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Europe's climb-down before the blackmail of the Turkish Generals which started at the January 1984 session of the Council of Europe's Parliamentary Assembly (see *Bulletin*, January 1984), came to a climax on May 8, 1984 with the approval of Turkish delegation's credentials by this Assembly. Thus, after a 3-year interval, the representatives of militarist "democracy" have been officially readmitted to the benches of the European House, despite the fact that all international non-governmental organizations had pointed out shortly before, at the hearing of the European Parliament, that systematic human rights violations are still going on in this country (*Bulletin*, April 1984).

As for the European Parliament itself, it adopted on May 24, 1984 two motions of Resolution, one tabled by the notorious defender of the Turkish regime, Von Hassel, and the other by the Communist Group, which constitute merely lip service with a view to keep up appearances rather than to condemn the Ankara regime.

Let us briefly remind the background:

It was the same Assembly of the Council of Europe that had decided on May 14, 1981, in the aftermath of the military coup, to oust the Turkish delegation "as long as a democratic regime is not re-established in Ankara".

On January 28, 1983, it was the same Assembly that had adopted a resolution criticizing the nature of the Turkish Constitution and the conditions in which the referendum was held with General Evren simultaneously being elected "President of the Republic". That resolution had seriously taken into consideration the possibility of ousting Turkey even from the Council of Europe's Ministerial Committee.

Again it was the same Council that, prior to the "general election", had declared on September 30, 1983 that "the parliament which will be elected in Turkey, will not be able to be considered as representing the Turkish people and could not therefore validly constitute a delegation to participate in the proceedings of the Parliamentary Assembly".

Although a democratic regime has not yet been re-established and the anti-democratic Constitution is still in force and General Evren is still ruling the country at the head of the authoritarian state apparatus established in the wake of the Constitution; and despite the fact that it was clearly proven at the latest local

elections that the elected "Assembly" is very far from representing the people of Turkey, —Turkey has not only been kept in the Council of Europe's Ministerial Committee, but what is more, the representatives of this admittedly repressive regime have been readmitted to sit side by side with parliamentarians of twenty European democratic countries. To cap it all, at the same session, one of Turkey's representatives was elected Vice-president of the Assembly!

Out of 151 present members of the Parliamentary Assembly, 91 voted for the Turkish regime, 50 against with 10 abstentions. Those who voted against the approval of the credentials were the Communists and the majority of the Socialists. They expressed the reasons for their opposition as follows:

BUDTZ, Danish Socialist Deputy:

"I shall express the views of the Socialist Group in the Assembly, although I recognise that some do not entirely agree with what I shall say. I took part in the fact-finding trip to Turkey, and I have no hesitation in admitting that we were presented with evidence of some progress and some improvements in political developments there. I am sorry to say, however, that this is not enough. We should all be aware that the present national parliament of Turkey is not representative. That has been proved clearly in the local elections. Moreover, human rights are not respected. I believe that we cannot allow the Turks to take their seats in this Assembly at this stage. I believe that the situation is very dangerous. What will be the future of the Council

of Europe if member countries that are not democratic and that do not respect human rights are allowed to sit among us and to participate in votes when we are dealing with democratic problems? The issue concerns the future of the Council of Europe."

SILVA, Portuguese Communist Deputy:

"The issue is political rather than legal. Validation would mean inclusion of representatives of a dictatorial regime in Turkey and approval of the sham elections that had put them forward. In Turkey there are still persecution, prisons with torture and censorship, while left-wing parties and trade unions were banned. That is incompatible with the principles of the Council of Europe. Validation would not allow progress towards democracy. First, the State is actually increasing its control. Secondly, many of the pre-

MILITARIST
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sent rulers had been closely involved with fascist parties. Tolerating such a regime would lead only to its reinforcement, as experience in Portugal had shown. Such authoritarian regimes should be isolated and condemned. The validation of the Turkish credentials will be a precedent that will weaken the Council of Europe, while non-validation will strengthen democracy."

As to the right-wing parties which voted for the Turkish regime, their representatives put forward the following arguments:

BLANK, Austrian Christian Democratic Deputy:

"Turkish colleagues said that withdrawal of Turkey from the Council of Europe because of non-recognition of credentials would not help to improve human rights in Turkey. What is important is not the present situation but an evaluation of the prospects for democracy in Turkey. As a member of a fact-finding inquiry I can report slow but steady improvement in key areas."

BENNETT, British Conservative Deputy:

"What had happened in Spain? It had not in our view yet achieved a completely democratic state – indeed it had not even signed the constitution – but my friends and I voted in favour of its admission... Exactly the same circumstances arose for Portugal. It was clear that Portugal had not yet achieved a full return to pluralistic democracy without military control. I have no doubt from all the evidence before us that it is in the interests of democracy in Turkey that we should vote favourably for its credentials today."

