



# INFO-TÜRK INFO-TÜRK INFO-TÜRK

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## DOES TURKEY PROGRESS TOWARDS DEMOCRACY?

One year after the Turkish regime was reintegrated into the Council of Europe Parliamentary Assembly:

- Half of the country is still under martial law or under the state of Emergency.
- Police custody for 45 days without court warrant still remains in force.
- The final say on State affairs still belongs to the military.
- Arrests, mass trials, tortures, death sentences and executions continue as before.
- The promise of an amnesty for political prisoners has already been forgotten.
- Political pluralism, freedom of expression, association and trade union freedom still exist only on paper.
- The press and intellectual life are still under censorship.
- Universities are subjected to a barracks discipline.
- The threat of being stripped of Turkish nationality still hangs over the heads of the regime's opponents in exile.

One year after the reintegration of Turkey into the parliamentary body of the Council of Europe, the chief of the Ankara government, Turgut Ozal, returned on April 5, 1985 to his home country wholly satisfied with his trip to the United States, the main support of General Evren's regime.

This first official visit of a Turkish Premier after a 13-year interval, has been an occasion for President Reagan to express his admiration for his guest: "You are, he said, a loyal friend and an important ally." The chief of the White house has also promised Ozal to assign to him for the next fiscal year \$ 939 million in aid and credits: \$ 785 million for the military and \$ 150 million for Turkey's economic needs; an amount which is higher than the aid decided by the US Congress for all African countries suffering from hunger.

In fact, Ozal had hoped for at least \$ 1.2 billion in order to modernise the Turkish Armed Forces. The promised aid, according to the Belgian daily Le Soir of April 6, is rather small in comparison with US aid to Israel and Egypt, particularly if one takes into consideration the strategical importance of a country which was labelled by State Secretary Schultz as a "natural barrier against Soviet expansionism" guarding a third of the borders of NATO countries bordering on Warsaw Pact countries.

However, Congress opposes any change in the parity (7 for Greece and 10 for Turkey) kept in force until now by Washington in distributing US military aid to these two "hostile" allies.

Nevertheless, the same newspaper reports that, in view of the Greek threat to close down the US military facilities on Greek territory in December 1985, at the expiry of the contract signed in 1983, in the event of Papandreu winning the anticipated general election (which is expected to be held in June 1985), the Reagan administration may not hesitate for a long time between Turkey and Greece.

The United States regard Turkey not only as a valuable member of the "Free World" in spite of systematic human rights violations in this country, but also, particularly since the establishment of an Islamic regime in Iran and the Soviet intervention in Afghanistan, as the "watchdog" of a region, the stability of which is still precarious.

According to the Turkish press, Ozal gave President Reagan his guarantee that, in the event of Greece persisting in its intentions, Turkey will be ready to welcome the US military installations and the maintenance facilities of the US Sixth Fleet. In return, the US President promised Ozal to counter the US Congress' tendency to protectionism for preventing an increase in Turkish exports to the United States (For the state of Turco-American relations, See: *Bulletin* No.95)

While the United States were confirming their total support of the repressive regime in Ankara during the "promotional" visit of Turkish Premier Ozal, the Parliamentary Assembly of the Council of Europe was in the middle of its preparations for assessing once more the situation in Turkey and for taking up a stance as regards Turco-European relations, a stance which may influence the position of the European Parliament as well as that of the Ministerial Council and the EEC Commission.

It should be reminded that the Parliamentary Assembly of 21 European countries, at its session of May 8, 1984, "considering that the timetable drawn up by

the previous military government for a return toward democracy has been formally respected" and "nothing with satisfaction the lifting of martial law in 13 provinces", had approved the Turkish delegation's credentials and had officially readmitted after a 3-year interval the representatives of the militarist "democracy" to the benches of the European House.

However, at the same session, the Parliamentary Assembly had charged both its political and legal affairs committees with the task of going on watching developments in Turkey and of drawing up a report in anticipation of its 37th session, in the light of the response and concrete action taken by the government and the National Assembly on the basis of the Resolution (adopted on May 8, 1984).

Despite this decision, the Turkey issue was not put on the agenda of the 37th session of the Parliamentary Assembly held on January 29, 1985.

From March 5 to 9 representatives of the said committees visited Turkey with a view to watching on the spot current developments in this country. The reports drawn up by the rapporteurs of both committees, respectively Mr. Steiner and Mr. Stoffelen, will be the subject of the debates at the next session of the Assembly to be held on April 22, 1985.

Has Turkey really made satisfactory progress toward democracy? No matter what the answers of both rapporteurs to this question will be, we think it is useful to outline the present situation in Turkey, with reference to the Resolution adopted on May 8, 1984.

