

**EXTERNAL (for general distribution)**

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**Fear of Torture**

**12 June 1991**

**TURKEY: Ali Tekda\_**

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On 8 June 1991 at 14.30, Ali Tekda\_ was detained at his workplace, a post office in Ergani, a town in southeast Turkey. The reason for his detention is not known. In the past Ali Tekda\_ was imprisoned as a political prisoner. When members of his family went to the detention centre to bring him some clothes and money, they were told that he had been transferred by the gendarmerie to Diyarbakir. It is not known where in Diyarbakir he is being held in detention and it is feared that he may be interrogated under torture.

#### **BACKGROUND INFORMATION**

Turkey has a Kurdish ethnic minority which is not officially recognized by the authorities, but is estimated to number some 10 million people. The Kurdish population lives mainly in southeastern Turkey. Frequent allegations of torture and ill-treatment have been received from the region and the number of torture allegations increased substantially after the 1980 military coup. Since August 1984, when Kurdish guerrillas - members 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, where more than 2000 lives so far have been lost in the continuing fighting.

In May 1990 the Turkish government issued Decrees 424 and 425 (in December replaced by Decree 430), further extending the already extraordinary powers of the Emergency Legislation Governor. Subsequently, 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.

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. Allegations of torture have continued since the transfer of power to a civilian government in 1983. 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. Under current legislation the maximum detention period 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 ten provinces, including Diyarbakir.

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

- urging that Ali Tekda\_ is given prompt access to his family and lawyer and that he is not ill-treated while in detention;
- requesting to be informed of any charges against him.

**APPEALS TO**

**Diyarbakir Chief of Police:**

Mr Ramazan Er  
Diyarbakir Emniyet Müdürü  
Diyarbakir, Turkey  
**Telegrams: Emniyet Muduru, Diyarbakir, Turkey**  
**Faxes: +90 831 11956**

President Turgut Özal  
Devlet Ba\_kanli\_i  
06100 Ankara, Turkey  
**Telegrams: President Ozal, Ankara, Turkey**  
**Telexes: 42875 bbk tr**  
**Faxes: (via Press Office) +90 4 168 5012**

**Minister of the Interior:**

Mr Abdülkadir Aksu  
\_çi\_leri Bakanli\_i  
06644 Ankara, Turkey  
**Telegrams: Interior Minister, Ankara, Turkey**  
**Telexes: 46369 ICSL TR**  
**Faxes: +90 41 28 43 46**

**Emergency Legislation Governor:**

Mr Hayri Kozakçio\_lu  
Ola\_anüstü Hal Valisi  
Diyarbakir, Turkey  
**Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey**  
**Telexes: 72110 OHVT TR**  
**72084 DYVA TR "please forward to the Governor"**  
**72090 JASY TR**  
**Faxes: +90 831 26174**

**COPIES TO:** Diplomatic representatives of Turkey in your country;

**President of Parliamentary Human Rights Commission:**

Mr Eyüp A\_ik  
Insan Haklari Ara\_tirma Komisyonu Ba\_kani  
TBMM

Ankara, Turkey

**Faxes: +90 4 11 91 664**

**+90 4 42 06 941**

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 23 July 1991.