

EXTERNAL (for general distribution)

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Fear of Torture

11 December 1990

TURKEY: Felemez Elmas, member of Turkish Human Rights Association
Lokman Elmas, his son
Süleyman Elmas, another relative
Aziz Batu
Rehmetullah Batu, his son
Ekrem Ceylan, council worker
Seyhan Bingöl
Guri Özel
Seyithan Özmen
Irfan Öztürk

At 6.20 in the evening of 9 December 1990 there was an attack, said to have been carried out by guerrillas, on the village of Akarsu near Nusaybin, Mardin province, in which Selim Elmas, his wife Sultan Elmas, and his daughter Emine Elmas were killed.

The following day, the ten people named above, including relatives of the Elmas family, were detained, and are being held, probably in the Mardin Gendarmerie Regimental Headquarters. They have not been permitted access to their families.

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, further extending the already extraordinary powers of the Emergency Legislation Governor, and subsequently, in August 1990, the government derogated from Articles 5, 6, 8, 10, 11 and 13 of the European Convention on 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 Mardin.

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

- urging that Felemez Elmas, Lokman Elmas, Süleyman Elmas, Aziz Batu, Mehmetullah Batu, Ekrem Ceylan, Seyhan Bingöl, Guri Özel, Seyithan Özmen and _rfan Öztürk are given prompt access to their families, that they should be given facilities to appoint a lawyer and that they should not be ill-treated while in detention;

- requesting to be informed of any charges against them.

APPEALS TO

President Turgut Özal
Devlet Ba_kanli_i
06100 Ankara, Turkey

Telegrams: President Ozal, Ankara Turkey
Telexes: 42875 bbk tr

Mardin Chief of Police
Süleyman _ahin
Emniyet Müdürlü_ü
Mardin, Turkey

Telegrams; Emniyet Mudurlugu, Mardin, Turkey
Telexes: 72004 jimr tr

COPIES 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 25 January 1991.