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EXTERNAL (for general distribution)

**URGENT
ACTION**

AI Index: EUR 44/16/93
Distr: UA/SC

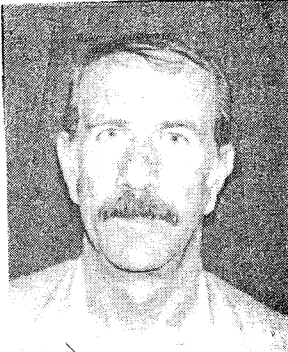
EXTRA 20/93

Fear of Torture

26 February 1993

TURKEY:

Mehmet Gökalp, representative of the Turkish Human Rights Association (THRA) in Derik, southeast Turkey and others



Amnesty International is concerned for the safety of Mehmet Gökalp and others who were detained on 25 February 1993 in Derik, southeast Turkey. The organization fears that they may be subjected to torture under interrogation.

Mehmet Gökalp and others whose names are unknown to Amnesty International were detained following a funeral in Derik on 25 February. The funeral was of villagers killed by security forces and was attended by an estimated 1,500 people. Disturbances broke out shortly after the funeral ended and 400 people were detained including many women and children. Most have now been released, but they report that those detainees who remain in custody, including Mehmet Gökalp, may be being interrogated under torture.

Mehmet Gökalp

BACKGROUND INFORMATION

Mehmet Gökalp has been detained on numerous occasions and has alleged that he was tortured. He recently reported that he was subject to daily death threats while in detention, and described how he was subjected to mock execution when he was imprisoned in Tılsızlı (Tepebağ) Commando Headquarters.

In January and February 1993 detainees have reported severe torture in Tepebağ Commando Headquarters, including being hosed with ice-cold water, electric shocks, rape with a truncheon, and beating on the soles of the feet (falaka).

Turkey has a Kurdish ethnic minority which is estimated to number some 10 million people, living mainly in southeastern Turkey. Since August 1984, when guerrillas of the Kurdish Workers' Party (PKK) started armed attacks against the security forces, an alarming number of reports of ill-treatment of detainees by the security forces have come from the eastern and southeastern provinces. During 1992 there were at least 13 deaths in custody allegedly resulting from torture. Furthermore, allegations of over 100 extrajudicial executions have been received during the past 12 months. More than 5,000 lives have so far been lost on both sides and among the civilian population in the context of the continuing fighting. Emergency legislation is in force in 10 provinces in the region.

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

- expressing concern for the safety of Mehmet Gökalp and others who were detained in Derik on 25 February 1993 and who are being held in incommunicado detention at Tepebağ Commando Headquarters;
- urging that they are not subjected to torture or any other form of ill-treatment and that they be granted access to their lawyers and families;
- asking to be informed of any charges brought against them.

☎ (44)(71) 413 5500 Telegrams: Amnesty London WC1 Telex: 28502 FAX: 956 1157

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EXTERNAL (for general distribution)

**URGENT
ACTION**

AI Index: EUR 44/15/93
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EXTRA 19/93 Fear of Torture

25 February 1993

TURKEY:	Kamil Muştak Bahattin Muştak son of Kamil Muştak Mehmet Muştak son of Kamil Muştak Abdullah Madak (aged 65)) Held at) Cizre) Police) Headquarters
	Ahmet Bađlan Mehmet Bađlan Cafer Diri Mahmut Diri Mehmet Diri) Held at) Şırnak) Police) Headquarters)

Amnesty International is concerned for the safety of the nine above-mentioned people from the village of Yeşilyurt in southeast Turkey. On the morning of 17 February 1993 the village of Yeşilyurt was surrounded by a large force of gendarmerie (soldiers carrying out police duties), accompanied by plain clothes police, who fired shots and then evacuated the village. The members of the village were made to stand for several hours while the police searched the village for guns. The police claimed that they found eight Kalashnikov weapons in the houses in the village. Finally the nine people indicated above were taken into detention.

