

Network of Concerned Historians				NCH
Campaigns				
Year original	Year follow-up	Circular	Country	Names
2001		21	Turkey	Emrullah Karagoz, archeology student
	2001			<i>follow-up 2</i>
	2001			<i>follow-up 1</i>

Announcement:

Amnesty International reports that Turkish archaeology student Emrullah Karagoz (?1978-) was charged with “aiding and abetting an illegal organisation” (the legal pro-Kurdish political party HADEP), has been in gendarmerie detention in Diyarbakir since 1 November 2001, and may be at risk of torture or ill-treatment. On 30 March and 7 November 2001, NCH already participated in a campaign for Emrullah Karagoz and others (see also NCH#21, #21ii, #23). We hope that you can send the recommended urgent appeals immediately. Please remember to write in your professional capacity.

With best wishes,

Antoon De Baets, Joop Koopmans, Ingrid Sennema, George Welling
(Network of Concerned Historians)

SUMMARY OF NCH #21 and #21ii (30 March and 7 November 2001)

On 27 March 2001, plainclothes police officers arrested archaeology student **Emrullah Karagoz** (?1978-) and held him at the Diyarbakir Police Headquarters, where he was at risk of torture. On 1 November he was brought before a judge and remanded to Diyarbakir prison on 1 November, but his whereabouts were unclear. He was at grave risk of “disappearance”. Karagoz, who works for the youth wing of the legal pro-Kurdish political party HADEP, was previously detained in June 1999 and November 2000 for political reasons. Plainclothes police apparently raided his house several times shortly before Newroz (the Kurdish New Year which is celebrated on 21 March).

AMNESTY INTERNATIONAL URGENT ACTION APPEAL

20 November 2001—Further information on UA 280/01 issued 5 November 2001—Risk of “disappearance”, fear of torture and ill-treatment—**TURKEY**

Emrullah Karagoz, (m) student, aged 23

Mustafa Yasar, (m) welder, aged 29

New names:

Remziye Dag (f) housewife, aged 51

Hatip Alay, (m) tradesman, aged 41

Fehmi Ak, (m) crane-operator, aged 26

The five people named above are in incommunicado detention in Diyarbakir, southeast Turkey. They are being held by gendarmes (army members with police responsibilities in rural areas) and are at risk of torture and ill-treatment.

Emrullah Karagoz and Mustafa Yasar are both members of the legal pro-Kurdish political party HADEP. Both men were charged with “aiding and abetting an illegal organisation”. They have been in gendarmerie detention since 1 November despite a judge ordering that they be remanded to prison. On 10 November, the State Security Court in Diyarbakir extended their detention for ten days. When their lawyers attempted to visit them at gendarmerie headquarters on 14 November, they were told that the men were not there.

Hatip Alay, Remziye Dag and Fehmi Ak were arrested between 10 and 13 November and are all being held in gendarmerie detention, despite orders by the State Security Court that they should be remanded to Diyarbakir Prison. Hatip Alay was reportedly detained by plain-clothes police officers during a raid on his house in Mazidag, Mardin province on 10 November. The following day, the State Security Court remanded him to Diyarbakir prison but he was instead returned to gendarmerie detention.

Remziye Dag was apparently detained at a check-point in Ergani, Diyarbakir province, on 11 November. She was allegedly taken to her house at 9.00 pm on 14 November by security officials so that she could change her clothes, which were said to be in tatters and stained with blood. The next day the State Security Court remanded her to Diyarbakir prison but she too was returned to gendarmerie detention.

Fehmi Ak was reportedly detained by plain-clothes security officers in the course of a raid on his house in Bingol province on 13 November. On 16 November the State Security Court remanded him to Diyarbakir prison but he was instead returned to gendarmerie detention.

BACKGROUND INFORMATION:

Diyarbakir, southeast Turkey is currently under a State of Emergency. As such, Article 3/c of Legal Decree Number 430 grants the State Prosecutor—following a proposal from the Governor of the Region under State of Emergency—permission to ask a judge to return a person already in remand or imprisoned to police or gendarmerie custody for up to ten days. This is applicable in cases related to crimes that caused the declaration of State of Emergency. All the detainees have been returned to gendarmerie detention under this decree. Amnesty International has received numerous reports of such prisoners being exposed to torture and ill-treatment during this period.

