

EXTERNAL (for general distribution)

AI Index: EUR 44/84/94

Distr: UA/SC

EXTRA 49/94

Fear of Torture

18 August 1994

TURKEY

Ali Candan, aged 22

Ali Candan was detained at about midnight on 8 August 1994 during a raid by the security forces on his aunt's house in Izmir. He was reportedly later transferred to Diyarbak_r but his whereabouts in custody are unknown. Amnesty International fears that he is being tortured in incommunicado detention.

Ali Candan was previously detained in 1991 for his alleged involvement in the Kurdish Worker's Party (PKK). He was released after six months and reportedly went into hiding. He was later sentenced *in absentia* by the Military Court in Diyarbak_r to 12 years and 5 months imprisonment.

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 Diyarbak_r 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 "disappearances" and torture 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 program 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 either in English or in your own language:

- seeking assurances that Ali Candan is not being subjected to torture or any other form of ill-treatment;

- urging that his whereabouts be made known;
- asking to be informed of any charges brought against him;
- referring to 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;

APPEALS TO

1) 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

2) Prime Minister:

Mrs Tansu Çiller

Ba_bakanl_k

06573 Ankara, Turkey

Telegrams: Prime Minister, Ankara, Turkey

Telexes: 44061/44062/44063 bbmt tr

Faxes: + 90 312 417 04 76 (Prime Minister)

+90 312 230 88 96 (attn: Prime Minister)

Salutation: Dear Prime Minister

COPIES OF YOUR APPEALS TO:

Minister of Foreign Affairs:

Mr Hikmet Çetin

D__i_leri Bakanl____

06100 Ankara, Turkey

Faxes: 90 312 287 1886

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 20 September 1994.