



**REPORT submitted to
the United Nations
committee on the
rights of the CHILD**

THEY DIDN'T HAVE TO DIE

SUMMARY AND BACKGROUND OF THE REPORT

Baran Tursun Foundation's "**They Didn't Have to Die**" report on Children Killed by the Police was discussed at the United Nations Children's Rights Committee

Analysis and background narrative of the rapporteur Mehmet Tursun, who was invited on behalf of the **Baran Tursun Foundation** to the 93rd meeting held at the **United Nations High Commissioner for Human Rights** building in Geneva, Switzerland on 26-30 September 2022.

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

Reporters

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Summary and background of the report

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.

CHILDREN WITH THEIR RIGHT TO LIFE VIOLATION BY THE POLICE (-18)

It has been observed that the right to life of children is widely violated in Turkey, it is difficult to reach the necessary and reliable data in order to monitor and report on the violations of the right to life, and as in other human rights areas, the risk factor is high in cases of child mortality.

Another phenomenon encountered in cases resulting in the death of children is "Impunity". It is observed that a comprehensive and deterrent investigation is not carried out, those responsible are not revealed, investigations and prosecutions are not carried out effectively, and administrative

mechanisms take an active attitude to protect and watch over the criminals.

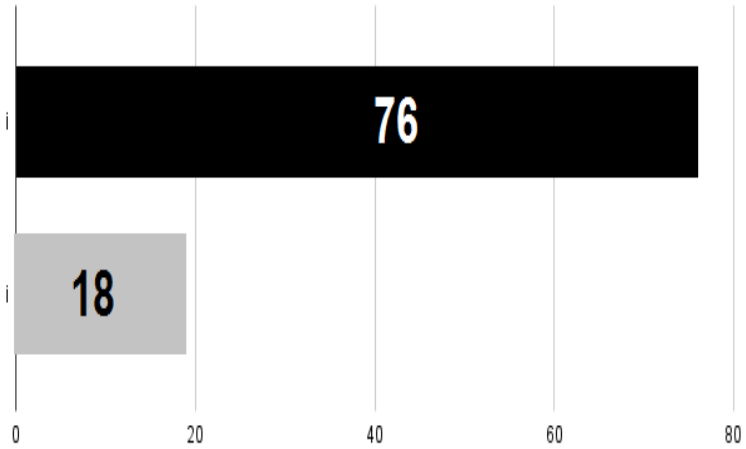
With the amendments made in the Law on the Duties and Powers of Police in 2007 and 2015, new powers based on abstract concepts were given to the police. The police force, which gives some meanings to abstract concepts in its own way, violated the right to life of 94 children, including babies, who were not even 18 years old.

As a result of the classification of children whose right to life has been violated within the scope of the human rights monitoring program of the Baran Tursun Foundation, it was determined that 76 of the 94 children who were executed without trial were in the eastern and southeastern provinces of Turkey, and 18 were in other provinces.

In the background of the cases; It has been determined that 76 of the 94 children who do not clash with the police, do not use violence against the police and do not pose a threat to the life of others, and who do not even know how to escape from the police, are in the eastern and southeastern provinces.

The fact that most of these fatal cases are in the Southeast region has hurt the conscience of the citizens residing in the region, and their trust in the administrative mechanisms and the police force has weakened.

