AI News - November 1996

NEWS

Nigeria
Contempt for human rights continues
Nigeria's military government provoked international condemnation when it executed Ken Saro-Wiwa and eight other Ogoni prisoners on 10 November 1995 after grossly unfair trials. In the year since, Nigeria's human rights community has been systematically undermined by the authorities. The government continues to silence its critics, using harsh military decrees that it shows no intention of reforming.*
Nigerian human rights defenders have been imprisoned. Some have beenconvicted after unfair trials by special
tribunals hand-picked by the government. Others have been detained for long periods without charge or trial.
Many of these prisoners have been sent to prisons hundreds of kilometres from their homes. Their families cannot visit and cannot take them food or medicines. The harsh conditions in which they are held have made many of them ill, some seriously.
For example, veteran civil rights lawyer Gani Fawehinmi, who has been held incommunicado without charge or trial since early 1996, is reported to have required emergency hospital treatment several times because of medical neglect and malnutrition. It was feared in August 1996 that he had lost his sight. Gani Fawehinmi had led the defence team which eventually withdrew from the trials of Ken Saro-Wiwa and 14 other Ogoni prisoners because of government interference.
Dr Beko Ransome-Kuti is another of Nigeria's most long-standing human rights defenders. He was sentenced to 15 years' imprisonment for defending the human rights of people convicted in secret treason trials in 1995. He is constantly feverish with malaria, physically weak and emaciated.
More than two years after a pro-democracy strike by oil workers,
trade union leaders remain in incommunicado detention. Frank Kokori, Secretary General of the National Union of Petroleum and Natural Gas Workers, has been held in solitary confinement in various prisons since August 1994. He is reported to be in poor health from diabetes and hypertension.
Other critics of the government have been killed. AI fears that recent attacks on opposition leaders and human rights defenders may have been carried out by government agents. Kudirat Abiola was assassinated on 4 June 1996. She was the wife of Moshood Abiola, the winner of annulled presidential elections in 1993, who has been imprisoned since mid-1994. She had been outspoken in her support for her husband. The government has decided to set up an independent investigation into her murder.
The military government, led by General Sani Abacha, has announced that it will hand over power to a civilian government by the end of October 1998, but its real intentions remain in doubt. Key political opponents and critics of the government are behind bars, and
there have been no reforms which
will prevent arbitrary detention and unfair political trials in the future.
One year after the Ogoni executions, AI has launched a new action to campaign for human rights in Nigeria. Members all over the world are mobilizing around special appeals on behalf of imprisoned human rights defenders and calling for international support for a 10-point program for human rights reform in Nigeria.
AI is urging implementation of a comprehensive and far-reaching program of human rights reform. In particular, the government should release all prisoners of conscience, revoke all military decrees which allow the indefinite or incommunicado detention without trial of political prisoners and which overturn the rule of law, guarantee fair trials for political prisoners and end torture and the death penalty.

*See Nigeria: Time to end contempt for human rights (AI Index: AFR 44/14/96); Nigeria: A 10-point program for human rights reform (AI Index: AFR 44/15/96); and Nigeria: Human rights defenders under attack (AI Index: AFR 44/16/96).

Caption:
Widespread protests followed the hanging of Ken Saro-Wiwa and eight other Ogoni prisoners one year ago. This photograph shows a vigil at the Nigerian Embassy in the United Kingdom.
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Ecuador
Prisoners of conscience freed
Seven peasant farmers adopted by AI as prisoners of conscience regained their freedom in early September. Ecuador's Supreme Court of Justice overturned their February 1996 conviction by a lower court.
The seven, one Ecuadorian and six Colombian nationals, had been in detention since December 1993. They were accused by the authorities of involvement in an ambush of a combined Ecuadorian army and police river patrol in which 11 patrol members were killed. The patrol was navigating the river Putumayo which marks the frontier between Ecuador and Colombia when it was ambushed by a guerrilla unit of the Revolutionary Armed Forces of Colombia (FARC).
The release of the prisoners follows a sustained campaign by Ecuadorian, Colombian and international human rights organizations, including AI. Their supporters argued that the seven farmers, and a further four arrested with them but released earlier, had no links whatsoever with the FARC. The campaigners also claimed that all 11 prisoners had been arbitrarily detained and had been tortured in military and police custody.
A state prosecutor acknowledged that the 11 prisoners had been tortured in military custody, and there is compelling evidence that they were all tortured again following their transfer into police custody. However, as far as AI is aware, no judicial investigation into these allegations has been initiated. Similarly, none of the farmers is known to have received any compensation for their unlawful and protracted detention.

