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Report

to the Turkish Government on the visit to Turkey carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)

from 16 to 17 January 2013

The Turkish Government has requested the publication of this report and of its response. The Government's response is set out in document CPT/Inf (2014) 8.

Strasbourg, 13 March 2014

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Copy of the letter transmitting the CPT's report

Ms Kıvılcım Kılıç
Deputy Director General for Council of Europe
and Human Rights
Head of Department
Ministry of Foreign Affairs
TR - Ankara

Strasbourg, 20 March 2013

Dear Ms Kılıç,

In pursuance of Article 10, paragraph 1, of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, I enclose herewith the report to the Government of Turkey drawn up by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) following its visit to Turkey from 16 to 17 January 2013. The report was adopted by the CPT at its 80th meeting, held from 4 to 8 March 2013.

The recommendations formulated by the CPT are set out in paragraphs 9, 15, 17, 19, 25, 29 and 30 of the visit report. The CPT requests the Turkish authorities to provide **within three months** a response giving a full account of the action taken to implement them. The Committee trusts that it will also be possible for the Turkish authorities to provide, in their response, reactions and replies to the comments and requests for information set out in paragraphs 15, 16, 22 to 24 and 31.

As regards paragraph 16, the CPT would also like to receive, on a monthly basis for the next three months, a detailed account of all out-of-cell activities offered to prisoners at Imralı F-Type High-Security Closed Prison and of all activities which have actually taken place (including an indication of the number of prisoners involved).

I am at your entire disposal if you have any questions concerning either the CPT's report or the future procedure.

Yours sincerely,

Lətif Hüseynov
President of the European Committee
for the Prevention of Torture and Inhuman
or Degrading Treatment or Punishment

I. INTRODUCTION

1. In pursuance of Article 7 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (hereinafter referred to as "the Convention"), a delegation of the CPT visited Turkey from 16 to 17 January 2013. The visit, which focused on **Imralı F-Type High-Security Closed Prison** (hereinafter: "Imralı Prison"), was one which appeared to the CPT "to be required in the circumstances" (see Article 7, paragraph 1, of the Convention)[1].

The visit was carried out by the following members of the CPT:

- Jean-Pierre RESTELLINI, Acting 2nd Vice-President of the CPT (Head of the delegation)

- Andrés MAGNÚSSON.

They were supported by Michael NEURAUTER, Head of Division in the CPT's Secretariat.

2. On 30 June 2010, the Turkish authorities transmitted to the CPT their response to the report on the Committee's January 2010 visit to Imralı Prison[2]. Subsequently, the Committee has maintained an ongoing dialogue with the Turkish authorities on various issues related to Imralı Prison and, in particular, the regime offered to prisoners and the implementation in practice of the prisoners' right to receive visits from their lawyers and relatives. These issues have been the subject of extensive correspondence, and high-level meetings with representatives of the Turkish authorities were held in Strasbourg in February 2012 and in Ankara in June 2012 (on the occasion of the 2012 ad hoc visit to Turkey).

The main purpose of the visit in January 2013 was to review on the spot the measures taken by the Turkish authorities to implement the recommendations made by the Committee in the report on the January 2010 visit to Imralı Prison.

3. The delegation interviewed individually and in private all the six prisoners currently held at Imralı Prison and examined relevant administrative and medical files. It also had consultations with the management and staff of the prison as well as with the establishment's medical co-ordinator and the doctor on duty at the time of the visit.

In Bursa, the delegation held meetings with Namik YILMAZ, Chief Public Prosecutor, Abdulkadir EROL, Deputy Chief Public Prosecutor responsible for the enforcement of sentences, and Ibrahim SAYDAM, Head of the Bursa Prison Monitoring Board No. 2 which covers Imralı Prison.

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1 The CPT has previously carried out five visits to Imralı Prison (in March 1999, September 2001, February 2003, May 2007 and January 2010). All visit reports and related Government responses have been made public and are available on the CPT's website: http://www.cpt.coe.int/en/states/tur.htm

2 See CPT/Inf (2010) 20 and CPT/Inf (2010) 21.

4. Throughout the visit, the co-operation received by the delegation, at all levels, was excellent. The CPT would especially like to thank the Turkish authorities – and in particular the Gendarmerie – for providing the delegation with transportation by helicopter. The Committee also expresses its appreciation for the assistance provided before, during and after the visit by its liaison officer, Kıvılcım KILIÇ, Deputy Director General for the Council of Europe and Human Rights, from the Ministry of Foreign Affairs.

