

EXTERNAL (for general distribution)

AI Index: EUR 44/65/91
Distr: UA/SC

20 May 1991

Further information on UA 56/91 (EUR 44/22/91, 15 February 1991 and foloow-up EUR 44/28/91, 4 March 1991) - Incommunicado Detention/Fear of Ill-treatment/Legal Concern

TURKEY: Erol Özpolat

On 11 February 1991, Erol Özpolat who was wanted by the police on suspicion of involvement in a political murder, presented himself to the authorities in Ankara, reportedly to prove his innocence. On 11 March, he was formally arrested for the alleged murder of a retired army officer, a doctor, and a general and committed to Ankara Central Closed Prison. A confession, which he later retracted as being given under torture, appears to be the main evidence in the case.

Lawyers holding power of attorney for Erol Özpolat applied for access to speak to him, but were refused in writing by the Ankara Prosecutorate. This refusal is in breach of Article 136 of the Turkish Criminal Procedure Code, and in breach of paragraphs 17, 18 and 19 of the United Nations Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.

The maximum period of detention in Turkey (outside the Emergency Powers region) is laid down as 15 days in Article 128/2 of the Criminal Procedure Code. However, Erol Özpolat was held quite illegally for a period of 29 days. He has alleged that he was subjected to 17 days of torture which included cold water, hanging by the wrists and electric shocks and that during the remaining 12 days he was medically treated in order to diminish possible marks of torture.

He is now held in Ankara Central Closed Prison and no date has been fixed for the first session of his trial.

Amnesty International will continue to monitor his case. Meanwhile, it appears that further appeals will not be necessary through the Urgent Action network. Our thanks to all those who participated in this action.