Caption:
Six of the freed prisoners of conscience. From left: Henry Machoa, José Otilio Quinayas, Froilán Cuéllar, Harold Herberth Paz and Juan Clímaco Cuéllar.
Inset: Carmen Bolaños. Not shown is Henry Machoa Payaguaje.
© Comité Coordinador Caso Putumayo

Albania
Post-election protesters attacked by police
Protests erupted after Albania's national elections in May, with opposition activists and supporters claiming that the results had been fraudulent. The elections, in which the ruling Democratic Party won an overwhelming victory, were criticized by international observers for irregularities. On 28 May, two days after the elections, police arrested and beat protesters demonstrating in the main square of Tirana, the capital. The authorities had banned the demonstration and it was violently dispersed by police forces — an example of official intolerance of the opposition and the independent press.*
Arben Imami, leader of the Democratic Alliance Party, was among the opposition leaders who were arrested and beaten. According to his account, he was arrested by officers of the National Intelligence Service (ShIK):

“First they put me in a police car, then they took me out and pushed me into a red car without registration plates. A plainclothes officer held my head between his legs and two others hit me from behind. They brought me to a building [Police Station No. 2] and took me...up to the third floor which I realized later was headquarters of the ShIK in Tirana. There they threw me on the floor and kicked me for about five minutes and swore at me.”
Arben Imami suffered multiple bruises and several broken teeth.
Bardhok Lala, an independent journalist, was reportedly arrested by ShIK officers just after the demonstration, and was driven to a lake outside the city: “...all five of them surrounded me, and beat me with rubber truncheons... They stripped me down to my underpants. They continued to beat me... Dozens of times they threatened to kill me. [Then]...one of them pulled out a pistol... He said to me: ‘You’ll talk now’, and pointed the pistol at my head. I thought I was dead. Then the police officer fired the pistol, but I wasn’t hit.”
In addition to severe bruising, he reportedly suffered a fractured skull and injuries in the genital area.
By late September no police officer had been brought to justice for the acts of violence committed on 28 May, although seven police officers were said to have been dismissed for “incompetence”.
*See Albania: detention and ill-treatment of government opponents — the elections of May 1996 (AI Index: EUR 11/17/96).

News in brief
tThe Government of Sri Lanka announced in August that it would ratify the First Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR), allowing individuals to submit complaints to the Human Rights Committee. AI has welcomed this decision. Together with local human rights organizations, it had long recommended such a move in order to strengthen remedies available to victims of human rights violations. It is an important complement to the government’s efforts to build domestic human rights institutions, such as the National Human Rights Commission. AI pressed upon the government the importance of bringing the Prevention of Terrorism Act and Emergency Regulations fully in line with the ICCPR “to prevent human rights violations from taking place in the first place”.

tDelegates to an international conference on China challenged the notion of “Asian values” promoted by governments in the region, arguing that basic human rights are universal. They pledged to do all in their power to protect human rights advocates in China.
Representatives from 35 international and regional non-governmental organizations attended the September conference held in Manila, Philippines, jointly organized by AI and the Asian Forum for Human Rights and Development.

