

EXTERNAL (for general distribution)

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EXTRA 78/91

Fear of Torture

8 November 1991

**TURKEY**

From the village of Yardere (Kurdish name: Kurdise):

Mizgin Çelik (f), aged 14

Mülkiye Ç\_vak (f), aged 15 )

Hatice Ç\_vak (f), aged 16 ) cousins

Yeter Ç\_vak (f), aged 15 )

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From the village of Aytepe (Kurdish name: Kurkaçeto):

Halime Kavak (f), aged 17

All those named above, members of Turkey's large Kurdish minority, were taken into custody on 8 November 1991. An estimated 200 members of the Special Team, a branch of the security forces, wearing local clothes rather than uniforms made a raid at 4.00 am on 8 November on the village of Yardere. The security forces searched houses, but found no publications or arms.

No reason was given for the arrests. Those making the arrest said that the girls would be taken to "Mardin Centre". During 1991 there have been numerous reports of severe torture and ill-treatment from both Mardin Gendarmerie Regimental Headquarters and Mardin Police Headquarters 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.

It is thought that the raid and arrests at Yardere and Aytepe may be connected with the operation described in EXTRA 76/91 (EUR 44/147/91, 6 November 1991).

**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.

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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:**

***Please bring this urgent action to the attention of the person in your section responsible for work on women and young people.***

- 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

Dear Sir

**Telegrams: Mardin Emniyet Muduru, Mardin, Turkey**

2) Mardin Gendarmerie Headquarters:

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

Dear Sir

**Telegrams: Jandarma Komutanlığı, Mardin, Turkey**

**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 ICSL TR**

**Fax: + 90 4 118 1795**

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"

**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 6 December 1991.