ELMQUIST, Danish Liberal Deputy:

"The Liberal group agrees that democracy is a question not of black and white but of development. It is difficult to put forward a 100 per cent definition of democracy. It is a development, an evolution; anyway, it is not a revolution. The Liberal group is convinced that many human rights violations are still going on in Turkey. We are confronted with the question: If a child does not behave, do you caress or hit it in order to correct it? I put a counter-question: in that case, do you want to kill the child so that you can be sure that it will never again behave badly? The Liberal group prefers to continue to dialogue. It is therefore for the moment in favour of accepting the credentials of the Turkish delegation."

In fact, the idea of "dialogue instead of refusal" was not limited to the right-wing members of the Council of Europe. Despite the fact that they voted against the approval of the credentials, even the Socialist members of the Assembly had already toned down their criticisms at the Turkish regime after the visit of the fact-finding mission to Turkey and repeatedly stated that there was a progress towards democracy and that Europe should avoid any action that may harm the Turkish-European dialogue.

For example, the declarations of the two most ardent critics of the Turkish regime since the coup, Dutch Deputy Harry Van den Bergh and Belgian Deputy Claude Dejardin.

Mr Van den Bergh had declared, on his return from Turkey, that in this country human rights are again respected and that there is no more repression nor torture. This is the reason why he had advocated readmittance of Turkey's deputies to the Council of Europe. This reversal has provoked protests by Kurdish exiles in Holland who, on May 3, took over for a couple of hours the national headquarters of the Dutch Social-democrat Party (PvdA) in Amsterdam, in protest against Mr. Van den Bergh's statements.

As for Mr Dejardin, he held two press conferences, one in Paris and the other in Brussels, on his return from Turkey. According to the Belgian left-wing daily *La Wallonie* of May 4, "throughout his long state-

ment, Dejardin kept insisting on one crucial issue: he reports only what he has seen, stripping his conclusions of what militants may believe or feel. The reason for this is as follows: if the Ankara government, however little, wants to prove that it is 'cooperative' with the Council of Europe, it should not be given the pretext of being able to accuse the parliamentarians of the great Europe of dishonesty and prejudice." As for the Flemish daily *De Morgen* which focused on "Claude Dejardin's very cautious attitude", it mentioned in particular his assertion that "in Turkey, a lot of people wish that Turkey remains associated with Europe".

In view of the fact that their Turkish Social-Democrat counterparts, after they were legalized by the junta, maintain this view, such a cautiousness by the European Socialists was hardly surprising. What is more amazing is the fact that the European Socialists overestimated general Evren's "gesture" consisting in permitting them to visit Mamak and Diyarbakır military prisons. At the press conference, Mr Dejardin interpreted this as a willingness to co-operate with the Council of Europe. And yet, after the European mission left Turkey, the Turkish regime proved once more that nothing had changed, as far as human rights are concerned (see the "State Terror" column in the present issue).

Moreover, the members of the mission later noticed that they had actually been fooled by the Ankara dictatorship during their visit to Turkey.

After the Turkish regime had been readmitted to the Council of Europe, Mr. Dejardin confirmed that, during their visit to Diyarbakır prison on April 27, the list of prisoners which was presented to them as a list issued by Amnesty International, was actually a false one. According to the military, the seventeen names included in this list were allegedly those of detainees A.I. had wrongly declared dead in prison, and they claimed to be able to prove that these prisoners were still alive by proposing to the Euro-MP's to meet them. Afterwards, on checking the list in London, they found that it had never been issued by A.I. Seven out of the seventeen names included in this list are completely unknown to A.I., while the ten others had been the subject of just a request for information on their fate.

But the regime's deceitful manoeuvres were not limited to this. Later Mr. Dejardin learnt that the building he himself and his colleagues had visited in Diyarbakır, was in fact reserved to administrative staff and to the prison guards, while the detainees were confined to three other blocs from which the European parliamentarians had been barred.

Even the head of the delegation, Danish Liberal deputy Elmquist, who later voted for the readmittance of the Turkish regime (see below), was finally induced to express his doubts about his own findings he made during his visit to the prisons.

According to *The Guardian* of May 9, "Mr Elmquist admitted that he had doubts about some of the findings, and knows of instances of deception. 'We are not professionals, we are politicians,' Mr Elmquist told the Assembly in explaining why none of the members of the delegation took a tape recorder to check the accuracy of the Turkish authorities' translation or cameras to photograph prisoners they met."

But particularly disappointing is the fact that the Euro-MP's did not even pay heed to warnings of Turkish democrats exiled in Europe, nor to the cautions of European experts, before taking up a new stance at the Council of Europe vis-a-vis the Ankara regime.

In West Germany, for example, prior to the session of the Assembly, three high-ranking judges had already publicly exposed manipulations by the Turkish

regime. According to the German daily *Hamburger Abendblatt* of May 7, Martin Hirsch, a former judge at the Federal Constitutional Court and Michael Stallbaum, judge at the High Administrative Court in the Hamburg region along with Jürgen Kühling, judge at the Federal Administrative Court, accused the Turkish authorities of having deceived the European delegation.

