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Turkey: Abdullah Öcalan's execution should be stopped

Turkey would violate its obligations under international law by executing Abdullah Öcalan after a clearly unfair trial, Amnesty International said today, after the Appeal Court confirmed the death sentence imposed on the leader of the Kurdistan Workers' Party.

The organization is calling on the Turkish Parliament to stop the execution of Abdullah Öcalan, as well as of any other person under sentence of death, and reiterates its appeal for total abolition of the death penalty in Turkey.

"Abdullah Öcalan's execution would break a 15 years' *de facto* moratorium on executions and open the door for more executions," Amnesty International said, expressing particular concern for those already sentenced to death or standing trial in State Security Courts for politically motivated offences.

"The resumption of executions in Turkey would be a blow for human rights in the country and a severe setback for total abolition in Europe and," said Amnesty International, which opposes the death penalty in all cases.

"The death penalty is the ultimate form of cruel, inhuman and degrading punishment, and it has never been shown to prevent crime -- least of all politically-motivated crime -- more effectively than other punishments," the organization added.

Turkey has already taken first steps towards abolishing the death penalty. In the bill setting out a new penal code, prepared by a parliamentary commission in 1996-1997, the death penalty was eliminated. Despite the then Turkish government's declaration to the Council of Europe in early 1999 that "this bill is one of the priority items on the Parliament's order of business", its passage through Parliament has been delayed.

"The legal abolition of the death penalty would be a major step forward for human rights in Turkey," Amnesty International said, urging the Turkish authorities meanwhile to uphold the moratorium on executions.

Background

Under Turkish law, death sentences upheld by the Appeal Court are submitted to the Judicial Commission of the Parliament which may stop the procedures *de facto* by not reviewing the case. If the Commission proceeds, it prepares a draft law recommending or not the execution, and submits it to the general assembly of the parliament. Parliamentary approval requires a simple majority. The State President has the power to commute or lift death sentences on grounds of age, disability or ill-health. Once the act is ratified and has been announced in the Official Gazette (*Resmi Gazete*), the Ministry of Justice is responsible for ensuring the execution is carried out, which usually happens within days, sometimes even hours.

Turkey, a member of the Council of Europe and party to the European Convention on Human Rights, is one of the few remaining European states not to have abolished the death penalty.

When Abdullah Öcalan was sentenced to death on 29 June 1999, European governments and intergovernmental organizations warned Turkey that a resumption of executions might isolate the country in Europe. There are also signs that public opinion leaders in Turkey favour a continued moratorium.

The last executions in Turkey took place in October 1984 and provoked an international outcry. Hidir Aslan, aged 28, was executed after being convicted of belonging to an illegal organization. He had not been convicted of any killings.

Since then, death sentences have continued to be imposed, and at least 47 prisoners are currently on death row in Turkey. However, there has been a *de facto* moratorium on executions, as the Turkish parliament has not voted on any death sentences brought before it for approval.

Amnesty International has recently published the report “Turkey: Death sentence after unfair trial: The case of Abdullah Öcalan” (EUR 44/40/99) which gives a background on the death penalty in Turkey and demonstrates which national and international standards for fair trials have been violated from the moment of Abdullah Öcalan’s arrest until he was sentenced to death.

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For further information, or to obtain a copy of the report, please call Amnesty International's press office in London, UK, on 44 171 413 5566.