

EXTERNAL

AI Index: EUR 44/134/96

EXTRA 143/96 Fear of "disappearance" / Fear of torture

5 September 1996

TURKEY Masallah Yalçın, Kurdish worker, aged 25

Amnesty International is seriously concerned for the safety of Masallah Yalçın who has been held in unacknowledged detention in Mersin since 30 August 1996.

On the night of 29/30 August 1996 several people were detained during a police operation in Mersin. At around 2am on 30 August, a large number of police surrounded the house in which Masallah Yalçın lives with his parents. After questioning the parents, the police detained Masallah Yalçın and took him away in a car. His detention was witnessed by some 10 people, including many relatives.

The police reportedly told his parents that they would be able to see their son at the police headquarters the next day. However, when they went there the following day, they were told that Masallah Yalçın was not there. His parents have returned to the Police Headquarters every day since then, but the police have still not acknowledged to them that their son is in their custody. However, released detainees have told the parents that Masallah Yalçın is detained at the Police Headquarters and alleged that he has been tortured.

Masallah Yalçın was previously detained on 13 December 1995 (see EXTRA 162/95, EUR 44/154/95, 19 December 1995). He was held for 20 days, although the maximum detention period under the Anti-Terror Law is 15 days, and reportedly tortured. He was then formally arrested and committed to prison in Mersin where he was held for two months. He was not charged or tried. After his release he is reported to have been threatened and followed by the police.

BACKGROUND INFORMATION

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 such as Diyarbakır, 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 is often applied to extract confessions, to elicit information about illegal organizations, to intimidate detainees into becoming police informers or as informal punishment for presumed support of illegal organizations. 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 extremely distressing for the families of detainees, and creates the conditions in which "disappearances" and torture can occur.

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

- expressing concern for the safety of Masallah Yalçın, held in unacknowledged detention in Mersin since 30 August 1996;
- expressing concern also about reports that he is being interrogated under torture at Mersin Police Headquarters;

- urging that his detention be registered without delay and his family promptly informed;
- asking to be informed of any charges brought against him.

APPEALS TO:

1. Mersin Chief Prosecutor:

Mr Osman Homurlu

Mersin C. Ba_savc_s_

C. Ba_savc_l____

Mersin, Turkey

Telegrams: Cumhuriyet Bassavcisi, Mersin, Turkey

Salutation: Dear Prosecutor

2. Chief of Mersin Police:

Mr Hasan Özdemir

Mersin Emniyet Müdürü

Emniyet Müdürlü_ü

Mersin, Turkey

Telegrams: Emniyet Muduru, Mersin, Turkey

Salutation: Dear Sir

COPIES TO:

Minister of Foreign Affairs

Mrs Tansu Çiller

Ministry of Foreign Affairs

D__i__leri Bakanl____

06100 Ankara, Turkey

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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 30 September 1996.