

UA 286/98 Possible "disappearance" / Fear for safety 6 November 1998

TURKEY Mehmet Mazaca, aged 63, Kurd

There are serious concerns for the safety of Mehmet Mazaca, who has been missing since 22 October 1998. It is feared he may be held in secret police detention.

Mehmet Mazaca works supplying firewood in the area surrounding Tunceli, his home town. On 22 October, he went to Kovanc2lar town in Elaz2• province to talk about some work. A witness reported seeing Mehmet Mazaca sitting in a café in Elaz2• , but this witness has since been impossible to trace.

Mehmet Mazaca's family later received an anonymous telephone call saying that he was being held at Elaz2• Provincial Gendarmerie Headquarters. However, his family's attempts to get information from Tunceli and Elaz2• gendarmerie and police regarding Mehmet Mazaca's whereabouts have been unsuccessful.

Mehmet Mazaca was detained in 1993 and imprisoned in Erzurum for five months, during which time he was tortured. After his release the Turkish Human Rights Foundation granted him medical treatment for the effects of torture. He was still undergoing medical treatment at the time of his current possible "disappearance". The reasons behind his 1993 detention and any charges against him remain unclear.

Many clashes between Turkish security forces and the Kurdish Worker's Party (PKK) have taken place in the mountainous area surrounding Tunceli. The situation in the area remains tense.

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 facilitates the "disappearance" and torture of detainees and causes great distress to their families.

Since March 1997, people suspected of offences under Turkey's 1991 Anti-Terror Law can be held in police custody without access to family, friends or legal counsel for up to four days. This period may be increased to 10 days in the six provinces currently under State of Emergency, which does not include Elaz2• province, and to seven days in the rest of Turkey. However, detainees are supposed to be granted access to a lawyer during extended periods of detention. This does not, however, often happen in practice.

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

- expressing concern for the safety of Mehmet Mazaca, who went missing on 22 October 1998 and is believed to be held in unacknowledged detention in Elaz2• , possibly at Elaz2• Provincial Gendarmerie Headquarters;
- urging that immediate steps be taken to establish his whereabouts and that his family and lawyer be informed of the results without delay;
- urging that he is not subjected to any form of torture or ill-treatment;
- asking to be informed of any charges that may be brought against him;
- expressing dismay that Turkish citizens are held in unacknowledged incommunicado detention, in contravention of the Turkish Criminal Procedure Code (CMUK).
- 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 Kutlu AktaÖ

İçisleri Bakanl2—2

Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Faxes: + 90 312 418 9208

Salutation: Dear Minister

Minister of Justice:

Mr Hasan Denizkurdu

Adalet Bakanl2—2

06659 Ankara, Turkey

Telegrams: Justice Minister, Ankara, Turkey

Faxes: + 90 312 418 5667

Salutation: Dear Minister

COPIES TO:

State Minister with responsibility for Human Rights

Mr Hikmet Sami Türk

Office of the Prime Minister

BaŐbakanlık

06573 Ankara, Turkey

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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 17 December 1998.

"Everyone has the right to life, liberty and security of person".

Article 3, Universal Declaration of Human Rights

Visit the Amnesty International UDHR campaign website on <http://www.amnesty.org>