

£TURKEY

@Dissident voices jailed again

"Unfortunately, the concept of thought-crime continues to exist. This should be corrected. In order to change it the Anti-Terror Law must be revised." Hüsamettin Cindoruk - speaker of the Turkish Grand National Assembly, January 1993.

Incidents of torture, death under torture, extrajudicial execution and "disappearance" have increased dramatically under successive Turkish Governments in the 1990s. During the same years, the abolition of several articles of the Turkish Penal Code (TPC) combined with a certain reluctance by prosecutors and courts to convict in freedom of expression cases, resulted in a clear reduction in the number of prisoners of conscience. This, the only substantial progress in human rights in Turkey, is now being reversed as prosecutions and convictions, mainly for statements about Turkey's Kurdish minority, are rising steeply. Every week more people are being thrown into prison for the expression of their non-violent opinions.

During the 1980s, following the military coup, hundreds of prisoners of conscience were imprisoned. Most were held under Articles 141, 142 and 163 of the TPC which outlawed advocacy of communism, Kurdish separatism, or Muslim fundamentalism. In 1991 these articles were repealed and prisoners convicted under these provisions were released. However, they were replaced immediately by Article 8 of the Anti-Terror Law (Law 3713) which punishes any expression of separatist thought with two to five years' imprisonment and heavy fines. Initially, the number of prosecutions opened was low, the cases moved slowly and often resulted in acquittal. In 1992 only very few prisoners of conscience serving sentences were known to Amnesty International. In 1993 the number of cases brought under Article 8 of the Anti-Terror Law, and the number of prison sentences on conviction, began suddenly to rise.

This development appears to be closely linked to the escalating conflict in the southeast between government forces and guerrillas of the Kurdish Workers' Party (PKK) which has claimed more than 11,500 lives since it began in August 1984. In a press briefing in July 1993 the Prime Minister and the Chief of Staff called on members of the press to support them in the "total war" against separatism. Part of this strategy appears to be an attack on freedom of expression, because the second half of 1993 and the first months of 1994 saw a dramatic increase in detentions and prosecutions of lawyers, human rights activists, political activists, trade unionists, academics, writers, publishers and journalists.

Many of those now imprisoned or threatened with imprisonment have been convicted solely for the expression of their non-violent opinions. Their cases are subject to the draconian provisions of the Anti-Terror Law even though they have employed no weapon more offensive than a pen. Indeed several prisoners have strongly criticized armed opposition movements - in some cases at personal risk of reprisal. The lawyer Ahmet Zeki

Okçuo_lu, currently serving a 20-month sentence for "spreading separatist propaganda" in a discussion which was reported in a political review, gave an interview to the daily newspaper *Cumhuriyet* (Republic) half an hour before surrendering himself to Istanbul State Security Court on 13 January 1994:

"For years I have opposed terrorism, opposed violence, and clearly declared my opposition. In my whole life I have never used a weapon. I have opposed those who have taken up arms. But the State has tried me as a terrorist and convicted me. Now I am branded as a terrorist throughout the world..."

While relatively free of political censorship in most areas, the press risk heavy penalties for expressing views concerning Turkey's ethnic minorities. The weekly newspaper *Azadi* (Freedom), published in Kurdish and Turkish, has been subjected to a hail of litigation since its foundation in May 1992. Sixty-six out of 104 issues have been confiscated, resulting in 66 prosecutions for which the state prosecutor has demanded 20 years' imprisonment for various people connected with the publication. Most of these cases are either still continuing, or the sentences have yet to be approved by the Court of Appeal. The magazine's initial publisher Hikmet Çetin is currently serving a prison sentence for an article published in *Deng* (Voice), a sister publication. The editor-in-chief Sedat Karaka_ has faced 37 charges, and has been given sentences totalling nine years and six months.

Hüsni Öndül, General Secretary of the Turkish Human Rights Association, sentenced to six months' imprisonment.

