

EXTERNAL (for general distribution)

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Fear of Torture

8 October 1993

TURKEY: Detained: Mehmet _irin Ö_ünç
Hakim Ö_ünç
Zeki Ö_ünç
Hüseyin U_urlu
Sami Duygu, brother of Mayor of Alt_nova
Hüsamettin Duygu, brother of Mayor of Alt_nova
and two others

Burned in
their home: Nas_r Ö_üt, his wife and six children.

Amnesty International fears that the eight Kurdish males listed above may be tortured while in incommunicado detention. They were detained by security forces on the night of 2 October 1993 in the town of Alt_nova in the province of Mu_, southeast Turkey. It is believed that they are being interrogated at Mu_ Gendarmerie Brigade Headquarters. Under emergency legislation in force in that part of the country, they may be held without access to lawyers or family for up to 30 days.

It appears that on 2 October, gendarmes (soldiers carrying out police duties in rural areas) from the Gökyaz_ security post raided a district of Altinova where a wounded guerrilla of the PKK (Kurdish Workers' Party) was thought to be sheltered. An exchange of fire occurred in which the wounded guerrilla and a gendarme were killed. The security forces left the area but told the townsfolk that they would return and "make them pay" for harbouring PKK guerrillas.

Reportedly several hundred soldiers returned at about 3.00am on 3 October and burned a number of houses. They threw inflammable material into the house of Nas_r Ö_üt - who died in the flames together with his wife and six children. The rest of the male population were assembled on vacant land below the town and addressed by a gendarmerie officer who abused them before taking away the detainees mentioned above.

BACKGROUND INFORMATION

Turkey has a Kurdish ethnic minority which is estimated at some 10 million people, living mainly in southeastern Turkey. Since 1984, when guerrillas of the Kurdish Workers' Party (PKK) started armed attacks against the security forces, more than 6,000 lives have been lost on both sides and among the civilian population. The security forces and the PKK are both involved in large-scale military operations covering the entire region. A state of emergency continues to be in force in 10 provinces in the region, of which Mu_ is one, and the Emergency Legislation Governor in Diyarbakir has extraordinary powers over three additional provinces.

Amnesty International has received an increasing number of allegations that security forces have fired on residential areas in reprisal for clashes with PKK guerrillas - particularly when members of the security forces have been killed in such clashes. Some hours after PKK guerrillas had withdrawn after attacking the town of Yüksekova in Hakkari province on 15 August, gendarmerie troops reportedly moved about the town firing on houses and shops. They killed one townsman (described in official communiques as a PKK guerrilla) and wounded nine others. Similar reprisals occurred in Yüksekova on 19 August, 30 September and 1 October, leaving three killed and four wounded. In the town of Çukurca in __rnak province, police fired on the town after several gunshots were heard - a pregnant woman was killed and 8 wounded. In Dargeçit on 25 August, following clashes in the surrounding countryside, security forces reportedly burned 15 shops. On 6 September a security post in the town of Sason, Batman province, was raided. The following evening security forces allegedly raided the nearby village of Acar killing one villager and wounding four. In Cizre on 11 September, following a clash in which two guerrillas and a special team member were killed, a curfew was announced and armoured vehicles patrolled the streets opening fire on anyone they saw. Two children were killed.

The International Committee of the Red Cross Commentary to Common Article 3 of the Geneva Conventions describes various practices, including reprisals, as "shocking to the civilized mind" and continues that such methods are contrary to the modern idea of justice in that they are based on the principle of collective responsibility for a crime and strikes at persons innocent of the crime which they are intended to prevent or punish.

RECOMMENDED ACTION: Please send telegrams/faxes/express and airmail letters either in English or in your own language:

- expressing concern for the safety of Mehmet _irin Ö_ünç, Hakim Ö_ünç, Zeki Ö_ünç, Hüseyin U_urlu, Sami Duygu, Hüsametdin Duygu, and the two other detainees;
- urging that they should be given an opportunity to appoint and consult a lawyer of their choice;
- urging that they be brought promptly before a judge, and that they should not be subjected to any form of torture or ill-treatment;
- requesting to be informed of any charges brought against them;
- expressing grave disquiet about the death of Nas_r Ö_üt, his wife and six children, burned to death in an arson attack reportedly carried out by security forces;
- urge that the increasing number of allegations that security forces are carrying out reprisals against the Kurdish civilian population should be thoroughly and impartially investigated.

APPEALS TO

1) Emergency Legislation Governor:

Mr Ünal Erkan

Ola_anüstü Hal Valili_li

Diyarbakir, Turkey

Telegrams: Ola_anüstü Hal Valisi, Diyarbakir, Turkey

Faxes: +90 832 26 174

Salutation: Dear Governor

2) Minister of Foreign Affairs:

Mr Hikmet Çetin

Ministry of Foreign Affairs

D_i_leri Bakanl____

06100 Ankara, Turkey

Telegrams: Foreign Minister, Ankara, Turkey

Faxes: 90 4 287 3869

Salutation: Dear Minister

COPIES OF YOUR APPEALS TO:

1) Prime Minister

Mrs Tansu Çiller

Office of the Prime Minister

Ba_bakanl_k

06573 Ankara, Turkey

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 November 1993.