

EXTERNAL (for general distribution)

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Further information on UA 391/94 (EUR 44/128/94, 1 November 1994) and follow-up (EUR 44/20/95, 26 January 1995) - "Disappearance" / Medical Concern / Fear of torture

TURKEY **Hüseyin Koku, President of HADEP party in Elbistan**
 Mustafa Yeter, board member of HADEP party in Elbistan
 Hanan Güner

On 27 April 1995, the family of Hüseyin Koku, who "disappeared" in Elbistan on 20 October 1994, were informed by the police that a body, in an advanced state of decay had been found by a shepherd among some rocks near the town of Pütürge, in Malatya province, 150 km from Elbistan. The cause of death is not clear. On 28 April, three relatives of Hüseyin Koku, including father-in-law Oruç Güzel and brother-in-law Ahmet Güzel, identified the body at Pütürge State Hospital as being that of Hüseyin Koku. When the three relatives returned to Elbistan on the same day, police detained them and took them to Elbistan Police Headquarters, where they were allegedly beaten.

To Amnesty International's knowledge, Hüseyin Koku's body is still at Pütürge State Hospital, and no proper autopsy has yet been conducted. In view of the circumstances of the case - in particular the suspicion that state agents from the Elbistan area were involved in his death - the family are concerned that the autopsy should be carried out in Istanbul or Ankara by forensic experts with proper facilities for full examination in the presence of a member of the family or their legal representative. They also fear that evidence may be destroyed while the body is waiting in Pütürge.

Amnesty International has also received further information concerning Mustafa Yeter and Hanan Güner, who were detained on 18 January 1995 from their homes in Elbistan. [Please note - correction to EUR 44/20/95: Hanan Güner is male, not female. Both men are neighbours and were detained from their own homes, and not from the same house, as originally stated.] Mustafa Yeter and Hanan Güner, as members of the local branch of HADEP, had made further inquiries into the fate of Hüseyin Koku. It appears that they were detained because of their repeated appeals to the local governor about the case. Mustafa Yeter told Amnesty International that both he and Hanan Güner were tortured while being held at a police station in the Cumhuriyet district of Elbistan. According to his account, during seven days in incommunicado detention, Mustafa Yeter was repeatedly blindfolded and interrogated while naked. He was sprayed with a high-pressure jet of ice-cold water, hung up by his hands and beaten with truncheons. During the interrogation police several times threatened to kill him. While still blindfolded he was forced to sign a statement that he was not permitted to read.

The family's daily inquiries at the Elbistan Cumhuriyet Police Station were met with denial that Mustafa Yeter was being held there. On 26 January, he and Hanan Güner were brought before the local prosecutor, who charged them with supporting the PKK. They were committed to Elbistan prison.

On 9 March, Mustafa Yeter and Hanan Güner appeared at Malatya State Security Court where they were acquitted and released. On 18 March Mustafa Yeter was abducted in Elbistan by three armed men who pulled him into a car. Recalling the death threats to which he was subjected in police custody, Mustafa Yeter

decided that his life was at risk. He managed to escape before the car left the town centre: "I grabbed the driver around the body, and he had to brake hard just in front of a school. The local people came out thinking there had been an accident. I threw myself outside. The police swore at me. I shouted and shouted: 'They are kidnapping a man' and the people all looked. The police had no choice but to drive away." Mustafa Yeter later fled from Turkey.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters

- expressing deep concern at the murder of Hüseyin Koku, detained on 20 October 1994 in Elbistan and found dead on 27 April 1995 and asking what measures the authorities took in response to Amnesty International's appeals to find Hüseyin Koku while he was still alive;
- urging the authorities to ensure that a full and thorough autopsy be carried out on the body of Hüseyin Koku by a fully qualified and properly equipped forensic medicine professionals and in the presence of a legal representative of the family before the body is delivered to the family;
- stressing that the death of Hüseyin Koku should be examined by a commission of investigation as envisaged in the United Nations Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions;
- asking to investigate the torture allegation made by the three relatives of Hüseyin Koku, Ahmet Güzel, Oruç Güzel and an unnamed person;
- asking to be informed of the outcome of the investigations.

No appeals requested on behalf of Mustafa Yeter or Hanan Güner.

APPEALS TO:

* for an immediate examination of the body and an investigation of the torture allegations of Hüseyin Koku's relatives:

1) Governor of K.Mara province

Mr Aslan Y_ld_r_m

Kahramanmara_Valili_i

Kahramanmara_, Turkey

Telegrams: Vali Kahramanmaras, Turkey

Faxes: +90 344 223 7617

Salutation: Dear Governor

* for an immediate examination of the body:

2) Pütürge Cumhuriyet Ba savc s_ (Prosecutor)

Pütürge Ba_savc_l____

Pütürge, Turkey

Telegrams: Bassavc_s_ Pütürge, Turkey

Salutation: Dear Sir

* for conduction of an investigation into Hüseyin Koku's death according to international standards:

3) Minister of Justice:

Mr Mehmet Mo_ultay

Adalet Bakanl_____

06659 Ankara, Turkey

Telegrams: Justice Minister, Ankara, Turkey

Faxes: +90 312 417 3954

Salutation: Dear Minister

* for all appeals:

4) State Minister with responsibility for Human Rights:

Mr Algan Hacalo_lu
Office of the Prime Minister
Ba_bakanl_k
06573 Ankara, Turkey

Faxes: +90 312 417 0476

Salutation: Dear Minister

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 30 June 1995.