

EXTERNAL (for general distribution)

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Fear of "Disappearance"/Torture

6 November 1992

TURKEY: Tu\_rul Özbek

Amnesty International is concerned about the "disappearance" of Tu\_rul Özbek, allegedly detained on 10 October 1992 and held unacknowledged and unregistered at Istanbul Police Headquarters.

On 13 October, the newspaper Günaydın is said to have reported that a person named Ertu\_rul Özbek had been detained following a police raid on a "safe house" of the urban guerrilla organization Devrimci Sol (Revolutionary Left) on 10 October during which a young woman was killed. Three people who were detained subsequently have each given written testimony which appears to indicate that Tu\_rul Özbek had indeed been detained and was held at the same time as they were at the Anti-Terror Branch of Istanbul Police Headquarters.

One detainee testified: "After being detained on 12 October I was shown a picture on 17 October. This was a picture of Tu\_rul Özbek whom I had met previously in prison. The picture showed him without moustache, with short grey hair, a tie. I was being tortured and exercised my right to silence to which they responded, "We can have it enlarged if you like, then you might recognize him". After this they did not show me his picture or mention him again. Later I learned that he had disappeared."

The second detainee last saw Tu\_rul Özbek in Istanbul on 7 October before being detained himself on 8 October. According to his written testimony the police had forced another detainee under severe torture to lure both him and Tu\_rul Özbek to separate locations where they were then detained. Tu\_rul Özbek was detained on 10 October 1992 and on that day the detainee, who did not know Tu\_rul Özbek's true identity, was shown at the Anti-Terror Branch of Istanbul Police Headquarters a 6x9cm photograph with Tu\_rul Özbek's name written on the back. Under interrogation he was asked by the police whether he knew the man. The police told him that they had caught Tu\_rul Özbek, that he had only recently been out of prison and that he had a considerable amount of money on him when he was detained. On 11 October the police interrogated the detainee about hidden weapons claiming that Tu\_rul Özbek had told them that the detainee knew where they were, saying, "Where are the guns? Would Tu\_rul lie?" About four days later he heard Tu\_rul Özbek's name being called over the public address system at the Anti-Terror Branch, but about a week later was told by the police, "We were unable to get Tu\_rul". Subsequently the detainee himself was transferred to police headquarters in other parts of Turkey, including Ankara where he was again told by the police that they had caught Tu\_rul Özbek. When the detainee was unable to identify a photograph of another person, the police said, "We'll show it to Tu\_rul".

The third detainee confirmed this testimony in a written statement, adding that cooperation in capturing Tu\_rul Özbek was achieved by "every kind of torture, including sexual assault, from the moment I was detained".

Despite these witness accounts and a press statement by Tu\_rul Özbek's mother affirming her conviction that her son was being held at the Anti-Terror Branch of Istanbul Police Headquarters, the police continue to deny holding him. On 28 October his lawyers filed a law suit against the Anti-Terror Branch of Istanbul Police with the chief public prosecutor's office in Istanbul.

Since March 1991, at least four people have "disappeared" in detention in Istanbul and remain unaccounted for to this day: Yusuf Eri\_ti since March 1991,

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Hüseyin Toraman since October 1991, Hasan Gülünay since July 1992 and Ayhan Efeo\_lu since October 1992. It is feared that they may have been killed under torture. Since 2 November, 20 relatives of the "disappeared", many of them elderly, have been on hunger-strike in Ankara demanding that the authorities give information about their fate.

#### **BACKGROUND INFORMATION**

Tu\_rul Özbek, born in 1956, was first detained on 19 September 1980. He was tortured for 32 days and again in May 1981 for 15 days. His trial in a military court in Istanbul started in May 1982 on charges of activities within Devrimci Sol. The trial with 1,243 defendants ended after almost 10 years on 1 November 1991. Tu\_rul Özbek was one of 35 defendants sentenced to death who had their sentences immediately commuted to life imprisonment, of which eight years had to be served under the new Anti-Terror Law. He was further sentenced to a total of 27 years and 8 months, later also reduced under the Anti-Terror Law, for statements he made in his defence during the trial. He was released on 25 December 1991.

#### **RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters in English or your own language:**

- noting that three detainees have given written testimony indicating that Tu\_rul Özbek was detained on 10 October 1992 and was subsequently held at the Anti-Terror Branch of Istanbul Police Headquarters;
- expressing concern that the police in Istanbul deny holding him and that Tu\_rul Özbek has, therefore, been held ever since in unacknowledged and unregistered police custody;
- urging that he not be subjected to ill-treatment while in custody;
- urging that an immediate and independent inquiry be carried out into his present whereabouts;
- requesting to be informed of its findings.

#### **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**

**Salutation: Dear Prime Minister**

**Telexes:** 44061/44062/44063 bbmt tr, 42099 basb tr, 42875 bbk tr  
**Faxes:** + 90 4 417 04 76, + 90 4 230 88 96

3) Istanbul Chief of Police:

Mr Necdet Menzir

**Salutation: Dear Sir**

Istanbul Emniyet Müdürü

\_stanbul, Turkey

**Telegrams: Emniyet Muduru, Istanbul, Turkey**

**Telexes: 30811 IEHM TR, 30812 EMMH TR, 26177 IEMT TR**

**COPIES TO:**

1) President of the Parliamentary Human Rights Commission:

\_nsan Haklar\_ Ara\_t\_rma Komisyonu

Ba\_kan\_, TBMM

Ankara, Turkey

2) Hunger-striking relatives at the human rights association:

Konur Sk No 15/3

Kizilay

Ankara, Turkey

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 18 December 1992.