

TURKEYAyd n Esmer, Kurd, aged 48, with seven children

Amnesty International is concerned for the safety of Ayd_n Esmer, who reportedly went missing in southeast Turkey more than five weeks ago. The organization fears he might have been detained, in which case he is at risk of being tortured or ill-treated or killed.

Ayd_n Esmer went missing on 14 September 1999 as he was returning home to the small town of Kulp, in Diyarbak_r, from K_z_la_aç village, in Mu_, where he had been staying with friends. Amnesty International fears he might have been detained or killed by gendarmerie during a military operation that took place in the area the same day.

The prosecutor in Mu_ has told Ayd_n Esmer's family that he is not in their custody. The commander of the gendarmerie in K_z_la_aç reportedly said to one of his relatives that: "He was a terrorist and went that way. If you are also a terrorist, you will go that way, too."

Ayd_n Esmer has reportedly been detained and tortured at Kulp gendarmerie station a number of times since 1993. He had apparently only just recovered from being recently detained and tortured when he went to Kiz_la_aç.

BACKGROUND INFORMATION

Amnesty International has documented the killing of many Kurds during military operations in the southeast in recent years. Those who are believed to support the PKK (Kurdistan Workers' Party), or who have refused to join the village guard system, have been particularly targeted.

The PKK, founded in 1978, started an armed struggle for an independent Kurdish state in 1984. In the following conflict with Turkish security forces, in which both sides were responsible for human rights abuses, some 30,000 people lost their lives, among them nearly 4,500 civilians. The district of Kulp has been especially affected.

The village guard system was originally established in 1985 as a civil defence force against PKK attacks. The estimated 50,000 village guards in existence today, however, form a paramilitary force under the command of the gendarmerie who are overseen by the Ministry of the Interior. They are deployed in operations against other villages, identification checks at road blocks and during interrogations. They have even taken part in incursions into northern Iraq.

The Parliamentary Commission on Unsolved Political Killings, established in 1993, confirmed in a report four years ago that village guards were involved in lawless activities including killing and extortion. Similarly, the Susurluk report, carried out at the request of the Turkish Prime Minister in 1997, stated that the large number of village guards in the JITEM (secret service of the gendarmerie) had led to an increase in offences.

Upon the call of their imprisoned leader Abdullah Öcalan, the PKK representatives announced that they would start on 1 September to withdraw their armed forces from Turkish territory. However, operations and clashes in which both soldiers and PKK fighters have lost their lives are continuing in the region.

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

- expressing concern for the safety of Ayd_n Esmer who went missing on 14 September 1999 between Mu_ and Kulp;
- urging the authorities to take immediate steps to establish his whereabouts and to inform his family and lawyer of the results without delay;
- asking that if he is in detention he is not tortured or ill-treated and asking that he be charged with a recognizably criminal offence or released;
- reminding the Turkish authorities of their commitment to the European Human Rights Convention, in particular Article 2 (right to life) and Article 5 (right to liberty and security of the person).

APPEALS TO:

Minister of the Interior

Mr Saadettin Tantan

Içi_leri Bakan_

Içi_leri Bakanl____, 06644 Ankara, Turkey

Telegrams:Içi_leri Bakan_, Ankara, Turkey

Faxes: + 90 312 418 9208

Salutation: Dear Minister

Chief of Staff of the Gendarmerie

General Rasim Betir

Jandarma Kuvvetleri Komutanl____

Bakanl_klar

Ankara, Turkey

Telegrams:Jandarma Genel Komutani, Ankara, Turkey

Faxes:+ 90 312 418 9208

Salutation:Dear Chief of Staff

Emergency Legislation Governor:

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:+ 90 412 224 3572

Salutation:Dear Governor

COPIES TO:

Minister of Justice

Professor Hikmet Sami Türk

Adalet Bakan_,

Adalet Bakanl____,

06659 Ankara, Turkey

Faxes: + 90 312 418 5667

State Minister with Responsibility for Human Rights

Mr Mehmet Ali Irtemçelik

Office of the Prime Minister

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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 22 November 1999.