

EXTERNAL (for general distribution)

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UA 284/94 Medical Concern / Fear of Torture

22 July 1994

TURKEY Fahrettin _nal

On 17 July 1994 police took Fahrettin _nal from Diyarbak_r State Hospital before he had been treated for injuries he had sustained when he fell from the fifth floor of a building while being pursued by police. There are fears that he is being tortured in police custody and Amnesty International fears for his life.

On 16 July, Fahrettin _nal was on his way home in the Ofis district of Diyarbak_r, when he was followed by police. Reportedly, having been detained and tortured before, he threw himself from the fifth floor in a desperate attempt to escape.

As a result, he suffered fractures to his ankles, legs and various other parts of his body as well as damage to his spine. The police team that had pursued him took him to Diyarbak_r State Hospital, where he was registered under the name of Gökhan Özlem, the name given on the false identification card which he was carrying. The next day, the police took him from hospital, reportedly before he had received any medical treatment. It is feared that he is being interrogated under torture and Fahrettin _nal's family now fear for his life.

Fahrettin _nal was previously detained in October 1992 during police operations in Batman which lasted for several months. Three people died in police custody in Batman during 1992, including Ramazan Altunsöz between 21 and 31 October. Most of those detained at the same time as Fahrettin _nal alleged severe torture in incommunicado detention. Fahrettin _nal reportedly was taken to a deserted area and threatened that he would be killed (see EXTRA 97/92, EUR 44/117/92, 6 November 1992 and update EUR 44/128/92, 8 December 1992)

BACKGROUND INFORMATION

The European Committee for the Prevention of Torture (ECPT) and the UN Committee against Torture (UN CAT), both mechanisms of international human rights instruments to which Turkey is a State Party, have published reports to the effect that torture is widespread and systematic in Turkey. 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 such as Diyarbak_r province.

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"*.

The ECPT also stated that in Diyarbak_r Police Headquarters they had found *"the equipment necessary for suspension by the arms in place and ready for use (ie a three metre long wooden beam which was mounted on heavily-weighted filing cabinets on opposite sides of the room and fitted with a strap made of strong material securely tied to the middle ... the delegation's discoveries caused considerable consternation among police officers present; some expressed*

regret, others defiance."

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

- expressing deep concern that Fahrettin _nal, after a fall from the fifth floor of a building, was taken by the police from Diyarbak_r State hospital on 17 July, reportedly before having received any medical treatment;
- urging that he be returned immediately to hospital and afforded any medical care he may require and for as long as he may require;
- appealing for an urgent investigation into this case;
- requesting to be informed of its results and of the state of health of Fahrettin _nal.

Please bring this action to the attention of the Medical Coordinator in your section.

APPEALS TO

1) Chief Prosecutor at Diyarbak_r State Security Court:

DGM Ba_savcısı

Devlet Güvenlik Mahkemesi

Diyarbak_r, Turkey

Telegrams: DGM Bassavcısı, Diyarbakir, Turkey

Salutation: Dear Sir

2) Minister of the Interior:

Mr Nahit Ment_e

_çi_leri Bakanl____

06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Faxes: +90 312 428 4346

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

Faxes: +90 312 417 04 76 PRIME MINISTER

+90 312 230 88 96 (attn: Prime Minister)

Salutation: Dear Prime Minister

COPIES OF YOUR APPEALS TO:

Minister of Foreign Affairs:

Mr Hikmet Çetin

D__i_leri Bakanl____

06100 Ankara, Turkey

Faxes: 90 312 287 3869

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 1 September 1994.