

UA 02/94 Fear of "Disappearance" / Fear of Torture

5 January 1995

TURKEY _smail Bahçeci

_smail Bahçeci has gone missing in Istanbul and there are fears that he is in unacknowledged police custody. If so, he is at risk of torture and "disappearance".

Reports indicate that _smail Bahçeci has been in hiding as there was an arrest warrant in force for him in connection with three trials at Istanbul State Security Court. He is accused of being a leading member of *Devrimci Genç* (Revolutionary Youth - the youth wing of *Devrimci Sol*) and of involvement in the killings of a police officer and a member of the secret service and other violent incidents. On 24 December 1994, his parents received a telephone call from his friends who were concerned that _smail Bahçeci had not been seen for about a week.

According to a report in the Turkish press of 2 January 1995, about a month ago _smail Bahçeci's brother Metin gave him the home and work telephone numbers of a friend. Metin Bahçeci claims that only his brother knew these two numbers.

On 29 December, plainclothes police came to Metin's shop and told him that they had got these numbers "from someone they had taken into custody". Metin himself was then detained for interrogation and the friend was also summoned to the police station to make a statement. According to Metin Bahçeci the police refused to disclose the identity of the person from whom they had obtained the telephone numbers.

The same press report quotes _smail Bahçeci's father as saying: "When my son was detained in Adana in 1991, the police again did not admit that he was in custody. On that occasion, we eventually found my son, whose detention had not been acknowledged, in Gaziantep Prison." On that occasion, _smail Bahçeci "disappeared" for eight days and his father lodged a formal complaint with the local prosecutor.

BACKGROUND INFORMATION

The illegal armed organization *Devrimci Sol* (Revolutionary Left) has accepted responsibility for dozens of political killings, including those of high ranking military and security personnel. Since May 1991, more than 50 suspected members of *Devrimci Sol* have been killed by the police in raids on "safe houses", the majority in Istanbul and Ankara. Any person suspected of links with the organization and taken into detention is at grave risk of being tortured during interrogation.

Detainees held on suspicion of political offences may be held without charge for up to 15 days. In the 10 provinces under emergency legislation in the southeast the maximum detention period for political detainees may be doubled to 30 days.

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 families and creates the conditions in which "disappearances" and torture take place. More than 50 people "disappeared"

in Turkey during 1994.

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. 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. The European Committee for the Prevention of Torture (ECPT) of the Council of Europe, of which Turkey is a member, and the UN Committee against Torture (UN CAT) have both published reports to the effect that torture is widespread and systematic in Turkey.

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 _smail Bahçeci, believed to be held in unacknowledged detention at Istanbul Police Headquarters since about 18 December 1994;
- urging that immediate steps are taken to establish his whereabouts, and that his family and lawyer are informed where he is without delay;
- seeking assurances that, if in detention, _smail Bahçeci is not being subjected to torture or any other form of ill-treatment;
- asking to be informed of _smail Bahçeci's whereabouts and health.

APPEALS TO

1) Chief Prosecutor at Istanbul State Security Court

Mr Ahmet Köksal

DGM Ba_savc_s_

Devlet Güvenlik Mahkemesi

Istanbul, Turkey

Telegrams: DGM Ba_savc_s_, Istanbul, Turkey

Salutation: Dear Sir

2) State Minister with responsibility for Human Rights:

Mr Azimet Köylüo_lu

Office of the Prime Minister

Ba_bakanl_k

06573 Ankara, Turkey

Faxes: +90 312 417 0476

Salutation: Dear Minister

3) Istanbul Chief of Police:

Mr Necdet Menzir

Istanbul Emniyet Müdürü

Istanbul, Turkey

Telegrams: Emniyet Muduru, Istanbul, Turkey

Telexes: 30811 IEHM TR; 30812 EMMH TR; 26177 IEMT TR

Faxes: +90 212 272 8182 and +90 212 527 7181

Salutation: Dear Sir

COPIES OF YOUR APPEALS TO:

President of the Parliamentary Human Rights Commission:

Mr Sabri Yavuz

nsan Haklar Ara_t_rma Komisyonu Ba_kan_

TBMM
Ankara, Turkey
Faxes: +90 312 420 5394

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 21 February 1995.