of crime or misdemeanor gives the police the freedom to stop and control almost everyone in their ordinary lives, anywhere and anytime. The stop and ask for identification powers of the police, regulated in LPP article 4/A, were kept extremely wide, and especially after 2007, the law enforcement officers’ application to their increased powers regarding the use of firearms without hesitation played an important role in the increase of violations of the right to life. Deaths caused directly or indirectly by law enforcement officers caused thousands of families to suffer.

22. The same provision was repeated in the Law of Police Powers, although the Law on Misdemeanors included the authorization to use firearms. Accordingly, these provisions of the LPP and the Law on Misdemeanors, which are identical to each other, are in violation of Article 5/1-c of the European Convention on Human Rights, which regulates the right to freedom and security.

C. Deaths in Detention

23. Deaths in detention and most of them after torture or ill-treatment were included in the reports of the Baran Tursun Foundation for the years 2007-2017. According to the database of Baran Tursun Foundation, a total of 29 people died while in detention, along with Hakkı Cangi, who died in Çanakkale Anafartalar Police Station on June 4, 2007, and Festus Okey, who died in İstanbul Beyoğlu Police Station on August 20, 2007 and finally, on 15/12/2017, 19-year-old Murat Araç, who allegedly committed suicide by jumping from the police headquarters building in Antalya Gazipaşa district.

24. Although security cameras are a system developed to monitor detainees and dishonest police forces, collect evidence against allegations of unfounded torture and rights violations, and keep police stations and detention facilities under surveillance, in all police stations where deaths occurred, cameras either failed, partially recorded, or did not record at all. As such, it was not possible to proceed or collect evidence through the detention centers where the deaths took place. Therefore, it became easier for ill-treatment and death to go unpunished.¹¹.

25. With the expressions that can be summarized as “**I have not seen, I have not heard**” by the police officers who were in the police stations at the time of the incident and who were responsible for the incident, the files are concluded either with non-prosecution or impunity or with deferred symbolic penalties.

26. Baran Tursun Foundation has obtained various data by monitoring and observing some deaths in detention centers¹².

Some Death Cases in Detention in the Data Bank of Baran Tursun Foundation:

Festus Okey: He was killed with a firearm at the Istanbul Beyoğlu Police Station. Shooting Suspected police officer: “I had the gun, but I did not press the trigger. The security camera at the police station was sometimes malfunctioning. I don’t know why it didn’t work on the day of the incident.”

*

Metin Yüksel: While the operations in the Zonguldak Police Station were being carried out, he was thrown from the window of the detention at around 17.00. Yüksel’s body was taken inside with the help of other police officers at the police station. Police officers: “Metin jumped out of the detention window on his own. We do not know if the security cameras were on.”

*

A. Rahman Sözen: He was killed on 21/07/2009 in İzmir’s Gümüşpala police station with a firearm belonging to the police. According to official records, A. Rahman took the police’s gun while he was in detention and fired two times in the air and committed suicide by shooting in his head.”

Suspected police officer: “A. Rahman took my gun. He fired it into the air first and then to himself. Recording could not be made because the security camera was broken.”

*

Osman Aslı: He was found hanging with shoe laces at the Istanbul Firuzköy Police Station.

Suspected police officer: “Osman seems to hang himself with a boat rope at the police station. We don’t know how. Security cameras did not record. We do not know.”

*

Ahmet Cömert: It was said that 23-year-old Ahmet Cömert, who was taken into detention in Darica, ended his life by hanging himself in the detention of the police

¹¹UN Turkey Report of Unlawful, Arbitrary and Extrajudicial Executions (26-30 November 2012), http://ihop.org.tr/wp-content/uploads/2007/03/ChristofHeyns_TurkiyeZiyaretiRaporu_Tr.pdf (26.12.2020).

¹²Baran Tursun Foundation data bank: Those who lost their lives in detention centers: <http://www.baransav.com/?pnum=343&pt=KARAKOLLAR+DA+%C3%96L%C3%9C+BULUNANALAR>

station. Father Durmuş Cömert says that this son was not someone who would commit suicide.

Suspected police officers: "We have nothing to do with Ahmet Cömert's suicide. Security cameras were working all the time. We don't know why it didn't work that day."

*

Resullıçin: The autopsy revealed that Resullıçin, 52, who lost his life in the police station where he was taken by the police in Idil district of Şırnak, had bruises on his head and various parts of his body. The Governorship of Şırnak claimed that İlçin fell to the ground and died.

Governorship: "Security cameras were not recording when Resul fell from the chair. If the recording had been made, we would have shown it anyway."

*

Ahmet Akbaş: He was found dead in Istanbul Esenler Police Station. Ergin Akbaş, a relative of Ahmet Akbaş: Although it has been a long time since the incident, the prosecutor arrived late at the scene. Doctors did not come and did not intervene. Security cameras were malfunctioning and did not record.

*

Abbas İnan: It was said that he committed suicide by hanging himself with the piece he had torn from the blanket in the detention of Çanakkale Anafartalar Police Center. While the security forces described the incident as suicide, they did not clarify why the security cameras did not work.

*

Erdal Koloğlu: 34-year-old Erdal Koloğlu, who was detained in Zonguldak, died after police strikes with batons. Brother of the deceased: "About 10 policemen hit my brother with batons because he shouted in front of the police station. One lay down on the ground and stepped on his head. They immediately deleted the video of the security cameras."

*

Dariusz Witek: Dariusz Witek, who was brought to the Istanbul Kumkapı guesthouse to be deported, was allegedly stayed hanged for 7 hours in the detention room, which was watched by cameras for 24 hours. 4 police officers were suspended. An investigation was launched against 15 police officers. In the statement made by the police regarding his death, it was stated that "It was determined that the person committed suicide by hanging himself using the rope on the lining of his trousers". As for the security cameras, the authorities said: "These cameras were often malfunctioning anyway. Therefore, no video recording could be made".

*

Gökhan Belgüzar: It was claimed that he hung himself with a blanket strip in Istanbul Bakırköy Public Security Directorate. It was said that the other person staying in the detention was asleep at the time of the incident and the camera in a position to see the crime scene did not record. In the incident, where it was declared that the police officer, who was supposed to follow the monitor at the time of the incident, did not watch the monitor due to his workload. Father İrfan Belgüzar: "My son was killed by the man next to him or the police officers. How can a person hang himself in a place of 80 cm long?"

*

Erhan Turan: Erhan Turan, who was in detention at the Istanbul Şişli Research Department, allegedly committed suicide by jumping from the 7th floor at noon. The eyewitnesses state that he was shouting "Help" from the window. "There were 3-4 people with him," they claimed. Following the incident, police officer S. L. in charge of the detention was sentenced to 5 months in prison for negligence.

Deaths in detention centers are given in Table 3 with location and date information and brief explanations.

Table 3-Deaths in Detention

No	Name	Detention Center	Date	Explanation
01	Hakkı Cangı	Çanakkale	04.06.2007	Death in police station
02	Festus Okey	Istanbul-Beyoğlu	20.08.2007	Death with a police gun
03	Gökhan Belgüzar	Istanbul-Osmaniye	10.08.2007	Death by hanging at the police station
04	Dariusz Witek	Istanbul-Kumkapı	18.09.2007	Death by hanging at the police station
05	Mustafa Kökçe	Istanbul-Ümraniye	13.06.2007	Death in police station
06	Selçuk Yıldır	Kocaeli	28.05.2008	Death in police station
07	V.Süleymanova	Iğdır	13.06.2008	Death by falling from a police vehicle
08	Metin Yüksel	Zonguldak	02.07.2008	Death in police station
09	Serkan Çedik	Bursa	11.08.2008	Death in police station
10	Ahmet Laçın	Istanbul	19.10.2008	Death in police station
11	Orhan Oflaz	Antalya	10.07.2008	Death with a police gun
12	Abbas İnan	Çanakkale	01.12.2008	Death by hanging at the police station
13	Ahmet Cömert	Kocaeli-Darıca	01.11.2009	Death by hanging at the police station
14	A.Rahman Sözen	İzmir-Gümüşpala	21.07.2009	Death in police station
15	Resul İlçin	Şırnak-İdil	22.10.2009	Death in police station
16	Osman Aslı	Istanbul-Firuzköy	20.12.2009	Death by hanging
17	Ahmet Akbaş	Istanbul-Esenler	01.08.2009	Death in police station
18	Erhan Turan	Istanbul-Şişli	26.03.2010	Death by jumping from the 7 th floor
19	Murat Konuş	Istanbul	06.01.2010	Death by torture
20	Özcan Kurtuluş	İzmir-Şirinyer	14.09.2010	Death by hanging at the police station
21	Fuat Bayoğlu	Istanbul	30.04.2012	Death in police station
22	Hamed ul.Said	Mersin-Yumuktepe	29.07.2012	Death in police station
23	Fırat Kırtekin	Istanbul-B.Düzü	25.01.2012	Death with a police gun
24	Willem Tyas	Manavgat	02.10.2011	Death in police station
25	Kenan Yılmaz	Istanbul-S.Gazi	22.05.2012	Death by feeling faint
26	Selman Pınar	Batman	01.05.2012	Death by falling from the wall
27	H. Latif Kaplan	Istanbul-Bağcılar	20.09.2012	Death by hanging
28	Ali Akın	Istanbul-B.Çekmece	12.08.2012	Death with police gun
29	Murat Araç	Antalya-Gazipaşa	15.12.2017	Death by jumping from the police building

27. The common feature of the 29 deaths in detention centers between 2007 and 2012 is that security cameras did not work unusually in any of the incidents. In the organization of Baran Tursun Foundation and Mazlum-Der, who determined that the non-functional, defective and partial recording of security cameras in police stations

where death cases occurred was against the natural of things, meetings were held with the representatives of the political parties and the Human Rights Investigation Commission of the Turkish Grand National Assembly to discuss this unusual situation, make suggestions and find solutions together with the families of the victims.

28. Meetings were held with government officials, AKP Group Deputy Chairman Ahmet Aydın and the Ministry of Interior on 24/01/2013¹³. Both the Deputy Prime Minister of the time and the Ministry of Internal Affairs noted the allegations of the Baran Tursun Foundation and Mazlum-Der that the camera systems established to monitor the dishonest police forces of the extraordinary deaths in detention and collect evidence against the allegations of unfounded torture and rights violations did not function properly.

29. The allegations heard, the notes received, and the circulars showed their effect, and after 2017, much greater sensitivity began to be shown in detention centers. No incident has been identified by the Baran Tursun Foundation after this date.

30. With these works carried out by the Baran Tursun Foundation, deaths in detention were tried to be prevented and Turkey, police stations and Turkish police organization were respected by national and international human rights mechanisms.

Ç. Deaths as a Result of Crashing by the Vehicles of Security Forces

31. Between 2016 and 2020, 32 civilians' rights to life were violated as a result of the crashing of armored vehicles used by the police force, which did not show the necessary care in civilian settlements, in violation of the traffic rules. Police vehicle drivers were protected and guarded in the investigations and prosecutions opened for the death cases, and the traffic accident reports prepared by their colleagues were arranged in a way that they would not receive any penalties. According to these reports, investigations and prosecutions were closed with either non-prosecution or low sentences¹⁴. Table 4 lists the deaths that occurred as a result of the crashing of the vehicles used by the security forces.

Table 4-Deaths as a Result of the Crashing of Vehicles Belonging to the Security Forces (2012-2020)

No	Name	Place of Death	Date	Explanation
32	Cihan Can	D.Bakır	08.12.2019	Armored Police vehicle crash
31	Ali Sezer	Tunceli	13.06.2018	Armored Police vehicle crash

¹³Baran Tursun Foundation and Mazlum-Der's TBMM talks report, <http://www.baransav.com/?pnum=754&pt=LPP+Mağduru+birey+ve+Aileler%2FAnkara+toplantısı> (26.12.2020).

¹⁴Baran Tursun Foundation data bank –Deaths as a result of being crashed by a police vehicle: <http://www.baransav.com/?Syf=18&Hbr=1001284&/Kimisi-uykuda-yatakta,-kimisi-yolda-y%C3%BCr%C3%BCrken,-kimisi-de-durdu%C4%9Fu-yerde;-ya-polis-panzeri,-ya-da-polis-arac%C4%B1-%C3%A7arpmas%C4%B1-sonucu-%C3%B6ld%C3%BC>

30	Mehmet Tektekin	D.Bakır	06.06.2018	Anti-riot water cannon vehicle crash
29	Pakize Hazar	Lice	29.05.2018	Armored Police vehicle crash
28	MahmutÖner	Lice	15.08.2018	Armored Police vehicle crash
27	MevlütFağtaş	Lice	15.08.2018	Armored Police vehicle crash
26	HamitDağtaş	Lice	15.08.2018	Armored Police vehicle crash
25	FikriDemirbaş	Lice	15.08.2018	Armored Police vehicle crash
24	ZeynelDemirbaş	Lice	15.08.2018	Armored Police vehicle crash
23	Çocuk T.	D.Bakır	28.12.2017	Police vehicle crash
22	EmineSaban	Sakarya	17.12.2017	Police vehicle crash
21	GültenYarayışlı	Bitlis-Hizan	19.10.2017	Armored Police vehicle crash
20	Felek Batur	Siirt	20.10.2017	Armored Police vehicle crash
19	RemziMenteşe	D.Bakır	21.10.2017	Armored Police vehicle crash
18	Raşid Osso	Istanbul	31.07.2017	Police vehicle crash
17	Can Aydoğmuş	Antalya	27.05.2017	Police vehicle crash
16	Furkan Yıldırım	Silopi	03.05.2017	Armored Police vehicle crash
15	MahmutYıldırım	Silopi	03.05.2017	Armored Police vehicle crash
14	Sami Uçan	Vana	06.07.2017	Armored Police vehicle crash
13	Okan İnce	Şırnak	21.03.2017	Armored Police vehicle crash
12	BahadırBeyazlı	Şırnak	21.03.2017	Armored Police vehicle crash
11	Kerem Aslan	Kozluk	03.03.2017	Armored Police vehicle crash
10	ŞahinÖner	D.Bakır	10.02.2017	Armored Police vehicle crash
09	BerfinDilek	Mardin	08.02.2017	Armored Police vehicle crash
08	Bünyamin Bayram	Van	01.11.2016	Armored Police vehicle crash
07	HakanSarak	Cizre	23.10.2016	Armored Police vehicle crash
06	NaciyeÖzdemir	Tunceli	05.09.2019	Armored Police vehicle crash
05	Taha Kılıç	Van	24.07.2016	Armored Police vehicle crash
04	Nail Mavuş	Istanbul	02.05.2016	Police vehicle crash
03	HatunEltun	D.Bakır	10.03.2016	Armored Police vehicle crash
02	Hüseyin Barut	D.Bakır	23.04.2016	Armored Police vehicle crash
01	BurakTopçu	Eskişehir	26.09.2012	Police vehicle crash

32. Among the 32 deaths that occurred as a result of being hit by police vehicles, it has been determined that the 4 cases in the 01, 04, 17 and 18th ranks shown in Table-4 were in the western provinces of Turkey, and all the remaining 28 cases are in the Eastern and South Eastern provinces. Human rights defenders state that the official institutions responsible for the use of armored vehicles and the user law enforcement personnel do not take preventive measures against possible risks and violations that may arise from the use and behave carelessly and arbitrarily. They point out that the acquittal of the perpetrators after the events or the few sentences they received encouraged the perpetrators¹⁵.

33. The fact that the perpetrators of these incidents receive little punishment or acquittal in the investigations and/or lawsuits, and that the judicial processes appear as a manifestation of impunity, encourages the perpetrators of these incidents, and gives them confidence that they will not face a legal sanction. Thus, such events are becoming widespread and cause armored vehicle drivers to behave in an irregular and arbitrary attitude in urban traffic.

34. In the files prepared for Armored Vehicle Crash, it should be noted that the administrative and judicial investigations were created in a way that lacked, biased and laundered law enforcement units in the position of perpetrator/perpetrators and by providing the information again by the relevant law enforcement units. It is observed that the investigating authorities acted with the pre-acceptance of the traffic accident that occurred during the execution of the duty of the public official who was the driver of the armored vehicle. When some of the events listed below are examined, it is seen that the fact of impunity lies at the root of the problem and the result of the previous event triggers the next one.

*FikriDemirbaş, Zeynep Demirbaş, MahmutÖner, MevlütDağtaş and AbdulhamitDağtaş lost their lives in a civilian vehicle hit by an armored vehicle in Lice district of Diyarbakır in 2017. Lice Public Prosecutor's Office made a "non-prosecution" decision in the investigation, citing the report of Forensic Medicine Institution for the civil vehicle driver FikriDemirbaş stating that he was the "primary negligent party".

*The lawsuit filed against the armored vehicle driver Ö.Y., who killed the brothers Muhammed (7) and Furkan Yıldırım (6), who died after being crushed under a panzer that entered their house in Şırnak-Silopi on 3 May 2017, and his supervisor M. was concluded on 19 June 2019. While the court converted the 2 years and 1 month imprisonment sentence to Ö. Y. to 19 thousand TRY fine, it made an "acquittal" verdict on M.¹⁶.

35. Some members of the Turkish Grand National Assembly brought the incidents involving armored vehicles used by the police, the deaths resulting from the

¹⁵Human Rights Association, 2019 Turkey Human Rights Violations Report, <https://www.ihd.org.tr/2019-yili-turkiye-insan-haklari-ihlalleri-raporu/> (26.12.2020).

¹⁶<https://www.evrensel.net/haber/335470/panzerin-ezdigi-2-kardesin-davasinda-polise-tahliye> (26.12.2020).

crashing of police vehicles, the injured and the judicial process on the agenda of the TGNA with written questions¹⁷.

D.Children whose Rights to Life are Violated

36.With the amendment made in the Law of Police Powers in 2007 and 2015, new powers were given to the police based on abstract concepts. Assigning some meanings to abstract concepts in their own right, the police violated the right to life of 93 children under the age of 18, including babies, within the framework of their activities¹⁸.

37.Another phenomenon encountered in cases that result in the death of children is “impunity”, just like adult deaths. It appears that a comprehensive and deterrent investigation was not carried out, those responsible were not identified, and investigations and prosecutions were not carried out effectively¹⁹. 93 cases detected by Baran Tursun Foundation are given in Table 5.

