

NOT TURKISH DELIGHT

Torture and human rights violations have been close to the everyday life of Turks for many, many years. But the existence of non-governmental organizations with the express goal of fighting for the protection of human rights is new in Turkey. The open debate about these violations in Turkey started only within the last five years.

No matter how deplorable – well, disgraceful – the continuing use of torture in Turkey, it was an achievement that the *V International Symposium on Torture and the Medical Profession* was held in Istanbul on 22-24 October 1992. The Symposium was arranged by the International Rehabilitation Council for Torture Victims (IRCT) in cooperation with the Human Rights Foundation of Turkey (HRFT) and the Turkish Medical Association.

One could only hope that Turkish Politicians would read carefully the text of the *Istanbul Declaration* (full text on next page). They would find there the pertinent rules that prohibit torture, together with several principles for proper conduct when dealing with prisoners, as well as the rights of detained and arrested people.

If any of the 200 doctors, psychologists, and others who attended the conference, were nervous lest the Turkish authorities, let us say the police, should interfere, or that some kind of sabotage might be directed at the conscientious and gifted torture fighters, they fretted in vain. Almost everything went according to plan.

No Turkish doctor was barred from attending, and several statements and interventions dealt with the precarious situation that still exists in the country. The mayor of Istanbul received all the participants. More than that, the Prime Minister, Mr. *Suleyman Demirel*, and the Minister of Health, Mr. *Yildirim Aktuna*, explicitly denounced the use of torture exactly at the time of the symposium.

Did that mean anything? At least the will of the Turkish government seems definitely against torture and for establishing safeguards against misuse by local authorities. The country is going to have a new constitution, and it is to be hoped that the internationally recognized definition of torture (as in the 1986 UN Convention Against Torture) will be included.

As has been mentioned earlier in this journal, just finding out what torture is confronts us continuously with problems. Many Turks are routinely beaten at the police stations when detained for any reason, criminal or political, but often the detainees themselves do not consider such ill-treatment as torture. Use of physical force, by parents against their children, by husband against wife, by teacher against student, is, sadly, well known.

That may disturb well-intentioned West Europeans who read reports on Turkey from Amnesty International, the Helsinki Federation, or the Council of Europe. What are we talking about? What kinds of problem are we up against? Are the ministers and civil servants in Ankara completely different people from the people at the police stations? Is the Government without proper power?

Yes and no. Apparently more than just decisions at a higher political level is required. Shortly after the symposium, an Amnesty International report repeated the grim message, that the Government was doing little or nothing to stop the misuse

by the security forces, especially in the south-eastern parts of the country. Many medical doctors report threats and intimidation. Former detainees assert that some government-ordered medical examinations take place too long after the event to allow any definitive findings, some examinations are cursory in nature, and some take place in the intimidating presence of police officials.

As for people who have been subjected to torture, they usually only see a state doctor. Many doctors are under great pressure to submit false or misleading medical certificates, stating that no evidence of torture was found. If they do not comply, they risk transfer to another position, or even dismissal. Some doctors, who did not remain silent when they detected signs of torture in prisoners, have themselves had the grim experience of being tortured because of their courageous opposition to attempts to force them to comply with a system of evil.

The politicians compete in making impressive statements that can only affect naive people who pay more attention to paper than to human beings. When the Minister of Health at the symposium toyed with the idea that all prisons ought to be closed, or when the Prime Minister said in 1991 that “in a new Turkey the walls of all police stations will be made of glass”, one may laugh – if it was not such a serious matter.

It should be remembered that President *Turgut Özal* blocked a package of tentative reforms, whose general aim was to protect detainees from ill-treatment and torture, on the grounds that it might be prejudicial to national security. Political detainees were then excluded from this for the next two years.

Amnesty International in its November report advised the Turkish government radically to change the practice of investigation used by the police, to fulfil its legally-binding obligations under the UN Convention against Torture (articles 7, 12, and 13), and to ensure prompt investigation by an independent and impartial authority when accusations of torture are made.

Detainees should also have the right to be examined medically by a doctor of their own choice, and to have access to the results of the medical examination. It is indeed horrible that Turkey continues with its promises when thousands of Turks are being beaten, exposed to electric torture, and hung by their arms in order to force confessions or simply to weaken them.

Most striking was perhaps that the Council of Europe Committee for the Prevention of Torture went public on its own for the first time in reporting the widespread use of torture by the Turkish authorities, despite as many as three visits by the Committee, in 1990, 91, and 92. The Committee can make a public statement only if a party to the Convention fails to cooperate or refuses to improve the situation after having received recommendations.

The Committee in 1992 made surprise visits to interrogation rooms in the Ankara and Divarbakir police headquarters. They saw a stretcher with straps and a beam, which were as good as proof that people were given electric torture and hung by their arms. The description of these instruments by released torture victims fitted with what the inspectors saw.

