

TÜRKİYE BİRLEŞİK KOMÜNİST PARTİSİ



HAYDAR KUTLU ve NİHAT SARGIN

Nürnberg Konferansı

22 Ekim 1989

29-30 Nisan.89 Günü Türkiye'de Dedeman Oteli
Ankara'da yürütülen DEMOKRASİ KURULTAYI'na
çağrılı olan M. Bekler'in, 28.04.89 Cuma günü
Saat 9.15 de çekmiş olduğu Dayanışma Telgrafının
örneğidir.

ÇAĞ ATLAYAN ÜLKEMİZDE TOPLANAN
DEMOKRASİ KURULTAYI VE TÜM
DEMOKRASİ SAVUNUCULARINA BAŞARILAR
DİLER, FAÇ de SENDİKALI YAPI İŞÇİLERİ
OLARAK DAYANIŞMA DOLU SELÂMLARIMIZI
İLETİRİZ.

Melky Bülge

Not: Posta memurunun ifadesine göre
29.04 günü saat 9.00 da Telgraf
yerine ulaşmış

①

Demokrasi kurultayı
düzenleme komitesine ,

Ulm , 25. Nisan 1989
F. Almanya

Sayın Baylar :

Ben Mustafa Bezturgut Sakaryalıyım. 1980 den bu yana F. Almanyada siyasi mülteci olarak yaşıyorum. 1980 öncesi öğrenimi yarıda kalmış 13,14 yıllık emekleri heba olmuş bir insanım. Birçok acılarla 10 yıldır yaşadığım bu ülkede yaşamımı yeniden tanzim ettim. işçi olarak geçimimi sağlıyorum.

Bu mektubu yazmamın nedeni aileme , çocuklarıma ülkem ve demokrasiye olan saygımdan etürüdür. Benim durumumda olan binlerce insan ülkem kandan yaralarından biridir. Bu yaralarında sarılması gerekir. Ben kendi adıma eğitimimi tamamlama fırsatının yanında herhangi bir maddi talepte bulunmuyorum. Bütün kayıplarına rağmen.

1980 den sonra hakkımda atarılan dedikodu, iftira ve davalara karşı doğduğum topraklarda özgürce kendimi savunmak istiyorum.

Ben yaşamım boyunca kimseyi öldürmedim. Yaralamadım, zarar vermedim. Hırsızlığı sadece çocukluğumda komşu bahçesinden elma çalarak yaptım. Kimsenin namusuna göz koymadım.

Ülkemi en az kendini bu ülkenin sahibiymiş gibi görenler kadar severim. Her ülkeyi ve milleti de severim ancak; Türkiye ve halkım benim için esitlerin arasında ilkidir. Hiçbir millete karşı kör bir öfkem yoktur.

Bütün bunlara rağmen bizleri yıllardır sürgünde tutmanın hiçbir hukuksal ve mantıksal gerekçesi yoktur olsa olsa gerekçeler politiktir.

(2)

yani komünist olmak.

Evet ben bir komünisttim ve fikrimi doğru bulur eğlenürüm. Ülkemin başı dik, dört başı mağmur olmasını sağlamak tek başlarına komünistlerin sağlayabileceği elbette gerçekçi değildir. Ancak Fikirlerimiz ve katkılarımız olmaksızında bunun gerçekleşemeyeceğinin şahidi komünistlerin varlığıyla atbasi giden beyhubeyunde Cumhuriyet tarihidir.

Komünistleri ezerekte demokrasinin kurulamayacağını hepimiz yaşayarak gördük. Pılav lapa olmuştur. Tekrar denemenin faydası yoktur.

Politikada merhametin olmadığını bilen birisiyim. Ne var ki politikacıya karşı merhametsizlik. Siyasi yaşamımızdan sükülüp atılması gereken ilkel bir yöntemdir. Bu kafayla demokrasiye varılmaz varılsa varılsa başka, başka yerlere varılır.

Velhasıl ben bana yabancı topraklarda değil doğup büyüdüğüm topraklarda özgürce yaşamak istiyorum. Bu hak herkes için yaşamaya gözlerini açtığı andan itibaren elde ettiği kimsenin el süremeyeceği en kutsal haklardan olduğu kanısı bende fikri sabittir. Başka ülkelerin çok görmediği bu hakkı ülkem benden esirgeyemez. Esirgememelidir.

Sonuç olarak: işkence ve başka riskleri göze alarak ülkeye dönen akkaddaşları saygıyla karşılıyorum. Fakat binlerce siyasi mültecinin dönmemesinin koşulları yasal ve psikolojik olarak yaratılmalıdır.

Demokrasi kurultayı inanıyorumki gündeminin bir kısmını siyasi mültecilere ayıracaktır. Adaletin ve vicdanın sığınacağı alaya ve ayaklar altına alındığı yerde ne özgürlük ne de Demokrasi olabilir.

Bazarılar diler saygılar sunarım.

Mustafa Bozturgut Sonnenhalde 86 7900 Ulm / F. Almanya
telf: 0731/51272

Kültürüne ye

Duisburg,

Sayın

Kültür Çalışma Grubumuz 20-21 Mayıs 1989 tarihlerinde "Kültür Sorunları Danışma Toplantısı" düzenlemiş bulunmaktadır. Toplantımızın sizin de değerli katkılarınızla amacına ulaşacağına inanıyoruz.

"Kültür Sorunları Danışma Toplantısı", karşı karşıya bulunduğumuz çağdaş sorunların kültürel boyutları üzerinde genel bir tartışma yürütmeyi, kültürel yaşama örgütlü katkımızın biçimleri ve sorunları üzerinde görüş alışverişinde bulunmayı ve "Dünyada Kültürel Gelişme Onyılı" ana hedeflerinin sunduğu olanakları değerlendirmeyi amaçlamaktadır.

"Kültür Sorunları Danışma Toplantısı"na bildiri sunarak ya da tartışmacı olarak katılabilirsiniz. Toplantımıza sunulacak bildirilerin konuları dar anlamda sınırlandırılmamıştır. Kısaca yukarıda belirttiğimiz amaca uygunluk yeterli görülmüştür.

Toplantımız Essen'de Hofnung Strasse'de yapılacaktır. Katılanlar için geceleme olanağı sağlanmıştır. Yemek ve geceleme masrafları karşılığı olarak DM. 25 ödenecektir.

"Kültür Sorunları Danışma Toplantısı"na katılıp katılamıyacağınızı, bildiri sunarak mı, ya da yalnızca tartışmacı olarak mı katılacağınızı ve bildirinizin özet olarak konusunu bize 2 Mayıs 1989 tarihine kadar bildirmenizi rica ederiz.

Yazışma adresi:

Semra ANSLAN
(Stiftung Zusammenleben)
Flur Str. 31
4100 Duisburg 1

Dostça selamlarımızla,

Kültür Çalışma Grubu adına:
G. Doğan Görsev

NOT: Çalışma Grubumuzun konuya ilişkin yaklaşımlarını dile getiren bir ön çalışması ayrıca adresinize gönderilmiştir.

Kültür Danışma Topl. (F. Almaz'a BR)

- Veysi Sarısozen
- Alp Otman
- Filiz Kandan
- Aydın Senesen
- Dilruba Yenen
- Ataman Aksöyek
- Nergis Söylemezoglu
- Tuat Hendek
- Ender Hepsöyler
- Yücel Feyzioglu
- Süleyman Üstün
- Ülkü Gürkan
- Hasan Çakır
- Yühsel Çağlar
- Sait Günel
- Ali Söylemezoglu
- Hasan Özcan
- Erdoğan Diker
- Atilla Türk,
- Herval
- Güven Pamir

+ Batı Avrupa 5 ?

+ Kültür Cal. Grn 4 ✓

Değerli Dostlar, Değerli Yoldaşlar,

Kamber yoldaşı ülkemize uğurladık. Onu, yedi iklim dört bucağını canbedel sevdiği ülkemize gönderdik. Yüreğimizde acı, beynimizde Kamberle paylaşılan düşüncelerin aydınlığı var. Omuzlarımızda onun tüm bilinçli yaşamını uğruna adadığı yüce ülküler için şimdi onun adınada yaşamanın, mücadeleye devam etmenin sorumluluğu var. Bizler Kamber gibi bir yoldaşın anısına ancak böyle layik olabiliriz.

O, aklın sağduyunun, özverinin, yüksek ahlakın, insan sevgisinin adamıydı. Dünyaya insan olmaya gelmiş olduğunun bilincini her adımında kanıtlayan güzel insanlarımızın biriydi. Evinde, işinde, günlük yaşamında, yaşadığı her zamanda ve mekanda böyleydi. O humanizmin, Barışın, demokrasinin, özgülüğün, sosyalizmin taraftarı, uzunca bir dönemdenberi Komünistpartimizin inançlı savaşkan bir üyesiydi. Partimiz Kamber Kaplan gibi bir işçiyi sıralarına alabildiği için, onun kıratında bir insanın üyesi olmakla onur duyduğu bir parti olduğu içinkıvanç duyuyor.

Onun parti sıralarında Türkiye işçi sınıfı, Kürt ve Türk halkının özgür mutlu geleceği için, Barış ve Demokratik yenilenmenin Türkiye toprağında da muzaffer olması için yürüttüğü çalışma her parti üyemize örnektir.

O, Fedaral Almanyada partimizin tüm çalışmalarında, partimizin gelişme ve güçlenme dönemlerinde, zorluklarında çalışmalarıyla hep ön sırada yer aldı. O Fedaral Almanyada Türkiyeli göçmen işçilerin ırkçılığa, ayrımcılığa ve sömürüye karşı eşit haklar mücadelesinde, Barış için mücadelede Alman sınıf kardeşleriyle omuz omuzaydı. O ekmecek parası için düştüğü gurbette nafakasının esiri olmayan, ekmeği ve özgürlüğü aslanın ağzından koparıp almak için sınıf mücadelesinin bilinçli neferi olmayı bilmiş işçilerdendi.

Fakat, Kamber Kaplanda ülkemizin birçok yurtseveri gibi, bu faaliyetleri ile 12 Eylül rejiminin baskısına uğradı. Kısa bir dönem evvel yurda dön çağrısıyla birlikte, vatandaşlıktan çıkarılma sorunuyla yüzyüze geldi. O hükümetin, Bakanlar Kurulunun vatandaşlıktan çıkarılması yönünde kararın uygulanmasının son aşamısında kendi ölümü ile kararı durdurabildi.

Kamber yoldaş ölümüyle Dünyaya ve dostlarına allahaısmarladık demedi. "merhaba Kainat" diyerek gerçekte o ölümsüzlüğe geçti. Kendini insanlığa adanmış, böyle yaşamış her bilinçli insan gibi.

TBKP MK'si Kamber yoldaşın ailesine, tüm yakınlarına, yoldaşlarına, tüm dostlarına baş sağlığı diliyor. En seçkin mücadeleçilerden birini yitiren Türkiyeli göçmen işçilere baş sağlığı diliyor.

Kamber yoldaşın anısı yüreğimizde ve aklımızda, ülküleri mücadelemizde yaşayacaktır. Değerli yoldaş sana TBKP MK adına ve kendim adıma saygı ve sevgilerimi sunarım.

Liebe FreundInnen,
Liebe GenossInnen,

Genossen Kamber haben wir in unsere Heimat, die er zum Sterben gern liebte, verabschiedet. Unsere Herzen weinen, jedoch leuchten unsere Gedanken mit den Ideen, die wir mit Kamber teilten. Wir haben eine weitere Verantwortung übernommen, nämlich auch in seinem Namen zu leben und den Kampf weiter zu führen. Nur so können wir der Erinnerung eines Genossen, wie es Kamber war, gerecht werden.

Er war ein Mensch des Denkens, des gesunden Menschenverstandes, der hohen Moral und der Menschenliebe. Er war einer von unseren guten Menschen, der sich bewußt war, warum er in die Welt gekommen ist und bewies dies in allen seiner Handlungen. Zu Hause, bei der Arbeit, in seinem täglichen Leben, überall und zu jeder Zeit handelte er mit diesem Bewußtsein. Er war an der Seite des Humanismus, des Friedens, der Demokratie, der Freiheit, des Sozialismus und war lange Jahre ein treues und kämpferisches Mitglied unserer kommunistischen Partei. Unsere Partei ist stolz, einen Arbeiter wie Kamber Kaplan in ihren Reihen gehabt zu haben und desweiteren eine Partei zu sein, deren Mitgliedschaft einen Menschen wie ihn stolz machte.

Seine Taten in den Reihen der Partei für eine lebenswürdige und unabhängige Zukunft des kurdischen und türkischen Volkes, für den Sieg des Friedens und der demokratischen Erneuerung auf den Boden der Türkei liefern ein Beispiel für alle Mitglieder unserer Partei.

In allen Auslandsaktivitäten unserer Partei, sei es in den erfreulichen Entwicklungen der Stärkungsphasen, sei es in den schwierigen Tagen, war er in den vordersten Reihen. Er kämpfte stets gemeinsam mit seinen deutschen Klassenbrüdern für den Frieden, mit den Arbeitsimmigranten aus der Türkei in der Bundesrepublik gegen den Rassismus, gegen Diskriminierung und Ausbeutung sowie für die gleichen Rechte. Er war einer von den ArbeiterInnen, der es geschafft hatte, um das Brot und die Freiheit erkämpfen, anstatt Opfer des täglichen Brots zu werden. Er war ein bewußter Kämpfer der Arbeiterklasse.

Wie viele andere Patrioten unseres Landes war auch Kamber Kaplan wegen seiner Aktivitäten Repressalien des Regimes vom 12. September ausgesetzt. Vor kurzem wurde ihm mit der Ausbürgerung gedroht, falls er nicht zurückkehre. Durch sein Ableben schaffte er in letzter Sekunde die Durchführung des Regierungsbeschlusses nach seiner Ausbürgerung zu stoppen.

Genosse Kamber ist nicht gestorben, sondern wie jeder Mensch, der sich der Menschheit gewidmet hat, in die Unsterblichkeit übergegangen.

Das Zentral Komitee der Vereinigten Kommunistischen Partei der Türkei (TBKP) übermittelt der Familie des Genossen Kamber, allen seinen Bekannten und GenossInnen ein herzliches Beileid. Ebenso den Arbeitsimmigranten aus der Türkei, die einen ihren angesehenen Mitstreiter verloren haben, übermittelt das ZK der TBKP ein herzliches Beileid.

Die Erinnerung Genossen Kambers wird in unseren Herzen und Gedanken ~~mit~~ in unserem Kampf weiterleben.

Verehrter Genosse,

im Namen des ZK der TBKP und in meinem eigenen Namen überbringe ich Dir unsere Hochachtung und Liebesgrüße.

Zürich, 29.1.1988

BASIN DUYURUSU

TURGUT ÖZAL VE HANEDANI DAVOS'TA, BİNLERCE POLİTİK TUTUKLU ZİNDANLARDA

Başbakan Turgut Özal, 28 ocak-3 şubat tarihleri arasında yapılacak Davos toplantılarına katılmak üzere İsviçre'ye geliyor. Bu arada Yunanistan Başbakanı Andreas Papandreu ile de ikili görüşme yapacağı belirtiliyor. Türkiye bu vesileyle birkez daha İsviçre kamuoyunun gündemine geliyor.

Yurtdışında yaşayan vatandaşlarımızın kendi ülkeleriyle övünebilir olmaları sadece moral açıdan değil, aynı zamanda kendilerine yönelik davranışların insana yaraşır olması açısından da önemlidir. Eğer bir ülkede en temel insan haklarına bile saygı gösterilmiyorsa, o ülkede insanlara düşüncelerinden, inançlarından, ulusal kökenlerinden dolayı baskı yapılıyorsa, o ülkenin vatandaşları ülke dışında saygınlık kazanamazlar.

Türkiye maalesef 12 Eylül 1980'den bu yana sürekli olarak uluslararası alanda, temel insan hak ve özgürlüklerine saygılı olmayan bir ülke konumundadır. Bu dönemde toplum içinde derin yaralar açılmış, binlerce insan tutuklanmış, işkence ve baskı görmüştür. Halen yüzü aşkın hükümlü idam cezalarının infazını bekleme psikolojik işkencesinin altındadır. Kürt halkı büyük haksızlık ve acılarla karşı karşıya kalmıştır.

Son örnek olarak kendi özgür iradeleriyle ülkelere politik faaliyetlerini sürdürmek için dönen, TKP Genel Sekreteri HAYDAR KUTLU ve TİP Genel Sekreteri NİHAT SARGIN, havaalanında dünya kamuoyunun gözü önünde, elleri, gözleri bağlı biçimde apar-topar gözaltına alınmış, 19 gün boyunca ağır işkenceye maruz kalarak tutuklanmışlardır. Haydar KUTLU gözaltı ve tutukluluk döneminde iki kez kalp spazmı geçirmiştir. İki Genel Sekreter halen mahkemeye çıkarılmamıştır.

Şu anda Avrupa'nın hiçbir ülkesinde bir siyasi parti sekreteri tutuklu değildir. Bizim ülkemizde ise iki parti Genel Sekreteri tutuklu olup, politik faaliyetlerinden ötürü 16 yıl ağır hapis tehlikesi ile karşı karşıyadırlar. Avrupa'da Komünist Parti'sinin yasaklı olduğu tek ülke Türkiye'dir. Bir süredir Demokrasiye geçildiği söyleniyor. Bir ülkede düşünce ve örgütlenme özgürlüğüne konan yasaklar devam ettiği müddetçe orada Demokrasiden söz edilemez. Demokrasi "ülkenin şartlarına uygun değil", "Jeopolitik konumumuza uymaz", "zamanı değil", "Avrupa'nın seviyesine gelince..." gibi mantıksız sözlerle ertelenemez.

Görüşlerini paylaşmasak, hatta karşı dahi olsak iki Genel Sekreterin adımı meşru görülmelidir. Ortak görev Türkiye'de Demokrasiyi kazanmaktır.

HAYDAR KUTLU ve NİHAT SARGIN serbest bırakılmalı, politik faaliyetleri engellenmemelidir. Tüm politik tutuklulara Genel AF ilan edilmeli, Ölüm cezaları kaldırılmalıdır. Bu amaçla Komitemiz bir mektupla İsviçre Hükümeti adına, Başbakan Turgut Özal'la görüşecek olan Ekonomi bakanı Jean-Pascal Delamuraz'a kaygılarını içeren bir mektup iletmiştir. KUTLU ve SARGIN'a özgürlük ve Genel AF için Komitemizin başlattığı, İsviçre ve Türk hükümetlerine sunulacak imza kampanyamız Sosyal Demokrat Parti milletvekilleri Jean Ziegler, H. Braunschweig, René Longet, Ursula Vöglin, Paul Rechsteiner, Richard Bäuml, Ernst Leunenberger, Bağımsız Parti'den Hansjörg Weder, Herbert Maeder, Yeşillerden, Monika Stocker, Verena Diener, İlerici Parti'den: Anita Fetz, S. Oberholzer ve Komünist Parti'den Jean Spielmann'ın imzalarıyla İsviçre Parlamentosunun gündemine gelmiştir. "YA DEMOKRASİ, YA DA DEMOGÖJİ VE YALAN"

COMITE POUR LA LIBERATION DE HAYDAR KUTLU ET NİHAT SARGIN
Pressebüro, Flurlingerweg 4, 8212 Neuhausen, Téléfax: 053-59006, Tel: 053/26544

Zürich, 29.1.1988

COMMUNIQUE DE PRESSE

NOUS PROTESTONS L'ARRIVE EN SUISSE LE PREMIER MINISTRE TURC, TURGUT ÖZAL

Depuis Coup d'Etat du 12 septembre 1980, les pouvoirs en Turquie violent constamment les droits de l'homme:

- des dizaines de milliers de personnes ont été arrêtés et sont sauvagement torturés. (D'après Amnesty Internationale 72 detenu ont péri sous la torture.)
- plus de 500 prisonniers politiques condamnés à mort. (32 condamnés ont déjà été pendus.)
- oppression continuelle sur le peuple Kurde.
- interdiction des organisation progressistes.
- libertés démocratiques, syndicales supprimées.

En outre le 16 novembre M. Haydar KUTLU (44 ans) et M. Nihat SARGIN (62 ans), secrétaires généraux du Parti communiste et du Parti ouvrier de Turquie, récemment unifiés sous le nom de Parti communiste unifié de Turquie, ont été arrêtés à leur retour d'exil. Pendant les 19 jours de garde à vue qu'ils ont subis KUTLU - il est victime d'une malaise cardiaque - et SARGIN ont été torturés.

Deux leaders d'opposition risquent seize années de prison en vertu des articles 141 et 142 du Code pénal turc. Articles hérités de Mussolini qui interdisent les partis communistes

En Suisse 14 Conseillers Nationaux: Bäumlín Richard/BE, Braunschweig Hansjörg/ZH, Diener Verena/ZH, Fetz Anita/BS, Leuenberger Ernst/SO, Leutenegger Oberholzer/BL, Longet René/GE, Maeder Herbert/AR, Rechsteiner Paul/SG, Spielmann Jean/GE, Stocker Meier Monika/ZH, Ulrich Vögtlin Ursula/SO, Weder Hansjürg/BS, Ziegler Jean/GE, ont signés notre appel qui réclament la libération immédiate de Haydar KUTLU et Nihat SARGIN, ainsi qu'une amnistie générale pour tous les prisonniers politiques et respect de la Démocratie et Droits de l'Homme en Turquie.

Notre Comité également a adressé une lettre à Conseil fédéral pour d'intervenir auprès des autorités turques afin que M. Haydar KUTLU et Nihat SARGIN, ainsi que tous les démocrates soient libérés et pour que toutes les mesures anti-démocratiques soient levées.

A cette occasion notre Comité appelle toutes les forces et la presse démocratiques de la Suisse à prendre position contre les violations des droits de l'homme en Turquie.

Zürich den, 28. Jan. 1988

PRESSEERKLÄRUNG

Wir protestieren der Aufenthalt der türkischer Ministerpräsident Turgut ÖZAL in der Schweiz.

Seit dem Militärputsch von 12 September 1980, verletzte die türkische Regierung, ununterbrochen die Menschenrechte in der Türkei:

- Tausende von Menschen wurden inhaftiert und auf eine rohe Weise gefoltert. (Nach der Information der Amnesty International, wurden 72 Menschen Ende einer Folterung gestorben).
- Mehr als 500 Gefangener wurden zur Tode verurteilt (32 Verurteilte sind schon aufgehängt).
- Die Unterdrückung gegen das Kurdische Volk dauert.
- Alle progressiste Parteien sind verboten.
- Die demokratischen und gewerkschaftlichen Rechten sind eingestellt.

Am 16. Nov. 1987 wurden die Generalsekretäre der Kommunistischen Partei der Türkei (TKP) und der Arbeiterpatei der Türkei (TIP), Haydar KUTLU und Nihat SARGIN bei Ihrer Rückkehr festgenommen. Nach dem Artikeln 141 und 142 (diese Artikeln sind vom Mussolini übernommen, in dem, die Kommunistischen Parteien verboten sind) riskieren die beiden Leader's 16 Jahre Gefängnisstrafe. Während 19 Tage Inhaftierung, wurden KUTLU (Er ist herzleidend) und SARGIN gefoltert.

14 Nationalräte der Schweiz - Bäumlín Richard/BE, Braunschweig Hansjörg/ZH, Diener Verena/ZH, Fetz Anita/BS, Leuenberger Ernst/SO, Leutenegger Oberholzer/BL, Longet René/GE, Maeder Herbert/AR, Rechsteiner Paul/SG, Spielmann Jean/GE, Stocker-Meier Monika/ZH, Ulrich-Vögtlin Ursula/SO, Weder Hansjürg/BS, Ziegler Jean/GE, haben den Aufruf für die sofortige Freilassung der Haydar KUTLU und Nihat SARGIN sowie, eine generelle Amnestie für alle politischen Gefangenen und für die Wiederherstellung der Demokratie und der Menschenrechten in der Türkei, unterschrieben.

Bei dieser Gelegenheit, appelliert unsere Komitee, um Stellungnahme der allen demokratischen Kräften und alle demokratische Pressen, gegen die Menschenrechtverletzungen in der Türkei. Wir fordern, sofortige Freilassung von M. Haydar KUTLU und Nihat SARGIN und somit auch eine generelle Amnestie für alle politische Gefangenen.

Kontaktadresse:

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Goldbrunnenstr. 131
8055 Zürich
Tel. 01 / 462 20 03

An das
Europa-Parlament
Rue René Cassin
67000 Strassbourg / France

Zürich, 11. September 1989

Menschenrechtssituation in der Türkei und in Kurdistan

Sehr geehrte Damen und Herren,

wir, die Teilnehmerinnen und Teilnehmer der Demonstration vom 9. September in Zürich (gleichentags haben auch Demonstrationen in Basel und Genf stattgefunden), gelangen an Sie mit der dringenden Bitte, sich dafür einzusetzen, dass bei den Verhandlungen des Europaparlamentes, resp. Europarates mit der Türkei, die Fragen von Menschenrechten und Demokratie den ihnen gebührenden Platz finden und mit Nachdruck gestellt werden.

Die Forderungen unserer Demonstration lauten:

- Generalamnestie für die politischen Gefangenen
- Schluss mit den Militäroperationen und Zwangsumsiedlungen in Kurdistan
- Nein zu Ausnahmezustand und Dorfwächter-System

Der von der türkischen Regierung offiziell propagierte "Uebergang zur Demokratie" hat sich in den letzten Wochen erneut als Farce an die Adresse Ausländischer Instanzen entlarvt. Umso wichtiger ist es, dass diese Gremien die wahren Zustände in der Türkei und insbesondere in den kurdischen Provinzen vor Augen haben und sich durch die Vorspiegelung von Normalität nicht täuschen lassen.

Für Ihre Bemühungen in Richtung Wiederherstellung von Demokratie und Menschenrechten in der Türkei danken wir Ihnen bestens und verbleiben

mit vorzüglicher Hochachtung

für die Teilnehmer/-innen der
Demonstration


Anjuška Weil



Schweiz - Suisse - Svizzera:
Rue du Vieux-Billard 25 - 1205 Genève - Tél. (022) 281140
Briefadresse - Adresse postale - Indirizzo postale:
Case postale 232 - 1211 Genève 8
Postcheckkonto - Compte de chèques postaux - Conti correnti postali
12-3363-3 - Genève

Genève, le 6 avril 1989

Le Parti Suisse du Travail exprime sa totale et fraternelle solidarité avec les dirigeants des Partis communiste et ouvrier de Turquie, Haydar Kutlu et Nihat Sargin, arrêtés en novembre 1987 au retour de leur exil et qui, malgré les nombreux appels internationaux en faveur de leur libération, continuent à subir une pénible détention.