Table 5-Children whose Rights to Life are Violated(under 18 years old)

93-YAŞAR ALPERAN SAVAŞ (17) Manner of Death:Police Bullet Date of Incident: 23.12.2019 Place of Incident: Samsun Incident: Murdered on the grounds of not obeying the stop warning of the police	92- CİHAN SEYHAN (17) Manner of Death:Police Bullet Date of Incident: 12.12.2018 Place of Incident:Istanbul Incident: Murdered on the grounds of not obeying the stop warning of the police.	91- EKREM GÖRKEM (16) Manner of Death:Police Bullet Date of Incident: 14.01.2018 Place of Incident: Gaziantep Incident: Murdered on the grounds of not obeying the stop warning of the police	90-CHILD (4) Manner of Death:Armored Vehicle Crash Date of Incident: 28.12.2017 Place of Incident:Diyarbakır Incident: Crushed to death being hit by an armored vehicle used by the police.
89- FELEK BATUR (7) Manner of Death:Armored Vehicle Crash Date of Incident: 21.10.2017 Place of Incident:Siirt Incident: Crushed to death being hit by an armored vehicle used by the police.	88- YİĞİTCAN CAMGÖZ (14) Manner of Death:Disproportionate Power/Assault Date of Incident: 25.09.2017 Place of Incident: İzmir Incident: Murdered by the police using disproportionate force	87-- RAŞİD OSO (8) Manner of Death:Armored Vehicle Crash Date of Incident: 01.08.2017 Place of Incident:Istanbul Incident: Crushed to death being hit by an armored vehicle used by the police.	86- TAHA KILIÇ (4) Manner of Death:Armored Vehicle Crash Date of Incident: 24.07.2017 Place of Incident: Van Incident: Crushed to death being hit by an armored vehicle used by the police.
85- FURKAN YILDIRIM (6) Manner of Death:Armored Vehicle Crash Date of Incident: 02.05.2017 Place of Incident:Silopi/Şırnak Incident: Crushed to death being hit	84- MUHAMMED YILDIRIM (7) Manner of Death:Armored Vehicle Crash Date of Incident: 02.05.2017	83- OĞUZHAN ERKUL (18) Manner of Death:Police Bullet Date of Incident: 14.04.2017	82- BARIŞ KEREM (19) Manner of Death:Police Bullet Date of Incident: 14.04.2017 Place of Incident: Batman

¹⁷Written parliamentary question of Izmir Deputy Murat Bakan:

https://www.tbmm.gov.tr/develop/owa/yazili_soru_sd.onerge_bilgileri?kanunlar_sira_no=223396

¹⁸Baran Tursun Foundation data bank (-18) child deaths:

<http://www.baransav.com/?pnun=722&pt=LPP+Kapsam%C4%B1nda+%C3%B6len+18+ya%C5%9F%C4%B1ndan+k%C3%BC%C3%A7%C3%BCk+%C3%A7ocuklar+RAPOR>

¹⁹Istanbul Deputy Sezgin Tanrikulu - Parliamentary Question on Child

Deaths:https://www.tbmm.gov.tr/develop/owa/yazili_sozlu_soru_gd.onerge_bilgileri?kanunlar_sira_no=191026

by an armored vehicle used by the police.	Place of Incident:Silopi/Şırnak Incident: Crushed to death being hit by an armored vehicle used by the police.	Place of Incident:Şırnak Incident: Murdered on the grounds of not obeying the stop warning of the police.	Incident: Murdered on the grounds of not obeying the stop warning of the police.
81- BERFİN DİLEK (7) Manner of Death:Armored Vehicle Crash Date of Incident: 09.02.2017 Place of Incident:Dargeçit/Mardin Incident: Crushed to death being hit by an armored vehicle used by the police.	80-- HAKAN SARAĞ (5) Manner of Death:Armored Vehicle Crash Date of Incident: 24.10.2016 Place of Incident:Cizre/Şırnak Incident: Crushed to death being hit by an armored vehicle used by the police.	79- MUSTAFA DUMAN (17) Manner of Death:Police Bullet Date of Incident: 30.08.2016 Place of Incident: Van Incident: Shot and killed by the police.	78- FERİT İLİ (17) Manner of Death:Police Bullet Date of Incident: 18.07.2016 Place of Incident: Antalya Incident: Shot dead by the police
77- ZELİHA CUMA (7) Manner of Death:Police Bullet Date of Incident: 19.05.2016 Place of Incident:Istanbul Incident: Shot dead by the police	76- TANSU ÇAKI (18) Manner of Death:Police Bullet Date of Incident: 29.04.2016 Place of Incident:Istanbul Incident: Shot and killed by the police.	75- HÜSEYİN BARUT (8) Manner of Death:Zırhlı Araç Date of Incident: 24.04.2016 Place of Incident:Bismil/Diyarbakır Incident: Crushed to death being hit by an armored vehicle	74- SEMRA ÇELİK (17) Manner of Death:Police Bullet Date of Incident: 05.04.2016 Place of Incident:Diyarbakır Incident: Shot and killed by the police.
73- MUĞDAT AY (12) Manner of Death:Police Bullet Date of Incident: 14.02.2016 Place of Incident:Nusaybin/Mardin Incident: Shot and killed by the police.	72- MAHMUT BULUK (16) Manner of Death:Police Bullet Date of Incident: 09.02.2016 Place of Incident:Diyarbakır Incident: Shot and killed by the police.	71- MAHMUT ÇAKIR (16) Manner of Death:Police Bullet Date of Incident: 03.02.2016 Place of Incident: Adana Incident: Shot and killed by the police.	70- HAYRETTİN ŞINIK (11) Manner of Death:Gas Bomb Date of Incident: 16.01.2016 Place of Incident:Cizre/Şırnak Incident: He died as a result of the gas bomb used by the police.
69- YAKUP ISIRGN (18) Manner of Death:Police Bullet Date of Incident: 15.01.2016 Place of Incident:Cizre/Şırnak Incident: Shot and killed by the police.	68- NİDAR SÜMER (17) Manner of Death:Police Bullet Date of Incident: 07.01.2016 Place of Incident:Cizre/Şırnak Incident: Shot and killed by the police.	67- BİŞENG GORAN (12) Manner of Death:Police Bullet Date of Incident: 05.01.2016 Place of Incident:Cizre/Şırnak Incident: Shot and killed by the police.	66- RAMAZAN ÖĞÜT (16) Manner of Death:Police Bullet Date of Incident: 31.12.2015 Place of Incident: Sur/Diyarbakır Incident: Shot and killed by the police.
65- HÜSEYİN ERTENE (16) Manner of Death:Police Bullet Date of Incident: 28.12.2015 Place of Incident:Cizre/Şırnak Incident: Shot and killed by the police.	64- MİRAY İNCE (3 AYLIK) Manner of Death:Police Bullet Date of Incident: 25.12.2015 Place of Incident:Cizre/Şırnak Incident: Shot and killed by the police.	63- DAVUT ÖZER (15) Manner of Death:Police Bullet Date of Incident: 22.12.2015 Place of Incident: Tarsus/Adana Incident: Shot and killed by the police.	62- ŞİYAR SALMAN (18) Manner of Death:Police Bullet Date of Incident: 15.12.2015 Place of Incident:Bağlar/Diyarbakır Incident: Shot and killed by the police.
61-İBRAHİM AKAN (15) Date of shooting:18.12.2015 Place of Shooting:Cizre/Şırnak Manner of Death:Police Bullet Incident: He died as a result of the police fusillade.	60- ÇETİN TAŞAR (18) Manner of Death:Police Bullet Date of Incident: 31.12.2015 Place of Incident:Şırnak Incident: Shot and killed	59-HAKAN DOĞAN (15) Date of shooting:07.12.2015 Place of Shooting:Nusaybin/Mardin	58- ÇEKVAR ÇUBUK (16) Date of shooting: 02.12.2015 Place of Shooting:D.Bakır Manner of Death:Police Bullet

	by the police.	Manner of Death:Police Bullet Incident: Died as a result of police fire	Incident: killed alleged to be a "terrorist".
57-SELMAN AĞAR (10) Manner of Death:Police Bullet Date of Incident: 02.12.2015 Place of Incident:Cizre/Şırnak Incident: Polis keskinnişancısı tarafından vurularak öldü	56- NASİP YEŞİL (18) Manner of Death:Police Bullet Date of Incident: 27.11.2015 Place of Incident:Silopi/Şırnak Incident: Shot and killed by the police..	55- FERHAT DOĞRU (18) Manner of Death:Police Bullet Date of Incident: 06.11.2015 Place of Incident: Sur/Diyarbakır Incident: Shot and killed by the police.	54-MUSTAFA AŞLIĞ (16) Date of shooting:25.10.2015 Place of Shooting:Şırnak Manner of Death:Police Bullet Incident: Died as a result of the shooting of the police in an operation.
53 İDRİS CEBE (18) Manner of Death:Police Bullet Date of Incident: 12.10.2015 Place of Incident:Dargeçit/Mardin Incident: Shot and killed by the police.	52- HELİN ŞEN (12) Manner of Death:Police Bullet Date of Incident: 10.10.2015 Place of Incident: Sur/Diyarbakır Incident: Shot and killed by the police.	51- ÖMER KOÇ (16) Manner of Death:Police Bullet Date of Incident: 04.10.2015 Place of Incident:Bağlar/Diyarbakır Incident: Shot and killed by the police.	50- BERAT GÜZEL (12) Manner of Death:Police Bullet Date of Incident: 02.10.2015 Place of Incident:Bismil/Diyarbakır Incident: Shot and killed by the police.
49- BİLAL MENGİL (55) Manner of Death:Police Bullet Date of Incident: 28.09.2015 Place of Incident:Silvan/Diyarbakır Incident: Shot and killed by the police.	48- BÜNYAMİN İRCİ (14) Manner of Death:Police Bullet Date of Incident: 10.09.2015 Place of Incident:Cizre/Şırnak Incident: Shot and killed by the police.	47- SELAMAN AĞAR (10) Manner of Death:Police Bullet Date of Incident: 09.09.2015 Place of Incident:Cizre/Şırnak Incident: Shot and killed by the police.	46- ZEYNEP TAŞKIN (17) Manner of Death:Police Bullet Date of Incident: 07.09.2015 Place of Incident:Cizre/Şırnak Incident: Shot and killed by the police.
45- SAİT NACİ (16) Manner of Death:Police Bullet Date of Incident: 07.09.2015 Place of Incident:Cizre/Şırnak Incident: Murdered on the grounds of not obeying the stop warning of the police.	44- OSMAN ÇAĞLI (18) Manner of Death:Police Bullet Date of Incident: 07.09.2015 Place of Incident:Cizre/Şırnak Incident: Shot and killed by the police.	43- CEMİLE ÇAĞIRCA (10) Manner of Death:Police Bullet Date of Incident: 07.09.2015 Place of Incident:Cizre/Şırnak Incident: Shot and killed by the police.	42-AYTEN GÜLHAN (18) Date of shooting:05.09.2015 VurulduğuYer: Tunceli Date of Death 05.09.2015 Manner of Death:Police Bullet Incident: Died, caught between conflicting parties
01- BARAN ÇAĞLI (7) Manner of Death:Police Bullet Date of Incident: 28.08.2015 Place of Incident:Cizre/Şırnak Incident: Shot and killed by the police.	39- ADEM İRTEGÜN (16) Manner of Death:Police Bullet Date of Incident: 29.08.2015 Place of Incident:Yüksekova/Hakkâri Incident: Shot and killed by the police.	38- FIRAT ELMA (16) Manner of Death:Police Bullet Date of Incident: 18.08.2015 Place of Incident:Istanbul Incident: Shot and killed by the police.	37- MUHAMMED AYDEMİR (15) Manner of Death:Police Bullet Date of Incident: 12.08.2015 Place of Incident:Diyadin/Ağrı Incident: Shot and killed by the police.
36- ORHAN ASLAN (16) Manner of Death:Police Bullet Date of Incident: 12.08.2015 Place of Incident:Diyadin/Ağrı Incident: Shot and killed by the police.	35- HİDİR TAMBOĞA (17) Manner of Death:Police Bullet Date of Incident: 07.08.2015 Place of Incident:Silopi/Şırnak Incident: Shot and killed by the police.	34- HASAN NERE (17) Manner of Death:Police Bullet Date of Incident: 29.07.2015 Place of Incident:Cizre/Şırnak Incident: Shot and killed by the police.	33- SERHAT SAVAŞ (15) Manner of Death:Gas Bomb Date of Incident: 10.2014 Place of Incident:Istanbul Incident: Killed by the tear gas canister used by the police.

<p>32-NİHAT KAZANHAN (12) Manner of Death:Police Bullet Date of Incident: 13.01.2015 Place of Incident:Cizre/Şırnak Incident:Shot and killed by the police.</p>	<p>31- ÜMİT KURT (14) Manner of Death:Police Bullet Date of Incident: 06.01.2015 Place of Incident:Cizre/Şırnak Incident:Shot and killed by the police.</p>	<p>30- KADRİ ÇAKMAK (16) Manner of Death:Police Bullet Date of Incident: 16.12.2014 Place of Incident:Diyarbakır Incident:Shot and killed by the police.</p>	<p>29- ROJHAT ÖZDEL (18) Manner of Death:Police Bullet Date of Incident: 06.12.2014 Place of Incident:Yüksekova Incident:Shot and killed by the police.</p>
<p>28- FURKAN ÇAVUŞ (14) Manner of Death:Police Bullet Date of Incident: 17.07.2014 Place of Incident: Erzurum Incident:Shot and killed by the police.</p>	<p>27- İBRAHİM ARAS (15) Manner of Death:Gas Bomb Date of Incident: 15.06.2014 Place of Incident: Adana Incident:Killed by the tear gas used by the police</p>	<p>26- LÜTFULLAH TACİK (17) Manner of Death:Darp Date of Incident: 31.05.2014 Place of Incident: Van Incident:Died, being beaten by the police at the police station.</p>	<p>25- BERKİN ELVAN (16) Manner of Death:Gas Bomb Date of Incident: 11.03.2014 Place of Incident:Karaman Incident:Killed by the tear gas canister used by the police.</p>
<p>24- SİNAN SALTIKALP (17) Manner of Death:Armored Vehicle Crash Date of Incident: 25.08.2013 Place of Incident:Cizre/Şırnak Incident:Crushed to death being hit by an armored vehicle used by the police.</p>	<p>23- TUĞRUL CİMLİ (17) Manner of Death:Police Bullet Date of Incident: 14.05.2013 Place of Incident:Ayvalık/Balıkesir Incident:Shot and killed by the police.</p>	<p>22 MAZLUM AKAY (11) Manner of Death:Gas Bomb Date of Incident: 29.07.2012 Place of Incident: Adana Incident:Died after being affected by the gas bomb used by the police.</p>	<p>21- YUSUF YILAN (9) Manner of Death:Armored Vehicle Crash Date of Incident: 14.06.2012 Place of Incident: Erzurum Incident:Crushed to death being hit by an armored vehicle used by the police.</p>
<p>20. ÖZGÜR TAŞAR (17) Manner of Death:Police Bullet Date of Incident: 04.06.2012 Place of Incident:Yüksekova Incident:Shot and killed by the police.</p>	<p>19- DOĞAN TEYBOĞA (13) Manner of Death:Gas Bomb Date of Incident: 24.07.2011 Place of Incident:Silopi/Şırnak Incident:Killed by a tear gas canister used by the police.</p>	<p>18-- İBRAHİM ORUÇ (17) Manner of Death:Police Bullet Date of Incident: 20.04.2011 Place of Incident:Diyarbakır Incident:Shot and killed by the police.</p>	<p>17- DİREN BASAN (10) Manner of Death:Zırhlı Araç Ezmesi Date of Incident: 04.06.2010 Place of Incident:Şırnak Incident:Crushed to death under the armored vehicle.</p>
<p>16- EMRAH GEZER (18) Manner of Death:Police Bullet Date of Incident: 23.08.2008 Place of Incident: Ankara Incident:Shot and killed by the police.</p>	<p>14- ÖZGE KEYİKÇİ (13) Manner of Death:Gas Bomb Date of Incident: 19.10.2009 Place of Incident:Kütahya Incident:Shot and killed by the police.</p>	<p>13- MEHMET UYTUM (2) Manner of Death:Gas Bomb Date of Incident: 10.12.2009 Place of Incident:Şırnak/Cizre Incident:Killed by a tear gas canister used by the police.</p>	<p>12-ENES ATA/8 Manner of Death: Police Bullet Date of Incident: 30.3.2007 Place of Incident: DİYARBAKIR Incident:Student Enez Ata was killed by police fire.</p>
<p>11- ABDULSAMET ERİP (14) Manner of Death:Gas Bomb Date of Incident: 23.04.2009 Place of Incident: Hakkari Incident:Killed by the tear gas used by the police</p>	<p>10- İBRAHİM H.ÇOBAN (17) Manner of Death:Police Bullet Date of Incident: 27.10.2008 Place of Incident:Şanlıurfa Incident:Shot dead on the grounds that he did not obey the police officer's warning to stop.</p>	<p>09-- FEVZİ ABİK (15) Manner of Death:Police Bullet Date of Incident: 12.08.2008 Place of Incident: Adana Incident:Shot and killed by the police.</p>	<p>08- ÇAĞDAŞ GEMİK (17) Manner of Death:Police Bullet Date of Incident: 27.10.2008 Place of Incident: Antalya Incident:Shot dead on the grounds that he did not obey the police officer's warning to stop.</p>

<p>07- YAHYA MENEKŞE (16) Manner of Death:ARMORED VEHICLE CRASH Date of Incident: 15.02.2008 Place of Incident: Şırnak/Cizre Incident:Crushed to death in his armored vehicle..</p>	<p>06- - FURKAN AKŞİL (12) Manner of Death:Orantısız/Güç Date of Incident: 2008 Place of Incident:Şırnak/Silopi Incident:Killed by the police</p>	<p>05- EMRAH DERVİŞOĞLU (17) Manner of Death:Police Bullet Date of Incident: 08.01.2008 Place of Incident:Istanbul Incident:Shot dead on the grounds that he did not obey the police officer's warning to stop.</p>	<p>04--UĞUR ÇETİN (17) Manner of Death:Police Bullet Date of Incident: 12.12.2007 Place of Incident: Adana/Seyhan Incident:Shot and killed by the police.</p>
<p>03- FAHRETTİN ŞEDAL (16) Manner of Death:Police Bullet Date of Incident: 10.04.2007 Place of Incident: Hakkari Incident:Shot and killed by the police.</p>	<p>18- MAHSUN MIZRAK (14) Manner of Death:Death in Detention Date of Incident: 2007 Place of Incident:Diyarbakır Incident:Died in detention at the police station.</p>	<p>02- SONER CANKAL (17) Manner of Death:Gas Bomb Date of Incident: 2007 Place of Incident: Ankara Incident:Died with a gas canister used by the police against the group that wanted to demonstrate.</p>	<p>01- MEHMET AKBULUT (17) Manner of Death:Gas Bomb Date of Incident: 2007 Place of Incident:Diyarbakır Incident:Died with a gas canister used by the police against the group that wanted to demonstrate</p>

38. In the list, in which a large proportion of deaths are due to not obeying the warning to stop, it is seen that the security forces, who need to pay extra attention and attention to the reactions of children, almost never take this issue into consideration, and it is also noteworthy that children are reacted and treated like adults.

II. Effectiveness of Investigations and Judicial Processes

A. De facto Impunity of Suspected Police Officers

39. Effective and impartial investigations are not carried out in some cases that result in death as a result of the excessive use of force by the police. In order for the trial to be deemed to have been carried out in accordance with the law, the criminal evidence must be kept regularly and completely in accordance with the law and delivered to the judicial authorities for evaluation. The provision of "Findings obtained unlawfully cannot be accepted as evidence" has been added to Article 38 of the Constitution with Article 15 of the Law No. 4709 dated 03.10.2001. Despite this mandatory provision of the Constitution, in many cases, those involved in the murder incident and those who need to be tried as suspects, as they perform effective duties such as collecting evidence, witnessing, and conducting the investigation during the investigation and prosecution stages, lay the groundwork for creating and obscuring the evidence²⁰. In this case, a fair trial is prevented with the evidence collected unlawfully, and Turkey is convicted as a "violating state" in international higher courts regarding access to justice and accountability.

40. In many cases that are met within the scope of torture, ill-treatment and violations of the right to life, the continuation of their duties during the investigation and

²⁰ Festus Okey, Baran Tursun, Uğur Kurt cases

prosecution phase of the security forces negatively affects the judicial process and makes it difficult to punish the criminals. Promoting police officers who are or is suspected of being responsible for violations of the right to life, rather than judging them, constitutes an obstacle to seeking justice.

41. Police officers who are the perpetrators of the killing often collect evidence at the scene or produce evidence according to the course of the event. The summary of the proceedings is organized by the security units according to the evidence produced and collected by the suspects. Evidence-making acts such as preparing a traffic accident report by hiding shooting after killing Baran Tursun in Izmir, a blank gun being left on his body after killing 20-year-old Soner Cankal in Ankara, leaving a few grams of drugs next to the body of 17-year-old Çağdaş Gemik, who was killed while riding his motorcycle in Antalya, laying a gun on his body after killing 12-year-old Uğur Kaymaz in Kızıltepe are also common in other cases. The purpose of these acts is to hide the evidence of ill-treatment or murder of which they or their friends were perpetrators and to produce evidence to acquit these cases.

42. When it comes to impunity and violation of the right to life in Turkey, we see that a “culture of non-punishment” prevails almost “widely and systematically” both before the judiciary and in the decision-makers. As a result of this biased approach and tolerance, it is easier for the suspect police officers to go unpunished. The very low number of cases resulting in convictions for violations of the right to life resulting from the excessive and disproportionate use of force by the police is closely related to the fact that the police collect evidence, testify and remain on active duty in many cases involving investigations.

43. In cases where the defendant is the security officer of the state, the mechanisms to protect the criminals come into play with different effects and methods. Administrators who say they believe in the rule of law prepare the ground for impunity by using different effects and methods. Instead of assisting in the establishment of justice, the administrative authorities, on the one hand, denigrate and humiliate the deceased and the victims of serious human rights violations, on the other hand, express their opinion on the innocence of the police officer involved in the crime and be tolerant towards him.

44. Actions and proceedings regarding the impunity process are not limited to one person, and impunity has quite different effects. The conditions of impunity are created with the introduction of conditions such as protecting and guarding the criminal, the investigation process, the production of evidence, the perception of the right to life in the state, “the vital interest of the state”, the discretionary power of the judge who puts the state survival above everything else, and the ineffectiveness of non-governmental organizations either one by one or all together.

45. The discriminatory view of the judicial authority towards crimes against the state and crimes committed by the state makes the judicial authority biased. With this biased attitude, the judicial authority loses its reputation in the conscience of the society by moving away from universal law and fair trial. As one journalist put it, “The laws in Turkey generally favor the murderer, not the deceased. If you think about it, the

decisions made never make the relatives of the deceased say "justice has been served". On the contrary, we hear that they always rebelled"²¹.

46. In the study conducted by Mithat Sancar and Eylem Ümit from Ankara University Faculty of Law, 51 judges and prosecutors were reminded of the criticism that there is a discrimination in the approach of the judiciary to crimes against the state and crimes committed by state officials, and they were asked whether there is such a tendency in the judiciary. 45 percent answered "Yes, unfortunately there is" to this question, while 24 percent answered "Yes, it should be"²². Judges constrain themselves between universal law and their unclear biased mentality by taking the unwavering attitude of the state in cases where the state's interest is at stake or the state is a party.

