

TURKEY

CHILDREN AT RISK OF TORTURE, DEATH IN CUSTODY AND “DISAPPEARANCE”

CHILDREN AT RISK OF TORTURE

Turkish children as young as 12 have reportedly been subjected to torture - including electric shocks, hosing with cold water and beating. Testimony of sexual torture has been received from children as young as 14 who describe being stripped naked, sexually assaulted and threatened with rape. In many cases, the torture testimony of children and juveniles is supported by medical evidence. Children have also “disappeared” after eye-witnesses last saw them being taken away by police. In the context of the conflict between the Kurdish Workers’ Party (PKK) and state forces in the southeast, children have been the victims of abuses by both sides. Children have been killed in village massacres committed by the PKK, but also by state forces in bombardments of villages carried out by soldiers or aircraft.

Amnesty International is concerned that human rights violations against children in Turkey appear to be on the increase and that the Turkish authorities are not doing all in their power to protect their most vulnerable citizens. The official reluctance to enforce safeguards for children and investigate allegations of violations against them puts in question the sincerity of Turkey’s ratification in 1995 of the UN Convention on the Rights of the Child. This convention affirms that special efforts must be made to protect children against torture or other cruel treatment. Although there is much of value in the special protections for children in police custody contained in Turkish law, these measures are frequently being circumvented. As a result, reports of children being tortured are on the increase.

Children and juveniles detained on suspicion of minor offences have reported being tortured in many parts of Turkey. Children from less advantaged backgrounds seem to be particularly at risk.

**Mother of a
13-year-old boy
reportedly tortured at
a police station in
Istanbul**

**No child shall be
subjected to torture
or other cruel,
inhuman or
degrading
treatment or
punishment**

**UN Convention on the
Rights of the Child,
Art.37 (a)**

“What happened to my son today - will it not happen to others tomorrow?”

"How could they let my torturers go?"

Twelve-year-old Döne Talun from a poor neighbourhood in Ankara was tortured while being held at Ankara Police Headquarters for five days without access to her family or to legal counsel. She was detained on 12 January 1995 in the Çubuk district of the capital on suspicion of stealing bread. She described what happened to her, once she was in police custody, beyond the reach of the law:

"They beat me in the car as they were taking me to the Police Headquarters. In the evening I was blindfolded. They tied me up and connected a wire to my fingers. Then they said: 'We will give you something.' Then one of them switched on the generator. They also gave me shocks to my face. Next morning I was interrogated... I told them that I didn't do it. One of them beat me with his walkie-talkie hard on the head. They also punched me in the stomach ... The bruising I had on my neck came from beating by a truncheon. When I got out I had pain in the neck. There is still a little pain in the neck. Because of the electric shocks one finger was hurting very much and I had also some pain in the face."

Döne Talun

"I shared a cell with three other girls. We had to watch each other receiving electric shocks, while we were all waiting in the same room for our turn to come...."

**Döne Talun
12 years old**

Until the day of Döne Talun's release Ankara Police Headquarters denied her detention. Her mother described how

Döne Talun looked after her release:

"When I first saw her, I had a shock. She was very pale. Her fingers were injured. There was blood over her."

Döne Talun was taken to the Forensic Medicine Institute and to the treatment centre of the Turkish Human Rights Foundation. A doctor examining her on behalf of the Turkish Human Rights Foundation found injuries consistent with her allegations of torture. The report stated, "*The head and neck*

region were bruised and there was a scar of between 0.5cm and 1cm on the cheek bone. She had signs of wounds on her skin, possibly made by blows...red marks on the forearms. There was evidence of minor bleeding and bruising on her stomach."

The family filed a complaint, but a year later the prosecutor issued a decision not to prosecute. Döne Talun asked Amnesty International: "*How could they let them go, after what they have done to me?"*

It appears that Döne Talun's case failed because a member of her family was induced by the police to sign a statement which did not deny her detention but claimed that Döne Talun was released after only two days, instead of five. The prosecutor based his decision on this false statement although it was later withdrawn, and its withdrawal was acknowledged by the prosecutor.

Amnesty International's clear finding - endorsed by the European Committee for the Prevention of Torture in its 1992 statement on Turkey and by the 1993 report on Turkey of the UN Committee against Torture - is that torture is widespread in Turkish police stations, encouraged by the practice of holding people for long periods without access to the outside world in extended incommunicado detention which presents an opportunity for torture. But Turkish law contains special provisions intended to ensure that children are not left alone and defenceless when detained.

Questioning by prosecutor in the presence of legal counsel

Under normal circumstances, the Turkish Criminal Procedure Code directs that even detained adults should not be held for more than 24 hours before being brought before a judge or released. Under Law 2253, Article 19, the preliminary

Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance.

UN Convention on the Rights of the Child, Art.37 (d)

questioning of minors of up to 15 years of age must be carried out by the state prosecutor in person or by an assistant delegated by him. According to Article 138 of the Turkish Criminal Procedure Code a lawyer must be provided for minors under 18 years of age during interrogation and when statements are taken. A lawyer for detainees under 18 years will be appointed by the Bar Association. As the case of Döne Talun shows, these safeguards are ignored with impunity. Her case is not an isolated one.

Thirteen-year-old Tayfun K_ars, living in the same neighbourhood as Döne Talun, had a very similar experience. On 9 July 1995 Tayfun K_ars and R_fat Onurcan, aged 25, were detained by police in the Maltepe district of Ankara on an accusation of theft. They were questioned at Çankaya Police Station and released by the local prosecutor at 3pm the following day. However, instead of letting them go, the police officers took the two detainees to Ankara Police Headquarters where both alleged they were tortured. Tayfun K_ars later told the Human Rights Association that at Çankaya Police Station he was "only given a few slaps in the face", but that "at the Police Headquarters they hit me on my feet and back with truncheons. They gave electric shocks". R_fat Onurcan stated that he had been stripped naked at the Police Headquarters, given electric shocks, hit on his hands and feet with truncheons, and hosed with pressurized cold water. This continued until both were released on 11 July 1995.

In the cases above, police were not only able to ignore the limit on maximum police detention and their responsibility to call a lawyer and summon the prosecutor, but were also able to torture with impunity. However, the allegations of torture made by another 13-year-old, Abdullah Salman, were after delay eventually brought to court.

