

EXTERNAL

AI Index: EUR 44/125/95

UA 252/95

"Disappearance"

7 November 1995

TURKEY Fehmi Tosun, Kurd from Diyarbakır, construction worker, aged 36

On 19 October 1995 at 7pm, three police officers in plain clothes came to the house of Fehmi Tosun in the Avcılar district of Istanbul. They grabbed him in front of the house. Fehmi Tosun struggled and shouted "They are taking me to kill me" to the crowd of people who had gathered. In full view of his wife and other witnesses, the police officers beat Fehmi Tosun, forced him into their car, and drove away.

Fehmi Tosun's wife has made inquiries with various police units, prosecutors' offices and the Gendarmerie Regimental Headquarters in Maslak as to her husband's whereabouts, but to no avail. It is now 18 days since he was detained and he remains "disappeared". Given that the maximum detention period in Istanbul is 15 days, Amnesty International is gravely concerned for his safety.

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 in the southeast 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.

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 in 1995 so far, two of them in Istanbul (see UA 82/95, EUR 44/46/95 and updates of 21 April and 19 May 1995).

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

- expressing grave concern for the safety of Fehmi Tosun, detained in the Avcılar district of Istanbul on 19 October and since held in unacknowledged detention;
- urging that his whereabouts be established without delay and his family informed accordingly;
- appealing that he not be subjected to torture or any other form of ill-treatment.

APPEALS TO:

1) Chief Prosecutor at Istanbul State Security Court
Mr Ahmet Köksal

DGM Ba_savc_s_
Devlet Güvenlik Mahkemesi
Istanbul, Turkey
Telegrams: DGM Bassavcisi, Istanbul, Turkey
Salutation: Dear Sir

2) Istanbul Chief of Police:
Mr Orhan Ta_anlar
Istanbul Emniyet Müdürü
_stanbul, Turkey
Telegrams: Emniyet Muduru, Istanbul, Turkey
Telexes: 30812 EMMH TR; 26177 IEMT TR
Salutation: Dear Sir

3) State Minister with responsibility for Human Rights:
Mr Adnan Ekmen
Office of the Prime Minister
Ba_bakanl_k
06573 Ankara, Turkey
Faxes: +90 312 417 0476
Salutation: Dear Minister

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 20 December 1995.