Le Parti Suisse du Travail salue le courage exemplaire dont ils font preuve dans leur lutte pour la légalisation de leurs Partis et le retour à la démocratie en Turquie. Nous les assurons de notre solidarité active et réitérons nos exigences pour leur libération immédiate ainsi que celle de leurs co-détenus.

Au nom de tous les membres du Parti Suisse du Travail et des démocrates de notre pays, nous vous transmettons nos fraternelles salutations.

PARTI SUISSE DU TRAVAIL
Secrétaire général
Conseiller national
Spielmann
Jean Spielmann

DEMOKRATISCHE JURISTINNEN UND JURISTEN DER SCHWEIZ

DELEGATION
IN DIE TÜRKEI

8. - 14. 8. 1988

TÜRKİYE SOSYAL TARİH ARAŞTIRMA VAKFI

3. Der Prozess gegen die Kommunisten Kutlu und Sargin

Beim zweiten von der DJS-Delegation besuchten Prozess handelt es sich um denjenigen gegen 16 führende Mitglieder kommunistischer Parteien, darunter den Generalsekretär der Türkischen Kommunistischen Partei (TKP), Haydar Kutlu und den Vorsitzenden der Türkischen Arbeiterpartei (TIP), Nihat Sargin. Kutlu und Sargin waren am 16. November 1987 in die Türkei zurückgekehrt, in der Absicht, in der Türkei eine Vereinigte Kommunistische Partei, die TBKP, zu gründen und sich an den Wahlen zu beteiligen. Kurz zuvor hatte der türkische Ministerpräsident Turgut Özal erklärt, dass sich die Türkei in einem Demokratisierungsprozess befinde und dass die Wahlen für die Nationalversammlung der klare Ausdruck davon sei. Kutlu und Sargin sind in Begleitung einer Delegation des Europäischen Parlaments zurückgekehrt und wurden noch auf dem Flughafen festgenommen (1). Für beide fordert der Staatsanwalt des Staatssicherheitsgerichtes in Ankara je 256 Jahre Gefängnis.

4. Ergebnisse der Prozessbeobachtungen

In den Verfahren gegen die Devrimçi Yol und gegen Kutlu und Sargin sowie ihre Mitangeklagten hat die DJS-Delegation verschiedene schwere Mängel festgestellt, die im folgenden gesondert aufgeführt werden.

4.1 Verfahren und Anklage gegen die Devrimçi Yol

4.1.1 Länge der Untersuchungshaft und Haftbedingungen

Die Mehrzahl der noch immer inhaftierten Angeklagten befindet sich nun bereits seit mehr als sechs und sieben Jahren in Untersuchungshaft. Der Prozess begann erst am 18. Oktober 1982, nachdem die 1319-seitige Anklageschrift des Militärstaatsanwaltes bereits im Februar 1982 dem Militärgericht von Ankara übergeben worden war. Das Verfahren wurde zum einen wegen seines Umfang und zum andern auch deshalb in die Länge gezogen, weil das Gericht immer wieder neue Angeklagte aus anderen Verfahren ins Hauptverfahren miteinschloss.

Die Haftbedingungen im Mamak-Militärgefängnis gelten als besonders hart und die sieben mutmasslichen Mitglieder des Zentralkomitees der Devrimçi Yol wurden während mehr als sechs Jahren in einer Zelle von 4 m², mit Angehörigen der Grauen Wölfe zusammen (extreme Rechte), in Isolationshaft gehalten.

(1) Entschliessung des Europäischen Parlaments vom 19. November, "Willkürliche Festnahmen in der Türkei am 6.11.1987", in EuGRZ 1988, S. 89.

4.1.7 Die Doppelverfolgung von Delikten

Die in Polizeihaft systematisch angewandte Folter zur Erpressung von Geständnissen sowie die teils durch die Polizei selber angefertigten Protokolle haben in den derzeitigen Prozessen regelmässig zur Konsequenz, dass gewisse Straftaten in verschiedenen voneinander unabhängigen Prozessen doppelt und mehrfach abgeurteilt werden. Der DJS-Delegation liegen Beweise dafür vor, dass mindestens für 10 im Devrimci Yol Prozess von Ankara verhandelten Delikte bereits rechtskräftige Urteile in anderen Prozessen ergangen sind. Viele dieser Prozesse und derdarin verurteilten Angeklagten haben weder mit dem Devrimci Yol-Prozess in Ankara noch mit der Dev-Yol an sich zu tun.

4.2 Verfahren und Anklage im Kutlu/Sargin-Prozess

4.2.1 Verfahren vor dem Staatssicherheitsgericht

Der Prozess gegen die 16 führenden Mitglieder der kommunistischen Parteien, darunter die beiden Generalsekretäre Kutlu und Sargin, sowie zwei ihrer ursprünglichen Verteidiger, findet vor dem Staatssicherheitsgericht in Ankara statt. Die Errichtung besonderer Staatssicherheitsgerichte für politische Straftaten fusst auf Art. 143 der Türkischen Verfassung, wonach diese besonderen Gerichte Straftaten zu verhandeln haben, "welche gegen die unteilbare Einheit von Staatsgebiet und Staatsvolk, die freiheitliche demokratische Ordnung und die Republik, ..., begangen werden und die innere und äussere Sicherheit des Staates unmittelbar betreffen". Bisher wurden in der Türkei sechs solche Gerichtshöfe gegründet, welche über politische Straftaten, die im Anschluss an die Aufhebung des Kriegsrechts begangen wurden, zu urteilen haben.

Das Gericht im Kutlu/Sargin-Prozess setzt sich aus drei Richtern zusammen, darunter ein Militärrichter. Auch in diesen, erst 1985 eingeführten Gerichten, hat das Militär somit regelmässig einen Fuss drin. Mit Sicherheit darf daher der gleiche, die Unabhängigkeit des Gerichtshofes betreffende, Vorbehalt gemacht werden, wie bei den reinen Militärjustizprozessen.

4.2.2 Länge der Untersuchungshaft und Haftbedingungen

Die 19-tägige Untersuchungshaft hat die gesetzlich vorgeschriebene Dauer der Untersuchungshaft überschritten (15 Tage). Während dieser Zeit war es den Angeklagten nicht möglich, ihre Anwälte oder Familienmitglieder zu sehen.

4.2.3 Folter

Die beiden Angeklagten sind laut ihren Aussagen während ihrer Incommunicado-Haft geschlagen, mit Elektroschock behandelt, an den Armen aufgehängt, während mehreren Tagen am Schlaf gehindert und mit Drogen behandelt worden, um ihre Resistenz zu brechen.

4.2.4 Verwendung der unter Folter gemachten Aussagen in der Anklage

Im Zentrum der Diskussion steht auch in diesem Prozess, dass die Anklage auf Aussagen beruht, welche unter Folter entstanden sind. Während der 19-tägigen sind die beiden Hauptangeklagten systematischer Folter ausgesetzt gewesen. Ihre diesbezüglich vorgebrachten Klagen sind abgelehnt worden.

4.2.5 Behinderung der Verteidigung

Nebst den unter Punkt IV erwähnten allgemeinen Behinderungen ist es im Laufe dieses Verfahrens zusätzlich zu massiven Einschüchterungen gekommen, weil zwei Hauptverteidiger bereits zu Beginn des Verfahrens inhaftiert worden sind.

4.2.6 Anklage

Die zwei Hauptangeklagten werden aufgrund einer ganzen Reihe von Artikeln aus dem Strafgesetzbuch angeklagt. Es handelt sich um: Art. 140, 141 Abs. 1, 142, 158, 159 und 312 des Türkischen Strafgesetzbuches. Der Staatsanwalt fordert eine Gefängnisstrafe von je 256 Jahren. Die Anklage fusst ausschliesslich auf dem Staatsschutzstrafrecht. Im Vordergrund stehen die Artikel 141 und 142. Bei beiden Bestimmungen geht es um die Verfolgung reiner Gesinnungsdelikte. Artikel 140 sieht vor, dass Staatsangehörige, die im Ausland über die innere Situation des Staates unwahre, übertriebene oder auf besonderem Zweck beruhende Gerüchte oder Nachrichten veröffentlichen oder irgendeine den nationalen Interessen zuwiderlaufende Tätigkeit entfalten, mit einer Zuchthausstrafe von mindestens 5 Jahren bestraft werden, falls ihre Tätigkeit die Reputation und das Ansehen des Staates im Ausland ver-
letzt.

Ebenfalls mit Zuchthaus von 8 bis 15 Jahren wird bestraft, wer in der Absicht, die Diktatur einer Gesellschaftsklasse über andere Gesellschaftsklassen zu errichten oder eine Gesellschaftsklasse abzuschaffen oder irgendeine der wirtschaftlichen oder sozialen Grundordnungen des Landes umzustürzen, Vereinigungen organisiert oder deren Organisation vorbereitet oder leitet. Die Todesstrafe wird gegen diejenigen Personen verhängt, die solche Vereinigungen leiten.

Artikel 142 bestraft die Propaganda, welche mit dem in Artikel 141 umschriebenen Ziel betrieben wird. Dieser Artikel sieht eine Zuchthausstrafe von 5 bis 10 Jahren vor. Falls diese Handlungen durch Veröffentlichungsmittel begangen werden, können die Strafen um die Hälfte erhöht werden.

Artikel 158 und 159 sehen zusätzliche Zuchthausstrafen für die Beleidigung von Behördemitgliedern vor.

Artikel 312 ahndet den Tatbestand der illegalen Demonstration.

Die beantragte Strafe ist deshalb so hoch ausgefallen, weil der Staatsanwalt unter jedem Gesetzesartikel verschiedene Anklagepunkte vorbringt und für jeden einzelnen Anklagepunkt eine separate Strafe verlangt.

Amnesty International hat beide Angeklagte als Gewissensgefangene anerkannt, weil sie ausschliesslich aufgrund ihrer politischen Gesinnung angeklagt werden. Ihre Parteien haben weder Gewalt angewendet noch befürwortet. Ihre Inhaftierung widerspricht den Artikeln 10 und 11 der EMRK, der die Türkei beigetreten ist. Diese Artikel garantieren das Recht auf freie Meinungsäusserung und die Vereinsfreiheit.

4.2.7 Atmosphäre im Gerichtssaal

Der Prozess genießt in der Türkei selber, aber auch hierzulande, erhöhte Publizität. Am Prozess nehmen ständig ausländische Delegationen als Beobachter teil. Während der Türkei-Reise war auch ein Beobachter der UN-Menschenrechtskommission anwesend. Kutlu und Sargin werden von sechshundert Anwältinnen und Anwälten aus der Türkei vertreten, von denen ständig immer etwa dreissig im Gerichtssaal anwesend sind.

Der Gerichtssaal unterscheidet sich von demjenigen des Militärgerichtes Mamak durch sein "zivilisierteres Aeusseres". Im Gegensatz zum Prozess der Devrimcçi Yol waren hier die Journalisten weit weniger eingeschränkt und wir konnten sogar ein Kamerateam bei seiner Arbeit beobachten.

COMITE POUR LA LIBERATION DE NİHAT SARGIN ET HAYDAR KUTLU
FREIHEITSKOMITEE FÜR NİHAT SARGIN UND HAYDAR KUTLU
NİHAT SARGIN VE HAYDAR KUTLU'YA ÖZGÜRLÜK KOMİTESİ
Pressebüro:Flurlingerweg 4,8212 Neuhausen/tél:053-226544

10.1.1990

COMMUNIQUE DE PRESSE

AYŞE ÇİÇEK YAĞCI, L'EPOUSE D'HAYDAR KUTLU, SECRETAIRE GENERAL DU PCUT
(Parti communiste unifié de Turquie) A ETE ARRETEE.

100 COMMUNISTES ARRETES A İZMİR.

İstanbul-L'Epouse d'Haydar KUTLU, secrétaire général du Parti communiste unifié de Turquie(PCUT), emprisonné depuis plus de deux ans à Ankara, a été arrêtée le 6 janvier à Istanbul alors qu'elle rentrait dans son pays après plusieurs années d'exil.
Interrogée, Mme Kutlu allait être libérée quand la police d'Ankara a demandé son transfert dans cette ville. On est, depuis sans nouvelle d'elle.

Action demandée:

Prière d'écrire aux autorités turque en protestant contre cette arrestation.
Leur demander de libérer Mme Ayşe Çiçek Yağci.

Adresses:

Yildirim Akbulut -Prime Minister
Başbakan
Bakanliklar-Ankara/TURQUIE
Fax:00904-2308896

Dişişleri Bakanlığı
M.des Affaires étrangères
Bakanliklar-Ankara /TURQUIE
Fax:00904-2871683

İçişleri Bakanligi (Ministère de l'intérieur)
Bakanliklar-Ankara/TURQUIE
Fax:00904-1172390

İzmir-Près de 100 militants du Parti communiste unifié deTurquie(PCUT), ont été arrêtés lundi 8.1.1990, au cours d'une conférence de presse à İzmir. En se manifestant au grande jours après des années de clandestinité, ils avaient voulu prendre au mot les promesses d'Ankara sur une "démocratisation" du régime et un assouplissement des lois anticomunistes.

Prière d'ecrire aux autorités turque en protestant contre ces arrestations.
Insister afin que les personnes arrêtées soient immédiatement libérées et que leur intégrité physique et psychologique soit garantie.

AUFRUF zur NEUJAHR'S - KARTEN - AKTION



Mit einem Neujahrskarten - Gruss bekunden wir den beiden Türkischen Politikern,

Haydar Kutlu (Nabi Yağcı) Gen. Sekretär der Türk. Kom. Partei TKP
und Nihat Sargin Gen. Sekretär der Arbeiterpartei TIP

unsere Solidarität und beglückwünschen sie zu ihrem mutigen Durchhalte-
willen trotz Folter im Gefängnis.

Wir wünschen ihnen die baldige Freilassung, damit sie ihr Recht auf
die legale Gründung einer Vereinigten Arbeiterpartei wahrnehmen können.
(Dies war der Grund ihrer Rückkehr aus dem Exil, leider wurden sie
sofort auf dem Flugplatz verhaftet)

Die offenen Neujahrskarten sind zu senden an : Nabi YAĞCI
Nihat SARGIN

Adresse : Ankara kapalı cezaevi
10.Koğuş

ANKARA / TÜRKİE



Schweizerisches Arbeiterhilfswerk SAH
Oeuvre suisse d'entraide ouvrière OSEO
Soccorso operaio svizzero SOS

Pressedienst
Postfach 325
8031 Zürich
Tel. 01/271 26 00
Fax 01/272 55 50

Kopie
Kopie

Per Fax an
ap/sda/Volksrecht
Zürich

Pressemitteilung

Politischer Prozess in Ankara

Nationalrätin Angeline FANKHAUSER (SP, Baselland) ist heute in die Türkei abgereist, um in Ankara den Prozess gegen Kutlu und Sargin zu beobachten. Sie waren 1987 nach ihrer Rückkehr aus dem Exil verhaftet worden und stehen nun wegen ihrer politischen Gesinnung unter Anklage.

Frau Fankhauser wird auch Kontakte mit VertreterInnen des türkischen Menschenrechtsvereins in Ankara aufnehmen und versuchen, Spuren von ehemaligen Asylsuchenden zu finden, die von der Schweiz in die Türkei ausgeschafft wurden, sowie von freiwilligen Rückkehrern, die ebenfalls inhaftiert wurden. Zudem sollen Möglichkeiten diskutiert werden, wie zurückgeschafften ehemaligen Asylsuchenden in der Türkei geholfen werden kann. Ausserdem wird die aktuelle Lage in den Provinzen, aus denen die Mehrheit der kurdischen Asylsuchenden in der Schweiz stammt, zur Sprache kommen. Angeline Fankhauser ist Zentralsekretärin des Schweizerischen Arbeiterhilfswerks (SAH), das sich in der Vergangenheit wiederholt gegen die Ausschaffung von Kurden in die unter einem Sondergouverneur stehenden Provinzen gewandt und auf die Gefährdung von einzelnen ausgeschafften Asylsuchenden hingewiesen hat.

Zürich, den 8. März 1990/EG

Türkiye'ye Sargin-Kutlu davasına giden ilk kişi milletvekili
A. Fankhauser'in gitmeden önce bizimle yaptığı görüşme.

Angeliné FRANKHAUSER
İsviçre Sosyalist Partisi'nden, İsviçre Parlamentosu
Basel Milletvekili, (1983'den beri)

SAH, (İsviçre İşçi Yardımlaşma Kurumu) Başkanı,
VPOD (Genel Hizmetler Sendikası Basel Bölge Başkanı,
İsviçre Sosyalist Partisi, Basel Kanton örgütü Bşk.
Barış için Kadınlar Örgütü Genel Başkanı
MITENAND (İsviçreli ve Yabancılar birlikte yaşam
Derneği Başkanı)

X X X

Sargın ve Kutlu davasına katılacağını İsviçre'nin
Türkiye'deki Büyükelçiliğine, Başbakan Peter Arbenz
ve Dışişleri bakanı (SP'li) Rene Felberée bildirdi.

İHD ile Türkiye'ye dönen politik göçmenler ve
özellikle zorla İsviçre'den sınır dışı edilen ve
Türkiye'ye geri gönderilen ilticacılar üzerine
görüşmeyi arzuluyor.

Not: Danielle Stürble adlı 2. kişi (Kutlu
Sargın'a özgürlük komitesi adına) ne yarıkli
gelemiyor. Kendisinin yerine ~~özellikle~~
bir milletvekilinin gidebilmesi için uğraşacağını
söz verdi. Ayrıca eğer dava tekrar
entelenirse gelecek duruşmaya katılabilir.

Sergine Selekler

İnal Doğan

8 Mart ZH'den İstanbul Altemali ~~THY~~ uçağı ile
geliyor. 13.55'te Ankara'da olacak.

11 Mart Saat 9'da Ankara'dan ZH uçağını alıyor.
(Dönüş) İstanbul Altemali 11 uçağı ile ZH'den geliyor.

Solidarit tsForum

Schweiz-T rkei-Kurdistan

Sehr geehrte Freundinnen und Freunde des Solidarit tsForums, unsere n chste Sitzung findet
Donnerstag 15. Februar, statt. Wir treffen uns um 20 Uhr im Lokal des T rkischen
Arbeitervereins, Langgasse 6, St. Gallen. Wir werden an diesem Abend  ber unsere er-
sten  ffentlichen Veranstaltungen sprechen, die voraussichtlich am 5. und 7. April  ber
die B hne gehen werden. Alle, die Interesse haben, bei uns mitzuarbeiten, sind herzlich
eingeladen, an der Sitzung teilzunehmen.

Mit freundlichen Gr ssen



Susan Boos
Wildeggstr. 18, 9000 St. Gallen
Tel. G. 25 77 77, P. 22 12 73

Not: Bu "Dayanışma Forum'u", (T rkei-T rkei-Kurdistan)
Daha  rnel Kutlu-Sargın davasına  svicre'den katılan,
aynı zamanda (Gencer Uğur'ın T rkei'ye de d n şme refakat
eden Gazeteci Susan Boos'un inisiyatifi ile kuruldu.
BEM'in t m almanca b lgenleri ve her ge t d kumanı,
haber buraya g nderilebilir. B ylelikle  svicrelilerin
doğrudan dayanışması ger ekle ebilir.



**PROGRESSIVE PARTY
OF WORKING PEOPLE (AKEL)**

Central Committee

10 AKAMANTOS STR. - NICOSIA 114 - CYPRUS

TELEPHONE: 41121 - CABLES: AKEL, NICOSIA

16-11-1989

Türkiye Birleşik Komünist Partisi Merkez Komitesine.

Partiniz liderleri yoldaşlarımız Haydar Kutlu
ve Nihat Sarqın Türkiye'ye dönüşleri ve yasadışı
tutuklanıp hapsedilmeleri bugün ikinci yılını dolduruyor.
Bu yoldaşların ve onları takip edenlerin dönüşleri
TBKP'nin yaşatılması mücadelesi ile Türkiye'de
demokrasi kavgasını yeni bir boyuta çıkardı. Türkiyeli
komünistlerin ve demokratik güçlerinin mücadelesine
cesaret verdi ve onu güçlendirdi.

AKEL M. K. Kıbrıs ilerici halkının göze
olan dayanışmasını, iletirken sesini tüm demokratik
ilerici güçlerinin sesine katıyor ve yoldaşlarımızın
tutuklanmalarını mahkum ediyor. Yargılanmalarına
son verilmesini Kutlu ile Sarqınla birlikte tüm
politik tutukluların serbest bırakılmasını talep

Ganderol



**PROGRESSIVE PARTY
OF WORKING PEOPLE (AKEL)**

Central Committee

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TELEPHONE: 41121 - CABLES: AKEL, NICOSIA

ediyoruz. Türkiye'nin demokratikleşmesinde bir
başlangıç olarak TBKP'nin yasallaşmasını istiyoruz.

AKEL M. K. adına

• Dış ilişkiler sekreteri Polit

Büro üyesi

Dön





**PROGRESSIVE PARTY
OF WORKING PEOPLE (AKEL)**

Central Committee

10 AKAMANTOS STR. - NICOSIA 114 - CYPRUS

TELEPHONE: 41121 - CABLES: AKEL, NICOSIA

16-11-1989

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son verilmesini Kutlu ile Sarqın birliktelikte tüm
politik tutukluların serbest bırakılmasını talep



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başlangıç olarak TBKP'nin yasallaşmasını istiyoruz.

AKEL M. K. adına

Dış İlişkiler Sekreteri Polit

Buza öyeri

Dönüş



TÜSTAV
TÜRKİYE SOSYAL TARİH ARAŞTIRMA YAKFI

- 2 -

İstanbul DGM dava açtı. 141 ve 142. maddeler uyarınca açılan davada tutuksuz yargılama öngörülmekte, ancak TBKP üyelerinin bir bölümü için 18 yıla kadar ağır hapis cezaları istenmektedir.

Öte yandan İstanbul Barosu avukatlarından Alp Selek, TCK'nun 141. maddesi uyarınca ceza aldığı gerekçesiyle Adalet Bakanlığı tarafından meslekten men edilmek isteniyor. Kamuoyuna 141 ve 142. maddelerin kaldırılması için çalışmalar yapıldığını açıklayan Adalet Bakanı Oltan Sungurlu, Alp Selek'in avukatlık yapma başvurusunu kabul edem İstanbul Barosu Başkanı Turgut Kazan ve diğer yöneticileri hakkında da savcılığın soruşturma açmasına talep etmiş bulunuyor.

Ankara- Ankara Devlet Güvenlik Mahkemesi Savcılığının emriyle İstanbul'da gözaltına alınıp Ankara'ya götürülen TBKP yöneticilerinden Semih Gümüş ve Umur Coşkun, yurt içindeki ve yurt dışındaki tepkiler sonucu serbest bırakıldılar.

Ne ki, Ankara DGM Savcılığının aralarında 6 Ocak 1990'da Türkiye'ye dönen TBKP Genel Sekreteri Haydar Kutlu'nun eşi Ayşe Çiçek Yağcı'nın, Umur Coşkun ve Semih Gümüş'ün, Ankara ve Ereğli-Zonguldak'ta legal çalışmak istediklerini açıklayan TBKP'lilerin ve Adımlar Bürosu'nda gözaltına alınıp salıverilen Özcan Kesgeç ve Atilla Aşut'un da bulunduğu 84 kişi hakkında TCK'nun 141 ve 142. maddeleri uyarınca bir dava açmaya hazırlandığı öğrenildi.

AVRUPA'DAKİ TÜM İNSAN HAKLARI ÖRGÜTLERİNİN VE DEMOKRATLARIN DİKKATİNE:

TBKP Tutuklularıyla Dayanışma Girişimi, bütün bu gelişmeler karşısında Avrupa'daki tüm insan hakları örgütlerine ve demokratlara hitaben bir çağrı yayınladı. Çağrıda şöyle diyor:

" Türkiye Cumhuriyeti Başbakanı Yıldırım Akbulut, Adalet Bakanı Oltan Sungurlu TCK'nun 141, 142 ve 163. maddelerinin kaldırılması konusundaki yasa tasarısının hükümet tarafından içinde bulunduğumuz hafta içinde parlamentoya sevkedileceğini açıkladılar. Başbakan Akbulut ve Adalet Bakanı Sungurlu, yasaların kaldırılması için parlamentoda temsil edilen muhalefet partilerinin mutabakatının gerektiğini defalarca belirttiler. Parlametoda temsil edilen muhalefet partilerinden SHP'nin Başkanı Erdal İnönü, DYP'nin Başkanı Süleyman Demirel Türkiye kamuoyuna TCK'nun 141 ve 142. maddelerinin kaldırılmasından yana olduklarını çoktan açıklamış bulunuyorlar. Bu durumda, totalitarizmin Türkiye'deki dayanakları olan TCK'nun 141 ve 142. maddelerinin parlamentoda görüşülerek kaldırılmasının

önünde hiçbir engel bulunmamaktadır.

Böylesi bir ortamda TCK'nun 141 ve 142. maddeleri gerekçe yapılarak yüzlerce insanın gözaltına alınması, tutuklanması hiçbir şekilde kabul edilebilecek bir uygulama değildir. Şu anda en az 85 bin insan, bu maddeler nedeniyle mağdur durumdadır. Bunlar arasında 9 Mart 1990'da Ankara DGM'de duruşmaları yapılacak olan TBKP Başkanı Nihat Sargın ve Genel Sekreteri Haydar Kutlu da bulunmaktadır.

Öte yandan Türkiye'de devlet ve hükümet çevrelerinde etkili konumlara sahip olan totalitarizm yandaşları Avrupa kamuoyunun dikkatinin Doğu Avrupa ülkelerindeki gelişmelere kaymış olmasına kendi amaçları doğrultusunda fırsat olarak kullanmaya, Türkiye kamuoyunda Avrupalıların insan hakları ve demokrasi anlayışları konusunda kuşkular ve güvensizlik uyandırmaya ve TCK'nda yapılması gündeme gelen değişiklikleri ertelemeye çalışıyorlar.

