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TURKEY: TRIAL OF NINE ALLEGED MEMBERS OF THE ILLEGAL ORGANIZATION "EKIM"
(OCTOBER) IN IZMIR

UPDATE NO. 2

Between 28 April and 1 May 1989 some 15 people were detained in Izmir and interrogated as suspected members of an illegal organization called Ekim. On 10 May, nine of them, including Turabi Polat and Muhtullah Abbasiogullari, were taken to Izmir State Security Court and charged with membership of Ekim under Article 141 of the Turkish Penal Code, which proscribes membership of organizations trying "to establish the domination of one social class over others", an offence that carries a maximum penalty of 15 years' imprisonment.

On 20 July the first hearing in the Ekim trial took place in Izmir State Security Court. Eight defendants were present; six of them in pre-trial detention. All alleged that they had been tortured during interrogation.

On 28 December 1989 Izmir State Security Court announced its verdict: Turabi Polat and Muhtullah Abbasiogullari were convicted under Article 141/5 of the Turkish Penal Code (TPC) of membership of Ekim. Turabi Polat was sentenced to four years and two months' imprisonment, increased by five months because he had a previous political conviction. Muhtullah Abbasiogullari was also sentenced to four years and two months, plus one year and eight months, under Art. 536/2, for distributing leaflets. Five other defendants were also convicted and two were acquitted.

On 22 August 1989 the defence lawyers applied to the prosecutor's office for an investigation into their clients' allegations that they were tortured during interrogation. The prosecutor decided not to bring charges against any police officers involved and the application was turned down. This decision was communicated only to the defendants, but not to their lawyers, who as a consequence failed to meet the deadline for an appeal against this decision.

The defence lawyers appealed against the convictions. The appeal was heard on 11 April 1990: The appeal court upheld the verdict in full. Turabi Polat and Muhtullah Abbasiogullari were transferred to Urla Prison to serve their sentences. No information is available regarding the rearrest of the other five convicted defendants who have between one and four months of their sentences left to serve.

Amnesty International continues to appeal for the immediate and unconditional release of Turabi Polat and Muhtullah Abbasiogullari as prisoners of conscience.