

EXTERNAL (for general distribution)

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Fear of Torture

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TURKEY:                   Selahattin Cengiz, aged 13, disabled  
                          Halil Bardu  
                          \_ükrü Kil

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Detentions of villagers are continuing in the Pervari/Siirt region of southeast Turkey because the villagers are suspected of providing food and shelter to Kurdish guerrillas fighting in the area (see Urgent Action 382/90, AI Index EUR 44/132/90, 21 September 1990 and follow-up EUR 44/143/91, 9 October 1990).

On 23 June 1991 the three people named above were detained by the gendarmerie in the village of Erkent near Pervari. The village does not provide and accept so-called village protectors and is, therefore, continually searched by the security forces. Village protectors are villagers who are armed and paid by the authorities to fight the guerrillas.

Selahattin Cengiz is about 13 years old and has a severe curvature of the spine. His father used to be a grocer until all grocery shops in the village were closed by the authorities because of suspicions that provisions would be passed on to the guerrillas. Any food or groceries coming into the village are monitored and registered at the nearby gendarmerie post in Do\_anca (accent on g). During the search of the Cengiz house, shoes which were stock left over after closure of the shop were found. In this very rugged area, shoes are considered by the authorities to be a particularly important necessity for the guerrillas. As no other members of the family were at home, Selahattin Cengiz was detained and taken to Do\_anca gendarmerie station together with the other two men who had also been detained in the village that day. They were later transferred to the Gendarmerie Headquarters in Pervari. It is feared that they may be interrogated under torture. The security forces are reportedly searching for another five villagers.

#### 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, where more than 2000 lives so far have been lost in the continuing fighting. A State of Emergency is in force in ten provinces and an additional three provinces have been placed under the authority of the Emergency Legislation Governor in Diyarbakir.

In May 1990 the Turkish government issued Decrees 424 and 425 (in December replaced by Decree 430), further extending the already extraordinary 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

page 2 of UA 220/91

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 further extended to 30 days in areas under emergency legislation or martial law. Emergency legislation is currently in force in ten provinces, including Siirt.

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

- urging that Selahattin Cengiz, Halil Bardu and Ükrü Kil are given prompt access to their families, which is particularly important in the case of a detained minor, and that they are not ill-treated while in detention;
- requesting to be informed of any charges against them.

**APPEALS TO**

Governor of Siirt province:

Mr Atilla Koç  
Siirt Valisi  
Siirt, Turkey

**Telegrams: Siirt Valisi, Siirt, Turkey**  
**Telexes: 72313 SRVT TR telex**  
**Faxes: +90 8441 2760**

Prime Minister Mesut Yılmaz  
Office of the Prime Minister  
Ba\_bakanlik  
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 PRIME MINISTER**  
**+90 42 30 88 96 (attn: Prime Minister)**

Minister of the Interior:

Mr Abdülkadir Aksu  
İç\_i\_leri Bakanli\_i  
06644 Ankara, Turkey  
**Telegrams: Interior Minister, Ankara, Turkey**  
**Telexes: 46369 ICSL TR**  
**Faxes: +90 4 118 1795**  
**+90 4 125 6520 (Ministry of Interior)**

Emergency Legislation Governor:

Mr Hayri Kozakçio\_lu  
Ola\_anüstü Hal Valisi  
Diyarbakir, Turkey  
**Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey**  
**Telexes: 72110 OHVT TR**  
**72084 DYVA TR "please forward to the Governor"**  
**72090 JASY TR**  
**Faxes: +90 831 26174**

**COPIES TO:** - Diplomatic representatives of Turkey in your country;

President of Parliamentary Human Rights Commission:

Mr Eyüp A\_ik  
Insan Haklari Ara\_tirma Komisyonu Ba\_kani  
TBMM  
Ankara, Turkey

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

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 8 August 1991.