

EXTERNAL (for general distribution)

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Fear of Torture

10 May 1991

TURKEY: Fahrettin _ahin
Mohammed Ali Akgül

Hüseyin Demir)
Hasan Demir) relatives of M. Ali Akgül
Ramazan Demir)

Mehmet Çetin)
Hur_it Tarçan) villagers from Mizizeh/Midyat
Ziver Ilhan)
Ridvan Ünal)

Sometime prior to 16 April, Fahrettin _ahin was detained in or near Midyat, a town near the border with Syria, reportedly with gunshot wounds in both legs (it is not known to Amnesty International how these were obtained). On 16 April 1991, Mohammed Ali Akgül and his three relatives: Hüseyin, Hasan and Ramazan Demir, were taken into custody in Midyat. At the same time the four people named above from the village of Mizizeh were also detained. Fahrettin _ahin is reported to be held in the prison hospital in Midyat, while the other eight detainees are held incomunicado in Mardin. There is fear that they are being interrogated under torture for suspected links with Kurdish guerrillas.

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 Mardin.

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

- urging that the detainees named above 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

Albay (Colonel) Enver Uysal Gendarmerie Commander
Mardin Jandarma Alay Komutanligi
Mardin, Turkey
Telegrams: Gendarmerie Commander Uysal, Mardin, Turkey
Telexes: 72004 jimr tr
Faxes: +90 841 14959

Mr Süleyman _ahin Chief of Police
Mardin Emniyet Müdürlü_ü
Mardin, Turkey
Telegrams: Emniyet Mudurlugu, Mardin, Turkey

President Turgut Özal
Devlet Ba_kanli_i
06100 Ankara, Turkey
Telegrams: President Özal, Ankara, Turkey
Telexes: 42875 bbk tr
Faxes: (via Press Office) + 90 4 168 5012

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

Mr Eyüp A_k President of Parliamentary
Insan Haklar_ Ara_t_rma Komisyonu Ba_kan_ Human Rights Commission
TBMM
Ankara, Turkey
Telegrams: IHA Komisyonu, TBMM, Ankara, Turkey
Faxes: + 90 4 42 06 941

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 21 June 1991.