B. Retaliatory Actions Against Victims, Complainants, Witnesses and Human Rights Organizations

47. A common practice that encourages impunity in cases where the right to life is violated is counter-charges brought against those who complain by security forces accused of ill-treatment and the resulting criminal investigations. The justification of "using force or threat against a public officer to prevent him from performing his duty" in the 1st paragraph of Article 265 of the TCL is referred usually in retaliatory cases.

48. The fact that the responsibility of the state in protecting the right to life becomes debatable, triggers a conflict process in which the citizen will live with the state for many years. Sorrowful families face severe material and moral problems that they cannot solve on their own in death incidents that occur within the scope of Law of Police Powers and police practices. Therefore, it becomes a tragedy for the grieving families who lost their relatives to feel under heavy pressure as a result of the retaliatory lawsuits they face in the process.

49. In cases of death within the scope of police practices, lawsuits are filed against families in pain as soon as possible, and most of the cases are based on "**police reports**" such as "**influencing the investigation and judicial bodies, insulting the suspect police**". These retaliatory cases can be filed against individuals who will testify, as well as families and rights defenders who strive for a fair trial.

50. Complaints have been raised over these retaliatory cases against a large number of witnesses, victims' families and human rights organizations and there is a growing perception that victim families are discouraged from pursuing their cases and that all these issues reinforce perceptions of the climate of impunity. All these situations are subject to some international reports²³.

51. According to a report published by Amnesty International in 2007 on the culture of impunity in Turkey, although these unfounded accusations do not result in punishment, they are quite effective in damaging the reputation of the relatives of the

²¹Ruhat Mengi, Vatan Gazetesi, 29 November 2007.

²²Tesev report 2007

²³BM Unlawful, Arbitrary and Extrajudicial Executions Turkey Report (26-30 November 2012)

victims. In the report, it is stated that considering the probability of the investigations initiated to serve the purpose of showing the family and close circle of the victim as guilty, the aforementioned accusations can be considered as an effort to encourage the courts to be more tolerant towards the security forces being tried.

52. Retaliatory actions are not only brought against families of victims, but also against their lawyers and NGOs that support these cases. While the victims who lose their relatives are “**plaintiffs**”, they become “**defendants**” with a fait accompli. The retaliatory actions experienced in some key incidents are briefly summarized below.

*

Baran Tursun’s family: While the search for justice continued, 6 lawsuits were filed against Baran Tursun’s family, whose right to live in Izmir was violated, with various police reports. The serious human rights violations suffered by the Tursun family, whose only son was killed by the police, were not limited to retaliatory criminal cases, and they faced the threat of selling their real estates through the enforcement office with enforcement and foreclosure cases.

Police officer Oral Emre Atar, who was convicted for murdering Baran Tursun, had 6 real estates of the Tursun family worth 9 million TRY sequestered with the file number 2017/1126 of Izmir 5th Enforcement Office, through his lawyers, for the collection of the attorney fee of 1000 (thousand) TRY.²⁴

*

Non-Governmental Organizations: A lawsuit was filed against the members of the Human Rights Association, Mazlum-Der and Contemporary Lawyers Association and some civil initiative individuals, with the file numbered 2008/160 of Izmir Karşıyaka 5th Criminal Court of First Instance after they peacefully read a declaration in front of İzmir Karşıyaka Courthouse in order to draw attention to the violations of the right to live in the Baran Tursun incident and to support the Tursun family, who suffered severe human rights violations.²⁵

*

Çağdaş Gemik’s family: While the family of 17-year-old Çağdaş Gemik, whose right to live in Antalya was violated, continued to seek justice, the Gemik family was sentenced to pay 3.588,00 TRY in a compensation case filed by a police officer whose arm was injured during a brawl in the trial of the accused police officer. Although this was later quashed by the Supreme Court, they were discouraged by this case against the Gemik family, who lost their only child, and they feared to pursue their case.²⁶

*

Lawyer Münip Ermiş: An investigation was initiated against Münip Ermiş, the lawyer of Çağdaş Gemik, who died in 2007 with a police bullet. The Ministry of Justice decided to open an investigation against Lawyer Ermiş, in line with the request of the Antalya Governorship, with the allegation of “trying to influence the course of the investigation to raise public opinion against the Antalya Governorship”.

*

Uğur Kurt’s Family: A brawl took place between the family of Uğur Kurt, who died as a result of a fire opened by the police while he was at a funeral in the garden of a djemevi in Istanbul, and police Sezgin Korkmaz and his lawyer Tolga Yurdakul. Yurdakul claimed that while trying to save his client, he was punched by 58-year-old Mother Kurt and his watch was broken. While a lawsuit was filed against Kurt with a

²⁴ Izmir 5th Enforcement Office file No. 2017/1126 E

²⁵ Karşıyaka 5th Criminal Court of First Instance file No. 2008/160

²⁶ Baran Tursun Foundation: Monitoring the retaliatory cases

demand of up to four and a half years in prison for “insulting in public office”, a lawsuit was filed for “injury during public office” with a request of imprisonment from one year to two years in total, up to six and a half years in total.²⁷

*

CemAygün’sfamily:He died as a result of a police bullet in Ankara. In the Aygün case, the first penalty was given to the sisters of the deceased. A lawsuit was filed against 6 sisters of CemAygün, who were seeking justice, for insulting public officials and damaging state property. Aygün’s sisters were fined 54.480 TRY in total.

*

EtemSarisülük’sfamily:EtemSarisülük was killed as a result of the police fire opened towards the crowd in Ankara. The prosecutor’s office filed a lawsuit against EthemSarisülük’s mother, SırarSarisülük, and her siblings İkrar, Cem and Mustafa Sarisülük for “insulting” and “wounding”. In the indictment, the defendant police officer Ahmet Şahbaz took place as “complainant”.

*

Fevziye Cengiz:She was subjected to torture and ill-treatment by police officers while in detention in Izmir. While Fevziye Cengiz continued his search for justice, she faced the retaliatory actions of the suspect police. She was fined 8,840 TRY in return for 442 days of imprisonment for insulting the police.

*

DilekDoğan’sfamily:She was killed with the police gun while her house was being searched. A lawsuit was filed against DilekDoğan’s father, MetinDoğan, her mother AyselDoğan and her brother Mehmet Doğan on the allegation that they “resisted the police” in the house where the incident took place.

C. Consequences of the Deadly Force Used by the Police

53. Violations of the right to life in Turkey continue in a wide spectrum, from killing people on the grounds that they do not obey a stop warning, to deaths in peaceful demonstrations and in detention. Instead of including the suspect in the judicial process, the police chose to punish more than 400 civilians with death by exceeding their legal powers. Two important consequences of the use of lethal force by the police are the violation of the right to life and impunity.

54. Although compensation is paid to the relatives of those who died as a result of compensation lawsuits brought to the administration after deaths due to police professional fault, there is not a single case in which the state legal entity applied to the civil servant by using its right of recourse in the 404 cases subject to examination. It should be considered that it may be possible to take steps to prevent such abuses and combat impunity if the right of recourse is applied by the state.

²⁷ Kurt ailesi Avukatı Aslı Kazan

III.A Legal Analysis on the Article 16 of Law of Police Powers

A.Current Law

55.While conducting a legal analysis on the subject, there is an obligation to make an assessment within the framework of the Law of Police Powers (LPP) No. 2559, which is the fundamental regulation in our law regarding the “power of using force and weapons”. In Article 25 of the LPP, it is stated that the gendarmerie, which is another important general law enforcement agency, can also use the powers in the LPP. In parallel with this provision, in the Law on the Gendarmerie Duty and Organization No. 2803, the “power to use force and the right to use guns” is not regulated this basis and this issue is regulated in the relevant regulation. Apart from the strangeness that the powers limiting the most important fundamental human right, such as the right to life, are regulated by regulations, the extent of authority in the law is also remarkable. The power of the police to use weapons is regulated in LPP article 16.

B.Right to Use Force and Weapon According to the Article 16 of Law of Police Powers

56.In Turkish law, law enforcement officers are authorized to use force and weapons in cases where they encounter resistance while performing their duties or in cases where they have to make self-defense and these powers can only be used by law enforcement officers. The situations in which a law enforcement officer can use force are basically regulated in the LPP article 16.

57.With the amendment made in the LPP article 16 with the Law No. 5681 dated 02.06.2007, the powers of force and using weapons previously regulated in two separate articles (LPP, article 16 and additional article 6) were collected in the same article.

58.The final version of the article 16 of the LPP titled “Use of Force and Weapons” as amended by Law No. 5681 is as follows:

“Use of Force and Weapons”

Article 16- (Amended: art. 2/6/2007-5681/4)

If he encounters resistance while performing his duty, a police officer is authorized to use force to break this resistance and to the extent to break it.

Within the scope of the authority to use force, physical force and material power can be used gradually increasingly depending on the nature and degree of resistance and in a way to counteract those who resist, while weapons can also be used when legal conditions are met.

In the second paragraph;

a) *Physical strength refers to the physical power that the police use directly against people who resist or on things.*

b) *Material power refers to handcuffs, batons, pressurized and/or dyed water, tear gas or dust, physical barriers, police dogs and horses and other service vehicles used by the police against people who resist or outside of physical force.*

Before the use of force, those concerned are directly warned about the use of force that if they continue to resist. However, taking into account the nature and degree of resistance, force can be used without a warning too.

The police officer himself determines the tools and equipment he will use in order to counteract the resistance within the scope of his power to use force, and the degree of force he will use. However, in cases to be intervened by a collective force, the degree of use of force and the tools and equipment to be used are determined by the supervisor of the intervening force.

The police make a defense within the framework of the provisions of the Turkish Penal Code No. 5237 on self-defense, without being bound by the conditions related to the use of force in the face of an attack against themselves or someone else.

A police officer is authorized to use weapon;

a) *Within the scope of using the right of self-defense,*

b) *In the face of the resistance that cannot be counteracted by using physical force and material power, to break this resistance and to the extent to break it,*

c) *In order to ensure the arrest of persons for whom a warrant of arrest, detention, enforcement order or arrest warrant has been given or in case of red-handed suspect and to the extent necessary,*

d) **(Annex: art. 27/3/2015-6638/4)** *Against those who attack or attempt to attack themselves or others, workplaces, residences, public buildings, schools, dormitories, places of worship, vehicles and open or closed areas where persons are individually or collectively with Molotov bomb, explosive, flammable, incendiary, choking, wounding and similar weapons, to counteract the attack and to the extent counteract it.*

Within the scope of subparagraph (c) of the seventh paragraph, the police call the person to “stop” before using a weapon. If the person does not obey this call and continues to flee, it can be fired with a gun first as a warning. In spite of this, if it is not possible to catch the suspect because the person insists on fleeing, the police may fire with a gun to ensure that the person is arrested.

When a police officer is using his power to use force or weapon to break the resistance or catch a suspect, if an attack is attempted against him with a weapon, he can fire with a gun without pausing against the person attempting to attack with the gun to the extent that the danger of attack is neutralized.”²⁸

²⁸<https://www.egm.gov.tr/hukukmusavirligi/2559-polis-vazife-ve-selahiyet-kanunu> (26.12.2020).

59. When amended by Law No. 5681, the following explanations are included in the justification of Article 16:

“Using force is the main authority that the police have, unlike other public officials, since they are the law enforcement. This authorization stipulated in the additional article 6 of the LPP has been regulated again and more clearly in this article.

In the first paragraph, it is shown that the police are authorized to use force to break this resistance if they encounter resistance while performing their duty. The resistance here expresses the resistance encountered in the performance of all duties of the police. For example, in cases where a vehicle that needs to be stopped does not stop and runs away, this includes stopping the relevant vehicle. In addition, since this action of the person who actively resists the police using force cannot be considered within the scope of self-defense, this active resistance will also constitute a crime within the scope of the article 265 of the Turkish Penal Code.

In the second paragraph, the degrees and levels of the authority to use force are shown. Accordingly, the authority to use force consists of the use of physical force, material power and weapons. They are used gradually increasingly according to the nature and degree of resistance and to neutralize those who resist.

In addition, the fact that the use of force is proportional to resistance means the use of force, not in the same quality and degree, but to a degree that makes resistance ineffective. In other words, the purpose of using force is to neutralize those who resist. The degree of force to be used depends on the degree of resistance and attack. The greater the resistance, the higher the degree of force to be used. The police will gradually resort to the methods they have for neutralization, and the method chosen by the police will always have to be superior in degree to that without resistance. Otherwise, it will not be possible for the attack and resistance to become ineffective. Therefore, within the scope of this article, the power to use force cannot be interpreted as the use of force or weapon of the same nature as used in resistance or attack. The police use force or weapon superiorly to repel resistance or attack.

In the third paragraph of the article, it is shown what physical force and material power are. During the use of force, handcuffs, batons, pressurized water, tear gas or dust, physical barriers, police dogs and horses and other service vehicles can be used as material force as specified in the paragraph.

According to the fourth paragraph, before the use of force, it will be directly warned that it will be used, but it can be used without warning, considering the nature and degree of resistance.

While the police officer will determine which of the tools and equipment within the scope of subparagraph (b) of the third paragraph and the degree of the use of force in order to render the resistance ineffective within the scope of the authority to use force, the degree of use of force in cases where collective force is intervened, and which of the tools and equipment under item (b) of the third paragraph will be determined by the supervisor of the intervening force is regulated in the fifth paragraph.

In the sixth paragraph, it is stated that the police will defend within the framework of the provisions on self-defense of the Turkish Penal Code No.5237, regardless of the

conditions related to the use of force in the face of an attack against themselves or someone else.

As with the use of force, the authority to use weapons, which is one of the distinguishing powers of the police as a law enforcement agency, is rearranged in the article.

In the seventh paragraph it is stated that the police have the authority to use weapons in three basic situations. While the first of these is the use of weapons within the scope of the use of the right of self-defense, the second is the use of weapons to break the relevant resistance against the resistance that cannot be neutralized by using force and material force. The third is the use of a weapon to catch the person who needs to be caught and to ensure that they are caught.

A further limitation has been made in the eighth paragraph regarding the situation shown as the third of the cases where a weapon will be used. In these cases, it is stipulated to call "stop" first, to fire with a weapon for warning in case the person flees, and if the person still insists on fleeing despite this warning shot, and if it is not possible to catch the person, it is stipulated to shoot with a gun to the extent that the person is caught.

In the ninth paragraph of the article, it is regulated that in the event of an attempt to attack with a gun against him during the use of force or the right to use a gun, the police can fire with a gun without hesitation in a measure and ratio that will neutralize the danger of attack against the person who attempted to attack with a gun."²⁹

60. Based on the regulation in the article and in line with the purposes explained in the justification, law enforcement officers have the authority to use force and weapons in the context of the performance of their duty as a reason for compliance with the law. The law requires that a person assigned a duty in a certain matter should be equipped with a sufficient authority to fulfill this duty. Likewise, the person takes responsibility to the extent that he is authorized. In short, this relationship can be expressed as the more duty, the more authority and the more authority, the more responsibility.

61. While the purpose of using force can never be to punish the person caught, the force used to destroy the resistance should not be disproportionate to the force used to carry out the attack. In other words, the process of using force must be terminated immediately after the person is neutralized by force. Due to the gradual nature of the force used, law enforcement officers should check whether the goal of neutralizing the other party has been achieved at every stage. At which stage the deactivation process is completed, the process of using force (force) should also be terminated at that stage³⁰.

²⁹https://www.tbmm.gov.tr/sirasayi/donem22/yil01/ss1437m.htm?TSPD_101_R0=08ffcef486ab20001df49813a554cb569080db6da4db4b560e594010b1c774f80cb36bb4ea2fed5608dd20889f14300065aa15a7be0923b71eaa3ea634bca10d1aa941962da1134d6d06faf8f06f174d105f5385d736486540e811b55f8e8b35 (26.12.2020).

³⁰ Mesut Bedri Eryilmaz/Ayhan Bozlak, Authority to Use Force and Weapons in Turkish Law, <http://mesutbedrieryilmaz.blogspot.com/2010/11/turk-hukukunda-zor-ve-silah-kullanma.html> (26.12.2020).

C.Types of Use of Force and Their Application Conditions

62.Law enforcement officers are equipped with the authority to use force, gradually increasing physical force, material strength and the authority to use weapons when legal conditions are met, in a way that will neutralize those who resist, depending on the type and degree of resistance. If it is necessary to take a closer look at the forms of use of force, it refers to a warning that the relevant people will continue to resist before they use force, as stated in the articles 16/4 and 16/8 of the LPP. According to the law, force can be used without warning, considering the nature and degree of resistance. As can be seen in Article 93 (b) of the LPP, Article 16/3 (b) of the LPP and Article 7 of the Regulation on Apprehension, Detention and Statement Taking (YGIAY), **wearing handcuffs** is considered as a way of using material force and breaking the resistance. Handcuffs can be used in cases where the person caught resists, attempts to attack or attacks. In practice, it is seen in many cases that handcuffs are used as an automatic form of use of force, although no resistance or attack has been attempted. Not every person caught is handcuffed. Since the handcuffs are a control tool, it is up to the law enforcement officer to decide whether the handcuff should be worn if there is a possibility of escape (Code of Criminal Procedure, Article 93). In exercising this authority of discretion, law enforcement should take into account the characteristics of the event and environmental factors such as how many people were caught, physical structure and dangerousness of the perpetrators, their age, characteristics of the suspect, such as their psychological state and the severity of the crime committed, whether the place where the perpetrator was caught is crowded and the number and equipment of the respondent. If the arrested person is under 18 years old, handcuffs should not be worn in any way. As stated in articles 16/2 and 16/3 (a) of the LPP, bodily force refers to the bodily force directly used by the police against people who resist or on objects. The concept of material power, regulated in articles 16/2 and 16/3 (b) of the LPP, means that the police use handcuffs, batons, pressurized water, tear gas or dust, physical barriers, police dogs and horses and other means of force in general against people resisting or other than physical force on the property.

63.The most effective and the most severe form of the power to use force granted to the law enforcement agency is the authority to use weapons regulated in Article 16/7 of the LPP. The forms of coercion described in the paragraph above must be used progressively. For example, using physical force without warning should not be accepted. In this framework, the authorization to use weapons must be perceived and constructed as a form of force that should be applied at the top of the ladder and as a last resort. Due to it is the main subject of the report for the stated reason, this issue has been analyzed a more detailly below.

64.Law enforcement officers are already visibly armed to create a deterrent effect as required by their duties. In the regulation, the situations in which law enforcement can use weapons are kept quite wide. Here, if we examine the power of law enforcement to use weapons as a view of the power to use force,

According to the article 16/7 of the LPP;

“The police are authorized to use weapons:



a) *Within the scope of the exercise of the right of self-defense,*

b) *In order to break this resistance in the face of the resistance that cannot be neutralized by using force and material force, and to the extent that it will break it,*

c) *In order to ensure the arrest of persons for whom a warrant of arrest or detention has been issued, or in case of red-handed suspect, and to a degree to ensure this.”*

65. Again, according to the article 16/9 of LPP;

“When the police are using their power to use force or a weapon to break the resistance or to catch up, if an attack is attempted with a weapon against him, he can shoot with a gun without hesitation to the extent that the danger of attack against the person who attempted to attack with a gun is neutralized.”

66. According to the LPP, the authorization to use weapon is defined in the first place within the scope of using the right of self-defense (LPP, article 16/7-a). With the article 25/1 of the TCL (Turkish Criminal Law) No. 5237, the field of self-defense has expanded so that it can be applied in terms of all rights that will be subject to unjust attack, so the field of using weapons has also expanded. Accordingly, the law enforcement officers will be able to use weapons not only against the life and chastity of individuals and themselves, but also to repel an unjust attack on all kinds of rights and personal rights, including property rights, and an unjust attack, which is undoubtedly or repetitive. Of course, self-defense will not be possible in unjust attacks that are not suitable for self-defense (such as defamation crime) based on their nature.

67. In order to explain more about the conditions of using force due to self-defense, it is necessary to briefly discuss the Article 25/1 of the TCL regulating self-defense. According to the article in which the self-defense is discussed in the TCL;

“Article 25/(1) -The perpetrator shall not be punished for the actions committed by the obligation to repel an unjust attack, which is committed to a right belonging to him or someone else, and whose realization or repetition is certain, in proportion to the attack.”

The justification of the aforementioned article 25/1 includes the following:

“In the first paragraph of the article, self-defense is regulated as a reason for compliance with law. The draft suggests the following conditions in terms of self-defense:

First of all, it was stated that there was a self-defense against an unjust attack on all kinds of rights, and thus, it was aimed to prevent the issue from being kept as narrow as sometimes meaningless and contrary to social requirements.

In addition, it should be noted that one of the most effective tools to deter people from committing crimes is the concern that they will get a response when they commit a crime, thus extending the right of self-defense may create a deterrent effect in terms of criminology.

Secondly, in terms of the “unjust attack” condition of self-defense, “unjust attack” and “unjust attack” or “repeat of unjust attack” are deemed the same. Thus, the ability of individuals to protect themselves against unfair attacks is further expanded.

