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## **PUBLIC STATEMENT**

### **TURKEY**

#### **Still no proper investigation into “disappearances”**

Amnesty International has received no reply from the Turkish Government concerning the “disappearance” of Neslihan Uslu, Hasan Aydoğan, Metin Andaç and Mehmet Mandal, who were last seen in Izmir on 31 March. This case was raised by the Secretary General Pierre Sané on 27 April in a letter to the Turkish Prime Minister, Mesut Yılmaz, urging that reports of their “disappearance” be promptly and impartially investigated, and findings be made public. Amnesty International also submitted the case to the United Nations (UN) Working Group on enforced and involuntary disappearance.

On 20 December 1996 the Turkish Government established the “Bureau for the investigation of Disappearances” but it appears that its real purpose is not to establish the fate of the “disappeared” but to discredit those concerned organizations and people whose call for thorough investigation along the lines indicated by the UN Declaration on the Protection of All Persons from Enforced Disappearance is an enduring embarrassment to the authorities.

Less than a month after its foundation the Bureau has published its findings on scores of allegations of “disappearance”, but these findings consist of one or two lines of official denial that the individual was ever detained. No serious investigations seem to have been carried out. For example, the report mentioned that Tefik Kusun, who “disappeared” on 29 November 1996 after being taken from the building site where he worked was not held in police custody, but failed to mention that his body was found by a local highway on 7 January 1997. Similarly, the report stated that police archives had no record that Mahmut Mordeniz, who “disappeared” on 28 November 1996, was detained but failed to note that family and others witnessed his detention by people who introduced themselves as police, that a local police unit confirmed that he had been detained, and that his wife also “disappeared” the same day.

Such gross omissions, of which these are typical examples, confirm that the Bureau is no more than a publicity exercise.

Meanwhile, the Saturday Mothers, who hold a vigil for the “disappeared” in Istanbul city centre once a week, are again suffering police harassment. On 8 May police barred the mothers from reaching their meeting place, and detained several relatives of “disappeared” persons and bystanders, two of whom were beaten. Since then the relatives’ traditional place of meeting for silent vigil has been occupied every Saturday by a large contingent of uniformed police officers.

Relatives of the “disappeared” are unlikely to abandon their protest until the authorities conduct the thorough and impartial investigations which international standards require. Amnesty International will continue to support those relatives in their quest for an answer, and to press the

authorities for information about the fate of Neslihan Uslu, Hasan Aydo\_an, Metin Andaç Mehmet Mandal and the other scores of “disappearances” which the organization has brought to the Turkish Government’s attention since 1991.

## Background

In its letter to the Turkish Prime Minister, Amnesty International also stated that fears that Neslihan Uslu, Hasan Aydo\_an, Metin Andaç and Mehmet Mandal, have “disappeared” are heightened by that fact that they are known to the police and have reportedly been threatened with death and “disappearance” on numerous occasions. Their lawyers have made inquiries in person to Izmir State Security Court, Izmir State Prosecutor, Police Headquarters and local gendarmerie stations, but were told that the four persons are not held in any of these places. Their names are also not on the registers of Buca and Bergama prisons.

Neslihan Uslu, as editor of the journal *Devrimci Gençlik*, published in Izmir, has frequently been detained by the police, been subjected to raids and threatened with death and “disappearance”. She had told her lawyers that on one occasion during detention the police told her “we will kill you and throw you into a corner and nobody will know about it”. She has a number of previous convictions under the Anti-Terror Law for her work as editor of *Devrimci Gençlik* and there is an arrest warrant for her issued by Istanbul State Security Court No 5.

Hasan Aydo\_an served 18 months in Kayseri Prison for membership of the Revolutionary People’s Liberation Party-Front (DHKP/C) and is wanted to serve an outstanding sentence of three years and nine months for assisting the same organization.

Metin Andaç was involved in popular protests against Eurogold, a mining company which is allegedly using cyanide in gold exploration work in the Bergama region. In 1995 he was convicted by Izmir State Security Court of providing assistance to an illegal organization (DHKP/C) and served a prison sentence in Buca Prison.

Mehmet Mandal, to Amnesty International’s knowledge, has never been detained or prosecuted.

Amnesty International has raised previous cases of people with a history of prosecution for DHKP/C membership who “disappeared” – for example, Lütfiye Kaçar, who “disappeared” on 11 October 1994. This and several other cases are still unresolved.

Article 13 of the UN Declaration on the Protection of All Persons from Enforced Disappearance states that relatives of the “disappeared”, as well as others with knowledge or legitimate interest, have the right to complain to a “competent and independent State authority” which should have the powers and resources to conduct effective investigation. This includes the power to compel attendance of witnesses, to protect witnesses, to compel the production of relevant documents, and that the findings of such an investigation be made available on request to persons concerned.

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For further information also See Amnesty International’s Urgent Action, Index No: EUR 44/03/97)