

EXTERNAL (for general distribution)

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"Disappearance" / Fear of Torture

15 June 1994

TURKEY	Ismail A_aya, aged 18	)	
	Mehmet A_k_n	)	distributors for the
	Deniz Bayram, aged 15	)	pro-Kurdish newspaper
	Zafer Tüzün, aged 19	)	Özgür Ülke (Free Country)
	Mansur Da_l_k, aged 16	)	
	Mehmet Kurt	)	

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Ismail A\_aya, Mehmet A\_k\_n, Deniz Bayram and Mansur Da\_l\_k have "disappeared" in detention. The authorities deny that they are being held and there are fears for their safety. The detention of two others, Zafer Tüzün and Mehmet Kurt, has been acknowledged, but Amnesty International fears that they are being subjected to torture during interrogation. All but Mehmet Kurt are distributors of the pro-Kurdish newspaper *Özgür Ülke* (Free Country).

On 28 May 1994, **Ismail A\_aya** was detained in the Be\_evler district of Batman in southeast Turkey by three men. Several people witnessed his detention, but the authorities deny that he is in custody.

On 4 June, **Mehmet A\_k\_n** and his friend Ibrahim Na\_ were detained at about 6pm after leaving the office of *Özgür Ülke* in Urfa. Ibrahim Na\_ was later released and reported that Mehmet A\_k\_n was still under interrogation at the Gendarmerie Headquarters in Mardin. The authorities have so far failed to acknowledge his detention.

On 8 June, **Deniz Bayram** and **Zafer Tüzün** were bringing copies of *Özgür Ülke* by bus from Diyarbak\_r to Urfa. The bus, of the Aksu Turizm company, was stopped at the Piriçlik Gendarmerie Post outside Diyarbak\_r and the two were detained.

Zafer Tüzün's name has since appeared on a register of detainees by the State Security Court in Diyarbak\_r, but Deniz Bayram remains unaccounted for. When his family submitted a petition for information about his whereabouts to the State Security Court, they were informed that he was not in custody.

On 10 June, **Mehmet Kurt** was driving in a car with **Mansur Da\_l\_k** who had copies of *Özgür Ülke*, when their car was stopped at Piriçlik Gendarmerie Post and impounded. Both were seen, as were **Deniz Bayram** and **Zafer Tüzün**, at the Provincial Gendarmerie Headquarters in Diyarbak\_r. Mehmet Kurt has now been registered as being in custody, but the name of Mansur Da\_l\_k has not appeared on any such register.

#### BACKGROUND INFORMATION

*Özgür Ülke* has replaced *Özgür Gündem* (Free Agenda) which ceased publication in May 1994. In the two years of its existence, nine of *Özgür Gündem's* journalists were killed, two "disappeared", and at least eight people distributing and selling the newspaper were also murdered under unclarified circumstances. Scores of its correspondents and editors are on trial. (See EXTRA 105/93, EUR 44/120/93, 13 December 1993).

During 1993 and 1994 there has been a striking increase in reports of "disappearances" in Turkey - particularly in the southeastern provinces. 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 where a State

of Emergency is in force, 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 creates conditions which facilitate "disappearances" and torture.

The European Committee for the Prevention of Torture (ECPT) and the UN Committee against Torture (UN CAT), both of which are mechanisms of international human rights instruments to which Turkey is a state party, have both published reports to the effect that torture is widespread and systematic in Turkey. All information available to Amnesty International also indicates that torture is still widespread and systematic there.

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

- expressing grave concern for the safety of Ismail A\_aya, Mehmet A\_k\_n, Deniz Bayram and Mansur Da\_l\_k, who have "disappeared" after being detained;
- urging that immediate steps be taken to establish their whereabouts, and asking to be informed of the results of these investigations;
- seeking assurances that two others, Zafer Tüzün and Mehmet Kurt, whose detention in Diyarbak\_r has been acknowledged, are being treated in accordance with international standards, and are not being subjected to torture or any other form of ill-treatment;
- requesting to be informed about any charges brought against them.

**APPEALS TO**

1) Chief of Staff of the Gendarmerie:

Orgeneral Ayd\_n\_lter  
Jandarma Kuvvetleri Komutanl\_\_\_\_  
Bakanl\_klar  
Ankara, Turkey

**Telegrams: Jandarma Genel Komutani, Ankara, Turkey**

**Faxes: +90 312 418 0476**

**Salutation: Dear General**

2) Minister of the Interior:

Mr Nahit Mente\_e  
Içi\_leri Bakanl\_\_\_\_  
Bakanl\_klar  
06644 Ankara, Turkey

**Telegrams: İçisleri Bakanligi, Ankara, Turkey**

**Faxes: +90 312 418 1795**

**Salutation: Dear Minister**

3) for appeals on behalf of those held in Diyarbak\_r (Mehmet Kurt, Mansur Da\_l\_k, Deniz Bayram and Zafer Tüzün)

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 "please forward to the Governor"**

**72090 JASY TR**

**Faxes: +90 412 222 6174 (telephone first)**

**Salutation: Dear Governor**

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 26 July 1994.