The fact that the defense is “proportional to the attack”, that is, it is sufficient to repel the attack, has been accepted as one of the basic conditions of self-defense. The person who has been attacked will only benefit from the legitimate reason of self-defense if he/she acts in such a way as to neutralize this attack.”³¹

68. Self-defense is a reason for compliance with laws. According to sub-clause d of paragraph 2 of Article 223 of the CCP (Code of Criminal Procedure), a decision of acquittal must be given about a person based on the reason for compliance with laws. There will be no disciplinary or compensation liability for the person who has been acquitted³².

69. According to the article 16/7(a) of the LPP, law enforcement officers can use weapons to neutralize the attack against themselves or others. In this case, there is a reason for legitimate self-defense that everyone has. **There is no difference between law enforcement officers and any person in terms of the application of self-defense.** In cases where self-defense is in question, it is necessary to evaluate based on the provisions of the TCL on self-defense without applying to the provisions of the legislation regulating the use of force and weapons by the law enforcement agency. In this case, law enforcement officers may take a defensive action to neutralize an attack against themselves or other persons or to a level that will make the attack ineffective. In other words, it can make a self-defense based on Article 25 of the TCL and this action will be in accordance with the law. If the general provisions in the legislation are sufficient, there is no need to create a separate self-defense law regarding the use of weapons by the police.

70. A quite important point to be taken into consideration in the matter of self-defense is the obligation to evaluate the power of law enforcement officers to use force and weapons together with Article 2 of the European Convention on Human Rights (ECHR) and Article 17 of the Constitution. As it is known, Article 2 of the ECHR accepts “self-defense not for property, but only for life (in the sense of bodily integrity)”. In this case, the self-defense applied in a way that causes death **only in attacks against the life (right to life)** will not contradict the 2nd article of the ECHR and the 17th article of the Constitution. In the provision in Article 16 of the LPP regarding the use of force and weapons, the phrase “to the extent that the danger of attack is ineffective” is deemed appropriate to interpret the issue in this way. Otherwise, there will be a violation of the right to life and the border is exceeded due to compliance with the law³³.

71. In the context of the power of law enforcement to use weapons, secondly, according to the articles 16/2 and 16/7(b) of the LPP, it is stated that a weapon can be

³¹<https://www.ceza-bb.adalet.gov.tr/mevzuat/maddegerekce.doc> (26.12.2020).

³²Günel Kurşun, Judgment in Criminal Procedure, Seçkin Publications, Ankara, 2016, p.134.

³³ Mesut Bedri Eryılmaz/Ayhan Bozlak, Authority to Use Force and Weapons in Turkish Law, <http://mesutbedrieryilmaz.blogspot.com/2010/11/turk-hukukunda-zor-ve-silah-kullanma.html> (26.12.2020).

used to break the resistance that the law enforcement cannot neutralize by using force and material force.

72.Regarding the authority to use weapon in question, thirdly, the law enforcement officers ensure that individuals who have been imprisoned, arrested, taken into detention, forced to be brought or had arrest warrant are caught red-handed, regardless of the nature of the crime, in accordance with Article 16/7(c) of the LPP. Within the scope of the article, law enforcement also has the authority to use a weapon against a person who escapes, for example, in order not to be caught or banned from the action he / she has done, as in the case of the suspect who fled in the act. However, in such a case, in order not to exceed the limit due to legality, the person who fled should not be able to be caught in any other way (for example, his identity should be uncertain, and the gun should not be targeted at vital points). In these cases, the aim should be to capture the person alive and in a way that will cause an injury at most³⁴.

73. In this case, which is specified in the clause (c) of the aforementioned article 16/7 in a way to create a certain clarity in the doctrine, if the conditions for using a weapon are met, warning the person to "stop" before using a weapon, again as a precondition, in case the person continues to run by not obeying this warning, because the gun was fired with a warning first and the person insisted on fleeing despite this. If it is not possible to capture the person, it is accepted that a gun can be fired to ensure that the person is caught (LPP, article 16/8)³⁵.

74.In the doctrine, it is accepted that with the amendment made in article 16 of LPP in 2007, some serious elements were introduced that made the law enforcement force too strong. Whereas the former LPP article 16 attributed the use of a weapon to the detention of suspects, both in flagrante delicto and in other situations, the offense was a serious offense, whereas amended LPP article 16 gave this authority to law enforcement for all kinds of offenses, including offenses requiring a judicial fine. The most important source of violations is this excessive authorization.

75.Secondly, the former LPP article 16 makes a dual distinction for detainees and inmates. While it is possible to use weapons in order to prevent prisoners and detainees from escaping, it is possible for all kinds of crimes to be used by law enforcement officers during the re-capture of prisoners and detainees after escaping, as the crime is a crime that falls under the duty of the high criminal court. After the law was changed in 2007, this dual distinction was abolished and the authorization to use guns in all cases was brought.

76.According to the LPP, the fourth issue is about the power of the law enforcement to use weapons, while the fourth issue is the use of force or the power to use weapons by the law enforcement agency to break or catch the resistance, the measure that will neutralize the danger of attack against the person who attempted an armed attack against him. and the right to fire with a gun without hesitation (LPP,

³⁴ Mesut Bedri Eryılmaz/Ayhan Bozlak, Authority to Use Force and Weapons in Turkish Law, <http://mesutbedrieryilmaz.blogspot.com/2010/11/turk-hukukunda-zor-ve-silah-kullanma.html> (26.12.2020).

³⁵ Mesut Bedri Eryılmaz/Ayhan Bozlak, Authority to Use Force and Weapons in Turkish Law, <http://mesutbedrieryilmaz.blogspot.com/2010/11/turk-hukukunda-zor-ve-silah-kullanma.html> (26.12.2020).

article 16/9). In fact, this power is already in “self-defense”. In addition, although there was no need for such a regulation, there was a dramatic increase in the number of abuses of the law enforcement officers’ authority to use weapons after this authorization was given again by law.

77.If the points mentioned about the use of weapons are summarized, the basic principles on this issue are as follows³⁶:

- Unless the right to life is in jeopardy (legitimate self-defense and the situation of difficulty), the right to life of someone else should not be endangered,
- Weapons should not be used with the intention of killing,
- The weapon should never be used if it is possible to repel the attack and resistance in other ways,
- If there is no other way to repel the attack or resistance or to catch the fleeing person, the weapon should be used in a way that causes the least harm to health,
- In terms of those who fled, weapons should not be used unless the aforementioned persons are clearly and persistently warned,
- The proportionality (proportionality) must be observed in every event.

78.Although the authorization to use weapons in Article 16 of the LPP has been extended in the direction requested by the law enforcement officer, so as not to exclude any situation, the most important issue that will prevent and direct the law enforcement officers from using arbitrary weapons must be the principle of “proportionality”. The benefit to be obtained by the capture of the person must be more than the damage caused to the person by using a weapon. According to the principle of proportionality, law enforcement, in the process of deciding whether or not to use a weapon in every incident, the questions of “What is the gravity of the crime?”, “Is the weapon the last resort?”, “Can a person be neutralized without using a weapon?”“Should the weapon be used immediately?”, “Is there a proportion between the benefit to be gained and the damage to be done?”have to be evaluated together with the answers to them³⁷.

79.If it is not possible to achieve the same goal with the use of pressurized water, physical barriers, tear gas and pepper gas, it is necessary to use a weapon. According to the ECHR, if the use of force (force and weapon) is absolutely necessary, it must be absolutely proportional to the action. The dangers to life and whether the degree of risk in the force used will end a life must be observed as a whole. In the

³⁶ Mesut Bedri Eryılmaz/Ayhan Bozlak, Authority to Use Force and Weapons in Turkish Law, <http://mesutbedrieryilmaz.blogspot.com/2010/11/turk-hukukunda-zor-ve-silah-kullanma.html> (26.12.2020).

³⁷ Mesut Bedri Eryılmaz/Ayhan Bozlak, Authority to Use Force and Weapons in Turkish Law, <http://mesutbedrieryilmaz.blogspot.com/2010/11/turk-hukukunda-zor-ve-silah-kullanma.html> (26.12.2020).

1998 Yaşa and 1999 Güleç decisions regarding Turkey, it was emphasized that the principles stated should be complied with on this basis³⁸.

D. Sanctions for Resisting Law Enforcement During and Before Using Force

80. It is discussed above how to act in the event that individuals resist the law enforcement officers while performing their duties (for example, if they do not consent to a stop notice, request for identification, arrest or search). If there are crimes alleged to have committed by the arrested person has already been caught for this reason, the person is sent to the judicial authorities by taking action for these crimes. In addition, the act of resisting the law enforcement officers on duty is defined as a crime in the Article 265 of the TCL.

81. The article 265 of the TCL is included with its justification below:

Resisting an officer to prevent him from fulfilling his duty

Article 265 - (1) Any person who uses force or threat against a public officer to prevent him from performing his duty is punished with imprisonment from six months to three years.

(2) In the event that the crime is committed against persons acting in judicial office, a prison sentence of two to four years is imposed.

(3) The punishment to be imposed is increased by one third in case the offense is committed by the person making himself unrecognizable or by more than one person.

(4) In case of commission of the offense with weapons or by using the frightening power created by existing or assumed criminal organizations, the punishment to be imposed according to the above paragraphs is increased by half.

(5) In case of aggravated circumstances due to the result of the crime of deliberate injury during the commission of this crime, the provisions regarding the crime of willful injury are also applied.”

82. The justification of this article includes the following:

“In the text of the article, acts of resisting a public official in order not to fulfill his duty are defined as a crime.

In the first paragraph, the penalty to be imposed in case of use of force or threat against a public official to prevent him from performing his duty is determined. The force used for the occurrence of this crime must be of a size that can be evaluated within the scope of the basic form of the crime of intentional injury or the condition requiring less punishment (that is, it must be within the scope of the 1st and 2nd

³⁸ECtHR, Yaşa v. Turkey, Application No:22495/93, 02.09.1998, para.89, <http://hudoc.echr.coe.int/tur?i=001-58238> ; ECtHR, Güleç v. Turkey, Application No: 21593/93, 27.07.1998, para.70-72, <http://hudoc.echr.coe.int/tur?i=001-58207> .

paragraphs of Article 86 of the TCL). Otherwise (in other words, in case of aggravated cases due to the result of the crime of willful injury within the scope of Article 87 of the TCL), it is necessary to apply according to the provisions of the fourth (this should be the fifth) clause.

In the second paragraph of the article, the fact that the resisted public official is a judicial person is accepted as a qualified element that requires a heavier punishment in terms of this crime.

According to the third paragraph, the punishment to be imposed will be increased if the offense is committed by the person making himself unrecognizable or by more than one person. Similarly, in the fourth paragraph, committing the crime with weapons or using the frightening power created by existing or presumed criminal organizations is accepted as the reason for the increase of the penalty.

According to the last paragraph, in case of aggravated circumstances due to the result of the crime of intentional injury during the commission of a crime, the provisions regarding the crime of willful injury will also be applied.”³⁹

83.As can be seen, forceful resistance to a public officer is clearly considered a crime. In addition to these, if another crime such as damaging public property has been committed, of course, these new crimes can also be committed. The murder of the person who allegedly did not obey the warning to stop as a result of the fire he opened by the law enforcement officers without considering the target, negates all these legal regulations.

84.The success of law enforcement officers in using force and weapons can be measured financially and can be attributed to some criteria. These concrete criteria in the doctrine and the evaluation criteria regarding the use of force and weapons that can be applied to concrete events are included in the annexes at the end of the report.

Consequences

85.On 02.06.2007 for reasons such as “the spread of terrorist acts, increase in complaints and rapid increase in crime rates” with some changes in Law of Police Powers numbered 2559, especially “use of force and weapons” for the first time, law enforcement officers were given the “stop and ask for identification” authorization regulated by law. In fact, at the time of the abolished Code of Criminal Procedure No. 1412, for example, in the Regulation on Judiciary and Prevention Searches, which was issued for the first time in 2003, a cessation process was regulated. The legal basis was prepared with the LPP amendment, which was mentioned after the debates in the legal world and criticisms of “legal baselessness”. With some amendments made in the law numbered 6638, which was enacted on 27/03/2015, the full name of which is “Law on the Amendments in Law of Police Powers, Gendarmerie Organization, Duties and Powers Law and Some Laws”, concepts such as “reasonable doubt, foresight and discretion” have been revised.

³⁹<https://www.ceza-bb.adalet.gov.tr/mevzuat/maddegerekce.doc> (26.12.2020).

86.It is seen that these amendments give all law enforcement officers, especially the police, a wide discretionary power over the use of lethal force in Turkey. With this discretionary power, it is observed that acts such as arbitrary stopping, searching, and using lethal force without hesitation continue to increase, and serious concerns arise in the society that the police may draw their weapons, shoot, and use violence at any time.

87.There is a strong perception in the society that the disproportionate force applied by the police against both violations of the right to life and the awareness of claiming rights and social reflexes in the society goes unpunished. In the formation of these perceptions, administrative mechanisms ignore the obligation of law enforcement officers to comply with the “proportionality and necessity” criteria of international human rights law and the perception of protecting and watching over the criminal created by the statements of bureaucrats in executive positions plays an important role.

88.Each police officer has attributed a meaning to the reasons of the stop and ask for identification process, the duration of the transaction, and abstract concepts such as reasonable doubt, foresight, and discretion according to their own perception. According to these implications, more than 400 cases that should be processed according to the law of misdemeanors resulted in death as a result of each police’s own evaluation. In Turkey, the disproportionate use of force by the police against peaceful demonstrations and social reflexes, unreasonable use of weapons or abuse are not sanctioned. This situation renders the state’s “obligation to protect life by law” in the context of Article 2/1 of ECHR dysfunctional.

89.There have been quite serious perceptions in the society that the disproportionate force applied goes unpunished. The belief of the police that they do not have to comply with the “**proportionality and necessity**” criteria of international **human rights law** played an important role in the formation of these perceptions. This situation increased the police violence and made it normal.

90.The obligation to comply with the “**proportionality and necessity**” criteria of international human rights law is ignored by administrative mechanisms. While the discourses in the media create the perception of protecting and watching over the criminal, the judicial processes are negatively affected, thus paving the way for impunity. As soon as the victims and their families who are subjected to the practices of law enforcement agencies based on abstract concepts such as reasonable doubt, foresight, and discretion, which are not well understood by law enforcement, retaliatory actions are opened, and victims and their relatives are subjected to bad and degrading treatment.

Recommendations

91.In cases where there is an investigation against a police officer in charge of a violation of the right to life, the officer concerned should not be allowed to remain on active duty and the officer should not be promoted.

92. In cases of unlawful killing, prosecutors should always sue for killing rather than lesser crimes. Cases should be heard by independent, impartial and effective judicial bodies, and the perception of possible impunity should be prevented.

93. In cases where the police are a party and the right to life is violated, in addition to the duty of collecting and preserving evidence, the task of investigating the crime scene should be taken from the police force and given to the Gendarmerie, thus allegations of creating evidence and obscuring evidence should be prevented.

94. Steps should be taken not to retaliate against those who lost their relatives and made a complaint. Investigations should be opened for individuals who are subjected to serious human rights violations and those who make all kinds of threats and pressure against their families, witnesses, lawyers and non-governmental organizations, and their accountability should be ensured. The counter-accusation practices against the persons making the complaint should be ended.

95. Priority should be given to implementing stronger and more effective protection programs that will ensure that witnesses, victims, families of victims and third parties who are under threat feel safe.

96. The subject of concepts such as “Reasonable doubt, foresight and discretion” added to Article 4 of Law of Police Powers (Article 16 of Law No. 2559) should be discussed in detail in the trainings given to the police. Every police officer should be prevented from attributing a meaning to these concepts and using weapons according to this attribution. It should be ensured that the use of lethal force can be used as a last resort and only to save lives when necessary, with concrete concepts and clearly stated in the laws, not in abstract terms, and bring the legislation in line with international standards. Instead of the abstract and extremely broadly interpreted powers in the legislation, the power of the police to use weapons should be narrowed and linked to certain criteria.

97. Independent and reliable mechanisms should be established, including NGOs, to monitor and evaluate how the Law of Police Powers is implemented, in particular the power to stop, search and use force.

98. Facilities should be developed to enable alternative public institutions to courageously address the incident in the investigation and monitoring of the events, notably the Ombudsman Institution, the Turkish Human Rights and Equality Institution (TIHEK) and the TGNA Human Rights Commission.

99. The proportional or gradual stages of using force, often pronounced in the use of force, carry boundaries and uncertainties. There is confusion about in which situations this method can be used, especially with regard to the use of weapons. While some law enforcement personnel hesitate to use their guns even in a hot gunfight, some police officers can shoot by acting with their gun after someone who did not obey the warning to stop and fled and who could possibly have other reasons - such as driving without license. Fatal and vital lines should be redefined in a way that does not cause confusion.

100. Continuous functioning of video and audio recording systems should be guaranteed when interrogating suspects in detention and throughout police stations.

These records should not be altered, deleted, and should be promptly and regularly submitted to the prosecution so that they can be used in the investigation of alleged human rights violations in detention.

101. Methods of using “mobile weapons” and their limits of authority should be explained in detail in police schools and in-service training and in trainings for using weapons with deadly consequences, and the lack of knowledge of police officers about using mobile weapons should be eliminated through training.

102. The perception of impunity should be prevented by effectively implementing the recourse mechanism for the police, whose fault has been proved by a judicial decision, and the practice of compensating illegal violations from the taxpayers should be terminated.

Annex 1- 404 Cases Determined by Baran Tursun Foundation Between 2007 and 2020

<p>404 - ALİCAN RAZI (20) Manner of Death: Police Bullet Date of Incident: 25.05.2020 Place of Incident: Ankara Incident: Murdered on the grounds that he did not obey the police officer's warning to stop.</p>	<p>403 - ALİ HEMDAN (19) Manner of Death: Police Bullet Date of Incident: 27.04.2020 Place of Incident: Adana/Seyhan Incident: Murdered on the grounds that he did not obey the police officer's warning to stop.</p>	<p>402 - MUSTFA ALINÇ (17) Manner of Death: Police Bullet Date of Incident: 05.02.2020 Place of Incident: Bursa Incident: Died as a result of fire opened by the police.</p>	<p>401 - MİLEN BAHCHEVANOV (33) Manner of Death: Police Bullet Date of Incident: 19.01.2020 Place of Incident: Istanbul Incident: Died as a result of police fire.</p>
<p>400-Yaşar A. Savaş (17) Manner of Death: Police Bullet Date of Incident: 23.12.2019 Place of Incident: Samsun Incident: Murdered as on the grounds of not obeying the stop warning of the police.</p>	<p>399-Cihan Can (33) Manner of Death: Panzer crash Date of Incident: 28.12.2019 Place of Incident: D.Bakır Incident: Died after being hit by an armored vehicle belonging to riot police.</p>	<p>398-Ayhan GÖRGÜLÜ (39) Manner of Death: Police Bullet Date of Incident: 19.12.2019 Place of Incident: Ankara Incident: Killed by the police officer Kamil E. by being shot 12 times</p>	<p>397-YAKUP BAYTAR (22) Manner of Death: Police Bullet Date of Incident: 08.10.2019 Place of Incident: Aksaray Incident: Murdered as on the grounds of not obeying the stop warning of the police.</p>
<p>396-CAN KELEŞ (27) Manner of Death: Police Bullet Date of Incident: 2019 Place of Incident: Tekirdağ-Çorlu Incident: Murdered as on the grounds of not obeying the stop warning of the police.</p>	<p>395-MERVE ÜNAL (23) Manner of Death: Police Bullet Date of Incident: 26.05.2019 Place of Incident: Diyarbakır Incident: Police officer shot and killed his colleague Merve Ünal</p>	<p>394-RECEP HANTAŞ (20) Manner of Death: Police Bullet Place of Incident: D.Bakır Date of Incident: 13.04.2019 Incident: Junkman Hantaş was killed by the police</p>	<p>393-HANDE ŞEKER (22) Manner of Death: Police Bullet Date of Death: 10.01.2019 Place of Death: İzmir Incident: Shot by police who entered the home of a transgender person in Alsancak</p>
<p>392-MEHMET DOĞAN (33) Manner of Death: Police Bullet Date of Incident: 24.12.2018 Place of Incident: Şanlıurfa Incident: The police killed teacher Mehmet Doğan.</p>	<p>391-CİHAN SEYHAN (17) Manner of Death: Police Bullet Date of Death: 12.12.2018 Place of Death: Istanbul Incident: Murdered as on the grounds of not obeying the stop warning</p>	<p>390-ABDULLAH ARAT (25) Manner of Death: Police Bullet Date of Death: 11.12.2018 Place of Incident: D.Bakır Incident: Murdered as on the grounds of not obeying the stop warning of the</p>	<p>389-ALTUĞ VERDİ (46) Manner of Death: Police Bullet Date of Incident: 11.12.2018 Place of Incident: Rize Incident: Police officer killed Police Chief Altuğ Verdi.</p>

