

EXTERNAL (for general distribution)

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Further information on EXTRA 58/94 (EUR 44/111/94, 4 October 1994) - Fear of torture

TURKEYR_za Dinç, lawyer

Kaya Mustakkaya
Metin Yavuz
Nevzat Sa_n_ç
Gurbet Ad_belli, female
Neslihan Göktepe, female
Songül Diriba_, female
Naciye Koç, female
Izzettin Koç, her husband
Zahide K__anan, female
Mehmet K__anan, her husband
Murat Sat_k
S_dd_k Sat_k
Kadir Sat_k
R_dvan Karatay
Ali Kemal Y_ld_z
Adil Aslan
Veysi Özbaltac_
Ya_ar Ya_c_
Ahmet Öncü

At 5pm on 5 October, Hamza Y_lmaz, lawyer and President of the Human Rights Association in Mersin, was permitted to speak with detained lawyer R_za Dinç in the office of the Head of the Anti-Terror Branch at Mersin Police Headquarters.

Hamza Y_lmaz has reported the following about the meeting: the Chief of Police together with many police officers were present in the office. R_za Dinç was brought in and put in a chair opposite Hamza Y_lmaz. At first R_za Dinç wanted confirmation as to who Hamza Y_lmaz was, and so the latter showed him his lawyer's identification. R_za Dinç then said, *"I am under serious torture physically and mentally. Please help."* The police immediately told him to be quiet, picked him up and took him away - he had to lean on them for support. Physically he was exhausted and it was clear that he had been tortured.

Hamza Y_lmaz then asked to speak to the Chief of Police who brought him a copy of the magazine *Sterka R_zgari* (Star of Liberation) of which R_za Dinç is a co-owner. The police chief pointed out articles which he said were separatist or spoke in support of the separatist guerrillas. The police chief told him, *"By defending these people you are putting yourself in the same bag."* Hamza Y_lmaz replied, *"We are not interested in the political aspects of this case. We approach it from the point of view of human rights. Moreover this man is a professional colleague. He should not be treated in this way"*.

R_za Dinç was detained on 30 September. The prosecutor has given permission for him to be interrogated for 15 days. The police said that the interrogation will continue until the end of that period, if they do not get the evidence they want.

Hamza Y_lmaz is currently in contact with the head of the Mersin Bar who will talk to the Chief Prosecutor. The Prosecutor's view is that although the Justice Minister's circular states that lawyers must be interrogated by the prosecutor in the case of personal offences, the alleged offence in this case is political under the Anti-Terror Law, and that therefore the terms of the circular do not apply.

All the other detainees named above are still in police custody in Izmir. It is feared that they, too, are being subjected to torture.

FURTHER RECOMMENDED ACTION: Please send telegrams/faxes/express and airmail letters:

- expressing serious concern about the reported torture of the lawyer R_za Dinç at Mersin Police Headquarters where he has been held since 30 September;
- urging that his interrogation be conducted by the public prosecutor and not by the police, in accordance with instructions from the Justice Minister regarding the detention procedures for lawyers;
- reiterating your concern for the safety of Kaya Mustakkaya and the other detainees held with him at Izmir Police Headquarters;
- asking for information about charges against them.

Please involve lawyers groups and lawyers associations if possible

APPEALS TO

1a) Chief of Mersin Police: for the lawyer R_za Dinç
Mr Hasan Özdemir
Mersin Emniyet Müdürlü_ü
Mersin, Turkey

Telegrams: Emniyet Muduru, Mersin, Turkey
Salutation: Dear Sir

1b) Chief of Izmir Police: for all other detainees
Mr Kemal Yaz_c_o_lu
Izmir Emniyet Müdürlü_ü
Izmir, Turkey

Telegrams: Emniyet Muduru, Izmir, Turkey
Salutation: Dear Sir

2) State Minister with responsibility for Human Rights:
Mr Azimet Köylüo_lu
Office of the Prime Minister
Ba_bakanl_k
06573 Ankara, Turkey

Faxes: +90 312 417 0476
Salutation: Dear Minister

3) Minister of the Interior:
Mr Nahit Mente_e
İçisleri Bakanl____
Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey
Faxes: +90 312 428 4346
Salutation: Dear Minister

COPIES OF YOUR APPEALS TO:

Minister of Foreign Affairs:

Prof Mümtaz Soysal

D__i__leri Bakanl____

06100 Ankara, Turkey

Faxes: 90 312 287 1886

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 10 November 1994.