

EXTERNAL

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£TURKEY: @ALLEGED RAPE AND TORTURE IN ADANA POLICE HEADQUARTERS

Mediha Curabaz, a nurse aged 25, was detained in the street in Adana on 15 August 1991 by the police and taken to the Political Branch of Adana Police Headquarters. She remained in police custody until 20 August 1991 when she was formally arrested by a local criminal court in Adana and committed to prison.

While in police detention she says she was severely tortured during interrogation concerning a poster campaign in Adana by T_KB (Revolutionary Communists' Union of Turkey), an organization illegal under Turkish law.

The alleged methods of torture included: sexual assault, rape with an electric truncheon, being made to lie on blocks of ice, electric shocks applied to the nipples and sexual organs, electric shocks while hung by the wrists, being pulled downwards while hung by the wrists, beating and insults.

Mediha Curabaz said that when she refused to make any confession, the torture increased and she was finally raped with an electric truncheon late at night on 16 August.

In her petition to Malatya State Security Court dated 24 September 1991 she described the incident:

"...they were making baseless accusations about people I work with and about people from the Adana Nurses' Association on whose committee I serve. They asked me to support their allegations, and said that if I agreed to do so, they would 'whisper in the prosecutor's ear' so that I would be released. When I refused, they beat me furiously all over, took me to the room used for hanging people up by the arms or legs and gave me electric shocks through my fingers, sexual organs and nipples, saying degrading things about me and my body. They said 'you will certainly do what we say if we give you the electric truncheon'. They thrust the electric truncheon violently into my sexual organs and I felt a pain as if I was being drilled there with an electric drill. They immediately lay me down on some ice. I started to bleed at this stage and fainted...before I had fully come round, they forced me to sign various papers."

On 20 August, Mediha Curabaz was examined by the Adana Branch of the Forensic Medicine Institute where she received a report stating only that she had bruising and grazes on the right arm. She alleges that there were police officers in the room while she was being examined, and that she was therefore given only a very superficial examination. She also says that she was haemorrhaging at the time and asked to be referred for gynaecological examination but that this was refused. The forensic report certified marks on the arms, but the lawyer, who saw her in prison on 22 August, saw other, fading marks on her toes and legs.

When Mediha Curabaz appeared before the local criminal court in Adana on 20 August, she told the court all that had happened, and asked again to be referred for gynaecological examination. The court minutes recorded only that the forensic report noted marks on her arms.

On arrival in prison on 20 August, she made a written complaint to the prosecutor about her treatment in police custody.

Mediha Curabaz claims that she had a constant haemorrhage for some time after being formally arrested, and on 2 September she was referred to Adana Maternity and Children's Hospital, where a report was issued documenting that her hymen had been torn.

Her lawyers had great difficulty in obtaining a copy of the medical report of 2 September, but when they finally did, they made their full formal complaint on 20 October 1991, against seven police officers whose numbers appeared above their signatures on Mediha Curabaz's statement. She says that she would be able to identify the policeman, who raped her with the truncheon, by his voice, and that he was one of the policemen who accompanied her to the first medical examination at the Forensic Medical Institute.

Mediha Curabaz was tried by Malatya State Security Court for membership of T_KB and was acquitted on 14 November 1991.

When, after her release from prison, she related to the press what had happened to her at Adana Police Headquarters, the Adana Police Chief, Mete Altan, denied her allegations. According to press reports, he said "Someone who throws bombs at the police will also slander the police. Mediha Curabaz is trying to discredit the police. There is no torture or repression in police stations. The medical reports showing that torture was carried out are not true." Mediha Curabaz held a press conference rejecting the accusation and filed a law suit against the Adana Police Chief for spreading false information.

Mediha Curabaz's complaint is currently being considered by Adana Provincial Administrative Council (Adana _1 _dare Kurulu).

Since the introduction of the Anti-Terror Law in April 1991, any allegation of torture or ill-treatment by security personnel involved in the investigation of an offence within the scope of the Anti-Terror Law is automatically referred to a Provincial Administrative Council for consideration. This council, whose composition and proceedings may be kept secret from the complainant, may include the provincial governor and/or his deputies in charge of various departments - health, agriculture etc. It may also include those members of the local provincial governor's office who are involved in the administration of police affairs. This practice places an extra hurdle before those filing complaints of torture and makes

it even more difficult to bring prosecutions against those responsible for torture. Previously, the allegation was directly referred to the public prosecutor, like that of any criminal offence.

Amnesty International is appealing to the Turkish authorities for a prompt, thorough and independent investigation into Mediha Curabaz's allegations of rape and torture at Adana Police Headquarters and that those responsible are brought to justice.