

EXTERNAL (for general distribution)

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PLEASE ORGANIZE UP TO TEN APPEALS PER SECTION

UA 263/91

Fear of Torture

31 July 1991

TURKEY: Serhat Bucak, lawyer and newspaper proprietor

Serhat Bucak, lawyer and proprietor of the newspaper Yeni Ülke (New Land), who has represented Ismail Be_ikçi (well-known writer and sociologist - a former prisoner of conscience) and acted as defence counsel in many other prominent political trials, was detained on the morning of 31 July 1991. The police have said that he is being taken to Diyarbakir for interrogation in connection with the events following the funeral of Vedat Aydin on 10 July 1991, when police opened fire on demonstrators, resulting in the deaths of seven people. Serhat Bucak has reported that he was beaten by police during the course of the disturbances at the funeral, and that he suffered a fractured arm.

The newspaper Yeni Ülke deals mainly with events in southeastern Turkey where most of the Kurdish minority live. Many editions of the newspaper have been confiscated on the grounds that they contain separatist propaganda, and 16 legal proceedings have been initiated against the paper since April of this year.

BACKGROUND INFORMATION (Notes to translators: please refer to UA 245/91)

Turkey has a Kurdish ethnic minority which is estimated to number some 10 million people. Any activity for a separate Kurdish political or cultural identity is punishable under Turkish law. The Kurdish population lives mainly in southeastern Turkey. Frequent allegations of torture and ill-treatment have been received from the region and the number of torture allegations increased substantially after the 1980 military coup. Since August 1984, when Kurdish guerrillas - members of the Kurdish Workers' Party (PKK) - started armed attacks, an alarming number of reports of ill-treatment of detainees by the security forces have come from the eastern and southeastern provinces. Some 3000 lives have so far been lost on both sides and among the civilian population in the continuing fighting. Emergency legislation is in force in ten provinces in the region and the Emergency Legislation Governor in Diyarbakir has extraordinary powers over three additional provinces. In May 1990 the Turkish government issued Decrees 424 and 425 (in December replaced by Decree 430), further extending the powers of the Emergency Legislation Governor.

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. 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. This period may be extended to 30 days in areas under emergency legislation or martial law. Emergency legislation is currently in force in Diyarbakir.

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

- urging that Serhat Bucak is given prompt access to his family and lawyer and that he is not ill-treated while in detention;

- requesting to be informed of any charges against him.

APPEALS TO: (up to ten appeals per section)

President Turgut Özal

[Salutation: Your Excellency]

Devlet Ba_kanli_i

06100 Ankara, Turkey

Telegrams: President Ozal, Ankara, Turkey

Telexes: 42875 bbk tr

Faxes: (via Press Office) +90 4 168 5012

Prime Minister Mesut Yilmaz

[Salutation: Your Excellency]

Office of the Prime Minister

Ba_bakanlik

06573 Ankara, Turkey

Telegrams: Prime Minister, Ankara, Turkey

**Telexes: 44061/44062/44063 bbmt tr; 42099 basb tr;
42875 bbk tr**

**Faxes: +90 41 17 04 76 PRIME MINISTER
+90 42 30 88 96 (attn: Prime Minister)**

Emergency Legislation Governor:

Mr Hayri Kozakçio_lu

[Salutation: Dear Governor]

Ola_anüstü Hal Valisi

Diyarbakir, Turkey

Telegrams: Olaganustu Hal Valisi, Diyarbakir, Turkey

**Telexes: 72110 OHVT TR; 72090 JASY TR;
72084 DYVA TR "please forward to the Governor"**

Faxes: +90 831 26174

Diyarbakir Chief of Police:

Mr Ramazan Er

[Salutation: Dear Sir]

Diyarbakir Emniyet Müdürü

Diyarbakir, Turkey

Telegrams: Emniyet Muduru, Diyarbakir, Turkey

Faxes: +90 831 11956

Istanbul Chief of Police:

Mr Mehmet A_ar

[Salutation: Dear Sir]

Istanbul Emniyet Müdürü

Istanbul, Turkey

Telegrams: Emniyet Muduru, Istanbul, Turkey

Telexes: 30811 IEHM TR; 30812 EMMH TR; 26177 IEMT TR

Faxes: +90 1 172 81 82

COPIES TO:

President of Parliamentary Human Rights Commission:

Mr Eyüp A_ik

Insan Haklari Ara_tirma Komisyonu Ba_kani

TBMM

Ankara, Turkey

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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 11 September 1991.