

EXTERNAL

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"Disappearance"

10 October 1995

TURKEYSalih TEKIN

Hat\_p YILDIRIM

Islam BAL

Hakk\_ BOZKU\_

Hikmet O\_UZ

Kemal YAKLAV, aged 23

Seyhmuz EROGLU, aged 62

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Amnesty International has received reports that the six men named above have "disappeared" after they were detained in the provinces of Diyarbak\_r and Mardin between 22 September and 6 October 1995.

Seyhmuz Eroglu, 62, was detained at his home in Batman at midnight on 22 September by Special Team members who took him to Midyat Gendermerie Station. His son, Abdurrahim Eroglu, claims he spoke to someone who had also been detained at Midyat Gendarmerie on the same date, who, after his release, reported seeing Seyhmuz Eroglu at the station.

Addurrahim Eroglu applied to the Midyat Prosecutor and was told that his father had been released. However, the family has not heard from Seyhmuz Eroglu since his detention.

At about midnight on 25 September, 23-year-old Kemal Yaklav was detained at his home in Mazida\_ in Mardin province by members of the security forces. Since then his family has received no information as to his whereabouts.

On 27 September, Islam Bal was taken from his home in Diyarbak\_r after the police occupied his house for eight days. Inquiries as to his whereabouts have gone unanswered.

On 2 October, Hikmet O\_uz was taken into detention from his work-place in Ba\_lar, Diyarbak\_r, by members of the security forces. The same day Hakk\_ Bozkü\_ was detained after an identity check at the Nargileciler café in Diyarbak\_r.

Salih Tekin was taken from his home in Diyarbak\_r on 6 October by members of the security forces. Hatip Y\_ld\_r\_m, who was visiting Salih Tekin at the time, was also detained. Neither man's detention has been acknowledged. Salih Tekin, a former journalist for a daily newspaper *Özgür Gündem* (Free Agenda - now closed down), has been detained on three previous occasions and reportedly submitted to torture and death threats (see background information below).

The police deny holding any of the above detainees. Amnesty International fears that they may be being held on suspicion of contravening the Anti-Terror Law or that they are suspected supporters of the PKK (Turkish Workers' Party).

## BACKGROUND INFORMATION

Salih Tekin alleges that during his first detention in February 1993, he was stripped naked and hosed with cold water at sub-zero temperatures. Throughout this procedure he was truncheoned on the back, buttocks and ankles until he passed out. He was told his detention was connected with having written critical reports about the security forces and the "village protectors" in the region of Derik. The Gendarme Commander threatened to put "two bullet-holes in [his] head" if he came

back to the Derik area again. Salih Tekin was acquitted of all charges of "separatist propaganda" and membership of an illegal organization brought against him. His personal complaint to the European Commission of Human Rights about his alleged torture was declared admissible on 20 February 1995.

People suspected of offences under the Anti-Terror Law can be held in police custody without access to family or legal counsel for up to 30 days in the 10 provinces under State of Emergency, which include Bitlis and Van provinces, and for 15 days in the rest of Turkey. When not being interrogated, detainees are held in cramped, airless and insanitary conditions. With no access to the outside world they are at the mercy of their interrogators. Torture methods include being stripped naked and blindfolded, hosing with pressurized ice-cold water, hanging by the arms or wrists bound behind the victim's back, electric shocks, beating the soles of the feet, death threats and sexual assault.

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. Lack of prompt registration and notification is not only extremely distressing for the families of detainees, but also creates the conditions in which "disappearances" and torture can occur.

After cases of "disappearance" in police custody began to provoke concern among the general public, the General Director of Police Mehmet A\_ar announced that units would be set up, from 1 August 1995, to track detained persons. Unfortunately, these units - called "Detention Monitoring Offices" - are at the moment only operating in certain parts of the country. In Diyarbak\_r or Mersin, for example, no Detention Monitoring Office has yet been established. In Ankara, however, a Monitoring Office has been set up with a public telephone number and staff.

Any person suspected of supporting the PKK or any other illegal armed organization is at serious risk of torture, "disappearance" or extrajudicial execution. In 1994, there were more than 55 confirmed "disappearances", and more than 400 people were killed in unclarified circumstances. At least 20 cases of "disappearance" in police custody have been reported in 1995 so far.

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

- expressing concern for the safety of the six men, detained in Diyarbak\_r and Mardin by members of the security forces and since held in unacknowledged police custody;
- urging that their whereabouts be immediately clarified and communicated to their families and lawyers without delay;
- appealing that they not be subjected to torture or any other form of ill-treatment;
- asking to be informed of any charges against them.

**APPEALS TO:**

1) General Chief of Security

Mr Mehmet A\_ar

Emniyet Genel Müdürlü\_ü

Bakanl\_klar

Ankara, Turkey

**Telegrams: Emniyet Genel Muduru, Ankara, Turkey**

**Salutation: Dear Sir**

2) Minister of the Interior

Mr Nahit Mente\_e

İçisleri Bakanl\_\_\_\_

Ankara, Turkey

**Telegrams: Interior Minister, Ankara, Turkey**

**Faxes: +90 312 418 1066 / 418 1795**

**Salutation: Dear Minister**

**COPIES TO:**

President of the Parliamentary Human Rights Commission

Mr Sabri Yavuz

\_nsan Haklar\_ Ara\_t\_rma Komisyonu Ba\_kan\_

TBMM

Ankara, Turkey

**Faxes: +90 312 420 5394**

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 21 November 1995.