

EXTERNAL (for general distribution)

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Legal Concern

19 May 1993

TURKEY:

Do\_u Perinçek, Chairman of Workers' Party (\_\_\_çi Partisi)

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Amnesty International is concerned that Do\_u Perinçek, a former prisoner of conscience, may be imprisoned again, if the Court of Appeal confirms a two-year prison sentence imposed for the non-violent expression of his political views.

During the election campaign in the autumn of 1991, Do\_u Perinçek gave many speeches and interviews and participated in a discussion on television as the then leader of the Socialist Party (Sosyalist Parti) which was closed down in July 1992. Two separate court cases were launched against him as a consequence, the first in December 1991 and the second in September 1992. The charge, in both trials, under Article 8/1 of the Anti-Terror Law, was "making separatist propaganda" on a number of occasions during the election campaign. In a televised discussion Do\_u Perinçek, referring to the ongoing conflict in the Kurdish southeast, said: "We cannot have unity by force. We can only achieve unity by recognizing and accepting the wishes of the Kurdish people with good will and in a spirit of brotherhood." The trials in Ankara State Security Court were later combined and the verdict was pronounced on 15 January 1993: Do\_u Perinçek was convicted and sentenced to two years' imprisonment and a fine of 50 million Turkish Lira (approx. £ 3,500).

Defence and prosecution appealed against the verdict, the prosecutor seeking separate sentences for each of the dozen or so occasions on which the defendant had made separatist propaganda. Theoretically, this would give a total sentence of over twenty years' imprisonment. The appeal will be heard on 26 May.

During his long career in politics and publishing, Do\_u Perinçek, now aged 50, has been the subject of innumerable court cases. Although acquitted in many of these, he was convicted in others and served sentences for "making communist propaganda" in the years following the military coup of 1980. He was then adopted by Amnesty International as a prisoner of conscience. In a more recent trial before Ankara State Security Court, Do\_u Perinçek was acquitted on the charge of making separatist propaganda, for a press conference held with the leader of the People's Labour Party (HEP) in March 1992. However, the prosecutor has appealed against the decision and the appeal is currently pending. If convicted in any of these cases, Do\_u Perinçek would not only be imprisoned, but would also be barred from standing for parliament or leading a political party.

#### BACKGROUND INFORMATION

Turkey has a Kurdish ethnic minority which is estimated to number some 10 million people, living mainly in southeastern Turkey. Since August 1984, when guerrillas

of the Kurdish Workers' Party (PKK) started armed attacks against the security forces, more than 5,000 lives have been lost on both sides and among the civilian population in the context of their fight for an independent Kurdish state. In mid-March 1993 the PKK declared a unilateral ceasefire and its intention to end the fighting and to enter the democratic process as a political party. A state of emergency is in force in 10 provinces in the region and the Emergency Legislation Governor in Diyarbakir has extraordinary powers over three additional provinces.

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

- expressing concern that Do\_u Perinçek, a former prisoner of conscience, may be imprisoned again if the Court of Appeal confirms on 26 May 1993 the conviction of 15 January 1993 by Ankara State Security Court;
- noting that this conviction for the non-violent expression of Do\_u Perinçek's political views is in contravention of Article 10 of the European Convention on Human Rights to which Turkey is a State Party;
- appealing for the abolition of Article 8/1 of the Anti-Terror Law which allows for the imprisonment of prisoners of conscience in violation of their right to freedom of expression;
- expressing the hope that on 26 May the Appeal Court will quash the verdict of Ankara State Security Court.

**APPEALS TO**

1) President:

Mr Süleyman Demirel  
Office of the President  
Devlet Ba\_kanl\_\_\_\_  
06100 Ankara, Turkey

**Telegrams: President Demirel, Çankaya, Ankara, Turkey**

**Faxes: +90 44 68 50 12 (via Press Office)**

**Telexes: 42303 kosk tr**

**Salutation: Your Excellency**

2) Minister of Justice:

Mr Seyfi Oktay  
Ministry of Justice  
Adalet Bakanl\_\_\_\_  
06659 Ankara, Turkey

**Telegrams: Seyfi Oktay, Adalet Bakanligi, Ankara, Turkey**

**Faxes: +90 44 25 40 66**

**Salutation: Dear Minister**

**COPIES OF YOUR APPEALS TO:**

President of the Appeal Court  
Mr \_smet Ocakç\_o\_lu  
Yarg\_tay Ba\_kanl\_\_\_\_

K\_z\_lay-Ankara, Turkey

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 16 June 1993.