Türkiye'deki totalitarizm yandaşlarının bu oyununu bozmak için Avrupa'daki tüm insan hakları örgütlerini ve demokratları, 9 Mart 1990'a kadar Türkiye Cumhuriyeti Başbakanlığına, Adalet Bakanlığına, İçişleri Bakanlığına ve Ankara Devlet Güvenlik Mahkemesi Başsavcılığına aşağıdaki istemlerle başvurmaya çağırıyoruz:

x Ankara DGM'nin emriyle şu anda Ankara Emniyet Müdürlüğü'nde bulunan Abdurrahman Atalay, Peyami Arıık, Ali Hikmet Fırat ve Erdal Talu başbakanlık ve adalet bakanlığı genelgelerine dayanarak avukatlarıyla görüştürülmeli, kendilerine hiçbir fena muamele yapılmamalıdır.

xTCK'nun 141 ve 142. maddelerinin kaldırılması yolundaki yasa tasarısı parlamento'ya gelmek üzere olduğu için, bu maddeler uyarınca yapılan tüm koğuşurmalar, gözaltına almalar ve tutuklamalar durdurulmalıdır.

xTCK'nun 141 ve 142. maddelerinden tutuklu olan herkes, bu arada TBKP Başkanı Nihat Sargın ve Genel Sekreteri Haydar Kutlu daha fazla mağdur olmamaları için derhal salıverilmelidir. "

Başvurular için:

Başbakan Yıldırım Akbulut

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Ankara Devlet Güvenlik Mahkemesi Başsavcısı Nusret Demiral

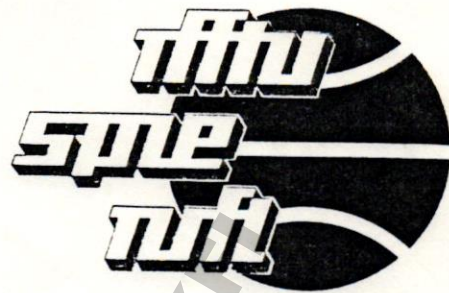
Ankara Devlet Güvenlik Mahkemesi Başsavcılığı

Çevre sok.

Bakanlıklar-Ankara

TÜRKİYE SOSYAL TARİH ARAŞTIRMA VAKFI
TÜSTAV

International Federation of Free Teachers' Unions
Secrétariat Professionnel International de l'Enseignement
Secretariado Profesional Internacional de la Enseñanza
Internationale Vereinigung Freier Lehrergewerkschaften
IFFTU European Committee (ICE)



To the Prime-Minister of Turkey
Mr. Turgut ÖZAL
Prime-Ministers' Office
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Turkey

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Telephone: 31.20.249072
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Telex: 17118 IFFTU NL
Telegrams: Interspie Amsterdam

AMSTERDAM, 28 October 1989
494/FvL/ICE

Sir,

The European Committee of the International Federation of Free Teachers' Unions, which is composed of 27 teachers' trade unions in Europe, together representing 1,100,000 teachers and teaching related personnel, expresses its deep concern over the ongoing infringements of human and trade union rights in your country.

The Committee notes that in spite of public declarations to work towards the restoration of democracy made by yourself and other members of your Government, teachers and other public employees do not have the right to take part in the determination of their terms and working conditions or even to organise themselves in independent trade union organisations.

The Committee draws your attention to the fact that these restrictions constitute infringements of international labour conventions, including the ILO Conventions # 87 and # 98; that these restrictions are in conflict with the UNESCO/ILO Recommendation on the Status of Teachers (1966) and, furthermore, not at all in accordance with the human and trade union rights standards as established by various European institutions, including the Council of Europe.

The Committee is of the opinion that your Government's claimed objective to promote democratic development, social progress and economic growth is doomed to fail when the education sector in general and the teaching profession in particular remains a target of restrictions and repressive measures.

The Committee is also of the opinion that the current human and trade union rights situation in your country constitutes a mayor obstacle to the association of your country with the Council of Europe and the European Community.

The Committee strongly urges you to respect all international and European human and trade union rights conventions and to give teachers and other employees in the education sector the freedom to establish and maintain independent trade union organisations.

Alain MOUCHOUX
President

Fred VAN LEEUWEN
Secretary

Executive Committee: A. SHANKER, U.S.A. (President), A. DIAZ HEREDIA, Venezuela (Vice President), L. SIA, Singapore (Vice President), Y. SIMBRON, France (Vice President), F. VAN LEEUWEN, Nederland (General Secretary), F. SMITHIES, U.K. (Treasurer), J. FORSTER, Canada, G. MANDORLI, Italia, D. VORMAWOR, Ghana, N. TOKUYAMA, Japan, D. WUNDER, B.R.D., A. MOUCHOUX, France, O. TALL, Sénégal.

ULUSLARARASI HUR ÖĞRETMEN SENDİKALARI FEDERASYONU
IFFTU Avrupa Komisyonu (ICE)

Sayın Turgut ÖZAL
Türkiye Başbakanı
Başbakanlık Bürosu
Ankara
Türkiye

AMSTERDAM, 28 Ekim 1989
494/FvL/ICE

Avrupa'da 27 öğretmen sendikasıdan oluşan, 1.100.000 öğretmen ve eğitim görevlisini temsil eden Uluslararası Hür Öğretmen Sendikaları Federasyonu Avrupa Komisyonu olarak, ülkenizde süregiden insan hakları ve sendikal hakların ihlalleri konusunda derin kaygılarımızı belirtiriz.

Komisyon, demokrasinin restorasyonu için çalışmak yolunda kendiniz ve hükümetinizin diğer üyeleri tarafından yapılan kamuoyu açıklamalarına rağmen, öğretmenlerin ve diğer kamu çalışanlarının, sözleşme ve çalışma koşullarının belirlenmesine katılma haklarının olmadığına, hatta bağımsız sendikalarda örgütlenme haklarının olmadığına işaret eder.

Komisyon, bu kısıtlamaların 87 ve 98 sayılı ILO sözleşmeleri de içinde olmak üzere, uluslararası çalışma sözleşmelerini ihlal ettiğine; Öğretmenlerin Konumları Hakkında (1966) UNESCO/ILC tavsiyeleriyle geliştiğine; dahası Avrupa Konseyi'nin de aralarında bulunduğu, çeşitli Avrupa kurumlarınca kabul edilen insan hakları ve sendikal haklar standartlarıyla geliştiğine dikkati çeker.

Komisyon, genelde eğitim sektörü ve özelde öğretmenlik mesleği, kısıtlamaların ve baskıcı önlemlerin hedefi olduğu sürece. Hükümetin beyan ettiği, demokratik gelişmeyi, toplumsal ilerlemeyi ve ekonomik büyümeyi hızlandırmayı amaçlayan niyetlerinin başarısızlığa mahkum olduğunu düşünür.

Komisyon, ayrıca, şu anda insan hakları ve sendikal hakların ülkenizdeki durumunun ülkenizin Avrupa Konseyi ve Avrupa Topluluğu ile ilişkilerinin önünde büyük bir engel oluşturduğunu düşünür.

Komisyon bütün uluslararası ve Avrupa insan hakları ve sendikal haklar sözleşmelerine saygı göstermenizi ve öğretmenlere ve eğitim alanında çalışan diğer görevlilere bağımsız sendikalar kurabilme ve sürdürebilme özgürlüğü vermenizi şiddetle talep eder.

Alain MOUCHOUX
Başkan

Fred VAN LEEUWEN
Sekreter

HUMAN RIGHTS AND TURKEY

Combatting torture

Turkey signed the European Convention Against Torture on 25 February 1988 and the UN Convention Against Torture on 2 August 1988. Yet, there are continuing reports that many detainees and prisoners are tortured. Amnesty International reported on 31 October 1989 that in the first 10 months of the year 1989, they received information concerning not less than 500 cases of torture. Likewise, the International Human Rights Committee of New York Bar Association, in a 110-page report "Torture in Turkey" published in January 1990, presents, along with cases of torture, its recommendations for the prevention of torture in Turkey and considers the role the US administration and various international bodies can play. The US Helsinki Watch Committee Report published this month also emphasises on the need to end the torture in Turkey, highlighting its lasting effects on not only the victim but his/her families and children too.

As a result of widespread international criticisms as well as intense publicity at home the Office of the Prime Minister issued a Government Circular on 26 September 1989, enabling detainees to have access to their lawyers with the permission of the prosecutor, a measure aimed at preventing torture. This Circular was ignored by the prosecutor of the State Security Court in Ankara when the leaders of the United Communist Party of Turkey (UCPT) who returned home from exile on 22 September 1989 were detained. In the two month period following the publication of the Circular only two detainees in Istanbul, two in Ankara and four in Izmir were allowed access to their lawyers while in police custody (Cumhuriyet, 28.11.1989). Eventually implementation of the Circular has become the normal practice in Istanbul, but Ankara remained as before. There, Ayşe Çiçek Yağcı, Haydar Kutlu's wife returning from exile, leaders of the UCPT in Ankara region who declared themselves legal, journalists Özcan Keskeç and Atilla Aşut detained during the police raid on the fortnightly Adımlar, and 30 members of the Party from Zonguldak were all refused access to their lawyers despite their persistent demands. Mr Ülku Coşkun, a deputy prosecutor of Ankara State Security Court, refused permission to the legal representatives of Ayşe Çiçek Yağcı on 10 January 1990. It has emerged that those detainees adopted by international human rights organisations could escape heavy torture while the rest continue to be tortured as before. For this reason it is imperative that efforts should be intensified to eradicate the practice of torture in Turkey.

Right to Defence

Defence lawyers experience immense pressures both during the preliminary investigation periods and during the hearings in State Security Courts. This pressure takes various forms, e.g. defence lawyers have to obtain a special permission in order to appear at the prosecutor's office and they have to be accompanied by police and they are searched before being allowed to enter the court-room to defend their clients. All this and many other similar practices are in violation with the requirements of law and order and, as such, are condemned by scores of law practitioners in various protest actions. A recent such action was staged between 15 and 22 January 1990 in Ankara when members of Ankara Bar refused to attend hearings in protest of pressures on their profession (Güneş, 17.1.1990).

Repression

Repression is continuing on people whose political views differ from those of the ruling circles; repressive measures are meted out arbitrarily, irrespective of the existence of violence in the "offensive act". Here are a few examples:

- A 15-year old youth is on trial at the State Security Court for hoisting the Soviet flag at the school, apparently just to anger the headmaster.
- Six teachers in Adapazarı were exiled to far away provinces just for attending the festival organised by a progressive journal, and one year's superannuation entitlement of each was deducted. One of the six had been elected 'teacher of the year' in 1988 for his outstanding dedication to his profession.
- confiscation of numerous progressive journals like '2000'e doğru' and 'Adımlar' is continuing as a routine practice; in addition the staff of these journals are arrested and interrogated. The most recent example is the raid on the Adımlar office in Istanbul when the two Editors-in-charge, Umur Coşkun and Semih Gümüş, were detained on the orders of the State Security Court's chief prosecutor in Ankara. Two weeks on, Mr Coşkun is still under arrest.
- Repression on democratic organisations is continuing, too. On 10.1.1990, the organisation called "Women for Democracy" (Demkad) was raided by the police and 16 women were detained. On 10.2.1990, a meeting of the leaders and some members of the United Communist Party of Turkey in Istanbul was raided by the police and 108 members of the Party were taken into custody at the political police HQ in Gayrettepe.

bring to international platforms the issue of repealing Articles 141, 142 and 163 of the Turkish Penal Code. At the end of her visit to the bird farm in the town, she signed the visitors' book with a few remarks referring to the Kurdish people. This was enough to be prosecuted at the State Security Court and detained with a demand of a 5-year prison term under Article 142 of the TPC.

Following public statements made in November 1989 by Minister of Justice and EM Yildirim Akbulut to the effect that Government initiatives would be speeded up aiming at repealing these Articles, the UCPT declared its decision to end its illegal activities and function openly. Since this declaration on 8 December 1989 fifty-one members of the UCPT in Istanbul are being prosecuted without being under arrest. However, five members from the Party's leadership in Izmir and nine members in Ankara were detained under Articles 141 and 142. Another 30 members were first detained and later released in Zonguldak. At the moment, 96 of the 108 detained on 10 February 1990 are still being interrogated in police custody in Istanbul.

- The AI film "Human Rights Now!" was banned from screening in the cinemas in Turkey.

Repression on the Kurdish People

The repression on the Kurdish people in Turkey continues in various ways. In December 1989, Mrs Saliha Şener, a 61-year old Kurdish woman, was sentenced to one year imprisonment for addressing a rally of the social-democratic party SHP in Kurdish language. Mrs Şener does not speak any Turkish.

The authorities in Turkey keep on exercising terror and repression on the defenders of human and national rights of the Kurdish people. Seven MPs of the social democratic SHP who attended a "Conference on Kurds" in Paris called by Mrs Mitterand in November 1989 were expelled from their party. This unfortunate incident shows that the mentality that turns a blind eye to the Kurdish question is also present within the ranks of the opposition parties.

Repression of the Press

In Turkey's jails today there are dozens of journalists, editors-in-chief of progressive journals who are sentenced to some 5000 years imprisonment in total. While they languish in prisons, attacks on journalists continue. On 3 February 1990, reporters of the most popular daily newspapers were bitterly beaten up by the police during the funeral of Professor Muammer Aksoy who was assassinated. Many of them had to be hospitalized for treatment (Milliyet, 5.2.1990).

Attacks on Women's Rights

Despite the fact that Turkey is a signatory to the UN Convention to End All Discrimination Against Women, there are many laws and practices incompatible with the idea of women's equality in society. A recent example is the decision of the Constitutional Court which reduces the sentence of a rapist by 1/3 in the case of the victim being a prostitute.

Articles 141, 142 and 163 of the Penal Code

A recent incident in South Eastern town of Diyarbakır involving a German academician, Prof Hella Schlumberger of Sorbonne University, has led to

12 Eylül darbesinden dokuz yıl sonra yurdumuz hâlâ askeri rejimin güçlü izlerini taşıyor. Demokratikleşme çabalarına baskıcı güçler tarafından geriye dönüktürülmek isteniyor. DGM savcılıklara yazarlara, sanatçılara savunucularını pervasızca gözaltına alıyor, bunun son örneğini yazar Muzaffer İlhan Erdost oluşturmuyor. Ceza kanununun düşünce ve örgütlenme özgürlüğünü kısıtlayan 141 ve 142. maddelerinin kaldırılması doğrultusundaki görüşler Mecliste temsil edilen tüm siyasi partilerce ve devletin etkili mevkilerinde bulunanlarca defalarca dile getirildiği halde bu konuda somut bir girişim hala ortaya çıkmış değil. Ve Emniyet Müdürlükleri, DGM savcılıklara toplumsal vicdan tarafından çoktan kaldırılmış olan bu maddelere dayanarak insanları kitlesele olarak gözaltına alıyor. Adımlar Dergisinin eski yayın yönetmeni Uğur Coşkun'un Ankara DGM Savcılığının talimatı ile İstanbul'da gözaltına alınması, Ankara'ya götürülüp 12 günlük bir gözaltı müddetinden sonra tutuklanması; ve nihayet Adımlar Dergisi Bürosunun Cumartesi günü Emniyet menapslarınca baskılarak bu mekanda birlik sorunlarını ve yasal bir partinin kurulup sorunlarını tartışmak üzere bulunan TBKP menapslarını gözaltına almıştır. Yurtta hangi kurumun hangi ilde ne zaman geçerli ne zaman geçersiz olduğu belli değildir. TBKP yöneticileri 8 Aralık'ta İstanbul'da bir basın toplantısıyla kendi kimliklerini açıklamakken tutuklama yoluna gitmeyen ve bu tutumuyla 141 ve 142. maddelerin toplumsal olarak ağırlığı olmasına uygun bir davranışta bulunan güvenlik güçleri şimdi aradan bir ayı aşkın bir zaman geçtikten sonra birdenbire farklı bir tutuma geçmişlerdir. Anlaşılan Ankara kaynaklı baskıcı güçler daha etkin bir konuma ulaşmış bulunuyor.

Meclis'in bu eski demokratik gelişmeleri durdurmaya niyeti var mıdır, yok mudur? Eğer niyeti varsa biran önce Ceza Kanunu değişikliği taslağını gündemine alıp, konuyu görüşmeli ve demokrasi yolunda önemli bir ilk adım olarak maddelerin kaldırılmasına yoluna gitmelidir. Eğer 12 Eylül rejimine geri dönmeyedeksek demokrasiye doğru ilerlemeliyiz.

1990'ın ilk aylarında yoğunlaşan baskıcı, antidemokratik gelişmeleri protesto ederken, çıkarı demokratikleşmeden yana olan tüm güçleri duyarlı davranmaya, demokrasi için mücadele etmeye çağırıyoruz.

Burhan AKTAŞ, Niyazi GÜZEL, Ahmet GÜLER, Ali KAPLANER, Beyhan KAPLANER, Cuma MALATYA, Tekin YILMAZ, Naim KOCATÜRK, Aysel KARTALKANAT, Erol AYNA, Ali Rıza BİÇER, İsmet CAN, Lütfü MULLA, Erol QIRAK, Teyfik ÖZLÜ, Şirin TANAY, Nuri HAZAR, İbrahim TANAY, Turgut SARAĞÜSLÜ, Veli KAYMAZ, Yusef AYDOĞAN, Yusuf DEMİR, Fehmi SÜTÇÜ, Hasan KUCA, Haydar ŞEKİRSÖZ, Selçuk GÖLŞİMŞEK, Sabri YÖKSEL, Nedim DEMİRTAŞ, Baki BAŞDEMİR, Kemal ÖZÇAKAR, Emel ATILGAN, Gökhan YILMAZ, Mustafa TÖRE, Mustafa ÖZTAŞKIN, İsmail DOĞANER, Binnur DOĞANER, Nedret GÜNDÜZ, Burak GÜNDÜZ, Fatih BALKAN, Emel BALKAN, Naim BİLİKYAR, Akayya KARAKUŞ, Ciddem UYURKULAK, Burhan AKSAKAL, Gölbiz AKSU, Nevzat ÇAKMAK, Sami ÇELİK, Talat TOPRAK, Kenan BAŞ, Ahmet Yağar POLAN, Haran ÇİÇİ, Öykü ÇİÇİ, Cemal ULQAY, Selahattin ÖZTÜRK, Alihan ÇINAR, Halil ÖZTÜRKÇÜ, Bülent DEDEOĞLU, İbrahim MEDE, Fikret SAKA, Gürkan KAYASOĞLU, İdris LÜTFÜ MELİK, Emma MELİK, Nevcihan ERDİNÇ, Nuri AYDIN, Halit Rifat ÖZBAŞI, Cengiz QIRAKLAR, Güle SANCAR, Devrim KILIÇ, Mevlüt ÖLGEN, Ali HÜNEN, Hakan İLDOĞU, Nalan UMDULAN, Gürkan POLAT, Timur ATIK, Mahmut PEKEMEN, Ciddem ORAL, Emre ÖZKABAN, Halil Naci ERDAL, Nert TEKÖZEL, Ekrem TÜKENMEZ, Taner ÖZEN, Müjdat ÇALIŞ, Erdem BERSER, Sabahat DUTAR, Levent MERCAN, Farat KUTLU, Nadir ERÜL, Münevver SÖNMEZ, Mine ÖZGÖRLER, Tolga ÖZMEN, Doğan KIRBAŞ, Tugan ŞUKAN, Remzi HIZLI, Gülay YILMAZ, Mete ERDEM, Hayat DUTURLAR, Savaş SELÇUK, Hatice TURUN, Mustafa ERGİL, Şehit KILIÇ, Şengül KILIÇ, Birol ASLANTÜRK, Ünal BAŞLAN, Hasan BENSAGLAM, Zeynel GÜNEY, Sabahattin KESKİN, İsmet ERDİL, İsmet KARADAĞ, Eda ÖZER, Ersin ÖZER, İsm. Müh. Sadettin DÜKÜN, H. Müh. Fahir KUTLUAY, H. Müh. Erdal KARADEMİR, H. Müh. Cengiz SAYALI, Dikili B.B. Osman ÖZGÜVEN, Bergama B.B. Nuri TAŞKIN, Şemettin GÖZER, İsm. Müh. Birol BORA, İsm. Müh. Nuri HANARAT, Ukyay NALBANTOĞLU, Hakkı ÖİKÜ (Ali Ağa Beib Hakkı) Talat ÖZMEN (Kim Müh) Akın TUNCER (Mimar) F. Nural KIRAN (MIMAR) Av. Ahmet AKSÖT, Av. Nedim DEĞİRMENÇİ, Av. Şehit AKKAYA, Av. Mine TAŞDEMİR, Av. Emin ÖZMEN, Av. Ercan DUTLU, Av. Yılmaz KAYA, Av. Dündar AKERGÖL, Av. Gülşan KORKMAZ, Ufuk SARIOĞLU, Yedigöller SARIOĞLU, ÖİKÜ ÖLEK, Murat ALPANTAN, Emine SEMAYLI, ÖİKÜ AYTAN, Ayhan KARAN, Sedat DİKİCİ, Halil KARAN, Ayhan AKKAYA, Müzeyyen AKIN, Ali DİKİCİ, Nuri DİKİCİ, Hasan İYİ, Dilşat İYİ, Nermi SAYGILI, Şengül TOPRAK, Abbas KESKİN, Mete Hüsünbey, Hasan NİŞANLI, Seyda KALKAN, Şafak DINTÜRK, Ufuk TUNCEL, Levent İŞBİLİR, Menderes UŞUR, Gürhan ÖZTÜRK, Fazıl YAŞAR, Hasan KESKİN, Mehmet ÖNCEL, Mustafa ALPDOĞAN, Binali GÖL, Haluk PODURLAR, Mustafa EMEK, Bülya SANCAR, Fadıl KIRAN (İN, MÜH) Şefika NİSİRLİ, Hakan KARADUMAN, Temel BEKTUR, Cengiz QEREZÇİOĞLU, Hüseyin DOĞAN, Recai ATALAY, Kadir PEHLİVAN, Adem KAYA, Diler PEKER, Zeynel GÜNEY, Kemal ALIN, Melike KIZIL, Güliz GÖL, Esma DUMAN, Misket DUMAN, Rabia DUMAN, Ali Rıza DUMAN, Raziye DUMAN, Çeren DUMAN, Ali DUMAN, Cemal DUMAN, Özdemir ÖZTÜRK, Av. Serhat Bucak. R. Murt. H. Ercan Karataş

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KAZİM ÖZTÜRK

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SALİM SİNŞEK

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RECATİ DEMİREL

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BÜLENT KADITAŞ

KEMAL VARDAR

CENGİZ ALTINAY

HASAN BUKTAŞ

MUSTAFA ERDOĞAN

RECİP TIRPAN

SÖLÜKMAN KARTAL

KERİM YABANCI

TALAT ULUSOY

ZÜLFÜ DİĞERLİ

ABDURRAHMAN ATALAY

TEYFUR ERASLAN

MEHMET MAHMUTOĞLU

ADNAN SEL

PLİYANİ ARTIRK

ÖMER AĞIN

ALAATTİN TAŞ

YÜKSEL SELEK

ALİ HİKMET FIRAT

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MEHMET KOÇ

FERİT DEMİR

YALÇIN ERGİNOĞRAN

HAHKUT BALPETEK

CANAN KÜÇÜKBÜCE

HAKKI ÇELİBİ

FUAT VARMAL

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SEVGİ ÖZGÜLÜ

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HASAN ADIŞ

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TEKİR YILDIRIM

MESUT COŞKUN

OSMAN YILMAZ

Sabahattin İzcioglu

Fethi Zker

TÜRKİYE SOSYAL TARİH ARAŞTIRMA VAKFI

KAMUOYUNA AÇIKLAMA

İlerici nitelikleriyle tanınan değerli bilimadama Muammer Aksoy öldürüldü. Bu cinayet Abdi İpekçi cinayetine benzer özellikler taşıyor. Abdi İpekçi de, Muammer Aksoy da alımlı kişilikleriyle bilinen iki değerli aydınımızdır. Tüm toplumun değer verdiği, politik bakımdan alımlı görüşlere sahip aydınların öldürülmesi öncelikle halka, ilerici demokrat güçlere, tüm aydınlara korku salmayı hedefliyor. "Bir İpekçi, bir Aksoy öldürülürse beni haydi haydi öldürürler" korkusunun yaygınlaşmasını, insanları sindirilmesini amaçlıyor.

Eski film yeniden gösterime girmiş gibidir. Suçluların en kısa zamanda bulunması ve demokrasinin toplumsal, siyasal yaşamda tüm kurum ve kurallarıyla yerleştirilmesi doğrultusunda gelişmeler sağlanamadığı takdirde cinayetlerin artması, karanlık mührakların serbestçe al oynatacağı elverişli ortamın yaratılması ve henüz ulaşılmadığımız demokrasinin hepten kaybedilmesi tehlikesi vahim bir biçimde gündeme girebilir.

Hiç kimsenin, siyasi veya değil hiçbir kuruluşun böylece bir tehlike karşısında sessiz ve kayıtsız kalması düşünülemez. Bu tehlikeyi önlemek için çok farklı çıkarları savunan, ama demokrasiyi birleşen bütün siyasi akımlar biraraya gelebilmelidir. Toplumsal yaşamdan şiddetin dışlanması en başta devletin demokratikleştirilmesini gerektirir, demokratik bir anayasayı oluşturmayı gerektirir, yarıtaşlar üzerindeki devlet baskısının, düşünce ve örgütlenme özgürlüğünü sınırlayan tüm yasaların ortadan kaldırılmasını gerektirir, demokratik, katılımcı bir toplumsal yaşama doğru ilerlemeyi gerektirir.

Kamusal ister kamular aracılığıyla ve devlet eliyle, ister bireyler ve örgütlü gruplar tarafından gerçekleştirilsin insan hayatına son verme kararları ve bu kararların infazı insanlığın ulaşmak için bir hayli yol aldığı hümanist değerleri ayaklar altına almaktadır.

Siyasi görüş, suçu, görevi ne olursa olsun insan hayatının dokunulmazlığı tüm topluma bir kültür değeri halinde yerleştirilmelidir.

Bizler bu görüşlerimizle, böyle bir basın toplantısını düzenlemek üzere kendilerine ulaşamadığımız birçok insanın düşüncesini yansıttığımıza inanıyoruz.

Değerli bilim adamı Prof. Muammer Aksoy'un anısına yapılacak en anlamlı armağan, yukarıdaki görüşler doğrultusundaki gelişmelerin toplumsal yaşamımızda gerçekleşmesi olacaktır.

Onun değerli anısı önünde bir kere daha eğiliyoruz.

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TBKP Tutuklu ve Hükümlülerle Dayanışma Grubunun Örgütlerden Dilekleri

Dayanışma grubumuzun belirtilen amaçlarına ulaşabilmesi, örgütün göstereceği ilgiye ve çok yönlü yardıma bağlı olacaktır.

Nitekim, grubumuzun bugün için en yakıcı gereksinimi cezaevleri koşullarına ve hükümlü arkadaşlarımıza ilişkin sağlıklı bilgi akışının sağlanmasıdır. Bundan dolayı tüm uğraşlarımıza karşın, cezaevlerinde kaç insanımızın bulunduğu, bunların hangi cezaevlerinde olduğu, yatakları gereken süre, ailelerinin adresleri ve ekonomik durumları tam olarak belirlenememiştir.

Bu eksikliğin yanı sıra, örgütlerin tutuklu, hükümlü ve ailelerine sağlayacağı diğer olanaklar da henüz bizim için belirsizdir. Bu olanaklar çalışma grubumuzun banka hesabına yapılacak mali yardımdan, cezaevlerindeki insanlarımıza en kısa sürede ulaşabilecek Avukat ve temsilcilerin belirlenmesine kadar geniş bir çerçevede düşünülebilir.