	of the police	police.	
388-SEDAT POLAT (32) Manner of Death:Police Bullet Date of Incident: 21.11.2018 Place of Incident:Ş.Urfa/Bilecik Incident: Killed during an identity check on the bus	387-RAHMAN KAPLAN (34) Manner of Death:Police Bullet Date of Death 04.10.2018 Place of Death Ankara Incident: Shot dead by the police.	386-İSMAİL KARAKAŞ (34) Manner of Death:Police Bullet Date of Incident: 30.06.2018 Place of Incident:Ardahan Incident: Killed on the grounds that he did not obey the warning to stop.	385-ELİF KAYA (38) Manner of Death: :Police Bullet Date of Death 25.06.2018 Place of DeathKocaeli/Körfez Incident: Police officer killed his wife who wanted to get divorced.
384-ALİ SEZER (92) Date of Shooting:13.06.2018 Place of Shooting:Tunceli Manner of Death:Panzer crash Incident: Died as a result of being hit by a over speeding police vehicle	383-MEHMET TEKTEKİN (85) Manner of Death:Panzer crash Date of Incident: 06.06.2018 Place of Incident:Tunceli Incident: Died as a result of being hit by a police TOMA ((anti-riot) water cannon vehicle)..	382-ÜMRAN YETİŞGEN (28) Manner of Death:Police Bullet Date of Death 14.00.201 Place of Death Antalya Incident: Police killed his own colleague	381-E. GÖRKEM KARAKAN (16) Manner of Death:Police Bullet Olay Tarihi: 14.1.2018 Place of Incident: G. Antep Incident: Murdered on allegation of not obeying a stop warning
380-VOLKAN T. (32) Manner of Death:Police Bullet Date of Incident: 13.01.2018 Place of Incident:Istanbul Incident: Killed on the grounds that he did not obey the warning to stop.	379-CHILD. (04) Manner of Death:Panzer crash Date of Incident: 28.12.2017 Place of Incident:D.Bakır Incident: Died as a result of being hit by a speeding police vehicle	378-HAKAN CAN (28) Manner of Death:Police Bullet Date of Incident: 19.12.2017 Place of Incident: Ankara Incident: Police officer killed his colleague.	377-EMİNE SABAN (21) Manner of Death: Polis aracı Date of Incident: 17.12.2017 Place of Incident:Sakarya Incident: Died being crashed by the police vehicle.
376-MURAT ARAÇ (19) Manner of Death:Death in police station Date of Incident: 15.12.2017 Place of Incident: Antalya Incident: Jumped from the Police Headquarters building in custody.	375-FELEK BATUR (7) Manner of Death:Panzer crash Date of Incident: 21.10.2017 Place of Incident:Siirt Incident: Crushed to death being hit by an armored vehicle	374- GÜLTEN YARAŞLI (55) Manner of Death:Panzer crash Date of Incident: 19.10.2017 Place of Incident:Bitlis Incident: Crushed to death being hit by an armored vehicle.	373-YİĞİTCAN CAMGÖZ (14) Manner of Death: Polis işkence Olay Tarihi. 25.09.2017 Place of Incident: İzmir Incident: Died being beaten by the police.
370-TAHA KILIÇ (4) Manner of Death:Police panzer Date of Incident: 24.07.2016 Place of Incident: Van Incident: Died being hit by armored vehicle in Van.	369-NECMETTİN FENDİK (31) Manner of Death:Police Bullet Date of Incident: 17.07.2017 Place of Incident:Yüksekova Incident: Killed at home where an operation was performed	368-REMZİYE MENTEŞE (29) Manner of Death: Panzer çapması Date of Incident: 19.06.2017 Place of Incident:D.Bakır Incident: Died as a result of armored police vehicle crash.	367-MAHMUT ÖNER (74) Manner of Death:Police panzer Date of Incident: 19.06.2017 Place of Incident: Lice Incident: Died being crashed by the armored police vehicle.
366-MEVLÜT DAĞTAŞ (64) Manner of Death:Police panzer Date of Incident:19.06.2017 Place of Incident: Lice Incident: Died being crashed by the armored police vehicle in Lice.	365-A.HAMİT DAĞTAŞ (63) Manner of Death:Police panzer Date of Incident: 19.06.2017 Place of Incident: Lice Incident: Died being crashed by the armored police vehicle.	364-FİKRİ DEMİRBAŞ (53) Manner of Death:Police panzer Date of Incident: 19.06.2017 Place of Incident: Lice Incident: Died being crashed by the armored police vehicle.	363-ZEYNEL DEMİRBAŞ (76) Manner of Death:Police panzer Date of Incident: 19.06.2017 Place of Incident: Lice Incident: Died being crashed by the armored police vehicle.
362-PAKİZE HAZAR (85) Manner of Death: Polis aracı Date of Incident: 15.06.2017	361-R.CAN AYDOĞMUŞ (20) Manner of Death: Polis	360-FATMA EROĞLU (54) Manner of Death:Police Bullet	359-MUSTAFA EROĞLU (60) Manner of Death:Police Bullet

Place of Incident:D.Bakır-Lice Incident: Died being crashed by the armored police vehicle.	aracı Place of Incident: Antalya Date of Incident: 27.05.2017 Incident: Died being crashed by the police vehicle.	Place of Incident:Hatay Date of Incident: 24.05.2017 Incident: Police officer killed his mother and father	Place of Incident:Hatay Date of Incident: 24.05.2017 Incident: Police officer killed his mother and father
358-MERT ATAR (19) Manner of Death:Police Bullet Place of Incident: Bursa Date of Incident: 20.05.2017 Incident: Died in a brawl at the police check point	357-FURKAN YILDIRIM (6) Manner of Death:Police panzer Place of Incident:Silopi Date of Incident: 02.05.2017 Incident: Died as a result of panzer crashing into the house	356-MUHAMMET YILDIRIM (7) Manner of Death:Police panzer Place of Incident:Silopi Date of Incident: 02.05.2017 Incident: Died as a result of panzer crashing into the house	355-SAMİ UÇAN (40) Manner of Death:Police panzer Place of Incident: Van Date of Incident: 28.04.2017 Incident: Died being crashed by a police panzer.
354-OĞUZHAN ERKUL (18) Manner of Death:Police Bullet Place of Incident:Istanbul Date of Incident: 14.04.2017 Incident: Killed on allegation that he did not obey the police's warning to stop.	353-BARIŞ KEREM (19) Manner of Death:Police Bullet Date of Incident: 14.04.2017 Place of Incident:Istanbul Incident: Killed on allegation that he did not obey the police's warning to stop.	352-KEMAL KUKURT (26) Manner of Death:Police Bullet Date of Incident: 21.03.2017 Place of Incident:D.Bakır Incident: Died as a result of the fire opened by the police during the Nevruz celebration.	351-OKAN İNCE (33) Manner of Death:Police panzer Date of Incident: 21.03.2017 Place of Incident:Şırnak Incident: Died as a result of armored vehicle crash.
350-BAHADİR BEYAZLIOĞLU (38) Manner of Death:Police panzer Date of Incident: 21.03.2017 Place of Incident:Şırnak Incident: Died as a result of armored vehicle crash.	349-KEREM ARSLAN (35) Manner of Death:Police panzer Date of Incident: 04.03.2017 Place of Incident:Siirt Incident: Died as a result of armored vehicle crash.	348-ÖMER BARIŞ (16) Manner of Death:Police Bullet Place of Incident:Istanbul Date of Incident: 16.02.2017 Incident: Killed while being taken to health check.	347-BERFİN DİLEK (7) Manner of Death:Police panzer Date of Incident: 09.02.2017 Place of Incident:Mardin Incident: Died as a result of armored vehicle crash.
346- ANDREY KARLOV (Rus Elçi) Manner of Death:Police Bullet Place of Incident: Ankara Vurulma tarihi:19.12.2016 Incident: Killed by the police while giving a speech.	345-SEYİD DEMİR (36) Manner of Death:Police Bullet Place of Incident: Adana/Ceyhan Date of Incident: 29.11.2016 Incident: Killed by the police, whom he had argued with.	344-HÜSEYİN DEMİR (41) Manner of Death:Police Bullet Place of Incident: Adana/Ceyhan Date of Incident: 29.11.2016 Incident: Killed by the police, whom he had argued with.	343-TUFAN PANCAR (36) Manner of Death:Police Bullet Place of Incident: İzmir/Bergama Date of Incident: 23.11.2016 Incident: Killed for failing to obey the police's stop warning.
342-İYEÇ ÇAKIR (25) Manner of Death:Police Bullet Place of Incident: Van Ölüm tarihi:25.10.2016 Incident: Killed on the grounds that he did not obey the warning to stop.	341-HAKAN SARAK (5) Manner of Death:Police panzer Date of Incident: 24.10.2016 Place of Incident:Cizre Incident: Died as a result of armored police vehicle crash.	340-SERHAT BULDAN Manner of Death:Police Bullet Date of Incident: 07.10.2016 Place of Incident:Yüksekova Incident: Died as a result of the fire opened from the police vehicle.	339-NEJDET İŞYÜZÜ Manner of Death:Police Bullet Date of Incident: 07.10.2016 Place of Incident:Yüksekova Incident: Died as a result of the fire opened from the police vehicle.
338-RAHMİ SEFALİ Manner of Death:Police Bullet Place of Incident:Yüksekova Date of Incident: 07.10.2016 Incident: Died as a result of the fire opened from the police vehicle.	337-AYDIN TÜMEN Manner of Death:Police Bullet Date of Incident: 07.10.2016 Place of Incident:Yüksekova Incident: Died as a result	336-YALÇIN ÇAKIR (32) Manner of Death:Police Bullet Date of Incident: 12.09.2016 Place of Incident: İzmir Incident: Died in the hospital as a result of the	335-NACİYE ÖZDEMİR (73) Manner of Death:Police panzer Date of Incident: 06.09.2016 Place of Incident:Tunceli Incident: Died as a result of armored vehicle crash.

	of the fire opened from the police vehicle.	police bullet..	
334-MUSTAFA DUMAN (17) Manner of Death:Police Bullet Date of Incident: 30.08.2016 Place of Incident: Van Incident: Died as a result of fire from the armored vehicle.	333-BÜNYAMİN BAYRAM (28) Manner of Death:Police panzer Date of Incident: 24.07.2016 Place of Incident: Van Incident: Died being crashed by a police panzer.	332-FERİT İLİ (17) Manner of Death:Police Bullet Date of Incident: 18.07.2016 Place of Incident: Antalya Incident: Killed as a result of the stop warning of the police.	331-ZELİHA CUMA (7) Manner of Death:Police Bullet Date of Incident: 19.05.2016 Place of Incident:Istanbul Incident: Died as a result of police fire.
330-PINAR GEMSİZ (28) Manner of Death:Police Bullet Date of Incident: 15.05.2016 Place of Incident:Istanbul Incident: Died as a result of fire from the armored vehicle.	329-NECMİYE CEREN (20) Manner of Death:Police Bullet Date of Incident:10.05.2016 Place of Incident: Ankara Incident: Police officer killed his girlfriend Ceren.	328-MURAT AKMELEZ (32) Manner of Death:Police Bullet Date of Incident: 29.04.2016 Place of Incident: Adapazarı Incident: Killed by the police pistol.	327-GÖNÜL ÇAKI (45) Manner of Death:Police Bullet Date of Incident: 29.04.2016 Place of Incident:Istanbul Incident: Killed by her policeman husband.
326-ÇAĞATAY ÇAKI (26) Manner of Death:Police Bullet Date of Incident: 29.04.2016 Place of Incident:Istanbul Incident: Killed by the police.	325-TANSU ÇAKI (18) Manner of Death:Police Bullet Date of Incident: 29.04.2016 Place of Incident:Istanbul Incident: Killed by the Police Officer VeliÇakı.	324-NAİL MAVUŞ (57) Manner of Death:Armored Vehicle Crash Date of Incident: 01.05.2016 Place of Incident:Istanbul Incident: Died as a result of armored vehicle crash.	323-HATUN ELHUN (55) Manner of Death:Armored Vehicle Crash Date of Incident: 24.04.2016 Place of Incident:D.Bakır Incident: Died as a result of armored vehicle crash.
322-HÜSEYİN BARUT (8) Manner of Death: :Armored Vehicle Crash Date of Incident: 24.04.2016 Place of Incident:D.Bakır Incident: Died as a result of armored vehicle crash.	321-HAMİT ÖNCÜ (30) Manner of Death:Police Bullet Date of Incident: 20.04.2016 Place of Incident: İzmir Incident: Killed by the police while watching the sea.	320-SEMRA ÇELİK (17) Manner of Death:Police Bullet Date of Incident: 05.04.2016 Place of Incident:D.Bakır Incident: :Killed by fire opened by the police.	319-YILMAZ ÖZTÜRK (20) Manner of Death:Police Bullet Date of Incident: 20.02.2016 Place of Incident:Istanbul Incident: Killed by fire opened by the police.
318-GÜLŞAH AK (59) Manner of Death:Police Bullet Date of Incident: 19.02.2016 Place of Incident:Mardin/Nusaybin Incident: Died as a result of fire from the armored vehicle.	316-MUĞDAT AY (12) Manner of Death:Police Bullet Date of Incident: 14.02.2016 Place of Incident:Mardin/Nusaybin Incident: Died as a result of the fire opened from the police vehicle.	315-MAHMUT BULAK (16) Manner of Death:Police Bullet Date of Incident: 09.02.2016 Place of Incident:D.Bakır Incident: Died as a result of police bullet in demonstrations.	314-MAHMUT ÇAKIR (16) Manner of Death:Police Bullet Date of Incident: 03.02.2016 Place of Incident: Adana Incident: Died as a result of police bullet in demonstrations.
313-SERAP ÇINAR (33) Manner of Death:Police Bullet Date of Incident: 20.01.2016 Place of Incident: Antalya Incident: Police Bulletsonucuöldürüldü.	312-HAYRETTİN ŞINIK (11) Manner of Death: Gaz bombası Date of Incident: 16.01.2016 Place of Incident:Cizre/Şırnak	310-YAKUP ISIRGAN (18) Manner of Death:Police Bullet Date of Incident: 15.01.2016 Place of Incident:Cizre/Şırnak	309-CENGİZ ERDEM (33) Manner of Death:Police Bullet Date of Incident: 12.01.2016 Place of Incident:Kızıltepe/Mardin Incident: Killed by special operations police.
308-HALİS SÜMER (45) Manner of Death:Police Bullet Date of Incident: 07.01.2016 Place of Incident:Cizre/Şırnak	307-NİDAR SÜMER (17) Manner of Death:Police Bullet Date of Incident:07.01.2016 Place of Incident: of	306-HASAN YAĞMUR (42) Manner of Death:Police Bullet Date of Incident: 07.01.2016 Place of Incident: of	305-OSMAN TEKİN (50) Manner of Death:Police Bullet Date of Incident: 07.01.2016 Place of Incident:Cizre/Şırnak

	Incident:Cizre/Şırnak	Incident:Silopi/Şırnak	Incident:Killed by fire opened by the police.
304-BİŞENG GORAN (12) Manner of Death:Police Bullet Date of Incident: 05.01.2016 Place of Incident:Cizre/Şırnak Incident: Killed by fire opened by the special operations police.	303-ÇETİN TAŞAR (19) Manner of Death:Police Bullet Date of Incident: 05.01.2016 Place of Incident:Şırnak Incident: Died as a result of fire from the armored vehicle.	302-ALİ TEKİN (28) Manner of Death:Police Bullet Date of Incident: 05.01.2016 Place of Incident:Cizre/Şırnak	301-SEZÂİ BURÇİN (43) Manner of Death:Police Bullet Date of Incident: 03.01.2016 Place of Incident:Cizre/Şırnak Incident: Killed by fire opened by the special operations police.
300-ÖMER MASLU (70) Manner of Death:Police Bullet Date of Incident: 02.01.2016 Place of Incident:Silopi/Şırnak	299-RAMAZAN ÖĞÜT (16) Manner of Death:Police Bullet Date of Incident: 31.12.2015 Place of Incident:D.Bakır Incident: Died as a result of police fire.	298-CABBAR TAŞKIN (40) Manner of Death:Police Bullet Date of Incident: 31.12.2015 Place of Incident:Cizre/Şırnak Incident: Died as a result of police fire.	297-AZİZ YULAR (33) Manner of Death:Police Bullet Date of Incident: 30.12.2015 Place of Incident:Cizre/Şırnak Incident: Died as a result of fire opened near his house.
296-HÜSEYİN ERTENE (16) Manner of Death:Police Bullet Date of Incident: 28.12.2015 Place of Incident:Cizre/Şırnak Incident: Killed by fire opened by the special operations police.	295-SEDAT BARAN (21) Manner of Death:Police Bullet Date of Incident: 27.12.2015 Place of Incident:Mersin Incident: Died with the fire of the police, who intervened in the protesters.	294-HASAN SANIR (75) Manner of Death:Police Bullet Date of Incident: 26.12.2015 Place of Incident:Silopi/Şırnak Incident: Killed during curfew.	293-RAMAZAN İNCE (68) Manner of Death:Police Bullet Date of Incident: 26.12.2015 Place of Incident:Cizre/Şırnak Incident: Killed during curfew.
292-MİRAY İNCE (3 aylık) Manner of Death:Police Bullet Date of Incident: 25.12.2015 Place of Incident:Cizre/Şırnak Incident: Died as a result of the fire opened by the special operations police.	291-SALİH BAYGIN (70) Manner of Death: Gaz bombası Date of Incident: 12.2015 Place of Incident:D.Bakır Incident: Died as a result of fire opened against protestors.	290-DİKRAN SAYACA (45) Manner of Death:Police Bullet Date of Incident: 23.12.2015 Place of Incident:Cizre Incident: Died as a result of fire opened against protestors.	289-ADİLE KARADUMAN (55) Manner of Death:Police Bullet Date of Incident: 23.12.2015 Place of Incident:Cizre Incident: Died as a result of fire opened against protestors.
288-AZİME AŞAN (46) Manner of Death:Police Bullet Date of Incident: 22.12.2015 Place of Incident:Cizre Incident: Died as a result of the fire opened against demonstrators.	287-MEHMET SAÇAN (38) Manner of Death:Police Bullet Date of Incident: 22.12.2015 Place of Incident:Cizre Incident: Died as a result of the fire opened against demonstrators.	286-MEHMET TEKİN (35) Manner of Death:Police Bullet Date of Incident: 22.12.2015 Place of Incident:Cizre Incident: Died as a result of the fire opened against demonstrators.	285-DAVUT ÖZER (15) Manner of Death:Police Bullet Date of Incident: 22.12.2015 Place of Incident:Tarsus/Adana Incident: Died as a result of the fire opened against demonstrators.
284-ŞİYAR BARAN (13) Manner of Death:Police Bullet Date of Incident: 22.12.2015 Place of Incident:Diyarbakır Incident: Died as a result of fire opened against protestors.	283-YUSUF İNAN (40) Manner of Death:Police Bullet Date of Incident: 21.12.2015 Place of Incident:Silopi/Şırnak Incident: Died as a result of fire opened against protestors.	282-TAYBET İNAN (57) Manner of Death:Police Bullet Date of Incident: 21.12.2015 Place of Incident:Silopi/Şırnak Incident: Died as a result of the fire of special operations teams.	281-(Bebek) YAMALAK (Anne karnında 8 aylık) Manner of Death:Police Bullet Date of Incident: 20.12.2015 Place of Incident:Died as a result of fire opened against protestors.
280-ZEYNEP YILMAZ (45) Manner of Death:Police Bullet Date of shooting:20.12.2015	279-EMİRE GÖK (39) Manner of Death:Police Bullet	278-AYŞE BURUNTEKİN (40) Manner of Death:Police	277-SELAHATTİN BOZKURT (70) Manner of Death:Police Bullet Date of Incident: 19.12.2015