Kamil Muştak and Bahattin Muştak are the principal plaintiffs in a prosecution brought against a gendarmerie officer four years ago. The officer allegedly forced Bahattin Muştak to smear human excrement on his father's mouth on 15 January 1989. The other detainees witnessed this incident.

Amnesty International believes that this police operation on 17 February 1993 may have been organized to discredit the plaintiffs by extracting incriminating statements from them and thereby making them withdraw their complaint. All but the very old and small children have now fled the village. Amnesty International believes that the detainees are at considerable risk of ill-treatment and torture.

BACKGROUND INFORMATION

Yeşilyurt is a small village in southeast Turkey, in the province of Şırnak. In the early hours of 15 January 1989, security forces surrounded the village and fired on livestock. The security forces kicked and beat the male members of the village, accusing them of giving assistance to guerrillas of the Kurdish Workers' Party. The Officer-in-Charge, Major Cafer Çađlayan, was convicted of ill-treating the villagers and was sentenced to two months imprisonment. His conviction was later converted to a fine. The villagers also alleged that the soldiers made Kamil Muştak smear human excrement over the mouths of the male villagers, and in turn made Kamil's son Bahattin smear excrement over his father's mouth. In the course of this incident, Abdurrahman Muştak and Abdullah Gündođan were injured. This allegation was suppressed by the local governor's office which is empowered under emergency legislation to halt any investigation into ill-treatment or torture by security forces. The villagers made a personal petition to the Council of Europe against the Turkish Government claiming there had been a breach of the European Convention on Human Rights and Fundamental Freedoms, and on 12 January 1993 the European Commission of Human Rights declared their petition admissible.

Turkey has a Kurdish ethnic minority which is estimated to number some 10 million people, living mainly in southeastern Turkey. Since August 1984, when guerrillas of the Kurdish Workers' Party (PKK) started armed attacks against the security forces, an alarming number of reports of ill-treatment of detainees by the security forces have come from the eastern and southeastern provinces. Furthermore, allegations of over 100 extrajudicial executions have been received during the past 12 months. More than 5,000 lives have so far been lost on both sides and among the civilian population in the context of the continuing fighting. Emergency legislation is in force in 10 provinces in the region.

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URGENT ACTION

AI Index: EUR 44/14/93
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EXTRA 18/93

Fear of Torture

24 February 1993

TURKEY:

Abdullah Avşar

Amnesty International is concerned for the safety of Abdullah Avşar who was detained on 20 February 1993 and is being held in incommunicado police detention in Izmir. The organization fears that he is being interrogated under torture.

On the evening of 20 February 1993, Abdullah Avşar was with three other people at the bus terminal in Izmir, when he was detained by officers of the Anti-Terror Branch of Izmir Police Headquarters.

Under the recently introduced changes to the Criminal Procedure Law, lawyers are now permitted to see their clients in detention except when they are being held for alleged political offences which are tried in State Security Courts. When Abdullah Avşar's lawyer applied for permission to see him at Izmir Police Headquarters, he first was told that Abdullah Avşar was to be transferred to the State Security Court in Diyarbakır. Later, when he learned that his client was still held at Izmir Police Headquarters, he was refused permission to see him.

BACKGROUND INFORMATION

Abdullah Avşar's elder brother is the representative in Europe of the Kurdish owned newspaper Özqür Gündem which had to suspend publication in January 1993. Publication was suspended because five of its reporters in the southeast and a distributor were killed in mysterious circumstances in 1992, and repeated death threats and attacks have been made on its distribution network which has collapsed as a consequence.

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. New legislation to shorten the maximum detention period came into force on 1 December 1992. Now the normal maximum period of 24 hours, for which a non-political detainee may be held before being formally charged or released, may be extended to eight days in cases of ordinary crimes involving three or more suspects. 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 or martial law. Emergency legislation is currently in force in Diyarbakır province, but not in Izmir.

