

**EXTERNAL (for general distribution)**

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**EXTRA 40/93**

**Fear of Torture**

**26 April 1993**

**TURKEY:**

**Hasan Durna**

**Cafer Oral**

**Gültekin Gölçek**

**Özcan Özgen**

**~~Saime Bölügiray (female)~~**

**Düzgün Gök**

**Nurettin Topuz**

**Ayhan Uzala**

Amnesty International is concerned for the safety of all those named above who are being held incommunicado at the Anti-Terror Branch of Istanbul Police Headquarters and it is feared are being interrogated under torture.

All those named above were detained in a police operation in Istanbul starting on 22 April 1993. The prosecutor has given the police permission to hold the detainees in custody until 7 May, and their lawyers have been refused permission to see their clients.

Hasan Durna was previously detained in February 1992 (see UA 66/92, EUR 44/24/92 of 21 February 1992), but escaped from prison in Nevşehir in February 1993. He stood trial on charges of activities within the illegal armed organization TKP/ML TIKKO (Turkish Communist Party/Marxist-Leninist - Turkish Workers and Peasants' Liberation Army).

#### **BACKGROUND INFORMATION**

Turkey ratified the European Convention for the Prevention of Torture on 25 February 1988 and the UN Convention Against Torture on 2 August 1988. However, all information available to Amnesty International indicates that torture is still widespread and systematic in Turkey. Most allegations relate to ill-treatment of detainees in police custody during their initial interrogation when they are usually denied access to relatives or a lawyer. New legislation to shorten the maximum detention period came into force on 1 December 1992. Now the normal maximum period of 24 hours, for which a non-political detainee may be held before being formally charged or released, may be extended to eight days in cases of ordinary crimes involving three or more suspects. Detainees held on suspicion of political offences to be tried in State Security Courts may be held without charge for 15 days. This period may be extended to 30 days in provinces under emergency legislation or martial law. Emergency legislation is currently in force in 10 provinces in the southeast of Turkey.

Following three visits to Turkey to investigate allegations of torture, the European Committee for the Prevention of Torture (ECPT) of the Council of Europe published in December 1992 for the first time its findings. The ECPT concluded "that the practice

of torture and other forms of severe ill-treatment of persons in police custody remains widespread in Turkey and that such methods are applied to both ordinary criminal suspects and persons held under anti-terrorist provisions".

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

- expressing concern for the safety of the eight people named above who have been detained in Istanbul since 22 April 1993 and are being held at the Anti-Terror Branch of Istanbul Police Headquarters;

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- noting the findings of the ECPT regarding the practice of torture in Turkey as published in its recent report;

- seeking assurances that Hasan Durna and his fellow-detainees are not subjected to torture or any other form of ill-treatment;

- requesting to be informed of any charges brought against them.

**APPEALS TO**

1) Istanbul Chief of Police:

Mr Necdet Menzir

Istanbul Emniyet Müdürü

\_stanbul, Turkey

**Telegrams: Emniyet Muduru, Istanbul, Turkey**

**Telexes: 30811 IEHM TR, 30812 EMMH TR, 26177 IEMT TR**

**Faxes: + 90 1 526 8100**

**Salutation: Dear Sir**

2) Minister of the Interior:

Mr \_smet Sezgin

\_çi\_leri Bakanl\_\_

06644 Ankara, Turkey

**Telegrams: Interior Minister, Ankara, Turkey**

**Telexes: 46369 ICSL TR**

**Faxes: + 90 4 418 1795**

**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

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 7 May 1993.