

EXTERNAL (for general distribution)

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EXTRA 02/93

Fear of Torture

6 January 1993

TURKEY: Kemal Yazar

Amnesty International is concerned for the safety of Kemal Yazar, who was detained in Izmir on 1 January 1993.

Reportedly, Kemal Yazar was taken into police custody at Izmir airport when he was found travelling with a false passport in the name of _eyh Coban. It is thought that he may have been transferred meanwhile to the Anti-Terror Branch of Istanbul Police Headquarters.

Kemal Yazar was previously detained in Istanbul in October 1990 (see UA 442/90, EUR 44/160/90, 1 November 1990 and follow-up EUR 44/187/90, 12 December 1990). At the time, he and fellow-detainees were tortured in police custody and medical reports certified injuries consistent with their allegations of torture. Kemal Yazar was charged with "membership of an armed gang" and stood trial in Istanbul State Security Court. The outcome of that trial is not known to Amnesty International.

Following three visits to Turkey to investigate allegations of torture the European Committee for the Prevention of Torture (ECPT) of the Council of Europe published in December 1992 for the first time its findings. The ECPT concluded "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".

It is feared that Kemal Yazar is being subjected again to torture while under interrogation.

BACKGROUND INFORMATION

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. 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. New legislation to shorten the maximum detention period came into force on 1 December 1992. Now the normal maximum period of 24 hours, for which a non-political detainee may be held before being formally charged or released, may be extended to eight days in cases of ordinary crimes involving three or more suspects. Detainees held on suspicion of political offences to be tried in State Security Courts may be held without charge for 15 days. This period may be extended to 30 days

in provinces under emergency legislation or martial law. Emergency legislation is currently in force in 10 provinces in the southeast of Turkey.

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

- expressing concern for the safety of Kemal Yazar who was detained in Izmir on 1 January 1993;

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- seeking assurances that he is not subjected to torture or any other form of ill-treatment;

- expressing concern that he was previously tortured in 1990;

- noting the findings of the ECPT regarding the practice of torture in Turkey as published in its recent report;

- requesting to be informed of Kemal Yazar's current place of detention and of any charges brought against him.

APPEALS TO

1) Minister of the Interior:

Mr _smet Sezgin

Salutation: Dear Minister

_çi_leri Bakanl____

06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Faxes: + 90 4 418 1795

2) Prime Minister:

Mr Süleyman Demirel

Salutation: Dear Prime Minister

Office of the Prime Minister

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

3) Istanbul Chief of Police:

Mr Necdet Menzir

Salutation: Dear Sir

Istanbul Emniyet Müdürü

_stanbul, Turkey

Telegrams: Emniyet Muduru, Istanbul, Turkey

Telexes: 30811 IEHM TR, 30812 EMMH TR, 26177 IEMT TR

COPIES TO:

President of the Parliamentary Human Rights Commission:

Insan Haklar_ Ara_t_rma Komisyonu Ba_kan_

TBMM

Ankara, Turkey

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 20 January 1993.