In Stallbaum's view, "the way in which the parliamentarians have conducted their investigations leaves much to be desired". The delegates "could talk with alleged prisoners" only through an interpreter appointed to that end by the Turkish Government. Hirsch Stallbaum, Kühling and several other jurist, along with Dr. Jochen Zenker, a psychiatrist who is head of the Main Health Office of the City of Bremen, had started on April 26 a 10-day fact-finding travel to Turkey in order to examine conditions of detention, procedures at the military courts and the situation of the national minorities. They had been denied permission by the Turkish Foreign Affairs Ministry to get in touch with official circles and to visit the prisons.

In a press release, issued on May 7, the West German judges declared:

"We have learnt through our unofficial talks that in Mamak military prison the authorities concerned have proceeded, in anticipation of the European deputies' visit, to gross manipulations with the view of deceiving the Council of Europe as to the real situation prevailing in that prison. (...) Contrary to the findings of the delegation of the Council of Europe —that the prisoners allegedly wish that the Turkish deputies be readmitted to the Council— over 20 relatives of prisoners have assured us that in no case their children would recommend that Turkey's membership to the Council of Europe be prolonged."

During the debates on Turkey, several demonstrations by Turkish opponents have taken place in Strasbourg. About thirty people chained themselves up in front of the Palace of Europe in protest against the voting. A "people's tribunal" with film director Yılmaz Güney taking part among others, has denounced human rights' violations by the Ankara regime. At the same time, in Paris, Amnesty International publicized a report accusing the Turkish regime: "Thousands of people detained under martial law are systematically subjected to torture. No significant change has occurred in 1984."

As it turned out, all these warnings could not prevent a militarist "democracy" from being readmitted to the Parliamentary Assembly.

As for the Resolution which was approved by this Assembly two days later, the text of it has been reprinted below. As noted by the Dutch daily *Volkscrant* of May 11, "the result of the Council of Europe's decision is that the political prisoners will have to wait still a pretty long time before an amnesty has been granted, before torture has been ended, before the workers' right to free trade unions has been recognized and before journalists can write in newspapers freed from censorship. The Council of Europe has given a present to Turkey and assumes an attitude of expectation, wondering whether the country will celebrate its anniversary. Otherwise, the gift will have to be returned within a year, proof that the Turks have not yet reached their anniversary."

The fact is that it was a present for dictator Evren who shortly later exclaimed triumphantly during a visit to the earthquake-stricken region of Erzurum:

"After a number of efforts, we succeeded in being readmitted to the Council of Europe. We have a lot of enemies in that Council. They have made every effort to prevent us from being readmitted. But it

seems that our friends are superior in numbers than our enemies. Now it insists that we lift martial law. We never act under pressure by others."

This is the present General Evren has given as a mark of his gratitude toward the Council of Europe which has yielded to the blackmails and the deceitful manoeuvres of a dictatorship within the European fold.

RESOLUTION OF COUNCIL OF EUROPE

"The Assembly,

"1. Having examined the report of its Political Affairs Committee (Doc. 5208) and the opinion of its Legal Affairs Committee, which give an account of the fact-finding mission carried out in Turkey by its delegation from 25 to 28 April 1984;

"2. Recalling its previous positions, in particular its Resolution 803 (1983);

"3. Considering that the timetable drawn up by the previous military government for a return towards democracy has been formally respected;

"4. Noting that the polling operations of 6 November 1983 to designate the Grand National Assembly were properly conducted, but that the restrictions placed on parties and on the right of Turkish citizens to stand as candidates limits its democratic character and raised a problem of compatibility with the principles of the Council of Europe Statute, which can only be fully resolved through future elections;

"5. Welcoming the conditions under which the municipal elections of 25 March 1984 took place;

"6. Noting with satisfaction the lifting of martial law in 13 provinces;

"7. Considering nevertheless that the maintenance of martial law for the great majority of the population, which implies the suspension of several rights and liberties, as well as of the separation of powers still presents an obstacle to the full restoration of democracy;

"8. Concerned inter alia about the number of persons convicted and imprisoned for their opinions, about the length of some trials and about prolongation of a situation in which military courts are exercising jurisdiction over areas which should normally fall within the competence of the civil courts;

"9. Particularly regretting that numerous and serious limitations are still placed on the exercise of trade union freedoms in Turkey;

"10. Expressing the wish that freedom of education and conscience be fully respected in Turkey;

"11. Taking note of the decisions of the Turkish Government aimed at dispelling doubts about conditions in prisons and allegations of torture, as well as of the penal sanctions applied to officials who have been found guilty of it, while underlining that it remains concerned by the gravity of the situation, to which the death of several prisoners notably following hunger strikes bears witness;

"12. Welcoming with satisfaction in this connection the proposal of some members of the Grand National Assembly to set up a parliamentary committee to investigate allegations concerning the situation in Turkish prisons;

"13. Concerned at the restrictions to the right of defence which affect both the accused and their lawyers, in particular in the ongoing mass trials;

"14. Concerned by the prosecution brought against an authorised political party which might create a situation where political rights and liberties would not be guaranteed in accordance with the requirements of a democratic society;

