

UA 240/95

"Disappearance"

18 October 1995

TURKEY Mehmet Zafer Demirk_ran, a Kurd, aged 19

Mehmet Zafer Demirk_ran has "disappeared" in police custody after being detained in Diyarbak_r on 12 September 1995. Efforts by his family to establish his whereabouts have so far been met by official denials that he is being held. Amnesty International fears for his safety.

M. Zafer Demirk_ran, who has been living and working in Mersin for the past two years, came to Diyarbak_r on 30 August in response to the call for military service. He completed the necessary procedures at the Military Service Bureau on 31 August, and had been staying with his family for a few more days when he was detained on 12 September.

On that day, seven armed police officers in plain clothes arrived at the family home in two unmarked cars, one a cream-coloured Toros Broadway, the other a white _ahin (which had no rear licence plate, but had one on the front, number 21 R 789). They conducted a brief search of the house. The family attempted to telephone Diyarbak_r Police Headquarters to verify that their visitors were properly authorized police officers, but the police prevented this by smashing the telephone. They then took M. Zafer Demirk_ran away in one of the cars. In the days following his detention M. Zafer Demirk_ran was reportedly taken blindfolded to his family's previous address in Diyarbak_r.

His mother submitted a petition for information of her son's whereabouts to the Emergency Region Governor's office, which was not accepted. She submitted petitions to the Criminal Investigation Branch and the Anti-Terror Branch of Diyarbak_r Police Headquarters and to the Public Prosecutor - all of whom denied holding M. Zafer Demirk_ran. His family also applied to the Gendarmerie Headquarters in Diyarbak_r which denied holding him.

Every day the family submit a written petition for information to the prosecutor's office at Diyarbak_r State Security Court where all political detainees are supposed to be promptly registered. Most days they wait outside the State Security Court for news of their son, so far in vain.

BACKGROUND INFORMATION

People suspected of offences under the Anti-Terror Law can be held in police custody without access to family, friends or legal counsel for up to 30 days in the 10 provinces under State of Emergency, which include Diyarbak_r province, and for 15 days in the rest of Turkey. When not being interrogated, detainees are held in cramped, airless and insanitary conditions. With no access to the outside world they are at the mercy of their interrogators. Torture methods include being stripped naked and blindfolded, hosing with pressurized ice-cold water, hanging by the arms or wrists bound behind the victim's back, electric shocks, beating the soles of the feet, death threats and sexual assault.

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. Lack of prompt registration and notification is extremely distressing for the families of detainees, and creates the conditions in which "disappearances" and torture can occur.

After cases of "disappearance" in police custody began to provoke concern among the general public, the General Director of Police Mehmet A_ar announced that a unit would be set up, as from 1 August, to track detained persons. However, Detention Monitoring Offices are currently only operating in part of the country. In Diyarbak_r or Mersin, for example, no Detention Monitoring Office has yet been established. In Ankara, however, a Monitoring Office has been set up with a public telephone number and staff.

Any person suspected of supporting the PKK or any other illegal armed organization is at serious risk of torture, "disappearance" or extrajudicial execution. In 1994 there were more than 55 confirmed "disappearances", and more than 400 people were killed in unclarified circumstances. At least 20 cases of "disappearance" in police custody have been reported so far in 1995.

RECOMMENDED ACTION: Please send telegrams/express/airmail letters in English or your own language:

- expressing concern for the safety of Mehmet Zafer Demirk_ran who has "disappeared" in police custody after being detained in Diyarbak_r on 12 September 1995;
- urging that immediate steps be taken to establish his whereabouts and that his family or lawyer be informed without delay, pointing out that he has been held incommunicado for longer than the 30 days permitted under emergency legislation;
- seeking assurances that he is not being subjected to torture or any other form of ill-treatment;
- asking to be informed of any charges against him.

APPEALS TO:

1. Diyarbak_r Chief of Police:

Mr R_dvan Güler

Diyarbak_r Emniyet Müdürlü_ü

Diyarbak_r, Turkey

Telegrams: Emniyet Mudurlugu, Diyarbakir, Turkey

Salutation: Dear Sir

2. Chief Prosecutor at Diyarbak_r State Security Court:

Mr Bekir Selçuk

DGM Ba_savc_s_

Devlet Güvenlik Mahkemesi

Diyarbak_r, Turkey

Telegrams: DGM Bassavcisi, Diyarbakir, Turkey

Salutation: Dear Sir

3. Diyarbak_r Gendarmerie Commander:

General Altay Tokat

Diyarbak_r Jandarma Komutanl____

Diyarbak_r, Turkey

Telegrams: General Tokat, Jandarma, Diyarbak_r, Turkey

Salutation: Dear General

COPIES 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 6 December 1995.