



DEATH PENALTY APPEAL

Executions in USA—seven so far this year, and many more expected

Seven prisoners have been executed in the USA between January and mid-April this year—more than in any full year since the death penalty was reinstated in 1976—and many more executions are expected this year.

Twelve of the 18 executions carried out since 1976 have taken place within the past 13 months, including the first executions since the early 1960s in the states of Alabama, Georgia, Louisiana, Mississippi and North Carolina.

These statistics follow predictions made last year by US lawyers that the number of executions in the USA would increase significantly once the appeals of prisoners sentenced in the 1970s were exhausted.

In 1972 the US Supreme Court vacated (nullified) all existing death sentences on the ground that most state death penalty laws violated the US Constitution because of the arbitrary and capricious manner in which they were applied.

However, a 1976 Supreme Court decision permitted individual states to re-instate the death penalty according to Supreme Court guidelines.

Since then, 38 states have introduced revised death penalty laws and the number of prisoners of death row has steadily risen—at the time of going to press 1,311 prisoners were under sentence of death in 33 states.

A number of US Supreme Court decisions in the past year, denying appeals in death penalty cases, have progressively narrowed the possible grounds for future appeals, and could lead to a further increase in the rate of executions.

For example, in January 1984 the Supreme Court ruled that state appeal courts had no constitutional obligation to review death sentences to see if they were "proportionate" to sentences imposed on other prisoners convicted of similar crimes.

Although most states conduct such a

Continued on page 3

Concern about workers in Guatemalan bottling plant



AI has expressed concern about the welfare of workers occupying a bottling company plant in Guatemala City and is calling on the government to ensure their safety. Army units are reported to have the plant under constant surveillance and soldiers are reported to have shot one man dead and wounded two others at a checkpoint set up near the plant.

Seen above are members of the bottling plant trade union, the *Sindicato de Trabajadores de la Embotelladora Guatemalteca S.A. Anexos y Conexos* (STEGAC), discussing their dispute with a representative (far left) of a food-related international trade union. Photographs in the background are of STEGAC leaders who were victims of "disappearances" or extrajudicial executions by Guatemalan security and military forces in the past.

Czechoslovak driver who told about prison conditions gets six years

A driver in the state transport system who is a signatory of the unofficial human rights group Charter 77 has been jailed for six years for giving out information about prison conditions in Czechoslovakia and for writing and sending abroad "anti-state" articles.

Jiri Wolf, 32, had gained the prison information while serving a previous jail term of three and a half years, from 1978 to 1981, for distributing "anti-state" written material.

AI adopted him as a prisoner of conscience then and has done so again.

His latest sentence was passed after the Prague Municipal Court had convicted him on 21 December 1983 of "subversion in collusion with foreign agents"—his information about prison conditions was said to have been given to the Austrian Embassy in Prague and his articles were published in emigré journals abroad.

The court sentenced him to six years' imprisonment in the third (strictest) prison category, followed by three years

"protective surveillance".

This means that after having served his prison sentence he will have to report regularly to the police, his movements will be drastically restricted and the police will have the right to enter his home at any time□

File on Torture

This month's *Newsletter* includes an eight-page *File on Torture*, the first of a series in AI's Campaign Against Torture. Each *File* will focus on a country of particular concern to AI in its drive to end torture throughout the world. This month the focus is on Turkey—with first-hand testimonies from ex-prisoners who say they were tortured in Turkish prisons and detention centres, and also two Appeal Cases.

Campaign for Prisoners of the Month



FU Shenqi, China

A former worker in a generator factory and editor of two unofficial journals, he has been detained since his arrest in early April 1981 during a wave of arrests of people who had been campaigning for democracy and human rights in the People's Republic of China.

Fu Shenqi, who worked in Shanghai and edited unofficial journals in his spare time, was chief editor of ZEREN (Responsibility), the journal of the National Association of Democratic Journals, a non-government body founded in 1980 to represent unofficial publications throughout China.

He was arrested when he went to Beijing to discuss with the authorities there the question of the right of people to publish unofficial journals and magazines.

In 1978 Fu Shenqi, who is known to have been a member of the Chinese Communist Youth League, became active in the "democracy movement" developing in China at that time.

The following year, he and others founded the unofficial journal *Voice of Democracy* in Shanghai. Soon afterwards, the authorities declared it "anti-Party and anti-socialist": it had expressed support for the activities of Polish workers "fighting for democracy and against bureaucracy".

In 1980 members of the "democracy movement" stood in several cities as candidates in the election of People's Representatives—this was the first time since the early 1960s that there had been competition for the election of Representatives.

Fu Shenqi was a candidate in Shanghai but was not elected. There were allegations that officials in his factory had warned that workers who voted for him would not get a wage rise. It was also reported that the Communist Party branch in the factory had violated the election regulations.

Little has been heard of Fu Shenqi since his arrest. He is believed to have been brought to trial and sentenced—his name was reportedly mentioned during the trial of another editor, Xu Wenli: Fu Shenqi and others are said to have been accused of taking part in the defendant's "counter-revolutionary" group. It has also been reported that Fu Shenqi was

Each of the people whose story is told below is a prisoner of conscience. Each has been arrested because of his or her religious or political beliefs, colour, sex, ethnic origin or language. None has used or advocated violence. Their continuing detention is a violation of the United Nations Universal Declaration of Human Rights. International appeals can help to secure the release of these prisoners or to improve their detention conditions. In the interest of the prisoners, letters to the authorities should be worded carefully and courteously. You should stress that your concern for human rights is not in any way politically partisan. In no circumstances should communications be sent to the prisoner.

ill-treated in detention, but AI has no details.

Please send courteous letters appealing for his release to: H.E. Zhao Ziyang / Premier / Prime Minister's Office / Beijing / People's Republic of China.

Isidro Nicolas BOBADILLA, Peru
A technical instructor at a school in Cajabamba in the Andean highlands of Peru, he has been detained since June last year. He has been charged under the country's "anti-terrorist" law, Decree 046—but AI believes he has been detained solely for his lawful political and trade union activities.

Isidro Bobadilla is a local leader of the coalition of legal left-wing political parties in Peru, the *Izquierda Unida*, United Left, and a local leader also of the Peruvian teachers' union, *Sindicato Unico de Trabajadores de la Educación del Perú*.

He was detained on 23 June 1983 and the police later alleged that they had found in his house a terrorist "package" containing two sticks of dynamite and three tattered handbills. In the past the police have alleged that almost identical packages were found in the possession of other people adopted by AI as prisoners of conscience. All have been freed by the courts.

After Isidro Bobadilla's arrest a public prosecutor is reported to have failed in his attempt to have the charge of terrorism heard in court in Cajabamba: the court reportedly refused to open proceedings against the prisoner.

He is then said to have been taken to the Department capital, Cajamarca, where he was charged in court and sent to the city jail.

He is still there, waiting to be sent for trial by an *ad hoc* court in Lima, a procedure in force since March 1982 for all prisoners charged with terrorism. (The procedure was ordered after *Sendero Luminoso* (Shining Path) guerrillas had attacked a provincial jail and 300 prisoners had escaped.) Although Isidro Bobadilla's trial dossier is already in Lima, no date for his transfer there has been set.