Venezuela
Police killings continue with impunity
Dozens of people are killed each month by Venezuelan police during operations ostensibly aimed at combating crime. Many of the victims are extrajudicially executed. Some are children. The police usually claim that the victims died in an exchange of gunfire, but even when there is undeniable evidence that the police carried out extrajudicial executions, they almost invariably go unpunished. Crime in large cities like Caracas has soared in recent years, despite police brutality. Some senior governmental officials have acknowledged that corruption and criminal practices by the police foster further criminal violence. However, the Venezuelan Government has failed to act on its repeated pledges to put an end to such practices and to end impunity.
On 17 June 1996 Carlos Perdomo and John Calderón were arrested during a metropolitan police operation in the streets of Caracas. Their arrest was filmed by a television crew. Both were seen

alive and unharmed, being taken away in a police vehicle. Hours later, their bullet-riddled bodies were transferred to a morgue in Caracas.
These two flagrant extrajudicial executions prompted a public outcry, and the authorities promised to bring those responsible to justice and to end police killings. Six members of the metropolitan police were charged with murder and arrested pending investigation, but they were released in early September and the charges dropped.
The relatives of the victims have received no compensation.
AI believes that unless the Venezuelan Government ends impunity for the perpetrators, human rights violations will continue to increase in the country.

Caption:
This photograph (taken from a television broadcast) shows the arrest of John Calderón during a metropolitan police operation in Caracas. Hours later, his corpse was taken to the city's morgue, along with that of Carlos Perdomo, arrested in the same operation.
© AP/RCTV

Iran
Alarming rise in cruel punishments
The number of executions recorded in Iran has risen dramatically this year, and amputations have resumed. AI appealed to the Iranian Government in August 1996 to stop further executions and amputations.
At least 84 executions have been recorded so far in 1996; in 1995 there were about 50 recorded. The true figures may be much higher. Political prisoners were among those executed, many of whom had been convicted after unfair trials. Some had been sentenced to death several years ago, such as Ahmad Bakhtari — a member of the People's Fedaiyan Organization of Iran (Minority); Salim Sabernia and Mustafa Ghaderi — both members of Komala, a Kurdish opposition group); and Mehrdad Kalani — a member of the People's Mojahedin Organization of Iran.
Large-scale arrests for drug-trafficking were announced between March and June, and many of those arrested may now be at risk of execution since the death penalty is mandatory for a wide range of drug offences. Seven executions for drug-trafficking were announced on 17 July, and four other people were sentenced to death on 25 July.
On 5 August, six people convicted more than once of theft were reported to have had their fingers amputated, in what were believed to be the first amputations since 1994. Other convicted thieves were said to have been brought from prison and forced to watch. This followed statements by an official that amputations for theft were to resume in order to halt rising crime. AI opposes the judicial punishment of amputation, as it constitutes cruel, inhuman or degrading punishment.

Worldwide Appeals

Kuwit
IBTISAM BERTO SULAIMAN AL-DAKHIL, a 38-year-old Kuwaiti woman, was convicted of "collaborating" with the Iraqis during the occupation of Kuwait and is serving a life sentence in Kuwait Central Prison. She is a prisoner of conscience.
Ibtisam worked as a journalist for the Kuwaiti newspaper al-Qabas before it was closed down during the occupation and replaced with the Iraqi-controlled newspaper al-Nida'. She refused to work for al-Nida', but was forced to work on it after twice being detained by the Iraqis. Shortly after the Iraqi forces withdrew, Ibtisam told the police what had happened.