## NO AMNESTY, BUT FAVORS FOR PRISONERS TURNED INFORMERS

*No amnesty for political prisoners, but sentence cuts if they inform against their fellow inmates!*

*After deceiving for more than one year European opinion with amnesty promises, the Turkish "civilian" government, under the pretext that the Constitution prohibits granting any amnesty for acts mentioned under the articles of the Turkish Penal Code pertaining to crimes against the state, is trying to placate those who call for an amnesty, by promising to reduce the sentences of those who will inform against their mates.*

*According to a draft bill which was adopted by the government on March 27, 1985, if someone who is charged with or condemned for acts mentioned under articles 125, 146, 149, 150, 163, 168 and 313 of the Turkish Penal Code, "repents" and informs against his mates, he may benefit from a reduction in his sentence in the following proportion:*

*The death penalty will be commuted to a 15-year prison term,*

*Life-sentence to a 10-year prison term,*

*The other prison sentences will be reduced to one quarter of the initial duration.*

*What is more, in order to protect the informer from possible revenge, he will be given a new identity card bearing a different name; it is even planned to change his face through a surgical operation.*

*The reduction in prison sentences in favour of denouncers already exists under Articles 141 and 142 of the Turkish Penal Code which are aimed at acts of organisation or propaganda on the basis of a social class or an ethnic group. If this bill is adopted by the National Assembly, the scope of application of this measure will be extended to other acts which are considered "crimes against the State".*

*This bill has already aroused strong reactions in democratic circles in Turkey. On March 29, 1985, the chairman of the Union of Turkish Bar Associations, Mr. Teoman Evren, said that this kind of measures could be a prelude to a period of false denunciations and could destroy all moral values of society. Changing a face through a surgical operation or delivering a false identity card are not compatible, Mr. Evren added, with the dignity of man.*

## CHIEF OF "GREY WOLVES" RELEASED

*The former leader of the neo-fascist movement of Turkey, Alparslan Türkeş, 68, who is liable to capital punishment, was conditionally released on April 9, 1985, by a military tribunal of Ankara after a 4.5-year detention.*

*He is accused of being responsible for about six hundred crimes committed by the "Grey Wolves", activists of his Nationalist Action party (MHP), and of having stirred up political violence with the aim of establishing a fascist dictatorship in Turkey.*

*In the course of his interrogations, Ex-colonel Türkeş claimed repeatedly that with the military takeover all objectives of his party had already been achieved and that his and his activists' detention could no longer be justified.*

*While all leaders and activists of the neo-fascist movement have been released, more than 20 thousand left-minded persons still suffer from the inhuman conditions in Turkey's military prisons.*

## STILL AN EXCEPTIONAL REGIME

- o The Resolution urged the Turkish authorities to take measures for "the abolition of martial law throughout the country, implying the progressive restoration of the full jurisdiction of the civil courts and the abolition of the rule authorizing the police authorities to remand an individual in custody for 45 days without contacts with his family or his lawyers".

Although martial law has been lifted in certain parts of the country, 23 provinces including the most important industrial centers such as Istanbul, Izmir, Ankara, Adana and almost all provinces of Turkish Kurdistan are still subjected to the martial law regime.

- Moreover, in the 12 provinces where martial law has been lifted, the government has proclaimed the state of emergency where the civil governors, who are directly attached to the "President of the Republic", have been authorized to impose curfew, to forbid public meetings and rallies, to ban publications, television and radio programs, films and theater performances. They are also empowered by the "civil" government to ban strikes and to permit employers to fire redundant workers.

- The rule authorizing the police authorities to remand an individual in custody for 45 days without contacts with his family or his lawyer, is still in force. Up to now, all persons charged are being subjected to this rule.

- o The Resolution called for "the abolition, at the earliest possible moment, of measures derogating from the European Convention on Human Rights taken under article 15, such measures being admissible only "to the extent strictly required by the exigencies of the situation".

- The fact is that the military regime had justified measures derogating from the Convention by recalling that prior to the 1980 Coup the country was going through a wave of political violence. However, one has to face up to the fact that over the past four and a half years this argument has lost its credibility. In a report issued on February 20, 1985 by the Ministry of Interior, the "civil" government boasts that in the last one-year period the number of politically motivated incidents was only 42, as against 3.348 in 1980.

- It should be reminded that most of these emergency measures have been integrated into the text of the new Constitution. Consequently, without a change in the Constitution, Turkey will remain subjected to emergency measures. But neither the "President of the Republic" nor the "civilian" Prime Minister have no intention at all to alter this anti-democratic Constitution. Already in a speech delivered on May 28, General Evren, in response to the intellectuals' petition demanding the restoration of freedoms and human rights, declared: "I stand as a guarantor for the Constitution and I shall oppose to the end any change in the Constitution."

- Moreover, it is the same Constitution which had the effect of establishing a despotic presidential system which will remain in force until 1989. Imposing himself as "President of the Republic", General Evren presently wields extensive powers in order to "ensure the implementation of the Constitution as well as the regular and harmonious working of the State organs."

