

EXTERNAL (for general distribution)

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EXTRA 57/93

"Disappearance"/Fear of Torture

15 June 1993

TURKEY:

Ma_allah Suba__

Burhan Suba__

Amnesty International is concerned for the safety of Ma_allah Suba__ and Burhan Suba__ who it is believed are being held in secret detention at the Anti-Terror Branch of Istanbul Police Headquarters. The organization believes that they may be being interrogated under torture, and that they may be at risk of "disappearance".

On 7 June 1993 Ma_allah Suba__, Burhan Suba__ and their elder brother Metin Suba__ were taken into custody from their home in the Ba_c_lar district of Istanbul and taken to the Anti-Terror Branch of Istanbul Police Headquarters. The following day Metin Suba_i, who claims he was beaten and subjected to *falaka* (beating on the soles of the feet) while in police custody, was released. On 15 June lawyers checked the record of prisoners held by the Anti-Terror Branch, but the names of the brothers had not been entered.

It is believed that these detentions may be part of current security operations in Istanbul against the illegal Kurdish Workers' Party (PKK), an armed opposition organization.

BACKGROUND INFORMATION

There have been at least seven "disappearances" in Istanbul during the last two years. Most of these were people who were apparently suspected by police of being active in illegal armed political organizations. Although the police are required by the Turkish Criminal Procedure Code to record any detention with the prosecutor and to notify detainees' families, Istanbul police frequently hold detainees for days without carrying out the proper procedures. This causes considerable anxiety to the family, contributes to the practice of incommunicado detention (cited by the United Nations (UN) Special Rapporteur as a major contributory factor to torture), and makes it difficult for lawyers to monitor possible "disappearance" cases.

Turkey ratified the European Convention for the Prevention of Torture on 25 February 1988 and the UN Convention Against Torture on 2 August 1988. Following a programme of visits to Turkish police stations in 1990, 1991 and 1992, the European Committee for the Prevention of Torture (ECPT - established by the Council of Europe) reported: "In the light of all the information at its disposal, the ECPT can only conclude that the practice of torture and other forms of severe ill-treatment of persons in police custody remains widespread in Turkey and that such methods are applied to both ordinary criminal suspects and persons held under anti-terrorism provisions".

Most allegations of torture relate to ill-treatment of detainees in police custody during their initial interrogation when they are usually denied access to relatives or a lawyer. New legislation to shorten the maximum detention period came into force on 1 December 1992. Now non-political detainees may be held for up to eight days before being formally charged or released. Detainees held on suspicion of political offences may be held without charge for up to 15 days. In the provinces of southeast Turkey which are under emergency legislation the maximum detention period for political detainees may be doubled to 30 days.

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

- expressing concern that Ma_allah and Burhan Suba_i's are being held in secret detention, apparently in Istanbul Police Headquarters;
- requesting that their lawyers and families are informed without delay of their place of detention and that they be granted access to them;
- urging that the detainees Ma_allah and Burhan are not subjected to torture.

APPEALS TO

1) Prime Minister:

Mrs Tansu Çiller

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, + 90 4 230 88 96

Salutation: Dear Prime Minister

2) 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

Salutation: Dear Sir

COPIES OF YOUR APPEALS TO:

Istanbul Chamber of Commerce

Gumuspala Cad, PK 377

Eminonu

Istanbul

Faxes: + 90 1 526 2197

and to diplomatic representatives of Turkey accredited to your country. The World Conference on Human Rights is being held in Austria this month and you can enhance the power of your appeals by also sending copies to the diplomatic representative of Turkey in Austria during June at the following address:

TURKISH EMBASSY:

The Ambassador

Botschaft der Türkei

Prinz-Eugen-Strasse 40

1040 Wien, Austria

Faxes: + 43 1 505 36 60

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 1 July 1992.