

EXTERNAL (for general distribution)

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UA 136/94      "Disappearance"

6 April 1994

TURKEY      Necati Ayd\_n  
              Mehmet Ay

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Amnesty International is concerned for the safety of Necati Ayd\_n and Mehmet Ay, who "disappeared" in Diyarbak\_r following their detention on 18 March 1994.

On 18 March 1994, Necati Ayd\_n and Mehmet Ay were detained at the home of Mehmet Ay's elder brother in Diyarbak\_r, together with eight other relatives. The relatives were released four days later. On 25 March, the prosecutor at the State Security Court in Diyarbak\_r confirmed that Necati Ayd\_n and Mehmet Ay were still in custody.

On 4 April, lawyers reported that they had seen the two detainees in court. They informed the elder brother of Mehmet Ay who sent, through his lawyer, a petition to the chief prosecutor at Diyarbak\_r State Security Court asking whether the detainees had been formally arrested or were still held in police custody. The chief prosecutor replied that they had been released by decision of the prosecutor. However, they were neither seen by those waiting for them outside the court nor have the relatives been able to obtain any information as to their whereabouts.

Amnesty International has noted a serious increase in "disappearances" in Turkey in past months, and is concerned for the lives of Necati Ayd\_n and Mehmet Ay.

#### BACKGROUND INFORMATION

During 1993 and the first three months of 1994 there has been a striking increase in reports of "disappearances" particularly in the southeastern provinces. In Istanbul the sixth "disappearance" in 12 months occurred in February.

In southeast Turkey, where a State of Emergency is in force, police and gendarmerie (soldiers carrying out police duties in rural areas) have the right to hold people incommunicado for a month if they are suspected of having committed a political offence. The detainee has no right to see a lawyer, family, friends or a doctor. 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 cities in the rest of Turkey. Lack of proper registration and notification is not only extremely distressing for families, but it creates the conditions in which "disappearances" can occur. Amnesty International fears that the practice of "disappearance", like that of extrajudicial execution, will become established as a tool of intimidation and elimination.

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

- expressing concern for the safety of Necati Ayd\_n and Mehmet Ay who "disappeared" following their detention in Diyarbak\_r on 18 March 1994;
- urging that immediate steps be taken to establish their whereabouts;
- asking that urgent measures be taken to stem the serious increase in "disappearances" of which there were at least 26 reports in 1993.

**APPEALS TO:**

1) Minister of the Interior:

Mr Nahit Ment\_e  
\_çi\_leri Bakanl\_\_\_\_  
06644 Ankara, Turkey

**Telegrams: Interior Minister, Ankara, Turkey**

**Faxes: +90 312 428 4346**

**Salutation: Dear Minister**

2) Prime Minister:

Mrs Tansu Çiller  
Ba\_bakanl\_k  
06573 Ankara, Turkey

**Telegrams: Prime Minister, Ankara, Turkey**

**Telexes: 44061/44062/44063 bbmt tr**

**42099 basb tr**

**42875 bbk tr**

**Faxes: +90 312 417 04 76 PRIME MINISTER**

**+90 312 230 88 96 (attn: Prime Minister)**

**Salutation: Dear Prime Minister**

3) Emergency Legislation Governor:

Mr Ünal Erkan  
Ola\_anüstü Hal Valisi  
Diyarbak\_r, Turkey

**Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey**

**Telexes: 72110 OHVT TR**

**72084 DYVA TR marked "please forward to the Governor"**

**72090 JASY TR**

**COPIES OF YOUR APPEALS TO:**

President of the Parliamentary Human Rights Commission:

Mr Sabri Yavuz  
\_nsan Haklar\_ Ara\_t\_rma Komisyonu Ba\_kan\_  
TBMM

Ankara, Turkey

**Faxes: +90 312 420 5394**

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 18 May 1994.