

EXTERNAL (for general distribution)

AI Index: EUR 44/62/93

Distr: UA/SC

EXTRA 64/93

Fear of Torture

29 June 1993

TURKEY:

Ramazan K_ran

Mehmet K_ran, his father, aged 59

Vahap Çelik

_zzetin Çelik

Amnesty International is concerned about the treatment of the four men named above who were detained by soldiers on 17 June 1993, and three of whom are reported to be under interrogation still at Derik Gendarmerie Station.

According to a press report of 28 June 1993, Ramazan K_ran, his father Mehmet K_ran, Vahap Çelik and _zzetin Çelik were detained in the village of Atala near Maz_da__ in the province of Mardin on 17 June and taken to the gendarmerie station in Derik for interrogation. Mehmet K_ran was transferred to Diyarbak_r State Hospital when his condition deteriorated and his arm was broken due to torture. He reportedly made the following statement about what was happening: "In detention they continuously tortured my son Ramazan to make him say where shelters of PKK [Kurdish Workers' Party] militants were. When he said that he did not know any shelters of the PKK, they started to inflict torture on me with the aim of making him talk". According to the report, the other three detainees continue to be interrogated at Derik Gendarmerie Station. Under current legislation they may be held until 15 July. It is feared that they are being subjected to torture.

BACKGROUND INFORMATION

During three days in detention at Derik Gendarmerie Station in February 1993, Mehmet Gökalp, the Derik representative of IHD, the Human Rights Association, was horribly tortured and threatened with death (see 2FU EXTRA 20/93, EUR 44/31/93 of 22 March 1993). His torture allegations were published in a newspaper report, but it appears that no investigation has taken place.

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 ECPT 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

Page 2 of EXTRA 64/93

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. Emergency legislation is in force in Mardin province.

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 Ramazan K_ran, Vahap Çelik and _zzettin Çelik, detained in Atala village on 17 June 1993, and held in incommunicado detention at Derik Gendarmerie Station (Derik Jandarma Komutanl____);
- urging that the three detainees be brought promptly before a judge, and that they not be subjected to any form of torture or ill-treatment;
- noting the findings of the ECPT regarding the practice of torture in Turkey as published in its December 1992 report;
- urging a full and impartial investigation into the alleged torture of Mehmet K_ran at Derik Gendarmerie Station following his detention on 17 June;
- requesting to be informed of any charges brought against Ramazan K_ran, Vahap Çelik and _zzettin Çelik.

APPEALS TO:

1) Mardin Gendarmerie Commander: **Salutation: Dear Colonel**
Albay Enver Uysal (Colonel Enver Uysal)
Mardin Jandarma Komutanl____
Mardin, Turkey

Telegrams: Jandarma Alay Komutanligi, Mardin, Turkey

Telexes: 72004 jimr tr

2) Mardin State Prosecutor's Office: **Salutation: Dear Sir**
Cumhuriyet Ba_savc_l____
Mardin, Turkey

Telegrams: Cumhuriyet Bassavciligi, Mardin, Turkey

3) Minister of the Interior: **Salutation: Dear Minister**
Mr Mehmet Gazio_lu
_çi_leri Bakanl____
06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Faxes: + 90 4 418 1795

4) Prime Minister: **Salutation: Dear Prime Minister**
Mrs Tansu Çiller

Ba_bakanl_k
06573 Ankara, Turkey

Telegrams: Prime Minister, Ankara, Turkey

Telexes: 44061/44062/44063 bbmt tr

42099 basb tr

42875 bbk tr

Faxes: + 90 4 417 04 76 PRIME MINISTER

+ 90 4 230 88 96 (attn: 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 15 July 1993.