

EXTERNAL

AI Index: EUR 44/70/97

EXTRA 133/97 Fear of "disappearance" / Fear of torture 9 October 1997

TURKEY Ömer Köse, aged 33
Mehmet Ço_kun, aged 50
Hüseyin Ta_k_n, aged 49
Mustafa Ta_k_n, aged 39
Mehmet Ta_k_n, aged 53
Ali Pala, aged 52
Hasan Temel, aged 38

Seven Kurdish villagers are being held in incommunicado detention, where it is feared they are facing torture during interrogation. Their detentions have not been acknowledged by the authorities, raising further fears that the detainees may also be at risk of "disappearance".

On 30 September 1997 soldiers and Special Operations Team members [heavily armed police units trained for close combat with members of the illegal armed Kurdish Workers' Party, PKK, and operating under the control of the Interior Ministry] raided Bademli village in the Dicle district of Diyarbak_r province. They reportedly assembled all the male inhabitants in the village centre and detained the seven Kurdish villagers named above.

When attempts to establish the detainees' whereabouts were unsuccessful, an application for information was submitted to the prosecutor's office at Diyarbak_r State Security Court, where detentions should be registered. However, on 9 October the prosecutor's office denied that the seven villagers were being held, heightening concern for their safety.

BACKGROUND INFORMATION

Procedures laid down in the Turkish Criminal Procedure Code for the prompt and proper registration of detainees, and for notification to their families, are almost universally ignored. Lack of prompt registration and notification is extremely distressing for the families of detainees, and creates conditions in which "disappearances" and torture can occur.

People suspected of offences under the Anti-Terror Law can now be held in police custody without access to family, friends or legal counsel for up to four days. This period may be increased to 10 days in the six provinces currently under State of Emergency, and to seven days in the rest of Turkey during which detainees would have to be granted access to a lawyer.

Most victims of "disappearance" and extrajudicial killings in rural areas are Kurdish villagers who refuse to join the village guard system, established originally as a civil defence force against PKK attacks on their own village. Today the 60,000 village guards form a paramilitary force deployed in operations against other villages and even incursions into northern Iraq, identification checks at road blocks and interrogations. In theory membership is voluntary, but in practice villagers are often put under pressure to join. If they refuse, they are accused of supporting the PKK and risk reprisals by the security forces. If they join, they are at risk of reprisals by the PKK.

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

- expressing concern for the safety of the seven villagers from Bademli village, Diyarbak_r province, detained by soldiers and Special Teams on 30 September 1997 and since held in unacknowledged detention;
- calling for an immediate investigation into their whereabouts and for their families and lawyers to be informed without delay; if possible, note that the detainees have been held incommunicado even beyond the maximum period allowed under the Anti-Terror Law;
- seeking assurances that they are not tortured or subjected to any other form of ill-treatment;
- asking to be informed of any charges brought against them.

APPEALS TO:

1. Minister of the Interior:

Mr Murat Ba_eskio_lu
_cisleri Bakanl____
Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Faxes: +90 312 418 1795

Salutation: Dear Minister

2. Chief Prosecutor at Diyarbak_r State Security Court

Mr Nihat Çakar
DGM Ba_savc_s_
Devlet Güvenlik Mahkemesi
Diyarbak_r, Turkey

Telegrams: DGM Bassavcısı, Diyarbakir, Turkey

Salutation: Dear Sir

3. Diyarbak_r Chief of Gendarmerie:

Diyarbak_r Jandarma Komutan_
Jandarma Komutanl____
Diyarbak_r, Turkey

Telegrams: Jandarma Komutanligi, Diyarbak_r, Turkey

Salutation: Dear General

4. Emergency Legislation Governor

Mr Ayd_n Aslan
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

Salutation: Dear Governor

COPIES TO:

State Minister with responsibility for Human Rights:

Mr Hikmet Sami Türk
Office of the Prime Minister
Ba_bakanl_k
06573 Ankara, Turkey

Faxes: +90 312 417 0476

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 9 November 1997.