

EXTRA 30/00 Fear for safety / Fear of torture or ill-treatment 3 April 2000

TURKEY Fahrettin Özdemir

Amnesty International fears that Fahrettin Özdemir, who reportedly went missing on 19 February 2000, appears to be being held illegally at the Anti-Terror Branch of Police Headquarters in Diyarbakır, South East Turkey, where he is at risk of ill-treatment or torture.

Since then it has been extremely difficult for relatives of Fahrettin Özdemir to get any information about him. They were initially told by the prosecutor in Gaziantep that he was not held in police detention. After making persistent inquiries, however, the director of the Public Order Branch of Police Headquarters in Gaziantep told them that Fahrettin Özdemir had been detained on 25 February and that he would be brought before a court on 28 February. It was then reported that he had been taken to Diyarbakır State Security Court on that day. Relatives were then told he would be brought before Diyarbakır State Security Court on 6 March but neither they nor his lawyer were allowed to see him. The next day they were told that he was registered in Diyarbakır E Type Prison but that he had been taken to hospital. When they went to the hospital, however, a Gendarme told them his name was not in the hospital records.

Fahrettin Özdemir's lawyer finally gained access to him on 23 March at Diyarbakır Police Headquarters Anti-Terror Branch. His brother was allowed to see him the next day. The meetings, which took place in the presence of policemen, lasted a few minutes during which Fahrettin Özdemir reportedly appeared nervous, thin and unkempt. His lawyer was subsequently threatened by the head of the Anti-Terror Branch and told not to interfere further.

BACKGROUND INFORMATION

Procedures laid down in the Turkish Criminal Procedure Code for the prompt and proper registration of detainees and for their families to be notified are frequently ignored. Not only is this extremely distressing for the families concerned it allows "disappearances" and torture to take place.

According to Turkish law, people suspected of offences that fall under the jurisdiction of the State Security Courts can be held in police custody without access to family, friends or legal counsel for up to four days. This may be extended by another three days up to a maximum of seven days or by another six days up to a maximum of 10 days in provinces under emergency rule (which includes Diyarbakır). During the extended detention period although detainees have the right to see a lawyer under certain conditions, in most cases this right is denied.

With no access to the outside world detainees are at the mercy of their interrogators. Torture is regularly used to extract confessions, to elicit information about illegal organizations, to intimidate detainees into becoming police informers or as informal punishment for presumed support of illegal organizations. Torture methods in Turkey documented by Amnesty International include severe beatings, being stripped naked and blindfolded, hosing with pressurized ice-cold water, suspending by the arms or wrists bound behind the victim's back, electric shocks, beating the soles of the feet, death threats and sexual assault.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English or your own language:

- expressing concern for the safety of Fahrettin Özdemir who is reportedly detained at the Anti-Terror Branch of Police Headquarters in Diyarbakır;
- asking for assurances that he is not being tortured or ill-treated in detention;
- expressing concern that he was initially held in unacknowledged detention, that the date of his detention appears to have been incorrectly registered

and that he is currently being held unregistered in police custody in excess of the ten days' maximum prescribed by Turkish law;
 - urging that he is transferred immediately to the prison where he is registered as being held or to another prison, for the records be amended accordingly and his family kept informed.

APPEALS TO:

Diyarbak_r Chief of Police

Mr Gaffar Okan

Diyarbak_r Emniyet Müdürü

Diyarbak_r Emniyet Müdürlü_ü

Diyarbak_r, Turkey

Telegrams: Diyarbak_r Emniyet Müdürü, Diyarbak_r, Turkey

Salutation: Dear Chief of Police

Governor of the Provinces under Emergency Rule

Ola_anüstü Hal Valisi

Diyarbak_r, Turkey

Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey

Faxes: + 90 412 224 3572

Salutation: Dear Governor

Minister of Interior

Mr Saadettin Tantan

_çi_leri Bakanl__

06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Faxes: + 90 312 418 1795

Salutation: Dear Minister

Minister of Justice

Prof Hikmet Sami Türk

Ministry of Justice

Adalet Bakanl__

06659 Ankara, Turkey

Telegrams: Justice Minister, Ankara, Turkey

Faxes: + 90 312 417 3954 / 418 5667

Salutation: Dear Minister

COPIES TO:

State Minister with responsibility for Human Rights

Mr Mehmet Ali Irtemçelik

Office of the Prime Minister

Ba_bakanl_k

06573 Ankara, Turkey

Faxes: + 90 312 417 0476

and to diplomatic representatives of TURKEY accredited to your country.
PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 21 April 2000.