

TURKEY: SIXTEEN DEATHS IN DETENTION IN 1992

Helsinki Watch is deeply disturbed by reports of deaths in detention in Turkey -- deaths that take place during the interrogation of suspects at police stations throughout Turkey. In 1992, sixteen people died in the custody of police or gendarmes (a police force used in outlying areas). An extraordinarily high percentage of these suspects -- six of the sixteen -- were said by police to have committed suicide; three of the alleged suicides were children between the ages of thirteen and sixteen. In only three of the sixteen cases have investigations reportedly been undertaken by public prosecutors.

In June 1992, Helsinki Watch issued a newsletter documenting eleven deaths in detention that had taken place since February 1992. The five deaths that have occurred since that time are:

* **Nurettin Aslan, 55, detained in Istanbul on July 22 on allegations of drug smuggling. Mr. Aslan died the same day under suspicious circumstances at the Istanbul Narcotic Branch Directorate. Police asserted that Mr. Aslan committed suicide by jumping into a stairwell from an eighth floor landing. He died in a hospital (*Hurriyet, Milliyet*).**

* **Caglayan Kartal Genc, who died in police custody in Adana in early September. His corpse was placed in the lemon garden near his home in Erdemli (source: human rights worker in Adana).**

* **Remzi Basalak, a youth who died in police custody in Adana on October 23. He had been apprehended in connection with a robbery. An autopsy revealed that he had died from a brain hemorrhage; police asserted that he had fallen down and hit his head on the ground while being apprehended (*Hurriyet*).**

* **Tabir Saday, 56, a village mukhtar (headman) in Van in southeast Turkey, detained on October 20; his corpse was delivered to his family on October 25. Gendarmes said he had had a heart attack, but his body reportedly showed traces of torture. He had allegedly been threatened by gendarmes before his detention (*Ozgur Gundem*).**

* **Ramazan Altunsoz, detained on October 21 in Batman; his body was delivered to his family on October 31. Conflicting reports from the police indicated that he had been ill and that he had committed suicide with an iron bar. His body reportedly bore signs of torture (*Ozgur Gundem*).**

The eleven deaths reported by Helsinki Watch in June were:

* **Refik Akin, detained on January 29 by security forces in the village of Sazlibasi, Korkut district of Mus in southeast Turkey, on suspicion of possession of an automatic gun. He was allegedly beaten while forced to lie naked in the snow. Mus Member of Parliament Muzaffer Demir said that Refik Akin died on**

February 1 in Elazig State Hospital due to beatings and exposure to the cold. *Cumhuriyet* reported that the Mus prosecution office had opened an investigation into his death (*Cumhuriyet*).

* **Burhan Serikli, 18, detained during operations carried out at the beginning of March in Ulular and Cefani settlements of Besiri district of Batman in southeast Turkey. He died in the Batman Gendarme Station where he was interrogated. The date of death is unknown, but he was buried on March 8 in the village of Binek in the Kozluk district. The president of the Batman branch of the Turkish Human Rights Association, Sedat Ozevin, reported that he had discussed Serikli's death with the Batman governor, who had told him that Serikli had hanged himself with his blindfold. Ozevin said, "It is not possible to commit suicide with such a small piece of cloth. An investigation should be made into the case and the truth disclosed. The right to life should not be violated indifferently." An autopsy was performed and allegedly confirmed that Serikli had hanged himself. Villagers, however, reported that the body showed bruising under the arms (*Cumhuriyet, Hurriyet*).**

* **Biseng Anik, a sixteen-year-old girl detained in Sirnak in southeast Turkey on March 25 during a house-to-house sweep following the violent unrest that took place during *Nevroz*, the Kurdish New Year. She died under suspicious circumstances on March 28 while in police custody.**

Mustafa Malay, the governor of Sirnak province, reportedly released a statement on her death that said:

Biseng Anik was detained on 25 March. When the custody rooms were crowded, some detainees were put in other rooms to testify. Together with the girl who committed suicide were two other girls. Therefore, Biseng was taken to another room used by the security forces. In that room she committed suicide with a gun she found under the bed. The autopsy showed that she committed suicide (*Milliyet*).

