

EXTERNAL (for general distribution)

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UA 338/94 "Disappearance"/Fear of extrajudicial execution 14 September 1994

TURKEY akir Öner

akir Öner, a Kurdish villager, has "disappeared" after being detained on 24 July 1994. Given that the maximum period for which political detainees can be held incommunicado is 30 days in provinces under emergency legislation, there is grave concern for akir Öner's life.

akir Öner had been threatened by the security forces not to leave his village of Angülé near Lice in the province of Diyarbak_r. However, on 24 July he decided to travel to Diyarbak_r. At the Angülé gendarmerie station an identity check of the bus passengers leaving the village was carried out. akir Öner was taken off the bus and detained by the gendarmerie (soldiers carrying out police duties in rural areas, under the authority of the Interior Ministry).

Since then nothing has been heard or seen of akir Öner, in spite of inquiries made with the Gendarmerie Command in Angülé and the Prosecutor's Office at the State Security Court in Diyarbak_r.

BACKGROUND INFORMATION

The conflict in southeast Turkey between government forces and guerrillas of the Kurdish Workers' Party (PKK) has claimed more than 12,000 lives since it began in August 1984. A state of emergency remains in force in 10 provinces in the southeast where police and gendarmerie have the right to hold political suspects incommunicado for up to one month. The Emergency Legislation Governor in Diyarbak_r has extraordinary powers over three additional provinces.

Police operations against suspected PKK supporters are being carried out all over Turkey. Procedures laid down in the Turkish Criminal Procedure Code for the prompt registration of detainees, and for notification of their families, are almost universally ignored in the southeast. Abuse of registration procedures creates the conditions in which "disappearances" and torture can occur. Massive military operations in the southeast have been intensified since early 1994, and in addition to daily armed clashes the security forces are carrying out intense operations against villages. These operations have resulted in countless allegations of torture, "disappearance" and extrajudicial execution.

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"*.

Fourteen deaths in custody have been reported this year so far, several of which occurred in gendarmerie stations.

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

- expressing concern for the life of _akir Öner who has "disappeared" after being detained by gendarmerie in Angülé village near Lice on 24 July 1994;
- drawing attention to the fact that the maximum detention period has been exceeded by more than three weeks already;
- urging that an immediate investigation be conducted into _akir Öner's whereabouts and health;
- asking to be informed of the results of such an investigation.

APPEALS TO

1) Chief of Staff of the Gendarmerie:

Orgeneral Ayd_n_lter
Jandarma Kuvvetleri Komutanl____
Bakanl_klar
Ankara, Turkey

Telegrams: Jandarma Genel Komutani, Ankara, Turkey

Faxes: +90 312 418 0476

Salutation: Dear General

2) Chief Prosecutor at Diyarbakır State Security Court:

DGM Ba_savc_s_
Devlet Güvenlik Mahkemesi
Diyarbakır, Turkey

Telegrams: DGM Bassavcısı, Diyarbakır, Turkey

Salutation: Dear Sir

3) Minister of the Interior:

Mr Nahit Ment_e
İç_i_leri Bakanl____
Bakanl_klar
06644 Ankara, Turkey

Telegrams: İçisleri Bakanligi, Ankara, Turkey

Faxes: +90 312 418 1795

Salutation: Dear Minister

COPIES OF YOUR APPEALS TO:

Minister of Foreign Affairs:

Prof Mümtaz Soysal
D_i_leri Bakanl____
06100 Ankara, Turkey

Faxes: 90 312 287 1886

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 26 October 1994.