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

- expressing concern for the safety of Abdullah Avşar who was detained in Izmir on 20 February 1993 and is being held incommunicado at the Anti-Terror Branch of Izmir Police Headquarters;

- urging that he is not subjected to torture or any other form of ill-treatment and that he is granted access to his lawyer and family;

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**URGENT
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AI Index: EUR 44/12/93
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UA 44/93 "Disappearance"/Fear of Extrajudicial Killing 23 February 1993

TURKEY Metin Can, chairman of Human Rights Association (HRA) in Elazığ,
lawyer
Dr Hasan Kaya, medical doctor

Amnesty International is seriously concerned for the safety of Metin Can, chairman of the Human Rights Association (HRA) in Elazığ and Dr Hasan Kaya, a medical doctor who have "disappeared" in Elazığ and are feared to have been killed.

On the evening of 21 February 1993, Metin Can received a telephone call calling him away from his home. He and his friend, the medical doctor Hasan Kaya, left the house planning to be back two hours later. They did not return. On 22 February an unknown person telephoned the home of Metin Can and said: "We killed Metin and Hasan. Our condolences!". Metin Can's car was found in the Yazıkonak district of Elazığ the same day.

On 23 February a relative of Metin Can was telephoned at the lawyer's home. The caller claimed to be Dr Mehmet Savun Baran, according to newspapers, a local guerrilla leader, who reportedly said "We will release Metin. He should not go to Europe [Metin Can had been planning to travel to Europe the following weekend to take part in a conference]. From now on he will be close to our struggle". No mention was made of Dr Hasan Kaya. His family believe the phone call may have been a deliberate attempt to create confusion about his "disappearance". Metin Can's family have received no confirmation that he is being held by the Kurdish Workers' Party (PKK).

BACKGROUND INFORMATION

The Turkish Human Rights Association has been subject to constant official harassment, particularly in the mainly Kurdish provinces which are under emergency legislation. In the summer of 1991 there was a succession of bomb attacks on branches and members of the HRA. Vedat Aydın, a board member of the Diyarbakır branch of the HRA was abducted and later killed in circumstances which remain mysterious but suggest possible involvement of the security forces. During celebrations of Nevruz (the Kurdish new year festival) in March 1992 security forces fired on the offices of the HRA in Şırnak, and Yavuz Binbay, president of the Human Rights Association in Van nearly died after having been beaten by police.

Attacks against members of the HRA have been on the increase in recent months. On 18 February Kemal Kılıç, a board member of the Şanlıurfa branch of the HRA and a journalist, was attacked by four assailants who attempted to bind his mouth and hands. When he resisted the attackers shot him twice in the head before escaping.

Turkey has a Kurdish ethnic minority estimated to number some 10 million people living mainly in southeastern Turkey. Since August 1984, when guerrillas of the Kurdish Workers' Party (PKK) started armed attacks against the security forces, an alarming number of reports of ill-treatment of detainees by the security forces have come from the eastern and southeastern provinces. In the past 12 months there have been a number of reports of "disappearance" as well as 360 political killings in the region without any serious efforts by the authorities to investigate the crimes. More than 5,000 lives have so far been lost on both sides and among the civilian population in the context of the continuing fighting. Emergency legislation is in force in 10 provinces in the region including Elazığ.

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URGENT ACTION

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AI Index: 44/10/93
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EXTRA 13/93

Fear of Torture

11 February 1993

TURKEY:

Adnan Alp, owner of MELSA Publishing House
Besra Eksen (female), member of People's Labour Party HEP
Salih Dindar, board member of Mesopotamia Culture Centre
Celal Şekeroğlu, Mesopotamia Culture Centre
Saniye Aktaş (female), Mesopotamia Culture Centre
Mahmut Fakhani
Kemal Şahin
Haydar Demir
Güler from journal Özgür Halk (second name is not known to Amnesty International)

Amnesty International is concerned for the safety of scores of people, including those named above, who have been detained during the past few days in an ongoing police operation in Istanbul.

