

UA 232/94

"Disappearance" / Fear of Torture

15 June 1994

TURKEY	Ismail A_aya, aged 18)	
	Mehmet A_k_n)	distributors for the
	Deniz Bayram, aged 15)	pro-Kurdish newspaper
	Zafer Tüzün, aged 19)	Özgür Ülke (Free Country)
	Mansur Da_l_k, aged 16)	
	Mehmet Kurt		

Ismail A_aya, Mehmet A_k_n, Deniz Bayram and Mansur Da_l_k have "disappeared" in detention. The authorities deny that they are being held and there are fears for their safety. The detention of two others, Zafer Tüzün and Mehmet Kurt, has been acknowledged, but Amnesty International fears that they are being subjected to torture during interrogation. All but Mehmet Kurt are distributors of the pro-Kurdish newspaper *Özgür Ülke* (Free Country).

On 28 May 1994, **Ismail A_aya** was detained in the Be_evler district of Batman in southeast Turkey by three men. Several people witnessed his detention, but the authorities deny that he is in custody.

On 4 June, **Mehmet A_k_n** and his friend Ibrahim Na_ were detained at about 6pm after leaving the office of *Özgür Ülke* in Urfa. Ibrahim Na_ was later released and reported that Mehmet A_k_n was still under interrogation at the Gendarmerie Headquarters in Mardin. The authorities have so far failed to acknowledge his detention.

On 8 June, **Deniz Bayram** and **Zafer Tüzün** were bringing copies of *Özgür Ülke* by bus from Diyarbak_r to Urfa. The bus, of the Aksu Turizm company, was stopped at the Piriçlik Gendarmerie Post outside Diyarbak_r and the two were detained.

Zafer Tüzün's name has since appeared on a register of detainees by the State Security Court in Diyarbak_r, but Deniz Bayram remains unaccounted for. When his family submitted a petition for information about his whereabouts to the State Security Court, they were informed that he was not in custody.

On 10 June, **Mehmet Kurt** was driving in a car with **Mansur Da_l_k** who had copies of *Özgür Ülke*, when their car was stopped at Piriçlik Gendarmerie Post and impounded. Both were seen, as were **Deniz Bayram** and **Zafer Tüzün**, at the Provincial Gendarmerie Headquarters in Diyarbak_r. Mehmet Kurt has now been registered as being in custody, but the name of Mansur Da_l_k has not appeared on any such register.

BACKGROUND INFORMATION

Özgür Ülke has replaced *Özgür Gündem* (Free Agenda) which ceased publication in May 1994. In the two years of its existence, nine of *Özgür Gündem's* journalists were killed, two "disappeared", and at least eight people distributing and selling the newspaper were also murdered under unclarified circumstances. Scores of its correspondents and editors are on trial. (See EXTRA 105/93, EUR 44/120/93, 13 December 1993).

During 1993 and 1994 there has been a striking increase in reports of "disappearances" in Turkey - particularly in the southeastern provinces. Procedures laid down in the Turkish Criminal Procedure Code for the prompt and proper registration of detainees, and for notification of their families, are almost universally ignored in the southeastern provinces where a State

of Emergency is in force, and increasingly disregarded in the cities in the rest of Turkey. Lack of proper registration and notification is not only extremely distressing for families, but creates conditions which facilitate "disappearances" and torture.

The European Committee for the Prevention of Torture (ECPT) and the UN Committee against Torture (UN CAT), both of which are mechanisms of international human rights instruments to which Turkey is a state party, have both published reports to the effect that torture is widespread and systematic in Turkey. All information available to Amnesty International also indicates that torture is still widespread and systematic there.

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

- expressing grave concern for the safety of Ismail A_aya, Mehmet A_k_n, Deniz Bayram and Mansur Da_l_k, who have "disappeared" after being detained;
- urging that immediate steps be taken to establish their whereabouts, and asking to be informed of the results of these investigations;
- seeking assurances that two others, Zafer Tüzün and Mehmet Kurt, whose detention in Diyarbak_r has been acknowledged, are being treated in accordance with international standards, and are not being subjected to torture or any other form of ill-treatment;
- requesting to be informed about any charges brought against them.

APPEALS TO

1) Chief of Staff of the Gendarmerie:

Orgeneral Ayd_n_lter
Jandarma Kuvvetleri Komutanl____
Bakanl_klar
Ankara, Turkey

Telegrams: Jandarma Genel Komutani, Ankara, Turkey

Faxes: +90 312 418 0476

Salutation: Dear General

2) Minister of the Interior:

Mr Nahit Mente_e
Içi_leri Bakanl____
Bakanl_klar
06644 Ankara, Turkey

Telegrams: İçisleri Bakanligi, Ankara, Turkey

Faxes: +90 312 418 1795

Salutation: Dear Minister

3) for appeals on behalf of those held in Diyarbak_r (Mehmet Kurt, Mansur Da_l_k, Deniz Bayram and Zafer Tüzün)

Emergency Legislation Governor:

Mr Ünal Erkan
Ola_anüstü Hal Valisi
Diyarbak_r, Turkey

Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey

Telexes: 72110 OHVT TR

72084 DYVA TR "please forward to the Governor"

72090 JASY TR

Faxes: +90 412 222 6174 (telephone first)

Salutation: Dear Governor

COPIES 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 26 July 1994.