

TURKEY: PROMISES OF REFORM SO FAR UNFULFILLED

The Turkish Government has so far failed to enact the simple and practical reforms needed to tackle its grave human rights situation, Amnesty International said in a report released today.

The European Parliament will be considering Turkey's human rights record when discussing the proposed customs union in October this year. Turkey is therefore under very intense scrutiny and under considerable pressure to enact effective reforms. Amnesty International holds no position on the question of the customs union, but hopes that the Turkish Government will take the three steps which would signal real determination to break with the past record of gross violations.

"The human rights picture in Turkey has been deteriorating rapidly over the past five years," Amnesty International said. "The Turkish authorities have the power, resources and infrastructure to enact changes and make them stick -- given the political will."

There are three key reforms which, if implemented, could signal the beginning of a serious change in the human rights picture in Turkey:

1. Abolition or reform of Article 8 of the Anti-Terror Law (under which most prisoners of conscience are held) which punishes "separatist propaganda" by up to five years' imprisonment.
2. Prompt access by all detainees in police custody to legal counsel (as a safeguard against torture).
3. Shortening of maximum police detention period so that all detainees are brought "promptly" before a judge (as a safeguard against torture and "disappearance").

These simple and practical steps would help to bring Turkey in line with international human rights instruments ratified by Turkey. They would also fulfil the principal recommendations of intergovernmental organizations and expert bodies of the United Nations and Council of Europe, as well as Turkey's own High Consultative Committee on Human Rights.

In the face of bitter public criticism, some members of the government, as well as certain sectors of the business community, have begun cautiously to acknowledge the extent of torture, "disappearance" and extrajudicial execution.

In May 1995 a report prepared by the High Commission for Human Rights (attached to the office of the Prime Minister) found that police were "systematically" interrogating Turkish citizens under torture. Their recommendations for halting the practice included the two key safeguards against torture recommended by Amnesty International.

The organization considers these courageous first steps -- away from the traditional policy of blank denial-- to be a positive sign and sincerely hopes that these initiatives will now be

supported by those with the power to effect change: the Prime Minister, the Interior Minister and parliament.

A number of ministers have also roundly condemned Article 8 of the Anti-Terror Law. Ninety-nine members of the country's literary and artistic elite are currently being tried under Article 8 of the Anti-Terror Law for republishing the writings of Turkey's best-known writer Ya_ar Kemal in which he describes widespread human rights violations in the mainly Kurdish southeastern provinces.

Several academics, journalists and human rights defenders are now serving long prison sentences under Article 8 which outlaws "separatist" statements. Unfortunately, government attempts to reform Article 8 are being opposed by a group of parliamentary deputies, the President, and the armed forces.

In its report, Amnesty International notes that the number of deaths in custody as a result of torture, as well as those due to "disappearances" and political killings for the first eight months of 1995, while still very high, show some reduction.

"These figures should be read with caution as it is too early to say whether there is real improvement or just lack of information," the organization said. "Turkish human rights defenders are facing brutal intimidation and foreign human rights monitors are being kept out -- Amnesty International's researchers have been deported and banned from the country."

If close observation by the European Union and other intergovernmental organizations has indeed resulted in a reduction, those bodies have a duty to maintain their vigilance.

Amnesty International's new report also describes continued abuses by armed opposition groups, including alleged killings of prisoners and civilians -- among them children-- by the Kurdish Workers Party (PKK) and "punishment" killings by DHKP/C (Revolutionary People's Liberation Party/Front).

The report strongly rejects the response to an earlier Amnesty International report, by Ali Sapan, of the National Liberation Front of Kurdistan (the popular front established by the PKK), that "the number of people killed is very limited". Common Article 3 of the Geneva Convention, which the PKK claims to respect, explicitly forbids the ill-treatment or killing of prisoners.

"For one civilian or prisoner to become a victim of such deliberate killing would be one too many," Amnesty International said. "In fact, the victims are numbered in their hundreds and killings continue."

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Should you require further information please refer to Amnesty International's report: *Turkey - Unfulfilled promise of reform* (AI Index: EUR 44/87/95)