5. On 12 February 2013, the President of the CPT met, on behalf of the delegation, the Minister of Justice, Sadullah ERGIN, and the Director General for Prisons and Detention Houses, Mustafa ONUK, as well as other senior officials from the Ministries of Justice and Foreign Affairs, and presented to them the delegation's preliminary observations.

II. FACTS FOUND DURING THE VISIT AND MEASURES PROPOSED

A. Ill-treatment

6. As in 2010, the CPT's delegation received no allegations and found no other evidence of ill-treatment of prisoners by prison staff at Imralı Prison. On the contrary, inmates generally spoke favourably about the manner in which they were treated by the management of the prison and prison officers.

B. Conditions of detention

7. Material conditions in the cells remained overall of a good standard (for further details, see paragraphs 9, 11 and 12 of the report on the 2010 visit). Only access to natural light was still somewhat deficient, but none of the prisoners made negative remarks in this regard towards the delegation[3].

8. The CPT notes that Abdullah Öcalan has recently been provided with a television set, thereby aligning his situation in this regard with that of the other inmates of Imralı Prison. The Committee is pleased that the recommendation repeatedly made on this subject following previous visits has finally been implemented.

9. As regards the regime, the CPT welcomes the fact that the amount of time prisoners could spend in the open air was in principle doubled after the January 2010 visit from two to four hours (two times two hours) per day, including at weekends[4]. And at the time of the January 2013 visit, all the prisoners were benefiting from four hours of outdoor exercise, with the notable exception of Abdullah Öcalan.

In their letter of 24 February 2010, the Turkish authorities stated that "[o]pen air time is now extended to four hours per day by the decision of the Board of Administration and Observation as of 4 February 2010. Please take note that convict Öcalan is currently excluded from this practice because of the two solitary confinement punishments he has received, which are yet to be implemented. However, convict Öcalan will also be able to benefit from prolonged open air time once the Board of Administration and Observation is convinced of his good conduct in the future."

During the 2013 visit, the delegation was informed that the implementation of the last disciplinary sanction regarding Abdullah Öcalan had ended on 19 December 2011 and that Abdullah Öcalan had automatically acquired the formal status of "good behaviour" twelve months later, since no further disciplinary proceedings had been initiated in the meantime. Notwithstanding this, it remained the case that Abdullah Öcalan was only allowed to benefit from two hours (two times one hour) of outdoor exercise per day.

The CPT recommends that Abdullah Öcalan now be allowed open air time to the same extent as all other prisoners currently held at Imralı Prison.

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3 In all the cells, artificial lighting was very good.

4 See also the Turkish authorities' letter of 24 February 2010, which is reproduced in paragraph 18 of the report on the 2010 visit.

10. The Committee appreciates the efforts made by the Turkish authorities to provide all prisoners at Imralı Prison with a programme of out-of-cell activities (including "conversation sessions", sports and various other recreational activities). More specifically, prisoners could participate all together in three one-hour "conversation sessions", one hour of volleyball and one hour of basketball every week.

In addition, the weekly activity programme included a number of sessions of table tennis, painting/handicraft and board games (chess). However, these activities were subject to two limitations. As a rule, prisoners could take part in each type of activity for only one hour per week (i.e. up to three hours per week in total), and only two prisoners were allowed to participate in these sessions at a time.

11. It is a matter of fact that prisoners at Imralı Prison did not make use of all the possibilities which were being offered to them for association with their fellow inmates. In particular, they usually participated only in the three hours of conversation and the two hours of outdoor sports activities every week, but regularly refused to engage themselves in any of the other activities (table tennis, painting/handicraft, board games). The explanation given by the prisoners for their refusal was that they were not allowed to be all together during such activities, but only in pairs.

On the other hand, it is also a matter of fact that there is a discrepancy between the information provided by the Turkish authorities in their letter of 24 February 2010[5] and the situation observed by the delegation on the spot. In particular, the authorities had affirmed in their letter that prisoners were allowed to participate in all the above-mentioned sports and recreational activities *collectively*, while, in practice, this was only the case for outdoor sports (volleyball and basketball). It should be added that none of the additional activities[6] which, according to the above-mentioned letter, were planned to be offered collectively to all inmates in the near future (for two hours per week) have ever been implemented.

