

EXTERNAL (for general distribution)

AI Index: EUR 44/62/94  
Distr: UA/SC

UA 275/94

"Disappearance"

19 July 1994

TURKEY

M. \_ah Do\_rucu, married with four children

M. \_ah Do\_rucu has "disappeared" after being detained in Diyarbak\_r on 7 July 1994. M. \_ah Do\_rucu, who has been working in Diyarbak\_r for the past few weeks as a construction worker, has been detained several times previously during which he alleges that he was severely tortured.

M. \_ah Do\_rucu and his family have been living in Diyarbak\_r since fleeing there after their home in the village of Gökçetevek (Kurdish: Re\_éké) was burnt to the ground during a raid by the security forces two months ago. On 7 July 1994 at 11.30pm the house in which the family were living in the Ba\_lar quarter of Diyarbak\_r was raided by four people, one in commando uniform and carrying a G3 weapon and a walkie-talkie, the others in plain clothes and carrying handguns. They searched the house and its inhabitants. When M. \_ah Do\_rucu's daughter-in-law protested, the person in the commando uniform struck her very hard on the back. Then they radioed their headquarters, saying, "We searched the house, nothing has been found. We are taking M. \_ah Do\_rucu with us". They took him away in a red Toros car.

Nothing has been heard or seen of M. \_ah Do\_rucu since, despite his family's inquiries and petitions to the prosecutor's office at Diyarbak\_r State Security Court for information of his whereabouts. Amnesty International fears for his life, particularly in view of the recent murder of imam (prayer leader in the mosque) Süleyman Turgut whose body was found close to the village of Camili near Idil on 15 July, two days after he was taken from his house in Cizre by two men who reportedly said they were policemen. Imam Süleyman Turgut, too, had been detained previously, in early June, and accused of supporting the Kurdish guerrillas.

#### **BACKGROUND INFORMATION**

There has been a striking increase in reports of "disappearances" since the summer of 1993 - particularly in the 10 southeastern provinces where a State of Emergency is in force and where police and gendarmerie have the right to hold political suspects incommunicado for up to a month.

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 not only extremely distressing for relatives, but it creates the conditions in which "disappearances" and torture can occur. The European Committee for the Prevention of Torture (ECPT) and the UN Committee against Torture (UN CAT), both mechanisms of international human rights instruments to which Turkey is a State Party, have published reports to the effect that torture is widespread and systematic in Turkey. Detainees held on suspicion of political offences to be tried in State Security Courts may be held without charge for 15 days. This period may be extended to 30 days in provinces under emergency legislation such as Diyarbak\_r province.

Turkey ratified the European Convention for the Prevention of Torture on 25 February 1988 and the UN Convention Against Torture on 2 August 1988. Following a programme of visits to Turkish police stations in 1990, 1991 and 1992, the

European Committee for the Prevention of Torture (ECPT - established by the Council of Europe) reported: *"In the light of all the information at its disposal, the ECPT can only conclude that the practice of torture and other forms of severe ill-treatment of persons in police custody remains widespread in Turkey and that such methods are applied to both ordinary criminal suspects and persons held under anti-terrorism provisions"*.

The ECPT also stated that in Diyarbakır Police Headquarters they had found *"the equipment necessary for suspension by the arms in place and ready for use (that is, a three metre long wooden beam which was mounted on heavily-weighted filing cabinets on opposite sides of the room and fitted with a strap made of strong material securely tied to the middle) ... the delegation's discoveries caused considerable consternation among police officers present; some expressed regret, others defiance."*

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

- expressing grave concern for the life of M. \_ah Do\_rucu who has "disappeared" after being detained in Diyarbakır on 7 July 1994, particularly in view of the recent murder of the imam Süleyman Turgut who "disappeared" in Cizre on 13 July in similar circumstances;
- urging that immediate steps are taken to establish his whereabouts;
- urging that M. \_ah Do\_rucu's family and lawyer be immediately informed of his whereabouts and state of health;
- asking to be informed of the results of the investigation and of any charges brought against M. \_ah Do\_rucu.

**APPEALS TO**

1) Chief Prosecutor at Diyarbakır State Security Court:

DGM Ba\_savcısı  
Devlet Güvenlik Mahkemesi  
Diyarbakır, Turkey  
**Telegrams: DGM Bassavcısı, Diyarbakir, Turkey**  
**Salutation: Dear Sir**

2) Minister of the Interior:

Mr Nahit Mente\_e  
\_çi\_leri Bakanl\_\_\_\_  
06644 Ankara, Turkey  
**Telegrams: Interior Minister, Ankara, Turkey**  
**Faxes: +90 312 428 4346**  
**Salutation: Dear Minister**

3) Prime Minister:

Mrs Tansu Çiller  
Ba\_bakanl\_k  
06573 Ankara, Turkey  
**Telegrams: Prime Minister, Ankara, Turkey**  
**Telexes: 44061/44062/44063 bbmt tr**  
**Faxes: +90 312 417 04 76 PRIME MINISTER**  
**+90 312 230 88 96 (attn: Prime Minister)**  
**Salutation: Dear Prime Minister**

**COPIES OF YOUR APPEALS TO:**

Minister of Foreign Affairs:

Mr Hikmet Çetin

D\_\_i\_\_leri Bakanl\_\_\_\_

06100 Ankara, Turkey

**Faxes: 90 312 287 3869**

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 31 August 1994.