Besides, in the execution of his powers, the "President of the Republic" has at his disposal a large number of organs such as the Presidential Council, composed of the former members of the military junta, the National Council, mainly composed of the military com-

manders and the State Supervisory Council, composed of high-ranking officials appointed by and directly attached to the "President of the Republic".

In addition to these organs, the Armed Forces, the High Council of War, the Constitutional Court, the Council of State, the Supreme Military Administration Court, the Council of Judges and Prosecutors, the Chief Public Prosecutor, the High Council of Education (YOK), all of them are appointed by the "President of the Republic" and act in conformity with the latter's instructions.

In view of the fact that the "President of the Republic" himself wields all executive and judicial powers, the present National Assembly and Government are merely a sham.

Indeed, since it came to "power", the Ozal Government has never gone beyond the limits of economic affairs.

- The military, considering all these powers insufficient, ordered the government to attend a "briefing intended to develop the cooperation between the government and the Armed Forces", organized on February 18, 1985 at the headquarters of the General Staff. A kind of "cooperation" which has not been foreseen even in the text of the new Constitution drawn up by the Military themselves.

## STATE TERROR

- o The Resolution called for "an amnesty for those convicted for their opinions".

- According to a survey of the Interior Ministry of Switzerland, among the 21 member countries of the Council of Europe, Turkey holds the record as regards the proportion of prisoners in relation to the population. In 1984, 178 out of 100,000 inhabitants were in prison in Turkey, against 114 in Austria, 104.4 in the Federal Republic of Germany, 83.3 in Great Britain, 76.3 in Italy, 74.2 in France, 72.2 in Belgium, 70 in Denmark, 60 in Switzerland, 30 in Holland and 1 in Malta.

- The daily Milliyet of September 21, 1984, basing on the data given by the military authorities, reported that, since the military coup of September 12, 1980:

"The security forces have taken into custody 178.565 persons for preliminary investigation,

"Among them 64,505 persons have been arrested as a result of a court warrant and kept in prison in anticipation of their trial, the others being released after a 90-day or 45-day detention without contacts with their families or lawyers.

"Out of this number, 41,727 have been condemned for political reasons.

"The military courts also sentenced 326 persons to death for their political actions, 25 of whom have already been executed."

- According to the daily Hürriyet of April 24, 18,695 persons were still wanted by the Security forces for their political actions or opinions.

- On November 24, 1984, the Minister of Interior Yıldırım Akbulut announced that within the first 10-month period of 1984, the security forces had taken into custody 26,295 personnes, accused of being involved in "acts of violence".

- According to the data published by the Turkish press, during the last 6-month period, from September 1984 up to March 31, 1985, the military tribunals have condemned 109 political detainees to capital punishment and 1,855 others to different prison terms. Besides, military prosecutors have demanded death

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sentences for 81 persons brought before the courts over the same period.

- Considering all these data, old and new, since the military takeover up to March 31, 1985:

The number of those condemned for political reasons rose to 43,791,

The number of death sentences to 435.

27 of these death sentences have already been executed.

The execution of 108 other whose death sentences have already been upheld by the Military Court of Cassation, has been put on the agenda of the National Assembly for ratification.

As regards the total number of persons who have been taken into custody and who, for the greater part, were released later on, it rose to more than 200 thousand.

#### NO AMNESTY FOR POLITICAL PRISONERS

While the repression was going on relentlessly, the government has taken no initiative whatsoever with a view to proclaiming an amnesty in favour of political prisoners.

The Prime Minister justifies this position by saying that: "Unfortunately all those campaigners for amnesty are people who have been condemned in accordance with the new Constitution. The Constitution includes some articles ruling out amnesty for certain persons."

In fact, the new Turkish Constitution stipulates that those who have been condemned for the acts or opinions mentioned in Articles 141-142-146-149 and 163 of the Turkish Penal Code, will never be amnestied even if the majority of the members of Parliament decide otherwise.

Then, the only way for an amnesty is to modify the Constitution. But, the political parties represented in the National Assembly don't dare take the initiative of changing the Constitution for fear of arousing the generals' anger. General Evren, responding to the petition of the intellectuals, has already announced that such a modification of the Constitution was out of the question: "One of their aims is to force us to proclaim a general amnesty which would include all those terrorists who brought us to the point of destruction. Therefore we felt the need to include a clause in the Constitution barring the way for these terrorists to enjoy amnesty."

The Government, instead of keeping its promise made to the Council of Europe, with regard to a general amnesty, adopted on March 27, 1985, a draft bill which provides that the sentences of political prisoners may be reduced if they denounce their comrades (See the framed article on this subject). This draft bill illustrates once more the immoral methods of the present regime which are not compatible with respect for the human dignity.

#### NO POLITICAL PLURALISM

- o The Resolution called for "the full affirmation of political pluralism, trade union freedoms, freedom for political parties, freedom of association and of the press and education in order to ensure free expression of opinion of citizens in the framework of a democratic society."

