

UA 255/95

Fear of "disappearance" / "Disappearance" 17 November 1995

TURKEY Mahfus Tanr_verdi, Kurd, aged 20
Muharrem Tanr_verdi, his elder brother
Mehmet Tanr_verdi, 25, another brother

Fears for the safety of Mahfus Tanr_verdi, reportedly in unacknowledged detention in Diyarbak_r since 26 October 1995, are heightened by the fact that two of his brothers "disappeared" in 1994. After receiving reports that one of the two, Muharrem, was recently sighted in military custody, Amnesty International is seeking information as to the whereabouts of all three brothers as a matter of urgency.

After the village of Dibek (Kurdish: Derxust) was burned down by the security forces in early 1993, the Tanr_verdi family migrated to Lice. On 8 May 1994, four Tanr_verdi brothers - Muharrem, Mehmet, Mahfus and Ali (aged 13) - as well as their cousin Tar_k Ergün were detained. All except Muharrem and Mehmet were released on 13 May. Their mother's appeals for information as to the whereabouts of her two sons were unsuccessful.

On 4 September 1995, Ali Tanr_verdi was again briefly held, this time at a gendarmerie post at Mermer village when he was taken off a minibus at an identity check. Ali claims to have seen his brother Muharrem there: *"The soldiers told me to wait by the wall of the gendarmerie post and took my card inside. While I was there, I saw a military vehicle waiting. Inside were two people in plain clothes and about 10 soldiers. The two people's eyes were bound with white cloth. I was about 5-6 metres away. After about 20-30 minutes, a soldier called out "Ali Tanr_verdi" from inside the building and one of those inside the vehicle lifted his head. At that moment I recognized the person as my brother Muharrem Tanr_verdi who had "disappeared" on 8 May 1994. The person had a scar on the right side of his forehead like the one which Muharrem Tanr_verdi had received three years earlier. I looked carefully and clearly recognized him from the scar. Then one of the soldiers made him put his head down by hitting him on the head. The soldiers called me and I ran into the gendarmerie post. I waited there for 5-6 minutes and they said, "ok, go out and we'll bring your identity card". I wanted to go and ask for my brother, but the vehicle had gone. Half an hour later they put me on another minibus and sent me to Diyarbak_r. Because I was afraid, I did not ask them anything."*

Meanwhile, Mahfus Tanr_verdi, now living in Diyarbak_r, was working on the cotton fields of Ba_var (Kurdish: Kab_) village to earn some money before joining the army for his military service. On 26 October 1995, he went home from the fields to have a rest. Later, he told his older sister that he was going back to work, but he never arrived there. His family, convinced that he had been taken into police custody, made inquiries with the prosecutor's office at Diyarbak_r State Security Court, where all political detainees have to be registered, and with the Governor's office, but without success. However, around 9 November, a released detainee told the family that Mahfus Tanr_verdi was being held at the Diyarbak_r branch of the Anti-Riot Police.

BACKGROUND INFORMATION

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 extremely distressing for the families of detainees, and creates the conditions in which "disappearances" and torture can occur.

People suspected of offences under the Anti-Terror Law can be held in police custody without access to family, friends or legal counsel for up to 30 days in the 10 provinces under State of Emergency in the southeast and for 15 days in the rest of Turkey. 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. More than 20 cases of "disappearance" in police custody have been reported in 1995 so far.

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

- expressing grave concern for the safety of Mahfus Tanr_verdi, reportedly held in unacknowledged detention at the Diyarbak_r branch of the Anti-Riot Police since 26 October 1995; and of Muharrem and Mehmet Tanr_verdi detained in Lice on 8 May 1994;
- appealing for an immediate investigation into the sighting of Muharrem Tanr_verdi at Mermer Gendarmerie Post on 4 September 1995;
- urging that their whereabouts be established without delay and their family be informed accordingly;
- requesting to be informed of the result of the investigation;
- appealing that they not be subjected to torture or any other form of ill-treatment.

APPEALS TO:

1) Deputy Prime Minister

Mr Deniz Baykal

Office of the Prime Minister

Ba_bakanl_k

06573 Ankara, Turkey

Telexes: 44061/44062/44063 bbmt tr; 42099 basb tr

Faxes: +90 312 419 1547; 417 0476;

Salutation: Dear Deputy Prime Minister

2) State Minister with responsibility for Human Rights:

Mr Adnan Ekmen

Office of the Prime Minister

Ba_bakanl_k

06573 Ankara, Turkey

Faxes: +90 312 419 1547; 417 0476

Telegrams: Adnan Ekmen, Prime Minister's Office, Ankara, Turkey

Salutation: Dear Minister

3. Chief Prosecutor at Diyarbak_r State Security Court:

Mr Bekir Selçuk

DGM Ba_savc_s_

Devlet Güvenlik Mahkemesi

Diyarbak_r, Turkey

Telegrams: DGM Bassavcisi, Diyarbakir, Turkey

Salutation: Dear Sir

4. Diyarbak_r Chief of Police:

Mr R_dvan Güler
Diyarbak_r Emniyet Müdürlü_ü
Diyarbak_r, Turkey
Telegrams: Emniyet Mudurlugu, Diyarbakir, Turkey
Salutation: Dear Sir

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 31 December 1995.