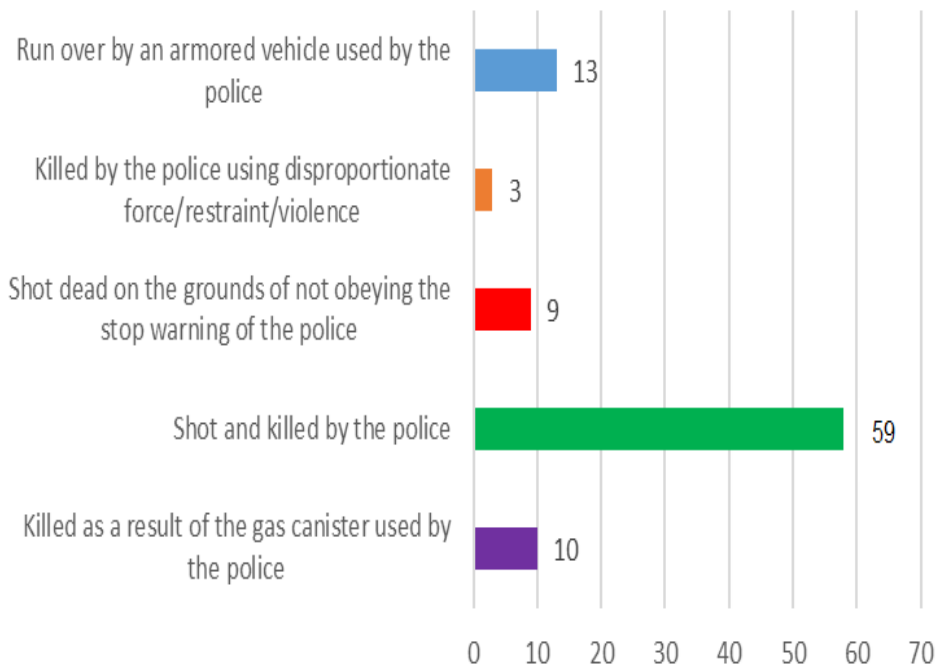
Distribution of murdered children by region



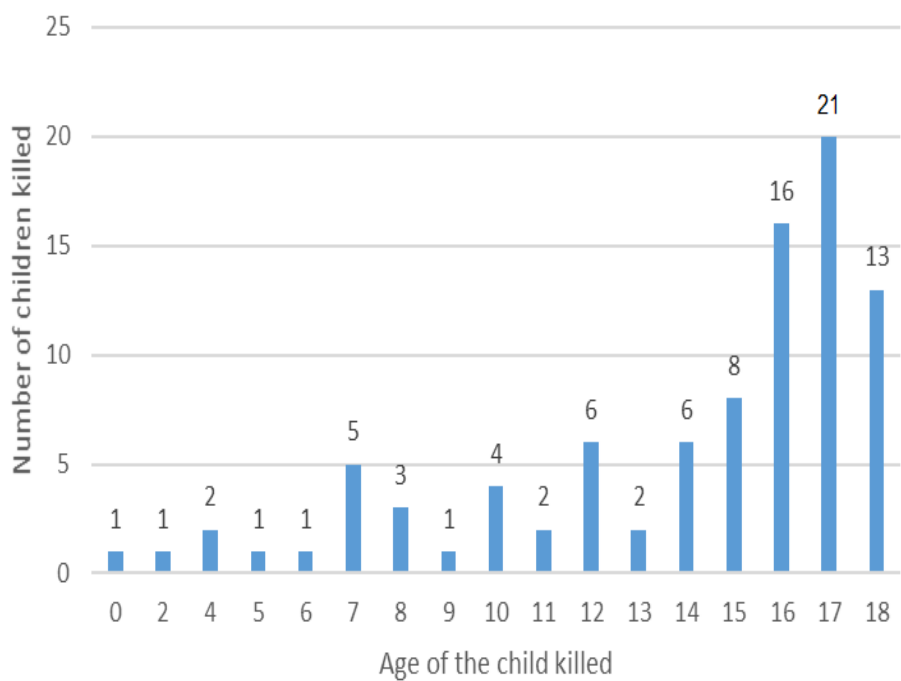
Doğu ve Güney Doğu İlleri
Eastern and Southeastern Provinces

