

EXTERNAL (for general distribution)

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Fear of Torture/"Disappearance"

31 July 1992

TURKEY:

Hasan Gülünay, aged 32, married with four children

On 20 July 1992, Hasan Gülünay, an employee at the land registry office, left his family home in Istanbul and has not returned since. He was wearing a light yellow shirt and has been described as clean-shaven, of dark appearance and speaking with a Kurdish accent. Allegedly he has been seen in detention at the Anti-Terror Branch of Istanbul Police Headquarters, but the police deny holding him.

On or around 28 May 1992, a detainee named Hasan Güldal (later identified as Ali Ekber Atmaca) died in custody at the Provincial Gendarmerie Regimental Headquarters in Artvin, allegedly after torture, after having been detained on 23 May together with several others in a police operation against T_KKO, Turkish Workers and Peasants Liberation Army, the armed wing of the illegal TKP/ML, Turkish Communist Party/Marxist-Leninist. According to press reports, lawyers making inquiries were told by the police in Artvin and in Istanbul that Hasan Gülünay's driving licence had been found on Hasan Güldal at the time of his detention.

On 19 July, Yüksel Özdemir, who worked with Hasan Gülünay, had been detained in Istanbul in an ongoing police operation against T_KKO. In the same operation Hasan Bozkurt was detained. He shared a cell at the Anti-Terror Branch of Istanbul Police Headquarters with Erol Çam who was detained on 16 July in another context. Erol Çam claims that he saw a detainee on 20 July at the Anti-Terror Branch of Istanbul Police Headquarters who fits the description given of Hasan Gülünay. That detainee, whom he greeted briefly when allowed to go to the toilet between torture sessions, wore a light yellow shirt, had no moustache but stubble, was dark skinned and spoke with a Kurdish accent. When shown a photograph of Hasan Gülünay after his release, Erol Çam stated that it strongly resembled the person he had seen at the Anti-Terror Branch.

Yüksel Özdemir and Hasan Bozkurt are still in detention. Hasan Gülünay has previously been detained on various occasions for brief periods - most recently two months ago - but had no previous convictions or ongoing court cases.

In view of at least four cases of "disappearance" in Istanbul in the past 16 months, Amnesty International is concerned for the life and safety of Hasan Gülünay presumed to be held in unacknowledged police custody at Istanbul Police Headquarters.

BACKGROUND INFORMATION

Erol Çam had been detained for two days without registration, before his detention was entered on the official records on 18 July 1992. Immediately after his release on 23 July he was detained again and held, this time without

any registration at all, by the police in Istanbul and Bursa until being set free on the night of 25 July.

Turkey ratified the European Convention for the Prevention of Torture on 25 February 1988 and the UN Convention Against Torture on 2 August 1988. However, all information available to Amnesty International indicates that torture is still widespread and systematic in Turkey. Most allegations relate to ill-treatment of detainees in police custody during their initial interrogation when they are usually denied access to relatives or a lawyer. In August 1990, the government derogated from Articles 5, 6, 8, 10, 11 and

page 2 of UA 151/92...

13 of the European Convention on Human Rights, all of which contain important safeguards for human rights. Under current legislation the maximum period a detainee may be held before being formally charged or released is 24 hours; in cases involving three or more suspects or due to the 'nature of the crime' it may be extended to 15 days. This period may be extended to 30 days in areas under emergency legislation or martial law. Emergency legislation is currently in force in 10 provinces in the east and southeast of Turkey.

RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- expressing concern that Hasan Gülünay has been unaccounted for since 20 July 1992 when he was allegedly seen at the Anti-Terror Branch of Istanbul Police Headquarters;
- expressing grave concern for his physical safety;
- urging that all possible steps be taken immediately to establish Hasan Gülünay's current whereabouts and state of health;
- asking to be informed of the findings of such an inquiry.

APPEALS TO:

1) Minister of the Interior:

Mr _smet Sezgin
_çi_leri Bakanl____
06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Telexes: 46369 ICSL TR

Faxes: + 90 4 418 1795

Salutation: Dear Minister

2) Prime Minister:

Mr Süleyman Demirel
Office of the Prime Minister
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 4 417 04 76 PRIME MINISTER; + 90 4 230 88 96 (attn: Prime Minister)

Salutation: Dear Prime Minister

3) Istanbul Chief of Police:

Mr Necdet Menzir
Istanbul Emniyet Müdürü
_stanbul, Turkey

Telegrams: Emniyet Muduru, Istanbul, Turkey

Telexes: 30811 IEHM TR; 30812 EMMH TR; 26177 IEMT TR

Faxes: + 90 1 272 81 82

Salutation: Dear Sir

COPIES OF YOUR APPEALS TO:

President of the Parliamentary Human Rights Commission

Insan Haklar_ Ara_t_rma Komisyonu Ba_kan_

TBMM

Ankara, Turkey

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 11 September 1992.