

EXTERNAL (for general distribution)

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UA 36/94 Fear of "Disappearance"

3 February 1994

**TURKEY**Fethi Y\_ld\_r\_m, local board member and treasurer of Democracy Party (DEP)  
in Viran\_ehir

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Fethi Y\_ld\_r\_m has been held in unacknowledged detention at an unknown location since 5 January 1994. In view of the numerous "disappearances", frequently ending in death, which have been reported from the provinces in the southeast, Amnesty International fears for his life.

Fethi Y\_ld\_r\_m, local board member and the treasurer of the pro-Kurdish DEP in Viran\_ehir, was detained on 5 January at Ahmet Öner's house, which he was visiting with Ali Kuran, another board member, and Lamih Kapanc\_lar. At around 8pm, police officers of the Anti-Terror Branch surrounded the house, brought everybody out into the yard to check identities, and detained the four named above plus another visitor, Abdo Mutlu. The detainees were taken to the Police Headquarters in Viran\_ehir, province of Urfa. All but Fethi Y\_ld\_r\_m were released two hours later.

Those released reported that they had been blindfolded, but overheard one officer saying to Fethi Y\_ld\_r\_m, "So it is you", to which he replied, "Yes, it is me". The family sent a petition to the prosecutor's office, seeking confirmation of the detention. The prosecutor replied that he had not been informed of the detention and that they should contact him again in 48 hours.

When they did so on 7 January, he told them that Fethi Y\_ld\_r\_m was not being held. A police officer told the family: "JITEM [intelligence service of the gendarmerie (soldiers carrying out police duties in rural areas)] has taken him - we don't know exactly where to". A DEP official in Urfa who contacted the police headquarters there was later told that Fethi Y\_ld\_r\_m had been sent to Ankara. However, another DEP official in Ankara was told by the prosecutor there that Fethi Y\_ld\_r\_m was not being held in Ankara.

Fethi Y\_ld\_r\_m was previously detained for two months in 1992. He was then released and no court case was brought against him. In 1979 he stood trial for membership of a Kurdish youth organization and spent five years in prison.

#### **BACKGROUND INFORMATION**

There has been a striking increase in reports of "disappearances" since mid-1993 - particularly in the southeastern provinces. Police and gendarmerie there have the right to hold political suspects in total incommunicado detention for a month. It is extremely unusual for the police authorities to notify relatives, and they frequently refuse information as to where or why the person is being held. The 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 in the southeastern provinces, and increasingly disregarded in Istanbul and Ankara. The European Committee for the Prevention of Torture and the United Nations Committee against Torture, both of which are mechanisms of international instruments to which Turkey is a state party, have both published statements to the effect that torture is widespread and systematic in Turkey. Against this background, lack of proper registration and notification is extremely distressing for families. This abuse of registration procedures creates the conditions for the "disappearance" of detainees.

On 3 November 1993, Mehmet Emin Bingöl, a local religious leader, Yakup Tetik, Mehmet Acal and Ali Can Öner were reportedly taken into custody from the village of Eralan (Kurdish: \_ekept), near Yayg\_n in Mu\_ province, and taken away by helicopter. On 5 November their bodies, showing signs of torture and each with a single gunshot wound in the head, were found near the settlement of Köykent. On 8 November, the village of 50 houses was burned out and the villagers forcibly evicted.

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

- expressing grave concern for the safety of Fethi Y\_ld\_r\_m from Viran\_ehir, held in unacknowledged detention at an unknown location since 5 January 1994;
- urging that immediate steps are taken to establish his whereabouts and current state of health;
- calling for his family and lawyer to be granted access to the detainee;
- requesting to be informed of the outcome of the investigation.

**APPEALS TO**

1) Chief of Staff of the Gendarmerie:

General Ayd\_n\_lter  
Jandarma Kuvvetleri Komutanl\_\_\_\_  
Bakanl\_klar  
Ankara, Turkey

**Telegrams: Jandarma Genel Komutani, Ankara, Turkey**

**Faxes: +90 312 418 0476**

**Salutation: Dear General**

2) Minister of the Interior:

Mr Nahit Mente\_e  
Içi\_leri Bakanl\_\_\_\_  
Bakanl\_klar  
06644 Ankara, Turkey

**Telegrams: Icisleri Bakanligi, Ankara, Turkey**

**Faxes: +90 312 418 1795**

**Salutation: Dear Minister**

**COPIES OF YOUR APPEALS TO:**

Minister of Foreign Affairs:

Mr Hikmet Çetin  
Ministry of Foreign Affairs  
D\_i\_leri Bakanl\_\_\_\_  
06100 Ankara, Turkey

**Faxes: 90 312 287 3869**

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 17 March 1994.