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**£TURKEY: @Trial of TAYAD-Members in Istanbul - Concern of Unfair Trial
After Alleged Torture**

Saycan Yalçın, aged 41 and father of three children, had been a member of the executive committee of TAYAD (Solidarity Association of Prisoners' Relatives) based in Istanbul. The association was closed down by the Governor of Istanbul in December 1990 for allegedly carrying out activities inconsistent with its statute. Saycan Yalçın has a brother, Ali_an Yalç_n, who has been in prison for ten years and on trial since March 1982, charged with membership of the illegal organization Devrimci Sol [for details of this trial see Turkey: The Istanbul Devrimci Sol Trial - AI Index: EUR 44/149/89].

At midnight on 4 January 1991, during an operation against TAYAD members, Saycan Yalçın's home was raided by more than ten police officers carrying arms. Also, according to the indictment, a quantity of leaflets, apparently issued by the illegal organization Devrimci Sol (Revolutionary Left), were found in a bag in his workplace. Saycan Yalç_n claimed that he, together with his daughter Gülcan (16) and his son Ersan (17), was then taken to the Political Branch of Istanbul Police Headquarters, being beaten along the way. On his arrival at the police headquarters he went on hunger-strike, which he maintained throughout his 15 days of incommunicado detention.

In a written statement he claims that while in police custody he was blindfolded and tortured every night for eight or nine days: "The first night they took off my clothes, sprayed me with pressurized cold water, and then hit me and beat the soles of my feet. I was insulted and threatened ... They beat my son and daughter in my presence. Although I was blindfolded, I could hear their cries. My daughter was also subjected to sexual harassment. It was awful. They tried to get me to say that I was a member of Devrimci Sol, that TAYAD organized illegal activities, that all TAYAD-members were members of Devrimci Sol."

Ersan and Gülcan Yalçın were released after four days. Saycan Yalçın stated that he was not tortured for the final six or seven days, while the marks of torture were fading. Before he was brought before Istanbul State Security Court on 18 January 1991, he was taken to the Forensic Medicine Institute where he claimed he was given a report of good health without even being examined. Then he was brought to court, charged with membership of the illegal organisation Devrimci Sol (Revolutionary Left) and formally arrested. After his committal to Sa_malc_lar Prison he applied

again to be examined by the Forensic Medicine Institute, where on 22 January he was examined and given a medical report certifying bruising on his lips, swelling and a 3x3 cm bruise with broken skin on the sole of his right foot. The certificate stated that he would be unfit to work for five days.

The home of Mehmet and Semiha Güvel was raided two hours after Saycan Yalçın's. They were detained, together with their two visitors, Muhittin Civelek and Ay_e Sultan Yaz_c_, and taken to the Political Branch of Istanbul Police Headquarters. Mehmet Güvel who kept archives for TAYAD on human rights abuses claims that he was beaten when he said that he was going on hunger-strike, that he and his wife were threatened with rape, and that he was punched and kicked while being kept awake for two days. He alleges that the police tried to make him admit to membership of DevrimciSol and involvement in the escape from Gaziantep prison of two prisoners convicted in a Devrimci Sol trial.

"I was taken up to the torture room. I could hear my friends' screams and cries from torture. My wife and I were beaten and insulted in order to get us to incriminate our friends. They even tried to make us torture them. We refused, and then my wife and I were given electric shocks simultaneously through the little finger. On the fourth day the police brought me a statement and kicked and threatened me until I signed it."

On 18 January he was brought to the Forensic Medicine Institute where, he says, the doctor immediately passed him as fit, without even speaking to him. His wife was released on the same day, while Mehmet Güvel was charged, formally arrested and committed to Sa_malc_lar prison. He also applied for a second medical opinion after arriving at the prison, and on 23 January 1991 he received a medical report certifying a 7x9 cm graze on the right leg and a 1 cm cut on the left shin.

Sedat Erözsoy, another member of the TAYAD executive committee, was arrested at the same time. He alleges that he was subjected to hanging by the wrists, electric shocks through the fingers and sexual organs, falaka [beating the soles of the feet], and that his lip was split during a beating. He says that when the police subjected him to continued torture and threatened to bring his mother, who has a heart condition, into the police station for torture, he finally signed a statement admitting membership of an illegal organization. "The police were overjoyed and said 'TAYAD will never open again'." After his arrest and committal to prison, he, too, received a medical report certifying wounds which were not mentioned in the initial report given in an examination four days earlier as he was brought from detention.

On 19 March 1991, their trial in Istanbul State Security Court began. All five were charged with membership of the illegal organization Devrimci Sol under Article 168/2 of the Turkish Penal Code. In court Saycan Yalç_n retracted the statement he had given to the police and said it had been extracted under torture. Nevertheless, the statement was shortly afterwards read out to the court.

After the second hearing on 24 April, Muhittin Civelek, Ay_e Sultan Yaz_c_ and Sedat Erözsoy were released conditionally. Muhittin Civelek and Ay_e Yaz_c_ had made no statements in police custody, while the others had given statements, some denying connections with an illegal organization, some accepting some of the allegations. All defendants retracted their statements to the police in court and alleged that they had been tortured. When the court was asked to investigate the torture allegations, it stated, "We are not a competent body", and recommended that they talk to the Prosecutor. The lawyers filed a complaint with the Prosecutor's Office, but so far the Prosecutor has not brought legal action.

Another hearing took place on 28 May, after which Mehmet Güvel was provisionally released. Saycan Yalçın remained the only defendant still in prison.

Amnesty International is appealing to the Turkish authorities for an immediate, independent and thorough investigation into the torture allegations raised by Saycan

Yalçın, Mehmet Güvel, Muhittin Civelek, Ay_e Sultan Yaz_c_ and Sedat Erözsoy and that any statements extracted under torture should not be introduced or accepted as evidence at the trial. Amnesty International believes that since the defendants retracted their statements in police custody, these statements should not have been included in the indictment or read to the court.