The Turkish Human Rights Association (HRA) is constantly subject to prosecution for its campaigning activities. Dervi_ Altun, Naile Ero_luer, Haluk Dirik and Ismail Hakk_ Türkaslan of the Izmir branch of the HRA were detained on 22 September 1992 and held for 22 days for interrogation at Izmir Police Headquarters. They participated on that day in a non-violent demonstration in front of Buca Prison, near Izmir, concerning the ill-treatment of prisoners there. The four, together with the lawyer Kemal Bilgiç, also a member of the Izmir branch, were sentenced on 27 May 1994 by Izmir Criminal Court No 5 to 18 months' imprisonment for breach of the Law on Assemblies and Demonstrations. At the time of writing, they were still free pending appeal.

Officials of the HRA have also been the targets of prosecution under Article 8 of the Anti-Terror Law. The lawyer Hüsnü Öndül, General Secretary of the HRA, was sentenced to six months' imprisonment for publishing an article in the HRA's July 1993 newsletter which described the alleged extrajudicial execution of four people and the sexual assault of a detainee in southeast Turkey. The article was written by Ismail Be_ikçi, who received a three-year sentence. The sentences have yet to be approved by the Court of Appeal.

There have also been prosecutions under legislation other than the Anti-Terror Law. These include indictments by military prosecutors and trials in military courts of civilians who have questioned the institution of compulsory military service. On 11 February 1994 news producer Erhan Aky_ld_z and journalist Ali Tefvik Berber, employees of the HBB television company, were sentenced to two months' imprisonment by the Military Court in Ankara. They had been charged under Article 155 of the TPC which provides for sentences of up to two years for "making disparaging speeches about the institution of military service". Following a Defence Ministry statement that tens of thousands of young men had failed to attend annual military service registration checks, the *Anten* (Antenna) television program of 8 December 1993 showed interviews with draft evaders and deserters from military service. It also interviewed members of an anti-militarist group who said that they would resist compulsory military service. On 14 December 1993 Erhan Aky_ld_z and Ali Tefvik Berber were arrested by the Military Prosecutor, reportedly on orders of the Chief of Staff, General Do_an Güre_. They were initially held at Istanbul Police Headquarters. On 15 December they were committed to Mamak Military Prison in Ankara. Although both are civilians, they were tried by a military court. They were released at the first hearing on 20 December, and the two-month sentences imposed in February are now before the Military Court of Appeal. In another case, Aytek Özel, former President of the War Opponents Association, received a two-month prison sentence from the Military Court of the General Staff for an article entitled "No to Compulsory Military Service" published in the magazine *Bakaya* (Absentee Conscript). The sentence for breach of Article 155 of the TPC was confirmed by the Appeal Court in May 1994.

There are a number of other articles of the TPC under which prisoners of conscience have been held, or are being prosecuted. They include Article 158 (insulting the President) which carries a three-year minimum sentence; Article 159 (insulting the state authorities) which carries a sentence of six to eight years, and Law 5816 (insulting the founder of the Turkish Republic). Celal Ba_lang_ç, former chief editor of *Cumhuriyet*, and journalist Ayd_n Engin were sentenced, together with their interviewee Müslüm Gündüz, a member of the

"Sometimes we have what President Demirel calls 'a Turkey of many voices' - sometimes those who make Turkey talk are thrown into jail. There is a real question about who is running this country." Yalç_n Do_an, editor of Milliyet (Nationhood), in response to the arrest of Erhan Aky_ld_z and Ali Tefvik Berber by a military court.

Aczmendi religious sect, to one year and three months' imprisonment each. They had been convicted by Istanbul Primary Court No 2 on 23 December 1993 of insulting Atatürk in an interview published in *Cumhuriyet* in March 1993. At the time of writing they were free, pending appeal.

Also charged with insulting Atatürk is the independent parliamentary deputy Hasan Mezarç_, formerly a member of the Muslim fundamentalist Welfare Party (RP). The charge relates to a speech he made in Bandırma. Hasan Mezarç_ is a parliamentary deputy for Istanbul. On 3 March 1994, his parliamentary immunity was lifted by a general vote of the Grand National Assembly. He surrendered to police as he left parliament the same day. He was released on 4 March but will face trial at a later date.

