

EXTERNAL (for general distribution)

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Fear of Torture

13 March 1992

TURKEY:

Burhan SERIKLI, aged 18 (died in custody)

Mehmet Emin ÇAN

Ömer YAVUZ

Ali YILDIRIM

Mustafa YILDIRIM

_brahim YILDIRIM

Ahmet YILDIRIM

Mehmet Sait YILDIRIM, aged 16

Ayd_n YILMAZ

Yusuf YILMAZ

_ükrü YILMAZ, a visitor to Ulular village

Nuri ÖZKAN, HEP (People's Labour Party) board member from Batman

Hac__sa GÖK, from Batman

In police operations on and around 4 March 1992, carried out in villages near Batman in southeast Turkey, about 16 people are reported to have been detained including the 13 named above. Four or five people are said to have since been released, among them Hayrettin Serikli, the brother of Burhan Serikli, but the 12 above remain in detention.

Burhan Serikli, who had been detained on 4 March in Ulular village (Kurdish name _ehosele) near Be_iri in the province of Batman, died in Batman Gendarmerie Headquarters. The exact date of his death is not known. His body was returned to his family and buried in Yaz_l_ village (Kurdish name Binek) on 8 March. According to Amnesty International's information, the Governor of Batman Province, Zeki _anal, informed deputy Nizamettin Tonguç that the Batman Prosecutor told him that Burhan Serikli committed suicide by hanging himself with his blindfold. An autopsy was carried out which reportedly confirmed that he had hanged himself, although villagers said the body showed bruising under the armpits.

The remaining detainees continue to be held incommunicado at Batman Gendarmerie Headquarters and it is feared that they are being subjected to torture while under interrogation.

BACKGROUND INFORMATION:

Turkey has a Kurdish ethnic minority which is estimated to number some 10 million people, living mainly in southeastern Turkey. Frequent allegations of torture and ill-treatment have been received from the region. Since August 1984, when guerrillas 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. Some 3,000 lives have so far been lost on both sides and among the civilian population in the continuing fighting. Emergency legislation is in force in 10 provinces in the region and the Emergency Legislation Governor in Diyarbakir has extraordinary powers over three additional provinces. In May 1990 the Turkish Government issued Decrees 424 and 425 (in

December 1991 replaced by Decree 430), further extending the powers of the Emergency Legislation Governor.

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. 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. In August 1990, the government derogated from Articles 5, 6, 8, 10, 11 and 13 of the European Convention on Human Rights, all of which contain important safeguards for human rights. Under current legislation the maximum period a

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detainee may be held 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 10 provinces including Batman province.

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

- expressing deep concern at the death of Burhan Serikli in Batman Gendarmerie Headquarters and asking to be informed of the results of the official autopsy;
- urging that all detainees still held be allowed to see their families or lawyers and appealing that they are not ill-treated while in detention;
- asking for the reasons for their detention and whether charges have been brought against any of them.

APPEALS TO

1) Batman Chief of Police:

Mr Salih Dost

Dear Sir

Batman Emniyet Müdürlüğü

Batman, Turkey

Telegrams: Emniyet Müdürü, Batman, Turkey

2) Governor of Batman Province:

Mr Zeki Anal

Dear Governor

Batman Valiliği

Batman, Turkey

Telegrams: Batman Valiligi, Batman, Turkey

3) Emergency Legislation Governor:

Mr Ünal Erkan

Dear Governor

Olağanüstü Hal Valisi

Diyarbakır, Turkey

Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey

Telexes: 72110 OHVT TR

72084 DYVA TR (mark please forward to the Governor)

72090 JASY TR

Faxes: + 90 831 26174 (the telephone will be answered and you will need to ask for the fax "sinyal")

4) Minister of the Interior:

Mr Smet Sezgin

Dear Minister

çi_leri Bakanl____

06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Telexes: 46369 IC SL TR

Faxes: + 90 4 118 1795

COPIES TO OF YOUR APPEALS TO:

President of the Parliamentary Human Rights Commission:

Mr Ahmet Türk

nsan Haklar_ Ara_t_rma Komisyonu Ba_kan_

TBMM

Ankara, Turkey

and 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 15 April 1992.