

PUBLIC

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Risk of "disappearance"/
Fear of ill-treatment or torture

11 March 2002

TURKEY

Ferhat Yorulmaz (m), aged 18

Eighteen-year-old Ferhat Yorulmaz was reportedly arrested on 8 March, but police have denied having him in custody. He is at grave risk of torture or "disappearance".

Ferhat Yorulmaz was reportedly detained at 1am by plainclothes police officers in Bismil, Diyarbak_r province, together with several other individuals. The authorities have confirmed that the others are held at the Anti-Terror Branch of Diyarbakir Police Headquarters, but say that no one by the name Ferhat Yorulmaz is in custody there.

His lawyers have applied to the Chief Prosecutor's office in Diyarbak_r for information on his whereabouts, without success.

Ferhat Yorulmaz had also reportedly been detained by police officers a month ago but was released on the decision of the Diyarbak_r Chief Prosecutor.

BACKGROUND INFORMATION

Torture appears to be used routinely in police and gendarmerie stations, to extract confessions, elicit information about illegal organizations, intimidate detainees into becoming police informers or as unofficial punishment for presumed support of illegal organizations. Torture methods in Turkey documented by Amnesty International include severe beatings, being stripped naked and blindfolded, hosing with pressurized ice-cold water, suspending by the arms or wrists bound behind the victim's back, electric shocks, beating the soles of the feet, death threats and sexual assault.

The Turkish Regulation on Apprehension, Police Custody and Interrogation provides clear guidelines for the registration of people taken into custody and detainees' right to inform their relatives. Formerly this right could be waived if "informing the relatives will harm the investigation", but this restriction was lifted by an amendment to the Constitution on 3 October 2001 and by Law Number 4744 which entered into force on 19 February 2002. However, guidelines for the prompt and proper registration of detainees and for notification of their families are often ignored. This is extremely distressing for the families of detainees, who often spend days trying to establish the whereabouts of their loved ones. Failure to register detainees properly and promptly creates conditions in which there is an increased risk of torture, "disappearance" and death in custody.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern for the safety of Ferhat Yorulmaz, reportedly detained by police in Bismil, Diyarbak_r province, on 8 March, and asking to be informed of his whereabouts;
- urging the authorities to ensure that he is not tortured or ill-treated in custody;
- asking to be informed of any charges that are brought against him;
- reminding the government of its obligations under Article 3 of the European Convention on Human rights, to which Turkey is a state party: "No one shall be subjected to torture or to inhuman or degrading treatment or punishment."

APPEALS TO:

Diyarbak_r Police Headquarters

Mr Atilla Ç_nar

Diyarbak_r Emniyet Müdürü

Diyarbak_r Emniyet Müdürlü_ü
Diyarbak_r, Turkey

Telegrams: Emniyet Müdürü, Diyarbak_r, Turkey
Salutation: Dear Chief of Police

Minister of the Interior

Mr Rü_tü Kaz_m Yücelen
Ministry of Interior

_çi_leri Bakanl____
06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey
Fax: + 90 312 418 17 95
Salutation: Dear Minister

Governor of the Provinces under Emergency Rule (including Diyarbak_r)

Ola_anüstü Hal Valisi

Diyarbak_r, Turkey

Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey
Faxes: + 90 412 224 3572
Salutation: Dear Governor

COPIES TO:

State Minister with responsibility for Human Rights

Nejat Arseven

Office of the Prime Minister,

Ba_bakanl_k,

06573 Ankara, Turkey

Fax: + 90 312 417 04 76
Salutation: Dear Minister

and to diplomatic representatives of Turkey accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 22 April 2002.