Subject: Torture and inhuman treatment of women in Turkish jails

On 13 June, the first trial will be held in Turkey involving two women, Mrs Naziye Tsogaltu, 22 years of age, and Mrs Sounai Yesildag, 28 years of age, who were tortured whilst in prison in Instanbul. The two women were arrested on 23 September 2002 for alleged membership of an illegal organisation. During their imprisonment they were tortured as confirmed by forensic medical examination. Specifically, the women were beaten, subjected to electric shock treatment and then obliged to open their mouths into which their torturers spat and to swallow the spittle.

The barbaric conditions of imprisonment in certain Turkish prisons are contrary to fundamental human rights and directly violate international agreements and the principles of democracy and freedom. Does the Commission intend to intervene to end torture in prisons, humanise the prison system in Turkey, an applicant country, giving priority to respect for the human rights of women?

Answer given by Mr Verheugen on behalf of the Commission

The Commission is aware of the problems in Turkey regarding torture (which mainly occurs during pre-trial detention under police custody), violence against women and detention conditions. In its 2002 Regular Report on Turkey (1), the Commission outlined the key concerns in these areas. The recently adopted revised Accession Partnership with Turkey sets out the priority areas with respect to these concerns.

Priorities include the need to implement measures to fight against torture, in line with Article 3 of the European Convention on Human Rights and the Recommendations of the European Committee for the Prevention of Torture. They also include the need to adopt further measures to ensure that prosecutors conduct timely and effective investigations of alleged cases and that courts impose adequate punishments on those convicted of abuses. With respect to detention conditions, the Accession Partnership outlines the need for Turkey to guarantee in practice the right for detained and imprisoned persons to have access in private to a lawyer and to have relatives notified, from the outset of their custody, in line with the European Convention on Human Rights. Turkey is also asked to continue to bring conditions in prisons into line with standards in Member States.

As acknowledged by these priorities, the Commission notes that whilst some progress has been made, with respect to the implementation of legislation there is still need for considerable improvement. Recent reports by the United Nations Committee Against Torture, Amnesty International, and the World Organisation Against Torture (OMCT) have all suggested that torture during pre-trial detention, including sexual and physical violence against women, is still a major concern in Turkey.

The Commission notes that Turkey has, however, made considerable progress in terms of legal reform in the fight against torture. In particular, Turkey has lifted the requirement to seek permission from a superior officer in order to open investigations on a police officer for torture allegations; prison sentences for torture cannot now be reduced to fines, a suspension of the police officer in question or any other measure; and defendants under the competence of the State Security Courts — like all other defendants — have now been granted access to a lawyer from the outset of custody.
As a Candidate Country, Turkey aims to fulfil the Copenhagen political criteria. This includes the need to end torture of all kinds as well as to guarantee the full enjoyment of human rights and fundamental freedoms in line with the Charter of Fundamental Rights of the European Union and relevant international and European instruments to which Turkey is party. The Commission will continue to monitor all developments related to allegations of torture in Turkey as well as the implementation of the above-mentioned legislation.


(2004/C 88 E/0373) WRITTEN QUESTION P-1708/03
by Emma Bonino (NI) to the Commission
(19 May 2003)

Subject: Murder of Joyce Miamuna Katai, State Commissioner for women's affairs and social development of the Nigerian State of Nasarawa

Joyce Miamuna Katai, Commissioner for women's affairs and social development of the State of Nasarawa in central Nigeria was assassinated on 5 May in Toto. Two of her assistants were killed at the same time and only a third, Phoebe Ayenjah, managed to escape the massacre. This triple murder occurred inside a police station and amounted to nothing less than a lynching, according to a spokesman of the forces of law and order.

The local population had asked Joyce Miamuna Katai for help and protection from an organised gang which was trying to remove ballot boxes in order to falsify the results; the Commissioner tried to help by involving the local police, but they were not even able to guarantee her safety.

The institutional role taken on by Joyce Miamuna Katai as Commissioner for women's affairs and social development was part of the programme of the government of President Obasanjo and the Governor of the State of Nasarawa, Abdullahi Adamu, which made the education, training and social emancipation of women a key policy in Nigeria's transition to democracy.

Obasanjo's Presidency has given and is still giving a strong impetus to the democratic process in Nigeria, a country which up until 1999, the year in which Obasanjo was elected, suffered continuous coups d’état. Since the government declared certain aspects of Islamic law to be unconstitutional in 2002, following the case of Amina Lawal, there has been an upsurge in tension between ethnic Moslems and Christians, which also led to the massacre of civilians at the time of the Miss World contest which was to have taken place in Nigeria.

The First Lady, Stella Obasanjo, has backed the President's policy of supporting women's rights by encouraging women to go to university, stand for election, and play an active role in the social and political life of the country, and promoting an international campaign against the practice of female genital mutilation, still suffered by 40% of young women and girls in Nigeria.

Is the Commission aware of these horrendous events in the State of Nasarawa?

Has the Commission already expressed its indignation at what happened on 5 May 2003 to President Obasanjo and the representatives of the democratic states of Nigeria?

In view of the very grave nature of these events, what measures does the Commission intend to take to facilitate the transition to democracy in the democratic states of Nigeria?