In April 1991 Ibtisam was summoned for interrogation and she was later arrested. In June 1991 Kuwait's Martial Law Court convicted Ibtisam of "collaboration", together with 14 other people who had also worked at al-Nida'. Ibtisam and five others were sentenced to death, later commuted to life imprisonment. Four other prisoners of conscience, all women, who had been sentenced to 10 years' imprisonment in connection with the same case were granted an amnesty by the Amir earlier this year (see AI News, July 1996).
Martial Law Court proceedings were manifestly unfair. Many defence lawyers were denied access to their clients and were not allowed to cross-examine prosecution witnesses; some people were convicted solely on the basis of "confessions" extracted under torture; and all were denied the right of appeal. After the lifting of Martial Law, "collaboration" cases went before the State Security Court, whose proceedings also fell short of international standards for fair trial.
+Please write, appealing for the immediate and unconditional release of Ibtisam Berto Sulaiman al-Dakhil, to: His Highness Shaikh Sa'ad
al-'Abdallah al-Sabah/ Prime Minister/ Al-Diwan al-Amiri/ Kuwait.

Guatemala
Eight-year-old Santiago Coc Pop and seven-year-old Maurilia Coc Max were born in a refugee camp in Mexico. They grew up among other Guatemalan families who had fled their country following brutal army counter-insurgency operations in the late 1970s and early 1980s which claimed the lives of tens of thousands of Guatemalans and wiped out hundreds of highland villages.
In 1994, after more than a decade in exile, the families returned to Guatemala. A 1992 agreement between refugee representatives and the Guatemalan Government recognized returnees' rights, guaranteed their safety and promised them access to land. The families of Santiago and Maurilia settled on the Xamán farm, Chisec, in the department of Alta Verapaz.
One year later, on 5 October 1995, Santiago Coc Pop and Maurilia Coc Max were killed by members of a military patrol that entered the farm and opened fire indiscriminately. In total 11 members of the community died and 30 others were wounded by military gunfire, including three soldiers.
A soldier shot Santiago in the wrist as he was walking along the road, then chased him and shot him again in the head and chest, killing him. Maurilia was shot in the back and killed in circumstances which remain unclear.
Judicial investigations into the massacre have been thwarted by threats against witnesses and lawyers representing the victims, and by alleged interference with the evidence.
+Please write, urging a full and impartial judicial investigation into the Xamán massacre, calling for those responsible to be brought to justice, and for victims and relatives to be compensated, to: Sr. Presidente Alvaro Arzú Irigoyen/ Presidente de Guatemala/ Palacio Nacional/ Ciudad de Guatemala/ Guatemala; Gral. Julio Arnoldo Balconi Turcios/ Ministro de la Defensa Nacional/ Palacio Nacional/ Ciudad de Guatemala/ Guatemala. Please copy to: Fundación Rigoberta Menchú/ 1a. Avenida 9-18/ Zona 1/ Ciudad de Guatemala/ Guatemala.

Burundi
Government troops are reported to have killed more than 6,000 unarmed civilians in the weeks following the military coup of 25 July 1996 in which Major Pierre Buyoya came to power. Despite promises by Major Buyoya that he would end the killings in Burundi, mass extrajudicial executions by government forces have continued unabated.
In the central province of Gitega, 4,050 civilians were reportedly buried in Giheta district after being extrajudicially executed between 27 July and 10 August. Most of them were killed after the army came to their villages, ostensibly to obtain information about movements of rebels. Soldiers then assembled the victims and shot them, apparently after they denied knowledge of the whereabouts of the rebels.

More massacres by government forces were reported in Rural Bujumbura, Muramvya, Kayanza, Bubanza and Cibitoke provinces. The wife and four children of Honorata Murishi were extrajudicially executed on 29 July in Rural Bujumbura's Muhuta district. One of the victims was just three years old. On 7 August soldiers from Kiganda, Kanerwa and Bweza, accompanied by students from Kiganda, killed more than 200 people in Muramvya's Rutegama district. Two days later, in Mutimbuzi district, 39 people were extrajudicially executed.
On 19 August government forces and Tutsi civilians attacked Mubuga health centre in Ngozi province, killing seven people and looting the health centre.
+Please write, calling for an end to the killings and for full and impartial investigations into previous killings, to: Lieutenant-Colonel Firmin Sinzoyiheba/ Ministre de la Defense/ Ministere de la Defense Nationale/ BP 20/ Bujumbura/ Burundi.