Konunun hassasiyetini belirtmeye sanırsanız gerek yoktur. Politik düşünceleri nedeniyle cezaevlerine düşen arkadaşlarımızın, insani ve politik anlamda kendilerini geliştirebilmelerinin asgari koşullarının sağlanmasında bir nebze de olsa katkıda bulunmak her şeyden önce bir insanlık örevidir.

Özetle belirtmeye çalıştığımız nedenlerle;

1- Yörenizde bulunan cezaevleri, bunların adres ve telefonları;

2- Yörenizden konuyla sürekli ilgilenebilecek, bizlerle muhatap olacak bir isim;

3- Cezaevinde bulunan tutuklu ve hükümlülerin adresleri, ailelerinin adresleri, ailelerinin ve kendilerinin ekonomik durumlarına ilişkin edinilebilen en geniş bilgi, hükümlü arkadaşlarımızın yattıkları ve yatacakları süreler hakkında bilgi;

4- Yörenizde bulunan cezaevlerindeki tutuklu ve hükümlülerle görüşebilecek aynı yörede ya da oraya yakın yerdeki Avukatların isim ve adresleri;

5- Cezaevindeki insanların gereksinimlerinin giderilmesi için yapabileceğiniz parasal ya da diğer biçimlerdeki katkılar ve bu konudaki önerileriniz.

Yakın ilgi ve yardımlarınızı bekliyoruz.

2 Şubat 1990

İSTANBUL

TBKP Tutuklu ve Hükümlülerle
Dayanışma Grubu

TEKP Tutuklu ve Hükümlülerle Dayanışma Grubu

1: GRUBUN KURULUŞ AMACI:

12 Eylül'den sonra yüzlerce insanımız cezaevine girmiş, bir kısmı çıkmış, bir kısmı ise hâlâ yatmaktadır. Belirleyebildiğimiz kadarıyla halen cezaevlerinde 60'tan fazla arkadaşımız bulunuyor. (*) Bunlara kadar cezaevlerindekiyle gereğinde ilgilenilmemesi, insanlarımızı adeta yalnızlığa itilmiştir. Bu olumsuz tutum cezaevlerindeki arkadaşlarımızın terkedilmişlik duygusuna kapılmalarına yol açmış bulunuyor.

Bu durum, 12 Eylül'ün hemen ardından ortaya çıkan ağır baskı koşullarında belki hoşgörülebilirdi, ama daha sonrası için tutumumuza hiçbir haklı gerekçe österilemez. Bu nedenle çok geçikerek de olsa bu amaçla bir dayanışma grubunun oluşturulması kararı olumludur.

Grubumuz öncelikle cezaevlerindeki kendi insanlarımızın ve ailelerinin sorunlarıyla ilgilenmek, tek tek herbirinin maddi ve manevi ihtiyaçlarını karşılamaya olanaklarını yaratmak amacını taşıyor. onların yanı sıra diğer tutuklu ve hükümlülerle de olanaklar ölçüsünde ilgilenmek, yaratılan olanaklardan onların da yararlandırılmasına çalışmak amaçlarımız arasında bulunuyor. Ayrıca, ülkemizde genel olarak yaşanmakta olan cezaevi sorunları karşısında cezaevindeki arkadaşlarımızın ailelerinin daha aktif bir tutum almalarını, bu amaçla aktif konumda bulunan diğer tutuklu aileleriyle ilişkilerini sağlamayı da amaçlamaktayız.

Faaliyetimizin diğer bir amacı da, cezaevlerindeki arkadaşlarımızı dışardaki gelişmeler doğrultusunda bilgilendirmek ve onların hem içerde, hem de cezaevinden çıktuktan sonra politik süreçlerde varolmasına yardımcı olmaktır.

Grubumuz, faaliyetlerini daha çok parti çevresine donuk olarak yürütecektir. Çünkü ülke genelinde cezaevleri ile ilgili daha doğrudan faaliyet yürüten (TEHD, TAYAD gibi) kuruluşlar vardır, ki biz de bu kuruluşların faaliyetlerine çeşitli biçimlerde katılmaktayız. Ancak, bu örgütlerin olanakları sınırlıdır ve ayrıca her tutuklu ve hükümlünün gösterilen genel dayanışmanın ötesinde bir ilgiye ihtiyacı bulunmaktadır.

Komisyonumuz işte bu ihtiyaçtan doğmuş bulunuyor. Bununla beraber, yukarıda adı geçen derneklerle de daha eşgüdümlü bir çalışma yürütülebileceğini, onlara eskisine göre daha fazla yardımcı olunabileceğini umut ediyoruz.

(*) Faaliyete başladığımız Ekim -Kasım döneminde belirlediğimiz rakam 60 dolaylarındaydı. Şimdi ise bu sayı 90'ı aşkın.

II- ÇALIŞMA YÖNTEMİ:

Grubumuz şu anda yedi kişiden oluşuyor. Bu sayı ihtiyaca göre genişletilecektir. Komisyon açısından bir kişi başkan olarak belirlenmiş bulunuyor. Başkan, faaliyetleri koordine eder ve merkezle ilişkileri sağlar.

Grup en geç on beş günde bir toplanır. İhtiyac üzerine daha sık toplantı yapar. Kararlar mutabakat yöntemiyle alınır.

Gruptaki avukatlar cezaevleriyle doğrudan ilişkiler kurmakla görevlidir. Olanaklar ölçüsünde cezaevindeki arkadaşları doğrudan ziyaret etmelidir. Maddi sorunlarla ilgilenmek de doğal olarak avukatların görevidir.

Cezaevindekilerin tüm yayın ve kitap ihtiyaçlarının karşılması Gruptaki yayıncı arkadaş tarafından karşılanmaya çalışılacaktır.

Tutuklu ve hükümlü aileleriyle ilişki kurulmasında örgüt gerekli yardımı yapar. Çeşitli illerde bulunan tutulu aileleriyle ilişki için o il örgütlerinden sorumlu kişiler belirlenir.

III- ÇALIŞMA PROGRAMI:

1- Çalışma grubumuzun ilk işi cezaevlerinde yatan tüm insanlarımızı tespit etmek. Olanaklar ölçüsünde bu kişiler hakkında bilgi edinmeye çalışmak ve ailelerinin adreslerini tespit etmek olmalıdır. Bu çalışma en geç 89 sonuna kadar bitirilmeli bu süreçte cezaevindeki arkadaşlarımızın öncelikli ihtiyaçları da belirlenmelidir.

2- Cezaevindekilerin ve ailelerinin maddi sorunlarının çözümüne katkı için yurt dışındaki cost kuruluşlar ve kişilerle, uluslararası örgütlerle ilişki kurulması hedeflenmiştir.

3- Cezaevlerindeki ve onlarla ilgili faaliyeti yürüten grubumuzun ihtiyaçları için bir fon oluşturulacaktır. (*) Bu konuda grup üyeleri gerekli çabayı göstermeli, yaratıcılıkla kaynak bulmak için çalışmalıdır. Grubumuz tüm harcamalarının titiz bir dökümünü yaparak, isteyen herkesin denetimine açık tutmalıdır.

4- Cezaevlerindekiilere parasal yardımın yanı sıra istekleri doğrultusunda ve olanaklar çerçevesinde giyecek vb. yardım da yapılmaya çalışılacaktır.

5- Cezaevlerindeki arkadaşlarımızın kitap, yayın ihtiyaçları grubumuz tarafından sağlanmaya çalışılacak, bu amaçla kitap bağış kampanyası vb. yollar denenecektir.

6- Cezaevlerindeki arkadaşların, yazı, el sanatları vb. ürünlerinin değerlendirilmesi de Komisyonun ilki alanı içinde bulunacaktır.

* Bu fon Çemberlitaş İş Bankası Şubesinde 1083374 No'lu hesapta toplanmaktadır.

7- Cezaevlerindeki insanların politik gelişmeler konusunda bilgilendirilmeleri, onların kafalarındaki soruların yanıtlanması için çaba gösterilecek; bu konuda yetkili kişi ve organlardan yardım istenecektir.

8- Ailelerin adreslerini tesbit etmek ve onlarla görüşmek, yazışmak; ailelerin ihtiyaçlarını tesbit etmek Grubun önemli görevlerinden biri olarak programlanacak ve bu konuda görev bölüşümü yapılacaktır.

9- Tahliye olan arkadaşlara ihtiyaçları olan ilmi ve desteği sağlamak da en az içerdekilere olan sorumluluğumuz kadar ciddidir. Bu konuda olanaklar nelerdir, görevler nelerdir? konusunu Grubumuz en kısa zamanda gündemine almalıdır.

10- TBKP tutuklu ve hükümlülerle ve ülkesinin tüm örgüt çapında tanıtılması ve örgütün bu faaliyete katılımının sağlanması için sistematik bir çalışma yapılacaktır. Bu amaçla örgütsel araçların değerlendirilmesi arasında yayınlardan da yararlanılmaya çalışılacaktır.

Çalışma grubumuzun amacı, çalışma yöntemi ve programı konusunda merkezin bilgilendirilmesi; görüş ve eleştirilerinin, önerilerinin alınması; sonuç olarak bu faaliyetin desteklenmesi çalışmamızı güçlendirecektir.

TÜRKİYE SOSYAL TARİH

- 1-Yusuf Demirci
- 2-Cemal Avcı
- 3-Ali Ekber Akkurt
- 4-Sevdakar Çayan
- 5-Yılmaz Kırık
- 6-Gökhan Temel
- 7-Sevinç Öztas Tekeli
- 8-Mehmet Uçaroğlu
- 9-Ekrem Aldemir
- 10-Sedat Canikli
- 11-Mehmet Nakipoğlu
- 12-Eyüp Halit Beyazıt
- 13-Azmi Özer
- 14-Yaşar Yıldız
- 15-Nihat Sargın
- 16-Haydar Kutlu
- 17-Nevzat Miser
- 18-Kemal Göylüler
- 19-İlhami Demir
- 20-Arif Şare
- 21-Osman Pehlivan
- 22-Nihat Boşan
- 23-Ali Kılıç
- 24-Nazmi Şasmaztin
- 25-Mehmet Kızıltas
- 26-Erhan Tüskan
- 27-Bahri Kılıç
- 28-Mehmet Dömekeli
- 29-Ahmet Sungurtekin
- 30-Emin Taş
- 31-Candemir Özler
- 32-Ahmet Cemal Pınar
- 33-Yunus Yıldız
- 34-Musa Yıldız
- 35-Hakkı Yoldas
- 36-Nadir Şensoy
- 37-Mehmet Kırıslan
- 38-Muharrem Arça
- 39-Metin Şahin
- 40-Sabit Köktas
- 41-Cemal Can
- 42-Seref Gümüş
- 43-Engün Şen

- Antalya E Tipi Cezaevi
Isparta E Tipi Cezaevi 3. Koşu
Gerede Cezaevi Bolu
Çaycuma Cezaevi Zonguldak
Mengen Kapalı Cezaevi Bolu
Çankırı E Tipi Cezaevi
Yozgat Kapalı Cezaevi Kadınlar Koşu
Çanakkale E Tipi Cezaevi B-1 17100
Gerede Cezaevi Bolu
Gerede Cezaevi Bolu
Elbistan E Tipi Cezaevi K. Maras
Elbistan Cezaevi K. Maras
Turgutlu Cezaevi Manisa
Bartın Özel Tip Cezaevi Zonguldak
Ankara Merkez Kapalı Cezaevi
Ankara Merkez Kapalı Cezaevi
Haymana Kapalı Cezaevi
Haymana Kapalı Cezaevi
Haymana Kapalı Cezaevi
Haymana Kapalı Cezaevi
Kırşehir E Tipi Cezaevi
Kırşehir E Tipi Cezaevi
Manisa E Tipi Cezaevi
İskenderun E Tipi Cezaevi
Çanakkale E Tipi Cezaevi
Çanakkale E Tipi Cezaevi
Çanakkale E Tipi Cezaevi
Çanakkale E Tipi Cezaevi
Çanakkale E Tipi Cezaevi
Eskişehir E Tipi Cezaevi
Eskişehir E Tipi Cezaevi
Eskişehir E Tipi Cezaevi
Eskişehir E Tipi Cezaevi
Mengen Cezaevi Bolu
Bursa Özel Tip Cezaevi 1. Koşu
P.K.71 B-4 Koşusu Çeyhan Adana
Kütahya Kapalı Cezaevi D 10 Koşusu
Bayrampaşa Cezaevi İstanbul
Bayrampaşa Cezaevi İstanbul
Bayrampaşa Cezaevi İstanbul

44-Kadir Gırdem
45-Yüksel Şahin
46-Hüseyin Toprak
47-Nazmi Öztürk
48-Mızrap Karavişit
49-Vakkas Çalıskan
50-Rıfat Barıs
51-Edip Hafiile
52-Mirza Turgut
53-Ağah Uyanık
54-Ataullah Miçoğulları
55-Fuat Diyarbatıoğulları
56-Cahit Albayrak
57-İsmail Akkas
58-Hıdır Yişit
59-Zeki Yılmaz
60-Şakir Yılmazzer
61-Ahmet Kınalı
62-İbrahim Ünsoy
63-Şahin Ayaz
64-Hasan Talu
65-Abdullah Yasaak
66-Murat Mütlu
67-Yasar Eroğlu
68-Suphi Aksoy
69-Nejdet Kaplan
70-Kamer Konca
71-Hasan Sever
72-Memduh Yunusoğlu
73-Mustafa Özdemir
74-Hüseyin Toprak
75-Yener Metiner
76-Ekrem Ertik
77-Mehmet Çalı
78-Nihat Seker
79-Muhammet Artuğ
80-Rahmi Duamez
81-Halis Çelebi
82-Haydar Şanlı
83-Arif Coskunhan
84-Nezahat Özden
85-Eftal Kurtulus
86-Osman Filiz

Bayrampaşa Cezaevi İstanbul
Antalya E Tipi Cezaevi
Hatay E Tipi Cezaevi 51.Koşus
Hatay E Tipi Cezaevi 51.Koşus
Hatay E Tipi Cezaevi 51.Koşus
Hatay E Tipi Cezaevi 51. Koşus
Hatay E Tipi Cezaevi 51.Koşus
Ceyhan E Tipi cezaevi Adana
Ceyhan E Tipi Cezaevi Adana
Urla Cezaevi İzmir
Nazilli E Tipi Cezaevi Aydın
Nazilli E Tipi Cezaevi Aydın
Malatya E Tipi Cezaevi
Amasya Kapalı Cezaevi
Nazilli Cezaevi Aydın
Aydın Özel Tip Cezaevi
Aydın Özel Tip Cezaevi
Amasya Özel Tip Cezaevi 6.Koşus
Bartın Cezaevi Zonguldak
Kırşehir E Tipi Cezaevi 40140
Aydın E Tipi Cezaevi 18.Koşus
Diyarbakır Cezaevi 5.Koşus
Gaziantep Özel Tip Cezaevi F.1 Koşus
Nazilli E Tipi Cezaevi Aydın
Nazilli E Tipi Cezaevi Aydın
Aydın Özel Tip Cezaevi
Gaziantep Özel Tip Cezaevi F.2 Koşus
Bartın Cezaevi Zonguldak
1 No'lu E Tipi Cezaevi 27.Koşus D.Bakı
Aydın E Tipi Cezaevi 4.Koşus
Hatay Cezaevi
Nazilli Özel Tip Cezaevi 18.Koşus Aydın
P.K 71 Ceyhan E Tipi Cezaevi Adana
Manisa E Tipi Cezaevi
Ceyhan Özel Tip Cezaevi C.4 Koşusu
Çanakkale Cezaevi Adana
Isparta Cezaevi
Sakarya E Tipi Cezaevi
Konya E Tipi Cezaevi
Konya E Tipi Cezaevi
Kütahya E Tipi Cezaevi
Malatya E Tipi Cezaevi

87-Atilla Atalay

88-Mehmet Yoldag

89-Yasar

90-İbrahim İlhan Senoçuz

91-Selahattin İzciöglu

Kahramanmaraş E Tipi Cezaevi

Gerede Cezaevi Bolu

Gerede Cezaevi Bolu

Bayrampaşa Cezaevi İstanbul

Bayrampaşa Cezaevi İstanbul

TÜRKİYE SOSYAL
TÜSTAV
TARİH ARAŞTIRMA VAKFI

1-MUHAMMET AKTUĞ
Constable E Tipi
Isparta Cezaevi

Eşi:Aynur Aktuğ Akalar mah Tırnavo cad İpek Palas oteli karşısı Kırklareli

2-CEMAL AVCI

Isparta Cezaevi

Eşi:Bişgöl Avcı Gaziosmanpaşa Büyükkayazma sok no:69 Babaeski

3-RAHİM DÜŞMEZ

Isparta Cezaevi

Yenimahalle köyü Babaeski

4-SEVDEKAR ÇAĞAN

Çaycuma Cezaevi

Eşi:Menekşe Çağan

Çirçir mah Hayat sok No:2 Alibeyköyü İst

5-MUSUF DEMİRCİ

Antalya Cezaevi

Eşi:Gülşay Demirci

Kumluk cad Kumluk apt B:14 Rahmanlar İst

Tel:374 32 65 Banka Hesap no:İş Bankası Kartal Şubesi 560002

6-EKREM ALDEMİR

Gerede Cezaevi

Sakarya mah Mimarşinan cad Alt sok no:22-A Eyüp İst

7-MEHMET KIRASLAN

Mengen
Gerede Cezaevi

Eşi:Çiğdem Kıraslan

Tufan Sitesi I Blok D:16 Acıbadem İst

8-ALİ EKEER AKKURT

Gerede Cezaevi

Eşi:Emel Akkurt

Maden İş sitesi B Blok no:5 Merter İst

Tel:539 01 05

9-YILMAZ KIRLAK

Mengen Cezaevi

Recep Kırnak (Mengen)

Yakacak Kurfa mah Bayır sok no:16 Kartal İst

10-VAŞAR YILDIZ

Bartın Cezaevi

Annesi İpek Yıldız

Gülsuyu mah Sümer sok No:15 Kartal Maltepe İst

11-YEHNET ALİ AKBEL

Eşi Nazmiye Akbel

Dumlu Fınar mah 799/5. sok no:16 Adana

12-MEHMET KIZILTAŞ

~~Mehmet Cezaevi~~ İskenderun E tipi cezaevi.

Annesi:Handan Peksoy

Yeni mahalle 708/3. sok n :2 Adana

13-EKREM ERTİK

Ceyhan E Tipi Cezaevi

Eşi:Fazilet Ertik

Hürriyet mah 422. sok no:23 Tarsus Adana

14-ALİ YILDIZ

Nazilli E Tipi Cezaevi Aydın

Babası Hüseyin Yıldız

Kaypak Köyü Osmaniye Adana

15-MİRZA TURGUT

Ceyhan E Tipi Cezaevi Adana

Demirtoz mah 574. sok no:9 Mersin

16-ERHAN TUSKAN

Çanakkale E Tipi Cezaevi

Babası Ayhan Tuskan

Hisar mah Hanos Denizli

17-ŞEREF GÜMÜŞ

Bayrampaşa Ceza ve Tutuk evi İst

177 7/10. sok no:14 Karşıyaka İzmir

18-FİKRET GÜLBAHAR

Bayrampaşa Ceza ve Tutukevi İst

Tigen sok no:12 Alibeyköy Kağıthane İst

19-ERGUN ŞEN

Bayrampaşa Ceza ve Tutukevi İst

Başaran mah Kalkan sok no:11 Bursa

20-AHMET SUNGURTEKİN

Çanakkale E Tipi Cezaevi

Eşi Emine Sungurtekin

Seyrantepe mah İnönü sok no:19 Salihli Manisa

21-CANDEMİR ÖZLER

Çanakkale E Tipi Cezaevi

Babası Rahmi Özler

Pazar Meydanında Bakkal no:44 Hopa Tel 17 00

22-EMİN TAŞ

Çanakkale E Tipi Cezaevi

Babası Servet Taş

Günlü mah Umut sitesi B-2 Blok D:1 Düzce Tel:11 335

23-MEHMET DÖMEKELİ

Çanakkale E Tipi Cezaevi

Eşi Hülya Dömekeli

Atatürk mah Lise cad Yüksel sok no:6 Uzunköprü Tel:81 691

24-BAHRİ KILIÇ

Çanakkale E Tipi Cezaevi

Civil mah Çelebioğlu cad 1. sok no:8 Ordu Tel:24 147

25-NAZMİ ŞAŞMAZTİN

~~Mahmut Cezaevi~~ Manisa Cezaevi

Babası Kamuran Şaşmaztın

Günüş oskay 337.sok no:117 K:1 D:2 Şirinyer İzmir

26-FUAT DİYERBATIOĞULLARI

Nazilli E Tipi Cezaevi Aydın

Eşi Muteber Diyerbatioğulları

Turgutreis mah 131. sok no:76 Mersin

27-SABİT KÖKTAŞ

Kütahya Kapalı Cezaevi

Eşi Cemile Köktaş

Cumhuriyet mah Koç sok no:25/5 Parseller Bahçelievler İst

28-ETFAL KURTULUŞ

Pendik Doğu mah Aydınli Yolu Setur Blokları B-2 Blok D:7 Pendik İst

29-ŞÜKRÜ ÇELİK → ~~Manisa Cezaevi~~

Çaycuma Cezaevi

Heybeli ada Orhan sok no:23 Kat:2

30-RAMAZAN AYAR

Çaycuma Cezaevi

Yenimahalle 510. sok no:11 D:1 Küçükköy İst

M. KARACA

106 YUNANLI PARLAMENTÖLER TBKP YÖNETİCİLERİNİN SERBEST BIRAKILMASINI TBKP'NİN YASALLAŞMASINI İSTİYOR!

Yunan parlamentosunda bulunan tika partisi... 106 milletvekili... 28 Eylül'de ülkelerine dönen TBKP yöneticilerinin tutuklanmasını protesto için basına aşağıdaki ortak açıklamaı yaptılar:

"Biz, aşağıda imzası bulunan Yunan Paramentosunda ^{temsil edilen} tüm partilerden milletvekilleri;

Ülkelerinden zorunlu olarak ayrılmalarından yıllar sonra en temel insan haklarını kullanarak geçtiğimiz günlerde ülkelerine dönen Türkiye Birleşik Komünist Partisi yöneticilerinin tutuklanmalarını ve işkence görmelerini protesto ediyoruz.

Her anlamda adalet ve Birleşmiş Milletler Örgütünün insan hakları sözleşmesiyle ters düşen bu uygulamayı tümüyle mahkum ediyoruz.

Tutuklanan TBKP yöneticilerinin aynı şekilde Türkiye'deki tüm politik tutukluların derhal serbest bırakılmalarını, Türkiye Birleşik Komünist Partisi'nin yasallaşmasını istiyoruz. Bu, Türkiye halkının demokratik özgürlüklerinin elde edilmesini gerektirecektir!"

106 Yunan milletvekilinin bu ortak açıklaması 28 Eylül tarihini taşıyor

Ortak açıklamaı Yeni Demokrasi Partisinden 34, PASOK'tan 47, Sol Birlik (SINASPISMOS) dan 24 milletvekili ve Demokratik Yenilenme Partisi Genel Başkanı Kostis Stefanopoulos imzalıdır.

Yeni Demokrasi Partisi milletvekillerinden Andreas Adrianopoulos, Vasilis Meymerekis, eski PASOK hükümetinin Dışişleri, Milli Savunma, Kültür, Maliye, Çalışma bakanları olan Karolos Papoulias, Ioannis Karamanolis, Melina Merkürü, Kostis Simili, Georgios Venizelos ve Sol Birlik milletvekilleri olarak YKP MK Genel Sekreteri Grigoris Parakos, Yunan Solu Partisi (EAR) Başkanı Leonidas Kirkos, Birleşik Demokratik Sol (EDA) Başkanı Andreas Lendakis ortak mektuba imza etenler arasında bulunuyor.

28 Eylül tarihinde Atina Yunan Yönetim Kurulu TBKP yöneticilerinin tutuklanmasını protesto ederek derhal serbest bırakılmalarını isteyen bir bildiri yayınladı.



amnesty international

INTERNATIONAL SECRETARIAT
1 Easton Street London WC1X 8DU
United Kingdom

EXTERNAL (for general distribution)

URGENT ACTION

AI Index: EUR 44/04/90
Distr: UA/SC

UA 12/90

Incomunicado Detention

11 January 1990

TURKEY: Çiçek YAGCI (f)
Saime Gülanay ÖZTÜRKÇÜ (f)

On 6 January 1990 Çiçek Yagci and Saime Gülanay Öztürkçü were detained in Istanbul upon their return from exile. On 8 January both women were taken to the prosecutor and charged with membership of the Progressive Women's Association (IKD), banned in Turkey since the military coup of September 1980. Although the Istanbul prosecutor did not order their formal arrest, both detainees were then taken to Ankara for interrogation at Ankara Police Headquarters. They are being held there *incomunicado*, and on 10 January their lawyers' request for access to their clients was denied. Both are considered to be prisoners of conscience and there is concern for their safety while under interrogation in *incomunicado* detention.

BACKGROUND INFORMATION

IKD was allegedly linked to the illegal Turkish Communist Party (TKP), of which Çiçek Yagci's husband Nabi Yagci, known under the party name Haydar Kutlu, was the Secretary General. In October 1987, the illegal TKP and the banned Turkish Workers' Party (TIP) merged in exile to form the United Turkish Communist Party (TBKP). In November 1987 their respective leaders, Nabi Yagci and Dr Nihat Sargin, returned to Turkey, where they have been imprisoned and on trial ever since. Both alleged that they were tortured during *incomunicado* detention at Ankara Police Headquarters.

Turkey ratified the European Convention for the Prevention of Torture on 25 February 1988 and the UN Convention Against Torture on 2 August 1988. However, all information available to Amnesty International indicates that torture is still widespread and systematic in Turkey. Allegations of torture have continued since the transfer of power to a civilian government in 1983. Most allegations relate to ill-treatment of detainees in police custody during their initial interrogation when they are usually denied access to relatives or a lawyer. Under current legislation the maximum detention period before being formally charged or released is 24 hours; in cases involving three or more suspects or due to the 'nature of the crime' it may be extended to 15 days. This period may be extended to 30 days in areas under emergency legislation or martial law.

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

- appealing for the immediate and unconditional release of Çiçek Yagci and Saime Öztürkçü as prisoners of conscience;
- urging that they be granted access to their families and lawyers and that they not be ill-treated while in detention;
- requesting to be informed of any charges against them.

