

TURKEYTekin Ülsen (m), aged 24

Tekin Ülsen has reportedly been illegally detained for almost a month in southeast Turkey, and tortured and ill-treated by police.

According to witnesses, he was arrested by five plainclothes police officers in Diyarbak_r on the evening of 23 June. The authorities denied having him in custody. The family made seven applications for information to the relevant prosecutors in Diyarbak_r, but were told each time that he was not in custody. Tekin Ülsen's name did not appear on any lists of detainees at police stations in the city.

On 9 July a man reportedly told the family that he had been held in the same cell as Tekin Ülsen at the Police Headquarters in Diyarbak_r. Nevertheless, on 10 July, police raided the house of Tekin Ülsen, claiming that they were searching for him.

On 13 July, two police officers took Tekin Ülsen's sister from her home to Police Headquarters in Diyarbak_r to identify five people in an identity parade who had allegedly been detained with false identity papers. She identified one of them as her brother, and was allowed to meet with him for a short time. She saw that he could not stand up and could only recognize her with difficulty. She believes that this was the result of torture.

By law the police can only keep detainees in custody for 10 days without releasing them or remanding them to prison. If Tekin Ülsen has been in detention since 23 June he is being held illegally.

BACKGROUND INFORMATION

Amnesty International has received numerous accounts of people being illegally detained at the Anti-Terror Branch of Police Headquarters in Diyarbak_r. Fesih Güler was reportedly tortured while held illegally (see Further Information on UA 317/00, EUR 44/040/2001). Fahrettin Özdemir reportedly spent a total of 59 days in police custody, during which he was severely tortured (see EXTRA 30/00, EUR 44/23/00). When two other detainees, Edip Gümü_ and Cemal Tutar, went on trial they stated that they had spent a total of five months in police custody, during which they had faced psychological pressure.

People suspected of offences that 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. They may then be held for up to a total of seven days with these restrictions relaxed, or up to 10 days in provinces under emergency rule (including Diyarbak_r). During the extended detention period detainees have the right to see a lawyer under certain conditions, but in most cases this right is denied.

There are regular reports of torture and ill-treatment in Turkish police and gendarmerie custody. With no access to the outside world detainees are at the mercy of their interrogators. Torture is regularly used to extract confessions, to elicit information about illegal organizations, to intimidate detainees into becoming police informers or as 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.

Under the Turkish Criminal Procedure Code, detainees must be promptly and properly registered, and their families must be notified, but the police frequently ignore these requirements. This is extremely distressing for the families concerned, and allows "disappearances" and torture to take place.

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

- expressing concern at reports that Tekin Ülsen may have been tortured or ill-treated in custody at the Anti-Terror Branch of Police Headquarters in Diyarbak_r;
- urging the authorities to guarantee that he will not face further torture or ill-treatment;
- expressing concern that he was initially held in unacknowledged detention and that he has been in police custody in excess of the maximum 10 days allowed by Turkish law;
- asking that Tekin Ülsen be transferred immediately to prison or else released;
- reminding the Turkish government of its obligations under Article 3 of the European Convention on Human Rights, to which Turkey is a state party, which states: "No one shall be subjected to torture or to inhuman or degrading treatment or punishment";
- asking the authorities to take immediate measures to ensure that illegal detention in Diyarbak_r is stopped, that anyone detained for more than 10 days is transferred immediately to prison or released and that measures are taken to prevent the torture of detainees in Diyarbak_r Police Headquarters.

APPEALS TO:

Minister of Justice
 Prof Hikmet Sami Türk
 Ministry of Justice
 Adalet Bakanl____
 06659 Ankara, Turkey

Telegrams: Justice Minister, Ankara, Turkey

Faxes: + 90 312 417 3954 / 418 5667

Salutation: Dear Minister

Minister of the Interior

Mr Rü_tü Kaz_m Yücelen
 Ministry of Interior
 İçi_leri Bakanl____
 06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Fax: +90 312 418 17 95

Salutation: Dear Minister

COPIES TO:

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

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 28 August 2001.