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Turkey: Time to end impunity

The wall of impunity sheltering Turkish security forces from prosecution for the human rights violations they commit can only begin to crumble if supervision of their activities becomes tighter and the prospect of investigation and punishment more credible, Amnesty International said today, launching a report on the issue.

“The bland complacency shown by successive Turkish governments in the face of torture, ill-treatment, death in custody and ‘disappearance’ at the hands of law-enforcement officers is staggering,” the human rights organization added.

Amnesty International’s report details a series of cases in which complaints of serious human rights violations have not been pursued by the competent authorities.

“The authorities have consistently failed to fulfil their duty to investigate complaints of abuses by security forces and take the necessary action. This has fed a vicious circle of impunity, fear and abuse and undermined the civil society’s confidence in the judiciary,” the organization said.

In one particularly tragic case, a man whose attempts to bring his torturers to justice failed was driven to take his own life. Vasfi Karakoç -- an Izmir taxi driver -- was arrested by police in August 1998 and blindfolded, suspended by the arms and subjected to electric shocks and various other forms of torture. Upon release he lodged a complaint, only to be threatened by police officers. His anger and frustration led him to set himself on fire on the Izmir city walls naming the officers who tortured him.

A generalised climate of fear, witness intimidation, incomplete police records, the suppression of medical evidence and prosecutors’ reluctance to investigate the work of security forces officers are among the factors contributing to impunity which are identified in Amnesty International’s report.

The failure by judges to investigate allegations of torture -- often made in court -- also leads to unfair trials, with confessions extracted under torture being frequently used in trials as a basis for imprisonment.

Legal provisions such as the one allowing incommunicado detention for up to four days and the outdated system regulating the prosecution of civil servants also hinder the process of complaint investigation and prosecution.

Even when all these obstacles are overcome and prosecution of security officers is actually brought about, the acquittal rates are very high, ranging between 87.5% and 96.75% according to official statistics.

“In the rare cases in which a conviction is made, security forces officers are, as a rule, favoured by the lightest possible sentences,” Amnesty International said.

This is the case even with particularly heinous offences such as the torture of children. The police chief found guilty of blindfolding, kicking, punching, choking and subjecting to electric shocks a 13-year-old falsely accused of theft was simply fined. His conviction was later overturned on technical grounds and he is reportedly still on duty pending retrial.

“The victims, their families and human rights defenders campaigning for an end to the practice of impunity face harassment and intimidation,” Amnesty International said. “The same happens with doctors reporting accurately on injuries resulting from torture.”

The case of the relatives of the “disappeared” peacefully seeking to establish the fate of their loved ones is emblematic. Not only are the authorities failing to investigate their complaints, but since May 1998 they have been responding with increasing harshness to their protests. In September 1998, 31 of them were forced into a police van where officers beat them and sprayed pepper gas at them before closing all the doors. All 31 -- some of whom fainted -- had to be taken to hospital for treatment.

Amnesty International is calling on the Turkish authorities to take urgent action to tackle the issue of impunity and to implement the recommendations made by the High Council of Human Rights.

Measures recommended in the organization’s report include:

- banning practices like blindfolding in police custody;
- ensuring that proper detention records are kept and made available for scrutiny, that reliable statistics concerning complaints, prosecutions, convictions and sentences in cases of alleged torture, ill-treatment, or “disappearance” are compiled and that concealing medical evidence of torture is criminalized;
- ensuring thorough investigation of complaints of abuses, the prosecution of those found responsible and the removal of all legal impediments to the course of justice in these cases;
- reviewing convictions based on evidence allegedly extracted under torture;
- suspending security forces personnel investigated for human rights abuses and dismissing those who are found guilty of them;
- involving civil society in mechanisms to observe and report on the activities of law-enforcement officers.

Amnesty International’s report “Turkey: The duty to supervise, investigate and prosecute” will be presented to the European Parliament’s Sub-Commission on Human Rights in Brussels on 20 April.

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For a copy of the report, or to arrange an interview, please contact the Amnesty International Press Office on: +44 171 413 5566/5808