TORTURE



TORTURE 1/93

Quarterly Journal on
Rehabilitation of Torture Victims
and Prevention of Torture.
Volume 3, Number 1 1993



RCT IRCT

Juliane Maries Vej 34
DK-2100 Copenhagen Ø
Denmark
Phone: +45 31 39 46 94
Telefax: +45 31 39 50 20

NOT TURKISH DELIGHT

Torture and human rights violations have been close to the everyday life of Turks for many, many years. But the existence of non-governmental organizations with the express goal of fighting for the protection of human rights is new in Turkey. The open debate about these violations in Turkey started only within the last five years.

No matter how deplorable – well, disgraceful – the continuing use of torture in Turkey, it was an achievement that the *V International Symposium on Torture and the Medical Profession* was held in Istanbul on 22-24 October 1992. The Symposium was arranged by the International Rehabilitation Council for Torture Victims (IRCT) in cooperation with the Human Rights Foundation of Turkey (HRFT) and the Turkish Medical Association.

One could only hope that Turkish Politicians would read carefully the text of the *Istanbul Declaration* (full text on next page). They would find there the pertinent rules that prohibit torture, together with several principles for proper conduct when dealing with prisoners, as well as the rights of detained and arrested people.

If any of the 200 doctors, psychologists, and others who attended the conference, were nervous lest the Turkish authorities, let us say the police, should interfere, or that some kind of sabotage might be directed at the conscientious and gifted torture fighters, they fretted in vain. Almost everything went according to plan.

No Turkish doctor was barred from attending, and several statements and interventions dealt with the precarious situation that still exists in the country. The mayor of Istanbul received all the participants. More than that, the Prime Minister, Mr. *Suleyman Demirel*, and the Minister of Health, Mr. *Yildirim Aktuna*, explicitly denounced the use of torture exactly at the time of the symposium.

Did that mean anything? At least the will of the Turkish government seems definitely against torture and for establishing safeguards against misuse by local authorities. The country is going to have a new constitution, and it is to be hoped that the internationally recognized definition of torture (as in the 1986 UN Convention Against Torture) will be included.

As has been mentioned earlier in this journal, just finding out what torture is confronts us continuously with problems. Many Turks are routinely beaten at the police stations when detained for any reason, criminal or political, but often the detainees themselves do not consider such ill-treatment as torture. Use of physical force, by parents against their children, by husband against wife, by teacher against student, is, sadly, well known.

That may disturb well-intentioned West Europeans who read reports on Turkey from Amnesty International, the Helsinki Federation, or the Council of Europe. What are we talking about? What kinds of problem are we up against? Are the ministers and civil servants in Ankara completely different people from the people at the police stations? Is the Government without proper power?

Yes and no. Apparently more than just decisions at a higher political level is required. Shortly after the symposium, an Amnesty International report repeated the grim message, that the Government was doing little or nothing to stop the misuse

by the security forces, especially in the south-eastern parts of the country. Many medical doctors report threats and intimidation. Former detainees assert that some government-ordered medical examinations take place too long after the event to allow any definitive findings, some examinations are cursory in nature, and some take place in the intimidating presence of police officials.

As for people who have been subjected to torture, they usually only see a state doctor. Many doctors are under great pressure to submit false or misleading medical certificates, stating that no evidence of torture was found. If they do not comply, they risk transfer to another position, or even dismissal. Some doctors, who did not remain silent when they detected signs of torture in prisoners, have themselves had the grim experience of being tortured because of their courageous opposition to attempts to force them to comply with a system of evil.

The politicians compete in making impressive statements that can only affect naive people who pay more attention to paper than to human beings. When the Minister of Health at the symposium toyed with the idea that all prisons ought to be closed, or when the Prime Minister said in 1991 that "in a new Turkey the walls of all police stations will be made of glass", one may laugh – if it was not such a serious matter.

It should be remembered that President *Turgut Özal* blocked a package of tentative reforms, whose general aim was to protect detainees from ill-treatment and torture, on the grounds that it might be prejudicial to national security. Political detainees were then excluded from this for the next two years.

Amnesty International in its November report advised the Turkish government radically to change the practice of investigation used by the police, to fulfil its legally-binding obligations under the UN Convention against Torture (articles 7, 12, and 13), and to ensure prompt investigation by an independent and impartial authority when accusations of torture are made.

Detainees should also have the right to be examined medically by a doctor of their own choice, and to have access to the results of the medical examination. It is indeed horrible that Turkey continues with its promises when thousands of Turks are being beaten, exposed to electric torture, and hung by their arms in order to force confessions or simply to weaken them.

Most striking was perhaps that the Council of Europe Committee for the Prevention of Torture went public on its own for the first time in reporting the widespread use of torture by the Turkish authorities, despite as many as three visits by the Committee, in 1990, 91, and 92. The Committee can make a public statement only if a party to the Convention fails to cooperate or refuses to improve the situation after having received recommendations.

The Committee in 1992 made surprise visits to interrogation rooms in the Ankara and Divarbakir police headquarters. They saw a stretcher with straps and a beam, which were as good as proof that people were given electric torture and hung by their arms. The description of these instruments by released torture victims fitted with what the inspectors saw.