Diğer İller
Other Provinces

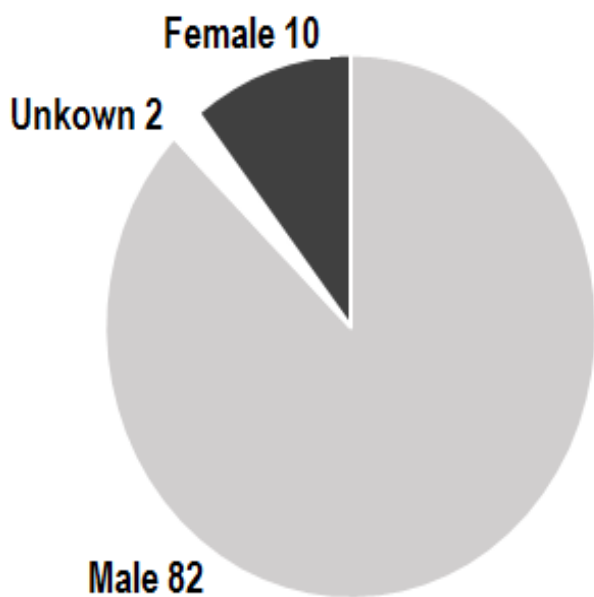
Number Of children killed



Distribution of murdered children by age



Distribution of murdered children by gender



Detailed table of murdered children

No	Name of the child	Age	Gender	History	city	Incident
94	Mustafa Alınç	17	Male	5.2.2020	Bursa	Police Bullet killed the end
93	ALPERAN SAVAŞ	17	Male	23.12.2019	Samsun	Police Bullet killed the end
92	CİHAN SEYHAN	17	Male	12.12.2018	Istanbul	Police Bullet killed the end
91	EKREM GÖRKEM	16	Male	14.01.2018	Gaziantep	Police Bullet killed the end
90	Unkown	4		28.12.2017	Diyarbakır	Police armored vehicle collision
89	FELEK BATUR	7	Male	21.10.2017	Siirt	Police armored vehicle collision
88	YİĞİTCAN CAMGÖZ	14	Male	25.09.2017	İzmir	Died as a result of police brutality
87	RAŞİD OSO	8	Male	01.08.2017	Istanbul	Police armored vehicle collision
86	TAHA KILIÇ	4	Male	24.07.2017	Van	Police armored vehicle collision
85	FURKAN YILDIRIM	6	Male	02.05.2017	Şırnak	Police armored vehicle collision
84	MUHAMMED YILDIRIM	7	Male	02.05.2017	Şırnak	Police armored vehicle collision
83	OĞUZHAN ERKUL	17	Male	14.04.2017	Şırnak	Police Bullet killed the end
82	BARIŞ KEREM	17	Male	14.04.2017	Batman	Police Bullet killed the end
81	BERFİN DİLEK	7	Female	09.02.2017	Mardin	Police armored vehicle collision

No	Name of the child	Age	Gender	History	City	Incident
80	HAKAN SARAK	5	Male	24.10.2016	Şırnak	Police armored vehicle collision
79	MUSTAFA DUMAN	17	Male	30.08.2016	Van	Shot and killed by the police.
78	FERİT İLİ	17	Male	18.07.2016	Antalya	Shot dead by the police
77	ZELİHA CUMA	7	Female	19.05.2016	Istanbul	Shot dead by the police
76	TANSU ÇAKI	17	Male	29.04.2016	Istanbul	Shot dead by the police
75	HÜSEYİN BARUT	8	Male	24.04.2016	Diyarbakır	Police armored vehicle collision.
74	SEMRA ÇELİK	17	Female	05.04.2016	Diyarbakır	Shot and killed by the police.
73	MUĞDAT AY	12	Male	14.02.2016	/Mardin	Shot and killed by the police
72	MAHMUT BULUK	16	Male	09.02.2016	Diyarbakır	Shot and killed by the police.
71	MAHMUT ÇAKIR	16	Male	03.02.2016	Adana	Shot and killed by the police.
70	HAYRETİN ŞINIK	11	Male	16.01.2016	Şırnak	Police gas bomb
69	YAKUP ISIRGN	17	Male	15.01.2016	Şırnak	Shot and killed by the police.
68	NİDAR SÜMER	17	Male	07.01.2016	Şırnak	Shot and killed by the police.
67	BİŞENG GORAN	12	Female	05.01.2016	Şırnak	Shot and killed by the police.
66	RAMAZAN ÖĞÜT	16	Male	31.12.2015	Diyarbakır	Shot and killed by the police.
65	HÜSEYİN ERTENE	16	Male	28.12.2015	Şırnak	Shot and killed by the police.
64	MİRAY İNCE	3	Female	25.12.2015	Şırnak	Shot and killed by the police.
N	Name of	Age	Gen	History	City	incident