In May 1996 a court in Istanbul sentenced a police officer to three months' imprisonment for having tortured Abdullah Salman. Abdullah Salman, an apprentice in a garment workshop, was only 13 years old when he was taken into police custody in November 1994, wrongly accused by his employer of theft. He described what happened to him at ili Police Station in Istanbul:

"Then the Chief Superintendent came. He said to me, 'I think you took the money'. I said, 'No, abi', I didn't take it'. He said, 'Why do you tell lies, bastard' and began to hit me. Later he choked me and lay me on the ground. He again

Incommunicado detention and interrogation of minors on any grounds is not permitted by Turkish or international law and should be treated by prosecutors and the courts as a serious offence. The sanctions are already to hand. Article 181 of the Turkish Penal Code, for example, states: "Where a government official, by abuse of his duty or failure to adhere to legal procedures and conditions, deprives a person of their personal liberty, [that official] shall be punished by imprisonment for not less than one year nor more than three years."

began to choke me, and lifted me up and threw me down a few times. While I was on the

ground he hit my knees and punched me twice. Some time later they blindfolded me and trod on my hands. They took the sock off my left foot and tied something to it. Then they began to give me electric shocks. First I thought my toe had been cut off, then it was as if my body did not work from the waist down. Every now and then they hit my head. When I shouted out, those in the room shut my mouth and laughed." [see also AI Index: EUR 44/18/95: *Torture of 13-year-old in Istanbul.*]

A report by the _i_li Forensic Medicine Institute on 9 November 1994 described bruises all over his body. When he was visited by Amnesty International a year after the incident

Abdullah Salman with his mother, _aziye Salman
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he was still receiving therapeutic treatment by the Turkish Human Rights Foundation.

After his mother, _aziye Salman, had filed a formal complaint with the prosecutor, she was reportedly summoned to the police station and offered a bribe to drop the complaint. Upholding her complaint, _aziye Salman said, "*What happened to my son today - will it not happen to others tomorrow?*"

Twelve-year-old Halil Ibrahim Okkal_, an apprentice in a furniture workshop, ended up in intensive care with his arm in plaster, after he was interrogated by police in Izmir on 27

November 1995. Accused of theft by his employer, this is how he described what happened at Ç_narl_ Police Station:

"There were two policemen interrogating me. They asked me: 'Where is the money?' and I explained what had happened. They did not believe me. Then they took me to the toilet. First they beat my arms so hard with a truncheon that

Halil Ibrahim Okkali

"Now he is having nightmares.

Yesterday night he cried: 'I didn't do it'."

Twelve-year-old Halil Ibrahim's father, Mehmet Ya_ar Okkal_

I fell. Then the garbage bin fell on me. They kept on beating and kicking me. One put his foot in my mouth. Later they took me back to the cell where I was left alone until my father fetched me."

His father, Mehmet Ya_ar Okkal_, who was called in the evening to collect his son, continued: "*Halil did not tell us anything before we got home. There we saw the state he was in. His legs were all black ... His arm was severely injured. We took him to the hospital. His arm was put in plaster and he was kept in for three days*".

A medical examination of 27 November 1995 revealed bruises on his hands, knees, shins and left thigh as "soft tissue trauma". Injuries included 30x17cm and 15x10cm sized bruises on his buttocks.

On 20 March 1996 a trial was opened at Izmir Criminal Court against Halil Ibrahim Okkal_'s alleged torturers.

Children and the Anti-Terror Law

The protections presently offered by Turkish Law could be effective if scrupulously observed. In practice they are ignored. The situation is, however, very much worse for children detained on suspicion of offences under the Anti-Terror Law, when safeguards are comprehensively violated. Surprisingly, perhaps, the detention of children and juveniles under the terms of the Anti-Terror Law is very common. In addition to crimes of political violence, the Anti-Terror Law covers many non-violent acts such as supporting or being a member of an illegal organization, and making "separatist" statements. Juveniles taking part in demonstrations, attending funerals, handing out leaflets or selling political newspapers have been detained under the Anti-Terror Law.

For a child detained in such circumstances, all protective mechanisms are suspended by police officers and prosecutors who deny access to lawyers and impose extended detention for days or weeks on the grounds that the provisions of the Anti-Terror Law supersede those of Law 2253. The case of Sevgi Kaya is typical of allegations received by Amnesty International not only in the brutality she claims was inflicted upon her, but typical also in the evidence she brought to corroborate her allegations.

Sevgi Kaya was a 15-year-old high-school student when she was detained with five fellow students in Istanbul on and around 7 February 1996. They were held incommunicado for about 12 days and all alleged that they had been tortured in detention. They were charged with membership of an illegal organization and sent to Sa_malc_lar Prison (*Cumhuriyet*, 14 March 1996).

Sevgi Kaya gave the following account of what happened to her at Istanbul Police Headquarters:

"When I said I was not a member of an illegal organization, they beat me on the hands and soles of my feet. My hands swelled up and became purple, and my feet were hurting at least as much as my hands so that I could not walk properly... In the middle of the night they came again and pulled me by my hair to a room where my brother Sinan Kaya was. I could see that he also had been tortured. They told us to confess. They undressed us by force. With thick truncheons they started beating me on my arms and my brother on his legs; then they switched and beat my legs and his arms... I was separated from my brother and taken to a room upstairs.

Sevgi Kaya

"In the middle of the night they came again and pulled me by my hair to a room where my brother Sinan Kaya was. I could see that he also had been tortured."

**Sevgi Kaya
15 years old**

There I was insulted and beaten. After that they made me sit on a chair, then they tied my arms with a rope to a beam... Then I was hoisted with my arms tied to the beam. While I was hanging they told me that I would become paralysed. They threatened to kill me. Because the hanging took so long, I fainted. I only regained consciousness when they poured water over me."

The findings of the Forensic Medicine Institute of 19 February 1996 are consistent with Sevgi Kaya's allegations: "4x5cm sized healing bruises in the middle of the inner side of both soles; similar bruises on the soft inner area of the palms of both hands". The medical report stated that Sevgi Kaya would not be able to work for seven days (*Yeni Yüzyıl* [New Century], 17 March 1996). According to Amnesty International's information, by mid-September 1996 the Istanbul Chief Prosecutor had not decided whether to open a trial against the alleged torturers of Sevgi Kaya and five fellow students.

