

EXTRA 01/99

Fear of Torture / Fear for safety

5 January 1999

TURKEY Ramazan Mu_tak, aged 71

Sons of Abdurrahman Mu_tak (himself not detained)

Kamil Mu_tak and his sons:

Süleyman Mu_tak and his sons:

(21 Mu_tak family members in total)

Ramazan Kayar and 12 others from the Kayar family

Mehmet Ba_lan

E_ref Ba_lan

Süleyman Erdo_mu_

Muhittin Erdo_mu_

On 3 January 1999 at least 38 men from Ye_ilyurt village, in the province of _irnak, were detained after clashes with soldiers and village guards. They are now in incommunicado detention in nearby Cizre where they are at risk of torture in police custody.

Hostility between villagers in Ye_ilyurt and the security forces goes back more than 10 years. The cause has been the refusal by some families to join the village guard militia (villagers paid and armed by the government to fight the illegal armed Kurdish Workers' Party - PKK).

In 1989, security forces reportedly smeared the mouths of some of the dissenting villagers with excrement, leading Abdurrahman Mu_tak, headman of the village, to successfully take the case to the European Court of Human Rights in Strasbourg. This resulted in the villagers being awarded compensation by the Turkish authorities. The officer in charge was later convicted of ill-treatment by a Turkish court. Since then the families concerned have been continually harassed and attacked by security forces which has, in turn, forced most of the men out of the village.

On 25 December 1998 the children of the families concerned were attacked by village guards in an apparent attempt to drive them out of the village. Subsequent confrontations between villagers and village guards have resulted in some village guards needing hospital treatment and armed retaliation by soldiers.

When, on 31 December, village guards arrived in Ye_ilyurt with soldiers to try to resettle a number of village guard families a fierce argument ensued between the families opposed to the village guard system, who feared it might force them out of their village, and the commanding officer. On 3 January 1999 the dispute had escalated, leading to a villager being shot and wounded and the villagers attacking the soldiers and village guards.

BACKGROUND INFORMATION

People suspected of offences under Turkey's Anti-Terror Law of 1991 can be held in police custody without access to family, friends or legal counsel for up to four days. The detention period may be increased to 10 days in the six provinces currently under State of Emergency, which include _irnak province, and to seven days in the rest of Turkey. During the extended detention period detainees have the right of access to a lawyer, which in most cases is denied.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or your own language:

- expressing concern for the safety of 38 villagers from Ye_ilyurt village detained on 3 January 1999 and held in incommunicado detention in Cizre;
- urging that they are not tortured or ill-treated;
- asking to be informed of any charges that may be brought against them;
- reminding the government of Turkey of its commitment to the Universal Declaration of Human Rights, in particular Article 5: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment".

APPEALS TO:

Chief of Staff of the Gendarmerie

General Rasim Betir

Jandarma Kuvvetleri Komutanl____

Bakanl_klar

Ankara, Turkey

Telegrams: Jandarma Genel Komutani, Ankara, Turkey

Faxes: + 90 312 418 9208

Salutation: Dear General

Minister of the Interior

Mr Kutlu Akta_

Içisleri Bakanli_i

Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Faxes: + 90 312 418 9208

Salutation: Dear Minister

Minister of Justice

Mr Hasan Denizkurdu

Adalet Bakanli_i

06659 Ankara, Turkey

Telegrams: Justice Minister, Ankara, Turkey

Faxes: + 90 312 418 5667

Salutation: Dear Minister

COPIES TO:

State Minister with responsibility for Human Rights

Mr Hikmet Sami Türk

Office of the Prime Minister

Ba_bakanl_k

06573 Ankara, Turkey

Faxes: + 90 312 417 0476

and to diplomatic representatives of Turkey accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 3 February 1999.

"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

Article 5, Universal Declaration of Human Rights

Visit the Amnesty International UDHR campaign website on <http://www.amnesty.excite.com>