

EXTERNAL (for general distribution)

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Further information on EXTRA 79/94 (EUR 44/155/94, 20 December 1994) - Fear of Torture

TURKEY **Zeynep F_rat (f) lawyer, member of Istanbul Bar Association**
Münevver Köz (f) [please note correct spelling]

The lawyer Zeynep F_rat and her client Münevver Köz, who had been detained in separate districts of Istanbul on 16 December 1994, were formally arrested on 21 December and sent to prison. The lawyer was released on 3 January 1995, whereas Münevver Köz remains in prison.

Münevver Köz was detained in ihane district of Istanbul. Allegedly, the police officers who detained her at first denied that they were police, and took her out to the forest where they threatened her by shooting around her. Initially, the police refused for some time to register either of the two detainees.

Zeynep F_rat gave the following account of her detention: *"On 16 December 1994, while walking to my office, passing through the Aksaray district of Istanbul, I was kidnapped by unidentified persons. They were in two cars and took me blindfolded to an unidentified place. One of these individuals talked continuously, saying "We are 'darbeciler' [a faction of Devrimci Sol - Revolutionary Left; an illegal armed organization], we are going to kill you". After a lengthy car journey, I was brought into a place like a garage. There I was tortured by 'Palestinian hanging' [being suspended by the wrists with hands tied behind the back]. During the torture they said again that they were 'darbeciler'.*

Later, after another journey, I was brought to the Anti-Terror Branch [of Istanbul Police Headquarters] in Gayrettepe. Here I was asked questions which insinuated that I was a member of the organisation [Devrimci Sol]. The next day the torture continued. During this time, the threats also continued. They wanted me to stop defending political cases, working as a lawyer, they even wanted me to act as defence counsel on their behalf in cases [presumably complaints brought against the police]. They threatened that I would be killed if I didn't give up this work.

At this stage the police got permission from the Istanbul Prosecutor to hold me until 29 December 1994, and they said that they would torture me for the pleasure of it. With the permission of the Istanbul State Security Court Chief Prosecutor, I was allowed to see my lawyer. But the fact that I was threatened while being taken to the interview, and after the interview was beaten and threatened on the way back to my cell showed that the police did not approve of this.

Later, on 22 December 1994, I was taken before the State Security Court Prosecutor. Before this, I was taken to see the doctor at the Forensic Medicine Institute. Despite the fact that my right arm was not functional, and that there was a deficiency of movement in my left arm due to the torture, this was recorded as "subjective pain" in the certificate.

When I appeared before the Prosecutor, I found myself confronted with accusations of having organizational documents in my possession. When I was

later brought before a judge, after studying my dossier it was decided to charge me. It was quite clear that charges were brought on the instructions of the police. The judge who took the decision to charge asked the police, "Is that o.k.?" The police had asked for it, and we were arrested.

It was reported that I was arrested with my client Münevver Köz. If this had been true, it would have been defensible, since as a lawyer I have the right to see my client where I choose. However, this was simply not the case. My client was arrested in i_hane, while I was arrested in Aksaray. The official police record of arrest is a plot. After I was charged, I was taken to Sa_macilar Prison. After I had protested against my charge within seven days, it was decided that I should be released."

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

- urging that the above allegations by the lawyer Zeynep F_rat be thoroughly and impartially investigated;
- asking to be informed of the results of the investigation.

APPEALS TO:

Minister of Justice:

Mr Mehmet Mo_ultay

Adalet Bakanl____

06659 Ankara, Turkey

Telegrams: Justice Minister, Ankara, Turkey

Faxes: +90 312 417 3954

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: +90 312 420 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 15 February 1995.