AI has learned of numerous cases of local leaders of the *Izquierda Unida* coalition having been detained on terrorist charges. Its information is that when

the cases have gone to court, the charges have invariably been dismissed and the accused set free—often after having spent many months or, in several cases, years in prison.

Izquierda Unida representatives have made many public statements rejecting terrorism and the violent practices of the *Sendero Luminoso* guerrilla group. Isidro Bobadilla himself, married and the father of four young children, has not used or advocated violence.

Please send courteous letters appealing for his release to: Presidente Fernando Belaúnde Terry / Presidente de la República del Perú / Palacio de Gobierno / Lima / Perú.

'Adnan 'ARABI, Syria

A 52-year-old Damascus lawyer and member of the Syrian Bar Association, he has been detained without charge or trial for the past four years.

'Adnan 'Arabi is one of a group of lawyers arrested in April and May 1980 after a one-day strike by Syrian lawyers on 31 March.

The lawyers' action was part of a general strike organized by the Damascus Bar Association, which called for, among other things, the lifting of Syria's state of emergency (in force since 1963), the abolition of the State Security Courts, the boycotting of such courts by lawyers, and the release of all untried detainees. The strike was widely supported by lawyers, doctors, engineers and other professional groups.

Seven days later President Assad decreed the dissolution of the governing bodies of the Syrian Bar Association and of doctors' and engineers' associations for taking part in activities "outside their mandate".

Thirteen of the lawyers arrested at the time are reported to be still in detention without charge or trial.

'Adnan 'Arabi is currently in al-Qala'a Prison, Damascus, where he is permitted visits by relatives every 15 days. He is married and has four children.

Please send courteous letters appealing for his release to: President Hafez al-Assad / Presidential Palace / al-Rashid Street / Damascus / Syrian Arab Republic; and to: Major-General Nasir al-Din Nasir / Minister of the Interior / Ministry of the Interior / Merjeh Circle / Damascus / Syrian Arab Republic.

Executions in USA

Continued from page 1

review, this ruling directly affected the cases of prisoners in California and Texas, which do not.

James Autry, who died by lethal injection in Florida on 14 March 1984 (see box), was the first person to be executed as a direct consequence of the US Supreme Court ruling.

Several of the 172 prisoners on death row in Texas had final appeals pending on this "proportionate" issue alone and could now be executed at any time.

The Supreme Court has also ruled—in *Barefoot v. Estelle* (Texas), July 1983—that lower federal courts could promulgate their own rules for expediting appeals on constitutional issues in death penalty cases by considering summarily the merits of an appeal at the same time as deciding whether or not to grant a stay of execution.

Before this decision, many federal courts had automatically granted stays of execution pending a *separate* hearing of the merits of an appeal.

Death Penalty Appeal

In the same decision, the Supreme Court ruled that lower courts should apply tighter standards for considering appeals and should refuse to hear repeated or "frivolous" appeals.

One of the dissenting Supreme Court judges criticized this opinion, noting that about 70 per cent of capital cases decided on their merits by federal courts of appeal between 1976 and July 1983 had resulted in a vacation of the death sentence—and expressed concern that such cases could be decided in future under "special truncated procedures".

The US Supreme Court expressed concern in the *Barefoot v. Estelle* (Texas) ruling about delays in executions brought about by repeated or "last-minute" appeals in the federal courts.

Despite these attempts to expedite such procedures, however, most prisoners sentenced to death in the USA can still expect to spend several years waiting on the results of compulsory appeals through the state courts, which last on average four years. Review by state appellate courts is considered an essential safeguard in the US criminal justice system against wrongful conviction or unfair sentence—as is the right to take a case to the federal courts on constitutional issues. The prisoners who were executed this year had spent between four and nine years on death row.

Abolitionists and civil rights lawyers are also concerned that, despite the guidelines

The seven who died

The seven prisoners executed in the USA this year were Anthony Antone, 66, and Arthur Goode—by electrocution in Florida on 26 January and 5 April respectively; Johnny Taylor and Elmo Sonnier—by electrocution in Louisiana on 29 February and 5 April respectively; James Autry and Ronald Clarke O'Bryan—by lethal injection in Texas on 14 and 31 March respectively; and James Hutchins—by lethal injection in North Carolina on 16 March.

• James Autry had been scheduled for execution in November 1983 and is reported to have been strapped down and undergoing the first stage of the lethal injection process when his execution was stayed, 30 minutes before he was to have died.

The US journal *Newsweek* reported on 9 April that at his execution in March James Autry "took at least 10 minutes to die and throughout much of that time was conscious, moving about and complaining of pain".

• James Hutchins, too, had received a stay of execution only half an hour before he had been scheduled to die in January 1984.

AI had issued appeals for clemency in all seven cases.

introduced by the Supreme Court in the 1970s, the death penalty remains arbitrary and discriminatory in its application.

• Some 41 per cent of death row inmates in the USA are blacks, although they make up only 12 per cent of the population. Furthermore, a black person convicted of killing a white person is far more likely to receive a death sentence than is any other category of prisoner.

Although the death penalty may be imposed only for first-degree murder where there are aggravating circumstances, there is no clear or consistent distinction between the types of killing for which executions have been imposed and those in which prisoners have been sentenced to life imprisonment.

APPEAL:

Please write courteous letters in your individual capacity to the Governors of the states where executions have taken place this year—Florida, Louisiana, North Carolina and Texas—expressing regret at the execution of the prisoners named and urging that no further executions be carried out in the states concerned. You should refer in your letters to your opposition to the death penalty in all circumstances and in all countries, including those of differing political systems □

Releases ...

Swaziland

Douglas Lukhele, prisoner of the month in February 1984, and Arthur Khoza were released in Swaziland on 23 March after having been detained without charge or trial since mid-August 1983 on a succession of 60-day administrative detention orders.

Douglas Lukhele's twin daughters, Thembi and Bonisile, who were arrested in late October 1983, have also been released.

Viet Nam

AI has just heard of the release in Viet Nam of Hoang Cam, prisoner of the month in March 1984.

Brazil

Juvêncio Mazzarollo, a Brazilian journalist adopted by AI as a prisoner of conscience, was released from detention on 6 April after a review of his case by Brazil's Supreme Court, the *Supremo Tribunal Federal*. He had been serving a four-year sentence imposed under the old Law of National Security, which has now been amended (see February 1984 *Newsletter*).

Prisoner Releases and Cases

The International Secretariat learned in March of the release of 105 prisoners under adoption or investigation; it took up 57 cases.

Death Penalty

AI has learned of 40 people being sentenced to death in 14 countries and of 37 executions in 10 countries during March 1984.

Unfair trial in Gabon

Continued from back page

Nziengui; Luc Mve Ollomo; Jean-Pierre Nguema-Mitoghe; Jérôme Mbina Nguimbi; Thomas Didyme Nze; Jean-Pierre Nzoghe-Nguema; Jean-Baptiste Obiang Etoughe; Michel Ovono; Simon Oyono Aba'a; Paul Calvin Tomo.

It has also appealed to President Bongo's government to review the legal provisions relating to the State Security Court so as to ensure that its procedures conform to internationally recognized standards □

Gabon: 16 still jailed after unfair trial

An inspector in the Gabon education service who advised members of a political group to take their grievances to one of the President's personal advisers and gave them taxi-fare for the journey is now serving 12 years' imprisonment with hard labour in Libreville because his association with the group was deemed by a security court to have constituted a threat to state security and an insult to the President.

