

EXTERNAL (for general distribution)

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EXTRA 52/92

Fear of Torture

19 May 1992

TURKEY: Sekvan Aytu, President of Human Rights Association (_HD)
 in __rnak

On the evening of 14 May 1992, Sekvan Aytu, a member of Turkey's Kurdish ethnic minority, was detained in __rnak on his return from a trip to Ankara. He is held incommunicado at __rnak Police Headquarters and it is feared that he is being subjected to torture.

The reason for Sekvan Aytu's detention is not known, but it is thought he is being held possibly in connection with his activities as President of the Human Rights Association branch in __rnak, providing information to human rights delegations and the press about human rights violations in the area during and after Newroz, the Kurdish New Year. (See EXTRA 35/92, 26 March 1992, EUR 44/34/92, and further information of 31 March 1992, EUR 44/38/92). Sekvan Aytu's name recently appeared on a leaflet as one of 28 people threatened with death. Those under threat included 17 Kurdish members of parliament and several officials of the Human Rights Association. The leaflet was issued in the name of a purported "Islamic organization", but responsibility for the leaflet is widely attributed to the security forces (see UA 149/92, 8 May 1992, EUR 44/44/92). Sekvan Aytu's situation may be aggravated by the intense hostility between the security forces and the local population in __rnak following the Newroz events, and by heavy fighting in the province on 15 May 1992 between the security forces and guerrillas leading to many casualties on both sides.

BACKGROUND INFORMATION

Unprecedented violence erupted in the region on the occasion of Newroz, the Kurdish New Year, which is traditionally celebrated on 21 March. At least 70 civilians and five members of the security forces lost their lives, and hundreds were wounded during demonstrations and ensuing clashes. Newroz celebrations had been banned until 1991, when they were allowed for the first time in many years. This year the authorities feared that a "spring offensive" by the Kurdish Workers' Party (PKK) might start a popular uprising and had sent massive troop reinforcements to the region where the PKK has gained wide popular support.

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 detainee may be held before being formally charged or released is in ordinary cases 24 hours, but 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 __rnak province.

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

- appealing that Sekvan Aytu be granted immediate access to his family and lawyer in compliance with Article 136 of the Turkish Criminal Procedure Code;
- seeking assurances that he is not subjected to any ill-treatment while being held;
- asking to be informed whether he has been charged and if so, what the charges are against him.

APPEALS TO:

1. __rnak Chief of Police:

Mr Orhan Güler
Emniyet Müdürlü_ü
__rnak, Turkey

Telegrams: Emniyet Muduru, Sirnak, Turkey
[Salutation: Dear Sir]

2. Governor of __rnak Province:

Mr Mustafa Malay
__rnak Valili_i
__rnak, Turkey

Telegrams: Sirnak Valisi, Sirnak, Turkey
[Salutation: Dear Governor]

3. Minister of the Interior:

Mr _smet Sezgin
_çi_leri Bakanl____
06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey
Telexes: 46369 ICSL TR
Faxes: + 90 4 418 1795
[Salutation: Dear Minister]

4. Emergency Legislation Governor:

Mr Ünal Erkan
Ola_anüstü Hal Valisi
Diyarbak_r, Turkey

Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey
Telexes: 72110 OHVT TR; 72084 DYVA TR "please forward to the Governor"
Faxes: + 90 831 26174 (telephone first and ask to switch on the fax machine: "Lütfen fax sinyal veriniz")
[Salutation: Dear Governor]

COPIES OF YOUR APPEALS TO:

President of the Parliamentary Human Rights Commission
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 29 June 1992.