"15. Reaffirming its interest in the investigation currently in progress before the European Commission of Human Rights;

"16. Considering that it falls on the Council of Europe to encourage the present progress of democratisation, in accordance with the will of the Turkish people and so as to ensure full compatibility with the principles of the Statute of the Council of Europe;

"17. Urges the Turkish authorities:

"A. to continue the democratic normalisation of the country, bearing in mind the requirements of the Council of Europe's Statute and the European Convention on Human Rights through the following measures, *inter alia*:

i. 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 authorising the police authorities to remand an individual in custody for 45 days without contacts with his family or his lawyer;

ii. 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";

iii. an amnesty for those convicted for their opinions;

iv. 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;

B. to strive for the respect of human rights:

i. by taking a vigorous stand against all cases of torture and of inhuman and degrading treatment;

ii. by improving conditions in prisons;

iii. by thoroughly investigating all allegations of torture and ill-treatment;

iv. by ensuring that each individual's right to have his case heard within a reasonable time limit is respected;

v. by ensuring respect for the rights of the defence;

"18. Expresses the hope that the Turkish Government will accept the compulsory jurisdiction of the Court in accordance with Article 46 of the European Convention on Human Rights;

"19. Instructs its Political and Legal Affairs Committees to continue to follow the evolution of the situation in Turkey and to report back to it, at the latest at the beginning of the 37th session of the Parliamentary Assembly, in the light of the response and concrete action taken by the government and the Grand National Assembly on the basis of this resolution."

EXPLANATORY MEMORANDUM (Mr Steiner)

"1. The members of the Sub-Committees on the Situation in Turkey of the Political and Legal Affairs Committees who took part in the fact-finding visit to Turkey (25-28 April 1984) returned with different impressions; they are nonetheless agreed on one point: the situation in Turkey has improved in recent months, since there has been noticeable progress towards the restoration of democracy. There is still disagreement on the extent of the progress made and on the relative importance of certain factors.

"2. In Resolution 803 (1983), adopted approximately one month prior to the elections on 6 November 1983, the Assembly expressed reservations on the representative character of a parliament resulting from elections in which considerable restrictions had been placed on the right of individuals and parties to stand. The Turkish parliament elected in this way presents an anomaly which can only be removed by fresh elections. However, the question of its representative character raises a number of other points:

- the elections themselves were conducted properly, as all the observers have reported;

- municipal elections were held on 25 March 1984 under conditions which leave no room for criticism; in particular, all the parties were allowed to stand;

- the results of the municipal elections show that the government in power enjoys vast popular support.

"3. It is true that genuine democracy is also compounded of various freedoms (freedom of political parties, trade unions, the press, education, etc), which form the basis of political pluralism. Martial law - which was recently lifted in 13 provinces but which still applies to the great majority of the population - forms an obstacle to the full restoration of democracy since it involves the suspension of certain rights and freedoms. Martial law was originally regarded as a necessary measure to control terrorism. Now that this aim has been all but achieved, we are entitled to ask the Turkish authorities to consider lifting it throughout the country.

"4. Since 12 September 1980, a great many people have been convicted on political charges under the criminal laws at present in force. The military courts, which are empowered to hear these cases under martial law and in accordance with the requirements of a military regime which is seeking to combat terrorism, have interpreted these laws in an exaggeratedly literal manner, in the eyes of democrats. We hope, not only that this interpretation will change, but also that an amnesty will be granted to all those convicted on these charges. In the same connection, we want to see restoration of the full jurisdiction of the civil courts and abolition of the rule which allows the police to hold individuals in custody for 45 days without access to family or lawyers.

"5. The human rights situation - which the Assembly rightly sees as being of prime importance - is not affected only by the maintenance of martial law for the great majority of the population. Article 3 of the European Convention on Human Rights states that no one shall be subjected to torture or to inhuman or degrading treatment - and we should remember that this right is not open to derogation under Article 15. There have been numerous allegations of torture and maltreatment in recent months. The delegation which visited Turkey paid great attention to this matter. In this connection, I should like to stress that the Turkish Government, by allowing delegations of parliamentarians to visit the military prisons of Mamak (Ankara) and Diyarbakır, showed a measure of goodwill which we can only note with satisfaction.

"6. There are other problems regarding respect for human rights which deserve to be emphasised:

- the length of certain trials would seem to exceed the "reasonable time" specified in Article 6 of the European Convention on Human Rights;

- conversations with lawyers have shown that the rights of the defence are restricted in certain mass trials currently in progress;

- legal action has been taken against the True Path Party, accused of being the successor of one of the parties in existence before 12 September 1980, which are prohibited by the new Constitution: any action of this kind threatens the rights and freedoms of political parties, which Turkey is bound to guarantee under the European Convention on Human Rights;

- in universities, the activities of the YOK (Higher Education Council) would seem prejudicial to freedom of education and of conscience.

"7. The Assembly is still following the current proceeding before the European Commission of Human Rights with great interest. In this connection, it might usefully express the wish that Turkey should accept the compulsory jurisdiction of the court."

