

PUBLIC

AI Index: EUR 44/065/2001

EXTRA 64/01 Risk of Torture and ill-treatment/
Medical Concern/Risk of Illegal Detention

14 September 2001

TURKEY Hac_Bayanc_k (m), 46 years old

Hac_Bayanc_k was arrested in Adana in southern Turkey on 5 September on suspicion of being a member of the armed opposition group Hizbullah. He is being held in incommunicado detention and according to his family, has a brain tumor which causes him to have frequent epileptic fits. He has been held at the Anti-Terrorist branch of Diyarbaklr police headquarters since 9 September and is at risk of torture or ill-treatment.

Under Turkish law, detainees should be brought before a judge, within 10 days of being arrested, following which they should either be released or remanded to prison. Hac_Bayanc_k is due to appear in court today, but his family fear that he will be returned to police custody as representatives of Diyarbaklr police headquarters told them to come and visit him there on 17 September, after his court appearance. This suggests that he will not be sent to prison, where there is less of a risk that he will be tortured or ill-treated.

BACKGROUND INFORMATION

Amnesty International has received numerous accounts of alleged Hizbullah members being illegally detained at the Anti-Terror Branch of Police Headquarters in Diyarbak_r. Fesih Güler was reportedly tortured while held illegally (see Further Information on UA 317/00, EUR 44/040/2001). 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).

Whereas torture is rarely reported from prisons, in police stations torture appears to be 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.

Turkey is a state party to the European Convention on Human Rights, Article 3 of which states that "No one shall be subjected to torture or to inhuman or degrading treatment or punishment".

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

- expressing concern at police indications that Hac_Bayanc_k will be returned to the Anti-Terror Branch of Police Headquarters in Diyarbak_r where he is at risk of torture or ill-treatment;
- urging the authorities to guarantee his safety and to ensure that he is not tortured or ill-treated;
- expressing concern for his health and calling for immediate access to appropriate medical care;
- calling for him to be transferred to prison immediately or else released;
- asking the authorities to take action to prevent the torture of detainees at Diyarbak_r Police Headquarters, pointing out that the government is bound by the European Convention on Human Rights.

APPEALS TO:

Minister of the Interior

Mr Rütü 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

Diyarbak_r Police Headquarters

Mr Atilla Ç_nar

Diyarbak_r Emniyet Müdürü

Diyarbak_r Emniyet Müdürlü_ü

Diyarbak_r, Turkey

Telegrams: Emniyet Müdürü, Diyarbak_r, Turkey

Salutation: Dear Chief of Police

Governor of the Provinces under Emergency Rule

Ola_anüstü Hal Valisi

Diyarbak_r, Turkey

Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey

Faxes: + 90 412 224 3572

Salutation: Dear Governor

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 12 October 2001