

EXTERNAL (for general distribution)

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EXTRA 86/92

Fear of Torture

27 October 1992

TURKEY:

Mohammed Ali Akgül, aged about 18

Hasan Aldur, aged about 18

Amnesty International is concerned about the safety of Mohammed Ali Akgül and Hasan Aldur who were detained on or around 19 October 1992 and have been held incommunicado since.

The two young Kurds, both aged about 18 and cousins, are from the village of Mizizeh near Midyat in the province of Mardin. Both have been detained previously (see UA 163/91 of 10 May 1991, AI Index: EUR 44/59/91) as have close relatives living in the same village (see UA EXTRA 54/92 of 20 May 1992, AI Index: EUR 44/48/92). Those detained in May 1992 were released about three weeks ago, after having allegedly been severely tortured. After their release a wedding was celebrated in the village during which PKK (Kurdish Workers Party) guerrillas are said to have appeared in the village and taken prisoner a man whom they later released. Following this incident, seven trucks full of soldiers came to the village on or around 19 October 1992 and the soldiers detained 12 of the villagers. Ten were released on 23 October 1992, including Hüseyin Demir, Hasan Demir and Nihat Aydo_du, all close relatives of Mohammed Ali Akgül and Hasan Aldur. The two cousins, however, were not released, but continue to be held incommunicado, presumably at the Gendarmerie Headquarters in Mardin (Mardin Alay Jandarma Komutanl). It is feared that they are again being interrogated under torture, possibly about suspected links with the guerrillas of the PKK.

BACKGROUND INFORMATION

Turkey has a Kurdish ethnic minority which is estimated to number some 10 million people, living mainly in southeastern Turkey. Since August 1984, when guerrillas of the Kurdish Workers' Party (PKK) started armed attacks against the security forces, an alarming number of reports of ill-treatment of detainees by the security forces have come from the eastern and southeastern provinces. Furthermore, allegations of over 100 extrajudicial executions have been received during the past 12 months. More than 4,000 lives have so far been lost on both sides and among the civilian population in the continuing fighting. Emergency legislation is in force in 10 provinces in the region 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. 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. 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. Under current legislation the maximum period a detainee may be held 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 10 provinces, including Mardin province.

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

- urging that Mohammed Ali Akgül and Hasan Aldur be not subjected to any form of ill-treatment while being held in custody;
- asking to be informed of any charges brought against the two detainees.

APPEALS TO:

1. Mardin Chief Prosecutor:

State Prosecutor's Office
Cumhuriyet Ba_savc_l____
Mardin, Turkey

Telegrams: Cumhuriyet Bassavciligi, Mardin, Turkey

Salutation: Dear Sir

2. Mardin Gendarmerie Commander:

Albay Enver Uysal (Colonel)
Alay Jandarma Komutan_
Alay Jandarma Komutanl____
Mardin, Turkey

Telegrams: Alay Jandarma Komutani, Mardin, Turkey

Telexes: 72004 jimr tr

Salutation: Dear Colonel Uysal

3. Minister of the Interior:

Mr _smet Sezgin
_çi_leri Bakanl____
06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Telexes: 46369 IC SL TR

Faxes: +90 4 418 1795

Salutation: Dear Minister

COPIES OF YOUR APPEALS TO:

President of the Parliamentary Human Rights Commission

nsan Haklar Ara_t_rma Komisyonu Ba_kan_
TBMM

Ankara, Turkey

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 20 November 1992.