

UA 174/91

Fear of Torture

20 May 1991

TURKEY: Ekrem Yitik, member of Diyarbakir Human Rights Association
plus 12 other people from Girmeli village

Izedin Aslan, aged 50)	
Necmettin Genç, aged 25)	from Eskihisar village
Sıraç Genç, aged 24)	
Adnan Dursun, aged 22)	from Tepeüstü village
Ezver Çetin, aged 20)	

Since 20 April 1991, special teams of the security forces have been carrying out operations in and around the town of Nusaybin on the border with Syria, an area with a large Kurdish population. The number of people detained is reported to be between 150 and 200, including boys and girls of school-age, women and elderly people. The people named above were detained sometime during May. The reason for their detention is not known, but for many months the security forces have been detaining large numbers of people in broad sweeps and interrogating detainees under torture, apparently in an effort to uncover supporters of the armed bands operating in the area. They are being held incommunicado in the Gendarmerie Regimental Headquarters in Mardin.

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. 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. 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 in which Nusaybin is situated.

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

- urging that Ekrem Yitik and all the people 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

Telegrams: Jandarma Alay Komutanligi, Mardin, Turkey
Telexes: 72004 jimr tr
Faxes: +90 841 14959

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)

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:President of Parliamentary Human Rights Commission:

Mr Eyüp A_ik
Insan Haklari Ara_tirma Komisyonu Ba_kani
TBMM
Ankara, Turkey
Faxes: +90 4 11 91 664

and 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 1 July 1991.