 STATE TERROR

AMNESTY DRAFT BILLS REJECTED

While the Parliamentary Assembly of the Council of Europe was adopting a Resolution asking the Turkish regime to grant an amnesty to political prisoners, two new draft bills for amnesty have been rejected by Parliament.

One of the draft bills tabled by a Populist Party deputy, stipulated an amnesty for press "crimes". During the heated debates at the Justice Committee of Parliament, on May 10, the Motherland Party deputies opposed the draft bill because it was not beneficial to the general interest, they said, and because it may lessen chances of success of a future, more comprehensive draft bill. The bill was turned down by the majority.

The second bill tabled by a Motherland Party member, called for amnesty for all disciplinary penalties up to ten years' imprisonment, a reduction by ten years in prison terms of those who were sentenced to longer terms and, finally, commutation of the death penalty to life imprisonment. It ruled out amnesty for those prisoners who were sentenced for crimes committed against the State, terrorist actions and infraction of forestry laws.

Despite the fact that it had been tabled by a member of the majority, the Board of the Parliamentary Group of the Motherland Party, after receiving the negative opinion of the Government, decided on May 16 to reject the draft bill.

Earlier, on May 7, Prime Minister Turgut Ozal declared that the amnesty is an important issue and that no one should expect a quick solution to the problem. Ozal declined to give any specific date for a possible amnesty. "It will not be handled before a proper study has been completed and before a joint decision is established within the Motherland Party parliamentary group," he said.

NO PARLIAMENTARY INQUIRY

In its resolution, the Parliamentary Assembly of the Council of Europe said that it "welcomed with satisfaction the proposal of some members of the Grand National Assembly to set up a parliamentary committee to investigate allegations concerning the situation in Turkish prisons."

In fact, this parliamentary inquiry had been proposed by three members of the Motherland Party on April 27, 1984, during the visit of the mission of the Council of Europe. But the Justice Committee of the Grand National Assembly, even without waiting the end of the debates at the Council of Europe, rejected this proposal on May 3. The Chairman of the Committee Ali Dizdaroglu said: "As you know, the representatives of the Political and Legal Affairs Committees of the Parliamentary Assembly of the Council of Europe already visited some prisons."

"They ascertained that the allegations on prison conditions were completely groundless. They made public their observations by organizing press conferences when they got back to their countries. So, the aim has been achieved. Therefore, we do not consider necessary to put the matter on the agenda of the National Assembly."

MOTHER'S DAY IN TURKISH PRISONS

"On Sunday, several hundred of mothers of detainees, from all Turkey were pressing at the gates of Mamak garrison in Ankara for the exceptional visit they were granted on this Mother's Day in Turkey.

"After being meticulously searched, they were led by groups of twenty to the various blocs where their children are incarcerated. In the open air or in a hangar, tables had been set with a plate of biscuits and two glasses of tea.

"After sitting down, the mothers saw their children coming in rows of two and then rushing toward her. Some of these mothers had waited a whole day in anticipation of these 15-20 minutes intimacy around a table... Usually, the weekly visits last hardly three minutes. They take place in a dark corridor, closely watched over by two soldiers standing close beside the prisoner and his relative, separated by a triple wire fence.

"The deployment of security forces in the garrison for this 'holiday' was impressive, but respected completely this exceptional and moving intimacy..." (*La Wallonie*, 14.5.84)

It should be reminded that only those prisoners who did never resist to arbitrary measures were permitted to meet their mothers on this occasion.

NEW PROCEEDINGS AGAINST DYP

While the trial of the True Path Party (DYP) was going on —this is an extra-parliamentary opposition party which is under threat of closure at the request of the public prosecutor, because of this party's campaign prior to the latest local elections— the DYP leader, Mr. Yıldırım Avcı, was brought for the second time before a military court on April 26 in Izmir. Accused of having criticized the National Security Council, the official denomination of the military junta, Mr. Avcı is liable to a penalty of up to three years in prison.

In addition, he is being tried by another military court, in Ankara, for another statement he made during the election campaign.

1,645 TRADE-UNIONISTS ON TRIAL

According to a press report issued by the Turkish News Agency (THY) on May 1, 1984, a total of 1,645 trade-union officials are appearing before the military tribunals of the Martial Law Command in Istanbul. 302 of these unionists are the top officials of the suspended Progressive Trade Unions Confederation (DISK) or of other trade unions affiliated to DISK.

184 of the other trade unionists are reported to be members of what is described as independent trade unions. The Turkish Trade Unions Confederation (Türk-İs) is reported to have 159 of its members being tried by military courts. All of them belong to the Highway Workers Trade Union (Yol-İs), the trial of which was opened on April 17.

A total of 42 trade unions are put on trial by Istanbul's three major military tribunals. 30 of these trade unions belong to DISK, one belongs to Türk-İs,

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INITIATIVE BY THE INTELLECTUALS

On May 15, a petition has been handed over at the Presidential Palace in Ankara by a delegation of intellectuals representing 1,260 signatories throughout Turkey, insisting on the "full functioning of democracy in Turkey."