First, the political system established in accordance with the new Constitution will never permit political pluralism to develop in the sense provided for in the European Convention. According to the Constitution, the statutes of political parties, trade unions and associations should be in conformity with the "principles of the Republic", that is with the doctrine of

Atatürk as it is defined by the military junta. The new Turkish legislation does not permit political tendencies represented in European and national assemblies to organise themselves and to participate in Turkey's legal political life.

The National Assembly's non-representative character came to light in the aftermath of the local elections, when all of the three parties which thanks to their privileged position had succeeded in having deputies elected, saw audience dwindling away among the masses. Out of 17.6 million votes, they lost 7 million, i.e. 41.73 percent.

Some observers say that an anticipated general election is the only solution for putting an end to this abnormal situation. Yet, even by fresh elections, the anomaly cannot possibly be removed, as long as the Constitution is being kept in force, because it precludes any possibility of a real pluralism. It should be reminded that, despite the existence of six political parties including those of the opposition, no one can dispute the political system established by the military, being content with criticizing the Government's decision in the economic field.

Even though they do not dispute the political system, these parties too are not safe from persecution. Recently, the Chief Prosecutor of the Republic has instituted legal proceedings against the Correct Way Party (DYP), while many officials of opposition parties were being brought before tribunals for their well moderated declarations.

#### TRADE UNION FREEDOM ON PAPER

After trade union activities were suspended for a 3-year period during which workers' purchasing power fell by 50 percent, only trade unions in keeping with the "principles" laid down in the Constitution have been allowed to resume their activities: Türk-İs (always pro-governmental whosoever comes to power), Hak-İs (fundamentalist) and lately MİSK (the Confederation of fascist-dominated trade unions). As far as DISK (Confederation of progressive trade unions) is concerned, it is still banned, all its possessions and assets have been seized by the State, while 1,565 of its officials are still being tried by a military court. Notwithstanding their recent release from prison, 78 of them are still liable to the death sentence. Recently, the headquarters of DISK in Ankara have been put under the Constitutional Court's supervision.

With regard to collective bargaining led by the privileged trade unions, this cannot possibly give satisfaction to the workers, since all possibilities of going on strike have been virtually precluded and that, in most cases, the right to strike has been replaced by compulsory arbitration. Moreover, strikes have been definitively forbidden under the pretext of "safeguarding the Turkish economy and national security".

On the other hand, according to a statement of Deputy Seyfi Oktay on January 10, 1985, more than hundred thousand employees who had never been subjected to any legal proceedings have been dismissed by order of the martial law commanders.

#### NO FREEDOM OF ASSOCIATION

Over the three years of military rule, 23,677 associations had been banned on the pretext that some irregularities had been found in their books or that they had been involved in political activities.

The most striking example of this practice is the fate of the Turkish Peace Committee, whose 23 main leaders have been sentenced to heavy prison terms, while 18 others are still being tried before a military

tribunal. Moreover, the military prosecutor has recently instituted new legal proceedings against about 150 members of the same committee.

As for the surviving associations, they have been subjected to a number of restrictions in accordance with the Constitution and the new Code of associations. In particular, any comment on government policies is being considered "political". This restriction is likely to prevent definitively all associations from defending their members' interests.

Last year, the officials of the Istanbul Bar Association, of the People's Houses and of the Chambers of agriculturists and technicians have already been subjected to legal proceedings. Recently, an initiative of the students of the Ankara University to set up an association has been prevented by the university rector.

#### PRESS STILL UNDER CENSORSHIP

The latest trial of 52 intellectuals who addressed a petition to the "President of the Republic", is in itself sufficient proof of disregard for freedom of expression.

Press censorship is still in force and newspapers' editors are supposed to practice self-censorship. The new press law is devised in such a way that a development toward greater press freedom seems most unlikely.

As you may easily notice in reading the lists of legal proceedings against intellectuals as recorded in Info-Türk Bulletins, the prosecution of journalists, writers and artists goes on at the same pace as before.

According to a survey by Association of Contemporary Journalists in Ankara, in the course of a 4-year period, from March 12, 1980 to March 12, 1984, Turkish journalists had been condemned to prison terms totalling 316 years, 4 months and 20 days. In the same period, martial law commanders had ordered 41 times the banning of newspapers for a definite or indefinite time.

The number of legal proceedings against journalists, artists, writers, poets and translators has reached 181 over the same 4-year period.

Since March 12, 1984, beside the Petition's signatories, more than 30 journalists, authors and artists have been condemned on account their opinions.

It is the "civilian" government that has recently banned the showing of 937 films shot in Turkey or abroad. Besides, censorship on new films and theater performances has been tightened up by this government.

Recently, the Ministry of Justice has issued a list of more than 1,500 publications banned by the tribunals or the government.

#### BARRACKS LIKE DISCIPLINE IN UNIVERSITIES

Since the foundation of the Supreme Education Council (YOK), which is directly attached to the "President of the Republic", 794 university professors have been forced to leave their posts; out of them 259 have been dismissed by YOK by order of Martial Law authorities, while 535 have resigned or asked for early retirement in protest at academic autonomy violation.

