

EXTERNAL (for general distribution)

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EXTRA 108/93 Fear of Torture/unacknowledged detention 30 December 1993

TURKEY Yusuf Y_lmaz, journalist with *Devrimci Çözüm* (magazine)
Ahmet _çli, journalist with *Devrimci Çözüm*
Feride Karadi_ (f)
Leyla Akbaba (f)
Ibrahim Özen, owner of *Devrimci Çözüm*

Yusuf Y_lmaz and Ahmet _çli, reporters for the magazine *Devrimci Çözüm* (Revolutionary Solution) and their friends Feride Karadi_ and Leyla Akbaba were taken into detention by police in Istanbul on 26 December. The offices of the magazine were raided by police later that evening, and on 29 December Ibrahim Özen, owner of the magazine, was also detained. A lawyer acting for the detainees was told by the Anti-Terror Branch of Istanbul Police Headquarters that they were holding three of them, but the police deny holding Yusuf Y_lmaz and Ahmet _çli. The lawyer has not been permitted access to any of the detainees. Amnesty International fears that they may be subjected to torture while in incommunicado detention.

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. 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. New legislation to shorten the maximum detention period came into force on 1 December 1992. Now the normal maximum period of 24 hours, for which a non-political detainee may be held before being formally charged or released, may be extended to eight days in cases of ordinary crimes involving three or more suspects. Detainees held on suspicion of political offences to be tried in State Security Courts may be held without charge for 15 days. This period may be extended to 30 days in provinces under emergency legislation or martial law. Emergency legislation is currently in force in 10 provinces in the southeast of Turkey.

Following three visits to Turkey to investigate allegations of torture the European Committee for the Prevention of Torture (ECPT) of the Council of Europe published in December 1992 for the first time its findings. The ECPT concluded "*that the practice of torture and other forms of severe ill-treatment or persons in police custody remains widespread in Turkey and that such methods are applied to both ordinary criminal suspects and persons held under anti-terrorist provisions*".

A report published by the UN Committee against Torture on 19 November 1993 stated that torture was "*widespread*" in Turkey, and stated that "*inadequate legislation which in practice allows room for the use of torture may also add*

to the systematic nature of this practice". In particular the Committee regretted that detainees accused of political offences are expressly denied the vital safeguards set out in the new legislation mentioned above.

RECOMMENDED ACTION: Please send telegrams/faxes/express and airmail letters either in English or in your own language:

- expressing concern for the safety of Yusuf Yılmaz, Ahmet Çli, Feride Karadi_, Leyla Akbaba and Ibrahim Özen who are being held for interrogation at the Anti-Terror Branch of Istanbul Police Headquarters;
- noting the findings of the ECPT regarding the practice of torture in Turkey as published in its December 1992 report;
- seeking assurances that the detainees are not subjected to torture or any other form of ill-treatment;
- requesting to be informed of any charges brought against them.

APPEALS TO

Minister of the Interior:

Mr Mehmet Gazioğlu
Çiğlerli Bakanlık
06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Faxes: + 90 4 418 1795

Salutation: Dear Minister

COPIES OF YOUR APPEALS TO:

President of the Parliamentary Human Rights Commission:

Mr Sabri Yavuz
nsan Haklar Ara_t_rma Komisyonu Ba_kan_
TBMM

Ankara, Turkey

Faxes: + 90 4 420 5394

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 21 January 1994.