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£TURKEY: @Disappearance of Yusuf Eri_ti in Istanbul

On 13 and 14 March 1991, 12 people including Yusuf Eri_ti were reportedly taken into police custody from the street in Istanbul in a police operation against an illegal organization. They were taken to the Political Branch of Istanbul Police Headquarters where they allege they were tortured. Apparently the police did not notify the prosecutor at Istanbul State Security Court (DGM) until 14 March that these people were in detention. On 27 March, 11 of the detainees were brought before the Prosecutor and later a judge who formally arrested seven and committed them to prison, while releasing the others.

During their incomunicado detention the lawyer Fethiye Pek_en had applied to the Prosecutor at the DGM for permission to see Yusuf Eri_ti and one other of the detainees in police custody, which was granted. However, when she went to Istanbul Police Headquarters she was refused access by the police. On 29 March 1991 she lodged a complaint against the police, but when the detention records at the DGM Prosecutor's Office were checked, there was no record that Yusuf Eri_ti had been held.

The seven fellow-detainees now in prison testify that they heard talk in Istanbul Police Headquarters on 14 March that a Yusuf Eri_ti had been detained. They claim that they could hear his voice while he was tortured in a room next to where they were held and that he told the torturers that he would say nothing. They also allege that they clearly overheard police officers saying that he had not been registered when being brought in and could die. Later they concluded from conversations between police officers, which they overheard, that Yusuf Eri_ti had indeed been killed.

Yusuf Eri_ti's father, Bekir Eri_ti, applied to various authorities for information, but received no response. He said, "I wait with the hope that I will obtain some information about my son".

The lawyer Fethiye Pek_en issued a statement saying that there were witnesses to the fact that Yusuf Eri_ti had been detained, but "our petitions about the fate of Yusuf Eri_ti brought no results. The security authorities do not give any information on this subject. We are concerned at the whereabouts of Yusuf Eri_ti and his fate."

In May and June 1990, two deaths in custody were reported in Turkey and since the end of November Amnesty International has received reports of a further eight deaths which occurred in police custody or shortly after release and which are alleged to have been the result of torture.

On 12 April 1991, the Turkish Parliament (TBMM) passed a new "anti-terror law" which contains a number of provisions to protect police officers accused of torture:

- Permission must be given by the Ministry of the Interior before charges can be brought against police officers alleged to have tortured persons suspected of political violence;

- Trials of alleged torturers of people suspected of political violence are to be conducted by State Security Courts;

- Alleged torturers cannot be remanded in custody during their trial [no provision is made in the new law to ensure that alleged torturers are suspended from duty or moved to other duties];

- Police officers who took statements from persons suspected of political violence shall not have to testify in court unless they agree to do so, in which case their testimony will be heard in camera.

Amnesty International appealed on 4 April 1991 to the Turkish authorities for information about the fate of Yusuf Eri_{ti}, but had not received any reply or further information by 5 May. The organization is concerned that nearly two months have passed since Yusuf Eri_{ti} was last seen and continues to seek information on his whereabouts from the Turkish authorities.