

EXTERNAL (for general distribution)

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Fear of Torture

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TURKEY:

M. \_slam Özalp, pupil, aged 12  
\_emsettin Ayd\_n  
Behiya Ayd\_n (female)  
Ma\_allah Ayd\_n  
Cudi Ayd\_n  
Zübeyir Bayar  
Mehmet Kaçar  
Hüseyin Özer  
Süleyman Aybek

Hac\_.kori Aybek  
Ömer Be\_ta\_  
Sait Be\_ta\_  
Halis Be\_ta\_  
Aliye Akkan (female)  
Salih Sünger  
\_ükrü \_illi  
Münevver \_illi (female)  
Mehmet Ay  
Ayd\_n Ekinçi

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During the past few days, scores of people were reportedly detained in Siirt, including those named above. They are said to be accused of sheltering guerrillas of the Kurdish Workers' Party (PKK).

An increasing number of clashes between the security forces and PKK guerrillas is reported from the southeastern provinces which are under a State of Emergency. According to press reports, another clash occurred in Siirt province on Sunday, 27 October, which left three soldiers and three guerrillas dead.

The detainees are held incommunicado. The place of detention is not known, but is believed to be either Siirt Police Headquarters or Siirt Gendarmerie Headquarters. It is feared that they are being subjected to torture during interrogation.

#### BACKGROUND INFORMATION

Turkey has a Kurdish ethnic minority which is estimated to number some 10 million people. Any activity for a separate Kurdish political or cultural identity is punishable under Turkish law. The Kurdish population lives mainly in southeastern Turkey. Frequent allegations of torture and ill-treatment have been received from the region and the number of torture allegations increased substantially after the 1980 military coup. Since August 1984, when Kurdish guerrillas - members of the Kurdish Workers' Party (PKK) - started armed attacks, an alarming number of reports of ill-treatment of detainees by the security forces have come from the eastern and southeastern provinces. More than 3000 lives have so far been lost on both sides and among the civilian population in the continuing fighting. Emergency legislation is in force in ten provinces in the region and the Emergency Legislation Governor in Diyarbakir has extraordinary powers over three additional provinces. In May 1990 the Turkish government issued Decrees 424 and 425 (in December replaced by Decree 430), further extending the powers of the Emergency Legislation Governor.

Turkey ratified the European Convention for the Prevention of Torture on 25 February 1988 and the UN Convention Against Torture on 2 August 1988. However, all information available to Amnesty International indicates that torture is still widespread and systematic in Turkey. Allegations of torture have continued since the transfer of power to a civilian government in 1983.

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. In August 1990, the government derogated from Articles 5, 6, 8, 10, 11 and 13 of the European Convention on Human Rights, all of which contain important safeguards for human rights.

Under current legislation the maximum detention period before being formally charged or released is 24 hours; in cases involving three or more suspects or due to the 'nature of the crime' it may be extended to 15 days. This period may be extended to 30 days in areas under emergency legislation or martial law. Emergency legislation is currently in force in Siirt province.

**RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:**

- urging that the detainees named above, in particular the 12-year-old M. \_slam Özalp, are given prompt access to relatives and lawyers and that they are not ill-treated while held in custody;

- requesting to be informed whether they were charged and what the charges are.

**APPEALS TO**

Mr Celalettin Cerrah  
Siirt Emniyet Müdürü  
Siirt, Turkey

Dear Sir

(Chief of Siirt Police)

**Telegrams: Siirt Emniyet Muduru, Siirt, Turkey**

Siirt Jandarma Tugay Komutanl\_\_\_\_  
Siirt,  
Turkey

Dear Sirs

(Siirt Gendarmerie HQ)

**Telegrams: Jandarma Komutanligi, Siirt, Turkey**

**Telexes: 72216 JSIR TR**

Attila Koç  
Siirt Valisi  
Siirt, Turkey

Dear Sir

(Siirt Governor)

**Telegrams: Siirt Valisi, Siirt, Turkey**

**Faxes: + 90 8441 2769**

Prime Minister Mesut Y\_lmaz  
Office of the Prime Minister  
Ba\_bakanl\_k  
06573 Ankara, Turkey

Dear Prime Minister

**Telegrams: Prime Minister, Ankara, Turkey**

**Telexes: 44061/44062/44063 bbmt tr**

**42099 basb tr**

**42875 bbk tr**

**Faxes: + 90 41 17 04 76 PRIME MINISTER**

**+ 90 42 30 88 96 (attn: Prime Minister)**

Mr Sabahattin Çakmakolu  
\_çi\_leri Bakanl\_\_\_\_

Dear Minister

06644 Ankara, Turkey

(Minister of the Interior)

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

**Faxes: + 90 4 118 1795**

**+ 90 4 125 6520 (Ministry of Interior)**

**COPIES TO:** Diplomatic representatives of Turkey in your country.

Mr Eyüp A\_k  
\_nsan Haklar\_ Ara\_t\_rma Komisyonu Ba\_kan\_

TBMM

Ankara, Turkey (President of Parliamentary Human Rights Commission)

**Faxes: + 90 4 11 91 664 or + 90 4 42 06 941**

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 10 December 1991.