

EXTERNAL (for general distribution)

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Fear of Torture/"Disappearance"

14 September 1994

TURKEY

Mehmet Balamir, newspaper distributor for *Özgür Ülke*  
Kadriye Özcanl\_, (f), office manager for *Özgür Ülke*

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On 5 September 1994, Mehmet Balamir, a distributor for the newspaper *Özgür Ülke*, was detained at a road block and identity check while carrying copies of the newspaper by bus between Urfa and Diyarbak\_r. He was detained by members of Piriñçlik Gendarmerie Station, but it is not known where he is being held. The Regimental Gendarmerie Headquarters in Diyarbak\_r have confirmed that he is in custody, but have not disclosed his whereabouts.

Later that same day, the newspaper's office in Diyarbak\_r was raided by members of the gendarmerie and the police. They checked the identity of all those present, but detained only the office manager Kadriye Özcanl\_. She is being held at Diyarbak\_r Regimental Gendarmerie Headquarters and her detention has been confirmed. Apparently, the reason for her detention is because Mehmet Balamir named her as the person who supplied him with the copies.

It is feared that both Mehmet Balamir and Kadriye Özcanl\_ are being subjected to torture during interrogation.

#### BACKGROUND INFORMATION

The European Committee for the Prevention of Torture (ECPT) and the UN Committee against Torture (UN CAT), both mechanisms of international human rights instruments to which Turkey is a State Party, have published reports to the effect that torture is widespread and systematic in Turkey.

Detainees held on suspicion of political offences to be tried in State Security Courts may be held without charge for 15 days. This period may be extended to 30 days in provinces under emergency legislation such as Diyarbak\_r province.

Turkey ratified the European Convention for the Prevention of Torture on 25 February 1988 and the UN Convention Against Torture on 2 August 1988. Following a programme of visits to Turkish police stations in 1990, 1991 and 1992, the European Committee for the Prevention of Torture (ECPT - established by the Council of Europe) reported: *"In the light of all the information at its disposal, the ECPT can only conclude that the practice of torture and other forms of severe ill-treatment of persons in police custody remains widespread in Turkey and that such methods are applied to both ordinary criminal suspects and persons held under anti-terrorism provisions"*.

The ECPT also stated that in Diyarbak\_r Police Headquarters they had found *"the equipment necessary for suspension by the arms in place and ready for use (ie a three metre long wooden beam which was mounted on heavily-weighted filing cabinets on opposite sides of the room and fitted with a strap made of strong material securely tied to the middle ... the delegation's discoveries caused considerable consternation among police officers present; some expressed regret, others defiance."*

**RECOMMENDED ACTION:** Please send telegrams/faxes/express and airmail letters either in English or your own language:

- expressing concern for the safety of Kadriye Özcanl\_ and Mehmet Balamir, both detained on 5 September 1994 and presumed to be held at Diyarbak\_r

Regimental Gendarmerie Headquarters;

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

**APPEALS TO**

1) Chief Prosecutor at Diyarbakır State Security Court:

DGM Başsavcısı

Devlet Güvenlik Mahkemesi

Diyarbakır, Turkey

**Telegrams: DGM Başsavcısı, Diyarbakır, Turkey**

**Salutation: Dear Sir**

2) Minister of the Interior:

Mr Nahit Menteşe

İçişleri Bakanlığı

06644 Ankara, Turkey

**Telegrams: Interior Minister, Ankara, Turkey**

**Faxes: +90 312 428 4346**

**Salutation: Dear Minister**

**COPIES OF YOUR APPEALS TO:**

Minister of Foreign Affairs:

Prof Mümtaz Soysal

Dışişleri Bakanlığı

06100 Ankara, Turkey

**Faxes: 90 312 287 1886**

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 26 October 1994.