

EXTERNAL (for general distribution)

AI Index: EUR 44/30/95
Distr: UA/SC

13 February 1995

Further information on EXTRA 03/95 (EUR 44/05/95, 10 January 1995) - and follow-up: EUR 44/08/95, also 10 January 1995 - Fear of Torture

TURKEY	Hüseyin Aksoy	_eyda Gül (female)
	Zöhre Aksoy (female)	Hüseyin Demirli
	Kiraz Özcan (female)	Tacim _im_ek
	Emine Akcan (female)	Mürüvvet Günel (female)
	_smet Dursun	_ükrü Ta_
	Osman	Kemal Yad_rg_
	Ahmet Mete Kekeç	Hüseyin Toprak
	Re_it Güleryüz	

Kemal Yad_rg_, _smet Dursun, Hüseyin Aksoy, _eyda Gül and Hüseyin Demirli were formally arrested on 13 January and are now in Sa_malc_lar Prison awaiting trial. All others were released.

On 16 January, Necdet Menzir, Istanbul Chief of Police, replied to a member of the Urgent Action network: "Hüseyin Aksoy, Zöhre Aksoy, Tac_m_im_ek, Mürüvvet Günel, _ükrü Ta_, Kemal Yad_rg_, _eyda Gül, Hüseyin Demirli, Kiraz Özcan, Emine Akcan, _smet Durson, Ahmet Mete Kekeç were brought to the Anti-Terror Branch because of their activities in the illegal Revolutionary Communist Party of Turkey. **During their period of detention, they were not subjected to any ill-treatment**".

After his release, _ükrü Ta_ gave Amnesty International the following account: "I was detained on 5 January 1995, early in the morning - they broke down the door. They were plainclothes police with automatic weapons and some had body armour. They beat me up and took me and my wife in. After two hours we were taken to Gayrettepe [Istanbul Police Headquarters]. They raided other houses. No weapons were found in any of the houses. My wife was released the following day, but I stayed in police custody until 13 January.

The interrogation, the taking down of statements and similar activities went on upstairs from the police cells. Torture took place somewhere below the cells. The place where torture happened was wet underfoot and smelled badly of excrement. They hung me by the arms seven or eight times. They bound my forearms together behind my back with a thick material. Sometimes they hung me high with my feet off the ground, sometimes low with the tips of my toes just touching. When I passed out they took me down and brought me round with cold water. Of course, I was completely naked and blindfolded. They also laid me down and beat me on the soles of the feet. They attempted to rape me with a truncheon - by pushing it against my rectum. They squeezed my testicles. They also pulled my hair. The torture sessions mainly took place at night, but also towards the evening. The interrogators said, 'We do not want to torture you, but you give us no choice. Make a statement, do not make it hard for yourself'. I explained that I could not admit something that I had never done.

Everybody who was detained was at least beaten, as far as I know. _eyda Gül and Hüseyin Demirli were suspended by the arms, and Kemal Yad_rg_ was tortured too. The women were sworn at and sexually harassed. I heard Ismet Dursun shouting and screaming several times. When I met him on the way to the toilets his eyes were bruised and he told me that he had been tortured very badly. He could

not make his way to the toilet on a couple of occasions, and I helped.

The torture took place in the first days of detention. On 13 January I was brought before the State Security Court prosecutor. I complained to the prosecutor that I had been tortured. He asked why they should do such things to me. I said he should ask them. When he asked if I wanted to make a formal complaint against them, I said that I did, and he wrote this down. I was then taken to a doctor in the State Security Court building. He said 'Show me any signs'. He noted that I had some marks under my arm pit, but said that they were not life threatening.

The following day I asked the prosecutor for a referral to the Forensic Medicine Institute and I was referred to the branch in Fatih. I was given a medical report, dated 14 January, stating, 'Examination of _ükrü Ta_ revealed a 2x3cm purple-violet bruise on the right thigh, and a 3-4 stripe-like hyperaemic marks under the right armpit. The person says that he cannot raise his right arm... excused from normal work for 3 days.'

My arms hardly work at all yet - especially my right arm - so I went to the Treatment Centre of the Turkish Human Rights Foundation. Tests apparently show that there is damage to the nerves in my right arm. Thanks to the Human Rights Foundation I am receiving treatment for my arms and for back-ache also caused by the hanging. I was shocked at being tortured - but on the other hand I knew when I was being arrested, from what I have read and from talking to other people detained by the Anti-Terror Branch, that something like this was going to happen."

A diagnostic report on _ükrü Ta_ by the Istanbul Treatment Centre of the Turkish Human Rights Foundation dated 18 January 1995 shows evidence of "damage to the brachial plexus", and states that "the complaints, findings of examination and diagnosis are consistent with torture".

In response to the claim by Necdet Menzir that he and the others were not ill-treated, _ükrü Ta_ said: "What a big lie."

FURTHER RECOMMENDED ACTION: Please send telegrams/faxes/express and airmail letters:

- expressing concern about allegations, supported by two medical reports, that _ükrü Ta_ was tortured while in custody at Istanbul Police Headquarters between 5 and 13 January 1995; and that fellow-detainees were also tortured during the same period;
- urging that these allegations are fully and impartially investigated and that those responsible for the torture are brought to justice;
- asking to be informed of the outcome of the investigation.

APPEALS TO:

1) Chief Prosecutor at Istanbul State Security Court

Mr Ahmet Köksal

DGM Ba_savc_s_

Devlet Güvenlik Mahkemesi

Istanbul, Turkey

Telegrams: DGM Ba_savc_s_, _stanbul, Turkey

Salutation: Dear Sir

2) State Minister with responsibility for Human Rights:

Mr Azimet Köylüo_lu

Ba_bakanl_k
06573 Ankara, Turkey
Faxes: +90 312 417 0476
Salutation: Dear Minister

COPIES OF YOUR APPEALS 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 13 March 1995.