

EXTRA 55/94

Fear of Torture

28 September 1994

TURKEY

Murat Demir, lawyer, member of Ankara Bar
Ahmet Düzgün Yüksel, lawyer, member of Istanbul Bar
Fatma Yaman (f)
Gülcan Yagiz (f)

At 2pm on 27 September 1994 the two lawyers Murat Demir and Ahmet Düzgün Yüksel were detained at the Ankara branch of the law firm *Halkin Hukuk Burosusu* (People's Law Office), together with Fatma Yaman and Gülcan Yagiz, who were visiting the office. It is believed that the four are being held at the Anti-Terror Branch of Ankara Police Headquarters, but when colleagues from the Istanbul branch of the law firm telephoned to make inquiries, the Anti-Terror Branch denied that they were holding them. Amnesty International fears that the detainees are being subjected to ill-treatment or torture.

At the time the police raid took place, the lawyers were preparing to submit to the French Embassy in Ankara a file of information concerning their client, Dursun Karatas. Dursun Karatas, allegedly a founder of the illegal armed group *Devrimci Sol* (Revolutionary Left), was arrested in France on 9 September 1994 in company with the lawyer Zerrin Sari, a member of the People's Law Office. Both are remanded in custody in France. On 27 September, the day on which the People's Law Office was raided, the Turkish government applied for the extradition of Dursun Karatas, who escaped from Sagmalcilar Prison in Istanbul in October 1989.

In June 1991 Murat Demir was detained for 14 days and interrogated under torture at Ankara Police Headquarters (see UA 209/91, 14 June 1991 and updates). He was refused access to legal counsel, family or medical assistance, in spite of appeals made by the President of Istanbul Bar Association and by the Justice Minister. When he was formally arrested and committed to prison, Murat Demir reported that he had been stripped naked, hosed with high pressure water, suspended by his arms from a pole for about 30 minutes while his testicles were squeezed, subjected to electric shocks through his thumb and penis, and that the interrogators attempted to force objects into his anus. After examination by the Forensic Medicine Institute he was given a medical certificate describing injuries consistent with his allegations of torture.

Later that year, the UN Working Group on Arbitrary Detention passed a resolution [Decision No 43/1992 (Turkey)] stating that the detention of Murat Demir had been "arbitrary being in contravention of articles 9, 10 and 20 of the Universal Declaration of Human Rights".

In April 1993 a detainee who asked to speak to a lawyer of the People's Law Bureau was reportedly told by police, "*Your lawyer is dead - or if not, we will kill your lawyer*". On 16 September 1993 Murat Demir was reportedly attacked by police in the lobby of Kayseri State Security Court. According to other lawyers who witnessed the attack, a plainclothes policeman appeared after the affray and told Murat Demir: "*You are a traitor and I am the state - I will hang you or cut your throat and nobody can do anything about it*". The lawyers complained to the State Security Court judges and prosecutor who said that they were not competent to intervene. Murat

Demir's house was ransacked by police in October 1993.

BACKGROUND INFORMATION

The illegal armed organization *Devrimci Sol* (Revolutionary Left) has accepted responsibility for dozens of political killings, including those of high ranking military and security personnel. Since May 1991, more than 50 suspected members of *Devrimci Sol* have been killed by the police in raids on "safe houses", the majority in Istanbul and Ankara. Any person suspected of links with the organization and taken into detention is at grave risk of being tortured during interrogation.

Amnesty International has received many reports of torture at Ankara Police Headquarters, the most recent in May 1994 (see EXTRA 24/94, EUR 44/28/94, 22 April and update EUR 44/33/94 of 6 May). Ankara Police Headquarters were visited on a number of occasions by the Committee for the Prevention of Torture (ECPT) of the Council of Europe, of which Turkey is a member. In December 1992 the ECPT published its findings in a public statement. The ECPT announced that during an impromptu visit to Ankara Police Headquarters they had found *"a low stretcher-type bed equipped with eight straps (four each side), fitting perfectly the description of the item of furniture to which persons had said they were secured when electric shocks were administered to them. No credible explanation could be proffered for the presence of this bed in what was indicated by a sign as being an 'interrogation room' ... the delegation's discoveries caused considerable consternation among police officers present; some expressed regret, others defiance."*

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

- expressing concern for the safety of Murat Demir, Ahmet Düzgün Yüksel, Fatma Yaman and Gülcan Yagiz detained on 27 September 1994 and held incommunicado in unacknowledged detention at Ankara Police Headquarters;
- seeking assurances that they are not being subjected to torture or any other form of ill-treatment;
- asking that Murat Demir and Ahmet Düzgün Yüksel, being lawyers, be interrogated by a prosecutor, as laid down in Turkish law;
- asking that the detainees be given prompt access to family and legal counsel;
- urging that they be brought promptly before a judge;
- asking to be informed of the charges brought against them.

APPEALS TO

1) Minister of the Interior:

Mr Nahit Mentese
 İçişleri Bakanlığı
 06644 Ankara, Turkey
Telegrams: Interior Minister, Ankara, Turkey
Faxes: +90 312 428 4346
Salutation: Dear Minister

2) Minister of Justice:

Mr Mehmet Mogultay
 Adalet Bakanlığı

06659 Ankara, Turkey

Telegrams: Justice Minister, Ankara, Turkey

Faxes: +90 312 425 4066

Salutation: Dear Minister

COPIES OF YOUR APPEALS TO:

Minister of Foreign Affairs:

Prof Mümtaz Soysal

Disisleri Bakanligi

06100 Ankara, Turkey

Faxes: 90 312 287 1886

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 28 October 1994.