

EXTERNAL (for general distribution)

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EXTRA 63/92

Fear of Torture

9 July 1992

TURKEY:

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The eleven persons named above were detained from their homes and from the street in Bismil on 5 July 1992 in the province of Diyarbak_r in southeast Turkey. Their families have not been informed of the reasons for the detention. They are currently being held incommunicado in the Anti-Terror Branch of Diyarbak_r Police Headquarters, where it is believed that they may be being interrogated under torture. During April 1992 two people detained from Bismil died in custody, apparently as a result of torture.

BACKGROUND INFORMATION

Turkey has a Kurdish ethnic minority which is estimated to number some 10 million people, living mainly in southeastern Turkey. Frequent allegations of torture and ill-treatment have been received from the region. Since August 1984, when guerrillas of the Kurdish Workers' Party (PKK) started armed attacks, an alarming number of reports of ill-treatment of detainees by the security forces have come from the eastern and southeastern provinces. More than 3,500 lives have so far been lost on both sides and among the civilian population in the context of the continuing fighting. Emergency legislation is in force in 10 provinces in the region and the Emergency Legislation Governor in Diyarbak_r has extraordinary powers over three additional provinces.

Turkey ratified the European Convention for the Prevention of Torture on 25 February 1988 and the UN Convention Against Torture on 2 August 1988. However, all information available to Amnesty International indicates that torture is still widespread and systematic in Turkey. Most allegations relate to ill-treatment of detainees in police custody during their initial interrogation when they are usually denied access to relatives or a lawyer. In August 1990, the government derogated from Articles 5, 6, 8, 10, 11 and 13 of the European Convention on Human Rights, all of which contain important safeguards for human rights. Under current legislation the maximum period a detainee may be held

before being formally charged or released is 24 hours; in cases involving three or more suspects or due to the 'nature of the crime' it may be extended to 15 days. This period may be extended to 30 days in areas under emergency legislation or martial law. Emergency legislation is currently in force in 10 provinces, including Diyarbak_r province.

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RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- appealing that the detainees named above may be allowed immediate and regular access to their families and lawyers and urging that they are not subjected to any ill-treatment while being held;
- asking to be informed when they have been released or charged and what the charges might be.

APPEALS TO

1) Emergency Legislation Governor:

Mr Ünal Erkan

Ola_anüstü Hal Valisi

Diyarbak_r, Turkey

Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey

Telexes: 72110 OHVT TR

72084 DYVA TR

Faxes: + 90 831 26174 (telephone first and ask to switch on the fax machine: "Lütfen fax sinyal veriniz")

Salutation: Dear Governor

2) Prime Minister:

Mr Süleyman Demirel

Office of the Prime Minister

Ba_bakanl_k

06573 Ankara, Turkey

Telegrams: Prime Minister, Ankara, Turkey

Telexes: 44061/44062/44063 bbmt tr, 42099 basb tr

42875 bbk tr

Faxes: + 90 4 417 04 76, + 90 4 230 88 96

Salutation: Dear Prime Minister

COPIES TO:

President of the Parliamentary Human Rights Commission:

nsan Haklar Ara_t_rma Komisyonu Ba_kan_

TBMM

Ankara, Turkey

and to diplomatic representatives of Turkey in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 9 August 1992.