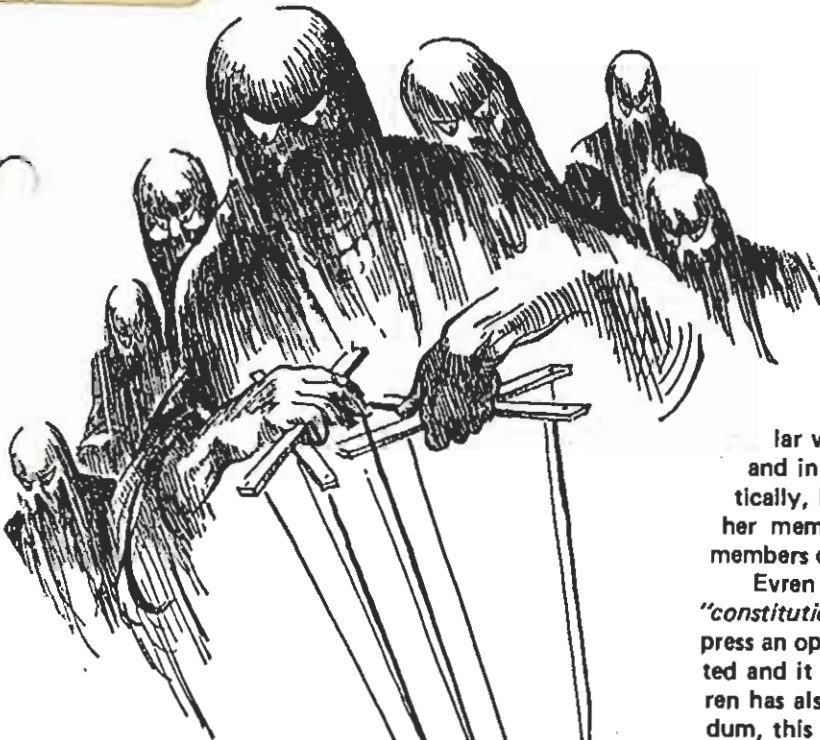




bulletin mensuel • monthly bulletin • maandelijks bulletin

72

6TH YEAR • PRICE: 50 BF • ANNUAL SUBSCRIPTION: 500 BF • CCP: 000-1168701-45  
INFO-TURK - 13/2, SQUARE Ch. M. WISER - 13/2, BRUSSELS • TEL: (32-2) 230 34 72 •  
PUBLISHER: COLLECTIF TURC D'EDITION ET DE DIFFUSION • ISSN 0770 - 9013



## THE CONSTITUTION OF EVREN CAUGHT IN THE ACT OF FASCISM

Two years after the coup d'état, the military junta of general Evren "returns to the democracy" taking off its military uniform to wear the one of the civil dictatorship.

The new "constitution" prepared by the junta must form the basis of this "democracy" to make pale of envy the Pinochets, Mussolinis, Papadopoulos and others.

The "constitution" will be submitted to the popular vote with a referendum on the next 7th of November and in the case of approbation, Evren will become, automatically, President of the Republic for seven years, and the other members of the junta will keep the seats by virtue of members of the presidential council.

Evren has already described the eventual opposants to the "constitution" as terrorists. In other respects, the time let to express an opinion on this "constitution" has been extremely limited and it has been forbidden to lead a campaign against it. Evren has also declared that in the case of refusal by the referendum, this meant a refusal of the democracy by the people and, its wish to see the military regime to continue. This means that the choice proposed in the course of the referendum under the shadow of bayonets, will be on the one hand Evren the military with his junta and its institutions and, on the other hand the same Evren and his junta in their civil form with the same civil-military institutions. Consequently, the result of the vote of 7 November will not change the near future of Turkey and, this masquerade of referendum can, in no case, signify a popular support to the fascist policy of the junta.

The "constitution", so called "return to the democracy", foresees, among others, an interdiction to re-enter into the politics for the leaders of the dissolved political parties for future 10 years as also for 5 years to come for the members of the last legislative assembly. If one adds to this the political prohibitions and restrictions concerning the trade unions, the universities, the administrations, the jurisdiction, the press and the youth and, the fact that the only political leader spared by this measure is Turhan Feyzloglu and the other leaders of his small right-wing extremist party ardent partisan of a military intervention for ever, one can easily understand who will form the new political class.

The final text of this "constitution" comprises sufficiently anti-democratic articles, fascist institutions, restrictions on the fundamental freedoms and attacks to the human rights in or-  
./..

In addition to its periodical and non-periodical publications and information works

**INFO-TURK**  
Turkish Collectif  
of Edition and Diffusion

places at the disposal of its reader,  
from October 14th, 1982 onwards,  
six new services:

1. Library
2. Franch courses
3. Dutch courses
4. Courses of Turkish language and civilization
5. Courses of Saz (traditional musical instrument)
6. Creative atelier for children

at  
93, rue Franklin - 1040 Brussels

Beside these regular activities, Info-Türk organizes also cultural meetings, video projections, audio-visual scenes, exhibitions, etc., as well as new publications

der that the democrats of Turkey and of the world do not make a mistake with regard to its nature and to the intentions of those who have it drawn up.

