

PUBLIC

AI Index: EUR 44/055/2002

UA 340/02

"Disappea

TURKEYS dd k Kaya (m), farmer

---

Amnesty International is concerned for the safety of S\_dd\_k Kaya following his "disappearance" on 20 November in the district of Varto, Mu\_ province, southeast Turkey.

S\_dd\_k Kaya was reportedly called on his mobile phone at around 5pm on 20 November while staying at his sister's house in Varto. The caller identified himself as Celal\_en, a non-commissioned officer from the gendarmerie headquarters in Varto.

S\_dd\_k Kaya then apparently left to meet Celal\_en at a bridge near the entrance to Varto. His family has not heard from him since and are concerned because he has been detained several times in the past by gendarmerie. The Human Rights Association (IHD) have approached the authorities seeking information about his whereabouts.

#### **BACKGROUND INFORMATION**

Procedures laid down in the Turkish Criminal Procedure Code (CMUK) for the prompt and proper registration of detainees and for notification to their families are frequently ignored. This can facilitate the "disappearance" and torture of detainees and causes great distress to their families.

Since January 2002, people suspected of offences which fall under the scope of the State Security Courts can be held in police custody without access to legal counsel for up to forty-eight hours. The period before which detainees must be brought before a judge is four days, but can be extended to ten days in the two provinces currently under State of Emergency rule. Although detainees are supposed to be granted access to a lawyer during extended periods of detention, this does not always happen in practice.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:**

- expressing concern for the safety of S\_dd\_k Kaya;
- urging that immediate steps be taken to establish his whereabouts and that his family be informed of the results without delay;
- urging that he be granted immediate access to legal counsel if he is in custody;
- calling for guarantees that he is not subjected to any form of torture or ill-treatment if he is in custody;
- reminding the government of Turkey of its commitment to the Universal Declaration of Human Rights, in particular Article 3: "Everyone has the right to life, liberty, and security of person".

#### **APPEALS TO:**

Minister of the Interior  
Mr Abdulkadir Aksu  
Ministry of Interior  
Içi\_leri Bakanl\_\_\_\_  
06644 Ankara, Turkey

**Telegram: Interior Minister, Ankara, Turkey**

+ 90 312 418 17 95

tion: Dear Minister

of Staff of the Gendarmerie

~~at~~ ~~en~~ ~~gr~~

ivetleri Kntal\_g

\_klar

, Turkey

**am: Chief of Staff of the Gendarmerie, Ankara, Turkey**

**+ 90 312 418 9208**

**tion: Dear General**

**TO:**

Minister with responsibility for Human Rights

u\_rul Yalç\_nbay\_r

of the Prime Minister,

anl\_k,

Ankara, Turkey

**90 312 417 04 76**

**tion: Dear Minister**

diplomatic representatives of Turkey accredited to your country.

**SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 6 January 2003.