

EXTERNAL (for general distribution)

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Fear of Torture

19 March 1992

TURKEY:

From Yardere village near the Syrian  
border:

Genco Çelik

Çelebi Ata

Kaz\_m Kovac\_

A. Rahman C\_vak

\_emsi Deyar

\_lhan Bilen

From Aytepe village:

Six unnamed people

From Al\_çl\_ village:

Süleyman Kanat

Süleyman \_ldem

Fikret \_ldem

On 17 March 1992, Genco Çelik, Çelebi Ata, Kaz\_m Kovac\_, A. Rahman C\_vak, \_emsi Deyar and \_lhan Bilen from Yardere village in the southern province of Mardin were detained in a major military operation.

On the same day, six villagers whose names are not known to Amnesty International were taken into detention from the neighbouring village of Aytepe.

A month ago, six people were killed by the security forces when villagers in Yardere, Aytepe and Ahmetli villages tried to prevent them from searching homes and detaining some women. The security forces opened fire on the villagers and killed one boy aged 15, two youths aged 18 and 20, a man aged 70 and two women aged 50. This led to heightened tension in the area and a number of protests from the population.

On 14 March 1992, 400 soldiers raided the village of Al\_çl\_. They detained seven members of one family including one woman. The names of only three are known: Süleyman Kanat, Süleyman \_ldem and Fikret \_ldem.

The reasons for these detentions are not known, but they may be in anticipation of the forthcoming Newroz celebrations on 21 March, the Kurdish New Year. There has been intense speculation in the Turkish press that guerrillas of the Kurdish Workers' Party (PKK), who are fighting in the region for an independent Kurdish state, may start a "spring offensive" on that date sparking off a popular uprising.

All the above are believed to have been taken to Mardin where they are held incommunicado, presumably at the Gendarmerie Headquarters (Mardin Alay Jandarma Komutanl\_). 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, living mainly in southeastern Turkey. Frequent allegations of torture and ill-treatment have been received from the region. Since August 1984, when guerrillas 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 3,000 lives have so far been lost on both sides and among the civilian population

in the continuing fighting. Emergency legislation is in force in 10 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 1991 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. 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 period a detainee may be held 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 10 provinces in the southeast, including Mardin province.

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

- urging that the detained villagers named above should be given the opportunity to see their families and lawyers and that they are not ill-treated while being held;
- appealing that they should be promptly charged or released.

In appeals to the Prime Minister only:

- noting that the Government has repeatedly declared its commitment to combat torture;
- urging that the Government ensure, as a matter of urgency during the period of Newroz, that the security forces strictly observe the terms of the United Nations Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, in the exercise of their duties in the provinces under emergency legislation.

**APPEALS TO**

1) Mardin Gendarmerie Commander:

Albay Enver Uysal

**Colonel Enver Uysal**

Alay Jandarma Komutan\_

Mardin Alay Jandarma Komutanl\_\_\_\_

Mardin, Turkey

**Telegrams: Alay Jandarma Komutan\_, Mardin, Turkey**

**Telexes: 72004 jimr tr**

2) Mardin Chief Prosecutor:

Cumhuriyet Ba\_savc\_l\_\_\_\_

**Dear Sir**

Mardin, Turkey

**Telegrams: Cumhuriyet Bassavciligi, Mardin, Turkey**

3) Mardin Chief of Police:

Mr Mehmet Böke

**Dear Sir**

Mardin Emniyet Müdürlü\_ü

Mardin, Turkey

**Telegrams: Emniyet Muduru, Mardin, Turkey**

4) Prime Minister:

Mr Süleyman Demirel

**Dear Prime Minister**

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, 42875 bbk tr  
**Faxes:** + 90 41 17 04 76, + 90 42 30 88 96

5) Emergency Legislation Governor:

Mr Ünal Erkan

**Dear Governor**

Ola\_anüstü Hal Valisi

Diyarbak\_r, Turkey

**Telegrams:** Olaganustu Hal Valisi, Diyarbakir, Turkey

**Telexes:** 72110 OHVT TR, 72090 JASY TR

72084 DYVA TR (mark "please forward to the Governor")

**Faxes:** + 90 831 26174 (the telephone will be answered and you will need to ask for the fax "sinyal")

**COPIES TO:**

President of the Parliamentary Human Rights Commission:

Mr Ahmet Türk

\_nsan Haklar\_ Ara\_t\_rma Komisyonu Ba\_kan\_

TBMM, Ankara, Turkey

and to diplomatic representatives of Turkey in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 20 April 1992.