

URGENT ACTION

IMPRISONED WOMAN IN URGENT NEED OF SURGERY

Sibel Çapraz is imprisoned and the authorities are denying her a vital and an urgent operation and adequate medical treatment. She was shot in November 2015 in Yüksekova, south-east Turkey, during clashes between security forces and the PKK. She was detained in March 2016 while in hospital.

Sibel Çapraz is held at Bakırköy Women's prison in Istanbul and is currently standing trial charged with "inciting the public to hatred or hostility" and "membership of an armed terrorist organisation" (the Kurdish Workers Party/Kurdish Communities Union, PKK/KCK). She is being denied an urgent operation to reverse a colostomy procedure which should have happened in February 2016. The delay, according to a medical opinion seen by Amnesty International, is increasing the risk of complications and potentially putting Sibel Çapraz's life at risk.

Sibel Çapraz, a member of the Hakkari Municipal Council, was shot in the right arm and abdomen on the night of 27 November 2015 in Yüksekova, a city in the Hakkari province in south-east Turkey, during clashes between security forces and armed individuals affiliated to the PKK. The day after the shooting, Sibel Çapraz underwent surgery on her arm and an emergency colostomy procedure on her damaged intestines. On 23 December, she was transferred to Baltalımanı Bone Diseases hospital in Istanbul for further surgery on her arm. In February 2016 she was due to have an operation to reverse the colostomy but that could not happen because she was still receiving treatment on her arm.

Sibel Çapraz's brother explained that on 4 March 2016 police came to the hospital and took her to the Çağlayan Courthouse. The court ordered she be remanded in pre-trial detention.

Almost a year on, Sibel Çapraz has still not received the operation to reverse the colostomy procedure which was scheduled to take place in February 2016. She reports being in pain and, due to her arm injury, relies on fellow inmates to change her colostomy bag many times a day. Sibel Çapraz's lawyers have alerted the court to these medical issues and, unsuccessfully, requested her to receive treatment and be released from pre-trial detention. The Human Rights Foundation of Turkey also made an application to the General Directorate of Prisons and Detention Houses requesting that she receive the urgent operation and continue the treatment on her arm. The authorities, whilst failing to respond directly to the urgent medical issue, replied saying that she is receiving all the treatment she needs. Sibel Çapraz's lawyer told Amnesty International that this consisted of rehabilitation treatment, which does not replace the surgery she needs to undergo.

Please write immediately in Turkish or your own language:

- Calling on the Turkish authorities to ensure without further delay that Sibel Çapraz receives the reverse colostomy procedure and any other medical treatment she requires in an adequately equipped medical facility.

PLEASE SEND APPEALS BEFORE 6 MARCH 2017 TO:

General Directorate of Prisons and Detention Houses

Mr Enis Yavuz Yıldırım
36 Emniyet Mahallesi, Mevlana Bulvarı
HSYK Binası Yenimahalle
Ankara, Turkey
Fax: +90 312 223 60 07
Email: cte@adalet.gov.tr
Salutation: Dear Mr Yıldırım

And copies to:

Parliamentary Commission on Human Rights
Mr Mustafa Yeneroğlu
Commission Chairperson
TBMM İnsan Hakları İnceleme Komisyonu
Bakanlıklar, 06543 Ankara, Turkey
Fax: +90 312 420 24 92
Email: insanhaklarikom@tbbm.gov.tr

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

The shooting of Sibel Çapraz took place in Yüksekova shortly after the end of a three-day, 24-hour curfew in the city. Sibel Çapraz's family state that she was shot by the police outside her sister's house, where she was staying.

While a lack of effective investigation and conflicting accounts obscure the circumstances of many shootings in the south-east of Turkey in this period, research by Amnesty International following a curfew in Cizre in September 2015 indicated that security forces were reckless in their use of firearms in curfew areas and operations were conducted with the intention of killing – rather than detaining – armed individuals. See <https://www.amnesty.org/en/documents/eur44/3230/2016/en/>. Among those killed in areas under curfew were young children and the elderly, who are very unlikely to have been involved in armed clashes. Amnesty International views the authorities' imposition of open-ended, 24-hour curfews as disproportionate, in violation of human rights and, in some instances, amounting to collective punishment.

Under international law to which Turkey is bound, Sibel Çapraz has a right to receive the medical care that she needs, as soon as possible and free of charge. Prisoners, like Sibel Çapraz, who require specialized treatment should be transferred to a medical facility able to provide the treatment.

The denial of requisite medical treatment to Sibel Çapraz is prohibited by the UN Standard Minimum Rules for the Treatment of Prisoners (also known as the Mandela Rules). Rule 24 states that prisoners "should enjoy the same standards of health care that are available in the community, and should have access to necessary health-care services free of charge without discrimination on the grounds of their legal status." Rule 27 states that: "All prisons shall ensure prompt access to medical attention in urgent cases. Prisoners who require specialized treatment or surgery shall be transferred to specialized institutions or to civil hospitals. Where a prison service has its own hospital facilities, they shall be adequately staffed and equipped to provide prisoners referred to them with appropriate treatment and care."

Furthermore, Turkey is bound by a range of human rights treaties guaranteeing the right to access medical treatment regardless of status. Article 3 of the European Convention on Human Rights, which Turkey has ratified, prohibits inhuman or degrading treatment. The European Court of Human Rights has ruled that a lack of appropriate medical care for persons in detention can amount to a violation of Article 3. Turkey has also ratified the UN International Covenant on Economic, Social and Cultural Rights, Article 12 of which guarantees the right to health including access to adequate medical care and treatment.

Name: Sibel Çapraz (36 years old).

Gender m/f: f

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