FOCUS

TURKEY
No security without human rights
The human rights picture in Turkey is bleak, but by no means beyond hope. Torture and ill-treatment by police are still routine. The 1990s have seen the emergence of new forms of violation — "disappearances" and extrajudicial executions. Turkey's 61 million citizens do not yet enjoy true freedom of expression. Armed opposition groups, meanwhile, have also killed and maimed ordinary civilians. Nevertheless, against the general deterioration there are areas of clear progress, including a de facto moratorium on the use of the death penalty, and some releases of prisoners of conscience. A large sector of Turkish civil society is clearly impatient to put the violations behind them and organize for a new direction in human rights.
The human rights violations are to a large extent driven by the political violence which has plagued Turkey for almost three decades, and the state's brutal response to radical, and often armed, political opposition. Recent Turkish history has seen three military coups and, since the 1980s, armed conflict between the security forces and armed opposition groups based in the mountains of the southeast and the cities of west Turkey. The security forces, who are unquestionably the most powerful grouping in the country, have treated human rights with contempt. Political opponents of the state have been imprisoned, tortured to death, or eliminated by extrajudicial execution and "disappearance". But the impunity afforded to the security forces in the pursuit of the state's opponents also puts ordinary citizens, including children, at risk of such violations. Common criminals have been tortured in police stations. Some have died there. Children have been victims of "disappearance".
Even people fighting alongside the security forces are endangered by the state's lawless methods. The findings of independent investigations very strongly suggest that security forces were responsible for the massacre of 11 men near the remote town of Güçlükonak in January 1996. Seven of the victims were members of the government's armed village guard force. The massacre was apparently intended to discredit a ceasefire which had been declared by the Kurdish Workers' Party (PKK) — the largest of the armed opposition groups.
Successive governments have been unwilling or unable to assert proper control over the security forces. Human rights violations are criminal offences in Turkey. Torture, "disappearances" and political killings by the security forces are outlawed in Turkish domestic legislation as well as by international human rights treaties to which Turkey is a party. Yet these violations are committed on a gross scale and no government has ever made a serious attempt to eradicate or to prevent them.
The result is that no one in Turkey enjoys true personal security from violations by state forces. Despite repeated promises of reform, Turkish citizens can still be arbitrarily detained. Torture is still a standard method of interrogation. Since 1980 more than 400 people have reportedly been tortured to death in custody. "Disappearances" and political killings have claimed hundreds of victims since 1991.

Relatives of the “disappeared” keep a vigil every Saturday in Istanbul
© Jon Bjørnsen

Freedom of expression: one step forward and two backward

After the military coup of 1980, all political parties and most trade unions were banned. Thousands of people were tortured and imprisoned, many because of their non-violent beliefs. Newspapers were shut down and journalists imprisoned. The military attempted to ban the Kurdish language by law.

In the years following the return to parliamentary rule in 1983, Turkish civil society struggled to challenge the comprehensive restrictions imposed by the military. Gradually progress was made, and by 1990 some newspapers and many members of parliament were openly arguing that a healthy society needs free and open political debate. The number of prisoners of conscience fell as the notorious laws under which they had been jailed were partially repealed. Restrictions on the use of Kurdish eased, resulting in the publication of Kurdish language newspapers and books. Left-wing groups which did not advocate violence began to be viewed as less of a threat and fewer of their members were prosecuted or jailed. The government monopoly on broadcasting was eroded as independent radio and television stations developed all over the country. Political and social issues can now be aired with a freedom unimaginable a decade before.

But this is only a partial picture of freedom of expression in Turkey. The state still severely restricts any discussion of issues it regards as central to its own integrity: the behaviour of the security forces, the institution of military service, and the military goal of defeating Kurdish separatism.

