

EXTERNAL (for general distribution)

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Fear of Torture

25 June 1993

TURKEY:

Ramazan MALGIR, aged 34

Hasan TEMIZ, aged 34

Nurettin TEMIZ, aged 26

Halef BORTA_, aged 32

Amnesty International is concerned for the safety of the four Kurdish villagers named above who were detained by the security forces in their village after ill-treatment and death threats to the village population on 21 June 1993.

According to an account given by an eye-witness, security forces entered the village of Orta_ar (Kurdish: Elvendi), near Ç_nar, in the province of Diyarbak_r, at 6am on 21 June. They came in a 22-lorry convoy carrying 300-400 soldiers and special team forces (heavily armed and trained for close combat, operating under the authority of the Interior Minister). The 600 villagers who live in the 50 houses of the village were assembled outside the primary school. All the men and women were made to lie face down. They were told that if they moved they would be killed. The soldiers began hitting the villagers with the butts of their weapons. Electric cables attached to the armoured vehicles were used to give the villagers electric shocks, and cigarettes were stubbed out on them. The security forces tried to make some of the villagers run away while carrying a rifle, but the villagers refused to do so, fearing that they would be shot and claimed to be terrorists.

Women and children were beaten. When it appeared that an attempt was going to be made to rape some of the women, the women ran away into the houses with the children. At this point one of the women, Sultan Kerti_, was hit on the head and wounded. Some of the villagers were taken away and made to march back and forth in an area covered with thorny shrubs.

This reportedly continued all day until 10.30pm. The troops told the villagers: "if you give assistance to the PKK [Kurdish Workers' Party] again, we will return and do worse than this".

Some villagers were detained at 11.00pm including those named above. Veysi Da_l_ and Süleyman Temiz were released the following day and returned to the village "in an unrecognizable state". The face of Ahmet Kerti_, husband of Sultan Kerti_, was badly injured.

The village imam (prayer leader in the mosque) was threatened that he would be killed for allegedly assisting the PKK. The security forces demanded that the villagers become village guards. The village became a target for this kind of military operation because the villagers had refused to join the village guard militia. Village guards are armed and paid by the government to fight the guerrillas of the PKK.

On 25 June, the troops reportedly returned to the village after news of the incident appeared in the newspaper Özgür Gündem. They threatened to kill the villagers if they told outsiders what had happened.

It is thought that the detainees are being held in incommunicado detention at the Diyarbak_r gendarmerie headquarters. It is feared that they are being interrogated under torture.

BACKGROUND INFORMATION

Turkey has a Kurdish ethnic minority estimated at some 10 million people, living mainly in southeastern Turkey. Since August 1984, when guerrillas of the Kurdish Workers' Party (PKK) started armed attacks against the security forces, more than 6,000 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 ceasefire and its intention to end the fighting and to enter the democratic process as a political party. Operations by the security forces against the PKK continued. The ceasefire was broken when on 24 May guerrillas of the PKK ambushed a convoy of soldiers, reportedly travelling unarmed and in civilian clothes. They killed 33 soldiers and two civilians, and the security forces are responding with large-scale military operations covering the entire region. A state of emergency continues to be 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. Following a programme of visits to Turkish police stations in 1990, 1991 and 1992, the European Committee for the Prevention of Torture (ECPT - established by the Council of Europe) reported: "In the light of all the information at its disposal, the CPT can only conclude that the practice of torture and other forms of severe ill-treatment of persons in police custody remains widespread in Turkey and that such methods are applied to both ordinary criminal suspects and persons held under anti-terrorism provisions".

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 non-political detainees may be held for up to eight days before being formally charged or released. Detainees held on suspicion of political offences may be held without charge for up to 15 days. In the provinces of southeast Turkey which are under emergency legislation the maximum detention period for political detainees may be doubled to 30 days respectively.

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

- expressing concern for the safety of Ramazan Malgir and the men from Orta_ar village detained with him on 21 June 1993 and held incommunicado at Diyarbak_r Gendarmerie Headquarters [Diyarbak_r Jandarma Bölük Komutanl___];
- urging that they are not subjected to torture or any other form of ill-treatment;
- requesting to be informed of any charges brought against them.

APPEALS TO:

1) Minister of the Interior:

Mr Mehmet Gazio_lu
_çi_leri Bakanl___
06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Faxes: +90 4 418 1795

Salutation: Dear Minister

3) Prime Minister:

Mrs Tansu Çiller
Ba_bakanl_k
06573 Ankara, Turkey

Telegrams: Prime Minister, Ankara, Turkey

Telexes: 44061/44062/44063 bbmt tr

2) Chief of Staff of the Gendarmerie:

Orgeneral Ayd_n_lter
Jandarma Kuvvetleri Komutanl___
Bakanl_klar
6100 Ankara, Turkey

Telegrams: Jandarma Genel Komutani, Ankara, Turkey

Faxes: +90 4 418 0476

Salutation: Dear General

42099 basb tr

42875 bbk tr

Faxes: +90 4 417 04 76 PRIME MINISTER
+90 4 230 88 96 (attn: Prime Minister)

Salutation: Dear Prime Minister

COPIES OF YOUR APPEALS TO:

Minister of Foreign Affairs:

Mr Hikmet Çetin

Ministry of Foreign Affairs

D__i__leri Bakanl____

06100 Ankara, Turkey

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 19 July 1993.