Telephone: 01-833 1771 Fax: 01-956 1157 Telegrams: Amnesty London WC1 Telex: 28502

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

APPEALS TO:

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

Ankara Emniyet Müdürü
Mehmet Agar
Ankara Chief of Police
Ankara, Turkey

Telegrams:

Prime Minister, Ankara, Turkey

Telegrams:

Emniyet Muduru, Ankara, Turkey

Telex: 44061/44062/44063 BBMT
0607 42293
42099 6056 TR
42875 66 K TR

Fax: 90 42 30 88 96 PRIME MINISTER

COPIES TO: diplomatic representatives of Turkey in your country.

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

- Please take action as soon as you receive this Urgent Action appeal. Carefully read the recommended action. If possible, send a telegram or express letter immediately to one or more of the addresses given. Other letters can be sent afterwards.
- Telegrams and letters should be brief and courteous. Stress that your concern for human rights is not in any way politically partisan. Refer to relevant provisions in international law, such as the United Nations Universal Declaration of Human Rights:

Article 3 — "Everyone has the right to life, liberty and security of person."

Article 5 — "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

Article 9 — "No one shall be subjected to arbitrary arrest, detention or exile."

- The name of Amnesty International may be used, although letters written in a private or personal capacity may be more effective.
- Copies of appeals should be sent to relevant diplomatic representatives in your country.
- In Urgent Action cases, Amnesty International has to act rapidly to prevent the ill-treatment of prisoners. An appeal is issued when Amnesty International believes it has received reliable and accurate information in such cases. It is not always possible to verify all details independently and in some instances the situation outlined in the appeal may change. Urgent Action participants are always notified of any significant new facts.
- Copies of any replies received from government authorities should be sent immediately to your section's Urgent Action coordinator or direct to the Campaign and Membership Department of the International Secretariat. If appropriate, thank the official who has replied and ask to be kept informed about the case.

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Amnesty International
International Secretariat
1 Easton Street
London WC1X 8DJ
United Kingdom

11 January 1990

TURKEY: TRIAL OF 27 MEMBERS OF THE TURKISH UNITED COMMUNIST PARTY IN
IZMIR STATE SECURITY COURT

On 8 January 1990 several people gathered in a theatre in the Hatay district of Izmir to announce the foundation of the Turkish United Communist Party (TBKP) in Izmir. Some 60 people were detained and taken to Izmir Police Headquarters. After several hours 34 of them were released, but 27 were held until 10 January when they were taken to Izmir State Security Court. The prosecutor charged them under Article 141 of the Turkish Penal Code (TPC) with membership of an organization "trying to establish the domination of one social class over the others". The court ordered the arrest of six people: Vedat Pekel, Gür Hazar, Nihat Okal, Selim Uyurkulu, Nevzat Çakmak and Fetih Ekim. The other 21 were released pending trial in Izmir State Security Court. A date for the trial has not been set.

Gür Hazar is a former prisoner of conscience who was imprisoned between September 1987 and October 1989, for alleged membership of the illegal Turkish Communist Party (TKP).

Vedat Pekel, also a former prisoner of conscience, was sentenced in January 1984 as a member of the banned Turkish Workers' Party (TİP), by Istanbul Military Court to eight years' imprisonment under Article 141. He was released in October 1988.

The TBKP resulted from a merger in exile in 1987 of TİP and TKP. Their respective leaders, Dr Nihat Sargın and Haydar Kutlu returned to Turkey in November 1987, where they were arrested on arrival and put on trial for leadership of an illegal party. They have been imprisoned and on trial ever since. Neither party advocated a policy of violence, nor does the TBKP. There is no indication that any of the 27 defendants ever advocated violence. They are therefore, considered to be prisoners of conscience and their imprisonment to be in violation of their right to freedom of association, as laid down in Article 11 of the European Convention of Human Rights, to which Turkey is a State Party. Amnesty International is calling for their immediate and unconditional release and for charges against all 27 defendants to be dropped.



Parti suisse du Travail

Section de Genève

Secrétariat: rue du Vieux-Billard 25
Case postale 232 - 1211 Genève 8
Chèques postaux 12-8747-5

Téléphones:
Secrétariat 29 64 10
Office social 29 13 60

*Bu yazının aynısı
Başbakanlığa,
İçişleri ve
Dışişleri Bakanlıklarına
gönderilmiştir.*

J.-C.L./jr

Genève le 26 janvier 1989

Monsieur le Ministre,

A l'encontre des promesses de démocratisation faites par le Gouvernement de Turquie, nous sommes contraints de constater que des militants du Parti communiste unifié de Turquie (PCUT) sont l'objet de persécution dans votre pays.

C'est ainsi que Madame KUTLU, épouse du secrétaire général DU PCUT a été emprisonnée le 6 janvier 1990 et qu'une centaine de militant du PCUT ont été arrêtés le 8 janvier de cette année.

En regard des engagements devant l'opinion publique internationale pour le développement de la démocratie en Turquie, vous comprendrez que nous ne pouvons que condamner de tels agissements.

C'est dans ce sens que nous protestons et que nous demandons la mise en liberté immédiate de tous les responsables et militants communistes dans votre pays, le respect des Droits de l'Homme et l'instauration, dans les faits, de la démocratie.

Veuillez croire, Monsieur le Ministre, à nos respectueuses salutations.

Parti Suisse du Travail
Section de Genève

J. Larpin
Jean-Claude Larpin
Secrétaire cantonal

FOBB SECTION DE GENÈVE

Syndicat du bâtiment et du bois

COPIE POUR INFORMATION

Rue Necker 15
CCP 12-4851-6
Téléphone: 732 48 03
Fax: 738 47 04

M. Yildirim Akbulut
Prime Minister
Basbakan
Bakanliklar-Ankara
TURQUIE

Aynı yazı
Teşisleri ve
Dışişleri
Bakanlığında
Yazılmıştır

v./réf.

n./réf. JR/eg/182

1201 Genève, le 2 février 1990

Monsieur le Ministre,

De nombreux ressortissants Turcs travaillent dans notre région et sont membres de notre syndicat. Ce fait, ainsi que notre intérêt pour les affaires internationales, nous conduit à suivre avec attention les événements qui se passent dans votre pays. Ces derniers mois, nous avons ainsi appris que le Gouvernement dont vous faites partie était attaché à une démocratisation du pays. Cette nouvelle nous avait particulièrement réjouis.

Nous avons appris récemment qu'une centaine de militants du PCUT avaient été arrêtés le 8 janvier 1990 au cours d'une conférence de presse à IZMIR. Nous avons également été informés que Madame Kutlu, épouse d'Haydar Kutlu emprisonné depuis plus de deux ans, avait été arrêtée à son tour.

Nous vous prions Monsieur le Ministre d'user de votre haute autorité afin que toutes ces personnes soient relâchées sans délai.

Nous vous demandons également de veiller à ce que leur intégrité physique et psychologique soit garantie.

Nous comptons sur une intervention rapide de votre part et vous prions d'agréer, Monsieur le Ministre, l'expression de nos sentiments respectueux.

FOBB - GENEVE
Syndicat du bâtiment et du bois

Jacques ROBERT
Secrétaire

Résumons-nous :

Au Moyen-Orient en général, et particulièrement en Turquie, les politiques exercées sur les kurdes ne sont que la barbarie pure et simple. Les politiques suivies par la République de Turquie eu égard des kurdes se basent sur le chauvinisme et elles sont contre :

1. Les articles 38 et 39 du Traité de Lausanne qui est le statut de base de la République de Turquie,
2. La déclaration Universelle des Droits de l'Homme des Nations Unies
3. L'accord de Rome dont les principes visent à protéger les droits de l'homme et les libertés fondamentales,
4. Accord Final d'Helsinki.

Ainsi, la République Turque ne respecte pas les accords internationaux qu'elle a signés et viole, sans cesse, les droits et les libertés fondamentales.

En conclusion, nous vous serions très reconnaissants de bien vouloir exprimer vos sentiments à l'encontre des violations des droits de l'homme en Turquie et au Nord-Ouest du Kurdistan et de CONDAMNER le régime anti-démocratique de la Turquie.

Parce que :

- * La Turquie n'a aucun respect pour les droits fondamentaux et pour les libertés.
- * Le droit d'organisation politique, démocratique et syndical est interdit.
- * On pratique des politiques génocide et d'assimilation sur la population kurde.
- * La presse, et la vie culturelle sont sous une lourde répression.
- * Les fanatiques religieux s'organisent sous la protection de l'Etat.
- * Pour le régime actuel, la torture est systématique dans la prison et à la police.
- * Il existe des répressions sur les femmes et de la jeunesse.
- * La Turquie menace la paix dans la région en s'alliant aux politiques de guerre des Etats-Unis.
- * C'est un pays européen où les problèmes de l'environnement ont atteint un seuil alarmant.

Cerit Yagan
H. Zeynep

K. Zeynep
H. Zeynep

Tuncer Gorgun
T. Gorgun

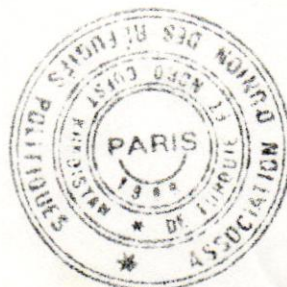
Temel Demirel
U. Demirel

Association d'Union
des Réfugiés Politiques
de Turquie et Nord Ouest Kurdistan

L'ADRESSE

Association d'Union des
Réfugiés Politiques (U.R.P.)

45-47, Rue d'Hauteville
Bât.B 1er Etage
75010 PARIS



İZMİR MİLLETVEKİLİ KEMAL ANADOL'UN 17 NİSAN 1990 GÜNÜ MECLİS GENEL KURULUNDA
GÜNDEM DIŞI YAPTIĞI KONUŞMALARIN METNİ:

BAŞKAN- Sayın Kemal ANADOL, Türk Ceza Kanunun 141, 142 ve 163. maddelerinin yürürlükte olması nedeniyle birçok kişinin uğradığı mağduriyet üzerine gündem dışı söz istemişlerdir. Kendilerine söz veriyoruz. Buyurun.

K. KEMAL ANADOL (İzmir)- Sayın Başkan, değerli milletvekilleri; dünyada özgürlüklerin, demokrasi özelemlerinin, sistemlerin dar kalıplarını yıktığı ve tüm dünyada özgürlük rüzgarlarının estiği günümüzde, Türk Ceza Yasasındaki 141, 142 ve 163. maddelerin Türkiye'de yürürlükte olması ve çok katı biçimde uygulanması, hem bu maddelere maruz kalan tutuklulara, sanıklara, hükümlülere büyük bir mağduriyet yüklemekte, hem de Türkiye Cumhuriyeti'nin yurt dışındaki itibarını sarsmaktadır.

Bilindiği gibi, İtalyan Ceza Kanununa, 1926'da Rocco Tasarısıyla alınan, Mussolini'nin çıkarttığı, faşizm koruma kanununun 270 ve 272. maddeleri, Türk Ceza Kanununa 1936'da girmiş ve cebir unsuru kapsıyordu, 1938 yılında cebir unsuru da kaldırıldı. 1951'de yapılan değişikliklerle cezalar artırıldı, ölüm cezası konuldu. 1983'de, 12 Eylül'den hemen sonra cezalar tekrar artırıldı. 163. madde ise Türk Ceza Yasasına 1949 yılında girdi.

Değerli milletvekilleri, hepimizin yakından bildiği gibi bu maddeler siyasal iktidarların kendi güçlerini artırmak için, karşılarındaki düşünceleri yok saymak için, yok etmek için, bir silah olarak kullanılan siyasal maddelerdir. Hukuki ağırlığından çok siyasal ağırlığı olan maddelerdir. Her dönem aynı şekilde aynı metin yürürlükte olmasına karşın, değişik biçimde uygulanan maddelerdir. Gerçek demokrasilerde ise siyasal yelpaze tüm görüşleri kapsamalıdır, çünkü, düşünce ve örgütlenme özgürlüğü yoksa, o ülkede demokrasiden bahsedilmez. Bunun içindir ki, eski Cumhurbaşkanı Kenan EVREN görüş değiştirmiş, Sayın Turgut ÖZAL, Sayın AKBULUT ve Sayın SENGÜRLÜ müteaddit konuşmalarında bu maddelerin kalkması için görüş bildirmişlerdir. Sayın EVREN, cumhurbaşkanı seçildiği gün bu Meclis'te bu kürsüde sürekli ondan sonraki günlerde de teşebbüs hürriyetinden, fikir hürriyetinde vicdan hürriyetinden bahsetmiştir ve bu maddelerin kalkacağını söylemiştir. Hatta Sayın Başbakan televizyona çıkarak, "Yarın bu maddelerin görüşülmesini bakanlar Kurulunun gündemine aldık, alıyoruz" diye Türkiye'ye ve dünya kamuoyuna duyuru ilan etmiştir.

Değerli arkadaşlar, Ankara Milletvekili Kamil ATEŞOĞULLARI'nın 70 arkadaşıyla birlikte 14.11.1989'da verdiği bu maddelerin kalkmasıyla ilgili verdiği yasa önerisi, daha önce ANAP'lı Mardin Milletvekili Sayın Nurettin YILMAZ'ın 5 arkadaşıyla verdiği yasa önerileri; içtüzüğün 38. maddesine göre nihayet 45 gün içinde karara bağlanması gerekirken, bağlanmamış ve aşağıya geldiğinde, Hükümet görüş bildirmediği için, Meclis gündeminden çıkarılmıştır.

Muammer AKSOY katledildiği vakit, Adalet Bakanı Sayın SENGÜRLÜ, "Bu cıpayet, 141, 142 ve 163. maddeler kalkmasıyla diye islendi: terörün

önlenmesi için de bu maddelerin kalkması gerekir." diye çok doğru bir beyanda bulunmuştur; ama bu beyana rağmen, Hükümetin gündeminden bu maddelerin kalkması çıkmıştır ve askıya alınmıştır.

Ankara'da, 9 nisan 1990 gününden beri, kapalı cezaevinde tutuklu bulunan Nihat SARGIN ve Haydar KUTLU, bu maddelerin kalkması için ölüm orucuna girmişlerdir.

Değerli arkadaşlar, onlar bu maddelerden yirmidokuz aydan beri tutukluymken, TBKP yöneticisi olduklarını açıkça söyleyen birtakım yöneticiler, Anamuhalefet Partisi Lideri Sayın İNÖNÜ'yu, diğer muhalefet partisi lideri Sayın DEMİREL'i bu kimlikleriyle ziyaret ediyorlar, onlara sorunlarını anlatıyorlar, Ankara'da, İstanbul'da serbestçe geziyorlar, "Biz bu partinin yöneticisiyiz" diyorlar.

Arkadaşlar, sürekli, "Türkiye Cumhuriyeti üniter devlettir" diyoruz. Üniter devlet olmanın en önemli koşulu, bir yasa maddesinin o ülkenin her yerinde ve herkese eşit uygulanmasıdır. Türkiye Cumhuriyetinde, Amerika Birleşik Devletlerinde olduğu gibi, eyalet sistemi yoktur ki, boşanma konusunda, bir eyalette sıkı hükümler olsun, diğer eyalette ilımlı, yumuşak hükümler olsun, bunlar yok. Çünkü, Türkiye Cumhuriyeti üniter devlettir. Peki, Türkiye Cumhuriyeti üniter devlette, 141, 142. maddelerin mevcudiyetine rağmen, bazıları cezaevinde ölüm orucu yaparken, diğerleri sokakta serbest dolaşırken, bu maddelerin kalkması için dünya kamuoyu Türkiye'yi gündemine getirirken, Hükümet gündemine aldığı bu maddelerin kaldırılması konusunu, meden gündeminden çıkarıyor? Çekoslovakya'da, Polonya'da, Bulgaristan'da yasaklar kalktı, özgür seçimler yapılıyor; ama Türkiye'de yasaklar sürüyor.

2000'e Doğru Dergisi, son çıkan kanun hükmündeki kararnameyle ilgili olarak, kendine, bastıracak matbaa bulamıyor.

Hükümet Akl. Bilimci, milliyet gazetecisine bugünü yazdırınca, son çıkan kanun hükmündeki kararname hükümüne girer diye, yazdığı yazının geri gönderildiğini ve yeniden yazı yazdığını söylüyor. Bilim adamı İsmail BEŞİKÇİ, yazdığı kitap nedeniyle içeride.

Değerli arkadaşlar, Kutlu ve Sargin, tüm milletvekillerine yazdığı yazıda şunu söylüyorlar: "Son diyeceğimiz, terörü çaresi daha az değil, daha çok demokrasidir; insan haklarını çiğnemek değil, eksiksiz uygulamaktır."

Dün akşam saat 22.00'de beşinci kanalda, Avrupa televizyonundan naklen yayında Londra'da bir stadyumu seyrettik. O stadyumda yüzbinlerce kişi, ırkçılığa karşı kahramanca mücadele eden ve 27 yıl hapis yatıp, çıktıktan sonra Londra'ya gelen ve Margret Thatcher'ın randevu talebini reddeden Nelson Mandela'yı onbinlerce, yüzbinlerce kişi dakikalarca ayakta alkışladı.

Değerli arkadaşlarım, bugün Milli Eğitim yayınlarının klasiklerinde bile Sokrat'ın savunması, aradan geçen binlerce yıla karşın kuşaktan kuşağa, elden ele yayılıyor. Sokrat'ın savunmasını milliyetçi, ırkı ne olursa olsun herkes biliyor dünyada; ama Sokrat'ın baldıran otuyla zehirlenmesi hükmünü veren hakimlerin adına bir kişi bile hatırlamıyor bugün dünyada.

Değerli arkadaşlarım, 141, 142 ve 163. maddelerin Bakanlar Kurulu gündeminde askıya alındığı bir dönemde, Ankara Kapalı Cezaevinde aylık grevi sürdüren Kutlu ve Sargın bu grevlerinin 12. günündeler. Artık bilim adamlarına göre aylık grevi tehlikeli bir duruma gelmiştir ve iz bırakacak güne gelmiştir.(ANAP sıralarından "Gebersin" sesleri)

Ona "Gebersin" dediğiniz sürece Türkiye'nin itibarını zaltıyorsunuz arkadaşlar; yapmayın, yapmayın... Eğer, Türkiye'deki özgürlükleri böyle ikinci sınıf standartta bir ülke olarak itibarımızı kırıma devam ederse, Hükümet bu anlayışını sürdürürse, orada olacak iki kişinin manevi sorumlusu ve 141, 142 ve 163. maddelerin yürürlükte kalmasının sorumlusu Hükümet olacaktır.

Hepinize saygılar sunuyorum. (SHP sıralarından alkışlar)

BAŞKAN- Teşekkür ederiz. Buyurun Sayın Başkan. (ANAP sıralarından alkışlar)

ADALET BAKANI SAYIN MAHMUT ÖLTAN SUNKURLU(Gümüşhane)- Sayın Başkan, mühterem milletvekilleri; Yüce Meclisi saygılarımla selamlarım.

Sayın Kemal ANADOL, 141, 142 ve 163. maddeler ve bunlarla alakalı olarak Ankara Kapalı Cezaevinde yapılan iki tutuklunun yaptığı ölüm orucu, aylık grevi ve bunun vebaliyle alakalı bir konuşma yaptılar. Bu konuşmasında Sayın Anadolu, "Bugüne kadar siyasi iktidarlar 141, 142 ve 163'ü kendi siyasi iktidarlarını güçlendirmek için kullanmışlardır" demiştir. Bugüne kadar ki siyasi iktidarlar ne için kullandılar? Öyle bir suçlama yapacak durumda değilim; ama, Türkiye'de ilk defa bir siyasi iktidar 141, 142 ve 163'ün kaldırılması veya değiştirilmesi lazım geldiği görüşünü ileri sürmüştü ve bunu gündeme getirmiştir. Bu iktidar, bizim Anavatan Partisi iktidarındır. Bu maddelerin gündemde kalmasının bir siyasi iktidarı güçlendireceği inancında değilim. Bu maddelerin gündemde kalması, Türkiye Cumhuriyeti Devletinin bekası için lüzumlu mudur değil midir. Görüyoruz ki, bu maddelerin minakası gündeme gelince, hadise bu noktaya çekilmiştir. Siyasi iktidar meselesi kalmamıştır. "Bu maddeler Türkiye Cumhuriyetinin bekası bakımından lazımdır," ve "Değildir" görüşü, bütün siyasi partilerin binyesinde -Hiçbirimizin inkar edemeyeceği kadar açık bir vakiadır- minakasa konusu olmuştur. Gerek 141, 142 açısından gerekse 163. madde açısından bütün siyasi grupların homojen bir bütünlük arzettiğini söylemek durumunda değiliz. Her ne kadar 141, 142 ve 163'ün tamamen kaldırılması lazım geldiği görüşünde ve srında bulunan siyasi partilerimiz ve liderleri olmuş ise de, bunun yanı sıra Türkiye Cumhuriyetinde devletin çatısını korumak lazım geldiğini, Türkiye'de laikliğe hiçbir gölge düşürmeyecek bir sistemi savunduklarını sık sık vurgulamışlardır. Bunları söylerken, 141, 142 ve 163 ve bunların karşılığı olan Anayasa metnindeki maddeleri kaldırıp, sonra da, biraz evvel söylediğim iddiaları ileri sürmek mümkün değildir; bu açıktır. Belki liderlerimiz meseleyi o zaviyede mütalea etmekte ve mutlak ki samimi olarak dileklerini dile getirmektedirler; ancak bu meselenin, gerek bizim grubumuzda, gerek diğer siyasi parti gruplarında ve kamuoyundaki direncini de göz önünde bulundurmak zorundayız. Politika, yapabilmektir; yapılabilirse, o işi yapma şansına sahiptir. Şimdi, yapılamayacak birşeyi gündeme getirmenin de bir

Faydası yoktur, Konsensus denen bu hadisede, muhalefetten devamlı aldığımız konsensus taleplerinde, bu maddelerde de konsensus çağrısında bulunduk. Bir siyasi partimiz, "Kararı tasarısı Meclise gelsin, sonra görüşelim" dedi; ama birçok ön şart olduğunu da görüyorduk. Bir başka siyasi partimiz de, üç maddenin de hiçbir şart gözetmeksizin kaldırılmasını ileri sürüyordu; yani o zaman Türkiye'de şunlar söylenebilecekti: "Markalet bir parti kurulsun, iktidara gelsin; Türkiye'de teokratik bir parti, daha açıkça, bir şeriat partisi kurulsun, iktidara gelsin" diyebilecek miydiniz ve ya "Türkiye'de bölücülük esasına raci partiler kurulsun ve bu partiler iktidara gelsin" diyebilecek miydiniz? Çünkü, bu maddeleri, 141, 142, 163'ü kaldırdığımız zaman ve bunlara paralel Anayasa değişikliklerini yaptığımız zaman, bu takdirde, "Bunları da kabul ediyoruz" demektir. Halbuki, konuşmalarda devamlı, biraz evvel söylediklerimin bir kısmına bütün şiddetiyle karşı çıkılırken, 141, 142, 163 kaldırılсын denmesinin hangi ölçüde bir paralellik arz ettiğini sizin takdirlerinize bırakıyorum.

Şimdi biz Anavatan Partisi olarak 141, 142, 163'de hiçbir ön şarta bağlı değiliz. Bilhassa ben Adalet Bakanı olarak birçok defalar izah ettim. Şahsım adına hiçbir ön şartım yoktur. Yüce Meclisin konsensus sağladığı bir noktada demokratikleşmeden yanayız. Bu mevzuda da inkar edilemeyecek büyük çalışmalar yaptık ve bu devam etmektedir, herüz günde- dir, geri alınmış değildir. Biz, bizim gibi diğer siyasi partilerin de bu noktada meselenin Meclise müzakereye gelip bir münakaşa halini almadan, daha önce görüşlere de açıklıkla getirmek suretiyle yardımcı olmalarını bildiriyoruz, istiyoruz.

Şunu söyleyeceğim, Sokrat ölümüne mahkum edilmiştir ve unutulmamıştır; ama Sokrat'ın en büyük unutulmayan tarafı da kendi ülkesinin kanunlarına saygı göstermesidir. (ANAP sıralarından "Bravo" sesleri, alkışlar) Şimdi, biraz evvel Sayın ANADOL söylediler, biz Türkiye Cumhuriyeti olarak birçok beynelmînel anlaşmaya imza koymuşuz ve medeni dünyanın bir parçasıyız ve o noktada geri kalmak arzusunda değiliz. Sözleşmelerimizi ve akitlerimizi yerine getirmek zorundayız. Ama devamlı dış dünyaya da şikayet ediliyoruz. Tabii ki vatandaşın bu hakkına, hukukuna da hiçbir itirazımız yoktur. Yakında Sayın Sargın ve Kutuluğu Avrupadan Avrupa Konseyinden bir doktorlar heyeti gelip, muayene edeceklerdir; bu da bizim taahhütlerimizin gereğidir ve yerine getirilecektir ve herhangi bir dış etkiye maruz kalıp kalmadıkları tespit edilecektir. Ama şunu soruyorum devamlı olarak. Türkiye Cumhuriyetinin üzerinde dış odakları bu istikamette kullanmak suretiyle bir neticeye varmak acaba mispet bir yol mudur veya bunu Türkiye Cumhuriyetinin üzerinde Demokles'in kılıcı gibi kullanmak doğru bir yol mudur? Sayın Kutlu ve Sargın şu anda ahlak grevindedirler; sağlıklarına en ufak bir nakise gelmesi, bizi revkalade üzecektir. Biz, onların da bu vatanın evlatları olarak bu meseleyi siyasi bir mesele olarak kullanacakları görüşünde değiliz. Ancak, Türkiye Cumhuriyetinin kanunlarını veya nizamını eğer böyle boykotlarla değiştirmek gibi bir yolu adet haline getirirsek, o zaman da bu meselenin ciddiyetine, bu meselenin doğruluğuna inanmak ve bunu kabul etmek mümkün değildir.

Ben, Anayasa'nın 141, 142 ve 163. maddelerinin değiştirilmesi konusunun halen Hükümetin ve partimizin gündeminde olduğunu ifade ediyorum.

Birçok milletvekili arkadaşımızın bir siyasi partide aksi aksi görüşlerde olduğunu biliyoruz ve kabul ediyoruz. Nitekim bu hafta çıkan bir dergide, Adalet Bakanının, Anavatan Grubundaki hukukçu milletvekillerine 141, 142 ve 163. maddelerle alakalı bir çalışma yaptığı yolundaki yorumuyla ilgili olarak ben o milletvekili arkadaşımın gördüğüm, "Şahsi görüşümü ifade ettim" diyor. Çünkü ben kendisine böyle bir vazife vermemiştim. "Bu nereden çıktı?" diye sordum. "Ben şahsi görüşümü ve şahsi muhalefetimi ifade ettim. Anayasa değişmedikçe bu maddelerin değişmeyeceği görüşümü ifade ettim." diyor ve gerek parti adına gerekse bakan adını konuşmadığını ifade ediyor. Bu itibarla Sayın Anadol u yayındaki bu görüşlere istinaden endiyeşeye kapılmışsa, böyle bir şeyin varit olmadığını tekrar ifade etmek istiyorum ve Türkiye Cumhuriyeti'nin bulunduğu bugünlerde elbetteki birçok tedbir alınacaktır. Alınacak hiçbir tedbir hakkında bunca infialin doğduğu bir günde 141, 142 ve 163'ü de önceden bir konsensus sağlamadan Meclise getirmenin çıkaracağı problemleri de göz ardı edemeyiz. Ümit ediyorum ki, Türkiye çok yakın bir zamanda bu problemi aşacaktır ve bu problemi aşma şerefine de bu Yüce Meclise ait olmasını temenni ediyor, Yüce Meclisi saygılarımla selamlıyorum. (ANKA sıralarından alkışlar)

Association Culturelle et
Folklorique de Turquie
chez M. Murat GUMUSKAYA
5, chemin Paul Valéry
69120 Vaulx-en-Velin
FRANCE

Monsieur Veysi SARISOZEN
Spinnerei Str.
15-19 KREFELD
R.F.A.