By this unprecedented move, these prominent representatives of academic, artistic and intellectual life intend to obtain "the abolition of restrictions and practices contrary to democracy", that are still in force five months after the alleged restoration of civilian rule in Turkey.

The signatories consider that the "Turkish people is worthy of all human rights prevailing in modern societies and must be able to enjoy all rights without exception." Among other demands they insist on the lifting of martial law, still in force in the overwhelming part of the country, on strict respect for the law and are opposed to the practice of torture in prisons.

Among the signatories of the petition there are world-famous authors such as Aziz Nesin, chairman of the Union of Turkish Writers, and Yasar Kemal, who was recently made a member of the Legion d'Honneur by President Mitterand.

A very great number of academics have signed it, former professors who have resigned or who were dismissed after the universities were subjected to the law of the Higher Education Council (YOK) imposed by the military, or professors in office who were forbidden by the military to engage in whatever way in politics. One of them is Professor Hüsnü Göksel, a world-famous cancerologist, and Professor Fehmi Yavuz, a former Minister of Education.

The movie world is also represented by one of Turkey's most popular actresses, Türkan Soray, and by Serif Gören, director of the film "Yol" (production by Yılmaz Güney, "palme d'or" at the 1982 Cannes Festival) and by many others.

The press world is represented among others by Mr. Nadir Nadi, owner of the center-left daily Cumhuriyet, Mr Oguz Aral who runs the humorous weekly Gırgır, and several journalists who are members of the International Press Institute.

The military have responded to this very innocent petition of the Turkish intellectuals with new legal proceedings against all of them. On May 21, the military prosecutor of the Ankara Martial Law command started interrogating them one by one by order of the General Staff Headquarters.

ten are independent and the remaining one is the Turkish Writers' Union (TYS).

74 trade unionists out of 85 at the main DISK trial are facing the death sentence. These include DISK Chairman Abdullah Bastürk and General Secretary Fehmi Isıklar. 1,302 trade unionists are charged with trying to change the state's constitutional order and to establish a Marxist-Leninist dictatorship. They are also accused of holding May Day rallies, of being involved in the Kahramanmaraş events and of joining in various protest rallies against fascism. All unionists who are put on trial, except 74 top officials, are liable to prison terms of 20 years each. (For the detailed list of trade union trials, see: *Bulletin*, March 1984).

47 DEATH SENTENCES

Throughout Turkey, in the course of April, military tribunals sentenced in various trials 47 political militants to death.

7.4, in Erzincan, 14 members of Dev-Yol condemned up to 7 years.

13.4, in Istanbul, 19 militants of Liberation were given prison terms up to 19 years.

15.4, in Ankara, a member of the Revolutionary Communist Party of Turkey (TDKP) condemned to 14 months in prison; in Erzurum, two activists sentenced to life-prison, two others respectively to 5 years and 22 years imprisonment.

16.4, in Izmir, 2 members of PKK condemned to 26 months imprisonment each.

18.4, in Adana, 5 members of the Emergency Group (Acilciler) to life-prison, and 8 others to various prison terms.

19.4, in Diyarbakır, 10 members of the Workers' Party of Kurdistan (PKK) sentenced to death, two to life-prison and 19 others to prison terms. On the same day, in Adana, 15 members of the Communist Labour Party of Turkey (TKEP) to various prison terms totalling 228 years.

20.4, in Adana, 8 members of the Revolutionary

Popular Union (DHB) to capital punishment, 16 to life-prison and 133 others to various prison terms. On the same day, in Gölcük, 3 members of Dev-Sol to capital punishment, one to life-prison and 33 others to various prison terms.

21.4, in Adana, 36 members of TDKP sentenced to various prison terms; on the same day, in Diyarbakır, 8 members of Dev-Yol were given prison terms up to 7 years.

22.4, in Adana, 14 members of PKK to capital punishment, 4 to life-prison and 45 others to various prison terms. On the same day, in Erzincan, 5 members of Dev-Yol sentenced to death.

27.4, in Erzincan, 6 members of Dev-Yol condemned to prison terms up to 16 years and 16 members of TKP/B up to 9 years.

29.4, in Adana, another trial of TDKP ended with 7 death sentences, 2 life-terms and 17 prison terms.

NEW MASS TRIALS

5.4, in Istanbul, the military prosecutor of Istanbul Martial Law Command filed a new political suit and demanded prison terms ranging from 3 to 60 years for 8 Moslem fundamentalists of various nationalities. All of them are accused of being involved in the activities of a clandestine party named "Call for Islam" (Hizbüt Davet-ül İslamiye).

13.4, in Istanbul, 13 people were accused of being member of the Emergency Group. Prison terms up to 15 years were called for by the prosecutor.

14.4, in Istanbul, a new suit was filed against 29 officials of the independent Progressive Bank Employees' Union (Devrimci Bank-Sen).

