

Public Statement

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Turkey: Amnesty international concerns about proposed amendments to Anti-Terror Law.

The Turkish parliament will imminently be considering an amendment to Article 16 of the Anti-Terror Law proposed by the government. According to Article 16 of the Anti-Terror Law, people accused and convicted of violent and other political offences are held in solitary confinement and small group isolation. Amnesty International has repeatedly raised its concern with the Turkish Government that the imprisonment of people in solitary confinement or small group isolation may amount to cruel, inhuman or degrading treatment or punishment.

Amnesty International welcomes the provisions in the proposed amendment of the law which would open the possibility for prisoners to participate in common activities, including sports and education, and permit pre-trial detainees and people who have been convicted, who are not subject to disciplinary sanctions, to meet visitors without physical barriers between them.

Amnesty International considers, however, that the wording of the proposed amendments to Article 16 of the Anti-Terror Law does not fully address the organization's concerns. Among other things the provision of education, sports, vocational training and other social and cultural activities is only possible within the "framework of rehabilitation and education programs developed for such prisoners".

Rather than establishing the right of each individual deprived of their liberty to participate in exercise, educational, vocational, social and cultural programs in a manner which is consistent with legitimate security needs, the wording of the proposed legislative amendment seems to suggest that the provision of such programs depends on the resources of each particular prison and grants the prison authorities the power to decide which prisoners and how many will have access to communal activities.

Amnesty International urges the Turkish Government to meet its international obligations to take all necessary measures to eradicate torture and other cruel, inhuman or degrading treatment or punishment. The government must ensure that each individual deprived of their liberty is treated with respect for the inherent dignity of the human person. To that end Amnesty International urges the government to take "measures to ensure that prisoners spend a reasonable part of the day engaged in a program of communal activities outside their living units" as called for by the European Committee for the Prevention of Torture.

Background

Since October 2000 more than 1,000 political prisoners have participated in hunger strikes against the "F-Type" prisons. Reportedly up to 800 people remain on hunger strike. To date 19 people, including 15 prisoners and four of their relatives, have died as a result.

On 9 December 2000, the Justice Minister promised that the planned transfer of prisoners to the "F- type" prisons would not take place until Article 16 of the Anti-Terror Law, which lays down a draconian regime of isolation, was amended. Yet on 19 December, an operation was conducted by the security forces in 20 prisons, as a result of which 30 prisoners and two soldiers died. Subsequently, hundreds of prisoners were transferred to three new "F-Type" prisons.

Further details of Amnesty International's concerns about the use of isolation and allegations of torture and ill-treatment in "F-Type" prisons are documented in Amnesty International's recent report: Turkey: "F-Type" prisons-Isolation and allegations of torture and ill-treatment, AI Index: EUR 44/025/2001.

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For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW web : <http://www.amnesty.org>

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