Victims of human rights abuses often do not go public. Amnesty International frequently receives testimony from torture victims who want to remain anonymous - many of them young people.

"Don't publish my name - I am so afraid they will torture me again."

The following account was given to Amnesty International earlier this year by a 16-year-old girl living in one of the provinces under emergency legislation in the southeast. The identity of the people involved and the location of the incident which happened in 1995 are known to Amnesty International:

"At 5.30am police raided our family home where I and my two younger brothers (13 and 14 years old) were staying alone while our parents had gone to our village. They were about eight or nine police who were pointing their weapons at us. They looked around and then left. My younger brothers went to their work in a nearby bakery.

After a while the police came again. They pulled me by the hair, threw me to the ground and pointed a gun at me: "Why did you send your brothers off into hiding?" I told them that they had only gone to the bakery around the corner. They took me to the bakery. Only the younger brother was there, the

"While I was screaming under torture they were laughing and imitating my cries. Every night there were torture cries. The radio was put on high volume."

**Torture victim who wished not to be named
16 years old**

elder had gone out to deliver bread. They beat my younger brother with their weapons in the stomach and beat him with their fists in the face until his mouth was bleeding.

We had to wait for a while. Then they took me into a taxi where I was blindfolded. They insulted and sexually abused me. I do not know where they took me.... I was hosed with cold water. I had to lie down on a bed. They took off my underwear and tied my arms and legs. They put water on me and gave me electric shocks. They tortured me for a long while. I told them that I did not know anything. Later they took me to another room. From under the blindfold I could see that there were a lot of other naked people in the room. I was freezing. People were crying. I could also see my brothers but could not talk to them.

They took me again and did bad things to me. I was tied to a wooden instrument. They gave me electric shocks and suspended me on a hanger. I was hosed with water again. I have no idea how long the hanging lasted. When they let me down I could not feel my arms anymore. I fell as they let me down. They shouted: "Get up!" Then they put cold water on me. I was crying, saying that I could not feel my arms. I was taken back. For two days I got no food. At night they took me again. I had to undress. I was so ashamed. They did things I cannot tell. As I was trying to cover my breasts, they beat me saying: 'You are worthless. It doesn't matter to us if you die'.

After about 20 days I was taken to court and released. Before I was taken to the court, police of the Special Team asked me about the treatment and laughed when I said that I was tortured. They threatened me in case I would talk: 'We can do much worse to you next time'."

The same young woman hesitated before reporting the sexual abuse she suffered:

"In the taxi I had to sit between two policemen. They started grabbing my breasts and one of them put his hand in my underpants. They covered my mouth. They threatened to rape me.

Later in the torture room I was given electric shocks to the vagina. They took a pen and stuck it into my belly and breasts. They asked whether I was still a virgin and threatened to destroy my virginity so my fiancé would leave me. Even though I told them repeatedly that I was a virgin they accused me of 'sleeping with terrorists'."

Children are not only at risk in police custody but also in prison. The Turkish Human Rights Foundation reports that on the night of 12 April 1995, 500 arrested and convicted children at the Ankara Keçiören Reformatory rebelled against the ill-treatment by the guardians [Turkish Human Rights Foundation (1996): File of torture. Ankara]. The rebellion was put down by police who wounded several children. Children who were interviewed by the media after the incident alleged: "The guardians abuse us sexually. We are continually beaten and humiliated".

During the interview the girl repeated several times: "Do not publish my name. I am so afraid they will torture me again."

The case of another detainee, fifteen-year-old Gülçin Özgür, illustrates the possible risks faced by detainees who make public their complaints. Gülçin Özgür was redetained in June 1996 a few days after her allegations of torture were published in a newspaper. She was originally detained in February 1996, in the Bismil district of Diyarbakır province. She was then held for 16 days and interrogated on suspicion of being a member of the Kurdish Workers' Party (PKK) and of trying to join one of their fighting units in the mountains. On 5 June the newspaper *Demokrasi* reported a public statement by Gülçin Özgür, describing the sexual assault to which she was subjected during her 16-day detention at the Gendarmerie Command Battalion in Bismil.

On 12 June 1996 Gülçin Özgür was detained again from her family's home in Mersin and taken to Mersin Police Headquarters. According to Gülçin Özgür, the police continually asked "Are you going to be trouble for us?" They stripped her naked, sprayed her with pressurized water and beat her. She was interrogated throughout 10 days and finally made a statement confessing to membership of the PKK. On 21 June 1996 she was formally arrested and committed to prison in Mersin. On 22 August 1996, at the first hearing of her trial at Konya State Security Court on charges of PKK membership, Gülçin Özgür withdrew her earlier "confession". She was released at this hearing, although the trial continues.

"They threatened that they would rape and kill me"

Sixteen-year-old Zuhale Sürücü, who was detained by five plainclothes police on 14 March 1996 while walking in the Mustafa Kemal district of Istanbul, also described being subjected to sexual assault and threats by police during interrogation at Istanbul Police Headquarters:

"They put my head in a bucket until I almost drowned. They did it again and again... They tied my arms to a beam and hoisted me up. I was blindfolded. When I was hanging I thought my arms were breaking. They sexually harassed me and they beat my groin and belly with fists while I was hanging. When they pulled down on my legs I lost

Young girls and boys are held alone, blindfolded, and often naked - almost invariably in the hands of unidentified male police officers. Allegations of sexual torture are made very frequently. In some cases they are corroborated by medical evidence, though detention for days or weeks without access to doctor, family or lawyer ensures that such evidence is extremely difficult to obtain.

No Turkish government has ever produced any credible justification or explanation for exposing its children to such grave risks because there can be no justification. The practice of extended incommunicado detention is outlawed under international human rights treaties - notably the European Convention for the Protection of Fundamental Rights and Freedoms - to which Turkey is a State Party.

Zuhal Sürücü

consciousness. I don't know for how long the hanging lasted... They threatened that they would rape and kill me. They said I would become paralysed. The torture lasted for eight days." On 25 March 1996 Zuhal Sürücü was charged with membership of the illegal organization TKEP/L (Turkish Communist Labour Party/Leninist) and arrested. In a letter from Sa_malc_lar Prison she complained about pain in the kidneys and lungs, restricted movement of the hands, difficulty in carrying and lack of appropriate medical treatment.