Parallel with this judicial assault on freedom of expression, journalists, lawyers and human rights activists have been subject to extra-legal attacks by member of the security forces. These attacks include arbitrary detention, torture, extrajudicial execution and "disappearance".

Six staff members and 12 distributors of the political newspaper *Özgür Gündem* (Free Agenda) were killed by unidentified assassins during its two-year life before closure in April 1994. Two of its journalists "disappeared". The brother of the newspaper's Europe representative was abducted and murdered by members of the security forces in Diyarbakır in April 1994. Dozens of the newspaper's staff were detained after police raids on its offices in various cities in December. The General Publishing Manager Fahri Ferda Çetin alleges that while he was held in incommunicado detention at Istanbul Police Headquarters he was suspended by the arms, and given electric shocks to his sexual organs and feet, that his testicles were twisted and that he was hosed with ice-cold water. Staff member Necmiye Aslanoğlu detained at the same time in Diyarbakır reported that she had been stripped of her clothes and beaten, dragged by the hair and suspended by the arms while she was given electric shocks through her navel and toes.

Six Kurdish parliamentary deputies are currently remanded in custody in Ankara Central Closed Prison. They were arrested in March 1994 shortly after their parliamentary immunity had been lifted by a resolution of the Turkish Grand National Assembly. The Ankara State Security Court Prosecutor ordered the arrest of Hatip Dicle (President of the Democracy Party, DEP), Leyla Zana, Ahmet Türk, Orhan Doğan, Sırrı Sakık (DEP deputies) and the independent deputy Mahmut Alınak, and said that he was preparing an indictment against them under Article 125 of the Turkish Penal Code. This article states: "Whoever commits an act intended to ... separate from the administration of the State a part of its territory, shall be punished by penalty of death". Amnesty International is closely monitoring their case and will examine the charges against the parliamentarians when the indictment has become public. More than 70 members of DEP have been shot dead by unidentified gunmen, including the parliamentary deputy Mehmet Sincar who was killed in

the town of Batman on 4 September 1993, shortly after heavy police escort had been lifted for reasons which remain unexplained. The circumstances of many of these killings suggest security force involvement.

Amnesty International is calling for the immediate and unconditional release of all prisoners of conscience in Turkey, for a revision of the Turkish Penal Code, and in particular for an amendment of Article 8 of the Anti-Terror Law (Law 3713) to ensure that in future no person is imprisoned for the expression of his or her non-violent beliefs. In October 1993, the parliamentary deputy for Istanbul, Ercan Karaka_, vice-president of the Social Democrat Populist Party (SHP) group, together with 14 other parliamentary deputies, proposed a revision of the Anti-Terror Law. This would rule out the prosecution or imprisonment of people for the expression of "separatist" views, provided that they did not advocate violence. Amnesty International believes that the enactment of this proposal would be a major step forward to safeguard freedom of expression and human rights in Turkey.

Revision of Article 8 of the Anti-Terror Law as proposed by Ercan Karaka_ and 14 other parliamentarians:

"Written or spoken propaganda, meetings, demonstrations and marches for the purpose of destroying, by means of force, the indivisible unity of the state of the Turkish Republic and its people, are forbidden. Those committing such acts shall be punished by two to five years' imprisonment and a fine of between TL 50 million and TL 100 million."

Described below are many examples of people imprisoned in Turkey or threatened with imprisonment. Their cases are typical of the new wave of prosecutions in Turkey for the expression of non-violent opinions - several of these prisoners already served long terms of imprisonment after the military coup of September 1980. Most have also been sentenced to heavy fines - and failure to pay such fines will result in the extension of the term of imprisonment. Amnesty International considers them to be prisoners of conscience and their imprisonment a violation of their right to freedom of expression. This right is safeguarded in Article 10 of the European Convention on Human Rights, to which Turkey is a State Party. The last case is that of a teacher who was abducted by the PKK and is now held by them in an unknown place of detention. Amnesty International is appealing for his immediate release.

