

PUBLIC

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Torture and Ill-treatment/
Medical concern

29 October 2002

TURKEY

Bayram K919ç (m), student
Nurettin Gölcü (m), student
Mahmut Hocio_lu (m), student
Ertekin Kaplan (m)
Ôeyhmus Akat (m)

The men named above were arrested on 25 and 26 October at their homes in Diyarbak9r, southeastern Turkey. They are being held without charge in police detention in Diyarbak9r, where they are reportedly being tortured and ill-treated. Two of the detainees are being denied access to medicines which they require. Their period of detention has been extended until 1 November, and may be extended further.

Nurettin Gölcü, Mahmut Hocio_lu, Ertekin Kaplan and Ôeyhmus Akat were arrested on 25 October, and Bayram K919ç was arrested the following day. On 28 October their lawyers were allowed to meet them at Diyarbak9r Police Headquarters, under the surveillance of two plainclothes policemen. They were given no information concerning possible charges against the men.

The detainees appeared exhausted and stressed, and reported that they had been tortured and ill-treated. They stated that this included severe beatings, testicle squeezing, being forced to stand for long periods, sexual harassment, and being insulted and threatened by police officers. Nurettin Gölcü and Ertekin Kaplan, who suffer with chronic health problems, have been prevented from getting the medicines they need.

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. But, as Amnesty International has repeatedly stated, the access of a lawyer to individuals in police custody after 48 hours is not a sufficient safeguard against torture. Lawyers should be given immediate access and they must have the right to be present during interrogations.

The period of detention can be extended further in the provinces of Diyarbak9r and Ô9rnak, which remain under State of Emergency rule and for charges which come under the jurisdiction of the State Security Courts.

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

- expressing concern for the five men named above, who have been detained in Diyarbakır Police Headquarters since 25 and 26 October;
- expressing concern at reports that these individuals 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 "No one shall be subjected to torture or to inhuman or degrading treatment or punishment";
- expressing concern about the further extension of police custody which gives rise to the danger of further torture and ill-treatment;
- urging that Nurettin Gölcü and Ertekin Kaplan receive the medicines they need for their respective chronic health problems, and that all five detainees be given immediate access to lawyers and relatives, and any appropriate medical treatment;
- urge that lawyers be allowed to attend police interrogations and that all interviews between detainees and lawyers are confidential, in line with international standards;
- calling for a full and impartial investigation into the allegations of torture - including a prompt medical examination - with the results made public and those suspected of being responsible brought to justice.

APPEALS TO:

Minister of the Interior

Mr Muzaffer EcemiÖ

Ministry of Interior

İçişleri Bakanlıı

06644 Ankara, Turkey

Telegram: Interior Minister, Ankara, Turkey

Fax: + 90 312 418 17 95

Salutation: Dear Minister

Minister of Justice

Prof Aysel Çelikel

Ministry of Justice

Adalet Bakanlıı

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,

BaÖbakanlık,

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 10 December 2002.