

EXTERNAL (for general distribution)

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Further information on UA 108/92 (EUR 44/40/92, 1 April 1992) and follow up EUR 44/51/92, 5 June 1992 Health Concern and new concern: Fear of Torture

TURKEY: Mehdi Zana, former prisoner of conscience

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new names: Sava\_Buldan  
Alican Buldan  
Bahattin Da\_1\_, brother of Leyla Zana, MP (see below)

On the morning of 29 July 1992, Mehdi Zana and the three people named above were detained in Istanbul. Mehdi Zana, a prominent figure in the Kurdish community who was a prisoner of conscience for over 10 years, was a guest together with his wife Leyla in the house of Sava\_Buldan when police raided the house in the Levent district of Istanbul. Reportedly, Leyla Zana, a member of parliament, tried unsuccessfully to dissuade the police officers from entering the house which they claimed was an "organizational" house. It is not known so far what exactly the detainees are suspected of. They are all currently being held at Istanbul Police Headquarters and it is feared that they may be interrogated under torture. Mehdi Zana is suffering from a condition of chronic asthma, is allergic to certain medicines and requires constant medication prescribed by specialists in France. Lack of specific medicines and any form of ill-treatment may trigger potentially life-threatening asthma attacks.

#### BACKGROUND INFORMATION

Mehdi Zana, at the time mayor of Diyarbak\_r, was arrested immediately after the military coup of 1980. He was most severely tortured for long periods while in police custody and in Diyarbak\_r Military Prison. He was accused in a number of trials in military and subsequently in state security courts; he was convicted in some trials and acquitted in others. He was released in April 1991 only to be imprisoned again in March 1992 to serve the remainder of a one-year sentence imposed for a statement he made in prison during an interview in 1987. He was most recently released on 4 June 1992 and is currently standing trial again, this time for a speech he made in October 1991.

Leyla Zana has been at the top of a death list circulated in the southeastern provinces threatening death to 28 Kurdish deputies, journalists, publicists, lawyers and a doctor known to have spoken out or acted on behalf of the Kurdish minority see UA 149/92 (EUR 44/44/92, 8 May 1992). Immunity as a deputy prevented her being detained now, but the prosecutor at Ankara State Security Court is already seeking to lift parliamentary immunity for her and 21 other Kurdish members of parliament on charges of separatism, which would carry the death penalty.

Turkey has a Kurdish ethnic minority which is estimated to number some 10 million people, living mainly in southeastern Turkey. Since August 1984, when guerrillas of the Kurdish

Workers' Party (PKK) started armed attacks against 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. Furthermore, allegations of over 100 extrajudicial executions have been received during the past 12 months. More than 4,000 lives have so far been lost on both sides and among the civilian population in the context of the continuing fighting. Emergency legislation is in force in 10 provinces in the region and the Emergency Legislation Governor in Diyarbakir has extraordinary powers over three additional provinces.

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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. 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 period a detainee may be held before being formally charged or released is 24 hours; in cases involving three or more suspects or due to the 'nature of the crime' it may be extended to 15 days.

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

- urging that Mehdi Zana and the three people detained with him may be allowed promptly to see their families and lawyers and that they are not subjected to any ill-treatment while being held;
- asking to be informed whether they have been charged and if so, what the charges are.

**APPEALS TO**

1) Prime Minister:

Mr Süleyman Demirel  
Office of the Prime Minister  
Ba\_bakanl\_k  
06573 Ankara, Turkey

**Telegrams: Prime Minister, Ankara, Turkey**  
**Telex: 44061/44062/44063 bbmt tr**  
**42099 basb tr**  
**42875 bbk tr**  
**Faxes: +90 4 417 04 76 PRIME MINISTER**  
**+90 4 230 88 96 (attn: Prime Minister)**

**Salutation: Dear Prime Minister**

2) Minister of the Interior:

Mr \_smet Sezgin  
\_çi\_leri Bakanl\_\_\_\_  
06644 Ankara, Turkey  
**Telegrams: Interior Minister, Ankara, Turkey**  
**Telex: 46369 ICSL TR**  
**Fax: +90 4 418 1795**

**Salutation: Dear Minister**

3) Istanbul Chief of Police:

Mr Necdet Menzir

Istanbul Emniyet Müdürü

Istanbul, Turkey

**Telegrams: Emniyet Muduru, Istanbul, Turkey**

**Telexes: 30811 IEHM TR or 30812 EMMH TR  
or 26177 IEMT TR**

**Salutation: Dear Sir,**

**COPIES TO:**

President of the Parliamentary Human Rights Commission

Insan Haklar\_ Ara\_t\_rma Komisyonu Ba\_kan\_

TBMM

Ankara, Turkey

and 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 29 August 1992.