On 9 February 1993, five people were detained at the office of the Kurdish owned newspaper Yeni Ülke and four were released the following day. However, one of them, Adnan Alp, was brought back to the newspaper office by the police on 10 February, where he was beaten by 15-20 plainclothes policemen who were armed with automatic weapons. They beat him in front of the staff who could see that he was in a very poor state of health and then took him back to the police headquarters. Police also searched the offices of Yeni Ülke and of the journal Welat which is located in the same building. The police searched through their archives and confiscated film negatives, causing considerable damage and disorder.

Adnan Alp and the other eight people named above, who were detained at various places in Istanbul on or around 9 February 1993, are held incommunicado at the Anti-Terror Branch of Istanbul Police Headquarters. Released detainees have reported that Besra Eksen was being badly tortured.

BACKGROUND INFORMATION

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. New legislation to shorten the maximum detention period came into force on 1 December 1992. Now the normal maximum period of 24 hours, for which a non-political detainee may be held before being formally charged or released, may be extended to eight days in cases of ordinary crimes involving three or more suspects. 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 or martial law. Emergency legislation is currently in force in 10 provinces in the southeast.

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

- expressing concern about the alleged beating of Adnan Alp by police officers at the office of Yeni Ülke on 10 February 1993;

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URGENT ACTION

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EXTRA 09/93

Fear of Torture

3 February 1993

TURKEY:

Mehmet Aytunç Altay
İhsan Gürsoy
Sevda Yılmaz (female) } sisters
Mukkades Yılmaz (female) }

On 1 February 1993, the police began an operation in Istanbul and four people are reported to have been detained. Mehmet Aytunç Altay reportedly was taken from the street. The other three people were detained at their homes on the same day.

There is particular concern for the safety of Mehmet Aytunç Altay who has been the subject of Urgent Actions twice before, in 1986 and 1987, and who was previously tortured in detention. He stood trial on charges of belonging to the illegal armed organization TKP/B (Turkish Communist Party/Unity), but the outcome of the trials is not known.

It is feared that all four detainees are being subjected to torture during interrogation at the Anti-Terror Branch of Istanbul Police Headquarters.

BACKGROUND INFORMATION

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. New legislation to shorten the maximum detention period came into force on 1 December 1992. Now the normal maximum period of 24 hours, for which a non-political detainee may be held before being formally charged or released, may be extended to eight days in cases of ordinary crimes involving three or more suspects. 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 or martial law.

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

- expressing concern for the safety of the four people named above who were detained in Istanbul on 1 February 1993 and are being held at the Anti-Terror Branch of Istanbul Police Headquarters;
- urging that they are not subjected to torture or any other form of ill-treatment and that they are granted access to their lawyers and families;
- asking to be informed of any charges brought against them.

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**URGENT
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EXTERNAL (for general distribution)

AI Index: EUR 44/07/93
Distr: UA/SC

3 February 1993

Further information on EXTRA 05/93 (EUR 44/04/93, 15 January 1993) - Fear of Torture/"Disappearance"

TURKEY:

Mustafa Metin Yüce (real name: Nedim Köroğlu)	Aydın Erol
Salih Şen (real name: Erol Büyükkaraca)	Gürsel Dursun
Hamdi Genç	Hüseyin Aksoy
Fazil Ahmet Ayar	Şengül Karadağ (female)
Orhan Akyol	Yağmur Battal (female)
Erkan Sabri Ünivar	Hayriye Daloğlu (female)
Adnan İnan	Aynur Kılıç (female)
Mehmet Ali Aksoy	Kubilay Kurmuş
Bülent Durmaz	Hamit Taş
Salih Ersen Kütükçü	Ali Durmaz
İskender Bayhan	Hüseyin Durmaz (real name: Selçuk Bilmiş)
Murat Demir	Salman Kılınç
	Ethem Tepeli

