

EXTERNAL (for general distribution)

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UA 245/91 Disappearance

17 July 1991

TURKEY: Selim Eryilmaz
 Muzaffer Yalçın
 Abdullah Kübet
 Cavit Bulut
 Selim Düz
 Mustafa Kaçan
 Adil Yazıcı
 Selim Güngör
 Halil Memi_
 Aydin Becermen
 Osman Çelik
 Adnan Sa_
 Ihsan Kurt
 Muharrem Ba_ibüyük

The 14 people named above are reported missing in Diyarbakir in southeastern Turkey where they attended the funeral of murdered Kurdish politician Vedat Aydin on 10 July 1991. The funeral which was attended by tens of thousands of people from the region led to widespread unrest in the town. At least three people were killed when police opened fire and two more are reported to have died since. More than 100 people were taken injured to hospital, 38 with gunshot wounds, where some 40 are still being treated. Twenty-six of them are said to be in a serious condition. Between 300 and 400 people were detained, of whom some 200 had been taken to court by the evening of 16 July 1991; 40 were formally arrested and committed to prison, the others released. However, those named above did not appear on any lists of people injured or detained and their families have no news of their present whereabouts. It is thought that they may be held by the police for interrogation or have been killed in the violent aftermath of the funeral.

BACKGROUND INFORMATION

Turkey has a Kurdish ethnic minority which is estimated to number some 10 million people. Any activity for a separate Kurdish political or cultural identity is punishable under Turkish law. The Kurdish population lives mainly in southeastern Turkey. Frequent allegations of torture and ill-treatment have been received from the region, and the number of torture allegations increased substantially after the 1980 military coup. Since August 1984, when Kurdish guerrillas - members of the Kurdish Workers' Party (PKK) - started armed attacks on the security forces, an alarming number of reports of ill-treatment of detainees by the security forces have come from the eastern and southeastern provinces. Some 3000 lives have so far been lost on both sides and among the civilian population in the continuing fighting. Emergency legislation is in force in ten provinces in the region and the Emergency Legislation Governor in Diyarbakir has extraordinary powers over three additional provinces. In May 1990 the Turkish government issued Decrees 424 and 425 (in December replaced by Decree 430), further extending the powers of the Emergency Legislation Governor.

Turkey ratified the European Convention for the Prevention of Torture on 25 February 1988 and the UN Convention Against Torture on 2 August 1988. However, all information available to Amnesty International indicates that

torture is still widespread and systematic in Turkey. Allegations of torture have continued since the transfer of power to a civilian government in 1983. Most allegations relate to ill-treatment of detainees in police custody during their initial interrogation when they are usually denied access to relatives or a lawyer. In August 1990, the government derogated from Articles 5, 6, 8, 10, 11 and 13 of the European Convention on Human Rights, all of which contain important safeguards for human rights.

Under current legislation the maximum detention period before being formally charged or released is 24 hours; in cases involving three or more

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suspects or due to the 'nature of the crime' it may be extended to 15 days. This period may be extended to 30 days in areas under emergency legislation or martial law. Emergency legislation is currently in force in Diyarbak_r.

RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- asking whether any of the missing people listed above are being held in police custody;
- calling for an immediate investigation into the present whereabouts of all those among the 14 who are currently not in detention;
- requesting to be informed of any findings.

APPEALS TO:

Emergency Legislation Governor:

Mr Hayri Kozakçio_lu
Ola_anüstü Hal Valisi
Diyarbakir, Turkey

Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey

Telexes: 72110 OHVT TR
72084 DYVA TR ("please forward to the
Governor")

72090 JASY TR

Faxes: +90 831 26174

Prime Minister Mesut Yilmaz
Office of the Prime Minister
Ba_bakanlik
06573 Ankara, Turkey

Telegrams: Prime Minister, Ankara, Turkey

Telexes: 44061/44062/44063 bbmt tr
42099 basb tr
42875 bbk tr

Faxes: +90 41 17 04 76 PRIME MINISTER
+90 42 30 88 96 (attn: Prime Minister)

Minister of the Interior:

Mr Mustafa Kalemli
Içi_leri Bakanli_i
06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Telexes: 46369 ICSL TR

Faxes: +90 4 118 1795
+90 4 125 6520 (Ministry of Interior)

COPIES TO:

President of Parliamentary Human Rights Commission:

Mr Eyüp A_ik

Insan Haklari Ara_tirma Komisyonu Ba_kani

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and diplomatic representatives of Turkey in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 28 August 1991.