The Turkish public expressed shock and disgust at a number of allegations of torture of children covered by the national press and television. Early in 1996 one particular case provoked an outcry among Turkish citizens.

"The young people were blindfolded and some of them were naked"

The allegations made by 16 young people - seven of them teenage high school students - that they had been blindfolded, stripped naked, hosed with cold water and subjected to electric shocks at Manisa Police Headquarters were widely reported in print and on private television channels. The youngsters further stated that while they were detained between 26

December 1995 and 5 January 1996 police officers raped the male detainees with truncheons and squeezed their testicles,

while female detainees were compelled to

undergo forced gynaecological tests and were threatened with rape and defenestration.

The story was revealed when Sabri Ergül, member of parliament for the Republican People's Party (*Cumhuriyet Halk Partisi*, CHP) went on record that he had heard allegations of torture from children he spoke to during an unannounced visit to Manisa Police Headquarters.

The trial against the 16 young defendants charged with membership of, or links with, the illegal armed organization *Revolutionary People's Liberation Front* (DHKP-C) was opened on 12 March 1996. In September 1996 seven of the defendants, including Mahir Gökta_, were still held at Buca Prison in Izmir. Mahir Gökta_ is kept in an adult wing.

The 16 teenage students, at their trial in Izmir

"I heard a cry and opened the door of the next room to find out what was going on. The young people were there, they were blindfolded and some of them were naked."

Sabri Ergül, member of parliament, after his unannounced visit to Manisa police station

Mahir Gökta_ told what happened to him at Manisa Police Headquarters after he was detained on 27 December 1995, when he was 14 years old:

"There was a big corridor in Police Headquarters where about 10 police started to kick and beat me. They kept hitting my head and my stomach. I could hardly breathe when they

kicked my stomach and I fainted. When I regained consciousness, I found myself in a small cold cell....Then two people brought me to another room and forced me to undress. They asked questions that were nothing to do with me; when I said I did not know they twisted my testicles. They said things

like: 'That's it, your manhood is gone'.... Four of them held me by the hands and arms and gave electric

shocks to my right big toe, to my sexual organs, to my arms and to my stomach. Afterwards I had no feeling in my right foot and sexual organ.... They made me wait in the corridor, naked and standing on one leg. They took me into a room where I saw my uncle lying naked on the floor. Before my very eyes they twisted his testicles and gave him electric shocks. He was screaming. I almost went mad seeing him like this."

Mahir Gökta_ reported that before the police took him to the prosecutor, they made the threat that they would keep him for a further 15 days, if he were to revoke his "confession".

Sema Ta_ar (aged 17) and Ay_e Mine Balkanl_ (aged 16) were detained on 26 December at 11am from their classroom at Manisa High School and taken directly to the Police Headquarters. Sema Ta_ar gave the following account:

"I was blindfolded. They interrogated me under beating. One of the policemen said: 'Let's undress her' and they started to take my clothes off by force. I tried to resist and cried but in vain. I was very scared... They put a wet blanket

over me, held my legs and arms, connected the big toe of my right foot with an electric cable and poured water on me. Then they applied electric shocks to all parts of my whole body: my sexual organ, belly, breast, ears etc.... It went on until my body weakened. I could not even cry out any more. I think they stopped giving electric shocks because they were afraid I might die."

Sema Ta_ar was referred to Manisa State Hospital because of vaginal bleeding.

Ay_e Mine Balkanl_ described her experience in police custody:

"After blindfolding me and Sema they put us into a cell, measuring about six paces by eight paces. They left us alone there for a while. I was taken for my first interrogation in the evening. When I did not reply to their questions, they got angry... After a while they changed tactic and softened their behaviour. They talked of this and that, together with a bit of

In May 1996 a second trial was launched against 14-year-old Mahir Gökta_ and two others from the group for an alleged arson attack. Apparently the charge related to an incident which was already the subject of the first indictment. However, members of the Manisa Fire Brigade testified in court that according to their expertise the fire was not caused by a Molotov cocktail as alleged in the indictment.

On the basis of the torture allegations made by the young defendants a trial was opened on 24 June 1996 at Manisa Criminal Court against 10 police officers of Manisa Police Headquarters. The trial continues.

propaganda, and then they returned to the real subject. I still did not answer their questions. The one who later identified himself as the police chief gave the order, 'Right, this one is ready. Take her away.' The psychological and physical pressure began. While waiting for our turn of torture, we had to sing a military marching song. The next morning at dawn I was taken to the torture room... On the floor there was a blanket folded on top of a piece of wood like a bed. Then they poured water over me... They opened my legs and a police officer pressed on my arms with his knees. A cold thing - I could not understand what it was - was pressed on my sexual organ... After three or four minutes...they stopped for a moment, then they gave me electric shocks all over my body."

Sixteen-year-old high school student Münire Apaydin was stripped naked, beaten, sexually assaulted and subjected to electric shocks at Manisa Police Headquarters. In a state of nervous crisis she was taken on 31 December 1995 at 5am to Manisa State Hospital for medical treatment.

Another group of young people, arrested on charges of membership of TKEP/L, reported that they were tortured while detained at the Anti-Terror Branch of Istanbul Police Headquarters in February 1996.

"Clean", but false, medical reports

Before being brought before the prosecutor, most detainees are taken for a medical examination by a state-appointed doctor. State-employed doctors can be put under enormous pressure to write "clean" reports for detainees who display medical evidence of torture.

Erif Burgaz, a 13-year old Kurdish boy from Mersin, was detained in May 1996 with his elder brother when they were working on a building site in the tourist resort of Alanya on the Mediterranean coast:

"On 7 May 1996 at about 11am I was sitting with my brother Mehmet İrin Burgaz [22 years old] on the beach in Alanya when two plainclothes policemen came and asked for our identity cards, saying, 'You are Kurds', and we replied, 'Yes, we are'. Then they suddenly started hitting us with fists and truncheons. They dragged us into an unmarked car and drove us to Alanya Police Headquarters.