The assault on freedom of expression

New laws have been passed to imprison people found guilty of “separatist propaganda”, whether or not they used violence. Article 8 of the Anti-Terror Law, passed in 1991, includes non-violent forms of political dissent within its wide definition of “terrorism”. Many people, including publishers, writers and academics, as well as political activists, have been sentenced to imprisonment and heavy fines under its provisions. The government has defended the Anti-Terror Law on the grounds that Turkey’s grave security problem makes such measures necessary. However, most people imprisoned under its Article 8 employed no weapon more violent than a pen or a microphone. Some had publicly denounced violence.

Lawyer Ahmet Zeki Okçuoðlu served a 20-month prison sentence for participating in a discussion panel on the problems of southeast Turkey. Shortly before starting his sentence he told the press: “For years I have declared my opposition to terrorism and opposed violence. I have never used a weapon. I have opposed those who take up arms. But the state has convicted me as a terrorist. Now I am branded as a terrorist throughout the world.”

The 1990s have seen journalists and human rights defenders targeted and killed by the state to prevent them investigating and campaigning against human rights violations by the security forces.

No less than 10 members of the independent Turkish Human Rights Association (HRA) have been killed since 1991. The HRA has outspokenly condemned human rights violations. The authorities have chosen to interpret their opposition to the torture or killing of members of armed groups as support for those groups.

Fourteen journalists covering human rights issues in southeast Turkey have died in custody, “disappeared” or been killed by the security forces since 1992. Journalists are not much safer in west Turkey. In January 1996 Metin Göktepe, a photojournalist, was beaten to death by police in Istanbul. He was one of hundreds of people detained to prevent them attending the funeral of political prisoners beaten to death by gendarmes a few days earlier.

Demonstrations cannot be held without official permission. People who stage unofficial peaceful demonstrations risk imprisonment. Relatives of the “disappeared” staging weekly sit-downs in central Istanbul have been beaten, dragged along the ground, and held in custody overnight. Relatives of

Hasan Ocak, who was found dead after “disappearing” in police custody, were among 42 people detained during a protest in July 1995 which was brutally broken up by police. “All you could see was truncheons rising and falling, and kicking feet”, said Maside Ocak, Hasan’s sister.
Turkish trade unionists taking industrial action have also been attacked by the police. In December 1995 a demonstration in Izmir against the sacking of 43 members of the transport workers’ union (TÜMTIS) was violently dispersed by the police. Halil Dinç, president of TÜMTIS’ local branch, was beaten over the head and injured, requiring seven stitches.

Torture, ‘disappearance’ and extrajudicial execution
In 1995 alone there were more than 35 “disappearances”, 15 reported deaths in custody as a result of torture, and more than 80 political killings. During demonstrations in Istanbul in March, 23 demonstrators were shot dead by police. In September, three prisoners were beaten to death by gendarmes quelling a prison riot. In the first 10 days of 1996, four prisoners were beaten to death in an Istanbul prison.
Torture has long been endemic in Turkey, documented by AI for more than three decades. It is used routinely to extract confessions of guilt and obtain information as well as to punish and to intimidate. People have been tortured for failing to show their identity cards, or after minor traffic offences. The elderly, children, women, members of minority groups, lawyers, doctors, even members of parliament have been subjected to ill-treatment or torture in police custody.
In March 1996 five high-school students from Manisa were detained on suspicion of involvement with an armed opposition group. None of them was older than 16. While in detention they were allegedly stripped naked, sexually assaulted, given electric shocks, and hosed with pressurized cold water. Their allegations were corroborated by medical evidence.
Mensure Yüksel Erdohan, a journalist working for a Kurdish-owned newspaper, was detained by gendarmes in December 1995. She was interrogated by the Anti-Terror police in Edirne and later in Istanbul. When she appeared in court charged with belonging to an illegal organization, she told the judge that she had been stripped naked, sexually assaulted and given electric shocks. She reported that the judge deliberately prevented her complaint being properly recorded.
Döne Talun, aged 12, was arrested on suspicion of stealing bread and held for five days at Ankara Police Headquarters without access to her family or a lawyer.
“They tied me up and connected a wire to my fingers. One of them switched on the generator. They gave me shocks to my face. One of them hit me on the head with his walkie-talkie. They punched me in the stomach.”
After her release she was examined by a doctor who found injuries consistent with her allegations of torture. The police officers responsible were not charged.
Official failure to eradicate torture and bring those responsible to justice has resulted in the emergence of new human rights violations. In the past five years, patterns of “disappearance” and extrajudicial execution have emerged in Turkey.
Ten years ago people did not “disappear” in Turkey. In 1994, 50 “disappearances” were reported to the United Nations (UN) Working Group on Enforced or Involuntary Disappearances, more than from any other country that year.
Most of the “disappeared” are Kurdish villagers detained during security force operations in the southeast. Mehmet Þirin Maltu, a farmer in Batman province, was taken into custody in January 1995. His family have since had no news of him and the public prosecutor has denied he was ever detained.
“Disappearances” also take place in Istanbul and Ankara. In October 1995 Fehmi Tosun, a former political prisoner, was abducted in Istanbul by three men carrying walkie-talkies. His wife and daughter have since had no news of him.

