



amnesty international

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URGENT ACTION

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Hunger-strike

22 May 1990

TURKEY:

Erhan Tuskan
Hasan Fikret Ulusoydan
Mehmet Özgen
Kazim Arli
Irfan Aşik
Emin Taş
Raif Güniş
Mustafa İnç

On 16 May 1990 the above-named prisoners in Çanakkale Prison imprisoned under Articles 141 or 142 of the Turkish Penal Code, went on an unlimited hunger-strike demanding a speedy review of these Articles. A hunger-strike in April this year by Dr Nihat Sargin, aged 64, and Nabi Yağci aged 46, leaders of the United Turkish Communist Party, TBKP, on trial in Ankara on charges related to Articles 141 and 142 since November 1987, resulted in their conditional release on 4 May. Ankara State Security Court based its decision on the widespread public discussion about "thought-related crimes" and suggestions by the government to amend Articles 141 and 142.

Article 141 proscribes leadership and membership of organizations "trying to establish the domination of one social class over the others" and Article 142 proscribes "making communist and separatist propaganda". Most prisoners of conscience in Turkey adopted by Amnesty International have been tried and convicted under these provisions.

BACKGROUND INFORMATION

Several hundred among some 5,000 political prisoners in Turkey are considered by Amnesty International to be prisoners of conscience. They include journalists, writers, editors, trade unionists, members of political organizations or the Kurdish ethnic minority and religious activists. Five of the hunger-strikers are imprisoned for editorial work in political magazines which until the military coup of September 1980 appeared legally. They are convicted separately for each article or issue for which they are held responsible and the total of their sentences often exceeds the maximum possible sentence of 36 years' imprisonment, but once the convictions are confirmed, the sentences are combined and reduced to 36 years' imprisonment.

BRIEF INFORMATION ON THE HUNGER-STRIKERS

Erhan Tuskan, born 1957, imprisoned since 9 October 1980, editor of Ilerici Yurtsever Gençlik (Progressive Patriotic Youth), sentences totalling 123 years, combined to the maximum of 36 years' imprisonment.

Hasan Fikret Ulusoydan, aged 34, imprisoned since 25 March 1980, editor of Halkın Sesi (People's Voice), sentences totalling 75 years, combined to the maximum of 36 years' imprisonment.

Mehmet Özgen, born 1957, imprisoned since May 1981, editor of Bağımsız Türkiye (Independent Turkey) and Devrimci Militan (Revolutionary Militant), sentences totalling 44 years, combined to the maximum of 36 years' imprisonment.

☎ (44)(71) 413 5500 Telegrams: Amnesty London WC1 Telex: 28502 FAX: 956 1157

Amnesty International is an independent worldwide movement working for the international protection of human rights. It seeks the *release* of men and women detained anywhere because of their beliefs, colour, sex, ethnic origin, language or religious creed, provided they have not used or advocated violence. These are termed *prisoners of conscience*. It works for *fair and prompt trials* for all political prisoners and works on behalf of such people detained without charge or trial. It opposes the *death penalty* and *torture* or other cruel, inhuman or degrading treatment or punishment of *all prisoners*.

Kazim Arli, born 1953, imprisoned since 11 September 1985, editor of Kurtulus Sosyalist Dergi (Liberation Socialist Review), sentences totalling 22 years, six months' imprisonment.

Irfan Asik, born 1955, imprisoned since 4 December 1980, editor of Partizan (Partisan), sentences totalling 111 years, combined to the maximum of 36 years' imprisonment.

Emin Tas, convicted as member of the Turkish Communist Party (TKP) and sentenced to six years, eight months' imprisonment. [Age and date of imprisonment not known.]

Raif Gimis, born 1952, imprisoned since 6 October 1988, convicted as member of the Turkey-North Kurdistan Liberation Organization (TKKKÖ) and sentenced to six years, eight months' imprisonment.

Mustafa Inç, born 1954, convicted as member of the press trade union, Basin-Is (cedilla on s), and sentenced to six years, eight months' imprisonment. [Date of imprisonment not known.]