We call all of the European democratic institutions to take their responsibilities in the face of the new outrage to the democracy committed by the Evren's Junta, reminding them that in conformity to the decisions of the European Parliament and of the Council of Europe, a return to the democracy could not be valid without the respect to the letter, the European Convention of Human Rights.

## EVREN'S STAB-WOUND

In the face of the numerous criticisms and protestations emanating even from the circles favorable to the military, a part of the public opinion expected some softening amendments from the junta on the draft constitution submitted by the Consultative Assembly.

It was rather quickly forgotten the way that was formed this Assembly (all of its members had been designated by the junta). In other respects, the framework of the constitution has been previously set up by the laws enacted by the junta since the time that it took the office. If we remind that "these laws can be, in no case, declared in conflict with the constitution" according to a decree of the junta, we attend a "première mondiale" in the field of constitution, the constitution is to obey the laws and not the contrary...

Another "première mondiale" in the field of constitution is the introduction of the "right to murder" among the constitutional "rights". Indeed, the article 17 of the constitution (see *Dulletin Info Türk*, No.69/70) considers the act of killing within the bounds of the application of mission of "protection of the state" as a "constitutional right".

The final text has therefore kept almost entirely the contents of the draft, even making the rigour of the anti-democratic restrictions heavy here and there, so demolishing all chimeras and illusions about the "intention of the military to return to the democracy".

The most important amendment of the junta is the prohibition to re-enter in politics imposed to the ancient politicians (See the first page). Thus, the junta, on the one hand, takes all of the precautions for its future civil life (it has been added also a puerile provisional article. According to it, no responsibility can be claimed against the members of the junta, the members of their Consultative Assembly, their governments and, even against the members of the state administrative bodies who implemented the decisions of the junta and its governments, for their acts following the coup d'état and, no lawsuits can be entered against them), but on the other hand it takes a big risk as placing *de facto* all of the ancient politicians -and even the conservators, however, favorable to the military- in the ranks of the opposition. Nevertheless, this risk is surely taken into account since both the text of the constitution and the way that will pass off the referendum do not leave any freedoms of expression and of action for any opposition.

This interdiction of politics does not only concern the leaders of the parties but also, to a certain extent, the members of these parties since according to a provisional article, the members of a dissolved party shall not form the majority in new parties. This measure aims especially the Republican People's Party (CHP) of Ecevit as this party is the only one who had registered all of its members on computer while the members of others were lost in the local archives.

The progressive trade union movement decapitated and put on trial with the demand of capital punishment for its 62 leaders is out of the scene at the moment. The pro-governmental trade unions; Türk-İs who had raised its voice against some of the restrictions on the trade union rights, got by way of a bribe, the disappearance of the clause suppressing the check-off on the final text. Nevertheless, the leaders of the

Türk-İs who have hastened to declare their submission to the power and their faith in this new constitution, cannot, in spite of all their efforts, dissemble the fact that the constitution conforms almost entirely to the wishes expressed by the employers' federation congress held in April 1982, about the regulation of the labour life.

Thus the lock-out becomes a constitutional institution. The trade unions shall not be involved in politics nor shall have relations with a political party. They can neither support political parties nor can be supported by them. They cannot have relations with democratic or professional associations. The right to strike although existing on paper is submitted to several restrictions and it may exist only in the case of the disputes on wages: Strikes for solidarity, political and general strikes etc, are prohibited. The social disputes will be settled by the Supreme Council of Arbitration

The trade unions will be under the financial and administrative control of the state. In other respects, according to an article added by the junta, in order to be a trade union leader one must have worked actively for ten years as a worker. This will not facilitate the organisation of the trade unions, particularly, if one lays stress on the fact that this measure is not only valid on the national level but also on the level of the workplaces.

The Higher Education Institution, YOK, guilty to assassinate the university life and the autonomy of the universities, makes also its appearance on the constitution by the hand of the military who has added it to the text at the last moment. It is obvious how much the generals stand forth as protector of their YOK. So they have confirmed that the youth and the science are considered the hereditary enemies of the military obscurantism.

For the first time since the existence of the secular Turkey, the courses of religion and ethics become compulsory in the elementary and secondary schools and, make their appearances on the constitution. The "faithful" representatives of the kemalist ideology and principles and the worthy successors of Atatürk are therefore caught in the act of demagoguery, since one of the reforms of Atatürk was precisely the secularity of the education.

The freedom of the press is removed *de facto* from the constitution, since henceforth even the police can confiscate all publication -even in phase of printing- without court warrant. In other respects, Article 28 on the press forbids all publication in a language prohibited by law. Here, of course, what is in question is the interdiction of the publication in the Kurdish language. Thus, Turkey becomes one of the few countries in the world where a whole people is banned to express itself in its mother tongue, in the circumstances the Kurdish for about 8-10 millions Kurds in Turkey.