The first day they beat us a lot. They made me lie down, then one would stand with a foot on my chest and a stool was placed under my legs. Then they beat me on the soles of my bare feet. I was subjected to hanging on two occasions. I was hung upside down. They used a rope which they tied round my ankles. I was left hanging for about five minutes until I almost fainted. I was subjected to hanging also on another occasion.

_erif Burgaz.

The following day they applied electric shocks to my finger and toes. The sequences were about two minutes long. I was shaking and screaming when they did it. They also hosed me with cold water after I had been forced to undress.

I shared the cell with my brother. He was treated much worse. He was given electric shocks at least three or four times. And he was subjected to hanging almost every day. Several times I was present when they tortured him and could hear him scream. Most of the time I was blindfolded but not always.

Due to the constant beating my right cheek was swollen and I bled from my mouth. I had a large bruise on my lower thigh due to beating with a truncheon. I still have bruises on my head because they hit my head against the wall on several occasions. Also the palms of my hands were swollen due to

beating. We were taken to a doctor on two occasions, but he did not register our injuries."

On 13 May 1996
_erif Burgaz was

released and returned to his parents in Mersin, who had no knowledge of his detention. When he arrived home his shirt reportedly was soiled with blood from the wound on his mouth. His brother Mehmet İrin is now held in Alanya prison.

CHILDREN AT RISK OF "DISAPPEARANCE"

"You know that people 'disappear'..."

The UN Working Group on Enforced and Involuntary Disappearances reported that in 1994 it had received more reports of "disappearance" in police custody from Turkey than from any other country in the world. Due to wretchedly insufficient and unreliable registration procedures, prisoners have increasingly gone missing in police custody. Every Saturday the mothers of the "disappeared" gather for a silent vigil in the centre of Istanbul. Against this background, just the threat of "disappearance" can be a potent torture.

On the evening of 30 October 1995 a group of about five plainclothes police officers detained 16-year-old Sibel Aktan from her Ankara home. They searched the house and then dragged Sibel Aktan into an unmarked minibus while insulting, threatening and beating her. She described what happened at the Anti-Terror Branch of Ankara Police Headquarters:

"I was taken to the toilet where I was hosed with water from a normal pipe while dressed. I was beaten. Then I had to wait... Afterwards they took me downstairs to a small cell (4x6 feet). My clothes were wet... On the next day in the evening I was taken up again. I was blindfolded and forced to undress. I had to take everything off except my underpants. They took me to another room where I was hosed with pressurized water. I dressed again and they wanted me to sign a statement saying that I was a member of the Marxist-Leninist Communist Party (MLKP). On the following day I was beaten, hosed with water and insulted. They threatened to make me 'disappear' and to put pressure on my brother."

On 10 November her 14-year-old brother Haydar Aktan and another sister were waiting in front of Ankara State Security Court for Sibel Aktan to be released. Haydar Aktan was approached by two plainclothes police officers who took him to the Anti-Terror Branch. Haydar Aktan reported that he was held in a damp cell measuring 1x2m. He was blindfolded, beaten, forced to undress, hosed with pressurized water and his hair was pulled.

At 1am the following day he was released, and his father took him to the Forensic Medicine Institute for examination. However, the report he received did not describe any traces of torture. When Haydar Aktan was brought before Ankara State Security Court, he complained that he had been tortured. The court reportedly showed no interest in his torture allegations, suggesting he belonged to an illegal organization.

Fourteen-year-old high school student Halil Can Doğan was also threatened with "disappearance" when he was detained together with four other young people in March 1995 at a demonstration in the Tuzluçayır district of Ankara and taken to the Anti-Terror Branch of Ankara Police Headquarters. He gave Amnesty International the following account of his interrogation:

"We were blindfolded and taken to the Anti-Terror Branch. There we were separated and I was taken to a cell on the ground floor. I shared the cell with two others I did not know. The first interrogation session took place in a room upstairs where at least two policemen were present. One of them said he knew my school director and if I did not cooperate, I would have to leave school. They also threatened to take me downstairs where one expects the heavy torture and told me I would not survive that. They said: 'You know that people disappear...'

They took me to another room and wanted me to sign a document. I wanted to see the document and I was allowed to open my eyes. I read the prepared confession claiming that I was responsible for organizing the protest. I refused to sign. They ordered me to undress. Then one person took me to the toilet and hosed me with cold water. Then they took me into a small room with strong neon light where I was left for half an hour. I could hear the voices and laughter of the police from another room - I think that was on purpose. There was a dark screen in my room and I felt observed.

The threats of "disappearance" are not empty menaces. Three of the 35 people who were reported as having "disappeared" in police custody in 1995 were children.

Since May 1995 relatives of the "disappeared" hold a vigil every Saturday at the Galatasaray Square in Istanbul. They have frequently been subjected to ill-treatment and detained on these occasions.

Then I had to wait with three other detainees in a room from where we were taken to the interrogation in turns. There was a cat around in the corridor which I could first hear and later also see. It made strange noises. Apparently they were ill-treating it, in order that its screaming should frighten us. They interrogated me again and told me that all the others had made confessions implicating me. Then they confronted me with a person whom they wanted me to identify. But I did not know him. So they beat both of us."

Halil Can Do_an

Halil Can Do_an was detained again on 10 April, spent one night at Ankara Police Headquarters in a cell and was subjected to beating. Medical reports described injuries consistent with his allegations, but he did not file a complaint with the Turkish authorities.

On 12 July 1996 Halil Can Do_an was again detained and held in incommunicado detention at Ankara Police Headquarters until he was formally arrested on 25 July 1996 and sent to prison to await trial. In September 1996 he described his latest period in police custody:

"On 12 July I was detained from the street... Three or four plainclothes police started to hit me. I shouted my name saying that the Human Rights Association should be informed. After that I was put in a car and taken to the Anti-Terror

Branch where I was kept in cell number five or seven. I was tortured: hung up by the arms and given electric shocks. I was threatened with rape and sexually assaulted with a truncheon. A piece of ice as big as my head was put on my chest; I was sprayed with water under pressure; they twisted and squeezed my testicles. For six of the 14 days I was subjected to intense physical torture, while for the rest of the time there was beating and psychological torture. I made no statement. The marks of torture were treated with warm water and medicine. No medical report was given. I told the prosecutor that I had been tortured.””

