

UA 271/01 Fear for safety/ risk of tortureand ill-t.**TURKEYFehime ETE (f)**

Fehime Ete, a Kurdish woman, was detained by the security forces in southeast Turkey on 21 October. The security forces did not acknowledge that they had detained her until 24 October, and she is at risk of torture or ill-treatment in custody.

She was taken into custody at her home in Siirt. Her family applied to the local prosecutor to be told why she had been detained, and were eventually told that she was being interrogated in Van, which is a three hour drive from Siirt. The prosecutor refused to give any further information to the family, on the grounds that Fehime Ete was being investigated on suspicion of crimes that fall under the jurisdiction of the State Security Courts. It is assumed that Fehime Ete is being held at Van Police Headquarters.

Fehime Ete's husband Hafzullah is an inmate in Siirt prison. According to unconfirmed reports, Fehime Ete was detained by members of the security forces when she tried to visit him on 20 August.

BACKGROUND INFORMATION

Police and gendarmerie in the predominantly Kurdish southeastern region of Turkey frequently arrest political dissidents on "suspicion" of offences such as membership of illegal armed groups or aiding and abetting such groups, as police can hold such people in custody for longer than ordinary detainees. People suspected of such offences, which fall under the jurisdiction of the State Security Courts, can be held in police custody without access to family, friends or legal counsel for up to four days. Custody may be extended by a further three days on the request of a prosecutor and order of a judge. After the maximum detention period detainees must be brought before a prosecutor and a judge, who then decide whether they should be released or remanded to prison to await trial.

In Turkish police and gendarmerie stations, torture is regularly used to extract confessions, elicit information about illegal organizations, intimidate detainees into becoming police informers or as unofficial punishment for presumed support of illegal organizations. Turkey is a state party to the European Convention on Human Rights, Article 3 of which states that "No one shall be subjected to torture or to inhuman or degrading treatment or punishment". Yet over the years, Amnesty International has documented the use of several torture methods in Turkey, including severe beatings, being stripped naked and blindfolded, hosing with pressurized ice-cold water, suspending by the arms or wrists bound behind the victim's back, electric shocks, beating the soles of the feet, death threats and sexual assault.

The Turkish Regulation on Apprehension, Police Custody and Interrogation provides clear guidelines for the registration of people taken into custody and their right to inform their relatives "unless informing the relatives will harm the investigation". In an amendment to the Constitution on 3 October 2001 this restriction was lifted. Yet guidelines for the prompt and proper registration of detainees and for notification of their families are often ignored. This is extremely distressing for the families of detainees, who often spend days trying to establish the whereabouts of their loved ones. Failure to register detainees properly and promptly creates conditions in which there

is an increased risk of torture, and "disappearance" or death in custody can occur.

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

- expressing concern that Fehime Ete may be at risk of torture in police custody in Van, and urging the authorities to ensure that she is not tortured or ill-treated;
- urging that Fehime Ete be given immediate access to a lawyer, brought promptly before a judge and charged with a recognizably criminal offence or released immediately;
- urging the authorities to inform her family immediately about her exact whereabouts;
- reminding the authorities of their obligation under Article 3 of the European Convention on Human Rights, which states: "No one shall be subjected to torture or to inhuman or degrading treatment or punishment."

APPEALS TO:

Minister of the Interior

Mr Rü_tü Kaz_m Yücelen

Ministry of Interior

_çi_leri Bakanl____

06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Fax: + 90 312 418 17 95

Salutation: Dear Minister

Governor of Van

Van Valisi,

Van Valili_i

Van, Turkey

Telegrams: Van Valiligi, Van, Turkey

Salutation: Dear Governor

COPIES TO:

State Minister with responsibility for Human Rights

Nejat Arseven

Office of the Prime Minister,

Ba_bakanl_k,

06573 Ankara, Turkey

Fax: + 90 312 417 04 76

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 5 December 2001.