The despotic powers previously granted to the president of the Republic (See, *Dulletin Info-Türk*, no. 69/70) remain unaltered. Only the directors of the TRT (Turkish radio-TV), the Central Bank and the religious affairs will no longer be designated by the president of the Republic as foreseen in the draft. However, the president keeps all his powers among others, to name all of the members of the Constitu-

tional Court, of the State Supervision Council and, of the Higher Educational Institution (YOK), the one fourth of the members of the Council of State, the members of the Military Court of Cassation and, particularly the chief of the General Staff of the Armed Forces, the Attorney General of the Court of Cassation, the members of the Supreme Council of Judges and Prosecutors, the university rectors etc.

The more serious is the fact that this "chief" once elected -and according to the text Evren will become the president for seven years in the case of the approval of the constitution- will not be submitted to any judiciary control and can do as he pleases.

So, this presidential regime which was qualified by an old politician as the return to the *Sultanate*, putting almost all legislative, executive and judiciary powers in the hands of only one man and the executive apparatus that he designates, makes nothing but a woolly and arbitrary amalgam.

Arbitrary is indeed the great word to qualify the articles of this constitution drafted with a vulgar ruse since each paragraph first of all decrees that such liberties exist and are under the constitutional guarantee but, the next paragraph enumerates a whole range of circumstances in which the executive can arbitrarily decide their limitation or even their mere suppression... for the reasons concerning the internal security of the state... or the common ethics... or in the case of the economic crisis(1) etc., etc.

The executive is moreover, seriously reinforced at the expense of the legislative and the judiciary who see their powers diminishing and limited. The executive will also have the power to proclaim the state of emergency or simply the martial law for a whole line of arbitrary reasons and, in the course of these periods (and there will not be lack of emergency cases, if one reminds that Turkey has lived under the military regime for 32 years over the past 72 years) the executive will have unlimited rights and can suspend or render void all of the liberties provided by the constitution.

"The old constitution was a large cloth for the Turkish nation," therefore the General Evren made up another which is much tighter than the old one, and even the supporters of Demirel's conservative party consider it too tight. In order to make ratify this

text of legitimisation which provides a legal basis to the dictatorship and thus to "return to democracy" with military without uniform, the junta organizes a masquerade of referendum on 7 November. It is beyond doubt that even in the case of refusal the destiny of Turkey will not change in the short-run. Only, in spite of all, in order to avoid all unpleasant surprises, the military have taken all their precautions:

- None of the leaders of the dissolved political parties have the right to express themselves on the constitution.

- It is forbidden to lead a campaign against the constitution.

- From now on, it is forbidden to criticize the statements of Evren who has started to conduct a campaign for the presentation of the constitution.

- Those who will not betake themselves to the pulling-booths will be liable to heavy punishments, the participation is compulsory.

- Those who say 'no' to the constitution are considered terrorists and tools of the subversive alien forces.

- The votes bearing signs will not be canceled. (This measure is an artful manoeuvre to force people to make known their choice and, it will be surely efficient particularly in small localities.) The clause which render void all indicated votes -with name or other signs- has been repealed by the junta doubtlessly for this purpose.

Evren who becomes automatically president of the Republic for seven years (the other members of the junta will form a presidential council which will function as an upper house) has furthermore started violently to his campaign for the constitution. He has attacked in violent terms the traitors who want to make refused the constitution. He has declared himself as the guarantor of the constitution and, thus challenged the moderates who, while supporting Evren, formulate some timid criticism about the final text of the constitution.

It stands to reason that whatever will be the issue of this masquerade of referendum which will pass off under the shadow of the bayonets and the tanks of one of the most powerful armies of Europe, it will be announced by the military as a victory and a popular support to their politics. The story of the wolf and the lamb is therefore on the point of repeating itself once more.

## AMENDMENTS COMPARED WITH THE DRAFT

(from the daily *Cumhuriyet*; 21 October, 1982)

- The introduction has been amended.
- The provisions concerning the unity of the state, its official language, its flag, its national anthem and its capital cannot be amended, nor can any motion thereof be made.
- The article which granted the president of the Republic and the government the power to issue decrees having the power of law has been removed from the chapter subtitled "legislative power".
- The Council (NSC) has removed the article which laid down that the deprivation of right could only be pronounced by the tribunals.
- The article which mentioned that the services military in nature or done in lieu of military duty should not be considered forced labor has disappeared from the final text.
- Praying, religious messes and ceremonies have been allowed providing that one should not abuse the rights and freedoms.

## FREEDOM OF EXPRESSION

- The article which stipulates that opinions cannot be expressed and disseminated in a language prohibited by law, has been added.

- Added also that the distribution of publication might be precautionary prevented through legal action or in cases where any delay could be baneful, by simple intervention of the competent authority. The competent authority should inform the court of its decision within 24-hour at the latest.

## DISSOLUTION OF ASSOCIATIONS

Instead of th article which authorized the Ministry of Interior to dissolve associations, has been added the article which authorizes the competent authority to suspend activities of associations, pending the court judgement.

