

EXTERNAL (for general distribution)

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UA 150/94      "Disappearances"

15 April 1994

TURKEY      Salih Kara, newspaper distributor for pro-Kurdish *Özgür Gündem*  
              Muhterem Ayato      )  
              Mirza Ate\_            ) from \_nkaya village, near Kulp, Diyarbakir  
              Kudusi Ad\_güzel      ) province

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The four people named above have "disappeared". Amnesty International fears for their safety and is becoming increasingly concerned by the upsurge in cases of "disappearance" in Turkey, particularly in the southeastern provinces under Emergency Legislation.

On 9 March 1994, **Salih Kara** was travelling to Diyarbakir from Urfa in a coach (registration 46 DD 066) run by the company Aksu Turizm. The coach was stopped by soldiers attached to the Pirinçlik Gendarmerie Station, who saw copies of the newspaper *Özgür Gündem* and asked whose they were. Salih Kara said they were his and the soldiers, witnessed by the coach driver and his attendant, arrested him.

A member of the newspaper's office in Urfa later telephoned Pirinçlik Gendarmerie Station, and was told that *"those who harbour people who serve the Armenians will end up as unsolved murders"*. The member of the gendarmerie is also reported to have said: *"We did not detain your distributor. We did not get him off the coach. Anyone who claims that we did should come to us. Even if we detain somebody in front of 1,500 people, that person could still disappear. Even if 30 people saw your distributor, so what?... Don't print the lies coming out of the driver's mouth. We will catch the drivers and they will say, 'We didn't say such a thing - that is just what they are writing' and they will curse you."* The authorities continue to deny that they are holding Salih Kara.

On 9 February, **Muhterem Ayato** was on a minibus travelling from Silvan to Yay\_k (Kurdish: Ewre) village, when it was stopped by soldiers at the Malabadi turning. Muhterem Ayato was detained and taken to Silvan Gendarmerie Headquarters, where he was seen by another detainee, Mehmet \_irin Baran. They were held there for 28 days and severely tortured. They were then taken to Diyarbak\_r Provincial Gendarmerie Headquarters and Mehmet \_irin Baran was released the next day. He told Muhterem Ayato's family that Muhterem Ayato had been severely tortured but had refused to make an incriminating statement. A person (name withheld for safety) was released from detention in Diyarbakir on 1 April and claims that he saw Muhterem Ayato in detention there, and that the latter was taken away about a week before 1 April. Muhterem Ayato has not been seen since.

On 15 March 1994, **Mirza Ate\_** and **Kudusi Ad\_güzel** were taken from their houses at midnight by gendarmerie and village guards from Kulp. They were made to wait at Sivrice Gendarmerie Post and the next morning were taken to Kulp Gendarmerie Headquarters. Kudusi Ad\_güzel's elder brother, who lives in Kulp, saw two people in a vehicle outside the Gendarmerie Headquarters. He recognized them as his brother Kudusi and Mirza Ate\_. On 19 March Zeki Ad\_güzel, another brother, went to talk to the commander of Kulp Gendarmerie. This captain reportedly said that he had sent special team members and village guards to kill Mirza Ate\_ and Kudusi Ad\_güzel, but that the two had been brought back alive. He had interrogated them but they gave no information. The regimental gendarmerie commander in Diyarbak\_r told the captain to send them both to Diyarbak\_r, which he claimed he did. Mirza Ate\_ and Kudusi Ad\_güzel have not

been seen since.

#### **BACKGROUND INFORMATION**

During 1993 and the first months of 1994 there has been a marked increase in reports of "disappearances" - particularly in the southeastern provinces where a State of Emergency is in force. The "disappeared" have mainly been men living in agricultural settlements in districts where there is intense activity by guerrillas of the Kurdish Workers' Party (PKK).

In the provinces under Emergency Legislation, police and gendarmerie have the right to hold people totally incommunicado for a month if they are suspected of having committed a political offence. 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. Lack of proper registration and notification is not only extremely distressing for families, but also facilitates "disappearances".

Amnesty International fears that unless decisive action is taken now, the practice of "disappearance", like that of extrajudicial execution, will become firmly established as a tool of intimidation and elimination.

#### **TERMINOLOGY**

**Gendarmerie:** soldiers carrying out police duties in rural areas. **Special teams:** heavily armed units trained for close combat with guerrillas, and operating under the control of the Interior Ministry. **Village guards:** villagers armed and paid by the government to fight the guerrillas of the PKK.

**Contraquerrilla:** Journalists and many local people claim that certain government forces, referred to as "the contraquerrilla" are using political murder to combat the activities of the PKK.

#### **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 the four people named above who "disappeared" after detention in recent weeks;
- urging that immediate steps are taken to establish their whereabouts;
- asking that urgent measures be taken to stem the serious increase in recent cases of "disappearance" in the provinces under Emergency Legislation.

#### **APPEALS TO**

##### 1) Minister of the Interior:

Mr Nahit Mente\_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) President of the Parliamentary Human Rights Commission:

Mr Sabri Yavuz

\_nsan Haklar\_ Ara\_t\_rma Komisyonu Ba\_kan\_

TBMM, Ankara, Turkey

**Telegrams: Mr Sabri Yavuz, TBMM, Ankara**

**Faxes: +90 312 420 5394**

**Salutation:**

**COPIES 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 27 May 1994.