Place of Incident:Cizre/Şırnak Incident: Died as a result of fire opened against protestors.	Date of Incident: 20.12.2015 Place of Incident:Nusaybin/Mardin Incident: Died as a result of fire opened against protestors.	Bullet Date of Incident: 19.12.2015 Place of Incident:Silopi/Şırnak Incident: Died by police fire on the roof of her house.	Place of Incident:Cizre/Şırnak Incident: Died as a result of fire opened against protestors.
276-İBRAHİM AKAN (15) Manner of Death:Police Bullet Date of Incident: 18.12.2015 Place of Shooting:Cizre/Şırnak Incident: Died as a result of fire opened against protestors.	275-DOĞAN ASLAN (22) Manner of Death:Police Bullet Date of Incident: 18.12.2015 Place of Incident:Cizre/Şırnak Incident: Died as a result of fire opened while going home.	274-HEDİYE ŞEN (30) Manner of Death:Police Bullet Date of Incident: 17.12.2015 Place of Incident:Cizre/Şırnak Incident: Died as a result of fire opened against protestors.	273-ŞERDİL CENGİZ (21) Manner of Death:Police Bullet Date of Incident: 15.12.2015 Place of Incident:D.Bakır Incident: Died as a result of fire opened against protestors.
272-ŞİYAR SALMAN (18) Manner of Death:Police Bullet Date of Incident: 15.12.2015 Place of Incident:D.Bakır Incident: Died as a result of fire opened against protestors.	271-TAKYEDDİN ORAL (24) Manner of Death:Police Bullet Place of Incident:Dargeçid/Mardin Date of Incident: 13.12.2015 Incident: Died as a result of fire opened against protestors.	270-FEHİME ATKI (56) Manner of Death:Police Bullet Date of Incident: 07.12.2015 Place of Incident:Nusaybin/Mardin Incident: Murdered for not obeying the curfew.	269-MAHSUN AKDOĞAN (23) Manner of Death:Police Bullet Date of shooting:07.12.2015 Place of Incident:Nusaybin/Mardin Incident: Murdered for not obeying the curfew.
268-HATİCE ŞAHİN (31) Ölüm Şekli PoliceBullet Date of Incident: 2015 Place of Incident:Gebze/Kocaeli Incident: Died as a result of familial dispute in Gebze district.	267-CUDİ TEBER (23) Manner of Death:Police Bullet Date of Incident: 07.12.2015 Place of Shooting:Nusaybin/Mardin Incident: Murdered for not obeying the curfew.	266-HAKAN DOĞAN (15) Manner of Death:Police Bullet Date of Incident: 07.12.2015 Place of Incident:Nusaybin/Mardin Incident: Murdered for not obeying the curfew.	265-M.EMİN İNAN (28) Manner of Death:Police Bullet Date of Incident: 05.12.2015 Place of Incident:Nusaybin/Mardin Incident: Murdered for not obeying the curfew.
264-DİLAN KOTAK (20) Manner of Death:Police Bullet Date of Incident: 03.12.2015 Place of Incident:Istanbul Incident: Killed by a police bullet inside her house..	263-ÇEKVAR ALİ ÇUBUK (16) Manner of Death:Police Bullet Date of Incident: 02.12.2015 Place of Incident:D.Bakır Incident: Killed being called "terrorist".	262-SELMAN AĞAR (10) Manner of Death:Police Bullet Date of Incident: 02.12.2015 Place of Incident:Cizre/Şırnak Incident: Murdered for not obeying the curfew.	261-MERTmaddeTİLEY (24) Manner of Death:Police Bullet Date of Incident: 24.10.2014 Place of Incident:Istanbul Incident: Killed for arguing with the police.
260-HACI SASUR (27) Manner of Death:Police Bullet Date of Incident: 29.11.2015 Place of Incident:Cizre/Şırnak Incident: Died as a result of fire opened against protestors.	259-NASİP YEŞİL (18) Manner of Death:Police Bullet Date of Incident: 27.11.2015 Place of Incident:Silopi/Şırnak Incident: Died as a result of fire opened by the police.	258-SEDAT GÜNGÖR (22) Manner of Death:Police Bullet Date of Incident: 24.11.2015 Place of Incident:Nusyabin/Mardin Incident: Murdered for not obeying the curfew.	257-MURAT AKTAR (22) Manner of Death:Police Bullet Date of Incident: 23.11.2015 Place of Incident:Silvan/D.Bakır Incident: Murdered for not obeying a stop warning.
256-RAFET AŞU (23) Manner of Death:Police Bullet Date of Incident: 23.11.2015 Place of Incident:Cizre/Şırnak Incident: Murdered for not obeying a stop warning.	255-NURHAN KAPLAN (45) Manner of Death:Police Bullet Date of Incident: 19.11.2015	254-MUHAMMET ALTUNKAYNAK (23) Manner of Death:Police Bullet Date of Incident: 19.11.2015 Place of Incident:	253-MUSUR ASLAN (19) Manner of Death:Police Bullet Date of Incident: 19.11.2015 Place of Incident:Nusaybin/Mardin

	Place of Incident:Nusaybin/Mardin Incident:Murdered for not obeying a stop warning.	Incident:Nusaybin/Mardin Incident:Murdered for not obeying a stop warning.	Incident:Murdered for not obeying a stop warning.
252-HASAN DAL (45) Manner of Death:Police Bullet Date of Incident: 18.11.2015 Place of Incident:Nusaybin/Mardin Incident:Murdered for not obeying the curfew.	251-RIDVAN US (45) Manner of Death:Police Bullet Date of Incident: 16.11.2015 Place of Incident:Silvan/D.Bakır Incident:Murdered for not obeying the curfew.	250-MEHMET YAVUZ (45) Manner of Death:Police Bullet Date of Incident:11.2015 Place of Incident:Silvan/D.Bakır Incident:Murdered for not obeying the curfew.	249-YAKUP SİNBAĞ (20) Manner of Death:Police Bullet Date of shooting:11.2015 Place of Incident:Silvan/D.Bakır Incident:Died as a result of the fire opened in the operation.
248- İSMET GEZİCİ (55) Manner of Death:Police Bullet Date of Incident: 11.2015 Place of Incident:Silvan/D.Bakır Incident: Murdered for not obeying the curfew.	247-SELAMET YEŞİLMEN (45) Manner of Death:Police Bullet Date of Incident: 15.11.2015 Place of Incident:Nusaybin Incident:Died as a result of fire from the armored vehicle while descending to his garden.	246-FATMA YİĞİT (20) Manner of Death: Gaz bombası Date of Incident: 11.11.2015 Place of Incident:Şırnak Incident: Died as a result of "grenade thrower" shrapnel.	245-SÜLEYMAN GÜLEÇ (24) Manner of Death:Police Bullet Date of Incident: 10.11.2015 Place of Incident:Silvan Incident: Died as a result of the fire opened in the operation.
244-ENGİN GEZİCİ (24) Manner of Death:Police Bullet Date of Incident: 06.11.2015 Place of Incident:D.Bakır Incident: Murdered for not obeying the curfew.	243-FERHAT DOĞRU (18) Manner of Death:Police Bullet Date of Incident: 06.11.2015 Place of Incident:D.Bakır Incident:Murdered for not obeying the curfew.	242-DİLEK DOĞAN (25) Manner of Death:Police Bullet Date of Incident: 25.10.2015 Place of Shooting:Istanbul Incident:Killed by the police inside her house..	241-MUSTAFA AŞLIĞ (16) Manner of Death:Police Bullet Date of Incident: 25.10.2015 Place of Incident:Şırnak Incident: Died as a result of the fire opened in the operation.
240-İDRİS CEBE (18) Manner of Death:Police Bullet Date of Incident: 12.10.2015 Place of Incident:Mardin Incident: Died as a result of fire opened by the police.	239-HELİN ŞEN (12) Manner of Death:Police Bullet Date of Incident: 10.10.2015 Place of Incident:D.Bakır Incident:Died as a result of the fire opened in the operation.	238-ÖMER KOÇ (16) Manner of Death:Police Bullet Date of Incident: 04.10.2015 Place of Incident:Diyarbakır Incident:Killed by the police on Girne Avenue.	237-REZAN KAYA (20) Manner of Death:Police Bullet Date of Incident: 04.10.2015 Place of Incident:Diyarbakır Incident:Died as a result of police fire.
236-ŞAHİN TURAN (27) Manner of Death:Police Bullet Date of Incident: 02.10.2015 Place of Incident:Nusaybin Incident:Murdered for not obeying the curfew.	235-AHMET SÖNMEZ (50) Manner of Death:Police Bullet Date of Incident: 02.10.2015 Place of Incident:Nusaybin Incident: Died as a result of the fire opened in the operation.	234-BERAT GÜZEL (12) Manner of Death:Police Bullet Date of Incident: 02.10.2015 Place of Incident:Bismil-D.Bakır Incident:Died as a result of the fire opened in the operation.	233-BİLAL MENGİL (16) Manner of Death:Police Bullet Date of Incident: 28.09.2015 Place of Incident:Silvan-D.Bakır Incident: Killed with police bullet.
232-BÜNYAMİN İRCİ (14) Manner of Death:Police Bullet Date of Incident:10.09.2015 Place of Incident:Cizre-Şırnak Incident: Killed by the police while going his home.	231-SELMAN AĞAR (10) Manner of Death:Police Bullet Date of Incident: 09.09.2015 Place of Incident:Cizre-Şırnak Incident:Murdered for not obeying the curfew.	230-EŞREF EDİN (60) Manner of Death:Police Bullet Date of Incident: 07.09.2015 Place of Incident:Cizre-Şırnak Incident:Died due to the bullet fired from the armored vehicle.	229-MAŞALLAH EDİN (55) Manner of Death:Police Bullet Date of Incident: 07.09.2015 Place of Incident:Cizre-Şırnak Incident:Murdered for not obeying the curfew.
228-ZEYNEP TAŞKIN (17)	227-SAİT NAİCİ (16)	226- MEHMET EMİN	225- OSMAN ÇAĞLI (18)

Manner of Death:Police Bullet Date of Incident: 07.09.2015 Place of Incident:Cizre- Şırnak Incident: Died as a result of the fire opened in the operation.	Manner of Death:Police Bullet Date of Incident: 07.09.2015 Place of Incident:Cizre-Şırnak Incident: Died as a result of fire opened during the incidents.	LEVENT (21) Manner of Death:Police Bullet Date of Incident: 07.09.2015 Place of Incident:Cizre-Şırnak Incident: Died as a result of the fire opened in the operation.	Manner of Death:Police Bullet Date of shooting:07.09.2015 Place of Incident:Cizre-Şırnak Incident: Died as a result of fire opened during the incidents.
224- CEMİLE ÇAĞIRGA (10) Manner of Death:Police Bullet Date of Incident:07.09.2015 Place of Incident:Cizre-Şırnak Incident: Died as a result of fire opened during the incidents.	223- MURAT ÖZDEMİR (28) Manner of Death:Police Bullet Date of Incident:07.09.2015 Place of Incident:Tarsus-Mersin Incident: Killed on the grounds that he did not obey the warning to stop.	222- SAİT ÇAĞDAVUL (19) Manner of Death:Police Bullet Date of Incident:06.09.2015 Place of Incident:Cizre Incident: Killed for not obeying the curfew.	221-AYTEN GÜLHAN (32) Manner of Death:Police Bullet Date of Incident: 05.09.2015 Place of Incident:Tunceli Incident: Died as a result of fire opened during the incidents.
220- LOKMAN SÜNE (22) Manner of Death:Police Bullet Date of shooting:05.09.2015 Place of Incident:Mardin Incident: Died as a result of fire opened during the incidents.	219-TRACEY LYNN BROWN (48) Manner of Death:Police Bullet Date of Incident: 04.04.201 Place of Incident:Istanbul Incident: Died as a result of gas sprayed by police at the airport.	218- ALİ ÖDÜK (20) Manner of Death:Police Bullet Date of Incident: 29.08.2015 Place of Incident:Silopi-Şırnak Incident: Killed on the grounds that he did not obey the warning to stop.	217-HALİT CAN (22) Manner of Death:Police Bullet Date of Incident: 29.08.2015 Place of Incident:Silopi-Şırnak Incident: Murdered as on the grounds of not obeying the stop warning of the police.
216-BARAN ÇAĞLI (7) Manner of Death:Police Bullet Date of Incident:...08.2015 Place of Incident:CizreŞırnak Incident: Died as a result of the fire opened in the incidents.	215-YAKUB BABAT (26) Manner of Death:Police Bullet Date of Incident:29.08.2015 Place of Incident:Yüksekova Incident: Died as a result of fire opened during the incidents.	214-FETTAH ES (28) Manner of Death:Police Bullet Date of Incident: 28.08.2015 Place of Incident:Yüksekova Incident: Died as a result of the fire opened in the incidents.	213-GÜLAY MEMİŞ (38) Manner of Death:Police Bullet Date of Incident: 28.08.2015 Place of Incident:Manisa Incident: Killed by her police officer fiancée.
212-MMAZLUM TURAN (16) Manner of Death:Police Bullet Date of Incident: 28.08.2015 Place of Incident:Kızıltepe-Mardin Incident: Died with a police bullet as a result of the operation carried out.	211-ADEM İRTEGÜN (16) Manner of Death:Police Bullet Date of Incident: 27.08.2015 Place of Incident:Şırnak Incident: Died as a result of fire opened against protestors.	210-EYÜP ERGEN (35) Manner of Death:Police Bullet Date of Incident: 27.08.2015 Place of Incident:Cizre-Şırnak Incident: Shot on his way home in the middle of a conflict.	209-MESUT SANRI (39) Manner of Death: Polis ihmali Date of Incident: 26.08.2015 Place of Incident:Şırnak Incident: Died with a police bullet as a result of the operation carried out.
208-SERHAT BİNEN (25) Manner of Death:Police Bullet Date of Incident: 19.08.2015 Place of Incident:Silvan Incident: Died as a result of fire opened against protestors.	207-CEBBAR ACAR (21) Manner of Death:Police Bullet Date of Incident: 19.08.2015 Place of Incident:idil Incident: Died as a result of fire opened against protestors.	206-ALİ AKPINAR (19) Manner of Death:Police Bullet Date of Shooting:19.08.2015 Place of Incident:Mardin Incident: Died as a result of fire opened against protestors.	205-FIRAT ELMA (16) Manner of Death:Police Bullet Date of Incident: 18.08.2015 Place of Incident:Istanbul Incident: Died after gunfire on demonstrators.
204-GÜLGÜN TUNA (72) Manner of Death:Police vehicle crash Date of Incident: 17.08.2015 Place of Incident:Izmir	203-AHMET SÜLÜŞOĞLU (32) Manner of Death:Police Bullet	202-MAZLUM KAYNAK (19) Manner of Death:Police Bullet	201-FAHRETTİN BUDAK (40) Manner of Death:Police Bullet Date of Incident: 13.08.2015

<p>Incident: Died as a result of police vehicle crash.</p>	<p>Date of Incident: 17.08.2015 Place of Incident: Istanbul Incident: The police chief killed Sülüşođlu, whom he had argued with in traffic.</p>	<p>Date of Incident: 13.08.2015 Place of Incident: Sakarya Incident: Killed on the grounds that he did not obey the warning to stop</p>	<p>Place of Incident: Diyarbakır Incident: Died as a result of fire opened against protestors.</p>
<p>200-HAVZULLAH DOĐAN (29) Manner of Death: Police Bullet Date of Incident: 12.08.2015 Place of Incident: Mardin/Nusaybin Incident: Killed by the police bullet during an operation.</p>	<p>199-MUHAMMET AYDEMİR (15) Manner of Death: Police Bullet Date of Incident: 12.08.2015 Place of Incident: Ağrı/Diyadin Incident: Shot by special operations teams at his workplace.</p>	<p>198-ORHAN ASLAN (16) Manner of Death: Police Bullet Date of Incident: 12.08.2015 Place of Incident: Ağrı/Diyadin Incident: Shot by special operations teams at his workplace.</p>	<p>197-KAMURAN BİLİN (27) Manner of Death: Police Bullet Date of Incident: 07.08.2015 Place of Incident: Şırnak-Silopi Incident: Died with fire opened against demonstrators.</p>
<p>196-HIDİR TAMBOĐA (17) Manner of Death: Police Bullet Date of Incident: 12.08.2015 Place of Incident: Şırnak-Silopi Incident: Died with fire opened against demonstrators.</p>	<p>195-HAMİDİ ULAŞ (58) Manner of Death: Police Bullet Date of Incident: 07.08.2015 Place of Incident: Şırnak-Silopi Incident: Died with fire opened against demonstrators.</p>	<p>194-MİRZETTİN GÖRTÜRK Manner of Death: Police Bullet Date of Incident: 30.07.2015 Place of Incident: Ağrı-Diyadin Incident: Died with fire opened against demonstrators.</p>	<p>193 - SEZAI YAŞAR (26) Manner of Death: Police Bullet Date of Incident: 30.07.2015 Place of Incident: Diyadin/Ağrı Incident: Shot dead by the police</p>
<p>192 -HASAN NERE (17) Manner of Death: Police Bullet Date of Incident: 29.07.2015 Place of Incident: Cizre/Şırnak Incident: Shot and killed by the police.</p>	<p>191 - GÜNAY ÖZARSLAN (31) Manner of Death: Police Bullet Date of Incident: 25.07.2015 Place of Incident: Istanbul Incident: Shot dead by the police</p>	<p>190 - SERHAT SAVAŞ (23) Manner of Death: Police Bullet Date of Incident: 25.07.2015 Place of Incident: Cizre/Şırnak Incident: Shot and killed by the police.</p>	<p>189 - ÇAĐATAY ERDEM (46) Manner of Death: Police Bullet Date of Incident: 26.06.2015 Place of Incident: Adana Incident: Shot and killed by the police.</p>
<p>188 -AYŞE ŞAHİN (75) Manner of Death: Police Bullet Date of Incident: 17.06.2015 Place of Incident: Bursa Incident: Shot and killed by the police.</p>	<p>187 - SEVDA UYSAL (42) Manner of Death: Police Bullet Date of Incident: 17.06.2015 Place of Incident: Bursa Incident: Shot and killed by the police.</p>	<p>186 - SERHAT SAVAŞ (15) Manner of Death: Gas Bomb Date of Incident: 10.2014 Place of Incident: Istanbul Incident: Killed by the tear gas canister used by the police.</p>	<p>185 - NİHAT KAZANHAN (12) Manner of Death: Police Bullet Date of Incident: 13.01.2015 Place of Incident: Cizre/Şırnak Incident: Shot and killed by the police.</p>
<p>184 - ÜMİT KURT (14) Manner of Death: Police Bullet Date of Incident: 06.01.2015 Place of Incident: Cizre/Şırnak Incident: Shot and killed by the police.</p>	<p>183 - RAMAZAN ÇAĐLI (32) Manner of Death: Police Bullet Date of Incident: 03.01.2015 Place of Incident: Cizre/Şırnak Incident: Shot and killed by the police.</p>	<p>182 - KADRİ ÇAKMAK (16) Manner of Death: Police Bullet Date of Incident: 16.12.2014 Place of Incident: Diyarbakır Incident: Shot and killed by the police.</p>	<p>181 - EMRAH DEMİR (21) Manner of Death: Police Bullet Date of Incident: 15.12.2014 Place of Incident: Menemen/İzmir Incident: Shot and killed by the police.</p>
<p>180 - ROJHAT ÖZDEL (18) Manner of Death: Police Bullet Date of Incident: 06.12.2014 Place of Incident: Yüksekova Incident: Shot and killed by the police.</p>	<p>179 - RAMAZAN ÇAĐLI (28) Manner of Death: Police Bullet Date of Incident: 04.12.2014 Place of Incident: Van Incident: Shot and killed by the police.</p>	<p>178 - FATMA ZAİM (21) Manner of Death: Police Bullet Date of Incident: 10.11.2014 Place of Incident: Trabzon Incident: Shot and killed by the police.</p>	<p>177 - SALİH YİĐİT (25) Manner of Death: Police Bullet Date of Incident: 28.10.2014 Place of Incident: Silopi/Şırnak Incident: Shot and killed by the police.</p>

