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TURKEY: INTERNATIONAL PRESSURE FOR REAL CHANGE MUST BE SUSTAINED

Until safeguards against torture and "disappearances" are put in place, Turkey's promises of improving human rights will remain empty, Amnesty International said today as international attention turns to the debate on the European Union's planned custom union with Turkey.

"Nineteen ninety-five was expected to be the year of change for human rights in Turkey, but as the end of the year approaches, torture, 'disappearances' and extrajudicial executions continue to claim dozens of victims," the human rights organization said.

"Laws which provide for prosecution and imprisonment of Turkish citizens for expressing their non-violent opinions remain in force almost completely unchanged."

The European Parliament had stated its readiness to approve the planned customs union subject to clear progress on reform, and the Turkish Government for its part, had publicly promised to make this reform a priority. However, neither Turkish citizens nor the international community can feel confident that prisoners of conscience, systematic torture and mounting reports of "disappearance" are truly a thing of the past. Internal and international pressure for reforms should be sustained.

Events in 1995 suggest that the situation in Turkey is not irremediable given the political will to make changes. During the year there was some reduction in the number of "disappearances" and deaths in custody. In November, more than 100 prisoners -- many of them prisoners of conscience -- were released as a result of adjustments made to Article 8 of the Anti-Terror Law.

The Turkish public, ashamed at the threat of imprisonment of its literary elite and horrified at extrajudicial executions and "disappearances" on the streets of Istanbul and Ankara, was an influence in reining back the abuses. A new factor, however, was international political pressure. Members of the European Parliament, in particular, strongly demanded improvement in human rights as a condition for their approval of the customs union.

Unfortunately, nothing has been put in place to protect Turkish citizens against a repeat of 1994 -- a year in which the UN Special Rapporteur recorded a greater number of reports of "disappearance" from Turkey than from any other country in the world, and in which State Security Courts indicted Turkey's most renowned writers.

"The central issue is the absence of legislative safeguards against incommunicado detention, torture and "disappearance" and genuine lack of law reform to ensure freedom of expression," Amnesty International said.

Even now, this year's meagre progress in human rights is already under threat. "Disappearances" increased sharply in October and November. Witnesses have confirmed to Amnesty International that on 30 October, six people, including three children, "disappeared" after being detained near Dargecit, in Mardin province. Two people "disappeared" in Istanbul in circumstances suggesting that they were abducted by police.

DETAILS OF INDIVIDUAL CASES

Human rights monitoring in the southeast is as perilous as ever – Mazhar Kara, treasurer of Diyarbakir Human Rights Association, detained and tortured on previous occasions, has been in incommunicado police custody since 1 December.

Mustafa Akbulut, detained on 23 November, died two days later during interrogation at Gaziantep Gendarmerie Headquarters. Two of his sons who were detained with him reported after their release that they were tortured in custody. As highlighted in earlier statements by Amnesty International, the persistent reports of torture of children remain a serious concern. Twelve-year-old Halil Ibrahim Okkali stated that he was beaten on the arms with a truncheon resulting in a fracture while detained on suspicion of theft at Cinarli Police Station in Izmir on 27 November.

Amnesty International welcomed the release of prisoners of conscience as a result of the adjustments to Article 8 of the Anti-Terror Law, but is concerned that Mehdi Zana – whose four-year sentence for testifying to the European Parliament on human rights was reduced to two years – remains in Ankara Closed Prison. Even if released on 8 December when he next appears at Ankara State Security Court, Mehdi Zana is certain to return to prison for the Brussels “offence” if the reduced sentence is confirmed at appeal early next year.

Meanwhile, prison sentences are still being handed down under the new phrasing of Article 8. On 4 December Medeni Ayhan, editor of *Ozgur Bilim* (Free Science) was sentenced to two years’ imprisonment under Article 8 at Ankara State Security Court. It should also be noted that prosecutors are now showing a preference for using Article 312 of the Turkish Penal Code (which provides for sentences of up to six years) against “separatist” statements; a journalist and a trade union leader are currently in prison serving sentences under that article.

Throughout 1995 Amnesty International has repeatedly called for three straightforward reforms: thorough-going reform of Article 8, reduction of maximum terms of police detention, and access to legal counsel for all detainees.

Amnesty International is further concerned at the recent re-emergence of an abuse by an armed opposition group. It appears that the Kurdish Workers’ Party, PKK, is resuming its repugnant “policy” of murdering teachers in southeast Turkey. In the autumn of 1994 armed PKK members abducted and killed 19 teachers, most of whom were working in small villages in the mainly Kurdish southeast. After strong public and international reaction, the killings halted, but in October three more teachers – Huseyin Kocabas, Okkes Kaya and Gurkan Arirturk – were captured and killed by the PKK.

PKK members are also responsible for hundreds of killings of other prisoners, in particular village guards (Kurdish villagers paid and armed by the government to fight the PKK). Amnesty International has repeatedly and publicly condemned the killing of prisoners and civilians.

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