

EXTERNAL

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EXTRA 173/96

Fear of "disappearance" / Fear of torture 8 November 1996

TURKEY Mehmet Yamaç, Kurd aged 33

On 6 November 1996 police officers brought Mehmet Yamaç, from Geva_ near Van, to his sister's home in Adana. Mehmet Yamaç was apparently exhausted and frightened. He was unable to walk unaided and was being propped up on the arms of the police who dragged him along. The police officers reportedly told his family, *"You have not seen us and we have not seen you. Do not tell anyone about this and do not make any applications anywhere"*.

The police searched the house and reportedly took US\$700 and several objects. They then left, taking Mehmet Yamaç and his sister with them to the Security Headquarters. There they left her at the door and took him inside. As he was led away she heard her brother shouting, *"Sister, save me! These people are going to kill me!"*

On 8 November the family submitted an application for information about his whereabouts to the prosecutor's office which, after investigating with the police, told them that no such person was being held in detention by the police. The family fear greatly for the life of Mehmet Yamaç.

Mehmet Yamaç had previously been detained and committed to prison in connection with a Kurdish Workers' Party (PKK) trial.

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 currently under State of Emergency, and for 15 days in the rest of Turkey. The province of Adana is to be placed under State of Emergency as of 20 November 1996.

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 is often applied to extract confessions, to elicit information about illegal organizations, to intimidate detainees into becoming police informers or as informal punishment for presumed support of illegal organizations. 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 to 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.

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

- expressing grave concern for the safety of Mehmet Yamaç, noting that reportedly he was last seen on 6 November 1996 by his sister in custody of police officers at Adana Security Headquarters;
- also noting that Adana Prosecutor's Office denied that Mehmet Yamaç is being held in police custody;

- urging that his detention be registered without further delay and that his family and lawyer be promptly informed of his whereabouts;
- urging that the safety and well-being of Mehmet Yamaç be guaranteed and that he be given all medical attention he may require;
- asking to be informed of any charges brought against him.

APPEALS TO:

1. Adana Chief Prosecutor:

Mr Mehmet Ali Kutca
Adana Cumhuriyet Ba_savc_s_
Adana Cumhuriyet Ba_savc_l____
Adana, Turkey

Telegrams: TC Bassavciligi, Adana, Turkey

Salutation: Dear Prosecutor

2. Adana Chief of Police:

Mr Mehmet Gündo_du
Adana Emniyet Müdürü
Adana Emniyet Müdürlü_ü
Adana, Turkey

Telegrams: Emniyet Muduru, Adana, Turkey

Faxes: +90 322 435 2431

Salutation: Dear Sir

3. Minister of Justice:

Mr Sevket Kazan
Adalet Bakanl____
06659 Ankara, Turkey

Telegrams: Justice Minister, Ankara, Turkey

Faxes: +90 312 425 4066; 417 3954

Salutation: Dear Minister

COPIES TO:

Minister of Foreign Affairs

Mrs Tansu Çiller
Ministry of Foreign Affairs
D__i__leri Bakanl____
06100 Ankara, Turkey

Fax: +90 312 419 1547

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 10 December 1996.