

PUBLIC

AI Index: EUR 44/025/2002

UA 132/02 Fear for safety/Risk of torture 30 April 2002

or ill-treatment

TURKEY Mehmet Salih Kölge (m), 42 years old, father of nine

Amnesty International is seriously concerned for the safety of Mehmet Salih Kölge. He is reportedly being held in incommunicado detention in southeast Turkey, where he is at risk of torture and ill-treatment.

According to news reports, Mehmet Salih Kölge had been taken into police custody in Antep on 16 April and detained at the Anti-Terror Branch of Diyarbakır Police Headquarters in southeast Turkey. However, a relative who was able to talk with him briefly when he was taken to his family house by police officers, was told by Mehmet Salih Kölge that he had been in police detention for more than two months. He is believed to have been detained in connection with the activities of the armed Islamist group *Hizbullah*.

On 25 April, Mehmet Salih Kölge was remanded to prison by the Diyarbakır State Security Court (DGM). He was reportedly returned to police detention for a further 10 days. This was done in accordance with Legal Decree 430, which allows individuals to be returned to police detention for further questioning. The next day, his family went to visit him at the Anti-Terror Branch of Diyarbakır Police but was told that he had been transferred to the town of Batman. When they appealed to the Chief Prosecutor of the DGM in Diyarbakır, they were told they would have to wait another ten days before they could visit Mehmet Salih Kölge.

Reports in the Turkish press allege that Mehmet Salih Kölge is the deputy leader of *Hizbullah*. Since his detention, he has reportedly shown police the burial places of thirteen individuals assassinated by the organization.

BACKGROUND INFORMATION

Amnesty International has received numerous accounts of people being illegally detained and tortured by police in Diyarbakır under Legal Decree 430. Fesih Güler was reportedly tortured while held illegally at the Anti-Terror Branch of Police Headquarters (see report *Turkey: Torture and prolonged detention in the Region under State of Emergency*, AI Index: EUR 44/10/2002).

Whereas torture is rarely reported from prisons, in police and gendarmerie stations, it appears to be regularly used to extract confessions, elicit information about illegal organizations, intimidate detainees into becoming police informers or as unofficial 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.

The Turkish Regulation on Apprehension, Police Custody and Interrogation provides clear guidelines for the registration of people taken into custody.

It also provides guidelines on their right to inform their relatives "unless informing the relatives will harm the investigation". In an amendment to the Constitution on 3 October 2001, this restriction was lifted. Yet guidelines for the prompt and proper registration of detainees and for notification of their families are often ignored. This is extremely distressing for the families of detainees, who often spend days trying to establish the whereabouts of their

loved ones. Failure to register detainees properly and promptly creates conditions in which there is an increased risk of torture, and "disappearance" or death in custody can occur.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern for the safety of Mehmet Salih Kölge and asking to be informed of his whereabouts;
- urging that he should be given immediate access to his lawyers and relatives;
- urging that he is not tortured or ill-treated while in detention;
- asking to be informed of any charges that may be brought against him;
- reminding the government of Turkey of its obligations under Article 3 of the European Convention of Human Rights, to which Turkey is a state party, which states: "No one shall be subjected to torture or to inhuman or degrading treatment or punishment."

APPEALS TO:

Minister of the Interior
Mr Rü_tü Kaz_m Yücelen
Ministry of Interior
_çi_leri Bakanl____
06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Faxes: + 90 312 418 17 95

Salutation: Dear Minister

Governor of the Provinces under Emergency Rule
Ola_anüstü Hal Valisi
Diyarbak_r, Turkey

Telegrams:Olaganustu Hal Valisi, Diyarbakir, Turkey

Faxes:+ 90 412 224 35 72

Salutation: Dear Governor

COPIES TO:

State Minister with responsibility for Human Rights
Nejat Arseven
Office of the Prime Minister,
Ba_bakanl_k,
06573 Ankara, Turkey

Fax: + 90 312 417 04 76

Salutation: Dear Minister

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 11 June 2002.