The inspector **Jean-Marc Ekoh**, 55, a former Minister of Education, is one of 16 people suspected by the authorities of belonging to the opposition political group who were convicted on the same charges by the State Security Court in November 1982: 13 are serving sentences of 12 years' and three of eight years' imprisonment, all with hard labour.

A number of these prisoners have alleged that they were beaten and ill-treated in pre-trial detention; one is reported to have been tortured with electricity.

Two prisoners appeared to an *AI* observer at the trial to be mentally deranged; one reportedly still is, the other is said to have improved but not to be receiving treatment for his diabetes.

AI has adopted the 16 as prisoners of conscience, imprisoned for the non-violent exercise of their rights to freedom of expression. It considers that their trial was unfair and that no evidence was produced in court that they had threatened state security or used or advocated violence.

Its belief is based on the findings of *Maitre* Bacre Waly N'diaye, a member of the Dakar Bar and President of *AI*'s Senegal section, who observed the trial for *AI* between 10 and 26 November 1982, and on other information on Gabon's State Security Court.

Report published

Maitre N'diaye's findings are included in a 112-page report *Gabon: Déni de justice au cours d'un procès*, published by *AI* on 16 April. (An abridged English version, *Unfair trial and other Amnesty International concerns in the Republic of Gabon*, was issued the same day.)

The November 1982 trial was a sequel to the formation in 1981 of an association of people critical of the government, the *Mouvement de redressement national* (MORENA), Movement for National Recovery.

During 1981 MORENA produced several documents critical of the authorities and calling for the constitution to be amended to allow for the existence of more than one political party in Gabon.

Six suspected members of MORENA were arrested in late November 1981. Some days later over 200 people were arrested after a demonstration in Libreville at which placards were carried and leaflets handed out calling for the resignation



Jean-Marc Ekoh

of President El Hadj Omar Bongo's government, the formation of a new political party and the release of those arrested earlier.

The detainees were taken for interrogation to various places used by the security services, and some are reported to have been beaten. Most were released within hours.

In November 1982, 37 alleged members of MORENA were put on trial on charges relating to the creation of a political group (MORENA) intending to overthrow the government or organize an insurrection, the commission of acts threatening the security of the state, and insulting the head of state.

The 37 included a member of parliament, top and middle-ranking civil servants, the Rector of Omar Bongo University, a teacher, a book-keeper, a clerk and a taxi-driver.

The public prosecutor alleged that MORENA was an illegal organization whose purpose was to overthrow the government. The defendants, he said, had pursued this aim by contacting or trying to contact members of the French Government and others outside Gabon, and by printing and distributing seditious literature within the country. MORENA documents were insulting to the head of state and were evidence of a threat to national security, he said.

The prosecution made no attempt to analyse the content of the documents (one leaflet was an exhibit in court but was not read out). It was merely put to the defendants that MORENA had intended to threaten the security of the state by distributing them.

Although some defendants admitted participating in the production of MORENA leaflets, they denied that the leaflets were meant to threaten state security or insult President Bongo.

Other defendants denied having had anything to do with MORENA, including Jean-Marc Ekoh. He said one of his co-defendants, **Michel Ovono** (accused by the authorities of belonging to

MORENA), whom he had not known before, had approached him asking for help in contacting President Bongo, who reportedly had expressed a desire to speak to MORENA members.

"I advised him [Michel Ovono] to see M. Morel, a personal adviser of the head of state. . . . I gave Ovono 2,000 francs CFA [about £4] so that he could take a taxi [there]", Jean-Marc Ekoh said.

No evidence was produced by the prosecution to prove that he had been a member of MORENA or had had anything to do with its activities.

Twenty-nine defendants were convicted and sentenced to between one and 20 years' imprisonment each with hard labour—13 received 20-year sentences.

President Bongo subsequently announced two amnesties resulting in eight years being deducted from each sentence, and 16 of the prisoners originally sentenced now remain imprisoned.

Case not proved

Although the trial was public and each defendant was able to testify freely, *AI* considers that the hearing did not conform to internationally accepted standards of fairness in several respects; for instance:

- None of the defendants pleaded guilty to the charges against them and the prosecution failed to show that either they or MORENA had threatened state security or insulted President Bongo, or to show even that all the defendants were members of MORENA (some said they were not). Yet 29 defendants were convicted and many received long prison sentences.

- The prosecution relied solely on the testimony of the defendants themselves (there were no other witnesses)—yet neither defendants nor their state-appointed lawyers were allowed to cross-examine, a cardinal defence right in a fair trial.

- Some defendants claimed in court that they had been beaten and ill-treated during pre-trial detention, allegations which, if well-founded, would have a bearing on the admissibility as evidence of statements made by them. (The court ruled the allegations "out of order".)

AI has appealed to President Bongo to release the 16 defendants who are still imprisoned: **Jean-Marie Aubame; Luc Bengono-Nsi; Paulin Boutamba Mouloungui; Jean-Marc Ekoh; Samuel Ella Ndong; Jules Mba; Moubamba**

Continued on previous page

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FILE ON TORTURE

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amnesty international

Turkey

TORTURE of political detainees was already a major concern of Amnesty International before the military coup of September 1980. An increasing number of torture allegations had led the organization to send a research mission to Turkey in May that year, when Amnesty International concluded that torture was widespread and systematic and that most people detained by police and martial law authorities were tortured—and in some cases tortured to death.

The number of torture allegations and reports of deaths in custody increased after the coup—this was undoubtedly related to the increased number of people detained and the lengthening of the incommunicado detention period since September 1980 by amendments to the martial law regulations.

The following extracts from the introductions to the country entries on Turkey in the last four Amnesty International Annual Reports illustrate how the Turkish authorities have persisted in the torture of prisoners during the present decade.

1980 — *The concerns of Amnesty International were prisoners of conscience and the legislation which leads to their imprisonment; cruel, inhuman and degrading treatment or punishment of prisoners. . . .*

1981 — *The main concerns of Amnesty International were torture, executions and . . .*

1982 — *Turkey remained under martial law throughout 1981. Amnesty International was concerned that thousands of people were imprisoned, many for non-violent political activities; torture was widely used. . . .*

1983 — *Amnesty International's concerns were large numbers of prisoners of conscience, widespread and systematic torture and ill-treatment of political prisoners. . . .*

Allegations of widespread and systematic torture of political prisoners continued throughout 1983 and the pattern has shown no significant change during 1984.

Testimony of a former prisoner

"I loosened the blindfold and looked around. The scene was horrific. People were piled up in the corridor waiting their turn to be tortured. Ten people were being led blindfold and naked up and down the corridor and were being beaten to force them to sing reactionary marches. Others, who were incapable of standing, were tied to hot radiator pipes. . . .

"An old man of about 50 had been stripped naked and was being made to hand out bread rations. The same man was forced to watch while his children were tortured, and vice-versa.

"Those lying on the ground were kicked and punched by passing torturers. The torture never let up. . . . Even when they stopped torturing you physically, the screams of the others began to torment you psychologically. After a while I was able to pick out which torture was being applied—from the screams."



