



Avrupa Ezilen Göçmenler Konfederasyonu  
Konfederasyona Koçberên Bindest ên Ewropayê  
European Confederation of Oppressed Immigrants  
Konföderation der unterdrückten Migranten in Europa  
Confédération des Opprimés Immigrés en Europe  
Konfederation der Underdrückten Migran in Europa

## The Reality of Republic of Turkey and Sedat Selim Ay



**The banner reads: “We know this torturer! We are the witness!”**

### About the content of this folder:

This folder is formed of 3 sections.

In the first section you will find a letter prepared by the European Confederation of Oppressed Immigrants about the case of torturer and rapist Sedat Selim Ay, the Turkish Republics traditional approach to torture and rape under detention, and our demands.

In the second section you will find some news report about the Sedat Selim Ay’s promotion to higher posts, experiences of the victims and some human rights organisations’ evaluation on his appointment.

In the third section you will find summiresed English medical examination reports, forensic medicine reports, and a court verdict in Turkey (the originals are in Turkish –if necessary, they can also be translated fully into English).

**European Confederation of Oppressed Immigrants (AvEG-Kon)**



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## The Reality of Republic of Turkey and Sedat Selim Ay

Dear Sir/Madame,

We are the European confederation of associations serving immigrants and asylum seekers mainly coming from Turkey to live in Germany, France, Austria, Belgium, Netherlands, Britain and Switzerland. Many members of our associations either themselves or their relatives are political refugees who were subjected to political repression, including torture, in Turkey.

The Republic of Turkey is a state which has been charged with torture, lack of freedom of thought, freedom of speech, repression of Kurdish people, disappearances under police custody and other forms of human rights violations for many times by the European Court of Human Rights.

The Republic of Turkey is a state which has been declaring that it will put in practice the human rights criterias of European Union since its application for a membership to EU. But, on the other side, it has been in the position not to implement the promises that it made, but to continue with human rights violations by always saying *“Is EU going to rule us”* and *“they cannot put their nose to our business”*.

The latest example of this attitude is the rewarding of Sedat Selim Ay, -a person who has been charged by European Human Rights Court because of torturing people, whose act of torture, sexual abuse and rape under torture against women has been proven- by appointing him to the role of Deputy of Istanbul Head of Security and responsible person from anti-terror branch. In its statement to the press and public opinion on 27 July, -because of the pressure created by the sensitive people and the human rights organisations on the appointment of Sedat Selim Ay to his new torturer role in Istanbul,- the Head of Security said that *“the cases and the conclusions of legal investigations do not form a prevention to his appointment to the role.”* This statement of the Head of Security is an indication proving that Turkish state always protects the murderers and promotes them to the higher roles.

After the rewarding of torturer and rapist Sedat Selim Ay, there have been many protests in many cities of Turkey, including Istanbul by different sections of the society, and the issue was dealt by the media as well. The newspaper *Taraf* published a news article under the heading of *“Torture and Rape under Security”*. The torturer and rapist Sedat Selim Ay went to court for the refutation of it, at first the Ankara 4th Magistrates Court gave refutation verdict, but the Ankara 11th Civil Court has withdrawn the verdict given by the Ankara 4th Magistrates Court by stating *“it is within the duties of journalism to publish such news articles about a person who has been accused with such allegations but appointed to an important role. There is nothing proves that there is a abuse of individual rights or letting public know of a news that is not true.”*

In fact, all these court verdicts do not go beyond eye washing. The appointment of Sedat Selim Ay to a higher role still continues. And by this ongoing appointment, the Turkish state gives the perfect signs of the path that it will follow in terms of its treatment of social opposition; revolutionaries, socialists and patriots. It seems like the torture as a state policy will continue to



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Exist systematically, and the Justice and Development Party's statements such as "*zero tolerance to torture and human rights violations*" is nothing but nonsense.

The Turkish state's new appointment is also an indication on how it is serious about the institutions such as EU and European Court of Human Rights. Despite being found guilty for many cases, the Turkish state is making fun of these institutions, who claim to protect human rights, by insisting to impliment the practices that it has been found guilty of, to protect its officers who impliments these maltreatments, and to appoint them to higher roles. The organisations and institutions affiliated with the EU must change their appearance of being in partnership or their attitude to permit such unserious approaches by not implimenting sanctions against Turkish state's such policies. The Turkish state must be brought to understanding that its crimes will not go unpanished.

**As a conclusion**, the Turkish state's torturer and rapist tradition is being sustained with the government of Justice and Development Party. The ones committing crimes and raping women on behalf of state, let alone their real trial, are even being promoted to higher roles. The institutions such as European Parliament should not be spectator of this game anymore; but must take necessary steps to ensure that Sedat Selim Ay is removed from his new post and brought to real justice. **This is our demand.**

*The following text is the translation of news article published in Turkish in newspaper TARAF's website. The original of the text is on the next page.*

## **Court gave penalty, ECHR sentenced but his personnel record is clear according to the government - Taraf - 02.08.2012**

**The police chief, Sedat Selim Ay two times founded guilty of torture by regional court. Selim Ay, who was escaped because of time lapse when the Court of Appeal reversed the judgement by saying “the sentence was less”, sentenced Turkey three times by ECHR.**

Sedat Selim Ay, appointed to the Deputy of Security Headquarters responsible of terror branch, has escaped from verdicts because of lapse of time despite being sentenced because of use of torture for two times. And because ECHR's punishment was not directly to him, these crimes were not included in his personnel record. However, the lawyers are saying that the decisions of ECHR must be taken into consideration and Ay's promotion is also lawfully problematic.

Sedat Selim Ay was founded guilty firstly at a case regarding torture of Ibrahim Cicek, Chief Editor of Atilim Newspaper, Ali Hidir Polat, Delil Ildan, Hacı Orman, Fusun Erdogan, Birol Pasa, Hakki Mihci, Ali Ocak and Dogan Sahin those who were taken to detention on 15 March 1996. As a result of this court case, Ay was sentenced to one year and two months imprisonment and three months and 15 days of prohibition from his occupation thereunder TCY's Article 243 on the “torture” crimes. The sentences were not transferred into fines and not postponed. But when the case was dropped because of lapse of time, Ay escaped. ECHR has sentenced Turkey because of this case.