

EXTERNAL (for general distribution)

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UA 355/94      Fear of "disappearance" / Fear of torture      27 September 1994

**TURKEY**      **Mehmet Sevik, aged 52**  
**Mehmet Arif Sevik, his son**

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Mehmet Sevik and his son Mehmet Arif Sevik have "disappeared" in police custody in Diyarbak\_r. Amnesty International fears they are being tortured in unacknowledged detention.

Mehmet Sevik had been in prison and on trial, charged with sheltering guerrillas of the Kurdish Workers' Party (PKK). After a trial hearing on 5 September 1994 he was released. However, on the night of 17 September his home was raided by about 10 plainclothes officers from the Anti-Terror Branch of Diyarbak\_r Police Headquarters who detained him again. Petitions on his behalf were made to the prosecutor at Diyarbak\_r State Security Court on 20, 22 and 26 September, who has consistently denied that Mehmet Sevik is being held. However, two recently released detainees (whose names are being withheld for their own safety) have reportedly told Mehmet Sevik's family that they saw him in custody at the Anti-Terror Branch Police Headquarters and that he had asked them to let his family know.

On 23 September, Mehmet Arif Sevik, who was on leave while doing his military service, was also detained. Petitions to the authorities seeking confirmation of his detention have remained unanswered.

Another son of Mehmet Sevik, who is disabled, is currently being held in Bismil prison.

#### **BACKGROUND INFORMATION**

The conflict in southeast Turkey between government forces and guerrillas of the PKK has claimed more than 12,000 lives since it began in August 1984. Police operations against suspected PKK supporters are being carried out all over Turkey. A state of emergency remains in force in 10 provinces in the southeast where police and gendarmerie have the right to hold political suspects incommunicado for up to one month.

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 the rest of Turkey. Lack of proper registration and notification is extremely distressing for relatives, and creates the conditions in which "disappearances" and torture can occur.

Turkey ratified the European Convention for the Prevention of Torture on 25 February 1988 and the UN Convention Against Torture on 2 August 1988. Following a programme of visits to Turkish police stations in 1990, 1991 and 1992, the European Committee for the Prevention of Torture (ECPT - established by the Council of Europe) reported: *"In the light of all the information at its disposal, the ECPT can only conclude that the practice of torture and other forms of severe ill-treatment of persons in police custody remains widespread in Turkey and that such methods are applied to both ordinary criminal suspects and persons held under anti-terrorism provisions."*

The ECPT also stated that in Diyarbak\_r Police Headquarters they had found

"the equipment necessary for suspension by the arms in place and ready for use (ie a three metre long wooden beam which was mounted on heavily-weighted filing cabinets on opposite sides of the room and fitted with a strap made of strong material securely tied to the middle ... the delegation's discoveries caused considerable consternation among police officers present; some expressed regret, others defiance".

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

- expressing concern for the safety of Mehmet Sevik and his son Mehmet Arif Sevik, detained on 17 and 23 September 1994 respectively and since held in unacknowledged detention at the Anti-Terror Branch of Diyarbak\_r Police Headquarters;
- mentioning the findings of the ECPT and seeking assurances that Mehmet Sevik and Mehmet Arif Sevik are not being subjected to torture or any other form of ill-treatment;
- urging that the Sevik's family and lawyers are informed of their whereabouts without further delay;
- asking to be informed if any charges are brought against them.

**APPEALS TO**

1) Chief Prosecutor at Diyarbak r State Security Court:

DGM Ba\_savc\_s\_

Devlet Güvenlik Mahkemesi

Diyarbak\_r, Turkey

**Telegrams: DGM Bassavcisi, Diyarbakir, Turkey**

**Salutation: Dear Sir**

2) Emergency Legislation Governor:

Mr Ünal Erkan

Ola\_anüstü Hal Valisi

Diyarbak\_r, Turkey

**Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey**

**Telexes: 72110 OHVT TR**

**2084 DYVA TR "please forward to the Governor"**

**72090 JASY TR**

**Salutation: Dear Sir**

3) Minister of the Interior:

Mr Nahit Ment\_e

İçisleri Bakanl\_\_\_\_

Ankara, Turkey

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

**Faxes: +90 312 428 4346**

**Salutation: Dear Minister**

**COPIES OF YOUR APPEALS TO:**

Minister of Foreign Affairs:

Prof Mümtaz Soysal

D\_\_i\_\_leri Bakanl\_\_\_\_

06100 Ankara, Turkey

**Faxes: 90 312 287 1886**

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 8 November 1994.