* **Tahir Seyhan, an official of the People's Labor Party (HEP) in Dargecit in Mardin province in southeast Turkey. Mr. Seyhan died on April 11 after undergoing four days of interrogation. According to Amnesty International, the autopsy report indicated brain trauma as the cause of death. A relative of Mr. Seyhan has alleged that the officer in charge of the interrogation told Mr. Seyhan, "You are a dead man now." A staff member of the hospital where Mr. Seyhan died reportedly said, "It is an inhuman case. He was brutally tortured. His body was all in pieces" (Amnesty International *Weekly Update*, May 7, 1992).**

* **Kesan Ali, 16, who died in mid-April in police custody in Diyarbakir, in southeast Turkey. According to *The Guardian*, Kesan Ali was taken from his house by eight police officers a few days after the *Nevroz* celebrations in late March. Officials reported that Kesan Ali had committed suicide in custody. His family challenges this, reporting that part of his head was missing, and that he was almost unrecognizable. The rest of his body allegedly showed signs of torture as well (*The Guardian*).**

* **Mithat Kutlu, a bank officer detained on April 18 in the Bismil district of Diyarbakir. He died in custody six hours later. The autopsy allegedly showed that his death was caused by a brain hemorrhage and internal bleeding. A person who was detained with Mr. Kutlu reported:**

They struck his head with truncheons and clubs. When he got a hard kick to his stomach, he lost his voice. He was left near us and we requested his hospitalization, but they refused. He was

bleeding from his ears and mouth. He died shortly afterwards (*Yeni Ulke*, Amnesty International *Weekly Update*).

* **Kadir Kurt**, 35, detained on the morning of April 19 in the village of Birik in Bismil district of Diyarbakir. He died that night in the Gendarme Battalion Command where he was interrogated. Davut Kurt, Kadir Kurt's brother, who had been detained with him, said:

They tortured my brother beside me. They inserted a truncheon into his anus. One of my hands and a rib were broken by torture.

Kadir Kurt reportedly died from internal bleeding caused by pressure on his lungs from a broken sternum (*Yeni Ulke*, Amnesty International *Weekly Update*).

* **Mehmet Yilmaz**, eighty years old, detained on April 21 in connection with military operations staged by security forces in Batman in southeast Turkey. Interrogated at the Batman Security Directorate, Mr. Yilmaz became ill and was taken to Diyarbakir State Hospital on April 24. He died on April 25 and was buried in Batman on April 26. Two thousand people reportedly attended his funeral.

The autopsy report stated that death was caused by bleeding in the brain. Batman officials asserted that Mr. Yilmaz suffered bleeding in the brain when his blood pressure rose, not because of torture. Mr. Yilmaz's wife, Ayse Yilmaz, reported that her husband had not had health complaints before his detention (*Yeni Ulke*).

* **Agit Salman**, a forty-two-year-old taxi driver, detained by political police in Adana on April 27. He died in custody on April 29 at Security Headquarters in Adana, where he had been interrogated. Police officials stated that an autopsy showed that Agit Salman had died of a heart attack. His wife, Bedie Salman, said, "My husband was killed by torture. Agit had no illness up to now" (*Milliyet*).

* **A thirteen-year-old student** was detained on April 29 and charged with murder. He died in his cell in Gumushane Closed Prison in northeast Turkey on May 2. Officials alleged that the student, whose name was not disclosed, had had a nervous breakdown and committed suicide (*Meydan*).

* **Hasan Guldal**, detained on May 23 in Savsat district in Artvin in northeast Turkey, charged with membership in an illegal organization. He appears to have died sometime after June 1 while in detention in Artvin Provincial Gendarme Command, where he was allegedly tortured during interrogation.

