

EXTERNAL

AI Index: EUR 44/62/97

This is a limited action. Please restrict appeals to 25 per Section.

EXTRA 113/97

Torture / Fear of torture

14 August 1997

TURKEY

_brahim _ncesu, Kurd aged 35
Ad_güzel _ncesu, Kurd
Cemalettin Tunç, Kurd aged 39
Ahmet Engin, Kurd aged around 30

_brahim _ncesu, Ad_güzel _ncesu, Cemalettin Tunç and two others were detained in the Beyo_lu district of Istanbul by officers of the Anti-Terror Branch on 10 or 11 August 1997, as they were walking in the street. The two others were released on 12 August and reported that the other three were being tortured at the Anti-Terror Branch in Aksaray. They said that they themselves had been subjected to beating.

The detention of _brahim _ncesu, Ad_güzel _ncesu and Cemalettin Tunç was not registered until 12 August. Reportedly, the prosecutor has applied for an extension of the initial incommunicado detention period of four days. Under current legislation it can be extended by three days on order of a judge, during which detainees would have the right of access to legal counsel.

On 13 August, Ahmet Engin, a relative of the _ncesu family living in Istanbul, was telephoned by police at home and told to come to the Anti-Terror Branch in Aksaray. When he went there, he too was detained. His detention was registered on 14 August.

_brahim _ncesu, born in Malatya, was first arrested on 15 January 1981, four months after the military coup of September 1980, and later sentenced to life imprisonment by the Military Court in Malatya for membership of an illegal Kurdish organization. He was released in 1996.

Ad_güzel _ncesu was the editor of the Kurdish weekly Roj (Day) until it was banned in August 1996.

Cemalettin Tunç, born in Ovac_k, Tunceli, was sentenced in 1981 to life imprisonment by the Military Court in Adana for membership of an illegal Kurdish organization. He was released in 1996.

Ahmet Engin has never been detained before.

BACKGROUND INFORMATION

People suspected of offences under the Anti-Terror Law can be held in police custody without access to family, friends or legal counsel for up to four days. This period may be increased to 10 days in the nine provinces currently under State of Emergency, and to seven days in the rest of Turkey during which detainees would have to be granted access to a lawyer, under recently amended legislation.

When not being interrogated, detainees are held in cramped, airless and insanitary conditions. With no access to the outside world they are at the mercy of their interrogators. Torture is often applied to extract confessions, to elicit information about illegal organizations, to intimidate detainees into becoming police informers or as informal punishment for presumed support of illegal organizations. Torture methods include being stripped naked and blindfolded, hosing with pressurized ice-cold water, hanging by the arms or

wrists bound behind the victim's back, electric shocks, beating the soles of the feet, death threats and sexual assault.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or your own language:

- expressing concern at reports that brahim ncesu, Ad güzel ncesu and Cemalettin Tunç, detained on 10 or 11 August 1997 in Beyo_lu, Istanbul, are being subjected to torture while held incommunicado at the Anti-Terror Branch of Istanbul Police Headquarters in Aksaray;
- expressing concern also for the safety of Ahmet Engin, detained on 13 August and held incommunicado at the Anti-Terror Branch in Aksaray;
- calling for an immediate investigation into these torture allegations;
- urging that the detainees are given prompt access to their lawyer, family and a doctor;
- asking to be informed of any charges brought against them.

APPEALS TO:

1. Chief Prosecutor at Istanbul State Security Court:

Mr Erdal Güven

DGM Ba_savc_s_

Devlet Güvenlik Mahkemesi

Istanbul, Turkey

Telegrams: DGM Ba_savc_s_, Istanbul, Turkey

Telex: 0607 30187 eist tr; 0607 30188 iemd tr

Salutation: Dear Prosecutor

2. Minister of the Interior:

Mr Murat Ba_eskio_lu

cisleri Bakanl

Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Faxes: +90 312 417 2390

Salutation: Dear Minister

3.State Minister with responsibility for Human Rights:

Mr Hikmet Sami Türk

Office of the Prime Minister

Ba_bakanl_k

06573 Ankara, Turkey

Telegrams: Minister Hikmet Turk, Basbakanlik, Ankara, Turkey

Faxes: +90 312 417 0476

Salutation: Dear Minister

COPIES TO:

President of Parliamentary Human Rights Commission:

Mr Demir Berbero_lu

nsan Haklar _nceleme Komisyonu Ba_kani

TBMM

Ankara, Turkey

Fax: +90 312 420 5394

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 30 August 1997.