

16 May 1991

UA 169/91

Fear of Cruel, Inhuman and Degrading Treatment/
Fear of Torture

TURKEY:

Ömer Özer, aged 70

Re_it Altin, aged 53

Faik Yilmaz

Mehmet Silik

Celal Çiçek

Ibrahim Güçlü, aged 60

Ahmet Özhan

Bedri Erdem, aged 25

Ismail Esmeray, aged 60

Nezim Özkan

Nuriye Erdem (f)

Sedika Be_ta_ (f)

Since 16 April 1991, eight male villagers, most of whom are elderly, of Payamli near Siirt have been made to spend the hours of darkness in a trench situated to the east of the village gendarmerie. In addition, Ismail Esmeray, aged 60, and Nezim Özkan have been made to join the others each night since 4 May 1991. However, for the past two nights Faik Yilmaz and Nezim Özkan were allowed to stay at home, because they fell ill and had to see a doctor. The villagers named above are not permitted to sleep, eat, drink or pray. It is reported that they are being used as a shield against possible attack by guerrillas of the Kurdish Workers Party (PKK), and that they have been chosen because members of their families have left the village, allegedly to join the guerrillas.

In addition, two girls, Nuriye Erdem and Sedika Be_ta_, from the same village of Payamli, have been held in Siirt Jandarma Alay Komutanli_i since 30 April 1991. Their families have not had any news of them and it is feared that they may be tortured.

BACKGROUND INFORMATION

Turkey has a Kurdish ethnic minority which is not officially recognized by the authorities, but is estimated to number some 10 million people. The Kurdish population lives mainly in southeastern Turkey. Frequent allegations of torture and ill-treatment have been received from the region and the number of torture allegations increased substantially after the 1980 military coup. Since August 1984, when Kurdish guerrillas - members 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, where more than 2,000 lives so far have been lost in the continuing fighting.

In May 1990, the Turkish government issued Decrees 424 and 425 (in December replaced by Decree 430), further extending the already extraordinary powers of the Emergency Legislation Governor. Subsequently, 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.

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. Allegations of torture have continued since the transfer of power to a civilian government in 1983. 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. Under current legislation the maximum detention period 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 ten provinces, including Siirt.

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

- appealing for immediate inquiries to be made into the allegations that the male villagers of Payamli near Siirt named above have been made to spend the hours of darkness in a trench situated to the east of the village gendarmerie;
- urging that, if these allegations are found to be correct, all necessary steps be taken to ensure that such cruel, inhuman and degrading treatment is stopped;
- urging that Nuriye Erdem and Sedika Be_ta_ are given prompt access to their families and lawyers and that they are not ill-treated while in detention;
- requesting to be informed of any charges against them.

APPEALS TO:

President Turgut Özal
Devlet Ba_kanli_i
06100 Ankara, Turkey

Telegrams: President Ozal, Ankara, Turkey
Telexes: 42875 bbk tr
Faxes: +90 4 168 5012
(via Press Office)

Governor of Siirt Province:

Mr Atilla Koç
Siirt Valisi
Siirt, Turkey

Telegrams: Siirt Valisi, Siirt, Turkey
Telexes: 72313 SRVT TR
Faxes: +90 8441 2760

Minister of the Interior:

Mr Abdülkadir Aksu
_çi_leri Bakanli_i
06644 Ankara, Turkey

Telegrams: Interior Minister Aksu, Ankara, Turkey
Telexes: 46369 IC SL TR
Faxes: +90 41 28 43 46

President of Parliamentary Human Rights Commission:

Mr Eyüp A_ik
Insan Haklari Ara_tirma Komisyonu Ba_kani
TBMM
Ankara, Turkey

Telegrams: IHA Komisyonu, TBMM, Ankara, Turkey
Faxes: +90 4 11 91 664; +90 4 42 06 941

Emergency Legislation Governor:

Mr Hayri Kozakçio_lu
Ola_anüstü Hal Valisi
Diyarbakir, Turkey

Telegrams: Diyarbakir Valisi, Diyarbakir, Turkey

Telexes: 72110 OHVT TR; 72084 DYVA TR

"please forward to the Governor";

72090 JASY TR

Faxes: +90 831 26174

COPIES 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 27 June 1991.