A Vaulx-en-Velin, le 19 mars 1990

Cher Monsieur,

J'ai l'honneur de vous confirmer que nous vous invitons
à participer au débat que notre association organise le mardi
8 mai 1990 en soirée au Centre Culturel C. Chaplin de Vaulx-en-Velin
sur le thème "L'évolution de la démocratie dans les pays de
l'Est."

Je vous serai reconnaissant de bien vouloir me faire
connaître, dès que cela vous sera possible, vos heures d'arrivée
à Lyon et de départ de Lyon, afin de nous permettre de vous
accueillir dans les meilleures conditions et assurer votre héber-
gement et déplacements sur place.

Dans l'attente de vous lire à ce sujet et en vous
remerciant à nouveau d'avoir accepté de participer à notre
initiative,

je vous prie d'agréer, Cher Monsieur, l'assurance de ma
considération distinguée.



Le Président,

Murat GUMUSKAYA.

TÜRKİYE SOSYAL TARİH ARAŞTIRMA VAKFI
TÜSTAN

Melike Demiray
Sana Yurdatagan

25. 4. '90

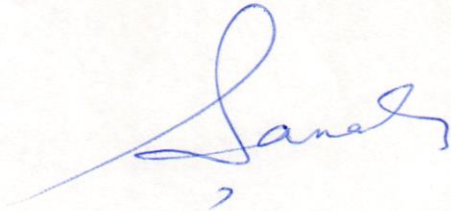
Sevgili Karaca, sevgili Sahalsy,

Yazınızı bugün aldık. Önerilerin 2ci ve 3. maddelerini - kendi çevremizde - tek veya toplu olarak zaten yapmaktaydık.

Dayanışma ahlakı çevremize her an için hazır. Ancak, heriz bebek emziken Melike'nin katılması olarsy. Bunun dışında, planlanabilecek -ve katılmıyda yasaar gösülebilecek her eyleme katılmaya hazır olduğumuzu bir daha tekrarlarsy.

Saygımla Kutlu yaşayacaklar.

Sevgilerimle,



Not: Grevin etelendiğini öğrendik. Ama yazdıklarımız, ilerde tekrarlanaacak grevler için de geçerlidir.



**amnesty
international**

INTERNATIONAL SECRETARIAT
1 Easton Street London WC1X 8DJ
United Kingdom

EXTERNAL (for general distribution)

**URGENT
ACTION**

AI Index: KUR 44/04/90
Distr: UA/SC

UA 12/90

Incommunicado Detention

11 January 1990

TURKEY: Çiçek YAGCI (f)
Saime Gülanay ÖZTÜRKÇÜ (f)

On 6 January 1990 Çiçek Yagci and Saime Gülanay Öztürkçü were detained in Istanbul upon their return from exile. On 8 January both women were taken to the prosecutor and charged with membership of the Progressive Women's Association (IKD), banned in Turkey since the military coup of September 1980. Although the Istanbul prosecutor did not order their formal arrest, both detainees were then taken to Ankara for interrogation at Ankara Police Headquarters. They are being held there incommunicado, and on 10 January their lawyers' request for access to their clients was denied. Both are considered to be prisoners of conscience and there is concern for their safety while under interrogation in incommunicado detention.

BACKGROUND INFORMATION

IKD was allegedly linked to the illegal Turkish Communist Party (TKP), of which Çiçek Yagci's husband Nabil Yagci, known under the party name Haydar Kutlu, was the Secretary General. In October 1987, the illegal TKP and the banned Turkish Workers' Party (TIP) merged in exile to form the United Turkish Communist Party (TBKP). In November 1987 their respective leaders, Nabil Yagci and Dr Nihat Sargin, returned to Turkey, where they have been imprisoned and on trial ever since. Both alleged that they were tortured during incommunicado detention at Ankara Police Headquarters.

Turkey ratified the European Convention for the Prevention of Torture on 25 February 1988 and the UN Convention Against Torture on 2 August 1988. However, all information available to Amnesty International indicates that torture is still widespread and systematic in Turkey. Allegations of torture have continued since the transfer of power to a civilian government in 1983. Most allegations relate to ill-treatment of detainees in police custody during their initial interrogation when they are usually denied access to relatives or a lawyer. Under current legislation the maximum detention period before being formally charged or released is 24 hours; in cases involving three or more suspects or due to the 'nature of the crime' it may be extended to 15 days. This period may be extended to 30 days in areas under emergency legislation or martial law.

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

- appealing for the immediate and unconditional release of Çiçek Yagci and Saime Öztürkçü as prisoners of conscience;
- urging that they be granted access to their families and lawyers and that they not be ill-treated while in detention;
- requesting to be informed of any charges against them.

Telephone: 01-833 1771 Fax: 01-956 1157 Telegrams: Amnesty London WC1 Telex: 28502

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

EXTERNAL (for general distribution)

AI Index: EUR 44/05/90

Distr: CO/GR

Amnesty International
International Secretariat
1 Easton Street
London WC1X 8DJ
United Kingdom

11 January 1990

TURKEY: TRIAL OF 27 MEMBERS OF THE TURKISH UNITED COMMUNIST PARTY IN
IZMIR STATE SECURITY COURT

On 8 January 1990 several people gathered in a theatre in the Hatay district of Izmir to announce the foundation of the Turkish United Communist Party (TBKP) in Izmir. Some 60 people were detained and taken to Izmir Police Headquarters. After several hours 34 of them were released, but 27 were held until 10 January when they were taken to Izmir State Security Court. The prosecutor charged them under Article 141 of the Turkish Penal Code (TPC) with membership of an organization "trying to establish the domination of one social class over the others". The court ordered the arrest of six people: Vedat Pekel, Gür Hazar, Nihat Okal, Selim Uyurkulu, Nevzat Çakmak and Fetih Ekim. The other 21 were released pending trial in Izmir State Security Court. A date for the trial has not been set.

Gür Hazar is a former prisoner of conscience who was imprisoned between September 1987 and October 1989 for alleged membership of the illegal Turkish Communist Party (TKP).

Vedat Pekel, also a former prisoner of conscience, was sentenced in January 1984 as a member of the banned Turkish Workers' Party (TİP), by Istanbul Military Court to eight years' imprisonment under Article 141. He was released in October 1988.

The TBKP resulted from a merger in exile in 1987 of TİP and TKP. Their respective leaders, Dr Nihat Sargın and Haydar Kutlu returned to Turkey in November 1987, where they were arrested on arrival and put on trial for leadership of an illegal party. They have been imprisoned and on trial ever since. Neither party advocated a policy of violence, nor does the TBKP. There is no indication that any of the 27 defendants ever advocated violence. They are therefore, considered to be prisoners of conscience and their imprisonment to be in violation of their right to freedom of association, as laid down in Article 11 of the European Convention of Human Rights, to which Turkey is a State Party. Amnesty International is calling for their immediate and unconditional release and for charges against all 27 defendants to be dropped.

APPEALS TO:

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

Ankara Emniyet Müdürü
Mehmet Agar
Ankara Chief of Police
Ankara, Turkey

Telegrams:

Prime Minister, Ankara, Turkey

Telegrams:

Emniyet Muduru, Ankara, Turkey

Telex: 44061/44062/44063 BBMT
0607 42293
42099 6056 TR
42875 66 K TR

Fax: 90 42 30 88 96 PRIME MINISTER

COPIES TO: diplomatic representatives of Turkey in your country.

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

— Please take action as soon as you receive this Urgent Action appeal. Carefully read the recommended action. If possible, send a telegram or express letter immediately to one or more of the addresses given. Other letters can be sent afterwards.

— Telegrams and letters should be brief and courteous. Stress that your concern for human rights is not in any way politically partisan. Refer to relevant provisions in international law, such as the United Nations Universal Declaration of Human Rights:

Article 3 — "Everyone has the right to life, liberty and security of person."

Article 5 — "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

Article 9 — "No one shall be subjected to arbitrary arrest, detention or exile."

— The name of Amnesty International may be used, although letters written in a private or personal capacity may be more effective.

— Copies of appeals should be sent to relevant diplomatic representatives in your country.

— In Urgent Action cases, Amnesty International has to act rapidly to prevent the ill-treatment of prisoners. An appeal is issued when Amnesty International believes it has received reliable and accurate information in such cases. It is not always possible to verify all details independently and in some instances the situation outlined in the appeal may change. Urgent Action participants are always notified of any significant new facts.

— Copies of any replies received from government authorities should be sent immediately to your section's Urgent Action coordinator or direct to the Campaign and Membership Department of the International Secretariat. If appropriate, thank the official who has replied and ask to be kept informed about the case.

BUNDESPRÄSIDENTIALAMT

Az.: II/1-001-961/90

(Bei Rückfragen bitte angeben)

5300 BONN 1, den 29. Januar 1990

Kaiser-Friedrich-Straße 16

Telefon: (0228) 200-318

(oder über Vermittlung 20 00)

Telex: adpbn d 8 86 393

Teletex: 2283624=BPrA

Telefax: (0228) 200-200

Herrn
Osman Sakalsiz
Geressheimerlandstraße 136

4000 Düsseldorf 12

Sehr geehrter Herr Sakalsiz,

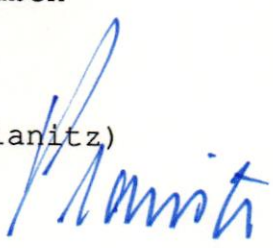
der Herr Bundespräsident hat mich gebeten, Ihnen für Ihren Brief vom 22. Januar, in dem Sie auf die Verhaftung von Frau Professor Hella Schlumberger aufmerksam machen, zu danken. Wie Sie sicher der Presse entnommen haben, ist Frau Schlumberger inzwischen wieder auf freiem Fuß. Das türkische Gericht hat sie von den ihr gemachten Vorwürfen frei gesprochen.

Wie Sie sicher wissen, verfolgen der Herr Bundespräsident und die Bundesregierung die Entwicklung der Menschenrechtslage in der Türkei mit großer Aufmerksamkeit. Bei jeder sich bietenden Gelegenheit bringen beide ihre Sorge über Verletzungen von Menschenrechten deutlich zum Ausdruck - der Bundespräsident z. B. beim Besuch des türkischen Präsidenten Evren in der Bundesrepublik Deutschland.

Der Herr Bundespräsident, für den menschenrechtliche Anliegen eine besondere Priorität haben, wird auch in Zukunft die Entwicklung der Menschenrechtslage in der Türkei mit besonderer Aufmerksamkeit verfolgen.

Mit freundlichen Grüßen

(Bernhard von der Planitz)



Erdal Inonu Esq
President
Social Democratic Populist Party
Ankara Turkey

30 April 1990

Dear Mr Inonu,

I have been following with appreciation the efforts of your Party to render the Parliament the ultimate source of power in the political system of your country, to abolish Articles 141, 142 and 163 of the Turkish Penal Code, and to free Dr Nihat Sargin and Mr Haydar Kutlu.

Unfortunately, my concern about the well-being of the two political leaders is continuing.

I should like to reiterate my belief that your Party will continue to spend every effort to remove the political bans in Turkey and to secure the release of these two persons who are risking their own lives for democracy in your country.

Yours respectfully,

Mikis Theodorakis

President
International Committee for the
Freedom of Sargin and Kutlu

Gunnepig Bristol Hotel
Kinz Albert str.,2
n

Suleyman Demirel, Esq
President,
Correct Way Party
Ankara
Turkey

30 April 1990

Dear Mr Demirel,

I have been informed with great appreciation of your statements in support of the release of Dr Nihat Sargin and Mr Haydar Kutlu, the leaders of the United Communist Party of Turkey who have been kept under arrest for 30 months. I am very concerned about their continued arrest and their consequent hunger strike.

Today, Turkey is the only country having political prisoners amongst those who signed the Helsinki Final Act signed by yourself as the then Prime Minister of Turkey.

I sincerely hope that, together with your efforts, the political bans imposed by Articles 141, 142 and 163 of the Turkish Penal Code are removed without delay.

I believe that you, as a politician defending Turkish-Greek friendship, will continue to do your best to achieve a democracy without political bans in Turkey and to free the leaders in prison.

Gunnepig Bristol Hotel
Prinz Albert str.,2
Bonn

Mikis Theodorakis

President
International Committee for the
Freedom of Sargin and Kutlu

Yildirim Akbulut Esq
Prime Minister
Bakanliklar, Ankara
Turkey

30 April 1990

Dear Mr Akbulut,

I am writing to you with grave concern for the health of Mr Nihat Sargin and Mr Haydar Kutlu who are risking their own lives to help to end political bans and restore democracy in their country.

Their release and the abolishment of Articles 141, 142 and 163 which are used to curb democracy and restrict freedoms of thought and expression, will not only make me happy as a person who defends and promotes friendship between the peoples of Turkey and Greece, it will also strengthen Turkey's position in Europe.

Due to the urgency and sensitivity of this matter, I appeal to you to help resolve it immediately.

Yours respectfully,

Mikis Theodorakis

President
International Committee for the
Freedom of Sargin and Kutlu

Gunnweg Bristol Hotel
Prinz Albert str.,2
Bonn

Turgut Ozal, Esq
President
Cankaya
Ankara
Turkey

30 April 1990

Your Excellency,

I am writing to you with grave concern for the health of Dr Nihat Sargin and Mr Haydar Kutlu who are risking their own lives to help to end political bans and restore democracy in their country.

Their release and the abolishment of Articles 141, 142 and 163 which are used to curb democracy and restrict freedoms of thought and expression, will not only make me happy as a person who defends and promotes friendship between the peoples of Turkey and Greece, it will also strengthen Turkey's position in Europe. This, I believe, requires your personal intervention without further delay.

Due to the urgency and sensitivity of this matter, I appeal to you to help resolve it immediately.

Yours respectfully,

Mikis Theodorakis

Gunnewig Bristol Hotel
Prinz Albert str.,2
Bonn

President
International Committee for the
Freedom of Sargin and Kutlu

Willy Brandt Esq
President of Socialist International

Dear Mr Brandt,

30 april 1990

I am writing to you with utmost concern for the lives of two dear friends, Dr Nihat Sargin and Mr Haydar Kutlu who are presently in prison in Turkey. They are the President and the General Secretary, respectively, of the United Communist Party of Turkey.

On 6 April, these two men started an indefinite hunger strike, indeed a fast to death, in their prison cell in Ankara to defend democracy, to get the Turkish Parliament exercise ultimate political power and to lift all political bans and to protest against their own 30-month-long unjustified imprisonment. However, after 20 days on hunger strike with massive support from public opinion, both nationally and internationally, and following the statements by President Ozal and Justice Minister Sungurlu to the effect that Articles 141, 142 and 163 of the Turkish Penal Code which restrict democratic rights will be taken onto the political agenda of both the Government and the Parliament, Kutlu and Sargin suspended their hunger strike temporarily in order to give the Government and the Parliament an opportunity to solve the problem.

However, as you know well, the authorities in Turkey have in the past not always been loyal to their public statements regarding democratization. Among the signatories of the Helsinki Final Act, Turkey is the only country with political prisoners. Totalitarian forces in this neighbouring country are actively pushing back all the progressive steps towards democracy, even though these are considerably small when compared with European standards.

This is why I personally appeal to you to do everything in your power to secure the release of Dr Sargin and Mr Kutlu at their next hearing on 4 May 1990 and to help restore democracy and human rights in Turkey.

Yours sincerely,

Mikis Theodorakis
President,
International Committee for the
Freedom of Sargin and Kutlu

Gunnewig Bristol Hotel
Prinz-Albert str., 2
Bonn

Hans Jochen Vogel, Esq.
President of the
Social Democratic Party

Dear Mr Vogel,

30 April 1990

I am writing to you with utmost concern for the lives of two dear friends, Dr Nihat Sargin and Mr Haydar Kutlu who are presently in prison in Turkey. They are the President and the General Secretary, respectively, of the United Communist Party of Turkey.

On 6 April, these two men started an indefinite hunger strike, indeed a fast to death, in their prison cell in Ankara to defend democracy, to get the Turkish Parliament exercise ultimate political power and to lift all political bans and to protest against their own 30-month-long unjustified imprisonment. However, after 20 days on hunger strike with massive support from public opinion, both nationally and internationally, and following the statements by President Ozal and Justice Minister Sungurlu to the effect that Articles 141, 142 and 163 of the Turkish Penal Code which restrict democratic rights will be taken onto the political agenda of both the Government and the Parliament, Kutlu and Sargin suspended their hunger strike temporarily in order to give the Government and the Parliament an opportunity to solve the problem.

However, as you know well, the authorities in Turkey have in the past not always been loyal to their public statements regarding democratization. Among the signatories of the Helsinki Final Act, Turkey is the only country having political prisoners. Totalitarian forces in this neighbouring country are actively pushing back all the progressive steps towards democracy, even though these are considerably small when compared with European standards.

This is why I personally appeal to you to do everything in your power to secure the release of Dr Sargin and Mr Kutlu at their next hearing on 4 May 1990 and to help restore democracy and human rights in Turkey.

Yours sincerely,

Mikis Theodorakis
President,
International Committee for the
Freedom of Sargin and Kutlu

Gunnepig Bristol Hotel
Prinz-Albert str., 2
Bonn

Oscar Lafontaine, Esq.
Premier of Saarland

Dear Mr Lafontaine,

As I was hoping to see you at my recent concert in Köln, it was a very sad surprise for me to find out that you were badly wounded after an attack. I hope that you will get better soon and resume your duties and responsibilities as soon as possible.

A further reason for my writing to you during your recovery is my deep concern for the lives of two dear friends. These two people, Dr Nihat Sargin and Mr Haydar Kutlu, President and General Secretary of the United Communist Party of Turkey, respectively, started an indefinite hunger strike, indeed a fast to death on 6 April, to defend democracy, to get the Turkish Parliament, to lift all political bans and to protest against their own 30-month-long unjustified imprisonment. However, after 20 days on hunger strike and following the statements by President Ozal and Justice Minister Sungurlu to the effect that Articles 141, 142 and 163 of the Turkish Penal Code which restrict democratic rights will be taken onto the political agenda of both the Government and the Parliament, Kutlu and Sargin suspended their hunger strike temporarily in order to give the Government and the Parliament an opportunity to deal with these matters urgently.

However, as you know well, the authorities in Turkey have in the past not always been loyal to their public statements regarding democratization. Among the signatories of the Helsinki Final Act, Turkey is the only country having political prisoners.

This is why I appeal to you to do everything in your power for the immediate release of Dr Nihat Sargin and Mr Haydar Kutlu who by now have become symbols of democracy, of a Turkey without bans and for the Parliament exercising ultimate political power.

I reiterate my best wishes for your speedy recovery and wish you success in the important duties awaiting your attention.

Mikis Theodorakis
President,
International Committee for the
the Freedom of Kutlu and Sargin

Gunnewig Bristol Hotel
Prinz Albertstr. 2
Bonn

24 Eylül 1989 / PRAVDA

TÜRKİYE'Lİ KOMÜNİSTLERİN SESİ

Uzun göçmenlik yıllarından sonra Türkiye Birleşik Komünist Partisi'nin (TBKP) dört Merkez Komitesi üyesi anayurda döndüler. Onların arasında Politbüro üyesi Erdal Talu'da bulunuyordu. Birçok Batı Avrupa devletlerinin tanınmış toplum adamları ve hukukçuları onlara refakat ettiler (onların yanında bulundular). Uluslararası İstanbul Havalimanına gelir gelmez güvenlik güçleri tarafından hemen tevkif edildiler. Politik göçmenleri ülkenin demokratik kamuoyunun temsilcileri, Sosyal Demokrat Halkçı Parti'den milletvekilleri karşıladılar.

TBKP MK'nin bütün üyelerinin yurda dönüşü üzerine aldığı karar partinin yasal koşullarda faaliyette bulunması ve ülkede ki demokratikleşme sürecine katkıda bulunma amacıyla bağıntılıdır.

Bu olayın anıevesinde TBKP MK üyesi Önder Gezgine partinin yasamı ve faaliyetlerini anlatması için nicada bulunduk.

— 80 li yılların ortasından başlayarak Sovyet politikasında acıklık ve yenilenmenin, bir de bu süreçle bağıntılı barış ve silahsızlanma savaşımının sayesinde dünyada durum iyiye doğru gitti. Türkiye'de demokrasi için ve Komünist Partisinin yasallaşması için uzun yıllardır süren savaşımı-mızda yeni metotlar kullanma zorunluluğu açıkca ortaya çıktı. Türkiye işçi Partisinin ve Türkiye Komünist Partisinin bir partide, TBKP'de birleşme-leri (böylelikle) bu yolda atılmış ilk adım oldu. Sonra genel başkan Nihat Sargın'ın ve genel sekreter Haydar Kutlu'nun ülkeye dönmeleri kararı takip etti.

Türkiye toplumunun demokratikleştirilmesi savaşında temel sorun Komünist partisinin faaliyetlerine konulan yasaların kaldırılmasıdır. Ve bunda anlıyanların sayısı ve her tarzda bizi desteklemeleri günden güne büyüyor. On binlerce insanın katıldığı bu yılki bir Mayıs gösterisi söylenenleri doğrulamaktadır. En çok etki gençlik ve kadın hareketleri kazanıyor. Bizim partinin yasallaşması için ^{Türkiye'nin} etkili iş çevrelerinde olumlu yanıyorlar (davranıyorlar). Biz, dünya çapındaki toplumsal düşüncelerin desteklerinden yararlanıyoruz. Mesela, Avrupa Parlamen-

tosu birkaç defa bizim partinin yasallaşmasının zorunluluğuna dair, Kutlu ve Sargın'ın derhal serbest bırakılması için karar kabul etti. Elbette ki, partimizin durumuna yetmiş yıllık illegal faali-

yeti ettirmektedir. Benim ülkemde anti-komünist ve «Sovyet tehlikesi» propagandasının uzun yıllar devletin politikası olduğu sır değildir ki. Türkiye'nin bütün sol hareketinin binlerce politik faaliyetçileri göçmenlikte bulunmaktadırlar.

Önder Gezgün, Kutlu ve Sargın yoldaşların Türkiye'ye dönmeleri komünist hareket içinde bizim ülkemizde son yıllarda atılmış en önemli adım oldu diyerekten devam etti. Dönüm noktası oldu demek mümkün. Onlar, kendilerini hapisin betlediğini bilerekden döndüler. (Onlar, tevkif edileceklerini bilmelerine rağmen döndüler). Mahkeme bir buçuk yıldan beri sürmektedir, onlar, kendi inançlarından geriye çekilmediler. Mahkemenin her toplantısı Türkiye'deki anti-demokratik rejime karşı (kendine özgü) bir süreç gösteriyor. Mahkemenin başlamasından beri tüm dünyanın demokratik basını bizim yoldaşlarla dayanışma içine sırdılar. Mahkemenin gidişatı gösteriyor ki, mahkeme gereksiz olarak sürüncüde bırakılıyor. Onun sonuçlanması için politik karar gerekir, yani komünist partisinin yasallaşmasına kesin, resmi karar.

Kutlu ve Sargın yoldaşlar iki yıla yakın ceraevinde tutuklu dururlar. Bu süre içinde onlar kendileri için belirli haklar kazandılar. Mesela, onlara gazetelere ve dergilere maktale yazma, kutlama mektupları ve kartları ^{karşılıklı} tebliğ etme serbest. Avukatları ve akrabaları onları düzenli ziyaret ediyorlar (ki), bu onlara olayların içinde olma imkanı vermektedir. Ancak, söz konusu olan mahkemedeki haksızlıkların kesilmesi ve ezilmiş demokrasinin yeniden kurulmasıdır.

ülkesindeki durum üzerine cevap verirken ; Türkiye'de çok sorun olduğunu söyledi. İşsizlik, enflasyon, pahalılık, artan dış borç, Kürt problemi ve Bulgaristan'dan göçen Türklerin sorunu.

Ancak, birinci yere demokratikleşme ve insan haklarının güvence altına alınmasını koyuyorum. Eğer, bu iki sorun çözülmedikçe diğer sorunlarda hiçbir zaman çözülmiyebilir. Ancak, bizim partinin yasallaşmasıyla bütün sorunlar bizim için önemini yitiriyor demek değildir, bunu düşünmek mümkün değildir. Ülkede gerçek bir demokrasi için daha uzun süren bir savaş duruyor - bekliyor. Bugün, Türkiye'nin bütün demokratik değerlerinin gündeminde

Kasım ayı başlarında yapılacak olan Cumhurbaşkanlığı seçimi durmaktadır. Yakın bir gelecekte erken parlamento seçimlerinin yapılması mümkündür. Sanıyorum ki Türkiye'deki komünistlerin sesi özgürce, serbest olarak duyulmalıdır.

V. Hovratoviç

Madrid

Sizden, Turgut Üzal ile yapacağınız görüşmelerde, Türkiye Cumhuriyeti ile birlikte Avrupa Güvenlik ve İşbirliği Konferansı Viyana Sonuç Belgesi'ne imza atmış bir ülkenin başbakanı olarak, bu durumu gündeme getirmenizi rica ediyoruz. /Saygılarımızla

UIC Acad. Yard.

D. V. Gammack, Jr.

Agenda for
Cervical In

By Richard
BelkeDetentions in Turkey.

The European Parliament

- noting that Cicek Yagci and Gulenay Ozturkcu returned from exile to Istanbul landing on the 6th January.
- noting that they were detained in Istanbul during the weekend but granted access to lawyers and interviewed by the prosecutor on the 9th January and that he proposed to free them.
- noting that a request was received from the Ankara prosecutor, Mr. Demiral, and that these two women were transferred to Ankara on the 9th January.
- noting that they have been held in Police detention since that date.
- noting that the Turkish Ministry of Justice has frequently proclaimed recently that all suspects will be granted access to lawyers.
- noting that the lawyers for Cicek Yagci and Gulenay Ozturkcu applied for permission to see their clients and that this was refused on the 11th January.
- noting that the lawyers were told that these two women could be held without access to lawyers for ten days.