## DEMONSTRATIONS

- The article according to which the administrative authority can, in order to avoid the perturbation of the urban order, appoint the place and the path of all march in demonstrations, can forbid all public meetings and marches which risk the susceptible events and the serious perturbation of the public order or going beyond the measures taken for the security or the actions aiming the destruction of the basis of the Republic, or can postpone them for two or three months for the same reasons in the cases which are dealt with the clause of the law, the interdiction of all demonstration marches and assemblies in localities is binded to the a foresaid municipality, has been added.

- The article which placed the rights of property and inheritance under constitutional guarantee has been removed from the text.

- The dispensation from the penalty of general confiscation was extended to those who were expatriated or committed crimes pertaining to narcotics and armes-traffic.

## BIRTH CONTROL

- The article "the family is the fundamental unit of Turkish society" has been amended as following: "The family is the fundamental unit of Turkish nation". While the article on the protection of the paternality has been taken out, the article stipulating the encouragement of the birthcontrol has been added.

- The clause laying down that the extent of the right of education will be defined by the law has been added. It is noted that the principles to which will submit the private primary and secondary schools will be defined by the law. Also added that in the educational institutions, except for the situations which would be allowed, the educational activities could be in no case interrupted and no other language different from the turkish could be taught as mother tongue.

## NATIONALIZATION

- It has been added that private enterprises in the nature of a public service can be nationalized when public interest requires it.

- While the clause stipulating that the state shall take all measures to safeguard the operation of private enterprises in accordance with the requirements of national economy and social objectives, was added, the following clause has been taken out: "The right of whosoever to work and to contract everywhere can be restricted by law and in the interest of the public."

- Added also that vacations with pay (week-end, holiday) and annual leave and the implicit and the application of these rights should be regulated by law.

## TRADE UNIONS

- "Trade unions and higher bodies can be established with a single presentation of the documents and the informations prescribed by the law to the competent authority, and in the case that the documents and the informations are in conflict with the laws the aforesaid authority will address to the tribunals to obtain the suspension of the activities or the dissolution of the trade union," this clause has been added by the Council, as well.

- It has been added that the work in whatsoever enterprise should not be subordinated to the affiliation or unaffiliation to a trade union and that in order to be trade union leader one should have worked effectively at least for ten years.

- It has been added that the way in which would be carried out the state administrative and financial inspection of trade unions and, the way in which would be effected the admission to and the resignation from the trade unions and, subscription dues should be regulated by the law.

- It has been taken out the clause which prohibited the existence of provisions against or in nature of amending or abolishing provisions of laws in collective agreements.

- It has been added the clause laying down that the law would delimit the enterprises in which strikes and lock-outs could be postponed or prohibited, it would define the functions and the formation of the Supreme Council of Arbitration and that trade unions should be responsible for the damages inflicted in work places by actions or strikes of workers.

- It has been inserted that in order to spread the medical care, a general health insurance could be established by law.

- Added also that the state would support enterprises of collective housing.

## POLITICAL PARTIES

- Added that citizens had the right to participate in the referandum and all turkish citizens who have completed 21 years of age could participate in the referandum. One had to have completed 21 years of age in order to become member of a political party.

- It has been added that political parties could not form organizations and nor have activities abroad. They could neither form women or youth sections or subdivisions alike privileged, nor set up foundations. Judges and prosecutors, members of higher courts, university instructors, members of the YOK, civil servants holding offices in the public administration and, other non-worker officials, students and members of the army cannot join political parties.

- Added that the leaders from all of the levels of the dissolved political parties could not be founder, leader, inspector of a new party and, in addition, the members of a dissolved political party could not form the majority in a new party.

- According to a new article, the parties cannot receive effective or material aid from alien states, international institutions, groups and associations working abroad. They cannot receive instructions from such groups and, neither can participate in decisions of these institutions against the independance and the integrity of Turkey. All political parties which contravene this article shall be definitively dissolved.

## PARLIAMENTARIANS

- The number of deputies has been reduced from 450 to 400.

- It has been added that except for the misdemeanours of imprudence those who have been sentenced to one year's or more imprisonment, could not be elected deputies. Those who have been condemned for ideological, anarchical misdemeanours, for participating in or provoking these crimes could not be elected.

- Beside judges and military, all prosecutors, members of higher courts, members of the YOK, civil servants of the public administration and other officials who did not have the worker statue have been introduced into the list of those who could not be candidate.

- Added that the president of the Republic might decide to hold new elections in the cases defined by the constitution.

- It has been removed from the text the clause according to which the president of the Republic should not request the postponement of elections one year prior to his own election.

- Instead of the clause prescribing the disenfranchisement of a deputy for failure to attend activities of the Assembly for a period of 45 days in a year, it has been brought a clause according to which a deputy who has not attended 5 meetings of the Assembly during one month should be disenfranchised by the decision of the absolute majority of the Assembly.

- The power to ratify the death penalties delivered by the courts, has been granted to the parliament.

- It has been added that if the deputy who resigned from his party became minister or member of another party, he could be disenfranchised by the decision of the absolute majority of the Assembly.

- Added that parliamentary groups of political parties could not offer candidates for the Speakership of the Assembly.