The threats of “disappearance” are not empty menaces. Three of the 35 people who were reported as having “disappeared” in police custody in 1995 were children. “Disappearance” is a relatively new pattern of violation in Turkey. To Amnesty International’s knowledge, the first juvenile to “disappear” was 17-year-old Ahmet _ahin.

Ahmet _ahin

Ahmet _ahin was detained on 18 March 1993 as he walked into Hazro and after four days was reportedly transferred to Lice Gendarmerie Headquarters. The family received no information concerning Ahmet _ahin's whereabouts and applied to the authorities for confirmation of

his detention. On 20 April they received a reply from the prosecutor at Diyarbakır State Security Court stating that Ahmet _ahin had been detained on suspicion of harbouring and assisting members of an illegal organization, but that he was released by Lice Public Prosecutor on 27 March 1993.

Ahmet _ahin did not reappear, although an inhabitant of Oyuklu village, whose identity is known to Amnesty International, reportedly claimed that he saw Ahmet _ahin being brought out of Lice Gendarmerie Headquarters and put in a minibus at about 8.30am on 10 April, and that, when asked about the destination of the minibus, the gendarmes said that it was going to Diyarbakır. On 13 April gendarmes accompanied by a lieutenant from Lice Gendarmerie Headquarters reportedly came to Oyuklu village and searched Ahmet _ahin's home causing considerable damage to property and smashing the windows. Amnesty International wrote to the Turkish authorities in April 1993 noting that there were grounds for believing that Ahmet _ahin was still in custody and asking that urgent inquiries be made as to his whereabouts. The organization never received a reply. Ahmet _ahin remains "disappeared".

The cousins _lyas Edip Diril, aged 15, and Zeki Ercan Diril, aged 17, "disappeared" after being taken into custody by security forces in Uzungeçit, Hakkari province, on 19 May 1994.

Ilyas Edip Diril and Zeki Ercan Diril were inhabitants of Kovankaya (local name: Mehri), one of the last Assyro-Chaldean Catholic villages in Hakkari province. In 1990 the village, which refused to participate in the system of village guardsⁱⁱ, was burned to the ground by security forces. The villagers initially fled to Istanbul, but later began to return and rebuild their homes.

Zeki Ercan Diril and _lyas Edip Diril had spent approximately six months working in Istanbul before setting out to return to Kovankaya on 15 May 1994. According to an account given by two inhabitants of Kovankaya (whose names are withheld for their own safety), the Diril cousins were detained by village guards as they passed through the town of Uzungeçit, some distance from Kovankaya, and handed over to gendarmes from Uludere, the nearest large town. They have not been seen since. Amnesty International was informed by Turkish authorities that the cousins were detained "on 14 May for 'suspicious behaviour'", that _lyas Edip Diril was released on the same day and that Zeki Ercan

Zeki Ercan Diril (left) and _lyas Edip Diril (centre, sitting)

Diril was released on the second day of detention. However,

according to Amnesty International's information, the boys set out from Istanbul to return to their village on 15 May and were only detained on 19 May 1996.

Three shepherd boys, Nedim Akkoyun, aged 12, Davut Alt_nkaynak, aged 12, and Seyhan Do_an, aged 13, were among seven villagers who "disappeared" in November 1995 in the town of Dargeçit, province of Mardin. Following the abduction and killing of two teachers and a building contractor by armed members of the PKK, a joint operation of security forces and village guards was carried out in the area of Dargeçit between 29 October and 2 November 1995, in which about 50 villagers were detained. Most of the villagers were released around 10 November, but the seven never came back.

Reportedly they had been seen by other villagers during their detention at the Dargeçit Gendarmerie Battalion Headquarters. Several of the released villagers later reported that they had been tortured in detention.

Seyhan Do_an

The Assyro-Chaldean Catholic community of Kovankaya, which numbered more than 5,000 before the armed conflict began in southeast Turkey in 1984, has dwindled to five families through migration to Istanbul and Europe. On 4 June 1994 Kovankaya was again burned down by security forces and its inhabitants forcibly evicted. The villagers are now living in another settlement in the area.

boys, nor any other of the six young people detained with Süleyman Seyhan have been found dead or alive so far. Amnesty International has raised their cases with the Turkish authorities, but received no reply.

The mutilated body of one of the seven "disappeared" villagers, Süleyman Seyhan aged 58, was found by relatives on 6 March 1996 in a cistern in the village of Korucu (local name: Ma_ra) which previously had been destroyed and emptied by the security forces. Neither the three shepherd

CHILDREN AT RISK OF DEATH IN CUSTODY**"They threatened to kill me"**

beaten on my belly and my kidneys. I think that is what caused vaginal

Children have also been subjected to death threats, and sadly, a child died in police custody in early 1996.

Remziye Karakoç

Remziye Karakoç, aged 15, reported that she was threatened by a female police officer while being tortured in Mersin:

"I was detained on 3 May 1996 together with my father when visiting relatives in Adana. Before we were transferred on the same day to the Anti-Terror Branch in Mersin [her home town], we were examined by a doctor.

At the Anti-Terror Branch in Mersin they immediately started interrogating me. I was shown pictures of people I did not know. I said so and they started beating me. They beat me for the next two to three hours.

On the first day I was subjected to torture which lasted for a total of 15 minutes. Electricity was applied to my fingers three times, each lasting about two to three minutes. I was of course screaming when they applied torture to me. I was blindfolded.

On another occasion I had to undress and was hosed with cold pressurized water.

During interrogation they made me sit on a chair. On one occasion they put a rubber hose - like the inner tube of a bicycle tyre - around my belly and pulled. I was heavily

"They threatened to do bad things to my father. There was a woman police officer who threatened to kill me. When they tortured me there was also a woman police officer present. I was blindfolded but I could hear her voice".

**Remziye Karakoç
15 years old**

bleeding. My mouth was bleeding from being hit in the face. I still have difficulty walking because of the heavy beating.

They threatened to do bad things to my father. There was a woman police officer who threatened to kill me. When they tortured me there was also a woman police officer present. I was blindfolded but I could hear her voice."

