

UA 188/01

Fear of t

TURKEY Haydar Öner (m), aged 38
Ismihan Öner (f), aged 59 (mother of Haydar)
Aysel Öner (f), aged 26 (sister-in-law of Haydar)
Abdurrahman Öner (m), aged 55
enel Polatta (f), aged 18-19
. Mehmet Polatta (m), aged 25
Turabi Yuka (m), aged 25
Mehmet Gariban (m), aged 50-55
Ali Gozübüyük (m), (Ad_yaman district head of HADEP)
Yusuf Polat (m), (Ad_yaman province head of HADEP)
Hayriye Polatta_ (f), aged 55
2 others, names not known

Thirteen people, including the local and provincial heads of the pro-Kurdish *People's Democracy Party* (HADEP), have been arrested in southeastern Turkey and may be at risk of torture.

The eleven individuals named above were arrested on 24 July by gendarmes (soldiers who act as police in rural areas) in the province of Ad_yaman. Two further people were arrested on 26 July. They are being held at the Gendarmerie Headquarters in Ad_yaman. No official reason has been given for their arrest.

Before their detention the detainees had met with two Swiss nationals who were visiting the area. Amnesty International is concerned that they may have been detained solely because of this meeting.

Haydar Öner was recently released from jail, having completed a sentence passed against him for membership of the armed opposition group *Kurdistan Workers' Party* (PKK). His father, Abuzer Öner, who used to be the Ad_yaman district head of a pro-Kurdish party, was apparently the victim of a political killing. Two of the group are also local heads of HADEP- a party which has recently been exposed to a high degree of harassment in South East Turkey.

BACKGROUND INFORMATION

People suspected of offences that fall under the jurisdiction of the State Security Courts can be held in police or gendarmerie custody without access to family, friends or legal counsel for up to four days. If they are held for longer (up to a total of seven days), detainees have the right of access to a lawyer, under certain conditions. In most cases this right is denied.

With no access to the outside world detainees are at the mercy of their interrogators. Torture is regularly used to extract confessions, to elicit information about illegal organizations, to intimidate detainees into becoming police informers or as unofficial punishment 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.

Legal Kurdish political parties face daily harassment by the authorities: some have been closed, while others have been threatened with closure. Their

supporters and members have been tortured, have "disappeared" and have even been killed.

HADEP is the successor to two parties that were both closed for "separatism" by the authorities. HADEP favours more rights for the Kurds in the region. Although it is opposed to political violence, in some circles the party is regarded as the "political wing" of the armed opposition group, the Kurdistan Workers' Party (PKK). The Constitutional Court is currently considering a request by the State Security Court Prosecutor to ban HADEP on the grounds that it is the "lengthened arm of the PKK". Although 37 local councils in the predominantly Kurdish southeastern area of Turkey elected HADEP mayors by overwhelming majorities in 1999, HADEP deputies elected at the same time did not enter parliament because of a rule under which political parties must have at least 10 per cent of the entire national vote to be represented.

HADEP members in Turkey's south east have come under increasing pressure recently. In the last few months numerous HADEP representatives have reportedly been arrested. Several later reported that they had been ill-treated in custody. On 11 September 2000, gendarmes arrested HADEP's __rnak provincial head, Resul Sadak, and 10 other HADEP members. The gendarmes reportedly blindfolded them, threatened to kill them and prevented them from sleeping. (See UA 294/00, EUR 44/47/00, 25 September 2000, and follow-ups) The Silopi head, Serdar Tan__, and Ebubekir Deniz have "disappeared" on 25 January. (See UA 26/01, EUR 44/007/2001 30 January, and follow-ups).

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

- expressing concern for the safety of the thitreen individuals who have been arrested in Ad_yaman;
- urging that they are not tortured or ill-treated;
- asking to be informed of any charges that may be brought against them;
- reminding the government of Turkey of its obligations under Article 3 of the European Convention of 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 that the detainees be given immediate access to a lawyer.

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

Telegram: Jandarma Genel Komutani, Ankara, Turkey

Fax: + 90 312 418 9208

Salutation: Dear General

COPIES TO:

State Minister with responsibility for Human Rights

E. Safter Gaydali,
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 6 September 2001.