

EXTERNAL (for general distribution)

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Fear of Torture

4 June 1993

TURKEY:

Mahmut Do_an, reporter for daily newspaper Özgür Gündem

Amnesty International is concerned for the safety of Mahmut Do_an who was detained in the town of Bingöl on 2 June 1993.

Mahmut Do_an is the local reporter in Elaz__ for the Kurdish-owned newspaper Özgür Gündem. He is said to have gone to Bingöl to report on a major military operation launched by the security forces in the region against guerrillas of the illegal Kurdish Workers' Party (PKK).

The large-scale military operation, involving land and air forces and covering several provinces in the east and southeast under a State of Emergency, is in response to the latest attack by PKK guerrillas. On 24 May 1993, PKK guerrillas ambushed a convoy of soldiers some 10 kilometres from Bingöl. The soldiers were reportedly travelling by bus and were unarmed, dressed in civilian clothes. According to reports the guerrillas killed 31 soldiers and two civilians. This attack was the first since the PKK declared a unilateral cease-fire on 15 March 1993. Operations by the security forces had continued throughout this period. According to official sources at least 100 guerrillas have been killed in the operation.

It is feared that Mahmut Do_an may be subjected to torture while being held incommunicado at the Anti-Terror Branch of Bingöl Police Headquarters.

BACKGROUND INFORMATION

Turkey has a Kurdish ethnic minority which is estimated to number some 10 million people, living mainly in southeastern Turkey. Since August 1984, when PKK guerillas started armed attacks against the security forces, more than 5,000 lives have been lost on both sides and among the civilian population in the context of their fight for an independent Kurdish state. In mid-March 1993 the PKK declared a unilateral cease-fire and its intention to end the fighting and to enter the democratic process as a political party. A state of emergency is in force in 10 provinces in the region and the Emergency Legislation Governor in Diyarbakir has extraordinary powers over three additional provinces.

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. New legislation to shorten the maximum detention period came into force on 1 December 1992. Now the normal maximum period of 24 hours, for which

a non-political detainee may be held before being formally charged or released, may be extended to eight days in cases of ordinary crimes involving three or more suspects. Detainees held on suspicion of political offences to be tried in State Security Courts may be held without charge for 15 days. This period may be extended to 30 days in provinces under emergency legislation or martial law. Emergency legislation is currently in force in Bingöl province.

Following three visits to Turkey to investigate allegations of torture the European Committee for the Prevention of Torture (ECPT) of the Council of Europe published in December 1992 for the first time its findings. The ECPT concluded

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"that the practice of torture and other forms of severe ill-treatment or persons in police custody remains widespread in Turkey and that such methods are applied to both ordinary criminal suspects and persons held under anti-terrorist provisions".

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in English or in your own language:

- expressing concern for the safety of Mahmut Do_an held since 2 June 1993 at the Anti-Terror Branch of Bingöl Police Headquarters;
- noting the findings of the ECPT regarding the practice of torture in Turkey as published in its December 1992 report;
- seeking assurances that Mahmut Do_an is not subjected to torture or any other form of ill-treatment;
- requesting to be informed of any charges brought against him.

APPEALS TO

1) Bingöl Chief of Police:

Mr Kemal _skender

Bingöl Emniyet Müdürü

Bingöl, Turkey

Telegrams: Emniyet Mudurlugu, Bingol, Turkey

Salutation: Dear Sir

2) President Süleyman Demirel:

Office of the President

Devlet Ba_kanl____

06100 Ankara, Turkey

Telegrams: President Demirel, Ankara, Turkey

Telexes: 42303 kosk tr

Salutation: Your Excellency

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

COPIES OF YOUR APPEALS TO:

President of the Parliamentary Human Rights Commission:

Mr Sabri Yavuz

nsan Haklar Ara_t_rma Komisyonu Ba_kan_

TBMM

Ankara, Turkey

Faxes: + 90 4 420 5394

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 2 July 1993.