In a police operation against suspected members of TDKP (Turkish Revolutionary Communist Party) and its youth wing TGKB (Turkish Union of Communist Youth) in Istanbul around 8 January 1993, the above 25 people (not 26 as was stated in the original action) were detained. Three of them, Nedim Köroğlu, Erol Büyükkaraca and Selçuk Bilmiş, carried false passports in the names of Mustafa Metin Yüce, Salih Şen and Hüseyin Durmaz respectively, and were registered in detention under these false names, leading to the fear of "disappearance" when police could not confirm their detention under their real names.

Hayriye Daloğlu and Salih Ersen Kütükçü were released without having been brought before the prosecutor.

Erkan Sabri Ünivar, Aydın Erol, Mehmet Ali Aksoy, Hamdi Genç and Bülent Durmaz were released on 22 January 1993 after questioning by the prosecutor at Istanbul State Security Court. The remaining 18 detainees were formally arrested on 22 January and committed to Sağmalcılar Prison in Istanbul to await trial at the State Security Court.

Lawyers were only permitted to see their clients on 26 January. All those now in prison stated that they had been tortured while in incommunicado detention, but that the marks of torture had not been recorded by the doctors who examined them before they were presented in court. They applied for a second medical examination and it is understood that this second examination established that some of the detainees were injured. No further details are available at this stage.

The detainees send their thanks to everybody who intervened on their behalf. No further action is required from the Urgent Action Network.

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**URGENT
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EXTERNAL (for general distribution)

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29 January 1993

Further information on EXTRA 07/93 (EUR 44/05/93, 21 January 1993) - Fear of Torture

Turkey: Sado Tekin (female), aged about 40
Melki Tekin, husband of Sado, aged about 50
Süleyman Altunkaynak, aged about 35
Barsaum Aydın, aged 36 (please note corrected sex, age and spelling of name)

Amnesty International has learned that Sado Tekin and Süleyman Altunkaynak were released on 27 January 1993. No details are available so far regarding their treatment in detention. Reportedly the detainees were all beaten, humiliated and insulted as they were taken away from the village.

Melki Tekin and Barsaum Aydın, who is the father of nine children, continue to be held in Mardin and it is feared that they are being interrogated under torture. Under current legislation they may be held in incommunicado detention until 18 February 1993.

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

- expressing concern about the continuing incommunicado detention of Melki Tekin and Barsaum Aydın at Mardin Gendarmerie Command;
- urging that they are not subjected to torture or any form of ill-treatment;
- appealing that they are given access to legal counsel and to their families;
- asking to be informed of any charges that may be brought against them.

APPEALS TO:

1) Mardin Chief Prosecutor:
State Prosecutor's Office
Cumhuriyet Başsavcılığı
Mardin, Turkey
Telegrams: Cumhuriyet Bassavciligi, Mardin, Turkey

Salutation: Dear Sir

2) Mardin Gendarmerie Commander:
Albay Enver Uysal (Colonel)
Alay Jandarma Komutanı
Alay Jandarma Komutanlığı
Mardin, Turkey
Telegrams: Alay Jandarma Komutani, Mardin, Turkey
Telexes: 72004 jimr tr

Salutation: Dear Colonel Uysal

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EXTRA 07/93

Fear of Torture

21 January 1993

TURKEY:

**Sado Tekin (female), aged about 40
Melki Tekin, aged about 50
Süleyman Altunkaynak, aged about 40
Bersavmo Aydın (female), aged about 42**

Amnesty International is concerned for the safety of the above Assyrian Christian peasants from the village of Zaz, near Midyat, in the province of Mardin. They were taken into custody from their homes on 19 January 1993 - reportedly following information given against them during the interrogation of an alleged guerrilla captured in the preceding days. They are currently in custody in Midyat, but it is feared that they will shortly be taken to Mardin Gendarmerie and that they will there be interrogated under torture.

