

UA 244/02

Torture and ill-treatment/ fear for safety

2 August 2002

**TURKEY**Remzi Karaduman (m), aged 36

U\_ur U\_ar (m), aged 26

Re\_at U\_ar (m), aged 36

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Remzi Karaduman, U\_ur U\_ar and Re\_at U\_ar are being held in police detention in Diyarbak\_r, southeast Turkey, where they have reportedly been tortured and ill-treated. Amnesty International is concerned for their safety.

Remzi Karaduman, U\_ur U\_ar and Re\_at U\_ar were detained by police officers from the Anti-Terror Branch of Ankara police headquarters on 26 July. Two days later they were handed over to the Anti-Terror Branch of police headquarters in Diyarbak\_r. On 30 July, a court ordered that they be remanded to Diyarbak\_r prison.

A lawyer met with Remzi Karaduman, U\_ur U\_ar and Re\_at U\_ar in prison the following day, 31 July. The group related that they had been subjected to torture and ill-treatment including beating and electric shocks while in police detention in Ankara. This reportedly worsened after they were transferred to police detention in Diyarbak\_r. There they were also apparently sprayed repeatedly with pressurized water, had their testicles squeezed, were blindfolded continuously, forced to stay standing by having their wrists handcuffed to an elevated point, not given anything to eat or drink, and two police officers would force the detainees' heads between their legs by sitting on their shoulders.

As a result of the reported ill-treatment, Remzi Karaduman and Re\_at U\_ar cannot sleep at night and there is apparently blood in their urine. Their lawyer observed that all three men were in a bad physical and psychological state and that there was especially severe bruising and marks of beating on the arms and legs of Remzi Karaduman. On the basis of the testimonies of Remzi Karaduman, U\_ur U\_ar and Re\_at U\_ar, the lawyer lodged a complaint about the alleged torture and ill-treatment with the Diyarbak\_r prosecutor. As a result of this complaint, on 1 August the three men were taken from prison to be examined by doctors at the local Institute of Forensic Medicine who determined that they should be examined instead at the Medical Faculty of Dicle University, where there was a greater level of expertise in documenting such injuries.

However, on the same day Diyarbak\_r State Security Court (DGM) ordered that Remzi Karaduman, U\_ur U\_ar and Re\_at U\_ar be brought instead to the Anti-Terror Branch of Diyarbak\_r police headquarters for further interrogation. This was carried out under Legal Decree 430 which allows individuals to be returned from prison to police detention for an additional 10 days of questioning. Consequently, the three men were not taken to the Medical Faculty of Dicle University but were taken back into police detention where they are at risk of further torture and ill-treatment.

**BACKGROUND INFORMATION**

Amnesty International has received numerous accounts of people being illegally detained and tortured by police in Diyarbak\_r under Article 3/c of Legal Decree No. 430, which allows individuals in the Region under State of Emergency to be returned from prison to police detention for an additional ten days of questioning. The article can be applied again after the end of the 10 days. In this way individuals can be held in detention for long periods of time (see report *Turkey: Torture and prolonged detention in the Region under State of Emergency*, AI Index: EUR 44/10/2002). There are many documented instances of

individuals being tortured while in prolonged detention. For example, Fesih Güler was reportedly tortured while held illegally at the Anti-Terror Branch of Police Headquarters, while Fahrettin Özdemir spent a total of 59 days in police custody, during which time he was reportedly severely tortured (see EXTRA 30/00, EUR 44/23/00, 3 April 2000).

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 an individual's 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 Remzi Karaduman, U\_ur U\_ar and Re\_at U\_ar, who are in detention at the Anti-Terror Branch of Diyarbak\_r police headquarters;
- expressing concern at reports that Remzi Karaduman, U\_ur U\_ar and Re\_at U\_ar may have been tortured or ill-treated while in police custody, and reminding the government that it is a state party to the European Convention on Human Rights, which says that "No one shall be subjected to torture or to inhuman or degrading treatment or punishment";
- urging that they are not tortured or ill-treated while in detention and that they should be given immediate access to their lawyers and relatives;
- calling for a full and impartial investigation into the allegations of torture
- including a prompt medical examination, (which was previously denied when they were returned to police detention) with the results made public and those responsible brought to justice;
- calling on the authorities to ensure that detainees are not brought back to police and gendarmerie custody under Article 3/c of Legal Decree No. 430 after having been remanded to prison.

**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**  
**+ 90 312 418 17 95**

**Salutation: Dear Minister**

Diyarbakır Police Headquarters

Mr Atilla Çınar

Diyarbakır Emniyet Müdürü

Diyarbakır Emniyet Müdürlüğü

Diyarbakır, Turkey

**Telegrams: Emniyet Müdürü, Diyarbakır, Turkey**

**Salutation: Dear Chief of Police**

Governor of the Provinces under Emergency Rule

Olağanüstü Hal Valisi

Diyarbakır, Turkey

**Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey**

**Faxes: + 90 412 224 35 72 (number dead)**

**Salutation: Dear Governor**

**COPIES TO:**

State Minister with responsibility for Human Rights

Nejat Arseven

Office of the Prime Minister,

Bakanlık,

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 13 September 2002.