

**EXTERNAL (for general distribution)**

**AI Index: EUR 44/40/94**

**Distr: UA/SC**

**UA 197/94**

**Prisoner of Conscience / Medical Concern**

**20 May 1994**

**TURKEY**

**Mehdi Zana, 54, former mayor of Diyarbakır**

Mehdi Zana was arrested on 13 May 1994, as he was leaving his home in Ankara.

He is believed to once again be a prisoner of conscience, as he was for over 10 years after the coup of 1980. There is also concern about the effect his imprisonment may have on his health.

Mehdi Zana is a defendant in a number of trials in Istanbul and Ankara. It seems that on 12 May 1994 he was convicted and sentenced to four years' imprisonment by the State Security Court in Ankara on charges of making "separatist propaganda", under Article 8/1 of the Anti-Terror Law. His sentence relates to a speech he made before the Sub-Committee on Human Rights of the European Parliament on 3 December 1992 and a press conference held in Brussels shortly afterwards.

He had already been sentenced - on 29 April - to two years' imprisonment by Istanbul State Security Court for a speech he gave in Bursa in June 1992 at a meeting of the People's Labour Party (HEP). Two former HEP leaders were also sentenced in the same trial. The HEP, like its successor, the DEP, represented the interests of the Kurdish minority in Turkey, and was closed down by the Constitutional Court in July 1993. Neither sentence against Mehdi Zana has yet been ratified by the Court of Appeal.

A prominent figure in the Kurdish community, Mehdi Zana has pursued a conciliatory approach to the Kurdish question. His testimony of 3 December 1992 to the Subcommittee on Human Rights of the European Parliament does not advocate violence. He is therefore considered to be a prisoner of conscience imprisoned in violation of his right to freedom of expression, as safeguarded in Article 10 of the European Convention on Human Rights, to which Turkey is a State Party.

Mehdi Zana suffers from a chronic condition of asthma and should, therefore, not be exposed to tobacco smoke. He is also allergic to certain medicines. It is feared that continued imprisonment may aggravate his condition and that lack of treatment and proper medical supervision may trigger potentially life-threatening asthma attacks.

#### **BACKGROUND INFORMATION**

After serving more than 10 years in prison, Mehdi Zana was released in April 1991 following a conditional amnesty. While in the notorious military prison in Diyarbakır, he was severely tortured for long periods, tried by civilian and military courts on a variety of charges and sentenced to a total of 42 years and nine months' imprisonment subsequently reduced in the amnesty of 1991. However, this reduction will be cancelled under the provisions of the Anti-Terror Law, if his new conviction on political charges is confirmed.

The conflict in southeast Turkey between government forces and guerrillas of the Kurdish Workers' Party (PKK) has claimed more than 11,500 lives since it began in August 1984. In a press briefing in July 1993 the Prime Minister and the Chief of Staff called on members of the press to support them in the "total war" against separatism. Part of this strategy appears to be an attack on freedom of expression, as the second half of 1993 and the first months of 1994 saw

a dramatic increase in detentions and prosecutions of lawyers, human rights activists, political activists, trade unionists, academics, writers, publishers and journalists.

Mehdi Zana's wife, Leyla Zana, is one of six Kurdish deputies who had their parliamentary immunity lifted in March and are currently in prison awaiting trial on charges of separatism which, if convicted, would carry the death penalty.

**RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in English or in your own language:**

- calling for the immediate and unconditional release of Mehdi Zana as a prisoner of conscience, imprisoned in violation of his right to freedom of expression, as safeguarded in Article 10 of the European Convention on Human Rights to which Turkey is a State Party;
- expressing your concern about Mehdi Zana's state of health which requires constant medical supervision and urging that he is given all medical attention he may require.

**APPEALS TO**

1) Prime Minister:

Mrs Tansu Çiller

Ba\_bakanl\_k

06573 Ankara, Turkey

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

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

**Faxes: +90 312 417 04 76 ; +90 312 230 88 96**

**Salutation: Dear Prime Minister**

2) Minister of Foreign Affairs:

Mr Hikmet Çetin

Ministry of Foreign Affairs

D\_i\_leri Bakanl\_\_\_\_

06100 Ankara, Turkey

**Faxes: 90 312 287 3869**

**Salutation: Dear Minister**

**COPIES OF YOUR APPEALS TO:**

1) Mr Mehdi Zana

Ankara Kapal\_Merkez Cezaevi [Ankara Central Closed Prison]

Ankara, Turkey

2) 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 July 1994.**