

EXTERNAL (for general distribution)

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Fear of Torture

4 October 1993

TURKEY: Nilufer Koç (female), Kurdish interpreter of Turkish origin, student in Germany.

Amnesty International is concerned for the safety of Nilufer Koç who was detained on 29 September 1993. She is being held incommunicado, and the organization fears that she may be tortured.

Nilufer Koç has lived in Germany, where she has permanent residency, for the last twenty years. On 25 September 1993 she travelled to Turkey with four colleagues from an information service in Bremen - a lawyer, a trade-unionist, a publisher and his wife - to act as interpreter for them while they carried out research in the Southeastern provinces of Turkey.

On 29 September they were arrested by security forces in Uludere, _irnak province, and kept overnight in the house of a village guard. The following day they were escorted back to _irnak in a military convoy and held, first by the police and then by the gendarmerie (soldiers carrying out police duties). At this point Nilufer Koç was separated from her colleagues who were subsequently released.

It is understood that Nilufer Koç is being held in the Gendarmerie Headquarters in _irnak, and that the local prosecutor has given permission for her to be detained for questioning for 15 days. After the 15 days have elapsed she will appear before a judge who may release her or order her formal arrest and imprisonment pending trial. Since _irnak falls within the Emergency Powers Region, it is also possible that her period of detention could be further extended to 30 days.

BACKGROUND INFORMATION

Turkey has a Kurdish ethnic minority estimated at some 10 million people, living mainly in southeastern Turkey. Since 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.

The security forces and the PKK are both involved in large-scale military operations covering the entire region. A state of emergency continues to be in force in 10 provinces in the region, of which _irnak is one, 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 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 10 provinces under emergency legislation the maximum detention period for political detainees may be doubled to 30 days.

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 Nilufer Koç, a resident of Germany, detained 29 September 1993 and held incommunicado at _irnak Gendarmerie Headquarters;

- urging that she be brought promptly before a judge, and that she 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;

- requesting to be informed of any charges brought against Nilufer Koç.

APPEALS TO

1) Emergency Legislation Governor:

Mr Ünal Erkan

Ola_anüstü Hal Valili_li

Diyarbakir, Turkey

Telegrams: Ola_anüstü Hal Valisi, Diyarbakir, Turkey

Faxes: +90 832 26 174

Salutation: Dear Governor

2) Minister of Foreign Affairs:

Mr Hikmet Çetin

Ministry of Foreign Affairs

D__i__leri Bakanl____

06100 Ankara, Turkey

Telegrams: Foreign Minister, Ankara, Turkey

Faxes: +90 4 287 3869

Salutation: Dear Minister

COPIES OF YOUR APPEALS TO:

Minister of National Education

Mr Koksall Toptan

Milli E_itim Bakanli_i

Ankara, Turkey

Telegrams: Education Minister, Ankara, Turkey

Faxes: 90 4 417 7027

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 November 1993.