12. What is more, the Turkish authorities have failed to implement the specific recommendations made by the Committee after the 2010 visit with regard to prisoners' outdoor exercise. Firstly, it remained the case that prisoners were obliged to take outdoor exercise alone in the yard adjacent to their cell, and, secondly, the yards attached to the individual cells were far too small (with a surface of 24 m² surrounded by six-metre-high walls) to allow prisoners to exert themselves physically[7].

13. To sum up, out of a total of 168 hours per week, prisoners could stay outside their cells for up to 36 hours (22 hours for Abdullah Öcalan), but they were able to be in contact with other inmates for only eight hours per week; in other words, they were being held in solitary confinement for 160 hours per week.

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5 See footnote 4.

6 In their letter of 24 February 2010, the Turkish authorities indicated that "[t]he below-mentioned activities are planned to be offered collectively to all inmates at Imralı Prison in the near future: (i) Beading, copper engraving, wood carving, playing "bağlama" (a Turkish musical instrument), billiards and backgammon for an hour per week; (ii) mini football and badminton for an hour per week."

7 Only one prisoner who was accommodated in one of the three cells sharing the larger exercise yard (measuring some 72 m²) was able to take outdoor exercise in the large yard. The two neighbouring cells which are connected with the same yard were not being used at the time of the visit.

14. In this regard, the CPT notes that a paradoxical situation which already existed at the time of the last visit had become permanent.

On the one hand, there is no doubt that the transfer of five other prisoners to the island in 2009 had a positive impact on the situation of Abdullah Öcalan. On the other hand, it is clear that, with their transfer to Imralı Prison, the regime applied to the five other prisoners had been drastically curtailed compared to that previously applied to them in other F-type prisons[8]. In terms of association time with other prisoners, this is almost like comparing day with night. For instance, before their transfer to Imralı, the prisoners concerned had usually been able to be together with two other prisoners from neighbouring cells in a common exercise yard for several hours per day. However, at Imralı Prison, they were prevented from having any such contacts while in the exercise yard, and, as indicated above, they were also locked up alone in their cells for most of the time.

15. The issue of association among prisoners was discussed at some length during the meeting between the President of the CPT and the Minister of Justice on 12 February 2013. The Committee is pleased to note that the Minister unequivocally affirmed that prisoners at Imralı Prison would henceforth benefit from the same possibilities in terms of regime activities and association as prisoners serving a sentence of aggravated life imprisonment in other F-type prisons on the mainland. The management of the prison also acknowledged during the visit that there would be no obstacle from a security standpoint to allowing prisoners to take outdoor exercise in the same yard.

The CPT wishes to receive confirmation that all prisoners who were transferred to Imralı Prison in 2009 are now allowed to associate during outdoor exercise, as they had previously been able to in other F-type prisons. Further, **the Committee recommends that the large exercise yard be used for this purpose.**

The CPT also recommends that Abdullah Öcalan be allowed to have contact with other prisoners during his outdoor exercise; as was indicated in the report on the 2010 visit, there can be no justification for denying such contact.

16. As regards the programme of organised activities, **the CPT encourages the Turkish authorities to enlarge the size of groups of inmates who can participate at any given time in the already existing out-of-cell activities of table tennis, painting/handicraft and board games.**

Further, **the Committee would like to receive, on a monthly basis for the next three months, a detailed account of all out-of-cell activities offered to prisoners at Imralı Prison and of all activities which have actually taken place (including an indication of the number of prisoners involved).**

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[8] See paragraph 16 of the report on the 2010 visit.

17. More generally, the CPT must stress once again that the regime applied to prisoners serving a sentence of aggravated life imprisonment suffers from a fundamental flaw and should be revised not only at Imralı Prison but in the prison system as a whole[9].

Pursuant to Section 25, paragraph 1, of the Law on the Execution of Sentences and Security Measures (LESSM), all prisoners of this category are subjected to severe restrictions in terms of regime activities and association[10]. According to the Ministry of Justice Circular No. 45/1 of 2007, "prisoners serving sentences of aggravated life imprisonment in high-security prisons may be allowed to take part in [activity and rehabilitation] programmes on a limited basis, exclusively with the sentenced prisoners accommodated in their unit."

In the report on the last periodic visit to Turkey in 2009, the CPT emphasised that, as a matter of principle, the imposition of such a regime should lie with the prison authorities and always be based on an individual risk assessment; such a regime should not be the automatic consequence of the type of sentence imposed. The Committee wishes to stress that life-sentenced prisoners (as indeed all prisoners) are sent to prison as punishment and not to be punished within the prison.