146 of them had to leave the country for working abroad, but a great majority of the dismissed are still jobless without getting unemployment benefits. In order to ensure themselves means of subsistence, some dismissed university professors have recently set up a commercial company with the aim of launching some cultural activities. However, this initiative has failed because of the Ministry of Trade's refusal, while the ultra-liberal government of Ozal was encouraging all

kind of private enterprise in the form of commercial companies.

Adopting a series of new regulations, YOK has turned Turkish universities into military barracks.

#### SYSTEMATIC TORTURE

o The Resolution urged the Turkish Government "to strive for the respect of human rights by taking a vigorous stand against all cases of torture and of inhuman and degrading treatment; by improving conditions in prisons; by thoroughly investigating all allegations of torture and ill-treatment."

As mentioned before in this survey, despite the claim of the civil government that political violence has practically disappeared, man-huntings, arrests of regime's opponents who have never been involved in political violence, heavy prison terms, death sentences and even executions continue at the same pace.

As for torture and ill-treatment of political detainees, one should remember the hunger-strikes which took place in the military prisons of Diyarbakır, Istanbul, Ankara, Elazığ, Malatya, Gölçük, Izmir and and recently in Mersin and Gaziantep in protest against inhuman treatment, which ended with the death of tens of prisoners.

In order to placate European public opinion, the Turkish National Assembly had announced that a parliamentary investigation into torture and ill-treatment allegations would be carried out in Turkish prisons. But the conclusions of this investigation have not yet been disclosed because the military did not give them the go-ahead to enter the military prisons.

On the other hand, evidence of continued torture practices in interrogation centers has recently been revealed by top civil servants who are on trial for some irregularities at the Customs. According to the daily Cumhuriyet of January 30, 1985, one of these defendants said: "We were made to sign a well-prepared scenario under torture. If we had not signed it, we would have been killed under torture".

All the regime's opponents live in Turkey in an atmosphere of terror and intimidation. After his return from a country-wide campaign, Mr. Erdal İnönü, Chairman of the Social Democracy Party (SODEP) announced on February 26, 1985 that the members and sympathizers of his party have systematically been filed by the intelligence services. All those who are filed, even if they never have been subjected to any legal proceedings, are barred by the authorities from working in the public services. This practice is even more strictly applied in the case of those who had been subjected to legal proceedings even if they were afterwards acquitted.

#### REPRESSION ABROAD

The daily *Hürriyet* of November 24, 1984, reported that since the military coup of 1980, 110,000 Turkish citizens had applied for political asylum abroad. Even though a large majority of these applicants come from the Christian minorities in Turkey who do not feel themselves safe in their country of origin, according to the same newspaper, 6,511 of the applicants are wanted by the security forces in Turkey on account of their political opinions or activities.

On October 4, 1984, the Interior Ministry announced that since the military takeover, more than one thousand Turkish citizens living abroad have been summoned to surrender to Turkish authorities. They are accused of "having carried out activities abroad against the interests of the Turkish State". 116 out of those who refused to return to Turkey have been strip-

ped of Turkish nationality. Among them are many political leaders, trade union officials, writers, artists as well as two members of INFO-TURK.

The same ministry has also announced that 1,177 more people were stripped of Turkish nationality for having refused to do their military service . . . . .

#### RECENT BANNINGS

On January 19, 1985, the Ministry of Justice started distributing, in return for an acknowledgment of receipt, to all bookshops and libraries a complete list of all publications which have been banned of circulation and sale, either by decision of the courts or by order of the Council of Ministers. This list comprises the titles of approximately 1,500 publications: books, periodicals, booklets, communiqués, postcards, albums, encyclopaedias, information bulletins, etc, as well as those publications which have been banned from being introduced in Turkey by government decisions.

- The recitals of famous Turkish singer Rahmi Saltuk, scheduled on January 11 and February 17 in Istanbul, and on March 10 in Ankara, were banned at the very last moment by order of the martial law commanders.

Rahmi Saltuk had already been prosecuted for performing at a concert in Bodrum on July 13, 1983 songs more than scheduled in the program previously submitted to the local authorities. Although the charge was later dismissed by a court, he is now banned by the military from practising his profession.

- Female singer Rûçhan Camay was banned from leaving the country by order of the martial law authorities. Yet, so far she had never been prosecuted for political reasons. But she happens to be the mother of another famous singer, Melike Demirağ, who was stripped of her nationality in the aftermath of the military coup, on account of her statements against the new regime.

- The Censorship Board banned on March 16 the showing in Turkey of "Memed my Hawk" a recent film by Peter Ustinov, produced after the novel of the same name by Turkish author Yasar Keinal.

- On March 19, one of Turkey's most famous filmmakers, Mrs Biçe Olgac, was banned by the police authorities from travelling abroad. She had applied for a passport with a view to taking part in a film festival organized in France by a number of female filmmakers.