Huseyin Gocer, who was detained with Hasan Guldal and is now incarcerated in Nevsehir E Type Prison, reported to the Turkish Human Rights Foundation that both he and Mr. Guldal were badly tortured in detention. Mr. Gocer reported last seeing Mr. Guldal on May 28; he said that Mr. Guldal's body was swollen, he was continuously vomiting blood, and then he went into a coma. Mr. Gocer reported that security forces later told him, "We killed [Hasan Guldal] while he was escaping and then threw his corpse into the Coruh River" (Turkish Human Rights Foundation).

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The deaths of these sixteen suspects is particularly disturbing since Prime Minister Suleyman Demirel promised on his election to office in November 1991 to end torture: "Torture is a crime against humanity; it is our duty to put an end to it." Unfortunately, his promise has not been kept. The Turkish government acknowledged this failure in a pamphlet entitled "Human Rights in Turkey: A Record of Improvement" issued in June 1992:

Human rights organizations, national and foreign, have for long insisted that the most serious violation of human rights, torture, was widespread and used systematically in police stations . . . Whilst not reaching the levels claimed, this degrading and inadmissible practice has not been totally eliminated.

Suspects of both political and ordinary crimes are routinely and systematically tortured in police interrogation centers in both western and southeast Turkey. Appalling torture techniques are regularly used: suspension by the arms or wrists, which are often first tied behind the back of the naked, blindfolded victim; electric shock to the genitals and other sensitive parts of the body; *falaka* (beating the soles of the feet until they swell and bleed, sometimes making it impossible for victims to stand); rape, both vaginal and anal, sometimes using truncheons or gun barrels; shooting highly-pressurized water at victims who are sometimes constrained in rubber tires; severe beatings with sticks and truncheons; pulling victims by the hair, sometimes pulling out clumps of hair; pulling hair from victims' beards or mustaches; death threats and threats to kill family members; placing victims on blocks of ice; forcing victims' heads into excrement; placing victims in small cells with attack dogs who attack and bite them.

Torture is not used only on adults. In January 1992 Helsinki Watch issued a report entitled "*Nothing Unusual: The Torture of Children in Turkey*" that documents the dreadful torture of children under eighteen years of age.

Mehmet Kahraman, the Minister of Human Rights, has denied government responsibility for deaths in detention, declaring "It would be impossible for any organ of government to kill any suspect in its hands" (Amnesty International *Weekly Update*, July 1992).

A new legal reform bill, passed by the Turkish Parliament in November 1992, forbids torture and states that a detainee has the right to consult with a lawyer during every stage of detention. These provisions already existed in Turkish law; whether they will be observed after passage of the new legislation remains to be seen.

The new law also changes the regulations concerning permissible lengths of detention. Unfortunately, suspects of ordinary crimes can still be detained for as long as eight days before being brought before a court, and people suspected of political crimes can be detained for as long as thirty days before such action. Both provisions are far in excess of what is permissible under international law. The European Court of Human Rights ruled in 1988 that a detention period of four days and six hours violated the European Convention on Human Rights' provision that detainees must be brought "promptly" before a judge.

RECOMMENDATIONS

Helsinki Watch has reported on torture in Turkey for many years and has repeatedly urged the Turkish government to abolish torture. We urge the government of Prime Minister Suleyman Demirel to carry out its promise to end torture, and specifically to:

- * **Acknowledge the pattern of torture in police detention centers and take steps to end it.**
- * **Permit detainees to be represented by attorneys from the moment of detention.**
- * **Shorten permissible detention periods for those suspected of both ordinary and political crimes.**
- * **Prohibit the use in court of confessions obtained by torture.**
- * **Prosecute torturers.**
- * **Allow the International Committee of the Red Cross and other international organizations to visit detainees and prisoners on a regular basis.**

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This report was written by Lois Whitman, Deputy Director of Helsinki Watch.

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