Ömer A__n

Ömer A__n with his family before his imprisonment

On 11 March 1993, the journalist and political activist Ömer A__n was convicted, together with Ahmet Zeki Okçuo_lu, by Istanbul State Security Court under Article 8 of the Anti-Terror Law for having referred to a part of the Republic of Turkey as "Kurdistan" during a discussion about the Kurdish question, as reported in the magazine *Demokrat* in 1991. Ömer A__n was sentenced to 20 months' imprisonment which, since December 1993, he has been serving in Yalova Closed Prison.

Born in 1948 in Lice, Diyarbak_r province, Ömer A__n was previously detained in 1981, interrogated under torture for three months in Istanbul, and sentenced to six years' imprisonment for membership of the Turkish Communist Party (TKP). In 1990 he was detained again at the premises of the magazine

Ad_mlar (Steps) and held for eight days in police custody. In April 1992 he helped to found the Kurdish Intellectuals' Initiative, a group of 22 Kurds seeking to find a peaceful solution to the conflict in southeast Turkey.

The verdict describes Ömer A__n's crimes: "Summarizing his comments in the discussion, the defendant Ömer A__n represented a section of citizens living in Turkey as Kurds, said that they were denied their national and political rights, that the State, with all its powers, was continuing to inflict terror on the Kurds, that the Kurds had problems of independence and freedom, that the existing state was structured to the benefit of the Turks alone, that the Kurds' wish to establish a separate state should not be interpreted as separatism..."

The Law on the Execution of Sentences lays down the percentage of a given sentence which has to be served by a prisoner on good behaviour. By the time Ömer A__n's trial in the early 1980s concluded, he had actually served 14 months in excess of what was required by the Law on the Execution of Sentences. Those convicted under the Anti-Terror Law must serve 75 percent of their sentence - 15 months in Ömer A__n's case. However, his lawyers' objections to his imprisonment on these grounds have been rejected.

Ahmet Zeki Okçuo_lu

On 11 March 1993, the publisher and lawyer Ahmet Zeki Okçuo_lu was convicted by Istanbul State Security Court in the same trial as Ömer Ag_n and on identical charges. He, too, was sentenced to 20 months' imprisonment.

Ahmet Zeki Okçuo_lu, in Ankara State Security Court in 1991, while facing charges for having translated a speech in Kurdish.

In October 1990 Ahmet Zeki Okçuo_lu had already been taken into custody and charged under Article 142 in connection with a speech made in Kurdish which he translated at the annual general meeting of the Turkish Human Rights Association in Ankara. On that occasion his co-defendants were the lawyer Mustafa Özer, the target of a bomb attack in Diyarbak_r in June 1991, and Vedat Ayd_n, then President of the Diyarbak_r branch of the pro-Kurdish People's Labour Party (HEP), who was abducted in July 1991, apparently by police, and later found murdered. The prosecution against Ahmet Zeki Okçuo_lu was dropped when Article 142 was abolished in April 1991.

Having been sentenced to more than a year in prison, Ahmet Zeki Okçuo_lu will now be disbarred from practising as a lawyer. He is currently imprisoned in Gemlik Closed Prison in Bursa province.

Mehdi Zana

On 13 May 1994 Mehdi Zana, the former mayor of Diyarbak_r, began serving a four-year prison sentence for his testimony to the Human Rights Sub-Committee of the European Parliament. He had been a prisoner of conscience for more than 10 years following the military coup of 1980.

Mehdi Zana with the former Secretary General of Amnesty International Ian Martin in London 1991

Mehdi Zana, 54, had been sentenced the preceding day by Ankara State Security Court. He was accused under Article 8 of the Anti-Terror Law of spreading "separatist propaganda". According to the indictment, "to declare that a Kurdish people exists in Turkey, who are different from the Turkish people ... that Kurds have been persecuted for 700 years and that Turks are massacring Kurds ... constitutes racist and separatist propaganda against the unity and indivisibility of the State and Nation." The indictment also quotes a Belgian newspaper report of a press conference which Mehdi Zana held in Brussels after testifying to the Human Rights Sub-Committee. Mehdi Zana is currently a defendant in a number of similar trials in Istanbul and Ankara. He was sentenced in April 1994 to two years' imprisonment by Istanbul State Security Court for a speech which he gave in June 1992 at a meeting of the People's Labour Party (HEP) in Bursa. None of the sentences imposed upon him have yet been confirmed by the Court of Appeal.