#### THE PRESIDENT OF THE REPUBLIC

- It has been taken out of the text the following powers of the president of the Republic: to request the postponement of elections; to sign and to publish by-laws; to ratify the execution of death penalties; to designate members of the YOK, the director and three members of the administrative board of the Radio-TV Administration and the head of Religious Affairs.

- The clauses on the responsibility or irresponsibility of the president of the Republic have been also amended: Except for the cases prescribed by the Constitution and the laws in which the signature of the prime minister or the concerned minister will not be required, the president of the Republic may only be impeached for high treason to the fatherland upon the proposal of one-third of the plenary session of the Turkish Grand National Assembly and conviction of high treason shall require the vote of at least three-fourths majority of the plenary session of the Assembly.

- It has been added an article which prescribes that the formation of the Presidential General Secretariat, its organizational and working principles and its appointment would be regulated by presidential decree.

- The minister of justice will not take part in the National Security Council as prescribed by the draft.

#### CASES OF EMERGENCY

- The government can henceforth proclaim the state of emergency and extend its duration for a 4 months period instead of 2.

- The government chaired by the president of the Republic can henceforth issue decrees having the power of law while martial law is in force.

- It has been added that the Supreme Military Council shall not be subjected to the financial control.

- It has been added that in the case of institution of a prosecution against municipal elects, these would be disenfranchised not by the administration but by the ministry of interior.

- It has been added that no disciplinary punishment could be pronounced against the civil servants of divers administrations without giving them the opportunity to defend themselves.

#### UNIVERSITIES

- It has been added that universities might be established by private foundations according to disposals prescribed by the laws, under the state supervision and providing that this is without lucrative aim.

- It has been also added that the safekeeping of universities should be assured by the state and, rectors would be named by the president of the Republic and deans by the YOK.

- Added that administrative and scientific bodies of universities should not be removed from office by organisms alien to universities except for the YOK, and their budget should not become effective without the ratification of the YOK.

- Universities established by foundations will be subjected to academic rules prescribed by the constitution, outwards their financial and administrative functioning.

- The formation of the YOK has been also added to the constitution.

- It has been added that higher studies' institutes connected to the army and the security forces should be managed according to special laws.

- The Atatürk Academy prescribed by the draft becomes the Atatürk Foundation of Culture, Language and History. The Turkish Foundation of Language and the Turkish Foundation of History will be incorporated in this foundation. The financial articles prescribed by the testament of Atatürk will remain valid. This new foundation will be managed by the law, connected to the cabinet of the prime minister, under the supervision and the support of the president of the Republic and under the spiritual presence of Atatürk.

- It has been added that persons who would work in public enterprises should not be obliged to affiliate to professional organizations. Professional organizations shall be subjected to the administrative and financial control of the state and, those which override their initial objectives or one interested in politics will see their administrative bodies dissolved by tribunals.

- Added also that the Directorate of Religious Affairs should function paying respect to the principle of secularity.

#### COURTS

- It has been prescribed the establishment of state security courts. Their chairmen, public prosecutors and deputy public prosecutors may be also appointed among military judges. In the case of the proclamation of martial law in their department these courts will be transformed into military tribunals.

- The military judgement will also be delivered by disciplinary courts henceforth.

- In the case of war, it will be no longer indispensable that judges form the majority of members of military tribunals.

- The Constitutional Court will consist of 11 titular and 4 reserve members and, its members will be appointed by the president of the Republic among the candidates offered by the Court of Cassation, the Military Court of Cassation, the State Council, the Court of Accounts; these clauses have been also added to the final text.

- According to another amendment, university instructors and administrators and lawyers may be selected to the Constitutional Court under certain conditions.

#### ANNULEMENT SUITS

- Only President of the Republic, chairman of the main opposition party, one fifth of all the members of the Assembly, the party groups of the party in power and the main opposition party or the most powerful party of an eventual coalition, may initiate annulment suits in the Constitutional Court.

- The period during which a new annulment suit

shall not be initiated after the refusal of the Constitutional Court, has been raised from 5 to 10 years.

- The president of the Republic shall not have the right to make revised the annulment decisions taken by the Constitutional Court as prescribed in the draft.

## DIVERS

- Two important amendments have been brought in the chapter concerning the Radio-TV Administration and press agencies. The organization of these ins-

titutions is left to the law. The law will undertake the impartiality of the news broadcasted by the radio and TV.

- The State Council will no longer pronounce judgements on decisions taken by fiscal courts.

- In the case that an amendment of the constitution is sent back by the president of the Republic to the Assembly, if the Assembly insists on its own initial text, the President, as a last resort, can submit the amendment of the constitution to referendum with an additional amendment.

---

## STATE TERROR

---

### NEW DEMANDS OF CAPITAL PUNISHMENT IN DISK TRIAL

When the DISK trial in which 52 trade union leaders risk capital punishment continues in Istanbul, the military prosecutor has included 19 other trade unionists and experts in the same case and demanded the capital punishment for 10 of them: Sükrü Ozbayrak, Erol Yalçın, Ali Ozarkalioğlu, Cetin Uygur, Selahattin Topuz, Ahmet Yıldız (president of the Popular Houses), Teoman Öztürk (president of the Chamber of Engineers and Architects), Ercan Eyüboğlu (general secretary of University Instructors' Association), Ethem Erhan Taneri (president of the Federation of the Democratic Left Organizations).

