

PUBLIC

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Fear for safety/torture/possible extrajudicial execution

8 June 2004

TURKEY

**Nurettin Başçı, (m) aged 30
Gazi Aydın, (m) aged 25
Mehmet Kahvecioğlu (m)
Veli Karadeniz (m)**

Killed

Şiyar Perinçek (m)

Amnesty International is seriously concerned for the safety of the four men named above following the possible extrajudicial execution of Şiyar Perinçek. The men have been held in Adana Kürkçüler F-Type Prison, in Southern Turkey since 1 June. Since their detention, two of them have allegedly been tortured and a third is reportedly being held in solitary confinement.

On 28 May, Şiyar Perinçek and Nurettin Başçı were travelling by motorcycle in the city of Adana, when according to reports a Volkswagen car carrying security officials in plain clothes drew alongside them. Those inside the car reportedly opened one of its doors and knocked the motorcycle over. Nurettin Başçı was able to run away, but Şiyar Perinçek was unable to get off the ground in time. According to eyewitnesses, a tall man wearing a grey T-shirt and sunglasses exited from the Volkswagen, knelt on Şiyar Perinçek who was lying face down, took out a handgun and fired a bullet into the right side of Şiyar Perinçek's back, then collected the discharged bullet cartridges. Nurettin Başçı was detained a short distance away by plain clothes police officers from another unmarked police car, which had been travelling behind the Volkswagen. Uniformed police officers in police cars arrived on the scene immediately afterwards and cordoned off the area.

The wounded Şiyar Perinçek was detained and an ambulance called to take him to Adana State Hospital. He did however have to wait for more than 20 minutes for it to arrive. Despite his serious condition, Şiyar Perinçek was reportedly taken out of the hospital by police officers and driven to at least two different locations on the outskirts of Adana in order to identify the houses of assumed associates and then returned to hospital. Among these associates were Mehmet Kahvecioğlu and Veli Karadeniz who were also detained. Gazi Aydın, another associate, was also detained on the same day. Human rights defenders who went to Adana State Hospital were reportedly prevented from meeting with Şiyar Perinçek, his doctors or nurses by police officers at the hospital. On the afternoon of 30 May, he died in hospital as a result of his bullet wound and had reportedly not received specialist medical treatment.

Following their detention, Nurettin Başçı, Gazi Aydın, Mehmet Kahvecioğlu and Veli Karadeniz were taken to the Anti-Terror Branch of the Police Headquarters in Adana, where Nurettin Başçı and Gazi Aydın were reportedly tortured. Nurettin Başçı was reportedly tortured using a method known as "Palestinian hanging" which involves being hung by the arms whilst they are tied behind the back. He was also sprayed with pressurized water and given electric shocks to his fingers, toes and sexual organs and threatened with rape. He was reportedly deprived of sleep, food and water whilst continuously blindfolded. He was also reportedly taken out of the police station to an abandoned area where he was threatened with death and subjected to a mock execution when a gun was fired several times close to his head. As a result of this torture, Nurettin Başçı reportedly has heavy bruising on his shoulders, arms and back.

Despite recent reforms to Turkish law and detention regulations, which have been designed to prevent torture by for example reducing the length of time detainees can be held without charge or granting them the immediate right to legal counsel, Nurettin Başçı's lawyers were only allowed to briefly meet with him once during his detention. Furthermore, police officers reportedly remained with Nurettin Başçı throughout his medical examination, despite Turkish law stipulating that they must remain outside whilst a detainee is being examined.

On 1 June, Nurettin Başçı, Gazi Aydın, Mehmet Kahvecioğlu and Veli Karadeniz and the other detainees were remanded to Adana Kürkçüler F-Type prison on charges of “membership of an illegal organization” and “aiding and abetting an illegal organization”. The organization they are accused of belonging to is the armed group, the Kurdistan People’s Congress (Kongra-Gel) which was formerly known as the Kurdistan Worker’s Party (PKK). According to lawyers, Gazi Aydın is being kept in solitary confinement. He has reportedly been taken out of the main prison building twice to meet with members of the gendarmerie despite the fact that this is a violation of Turkish law. The gendarmerie have reportedly threatened him and put pressure on him to become an informant.

BACKGROUND INFORMATION

The conflict between the PKK and the State during the 1980s and 1990s resulted in widespread serious human rights violations including “disappearances”, extrajudicial executions and the systematic use of torture and ill-treatment against detainees. Since 1999, when the PKK initiated a ceasefire following the capture of its leader Abdullah Öcalan by Turkish security forces, there has been a steady reduction in the number of violations.

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

- expressing concern for the safety of Nurettin Başçı, Gazi Aydın, Mehmet Kahvecioğlu and Veli Karadeniz;
- calling on the authorities to guarantee their safety;
- expressing concerns at reports that Gazi Aydın has been removed from Adana Kürkçüler F-Type prison and interrogated by members of the gendarmerie before being returned, and reminding the authorities that it is illegal to take prisoners back to police and gendarmerie custody after having been remanded to prison;
- expressing your concern at reports that Nurettin Başçı and Gazi Aydın have been tortured while in police detention;
- calling for the torture to be fully, independently and impartially investigated, with provision made for an independent and impartial medical examination and the results of both to be made public;
- expressing concern at allegations that Şiyar Perinçek was extrajudicially executed and had not received specialist medical treatment;
- calling for his killing to be fully, independently and impartially investigated, and the results made public.

APPEALS TO:

Minister of Justice

Mr Cemil Çiçek

Ministry of Justice

Adalet Bakanlığı

06659 Ankara, Turkey

E-mail: cemilcicek@adalet.gov.tr

Fax: + 90 312 417 7113

Salutation: Dear Minister

Minister of the Interior

Mr Abdulkadir Aksu

Ministry of Interior

İçişleri Bakanlığı

Ankara, Turkey

Fax: + 90 312 418 1795

Salutation: Dear Minister

Foreign Minister and State Minister for Human Rights

Mr Abdullah Gül,

Office of the Prime Minister,

Basbakanlik,

06573 Ankara, Turkey

E-mail: abdullah.gul@basbakanlik.gov.tr

Salutation: Dear Minister

COPIES 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 20 July 2004.