A prominent figure in the Kurdish community, Mehdi Zana has always pursued a conciliatory approach to the Kurdish question. In his statement to the European Parliament on 3 December 1992 he stated, "Like all Kurds sentenced for the 'crime of separatism' I have been stripped of my political rights for life ... I should perhaps make it clear that while I continue to campaign peacefully for the recognition of the rights of the 15 million Kurds living in Turkey, I am not a member of any party or movement".

After serving more than 10 years in prison, Mehdi Zana was released in April 1991 following a conditional amnesty. While in the notorious military prison in Diyarbakır, he

was severely tortured for long periods, tried by civilian and military courts on a variety of charges and sentenced to a total of 42 years and nine months' imprisonment subsequently reduced in the amnesty of 1991. However, this reduction will be cancelled under the provisions of the Anti-Terror Law, if his new conviction on political charges is confirmed.

Mehdi Zana's wife, Leyla Zana, is one of six Kurdish deputies who had their parliamentary immunity lifted in March 1994 and are currently in prison awaiting trial on charges of separatism which, on conviction, would carry the death penalty.

Ay_e Nur Zarakolu

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Ay_e Nur Zarakolu, director of Belge Publishing House, was sentenced to five months' imprisonment under Article 8 of the Anti-Terror Law for publishing, in June 1991, a book entitled *The Republican People's Party Program (1931) and the Kurdish Problem* by Ismail Be_ikçi. Her sentence was confirmed by the Court of Appeal, and on 4 May 1994 she was arrested. She is now serving her sentence at Sa_malc_lar Prison in Istanbul.

Belge Publishing House, established in 1977, has published numerous political books from all parts of the spectrum of leftist thought, as well as giving an airing to issues or a platform to writers considered to be taboo - including Armenian, Greek and Kurdish works. In 1982 Ay_e Nur Zarakolu was remanded in custody for three months for publishing documents from the Turkish Communist Party's founding congress. At the end of 1984 she was remanded for a further six weeks for employing people alleged to be members of illegal political organizations. Ay_e Nur Zarakolu is also being prosecuted for publishing four other books by Ismail Be_ikçi.

Born in 1940, Ay_e Nur Zarakolu is married with two children. She has been involved in various political, publishing and trade union activities, and is a member of the Istanbul branch of the HRA.

Günay Aslan

Günay Aslan in Köyce_iz Prison

Günay Aslan, author and TV journalist, was taken into custody on 5 October 1993 after he was convicted under Article 8 of the Anti-Terror Law for "spreading propaganda which damages the indivisible unity of the Turkish state" in his book *33 Kur_un/Yas Tutan Tarih* (33 Bullets/History in Mourning).

33 Bullets describes the extrajudicial execution of 33 Kurdish villagers, suspected of horse stealing, in the province of Van in 1943 on orders of a general in the Turkish army, and examines the current events in southeast Turkey against this historical background.

The book was first published in 1989 and won the prestigious Yunus Nadi literary prize. Nevertheless, the book was confiscated by the courts and Günay Aslan was charged under Article 142 of the TPC. The charge was dropped when this article of the TPC was repealed. When the book was reprinted in 1991, Günay Aslan was again prosecuted - this time under Article 8 of the Anti-Terror Law. In January 1993 he was sentenced by Istanbul State Security Court to 24 months' imprisonment. His publisher, who was fined 100 million Turkish Lira, was forced to close down the publishing company. On appeal, the conviction was upheld, but Günay Aslan's prison sentence was reduced to 18 months. In connection with a later book - *Cop Cumhuriyeti* (Truncheon Republic) - another trial against Günay Aslan under Article 8 of the Anti-Terror Law is currently being heard at Istanbul State Security Court. If convicted he will face a further prison sentence.

