

EXTERNAL (for general distribution)

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Fear of Torture

6 November 1991

TURKEY:

From the town of Nusaybin, Mardin province:

Ferzende Bar__
Abdurrahman Su_ut
Abdurrahman Cihan
Saadettin Aslan
Hüsnü Sayg_l_
Emin Aslan

Hasan Bozkurt -chairperson of Nusaybin local committee of People's Labour Party (HEP)
Mehmet _erif Çetin)
Mahmut Oral)members of Nusaybin local
Hasan Bozdemir)committee of People's
Zinaver Ayaz) Labour Party (HEP)

From the village of Güremara (Kurdish name, official Turkish name not known), near Nusaybin, Mardin province:

Muhittin Yildiz
Mahmut Gündüz
Ahmet Fidan
Mehmet Emin ___k
Halil ___k
Ekrem Y_ld_z

From the village of Karata_, Derik, Mardin province:

Adem Seyhan - village headman and his son
Musa Seyhan

All those named above, members of Turkey's large Kurdish minority, were taken into custody on or around 3 November 1991 during a major operation during which more than a hundred people are said to have been detained. There have been no armed clashes in recent days.

It is believed that the detentions may be connected with party activities leading up to the recent elections in Turkey [the People's Labour Party (HEP) united with the Social Democratic Populist Party (SHP), resulting in the election from southeast Turkey of a number of Kurdish deputies who had been HEP members].

The detainees are probably being held in Mardin Gendarmerie Regimental Headquarters and in Mardin Police Headquarters. During 1991 there have been numerous reports of severe torture and ill-treatment from both interrogation centres where detainees are routinely denied

access to legal counsel and held incommunicado for up to 30 days. It is therefore feared that the detainees named above may be subjected to torture.

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 ten 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 Mardin province.

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

- urging that those named above are not ill-treated while in detention and that they are brought before a judge without delay;
- requesting to be informed of any charges against them.

APPEALS TO

1) Mardin Chief of Police:

Emniyet Müdürü Mehmet Böke
Mardin Emniyet Müdürlüğü
Mardin, Turkey

Chief of Police Mehmet Böke

2) Mardin Gendarmerie Headquarters:

Alay Komutanı Albay Enver Uysal
Mardin Jandarma Alay Komutanlığı
Mardin, Turkey

Colonel Enver Uysal

Telex: 72004 jimr tr

3) Minister of the Interior:

Mr Sabahattin Çakmakolu
İçişleri Bakanlığı
06644 Ankara, Turkey

Dear Minister

Telegrams: Interior Minister, Ankara, Turkey

Telex: 46369 IC SL TR

Fax: + 90 4 118 1795

+ 90 4 125 6520 (Ministry of Interior)

4) Emergency Legislation Governor:

Mr Necati Çetinkaya
Olağanüstü Hal Valisi
Diyarbakır, Turkey

Dear Sir

Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey

Telex: 72110 OHVT TR; 72090 JASY TR;

72084 DYVA TR "please forward to the Governor"

Fax: +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.