

PUBLIC

AI Index: EUR 44/003/2002

14 January 2002

Further information on UA 271/01 (EUR 44/074/2001, 24 October 2001) - Fear for safety/ risk of torture and ill-treatment

TURKEY Fehime Ete (f), aged 40

New name: _ahadet Ete (f), her daughter, aged 5

Amnesty International remains concerned for the safety of Fehime Ete who was returned to Bitlis Prison on 14 December 2001 from gendarmerie headquarters in Diyarbak_r, southeast Turkey, where she had been reportedly tortured and ill-treated during interrogation.

Fehime Ete had been detained on 21 October and remanded by Van State Security Court to Van prison on 25 October on charges of "supporting an illegal organization". Eyewitnesses who saw her at the court stated that she appeared in a bad condition physically.

She was remanded to Bitlis prison one week later and held on the women's ward along with her five-year-old daughter _ahadet. However, on 25 November both were transferred to gendarmerie headquarters in Diyarbak_r for interrogation - her lawyer was not informed of their whereabouts.

While in detention in Diyarbak_r, Fehime Ete was reportedly subjected to torture and ill-treatment. She was allegedly beaten with truncheons, stripped naked, sprayed with pressurized water and blindfolded. She reportedly fainted several times and both she and her family were threatened if she complained about her treatment. Fehime Ete was also allegedly threatened that _ahadet would be tortured.

As a result of the threats and the presence of gendarmes, Fehime Ete did not complain about having been tortured when she was eventually medically examined. She now reportedly suffers from shortness of breath and has difficulty moving her arms as a result of the alleged torture.

_ahadet, her five-year-old daughter, was reportedly able to hear her mother's screams as she was being tortured and has now been diagnosed as suffering from shock.

Fehime Ete was returned to gendarmerie detention under Article 3/c of Legal Decree Number 430 which grants the State Prosecutor - following a proposal from the Governor of the Region under State of Emergency - permission to ask a judge to return a person already in remand or imprisoned to police or gendarmerie custody for up to ten days. This decree was applied twice to her, even though both Van and Bitlis are outside the Region under State of Emergency.

FURTHER RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern that Fehime Ete was reportedly tortured in gendarmerie custody, and reminding the government that it is a state party to the European Convention on Human Rights, which says that "No one shall be subjected to torture or to inhuman or degrading treatment or punishment";
- expressing concern that her very young daughter _ahadet Ete reportedly witnessed her mother's torture - a situation which can amount to torture and cause major psychological harm;

- calling for a full and impartial investigation into the torture allegations, with the results made public and those responsible brought to justice;
- asking for Fehime Ete and _ahadet Ete to be compensated for any psychological or physical damage resulting from the alleged torture, and urging that they are provided with appropriate treatment and rehabilitation;
- urging the authorities to suspend any police or gendarmerie officer accused of torture and ill-treatment from duty while they are under investigation, and to dismiss them if they are convicted;
- urging the authorities to ensure that any statements made as a result of torture are excluded from evidence in any proceedings against Fehime Ete.

APPEALS TO:

Minister of the Interior

Mr Rü_tü Kaz_m Yücelen

Ministry of Interior

_çi_leri Bakanl____

06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Fax: + 90 312 418 17 95

Salutation: Dear Minister

Chief of Staff of the Gendarmerie

General Aytaç Yalman

Jandarma Kuvvetleri Komutanl____

Bakanl_klar

Ankara, Turkey

Telegrams: General Yalman, Ankara, Turkey

Fax: + 90 312 418 92 08

Salutation: Dear General

Minister of Justice

Prof Hikmet Sami Türk

Ministry of Justice

Adalet Bakanl____

06659 Ankara, Turkey

Telegrams: Justice Minister, Ankara, Turkey

Fax: + 90 312 417 3954 / 418 5667

Salutation: Dear Minister

COPIES TO:

State Minister with responsibility for Human Rights

Nejat Arseven

Office of the Prime Minister,

Ba_bakanl_k,

06573 Ankara, Turkey

Fax: + 90 312 417 04 76

Salutation: Dear Minister

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 4 March 2002.