Günay Aslan was arrested on 5 October 1993 while attempting to leave Turkey. He was initially held at Bodrum Police Headquarters where he was allegedly slapped during interrogation. He is now serving his sentence at Köyce_iz Closed Prison in the province of Mu_la.

Münir Ceylan

Münir Ceylan, the President of the petroleum worker's union, Petrol-___, was convicted on 3 May 1993 and sentenced to 20 months' imprisonment for writing a newspaper article. The article called for workers to express their opposition to the rising wave of human rights violations in the context of the conflict between the guerrillas of the PKK and the security forces in southeast Turkey. The verdict by Istanbul State Security Court was confirmed by the Ninth Chamber of the Appeal Court on 14 December 1993. Münir Ceylan was arrested on 2 June 1994 and is now serving his sentence at Saray prison, near Tekirda_.

"I feel ashamed that in Turkey thought itself is so feared, and that laws are used as a barrier to thought." - Münir Ceylan

Münir Ceylan had been convicted, under Article 312/2 of the TPC, of inciting "enmity and hatred" in his article. It was entitled "Tomorrow will be too late" and published on 22 July 1991 in *Yeni Ülke* (New Land), a newspaper which has since ceased publication. The article does not advocate violence or hatred, but calls on the workers' movement to do whatever they can to halt the rising wave of human rights violations in the mainly Kurdish southeast.

The Turkish petrol industry is based in the southeastern city of Batman, where, since 1991, there have been more than 350 political killings, many in circumstances which suggest that the security forces may be involved. The victims have included 10 members of Petrol-___ - the most recent being _sa Özer, who was killed in a street in Batman on 11 January 1994 in an armed attack by unidentified assassins.

Petrol-___ was founded in 1950, and organizes workers in the petroleum, chemical and rubber industries. With 62,000 members and 24 regional branches, Petrol-___ is one of the most active unions in Turkey. It has, in addition to its usual work in industrial relations, a research and publishing program.

Münir Ceylan who is also a board member of Türk-___, one of the two main labour confederations in Turkey, is 43 years of age and married with two children.

Fikret Ba_kaya and Selim Okçuo_lu

Fikret Ba_kaya

Fikret Ba_kaya, assistant professor at the Faculty of Economics at Abant University in Bolu, married with two children, was arrested on 17 March 1994. He had been sentenced to 20 months' imprisonment under Article 8 of the Anti-Terror Law for "spreading separatist propaganda" in his book *Westernization, Modernization, Development - Bankruptcy of the Paradigm* - an academic examination of the socio-economic evolution of Turkey since the 1920s, dealing with the Kurdish issue in one chapter.

Fikret Ba_kaya was born in Denizli in 1940. He graduated from Izmir High School and later from the Economics Department of the Faculty of Political Sciences at Ankara University. He completed his doctorate in France and has written four other books on the economics of development. Fikret Ba_kaya wrote a regular opinion column in the newspaper *Özgür Gündem*. He is currently serving the 20-month sentence in Haymana Prison near Ankara.

Fikret Ba_kaya and his publisher Selim Okçuo_lu, owner of Doz Publishing House, were initially acquitted by Istanbul State Security Court on 14 October 1992, but the acquittal was overturned by the Appeal Court. After a retrial, both were convicted on 5 August 1993. Selim Okçuo_lu was sentenced to five months' imprisonment and a heavy fine. The sentences were confirmed by the Appeal Court on 22 December 1993. Selim Okçuo_lu was arrested on 7 June 1994 and is serving his sentence in Gemlik Closed Prison where his brother Ahmet Zeki Okçuoglu, mentioned above, is also held. Fikret Ba_kaya's conviction provoked considerable consternation among the academic and literary community in Turkey, and was condemned by columnists in most of the major daily newspapers. This cartoon was published by *Milliyet* (Nationhood), which frequently follows the present government line on security issues. The government remained intransigent, and has announced no plans for reform of Article 8. When asked about the case of Fikret Ba_kaya, the President and former Prime Minister Süleyman Demirel reportedly replied "Independent judges and courts in Turkey should be trusted. I have faced a judge 85 times".

