

EXTERNAL (for general distribution)

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Fear of Torture

19 July 1994

TURKEY

Mehmet Tabak, 40
Nebile Tabak, 18, his daughter
Hatun Temiz, 18, female
Esmer Ç_rak, 16, female
Gülistan Büyükdere, 16, female

The people named above were detained in the village of Hüseyinkent on 12 July 1994. They are held in incommunicado detention at the Gendarmerie Headquarters in I_d_r and it is feared that they are being interrogated under torture.

According to reports, gendarmes (soldiers carrying out police duties in rural areas under the authority of the Interior Ministry) came to the village of Hüseyinkent in the province of I_d_r, northeast Turkey, on the evening of 12 July. They searched for weapons allegedly hidden in the village. When they found none, they detained Mehmet Tabak, his daughter Nebile and the three other girls named above. Reportedly they were paraded in front of the villagers, beaten and verbally abused before being taken away. Nebile Tabak and other members of the Tabak family were also taken into custody in December 1993.

BACKGROUND INFORMATION

The conflict in southeast Turkey between government forces and guerrillas of the Kurdish Workers' Party (PKK) has claimed more than 12,000 lives since it began in August 1984. A state of emergency remains in force in 10 provinces in the southeast and the Emergency Legislation Governor in Diyarbakir has extraordinary powers over three additional provinces. Police operations against suspected PKK supporters are being carried out all over Turkey. Procedures laid down in the Turkish Criminal Procedure Code for the prompt registration of detainees, and for notification of their families, are almost universally ignored in the southeast. Abuse of registration procedures creates the conditions in which the "disappearance" and torture of detainees can occur. Massive military operations in the southeast have been intensified since early 1994, and in addition to daily armed clashes the security forces are carrying out intense operations against villages. These operations have resulted in countless allegations of torture, "disappearance" and extrajudicial execution.

The European Committee for the Prevention of Torture (ECPT) and the UN Committee against Torture (UN CAT), both mechanisms of international human rights instruments to which Turkey is a State Party, have published reports to the effect that torture is widespread and systematic in Turkey. Detainees held on suspicion of political offences to be tried in State Security Courts may be held without charge for 15 days. This period may be extended to 30 days in the provinces under emergency legislation.

Turkey ratified the European Convention for the Prevention of Torture on 25 February 1988 and the UN Convention Against Torture on 2 August 1988. Following a programme of visits to Turkish police stations in 1990, 1991 and 1992, the European Committee for the Prevention of Torture (ECPT - established by the Council of Europe) reported: *"In the light of all the information at its disposal, the ECPT can only conclude that the practice of torture and other forms of severe ill-treatment of persons in police custody remains widespread in Turkey and that such methods are applied to both ordinary criminal suspects and persons held under anti-terrorism provisions"*.

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

- noting that Mehmet Tabak, his daughter Nebile and three other young women were taken into custody by gendarmes in the village of Hüseyinkent, I_d_r province, on 12 July 1994;
- expressing your concern about reports that they were beaten and verbally abused in front of the other villagers before being taken away;
- mentioning the reports by the European Committee for the Prevention of Torture and the UN Committee against Torture finding that torture is widespread and systematic in Turkey;
- seeking assurances that the five detainees are not subjected to torture or other forms of ill-treatment;
- asking to be informed of any charges brought against them.

APPEALS TO

1) Chief of Staff of the Gendarmerie:

Orgeneral Ayd_n_lter
Jandarma Kuvvetleri Komutanl____
Bakanl_klar
Ankara, Turkey

Telegrams: Jandarma Genel Komutani, Ankara, Turkey

Faxes: +90 312 418 0476

Salutation: Dear General

2) I_d_r Public Prosecutor:

Cumhuriyet Savc_s_
I_d_r, Turkey

Telegrams: Cumhuriyet Savcisi, I_d_r, Turkey

Salutation: Dear Sir

3) Minister of the Interior:

Mr Nahit Mente_e
Içi_leri Bakanl____
Bakanl_klar
06644 Ankara, Turkey

Telegrams: Icisleri Bakanligi, Ankara, Turkey

Faxes: +90 312 418 1795

Salutation: Dear Minister

COPIES OF YOUR APPEALS TO:

Minister of Foreign Affairs:

Mr Hikmet Çetin
D_i_leri Bakanl____
06100 Ankara, Turkey

Faxes: 90 312 287 3869

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 19 August 1994.