At the very moment when she was forced to stay in Turkey, her film called "The Spouse" won the first prize at the Festival.

- The theatrical performance of a play by Erhan Bener, "The Bureaucrats", scheduled on March 20 in Antalya, was banned by decision of the governor of that province.

#### MANHUNTS IN TWO MONTHS

In the latest issue of our Bulletins, we had announced that during clashes between the Turkish armed forces and Kurdish "peshmerga" (militants), 24 soldiers were reported killed and 12 freedom fighters shot dead, according to official sources. In the wake of operation "Sun" launched by the Turkish army in Turkey's Kurdistan, several hundreds of Kurds had been captured, 84 of whom appeared before the military court in Diyarbakır on January 21, 1985. Thirty of the defendants face the death penalty.

Over the past two months, there were more clashes between the security forces and the Kurdish militants. During the army operations:

1.2, in Elazığ, 24 Kurdish militants were arrested by the army; they are alleged to have shot dead one army officer and two soldiers.

10.2, in Sirvan district, three Kurdish militants were shot dead, two others injured.

16.2, in Malatya, a policeman and a Kurdish militant were killed, two militants injured in a clash.

6.3, during a clash in Midyat (Mardin), an army officer and a Kurdish militant were killed, three militants captured.

7.3, according to a statement issued by the security forces, several Kurdish militants were captured in Elazığ, Bingöl and Tunceli provinces.

12.3, eight Kurdish militants fell into an ambush and were shot dead in Sason district (Siirt province). During this operation, an army officer, a soldier and an inhabitant of that district were killed as well.

28.3, in Dargeçit (Mardin province), the security forces shot dead a Kurdish militant and arrested another militant as well as nineteen people who are accused of providing a hideaway to the "peshmerga".

#### Other arrests:

1.2, thirty-seven leftists in Istanbul, nine in Ankara.

3.2, five leftists in Elazığ, fourteen in Antalya.

4.2, fourteen in Izmir.

7.2, nineteen in Diyarbakır.

9.2, eighteen in Bursa.

10.2, fourteen in Giresun.

14.2, twenty-six in Ankara.

16.2, nineteen in Ankara.

17.2, twenty in Tunceli.

20.2, twenty in Mus.

24.2, five in Ankara.

28.2, sixty-six in Hatay.

2.3, nineteen in Ankara.

7.3, seventeen in Ankara.

8.3, eleven Witnesses of Jehova in Adana.

14.3, thirty-five in Istanbul and twenty-three in Bursa.

15.3, twenty-eight in Karadeniz Ereğlisi.

22.3, a total of forty-three people in the cities of Izmir, Denizli and Manisa.

23.3, six trade-unionists in Ankara.

27.3, six in Samsun.

28.3, forty members of two legal political SODEP and DYP, in Aybastı and Kabatas districts (Ordu province).

#### CONDEMNATIONS IN TWO MONTHS

6.2, a member of TKP/B was sentenced to 6 years and 8 months' imprisonment.

8.2, in Izmir, 40 members of TDKP got prison terms of up to 20 years.

13.2, in Izmir, a member of TKEP got a life-sentence, 13 others prison terms of up to 20 years. In Ankara, four members of PKK were sentenced to 5 years for each of them.

14.2, in Istanbul, five members of KAWA to 36 years' jail for each of them, 19 others were given prison terms of up to 20 years.

17.2, in Ankara, five rightists were sentenced to 36 years for each of them.

18.2, in Istanbul, 21 leaders of the Socialist Workers Party of Turkey (TSIP), one of the pre-coup legal parties, were given prison terms of up to 6 years.

20.2, in Diyarbakır, 22 members of the Workers Party of Kurdistan (PKK) were sentenced to death, 257 others were given various prison terms including life-sentences. (According to this organization's bulletin *Serxwehûn* (February 1985 issue), at 13 trials of PKK militants, 121 defendants were sentenced to death.)

26.2, in Istanbul, 12 members of the Patriotic Youth Association (YDGD) got prison terms of up to 10 years.

27.2 the condemnation of Mehdi Zana, former mayor of Diyarbakır, was upheld by the Military Court of Cassation. He had been sentenced to 7 years and 8 months by the Diyarbakır military court.

13.3, in Ankara, one of the mass trials of Dev-Yol ended with one life-sentence and 22 prison terms of up to 15 years.

14.3, in Ankara, three members of KAWA got life-sentences.

15.3, in Izmir, one member of Dev-Yol got a life-sentence, 13 others were given a total of 66 years' jail.

16.3, in Diyarbakır, three members of the Kurdish organization KUK were sentenced to death. In Ankara a member of TDY got a death sentence too.

27.3, in Izmir, after their first condemnation was quashed, three members of "Revolutionary Liberation" (DK) were sentenced to death, others to various prison terms.

28.8, in Istanbul, seven leaders of the Bank Employees Union (İl-Bank-İs) were sentenced to prison terms ranging from 5 years and 5 months to 8 years and 10 months.

