

PUBLIC **AI Index: EUR 44/050/2001**

UA 203/01 **Torture & ill-treatment/fear for safety/prisoner of conscience**
9 August 2001

TURKEY **Osman Baydemir (m), lawyer and leading human rights defender**
Rasim Açar (m), 18 years old

Leading human rights defender Osman Baydemir has been arrested while he was with a delegation investigating human rights abuses in southeast Turkey. His whereabouts are now unknown, and he is at grave risk of torture. Eighteen-year-old Rasim Açar was arrested after he testified to the delegation, and has reportedly been tortured in custody.

Osman Baydemir is vice-president of the Human Rights Association (İHD). He had travelled to Diyarbakır with a group of 10 people made up of representatives from Turkish human rights organizations including the İHD and the Turkish Human Rights Foundation (TİHV) as well as trade unionists and journalists to investigate allegations of torture and other human rights violations by the security forces.

On 8 August they had taken testimony from Rasim Açar in Beytüşşebap. He was afraid that speaking to the group would put him in danger, so they were taking him home in their vehicles when they were stopped and searched at a gendarmerie checkpoint.

The gendarmes detained Rasim Açar, but released the others after confiscating their notes and videos, which apparently contain testimony from Rasim Açar and others about human rights violations committed by the security forces.

Three lawyers from the group were able to visit him at the gendarmerie headquarters in Diyarbakır the following day. They saw that he had had electrodes attached to his testicles and toes, and had been hung up by his arms which had been tied behind his back. He told them that the gendarmes had forced him to sign a confession that the delegation had bribed him to give them false testimony against the security forces.

Osman Baydemir was taken in for questioning by the prosecutor in Diyarbakır town on 9 August, in connection with these allegations against Rasim Açar and the delegation. He was released but rearrested as he left gendarmerie headquarters, and taken away in a car. Amnesty International considers him a prisoner of conscience.

BACKGROUND INFORMATION

Osman Baydemir is the head of the İHD branch in Diyarbakır which operates in the most sensitive region in Turkey, with the largest number of human rights violations. Earlier this year he received several death threats, including some from plainclothes police officers. (See UA 92/01, EUR 44/022/2001, 10 April, and follow-ups)

The İHD is Turkey's largest human rights organization, with some 19,000 members. At least 10 İHD members have been killed since 1991. In most cases the killers have never been identified, and members of the Turkish security forces have been strongly implicated in some of the killings. The Turkish authorities have tried to discredit the İHD, linking them to the outlawed Kurdistan Workers' Party (PKK). Several branches have been closed on various pretexts, and many senior members have been put on trial.

Widespread human rights violations have been reported for some years in the predominantly Kurdish region of Diyarbakır, and they continue to take place. In January this year Serdar Tanış and Abubekir Deniz "disappeared" after they went to a gendarmerie station (see UA 26/01, EUR 44/0007/2001 30 January, and follow-ups EUR 244/010/2001, 26 February, and EUR 44/019/2001, 29 March).

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, German or your own language:

- expressing concern for the safety of Osman Baydemir and Rasim Açar who have been arrested in Diyarbakır;

- asking the authorities to ensure that Osman Baydemir and Rasim Aar are not tortured or ill-treated;
- 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";
- pointing out that Amnesty International believes that Osman Baydemir has been detained solely because of his human rights work and therefore considers him a prisoner of conscience who should be released immediately and unconditionally;
- urging the authorities to ensure that none of the other people who made statements to the delegation are subjected to torture or ill treatment by the security forces;
- asking that human rights defenders are allowed to pursue their lawful role of monitoring and reporting on human rights matters as set out in the UN Human Rights Defenders Resolution.

APPEALS TO:

Minister of the Interior

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06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Fax: + 90 312 418 17 95

Salutation: Dear Minister

 rnak Gendarmerie Headquarters

Jandarma Komutanl 2
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Fax: +90 486 216 6517

Telegrams: Sirk Jandarma Komutanl 2 Sirk, Turkey

Salutation: Dear Commander

Governor of the Provinces under Emergency Rule

Mr G khan Aydiner
Ola—an st  Hal Valisi
Diyarbak2r, Turkey

Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey

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Salutation: Dear Governor

Minister of Justice

Prof Hikmet Sami T rk
Ministry of Justice
Adalet Bakanl 2■2
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Telegrams: Justice Minister, Ankara, Turkey

Faxes: + 90 312 417 3954 / 418 5667

Salutation: Dear Minister

COPIES TO:

State Minister with responsibility for Human Rights

E. Safer Gaydali,
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Salutation: Dear Minister

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 21 September 2001.