

EXTERNAL (for general distribution)

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EXTRA 75/91

Fear of Torture

6 November 1991

TURKEY:

Rauf Y\_ld\_z )

Murat Güne\_ ) all detained 3 November

Ibrahim Burakmak )

Hanifi Eser

detained 5 November

A number of people have been detained in Diyarbak\_r during the last four days including those named above who are being held incommunicado at Diyarbak\_r Police Headquarters. The reason for their detention is not known. Another detainee who was taken into custody at the same time, but released after 24 hours, said that although he was slapped and punched he was not tortured. However, he also said that he had heard shouts and screams which he felt indicated that detainees were being tortured there. All those named above are members of the large Kurdish minority who mainly live in southeast Turkey.

**BACKGROUND INFORMATION:**

Turkey has a Kurdish ethnic minority which is estimated to number some 10 million people. Any activity for a separate Kurdish political identity is punishable under Turkish law. The Kurdish population lives mainly in southeastern Turkey. 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. Some 3000 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. In May 1990 the Turkish government issued Decrees 424 and 425 (in December replaced by Decree 430), further extending the powers of the Emergency Legislation Governor.

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 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 Diyarbak\_r province.

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

- urging that Rauf Y\_ld\_z, Murat Güne\_, Ibrahim Burakmak and Hanifi Eser are given prompt access to their family, an opportunity to appoint and consult with lawyer and that they are not ill-treated while in detention;

- requesting to be informed of any charges against them.

**APPEALS TO:**

1) Diyarbak\_r Chief of Police:

Mr Ramazan Er

Dear Sir

Diyarbak\_r Emniyet Müdürü

Diyarbak\_r, Turkey

**Telegrams: Emniyet Muduru, Diyarbakir, Turkey**

2) Prime Minister:

Prime Minister Mesut Y\_lmaz

Dear Prime Minister

Office of the Prime Minister

Ba\_bakanl\_k

06573 Ankara, Turkey

**Telegrams: Prime Minister, Ankara, Turkey**

**Telex: 44061/44062/44063 bbmt tr;**

**42099 basb tr;**

**42875 bbk tr**

**Faxes: + 90 41 17 04 76 PRIME MINISTER or**

**+ 90 42 30 88 96 (attn: Prime Minister)**

3) Emergency Legislation Governor:

Mr Necati Çetinkaya

Dear Sir

Ola\_anüstü Hal Valisi

Diyarbak\_r, Turkey

**Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey**

**Telex: 72110 OHVT TR;**

**72090 JASY TR;**

**72084 DYVA TR "please forward to the Governor"**

**Faxes: + 90 831 26174**

**COPIES TO:**

President of Parliamentary Human Rights Commission:

Mr Eyüp A\_k

\_nsan Haklar\_ Ara\_t\_rma Komisyonu Ba\_kan\_

TBMM  
Ankara, Turkey  
**Fax: +90 4 11 91 664 or +90 4 42 06 941**

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 4 December 1991.