

UA 292/02 Fear of torture and ill-treatment/
September 2002

27

Fear for safety/Medical concern/
Fear of incommunicado detention

TURKEY Yavuz Bingöl (m), aged 25,
Serdar Nalbant (m), aged 30
Metin Atilla (m), aged 31
Fuat Keskin (m), aged 44
Hayrettin Gulen (m), aged 28
Cetin Harmanci (m), aged 26
Erdogan Kandemir (m), aged 39
Habib Uzun (m), aged 35

The people named above were reportedly tortured during their custody over the last three days at Bingöl Police Anti-Terror Headquarters in the Solhan district of Bingöl, southeastern Turkey. Yavuz Bingöl was taken for treatment at the Bingöl State hospital, believed to be related to torture he experienced in custody. All eight men named above were taken before a judge and remanded into custody on 27 September. They have not yet seen a lawyer, and are therefore at risk of further torture and ill-treatment.

Approximately 30 people were taken into custody on 23 September. All except Serdar Nalbant and Metin Atilla were released on the same day. On 24 September at 3.30 pm Fuat Keskin, Hayrettin Gulen, Cetin Harmanci, Erdogan Kandemir and Habib Uzun were taken into custody. Yavuz Bingöl was detained the following day.

All of these men were initially held in custody at police headquarters. Due to a deterioration in his condition, Yavuz Bingöl was transferred from the Bingöl Police Anti-terror headquarters to the Bingöl State Hospital. He reportedly told his father that he and the other detainees had been tortured. The head of the Human Rights Association in Bingöl was denied permission to visit the detainees by the prosecutor. Later all eight men were taken to court and transferred to Bingöl Özel Tip Prison. As yet they have not had an opportunity to speak with a lawyer.

BACKGROUND INFORMATION

Whereas torture is rarely reported from prisons, in police and gendarmerie stations it appears to be regularly used to extract confessions, elicit information about illegal organizations, intimidate detainees into becoming police informers or as unofficial punishment or intimidation for presumed support of illegal organizations. Torture methods in Turkey documented by Amnesty International include severe beatings, being stripped naked and blindfolded, hosing with pressurized ice-cold water, suspending by the arms or wrists bound behind the victim's back, electric shocks, beating the soles of the feet, death threats and sexual assault.

The Turkish Regulation on Apprehension, Police Custody and Interrogation provides clear guidelines for the registration of people taken into custody. It also provides guidelines on an individual's access to legal counsel and the right to inform their relatives. Yet guidelines for the prompt registration of detainees, for access to legal counsel, and for notification of their families are often ignored. This is extremely distressing for the families of detainees, who often spend days trying to establish the whereabouts of their loved ones. The failure to provide access to legal counsel and the failure to register

detainees properly creates conditions in which there is an increased risk of torture, and "disappearance" or death in custody can occur.

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

- expressing concern for the safety of the above-named individuals, who are apparently in incommunicado detention at Bingöl Özel Tip Prison;
- expressing concern at reports that these individuals may have been tortured or ill-treated whilst in police custody, and reminding the government that it is a state party to the European Convention on Human Rights, which says that ANo one shall be subjected to torture or to inhuman or degrading treatment or punishment@;
- urging that they all be given immediate access to lawyers and relatives, and appropriate medical treatment;
- calling for a full and impartial investigation into the allegations of torture
- including a prompt medical examination - with the results made public and those responsible brought to justice.

APPEALS TO:

Minister of the Interior

Mr Muzaffer Ecemi

Ministry of Interior

/çiler Bakanli

06644 Ankara, Turkey

Telegram: Interior Minister, Ankara, Turkey

+ 90 312 418 17 95

Salutation: Dear Minister

Minister of Justice

Prof Aysel Çelikel

Ministry of Justice

Adalet Bakanli

06659 Ankara, Turkey

Telegram: Justice Minister, Ankara, Turkey

Fax: + 90 312 417 3954

Salutation: Dear Minister

COPIES TO:

State Minister with responsibility for Human Rights

Ali Doan

Office of the Prime Minister,

Bakanlk,

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 8 November 2002.