

PUBLIC

AI Index: EUR 44/007/2001

UA 26/01

Fear of ill-treatment or torture in detention /

30 January 2001

"Di

TURKEY

Serdar Tanis, age 24
Ebubekir Deniz, age 26

Amnesty International is gravely concerned that Serdar Tanis and Ebubekir Deniz may be at risk of torture or "disappearance" following their unacknowledged detention on 25 January 2001.

Since around 2.30pm on 25 January, Serdar Tanis, who is the Silopi district head of HADEP (People's Democracy Party), and his colleague Ebubekir Deniz, the secretary of HADEP in Silopi, have "disappeared". They were taken into unacknowledged detention by the local Silopi district Gendarmerie (military unit acting as police in the rural areas) where they had reported in response to a summons.

On Friday 26 January, Ömer Sansur, who drove the two men to the Gendarmerie offices, notified the Silopi prosecutor of concerns regarding the safety and whereabouts of Serdar Tanis and Ebubekir Deniz but reportedly did not receive a reply.

The Gendarmerie told the two men's lawyers that they had not been taken into detention and that, if they had been detained, then information regarding their whereabouts would have been provided. On Monday 29 January a delegation of lawyers from the Human Rights Association (IHD) and the Human Rights Foundation of Turkey (TIHV) in Diyarbakir met the local prosecutor, but he could not provide any information about the two men's whereabouts. Neither did they receive any positive answers from the province governor or the chief prosecutor in Sirnak.

Lawyers for the two men and their families have inquired at the Silopi Chief Prosecutor's offices and the TIHV has alerted parliament, the parliamentary Human Rights Research Commission (TBMM), the Minister with responsibility for human rights, Ministry of the Interior and other state bodies. They have not been able to get any information regarding the two men's whereabouts.

BACKGROUND INFORMATION

During recent weeks and months Amnesty International has received numerous reports about arrests of HADEP representatives. In several cases the detainees later reported that they had been ill-treated in custody. On 11 September 2000, HADEP's Sirnak provincial head, Resul Sadak, and 10 other HADEP members were detained and were reportedly blindfolded, given death threats and suffered sleep deprivation. (See UA 294/00, EUR 44/47/00, 25 September 2000 and follow-up EUR 44/74/00, 20 December 2000) Two local HADEP leaders, Ezger Osal and Mehmet Yumak, remain in detention in the same province.

About a week before the arrests, Serdar Tanis and his father, Suayip Tanis, were reportedly questioned for an hour at the Silopi sub-provincial Gendarmerie. During questioning the Gendarmerie reportedly threatened them with murder. At 1:30pm on the day of his detention, Serdar Tanis and a relative, Eyup Tanis, were reportedly confronted by three armed men in a vehicle near the post office in Silopi. Serdar Tanis and Eyup Tanis were called to get in the car with three men who identified themselves as policemen. The two men refused, replying that if they were officially summoned, they would go to the local police station. Amnesty International believes that this could have been an abduction attempt.

In Turkey, legal Kurdish political parties have been faced with daily harassment by the authorities, and some have been closed while others have been threatened with closure. Their supporters and members have been tortured, have "disappeared" and have even been killed.

HADEP is the successor to two previous parties that were both closed for "separatism" by the authorities. Although it opposes the use of political violence, in some quarters the party is regarded as the "political wing" of the Kurdistan Worker's Party (PKK), an armed opposition group. The Constitutional Court is currently considering a request by the State Security Court Prosecutor to ban HADEP on the grounds that it is the "lengthened arm of the PKK". Although 37 local councils in the predominantly Kurdish southeastern area of Turkey elected HADEP mayors by overwhelming majorities in 1999, HADEP deputies did not enter parliament because of a rule under which political parties must have at least 10% of the entire national vote to be represented.

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

- expressing concern for the safety of Serdar Tanis and Ebubekir Deniz and asking to be informed of their whereabouts;
- urging that they are not tortured or ill-treated;
- asking to be informed of any charges that may be brought against them;
- reminding the government of Turkey of its obligations under Article 3 of the European Convention of Human Rights, to which Turkey is a state party, which states: "No one shall be subjected to torture or to inhuman or degrading treatment or punishment."

APPEALS TO:

Sirnak Gendarmerie Headquarters

Jandarma Komutan_

Sirnak Jandarma Komutanl___

Sirnak, Turkey

Fax: +90 486 216 6517

Telegrams: Sirnak Jandarma Komutanl___, Sirnak, Turkey

Salutation: Dear Commander

Governor of Sirnak

Mr. Aydin Aslan

Sirnak Valisi

Sirnak Valili_i

Sirnak, Turkey

Fax: + 90 8456 1188

Telegrams: Sirnak Valili_i, Sirnak, Turkey

Salutations: Dear Governor

Chief of Staff of the Gendarmerie

General Aytaç Yalman

Jandarma Kuvvetleri Komutanl___

Bakanl_klar

Ankara, Turkey

Telegram: Jandarma Genel Komutani, Ankara, Turkey

Fax: + 90 312 418 9208

Salutation: Dear General

Minister of Interior

Mr Saadettin Tantan

_ci_leri Bakanl___

06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey
Faxes: + 90 312 418 17 95
Salutation: Dear Minister

COPIES TO:

State Minister with responsibility for Human Rights
Mr Rü_tü Kaz_m Yücelen
Office of the Prime Minister
Ba_bakanl_k
06573 Ankara, Turkey
Fax: + 90 312 417 0476

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 13 March 2001.