

**EXTERNAL (for general distribution)**

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**EXTRA 01/92 Fear of Torture**

**8 January 1992**

**TURKEY: Mehmet Çelik (aged 36 or 37) of Ba\_bu\_ village near Silvan**

Mehmet Çelik, a Kurd, of Ba\_bu\_ village near Silvan was called to give a statement to the police at Kozluk, in the province of Batman. There has been a series of detentions in his home village. Mehmet Çelik went to Kozluk on 7 January 1991 to give his statement and was subsequently detained there. No definite information has been given as to his current whereabouts, but it is believed that he is being held in Kozluk or Batman Police Headquarters. It is feared that he may be subjected to ill-treatment or torture in detention.

#### **BACKGROUND INFORMATION**

Turkey has a Kurdish ethnic minority which 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. 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 1991 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 Batman.

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

- urging that Mehmet Çelik's family is notified of his whereabouts, that he is given prompt access to them and facilities to appoint and consult legal counsel;
- urging that Mehmet Çelik is not ill-treated while in detention;
- requesting to be informed of any charges against him.

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**APPEALS TO:**

1) Minister of the Interior:

Mr \_smet Sezgin

\_çi\_leri Bakanl\_\_\_\_

06644 Ankara, Turkey

**Telegrams: Interior Minister, Ankara, Turkey**

**Telexes: 46369 IC SL TR**

**Faxes: + 90 4 118 1795**

**Salutation: Dear Minister**

2) Emergency Legislation Governor:

Mr Necati Çetinkaya

Ola\_anüstü Hal Valisi

Diyarbak\_r, Turkey

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

**Telexes: 72110 OHVT TR**

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

**72090 JASY TR**

**Salutation: Dear Governor**

**COPIES TO:**

State Minister:

Mr Mehmet Kahraman

Devlet Bakan\_

Ba\_bakanl\_k

06573 Ankara, Turkey

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 19 February 1992.