

EXTERNAL (for general distribution)

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Fear of Torture

5 October 1990

**TURKEY:**

Ali Av\_ar  
 Mensure Av\_ar (f), mother of five  
     small children, wife of Ali  
 Sait Av\_ar, male nurse  
 Songül Av\_ar (f), nurse, wife of Sait  
 Tevfik Av\_ar, brother of Ali and Sait  
 Servet Çerçel  
 Tahir Ulu\_  
 Cevdet \_pek  
 Sait K\_l\_ç  
 \_erif P\_nar  
 Hüseyin Çerçel  
 Arif Çerçel  
 Yemlihan Çerçel  
 \_ehmuz Kurudere  
 Vahit ...  
 Aliko ...  
 Abdükerim Av\_ar  
 Hamdullah ...  
 Ekrem K\_z\_lkaya and his brother  
 \_hsan K\_z\_lkaya

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Between 21 and 27 September 1990 some 30 people were detained in an operation by the security forces in and around Bismil. The reason for the arrests is not known. Two of the detainees were released on 2 October and five others since, but it is not known who they were. Most of those named above continue to be held incommunicado at Diyarbakir Rapid Force Headquarters and it is feared that they may be subjected to torture during interrogation.

**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 and the number of torture allegations increased substantially after the 1980 military coup. 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 2000 lives so far have been lost in the continuing fighting.

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. Allegations of torture have continued since the transfer of power to a civilian government in 1983. 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 Bismil and Diyarbakir.

Lawyers in the region have been finding recently that they can often meet detainees if they already hold a power of attorney, but for this to happen the detainees must already have appointed a lawyer as their legal representative before arrest. Otherwise no lawyer is granted access, because none has been authorized to speak to them.

**RECOMMENDED ACTION:** Telexes/faxes/telegrams/express letters/airmail letters:

- urging that all detainees be granted prompt access to their families and that they are provided with an opportunity to appoint and consult with a lawyer of their choice;
- requesting to be informed of any charges against them.

**APPEALS TO:**

Prime Minister Yildirim Akbulut  
Office of the Prime Minister  
Basbakanlik  
Ankara, Turkey

Telegrams: Prime Minister, Ankara, Turkey  
Telexes: 44061/44062/44063 bbmt tr  
42099 basb tr  
42875 bbk tr  
Faxes: 90 41 17 04 76 PRIME MINISTER

Diyarbakir Emniyet Müdürü  
Aydin Genc  
Diyarbakir Chief of Police  
Diyarbakir, Turkey

Telegrams: Emniyet Muduru, Diyarbakir, Turkey

**COPIES TO:** diplomatic representatives of Turkey in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Please check with the International Secretariat, or your section office, if sending appeals after 4 November 1990.