

News Service: 040/99

AI INDEX: EUR 44/17/99
24 FEBRUARY 1999

PUBLIC STATEMENT

TURKEY

AMNESTY INTERNATIONAL WELCOMES OVERDUE REPORT

Although the European Committee for the Prevention of Torture has concurred with the Turkish government's view that "Turkey is moving in the right direction" more changes are urgently needed, Amnesty International said today.

As the ECPT itself said yesterday on publishing its October 1997 visit to Turkey, "reaching the desired goal will require a sustained effort by all parties concerned".

Amnesty International is calling on the Turkish authorities to ensure that civil society -- and human rights organizations in particular -- play a key role in the strategy for improving human rights protection.

According to the organization, the next step must be to put an end to incommunicado detention, which remains the single most important factor in the persistence of torture in Turkey.

The Committee's "serious misgivings" about the fact that people accused of political offences are denied access to a lawyer for the first four days of custody are fully supported by Amnesty International, whose reports show that incommunicado detention is very commonly extended far beyond the four days permitted under Turkish law.

Those charged with ordinary criminal offences have the right to see a lawyer as soon as they are detained, but the ECPT found that this right is not being properly applied in practice.

Both the Committee and Amnesty International are calling on the Turkish authorities to ensure that all detainees are granted such a right in law and practice.

The Committee's report coincides with Amnesty International's research in highlighting conditions of detention in police stations and prisons, ill-treatment of prisoners during transfers and the methods used to deal with prison disturbances as cause for serious concern.

With reference to controversial plans to reform the prison system, the ECPT stated that it has no objections to the move from a wing system to a cell system, but recommended measures to ensure that prisoners spend a reasonable time in activities outside their living unit.

However, Amnesty International regrets that prison authorities are not giving clear indications on the regime they plan to implement, which prisoners fear will be an isolation system rather than simply a cell system.

The organization is urging the Turkish authorities publicly to acknowledge that prolonged total or small-group isolation may constitute cruel and inhuman treatment, and to ensure that prisoners be permitted to associate during daylight hours.

Background

The ECPT stated that it had heard "a considerable number" of allegations of torture during the October 1997 visit, but that the main aim of the visit was to verify whether recently adopted measures to combat torture were being properly implemented.

The most important of those measures was the change to the Criminal Procedure Code of March 1997 which shortened the maximum period of detention for people detained for offences within the jurisdiction of State Security Courts from 30 days to 10 days in provinces under state of emergency, and from 14 days to seven days throughout the rest of the country. Such detainees are held incommunicado without access to legal counsel for the first four days.

The Turkish Government has still not given permission for the publication of reports on earlier visits during which ECPT delegates discovered instruments of torture in police stations in Istanbul, Ankara and Diyarbakır.

In its second public statement on Turkey of 6 December 1996, the ECPT described torture as "widespread ... a common occurrence" and reported that in Istanbul police headquarters in September 1996 they had found "an instrument adapted in a way which would facilitate the infliction of electric shocks and equipment which would facilitate the infliction of electric shocks and equipment which could be used to suspend a person by the arms".

In 1992, the ECPT had found equipment in Diyarbakır and Ankara Police Headquarters. At the latter location they had found "a low stretcher-type bed equipped with eight straps (four each side), fitting perfectly the description of the item of furniture to which persons had said they were secured when electric shocks were administered to them. No credible explanation could be proffered for the presence of this bed in

what was indicated by a sign as being an 'interrogation room' ... the delegation's discoveries caused considerable consternation among police officers present; some expressed regret, others defiance". (The ECPT's public statement of December 1992.)

ENDS.../