

EXTERNAL (for general distribution)

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EXTRA 97/92

Fear of Torture/ Death in custody

6 November 1992

TURKEY: _ükrü Y_lmaz) brothers
 Habip Y_lmaz)
 _rfan Solak] brothers
 Salih Solak]
 Bahri Gitmez
 Serhat Baytar
 M_irin Do_an
 Resul Balta
 Ebubekir Güne_

and the three brothers:

Nuri Adl_k
Tahsin Adl_k
Hac_ Adl_k

and Ramazan Altunsöz (died on or about 30 October 92)

Amnesty International is concerned about those named above who were taken into custody, mostly from their homes, on various dates since 16 October 1992 and are now held at Batman Police Headquarters. Neither relatives nor lawyers have been permitted access to the detainees, and the public prosecutor has reportedly given no indication as to how long they will be held.

Those most recently detained were Nuri, Tahsin, and Hac_ Adl_k who were taken into custody on 5 November 1992, as was Habip Y_lmaz, who went to the police station to inquire about the welfare of his brother _ükrü Y_lmaz.

_ükrü Y_lmaz had alleged previously that he was tortured in Batman Gendarmerie in March 1992. According to his account, he was blindfolded and hoisted into the air by his arms which were tied to an iron pipe. Electric shocks were given through his toes, penis and anus. A bottle or truncheon was inserted into his anus, while another interrogator squeezed his testicles. He also claimed that he was subjected to *falaka* (beating on the soles of the feet). _ükrü Y_lmaz made a formal complaint about his torture, which was supported with medical reports. Like all such complaints in the provinces under emergency legislation, it must first be approved by the local governor's office (responsible for police matters) before legal proceedings can begin. The complaint is still at the governor's office, no action having been taken in the intervening seven months.

Among those taken into custody at the beginning of this wave of detentions was Ramazan Altunsöz, who was taken from his home and interrogated at Batman Police Headquarters on 21 October 1992. After a week in incommunicado detention, he was taken to hospital and treated for gastritis, before being returned to the Police Headquarters for further interrogation. Three days later, on 31

October, his body was returned to his family and the local governor announced that he had died of "diseases of the stomach and kidney". The official medical cause of death was given as "haemorrhage of the lungs and acute gastritis" but his family photographed bruises and other marks on his chest, shoulder, armpits, arms and knee after his death. Ramazan Altunsöz was the third person to die following interrogation at Batman Police Headquarters this year.

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BACKGROUND INFORMATION

Speaking in Batman on 4 November 1992, in connection with the cross-border operation in Northern Iraq against bases of the Kurdish Workers' Party (PKK) which the Turkish armed forces have been conducting since 16 October, the Emergency Region Governor Ünal Erkan told press representatives that a crack-down on rebels inside Turkey was to be expected after the operation ended. "After the operation, the time will come for inside Turkey."

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 Batman province.

RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters in English or your own language:

- urging that those detainees named above who are being held in incommunicado detention at Batman Police Headquarters be permitted access to their families and to legal counsel, and are not subjected to any form of torture or ill-treatment;

- urging that a thorough and impartial investigation be initiated into the death in custody of Ramazan Altunsöz, and that those responsible be brought promptly to justice.

APPEALS TO

1) Minister of the Interior:

Mr _smet Sezgin

Salutation: Dear Minister

_çi_leri Bakanl____

06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Telexes: 46369 IC SL TR

Faxes: + 90 4 418 1795

2) Prime Minister:

Mr Süleyman Demirel

Salutation: Dear Prime Minister

Office of the Prime Minister

Ba_bakanl_k

06573 Ankara, Turkey

Telegrams: Prime Minister, Ankara, Turkey

Telexes: 44061/44062/44063 bbmt tr, 42099 basb tr, 42875 bbk tr

Faxes: + 90 4 417 04 76, + 90 4 230 88 96

COPIES 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 30 November 1992.