

EXTERNAL (for general distribution)

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Fear of Torture

30 April 1991

**TURKEY: Bahri Biçak
Celal Esen
Hakki Boltan
plus 16 others, names unknown**

On the evening of 28 April 1991 armed men reportedly attacked a coffee house in Solhan near Bingöl which was known to be frequented by civil servants. The attackers, believed to be Kurdish guerrillas, killed the District Governor, the Public Prosecutor and the Forestry Regional Head of Solhan and wounded nine others, three of them seriously. Following the attack 19 people, including the three named above, have been detained. It is feared that they will be tortured during interrogation.

BACKGROUND INFORMATION

Turkey has a Kurdish ethnic minority which is not officially recognized by the authorities, but is estimated to number some 10 million people. The Kurdish population lives mainly in southeastern Turkey. Frequent allegations of torture and ill-treatment have been received from the region and the number of torture allegations increased substantially after the 1980 military coup. Since August 1984, when Kurdish guerrillas - members of the Kurdish Workers' Party (PKK) - started armed attacks, an alarming number of reports of ill-treatment of detainees by the security forces have come from the eastern and southeastern provinces, where more than 2000 lives so far have been lost in the continuing fighting.

In May 1990 the Turkish government issued Decrees 424 and 425 (in December replaced by Decree 430), further extending the already extraordinary powers of the Emergency Legislation Governor. Subsequently, in August 1990, the government derogated from Articles 5, 6, 8, 10, 11 and 13 of the European Convention on Human Rights, all of which contain important safeguards for human rights.

Turkey ratified the European Convention for the Prevention of Torture on 25 February 1988 and the UN Convention Against Torture on 2 August 1988. However, all information available to Amnesty International indicates that torture is still widespread and systematic in Turkey. Allegations of torture have continued since the transfer of power to a civilian government in 1983. Most allegations relate to ill-treatment of detainees in police custody during their initial interrogation when they are usually denied access to relatives or a lawyer. Under current legislation the maximum detention period before being formally charged or released is 24 hours; in cases involving three or more suspects or due to the 'nature of the crime' it may be extended to 15 days. This period may be extended to 30 days in areas under emergency legislation

or martial law. Emergency legislation is currently in force in ten provinces, including Bingöl.

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RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- urging that Bahri Biçak, Celal Esen, Hakki Boltan and the 16 others detained with them are given prompt access to their families and lawyers and that they are not ill-treated while in detention;
- requesting to be informed of any charges against them.

APPEALS TO

Bahrettin Demirer (Governor of Bingöl Province)
Bingöl Valisi
Bingöl, Turkey

Telegrams: Bingöl Valisi, Bingöl, Turkey

President Turgut Özal
Devlet Ba_kanli_i
06100 Ankara, Turkey

Telegrams: President Ozal, Ankara, Turkey
Telexes: 42875 bbk tr
Faxes: (via Press Office) +90 4 168 5012

Mr Abdülkadir Aksu (Minister of the Interior)
_çi_leri Ba_kanli_i
06644 Ankara, Turkey

Telegrams: Interior Minister Aksu, Ankara, Turkey
Telexes: 46369 ICSL TR
Faxes: +90 41 28 43 46

Mr Eyüp A_ik (President of Parliamentary Human Rights
_nsan Haklari Ara_tirma Commission)
Komisyonu Ba_kani
TBMM
Ankara, Turkey

Telegrams: IHA Komisyonu, TBMM, Ankara, Turkey
Faxes: +90 4 42 06 941

Mr Hayri Kozakçio_lu (Emergency Legislation Governor)
Ola_anüstü Hal Valisi
Diyarbakir, Turkey

Telegrams: Diyarbakir Valisi, Diyarbakir, Turkey
Telexes: 72110 OHVT TR
72084 DYVA TR "please forward to the Governor"
72090 JASY TR
Faxes: +90 831 26174

COPIES TO: Diplomatic representatives of Turkey in your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 11 June 1991 .