

EXTERNAL (for general distribution)

AI Index: EUR 44/72/95
Distr: UA/SC

EXTRA 77/95

Fear of Torture / Medical Concern

23 June 1995

TURKEY

Ahmet Düzgün Yüksel, lawyer, member of Istanbul Bar Association
Sabahat Varol (f), journalist of *Devrimci Gençlik* magazine

Ahmet Düzgün Yüksel and Sabahat Varol are being held in Istanbul Police headquarters, where Amnesty International fears they may be facing torture in incommunicado detention. There is further concern for Ahmet Düzgün Yüksel's well-being, as he suffers from tuberculosis and needs frequent medical treatment.

The two were detained on 20 June 1995 as they were leaving the *Halk_n Hukuk Burosu*, People's Law Office, in Istanbul, where Ahmet Düzgün Yüksel works as a lawyer. The *Halk_n Hukuk Burosu* has acted as defence council in many prosecutions involving charges of membership of the illegal armed organization *DHKP-C (Front of the Revolutionary People's Liberation Party)*. The detentions follow disturbances in the Okmeydan_ district of Istanbul during the past two weeks. On 9 June, DHKP-C carried out an armed attack on police officers. Shortly afterwards, police raided a house in Okmeydan_ and shot dead Sibel Yalç_n whom they claim was involved in the attack. On 16 June Hasan Levent, a shopkeeper, was killed by the DHKP-C on the pretext that he had informed against Sibel Yalç_n. Ahmet Düzgün Yüksel was representing Sibel Yalç_n's family in arranging for the authorities to hand over the body.

Meanwhile, demonstrations by various and opposing groups continued in Okmeydan_ after Sibel Yalç_n was buried on 16 June. Reports indicate that on 20 June Ahmet Düzgün Yüksel was monitoring events in Okmeydan_, when a police officer pointed him out to his colleagues and said that he should be interrogated. The lawyer was detained later that day. On 21 June the authorities, responding to an inquiry by the president of Istanbul Bar Association, confirmed the detention of Ahmet Düzgün Yüksel and Sabahat Varol.

Ahmet Düzgün Yüksel was previously taken into police custody in Ankara from 27 September to 10 October 1994, during which time he was allegedly tortured. On 28 March 1995 he and several other lawyers and staff of Istanbul *Halk_n Hukuk Burosu* were detained, but released shortly afterwards.

BACKGROUND INFORMATION

The illegal armed organization *DHKP-C (Front of the Revolutionary People's Liberation Party)*, formerly known as *Devrimci Sol (Revolutionary Left)* has accepted responsibility for dozens of political killings, including those of high ranking military and security personnel. Amnesty International unreservedly condemns such deliberate and arbitrary killings by opposition groups. Since May 1991, more than 50 suspected members of the organization have been killed by the police in raids on "safe houses", the majority in Istanbul and Ankara. Any person suspected of links with the organization and taken into detention is at grave risk of being tortured during interrogation.

Torture remains widespread in Turkey. Most is alleged to occur in police custody during the initial interrogation when detainees are usually denied access to relatives or a lawyer. Detainees held on suspicion of political

offences may be held without charge for up to 15 days. In the 10 provinces under emergency legislation in the southeast of Turkey the maximum detention period for political detainees may be doubled to 30 days.

Under Article 40 of the Law on Legal Representation, investigation of any crime suspected of being committed by a lawyer in the course of their professional duty is subject to permission by the Ministry of Justice and should be carried out by an authority appointed by the Ministry. Circular 46 issued by the Ministry of Justice on 27 June 1970, and another circular of 27 March 1971 state that, because of issues of professional confidence, investigation of crimes committed during their activities as lawyers, and also personal crimes, should not be left to the police, but should be carried out directly by the public prosecutor and his assistants.

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 Ahmet Düzgün Yüksel and Sabahat Varol, arrested on 20 June 1995, who are being held at Istanbul Police Headquarters;
- calling for the lawyer Ahmet Düzgün Yüksel to be interrogated by a prosecutor, as laid down in Turkish law;
- urging that the detainees be given prompt access to family and legal counsel, and that they be brought promptly before a judge;
- seeking assurances that they are not being subjected to torture or any other form of ill-treatment;
- asking to be informed of the 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 or 30812 EMMH TR

Faxes: +90 212 635 1830

Salutation: Dear Chief of Police

2) Minister of Justice:

Mr Mehmet Mo_ultay

Adalet Bakanl____

06659 Ankara, Turkey

Telegrams: Justice Minister, Ankara, Turkey

Faxes: +90 312 417 3954

Salutation: Dear Minister

3) Minister of the Interior:

Mr Nahit Ment_e

_çi_leri Bakanl____

06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Faxes: +90 312 418 1066; 418 1795

Salutation: Dear Minister

COPIES OF YOUR APPEALS TO:

State Minister with responsibility for Human Rights:

Mr Algan Hacalo_lu
Office of the Prime Minister
Ba_bakanl_k
06573 Ankara, Turkey
Faxes: +90 312 417 0476
Salutation: Dear Minister

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 25 July 1995.