Whereas torture is rarely reported from prisons, in police and gendarmerie stations, torture appears to be regularly used to extract confessions, elicit information about illegal organizations, intimidate detainees into becoming police informers or as unofficial punishment for presumed support of illegal organizations. Torture methods in Turkey documented by Amnesty International include severe beatings, being stripped naked and blindfolded, hosing with pressurized ice-cold water, suspending by the arms or wrists bound behind the victim's back, electric shocks, beating the soles of the feet, death threats and sexual assault.

The Turkish Regulation on Apprehension, Police Custody and Interrogation provides clear guidelines for the registration of people taken into custody and their right to inform their relatives “unless informing the relatives will harm the investigation”. In an amendment to the Constitution on 3 October 2001 this restriction was lifted. Yet guidelines for the prompt and proper registration of detainees and for notification of their families are often ignored. This is extremely distressing for the families of detainees, who often spend days trying to establish the whereabouts of their loved ones. Failure to register detainees properly and promptly creates conditions in which there is an increased risk of torture, and “disappearance” or death in custody can occur.

FURTHER RECOMMENDED ACTION:

Please send appeals to arrive as quickly as possible:

expressing concern at reports that Mustafa Yasar and Emrullah Karagoz have been in gendarmerie detention in Diyarbakir since 1 November 2001 and may be at risk of torture or ill-treatment;

expressing concern at reports that Remziye Dag, Hatip Alay, and Fehmi Ak have been returned to gendarmerie detention in Diyarbakir and may be at risk of torture or ill-treatment;

urging the authorities to ensure that none of the names above are tortured or ill-treated, and that they are given immediate access to their lawyers and relatives and appropriate medical care should they need it;

asking the authorities to take action to prevent the torture of detainees, pointing out that the government is bound by the European Convention on Human Rights.

APPEALS TO:

Minister of the Interior
Mr Rustu Kazim Yucelen
Ministry of Interior
Iciseri Bakanligi
06644 Ankara, Turkey
Telegrams: Interior Minister, Ankara, Turkey
Fax: 011 90 312 418 17 95
Salutation: Dear Minister

Chief of Staff of the Gendarmerie
General Aytac Yalman
Jandarma Kuvvetleri Komutanligi
Bakanliklar
Ankara, Turkey
Telegrams: General Yalman, Ankara, Turkey
Fax: 011 90 312 418 9208
Salutation: Dear General

Governor of the Provinces under Emergency Rule
Gokhan Aydiner
Olaganustu Hal Valisi
Diyarbakir, Turkey
Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey
Faxes: 011 90 412 224 3572
Salutation: Dear Governor

COPIES TO:

State Minister with responsibility for Human Rights

Nejat Arseven

Office of the Prime Minister,

Basbakanlik

06573 Ankara, Turkey

Fax: 011 90 312 417 04 76

Salutation: Dear Minister

Ambassador Faruk Logoglu

Embassy of the Republic of Turkey

2525 Massachusetts Ave. NW

Washington DC 20008

Fax: 202 612 6744

Please send appeals immediately. Check with NCH if sending appeals after January 1, 2001.

Ensuring letter-writing actions are not disrupted by new security measures:

In the light of current security concerns, including concerns about anthrax being sent through the post to media and government addresses, authorities in the United States and elsewhere will be implementing security procedures to ensure the safety of mail. Letters to government officials will be carefully scrutinized and this may mean a significant delay before they reach the recipients.

This may have an impact on how we can best ensure that appeals on Urgent Action cases and other actions are delivered as quickly as possible.

Below are some simple suggestions for activists involved in sending appeals to minimize potential disruption and to ensure that our concerns reach the authorities as quickly as possible. Where possible consider using fax, e-mail etc or postcards, rather than sealed envelopes, to send appeal letters to authorities.

If letters are sent:

put a return address on the envelope (the letter should be sent from the same area)

provide a complete address and title and write clearly

don't put lots of enclosures in envelopes

don't seal envelopes with tape

Amnesty International is a worldwide grassroots movement that promotes and defends human rights.