Sema Ogur, who says she and her husband were tortured by Turkish security officials.

The extract on the left comes from a recent testimony received by Amnesty International from a former political prisoner in Turkey. In it, Sema Ogur, who was a student when she and her husband were arrested in February 1981, alleges that she was tortured every day for a total of 47 days in a detention centre in the capital, Ankara, and beaten and subjected to continuous cruel, inhuman and degrading treatment for 14 months in Mamak Military Prison.

Continued on page 2

Continued from page 1

The tortures she alleges include being given electric shocks, kicked, punched, beaten with truncheons; subjected to *falaka* (sustained beating of the soles of the feet); being hung by the arms from ropes attached to ceiling water pipes, tied to hot radiator pipes, and hosed down with icy water under high pressure.

Her torturers threatened to sterilize her with electricity, she says, and, in her husband's presence, threatened to rape her.

She says that her husband was tortured—with electric shocks applied to the genitals—in front of her; and that she was tortured with electricity in front of him.

Sema Ogur's testimony about

both the detention centre and Mamak prison is consistent with the testimonies of two other former detainees held at about the same time and also now living outside Turkey. All three testimonies are consistent with other information about both places which Amnesty International has received in the past. Extracts from the three testimonies are given elsewhere in this *File*.

Also included are extracts from testimonies by other former prisoners in Turkey—Amnesty International is unable to confirm all the details in these testimonies but has found the former prisoners' accounts consistent as a whole with information received from Turkey over the years.

Torture, routine beatings in police stations and military prisons

Although most of the allegations of torture received by Amnesty International concern political detainees, it does occasionally receive reports of ordinary criminal suspects being tortured in order to elicit confessions, and information received over many years strongly suggests that the torture of ordinary criminal suspects is routine in Turkish police stations: most of these reports describe beatings, in particular *falaka*.

However, all the detailed information on torture in Amnesty International's possession relates to political prisoners, the majority of whom are reportedly ill-treated in some way during the detention period. Some well-known detainees—notably those detained in connection with the Turkish Peace Association and former members of parliament held immediately after the coup—have apparently not been tortured, but they constitute a small minority of such cases known to Amnesty International.

In most instances torture was allegedly inflicted by the police and took place in police stations, but Amnesty International has received detailed allegations that torture has been inflicted in military establishments in Diyarbakir, in Diyarbakir Military Prison (see page 7) and Mamak Military Prison, near Ankara. Reports have been received, too, of prisoners having been tortured and ill-treated in a number of other military establishments, including Metris Military Prison in Istanbul and Erzurum Military Prison in eastern Turkey.

Prison Commander ordered beatings

Following the death in custody of the detainee **Ilhan Erdost** on 7 November 1980, the Commander of Mamak Military Prison, Colonel Raci Tetik, made this statement to the Ankara Martial Law Prosecutor:

"I had given orders that after the preliminaries were completed all prisoners with the exception of the aged, women and children, the lame and the diseased, should be struck with a truncheon once or twice each below the waist in their rude places [buttocks] and on the palms of their hands and they should be warned not to come to prison again. I am not going to deny my order. My aim is to ensure discipline."

Methods of torture have included electric shocks, *falaka*, burning with cigarettes, hanging from the ceiling by hands or feet for prolonged periods and beating and assaults on all parts of the body, including the sexual organs.

The most severe torture has usually taken place during the detention period (when the detainee is held incommunicado). Prisoners may by law be detained for up to 45 days before having to be brought before a court to be charged or released. The main purpose of the torture appeared to be the extraction of information and confessions, although intimidation was also an important element.

The routine beatings which took place in military prisons, where people were sent after being charged or convicted, seem to have been for the sole purpose

of maintaining discipline. Amnesty International knows, however, of some instances of prisoners having been taken again for interrogation and tortured again, even after several years in prison.

• **Mumtaz Kotan**, a 41-year-old lawyer who has been adopted by Amnesty International as a prisoner of conscience, has been imprisoned since April 1980. He is said to have been tortured during his interrogation then. He was sentenced in July 1982 to eight years' jail for belonging to a Kurdish organization and for alleged secessionist activities. He is reported to have been tortured repeatedly throughout his imprisonment. In August 1983 his health was said to be critical.



• **Mehdi Zana**, also an adopted prisoner of conscience, is serving a 24-year prison term, reportedly in connection with alleged Kurdish secessionist activities. He was detained immediately after the September 1980 coup and he, too, is reported to have been tortured repeatedly throughout his imprisonment. (Both men are in Diyarbakir Military Prison.)



Evidence of torture in Turkey includes the testimony of prisoners and former prisoners, in some cases supported by medical reports, sworn affidavits made by fellow-prisoners and relatives, and evidence presented in court.

• At a court hearing in Erzurum on 2 November 1983 **Nurettin Baysut** appeared with his head bandaged, allegedly because of wounds caused by torture, and **Salih Altindag** took off his clothes and showed marks said to be the result of torture. They have been charged under Article 125 of the Turkish Penal Code with separatist activities as alleged members of the Socialist Party of Turkish Kurdistan.

The two men stated that torture in Erzurum Military Prison consisted of savage beating, *falaka* and being hit with sandbags.

Since the September 1980 coup Amnesty International has repeatedly asked the authorities to investigate allegations of torture, in particular when it is alleged that a death has resulted.

Amnesty International has submitted to the authorities the names of more than 100 people alleged to have died in custody since September 1980. In reply, it has received information from the authorities concerning 81 of these cases. In 25 cases trials or investigations were said to be in progress. Other replies indicated deaths as a result of suicide, accident or illness or referred to lack of information or any record of detention. In nine cases the

person concerned was still alive. Where no replies have been received Amnesty International does not know whether any investigations took place.

On 16 March 1982 the Minister of State, İlhan Öztrak, acknowledged publicly that 15 people had died as a result of torture since 12 September 1980.

However, a report issued by the Chief of the General Staff's Office on 29 October 1982 stated that investigations into 204 deaths alleged to have been caused by torture had determined that in only four cases were the deaths caused by torture. According to the report, 25 deaths had been from natural causes, 15 prisoners had committed suicide, five had been killed while trying to escape and 25 had been killed during clashes.

The same report said that by 4 October 1982 the martial law authorities had opened a total of 540 investigation files following claims of torture. Investigations into 316 of these cases continued; in 171 cases there were no grounds for prosecution; trials concerning 37 cases were still continuing and trials concerning 16 cases had been concluded. Thirty-four people had been acquitted and 15 others given various sentences. Of those being tried, 17 people were in custody and 76 were not.

It is doubtful if all allegations of torture reported to the authorities are investigated. In the Turkish press alone there have been reports of hundreds of defendants in political trials having retracted statements which they alleged had been made as a result of torture.

Police HQ in Ankara cited by ex-detainees

One of the places most frequently cited by former prisoners in Turkey as a torture centre is Police Headquarters in Ankara.

The First Branch of the Ankara Security Directorate operates from these headquarters and is reputed to use as a holding and torture centre a building there known as the *Degerlendirme ve Arastırma Laboratuvarı* (DAL), Evaluation and Research Laboratories.