Haluk Gerger

"They came to power saying that the walls of police stations would be made of glass, but they permitted torture to increase. They came to power saying they would end imprisonment for 'thought-crime'...." Haluk Gerger, sentenced to 20 months.

Dr Haluk Gerger, born 1948, was sentenced by Ankara State Security Court on 9 December 1993 to a prison term of one year and eight months under Article 8 of the Anti-Terror Law. The charge concerns a letter sent on 6 May 1993 to a memorial meeting for three political prisoners who were executed in 1972. His appeal against the sentence was rejected by the Court of Appeal on 27 April 1994 and it is expected that he will go to prison in the forthcoming weeks.

Three other court cases for his writings and lectures, two under Article 8 of the Anti-Terror Law and one under Article 159 of the TPC, are currently being heard at Istanbul State Security Court.

Educated at the John Hopkins University in the United States, Stockholm University in Sweden and Hertford College, Oxford, in Britain, Dr Haluk Gerger was Assistant Professor of International Relations at the University of Ankara at the time of the military coup in 1980. As one of the authors of the "Intellectuals' Petition" addressed to the head of the military junta, he was tried by a military court. Although acquitted, he was removed from his post at the university in 1982 during the military regime's restructuring of the academic system. He has since worked as a free-lance journalist and writer on nuclear weapons and strategy, the United Nations and international problems. He was a founding member of the Turkish Human Rights Association and Secretary General of the Turkish United Nations Association from 1984 until 1994.

**Sedat Aslanta_ and
Sakine Fidan:
The Diyarbak_r
Democracy Platform**

Sedat Aslanta_, President of the Diyarbak_r branch of the Human Rights Association

On 27 May 1993, 24 leading members and representatives of various associations, trade unions and publications in Diyarbak_r issued a joint statement about the human rights situation in southeast Turkey in the name of the 'Diyarbakir Democracy Platform'. The statement complained that the Kurdish people were being subjected to the burning of their villages, torture, death in custody and extrajudicial executions. The declaration called on the press to report the human rights violations which were being committed. The Diyarbak_r State Security Court Prosecutor prepared an indictment which claimed that the declaration was "separatist propaganda from its first word until its last".

On 13 April 1994, giving judgment that "it is plain that the declaration contains separatist propaganda in that it speaks of there being two separate nations and peoples", Diyarbak_r State Security Court convicted 15 of those who had signed, and sentenced them to 20 months' imprisonment for "separatist propaganda". They include: Bahri Karakoç, Chairman of Branch 2 of Harb-__ (Armament Workers' Union); Tahir Keskin, Secretary of the Diyarbak_r Branch of Belediye-__ (the Municipal Workers' Union); Mahmut Alpaslan, Chairman of the Diyarbak_r Branch of DISK (Confederation of Progressive Trade Unions); Zülküf Ayd_n, Chairman of the Diyarbak_r Branch of Tek-G_da __ (Food Workers' Union); Sad_k Ya_ar, Chairman of the Diyarbak_r Branch of Tar_m-__ (Agricultural Workers' Union); Mehmet Tekin, Chairman of the Diyarbak_r Branch of Tüm Maliye Sen (Civil Servants' Union); Hasan Gürtek, Chairman of the Diyarbak_r Branch of Tüm Sa_l_k Sen (Health Workers' Union); Selahattin Güvenç, Board member of the Diyarbak_r Branch of Tüm Sa_l_k Sen (Health Workers' Union); Veysi Varl_, Board member of the Diyarbak_r Branch of Tüm Haber Sen (News Workers' Union); Güzel Ak, Manager of the Diyarbak_r Branch of the Mesopotamian Cultural Association; Metin Ak_n, Board member of the Diyarbak_r Chamber of Agricultural Engineers; Mehmet Ke_li, Diyarbak_r representative of *Nevroz* (lit: New Year) magazine; Hamdullah Akyol, Diyarbak_r representative of the newspaper *Medya Güne_i* (Sun of the Medes); Hüseyin Bora, Diyarbak_r representative of *Özgür Halk* (Free People) magazine; Hanefi Y_ld_r_m,

Chairman of the Diyarbakır Branch of Demiryol Sen (Railway Workers' Union); and Sakine Fidan (f), representative of *Mücadele* (Struggle) magazine.

