

EXTERNAL (for general distribution)

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Health Concern

30 October 1990

TURKEY: Ayhan Aksözek, lawyer
Musa Çakmak, headman of Yukar_çepik village

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Since around 15 October 1990 waves of arrest have been carried out by the security forces in Kars and surrounding villages. Among the people taken into police custody was Ayhan Aksözek, a lawyer and the deputy president of the Turkish Human Rights Association (_HD) branch in Kars, who was detained on 24 October after visiting a client in police custody, who had been detained earlier. Allegedly, while himself in detention, he was "abused" and had a heart attack. He suffers from a heart condition and his family took his medicine to Kars Police Headquarters, where he was held incommunicado, but they do not know whether the medicine was given to him. Ayhan Aksözek was seen when he was formally arrested in the evening of 26 October and was reportedly in a very poor state of health.

Musa Çakmak, the headman of Yukar_çepik village, was detained on an unknown date and allegedly severely tortured during incommunicado detention at Kars Police Headquarters. Reportedly he was given electric shocks, hung upside down and beaten on his legs, which were badly swollen at the time he was formally arrested, which was also in the evening of 26 October.

Some 16 people in all were formally arrested on charges of belonging to an illegal organization and committed to Kars Prison. Most are reported to have been interrogated under torture and all are likely to be transferred to Erzincan Special Type Prison to stand trial in Erzincan State Security Court.

BACKGROUND INFORMATION (Note to Translator: These two paragraphs are the same as the first two paras of UA 429/90 except for the omission of the last sentence)

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.

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

- urging that Ayhan Aksözek and Musa Çakmak are given access to an independent doctor and that they are afforded all medical attention they require;
- appealing for a thorough, independent and impartial investigation into allegations that the detainees were tortured in Kars Police Headquarters and that statements found to have been extracted under torture are not used as evidence except in court actions brought against the torturers;
- requesting to be informed of its methods and findings.

APPEALS TO

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Faxes: 90 41 25 40 66 JUSTICE MINISTER

COPIES TO: Diplomatic representatives of Turkey in your country

and to

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PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 29 November 1990.