

EXTERNAL (for general distribution)

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Fear of Torture

21 December 1990

(See also UA 387/90, EUR 44/133/90, 24 September, and follow-up EUR 44/135/90, 25 September 1990)

TURKEY: Ali Yalçın

On 18 December Ali Yalçın was detained immediately after he had been provisionally released from prison after three months' detention. Ali Yalçın had first been taken into police custody in Istanbul around 15 September, together with his brother Hamza and several others; they were later committed to prison on charges of membership of an illegal organization, awaiting trial.

He is now reported to have been sent to Ankara Police Headquarters with a special police team. His lawyer has been unable so far to gain access to his client. It is feared that Ali Yalçın is being tortured during interrogation.

Amnesty International is in possession of medical reports for Ali Yalçın, his brother Hamza and a third prisoner, H. Ali Sönmez, certifying injuries which indicate that they had been tortured while in police custody in September.

The mother of Ali and Hamza Yalçın died the day before Ali was released and rearrested.

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. Allegations of torture have continued since the transfer of power to a civilian government in 1983. 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. Under current legislation the maximum detention period 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.

This period may be extended to 30 days in areas under emergency legislation or martial law.

In August 1990, the Turkish 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.

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

- urging that Ali Yalçın is given prompt access to his family and lawyer and that he not be ill-treated while in detention;
- requesting to be informed of any further charges against him.

APPEALS TO:

President Turgut Özal
Devlet Ba_kanli_i
06100 Ankara, Turkey

Telegrams: President Ozal, Ankara, Turkey
Telexes: 42875 BBK TR

Ankara Emniyet Müdürü
Hasan Özdemir
Ankara Chief of Police
Ankara, Turkey

Faxes: 90 4 341 0591 EMNIYET MUDURU
Telegrams: Emniyet Muduru, Ankara, Turkey

COPIES TO: Diplomatic representatives of Turkey in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 1 February 1991.