

EXTERNAL (for general distribution)

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Fear of Torture

17 May 1991

TURKEY: Mehdi Önler, 20, detained 2 days ago
Masum Acar, 27, detained 2 days ago
Mür_it Kurt, 43, detained 2 days ago
Abdulhalim Harun, 18, detained 2 days ago
Hasan Önler, 20, detained 15 days ago
Cemil Önler, 55, detained 15 days ago
Ali Savci, 25, detained 15 days ago
Hasan Savci, 25, detained 15 days ago
Osman Savci, 20, detained 15 days ago

Since about 20 April 1991, widespread detentions have been carried out in operations by the security forces in and around Nusaybin, a town near the border with Syria. Some 150-200 people are estimated to have been taken into custody. Those named above were detained in the village of Tandir (Kurdish name: Sirikçe). The reason for the detentions is not known, but may be in connection with suspected support for Kurdish guerrillas. The detainees are held incommunicado at Mardin Alay Komutanli_i and it is feared that they are being 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 2000 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 Mardin.

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

- urging that the nine detainees named above 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

Gendarmerie Commander:

Albay (Colonel) Enver Uysal
Mardin Jandarma Alay Komutanli_i
Mardin, Turkey

Telex: 72004 jimr tr
Fax: +90 841 14959

President Turgut Özal
Devlet Ba_kanli_i
06100 Ankara, Turkey

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

Minister of the Interior:

Mr Abdülkadir Aksu
Içi_leri Bakanli_i
06644 Ankara, Turkey

Telegrams: Interior Minister Aksu, Ankara, Turkey
Telex: 46369 ICSL TR
Fax: +90 41 28 43 46

President of Parliamentary Human Rights Commission:

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

Telegrams: IHA Komisyonu, TBMM, Ankara, Turkey
Fax: +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
Telex: 72110 OHVT TR
72084 DYVA TR "please forward to the Governor"
72090 JASY TR
Fax: +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 28 June 1991.