19.4, in Istanbul, 31 people were brought before a military court on the charge of "attempting to reorganize TKP-ML". Prison terms up to 20 years were called for by the prosecutor.

26.4, in Istanbul, 305 presumed members of TKP were charged by a military prosecutor with underground activities. 59 of them risk the death sentence.

PRESS TRIALS

According to press releases issued by the Martial Law Command, in the course of March and April, Istanbul military tribunals condemned, for having made written propaganda in defense of communism:

- Nevzat Ağan to 8 years and 9 months,
- Hüseyin Dülger to 3 years and 3 months,
- Bahattin Sertel, Nilüfer Sertel and Sabahattin Kutlu to 7 years each,
- Mete Dalgın to 9 years and 9 months,
- Celal Polat to 8 years,
- Sadık Varer to 11 years and 2 months,
- Sabiha Nazlı Kaya to 9 years and 2 months,
- Süheyla Kaya to 8 years and 5 months.

12.4, in Istanbul, the military prosecutor filed a suit against three members of the editorial staff of the daily *Millî Gazete*. Sadık Albayrak, Sait Cobanoğlu and Hasan Karakaya are accused of having issued an anti-secular publication.

14.4, in Istanbul, the responsible editor of the literary review *Nitelik*, poet Kuvâlcım Vasfi was taken into custody by the military authorities.

19.4, in Istanbul, famous folk singer Selda Bağcan was detained by the military authorities for a song she composed.

20.4, in Istanbul, famous Turkish writer Fikret Otyam was tried before a military tribunal for an essay entitled "Mines never bloom".

24.4, in Istanbul, university professor Yalçın Küçük was condemned by a military tribunal to 7 years and 6 months prison on the charge that he made communist propaganda in his work entitled "Toward a New Republic". He had already been condemned to an 8-year prison term by the same tribunal for his book, but the Military Court of Cassation had overruled the verdict. The lower court insisted that the author committed the "crime of communist propaganda" by advocating a socialist plan for Turkey's economy.

26.4, famous poet Arif Damar was incarcerated in Istanbul for serving his 3-month prison term.

27.4, in Istanbul famous poet Can Yücel and responsible editor of the literary review *Somut*, Hayati Asilyazıcı was tried by a military court on the charge of "having made immoral publication in this review".

104 TEACHERS WANTED

The Directorate of National Education of the province of Adana announced through the daily press on April 24 that 104 school teachers were being wanted for legal proceedings pending against them. The majority of the wanted teachers are accused of having participated in a boycott action of teachers in 1979.

On April 18, in Balıkesir, a high school teacher, Hüseyin Erday, was detained on the charge of having talks on ideological matters with his students.

IFJ LETTER TO OZAL

In a letter addressed on April 11 to the Turkish Prime Minister, the International Federation of Journalists expressed its concern about the fate of journalist Tamer Kayas, former chief editor of the left-wing daily *Politika*, banned since the 1980 coup. In December 1980, Kayas had first been sentenced to one year in prison for an article he had written in March 1979. It seems that he was sentenced a few months later to two years' imprisonment for a reader's letter that was published in his newspaper. Finally, in April 1983, he was sentenced to 7 and a half year in prison, again in connection with his writings as a journalist.

"The IFJ does not know if he is currently behind bars. In view of the particularly harsh conditions to which political prisoners are subjected in Turkey, there is considerable anxiety about the situation of this colleague", the IFJ said.

PURGES AT UNIVERSITIES

"The biggest cultural and political purges in Turkish history" are the subject of a recently publicized internal report by a non-governmental organization which is internationally recognized and operating throughout the world. This report has been prepared on the spot, based on direct testimonies and on conversations with liberal professors concerned. This report throws a garish light on life - meanwhile almost fatally affected - in the country's breeding-grounds of intellectuals."

The name of this organization has not been disclosed by the editorial board of the Austrian review *Forum* (April-May 1984 issue), where these lines have been printed, "so as not to jeopardize its activities in Turkey and, in particular, the lives of its collaborators."

A few examples highlighting the purges at the universities:

- Over 200 professors expelled from the universities who were denied the right to a retirement pension. At the Ankara University Political Science Faculty alone, one third of the 150-member teaching staff has been dismissed.

- Over 400 higher education teaching staff members have resigned as a sign of protest.

- Legal proceedings have been taken against 50,000 teachers of both primary and secondary education.

- The report refers to torture practices to which professors are subjected: above all, the "upright coffin method".

- Since early 1983, only an elite of "faithful" has been getting passports to take part in conferences abroad. Several instances have been reported of professors who were caught up at the very last moment by the security forces, when they were already aboard the plane.

- Qualification has become a matter of minor importance: for example, out of 27 newly-appointed directors scarcely 6 are mentioned in the 1980 Turkish scientific "Who's Who".

- In the field of research, the Higher Education Council (YOK) furthers projects that are useful to the private sector of the economy and to the army.

- Since the beginning of this year, universities are no more able to take out subscriptions to foreign periodicals. (Consequently, *Forum* expects the cancellation of 168 subscriptions addressed to Turkey.)

