

EXTERNAL

AI Index: EUR 44/178/96

EXTRA 181/96 Fear of "disappearance" / Fear of torture 22 November 1996

TURKEY_irin Bayram, Kurdish building labourer, aged 18

Ramazan (family name not known), Kurdish villager

_irin Bayram and Ramazan (family name unknown) have been held in unacknowledged detention at an unknown location since they were detained in Demirli village (local name: Temran) near Kulp, province of Diyarbak_r, on 2 November 1996. Amnesty International is gravely concerned for their safety.

_irin Bayram works as a building labourer in Diyarbak_r where he lives with his father and mother. Late in October, he went to stay with his uncle, who lives just outside Demirli. On the night of 2 November _irin Bayram was in Ramazan's house in Demirli when gendarmes and village guards raided it. Ramazan, reportedly wanted by the authorities for his alleged contact with the Kurdish Workers' Party (PKK), was detained and taken away. No weapons were found in the house. Shortly afterwards, two village guards returned to the house and took _irin Bayram into custody. Both men were loaded into a vehicle which had been parked outside the village.

The following day Ramazan's children, who had witnessed the detention, informed _irin Bayram's uncle who went to Kulp Gendarmerie Headquarters. Reluctant to enter the premises he made inquiries with village guards who were standing outside. They told him that _irin Bayram had been brought into the gendarmerie, but said they did not know what happened to him after that.

_irin Bayram's father, Mustafa Bayram, applied to the prosecutor at Diyarbak_r State Security Court on 6 November for information as to the whereabouts of his son. The prosecutor's office denied that he was being held. Two further petitions received the same response, but no written statement has been given by the authorities. To Amnesty International's knowledge, the whereabouts of Ramazan also remain unknown.

_irin Bayram has never been detained before. Reportedly he is not a member of any organization or political party.

BACKGROUND INFORMATION

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 currently under State of Emergency, and for 15 days in the rest of Turkey.

In a recent case, Recep Çelik was taken into custody on 30 August 1996. His wife was reportedly not given any confirmation of his detention by the prosecutor's office in Diyarbak_r until November, when she was told that her husband had been formally arrested at the end of October. He had been held for two months in unacknowledged detention at the Anti-Terror Branch of Diyarbak_r Police Headquarters.

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 presumed 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.

Procedures laid down in the Turkish Criminal Procedure Code for the prompt and proper registration of detainees, and for notification to 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.

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

- expressing grave concern for the safety of _irin Bayram and Ramazan, detained on 2 November 1996 in Demirli village near Kulp and since held in unacknowledged detention at an unknown location;
- noting that Kulp Prosecutor's Office denied that the two men are being held in police custody;
- urging that their detention be registered without further delay and that their families be promptly informed of their whereabouts;
- urging that the safety and well-being of _irin Bayram and Ramazan be guaranteed;
- asking to be informed of any charges brought against them.

APPEALS TO:

1. Chief Prosecutor at Diyarbakır State Security Court:

Mr Nihat Çakar

DGM Ba_savc_s_

Devlet Güvenlik Mahkemesi

Diyarbakır, Turkey

Telegrams: DGM Bassavcısı, Diyarbakır, Turkey

Faxes: +90 412 228 7749

Salutation: Dear Prosecutor

2. State of Emergency Regional Governor:

Mr Necati Bilican.

Ola_anüstü Hal Valisi

Diyarbakır, Turkey

Telegrams: Olaganustu Hal Valisi, Diyarbakır, Turkey

Telex: 72110 OHVT TR; 72084 DYVA TR "please forward to the Governor"
72090 JASY TR

Faxes: +90 412 224 3572

Salutation: Dear Governor

3. Diyarbakır Chief of Gendarmerie:

Diyarbakır Jandarma Komutan_

Jandarma Komutanl____

Diyarbakır, Turkey

Telegrams: Jandarma Komutanligi, Diyarbakır, Turkey

Salutation: Dear Commander

COPIES TO:

State Minister with responsibility for Human Rights:

Mr Lütfü Esengün

Office of the Prime Minister

Ba_bakanl_k
06573 Ankara, Turkey
Faxes: +90 312 417 0476

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 24 December 1996.