

EXTERNAL (for general distribution)

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Fear of Torture

5 October 1990

TURKEY:

Ali Av_ar
 Mensure Av_ar (f), mother of five
 small children, wife of Ali
 Sait Av_ar, male nurse
 Songül Av_ar (f), nurse, wife of Sait
 Tevfik Av_ar, brother of Ali and Sait
 Servet Çerçel
 Tahir Ulu_
 Cevdet _pek
 Sait K_l_ç
 _erif P_nar
 Hüseyin Çerçel
 Arif Çerçel
 Yemlihan Çerçel
 _ehmuz Kurudere
 Vahit ...
 Aliko ...
 Abdükerim Av_ar
 Hamdullah ...
 Ekrem K_z_lkaya and his brother
 _hsan K_z_lkaya

Between 21 and 27 September 1990 some 30 people were detained in an operation by the security forces in and around Bismil. The reason for the arrests is not known. Two of the detainees were released on 2 October and five others since, but it is not known who they were. Most of those named above continue to be held incommunicado at Diyarbakir Rapid Force Headquarters and it is feared that they may be subjected to torture during interrogation.

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.

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 Bismil and Diyarbakir.

Lawyers in the region have been finding recently that they can often meet detainees if they already hold a power of attorney, but for this to happen the detainees must already have appointed a lawyer as their legal representative before arrest. Otherwise no lawyer is granted access, because none has been authorized to speak to them.

RECOMMENDED ACTION: Telexes/faxes/telegrams/express letters/airmail letters:

- urging that all detainees be granted prompt access to their families and that they are provided with an opportunity to appoint and consult with a lawyer of their choice;
- requesting to be informed of any charges against them.

APPEALS TO:

Prime Minister Yildirim Akbulut
Office of the Prime Minister
Basbakanlik
Ankara, Turkey

Telegrams: Prime Minister, Ankara, Turkey
Telexes: 44061/44062/44063 bbmt tr
 42099 basb tr
 42875 bbk tr
Faxes: 90 41 17 04 76 PRIME MINISTER

Diyarbakir Emniyet Müdürü
Aydin Genc
Diyarbakir Chief of Police
Diyarbakir, Turkey

Telegrams: Emniyet Muduru, Diyarbakir, Turkey

COPIES TO: diplomatic representatives of Turkey in your country.

PLEASE SEND APPEALS IMMEDIATELY. Please check with the International Secretariat, or your section office, if sending appeals after 4 November 1990.