On 9 January 1996ⁱⁱⁱ 14-year-old Çetin Karakoyun was shot in the head at the Ma_azalar Police Station in Mersin and died shortly afterwards in hospital. According to official statements the shooting occurred accidentally when a police officer was "playing with his gun." Amnesty International has received accounts from many detainees who describe having a gun put to their head or into their mouth by their interrogators.

Çetin Karakoyun (inset) and his father © J Bjornsen

"The police chief took my arm and walked with me up and down the street. He said: 'Forgive me, we have collected 32 million lira and want to give you the money - you will not tell anyone and we will not'. I asked why he wanted to give me the money and he replied: 'My condolences, your son is dead.'"

**Imam Karakoyun,
father of 14-year-old
Çetin Karakoyun**

Imam Karakoyun, Çetin's father, reported how the news was broken to him after he was called to come to the hospital:

"I went to the intensive care department and told a police officer that I am the father of Çetin Karakoyun. The officer immediately brought me a chair and called four other

police and a police chief. They told me to come to the Ma_azalar Police Station. Before we entered the police station the police chief took my arm and walked with me up and down the street. He said: 'Forgive me, we have collected 32 millionTL [about £ 320] and want to give you the money - you will not tell anyone and we will not'. I asked why he wanted to give me the money and he replied: 'My condolences, your son is dead.' I said: 'Why, how did he die? No one told me.' The police chief answered: 'It was an accident. He fell off a balcony. He is in the hospital.' I wanted to go to the hospital and we all went. We entered the intensive care unit. The prosecutor and doctor were also present and seated me on a chair. In that moment I fainted."

According to official records Çetin Karakoyun was interrogated on 8 January by two police officers in the presence of a lawyer at Ma_azalar Police Station in connection with a smash-and-grab raid. On the same day he was examined by a psychiatrist of Mersin State Hospital who stated that Çetin Karakoyun was not capable of understanding the offence and its consequences.

Imam Karakoyun's allegations that his son had been tortured in custody are supported by an autopsy report of 9 January describing bruises on different parts of Çetin Karakoyun's body - particularly on his legs and his hips. The officer responsible was arrested after the incident and released after the first hearing of the trial against him in March. The trial continues.

CHILDREN BECAME VICTIMS OF EXTRA-JUDICIAL EXECUTIONS

Amnesty International has also received many accounts of unlawful killings of children in which security forces were implicated as having been directly or indirectly involved.

On 24 March 1992 Nihat Cilasun was shot dead as he ran towards his home carrying bread, during a curfew announced after disturbances in the city of Cizre at the time of *Nevruz*, the Kurdish New Year.

In spite of the curfew, the municipal bakeries were open. Nihat Cilasun went to a bakery near the family home, and turned the corner into the street where he lived. A family member who was watching him as he came running round the

corner back to the house told Amnesty International:

"I could see two members of the Special Team [heavily armed unit trained for close combat with armed members of the PKK] behind him. One began to take aim with a rifle. He seemed to lean on the other and then to push him to one sideslightly with his hand, and then fired. He gave no warning or call to halt. Nihat fell into a doorway across the road. I ran across the road and pulled him into a garden. He could not speak, but opened his eyes twice before he died. There was a huge hole in the front of his body. An ambulance arrived at the scene but the Special Team sent it away. When I went to the hospital, I said to the police, 'You killed him', and the police there beat me in front of the prosecutor who was present. He said, 'I am sorry, he was killed by the PKK'."

Only four people were permitted to attend Nihat Cilasun's funeral. His father, who was forbidden to attend, said: *"I went a few days later and prayed and cried by a grave, but only later was I told which was his real grave"*.

The day before Nihat was killed, two other boys, reportedly playing football at the time, were wounded in Cizre when shot at by an armoured car. The daily newspaper *Milliyet* reported on 24 March 1992 that *Inur Çevik*, an adviser to the Prime Minister, had said, in connection with the heavy civilian casualties during *Nevruz*: *"Some of the security forces who did not listen to the civil authority were responsible"*.

Seventeen-year-old high school student *Irfan A_da_* was shot by police in Istanbul on 13 May 1996. A group of youths, including *Irfan A_da_*, had been distributing the legal political magazine *Kurtulu_* (Liberation) in the Alibeyköy district when plainclothes police sought to detain them. As the group dispersed and tried to escape, police followed them and opened fire. Hit by at least two bullets, *Irfan A_da_* was taken to Eyüp Hospital where he died. According to *ükran A_da_*, a relative, police opened fire on *Irfan* as he ran into a back street, wounding him in the groin and chest. Other eye-witnesses stated that, after *Irfan A_da_* had been wounded and had fallen to the ground, *"the police officers ran towards the boy and started kicking him, demanding to know where his friends had gone. An old woman intervened and they carried him to a car and laid him on the back seat. Then one of the police officers sat on him and they drove away"*.

Amnesty International has on a number of occasions expressed its concern to the Turkish Government about the use of lethal force against unarmed civilians.

The United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials require those carrying out police duties to minimize injury and to respect and preserve human life. The Basic Principles also state that "exceptional circumstances such as internal political instability or any other public emergency may not be invoked to justify any departure from these basic principles".

Children were also among the more than 1,000 victims of the wave of political killings which swept through the cities of southeast Turkey after 1991. Many of the victims were people who were members of political parties opposed to state policy in the southeast, people who had a history of being detained and interrogated by police, or whose relatives had

gone to join the armed units of the PKK.

Twelve-year-old Abdül Halim Rüzgar and his father, İrin Rüzgar, were shot in the street in Batman by unidentified assailants on 6 January 1994 as İrin Rüzgar walked to work. According to eye-witnesses Abdül Halim tried to run away after his father had been shot but two of the assailants

followed and killed him.

The Rüzgar family home had been attacked 15 months previously by a large group of people who wounded İrin Rüzgar. The police who were called to the scene did not arrest the attackers, but detained İrin Rüzgar and one of his nephews. Following this incident İrin Rüzgar received frequent threats via the telephone.

Abdül Halim Rüzgar

Two-year-old Dilan Bayram and her sister Berivan Bayram, aged six, were killed on 8 August 1996 when at about 4.30am police raided a house in the Küçükdikili district of Adana.