15-year imprisonment is required for the DISK experts: Yücel Yaman, Günaydın Erdogmus, Argun Müceldili, Fahri Aral, Mete Sönmez, Faruk Pekin, Zafer Kutlu, Erhan Gömüç and professor Sadun Aren.

In september, military prosecutors have demanded 276 new capital punishments in political cases. Thus, the total number of the defendants who risk death penalty has reached to 4,730.

Below is the list of the new trials entered against the organizations. The number of the capital punishments required is shown in parentheses after the number of the defendants:

- DISK: 14/9 in Istanbul: 19 (10)
- Revolutionary Path (Dev-Yol): 20/9 in Ankara: 574 (186), 6/9 in Izmir: 24 (-)
- Revolutionary Communist Party of Turkey (TDKP): 15/9 in Istanbul: 229 (32)
- Communist Party of Turkey/Reorganisation Group (TKP/TOK): 19/9 in Istanbul: 34 (6).
- Communist Party of Turkey (TKP): 8/9 in Izmir: 8 (-), 15/9 in Ankara: 60 (-).
- Socialist Workers' Party of Turkey (TSIP): 18/9 in Istanbul: 19 (-).
- Progressive Cultural Association of Eastern Turkey (DDKD): 25/9 in Diyarbakır: 75 (-).
- A rightist group: 19/9 in Ankara: 98 (42).

### CONDEMNATIONS

The armenian militant Ekmekçiyan who was captured in the course of the armed raid executed in the air-port of Ankara on 8 August 1982, has been condemned to death penalty by a martial law court of Ankara.

Besides, on 3 September, 9 Dev-Yol militants in Izmir, on 4 September, 13 left-wing defendants in Adana, on 8 September, 9 members of the Communist Party of Turkey (Union) and, 5 members of the Communist Party of Turkey, on 10 September, 7 mem-

bers of the Workers' Party of Kurdistan (PKK) in Izmir have been condemned to divers sentences of imprisonment.

On 2 September, the Military Court of Cassation has decided that a defendant who leant up against the wall with a cigarette in his hand while listening the National Anthem was liable to a 3-year prison term.

### PRESSURE ON LAWYERS

The Martial Law Prosecutor has instituted proceedings against Mr Halit Celenk, a famous lawyer, for insulting the commander officers. Mr Celenk had addressed the Commander of the Martial Law because he was prevented from seeing his client, Mrs Fethiye Celik who is detained in the military prison of Mamak in Ankara.

Four lawyers have been expelled by force from the military court for criticizing the bias of the judge, at the trial of the Peace Committee on 2 September. The other lawyers and the audience have left the court room to set up a protest against this attitude.

### NEW TRIAL AGAINST 223 PRISONERS

A new trial has been entered against 223 prisoners of the Buca prison in Izmir for insulting the military power in a letter addressed the National Security Council on the occasion of the first anniversary of the coup d'état of 12 September 1980.

### MAYOR ARRESTED

The mayor of Adıyaman, one of the major cities in Kurdistan, Mr. Aytac Baytak has been arrested by the military authorities.

On the other hand, a retired general, Abdullah Tırıtıl has been named to the office of mayor of Istanbul.

### NEW ARRESTATIONS

On 1st September, 26 members of the TDKP and the Dev-Yol in Izmir; on 10 September, 20 members of the kurdish organization Rızgarî in Istanbul; on 15 September, 5 members of the TKP-ML in Hatay; on 10 September, in Konya 3 leftist militants have been arrested.

### NEW POLICE ORGANIZATION

The commanders of martial law have proposed to the General Staff to set up a new police organization named İller-Pol (Interprovincial Police) and to make compulsory for every citizen who changes the department to register himself with the police headquarters of his new department.

## TORTURES

- In the course of the DISK trial in the martial law tribunal of Istanbul, the trade union leaders who risk the capital punishment have continued to denounce in detail, the tortures that they were subjected to during the preliminary police interrogation:

**Celal Küçük:** "I was examined under a heavy torture at the police. They took me there as I was blindfolded. When they got me off the car, they knocked me on the back. I was led in a large and dark building where I heard noises of a crowd. There, they interrogated me under torture. At this moment I heard cries and clamours. They were forcing the people to cry: 'Down with Bastürk' (president of the DISK)."

**Kemal Nebioğlu:** "I did not make a statement at the police. They blindfolded me and led me somewhere. There, I have been tortured for seven days and nights. They said: 'if you don't make a deposition as we wish, we'll kill you and, we'll say, in our report, that you have tried to run away.'"

