

PUBLIC

AI Index: EUR 44/51/98

Distrib: PG/SC

To: Health professionals
From: Medical Office / Western Europe Team
Date: 11 December 1998

MEDICAL LETTER WRITING ACTION

Deaths in custody: Failure of medical reporting TURKEY

Theme: deaths in custody / torture and ill-treatment / failure of medical reporting

Summary

Amnesty International is concerned about reports of continuing raids on the offices of the People's Democracy Party [HADEP] in Turkey, following the arrest in Italy on 12 November of Abdullah Öcalan, General Secretary of the illegal Kurdish Workers' Party [PKK]. Two HADEP supporters have died in police custody since 16 November 1998. In both cases misleading medical reports appear to have been produced to account for the deaths.

Amnesty International is seriously concerned about this failure of medical reporting and is calling on the Turkish authorities to immediately launch independent inquiries into the cause of death in both cases, and to investigate claims that medical evidence in both cases appears to have been suppressed under pressure from the police.

Recommended Actions

Appeals are requested from health professionals to the addresses below:

- introducing yourself as a member of Amnesty International's health professional network
- expressing concern at the recent deaths in custody of two HADEP supporters, Hamit Çakar and Metin Yurtsever, who had been detained following police raids on HADEP party offices in Diyarbakır and Kocaeli
- expressing concern about allegations that misleading medical reports have been issued in both cases
- calling on the Minister to urgently launch independent inquiries into these allegations and the circumstances surrounding the deaths of the two detainees in accordance with international human rights standards

If you receive no reply from the government or other recipients within two months of dispatch of your letter, please send a follow up letter seeking a response. Please check with the IS medical team if you are sending appeals after 22 January 1999, and send copies of any replies you do receive to the International Secretariat (att: medical team).

ADDRESSES

Mr Hasan Denizkurdu
Minister of Justice
Adalet Bakanl____
06659 Ankara
Turkey
Fax: +90.312.418.5667
Salutation: Dear Minister

COPIES

General Director of Police
Mr Necati Bilican
Emniyet Genel Müdürlü_ü
Bakanl_klar
Ankara, Turkey
Salutation: Dear Sir

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

Turkish Medical Association
Mithatpasa Cad. N° 62/15-17-18
06420 Yenisehir
Ankara
Turkey
Fax: +90.312.471.2672
Email: TTBO@Servis2.Net.TR

Adl_ Tip Kurumu Bakanl____ [Forensic Body]
Esekapi/Cerrahpasa
Istanbul, Turkey
Tel: 90-212-5850660
Fax: 90-212-530.7438/7451

Please send copies of your letters to diplomatic representatives of Turkey accredited to your country.

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

**Universal Declaration of Human Rights
Article 5**

PUBLIC

AI

Index: EUR 44/51/98

Distrib: PG/SC

Date: 11 December 1998

DEATHS IN CUSTODY

Failure of medical reporting TURKEY

Amnesty International is concerned about reports of continuing raids on the offices of the People's Democracy Party [HADEP] in Turkey, following the arrest in Italy on 12 November of Abdullah Öcalan, General Secretary of the illegal Kurdish Workers' Party [PKK]. Two HADEP supporters have died in police custody since 16 November 1998. Other party members claimed after having been released that they had been tortured by the police while in custody.

On 18 November 1998, 18-year-old Hamit Çakar was detained at HADEP's Diyarbakır headquarters. His family were told some hours after his arrest that he had died. One account of events claimed that he had died on the spot after severe blows and kicks, in particular to the head, by police and that police had prevented any attempt to call medical assistance. The body was not handed over to the family but buried immediately in the presence of just four relatives who had been notified by the police. Relatives stated later that they saw signs that Hamit had been beaten on the head, but a medical report issued by the Forensic Medicine Institute in Diyarbakır gave heart attack as the cause of death. According to a report in *Evrinsel* newspaper on 22 November, a second autopsy was to be carried out following an appeal by Hamit Çakar's family, but it is not yet known whether this has been done.

Metin Yurtsever, a 45-year-old retired teacher, died in a hospital in Kocaeli [near Istanbul] on 20 November 1998. He had been taken into custody from the Izmit HADEP office where he was reportedly severely beaten by Anti-Terror Branch officers. Several of his ribs were broken, causing him breathing difficulties. He was taken to hospital but an operation failed to save his life. Police officers reportedly tore up a medical report stating that his death was due to torture and beating, and had a second report prepared by the same hospital, stating that Metin Yurtsever had died from an arterial occlusion.

Amnesty International is seriously concerned about these deaths in circumstances strongly suggesting torture. It is further concerned at the lack of proper medical documentation - in one case at least because of police pressure on doctors to produce a misleading report. The organization is calling on the Turkish authorities to immediately launch independent inquiries into these allegations and the circumstances surrounding the two deaths in custody.

Background information

HADEP is a legal political party representing Kurdish interests in Turkey. After the arrest of PKK leader Abdullah Öcalan on 12 November in Italy, where he has sought political asylum, HADEP members staged hunger strikes and demonstrations against Öcalan's possible extradition from Italy. Turkish police has raided HADEP offices throughout Turkey since 16 November 1998, and more than 3000 party members have been detained nationwide. Party chairperson Murat Bozlak and more than 200 other leading HADEP members have been remanded in custody pending trial.