o	the child		der			
63	DAVUT ÖZER	15	Male	22.12.2 015	Adana	Shot and killed by the police.
62	ŞİYAR SALMAN	17	Male	15.12.2 015	Diyar- bakır	Shot and killed by the police.
61	İBRAHİM AKAN	15	Male	18.12.2 015	Şırnak	Shot and killed by the police.
60	ÇETİN TAŞAR	17	Male	31.12.2 015	Şırnak	Shot and killed by the police.
59	HAKAN DOĞAN	15	Male	07.12.2 015	Mardin	Shot and killed by the police.
58	ÇEKVAR ÇUBUK	16	Male	02.12.2 015	Diyar- bakır	Police Bullet killed the end
57	SELMAN AĞAR	10	Male	02.12.2 015	Şırnak	Police Bullet killed the end
55	NASİP YEŞİL	17	Male	27.11.2 015	Şırnak	Shot and killed by the police.
54	FERHAT DOĞRU	17	Male	06.11.2 015	Diyar- bakır	Shot and killed by the police.
53	MUSTAFA AŞLIĞ	16	Male	25.10.2 015	Şırnak	Police Bullet killed the end
52	İDRİS CEBE	17	Male	12.10.2 015	Mardin	Shot and killed by the police.
51	HELİN ŞEN	12	Fema- le	10.10.2 015	Diyar- bakır	Shot and killed by the police.
50	ÖMER KOÇ	16	Male	04.10.2 015	Diyar- bakır	Shot and killed by the police.
49	BERAT GÜZEL	12	Male	02.10.2 015	Diyar- bakır	Shot and killed by the police.
48	BİLAL MENGİL	15	Male	28.09.2 015	Diyar- bakır	Shot and killed by the police
47	BÜNYA- MİN İRCİ	14	Male	10.09.2 015	Şırnak	Shot and killed by the police.
46	SELAMAN AĞAR	10	Male	09.09.2 015	Şırnak	Shot and killed by the police.
N o	Name of the child	Age	Gen der	History	City	incident
45	ZEYNEP	17	Fema-	07.09.2	Şırnak	Shot and killed by the police.

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44	SAİT NACİ	16	Male	07.09.2015	Şırnak	Police Bullet killed the end
43	OSMAN ÇAĞLI	17	Male	07.09.2015	Şırnak	Shot and killed by the police.
42	CEMİLE ÇAĞIRCA	10	Female	07.09.2015	Şırnak	Shot and killed by the police.
41	AYTEN GÜLHAN	17	Female	05.09.2015	Tunceli	Died, caught between conflicting parties
40	BARAN ÇAĞLI	7	Male	28.08.2015	Şırnak	Shot and killed by the police.
39	ADEM İRTEGÜN	16	Male	29.08.2015	Hakkari	Shot and killed by the police.
38	FIRAT ELMA	16	Male	18.08.2015	Istanbul	Shot and killed by the police.
37	M.AYDEMİR	15	Male	12.08.2015	Ağrı	Police Bullet killed the end
36	ORHAN ASLAN	16	Male	12.08.2015	Ağrı	Shot and killed by the police.
35	HIDİR TAMBOĞA	17	Male	07.08.2015	Şırnak	Shot and killed by the police.
34	HASAN NERE	17	Male	29.07.2015	Şırnak	Shot and killed by the police.
33	SERHAT SAVAŞ	15	Male	10.2014	Istanbul	Police gas bomb
32	N.KAZAN HAN	12	Male	13.01.2015	Şırnak	Shot and killed by the police.
31	ÜMİT KURT	14	Male	06.01.2015	Şırnak	Shot and killed by the police.
30	KADRİ ÇAKMAK	16	Male	16.12.2014	Diyarbakır	Shot and killed by the police.
29	ROJHAT ÖZDEL	18	Male	06.12.2014	Yüksekova	Shot and killed by the police.
No	Name of the child	Age	Gender	History	City	Incident
28	FURKAN ÇAVUŞ	14	Male	17.07.2014	Erzurum	Shot and killed by the police.
27	İBRAHİM	15	Male	15.06.2	Adana	Police gas bomb

