

EXTERNAL (for general distribution)

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Further information on EXTRA 101/93 (EUR 44/110/93, 19 November 1993) - and follow-ups: EUR 44/112/93, 24 November 1993; EUR 44/119/93, 9 December 1993; EUR 44/121/93, 17 December 1993; EUR 44/06/94, 25 January 1993 - Fear of Torture/Legal Concern

TURKEY:Hüsniye Ölmez (f); Meral Dan__ Be__ta__ (f), Secretary of the Human Rights Association (IHD) branch in Diyarbak_r; Mesut Be__ta__, her husband, IHD member; Sabahattin Acar (note correct name); Baki Demirhan; __inasi Tur; Arif Altunkalem, IHD member; Nevzat Kaya; Vedat Erten; Tahir Elçi (from Cizre); Niyazi Çem (from Istanbul); Fuat Hayri Demir; Gazanfer Abbasio_lu; Selim Kurbanolu; __mam__ahin; Arzu __ahin (f)

and new name: Sedat Aslanta__ (Lawyer)

Sedat Aslanta__, Deputy Secretary General of the Turkish Human Rights Association (THRA) and President of the Diyarbak_r branch, was arrested by four plainclothes policemen and taken to the Anti-Terror Branch of Ankara Police Headquarters on 12 May 1994. Amnesty International fears that he may be interrogated under torture.

Ankara Police Headquarters informed the THRA that Sedat Aslanta__ was to be transferred for interrogation to Diyarbak_r Police Headquarters. A warrant for Sedat Aslanta__'s arrest had been issued in connection with an operation in Diyarbak_r and Istanbul in November, in which 16 lawyers were detained and interrogated while being held incommunicado for four weeks in Diyarbak_r Gendarmerie Headquarters. The lawyer, Meral Dan__ Be__ta__, secretary of the Diyarbak_r Branch of the IHD reported that during interrogation she was slapped, kicked, subjected to crude sexual insults, stripped of her clothes and hosed with freezing cold water in Diyarbak_r Gendarmerie Headquarters. Tahir Elçi, a lawyer in Cizre who has represented local villagers in numerous official complaints concerning human rights violations, said he was told by police that he would be killed if he continued this work. He reported that he was stripped naked and that his testicles were twisted, and that another of the lawyers was present when he was being hosed for several hours with cold water. Eight of the lawyers were committed to prison on charges of assisting the PKK, and possession of forbidden publications.

All the lawyers were subsequently released, though their trial on charges of assisting members of an illegal armed organization continues at Diyarbak_r State Security Court.

Amnesty International is currently investigating the circumstances of their arrest, but believes that the true reason for their imprisonment may be their activities as defence lawyers and their human rights work. All had acted as defence lawyers for defendants accused of membership of illegal organizations. Several had acted on behalf of victims (in some cases poor villagers) who wished to make personal petitions to the Council of Europe, complaining of torture, or the "disappearance" or extrajudicial execution of their relatives.

BACKGROUND INFORMATION

Under Article 40 of the Law on Legal Representation, investigation of any crime suspected of being committed by a lawyer in the course of their professional duty is subject to permission by the Ministry of Justice and should be carried out by an authority appointed by the Ministry.

Circular 46 issued by the Ministry of Justice on 27 June 1970, and another circular of 27 March 1971 state that, because of issues of professional confidence, investigation of crimes committed during their activities as lawyers, and also personal crimes, should not be left to the police, but should be carried out directly by the public prosecutor and his/her assistants.

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

- urging that Sedat Aslanta_ should not be subjected to any form of ill-treatment or torture and that he should be brought promptly before a judge;
- expressing concern about the allegations of torture made by the lawyers Meral Dan__ Be_ta_ and Tahir Elçi;
- requesting that the allegations of torture be thoroughly and impartially investigated, and that those responsible should be brought promptly to justice.

APPEALS TO:

1) Minister of the Interior
Mr Nahit Mente_e
İçişleri Bakanl____
Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey
Faxes: +90 312 428 4346
Salutation: Dear Minister

2) Minister of Foreign Affairs
Mr Hikmet Çetin
D__i__leri Bakanl____
06100 Ankara

Telegrams: Foreign Minister, Ankara, Turkey
Faxes: +90 312 287 3869
Salutation: Dear Minister

COPIES TO:

Minister of Justice
Mr Seyfi Oktay
Adalet Bakanl____
06659 Ankara, Turkey
Faxes: 90 312 417 3954

and to diplomatic representatives of Turkey accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Appeals may be sent until 10 June 1994.