DEV-SOL MILITANTS CONDEMNED

Ten militants of the Revolutionary Left (Dev-Sol) who had occupied the Turkish Consulate in Köln prior to the referendum on the Turkish Constitution for drawing attention to the anti-democratic character of voting, were condemned on April 3, 1984, by a German tribunal to prison terms up to 4 years and 6 months. Shortly before, on March 29, 1984, in Bonn, three militants of the same organization had been condemned to 25 days in prison each for staging a demonstration in front of the Turkish Embassy. Their prison terms were commuted later on to a 15 DM fine for each day.

TURKISH REFUGEES IN HOLLAND

According to the Dutch daily *Volkskrant* of March 17, the chairman of the foundation "Vluchtelingenwerk" (Charity for Refugees) has blamed the Dutch authorities for disregarding international treaties as regards the protection of political refugees. At the opening of the exhibition "The Art of the Refugees" Mr. Groen declared that the Dutch authorities come too swiftly to the conclusion that people requesting asylum are telling lies. He advocated the suppression of "contact officials" who, according to the procedure currently in force, are charged with the task of interviewing people applying for asylum. In his view, jurists belonging to the Ministry should be entrusted with this task, since it is finally up to them to give an opinion as to the approval or the refusal of an application for asylum.

"This will avoid applications for asylum of being rejected just after reading the file," Mr. Groen said.

He also strongly criticized the Dutch Ministry of Foreign Affairs which draws up reports on the situation in the country of origin of any person applying for political asylum. Mr. Groen considered that "in most cases, those reports are not credible". With regard to this question, he referred to information issued by the Ministry about Iranian refugees in Turkey. In the view of the Ministry, Iranians are not supposed to be in danger in Turkey. On the other hand, according to Amnesty International and the UN High Commissioner, Turkey frequently sends back these refugees to Iran, where they are straight shot down near the border.

87 REFUGEES DEPORTED FROM BERLIN

According to the Turkish daily *Hürriyet* of April 14, the Berlin Senator (Minister) of the Interior, Heinrich Lunner, is said to have approved the deportation of 218 foreigners during the first quarter of 1984. 87 of them had applied for political asylum.

IMMIGRATION

The Amsterdam based Anne Frank Foundation worries about the "extremely disturbing increase" of criminal actions that can be regarded as racist. The head of this foundation, J.F. Westra, announced his organization's intention to take legal action, jointly with some other organizations, against the "Centrumpartij" (Center Party) for inciting to racial hatred. He described as particularly disappointing the fact that prosecutors fail to take any initiative in this field. "The Public prosecutor stays aloof and does nothing", he said.

On the other hand, the daily *Volkskrant* of April 9 has disclosed the content of an internal report drawn up by the Research Center of the "Centrumpartij". In this report which is entitled "Holland to the Dutch", it is stated that Dutch jurisprudence admits in some cases the notion of "self-defense & excess". "Seen from that point of view, the scuffles with Turks in Rotterdam as well as many other actions carried out by the Dutch population elsewhere, appear as a way of opposition admitted by the law. This seems all the more so at the very moment when the Dutch authorities are pursuing stubbornly their policy of *sociocide*, that is of assassinating the community of Dutch natives."

On April 12, on The Hague, a Turkish detainee, Talat Temur, 44, was found dead in his cell due to the doctors' negligence. He suffered from a gastric disease. Turkish immigrants staged a demonstration on April 15 in protest against the prison authorities' attitude.

On April 18, in Schiedam, a Turkish subject, H. Turan, 35, was found dead in a canal. The police inquest established the fact that he had been killed before being thrown into the water.

In West Germany in the city of Bad Hersfeld, a pub where Turks used to meet, was set on fire by unidentified people on April 7.

In Belgium, in March, immigrants were labelled as "criminals" and "profiteers" in a television program produced by a Flemish party called "Vlaams Blok".

On April 12, in Molenbeek, a suburb of Brussels, the local branch of a Belgian party called "UDRT" collected 300 signatures for a petition urging the municipal authorities "to take steps, other than theoretical ones, against thefts, assaults, worrying gatherings of young Arabs, Turks and other immigrants, in order to avoid reactions of self-defense which, though illegal, would nevertheless be justified".

The chairmen of the CPAS (Permanent Committees for Social Aid, i.e. relief of the dropout) of the urban area of Brussels met at the end of April to examine some problems relating to the presence of foreigners. As it turned out, 17 out of 18 CPAS chairmen signed a letter, addressed to the Premier and to the Minister of Justice, in which they ask that "applicants for political asylum may be deported from the country without possible appeal". Only the chairman of the CPAS of Ixelles, Dr. Flamand, refused to sign this letter.

On the other hand, the Town Council of Saint-Gilles (Brussels) has recently taken a decision requiring for registration of foreigners a doctor's certificate including a pulmonary examination, blood tests, etc. The Migrant Workers' Committee of the trade-union confederation FGTB has denounced these measures, saying that they inevitably will contribute to increase the climate of xenophobia and racism.