

EXTERNAL (for general distribution)

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Fear of Torture/Fear of "Disappearance"

3 November 1993

TURKEY Olcay Kanl\_ba\_ (female), nurse aged 23

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Amnesty International is seriously concerned for the safety of Olcay Kanl\_ba\_ who is in unacknowledged detention in Diyarbak\_r. The organization fears that she may be being tortured and is at risk of "disappearance".

She was detained at about 2pm on 27 October 1993 at the State Hospital in Diyarbak\_r, where she works, by two plainclothes policemen. When asked why they were detaining her, they said they could give no information. Some two hours later police searched Olcay Kanl\_ba\_'s home in her presence. At 11pm other policemen came to search her home again. They took some books and photographs, but denied any knowledge of her detention. The same night, an entry was made in the hospital's register that Olcay Kanl\_ba\_ had been admitted to the casualty ward of the hospital, but there is no indication as to what treatment, if any, she may have received.

In spite of this evidence and in spite of petitions by her sister and the hospital to the prosecutor's office for information of her whereabouts, the authorities do not acknowledge holding her. The sister's petition was returned to her by the prosecutor's office after a few minutes with the remark, "There is no one of that name - the name was not passed to us by the police as one of those who have been detained".

Olcay Kanl\_ba\_ has never been detained before. She is not a member of any political party, but does belong to *Tüm Sa\_l\_k Sen*, the health workers' trade union. However, in recent days a number of people were detained in her home village of Topraktepe near Do\_an\_ehir in Malatya province, and it is possible that one of these mentioned her name under torture. An increasing number of "disappearances" are being reported from the southeast. The police have to register any detainee immediately with the prosecutor's office. Their increasingly frequent failure to do so either altogether or for a number of days greatly increases the risk of "disappearance" and torture.

#### BACKGROUND INFORMATION

Turkey has a Kurdish ethnic minority estimated at some 10 million people, living mainly in southeastern Turkey. Since 1984, when guerrillas of the Kurdish Workers' Party (PKK) started armed attacks against the security forces, more than 6,000 lives have been lost on both sides and among the civilian population in the context of their fight for an independent Kurdish state. The security forces and the PKK are both involved in large-scale military operations covering the entire region. A state of emergency continues to be in force in 10 provinces in the region including Diyarbak\_r, and the Emergency Legislation Governor in Diyarbakir has extraordinary powers over three additional provinces.

Turkey ratified the European Convention for the prevention of Torture on 25 February 1988 and the UN Convention Against Torture on 2 August 1988. Most allegations relate to ill-treatment of detainees in police custody during their initial interrogation when they are usually denied access to relatives or a lawyer. New legislation to shorten the maximum detention period came into force on 1 December 1992. Now non-political detainees may be held for up to eight days before being formally charged or released. Detainees held on suspicion of political offences may be held without charge and incommunicado for up to 15 days. In the 10 provinces under emergency legislation the maximum detention period for political detainees may be doubled to 30 days.

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

- expressing concern about the unacknowledged detention of the nurse Olcay Kanl\_ba\_ at her workplace at the State Hospital in Diyarbak\_r on 27 October 1993;
- urging an immediate investigation into her whereabouts and the reasons for her admittance to the casualty ward at the Diyarbak\_r State Hospital on the night of 27 October;
- appealing that Olcay Kanl\_ba\_ not be subjected to torture or any other form of ill-treatment while being held in custody;
- requesting to be informed of the results of the investigation and of any charges brought against Olcay Kanl\_ba\_.

**APPEALS TO**

1) Minister of the Interior:

Mr Nahit Ment\_e  
Içi\_leri Bakanl\_\_\_\_  
Bakanl\_klar  
06644 Ankara, Turkey  
**Telegrams: Icisleri Bakanligi, Ankara, Turkey**  
**Faxes: +90 4 41 81 795**  
**Salutation: Dear Minister**

2) Minister of Health and Social Welfare:

Mr R\_fat Serdaro\_lu  
Sa\_l\_k ve Sosyal Yard\_m Bakanl\_\_\_\_  
06434 Yeni\_ehir-Ankara, Turkey  
**Telegrams: Saglik Bakanligi, Ankara, Turkey**  
**Faxes: +90 4 43 14 879**  
**Salutation: Dear Minister**

3) Minister of State for Human Rights:

Mr Mehmet Kahraman  
Ba\_bakanl\_k  
06573 Ankara, Turkey  
**Telegrams: State Minister Kahraman, Ankara, Turkey**  
**Telexes: 44061/44062/44063 bbmt tr**  
**Faxes: +90 4 417 04 76 STATE MINISTER MEHMET KAHRAMAN**  
**+90 4 230 88 96 (attn: State Minister Kahraman)**

**COPIES OF YOUR APPEALS TO:**

Deputy Prime Minister:

Mr Murat Karayalç\_n  
Ba\_bakanl\_k  
06573 Ankara, Turkey

**Faxes: +90 44 17 04 76 DEPUTY PRIME 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 8 December 1993.