

EXTERNAL

AI Index: EUR 44/106/92  
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*@ INVESTIGATION OF TORTURE COMPLAINT*

**\_hsan KURT**  
**£TURKEY**

\_hsan Kurt is a journalist with the newspaper *Özgür Gündem (Free Agenda)*. He was arrested in Adana on 12 October 1992 while taking photographs at the funeral of a PKK (Kurdish Workers Party) guerrilla, Ramazan Selgat. More than 70 others were also detained and taken to Adana Police Headquarters. On seeking confirmation of his detention, his lawyer was initially told by police that he was not detained; his detention was later confirmed by the police, but his lawyer was permitted no access to him. Some of those arrested with \_hsan Kurt and subsequently released reported having seen him being heavily beaten at police headquarters.

\_hsan Kurt was held for a week and was examined at the Forensic Medicine Institute before being brought before the Prosecutor to whom he made a complaint of torture. He was released without charge on 19 October and made the following statement:

"I was outside the main crowd taking photographs. The police wanted to take my camera. When I refused to hand it over they started to hit me, breaking my glasses and my camera. They took me to the police station. There six or seven anti-riot police officers (*Çevik Kuvvet*) attacked me on account of an article concerning the police which had appeared in the newspaper I work for. They beat me with truncheons, sticks, the butts of guns, and kicked and punched me. My eye was cut, and my back was injured. I waited in the corridor of the police station, and everyone who passed said, *'So you are the journalist'* and beat me. I was more or less unconscious for three days because of the beatings I had received. I have two cuts on my head, wounds on my back and knees, and bruises and swelling all over my body."

\_hsan Kurt's lawyer has now asked for an investigation of his torture complaint.

Adana is in the southeast of Turkey. Since August 1984, when PKK guerrillas started armed attacks against the security forces, an alarming number of reports of ill-treatment of detainees by the security forces have come from the area. Few appear to have been properly investigated. In the past 12 months there has also been a dramatic increase in allegations of extra-judicial executions and Amnesty International is deeply concerned by over one hundred and fifty unsolved killings in which there have been allegations of security force involvement. Eight journalists have been killed this year while actively covering human rights issues in the region and there have been threats and attacks against others. As journalists and human rights monitors intimidated by the killings leave the area, human rights violations increasingly go unreported.

\_hsan Kurt had previously been detained in Adana for two days at the end of August when

the police reportedly tried unsuccessfully to persuade him to become a police informant.

Amnesty International is urging that a proper investigation is conducted into \_hsan Kurt's treatment while in police custody. The ill-treatment and torture of detainees in police custody in the southeast has become so routine that Amnesty International believes that all detainees are at risk of torture and has repeatedly urged the Turkish Government to take steps to halt this abuse. During 1992 there have been at least 13 deaths in custody apparently resulting from torture. At the end of May 1992 parliament passed a modest package of legal reforms which included two measures intended as safeguards against torture: firstly a halving of the period during which detainees can be held by police before being brought before a judge and, secondly, an unambiguous restatement of a detainee's right to legal counsel. (Although a detainee in law has the right of access to a lawyer, in practice this right is seldom observed.) In June 1992, however, President Turgut Özal exercised his power of veto to block the introduction of the package, stating his opposition to the shortening of the detention period. Detainees may be held for up to 30 days in the southeastern provinces and up to 15 days in the rest of the country. Even in the revised form proposed, the period of detention allowed in police custody would contravene international standards. Moreover, political detainees - who are at most risk of torture - may now be excluded from the planned legislation.

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To: Medical professionals  
From: Medical Office / Research Department - Europe  
Date: 6 November 1992

### *MEDICAL LETTER WRITING ACTION*

**\_hsan KURT  
TURKEY**

#### **Keywords**

Theme: Torture  
Profession/association: Journalist

#### **Summary**

\_hsan Kurt is a journalist who was arrested on 12 October 1992 in Adana in southeast Turkey and held for a week before his release without charge. He has brought a complaint of torture and his lawyer is currently calling for an investigation. Please see the details attached.

#### **Recommended Actions**

Letters are requested from medical professionals to the addresses below:

- expressing your concern about the alleged ill-treatment of the journalist \_hsan Kurt while he was held at Adana Police Headquarters between 12 and 19 October 1992
- urging that a prompt, impartial and full investigation into these allegations is carried out and that those responsible are brought to justice
- asking to be informed of its findings
- expressing concern at the frequency of reports of torture and ill-treatment in the southeast and urging that, as a matter of urgency, consideration is given to taking remedial steps

#### **Addresses:**

Mr \_smet Sezgin  
\_çi\_leri Bakanl\_\_\_\_  
06644 Ankara, Turkey

*(Minister of the Interior.  
Salutation: Dear 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 own country