Over the years Amnesty International has received numerous reports of people having been tortured at Police Headquarters, and in particular in the DAL. The alleged victims include **Ayşe Necmiye Bekel**, who was held in the DAL after her arrest in July 1981 and has been adopted as a prisoner of conscience—she is an Appeal Case in this *File*.

More recently, Amnesty International received reports in February 1984 that



This picture of 41-year-old political prisoner Ulvi Oguz was taken just after he had collapsed during a visit by Turkish journalists to Mamak Military Prison in February 1982. The journalists had been invited to the prison after publicity abroad about alleged deaths in custody in Turkey. Foreign correspondents were not included in the authorities' invitation.

Ulvi Oguz, adopted by Amnesty International as a prisoner of conscience, was arrested in May 1981 and is still on trial with over 200 others on charges alleging membership of the Turkish Communist Party. He is reported to have been tortured during detention and told an Ankara military court that a confession had been extracted from him under torture.

When he collapsed during the journalists' visit, the Prison Commander, Colonel Raci Tetik (see column 2 on previous page), is reported to have said: "He is putting on a show." He had the man examined by a prison doctor who pronounced him to be suffering from "nervous exhaustion"—and is reported to have added that this was common at Mamak Military Prison.

Sevgi Kilic and 14 other teachers had been tortured while being held at Police Headquarters, probably in the DAL.

The following information is based on the three testimonies recently received by Amnesty International from **Sema Ogur**, **Nursal Yilmaz** and **Meryem Sendil Colakoglu**, all three of whom had alleged that they were tortured in the DAL during 1981, and also in Mamak Military Prison, to which they were afterwards transferred.

The three were sentenced (*in absentia*) in May 1983 to six years, eight months' imprisonment for belonging to a prohibited organization.

Sema Ogur says she and her husband were arrested at a friend's house on 15 February 1981, blindfolded and taken to the DAL, where the couple were interrogated and tortured. She was there for 21 days and was twice taken to hospital, spending one night on a drip feed in an emergency ward. She says that she asked doctors to record torture marks on her body, but they refused.

She was moved from the DAL to a women's prison, held there for 25 days, then freed. (Her husband had meanwhile been moved to Mamak Military Prison and is still there, serving a sentence of 10 years, eight months' imprisonment.)

In October 1981 she was rearrested and taken back to the DAL, where the torture continued over the next 26 days, which,

she says, she spent mostly in solitary confinement in a pitch dark cell. She—and the two others—says they were blindfold during most of the torture sessions.

According to Sema Ogur, her torture began immediately she arrived at the DAL and included being forced to stand on one foot and to lean forward against a wall with all her weight resting on her forefingers; being beaten, kicked and punched; having her outstretched arms tied to pipes on the ceiling and then being left hanging in a crucifixion position—"It was as if my arms were coming off. . . . The pain became so bad that my screams drowned their [the torturers'] voices."

She describes also how she was forced through a car tyre, so that her body assumed a U-shape, with her head, arms and legs sticking out of one side of the tyre and her lower back and buttocks out of the other: then the soles of her feet were beaten with a thick stick—"I had made the acquaintance of the *falaka* torture."

She was also given electric shocks—"They wet the inside of my crotch and began applying electricity. . . . One of the torturers shouted: 'If you don't give us what we want, we'll continue to apply electricity to your ovaries and sterilize you.'" She was also forced to strip naked and was then hosed down with icy water from a high pressure jet.

In her testimony, Sema Ogur describes the crowded conditions in the DAL, with victims piled up in the corridors, and the incessant noise: the shouts of the torturers and the screams of the tortured . . . "so that it was impossible to sleep".

On her second day in detention she thought she heard her husband screaming and then . . . "I was again taken blindfold to the torture room opposite [her cell]. Once inside they took off the blindfold, and, sure enough, it was my husband.

"He was lying naked beside a black tiled wall. His hands were tied behind his back and they were administering electricity to his genitals.

"After showing him to me, they retied the blindfold and, in a voice my husband could hear, threatened to strip and rape me.

"They wanted us to reveal our address. . . . They said I could save my husband if I gave them the address. [She says she and her husband did not want to reveal it for fear of endangering friends.]

"On another occasion I was again suspended from the ceiling and electricity was being administered to my toes. I was semi-conscious when I heard them bring my husband in. They told him that he could save me if he talked."

During her second spell in the DAL her husband was brought there from prison and tortured for a week, she says.

Sema Ogur says that her husband later described in court one of the tortures inflicted on him: the "Palestine method", which involved having the hands and feet bound together behind the back and then being hung face down from a rope attached to the four limbs.

The testimonies of Nursal Yilmaz and Meryem Colakoglu catalogue much the same brutalities inflicted on prisoners as Sema Ogur's: each describes how she was beaten, kicked, punched, given electric shocks, hung from ceiling pipes (including by the "Palestine method"), subjected to the "car tyre" *falaka* torture and hosed down with icy water.

• Nursal Yilmaz: "I was subjected to the torture . . . of being suspended by the wrists three times. . . . Once they made my fiancé watch while I was being tortured. . . .

"Similarly they made me watch while he was being tortured. They hung him on the wall by his wrists. . . . His body would not stay straight . . . it arched . . . I suppose because of the pain. He was blindfold . . . and his trousers were undone. From this I deduced that they had given him electric shocks to his penis. . . . He later confirmed that this had been so. For a long time he passed blood with his urine because of the severe torture. . . .

"One day . . . I saw from under my blindfold that they were doing something to his leg in the corridor. When I came closer I saw that they were washing a gaping wound across his ankle . . . open to the bone."



Meryem Sendil Colakoglu (left) and Nursal Yilmaz, who say they were tortured in the DAL centre at Ankara Police Headquarters and later during detention in Mamak Military Prison.

Nursal Yilmaz was arrested with her fiancé (whom she later married), his sister and a friend on 12 February 1981. All four were tortured at the DAL, she says. She was held there twice, for 25 days and, after rearrest in October, for 23 days. She was subsequently moved to Mamak Military Prison, where she was held for 14 months. Her husband is still there, serving a 25-year sentence.

• Meryem Sendil Colakoglu says she was held in the DAL for 23 days, from 17 October 1981, then moved to Mamak and detained there for just over a year, until her release on 24 November 1982.

"Countless hours of the most unimaginable affronts to human dignity began with the first kicks as I was bundled into the police car," she says. "My demands to know what was happening, where I was being taken, were met with kicks and punches. Once in the car I was blindfolded and the policeman next to me pushed my head between his legs and began beating my back—'We are going to what you might call a beauty parlour,' he said. 'You go in looking like this and you come out a different shape.'"

Of one period of her detention in a DAL cell she says: "I was unable to distinguish day from night. . . . The screams never let up. Doors were constantly opening and shutting, prisoners were taken out and others thrown back in, in a flurry of kicks and abuse. . . .

"I lay there semi-conscious until they came back for me. . . . Then they dragged me out in my bare feet, as my shoes no longer fitted me, and carried me to the room where I had first been tortured. [There] A male colleague . . . was under the *falaka*. They were beating him with all their might, while at the same time saying and doing things to me which should not be done to a woman—in order to pressurize him."