30.3, in Ankara, the biggest mass trial against alleged members of the Communist Party of Turkey (TKP) ended with 168 defendants being sentenced to prison terms ranging from three months to 17 years' imprisonment.

#### NEW TRIALS IN TWO MONTHS

26.2, in Istanbul, a new trial was opened against 12 leaders of the DISK-affiliated Metal Workers Union (MADEN-İS). Hakkı Öztürk faces the death penalty, Faruk Pekin, in charge of DISK's education department and 10 others face prison terms of up to 15 years. At the first session, this trial was amalgamated with the main DISK Trial.

27.2, in Istanbul, eight alleged members of Dev-Yol were brought before the military court. Two of them face the death penalty.

28.2, in Ankara, after their first condemnation was quashed, 14 leaders of the Workers and Peasants Party of Turkey (TIKP), one of the pre-coup legal parties, again appeared before a military court.

1.3, a new trial was opened against 100 alleged sympathizers of the TKP.

3.3, in Istanbul, 20 leftists appeared before a military court. Prison terms of up to 15 years were called for.

6.3, a new mass trial was opened against 113 alleged militants of Dev-Sol, 15 of whom face the death penalty.

12.3, in Istanbul, a new trial was opened against 17 alleged members of TKP-ML, 6 of whom face the death penalty.

20.3, in Ankara, 69 civil servants of the state-owned Gas and Electricity Supply Company (EGO) were

brought before the military court for "having engaged on behalf of the Company people with leftist leanings".

31.3, in Istanbul, a new trial was opened against 20 alleged members of the Union of Young Liberators (TKKKO). All of them face prison terms of up to 30 years.

#### PRESS TRIALS IN TWO MONTHS

8.2, In Konya, both the correspondent and the responsible editor of "*Türkiye'de Yarın*", resp. Messrs. Halis Nükte and Abdullah Büyük were arrested by order of the State Security Court for publishing an article "inciting people to criminality".

9.2, in Istanbul, a new press trial was opened against two journalists of the daily *Tercüman*, Mrs Nazlı Ilıcak and Mr. Yüksel Bastunç. Both of them face prison terms of up to 3 years.

19.2, the responsible editor of the daily *Cumhuriyet*, Mr. Okay Gönensin, was brought before a military court. He faces a prison term of up to 2 years.

1.3, Mr. Akın Simav, a former Member of Parliament who is also the former responsible editor of the daily *Demokrat İzmir*, was jailed in Izmir to serve the prison term of 6 months and 20 days he was given on account of a pre-coup article criticizing the then Prime Minister Demirel.

11.3, at the trial of Mr. Doğan Heper, responsible editor of the daily *Milliyet*, the military prosecutor called for a prison term of up to two years. He is charged with publishing an article on a subject banned from press coverage by the martial law command.

13.3, Mrs. Emine Senliklioğlu, chief editor of the periodical "*Mektup*", was brought before the State Security Court for publishing an article disregarding the principle of secularity of the state. She faces a prison term of up to 15 years.

19.3, in Istanbul, legal proceedings were instituted against Mr. Akın Kamacıoğlu, responsible editor of the daily *Bulvar*, for publishing an article criticizing the ANAP party which is in charge of government affairs.

20.3, in Istanbul, a press trial was opened against Mr. Okay Gönensin, responsible editor of the daily *Cumhuriyet*. He too is charged with criticizing ANAP.

20.3, in Istanbul, Mrs. Füsün Erbulak, author of a novel called "The Gimlet", as well as its publisher, Mr. Ramazan Yasar, were brought before a criminal court on a charge of obscenity.

21.3, former Minister of State Mr. Hasan Aksay was brought before the State Security Court. He is charged with disregarding the principle of secularity of the State in his work entitled "Iran... Iran...".

21.3, the military prosecutor initiated a press trial against Mr. Sadık Albayrak, a journalist of the daily *Milli Gazete*, on a charge of issuing an anti-secular publication with his book "Those who walk upright and those who crawl..."

#### REPORT TO THE EUROPEAN COMMISSION OF HUMAN RIGHTS

A delegation of the European Commission of Human Rights, after visiting Turkey recently found widespread abuse of human rights in military prisons and slow progress toward democratic rule, according to a confidential report leaked out on March 13, 1985 by the Associated Press.

On the 1st of July 1982, France, Denmark, Norway, the Netherlands and Sweden had requested the European Commission of Human Rights to conduct an investigation into the situation in Turkey following the 1980 military coup. The Commission accepted this complaint denouncing the violation by Ankara

of many articles of the European Convention of Human Rights.

The delegation of the Commission went to Turkey, where it held an inquiry from January 27 to February 2nd with the purpose of gathering first hand information concerning the present situation. It met government members, trade union officials, journalists, university professors and high officials. It visited also five military prisons.

The conclusion of this visit: Too many violations of human rights do not allow Turkey to take place among real democracies.

