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Fear of Torture

1 July 1992

~~TURKEY: Abdullah Ar\_soy, correspondent for Özgür Gündem  
Sait Ar\_soy, " " " "  
Halil Ar\_soy~~

On the morning of 30 June 1992, three brothers, Abdullah, Sait and Halil Ar\_soy, were detained at their home in Cizre in the province of \_\_rnak. Reportedly, police officers arrived in two armoured vehicles, one of them of East German manufacture, and climbed on to the roof of the house before detaining the brothers.

Abdullah and Sait Ar\_soy are correspondents for the Turkish daily newspaper Özgür Gündem (Free Agenda) which started publication only last month. It mainly covers events in the predominantly Kurdish provinces of east and southeast Turkey. Many human rights violations have been reported from this region where a state of emergency is in force and in particular from the province of \_\_rnak on the border with Syria and Iraq. In recent months several journalists investigating human rights violations have become victims of extrajudicial executions in the southeast.

The three detainees are being held incommunicado at Cizre Police Headquarters and it is feared that they are being interrogated under torture. They may be legally detained for up to 30 days because the province is under emergency legislation.

#### BACKGROUND INFORMATION

Turkey has a Kurdish ethnic minority which is estimated to number some 10 million people, living mainly in southeastern Turkey. Frequent allegations of torture and ill-treatment have been received from the region. Since August 1984, when guerrillas 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. More than 3,500 lives have so far been lost on both sides and among the civilian population in the context of 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.

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 period a detainee may be held 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 10 provinces, including \_\_rnak province.

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

- appealing that the three detainees named above may be allowed access to their families and lawyers and that they are not subjected to any ill-treatment while being held;

- asking to be informed whether they have been charged and if so, what the charges are.

**APPEALS TO**

1) Prosecutor in Cizre:

Mr Soner  
Cizre Savc\_l\_\_\_\_  
Cizre, Turkey

**Telegrams: Mr Soner, Savciligi, Cizre, Turkey**

**Salutation: Dear Sir**

2) Emergency Legislation Governor:

Mr Ünal Erkan  
Ola\_anüstü Hal Valisi  
Diyarbak\_r, Turkey

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

**Telexes: 72110 OHVT TR  
72084 DYVA TR**

**Faxes: + 90 831 26174 (telephone first and ask to switch on the fax machine: "Lütfen fax sinyal veriniz")**

**Salutation: Dear Governor**

3) 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 4 418 1795**

**Salutation: Dear Minister**

**COPIES TO:**

President of the Parliamentary Human Rights Commission:

\_nsan Haklar\_ Ara\_t\_rma Komisyonu Ba\_kan\_

TBMM

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 12 August 1992.