Mamak Military Prison

"Before my arrest I had heard that the torture did not stop after Police Headquarters but that it continued in different forms in prison, too. This was confirmed by my own experience in Mamak Military Prison."—Meryem Colakoglu

The testimonies of the three former detainees present a grim picture of imprisonment in Mamak—harsh and arbitrary military-style discipline for men and women detainees, enforced by punishments which included severe beatings, incarceration in crowded, insanitary "death cells" and deprivation of privileges, including visits by relatives.

Daily beatings

"Morning and evening inspections were the scene of daily beatings. They hit you for the slightest infringement of the rules: looking sideways, not shouting your name at the top of your voice, not standing straight, not stamping your feet like a soldier, etc.

"These beatings took place in the presence of the prison doctor, who was on the inspection team. Our bodies were constantly black and blue. . . ."—Sema Ogur

The "Induction centre": After arrival, prisoners are said to have spent up to two days in a cage ("exactly like a lion's cage"—Sema Ogur), being forced to march up

Continued on page 6

APPEAL CASES

Pasa UZUN

A founder member of a Kurdish cultural and youth association, he has been detained since 1979 and is reported to have been tortured on several occasions in Diyarbakir Military Prison. He is believed to have been tortured most recently during the hunger-strike that ended there on 3 March 1984. He is said to be in very poor health.

Pasa Uzun, 31, was a student at a teachers' training institute in Konya when he and some 200 other members of the Progressive Democratic and Cultural Association (known as the DDKD) were arrested. The DDKD had been legal until its proscription under martial law, declared in Diyarbakir in April 1979.

The DDKD trial opened in Diyarbakir Military Court on 19 November 1980. In September 1982 it was combined with the trial of the Kurdish Workers' Party (KIP) and by 1 March 1984 the number of defendants was reported to have increased to 625, all charged in connection with alleged Kurdish separatist activities.

Pasa Uzun is reported to have been extensively tortured after he had delivered a 16-page defence statement during the opening hearing of the trial in November 1980. He is reported to have been unable to walk when brought to a trial hearing on 19 March 1981 and to have been barely audible when he tried to tell the court how he and other prisoners had been tortured.

Before that hearing he was reported to have been hung by his feet over a period of 22 days and to have been given electric shocks on many parts of his body.

He is said also to have been held in isolation on several occasions in so-called "death cells" in Diyarbakir Military Prison No. 5.

In a letter dated 15 August 1982, the Kurdish lawyer Serafettin Kaya—detained in Diyarbakir Military Prison between February and September 1981 and now in exile—stated that Pasa Uzun's foot was then black and had become stiff as a result of ill-treatment.

Pasa Uzun is reported to have been put in isolation during three hunger-strikes in Diyarbakir—July to September 1982; September 1983; and end-1983 to 3 March 1984. He is understood to have been tortured during each of those periods.

Amnesty International has adopted him as a prisoner of conscience, considering him to have been imprisoned because of his non-violent activities.

Please send courteous letters:

- *urging his immediate and unconditional*



Pasa Uzun

release, as a prisoner of conscience;

- *urging that he receive immediate, appropriate medical care;*
- *urging that the reports of his torture and ill-treatment in custody be impartially investigated and that anyone found to have been responsible be brought to justice.*

Addresses for appeals

Send your letters on these appeal cases to: Mr Turgut Özal / Prime Minister / Basbakanlik / Ankara / Turkey; and to: General Necdet Urug / Chief of General Staff / Ankara / Turkey.

Ayşe Necmiye BEKEL

A former assistant lecturer in political science at Ankara University, she has been detained since July 1981 and is reported to have been tortured at Police Headquarters in Ankara and badly beaten in Mamak Military Prison.

Necmiye Bekel, who is married, is one of well over 200 people who are on trial in Ankara on charges under Article 141/5 of the Turkish Penal Code of belonging to the illegal Turkish Communist Party.

She was arrested on 17 July 1981 and reportedly taken to the DAL at Police Headquarters in Ankara and tortured. She is said to have been pregnant at the time and to have had a miscarriage as a result of her ill-treatment.

She was later moved to Mamak Military Prison. A former prisoner, Nursal

Yilmaz (see page 3), who said she had shared a ward with her there, has told Amnesty International that Necmiye Bekel was one of a number of women who were badly beaten with her at the end of 1981.

Nursal Yilmaz said she feared that Necmiye Bekel would still be subject to beatings. Such ill-treatment had been routine during the 14 months up to December 1982 that she had been in Mamak, she said . . . "and my information is that conditions there have got worse."

Necmiye Bekel was among 205 defendants who went on trial in Ankara Military Court on 15 February 1982. By the end of 1983 the number of defendants had risen to 288, including Necmiye Bekel's husband, Sahir Sukru Bekel, who is also being held in Mamak. The trial continues.

Amnesty International has adopted Necmiye Bekel as a prisoner of conscience. Although the Turkish Communist Party has always been illegal in Turkey, it has not as an organization supported or participated in violent activities, and anyone imprisoned solely for allegedly belonging to it is considered by Amnesty International to be a prisoner of conscience.

Necmiye Bekel, who is 37, received her doctorate from the University of Paris (Nanterre).

Please send courteous letters:

- *urging her immediate and unconditional release, as a prisoner of conscience;*
- *expressing concern about reports that she has been tortured and ill-treated, and fears that she may still be subject to beatings and other ill-treatment in Mamak Military Prison;*
- *urging that the allegations of her torture and ill-treatment be impartially investigated, and anyone found to have been responsible brought to justice.*

Political prisoners

According to official figures, on 30 June 1983 there were 21,046 political prisoners held in military prisons, but, after ratification of sentence by military courts of cassation, political prisoners are transferred to civil prisons and no figure is available for the number of political prisoners in civil prisons. It is not known exactly how many among the total number of political prisoners are people charged or convicted on account of their non-violent political or religious beliefs or activities, but Amnesty International has been informed about several hundred people it believes to be prisoners of conscience and understands that the actual number may be much higher.

Continued from page 4

and down singing marching songs—and being beaten if the officer in charge was dissatisfied with the performance.

"By the time you get out of the cage your hands are swollen from being beaten. The training goes on from morning till night, and sometimes all night. . . . the whole idea . . . is to break the prisoner's spirit," said Nursal Yilmaz.

After "induction" the women were moved into wards of up to 50 inmates each. Exercise was limited to five minutes daily—during this time prisoners were forbidden on pain of beatings to talk, look about them or even glance up at the sky.

Men and women exercised at different times and were forbidden to look at each other. Neither Sema Ogur nor Nursal Yilmaz saw their husbands in Mamak during the 14 months all four were there together—nor were they allowed to communicate in any way.

"The only time I saw my husband or heard him speak was in court," Sema Ogur told Amnesty International (both were defendants in a group trial). "Even then we were not allowed to be near each other, nor could we exchange greetings."

Her husband was imprisoned in the basement, she on the ground floor of the same prison block.

'Death cells'

One of the punishments referred to in the testimonies is confinement to minute cramped stone "death cells" in the basement.

"... we were put—two or three at a time—in cells measuring four handspans in length and breadth [about a metre square]. . . . for 15 days without a break and not allowed to go to the toilet—we had to use a drawer in the cell for the purpose. Every morning and evening we were taken out for inspection and to be beaten," said Nursal Yilmaz.

Meryem Colakoglu said she was kept in such a cell twice, for eight and seven days, with two other women.

