

EXTERNAL

AI Index: EUR 44/112/95

EXTRA 120/95

Fear of torture

16 October 1995

TURKEY

**Burhan Mutlu, a Kurd aged 34, father of two
plus two others, names not yet known**

Burhan Mutlu and two other men have been held in incommunicado detention in Istanbul since 13 October 1995. It is feared that they are being interrogated under torture, presumably at the Anti-Terror Branch of Istanbul Police Headquarters.

According to eye witnesses, a large number of plainclothes police officers from the Anti-Terror Branch arrived at the "Girne" café in the Üsküdar district of Istanbul at around 5pm on 13 October. They detained Burhan Mutlu, a Kurd from Karakoçan who has been living in Istanbul for six or seven years, and two other men and took them away in a car. Reportedly, Burhan Mutlu's wife, who has been making inquiries as to her husband's whereabouts, was told informally at Istanbul Police Headquarters in Aksaray that he was being held there. Burhan Mutlu is said to have had contacts with HADEP (People's Democracy Party), a legal political party with a predominantly Kurdish membership which works for the civil and political rights of the Kurdish minority. In recent years, more than 100 officials and members of HADEP and its two predecessor parties DEP and HEP have been killed in unclarified circumstances, including a member of parliament.

BACKGROUND INFORMATION

People suspected of offences under the Anti-Terror Law can be held in police custody without access to family, friends or legal counsel for up to 30 days in the 10 provinces under State of Emergency in the southeast and for 15 days in the rest of Turkey. 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 methods include being stripped naked and blindfolded, hosing with pressurized ice-cold water, hanging by the arms or wrists bound behind the victim's back, electric shocks, beating the soles of the feet, death threats and sexual assault.

Procedures laid down in the Turkish Criminal Procedure Code for the prompt and proper registration of detainees, and for notification of their families, are almost universally ignored. Lack of prompt registration and notification is extremely distressing for the families of detainees, and creates the conditions in which "disappearances" and torture can occur.

Any person suspected of supporting the PKK or any other illegal armed organization is at serious risk of torture, "disappearance" or extrajudicial execution. In 1994 there were more than 55 confirmed "disappearances", and more than 400 people were killed in unclarified circumstances. At least 20 cases of "disappearance" in police custody have been reported in 1995 so far.

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

- expressing concern for the safety of Burhan Mutlu and two others detained with him on 13 October 1995 and held incommunicado, presumably at Istanbul Police Headquarters;
- urging that their whereabouts be immediately established and communicated to their families and lawyers;

- seeking assurances that they will not be subjected to torture or any other form of ill-treatment;
- requesting to be informed of any charges brought against them.

APPEALS TO:

1) Chief Prosecutor at Istanbul State Security Court

Mr Ahmet Köksal

DGM Ba_savc_s_

Devlet Güvenlik Mahkemesi

Istanbul, Turkey

Telegrams: DGM Bassavcisi, Istanbul, Turkey

Salutation: Dear Sir

2) Istanbul Chief of Police:

Mr Necdet Menzir

Istanbul Emniyet Müdürü

_stanbul, Turkey

Telegrams: Emniyet Muduru, Istanbul, Turkey

Telexes: 30812 EMMH TR; 26177 IEMT TR

Salutation: Dear Sir

3) State Minister with responsibility for Human Rights:

Mr Algan Hacalo_lu

Office of the Prime Minister

Ba_bakanl_k

06573 Ankara, Turkey

Faxes: +90 312 417 0476

Salutation: Dear Minister

COPIES TO:

President of the Parliamentary Human Rights Commission:

Mr Sabri Yavuz

nsan Haklar Ara_t_rma Komisyonu Ba_kan_

TBMM

Ankara, Turkey

Faxes: +90 312 420 5394

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 16 November 1995.