

EXTERNAL

AI Index: EUR 44/96/95

EXTRA 107/95

Fear of "disappearance" / Fear of torture 18 September 1995

TURKEY_erif Y_lmaz, aged 15

_amil Y_lmaz, his brother, aged 35

Amnesty International is concerned for the safety of brothers _erif and _amil Y_lmaz, who are being held in unacknowledged detention.

_erif Y_lmaz, who is living in Istanbul with one of his brothers, was visiting his mother in Çevrecik village in the Kulludere district of Hizan, province of Bitlis. According to his mother, Muhbet Y_lmaz, a team of gendarmes (soldiers carrying out police duties in rural areas) and village guards came to her house on 1 September 1995 and took the boy away. When she went to the Kulludere Gendarmerie Station to inquire about her son, it was denied that he was being held.

One week later, on 7 September, _erif's elder brother _amil Y_lmaz, living in Van, was detained there and taken to Van Gendarmerie Station. Again, his detention was denied when the family made inquiries, despite the fact that, as in the case of _erif, his detention had been witnessed.

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 Bitlis and Van provinces, 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 not only extremely distressing for the families of detainees, but also 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. A lawyer who applied to the office on several occasions in August to track people lost in police detention told Amnesty International that the staff at the office "try to be helpful, but unfortunately they seem to be denied information by other branches of the police force - the Anti-Terror Branch in particular".

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/faxes/express/airmail letters in English or your own language:

- expressing concern for the safety of 15-year-old _erif Y_lmaz, detained in Çevrecik village near Hizan on 1 September 1995 and his brother _amil Y_lmaz, detained in Van on 7 September, both since held in unacknowledged police custody;
- urging that immediate steps be taken to establish their whereabouts and that their family or lawyers be informed without delay;
- appealing that _erif and _amil Y_lmaz should not be subjected to torture or any other form of ill-treatment;
- asking to be informed of the results of the investigation.

APPEALS TO:

appeals for both:

1. Gendarmerie General Commander:

General Ayd_n_lter
Jandarma Genel Komutan_
Kuvvetleri Komutanl____
Bakanl_klar
06100 Ankara, Turkey

Telegrams: Jandarma Genel Komutan_, Bakanl_klar, Ankara, Turkey

Faxes: +90 312 418 0476

Salutation: Dear General

appeals for _amil Y_lmaz:

2a. Van Chief of Police:

Van Emniyet Müdürü
Van Emniyet Müdürlü_ü
_skele Caddesi
Van, Turkey

Telegrams: Emniyet Muduru, Van, Turkey

Salutation: Dear Sir

appeals for _erif Y_lmaz:

2b. Bitlis Chief of Police:

Bitlis Emniyet Müdürü
Bitlis Emniyet Müdürlü_ü
Bitlis, Turkey

Telegrams: Emniyet Muduru, Bitlis, Turkey

Salutation: Dear Sir

appeals for both:

3. State Minister with responsibility for Human Rights:

Mr Algan Hacalo_lu
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 18 October 1995.