Erhan Tuskan, Hasan Fikret Ulusoydan and Mehmet Özgen have been adopted by Amnesty International as prisoners of conscience. The cases of the remaining five prisoners are currently being investigated.

RECOMMENDED ACTION: Telexes/faxes/telegrams/express letters/airmail letters:

- appealing that urgent consideration is given to the prisoners' request to review articles in the penal code under which most prisoners of conscience have been convicted;
- calling for the immediate and unconditional release of Erhan Tuskan, Hasan Fikret Ulusoydan and Mehmet Özgen as prisoners of conscience;
- requesting to be informed of the charges and evidence against the remaining five and stating that, unless they were convicted for the use or advocacy of violence, they should be released immediately.

APPEALS TO:

Prime Minister Yildirim Akbulut
Office of the Prime Minister
Basbakanlik
Ankara, Turkey

Minister of Justice
Mahmut Oltan Sungurlu
Adalet Bakanligi
06659 Ankara, Turkey

Telegrams: Prime Minister, Ankara, Turkey
Telexes: 44061/44062/44063 BBMT TR
42099 BASB TR
or 42875 BBK TR
Faxes: +90 41 17 04 76
or +90 42 30 88 96 (attn. Prime Minister)

Telegrams: Justice Minister Sungurlu,
Ankara, Turkey
Faxes: +90 41 25 40 66

PLEASE SEND APPEALS IMMEDIATELY. Please check with the International Secretariat, or your section office, if sending appeals after 21 June 1990.

- Please take action as soon as you receive this Urgent Action appeal. Carefully read the recommended action. If possible, send a telegram or express letter immediately to one or more of the addresses given. Other letters can be sent afterwards.
- Telegrams and letters should be brief and courteous. Stress that your concern for human rights is not in any way politically partisan. Refer to relevant provisions in international law, such as the United Nations Universal Declaration of Human Rights:
 - Article 3 — "Everyone has the right to life, liberty and security of person."
 - Article 5 — "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."
 - Article 9 — "No one shall be subjected to arbitrary arrest, detention or exile."
- The name of Amnesty International may be used, although letters written in a private or personal capacity may be more effective.
- Copies of appeals should be sent to relevant diplomatic representatives in your country.
- In Urgent Action cases, Amnesty International has to act rapidly to prevent the ill-treatment of prisoners. An appeal is issued when Amnesty International believes it has received reliable and accurate information in such cases. It is not always possible to verify all details independently and in some instances the situation outlined in the appeal may change. Urgent Action participants are always notified of any significant new facts.
- Copies of any replies received from government authorities should be sent immediately to your section's Urgent Action coordinator or direct to the Campaign and Membership Department of the International Secretariat. If appropriate, thank the official who has replied and ask to be kept informed about the case.

2 June 1990

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MR MEHMET KARACA REFUSED ENTRY TO TURKEY

MR Mehmet Karaca, former General Secretary of the trade union confederation DISK and Deputy President of the United Communist Party of Turkey, was refused entry to Turkey on 28 May 1990 and deported back from Istanbul Airport to Frankfurt on the grounds that he had been stripped off his Turkish citizenship before.

Mr Karaca, who has been living in exile in Paris since 1981, decided to end his exile when some of the steps taken recently by Turkish authorities, such as promising the repeal of the Articles 141 and 142 and the release of Dr Nihat sargin and Mr Haydar Kutlu, seemed positive and promising. So Mr karaca flew to Istanbul on 28 May 1990, but after a couple of hours' questioning by political police at Istanbul Airport, he was put on a plane and sent back to Frankfurt where he had flown from.

On 10 December 1988, ten political refugees returned to Turkey voluntarily. Six of them, five trade unionists from DISK, Mr Murat Tokmak, Mr Ekrem Aydin, Mr Turhan Ata, Mr Nafiz Bostanci and Ms Beria Onger, President of the Progressive Women's Organisation, were deported back on the grounds that they had been stripped off their citizenships.

The Government, despite strong demands in Turkey and abroad, refused to consider withdrawing the Junta Government's decision made in 1981 in the aftermath of the coup, stripping hundreds of political refugees off their citizenship solely for political reasons.

