

UA 238/02

Torture a**TURKEY Ekrem Zerey (m), 37 years old, driver**

Ekrem Zerey is being held in police detention in Diyarbak_r, southeast Turkey, where he has reportedly been tortured and ill-treated. Amnesty International is concerned for his safety.

Ekrem Zerey was detained by police at the border of Mardin province, southeast Turkey, on 22 July. On 26 July, a court ordered that he be remanded to prison on suspicion of aiding and abetting the illegal armed group *Hizbullah*. However, he was instead brought to the Anti-Terror Branch of Diyarbak_r police headquarters for a further ten days of interrogation on the orders of Diyarbak_r State Security Court (DGM) and in accordance with Legal Decree 430.

When Ekrem Zerey was brought to court on 26 July he was apparently able to meet briefly with his brother Mehmet Sedik Zerey, who had also been detained. Ekrem Zerey reportedly told him that police had given him electric shocks, beaten him, left him without food for long periods, and deprived him of sleep while in detention. When he met his brother, Ekrem Zerey was reportedly continually clutching his stomach, had difficulty opening his eyes and was only able to walk with the help of two police officers.

Nezete Zerey, the wife of Ekrem Zerey, was also held in police detention at the same time as her husband. She apparently witnessed him being tortured and was able to hear his screams while in detention. She was also allegedly told by a police officer that "...we can hold your husband at police headquarters for as long as we like. We are going to send him to Diyarbak_r now. Even if he gets out of there alive, he won't be living in good health - we'll make sure that his internal organs break down by giving him electric shocks".

BACKGROUND INFORMATION

Amnesty International has received numerous accounts of people being illegally detained and tortured by police in Diyarbak_r under Article 3/c of Legal Decree No. 430, which allows individuals to be returned from prison to police detention for an additional ten days of questioning. The article can be applied again after the end of the 10 days. In this way individuals can be held in detention for long periods of time (see report *Turkey: Torture and prolonged detention in the Region under State of Emergency*, AI Index: EUR 44/10/2002). Fesih Güler was reportedly tortured while held illegally at the Anti-Terror Branch of Police Headquarters, while Fahrettin Özdemir spent a total of 59 days in police custody during which time he was reportedly severely tortured (see EXTRA 30/00, EUR 44/23/00, 3 April 2000).

Whereas torture is rarely reported from prisons, in police and gendarmerie stations it appears to be 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. Torture methods in Turkey documented by Amnesty International include 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. It also provides guidelines on an individual's 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 for the safety of Ekrem Zerey, detained in Mardin province on 22 July;
- expressing concern at reports that Ekrem Zerey may have been tortured or ill-treated while in police custody, and reminding the government that it is a state party to the European Convention on Human Rights, which says that "No one shall be subjected to torture or to inhuman or degrading treatment or punishment";
- urging that he is not tortured or ill-treated while in detention and that he should be given immediate access to his lawyers and relatives;
- calling for a full and impartial investigation into the allegations of torture, with the results made public and those responsible brought to justice;
- calling on the authorities to ensure that detainees are not brought back to police and gendarmerie custody after having been remanded in prison under Article 3/c of Legal Decree No. 430.

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

☒ + 90 312 418 17 95

Salutation: Dear Minister

Diyarbak_r Police Headquarters
Mr Atilla Ç_nar
Diyarbak_r Emniyet Müdürü
Diyarbak_r Emniyet Müdürlü_ü
Diyarbak_r, Turkey

Telegrams: Emniyet Müdürü, Diyarbak_r, Turkey

Salutation: Dear Chief of Police

Governor of the Provinces under Emergency Rule
Ola_anüstü Hal Valisi
Diyarbak_r, Turkey

Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey

Faxes: + 90 412 224 35 72

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 9 September 2002.