

PUBLIC

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Fear for safety/ risk of torture and ill-treatment
17 October 2001

TURKEY **Twenty-one members of the K_l_ç family, including**
 Adil K_l_ç (m), HADEP provincial council member

Sava_ K_l_ç (m), 8 years old (wounded)

Killed:Gurbet K_l_ç (f), 18 years old
 Two others, names not known

Gendarmes have reportedly arrested 21 members of a Kurdish family during a raid in southeast Turkey in the early hours of 17 October. It is not known where they are held, and they are at grave risk of torture.

Three people were killed during the operation, in Silvan, Diyarbak_r province. It was directed against the illegal armed opposition group, the Kurdistan Workers' Party (PKK), and the authorities have since issued a statement alleging that two of those killed were PKK members. Among the dead was 18-year-old Gurbet K_l_ç: she is not believed to have had any connection with the organization. Eight-year-old Sava_ K_l_ç was reportedly shot and seriously wounded, and has been taken to hospital.

Two soldiers were reportedly wounded.

Among those detained was Adil K_l_ç, a member of the provincial council for the legal pro-Kurdish political party HADEP (People's Democracy Party).

BACKGROUND INFORMATION

Police and gendarmerie in the predominantly Kurdish southeastern region of the country 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 six days on the request of a prosecutor and order of a judge in the region under state of emergency. After the maximum 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.

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

- expressing concern that the 21 members of the K_l_ç family detained by gendarmes on 17 October are at risk of torture, and urging the authorities to ensure that they are not tortured or ill-treated;
- urging that the detainees are given immediate access to a lawyer, brought before a judge and charged with a recognizably criminal offence or released immediately;
- asking how an eight-year old boy, Sava_K_l_ç, was shot and seriously wounded, and expressing concern that the gendarmes involved in the raid may have used excessive force;
- expressing concern that Gurbet K_l_ç and two others were killed during the raid, and asking the authorities to order a full, impartial and independent enquiry into the operation, with the results made public, to dispel any reasonable concern that they may have been extrajudicially executed.

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

Chief of Staff of the Gendarmerie

General Aytaç Yalman

Jandarma Kuvvetleri Komutanl____

Bakanl_klar

Ankara, Turkey

Fax: +90 312 418 9208

Salutation: Dear General

Governor of Diyarbak_r

Mr Cemil Serhadli

Diyarbak_r Valisi

Valilikler

Diyarbak_r, Turkey

Fax: + 90 412 228 4877

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 28 November 2001.