

**EXTERNAL (for general distribution)**

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**6 February 1995**

**Further information on UA 450/94 (EUR 44/157/94, 22 December 1994) - and follow-up(s): EUR 44/04/95, 6 January 1995; EUR 44/12/95, 13 January 1995 - Prisoners of Conscience**

**TURKEY Mahmut \_akar, lawyer, secretary of Diyarbakir branch of the Turkish Human Rights Association (HRA)**

**Nimetullah Gündüz, lawyer, board member of Diyarbak\_r HRA**

**Abdullah Ç\_a\_er, lawyer, board member of Diyarbak\_r HRA**

**Melike Alp (f), board member of Diyarbak\_r branch of HRA**

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On 13 February 1995 the trial of seven leading officials of the Turkish Human Rights Association branch in Diyarbak\_r is to begin. Four of the defendants - Mahmut \_akar, Nimetullah Gündüz, Abdullah Ç\_a\_er and Melike Alp - are in prison and are considered prisoners of conscience, while three (unnamed) are still wanted by the police.

The three lawyers Mahmut \_akar, Nimetullah Gündüz, and Abdullah Ç\_a\_er were arrested on 16 December 1994 and are now in Diyarbak\_r C-type Prison. Melike Alp was arrested on 30 December and is now in Diyarbak\_r Central Closed Prison. All seven officials of the Diyarbak\_r branch of the HRFA were initially imprisoned for publishing a report on human rights violations in southeast Turkey, and charged under Article 8 of the Anti-Terror Law with "separatist propaganda". However, the indictment subsequently drawn up now also contains the charge of membership of the illegal Kurdish Workers' Party (PKK), under Article 168 of the Turkish Penal Code (TPC). Prison sentences of up to 15 years are being sought by the prosecution, as well as the closure of the branch of the HRFA in Diyarbak\_r. This branch is the last still functioning in the 10 provinces under emergency legislation. Moreover, the three imprisoned lawyers have acted as defence counsel in many political cases. Having studied the indictment, Amnesty International believes that the seven HRFA officials are being prosecuted because of their human rights work and considers those imprisoned to be prisoners of conscience.

#### **BACKGROUND INFORMATION**

Sources of information on human rights abuses in southeast Turkey are being systematically stifled. Scrutiny of the rapidly deteriorating human rights situation by outside agencies is becoming increasingly difficult. In its attempts to conceal the true extent of human rights violations in Turkey the government is prosecuting Turkish human rights defenders, closing down branches of the Turkish Human Rights Association and taking other measures to curtail the freedom of opposition press and political organizations. In September 1994, Amnesty International's research on Turkey was refused permission to enter the country.

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

- appealing for the immediate and unconditional release of the Turkish Human Rights Association officials Melike Alp, Mahmut Akar, Nimetullah Gündüz, and Abdullah Çağar currently imprisoned in Diyarbakır;
- stating that Amnesty International considers that the indictment contains no evidence to suggest that they are members of the illegal organization PKK;
- pointing out that Amnesty International believes that the seven HRHA officials are being prosecuted solely because of their human rights work and therefore considers those imprisoned to be prisoners of conscience.

**APPEALS TO:**

Chief Prosecutor at Diyarbakır State Security Court

Mr Bekir Selçuk

ÖGM Başsavcısı

Devlet Güvenlik Mahkemesi

Diyarbakır, Turkey

**Telegrams: ÖGM Başsavcısı, Diyarbakır, Turkey**

**Salutation: Özer Sir**

**COPIES OF YOUR APPEALS TO:**

Minister of Justice

Mr Mehmet Moğultay

Adalet Bakanlığı

06659 Ankara, Turkey

**Telegrams: Justice Minister, Ankara, Turkey**

**Faxes: +90 312 434 4066**

**417 3954**

**417 7770**

**431 6120**

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 March 1995.