

UA 19/01

Fear for safety

25 January 2001

TURKEY

S.Ö. (full name known to Amnesty International), aged 32

Eight police officers are to go on trial on 30 January for the rape and torture of a Kurdish woman in their custody. Plainclothes police have been harassing her, and she is afraid to travel to the trial. Amnesty International is concerned at this apparent attempt by police to intimidate her, and believes she is in danger.

S.Ö., a mother of six, was arrested by Anti-Terror-Branch police in November 1997, at her sister-in-law's house in Diyarbakir, eastern Turkey. There they locked her in a room, where they beat and threatened her. They then drove her, blindfolded, to Diyarbakir Police Headquarters, where a police officer stripped her naked and raped her. She was later able to identify him when her blindfold slipped.

The police then forced her, still naked, inside a tyre, which they pulled up by a rope and spun around. They then hung her by her arms and gave her electric shocks to her genitals, her nipples and her toes. They stubbed out cigarettes on her arms and her genitals. On the third day, they forced her into a tyre, naked, again, and raped her several times with a truncheon, vaginally and anally.

After three days she was transferred to Izmir Police Headquarters, where she was hung by the arms, tortured with electric shocks and threatened with rape and murder. When she was left in a cell she attempted suicide, but was discovered and taken to a hospital. She told a doctor and a prosecutor that she wanted to die because she had been raped, but they did nothing. She was handed back to the police, who threatened her, but did not torture her any more.

On 12 November 1997 a prosecutor and then a judge from Izmir State Security Court remanded her to prison. For five months she reportedly suffered from anal bleeding, but the prison doctor told her, "don't tell me about the torture you experienced."

In prison she reported the rape to the Legal Aid Project against Rape in Custody. The project lawyers filed a formal complaint about the rape and torture she suffered in February 1999, reportedly corroborated by a medical report. The Governor of Diyarbakir refused permission for the police officers to be prosecuted, but the Diyarbakir chief prosecutor lodged an appeal against this decision, which was accepted by a local court in February 2000. The indictment of the eight police officers lists the different forms of torture S.Ö. suffered, but does not mention the first rape.

S.Ö. was charged and later convicted of aiding and abetting the armed opposition group Kurdistan Workers' Party (PKK), and remained in prison for three years and nine months. She was recently released, and is now living with relatives in Izmir, in western Turkey, with her children. She is afraid that she and her relatives will face reprisals if she goes to give evidence at the trial, at Diyarbakir Heavy Penal Court No.3. When she visited her husband in prison in the city of Burdur, she was reportedly detained together with two of her children for about a day. Police apparently warned her: "You are travelling a lot. Be careful, something might happen to you. ... You seem to have filed a complaint. But the things [you allege] did not happen".

BACKGROUND INFORMATION

This is only one of hundreds of similar cases. During incommunicado detention in police or gendarmerie custody women and men are routinely stripped naked. Torture methods repeatedly reported to Amnesty International include electro-shocks and beating on the genitals and women's breasts, and sexual abuse, including rape or rape threats. Between mid-1997 and November 2000, 133 women sought the help of a legal aid project in Istanbul for women raped and sexually abused in custody. The alleged perpetrators are almost always

police officers, but include gendarmes, soldiers and village guards. They are rarely brought to justice. In 1999 Amnesty International documented a general climate of impunity for torturers.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or your own language:

- expressing concern that S.Ö. is being intimidated by police, shortly before the trial of police officers accused of raping and torturing her;
- asking the authorities to ensure that she and her family are protected from intimidation or attack;
- reminding the authorities of their duties under the UN Convention against Torture which Turkey ratified in 1988. Articles 4 and 5 oblige States Parties to bring alleged torturers to justice, and Article 13 requires that victims, plaintiffs and witnesses in torture trials are protected.

APPEALS TO:

Minister of Interior
Mr Saadettin Tantan

çi_leri Bakanl__
06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Faxes: + 90 312 418 17 95

Salutation: Dear Minister

Minister of Justice
Prof Hikmet Sami Türk
Ministry of Justice

Adalet Bakanl__
06659 Ankara, Turkey

Telegrams: Justice Minister, Ankara, Turkey

Faxes: + 90 312 417 3954 / 418 5667

Salutation: Dear Minister

Diyarbak_r Acting Chief of Police

Please note that the former Chief of Police in Diyarbak_r was shot on 24/01/00 - therefore do not mention any name when sending appeals.

Diyarbak_r Emniyet Müdürü
Diyarbak_r Emniyet Müdürlü_ü
Diyarbak_r, Turkey

Telegrams: Diyarbak_r Emniyet Müdürü, Diyarbak_r, Turkey

Salutation: Dear Chief of Police

Izmir Chief of Police:

Mr Sükrü Yetimo_lu
Izmir Emniyet Müdürü
Izmir, Turkey

Telegrams: Emniyet Müdürü, Izmir, Turkey

Faxes: +90 232 449 0029

COPIES TO:

State Minister with responsibility for Human Rights

Mr Rü_tü Kaz_m Yücelen
Office of the Prime Minister

Ba_bakanl_k
06573 Ankara
Turkey

Faxes: + 90 312 417 0476

and to diplomatic representatives of Turkey accredited to your country.

Please could appeal writers in EU member countries also send copies to their Minister of Foreign Affairs.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 12 March 2001.