- The president of the Peace Committee, retired ambassador Mr Mahmut Dikerdem who is actually detained and in trial by the martial law tribunal of Istanbul has undergone a prostate operation at the Military Maritime Hospital in Istanbul. On 13 September, the Amnesty International published the following in-

formation on the state of health of Mr. Dikerdem: "A biopsy accomplished on a tumour in the prostate has revealed that this tumour was malignant and the medicines have recommended an immediate operation. All delay might put in danger the life of Dikerdem. Amnesty International thinks that the military hospital that he is actually treated is not equipped for such an operation. Would you please send urgent appeals to the Turkish authorities, expressing your vivid anxiety and, insisting on his immediate release in order to be operated in a civil hospital. If possible, would you please organize appeals of chamber of medecins."

- On 4 September, the military prosecutor has decided that there was no room for taking legal proceedings against three policemen who had been accused of torturing the political prisoner Mustafa Mert for 19 days in Ankara.

- The trial of 8 policemen accused of murdering by torture the prisoner Ataman Ince continues at the martial law tribunal of Istanbul. The request for the arrestation of the defendants has been refused by the court.

- Three persons who have been in trial with the assertion of participating to the actions of Dev-Yol were acquitted by the martial law tribunal of Ankara, because it has been proved that their statements had been fabricated under pressure, at the police office.

## INTELLECTUAL LIFE

- The Military Attorney of Istanbul region has instituted an extensive prosecution against the Writers Union of Turkey (TYS). During September, the following famous authors and poets have been called to the Attorney's office for interrogation: Yasar Kemal, Ali Ozgentürk, Adnan Ozyalçiner, Bekir Yıldız, Aziz Nesin, Turgut Uyar, Tomris Uyar, Leyla Erbil, Nihat Behram, Orhan Arıburnu, Adalet Agaoglu, Demirtas Ceyhun, Sükran Kurdakul, Alpay Kabacali, Aziz Cahisar, Emil Galip Sandalcı, Hasan Izzettin Dinamo, Hasmet Zeybek.

- The university professor Yalçın Küçük has been put on trial at the 1st Martial Law Court of Istanbul with the assertion of propagating the communism in his book titled "For a New Republic".

- Four persons have been sentenced by the 1st Martial Law Court of Adana to 6 years and 8 months' imprisonment for making the propaganda of communism.

- The lawyer of the publishing house Science and Socialism whose all publications were confiscated by the military authorities, has raised an objection by furnishing the proofs that there had been previously legal proceedings against 30 of these publications and

they had been either acquitted or it had been decided that there was no room for instituting prosecution against them. According to his declaration a 150,000 exemplaries of this publishing house's books were confiscated.

- The introduction of the newspaper Hicret which is published in FRG into the martial law department of Adana and the review Maya which is published in Istanbul into the martial law department of Izmir have been prohibited.

- The new rectors and deans of faculties designated by the YOK have been especially choosed among the right-wing personalities. The daily Cumhuriyet, in its editions of 2nd and 5th September, has published documents which prove that Prof. Tarık Somer, rector of the University of Ankara; Prof. Erol Güngör, rector of the University of Konya Selçuk; Prof. Nihat Nirun, rector of the University of Malatya Fırat; Prof. Halil Cin, rector of the University of Diyarbakır Dicle, Prof. Ahmet Sonel, dean of the faculty of Medicine of Ankara; Prof. Ahmet Akkoyunlu, dean of the Faculty of Medicine of the University of Erciyes have had close relationships with the neo-fascist MHP of Turkey before the military coup of 12 September 1980.

## IMMIGRATION

- A turkish pub-house was hit by arson in Copenhagen. The Danish Government announced that, if necessary, the turkish children would be accompanied by special guards. (M.2/9)

- Turkish citizens were aggressed by a danish racist group. One turkish and two danishes were arrested at the end of the skirmish. (H.4/9)

- According to the Reuter News Agency, the "neo-nazi Front of Emancipation of Germany" has started to send threatening letters to turkish workers. (M.5/9)

- In Munich, an organization named "Commandos for the Annihilation of Foreigners" which had formerly menaced foreigners businessmen, now started to send threatening letter to turkish families. In

these letters, the commandos threatened the families that they would kill their children. (T.6/9)

- As the general elections approach, racist aggressions are increasing in Sweden. Mr. Muammer Ozer, a turkish film maker residing in Sweden, and his wife were threatened by telephone calls. The windows of the shop of Mr. Ozcan Sen were broken. In Rinkeby, while Mr Karin Andersson, Swedish Minister of Immigration, was pronouncing a speech for his electoral campaign, a group of "skin-heads" aggressed the foreign workers amongst the auditors. The slogan of the aggressors was: "Go-back to Turkey." (C.7/9)

- In Belgium, the Liaison Committee of the Migrant Workers' Organisations (CLOTI) has organized a press conference about the escalation of the xenophobia during the municipal election campaign and, invited all of the political parties and the candidates which have participated in the elections to respect the migrant workers' rights. In the course of the press conference, it has been reported that the Turkish Embassy had asked the Municipality of Brussels to dismiss a turkish teacher, Mrs. Tugsavul, under the pretext of her opposition to the actual regime in Turkey. (DR.8/1)

