

EXTERNAL (for general distribution)

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Further information on EXTRA 72/95 (EUR 44/69/95, 16 June 1995) and follow-up (EUR 44/70/95, 19 June) - Fear of Torture / Possible prisoners of conscience

TURKEYHüseyin Ümit, lawyer, secretary of Hakkari branch of the Turkish Human Rights Association (HRA)

ükrü Çall, former mayor of Hakkari

Abdulkerim Demirer, president of Hakkari branch of HRA¹

Abdulkerim Demirer, Hüseyin Ümit and _ükrü Çall_ were brought before Yüksekova Prosecutor on 27 June 1995 and subsequently released from police custody [Yüksekova is a small town situated 70km east of Hakkari]. It is expected, however, that charges will be brought against them in the future.

After his release, Abdulkerim Demirer told Amnesty International that he had been detained in Hakkari town centre on 19 June and then taken back to his house which was searched. According to his account, he was then taken to Hakkari Police Headquarters where he remained incommunicado for nine days. He said that during the first five days he was questioned by members of the Anti-Terror Branch for a total of 41 hours.

Abdulkerim Demirer emphasized that at no time was he mistreated or threatened in custody, and that he was allowed access to proper sanitary and bathing facilities. He was not blindfolded during interrogation. To his knowledge, neither Hüseyin Ümit and _ükrü Çall_ were subject to ill-treatment.

The police officers asked Abdulkerim Demirer about allegations of human rights violations that he had passed on to Amnesty International and to a representative of the US State Department who had talked to him while on an official visit to Turkey. Abdulkerim Demirer was accused of espionage on behalf of the United States of America and of membership of the Kurdistan Workers' Party (PKK).

Abdulkerim Demirer said the police officers had told him that they were "the enemies of all Human Rights Association [HRA] officials" and that they did not want him to continue to work for the HRA or to pass information on to organizations such as Amnesty International.

The right to engage in the peaceful defence of human rights is protected by international instruments, including Articles 10 and 11 of the European Convention for the Protection of Human Rights and Fundamental Freedoms. Other international agreements, to which Turkey is a state party, recognize the role of local non-governmental organizations (NGOs) in monitoring human rights. For example, the Organization for Security and Cooperation in Europe (OSCE) establishes the basis of a relationship between governmental institutions and NGOs and requires States to facilitate the convening of meetings as well as travel by delegations, groups and individuals [Helsinki I part 3 para. 1(h)].

The OSCE strengthens protection for the activities of NGOs and urges States to allow NGOs to make their views known to their own governments and those of other participating States (Moscow para 43).

¹ Please note that, contrary to information given in previous actions, Abdulkerim Demirer is not a lawyer.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or your own language:

- welcoming the release of Abdulkerim Demirer, Hüseyin Ümit and _ükrü Çall_;
- regretting that the three detainees were held in incommunicado detention for nine days before being brought before judicial authorities;
- expressing appreciation that, in other respects, the detainees were treated properly and in accordance with international standards.
- pointing out that international agreements, to which Turkey is a party, recognize the role of local non-governmental organizations in monitoring human rights. Seeking assurances, therefore, that no-one will be arrested or detained for peacefully exercising their right to freedom of expression by reporting on human rights violations.

APPEALS TO

1. Hakkari Chief Prosecutor
Hakkari Cumhuriyet Ba_savc_s_
Mr Ali Aydemir
Hükümet Kona__
Hakkari, Turkey

Telegrams: Hakkari Chief Prosecutor, Hakkari, Turkey
Salutation: Dear Sir

2. Deputy Prime Minister
Mr Hikmet Çetin
Ba_bakanl_k
06573 Ankara, Turkey

Telegrams: Deputy Prime Minister, Ankara, Turkey
Telexes: 44061/44062/44063 bbmt tr; 42099 basb tr; 42875 bbk tr
Faxes: +90 312 417 04 76 DEPUTY PRIME MINISTER
Salutation: Dear Deputy Prime Minister

3. 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
Telegrams: Minister for Human Rights, Ankara, Turkey
Salutation: Dear Minister

COPIES OF YOUR APPEALS TO:

President of the Parliamentary Human Rights Commission:
Mr Sabri Yavuz
nsan Haklar Ara_t_rma Komisyonu Ba_kan_
TBMM
Ankara, Turkey
Faxes: +90 312 420 5394

and to diplomatic representatives of Turkey accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.