

UA 287/94

"Disappearance"/Arbitrary Detention

1 August 1994

TURKEY

"Disappeared":
Zeki Ercan Diril)
_lyas Edip Diril) brothers

Arbitrarily Detained:
Four Families -
Simoni Diril
Kamal Diril
Leyla Diril (f)
and nine children
_shak Diril
Yusuf Diril
Sero Diril
Semira Diril (f)
and five children
Epro Diril
Meryam Diril (f)
Zeki Diril
and eight children
Nasih Diril
Kitan Diril
and six children

Amnesty International is concerned about the "disappearance" of Zeki Ercan Diril and _lyas Edip Diril on 19 May 1994. The two brothers "disappeared" after being taken into custody by security forces in the town of Uzungeçit, on the road to their village of Kovankaya, in Hakkari province.

Zeki Ercan Diril and _lyas Edip Diril had spent approximately six months working in Istanbul before setting out to return to Kovankaya on 15 May 1994. They arrived at Uzungeçit, where they halted because the road to the village was mined. According to an account given by two inhabitants of the village who came to meet them (whose names are withheld for their own safety), the Diril brothers were detained by local village guards and handed over to gendarmes from Uludere, the nearest large town. The witnesses report that they themselves were detained by security forces, beaten and forced to spend a whole night in a stream before they were released.

Kovankaya (local name: Mehri), 30 km from Beytû__ebab in Hakkari province, was an Assyro-Chaldean Catholic village (see Background Information). In 1990, the village was burned to the ground by security forces because the inhabitants had refused to join the village guard corps (villagers armed and paid by the government to fight guerrillas of the Kurdish Workers' Party - PKK). The villagers fled to Istanbul, but returned in 1992 and rebuilt some of their homes.

On or about June 4 1994 the village of Kovankaya was burned and forcibly evicted by the gendarmerie once again. The villagers, some of whom were beaten during eviction, moved to the village of Çeviza_aç (Geznah), 3 km distance from Beytû__ebab, where another Assyro-Chaldean Catholic family lives. Hurmuz Diril, an elder of the village, went to Beytû__ebab to complain about the eviction and to make inquiries about the "disappearance" of the two young men. He was

arrested and is now held in Beytū__ebab prison on charges of assisting the PKK.

Forty members of the Diril family, who are now living in and around one house in the village of Ceviza_aç, wish to return to Istanbul, but are forbidden from leaving Beytū__ebab. They have not been charged with any offence, and the reason for their detention is not clear. The four families held in Çeviza_aç, have not reported ill-treatment but food is reportedly in short supply.

Such arbitrary detention without judicial supervision, proper registration, or health and nutrition arrangements contravenes Article 5 of the European Convention on Human Rights, and could endanger the health of the villagers, particularly their children. It also increases the risk of "disappearance" - during 1993 more than 30 people "disappeared", many of them during the course of forcible evacuation of villages.

In late July the father of the two "disappeared" brothers was advised to speak to the gendarmerie commander in Beytū__ebab. When he went there, the commander reportedly said, "Go to __rnak and ask there for news of the boys. I can arrange to help you go there". However, the father decided that it would not be safe to make the 100 km journey alone.

BACKGROUND INFORMATION

Amnesty International has received information concerning three other incidents in which villagers trying to flee after the destruction of their homes have been held in containment areas (see **UA 286/94, 22 July 1994, AI Index: EUR 44/66/94**). While not confined to a building or barbed-wire enclosure, the villagers are turned back by force if they attempt to move out of the area. In a containment area in Diyarbak_r province, now empty, there were reports of ill-treatment, torture and extrajudicial execution.

The four families mentioned above, and one other family in Ceviza_aç, are the last remaining representatives of the Assyro-Chaldean Catholic community which before the armed conflict began, numbered more than 5,000. All the others have migrated to Istanbul or to Europe.

Ten provinces in southeast Turkey have been under emergency legislation as a result of the fierce conflict between government forces and guerrillas of the PKK, which has claimed more than 12,000 lives on both sides and among civilians since 1984 when the PKK began making attacks. Since 1990 hundreds of villages have been burned and forcibly evicted during security raids on settlements which refuse to participate in the village guard militia. Membership of the village guards, a civil defence force organized and paid by the government to fight PKK guerrillas, is theoretically voluntary, but villagers, in particular the small number of Christian communities, are effectively caught between two fires. Many are reluctant to serve as village guards for fear of reprisals from the guerrillas. Those who refuse, however, are subject to reprisals from the security forces or village guards from neighbouring villages who accuse them of actively or passively supporting the guerrillas.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters:

- urging that a prompt, impartial and thorough investigation be conducted into the "disappearance" of Zeki Ercan Diril and _lyas Edip Diril following their arrest on 19 May 1994 by security forces in the town of Uzungeçit, Hakkari province;

- expressing concern about the detention of the four families including 28 children from Kovankaya in Hakkari province, who are now being held in Beytü_ebab;
- urging that the villagers be permitted to leave, unless charged with criminal offences;
- seeking assurances that such large-scale and arbitrary detentions will cease immediately.

APPEALS TO

1) Chief of the Turkish General Staff:

General Do_an Güre_

Bakanl_klar

Ankara, Turkey

Telegrams: General Güres, Bakanliklar, Ankara, Turkey

Faxes: +90 312 418 1795

Salutation: Dear General Güre_

2) Minister of the Interior:

Mr Nahit Ment_e

Içisleri Bakanl____

Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Faxes: +90 312 428 4346

Salutation: Dear Minister

COPIES OF YOUR APPEALS TO:

Minister of Foreign Affairs:

Prof Mümtaz Soysal

D__i__leri Bakanl____

06100 Ankara, Turkey

Faxes: +90 312 287 1886

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 12 September 1994.