## TORTURE AND ILL-TREATMENT

According to the delegation's confidential report, most of the interviewed prisoners had complained about being tortured under arrest or having witnessed torture scenes.

Nevertheless, the delegation has noticed a decline in the number of torture allegations, because the number of clandestine organisations is now smaller than during the first years of military rule and because the military authorities have been compelled to be careful of their methods due to pressure from world opinion.

Yet, ill-treatment of prisoners is still widespread at police stations during interrogations, the report said.

Of the five military prisons the legal experts visited, they found the harshest conditions at Mamak in Ankara. The prison houses over 1,270 inmates, most of whom are suspected of belonging to left-wing political groups.

The average detention period of the prisoners interviewed by the commissioners was four to five years. Most have not yet been tried or are awaiting appeal court reviews of their convictions.

Prison officials dismissed the allegations of torture as "communist propaganda" designed to mislead the public and gain their sympathy.

Turkey's Minister of Justice, Necat Eldem, told the delegates that Martial Law officials suspected of torture are prosecuted and frequently dismissed or jailed. He said 584 officials have lost their jobs and 102 prison officers have been given prison sentences.

If a detainee laughs, loudly speaks or looks an officer straight in the face, he may be isolated in the "death cells". Situated in the underground of the prison, those "cells" are known as being very cold. The prisoners are freezing there because they have been stripped naked. The prison director claimed that he ignored the existence of these cells; therefore the delegation was unable to take a glance at them. Most prisoners complain that they are not allowed to benefit from an appropriate defense.

## NO FREEDOM

But torture and other degrading inhuman treatments are maybe not the main reason for concern Turkey. What is even more worrying is the restriction of fundamental rights every member of the Council of Europe is expected to respect. The delegation has been told that the Constitution does not correspond to the standards of democracy. It has too many restrictions regarding human rights and freedoms. So, human rights violations have been "legalised" by the Turkish Constitution.

Trade union rights are limited: "There is no more trade union activity corresponding to European standards. Wherever martial law is in force, the right to strike is suspended".

Journalists are forced to practice a very strict self-censorship under the threat of a ban on the publication of their newspaper. "There is no liberalisation of the regime. One may criticize the Prime Minister, but not the military regime. They risk jail terms and reprisals for criticizing the military", a journalist said. Another pressman explained that any reporter who wants to attend a session of a mass trial, has to sign a document

first, implying that he accepts any press-restriction, which means that it is forbidden to report any allegation.

"Prime Minister Turgut Ozal has most of the constitutional powers, but the country is run by the military", another journalist said.

Considering all these facts, it appears that, even if there has been a progress since the military coup, "there is not yet, in Turkey, a complete respect for the European Convention on Human Rights".

A condemnation of the Ankara regime by the Strasbourg commission could lead to Turkey's expulsion from the Council of Europe. It is reported that in order to prevent such an outcome, talks are under way for settling this case in a friendly manner.

However the leak-out of this confidential report has put these efforts in jeopardy. The Turkish Foreign Ministry, in a strongly worded statement on March 18, said the goodwill and cooperation shown by Turkey to the Human Rights Commission delegation had been abused. He further announced that the Turkish Government will not extend such cooperation in the future unless "those responsible for the leak" are punished.

## PEN CLUB: "TORTURE CONTINUES"

Two distinguished play-writers, Arthur Miller and Harold Pinter, have declared after their visit to Turkey that "torture is still applied in a systematic way in this country". During a press conference held on March 22, 1985 in Istanbul, they said that Turkey is the only country of the western world where one can risk being prosecuted for his opinions and is obliged to wait for many years for being brought before a tribunal after he is detained. They have established a parallel with the trial of the Salem sorcerers in 1692 that Miller described in one of his pieces, which was also a reflection on the MacCarthyism.

During their stay in Turkey, the two authors had had talks with Turkish authors, journalists and former politicians who are presently banned from public life. In Ankara, they attended a session of the trial of the 48 intellectuals tried for having addressed a Petition to the "President of the Republic", Miller declared also that 2,330 signatures had already been gathered out of Turkey for manifesting the solidarity with intellectuals and artists prosecuted in Turkey.

Despite all their efforts, the two representatives of PEN CLUB have not been able to meet the theater director Ali Taygun who, like 11 other members of the Turkish Peace Committee, fights against rats in the Sırmalılar Prison in Istanbul, waiting for that their file be reexamined for a fourth time by the Court of Cassation.

During their stay in Istanbul, the PEN CLUB mission gave Mr. Aziz Nesin, the most distinguished humorist of Turkey and the Chairman of the Union of Turkish Writers, the honorary member certificate of PEN CLUB. Nesin has been subjected for many times to legal proceedings and tried in the trials of the Turkish Writers' Union, the Turkish Peace Committee and the intellectuals addressing a petition to General Evren.

The Turkish Government, being furious of this visit, has banned all reference to the press conference of the Pen Club mission held in Istanbul.