Some of those deported back from Istanbul Airport in 1988 made fresh applications for Turkish citizenship, but the Government has not yet made any decision and seems to be trying to delay the issue for as long as possible.

This rather unusual practice of the Turkish state, is nothing but condemning its own citizens to live outside their own country.

NEW WAVE OF HUNGER STRIKES WAGED BY PRISONERS OF CONSCIENCE

A group of journalists and trade unionists sentenced under the notorious Articles 141 and 142 of the Turkish Penal Code started a hunger strike in Canakkale prison on 16 May 1990, demanding at least their temporary release while the Government is considering to repeal the provisions of these Articles.

The hunger strikers and their sentences are as follows: Erhan Tuskan (123 years), Hasan Fikret Ulusoydan (75 years), Mehmet Ozgen (44 years), Kazim Arli (22 years), Irfan Asik (111 years), Emin Tas, Raif Gumus, and Mustafa Inc (6 years and 8 months).

Amnesty International issued an "Urgent Action" call which carries more detailed information about these prisoners and their cases and calls on the authorities to take immediate steps to end the hunger strike. The text of this urgent action call is attached.

This initial wave of hunger strikes prompted hunger strikes by other well-known political prisoner such as:

- Mr Mehdi Zana, former Mayor of Diyarbakir, sentenced for making "Kurdish separatist propaganda";
- Dr Ismail Besikci, an academician conducting social and historical research into the Kurdish people; sentenced for publishing his research;
- Mr Ahmet Kardam, Central Committee member of the United Communist Party of Turkey; sentenced for publishing a book in 1977;
- Mr Osman Sakalsiz, Deputy General Secretary of the United Communist Party of Turkey, arrested upon his return from exile on 14 May 1990, under the arrest warrant issued in 1981 for his political activities.

During the hunger strike waged by Dr Nihat Sargin and Mr Haydar Kutlu in April, President Ozal had publicly declared that Articles 141 and 142 of the Turkish Penal Code would be reviewed by the Government without delay.

On 4 May 1990, the State Security Court in Ankara released the two leaders after their two-and-a-half year detention. The Court based its decision on the possibility that these Articles might be repealed.

However, the Government, ignoring its promises, is trying to shelve the issue yet again.

The new wave of hunger strikes came at this crucial point in time. The most burning demands of this stage are:

- The Government should bring the Articles 141, 142 and 163 of the Turkish Penal Code to the Parliament before the summer recess.
- All prisoners convicted or kept under arrest under Articles 141, 142 and 163 should be released immediately.

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GOVERNMENT DECREE ON KURDISTAN DRASTICALLY CURTAILS FREEDOMS

The government decree issued and enacted in March with the declared aim of maintaining 'law and order' in South-Eastern Turkey where Kurdish people are most densely populated, has not only brought a complete state of siege and arbitrary rule in the region, but also a very severe threat for press freedoms in the whole of Turkey.

The decree having the same powers as a law gives immense authority to the regional governor such as banning strikes, forcing any person to live elsewhere, and banning the publication of any printed material which is found to contain 'inflammatory coverage' of the events in the region. In fact, since the imposition of the decree, several national journals have been banned or confiscated, coverage of the government's harsh measures in home and foreign press has been substantially reduced, access to the region for journalists (including foreign reporters) has been restricted.

All sections of the press expressed their anger and their demand that the decree be brought before the parliament immediately as stipulated by the Constitution. All opposition parties also severely criticised the government and demanded the discussion of the decree in the parliament. The trade union confederation Turk-Is is bringing a complaint against the government at this year's ILO Conference in Geneva this month concerning this issue.

The government, however, seems to be determined not to bring the decree to the parliament for approval in open violation of the Constitution. The issue is so serious that the government can not even rely on its safe parliamentary majority.

Democratic forces of the country declare that the only just, humane and viable solution of the Kurdish problem can be found on the basis of the free will of the Kurdish people, and that requires the recognition of the existence of that people with its language and culture, rather than such draconian measures.