<p>176 - HAKAN BUKSUR (25) Manner of Death:Police Bullet Date of Incident: 07.10.2014 Place of Incident:Varto/Muş Incident:Shot and killed by the police.</p>	<p>175 - CENK YAZICIOĞLU (28) Manner of Death:Police Bullet Date of Incident: 30.07.2014 Place of Incident: İzmir Incident:Shot and killed by the police.</p>	<p>174 - FURKAN ÇAVUŞ (14) Manner of Death:Police Bullet Date of Incident: 17.07.2014 Place of Incident: Erzurum Incident:Shot and killed by the police.</p>	<p>173 - ŞENGÜL ÖZEK (-) Manner of Death:Police Bullet Date of Incident: 01.07.2014 Place of Incident: Ankara Incident:Shot and killed by the police.</p>
<p>172 - NURAY ATAY (-) Manner of Death:Police Bullet Date of Incident: 01.07.2014 Place of Incident: Ankara Incident:Shot and killed by the police.</p>	<p>171 - BİRCAN TANYELİ (-) Manner of Death:Police Bullet Date of Incident: 01.07.2014 Place of Incident: Ankara Incident:Shot and killed by the police.</p>	<p>170 - İBRAHİM ARAS (15) Manner of Death:Gas Bomb Date of Incident: 15.06.2014 Place of Incident: Adana Incident:Killed by the tear gas used by the police</p>	<p>169 - RAMAZAN ERTAŞ (80) Manner of Death:Gas Bomb Date of Incident: 09.06.2014 Place of Incident:Siirt Incident:Died with the tear gas canister used by the police.</p>
<p>168 - LÜTFULLAH TACİK (17) Manner of Death:Darp Date of Incident: 31.05.2014 Place of Incident: Van Incident:Died, being beaten by the police at the police station.</p>	<p>167 - HAKKI ORHAN (64) Manner of Death:Gas Bomb Date of Incident: 30.05.2014 Place of Incident:Istanbul Incident:Killed by the tear gas used by the police</p>	<p>166 - AYHAN YILMAZ (42) Manner of Death:Gas Canister, shrapnel Date of Incident: 22.05.2014 Place of Incident:Istanbul Incident:Died with pieces of shrapnel from a handmade explosive.</p>	<p>165 - UĞUR KURT (30) Manner of Death:Police Bullet Date of Incident: 22.05.2014 Place of Incident:Istanbul Incident:Shot and killed by the police.</p>
<p>164 - MEHMET İSTİF (36) Manner of Death:Gas Bomb Date of Incident: 12.05.2014 Place of Incident: Mersin Incident:Died after being affected by the gas bomb used by the police.</p>	<p>163 - HAKKI ORHAN (-) Manner of Death:Police Bullet Date of Incident: 22.04.2014 Place of Incident:Karaman Incident:Shot on the grounds that he did not obey police's warning to stop.</p>	<p>162 - VEDAT SABUNCU (43) Manner of Death:Police Bullet Date of Incident: 07.04.2014 Place of Incident: İzmir Incident:Shot and killed by the police.</p>	<p>161 - CAFER TURGUT (25) Manner of Death:Police Bullet Date of Incident: 06.04.2014 Place of Incident:Istanbul Incident:Shot on the grounds that he did not obey police's warning to stop.</p>
<p>160 - AHMET KÜÇÜKTAĞ (30) Manner of Death:Gas Bomb Date of Incident: 12.03.2013 Place of Incident: Tunceli Incident: Polis olan kendisi ve arkadaşlarının kullandığı gaz bombasından etkilenerek öldü.</p>	<p>159 - BERKİN ELVAN (16) Manner of Death:Gas Bomb Date of Incident: 11.03.2014 Place of Incident:Karaman Incident:Killed by the tear gas canister used by the police.</p>	<p>158 - BEMAL TOKÇU (25) Manner of Death:Police Bullet Date of Incident: 06.12.2013 Place of Incident:Yüksekova/Hakkari Incident:Shot and killed by the police.</p>	<p>157 - VEYSEL İŞBİLİR (34) Manner of Death:Police Bullet Date of Incident: 06.12.2013 Place of Incident:Yüksekova/Hakkari Incident:Shot and killed by the police.</p>
<p>156 - MEHMET REŞİT İŞBİLİR (34) Manner of Death:Police Bullet Date of Incident: 06.12.2013 Place of Incident:Yüksekova/Hakkari Incident:Shot and killed by the police.</p>	<p>155 - AYŞE UĞUR (70) Manner of Death: Polis AracıÇarpması Date of Incident: 03.11.2013 Place of Incident:Karaman Incident:Died as a result of being hit by the vehicle driven by the police.</p>	<p>154 - AYŞE KANAT (72) Manner of Death:Police vehicle crash Date of Incident: 27.10.2013 Place of Incident: Hakkari Incident:Died as a result of being hit by the vehicle driven by the police at excessive speed.</p>	<p>153 -VEYSEL ALBAYRAK (43) Manner of Death:Police Bullet Date of Incident: 05.10.2013 Place of Incident:Istanbul Incident:Shot dead on the grounds that he did not obey the police officer's warning to stop.</p>
<p>152 - BAYRAM SÖNMEZ (51) Manner of Death:Police Bullet Date of Incident: 27.09.2013 Place of Incident:Elazığ Incident:Shot and killed by the police.</p>	<p>151 - ZELİHA MERAL (23) Manner of Death:Police Bullet Date of Incident: 27.09.2013 Place of Incident:Elazığ</p>	<p>150 - AYTEN SÖNMEZ (42) Manner of Death:Police Bullet Date of Incident: 27.09.2013 Place of Incident:Elazığ</p>	<p>149 -İSMAİL DERE (-) Manner of Death:Police Bullet Date of Incident: 20.09.2013 Place of Incident: Bursa Incident:Shot dead on the grounds that he did not obey</p>

	Incident: Shot and killed by the police.	Incident: Shot and killed by the police.	the police officer's warning to stop.
148 - SERDAL KADAKAL (35) Manner of Death:Gas Bomb Date of Incident: 13.09.2013 Place of Incident:Istanbul Incident: Died after being affected by the gas bomb used by the police.	147 - AHMET ATAKAN (22) Manner of Death:Gas Bomb Date of Incident: 09.09.2013 Place of Incident:Hatay Incident: Killed by the tear gas canister used by the police.	146 SINAN SALTIKALP (17) Manner of Death:Armored Vehicle Crash Date of Incident: 25.08.2013 Place of Incident:Cizre/Şırnak Incident: Crushed to death being hit by an armored vehicle used by the police.	145 -ALİ ÇELEBİ (32) Manner of Death:Torture/Darp Date of Incident: 04.08.2013 Place of Incident:Saray/Tekirdağ Incident: Murdered by the police using disproportionate force
144 - ALİ İSMAİL KORKMAZ (19) Manner of Death:Disproportionate Power/Assault Date of Incident: 10.07.2013 Place of Incident: Eskişehir Incident: Murdered by the police using disproportionate force	143 - ETHEM SARISÜLÜK (26) Manner of Death:Police Bullet Date of Incident: 14.06.2013 Place of Incident: Ankara Incident: Shot and killed by the police.	142 - İRFAN TUNA (47) Manner of Death:Gas Bomb Date of Incident: 05.06.2013 Place of Incident: Ankara Incident: Died after being affected by the gas bomb used by the police.	141 -TUĞRUL CİMLİ (17) Manner of Death:Police Bullet Date of Incident: 14.05.2013 Place of Incident:Ayvalık/Balıkesir Incident: Shot and killed by the police.
140 - ABDULLAH CÖMERT (22) Manner of Death:Police Bullet Date of Incident: 30.06.2013 Place of Incident: Antakya/Hatay Incident: Killed by the tear gas canister used by the police.	139 - SELİM ÖNDER (88) Manner of Death:Gas Bomb Date of Incident: 31.05.2013 Place of Incident:Istanbul Incident: Died after being affected by the gas bomb used by the police.	138 - MUHAMMED ÖYKE (21) Manner of Death:Police Bullet Date of Incident: 16.04.2013 Place of Incident:Gebze/Kocaeli Incident: Shot dead on the grounds that he did not obey the police officer's warning to stop.	137 -VEYSİ ULUĞ (30) Manner of Death:Police Bullet Date of Incident: 01.03.2013 Place of Incident:Istanbul Incident: Shot and killed by the police.
136 - VEZİR ULUĞ (40) Manner of Death:Police Bullet Date of Incident: 01.03.2013 Place of Incident:Istanbul Incident: Shot and killed by the police.	135 - ŞAHİN ÖNER (19) Manner of Death:Armored Police vehicle crash Date of Incident: 11.02.2013 Place of Incident:Diyarbakır Incident: Crushed to death being hit by an armored vehicle used by the police.	134 - MEHMET KIRMA (22) Manner of Death: Polis AracıÇarpması Date of Incident: 05.01.2013 Place of Incident:Istanbul Incident: Died, being crashed by the police vehicle.	133 -ÖZGÜR ARDA (22) Manner of Death:Police Bullet Date of Incident: 22.12.2012 Place of Incident:Diyarbakır Incident: Shot dead on the grounds that he did not obey the police officer's warning to stop.
132 - KENAN KAPISIZ (28) Manner of Death:Police Bullet Date of Incident: 24.11.2012 Place of Incident:Uşak Incident: Shot and killed by the police.	131 - İSMAİL CESUR (44) Manner of Death:Police Bullet Date of Incident: 10.10.2012 Place of Incident: Ankara Incident: Shot and killed by the police.	130 - MELEK DANİŞMAN (32) Manner of Death:Police Bullet Date of Incident: 04.10.2012 Place of Incident: Antalya Incident: Shot and killed by the police.	129 -BURAK TOPÇU (23) Manner of Death:EmniyetAracıÇarpması Date of Incident: 27.09.2012 Place of Incident: Eskişehir Incident: Died as a result of being hit by the vehicle driven by the police at excessive speed.
128 - ALİ AKIN (26) Manner of Death:Death in Detention Date of Incident: 23.09.2012 Place of Incident:Istanbul Incident: Died in detention at the police station	127 - MERVE ERÇETİN (24) Manner of Death:Police Bullet Date of Incident: 21.09.2012 Place of Incident: Erzurum Incident: Shot and killed by the police.	126 - HASAN LATİF KAPLAN (35) Manner of Death:Death in Detention Date of Incident: 29.09.2012 Place of Incident:Diyarbakır Incident: Died in detention at the police station.	125 -CEM AYGÜN (24) Manner of Death:Armored Vehicle Crash Date of Incident: 30.08.2012 Place of Incident: Ankara Incident: Shot dead on the grounds that he did not obey the police officer's warning to stop.
124 - EMRAH BARLAĞ (26) Manner of Death:Police Bullet Date of Incident: 12.08.2012	123 - MAZLUM AKAY (11) Manner of Death:Gas	122 - NURHAK ÇANTAY (-) Manner of Death:Police	121 -YUSUF YILAN (9) Manner of Death:Armored Vehicle Crash

Place of Incident: İzmir Incident: Shot and killed by the police.	Bomb Date of Incident: 29.07.2012 Place of Incident: Adana Incident: Died after being affected by the gas bomb used by the police.	Bullet Date of Incident: 17.07.2012 Place of Incident: Diyarbakır Incident: Shot dead on the grounds that he did not obey the police officer's warning to stop.	Date of Incident: 14.06.2012 Place of Incident: Erzurum Incident: Crushed to death being hit by an armored vehicle used by the police.
120 - ÖZGÜR TAŞAR (17) Manner of Death:Police Bullet Date of Incident: 04.06.2012 Place of Incident:Yüksekova/Hakkari Incident: Shot and killed by the police.	119 - KENAN YILMAZ (25) Manner of Death:Death in Detention Date of Incident: 22.05.2012 Place of Incident:Istanbul Incident: Died in detention at the police station.	118 - ÇAYAN BİRBEN (31) Manner of Death:Gas Bomb Date of Incident: 28.05.2012 Place of Incident:Yalova Incident: Died after being affected by the gas bomb used by the police.	117 - SELMAN PINAR (22) Manner of Death:Death in Detention Date of Incident: 01.05.2012 Place of Incident: Batman Incident: Died in detention at the police station.
116 - HACI ZENGİN (58) Manner of Death:Gas Bomb Date of Incident: 19.02.2012 Place of Incident:Istanbul Incident: Died as a result of tear gas canister used by the police.	115 - AYŞE AL (75) Manner of Death:Armored Vehicle Crash Date of Incident: 11.03.2012 Place of Incident:Diyarbakır Incident: Died, being crashed by the armored vehicle used by the police.	114 - MAHİR ZORBAY (21) Manner of Death:Police Bullet Date of Incident: 04.03.2012 Place of Incident:Aydın Incident: Shot dead on the grounds that he did not obey the police officer's warning to stop.	113 - PERİHAN AKTAŞ (53) Manner of Death:Police Bullet Date of Incident: 21.02.2012 Place of Incident:Manisa Incident: Shot and killed by the police.
112 - FIRAT KIRTEKİN (26) Manner of Death:Police Bullet Date of Incident: 25.01.2012 Place of Incident:Istanbul Incident: Shot dead on the grounds that he did not obey the police officer's warning to stop.	111 - ALİ SAPAN (21) Manner of Death:Police Bullet Date of Incident: 02.11.2011 Place of Incident:Diyarbakır Incident: Shot and killed by the police.	110 - YASEMİN AKPAN (-) Manner of Death:Police Bullet Date of Incident: 20.11.2011 Place of Incident: Ankara Incident: Shot and killed by the police.	109 - KAMİLE ÖZBEK (-) Manner of Death:Police Bullet Date of Incident: 14.09.2011 Place of Incident: Adana Incident: Shot and killed by the police.
108 - WİLLEM TYAS (-) Manner of Death:Death in Detention Date of Incident: 02.10.2011 Place of Incident: Antalya Incident: Died in detention at the police station.	107 - ALİ SAPAN (12) Manner of Death:Police Bullet Date of Incident: 12.11.2011 Place of Incident: Ankara Incident: Shot and killed by the police.	106 - YEŞİM ÇELİK (23) Manner of Death:Police Bullet Date of Incident: 20.11.2011 Place of Incident:Istanbul Incident: Shot and killed by the police.	105 - DOĞAN TEYBOĞA (13) Manner of Death:Gas Bomb Date of Incident: 24.07.2011 Place of Incident: Silopi/Şırnak Incident: Killed by a tear gas canister used by the police.
104 - HAMEDU LOUF SAİD (60) Manner of Death:Death in Detention Date of Incident: 29.07.2011 Place of Incident: Mersin Incident: Died in detention at the police station.	103 -maddeŞİRİN ÇİFTÇİ (20) Manner of Death:Police Bullet Date of Incident: 29.07.2011 Place of Incident:Diyarbakır Incident: Shot and killed by the police.	102 - YILDIRIM AYHAN (32) Manner of Death:Gas Bomb Date of Incident: 28.08.2011 Place of Incident:Şırnak Incident: Died by the tear gas canister used by the police.	101 - METİN LOKUMCU (54) Manner of Death:Gas Bomb Date of Incident: 31.05.2011 Place of Incident:Artvin/Hopa Incident: Died by being affected by the tear gas used by the police.
100 - KAZIM ŞEKER (60) Manner of Death:Gas Bomb Date of Incident: 27.04.2011 Place of Incident:Diyarbakır Incident: Killed by a tear gas canister used by the police.	099 - İBRAHİM ORUÇ (17) Manner of Death:Police Bullet Date of Incident: 20.04.2011 Place of Incident:Diyarbakır Incident: Shot and killed by the police.	098 - TUBA KORKMAZ (21) Manner of Death:Police Bullet Date of Incident: 17.03.2011 Place of Incident:Tunceli Incident: Shot dead by her fiancé, a police officer.	097 - ÇİĞDEM ŞAHİN (20) Manner of Death:Police Bullet Date of Incident: 11.11.2010 Place of Incident: İzmir Incident: Shot and killed by the police.

<p>096 - ONUR YASER CAN (28) Manner of Death:Torture/İntihar Date of Incident: 23.10.2010 Place of Incident:Istanbul Incident:Committed suicide after being unethically tortured by the police.</p>	<p>095 - SİNAN ÖZKILINÇ (30) Manner of Death:Police Bullet Date of Incident: 04.05.2010 Place of Incident: İzmir Incident:Shot and killed by the police.</p>	<p>094 - ÖZCAN KURTULUŞ (24) Manner of Death:Death in Detention Date of Incident: 14.09.2010 Place of Incident: İzmir Incident:Died in detention at the police station.</p>	<p>093 - SABİRE YAMAN (29) Manner of Death:Police Bullet Date of Incident: 27.07.2010 Place of Incident:Istanbul Incident:Shot and killed by the police.</p>
<p>092 - EROL POSTACI (49) Manner of Death:Police Bullet Date of Incident: 27.07.2010 Place of Incident:Istanbul Incident:Shot and killed by the police.</p>	<p>091 - MURAT KONUŞ (35) Manner of Death:Death in Detention/Torture Date of Incident: 07.01.2010 Place of Incident:Torture Incident:Tortured to death at the police station.</p>	<p>090 - CEMAL YALIN (19) Manner of Death:Police Bullet Date of Incident: 05.08.2010 Place of Incident:Diyarbakır Incident:Shot and killed by the police.</p>	<p>089 - FUAT BAYOĞLU (32) Manner of Death:Death in Detention Date of Incident: 24.01.2010 Place of Incident:Istanbul Incident:Died in detention at the police station.</p>
<p>088 - ERHAN TURAN (23) Manner of Death:Death in Detention Date of Incident: 01.03.2010 Place of Incident:Istanbul Incident:Died in detention at the police station.</p>	<p>087 - ŞERZAN KURT (21) Manner of Death:Police Bullet Date of Incident: 12.05.2010 Place of Incident:Muğla Incident:Shot and killed by the police.</p>	<p>086 - DİREN BASAN (10) Manner of Death:ZırhlıAraçEzmesi Date of Incident: 04.06.2010 Place of Incident:Şırnak Incident:Crushed to death under the armored vehicle used by the police.</p>	<p>085 - AYDIN ERDEM (8) Manner of Death:Police Bullet Date of Incident: 06.12.2009 Place of Incident:Diyarbakır Incident:Shot and killed by the police.</p>
<p>084 - İBRAHİM ÖZKAYMAK (40) Manner of Death:Police Bullet Date of Incident: 19.10.2009 Place of Incident: Gaziantep Incident:Shot dead on the grounds that he did not obey the police officer's warning to stop.</p>	<p>083 - ALAETTİN KARADAĞ (28) Manner of Death:Police Bullet Date of Incident: 19.11.2009 Place of Incident:Istanbul Incident:Shot dead on the grounds that he did not obey the police officer's warning to stop.</p>	<p>082 - EMRAH GEZER (18) Manner of Death:Police Bullet Date of Incident: 23.08.2008 Place of Incident: Ankara Incident:Shot and killed by the police.</p>	<p>081 - MAZİYE ASLAN (8) Manner of Death:ZırhlıAraçEzmesi Date of Incident: 29.04.2009 Place of Incident: Van Incident:Crushed to death under the armored vehicle used by the police.</p>
<p>080 - ÖZGE KEYİKÇİ (13) Manner of Death:Gas Bomb Date of Incident: 19.10.2009 Place of Incident:Kütahya Incident:Shot and killed by the police.</p>	<p>079 - MURAT KOKU (28) Manner of Death:Police Bullet Date of Incident: 28.10.2009 Place of Incident:Hatay Incident:Shot dead on the grounds that he did not obey the police officer's warning to stop.</p>	<p>078 - MUSTAFA USLU (41) Manner of Death:Police Bullet Date of Incident: 23.08.2008 Place of Incident:Sakarya Incident:Shot and killed by the police.</p>	<p>077 - OSMAN ASLI (20) Manner of Death:Death in Detention Date of Incident: 20.12.2009 Place of Incident:Istanbul Incident:Died in detention at the police station.</p>
<p>076 - MEHMET UYTUM (2) Manner of Death:Gas Bomb Date of Incident: 10.12.2009 Place of Incident:Şırnak/Cizre Incident:Killed by a tear gas canister used by the police.</p>	<p>075 - AHMET AKBAŞYAŞI (43) Manner of Death:Death in Detention Date of Incident: 01.08.2009 Place of Incident:Istanbul Incident:Died in detention at the police station.</p>	<p>074 - MUSTAFA USLU (38) Manner of Death:Police Bullet Date of Incident: 09.07.2009 Place of Incident:Tokat/Turhal Incident:Shot dead on the grounds that he did not obey the police officer's warning to stop.</p>	<p>073 - ABDURAHMAN SÖZEN (24) Manner of Death:Police Bullet Date of Incident: 21.07.2009 Place of Incident: İzmir Incident:Killed by the police at the police station.</p>
<p>072 - RESUL İLÇİL (52) Manner of Death:Death in Detention Date of Incident: 22.10.2009 Place of Incident:Şırnak/İdil Incident:Died in detention at the</p>	<p>071 - AHMET CÖMERT (23) Manner of Death:Death in Detention Date of Incident:</p>	<p>070 - ENVER TURAN (15) Manner of Death:Police Bullet Date of Incident:</p>	<p>069 - İBRAHİM SEVİNDİK (75) Manner of Death:Gas Bomb Date of Incident: 01.05.2007 Place of Incident:Istanbul</p>

