

EXTERNAL (for general distribution)

AI Index: EUR 44/30/92

Distr: UA/SC

EXTRA 29/92

Fear of Torture

19 March 1992

TURKEY:

Kas_m Asutay)	Nimetullah Sözen, Deputy President and
Seyfettin Asutay)	board member of
Muzafer Asutay) brothers and all Cafer	Petrol-__ trade union
Asutay) members of HEP	Rahime Abayay (female)
Enver Asutay)	Ayten Uzunucu (female)
Gülle Asutay (female) mother of the five	Medeni Göktepe) board members of HEP
brothers above	_zzettin Görnu) Batman branch
Ramazan Onat] member of HEP	Mahmut O_uz }
Selahattin Onat]	Emin Ergin } members of HEP
Muhittin Onat] villagers visiting	Hatip Ba_r_yan_k }
Ya_ar Onat] the Asutay brothers	Abdullah Ekinçi }
Latif Keskin]	Süleyman Ekinçi, board member of _HD,
Özcan Kavak, member of HEP	Batman branch
Ahmet Kavak, member of HEP and _HD, oil	Murat Ekinçi
worker	M. Hadi Tekin

On the night of 18 March 1992, up to one hundred people, including the 25 named above, were detained in the southeastern town of Batman in operations by the police and special team forces (nominally responsible to the local police commander and trained for close combat with guerrilla forces).

The detainees are being held incommunicado at Batman Police Headquarters and it is feared that they may be interrogated under torture.

The detentions are believed to be a pre-emptive operation against possible disturbances on the occasion of Newroz (the Kurdish New Year which is celebrated on 21 March). There has been intense speculation in the Turkish press that guerrillas of the Kurdish Workers' Party (PKK), who are fighting in the region for an independent Kurdish state, may start an "spring offensive" on that date sparking off a popular uprising.

HEP is the People's Labour Party, perceived as representing the interests of the Kurdish minority. _HD is the Human Rights Association of Turkey, which has branches in cities all over Turkey.

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. More than 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

Page 2 of EXTRA 29/92

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 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 in the southeast, including Batman province.

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

- urging that the detainees named above be allowed to see their families and lawyers and that they are not subjected to any ill-treatment while in police custody;

- asking to be informed of the reason for their detention and whether any charges have been brought against them.

APPEALS TO

1) Prime Minister:

Mr Süleyman Demirel
Office of the Prime Minister
Ba_bakanl_k
06573 Ankara, Turkey

Dear Prime Minister

Telegrams: Prime Minister, Ankara, Turkey

Telexes: 44061/44062/44063 bbmt tr, 42099 basb tr, 42875 bbk tr

Faxes: + 90 41 17 04 76, + 90 42 30 88 96

2) State Prosecutor in Batman:

Mr Abdullatif Çak_r
Batman Savc_l____
Batman, Turkey

Dear Sir

Telegrams: Cumhuriyet Savc_s_, Batman, Turkey

3) Chief of Batman Police:

Mr Salih Dost
Batman Emniyet Müdürlü_ü
Batman, Turkey

Dear Sir

Telegrams: Batman Emniyet Muduru, Batman, Turkey

4) Governor of Batman province:

Mr Zeki _anal
Batman Valili_i
Batman, Turkey

Dear Governor

Telegrams: Batman Valisi, Batman, Turkey

5) Emergency Legislation Governor:

Mr Ünal Erkan

Dear Governor

Ola_anüstü Hal Valisi

Diyarbak_r, 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")

COPIES 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 20 April 1992.