The CPT also wishes to draw the Turkish authorities' attention to Section 7 of Recommendation Rec (2003) 23 on the Management by Prison Administrations of Life-Sentenced and Other Long-Term Prisoners (adopted by the Committee of Ministers of the Council of Europe on 9 October 2003), which emphasises that life-sentenced prisoners should not be segregated from other prisoners on the sole ground of their sentence[11].

The Committee reiterates its recommendation that the Turkish authorities reconsider their policy vis-à-vis prisoners sentenced to aggravated life imprisonment, in the light of the above remarks, and amend the relevant legislation accordingly.

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9 See paragraph 112 of the report on the June 2009 visit to Turkey (CPT/Inf (2011) 13).

10 Under subparagraph a), prisoners sentenced to aggravated life imprisonment shall be held in an "individual room". Under subparagraph c), prisoners serving aggravated life imprisonment may have their daily one-hour outdoor exercise and sports period extended and may be allowed to engage in limited contact with prisoners accommodated in the same unit, depending on the risk factors, security requirements and the efforts and good behaviour they demonstrate in rehabilitation and educational activities. Under subparagraph d), such prisoners may engage in a trade or occupational activity considered suitable by the administrative board, if conditions in the place where they are held so permit.

11 The Explanatory Report of the aforementioned recommendation further states that:
"41. [t]he special segregation of life-sentenced or long-term prisoners cannot be justified by an unexamined characterisation of such prisoners as dangerous. As a general rule, the experience of many prison administrations is that many such prisoners present no risks to themselves or others. And if they do present such risks, they may only do so for relatively limited periods or in particular situations. In consequence, while it is fully recognised that time and resources are needed to implement this principle; these prisoners should only be segregated if, and for as long as, clear and present risks exist.
42. Life-sentenced and long-term prisoners are thought in some countries to pose serious safety and security problems in the prison. The violence and dangerousness manifested in the criminal act is considered to carry over to their lives in prison. Offenders who, for example, have committed murder are among those most likely to receive life or long sentences. This does not necessarily mean that they are violent or dangerous prisoners. Indeed, prison authorities can refer to individual murderers with a life or long sentence as "good prisoners". They exhibit stable and reliable behaviour and are unlikely to repeat their offence. The likelihood of an offender engaging in violent or dangerous behaviour frequently depends not only on personality characteristics but also on the typical situations that permit or provoke the emergence of such behaviour.
43. Descriptions in terms of violence and dangerousness should, therefore, always be considered in relation to the specific environments or situations in which these characteristics may – or may not – be exhibited. In the management of long-term and life prisoners, a clear distinction should be drawn between safety and security risks arising within the prison and those that may arise with escape into the community. The classification and allocation of long-term and life-sentenced prisoners should take account of these differing kinds of risks (…)".

C. Contact with the outside world

18. Ensuring that prisoners have adequate means of contact with the outside world is a key element of their overall protection against ill-treatment.

In this regard, it is a matter of grave concern that Abdullah Öcalan has not been able to receive visits from his lawyers since 27 July 2011. As already indicated in paragraph 2, this issue was the subject of high-level talks between the CPT and the Turkish authorities in February and June 2012. From these consultations and the related correspondence between the CPT and the Turkish authorities, it transpired that a policy decision had been taken by the Turkish Government to prevent Abdullah Öcalan, for the time being at least, from having meetings with his lawyers, since he was considered to have repeatedly abused his right of access to a lawyer. The CPT was also informed that more than 35 lawyers who had visited Abdullah Öcalan in recent years had been remanded in custody in November 2011 and were facing trial *inter alia* for having transmitted illicit messages to a terrorist organisation.

In 2012, Abdullah Öcalan at some point indicated that he did not wish to receive visits from his lawyers, allegedly in order to protect them against any subsequent prosecution. That said, during the visit, Abdullah Öcalan indicated to the delegation that he would like to have consultations with his lawyers.

The five other prisoners held at Imralı Prison had continuously refused to meet their lawyers since April 2011, allegedly in order to protest against the decision taken by the prison administration at that time to monitor and record their conversations with lawyers[12]. At the time of the 2013 visit, some of the prisoners appeared to maintain their position, while others expressed their wish to meet their lawyers again.