The government has pledged to uphold the UN Declaration on the Protection of All Persons from Enforced Disappearance, which requires it to investigate all reports of “disappearance”. To AI’s knowledge, not one such investigation has been carried out.

In 1991 an unprecedented wave of political killings swept through southeast Turkey and onto the streets of Ankara and Istanbul. It began early in the year, with increasing numbers of Kurdish villagers being killed by what appeared to be “death squads”. Since then more than 1,000 people have died in political street killings.

Since mid-1991 Kurdish political leaders have been targeted. Many of those killed were members of legal political parties such as HADEP, the People’s Democratic Party. Muhsin Melik, founder of HADEP in the southeast town of Þanløurfa, was killed in June 1994, apparently by members of the security forces.

In the rural southeast most victims of extrajudicial killings are Kurdish villagers who refuse to join the civil defence system of village guards — villagers armed and paid by the government to fight the PKK. Villagers in Budaklø, Mardin province, have suffered five years of persecution because they refused to form a village guard force. The security forces have repeatedly raided the village, burning homes and crops, and detaining large numbers of villagers. Seven villagers are reported to have been extrajudicially executed.

Refugees at risk

Dozens of Iranian and Iraqi refugees are at risk of being forcibly returned to Iran and Iraq where they may face imprisonment, torture and even execution. In many cases these refugees are returned because they have not registered their asylum claims within five days of arriving in Turkey. However, failure to comply with a procedural requirement does not justify deporting someone to a country where they risk human rights violations.

Asylum-seekers who have successfully registered are still at risk of abuse. In March 1995, two Ghanaian refugees were detained because they were not carrying their passports. They were reportedly beaten for two hours, hosed with cold water, and faced with an axe-wielding police officer who threatened to cut off their genitals.

Captions:

The wife and child of Fehmi Tosun who “disappeared” in October 1995
© Þ. Dayanan

The funeral of journalist Metin Göktepe who was detained by security forces while trying to cover the funeral of prisoners killed at Ümraniye prison in Istanbul and later found beaten to death.Inset: Metin Göktepe
© Þ. Dayanan

The trial of 16 young defendants, including five high-school students, charged with membership of an armed opposition group, which began in March 1996. They reported that during their detention in Manisa Police Headquarters they were blindfolded, stripped naked, hosed with cold water and subjected to electric shocks.
© AI

