

PUBLIC

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UA 90/08 Health concern/ill-treatment

TURKEY Cuneyt Ertus (m) aged 15

Fifteen-year-old Cuneyt Ertus was arrested by police after *Newroz* (New Year) demonstrations on 22 March in the south-eastern city of Hakkari. He was apparently ill-treated during and after his arrest and is currently being held on remand at Bitlis Prison. He has been charged with offences including resisting arrest and making propaganda for a terrorist organization.

Television footage apparently shows plainclothes police officers injuring Cuneyt Ertus' arm while he was under their control and not resisting arrest [<http://www.ozgurgundem.org/haber.asp?HaberId=49576>] Amnesty International is calling for Cuneyt Ertus to be given an urgent independent medical examination and appropriate treatment.

This call follows official medical reports which have apparently not found his arm to be seriously injured. Concerns for his health are heightened by reports that after he was taken into police custody, Cuneyt Ertus was allegedly punched, slapped and verbally abused by police officers.

BACKGROUND INFORMATION

Newroz (Kurdish)/ Nevruz (Turkish) is the traditional festival of New Year in the Persian calendar which celebrates the arrival of spring at the March 21 equinox and which is celebrated especially by the Kurdish community in Turkey.

Violent protests occurred in the south-eastern cities of Hakkari, Siirt, Van, and Yuksekova after local authorities refused to permit traditional *Newroz* celebrations. There were widespread allegations of the use of excessive force and ill-treatment by police officers in demonstrations that left three people dead. A large number of people, including some police officers were also reportedly injured during the demonstrations. In other cities where permission was granted, demonstrations took place without incident.

Under international law it is the duty of the Turkish authorities to ensure that the policing of demonstrations is carried out in a manner that complies with the absolute prohibition of torture and other ill-treatment and international standards on the use of force. Article 3 of the United Nations (UN) Code of Conduct for Law Enforcement Officials (UN Code of Conduct) states that: "*Law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty*".

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- urging the Turkish authorities to ensure that Cuneyt Ertus has access to an independent medical examination and can access appropriate medical treatment;
- calling for a prompt, impartial and effective investigation into claims that Cuneyt Ertus was ill-treated by police officers during and after his arrest and for those responsible to be brought to justice;
- acknowledging that governments have the right and responsibility to prosecute those suspected of a recognizably criminal offence but reminding the authorities of their obligation to uphold the absolute prohibition of the use of torture and other ill-treatment under the Convention against Torture and their obligations to under the Convention of the Rights of the Child which apply to Cuneyt Ertus who is a minor under national and international law;
- calling for demonstrations to be policed within the confines of international law and as such for force only to be used where strictly necessary and to the extent required for the performance of their duty.

APPEALS TO:

Minister of the Interior:

Mr Besir Atalay
Ministry of the Interior
İçişleri Bakanlığı
06644 Ankara
Turkey

Fax: +90 312 418 1795 /418 3284

e-mail: besir.atalay@icisleri.gov.tr

Salutation: Dear Minister

COPIES TO:

Minister of State and Deputy Prime Minister

Mr Cemil Çiçek
Office of the Prime Minister
Başbakanlık
06573 Ankara, Turkey

Fax: +90 312 417 0476

Email: bimer@basbakanlik.gov.tr

Salutation: Dear Minister

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 20 May 2008.