"It was virtually impossible for the three of us to squat down. . . . We ate our food and went to the toilet in the same tiny cell . . . let out only twice a day [to collect food and be inspected]. We were regularly beaten at inspection. . . .

"When I got out I ached terribly. . . . There had only been one blanket between us, so we were all cold and exhausted and suffering from lack of fresh air."

Complaints to the authorities, including judges, were apparently futile: "To put forward even the smallest demand was regarded as a violation of the rules and meant a spell in the cells or the cages," said Meryem Colakoglu.

Sema Ogur said she was beaten after she had tried to lodge a complaint during her trial.

"... the judges did not want to know and cut my statement short. . . . [later] I was confined in the cage and beaten severely."

'Subscribers to torture' at Erzurum Military Prison

"Certain prisoners had been tortured so regularly it was as if they had subscribed to it. Every day at a certain time they knocked at the door and told the answering guard that it was time for their 'treatment'. [They had been ordered to do so.] If the guard had nothing better to do . . . this prisoner was taken out into the corridor and received the 'necessary treatment' until he cried for mercy. . . . When the guards . . . were [busy] torturing others, especially newcomers, the treatments of the 'subscribers to torture' were postponed."

This extract—dealing with Erzurum Military Prison in eastern Turkey—comes from detailed testimony given by Nizamettin Kaya, who was taken into custody on 24 January 1981 on suspicion of belonging to the Turkish Kurdistan Socialist Party. He alleges that he was tortured every day for 50 days in police headquarters in the town of Agri and then tortured and repeatedly beaten while being held in Erzurum—he was released in mid-1982.

He says that in the police headquarters he was blindfolded, beaten, kicked and given *falaka* with truncheons and canes;

given electric shocks to his toes, hands, nose and ears; hung from ceiling pipes; and beaten all over the body.

He relates how he was handcuffed to radiators in corridors so that every passing official could hit or kick him.

One day, after a prolonged torture session, "My feet were swollen and even burst and cracked in places. . . . [They] forced my feet into my shoes. . . . Afterwards they told me to jump on each foot 100 times. I could not, so they kept beating me with the truncheon on my head. I was desperate. I tried to jump. . . . They kicked me on the legs and stepped with their heels on my toes, squashing them. . . . then [one of the torturers] got tired and—I am guessing now because I was blindfold—he sat down in the armchair of the Chief and [falling asleep] started to snore."

In April 1981 he and 10 other detainees were taken to Erzurum Military Prison—"When we showed our wounds and bruises and other traces of torture to the [Military] Prosecutor, he said: "We are not interested in this"

The 11 detainees from Agri were allocated to a ward and then "we were given a good 'welcome beating' to show who was who". According to Nizamettin Kaya's account, the military-style discipline in Erzurum was harshly enforced, with truncheon-beatings for the slightest infringement of the "rules" (which included learning Kemal Ataturk's Principles by heart and memorizing nationalist marching songs).

"One day, on the pretext that a cigarette stub was found on the doorstep of the ward, they beat the cigarette smoking inmates 100 times [each] with the truncheon and non-smokers 50 times."

Hunger-strike by Mamak prisoners over torture

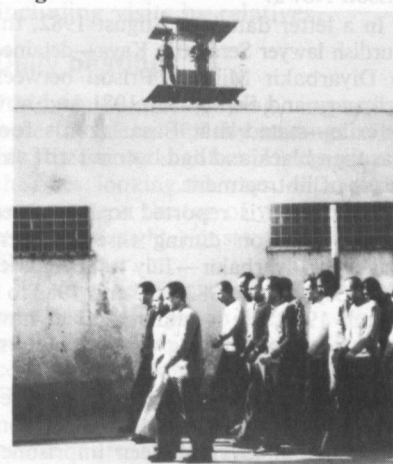
More than 500 political prisoners in Mamak Military Prison went on hunger-strike on 22 February 1984 to protest against torture and bad prison conditions.

Scores of prisoners had been admitted to hospital by the time the strike ended on 4 April. The authorities say 46 prisoners were admitted—but unofficial sources told Amnesty International that 64 prisoners were still in hospital on 5 April.

One of the hunger-strikers is reported to have been Abdullah Yilmaz, husband of Nursal Yilmaz. She said she had heard that he was in poor health.

Amnesty International has been told that during the latter part of the hunger-strike the torture and beatings alleged by the prisoners had stopped. Visits by relatives and lawyers are reported to have been permitted during the last fortnight of the strike,

although under difficult circumstances. Such visits had reportedly been stopped after the hunger-strike began.



Inmates marching in Mamak Military Prison

Torture became routine, he says—“Many of us had bad bruises and even open wounds on our faces, heads and different parts of our bodies.” Eventually “we reached such a state that our psychological balance was completely disturbed. Some of us screamed . . . in our sleep . . . others burst into laughter . . . then woke up crying . . .”

Nizamettin Kaya says that torture in the prison stopped in December 1981, mainly because of resistance by the prisoners themselves, but also because of pressure put on the martial law authorities by prisoners’ families; another reason was “the anti-torture attitude of the Director of the Central Prison.”

However, Amnesty International’s information is that prisoners in Erzurum have again been tortured since mid-1982, when Nizamettin Kaya was released.

Girls and women from 15 to 55 among victims, says ex-detainee

“At the Iskenderun Martial Law Command I was put into a dormitory with 17 other girls and women, between the ages of 15 and 55. A 15-year-old girl was paralysed after what she saw at the [Antakya political police] Centre. The others were trying to help her to walk. They (the police) were after the sons of the 55-year-old woman. They could not find the sons, so they were holding and torturing the mother instead. Her arm was broken due to these tortures. The wrist of a 19-year-old girl had burst open due to continuous beatings with a truncheon. She was trying to bandage her wrist with the help of some other women. The fingers of the 42-year-old woman were covered with black marks, burned from electric shocks.

“The policemen could come any time to the Martial Law Command, pick out anybody they chose and take him or her back to the [political police] centre to be tortured. They took two girls from our ward; these girls came back completely finished. Due to the tortures they had undergone, they kept screaming at night in their sleep.”

This extract comes from the testimony of **Gulhan Tomak**, a former prisoner who was detained in Antakya in June 1981 when she was 16—she was taken away by police 20 minutes after she had arrived at a friend’s house to attend a wedding.

Continued on page 8

DIYARBAKIR MILITARY PRISON

Frequent allegations of the torture of Kurdish prisoners in Diyarbakir Military Prison have been received from before 1980 right up to the time of going to press.

In May 1982 Amnesty International asked to be allowed to send a team to check on reports that nearly 100 Kurdish prisoners were in poor health as a result of torture and harsh conditions.

One of the people it named at the time, Kurdish lawyer Huseyin Yildirim, was later released and left Turkey—he gave a horrific account of tortures he said he and other Kurdish prisoners had suffered, including being beaten and given electric shocks on sensitive parts of the body while tied to a wooden cross. Three of these prisoners are known to have died in custody. The authorities acknowledged one of the deaths: they said the prisoner had committed suicide.

Among the reported victims during 1983 were Mumtaz Kotan, Rusen Arslan, Mehdi Zana, Nazif Kaleli and Pasa Uzun (an Appeal Case in this file).

