

EXTERNAL (for general distribution)

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Fear of Torture

29 April 1991

**TURKEY: Ya_athak Aslan, aged about 40
and his wife**

Ya_athak Aslan was last seen in Istanbul late in the evening of 26 April 1991. Ya_athak Aslan and his wife have subsequently disappeared. It is believed that they have been taken into police custody and that they are being held at Istanbul Police Headquarters for interrogation.

In the late 1970s Ya_athak Aslan was chief editor of the political magazine Devrimci Yol (Revolutionary Path), the publication of the militant Devrimci Yol movement, which is banned under Turkish law. He has been wanted by the police since that time. It is feared that if he and his wife are being held by the police they may be interrogated under torture.

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. Emergency legislation is currently in force in ten provinces in the east and southeast of Turkey.

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:

- asking if Ya_athak Aslan and his wife are in police custody;
- urging that, if they are, they are given prompt access to their family and lawyer and that they are not ill-treated while in detention;
- requesting to be informed of any charges against them.

APPEALS TO:

Minister of the Interior:

Mr Abdülkadir Aksu
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06644 Ankara, Turkey

Telegrams: Interior Minister Aksu, Ankara, Turkey
Telex: 46369 IC SL TR

Fax: +90 41 28 43 46; +90 41 25 2858; +90 41 17 2390

Istanbul Chief of Police:

Mr Mehmet A_ar
Istanbul Emniyet Müdürü
_stanbul, Turkey

Telegrams: Emniyet Muduru, Istanbul, Turkey
Telexes: 30811 IEHM TR; 30812 EMMH TR; 26177 IEMT TR
Fax: +90 1 172 81 82

President Turgut Özal
Devlet Ba_kanli_i
06100 Ankara, Turkey

Telegrams: President Özal, Ankara, Turkey
Telex: 42875 bbk tr
Faxes: +90 4 168 5012 (via Press Office)

Minister of Justice:

Mr Mahmut Oltan Sungurlu
Adalet Bakanli_i
06659 Ankara, Turkey

Telegrams: Adalet Bakanligi, Ankara, Turkey
Faxes: +90 41 25 40 66

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 10 June 1991.