Human rights and the arms trade

The international community has turned a blind eye to Turkey’s human rights record. They have echoed the Turkish Government’s claim that the threat to national security must be defeated at any cost to human rights. They have accepted official window-dressing as progress towards human rights protection. They have put the interests of trade and political allegiance before the security of Turkish

citizens. Foreign governments are still permitting arms and equipment that have been used to violate human rights to be sold to Turkey.
Sikorsky and Super Cobra helicopters made in the United States of America (USA) were deployed during raids on villages around Tunceli, east Turkey, in October 1994. Seventeen villages were burned and at least one of the villagers detained died as a result of torture.
Helicopters made abroad have been repeatedly deployed on operations in southeast Turkey which have resulted in extrajudicial executions, “disappearances”, and the wholesale destruction of villages and crops. In the 1990s France, Italy, Russia and the USA have sold military helicopters to Turkey.
Foreign-built armoured vehicles have also been used when human rights violations were committed. Bedri Tan, who died in custody, was reportedly last seen being forced into an armoured “land rover”. Armoured patrol vehicles based upon Land Rover components have been used in Turkey for many years, the most recent being built locally under licence from Land Rover in the United Kingdom. Germany, Russia and the USA have all supplied armoured cars and combat vehicles to Turkey, and France supplies parts for local production.
AI takes no stand on the legitimacy of military or security relations with countries where human rights are violated. However, it opposes the transfer of military, security or police equipment, personnel, training or logistical support whenever there is reason to believe that they contribute to human rights violations.

Turkey’s armed opposition
Armed opposition groups have an obligation to respect the basic principles of humanitarian law. They must prohibit deliberate and arbitrary killings and torture of prisoners, the taking of hostages and the torture of anyone under their control.
AI opposes hostage-taking, the torture or killing of prisoners and the deliberate and arbitrary killing of people who have taken no part in the conflict, by armed opposition groups.
In Turkey, armed opposition groups have killed unarmed civilians, including women and children, prisoners, Kurdish peasants and even their own members. In October 1993 PKK forces reportedly killed 11 children during an attack on a village near Siirt.
It is a bitter irony that during the 12 years in which the PKK has pursued its objective of some autonomy for southeast Turkey, most of its civilian victims have been Kurdish villagers. Hundreds have been deliberately and arbitrarily killed because they joined the village guard system. Other armed opposition groups, including DHKP-C, have also killed civilians and prisoners.

Reform is possible
Turkey has many of the institutions necessary to safeguard human rights. It has enjoyed nearly half a century of parliamentary democracy. It has a comprehensive justice system and outspoken professional lawyers’ associations. The HRA, with 15,000 members, is an effective watchdog on state abuses. Sections of the media have consistently monitored and reported violations. Most important, there is pressure for change from a wide cross-section of Turkish society.
There are simple steps the Turkish Government could take which would dramatically improve the prospects for human rights. There are many reports of vicious beating of political prisoners when they are being transferred by gendarmes, or when gendarmes and police are called in to quell prison riots. Nine prisoners have been beaten to death since 1994. If political prisoners were guarded or managed by prison staff only, instead of gendarmes and police officers, lives might be saved.
Another simple measure would be to ensure that village guards are not deployed outside their own locality. The gendarmerie now use village guards as an auxiliary force during security raids on neighbouring villages and even on cross-border operations into northern Iraq. Village guards do not undergo full training and are not part of a clear chain- of-command structure. Similar forces in other

countries are often used to commit human rights violations. A Turkish parliamentary commission described the present village guard system as “an investment in social discord”.
Perhaps the most crucial step is to shorten police detention periods (currently in breach of international standards) and ensure access to legal counsel for all detainees. Finally, the government must find the will to challenge abuses by the security forces, and ensure that the officers responsible are prosecuted and punished. While there is state protection for state torturers and murderers, there is no prospect of ending the cycle of political violence in Turkey.

Captions:
A child holds a copy of the Universal Declaration of Human Rights. Awareness of human rights issues is high in Turkey, particularly among young people.
© Z. Aknar/Cumhuriyet

One of the 32 men abducted and killed by PKK members in Yavi in October 1993
© Popperfoto

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