

TURKEY

Trade unionists face persecution

The introduction in 1994 of the government's privatization program and of an economic austerity package had a severe negative effect on the living conditions of a large sector of society, in particular of workers and low-paid civil servants. The rate of inflation rose to more than 150%, the cost of living soared with prices of goods and services from state-run enterprises rising by up to 120%. There was a rise in unemployment and social unrest as many state-owned factories were threatened with closure. Following local elections in March 1994, many municipalities dismissed workers and civil servants - more than 10,000 during the first three months alone. A total of over 650,000 workers lost their jobs in 1994, a trend which continued during 1995.

These measures led to widespread protests by workers, civil servants and the trade unions. Their protests were harshly dealt with by the security forces and the courts. Workers and their trade union representatives were harassed, beaten, detained, arrested and prosecuted.

Transport workers whose employers often work for the municipalities were greatly affected by these developments and their trade union TÜMTİS (Türkiye Motorlu Ta__t I_çileri Sendikası - Turkish Union of Motor Vehicle Workers) called for international solidarity when its members faced harsh treatment and prosecution for trying to exercise their constitutional rights¹. Amnesty International received allegations of beating and arbitrary detention in connection with a number of disputes in which TÜMTİS members protested against the obstruction of their rights to union organization and collective bargaining. This report contains information on four such disputes.

¹ Turkish Constitution Article 51/3: Everyone shall be free to become a member of, or withdraw from membership in, a union.

Article 51/4: No one shall be compelled to ... withdraw from membership of a union.

Article 53/1: Workers and employers have the right to conclude collective bargaining agreements in order to regulate reciprocally their economic and social position and conditions of work.

Article 34/1: Everyone has the right to hold unarmed and peaceful meetings and demonstration marches without prior permission.

In January 1995 the transport company Ekspres Kargo dismissed more than 200 workers because of their union membership. On 25 January police attacked and detained workers who were staging a vigil outside their workplaces in Istanbul and Izmir. On 26 February six trade union officials and 64 workers who picketed the company's cargo transfer centre in Küçükköy-Istanbul were attacked by the police and detained. Erdal Ç_nar obtained a medical report dated 1 March 1995, certifying injuries due to beating and his inability to work for seven days. The workers were later charged with unlawful assembly under Statute 2911 (Law on Assembly and Demonstrations) as were 17 union members in Izmir on 7 March. On 11 April four union members, two of them women, were committed to prison on the same charge, but released the following day pending trial.

In a long drawn out conflict with the transport company Inchcape Retrans based near Gebze workers who had been sacked in June 1995 when trying to affiliate to TÜMTIS picketed their workplace for several months in an attempt to get their jobs back. On some occasions hundreds of gendarmes confronted the workers, and there were also reports that security forces collaborated with security personnel hired by the company. Pickets were repeatedly beaten and detained. Several union members, including women, were injured when they were struck with rifle-butts and truncheons.

In Izmir, the owners of nine warehouses reportedly sacked some 120 workers without compensation because of their affiliation to TÜMTIS. Following the transfer of NAK-Kargo to the outskirts of Izmir on 3 December 1995, some 40 transport workers were sacked by their employer when they refused to give up their union membership. Halil Dinç, President of TÜMTIS in Izmir, reported:

Halil Dinç

“In December 1995 the transport company Nak-Kargo in Izmir sacked 43 workers. They were all members of our union [TÜMTIS]. On 22 December 1995 the sacked workers, some board members of TÜMTIS and about 100 of our representatives at different companies gathered in front of Nak-Kargo. We wanted to talk to the management about the dismissals, but they refused.

We then intended to hold a press conference - there were several journalists present - but had not really begun when suddenly anti-riot police and police from the local Çamdibi police station approached us and started to beat us without any warning although we had gathered peacefully.

The anti-riot police beat us with truncheons. The chief of Çamdibi police station beat me with his walkie-talkie over the head causing a severe head injury (for which I had to be taken to hospital later). While my head was bleeding the anti-riot police went on beating me with truncheons, especially on the head. They also punched and kicked me causing bruises.

Friends took me to hospital in Izmir. My head injury required seven stitches. I received a medical report from the Forensic Medical Institute stating that I was unable to work for seven days.

On the same day we went to Çamdibi police station to file a complaint against the police there and against the anti-riot police, which would then be passed to the Bornova Chief Prosecutor for investigation. Instead, we were detained and held at the police station for about 24 hours.

We continued to protest in front of Nak-Kargo almost every day. Police were always present beating and insulting us. Only a few days after I received the head injury and was still wearing a bandage around my head, police beat me again on the head with their fists. My lip split as a result of a blow to my face. Since the end of December 1995 the General Secretary of our branch, myself and members of our union have been detained on about seven or eight occasions. The police usually keep us for 24 to 36 hours. However, we were not subjected to ill-treatment while being held in custody.”

Halil Dinç received a medical report from the Forensic Medicine Institute in Izmir dated 22 December 1995 which excused him from work for seven days and described the following symptoms: *On the head on the front-parietal area there is a 5 cm stitched wound with bruising. On the back of the left thigh there are two parallel red bruises.*

Hasan Yay_k

Hasan Yay_k, General Secretary of the Izmir branch of TÜMTIS, stated:

On 22 December 1995 I was also beaten by the police with truncheons. I had bruising on my back and legs. However, I didn't consider it worthwhile to ask for medical treatment or to file a complaint. We took Halil Dinç who had a severe head injury to hospital. Later, when about seven of us went with him to the Çamdibi police station to file a complaint, we were all detained for about a day.

On 30 January 1996 three workers, members of TÜMTIS who had been sacked by the Sivas Sürat company in Istanbul, were detained while protesting in front of the Sivas Sürat warehouse in the Topkap_ district of Istanbul. At 11am Hüseyin Özdo_an and Kenan Öztürk, board members of TÜMTIS, went to Zeytinburnu Police Headquarters to make inquiries about the three workers. The two trade union officials were then also detained. Hüseyin Öztürk later stated:

First, we were kept with the detained workers in a corridor. There were about 15 policemen with us. An officer came asking: "Where are the unionists?" Police started insulting and beating us. One of the workers was pushed to the floor. One policeman stepped on his arms while another was beating him. Afterwards we were brought to a cell. We were not allowed to contact a lawyer. We were released on 31 January at 4pm. Police warned us not to cause any problems: "Communists will end on the graveyard".

I went to the doctor, but there were hardly any traces of the beating.

We went to Zeytinburnu Police Headquarters to complain about the ill-treatment, but the police refused to accept our complaint.

Amnesty International is appealing to the Turkish authorities that the complaints brought by Halil Dinç and other trade unionists are fully and impartially

investigated and that those found responsible for human rights violations are brought to justice.

Law 2911 provides for terms of imprisonment of up to three years for organizing or participating in an unauthorized demonstration. Amnesty International would consider any trade unionists imprisoned for exercising their right to orderly and non-violent assembly to be prisoners of conscience.