

EXTERNAL

AI Index: EUR 44/17/96

UA 22/96

Fear for safety

31 January 1996

TURKEYE_ref Ya_a, Kurd aged 33
plus two others whose names are not known

Mehmet Ali Ya_a, uncle of E_ref Ya_a]
Murat Ta_an] killed
a woman, name unknown]

Amnesty International is gravely concerned for the safety of three Kurdish villagers who have been held in unacknowledged detention in an unknown location since 18 January 1996. There is particular concern for one of the three, E_ref Ya_a, who has been threatened and attacked in the past (see below). Four of his close relatives have already become victims of political killings, including his 13-year-old brother Yalç_n. E_ref Ya_a believes that they were killed by state agents and has taken their case before the European Commission of Human Rights.

On 18 January, during a military operation near the village of Ülgen (Kurdish: Mihrani) in the Hazro district of Diyarbak_r province, Mehmet Ali Ya_a, Murat Ta_an and an unnamed woman were killed and three people were detained, one of them E_ref Ya_a. Although the incident was described on Turkish television and radio as a clash with PKK members, eye-witnesses reportedly said that the six people were unarmed villagers. The three bodies were taken to Hazro and buried without being handed over to the families, according to Mehmet Ali Ya_a's family.

It is not known where the three detained villagers were taken. E_ref Ya_a's mother, Hediye Ya_a, repeatedly applied to all relevant authorities for information of her son's whereabouts, but was told that he was not being held. However, Behçet Ya_a, a relative who lives in the Huzurevler district of Diyarbak_r and whose home was raided by the security forces on 22 January, reported that he saw E_ref Ya_a blindfolded in a police vehicle on that occasion.

BACKGROUND INFORMATION

In January 1993 E_ref Ya_a was shot at on his way to his newspaper kiosk and hit eight times. A passing taxi picked him up and took him to hospital. The police came to the hospital and reportedly said: "This son of a prostitute has not died". The taxi driver who had helped him was reportedly beaten by plainclothes police officers and told: "We will get you for this".

In June 1993, after his uncle Ha_im Ya_a was killed with three shots to his head in the street in Diyarbak_r, E_ref was detained, beaten up and told at Diyarbak_r Police Headquarters: "You survived last time, but you should have been finished off. We will kill you next time. It should have been you, not your uncle". (see also UA 196/93, EUR 44/52/93, 15 June 1993).

In July 1993 E_ref Ya_a brought a complaint against Turkey before the European Commission of Human Rights which was declared admissible in April 1995.

In October 1993 E_ref Ya_a's 13-year-old brother Yalç_n was killed and his 16-year-old brother Yahya injured in an armed attack near their home. They had, like E_ref and his uncle Ha_im, been selling pro-Kurdish newspapers and magazines such as *Özgür Gündem* (Free Agenda) and *Özgür Halk* (Free People).

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

- expressing grave concern for the safety of E_ref Ya_a and two unidentified villagers detained in Hazro on 18 January 1996 and since held in unacknowledged detention;
- seeking assurances that they are not being subjected to torture or any other form of ill-treatment;
- urging that an immediate investigation be carried out to establish their whereabouts and that their families be informed of the outcome;
- requesting to be informed of the results of the investigation.

APPEALS TO:

1. Public Prosecutor in Hazro:

Cumhuriyet Savcisi
Hazro Cumhuriyet Savc_l____
Hazro, Turkey

Telegrams: Cumhuriyet Savcisi, Hazro, Turkey
Salutation: Dear Sir

2. Chief Prosecutor at Diyarbakır State Security Court:

Mr Bekir Selçuk
DGM Ba_savc_s_
Devlet Güvenlik Mahkemesi
Diyarbakır, Turkey

Telegrams: DGM Bassavcisi, Diyarbakir, Turkey
Salutation: Dear Sir

3. Deputy Emergency Legislation Governor:

Mr Ahmet Kayhan
Ola_anüstü Hal Valisi
Diyarbakır, Turkey

Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey
Telexes: 72110 OHVT TR
72084 DYVA TR "please forward to the Governor"
72090 JASY TR

Salutation: Dear Governor

4. Diyarbakır Chief of Gendarmerie:

General Altay Tokat
Jandarma Komutan_
Jandarma Komutanl____
Diyarbakır, Turkey

Telegrams: General Tokat, Jandarma Komutanligi, Diyarbakir, Turkey
Salutation: Dear General

COPIES TO:

State Minister with responsibility for Human Rights:

Mr Adnan Ekmen
Office of the Prime Minister
Ba_bakanl_k
06573 Ankara, Turkey

Faxes: +90 312 417 0476 and 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 22 March 1996.