Of this group only Sakine Fidan was arrested, on 20 July 1993. She is currently serving her two-year sentence in Adıyaman Prison. In a separate case Sakine Fidan is also being tried on charges of membership of an illegal armed organization.

Güzel Ak, Veysel Varlı, Hanefi Yıldırım, Mehmet Tekin and Hüseyin Bora, who signed the Diyarbakır Democracy Platform declaration and now face 20 months in prison.

Another signatory was Sedat Aslantaş, President of the Diyarbakır branch of the HRA. He was detained on 12 May 1994 and is now held in Ankara Central Closed Prison. He will soon appear at Diyarbakır State Security Court to face charges concerning the Democracy Platform declaration. Sedat Aslantaş, a lawyer, was first detained while a high school student in 1984 when he was interrogated by police for 28 days and then charged with

"insulting the spiritual character of the Turkish Republic", but later acquitted. He studied law at Dicle University. He joined the Diyarbakır branch of the HRA in 1991 and in 1992 was elected deputy president of the national association. In 1993 he became president of the Diyarbakır branch, since when he has been subject to frequent anonymous telephone calls threatening his life. He is also indicted in another case against 20 lawyers of the Diyarbakır Bar, all of whom have defended clients accused of offences against the Anti-Terror Law, or have filed formal complaints against members of the security forces.

Still wanted for trial in connection with the declaration are: Fehim Ülkü, Diyarbakır representative of *Deng* (Voice) magazine; Mehmet Yıldız, Chairman of the Diyarbakır Branch of Petrol-Ç (the Petroleum and Chemical Workers' Union); Abdülaziz Akçan, board member of Diyarbakır People's Cultural Association.

Arbitrary detention by the PKK - Bekta_ Avc_

Bekta_ Avc_, a teacher, was abducted by guerrillas of the PKK on 24 October 1993 and is still being held by them. The PKK has attacked local politicians, journalists, teachers and other civilians, and has committed at least 50 arbitrary killings of civilians and prisoners in the first four months of 1994.

The PKK have also abducted civilians. Bekta_ Avc_, married and father of two children, is the Principal of Yeniköy Middle School near Bingöl. The province of Bingöl is one of 10 provinces in the southeast under emergency legislation. His family have received no news of him since his abduction. To Amnesty International's knowledge, Bekta_ Avc_ had no connection with the security forces. In January 1994, Amnesty International wrote to the PKK leadership asking why Bekta_ Avc_ was being held and what arrangements were being made for his release. The organization has received no reply to that letter.

Bekta_ Avc_ is apparently being held because of his professional status as a teacher and because of his Turkish ethnic origin. Amnesty International is calling for his immediate release.

Article 8 of the Anti-Terror Law (Law 3713) of 12 April 1991:

"Written and oral propaganda and assemblies, meetings and demonstrations with the aim of damaging the indivisible unity of the State of the Republic of Turkey, the nation and its territories, are prohibited, regardless of the method, intention and ideas thereof.

"Where the above-mentioned propaganda is committed by a periodical as defined in Article 3 of the Press Law No 5680, the owners are to be additionally punished with a fine. For periodicals issued at intervals of less than a month, the fine shall be 90% of the sales of a previous month. For printed materials that are not periodicals, or for newly published periodicals, the fine shall be 90% of the monthly sale of the daily publication with the highest circulation. The fine shall be not less than 100 million Turkish lira. The responsible editors for these periodicals shall receive prison sentences of between six months and two years, and a fine half that imposed upon the owner".