

EXTERNAL (for general distribution)

AI Index: EUR 44/14/95  
Distr: UA/SC

23 January 1995

Further information on EXTRA 01/95 (EUR 44/03/95, 6 January 1995) - Fear of Torture

TURKEY Salih Güler, 24, correspondent for *Özgür Ülke* in Diyarbak\_r

new name: Ismail Hakk\_ Keleci, 22, correspondent for *Özgür Ülke* in Diyarbak\_r

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On 19 January 1995, plainclothes police from the Anti-Terror Branch of Diyarbak\_r Police Headquarters again came to the office of the Kurdish-owned *Özgür Ülke* newspaper in Diyarbak\_r. Again they checked the identity of all those present. This time they took Ismail Hakk\_ Keleci with them, reportedly stating, "We have to take Ismail Hakk\_ Keleci with us. The decision to detain him has come from a high level." It is feared that Ismail Hakk\_ Keleci is being tortured under interrogation. He is said to have been taken to Diyarbak\_r Police Headquarters, but the Diyarbak\_r State Security Court prosecutor, where his detention should have been registered, has reportedly not been informed of his whereabouts, heightening concern for his safety.

Salih Güler, the correspondent who was detained in a similar raid on 4 January and reportedly handed over to J\_TEM, the intelligence service of the gendarmerie, continues to be held in incommunicado detention. A recently released detainee is reported to have seen Salih Güler in custody, and is quoted as saying: "When I was being detained, they (the police) brought in a correspondent, who said he was from *Özgür Ülke* newspaper and his name was Salih Güler. During my last days, he was being kept in a hallway naked. He seemed in poor health due to torture. He was being chained."

Detainees held on suspicion of political offences may be kept incommunicado in police custody for up to 30 days in provinces under emergency legislation such as Diyarbak\_r.

#### FURTHER BACKGROUND INFORMATION

According to the Committee to Protect Journalists (CPJ) in New York, a new form of censorship is being practiced against non-mainstream publications in Turkey such as the daily *Özgür Ülke* and the weeklies *Taraf*, *Gercek*, *Al\_nteri* and *Newroz*. Police officers visit the printing presses, take a sample copy of the newly printed issue, and immediately take it to the prosecutor's office. The prosecutor swiftly issues a confiscation order based on one or more articles.

As this process is extremely speedy, the confiscation order comes before the copies of the publication leave the distribution companies.

Under Turkish law, printers have to submit to the authorities a copy of everything they publish within 24 hours, so police have a legal right to obtain a copy of any publication as soon as it has been printed. However, whereas in the past, confiscation orders were issued on the day of publication or on the next day (based on a sample submitted by the printing press), which meant that the publications had been distributed before the confiscation orders were issued, under the current clampdown *Özgür Ülke* is being published with blank spaces in place of the offending articles, with the word "censored" printed across.

Article 28 of the Turkish Constitution states: "The press is free and cannot be censored."

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

- expressing concern for the safety of Ismail Hakk\_Keleci detained in Diyarbak\_r on 19 January 1995 and held incommunicado at Diyarbak\_r Police Headquarters;
- reiterating concern for Salih Güler, who remains in incommunicado detention at Gendarmerie Intelligence Headquarters in Diyarbak\_r, and who is reported to be in poor health due to torture;
- calling for an investigation into these allegations, and urging that Salih Güler be given immediate access to medical care;
- seeking assurances that the detainees are not being subjected to any further torture and urging that they be allowed access to a lawyer and taken promptly before a judge to be charged or released without delay;
- asking to be informed of any charges brought against them.

**APPEALS TO**

1) Deputy Prime Minister

Mr Murat Karayalç\_n

Ba\_bakanl\_k

06573 Ankara, Turkey

**Telegrams: Deputy Prime Minister, Ankara, Turkey**

**Telexes: 44061/44062/44063 bbmt tr; 42099 basb tr; 42875 bbk tr**

**Faxes: +90 312 417 04 76 DEPUTY PRIME MINISTER**

**Salutation: Dear Deputy Prime Minister**

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) Chief Prosecutor at Diyarbak\_r State Security Court:

DGM Ba\_savc\_s\_

Devlet Güvenlik Mahkemesi

Diyarbak\_r, Turkey

**Telegrams: DGM Bassavcisi, Diyarbakir, Turkey**

**Salutation: Dear Sir**

**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 20 February 1995.