

# Turkey: Amnesty International documents attacks on democratic rights

Sinan Ikinici  
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On January 14, Amnesty International published a memorandum addressed to the Turkish government highlighting serious problems regarding the human rights situation in the country. The memorandum underscores that not only do major problems remain unaddressed, but that the situation is deteriorating.

With regards to the use of torture, ill-treatment and the impunity enjoyed by those committing such acts, Amnesty's memorandum highlights the negative effects of certain recent changes to the law in Turkey. June 2006 revisions to the Law to Fight Terrorism, for example, allow denying a detainee the right to legal counsel for 24 hours, while June 2007 amendments to the Law on Powers and Duties of Police give the Turkish police vast new powers.

The law allows police officers to shoot fleeing suspects in the event that a warning to stop is disobeyed. In addition, police now have the right to fingerprint any Turkish citizen (fingerprinting by police is obligatory when someone applies for an identification card, driver's licence or passport), as well as the right to stop suspects or vehicles if officers have reason to believe it would prevent a crime. The authorities also have the right to collect digital fingerprints that could be stored for 80 years.

Moreover, searching people's personal belongings and conducting body searches is permitted without a court order and merely on the basis of the authorisation of a local authority if police believe a delay would hamper their work.

In an article dated July 14, 2007, the WSWs maintained that "Under such conditions, one can expect to see a sharp rise in torture, other ill-treatment, killings and enforced disappearances in Turkey". Amnesty's memorandum clearly confirms this prediction. With the increase in police powers, cases of police violence have increased sharply.

The memorandum contains some horrendous examples of torture and other types of ill-treatment in police custody as well as at demonstrations, in prisons and during prisoner transfers.

One example is Nigerian asylum-seeker Festus Okey, who died in August 2007 after being shot with a police handgun while being held in police detention in Istanbul. Amnesty International writes that, although a police officer has been charged with intentional killing, "many questions remain." The memorandum notes, "It is apparent that no recording was made during the course of the questioning and important evidence, namely the shirt worn by Festus Okey at the time of the shooting, has also apparently been lost by police officers."

Another example refers to demonstrations in the heavily Kurdish city of Diyarbakyr: "Ten people died during violent demonstrations centring on Diyarbakyr in March 2006, and numerous allegations of torture and ill-treatment have been made afterwards. According to an Amnesty International delegate who interviewed children who were detained, the claims were consistent and credible. Yet, more than 21 months after the events the only prosecution has been a case against 463 individuals for damage caused during the demonstrations. Not a single prosecution has been launched against law enforcement officers."

There are many other examples of security forces killing civilians, including the fatal shooting of Bulent Karatas in Tunceli in September 2007 and the execution of the villager Ejder Demir, shot dead in Van, again in September 2007. In such cases police typically state that the killing occurred because the individual failed to obey a warning to stop.

The use of statements extracted under torture has been a tradition of the Turkish judiciary, and this continues to be the case: "In June 2007, Mehmet Desde and seven others were convicted on the basis of unproven allegations of

connections to the Bolshevik Party (North Kurdistan/Turkey). The party has not used or advocated violence. The conviction of Mehmet Desde was based mainly on statements that were allegedly extracted under torture.”

Organisations and public figures associated with human rights advocacy have faced serious obstacles and pressures that include death threats and physical attacks. The Amnesty memorandum states: “Human rights defenders have also been subjected to threats and intimidation from lawyers, police and security forces; surveillance; restrictions on freedom of movement and freedom to carry out investigations; imprisonment and killings. Requests by non-governmental organizations for meetings have been ignored by the government and attempts have been made to close down organizations. The worsening situation has been compounded by official statements that have been viewed as further undermining the position of human rights defenders.”

It should be added that the situation has been exacerbated by attacks emanating from fascists and some “left-wing” Kemalist-Stalinists, who explicitly and proudly describe themselves as “left nationalists.”

The memorandum also points to the attempts by the Istanbul Governor’s office to close the gay, lesbian, bisexual and transgender people’s association *Lambda Istanbul*. “The governor’s office justifies the prosecution on the grounds that the organization ‘violates law and morals.’” The overwhelming majority of current governors, including the governor of Istanbul, are Islamists appointed by the Justice and Development Party (AKP) government, which has now governed the country for more than five years. This is another example of utterly hypocritical attitude of the ruling Islamists with regard to freedom of expression.

As was the case in 2006, hundreds of journalists, writers, publishers, academics, translators, human rights advocates, artists, politicians and organisations were taken to court last year. Some were convicted. Quite correctly, the memorandum states: “This is due both to the existence of flawed legislation in some cases and to the arbitrary implementation of the law by judges and prosecutors.” However, the memorandum refrains from mentioning the underlying reason: a climate of nationalism and chauvinism spearheaded by the Turkish military and fuelled by the bourgeois parties (both right-wing and the nominally “left-wing”) and the news media. In such an environment, state prosecutors and police departments, which are dominated by fascist and Islamist elements,

continue to strangle freedom of expression in the country.

In its latest memorandum, Amnesty International repeats its “calls for Article 301 of the Turkish Penal Code to be abolished.” However, it is misleading to regard Article 301 as the only, or even a major, obstacle to freedom of expression. There are nearly two dozen other laws and articles that can substitute for Article 301 if it is abolished.

Amnesty International notes the tragedy of refugees and asylum-seekers who are being forcibly returned to countries where they may be in danger. “In July 135 Iraqis were returned to Iraq after being refused the right to seek asylum. Amnesty International opposes all returns to Iraq due to the extreme violence and instability as well as widespread human rights abuses in the country. Many Iraqi civilians have been killed by armed groups, coalition forces or armed criminal gangs in different parts of the country, including the north.”

As a result of the criminal US occupation of Iraq, every month an estimated 60,000 Iraqis leave their homes to seek refuge and many use Turkey as a springboard on their way to Europe. But it is not only the Iraq war. The area between northern Africa and southern Europe—the Mediterranean and Aegean seas—is a major transit route and focal point for those attempting migration or seeking asylum. This wave is mainly driven by economic deprivation and deepening social and economic inequality, extreme poverty and misery.

Amnesty’s memorandum also highlights the situation of F-Type prisons modelled on a cell-based system. It points out that in these prisons in particular, the regime is characterized by “harsh and arbitrary disciplinary punishments and isolation of prisoners.” The report fails to mention, however, that with the start of the recent cross-border operations by the Turkish army against PKK (Kurdish Workers Party) targets in northern Iraq, under the auspices of American imperialism, the number of human rights violations in F-Type prisons has skyrocketed.



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