The police raid followed the killing of police chief M. Nuri Kocab_y_k by Abdurrahman Sar_, who had used the

roof of the Bayram family's house as a

shooting position, after which events rapidly escalated. Altogether six people including a police officer died during the operation, which lasted two hours. Police shot dead Abdurrahman Sar_ and a

hand-cuffed hooded detainee whom they had held behind the house. Police then raided the house, killing the two children and their father and seriously wounding their mother. A third child, Gökram Bayram, aged five, escaped and survived.

Official reports claim that the deaths of Ömer Bayram, aged 27, and his two children were caused by an explosion inside the house. However, representatives of the Turkish Human Rights Association (HRA) and Mazlum-Der, another human rights organization, examined the premises and found no traces of an explosion in the house other than an imploded television set. The HRA delegation's report concluded that

Dilan Bayram and Berivan Bayram, who had been hiding under the kitchen work-bench, and their father Ömer Bayram were killed by heavy gunfire from members of the security forces who stormed the house.

The little boy who succeeded in escaping before his sisters and father were killed later told journalists: "The police killed my father".

CHILDREN BECAME VICTIMS OF ARMED OPPOSITION ABUSES

The PKK has been responsible for most of the abuses committed against civilians by armed opposition groups in Turkey. That organization has frequently killed members of the extended families of village guards, including women and children. Eleven children were killed when PKK guerrillas attacked the village of Daltepe, near Siirt, on 4 October 1993. On 27 October 1993 PKK guerrillas abducted 32 males, including six children, from Yavi, in the Çat district of Erzurum, and killed them. On the night of 19 June 1994 PKK forces reportedly attacked a house in the village of Yeniköprü, in the province of Siirt, killing Fadime Ta_k_ran with five of her children, aged between four and 13 years. Seven children were among 19 villagers killed when PKK militants attacked

the village of Hamzali, near Silvan, on 1 January 1995.

According to newspaper reports, during the night of 4 August 1995 a group of armed PKK members raided the village of Akbez, in the district of Hatay, and set fire to some

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houses. Seven persons died, among them Seher Çik, aged 14, Meryem Çik, aged 13,

Özlem Çik, aged eight, and their parents. Two other children, Funda Çik aged eight and Abdurrahman Gülle aged 11, were wounded.

The PKK has also claimed responsibility for acts of indiscriminate violence in which civilians, including children, were killed and maimed. In June 1993 they bombed the house of Mehmet Yalçın, a member of the Social Democratic Populist Party (SHP), in Suruç, near _anlı_urfa. Mehmet Yalçın's mother and his 10-year-old daughter Devran Yalçın were killed in the attack. On 25 January 1994 a six-year-old girl, Gülistan Çelik, was killed by a bomb planted in the Diyarbakır governor's office. On the evening of 10 August 1994 PKK militants reportedly opened fire on a passing bus on a road near Van killing 11 people - among them three children.

Amnesty International unreservedly condemns all deliberate and arbitrary killings of civilians.

CHILDREN BECAME VICTIMS OF THE WAR IN THE SOUTHEAST

The territory of southeast Turkey over which the 12-year-old conflict has been fought is mainly inhabited by Kurdish peasants. The chess game in which villagers have been used as pawns by both sides has been played out with terrible brutality. Arguably, children have suffered worst. Children have been killed or injured in raids by security forces and armed opposition groups. Children have witnessed their schools being burned and destroyed by the PKK who have "executed" 90 teachers. Children have witnessed their homes being burned and forcibly evacuated, mainly by state security forces.

"Some of the soldiers... cried"

The right of the forces of Turkish law to combat armed organizations is not in question. But all the information available indicates that in village operations security forces are carrying out their operations with criminal disregard for

civilian life and, most culpably, disregard for the lives of children to whom the Turkish state has a special duty of care. On 26 March 1994 several villages in _rnak were bombed, reportedly by jet aircraft, resulting in the killing of at least 17 children and the wounding of 16 other children, including six-year-old Ercan Bayır. Official statements claimed that the

bombing was accidental, but local inhabitants said that just days before the bombing they had been subjected to death

threats by the security forces for refusing to join the village guards.

The village of Yolçat_ in Lice province had refused to participate in the village guard system and therefore came under suspicion by the authorities as being possibly sympathetic to the PKK. According to reports by eye-witnesses, early on the morning of 13 May 1994 soldiers from Bolu Commando Brigade and gendarmes from Lice Gendarmerie Headquarters surrounded the village and burned all but one of the houses. Hatun Demirhan, wife of Re_it Demirhan, one of seven villagers taken away and shot, gave a statement to Amnesty International about what happened after the village raid:

"The soldiers told us to go to Lice. We walked for 2.5 kilometres and there they stopped us. For two days we were kept there - women, children and men over the age of 60. We had nothing to eat or drink. The soldiers would call the children to them and offer them food, but then throw the food on the ground, saying 'No, you give everything to the guerrillas'. But some of the soldiers, when their commander was not near, tried to give the children food. While we were kept there, _irin Y_ ld_ r_ m's six-month-old baby died. Some of the soldiers who had wanted to give the children food cried."

An estimated 15,000 villagers, including many children, who fled from settlements in __rnak and Hakkari provinces allegedly after being subjected to aerial bombings and other attacks by security forces now live in harsh conditions in a refugee camp in Northern Iraq.

An estimated two million people have been displaced in southeast Turkey. Hundreds of children have been killed or maimed by mines. The Turkish Human Rights Foundation reported that 123 civilians were killed by mines in 1993. In 1994 at least 41 children below the age of 16 were among the 131 civilians killed by mines. (See Turkish Human Rights Foundation report (published 1995): *Insan Haklar_ Raporu - 1994. Ankara*)

i. 'elder brother' - an informal term of deference

ii. The village guard system consists of a paramilitary force of villagers armed and paid by the government to fight armed members of the Kurdish Workers' Party (PKK). In theory, membership of the village guard corps is voluntary, but in practice villagers are caught between two fires. Many are reluctant to serve as village guards fearing that they and their families

will be killed by the PKK. However, those who refuse to join are subject to reprisals by the security forces or by village guards from neighbouring villages, who accuse them of actively or passively supporting the PKK.

iii. Note correct date - previously published date of 8 January was based on erroneous newspaper reports.