

EXTERNAL

AI Index: EUR 44/69/96

EXTRA 67/96

Fear of "disappearance" / Fear of torture

14 May 1996

TURKEY

Mustafa Genç, correspondent in Adana for monthly *Barikat*
One unidentified individual, friend of Mustafa Genç
Mahmut Ocak

Mustafa Genç and a friend of his, whose identity is unknown, have not been seen since 9 May 1996, when they set out on a car journey from Osmaniye near Adana to Istanbul. It is thought that both may have been detained in or near Adana and Amnesty International fears for their safety. During the night after his departure, police searched Mustafa Genç's home in Osmaniye. Reportedly, police have been waiting outside the house ever since.

The following day, 10 May, at around noon, Mahmut Ocak, another friend of Mustafa Genç, and also originating from Adana, was detained in Istanbul as he was leaving a hospital in the Kartal district. As he was grabbed by the police he shouted his name to passers-by who informed the Human Rights Association of the incident. The authorities are said to have confirmed his detention. He is being held at the Anti-Terror Branch of Istanbul Police Headquarters in Aksaray where it is feared he is being interrogated under torture.

After the military coup of 1980 Mustafa Genç and Mahmut Ocak were both convicted in the same trial of membership of an illegal organization by a military court in Adana and served 11 years in prison.

BACKGROUND INFORMATION

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. Lack of prompt registration and notification is extremely distressing for the families of detainees, and creates the conditions in which "disappearances" and torture can occur.

People suspected of offences under the Anti-Terror Law can be held in police custody without access to family, friends or legal counsel for up to 30 days in the 10 provinces under State of Emergency in the southeast, and for 15 days in the rest of Turkey. When not being interrogated, detainees are held in cramped, airless and insanitary conditions. With no access to the outside world they are at the mercy of their interrogators.

Torture is often applied to extract confessions, to elicit information about illegal organizations, to intimidate detainees into becoming police informers or as informal punishment for assumed support of illegal organizations. Torture methods include being stripped naked and blindfolded, hosing with pressurized ice-cold water, hanging by the arms or wrists bound behind the victim's back, electric shocks, beating the soles of the feet, death threats and sexual assault.

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

Appeals to addresses 1-4

- expressing concern for the safety of Mustafa Genç and an unidentified friend, missing since 9 May 1996 when they left Osmaniye for Istanbul, and believed to be held in unacknowledged detention in Adana or Mersin;
- urging that their whereabouts be established without delay and that their families and lawyers are informed promptly;

- seeking assurances that the detainees are not being subjected to torture or any other form of ill-treatment;
- asking to be informed of any charges brought against them.

Appeals to address 4 only

- expressing concern for the safety of Mahmut Ocak, detained in Istanbul on 10 May 1996, held incommunicado at the Anti-Terror Branch of Istanbul Police Headquarters;
- seeking assurances that he is not being subjected to torture or any other form of ill-treatment;
- asking to be informed of any charges brought against him.

APPEALS TO:

1. Adana Chief Prosecutor:

Mr Mehmet Ali Kutca

Adana Cumhuriyet Ba_savc_s_

Adana Cumhuriyet Ba_savc_l____

Adana, Turkey

Telegrams: Cumhuriyet Bassavcisi, Adana, Turkey

Salutation: Dear Prosecutor

2. Osmaniye Chief Prosecutor:

Cumhuriyet Ba_savc_s_

Osmaniye Cumhuriyet Ba_savc_l____

Osmaniye/Adana, Turkey

Telegrams: Bassavcisi, Osmaniye-Adana, Turkey

Salutation: Dear Prosecutor

3. Adana Governor:

Mr O_uz Kaan Köksal

Adana Valili_i

Adana, Turkey

Telegrams: Mr Koksall, Valiligi, Adana, Turkey

Salutation: Dear Governor

4. Interior Minister:

Mr Ülkü Güney

Ministry of Interior

_çi_leri Bakanl____

06644 Ankara, Turkey

Telegrams: Interior Minister, Icisleri Bakanligi, Ankara, Turkey

Faxes: +90 312 418 1795

Salutation: Dear Minister

COPIES TO:

Minister of Foreign Affairs:

Mr Emre Gönensay

Ministry of Foreign Affairs

D__i_leri Bakanl____

06100 Ankara

Fax: +90 312 419 1547

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 15 June 1996.