

EXTERNAL (for general distribution)

AI Index: EUR 44/75/91

Distr: UA/SC

5 June 1991

Further information on UA 179/91 (EUR 44/70/91, 24 May 1991) - Fear of Torture/Incommunicado Detention (new concern)

TURKEY: Servet Eren, aged 45, teacher

Abdullatif Gündüz, aged 55, 1 son also detained

Hamza Gündüz, aged 54, 2 daughters also detained

Yahya Gündüz, aged 45, 2 sons also detained

Faruk Gündüz, 45-50

Faysal Eren, aged 20

Kerem Eren, aged 27, shepherd

Hüsnü Ertu_u_, aged 55, farmer

Faik Erdinç, aged 56, farmer

Haci Hüsnü Yakut aged 65 (new name)

On 20 May 1991 (not 22 May as indicated on original UA) the security forces entered the village of Yaylak (Kurdish: Eskar), near Kulp, Diyarbakir, and detained more than 20 villagers. Hamza Gündüz, Bayram Gündüz, Abdüllatif Gündüz and another villager were reportedly immersed in a nearby river, then taken with some of the other detainees up into the nearby mountains where they were marched about for three days before being taken to Kulp Gendarmerie. Of those mentioned in UA 179/91, Hamza Gündüz, Abdüllatif Gündüz, Bayram Gündüz, Kerim Eren, Faysal Eren together with Haci Hüsnü Yakut and a number of other detainees were taken to the Çevik Kuvvet (Rapid Force) Detention Centre in Diyarbakir. Faysal Eren and Kerem Eren claim that they were subjected to hanging by the wrists, being sprayed with pressurised cold water, and electric shocks. They report that during interrogation they were repeatedly asked: "Why and how do you help the PKK (Kurdish Workers' Party)?".

A number of those detained were shepherds, and their flocks remained on the mountain while they were in custody. They state that hundreds of their animals were lost during those days. During this time, some of the buildings on the high pastures were reportedly blown up by the security forces.

On 3 June 1991 the detainees were brought before Diyarbakir State Security Court where all were released apart from Haci Hüsnü Yakut, who was arrested and is now in pre-trial custody at Diyarbakir No 1 E-type prison.

Thanks to all those who took part in the original action. No further appeals concerning the fear of torture are required as the risk is now over.

None of the detainees was given facilities to appoint or consult with legal counsel, in disregard of the latest Circular issued on 7 May 1991 by the Ministry of Justice, which drew prosecutors' attention once again to detainees' right to legal counsel.

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

- regretting that the circular issued by the Ministry of Justice on 7 May 1991 drawing prosecutors' attention to detainees' right to appoint and consult with legal counsel at all stages of their interrogation was apparently ignored;
- regretting that this omission resulted in the allegations of torture made by Faysal and Kerem Eren, and asking that the claims should be independently and partially investigated.

APPEALS TO

Emergency Legislation Governor:

Mr Hayri Kozakçio_lu
Ola_anüstü Hal Valisi
Diyarbakir, Turkey

Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey

Telexes: 72110 OHVT TR
72084 DYVA TR "please forward to the
Governor"

72090 JASY TR

Faxes: +90 831 26174

Minister of the Interior:

Mr Abdülkadir Aksu
Içi_leri Bakanli_i
06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Telexes: 46369 ICSL TR

Faxes: +90 41 28 43 46

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 24 June 1991.