

EXTERNAL (for general distribution)

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PLEASE SEND UP TO TEN APPEALS PER SECTION.

UA 182/91

Fear of Torture

29 May 1991

TURKEY: Barbara Anna Kistler, Swiss Citizen

Amnesty International has received reports that Barbara Kistler, a Swiss woman, said to be a journalist, was detained in Istanbul on 16 May 1991. She is said to have arrived in Turkey as a tourist and to have stayed with a friend.

According to newspaper reports, eight people were detained during the same operation, but their names are unknown. It is reported that Barbara Kistler was taken into custody from a house which contained a weapon, ammunition and documents relating to an illegal organization.

Despite her detention on 16 May, permission to hold her for 15 days was only requested by the police, and granted by the Prosecutor's Office on 20 May. Barbara Kistler is held incommunicado at the First [Political] Branch of Istanbul Police Headquarters.

The Swiss Consul, who tried to see her, was refused access and told that he could see her only if accompanied by a Turkish lawyer. On 28 May, the Swiss Consul and two Turkish lawyers holding power of attorney were permitted access by the Public Prosecutor, but then denied access by police, who said that they would not be permitted to see Barbara Kistler during the police investigations.

BACKGROUND INFORMATION

Following the killing of three police officers in Istanbul on or around 16 May, for which the Turkish Workers and Peasants' Liberation Army (TIKKO) claimed responsibility, some 25 people have reportedly been detained in police operations against TIKKO. It appears that Barbara Kistler may be one of the detainees. In the night of 19 May the police raided a house in Istanbul and killed a man and a woman, in circumstances suggesting that they may have been the victims of extrajudicial execution.

In May 1990, the Turkish government issued Decrees 424 and 425 (in December replaced by Decree 430), further extending the already extraordinary powers of the Emergency Legislation Governor. Subsequently, in August 1990, the government derogated from Articles 5, 6, 8, 10, 11 and 13 of the European Convention on Human Rights, all of which contain important safeguards for human rights.

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.

Under current legislation the maximum detention period before being formally charged or released is 24 hours; in cases involving three or more suspects or due to the *'nature of the crime'* it may be extended to 15 days.

RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- urging that Barbara Kistler is given prompt access to her family and lawyer and that she is not ill-treated while in detention;
- urging an investigation into the continuing practice of incommunicado detention;
- requesting to be informed of any charges against Barbara Kistler.

APPEALS TO: (UP TO TEN APPEALS PER SECTION)

Istanbul Chief of Police:

Mr Mehmet A_ar
Istanbul Emniyet Müdürü
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Minister of the Interior:

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President of Parliamentary Human Rights Commission:

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and to diplomatic representatives of Turkey in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 10 July 1991.