

EXTRA 84/99

Fear of t**TURKEYS rr Usta**

S_rr_ Usta was violently detained by plainclothes police officers on 6 July 1999. Amnesty International is concerned he may have been injured when he was detained, and that he may be tortured or ill-treated in police custody.

S_rr_ Usta was detained in the Nurtepe district of Istanbul. At about 11am local people who knew him saw plainclothes policemen fire five or six shots and try to drive into him, in front of a grocer's shop next to the mosque. He was taken away in one of the two police vehicles involved. The authorities have confirmed to his lawyer and Amnesty International that he is now held at Istanbul Police Headquarters Anti-Terror Branch.

For the previous two or three weeks S_rr_ Usta had been followed by people thought to be members of anti-terror teams.

He had been detained in 1996, and charged with membership of an illegal organization. The charge was later reduced to one of assisting an illegal organization, under Article 169 of the Turkish Penal Code. He was released from prison in 1998, but his trial continues. He was severely tortured in police detention, and lodged a formal complaint about the torture. Amnesty International has been unable to confirm whether a trial has been opened against the alleged torturers.

BACKGROUND INFORMATION

People suspected of offences under Turkey's Anti-Terror Law can be held in police custody without access to family, friends or legal counsel for up to four days. This period may be increased to seven days. During the extended detention period detainees have the right of access to a lawyer, but in most cases this right is denied.

When not being interrogated, detainees are held in cramped, airless and insanitary conditions. With no access to the outside world they are at the mercy of their interrogators. Torture is often applied to extract confessions, to elicit information about illegal organizations, to intimidate detainees into becoming police informers or as informal punishment for presumed support of illegal organizations. Torture methods in Turkey documented by Amnesty International include severe beatings, being stripped naked and blindfolded, hosing with pressurized ice-cold water, hanging by the arms or wrists bound behind the victim's back, electro-shock torture, beating the soles of the feet, death threats and sexual assault.

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

- expressing concern at reports that S_rr_ Usta may have been injured when he was detained, and asking the authorities to ensure he receives prompt medical treatment, if necessary;
- urging that S_rr_ Usta is not tortured or ill-treated;
- asking to be informed of any charges that may be brought against him;
- reminding the authorities of their obligations under Law 4229 to allow people held in police custody access to legal counsel, and to bring such people before a judge within the period of time set out in Law 4229;

- reminding the government of its obligations under Article 3 of the European Convention on Human Rights, to which Turkey is a state party, which states: "No one shall be subjected to torture or to inhuman or degrading treatment or punishment";
- asking for information about any legal procedures resulting from his complaint relating to torture allegations when he was previously held in detention.

APPEALS TO:

Istanbul Chief of Police

Istanbul Emniyet Müdürü

Istanbul Emniyet Müdürlüğü

Vatan Caddesi, Istanbul, Turkey

Telegrams: Istanbul Emniyet Müdürü, Istanbul, Turkey

Faxes: +90 212 534 8571

Salutation: Dear Chief of Police

Minister of the Interior

Mr Saadettin Tantan

İçişleri Bakan

İçişleri Bakanlığı, 06644 Ankara, Turkey

Telegrams: İçişleri Bakan, Ankara, Turkey

Faxes: + 90 312 418 9208

Salutation: Dear Minister

Minister of Justice

Professor Hikmet Sami Türk

Adalet Bakan,

Adalet Bakanlığı,

06659 Ankara, Turkey

Telegrams: Adalet Bakan, Ankara, Turkey

Faxes: + 90 312 418 5667

Salutation: Dear Minister

COPIES TO:

State Minister with responsibility for Human Rights

Mr Mehmet Ali İrtemçelik, Office of the Prime Minister

Bağbakanlık, 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 18 August 1999.