Under Turkish law these detainees may be interrogated for up to 30 days. In southeast Turkey detainees are almost invariably held incommunicado during this period. In December 1992 the European Committee for the Prevention of Torture (part of the Council of Europe) announced that torture was "widespread", following a series of visits to Turkish police stations where it had discovered not only detainees with clear signs of torture, but also torture equipment used during interrogation.

BACKGROUND INFORMATION

Most of Turkey's small Assyrian Christian minority live in villages surrounding Midyat in the province of Mardin, southeast Turkey. There are also a number of villages inhabited by Yazidis - followers of a Zoroastrian faith. Like many other villages in the area, they are placed in a very difficult position by the government-imposed village guard system. Those villages which join the village guard corps invite attack from the guerrillas of the Kurdish Workers' Party (PKK), while those which refuse to join are suspected of supporting guerrillas, and are at risk of reprisal from the regular security forces, or from neighbouring groups of village guards.

The headman of an Assyrian village recently told a Swedish television team: "Quite often we are visited by guerrillas who request food and other things. My family and I have to give them anything they require, otherwise they see us as enemies and we risk our lives. In the mornings I am often visited by the military who also want food and the use of my telephone and at the same time they accuse me of cooperating with the terrorists."

Assyrian Christians have been detained and allegedly tortured. There have also been killings. On 13 January 1993 seven people were killed and 12 injured in an attack near Midyat on two minibuses carrying members of two Assyrian and Yazidi villages which had refused to join the village guard system. The authorities announced that the attack was carried out by the PKK, but the villagers themselves believe that village guards were responsible. During 1992 there were several similar attacks on minibuses allegedly carried out by village guards. In one case, the allegation was substantiated by ballistic evidence and charges were brought against village guards.

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EXTRA 05/93

Fear of Torture/"Disappearance"

15 January 1993

TURKEY:

Nedim Köroğlu
Mustafa Metin Yüce
Salih Şen
Hamdi Genç
Fazil Ahmet Ayar
Orhan Akyol
Erkan Sabri Ünivar
Adnan İnan
Mehmet Ali Aksoy
Bülent Durmaz
Salih Ersen Kütükçü
İskender Bayhan
Murat Demir

Aydın Erol
Gürsel Dursun
Hüseyin Aksoy
Şengül Karadağ
Yağmur Battal
Hayriye Daloğlu
Aynur Kılıç
Kubilay Kurmuş
Hamit Taş
Ali Durmaz
Hüseyin Durmaz
Salman Kılıç
Ethem Tepeli

Amnesty International is concerned about the 26 people named above, most of whom are students, who were recently detained during a police operation in Istanbul. According to newspaper reports, the police operation was directed against the illegal organization Turkish Revolutionary Communist Party/Turkish Union of Communist Youth. All those named above, with the exception of Nedim Köroğlu, were detained on 8 January 1993 and are currently being interrogated at the Anti-Terror Branch of Istanbul Police Headquarters. Nedim Köroğlu was allegedly detained on 12 January 1993 but police and prosecutors deny that Nedim Köroğlu was taken into custody and claim that they have no knowledge of his whereabouts. It is feared that all those named are being interrogated under torture, and that an attempt may be being made to "disappear" Nedim Köroğlu.

Lawyers who hold power of attorney for two of the detainees were given permission by the prosecutor to see their clients but were subsequently refused access by the police.

BACKGROUND INFORMATION

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 (CPT - established by the Council of Europe) reported: "In the light of all the information at its disposal, the CPT 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".

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 for up to 15 days. In the provinces of southeast Turkey which are under emergency legislation, the maximum detention periods for political and non-political detainees may be doubled to 30 and 16 days respectively.

☎ (44)(71) 413 5500 Telegrams: Amnesty London WC1 Telex: 28502 FAX: 956 1157

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EXTRA 01/93

Fear of "Disappearance"/Fear of Torture

6 January 1993

TURKEY:

Serdar AY

Amnesty International is concerned for the safety of Serday Ay who was detained in Diyarbakır on 18 December 1992 and whose detention has not been acknowledged by the authorities.

