

PUBLIC

AI Index: EUR 44/040/2001

5 July 2001

Further information on UA 317/00 (EUR 44/83/00, 17 October 2000) - Torture and ill-treatment/ unlawful detention/ fear for safety

TURKEY **Fesih Güler (m), aged 30**
 Hatice Güler (f)
 (Husband and Wife)

Fesih Güler has been transferred from the Anti-Terror Branch of Police Headquarters in Diyarbakır and is now in prison in the district of Siirt. He had initially been arrested on 6 September 2000, with Hatice Güler, on suspicion of being members of the Islamist armed organization Hizbullah. Amnesty International has just learnt that Hatice Güler was released on 20 October 2000.

While at Diyarbakır Police Headquarters, Fesih Güler was allegedly beaten, given electric shocks and had his testicles squeezed in an effort to make him turn state's witness. It is also reported that he was made to lay on ice and held under cold water. He was also threatened repeatedly. As a result of this torture, he complains of a numbness in his left arm and pain in his testicles.

By law the police should have only kept Fesih Güler in custody for a maximum of 10 days. On 15 September 2000 a judge had ordered that he should be remanded to prison to await trial. In spite of this, he was returned to Diyarbakır Police Headquarters where this torture continued until he was transferred to Siirt prison at the beginning of 2001.

Amnesty International has received numerous accounts of alleged Hizbullah members being illegally detained at the Anti-Terror Branch of Police Headquarters in Diyarbakır. Fahrettin Özdemir reportedly spent a total of 59 days in police custody, during which he was severely tortured (see EXTRA 30/00, EUR 44/23/00). When two other detainees, Edip Gümü and Cemal Tutar, went on trial they stated that they had spent a total of five months in police custody, during which they had faced psychological pressure.

FURTHER RECOMMENDED ACTION: Please send a further round of appeals in Turkish, English or German, or in your own language:

- expressing concern that Fesih Güler was held in police custody in excess of the maximum 10 days prescribed by Turkish law;
- expressing profound concern at the allegations of torture;
- reminding the Turkish government of its obligations under Article 3 of the European Convention on Human Rights, to which Turkey is a state party, which states: "No one shall be subjected to torture or to inhuman or degrading treatment or punishment."
- asking the authorities to take immediate measures to ensure that illegal detention in Diyarbakır is stopped, that anyone detained for more than 10 days is transferred immediately to prison or released and that measures are taken to prevent the torture of all detainees in Diyarbakır Police Headquarters;
- urging the government to carry out a full and impartial investigation into Fesih Güler's allegations of torture and asking to be informed about the results.

APPEALS TO:

Minister of Justice
Prof Hikmet Sami Türk
Ministry of Justice

Adalet Bakanl____
06659 Ankara, Turkey

Telegrams: Justice Minister, Ankara, Turkey

Faxes: + 90 312 417 3954 / 418 5667

Salutation: Dear Minister

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

COPIES TO

Diyarbakir Police Headquarters

Mr Atilla Çinar

Diyarbak_r Emniyet Müdürü

Diyarbak_r Emniyet Müdürlü_ü

Diyarbak_r, Turkey

Telegrams: Emniyet Müdürü, Diyarbak_r, Turkey

Salutation: Dear Chief of Police

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 16 August 2001.