- In Copenhagen, a 25 year-old turkish worker Nihat Ozdemir was found dead on the road going to Fynn Island. (DN.9/9)

- In Herborn (FRG), a turkish worker Fikret Cingi, was paralysed by bullets of racists. (M.10/9)

- In the Netherlands, aggressions to foreigners have begun to increase after the election of one of the candidates of the racist Central Party to the Parliament for the first time. (H.11/9)

- In Brussels, the house of a turkish worker named Avni Mugla was hit by arson. (H.11/9)

- At the quarters inhabited by Turks in Copenhagen, racists have started to hang puppets with knives penetrated in and bearing the note of "Death to Turks". (C.12/9)

- Racist danish youths have started to wear T-shirts of american Ku-Klux-Klan group. (DN.13/9)

- In West-Berlin, a house in which live six turkish families has been bombed. It has been announced that, prior to this act, a swastika had been designed on the same house's door. (H.13/9)

- In Neustadt (FRG), a turkish association was aggressed with molotof cocktails. Racists have stoned a building in which live 45 turkish citizens, in Ulm. Racists were crying, "Turks to Istanbul". (T.19/9)

- In Dusseldorf, in the Theodor Lift School, 14-16 years old german pupils have aggressed turkish pupils. (H.20/9)

- In Berlin, in the course of the opening session of the "Foreigner Days", german racist groups have aggressed the reporter of the turkish daily Milliyet and some speakers. (M.20/9)

- German children in the six to eight years old age bracket already possess deep-rooted aversions and prejudices toward turkish immigrant workers' children, a recent inquiry by the Free University of Berlin has revealed. (DN. 23/9)

- In Wattensheid, 100 german citizens have held a demonstration to protest against the xenophobia, in front of the NPD's building. Racists have aggressed the reporter of Der Spiegel in the course of the demonstration. (H.23/9)

- In Amsterdam, a 41-year old turkish worker named A. Ozmanav has been shot.

- In Rettlingen (FRG), a 11-year old turkish girl, Gülay Alici, has committed suicide by hanging herself to the ceiling, back home from the school. (M. 26/9)

- In Wiener Neustadt (Austria), a house in which live 4 turkish families has been bombed. Four turkish citizens have been wounded. (T.27/9)

- The German Trade Unions (DGB) and the German Churches Union have launched an appeal for "Friendship with Foreigners". (M.27/9)

- In Germany, the principal lines of the foreigners policy of the new coalition government of the CDU/CSU-FDP coalition, has been revealed. New measures for the limitation of the foreign population and for the encouragement of the return of immigrant workers, especially turks, to their motherlands will be the basis of the new government's policy. (M.30/9)

- In European schools children are educated as Turkophobes, Professor Berndt Brendemoen of the University of Oslo has revealed at the 4th Congress of Turkish Studies in Istanbul. (T.25/9)

## ----- NEW RESOLUTION OF THE COUNCIL OF EUROPE ON TURKEY -----

*The Political Affairs Committee of the Council of Europe adopted on 22 September 1982 by 16 votes to 2 a draft resolution to be presented to the Parliamentary assembly.*

*Noting the latest developments in Turkey, the draft resolution invites the Turkish Government:*

*"a. to respect the provisions of the European Convention on Human Rights and to do everything to eradicate the practice of torture and pursue its enquiries into all allegations on this subject;*

*"b. to ensure that the draft Constitution to be submitted to referendum be in full conformity with the Statute of the Council of Europe, and particularly that it ensures pluralism of political parties and trade unions, the rule of law and the separation of powers, and that it incorporates the safeguard of human rights and fundamental freedoms, as guaranteed by the European Convention on Human Rights;*

*"c. to take the appropriate measures to ensure that the referendum takes place in accordance with the rules of democracy, and that it is preceded by a campaign in which all individuals or groups of individuals are free to express themselves freely on the draft Constitution and to seek to influence the choice of their fellow citizens."*

## DEMONSTRATIONS AGAINST THE JUNTA

- On 11 September, about 30,000 persons have participated in a rally in Frankfurt on the occasion of the second anniversary of the military coup in Turkey. The Turkish immigrants coming from every corner of the FRG have made a peaceful public demonstration in order to raise a protest against the actual regime in their country.

- On 11 September a parallel demonstration was made in front of the Turkish Embassy in Brussels.

- The Belgian Committee for the Defense of Human Rights in Turkey held a press conference on the violation of human rights in Turkey on 9 September, and organized also a solée of solidarity on 19 September with the participation of trade unionists and belgian political personalities.

- On the same occasion, the ETUC, the ICFTU, the WCL and the IFTU have issued press releases accusing the military regime of violating the human and trade union rights.

- On 3 September the Transnational Institute organized a meeting in Amsterdam on the occasion of the publication of the book titled "Turkije in Crisis" in dutch. The authors of the work, Martin van Bruinessen, Rudy Koopmans, Vicher Smit and Leo van Welzen, the editor of the Info-Türk Dogen Ozguden, and Kurdish lawyer Selahattin Kaya explained the divers aspects of the military regime in Turkey.