police station.	02.11.2009 Place of Incident:Kocaeli/Darica Incident: Died in detention at the police station.	16.09.2009 Place of Incident: Hakkari Incident: Shot and killed by the police.	Incident: Died after being affected by the tear gas used by the police.
068 - SİNAN AYDIN (-) Manner of Death:Police Bullet Date of Incident: 30.03.2007 Place of Incident:Diyarbakır Incident: Shot and killed by the police.	067 - ABDULSAMET ERİP (14) Manner of Death:Gas Bomb Date of Incident: 23.04.2009 Place of Incident: Hakkari Incident: Killed by the tear gas used by the police	066 - MAHDUM KARAOĞLAN (-) Manner of Death:Police Bullet Date of Incident: 04.04.2008 Place of Incident:Şanlıurfa Incident: Shot and killed by the police.	065 - EMRE GÜNAY (30) Manner of Death:Police Bullet Date of Incident: 05.04.2009 Place of Incident: İskenderun Incident: Shot dead on the grounds that he did not obey the police officer's warning to stop.
064 - SİNAN AYDIN (-) Manner of Death:Gas Bomb Date of Incident: 2006 Place of Incident:Diyarbakır Incident: Died after being affected by the tear gas used by the police.	063 - İBRAHİM HALİL ÇOBAN (17) Manner of Death:Police Bullet Date of Incident: 27.10.2008 Place of Incident:Şanlıurfa Incident: Shot dead on the grounds that he did not obey the police officer's warning to stop.	062 - FEVZİ ABİK (15) Manner of Death:Police Bullet Date of Incident: 12.08.2008 Place of Incident: Adana Incident: Shot and killed by the police.	061 - METİN YÜKSEL (38) Manner of Death:Death in Detention Date of Incident: 02.07.2008 Place of Incident:Zonguldak Incident: Died in detention at the police station.
060 - GÖKHAN ERGÜN (21) Manner of Death:Police Bullet Date of Incident: 2006 Place of Incident: Antalya Incident: Shot and killed by the police.	059 - ÇAĞDAŞ GEMİK (17) Manner of Death:Police Bullet Date of Incident: 27.10.2008 Place of Incident: Antalya Incident: Shot dead on the grounds that he did not obey the police officer's warning to stop.	058 - FATİH CEM İNCİ (12) Manner of Death:Police Bullet Date of Incident: 06.08.2008 Place of Incident:Istanbul Incident: Shot and killed by the police.	057 - TURAN ÖZDEMİR (41) Manner of Death:Police Bullet Date of Incident: 25.08.2008 Place of Incident: Sivas Incident: Shot dead on the grounds that he did not obey the police officer's warning to stop.
056 - NARİN BÖĞÜR (32) Manner of Death:Police Bullet Date of Incident: 2008 Place of Incident: Antalya Incident: Shot and killed by the police.	055 - YAHYA MENEKŞE (16) Manner of Death:ARMORED VEHICLE CRASH Date of Incident: 15.02.2008 Place of Incident:Şırnak/Cizre Incident: Crushed to death in his armored vehicle..	054 - FURKAN AKŞİL (12) Manner of Death:Orantısız/Güç Date of Incident: 2008 Place of Incident:Şırnak/Silopi Incident: Killed by the police.	053 - ABBAS İNAN (39) Manner of Death:Death in Detention Date of Incident: 01.12.2008 Place of Incident:Çanakkale Incident: Died in detention at the police station.
052 - EMRAH DERVİŞOĞLU (17) Manner of Death:Police Bullet Date of Incident: 08.01.2008 Place of Incident:Istanbul Incident: Shot dead on the grounds that he did not obey the police officer's warning to stop.	051 - MEHMET DENİZ (36) Manner of Death:Disproportionate Power/Assault Date of Incident: 05.03.2008 Place of Incident: Van/Erciş Incident: Died, being beaten by the police.	050 - MUHSİN KASAPOLİ (29) Manner of Death:Police Bullet Date of Incident: 19.12.2008 Place of Incident:Hatay Incident: Shot and killed by the police.	049 - YAŞAR KARAĞLAN (-) Manner of Death:Police Bullet Date of Incident: 2008 Place of Incident:Istanbul Incident: Shot dead on the grounds that he did not obey the police officer's warning to stop.
048 - AHMET ÖZHAN (20) Manner of Death:Gas Bomb Date of Incident: 20.10.2008 Place of Incident:Ağrı/Doğubeyazıt Incident: Died as a result of tear gas canister.	047 - CENGİZ KOÇ (24) Manner of Death:Police Bullet Date of Incident: 27.08.2008 Place of Incident: Bursa/Nilüfer Incident: Shot dead on the	046 - ORHAN CANER (-) Manner of Death:Police Bullet Date of Incident: 11.08.2008 Place of Incident:Hatay Incident: Shot and killed by the police.	045 - GÜRSEL VAROL (33) Manner of Death:Police Bullet Date of Incident: 15.07.2008 Place of Incident: Ankara Incident: Shot dead on the grounds that he did not obey

	grounds that he did not obey the police officer's warning to stop.		the police officer's warning to stop.
044 - HÜSEYİN TUGUT (53) Manner of Death:Death in Detention Date of Incident: 2008 Place of Incident: Antalya Incident: Died in detention at the police station.	043 - ERDAL KOLOĞLU (34) Manner of Death:Death in Detention Date of Incident: 21.10.2008 Place of Incident:Istanbul Incident: Died in detention at the police station.	042 - VİSUALE SÜLEYMANOVA (22) Manner of Death:Death in Detention Date of Incident: 2008 Place of Incident:Kocaeli Incident: Died in detention at the police station.	041 - RAMZAN DAL (-) Manner of Death:Police Bullet Date of Incident: 22.03.2008 Place of Incident: Van Incident: Shot dead by the police
040 -ORHAN OFLAZ (28) Manner of Death:Death in Detention Date of Incident: 2008 Place of Incident: Antalya Incident: Died in detention at the police station.	039 -AHMET LAÇİN (30) Manner of Death:Death in Detention Date of Incident: 21.10.2008 Place of Incident:Istanbul Incident: Died in detention at the police station.	038 - Selcuk YILDIR (32) Manner of Death:Death in Detention Date of Incident: 2008 Place of Incident:Kocaeli Incident: Died in detention at the police station.	037 - ZEKİ ERİNÇ (35) Manner of Death:Police Bullet Date of Incident: 22.03.2008 Place of Incident: Van Incident: Shot dead by the police
036 -MURAT KURTARAN (40) Manner of Death:Police Bullet Date of Incident: 17.01.2008 Place of Incident: Adana Incident: Shot and killed by the police.	035 -MEHMET BALIKÇI (-) Manner of Death:Police Bullet Date of Incident: 05.01.2008 Place of Incident: Adana/Karataş Incident: Shot dead by the police.	034 - ERCAN CEYLAN (-) Manner of Death:Police Bullet Date of Incident: 16.06.2008 Place of Incident: Ankara Incident: Shot dead on the grounds that he did not obey the police officer's warning to stop.	033 - İBRAHİM TINAZYAŞI (-) Manner of Death:Police Bullet Date of Incident: 05.01.2008 Place of Incident:Hasırçılar/Adapazar 1 Incident: Shot dead on the grounds that he did not obey the police officer's warning to stop.
032 -KEVSER MIZRAK (38) Manner of Death:Police Bullet Date of Incident: 08.12.2007 Place of Incident: Ankara Incident: Shot and killed by the police.	031 -EMRAH GEZER (25) Manner of Death:Police Bullet Date of Incident: 23.10.2007 Place of Incident: İzmir Incident: Shot dead by the police.	030 - YÜKSEL NERGİZ (-) Manner of Death:Police Bullet Date of Incident: 22.10.2007 Place of Incident: Malatya Incident: Shot dead on the grounds that he did not obey the police officer's warning to stop.	029 - AZİZ YARGI (-) Manner of Death:Police Bullet Date of Incident: 30.08.2007 Place of Incident: İzmir Incident: Shot and killed by the police.
028 -UĞUR ÇETİN (17) Manner of Death:Police Bullet Date of Incident: 12.12.2007 Place of Incident: Adana/Seyhan Incident: Shot and killed by the police.	027 -NARİN BULUT (35) Manner of Death:Police Bullet Date of Incident: 03.08.2007 Place of Incident: Antalya/Alanya Incident: Murdered on the grounds of not obeying the stop warning of the police.	026 - FAHRETTİN ŞEDAL (16) Manner of Death:Police Bullet Date of Incident: 10.04.2007 Place of Incident: Hakkari Incident: Shot and killed by the police.	025 -BARAN TURSUN (20) Manner of Death:Police Bullet Date of Incident: 24.11.2007 Place of Incident: İzmir Incident: Shot dead on the grounds that he did not obey the police officer's warning to stop.
024 -FEYZULLAH ETE (26) Manner of Death:Police Bullet Date of Incident: 21.11.2007 Place of Incident:Istanbul Incident: Shot and killed by the police.	019 -HALİL BULUT () Manner of Death:Police Bullet Date of Incident: 2007 Place of Incident:Balıkesir Incident: Murdered on the grounds of not obeying the stop warning of the police.	022 - MURAT KASAP (-) Manner of Death:Police Bullet Date of Incident: 2007 Place of Incident: Adana/Ceyhan Incident: Murdered on the grounds of not obeying the stop warning of the police.	021 -FESTUS OKEY (35) Manner of Death:GözAltındaÖlüm Date of Incident: 20.08.2007 Place of Incident:Diyarbakır Incident: Shot and killed by the police in detention at the police station.

<p>020 -AYTEKİN ARNAVUTOĞLU (23) Manner of Death:Police Bullet Date of Incident: 2007 Place of Incident:Istanbul Incident:Shot and killed by the police.</p>	<p>019 -ALİ DEMİR (20) Manner of Death:Death in Detention/Torture Date of Incident: 2007 Place of Incident:Aydın/Didim Incident:Died in detention at the police station.</p>	<p>018 - MAHSUN MIZRAK (14) Manner of Death:Death in Detention Date of Incident: 2007 Place of Incident:Diyarbakır Incident:Died in detention at the police station.</p>	<p>017 -SONER CANKAL (17) Manner of Death:Gas Bomb Date of Incident: 2007 Place of Incident: Ankara Incident:Died with a gas canister used by the police against the group that wanted to demonstrate.</p>
<p>016 -TUNCAY CÜZDAN (-) Manner of Death:Police Bullet Date of Incident: 22.07.2007 Place of Incident: Antakya/Hatay Incident:Shot and killed by the police.</p>	<p>015 -SERKAN ÇEDİK (25) Manner of Death:Death in Detention/Torture Date of Incident: 2007 Place of Incident: Bursa Incident:Died in detention at the police station.</p>	<p>014 - HAKKI CANGI (26) Manner of Death:Death in Detention Date of Incident: 04.06.2007 Place of Incident:Çanakkale Incident:Died in detention at the police station.</p>	<p>013 -MEHMET AKBULUT (17) Manner of Death:Gas Bomb Date of Incident: 2007 Place of Incident:Diyarbakır Incident:Died with a gas canister used by the police against the group that wanted to demonstrate</p>
<p>012 -DARIUSZ WITEK (-) Manner of Death:OrantısızGüç Date of Incident: 18.09.2007 Place of Incident:Istanbul Incident:Died in detention at the police station.</p>	<p>011 - GÖKHAN BELGÜZAR (19) Manner of Death:Death in Detention Date of Incident: 2007 Place of Incident:Istanbul Incident:Died in detention at the police station.</p>	<p>010 - METE ERGÜN (20) Manner of Death:Police Bullet Date of Incident: 26.06.2007 Place of Incident:Istanbul/Bağcılar Incident:Shot and killed by the police.</p>	<p>009 -E.T. (26) Manner of Death:Death in Detention Date of Incident: 06.06.2007 Place of Incident: İzmir Incident:Died in detention at the police station.</p>
<p>008 -ZÜHTÜ AVŞAR (38) Manner of Death:OrantısızGüç Date of Incident: 04.07.2007 Place of Incident:Artvin/Mungul Incident:Shot and killed by the police.</p>	<p>007 - SÜLEYMAN KAYGISIZ (31) Manner of Death:Police Bullet Date of Incident: 04.07.2007 Place of Incident:Artvin/Mungul Incident:Shot and killed by the police.</p>	<p>006 - İSKENDER ÖZPOLAT (51) Manner of Death:Gas Bomb Date of Incident: 13.07.2007 Place of Incident:Diyarbakır Incident:Shot and killed by the police.</p>	<p>005 - MEHMET ÖZPOLAT (-) Manner of Death:Police Bullet Date of Incident: 13.07.2007 Place of Incident:Diyarbakır Incident:Shot and killed by the police.</p>
<p>004 -HALİL SÖĞÜT (78) Manner of Death:OrantısızGüç Date of Incident: 28.03.2007 Place of Incident:Diyarbakır Incident:Died as a result of the gas canister used by the police against the group who wanted to demonstrate.</p>	<p>003 - MUSTFA KÖKÇE (36) Manner of Death:Death in Detention Date of Incident: 13.06.2007 Place of Incident:Istanbul Incident:Died in detention at the police station.</p>	<p>002 - İBRAHİM SEVİNDİK (75) Manner of Death:Gas Bomb Date of Incident: 01.05.2007 Place of Incident:Istanbul Incident:Died after being affected by the tear gas used by the police to the crowd during the May 1 celebrations.</p>	<p>001 - VOLKAN POLAT (22) Manner of Death:Police Bullet Date of Incident: 2007 Place of Incident:Istanbul Incident:Murdered on the grounds of not obeying the stop warning of the police.</p>

Annex 2-Success Criteria of Law Enforcement Related to Using Force and Weapon

a. The person who is subject to an authority used by law enforcement officers is not obliged to answer questions asked by law enforcement officers, and failure to answer questions does not constitute an offense of resisting the law enforcement

agency to perform its duty. However, this person has to allow the law enforcement to restrict his freedom until the law enforcement finishes its action.

b. Actions such as trying to escape, resisting by not consenting to the exercise of power, and acts such as coercion and threats constitute the crime of “resisting the law enforcement officer performing his duty”. In order for this crime to occur, it is necessary to prove that an authority that falls under the jurisdiction of the law enforcement agency is used in accordance with the law. In this sense, for example, if the law enforcement officer makes a search without disclosing his name and the unit he is affiliated with, he is not perceived as an officer “performing his duty”. In this case, the person whose power is exercised against him will have the right to self-defense.

c. The person using force against him/her should carefully evaluate whether the authority used to exercise his right of self-defense is in accordance with the law. However, this method should be used if it is ensured that the authority used is unlawful. In uncertain situations, it may be more reasonable not to resist and then report or complain about the law enforcement officer. Because the law does not protect the good intentions of the person in misjudging the conditions of using the power. The person cannot claim as an excuse that he does not know that the other person is a law enforcement officer.

d. The force used by the person resisting law enforcement to resist unlawful authority must be reasonable. Otherwise, the person will be judged for resistance to law enforcement.

e. Law enforcement can use “*reasonable force*” to neutralize these obstacles against those who prevent the performance of their duties. Lack of such a power will mean that people who resist law enforcement cannot be stopped and searched or are allowed to escape.

f. It is not possible to clearly formulate how much force should be used in which situation. The reasonableness of the force used will differ according to the circumstances of each event. The reasonableness of the authority used can be decided by looking at the circumstances of the event. In terms of law enforcement, the important condition here is that the law enforcement officer fulfills its duty in accordance with the law. For this reason, before the law enforcement officer decides to use his/her power to use force, he/she should be sure that an authority he/she uses fulfills the material and formal requirements. However, law enforcement officers using an official in accordance with the law can neutralize the person who tries to prevent him from exercising his authority by using force.

g. Law enforcement should take into account the body structure and gender of the person to whom the force will be used while determining the degree of force to be used. A force applied to a large man may not be reasonable if applied to a thin woman. For example, it is not possible to talk about the reasonableness of the force used in the incident of breaking the arm while bending her arm for the purpose of controlling a female driver who is drunk and got out of her car even though another law enforcement officer is also present.

h. When using force, there are two basic concepts that will help law enforcement officers: The first is that the force used is “reasonable” and the second is

that the use of force is “necessary” to achieve the goal. While “reasonableness” gives an idea to law enforcement about the measure of force used, “necessity” gives the message that other alternatives should fail to achieve the goal.

i. For reasonableness, there must be a proportionality between the force used and the desired goal.

j. Also, the force must be used “immediately” in the incident being intervened. If it is not necessary to use force immediately according to the conditions of the event, the use of force should be delayed with the thought that it may not be necessary. Meanwhile, measures should be taken to make it unnecessary to use force if necessary. Again, for the same reason, if there are people who commit crimes during social events, instead of going into the crowd and trying to catch them, these people should be detected with a camera and then taken from their home, workplace or university.

k. If there is a possibility of using force during the intervention, an ambulance should be called to the scene in advance, as an expression of respect for the people’s right to life and bodily integrity.

l. The media should not be called to the scene and should be kept away as much as possible if the media has come to the scene in any way, as it will put pressure on the law enforcement officers in terms of the need to intervene in the incidents before they are mature. The media should be informed immediately after the incident and people’s right to be informed and informed should be respected.

m. The method that will cause the least harm to the person and the environment to be caught by force should be adopted. Before using force, law enforcement should take all kinds of precautions that will make it unnecessary to use unnecessary force and prevent third parties from being harmed.

n. Force should only be used to neutralize the person who resists. Sometimes, selecting the deadly points of the person concerned and using force may be the only way to neutralize it, especially in the case of self-defense. Even so, death is the undesirable consequence of the desire/purpose of neutralization.

o. In the evaluation of reasonableness, the authority that will make this assessment (usually the judge) will put himself in the position of the law enforcement officer and will decide within a short period of time whether the life safety of himself or others is in danger in the case of a law enforcement officer of a reasonable person of moderate intelligence, whether it is necessary to use force and weapons and whether there is a proportionality between the attack and the threat.

ö. Law enforcement should intervene in an incident with a sufficient number of law enforcement officers. The presence of sufficient law enforcement officers will prevent the possibility of resistance and therefore the use of excessive force. Law enforcement officers can seek help from their friends to avoid using excessive force in non-emergency situations.

p. When evaluating by the competent authority whether the force used by the law enforcement agency is reasonable in an incident, the approach should be realistic.

First of all, it should be noted that the law enforcement agency does not have the opportunity to determine the decision to use force and the method chosen in a calm environment. Secondly, according to the law enforcement agency's knowledge and perception of the incident at the time of the incident and the conditions of the incident and the time period it has to do what the law enforcement officer has, the damage caused to the person by the force used should be justified and appropriate according to the damage that the person will cause to others by not stopping, searching or escaping. Even if it is revealed later that he misjudges the circumstances of the incident, when it is revealed that it is not possible for a reasonable person to act differently according to the circumstances of the incident (in this case, in terms of criminal procedure measures, which were subsequently applied unnecessarily, it is apparently caused by the principle of justification, by looking at the conditions at the time when the measure was applied. Even if the law enforcement officer (state) has a legal responsibility, it will not have any criminal liability.

r. The power to use force should be used as a last resort in any event. Before using force, the person concerned should be persuaded to cooperate before and every means should be tried to avoid using force. If the person does not cooperate, then force should be used.

s. It is not the rule to wear handcuffs on people who are caught and arrested. People who are caught or arrested and transferred from one place to another can only be handcuffed if there are signs that they will try to escape or that they pose a danger to the life and body integrity of themselves or others.

ş. Law enforcement officers may use "police dogs", if necessary, to protect themselves from attack by others and neutralize the attacker.

t. In case the need to use force arises as using a weapon, there must be a situation that requires 1) the conditions for the exercise of the right of self-defense have arisen 2) the inability of the resistance to neutralize the body by using force and material force or 3) the arrest of persons for whom a warrant of arrest, detention, enforcement, or arrest warrant has been given, or in case of red-handed suspect. Law enforcement officers should verbally warn the person that they will use a weapon in the third and last case before using a weapon and call for "surrender", if it will not pose a danger to their own lives and serve a positive purpose in situations where circumstances do not make it impossible. If the person continues to flee by not obeying this call, the officer must first shoot into the air for a warning, and if the person insists on fleeing despite this, the officer must use his weapon in order to ensure that the person is captured and to the extent that it is possible to capture the person.

u. In order to use a firearm, there must be an "absolute necessity" at the point of using a firearm. In other words, it should be clearly understood that the purpose cannot be achieved with other methods or, depending on the circumstances of the event, other methods will not be successful in achieving the specified goal. It is necessary to avoid the warning shot if it will make the environment even more tense and provoke the suspect to use his weapon.

ü. Law enforcement officers cannot act with the foresight of killing suspects while intervening in an incident. Even when fighting a dangerous criminal organization, the suspect cannot be fired until the death of the suspect. Again, while it is clear that

the suspect has been neutralized, the shooting cannot be continued to ensure that the suspect has been neutralized.

v. While the police officer uses his power to use force or weapon to break the resistance or catch the suspect, in the event of an attempt to attack with a weapon against him, he can shoot with a gun without hesitation against the person attempting to attack with a gun in a measure and ratio that will neutralize the danger of attack.

Annex 3-Evaluation Criteria Related to Using Force and Weapon

a. Is the person who is subjected to the authority used by the law enforcement officer forced to answer questions asked by the law enforcement officer?

b. Does the law enforcement officer know when the offense of resistance occurred?

c. Does the law enforcement officer know the limits of his powers in cases authorizing the use of force such as resistance during stopping, searching, and arresting?

ç. Does the law enforcement officer know when a person who is used force against him has a right of self-defense?

d. Does the law enforcement officer generally know the limits of his authority to use force and weapons?

e. Is the force used against people resisting in law enforcement activities in a particular incident “reasonable”?

f. Is the force used against people resisting in law enforcement activities in a particular incident “necessary”?

g. Should the force used against people resisting in law enforcement activities in a particular incident be used “immediately”?

hi. Is the authority to use force only for the purpose of neutralizing those who resist?

j. Is force being used as a last resort?

k. Is an ambulance and fire brigade called before the intervention in cases requiring use of force?

l. Is the media kept away from the scene in cases that require the use of force?

m. Are methods that will cause the least harm to the person to be caught and the environment selected in the use of force?

n. Is it intervened with a sufficient number of law enforcement officers in incidents where force is likely to be used?

- o. Is it the rule to handcuff people who have been caught and arrested?
- ö. Are weapons used within certain conditions and situations listed in the law?
- p. Was the weapon used as an “absolute necessity” result in cases where firearms were used?
- r. When a law enforcement officer is intervening in an incident, is he acting with the foresight of killing suspects?
- s. Has the law enforcement officer taken any precaution to prevent any harm to the body of a person under his control?

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