Resolves:-

1. That this Parliament no longer regards as acceptable the wide discrepancy between public pronouncements and actual practice by the Turkish Judicial system.
2. Calls on the Foreign Ministers of the Member States to exert pressure on Turkey to allow access to lawyers in this case.
3. Instructs its delegation to meet urgently this week to consider whether in view of the continuing flouting of basic human standards by the Turkish Judicial authorities and in particular the failure of the Turkish authorities to in any way control the activities of prosecutor Demiral to decide whether or not the delegation meeting planned for March should any longer be contemplated and if so under what conditions.
4. Resolves to send this Resolution to the Commission, the Council and the government of Turkey.



FOLKETINGET

CHRISTIANSBORG
1210 K

VENSTRES FOLKETINGS-
GRUPPES SEKRETARIAT

TF, Of 11 66 00, lok. 1161

6. oktober 1989

BE/aj

Det forenede tyrkiske kommunistparti
v/Ayse Coskun
Dyringparken 122, 2. th.
2660 Brøndby Strand

Tak for henvendelsen af 27. f.m., der ridser op, hvad der er sket de eksilerede tyrkere, der vendte tilbage til Tyrkiet den 22. f.m. Jeg vil naturligvis fortsat følge udviklingen nøje og fandt i sidste uge anledning til at rejse sagen over for den tyrkiske parlamentarikerdelegation i Europarådet. De lovede nøje at følge udviklingen og informere mig derom. De udtalte samtidig deres forvisning om, at med den interesse, der blev udvist dels fra omverdenen, dels også fra tyrkisk parlamentarikerhold, ville der ikke ske de fængslede og anholdte personer fysisk overlast. Så må vi jo se, hvad det løfte er værd.

For den interesse, det måtte have, vedlægger jeg kopi af Europaråds-dokument AS (42) CR 18, som indeholder det officielle referat af Tyrkiets premierminister Özals indlæg i parlamentarikerforsamlingen onsdag den 27. f.m. samt spørgsmål og svar, bl.a. vedr. menneskerettighedssituationen i Tyrkiet. Jeg henviser speciel til mit eget spørgsmål og Özals svar fra side 53 - 58.

Venlig hilsen

Björn Elmquist
Björn Elmquist

Bilag

Çevri:

27 Eylül tarihli bilgilendirmenize teşekkürler, 22 Eylül'de Türkiye'ye geri dönen, sürgündeki türklede olanlar ne kadar acıdır. Ben doğal olarak, son haftadaki Avrupa Konseyi'nde yapılan toplantı sırasında Türk parlamenterler delegasyonundan olayı, gelişmeleri yakından izlemeye devam ettim. Onlar gelişmeleri yakından izleyip beni bilgilendireceklerine söz vermişlerdi. Onlar aynı zamanda, hem dünya çapında hem de türk parlamenterlerince ilgiyle izlenen gözaltına alınan ve tutuklanan kişilere fiziksel baskı yapılmayacağı hakkında garanti verdiler. Sözlerinin ne kadar değerli olduğunu göreceğiz.

Bende bulunan, Avrupa Konseyi'nin, 27 Eylül çarşamba günü yapılan ve Türkiye başbakanı Özal'ın parlamenterler toplantısında yaptığı konuşmanın resmi tutanaklarını, Türkiye'deki insan haklarının durumuyla ilgili soruların da bulunduğu soruları ve cevapları içeren, AS(47) CR 18 belgesinin kopisini ekte gönderiyorum. Özellikle 53.sayfadan itibaren benim şahsi sorum ve Özal'ın cevabını da işaret etmek isterim.

Saygılarla

COUNCIL
OF EUROPE



CONSEIL
DE L'EUROPE

Parliamentary Assembly
Assemblée parlementaire

AACR18.41

AS (41) CR 18

FORTY-FIRST ORDINARY SESSION

(Third part)

OFFICIAL REPORT

Eighteenth sitting

Wednesday 27 September 1989 at 11 am

In this report:

1. Speeches in English are reported in full.
2. Speeches in other languages are summarised.
3. Speeches in German and Italian are reproduced in full in a separate document.

Corrections should be handed in at Room F 3142 not later than 24 hours after the report has been circulated.

The contents page for this sitting is given at the end of the verbatim report.

22.098
01.7



Forty years
Council of Europe
Quarante ans
Conseil de l'Europe

The sitting was opened at 11.02 am with Mr Björck, the President of the Assembly, in the Chair.

1. OPENING OF THE SITTING

The PRESIDENT.- The sitting is open.

2. MINUTES OF PROCEEDINGS

The PRESIDENT.- The minutes of proceedings of the last two sittings have been distributed.

Are there any comments on these minutes?

The minutes are agreed to.

3. ATTENDANCE REGISTER

The PRESIDENT.- The names of those Substitutes present at this sitting, of which notice has been given to the President, will be published with the list of Representatives appended to the minutes of proceedings.

4. WRITTEN DECLARATION

The PRESIDENT.- In accordance with Rule 49 of the Rules of Procedure a written declaration on the assassination of Pavlos Bakogiannis has been tabled - Doc. 6133 - which has been signed by three members.

Any Representative or Substitute may add his signature to this written declaration in the Table Office, Room 1079. If any names are added, the declaration will be distributed again two weeks after the end of the part-session.

5. STATEMENT BY MR TURGUT ÖZAL

The PRESIDENT.- This morning we have only one item of business, namely, the statement by Mr Turgut Özal, Prime Minister of Turkey.

Today we have the honour of welcoming you here, Mr Prime Minister, as the political leader of a country where parliamentary democracy has been put back to work. During the six years of your government, the approach of Turkey to the work and objectives of the Council of Europe has indeed been positive. Among others, eleven conventions and agreements have been signed by Turkey and nine were ratified by the Grand National Assembly, in particular in the course of your second mandate.

Let me remind you how great the satisfaction was in the Assembly when Turkey accepted the right of individual petition under Article 25 of the European Convention on Human Rights. If the importance of this convention, which is one of the main pillars of the Council of Europe, cannot be emphasised enough, it was equally important for Turkey to join in a number of other legal instruments of the Council of Europe. The implementation of these agreements, the meetings and the discussions are very important means for expressing a country's European identity.

In your presence, Mr Prime Minister, I also wish to state how much I appreciate the very responsible and active participation of the Turkish parliamentary delegation in the work of this Assembly. Also during your term of office, Mr Prime Minister, Turkey has made an official application for membership of the European Community. This historic move is in complete conformity with your political thinking, for you have always passionately advocated the "free market". Such a decision is no doubt a big leap forward in a nation's life. Here in the Parliamentary Assembly of the Council of Europe we shall follow very closely how this question evolves in the coming months and years. Courageous decisions for the future always need to receive encouragement by those who consider themselves friends. It is no wonder your recent book "La Turquie en Europe" aroused considerable interest in political circles.

Turkey has important questions on its agenda right now, such as the election of the President of the Republic, the problems caused by the accommodation of refugees from Bulgaria, to mention only two. We are grateful that at such a busy time you, Mr Prime Minister, could spare a day for us.

Therefore, I welcome you very warmly and ask you to take the floor.

Mr Turgut ÖZAL (Prime Minister of Turkey).-- Mr President, distinguished members of the Assembly, Madam Secretary General, ladies and gentlemen, it is a great honour and indeed a pleasure for me to be with you today in Strasbourg. I wish to express my sincere thanks to you for giving me this opportunity at a time which will be recorded as another important milestone in the history of the Council of Europe.

It is indeed an important turn for I am able to greet from this august rostrum the representatives of three Eastern European countries and Yugoslavia, with special guest status, together with the representatives of all the 23 parliamentary democracies in Europe. In other words, at its 40th anniversary, the Council of Europe has covered a significant distance which I hope will one day pave the way to the creation of the common European house of democracy.

The second half of the 20th century has been a period of preservation of peace, development of democratic institutions and greater co-operation among countries. In this period, with the unprecedented technological advances, new horizons were opened to mankind. Man started to explore and unveil the mysteries of space and left his indelible footprints on the moon. But the spotlight remained on man himself. A new perception and sensitivity emerged and the noble cause of the protection of human rights assumed a prominent place in our souls. Although documents relating to human rights and fundamental freedoms date back to earlier times and found their definition and expression during the French revolution, the dissemination and promotion of these ideals in the real sense have taken place during the past 40 years. The Council of Europe, with its tireless efforts, has been the flagbearer of this noble struggle. Its deliberations, its struggles and its accomplishments are our common heritage and are a source of pride for us all.

Turkey, being one of the founding members of the Council of Europe, has taken part in all its activities. She has always cherished the ideals and principles that gave birth to the Council of Europe. Indeed, this membership has been a beacon, a further stimulus to our devotion to liberty, pluralist democracy, the rule of law and dignity of the human being, as well as to our attitudes towards the shaping of the Europe of the coming century.

Throughout the ages, a geostrategic location has bestowed upon Turkey the role of a bridge between the Orient and the Occident, a role which she duly fulfilled and will continue to fulfil. The Anatolian peninsula has been a bridge for conquerors and their armies, or for traders and their caravans, and has served also as a bridge for new ideas, cultures, civilisations and religions. The unique location of Turkey has enabled her to come into close contact with both Western and Eastern civilisations, and continuous interaction followed. Thus, while the Turks have benefited from and been influenced by Europe in the cultural, social and economic fields, we on our part have contributed to and participated in the shaping of Europe.

Turkey's occidental vocation and its co-operation with the West is nothing new. She has been inspired by Western civilisation and from time to time has influenced it in return. I believe that another characteristic is the constructive co-operation in every field that the Turkish nation has established with the West. We have been present in Western institutions for over 45 years. We have played an active and constructive role and have contributed to these institutions to which we are loyally attached. Turkey throughout history has been a point of convergence of Eastern and Western cultures. We have always taken special care that this convergence forms a synthesis rather than be a source of confrontation. Today, Turkey stands as an element of stability in a volatile part of our world.

In our view, the notion of the West is less relevant to geographic limitation than to an expression of a way of life based on freedom, democratic liberties and respect for human rights. It is this way of life which deep down unites us. Turkey, with its different yet rich culture contributes to the enrichment of the Western culture and provides an opening from the West to the East, and from the East to the West. Today, our geostrategic location, while conferring upon us greater tasks in more ways than one, provides us with more opportunities than ever before. The Turkish nation's present lifestyle and its democratic political system is the result of its own free choice and not merely a pretention. Turkey, today, is at the same time a centre of economic dynamism. The liberal and free market policies which we have adopted during the past few years have brought about great changes - in fact, transformations - in our economy and infrastructure as well as in our urbanisation.

In these days, economic and social affluence should go hand in hand with democracy as we know it today. Democracy is not a static concept. One needs only to remember how democratic norms were when the advanced economics of today passed from an agricultural society to an industrial one. Human rights were not the human rights of today during the industrialisation of the West. Concern for the environment is also a relatively new phenomenon, but newly industrialising countries nowadays are duty bound to respect all the modern norms and take into consideration all the modern concerns. That is why it is more difficult and costlier to achieve development and industrialisation under a democratic system. That is why the West should be mindful of these considerations when it points the finger at those who face this challenge.

The process of westernisation in Turkey, which I would rather call the Western vocation of the Turkish people, started in earnest and gained momentum in the 19th century, culminating in the proclamation of the republic, founded on the principles of Kemal Atatürk, more than 60 years ago. The point of no return was thus reached then. Thanks to the reforms of Atatürk, the social and political structure of Turkey developed rapidly to encompass the Western values while preserving the rich heritage of its own. These reforms constitute the foundations of a pluralistic democracy which is now regarded as the irreversible and indispensable feature of Turkish political life.

It is as far back as 26 years ago that Turkey entered into relations of association with the Common Market. Then, on 14 April 1987, my government applied for full membership to the European Community. We have made this application as a natural consequence of this unique and special relationship which has Turkey's full membership as a final objective. We have made this application as a natural result of the national consensus built around the goals and aspirations of the Treaty of Rome aiming at a fully integrated Europe. We have made this application because we have full confidence in our economic performance and capability. And, finally, we have made this application because we think it right that Turkey should take her place in the enlarged European Community.

We see it as our right to expect that the doors of the European Community will be opened to us by our partners and allies with whom we have shared the same values, ideals and a common destiny for almost half a century, with whom we strived so hard and selflessly to preserve peace and to defend our freedom and our territorial integrity. In this regard, Turkey has shouldered more than her share. I believe that Turkey's application for full membership of the European Community is a fair and legitimate request and I trust that you, distinguished parliamentarians, will lend your support to the realisation of that goal.

Today, the winds of change are blowing in the direction of global democratisation and greater freedom. We follow closely and welcome the developments taking place in Eastern Europe. Those changes have the potential to bring an altogether new look to Europe - indeed, to the entire world. This outcome is the triumph of everything that we as free Europe stand for - democracy, respect for human rights and liberal economic policies. Certainly our solidarity and perseverance have played an important role as much as the strength of our choice in reaching this point. But times of change are also times of uncertainty and unpredictability. That is why we should perhaps be more vigilant and more visionary in our attitudes and actions than ever before. We should also keep in mind that the continuation of this favourable atmosphere largely depends on our will and ability to maintain our solidarity. We appreciate the courageous reforms set in motion by President Gorbachev. His success will benefit first and foremost his own nation and then the whole world. We see his reforms as a development worthy of encouragement and support. I read carefully the speech Mr Gorbachev delivered here on 6 July. It is an important change and development in itself that the young president of a regime that denied for years the existence of Western establishments such as our Council of Europe should come and deliver a speech before this very Assembly. This change and President Gorbachev's speech are certainly very welcome. I also regard it an enjoyable duty to applaud together with you the similar changes taking place at a faster pace in Poland. Developments in Hungary are also praiseworthy.

It should be borne in mind that the "Common European House", mentioned many times by Mr Gorbachev, could only be a democratic house based on pluralism. However, we cannot have a common house by just having a juxtaposition of different chambers. We should all be able to move freely from one room to another. For that to be achieved we have to start first by strolling in the same garden. In this context, one should recall Abraham Lincoln's saying, "A house divided against itself cannot stand". In other words, the members of the common house should share common ideals and values. They should be able to communicate with each other so that disputes are resolved by peaceful means. They should all have common aspirations and objectives for the future of Europe. This is why the architecture and the interior design of this "house" will need meticulous and persistent efforts and imagination by all.

We have never contemplated imposing our democratic system on others. We shall not do so in the future. We merely try to set an example. There is no doubt that we should be happy to see among us those who would take our example and live up to its rules.

The importance Turkey attaches to détente in Europe has been one of the main features of Turkish foreign policy. Turkey is an active participant in the CSCE process, adhering to the principles laid down in the Helsinki Final Act and the concluding documents of the Madrid and Vienna follow-up meetings in their entirety. Turkey has always maintained that we should never sacrifice or neglect the importance of one dimension of CSCE in exchange for plausible progress to be achieved in other dimensions.

The last few years have also been years of new vigour and dynamism in the sphere of arms control. The INF Treaty has signalled the advent of a new era in East-West relations. Progress has been made in START and the basic outline of a Strategic Arms Reduction Treaty has been emerging. The Stockholm document put into implementation new and important confidence and security building measures. New ground has been covered towards re-establishing support for the 1925 Protocol banning the use of chemical weapons and achieving a global, comprehensive and verifiable ban on the production and possession of these weapons. The proposals for chemical weapons made this week by the United States and the Soviet Union are very encouraging.

Finally, negotiations aimed at eliminating the huge imbalance in the conventional armed forces in Europe have begun in Vienna. We also consider the unilateral reductions in conventional arms introduced by the Soviet Union as steps in the right direction and take them as a further confirmation of the great imbalance between the conventional forces of the two alliances. However, this is not a list of tasks completed but rather a recitation of new challenges. This is a long and arduous road that we should cover together with courage and determination.

In this respect the concluding document of the Vienna follow-up meeting broke new ground in East-West relations. The document established new standards of behaviour in human rights and institutionalised it with the introduction of the mechanism pertaining to the human dimension of the CSCE.

The worst enemies of security are not weapons but the suppression of human rights, fundamental freedoms and political pluralism. Given that very fact, we have always emphasised the importance of the human dimension in East-West relations. We are of the opinion that genuine peace in Europe cannot be established without respect by all for human rights and fundamental freedoms. Human rights and fundamental freedoms are universal. They are indivisible, interdependent and inalienable. Mankind has made a big qualitative jump in this area. Human rights questions today transcend national boundaries. They can no longer be considered as matters that fall solely within the domestic jurisdiction of countries and must be dealt with universally.

When I visit the European Court of Human Rights this afternoon, I shall convey to it the decision of my government to recognise the competence of that court.

I am confident that we shall share the view that strict adherence to the internationally accepted norms of conduct concerning respect for human rights and the fundamental freedoms of the individual is the only basis upon which we can build and further promote stable international relations. No country can exempt herself from this basic standard; nor can the international community choose to look the other way then serious crimes against humanity are being committed in any one country.

After all, interstate activity does not take place for its own sake but for the purpose, inter alia, of promoting human dignity, happiness and prosperity. Indeed, we should be failing in our duty if we disregarded or remained indifferent to our responsibilities in this area. It is this fundamental concern for the human element that compels me to bring to your kind attention the plight of the Turkish minority in Bulgaria, whose continuing tragedy is a source of deep concern for the Turkish nation, and I trust, for your countries as well. I am confident you are all aware of the unacceptable nature of the Bulgarian policy of repression and forced assimilation of ethnic Turks, and Turkey's genuine and relentless efforts to stop this colossal violation of human rights through dialogue. Bulgarian practices started with the imposing of Slavic names on ethnic Turks and went as far as killing those who staged peaceful resistance. They included denial of religious freedom and practice.

We have time and again requested Bulgaria to agree to meaningful talks in order to secure respect for the rights of the Turkish minority and to negotiate a comprehensive agreement on emigration. We have, furthermore, explicitly stated our willingness to receive all the ethnic Turks who wish to come to Turkey according to the provisions of an emigration agreement. Even in the absence of such an agreement, we welcomed, within a period of only two and a half months, over 310,000 of our kinsmen who have either fled to Turkey to escape from further persecution or been forcibly driven across the border. Thus, tens of thousands of newly divided families have been created. The world has not witnessed an exodus of such magnitude in so short a time since the second world war.

The Bulgarian Government today continue to commit a major crime against humanity. It is imperative that this anachronistic mentality is not permitted to prevail. This question is not simply a bilateral problem between Turkey and Bulgaria but an issue of principle between Bulgaria and the entire community of civilised nations. As I stand before you in this eminent institution where the conscience of Europe finds its ultimate expression I call upon you to do your utmost to help compel the Government of Bulgaria to desist from their present inhuman practices and to remind them that such atrocities in our day can in no circumstances be tolerated.

For if these actions are condoned, have no doubt that others will be tempted to commit even graver violations. If we withhold our voice today, we shall do no credit to the principles and values that we have held so dear for 40 years. It was not out of choice that I had to present to you such an agonising picture at a meeting where I put on record the positive developments of our day and to share with you the hopes that we hold for the future. But the reality is there - and it is certainly painful. It will honour no one to evade it.

International terrorism, unfortunately, continues to be a threat to the pluralist democratic system, human rights and fundamental freedoms. We also believe in the equal importance and inseparability of fundamental rights. However, one of them, the right to life, in its essence should have priority over others. Terrorism violates that most fundamental of human rights. Yesterday terrorism claimed yet another precious life, this time in Greece. The New Democracy Party spokesman, our fellow deputy, Mr Paul Bacoyannis was gunned down in broad daylight. We share the profound sorrow of his family and the Greek people.

Turkey has always unreservedly condemned as criminal all acts, methods and practices of terrorism regardless of their origins, causes and purposes and believes that terrorism cannot be justified in any circumstances. In this context, I should like to mention that attempts to differentiate between various forms of terrorism will only encourage the perpetrators of these acts of violence. The special dangers posed by tolerance and support of terrorism need no lengthy explanation. Experience has sufficiently established that tolerance and support of terrorism are a double-edged sword and those who engage in such activities have always had reasons to regret their shortsighted policy in the end. Turkey remains attached to a policy of firmness against terrorism. We believe that concessions of any nature to accommodate terrorist demands only breed more terrorism. The Turkish Government, as in the past, continue to support unreservedly all efforts to increase international co-operation to combat terrorism.

Our planet is about to enter the 21st century. It is our sincere wish that this will be a century of peace. It is also our desire and aim to see that the geographical boundaries of the democratic regimes and human rights based on individual liberties shall further be expanded in this coming century. The technological advancements during the last 30 years are opening up broader horizons for the 21st century. Outer space, whose mysteries and frontiers are already under exploration, will become an even more hotly contested area. We hope that this contest will be peaceful. It is a worthwhile effort to allocate the vast opportunities that space is offering to the use of all mankind. In the same venue, the next century will also address the issue of making available the sub-soil resources of the oceans. We in Turkey are preparing ourselves for the 21st century by undertaking major projects. The richness of our resources, the determination of our nation and the speed and the magnitude of the advances we have made are all indications that Turkey will have an important place in the western hemisphere in the next century. We have full confidence in our future.

Indeed, to give you an example, Turkey has rich water resources and our present ability to transform those resources into an economic driving force shows the vastness of our potential. The south-eastern Anatolian project that we are implementing now in an area covering 75,000 square kilometers has already attracted the attention of the world. With this project entailing the construction of 22 dams, 27 billion kw/h electricity will be generated and an area of 1.6 million hectares will be irrigated. The cost of this Turkish-designed project is estimated to be between 18 to 20 billion dollars, and is financed through national means. However, it has the potential of benefiting other countries of the region as well.

In this respect, before I mention an imaginative project that is under consideration, I should like to take you back a few decades to the aftermath of the second world war. If the democracies of Europe are united today, it is because their visionary leaders then saw our future in close co-operation. It is because they were wise enough not to repeat the mistakes of the past. They knew very well that the interests of the individual countries had also to be united. They started with the infrastructure. Robert Schuman's ideas led to the creation of the European Coal and Steel Community, the mentor of the European Community in later years.

Our idea is to offer unused waters from Turkey's principal rivers to the arid regions of the Middle East. This is our "Peace Pipeline Project", a water pipeline that would cross and benefit the countries of the region. It is a far-reaching plan, because water will be the most needed commodity there in the coming century. The countries of the Middle East can unite their interests through such projects of infrastructure and may follow the example that we have set in Europe.

The Turkish people and the Turkish Government, want not only rights but welfare, in the true sense of the word, to be made available to all mankind. We look forward to a new century in which no one will starve. We aspire to a new world where all wars are ended, where defence expenditures are reduced and what is saved is put at the disposal of economic development to improve the quality of life. It is our common duty to preserve a clean environment in a world in which we hope welfare, industrialisation and technology will be commonplace.

Environment is an issue that deserves a few more sentences, since it has to do not only with the heritage that mankind will pass on to future generations but with whether mankind itself will survive on earth. Worrisome and even alarming situations have already begun to appear. We in Turkey have our share of environmental problems which cause us concern. But lately my country has also been harmed by toxic waste originating from other countries. This is difficult to imagine and to accept in our modern world. On account of the pollution problems facing Turkey, we are taking effective measures to combat them. We are, for instance, in the process of initiating a major project on the Mediterranean coast of Turkey in order to preserve it as a clean spot for people to enjoy. Such projects aimed at preserving our common possessions also require your support and contributions. We are pleased that there is a greater awareness today of the great dangers that threaten the ecological balance of our planet. Turkey is eager and ready to co-operate in global and regional efforts to preserve this balance and save our future.

As we commemorate the 40th anniversary of its foundation, the Council of Europe has major tasks lying ahead. The task of turning "grand Europe" into a "Common European House of Democracy" is a challenge for us all. The task of carrying democratic liberties with the help of the force of our example and success to other regions of the world also lies ahead of us. Similarly, the noble duty to carry human rights to every single corner of the world without any discrimination awaits us. We are confronted with the task of disproving those who believe that Europe has aged and is bound to be left behind. In other words, wider horizons are bringing about greater challenges. The mission of the Council of Europe has thus gained a new and wider dimension. We shall carry that mission to new heights, hand in hand. To be able to give today's children a future full of hope and happiness is the most sacred of these tasks.

With these thoughts, I wish you every success in your future work and your noble tasks. I thank you all.

The PRESIDENT.- Thank you very much, Mr Prime Minister. We all know that you and your country are great friends of the Council of Europe, and you have many friends here in the Assembly. Your speech this morning was delivered in a truly European spirit, and not only I, my fellow parliamentarians and others in this room appreciate what you said about recognising the competence of the European Court of Human Rights. That is an important step that will be appreciated all over Europe.

Thank you once again for your interesting speech. We now look forward to hearing the answers to the questions that have been tabled. I remind members that only questions from members who are present will be answered, so please sit in the seats allocated to you so that the President can see for certain whether you are present.

Twenty-six questions to Mr Özal have been tabled and they are set out in Document 6131. Some questions have a common theme and I have grouped them. I propose to ask Mr Özal to reply to those questions together and then to each remaining question individually. I shall then ask the members concerned to ask a brief supplementary question if they so wish. May I stress once again, as I did yesterday, that supplementary questions are not the occasion for debate. If members are brief, it should be possible for all questions to be answered this morning, but that is possible only if all members ask brief supplementary questions. Otherwise I shall have to use the guillotine.

The first question:

No. 1 Mr Ludwig STEINER

To ask the Prime Minister of Turkey,

What are the prospects for the continuation of the "Davos Process".

Mr ÖZAL.- Turkey believes in the need for peaceful and good neighbourly relations with Greece and with all our other neighbours. Greece and Turkey are not only neighbours but allies. All outstanding problems between our countries must and could be resolved by dialogue. That was proposed to Mr Papandreou when I came to power at the end of 1983. I proposed that dialogue relentlessly. Finally, we were able to have that dialogue in Davos in Switzerland. That dialogue went very well and afterwards our relations were somewhat softened. There was hope that further progress could be made, but there was a change in Greece. I also know Mr Mitsotakis. We were friends in the European Democratic Union. I met him twice there and I last met him in Antalya when we had an EDU meeting.

The Greek elections will take place some time in November and as a result there will be a new government and a new Prime Minister. I hope that we shall have a continuation of our previous dialogue and probably we shall try to solve our problems by ourselves. That is my firm belief.

The PRESIDENT.- As Mr Steiner does not wish to put a supplementary question, we move to the next question:

No. 2 Mrs LUUK

Recalling that in May 1989, the Assembly in its Recommendation 1105 (1989) on the activities of the Office of the United Nations High Commissioner for Refugees regretted that Turkey still maintains its geographical reservation to the 1951 Convention relating to the status of refugees and reiterated the invitation to Turkey to withdraw this reservation;

To ask the Prime Minister of Turkey,

If Turkey will give a positive reply to the Assembly's request.

