

15 January 1992

UA 20/92 Fear of Extrajudicial Execution

TURKEY: Mehmet Demir, aged 32, father of seven children

On 10 January 1992, Mehmet Demir, a Kurd, left his own restaurant in Siirt, southeast Turkey, at around 5.30pm. He said that he would be back in 10 minutes, but did not say where he was going. He has not been seen since. People in teahouses in the same street reported that there were identity checks being carried out at the time from a police minibus parked in the street.

Mehmet Demir is the Deputy Provincial President of HEP (People's Labour Party) which is generally perceived as representing Kurdish interests. His family has applied for information about Mehmet Demir's whereabouts to the police, local and government authorities: they all deny that he is being held. The family now fear that he may have been abducted by members of the security forces. During 1991 a number of people in the region were abducted and killed in circumstances which suggested possible involvement of members of the security forces. Vedat Ayd_n, President of the Diyarbak_r Branch of HEP, was abducted and killed in July. _small Hakk_Kocakaya was allegedly detained in Diyarbak_r in November by plainclothes policemen; his body was found two days later under a bridge 90 km from the city (see UA 230/91, EUR 44/92/91, 8 July 1991; and UA 414/91, EUR 44/155/91, 27 November 1991 and follow-up EUR 44/155/92, 28 November 1991). On 20 December 1991, a guerrilla of the PKK (Kurdish Workers' Party) was killed by members of the security forces in or near the house of Mehmet Demir's sick father in Koçp_nar village (Kurdish name: Aynbaran). Mehmet Demir's brother was reportedly detained with three other villagers and is now said to be awaiting trial in Diyarbak_r Prison.

BACKGROUND INFORMATION:

Turkey has a Kurdish ethnic minority which is estimated to number some 10 million people. The Kurdish population lives mainly in southeastern Turkey. Frequent allegations of torture and ill-treatment have been received from the region and the number of torture allegations increased substantially after the 1980 military coup. Since August 1984, when Kurdish guerrillas from the Kurdish Workers' Party (PKK) - started armed attacks, an alarming number of reports of ill-treatment of detainees by the security forces have come from the eastern and southeastern provinces. Some 3000 lives have so far been lost on both sides and among the civilian population in the continuing fighting. Emergency legislation is in force in 10 provinces in the region and the Emergency Legislation Governor in Diyarbak_r has extraordinary powers over three additional provinces. In May 1990 the Turkish government issued Decrees 424 and 425 (in December 1991 replaced by Decree 430), further extending the powers of the Emergency Legislation Governor.

Turkey ratified the European Convention for the Prevention of Torture on 25 February 1988 and the UN Convention Against Torture on 2 August 1988. However, all information available to Amnesty International indicates that torture is still widespread and systematic in Turkey. Allegations of torture have continued since the transfer of power to a civilian government in 1983. Most allegations relate to ill-treatment of detainees in police custody during their initial interrogation when they are usually denied access to relatives or a lawyer. In August 1990, the government derogated from Articles 5, 6, 8, 10, 11 and 13 of the European Convention on Human Rights, all of which contain important safeguards for human rights.

Under current legislation the maximum detention period before being formally charged or released is 24 hours; in cases involving three or more suspects or due to the 'nature of the crime' it may be extended to 15 days. This period may be extended to 30 days in areas under emergency legislation or martial law. Emergency legislation is currently in force in Siirt province.

RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- recalling the cases of Vedat Ayd_n and Ismail Hakk_ Kocakaya, both abducted and killed in the area in recent months;
- calling for an urgent investigation into the whereabouts of Mehmet Demir, reported missing from Siirt since 10 January 1992;
- requesting to be informed of its findings.

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APPEALS TO:

1) Prime Minister:

Mr Süleyman Demirel
Office of the Prime Minister
Ba_bakanl_k
06573 Ankara, Turkey

Telegrams: Prime Minister, Ankara, Turkey

Telex: 44061/44062/44063 bbmt tr
42099 basb tr
42875 bbk tr

Faxes: + 90 41 17 04 76 PRIME MINISTER
+ 90 42 30 88 96 (attn: Prime Minister)

Salutation: Dear Prime Minister

2) Minister of the Interior:

Mr _smet Sezgin
_çi_leri Bakanl____
06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Telex: 46369 ICSL TR
Fax: + 90 4 118 1795

Salutation: Dear Minister

3) Minister of Justice:

Mr Seyfi Oktay
Adalet Bakanl____
06659 Ankara, Turkey

Telegrams: Justice Minister, Ankara, Turkey

Faxes: + 90 4 125 40 66

Salutation: Dear Minister

4) Governor of Siirt province:

Mr Atilla Koç
Siirt Valikli_i
Siirt, Turkey

Faxes: + 90 8441 2760

Telex: 72313 SRVT TR

Salutation: Dear Governor

COPIES TO:

1) President of the Parliamentary Human Rights Commission:

Mr Ahmet Türk

nsan Haklar Ara_t_rma Komisyonu Ba_kan_
TBMM

Ankara, Turkey

Faxes: + 90 4 11 91 664 and
+ 90 4 42 06 941

- and to diplomatic representatives of Turkey in your country;

PLEASE SEND APPEALS IMMEDIATELY: Check with the International Secretariat, or your section office, if sending appeals after 25 February 1992.