

£TURKEY

@The trials of Kurdish writer Edip Polat

Edip Polat, a Kurdish writer and former biology teacher, has published five books and has been in prison three times. Now he faces prison again, having been sentenced to two years for one of his books. He was acquitted in two trials for two others.

Edip Polat was born in Bismil near Diyarbak_r in 1962. He was first detained in 1979 as a lycee student, tried on charges of belonging to an illegal youth organization and acquitted. In his book *The Truth about Diyarbak_r* (Diyarbak_r Gerçe_i) he gives a detailed account of the torture he then suffered during 11 days of police detention in Diyarbak_r. Following the military coup of 1980, he was imprisoned again in 1982 and tortured, tried in a military court and convicted on charges of membership of an illegal organization. He was sentenced to six years and eight months' imprisonment and released in 1985. In 1987 Edip Polat graduated from Diyarbak_r University and was subsequently employed as a biology teacher at Gümü_hane Teachers' Training College. However, in 1988 he lost his post because he was considered to be a "security risk".

In August of that year he had published *The Truth about Diyarbak_r*, a first-hand account of the conditions suffered by the mainly Kurdish political prisoners in the notorious Diyarbak_r Military Prison, notably the deaths of numerous fellow-prisoners which occurred there. A second edition with a new foreword by the author, published at the beginning of 1990, led to his imprisonment for six weeks and eventual acquittal on charges of "making separatist propaganda" in the foreword.

For his next book, *We Made Each Dawn a Newroz* [Newroz is the Kurdish New Year, lit. "new day"] Edip Polat was indicted again. The book is a sequel to *The Truth About Diyarbak_r*, a memoir and history of the Kurdish prisoners in Diyarbak_r Military Prison, their experiences, their relationships, the ill-treatment, illnesses, deaths, their hunger-strikes and trials. It also describes the course of Edip Polat's trial for *The Truth about Diyarbak_r*.

A second edition appeared in October 1991 and in December 1992 Edip Polat was convicted on charges of "making separatist propaganda" in the book, under Article 8/2 of the Anti-Terror Law. The State Security Court in Ankara sentenced him to two years' imprisonment and a fine of 50 million Turkish Lira (approx. \$ 6,000). His publisher, Hikmet Koçak, was sentenced to a fine of 1 billion 728 million Turkish Lira (approx. \$ 205,000). Publisher and author have appealed against the sentence.

Meanwhile, Edip Polat published another book in 1992, entitled *The Kurds and Kurdistan in the Language of Science*. The main part lists plants, insects and one mammal (the subspecies Kurdish fox - *vulpes vulpes kurdistanicus*) which have a reference to Kurdistan in their Latin classification. It also gives the view of Turkish scientists on the use of such classifications and describes the unease with which these classifications have been met in certain academic circles in Turkey. As with the previous book, the prosecutor's main objection appeared to be that Edip Polat referred to Kurdistan as if it had or should have a political status separate from the state of Turkey. Consequently, yet another court case on the charge of "making separatist propaganda" was opened against Edip Polat in October 1992. The trial at Ankara State Security Court ended on 1 April 1993. Edip Polat and his co-defendants were acquitted. In none of his books did he advocate the use of violence.

For his first book, Edip Polat was tried under Article 142 of the Turkish Penal Code. The Anti-Terror Law (Statute No. 3713), introduced in April 1991, removed this and two further articles from the Turkish Penal Code, under which prisoners of conscience had previously been sentenced to very long terms of imprisonment. However, it retained penalties of two to five years' imprisonment (which would be applied in violation of Article 10 of the European Convention on Human Rights) for "written or spoken propaganda, assemblies, demonstrations and marches with the aim of damaging the indivisible unity of the state". The targets are usually writers, journalists, publishers, politicians - sometimes even musicians playing a Kurdish tune or dance in public - who are accused of advocating a separate state for Turkey's Kurdish minority.

Amnesty International is concerned that people like Edip Polat are still being prosecuted for the expression of their non-violent opinion. This concern is plainly shared by certain Turkish politicians - the President of the Grand National Assembly, Hüsamettin Cindoruk, was quoted on 24 January 1993 by the magazine kibin'e Do ru (Towards 2000) as saying, "Unfortunately, the concept of thought-crime continues to exist. This should be corrected. In order to change it the Anti-Terror Law must be revised."

Amnesty International is concerned that, if convicted, Edip Polat would become a prisoner of conscience, and is appealing to the Turkish authorities to repeal Article 8 of the Anti-Terror Law.

BACKGROUND INFORMATION

Turkey has a Kurdish ethnic minority which is estimated to number some 10 million people, living mainly in southeastern Turkey. Since August 1984, when guerrillas of the Kurdish Workers' Party (PKK) started armed attacks against the security forces, more than 5,000 lives have been lost on both sides and among the civilian population in the context of their fight for an independent Kurdish state. In mid-March 1993 the PKK declared a unilateral ceasefire to last from 20 March until 15 April 1993 and its offer to end the fighting and to enter the democratic process as a political party. A state of emergency is in force in 10 provinces in the region and the Emergency Legislation Governor in Diyarbakir has extraordinary powers over three additional provinces.