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26	LÜTFULLAH TACİK	17	Male	31.05.2 014	Van	Died as a result of police brutality
25	BERKİN ELVAN	16	Male	11.03.2 014	Istanbul	Police gas bomb
24	SİNAN S.KALP	17	Male	25.08.2 013	Şırnak	Police armored vehicle collision
23	TUĞRUL CİMLİ	17	Male	14.05.2 013	/Balıkesi r	Shot and killed by the police
22	MAZLUM AKAY	11	Male	29.07.2 012	Adana	Police gas bomb
21	YUSUF YILAN	9	Male	14.06.2 012	Erzurum	Police armored vehicle collision
20	ÖZGÜR TAŞAR	17	Male	04.06.2 012	Yükse- kova	Shot and killed by the police
19	DOĞAN TEYBOĞA	13	Male	24.07.2 011	Şırnak	Police gas bomb
18	İBRAHİM ORUÇ	17	Male	20.04.2 011	Diyar- bakır	Shot and killed by the police
17	DİREN BASAN	10	Male	04.06.2 010	Şırnak	Police armored vehicle collision .
16	EMRAH GEZER	17	Male	23.08.2 008	Ankara	Shot and killed by the police
15	ÖZGE KEYİKÇİ	13	Fema- le	19.10.2 009	Kütahya	Shot and killed by the police
14	MEHMET UYTUM	2	Male	10.12.2 009	Cizre	Police gas bomb
13	ENES ATA	8	Male	30.3.20 07	Diyar- bakır	Shot and killed by the police
12	A.SAMET ERİP	14	Male	23.04.2 009	Hakkari	Police gas bomb
N o	Name of the child	Age	Gen- der	History	C.ty	İncident
11	İBRAHİM H. ÇOBAN	17	Male	27.10.2 008	Şanlıur- fa	Police Bullet killed the end
10	FEVZİ ABİK	15	Male	12.08.2 008	Adana	Shot and killed by the police

9	ÇAĞDAŞ GEMİK	17	Male	27.10.2 008	Antalya	Police Bullet killed the end
8	YAHYA MENEKŞE	16	Male	15.02.2 008	Cizre	Police armored vehicle collision
7	FURKAN AKŞİL	12	Male	2008	Silopi	Shot and killed by the police
6	EMRAH DERVİŞ	17	Male	08.01.2 008	Istanbul	Police Bullet killed the end
5	UĞUR ÇETİN	17	Male	12.12.2 007	Adana	Shot and killed by the police
4	FAHRET- TİN ŞEDAL	16	Male	10.04.2 007	Hakkari	Shot and killed by the police
3	MAHSUN MIZRAK	14	Male	2007	Diyar- bakır	Death in custody.
2	SONER CANKAL	17	Male	2007	Ankara	Police Bullet killed the end
1	MEHMET AKBULUT	17	Male	2007	Diyar- bakır	Police gas bomb

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