

EXTERNAL

AI Index: EUR 44/139/96

EXTRA 147/96

Fear of Torture

18 September 1996

TURKEYMükrimte Tepe (f), law student, official of HADEP (People's Democracy Party)

On 13 September 1996 Mükrimte Tepe, a law student in her final year, was detained in the street as she left Sa_malc_lar Prison in Istanbul after visiting her sister there. Amnesty International fears that Mükrimte Tepe may be tortured in police custody. The organization is particularly concerned for her safety given that both her brother and her cousin died apparently at the hands of the security forces (see below).

The president of the Istanbul branch of the Human Rights Association appealed to the prosecutor to question Mükrimte Tepe directly rather than permit her to be interrogated by the police. This request was refused, and it is now feared that she will be sent to her hometown Bitlis for further questioning. Whereas in Istanbul she would have to be released or brought to court by 28 September, in Bitlis she can be held in incommunicado detention until 13 October.

BACKGROUND INFORMATION

Mükrimte Tepe's brother, Ferhat Tepe, a journalist for *Özgür Gündem*, was abducted in Bitlis in July 1993, reportedly by a man carrying a two-way radio. His father, Ishak Tepe, chairman of the Democratic Party (DEP) in Bitlis, subsequently received telephone calls from a man whose voice reportedly resembled that of a local gendarmerie commander known to be critical of DEP.

Ishak Tepe asked the police to investigate the gendarmerie commander's involvement, but was apparently told that they could not interfere. His son's body was later found in a lake 360 kilometres away. The police buried him as an "unknown person", although they had photographs of him and his "disappearance" had received wide publicity. His body was later exhumed and delivered to the family. His father said that there were marks of torture on the body, but a full and independent autopsy was never carried out, a breach of the UN Principles on the Effective Prevention and Investigation of Extra-legal Arbitrary and Summary Executions.

Other family members continued to receive serious threats and suffered police harassment, including repeated detention. In August 1995 Ferhat Tepe's cousin Safyettin Tepe, a journalist on *Yeni Politika*, died in suspicious circumstances in Bitlis Police Headquarters. More than 100 members of the mainly Kurdish HADEP and its predecessor parties, HEP and DEP, have been killed or "disappeared" since 1991.

People suspected of offences under the Anti-Terror Law can be held in police custody without access to family, friends or legal counsel for up to 30 days in the 10 provinces under State of Emergency such as Diyarbak_r, and for 15 days in the rest of Turkey. When not being interrogated, detainees are held in cramped, airless and insanitary conditions. With no access to the outside world they are at the mercy of their interrogators. Torture is often applied to extract confessions, to elicit information about illegal organizations, to intimidate detainees into becoming police informers or as informal punishment for presumed support of illegal organizations. Torture methods include being stripped naked and blindfolded, hosing with pressurized ice-cold water, hanging by the arms or wrists bound behind the victim's back, electric shocks, beating the soles of the feet, death threats and sexual assault.

Procedures laid down in the Turkish Criminal Procedure Code for the prompt and proper registration of detainees, and for notification of their families, are almost universally ignored. Lack of prompt registration and notification is extremely distressing for the families of detainees, and creates the conditions in which "disappearances" and torture can occur.

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

- expressing serious concern for the safety of Mükrimte Tepe, detained on 13 September 1996 in Istanbul;
- seeking assurances that she will not be subjected to any form of ill-treatment in police custody;
- appealing that she be promptly charged or released.

APPEALS TO:

1. Chief Prosecutor at Istanbul State Security Court

Mr Ahmet Köksal

DGM Ba_savc_s_

Devlet Güvenlik Mahkemesi

Istanbul, Turkey

Telegrams: DGM Ba_savc_s_, _istanbul, Turkey

Telexes: 0607 30187 eist tr; 0607 30188 iemd tr

Salutation: Dear Prosecutor

2. Prime Minister

Mr Necmettin Erbakan

Office of the Prime Minister

Ba_bakanl_k

06573 Ankara, Turkey

Telegrams: Prime Minister, Ankara, Turkey

Telexes: 44061/44062/44063 bbmt tr; 42099 basb tr

Faxes: +90 312 417 0476

Salutation: Dear Prime Minister

3. Istanbul Chief of Police

Mr Kemal Yaz_c_o_lu

Istanbul Emniyet Müdürü

_istanbul, Turkey

Telegrams: Emniyet Muduru, Istanbul, Turkey

Telexes: 30812 EMMH TR or 26177 IEMT TR

Salutation: Dear Sir

COPIES 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 13 October 1996.