19. At the meeting with the Minister of Justice on 12 February 2013, the President of the CPT reiterated the Committee's position that, whenever, in exceptional cases, access to a specific lawyer is denied on the grounds that he/she is allegedly being used as a means of transmitting instructions linked to terrorist or other criminal activities, access to another independent lawyer must be guaranteed[13]. During the ensuing discussion, the Minister of Justice affirmed that the Turkish Government was actively working on a solution to the problem of access to a lawyer.

With reference to Articles 3 and 10, paragraph 2, of the Convention, the CPT calls upon the Turkish authorities to take the necessary steps – without any further delay – to ensure that all prisoners at Imralı Prison are able, if they so wish, to receive visits from a lawyer.

20. As regards visits by relatives, the CPT welcomes the fact that Abdullah Öcalan is now allowed, like the other prisoners on the island, to meet family members also under open conditions (so-called "table visits"), in line with a recommendation repeatedly made by the Committee after previous visits.

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[12] Previously, this particular security measure had only been applied to Abdullah Öcalan (see also the remarks made by the Committee on this issue in paragraph 26 of the report on the 2010 visit).

[13] See also the remarks made by the Committee in paragraph 26 of the report on the 2010 visit.

21. That said, the overall situation regarding visits by relatives appeared to be unsatisfactory. Under the existing rules, prisoners may receive two visits of 30 to 60 minutes per month (one closed visit and one "table visit"). In practice, however, the duration of such visits appeared to range from 30 to 45 minutes, while, at the time of the 2010 visit, prisoners were able to benefit from the full entitlement of two one-hour visits per month.

The delegation observed that several of the prisoners had refused to receive any visits by relatives during the preceding two years. They stated that they wanted to protest that visits had been cancelled at the last minute on several occasions and that they were not allowed to benefit from the full entitlement of one hour per visit. During a certain period in 2012, Abdullah Öcalan had also indicated that he did not want to receive visits from his family members.

22. When discussing this matter with the management of the prison, the delegation was told that the reduced visiting time was the result of logistical and organisational impediments. On the one hand, travel by boat between Bursa and Imralı island usually lasted a total of five hours (two times 2½ hours), and, on the other hand, only one visit (whether open or closed[14]) could be arranged at a time. As a consequence, the remaining time during the visit day was said to be insufficient to allow all prisoners to have a visit of one full hour. In the CPT's view, these explanations are not convincing; in particular, the Committee fails to understand why it is not possible to organise visits to two or more prisoners simultaneously.

During the meeting with the CPT's President on 12 February 2013, the Minister of Justice stated that immediate steps would be taken to ensure that all prisoners can henceforth benefit from visits of one full hour. The CPT welcomes this positive reaction by the Minister of Justice **and wishes to receive confirmation that every visit by prisoners' relatives at Imralı Prison now lasts for one hour.**

23. Further, bearing in mind that relatives often have to travel hundreds of kilometres (before taking the boat to the island), it is all the more important that prisoners be allowed to accumulate unused visiting periods. In this regard, the CPT notes with interest that, following a recent amendment[15] to Section 52 (3)e of the LESSM, which will enter into force on 1 April 2013, sentenced prisoners who exhibit good behaviour may be allowed to accumulate three consecutive unused closed/open visit entitlements and use them all at once. **The Committee would like to receive confirmation that this provision will be effectively implemented in respect of all prisoners held at Imralı Prison.**

24. The CPT also notes that, with the entry into force on 1 April 2013 of the above-mentioned amendment to the LESSM, all sentenced prisoners in Turkey (including those serving a sentence of aggravated life imprisonment) who are married and exhibit good behaviour may be granted extended visits by their spouse for a period of three to 24 hours every three months. **The CPT would like to receive updated information on this matter regarding the prisoners held at Imralı Prison.**

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14 Although the prison was equipped with six separate booths for closed visits.

15 By Law No. 6411 dated 24 January 2013.

25. All prisoners held at Imralı Prison were in principle entitled to one ten-minute telephone call once every two weeks[16]. However, despite the specific recommendation repeatedly made by the Committee, Abdullah Öcalan continues to be denied access to the telephone. **The CPT must reiterate once again its recommendation that Abdullah Öcalan be allowed to speak on the telephone with members of his family (calls being subject to monitoring and, if necessary, interrupted).**

26. In the context of its ongoing dialogue with the CPT, the Turkish authorities had unequivocally confirmed that all prisoners held at Imralı Prison were allowed to send letters to the Committee on a confidential basis, and the delegation could verify for itself that the prisoners had been expressly informed about this possibility. This is a welcome development.

