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Turkey: Closure of Torture Prevention Group shocking

Amnesty International has written to the President of the Izmir Bar Association, Mr Nevzat Erdemir, to express its shock at his 7 December 2004 decision to dissolve its Torture Prevention Group. The Group had been engaged in groundbreaking work in bringing justice to torture victims and its closure is a step-back in the struggle against torture. Amnesty International called for the decision to be reconsidered.

Amnesty International further stressed its great concern at reports that the administration of the Izmir Bar Association had seized files and computers from the offices of the Torture Prevention Group on 7 January. These contained confidential testimony, photos and other records related to some 575 applications from victims of torture. Amnesty International is concerned that applicants may subsequently face the risk of harassment, detention or even further torture and ill-treatment. It therefore sought urgent clarification as to the whereabouts of these documents.

In a press statement dated 13 December Mr Nevzat Erdemir stated that one of the reasons that he was closing the Torture Prevention Group was because a project it was coordinating was receiving funds from the European Commission which he claimed was on a mission to divide Turkey and to damage its national interest, including through the creation of "an independent Kurdistan". He stated that the closure of the Group was necessary in order to prevent "disasters for our Republic, our Nation and People" and that he "violently denounces this initiative [the Torture Prevention Group], supported by the European Union, which is directed, under the name of human rights, at the unity and integrity of our country". He also criticized the Group's cooperation with international organizations -- understood to include Amnesty International.

The decision to close the Torture Prevention Group appears to be against Article 95 of the Turkish Law on Legal Practice which states that one of the duties of Executive Boards of Bar Associations in Turkey should be to "protect and defend supremacy of law and human rights and to work to have these subjects applied".

Background:

The Torture Prevention Group was established in December 2001 by the Izmir Bar Association with the aim of providing legal aid to the victims of torture and to campaign to remove all obstacles in Turkish law and practice that might prevent the successful prosecution of perpetrators. The Group provides legal support to individuals who complain of ill-treatment and torture by police officers. It systematically monitors all stages of subsequent legal proceedings and intervenes when necessary including by lodging appeals and organizing medical documentation. The work of the Group is carried out by some professional staff but mainly by more than 250 lawyers from the Izmir Bar Association who work voluntarily.

By the date of the decision by the Izmir Bar Association to close the Group, 575 individuals

had applied to it. Of these the Group had worked on 334 cases, in 116 of which perpetrators had been charged. The Group has also been active in sharing its experiences with lawyers throughout Turkey by organizing workshops. The tireless and groundbreaking work of the Torture Prevention Group is a model not just for lawyers in Turkey but around the world.

Official human rights bodies in Turkey like the Provincial and Local Human Rights Boards have been largely ineffective in investigating and monitoring human rights violations in Turkey. The work of the Torture Prevention Group has therefore been especially important in documenting the extent of torture and ill-treatment in Turkey. Despite Prime Minister Tayyip Erdoğan's statement to the Parliamentary Assembly of the Council of Europe in October 2004 that "there is no longer any systematic torture in Turkey", his administration has failed to take sufficient steps to investigate and monitor patterns of torture for him to be able to make such a statement. Only in Izmir, thanks to the work of the Torture Prevention Group and human rights organizations, has the true extent of the situation in Turkey begun to be exposed in an objective fashion.