In September 1983 prisoners belonging to various political groups went on hunger-strike to protest against torture, bad prison conditions and restrictions on access to lawyers. The strike ended after the authorities had reportedly given assurances that torture would be ended and conditions improved.

A second hunger-strike began at the end of December and lasted until 3 March. Once again the authorities reportedly agreed to prisoners’ demands for a halt to torture, and the restoration of concessions granted



Nazif Kaleli, 44, former teacher of English and trade union leader, who is reported to have been tortured repeatedly in Diyarbakir Military Prison. He is said to have been brought there unconscious in April 1980 after extensive torture following his arrest in late March that year. Married, with two children, he is reported to be seriously ill.

after the first strike but then withdrawn.

At least two people died directly as a result of this second hunger-strike and 45 were taken to hospital, many reportedly in a critical condition.

In January 1984 an Amnesty International delegate had visited Diyarbakir and on 16 February the organization had called on the head of the Turkish armed forces to account publicly for seven people reported to have died in the prison in unexplained circumstances in January.

In reply the authorities said one prisoner had died of a brain tumour and one after an operation for cancer of the pancreas; the names of two were not known to the prison authorities; one named prisoner was still alive; and the other two had committed suicide.

Being beaten with a truncheon considered a ‘luxury’

“In Diyarbakir Military Prison it is a luxury to be beaten with a truncheon. . . . they use the handles of shovels and pickaxes . . . thick wooden sticks and chains for daily routine beatings.”

This extract comes from a former prisoner’s account of detention, imprisonment and torture in Police Headquarters, Ankara, in Mamak Military Prison and in Diyarbakir Military Prison in 1980, 1981 and 1982. He was released in 1982 while his trial continued and he is believed now to be in hiding. Amnesty International is withholding his name to protect him from possible repercussions.

He describes a range of tortures which he says were inflicted on him, including beatings, *falaka*, electric

shocks, burning of body hair, being hung in the “crucifixion” position, and beaten with sandbags. He says also that a note that he was to be denied food, water, sleep and toilet facilities was pinned to his back while he was in Police Headquarters.

An official who called himself “Captain Gestapo” told him: “There is a big notice pinned on your back my son. You’ll be allowed nothing. You’ll be dying soon anyway.”

He describes beatings in Mamak Military Prison but makes it plain that his experiences there were mild compared to the pain and humiliations he and fellow-prisoners allegedly endured in Diyarbakir. The treatment there, he says, was “absolutely ruthless and pitiless, inhuman and hostile.”

Continued from page 7

She says she was tortured at a centre used by the First Branch (political police) and later in civilian prisons in Iskenderun and Antakya.

She is now living outside Turkey.

Official versions conflict over death of detainee

The case of **Mustafa Hayrullahoglu** illustrates how uncertain are the circumstances of a number of deaths of political prisoners in Turkey.

In December 1982 Amnesty International was informed that Mustafa Hayrullahoglu, who had been detained in October/November 1982, had been tortured and was critically ill. On 9 December it asked the Turkish Ambassador in London, Rahmi Gümrükcüoglu, for information about him and called for an investigation into the allegation that he had been tortured. No reply was received, so on 5 January 1983 Amnesty International sent its inquiries to the Turkish Foreign Minister. No reply was received.

On 5 April 1983 Amnesty International received information that Mustafa Hayrullahoglu was dead. After months of trying to discover his whereabouts his family finally learned that he had been buried in Kasimpasa cemetery in Istanbul. They subsequently received two letters from the authorities:

- The Martial Law Prosecutor for Istanbul stated that Mustafa Hayrullahoglu had been detained on 21 October 1982 and had committed suicide on 26 October.
- The Public Prosecutor for Istanbul stated that he had been detained on 5 November 1982, had become sick on 16 November and had died on the way to hospital.

On 11 May 1983 Amnesty International wrote again to Ambassador Gümrükcüoglu, asking to be informed if any investigation had taken place into Mustafa Hayrullahoglu's death. No reply has been received.

Pre-coup violence

During the five years preceding the 1980 coup political violence had resulted in more than 5,000 assassinations by right-wing and left-wing groups. Martial law was imposed in 13 of Turkey's 67 provinces in December 1978, after more than 100 people were killed in Kahramanmaraş. It had been renewed every two months and extended to cover 20 provinces by the time the coup took place.

Immediately after the coup thousands of people were detained, including members of parliament, members of political parties and trade unionists. The period for which people might be kept in deten-

WHAT YOU CAN DO . . .

1. Write the two letters you are asked to send on behalf of the two victims cited in the Appeal Cases in this *File on Torture*. Address your letters as indicated, or send them to the Turkish embassy in your country.
2. Please write a further letter expressing your concern about reports of widespread and systematic torture in Turkey.

• Point out that the United Nations has banned torture in all cases (in its 1975 Declaration on the Protection of All Persons from Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment) and urge the Turkish authorities to order all military, police and security forces not to torture prisoners in their custody, and to make it clear to all law enforcement personnel that torture of prisoners is a criminal act which will not be tolerated in any circumstances.

• Urge them also, as a safeguard against torture, to grant relatives and lawyers access

to prisoners throughout the detention period.

3. You can also help get the facts about torture in Turkey out into the open. Share this *File on Torture* with your friends and colleagues. Bring it to the attention of your community centre, place of work, trade union, school, college or religious congregation.

4. Send a copy of this *File on Torture* to your local newspaper, suggesting that the editor print a summary of it for readers.

5. Support the practical efforts of Amnesty International. Contact the movement's office in your region today. Subscribe to the monthly *Amnesty International Newsletter*, which will include other *Files on Torture*. Make a donation to keep our work going and find out how you can add your voice to our urgent appeals. If there is no Amnesty International office in your region, write to the International Secretariat, 1 Easton Street, London WC1X 8DJ, United Kingdom.

tion without charge was increased from 15 to 30 days and then, in November 1980, to 90 days; in September 1981 it was reduced to 45 days. All political and trade union activity was banned and several newspapers were closed down. Changes in the martial law regulations

alarm or excitement among the public".

All political offences are still tried by martial law courts, except for some press offences, which are tried in civilian courts.

Five countries allege Turkey in violation of human rights convention

The European Commission of Human Rights has ruled that applications filed by five European countries against Turkey for violation of the European Convention on Human Rights are admissible for hearing by the Commission.

The five countries — Denmark, France, the Netherlands, Norway and Sweden — had filed applications against Turkey under Article 24 of the Convention (on inter-state complaints).

Their applications alleged that Turkey had been in violation of a number of articles of the Convention, including those relating to the prohibition of torture and inhuman or degrading treatment or punishment, liberty and security of person and right to a fair trial by an independent and impartial tribunal.

Declaration on Torture

"No State may permit or tolerate torture or other cruel, inhuman or degrading treatment or punishment. Exceptional circumstances such as a state of war or a threat of war, internal political instability or any other public emergency may not be invoked as a justification of torture or other cruel, inhuman or degrading treatment or punishment." Article 3 of the United Nations Declaration on the Protection of All Persons from Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

extended the powers of martial law commanders, giving them control over mail, communications, press censorship and all labour and trade union activities. People could be sentenced to from six to 24 months' imprisonment for propagating "erroneous, unfounded or exaggerated information in a manner [likely] to create