D. Health care

27. The CPT is pleased to note that the health-care services at Imralı Prison have been significantly improved in the light of the recommendations and comments made by the Committee after the 2010 visit.

The main improvements can be summarised as follows:

- A senior public health doctor has been appointed as medical co-ordinator of the prison. He is present on the island on a regular basis (on average, once every three weeks[17]) and co-ordinates the work of the doctors who are deployed to the island[18].
- Only general practitioners who are specially trained in emergency health care are being deployed to the island (all doctors are now affiliated to the Ministry of Health).
- A new well-equipped medical treatment/consultation room has been established within the detention area and, whenever necessary, additional medical equipment is transported to the island (e.g. ultrasound equipment).
- An individual medical file has been opened in respect of every prisoner, and all medical records were well-maintained.
- As regards Abdullah Öcalan, the practice of conducting superficial medical checks every day was discontinued in May 2010.
- Finally, the delegation was informed that, in the event of an emergency, prisoners would be speedily transferred to a hospital by helicopter (provided, during the day, by the ambulance services in Bursa and, at night, by the Gendarmerie).

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16 Several of the prisoners had refused to make telephone calls for more than one year, and one prisoner had not made any telephone calls at all since his arrival at the prison. That said, virtually all the prisoners indicated to the delegation that in future they would make use of the existing possibilities to make telephone calls.

17 Usually on the days when specialist doctors come to the island.

18 As was the case in the past, a medical doctor stays on the island for one week and is then replaced by another doctor. The turnover remains high as most doctors are deployed to the island only once.

28. At the time of the visit, none of the prisoners held at Imralı Prison was suffering from major health problems, and the delegation gained the impression that any health issues were being adequately addressed by medical staff. According to medical records, prisoners in need of medical care were regularly visited by various specialist doctors (dentist, specialist in internal medicine, urologist, ENT specialist, dermatologist, psychiatrist, etc.).

29. That said, it is matter of concern that the principle of medical confidentiality was still not respected, despite the specific recommendation repeatedly made by the Committee. In particular, prison officers had access to medical files, and medical reports were often forwarded to the management of the prison.

Although prison officers were usually not physically present in the same room during medical consultations, they remained close by, just outside the door which was kept wide open. Thus, it is quite possible that officers could hear conversations between the doctor and prisoners.

The CPT reiterates its recommendation that the Ministry of Justice take immediate steps – in co-operation with the Ministry of Health – to ensure that the principle of medical confidentiality is fully respected at Imralı Prison. More specifically, steps should be taken to ensure that:

- **medical data are, as a rule, not accessible to non-medical staff;**
- **all medical examinations of prisoners are conducted out of the hearing of prison officers.**

E. Other issues

30. In recent years, twelve disciplinary sanctions in the form of solitary confinement for 20 days had been imposed on Abdullah Öcalan for not having respected the existing rules when receiving visits; however, for a long time, the implementation of these sanctions had been temporarily suspended.

The delegation was informed that, in the course of 2011, all the above-mentioned sanctions were implemented at once, the consequence being that Abdullah Öcalan was continuously held in cellular confinement for a total of 240 days. Such a state of affairs is totally unacceptable. In the CPT's opinion, there should have been an interruption of several days in the solitary confinement regime after each sanction had been served.

The CPT recommends that the Turkish authorities take the necessary measures to ensure that there is no repetition at Imralı Prison of such a prolonged period of solitary confinement of a prisoner. In the CPT's view, an uninterrupted period of solitary confinement as a disciplinary sanction should never exceed 14 days (see also paragraph 56 of the CPT's 21st General Report, CPT/Inf (2011) 28).

31. The regular independent monitoring of prisons is a fundamental safeguard against ill-treatment, *a fortiori* vis-à-vis an establishment in an isolated location.

In this regard, the CPT notes that, since January 2010, Imralı Prison has been visited five times[19] by the competent prison monitoring board (Bursa Prison Monitoring Board No. 2) and that, during these visits, the Board's members have held interviews with prisoners in private, including with Abdullah Öcalan. This is a positive development.

That said, **it is regrettable that visits by the prison monitoring board to Imralı Prison are not carried out more frequently, as required by law. The CPT wishes to recall that, pursuant to Section 7 of the Act on Prison Monitoring Boards of 14 June 2001, every prison shall be visited by the competent prison monitoring board at least once every two months.**

[19] Once in 2011 (August), three times in 2012 (January, July, October) and once to date in 2013 (January).