On the night of 18 December 1992 at 1.30am, Serdar Ay was detained at his home in Diyarbakır by members of the gendarmerie and the police force. Serdar Ay runs a minibus service and they ostensibly wanted him to assist them as a guide. Nothing has been heard of him since.

Ali Ihsan Ay, Serdar's father, has been trying to locate his son. Initially he made inquiries with the Diyarbakır Chief Prosecutor's Office, where he was told that his son was being held by the gendarmerie in the Ofis district of Diyarbakır. However, the gendarmerie there denied holding him. On 21 December, he submitted a written request to the Prosecutor's Office at the Diyarbakır State Security Court and received a written reply the same day to the effect that no person by the name of Serdar Ay was registered as being held in custody.

Reportedly, there have been complaints against Serdar Ay for playing cassettes with Kurdish music on his minibus. About two months ago he was taken into detention by the gendarmerie in Piringlik, near Diyarbakır, and held for one day.

It is now 19 days since Serdar Ay was taken into custody and, in view of the large number of political killings and alleged extrajudicial executions in the region, there is grave concern for his safety.

BACKGROUND INFORMATION

Turkey has a Kurdish ethnic minority which is estimated to number some 10 million people, living mainly in southeastern Turkey. Since August 1984, when guerrillas of the Kurdish Workers' Party (PKK) started armed attacks against the security forces, an alarming number of reports of ill-treatment of detainees by the security forces have come from the eastern and southeastern provinces. Furthermore, allegations of over 100 extrajudicial executions have been received during the past 12 months. More than 5,000 lives have so far been lost on both sides and among the civilian population in the context of the continuing fighting. Emergency legislation is in force in 10 provinces in the region and the Emergency Legislation Governor in Diyarbakır 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. 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. New legislation to shorten the maximum detention period came into force on 1 December 1992. Now the normal maximum period of 24 hours, for which a non-political detainee may be held before being formally charged or released, may be extended to eight days in cases of ordinary crimes involving three or more suspects. 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 or martial law. Emergency legislation is currently in force in Diyarbakır province.

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EXTRA 02/93

Fear of Torture

6 January 1993

TURKEY:

Kemal Yazar

Amnesty International is concerned for the safety of Kemal Yazar, who was detained in Izmir on 1 January 1993.

Reportedly, Kemal Yazar was taken into police custody at Izmir airport when he was found travelling with a false passport in the name of Şeyh Coban. It is thought that he may have been transferred meanwhile to the Anti-Terror Branch of Istanbul Police Headquarters.

Kemal Yazar was previously detained in Istanbul in October 1990 (see UA 442/90, EUR 44/160/90, 1 November 1990 and follow-up EUR 44/187/90, 12 December 1990). At the time, he and fellow-detainees were tortured in police custody and medical reports certified injuries consistent with their allegations of torture. Kemal Yazar was charged with "membership of an armed gang" and stood trial in Istanbul State Security Court. The outcome of that trial is not known to Amnesty International.

Following three visits to Turkey to investigate allegations of torture the European Committee for the Prevention of Torture (ECPT) of the Council of Europe published in December 1992 for the first time its findings. The ECPT concluded "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".

It is feared that Kemal Yazar is being subjected again to torture while under interrogation.

BACKGROUND INFORMATION

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. New legislation to shorten the maximum detention period came into force on 1 December 1992. Now the normal maximum period of 24 hours, for which a non-political detainee may be held before being formally charged or released, may be extended to eight days in cases of ordinary crimes involving three or more suspects. 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 or martial law. Emergency legislation is currently in force in 10 provinces in the southeast of Turkey.

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

- expressing concern for the safety of Kemal Yazar who was detained in Izmir on 1 January 1993;

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