Mr ÖZAL.- Turkey has made a geographical reservation to the 1951 Geneva Convention relating to the status of refugees and to the 1967 protocol, taking into consideration the improvised emigration from the Middle East region. This has not prevented Turkey from accepting de facto refugees solely for humanitarian reasons. We have, for example, probably received more than 600,000 people from Iran and Iraq, the Middle East and even from Afghanistan. However, I should point out that those countries that have no reservations to the same agreement have adopted a much more restrictive refugee policy through their national legislation than that pursued by Turkey.

Mrs LUUK (Federal Republic of Germany) said that she would have preferred it if the reservation was lifted and did Turkey not realise that its maintenance blocked aid from other countries?

Mr ÖZAL.- I shall give some additional information. At first, close to 55,000 people fled from Iraq and all of them came to Turkey in about 10 days. The Turkish Government prepared temporary camps for the men, women and children.

Turkey has made the reservation and we said that we were ready to accept at least half of those refugees and we asked for other countries to accept the other half, but there was no answer. I then changed my proposal and said that if those other countries would help us financially, we could then keep all the refugees. Those refugees are still with us, but some of them went to Iran. The financial help available to us is limited and in the past year the Turkish Government have spent large sums on feeding and sheltering those people.

In recent months, the United Nations High Commissioner for Refugees has tried to help us with the building of some shelters in the middle of Anatolia. We have given that space to help the UNHCR. After the visit of Mrs Mitterand we have also had correspondence with France and some 300 people have already been accepted by France. I hear that Finland will also accept a small number of refugees. The number of refugees in Turkey is too big for us.

The PRESIDENT.- We come to the next group of questions:

No. 3 Mr ATKINSON

To ask the the Prime Minister of Turkey if he will make a statement of progress in resolving outstanding problems arising from receiving the Kurdish refugees from Iraq and Iran, and the ethnic-Turks from Bulgaria.

No. 4 Mr FAULDS

In view of the fact that Turkey has in recent years received 500,000 Iranian refugees, 60,000 Iraqi asylum seekers and 320,000 Bulgarians of Turkish origin deported from Bulgaria;

To ask the Prime Minister of Turkey,

What measure of financial support his country has received from international organisations and from her European partners to assist the maintenance and settlement of these unfortunate victims of unhappy circumstance.

No. 5 Mr VALLEIX

Noting that frequent reference is made to the plight of Kurdish refugees in Turkey,

asked what the current situation is, whether new refugees are still arriving, and if co-operation from Western countries has been forthcoming over the last few months.

Mr ÖZAL.- Turkey, and before that the Ottoman Empire, has given protection to people seeking refugee status and fleeing from the repressive policies of their countries at different times in history. There have been particular examples of Turkish humanitarian efforts, for example, the asylum granted by the Ottoman Empire to the Jews coming from Spain 500 years ago in 1492. The first of the Jewish community in Turkey came from Spain in Ottoman ships. During the 18th and 19th centuries, refugees from Hungary and Poland were accepted by the Ottomans when those refugees were fighting for the liberation of their countries. Before and during the second world war, Turkey gave asylum to a considerable number of Germans. For example, the famous Einstein came to Turkey and passed from Turkey to the United States. Many central European scientists did the same thing. Turkish history is full of examples of people seeking refuge on its territory.

Recently, hundreds of thousands of Iranians crossed our borders, perhaps more than 500,000. Furthermore, 16,000 Iraqis crossed the borders - we could not stop them. We have also accepted a substantial number of Afghans from refugee camps in Pakistan. There may be as many as 5,000 of them. We are in the process of providing more suitable housing and living conditions for the Iraqis.

In two and a half months, 310,000 people have come from Bulgaria, leaving behind them everything and bringing with them only one or two suitcases. That puts great pressure on us. Now we are trying to provide housing for these people, and my government have already started to build new social housing in several locations. We are also trying to find jobs for them. So far, we have received no foreign assistance for this.

With regard to the questions of Mr Valleix and Mr Faulds it is to be noted that the financial assistance provided by certain western countries and interested international organisations is limited compared with the size of the demand. We said that if our western partners would take care of half the Kurds from Iraq, we would take care of the other half, but that was not possible.

Mr ATKINSON (United Kingdom).- I congratulate the Prime Minister on the willingness that Turkey has shown in accepting these refugees without reservation. Is he aware of the detailed interest that the Committee on Migration, Refugees and Demography has taken on the situation of the Kurdish refugees from Iran and Iraq? However, we have not been able to provide a complete and satisfactory report because, although we sought to visit the camps, no invitation to do so was extended to us. Will the committee be invited to visit the Kurdish refugee camps so that we can complete our report and make the recommendations on help that he seeks?

Mr ÖZAL.- We established camps in three different locations, Diyarbakir, Mandir and Mus, and those in the camps had many visitors. We opened the doors and outsiders such as foreign journalists and relations could freely visit the camps. However, the number of visitors exceeded the number of refugees. Therefore, it had to be stopped. However, that is not a limitation on the committee. If its members wish, they can come to see the camps.

Keeping these refugees in one place, controlling them, feeding and sheltering them for more than one year is not easy, although no one seems to understand that. These people do not want to return to their own country. Iraq once gave an amnesty, but few returned. Therefore, what will happen in the coming months is a difficult problem for us. We may ask them whether they would like to stay and become Turkish citizens.

Mr FAULDS (United Kingdom).- As an old friend of your country and of yours, Prime Minister, I find it a great pleasure to welcome you here today. Your country has responded with enormous generosity in accepting such a mass influx of refugees. It is disturbing, and our European colleagues should realise it, that other European countries, in contrast with your country, are taking tough measures to resist helping refugees from many countries to whom we have a post-colonial responsibility. Would it not help, Sir - and this is my question - in resolving all these problems if the rich countries of Europe and America and the international financial organisations were to organise the provision of a new international fund specifically to help resettle and maintain these many thousands of very unfortunate refugees throughout the world?

Mr ÖZAL.- I thank you very much for your proposal, which is reasonable. However, perhaps we should not give too much encouragement to refugees - if they have such good facilities, others may come. The history of mankind shows that there have always been refugees for one reason or another. They may be refugees from drought, oppression or religious persecution. If there is general help to all the nations of the world, there will be development in many countries, which in turn will limit the refugee problem. However, more refugee problems will result from the changes in Eastern Europe, so you have made a worthwhile proposal, Mr Faulds.

Mr VALLEIX (France) noted the problems that the refugees caused for the Turkish economy, and asked if there had been any concrete action to ease this by member states of the Council of Europe or international organisations such as the EC.

Mr ÖZAL.- I do not want to give the figures, because they are so minor. For example, the European Community has given \$500,000, which is much less than it gives for the protection of whales. Some countries, such as Denmark, have provided some assistance, but compared with what we are doing, the assistance is minor. These people have come to Turkey and are our guests for the time being. We shall have to solve the problem because it is our problem. I wish that others would help us, because that would make it easier for us. After all, during the Iraqi-Irani war, about 500,000 or 600,000 people came to Turkey, and a large proportion of them still live in Turkey. A heavy burden rests on our shoulders and we shall continue to bear it. We are ready to carry that burden for as long as is necessary. We shall respond in the same way to our kinsmen from Bulgaria.

The PRESIDENT.- Next we come to Question No. 6:

No. 6 Mr SPEED

To ask the Prime Minister of Turkey,

If he will make a statement on his government's efforts and proposals, as one of the guarantor powers, to end the Cyprus dispute.

Mr ÖZAL.- Turkey always strives to assist the two communities in Cyprus in their search for a fair settlement that protects the legitimate interests of both the Turkish and the Greek Cypriots. Thus, we encourage direct negotiations and support the mission of good offices of the United Nations Secretary-General. Our aim in Cyprus is to assist in the achievement of a just and durable peace on the island through the establishment of a federation that is based on bizonality, political equality and effective Turkish guarantees.

Mr SPEED (United Kingdom).- Do you agree with me, Mr Özal, that a key factor in solving the Cyprus dispute - a solution that I am sure everyone wishes to see - is the security of the Turkish Cypriot people, many of whom, alas, were murdered in the months and years up to July 1974? Do you appreciate, Mr Özal, that, whether we like it or not, most Turkish Cypriots regard the Turkish army in north Cyprus as one of liberation and defence?

Mr ÖZAL.- Perhaps, I have nothing to add, Mr Speed. I know that Turkish Cypriots feel that the Turkish forces offer them security and protection. Prior to 1974 many Turkish Cypriots were killed but since then there have been no killings on either side. There has been no incident on the Turkish side nor the Greek side. Over the past 14 or 15 years the Turkish forces have maintained security and peace on the island.

The PRESIDENT.- We come to No. 7:

No. 7 Mr LYSSARIDES

To ask the Prime Minister of Turkey,

Whether he is prepared to comply with the resolutions of the United Nations and the European collective bodies which have condemned the Turkish occupation of Cypriot territories and which have been defied by Turkey.

No. 8 Mr PAHTAS

Noting that a Turkish newspaper (Milliyet, 17 September 1989) reported that the Prime Minister had said that he would make the admission of Turkey to the EEC a condition for the withdrawal of Turkish troops from Cyprus;

To ask the Prime Minister of Turkey,

What stops him from doing it now, and whether, in view of the fact that the United Nations and this Assembly resolution call for the immediate withdrawal of Turkish troops from Cyprus, he does not consider that such a position is provocative for the European family.

No. 9 Mr POWER

To ask the Prime Minister of Turkey,

What conditions or safeguards he considers necessary to enable Turkish troops to be withdrawn from Cyprus.

Mr ÖZAL.- I respond to the questions of Mr Lyssarides and Mr Pahtas by the use of quotations. On 19 July 1974, before the Security Council of the United Nations, Makarios, in defining the Samson coup d'état, said:

"The coup of the Greek Junta is an invasion, and from its consequences the whole people of Cyprus suffers, both Greeks and Turks."

As a result of the coup d'état, which was defined by Makarios in my quotation, Turkey was forced to intervene in accordance with Article 4 of the Treaty of Guarantee of 1960, which foresees:

"In the event of a breach of the provisions of the present Treaty, Greece, Turkey and the United Kingdom undertake to consult together with respect to the representations or measures necessary to ensure observance of those provisions."

In so far as common or concerted action may not prove possible, each of the three guaranteeing powers reserves the right to take action with the sole aim of re-establishing the state of affairs created by the present Treaty."

In the same context, I shall quote the text of Decision No. 22658/79 of March 1979 of the Athens Court of Appeal. It reads:

"The Turkish military intervention in Cyprus, which was carried out in accordance with the Zurich and London Agreements, was legal. Turkey, as one of the Guarantor Powers, had the right to fulfil her obligations. The real culprits ... are the Greek officers who engineered and staged a coup and prepared the conditions for this intervention."

Finally, I remind the Assembly of Resolution 573, which it adopted on 29 July 1974. It states:

- "2. Condemning the coup d'état carried out in Cyprus by officers owing allegiance to the Greek military dictatorship;
3. Regretting the failure of the attempt to reach a diplomatic settlement which led the Turkish Government to exercise its right of intervention in accordance with Article 4 of the Guarantee Treaty of 1960."

I state once more that the Turkish presence in Cyprus is to assure adequate security for Turkish Cypriots. Since Turkey's intervention in 1974 under the terms of the Treaty of Guarantee, the island has seen an unprecedented period of peace and tranquillity. If and when Turkish Cypriots and the Greek Cypriots reach a mutually acceptable negotiated settlement, Turkey will withdraw its forces from Cyprus according to that agreement.

Turkey's application to the European Community for full membership and the Cyprus question are two separate issues. I think that Mr Pahtas is referring to my interview which appeared in El Pais, which was later quoted in Milliyet. I was quoted by the newspapers out of context.

Mr LYSSARIDES (Cyprus).- The Prime Minister will agree that one crime does not justify another and that the invasion of Cyprus was not intended to bring back the status quo but in a few weeks to kill 1 1/2 per cent of the population, a number that no country except Germany and the USSR have eliminated since the last world war.

There are repeated resolutions from the United Nations and European bodies condemning the crime that Turkey has committed against Cyprus by the invasion, the violation of every law and the murders and rapes of thousands. All the arguments have been heard and for years the United Nations and European bodies have repeatedly condemned Turkey and called for a reversal of all separatist actions and for a return to a respect for human rights and basic freedoms for the people. Only Turkey has recognised the so-called separate state.

Mr Özal says that he wants Turkey to be a member of the European Parliament. He must respect European values to achieve that. Do European values embrace occupation? Mr Özal says that he is ready to remove his troops if Turkey is given membership of the EEC. That shows that the troops are there, not to protect the Turkish community, but to hold others hostage so that he can promote Turkish designs. Is that compatible with European principles?

Finally I ask Mr Özal whether he considers that the violations of human rights are compatible with membership of the EEC and the resolutions of the United Nations and other bodies.

Mr ÖZAL.- I am sorry, but I do not wish to answer such polemic. If, in accordance with the agreements, Turkish forces had not intervened in Cyprus, I do not think that southern Cyprus would exist; nor would the Greek colonels.

The PRESIDENT.- Is Mr Pahtas here? He is not. I call Mr Power.

Mr POWER (Ireland).- I thank the Prime Minister for his comprehensive reply, but I am unfortunate because my question is grouped as it is. I prefer to cast myself in the role of the prophet who looks to the future rather than that of a historian.

Am I right in saying that the Prime Minister considers the proposals in the draft agreement by the United Nations Secretary-General to be a genuine basis for lasting peace in Cyprus? If that is so and the Turkish Cypriots accept it, am I right to say that the next move in promoting peace is not a matter for northern Cyprus or for Turkey?

Mr ÖZAL.- The role of the Secretary-General is to provide good offices between the leaders of the two communities. The best agreement can be reached only when the two leaders negotiate. Turkey would like a just and more reasonable agreement for Cyprus. I do not understand why it is said that we push too hard for one side. We cannot reach a conclusion in that way. We should look forward, not backwards, and try to achieve an agreement that satisfies both sides. The two leaders should come together with the help of the United Nations Secretary-General. If a document cannot be prepared, how can an agreement be reached? Success can be achieved, provided that the argument used by Mr Lyssarides does not pervade our meetings.

The PRESIDENT.- The next question is No. 10:

No. 10 Sir Dudley SMITH,

To ask the Prime Minister of Turkey,

What attitude he is taking towards the substantial build-up of arms in the Greek sector of Cyprus.

Mr ÖZAL.- This is perhaps the most dangerous aspect of the Cyprus problem. The Greek Cypriots have been arming for a very long time, and have further intensified their arms purchases in the last several years. They claim that it is for defensive purposes only. However, they have built up their armed forces to a degree totally uncalled for by the nature of the situation prevailing in the island. Their arms purchases consist increasingly of offensive weapons. Hence, we view this phenomenon as a destabilising factor, and as a potential threat to the security of the Turkish Cypriots. The exclusive aim of the Turkish armed forces in Cyprus is to ensure adequate security for the Turkish Cypriots. These Greek Cypriot efforts undermine, therefore, all sense of trust between the two sides, and it is wholly incompatible with the search for a negotiated settlement. It is also a process that renders more and more the mission of good offices of the Secretary-General of the United Nations meaningless and ineffective. It may also encourage and lead to adventurous acts on the part of the Greek Cypriots. If this happens, the ramifications will be extremely serious and the responsibility will belong to its perpetrators and to those who help the Greek Cypriots in the procurement of these arms. We have regularly warned about the dangers involved and we do so now in the hope that the Greek Cypriots will in future act in ways more conducive to the search for a Cyprus solution.

Sir Dudley SMITH (United Kingdom).- I thank the Prime Minister for that comprehensive reply. Does he regard this as a provocative move by the Greek Cypriots and does he think that it is wholly unjustified? Does he agree that the United Nations Secretary-General should take due cognisance of this action in its efforts to bring the two sides together because the situation is extremely worrying for the Turkish Cypriots in Cyprus?

Those who know the north well - wholly contrary to what Mr Lyssarides is saying - realise that the peace-keeping force of the Turkish army is absolutely essential to maintain the integrity of northern Cyprus. That peace-keeping force must remain if we are to achieve a full settlement that is completely fair to all sides. I emphasise the phrase "completely fair". One is not much encouraged by what is going on in relation to arms on the Greek side.

Mr ÖZAL.- I thank Sir Dudley. Since 1974 there has not been one single incident between the forces of either side. The increase in the armed forces and the number of offensive weapons gives the wrong impression. We must conduct a dialogue with the help of the United Nations Secretary-General. Recently planned talks were postponed because of political activity on the Turkish borders. It was done by the other side, and that prevented the 26 July meeting between both leaders.

The PRESIDENT.- We come to Question No. 11,

No. 11 Mr GALE

To ask the Prime Minister of Turkey,

How many of the Turkish immigrants, known as "seasonal workers" currently resident in the northern part of Cyprus, the Turkish Government believes should, for the purposes of a settlement, be regarded as permanent residents.

Mr ÖZAL.- The authorities in northern Cyprus are sovereign in their decisions. As such they have invited a limited number of Turkish people in order to rebuild their economy following the events beginning in 1963. Turkey has no policy of sending its nationals to northern Cyprus. We must remember that the Greek Cypriots forced many Turks to flee the island never to return and at the same time received many Greek nationals from Greece allowing them to settle permanently on the island, not to mention over 60,000 people from Lebanon after the events of 1982.

Mr GALE (United Kingdom).- I thank the Prime Minister for that response. It would be most helpful to all concerned to have it clearly and precisely on the record. I hope that I shall not be out of order, if I take this opportunity to thank the Prime Minister for his remarks in his speech and for his very strong condemnation of terrorism, wherever it takes place. I say that unequivocally, and I know that all my colleagues here, particularly those of us who live in countries which, from time to time, are affected by politically motivated murder, would agree with him wholeheartedly that there should be no hiding place for any political murderer of any kind anywhere.

In the light of the Prime Minister's remarks in response to Questions 8 and 10, will he tell us precisely what offensive weapons have been acquired by the Greek Cypriots since the current round of talks began? In the light of his comments about the imbalance in conventional arms and international efforts to reach agreement - which again we all welcome - what proposals does he have for arms reductions to help facilitate a settlement in Cyprus?

Mr ÖZAL.- The list is not short and to read it in its entirety would take a long time. However, I shall give some examples. The Greek Cypriot national guard includes 21,000 troops. That number would increase to 85,000 in the event of mobilisation. Sixteen AMX-30 B2 tanks were purchased by the Greek Cypriots from France. Syria has supplied 40 SAM missiles to the Greek Cypriots during the past two years, and there is an additional order for SA-7 SAM missiles from Syria. Artemis missiles and a number of AMX tanks purchased from France reached south Cyprus via Greece. Twenty Gazelle helicopters are based at the airport at Paphos. There are also military radar systems, armoured personnel carriers, Oerlikon anti-aircraft guns and five Skyguard fire control systems, as well as 100 military vehicles, including 40 tracked and armoured cars from Steyr-Puch of Austria and Mercedes of West Germany. Mistral and Matra missiles are on order from France. As you will appreciate, the list is not small. There are also Sparrow missiles and Crotale missiles, which are very effective in the hands of experienced military personnel. Roland anti-aircraft missiles are also on order from France.

The PRESIDENT.- We come to No. 12:

No. 12 Mr MOTA TORRES

To ask the Prime Minister of Turkey,

If he is willing for the powers of the Missing Persons Commission to be broadened, so that it can visit all parts of Cyprus and Turkey and carry out on-the-spot enquiries.

Mr ÖZAL.- As I have said many times, there are no missing Greek Cypriots in Turkey. As for the issue itself, it is being handled by the autonomous Committee on Missing Persons. That committee is composed of three members, one being an independent personality, and has its own terms of reference. It is charged with the task of looking into cases of missing persons on both sides. We hope that this humanitarian problem will one day be resolved to the satisfaction of the families involved. This will be possible when the Greek Cypriots cease to exploit this issue as a propaganda weapon.

The PRESIDENT.- We come to No. 13:

No. 13 Mr BEIX

Having regard to the declaration of 29 January 1987 by the Turkish Government concerning Article 25 of the European Convention on Human Rights,

To ask the Prime Minister of Turkey,

Whether the extent of the reservations expressed by the Turkish Government regarding the application of the European Convention on Human Rights does not in fact invalidate any declaration of recognition of the jurisdiction of the European Court of Human Rights.

Mr ÖZAL.- My government recognised at the beginning of 1987 the right of individual application to the European Commission of Human Rights. Following that recognition, some cases have already been brought before the Commission. The mechanism foreseen in the Convention is functioning. On this occasion, I should like to reiterate that my government have decided to accept the competence of the European Court of Human Rights. With the recognition of the competence of the Court, the right of individual petitions to the organs of the Convention will be fully put into practice. Honourable parliamentarians can rest assured that Turkey will honour in both instances its obligations towards all applicants without any limitations.

Mr BEIX (France) noted that Mr Özal had placed a reserve on Turkish accession to the Convention on Human Rights and sought a reassurance that Turkey would honour its obligations in full.

Mr ÖZAL.- The Court and the Commission will decide on that. They will have full power to do so. There is no problem.

The PRESIDENT.- We come to No. 14:

No. 14 Mr ELMQUIST

Noting that ever since civil government was re-established in Turkey the Parliamentary Assembly has been pressing for a comprehensive legal reform (court procedures, right to defence from the moment of arrest, detention and interrogation conditions, penal code, general amnesty, etc);

Concerned that, in spite of repeated positive reactions from Turkish Ministers for Justice, Interior and Foreign Affairs, as well as promises from Turkish members of this Assembly very little has happened;

To ask the Prime Minister of Turkey,

Whether in view of the fact that throughout his time in office he has been, and still is, backed by a massive majority in the Grand National Assembly of Turkey, he is prepared to undertake a clear commitment to realise such a legal reform.

Mr ÖZAL.- I thank Mr Elmquist for his inquiry about legal reforms in Turkey as it gives me an opportunity to cite some of our efforts in this respect. Since they took power at the end of 1983, my government have incessantly pursued a policy of taking additional and comprehensive steps to ensure better protection of fundamental rights and freedoms in Turkey.

Our first action was to lift martial law, which had been in force all over Turkey. We have made a great effort to consolidate pluralistic democracy in Turkey. We have had two general elections, two local elections and two referenda in the past six years. In January 1987 the right of individual petition to the European Commission of Human Rights was recognised by my government. Last year the European and United Nations convention against torture was ratified, and recently Turkey ratified the European Social Charter.

We have also recently proposed some specific amendments. We have shortened the period of detention which, under the military administration, was 15 days for individual cases and 90 for collective cases. We have reduced those periods from 15 days to one and from 90 days to 15, as a first step. Now we have proposed to parliament a further shortening of the detention periods. The detention period for individual offences remains 24 hours, but the 15 day period for collective crimes will be reduced to four to six days.

We have also taken measures to end incommunicado detention. Defendants will meet their attorneys during the interrogation period, including during the preparatory investigation. That was announced by the Prime Minister and by the Minister of Justice.

Another step has been to amend the penal code. We have submitted to parliament a proposal to commute the death penalty stipulated for 13 separate offences to life imprisonment. There has been no execution of the death penalty since 1984. Another amendment to the constitution will be proposed to facilitate the conversion of the death penalty to life imprisonment.

I shall declare at the Court this afternoon that my government have decided to accept its competence.

Mr ELMQUIST.- Better late than never, as we say in Danish. It is disputable whether progress has been late or early. We shall have the chance to go into detail later in the Legal Affairs Committee, for which I am the Rapporteur for Turkish affairs.

I see that one of my colleagues has a later question about Articles 141 and 142. I notice that you did not mention them among articles which you propose to revise. You want to reduce the death penalty to life imprisonment only for acts of conscience, not for acts of violence.

Will you today, before this Assembly, give a clear commitment to have these proposals adopted by your Grand National Assembly? I know that you represent the Executive but your party has had a massive majority in parliament and has been in power since 1983. It could have revised these laws, but that has not happened.

Mr ÖZAL.- I shall probably be able to answer your question when I answer Mr Bank's question later on.

I must add Article 163 to the two that you have mentioned. Most of our European friends of the Extreme Left always talk about 141 and 142, but they never talk about the religious freedom associated with Article 163. I want to explain how those articles entered our Penal Code, and, later, our Constitution. There are historical reasons. Turkey was established as a state on the remains of an empire which included different nationalities. Atatürk wanted to create a single nation state. That was difficult. At that time the government feared communism. I am not sure why, but we had fought quite a few wars with the Czars of Russia - perhaps that was the reason.

Religion was the most important element in Turkey. The Caliphate of Islam was upheld by the Ottomans, and the new government thought they would not permit religious parties, so as not to return to the old system. Turkish society developed and in 1950 we started a democratic multi-party system. We had some ups and downs, but development continued. The articles do not apply to some acts which are found illegal today. The same sentences are not handed out now; there is continuous change.

As the leader of a political party, I believe that two features are important if a country is to develop and take its place among the best nations of the world. The first is a free market liberal economy; the second is freedom of thought and conscience. The two should go hand in hand. Communist parties - and communist parties under different names - and religious parties used to be banned in Turkey. With experience we have come to the conclusion that there is nothing to fear from changing the law to permit religious or communist parties. The key element is to decide not on the principle but on the

timing of that decision. I am not an old political hand and I have been on the political scene for six years only. I do not have much experience, but when I decide to do something, I do it. I know that in this regard a referendum may be called for and if we take the decision too early, the referendum may not be positive. We must find the right time at which to change the articles and our Constitution. I think Turkey will do it.

The PRESIDENT.- Thank you, Prime Minister. I must stress that our programme must conclude at 1 o'clock. Therefore, it is possible to answer only a few more questions.

The next are:

No. 15. Mr KOLLWELTER

To ask the Prime Minister of Turkey,

What his reply is to the accusations by Amnesty International (1988 report) concerning Turkey's failure to observe fundamental human rights such as freedom of expression and freedom to form and join trade unions, and whether he can state the exact number of political prisoners currently detained in Turkey.

No. 16. Mr Miguel Angel MARTINEZ

Noting that major restrictions still apply in Turkey to the exercise of trade union freedoms as understood and practised in the countries of the Council of Europe as a whole;

To ask the Prime Minister of Turkey,

What measures the Turkish Government intends to take with a view to the full restoration of such freedoms.

Mr ÖZAL.- My Government have made a major thrust since 1983 to promote the implementation of human rights and fundamental freedoms in Turkey. We are parties to all international instruments aimed at preventing human rights abuses. Therefore, appropriate mechanisms are available to be utilised for any abuse of human rights in Turkey. Nevertheless, my government are determined to make further improvements in this regard.

Freedom of expression is guaranteed by the Turkish Constitution. No one can be blamed or accused on account of his thoughts or opinions. What is a crime, however, is the use or abuse of such freedoms in such a way as to restrict or to hamper the freedoms of others. The Turkish penal system does not foresee prosecution for differing ideas and convictions, but actions aimed at destroying the freedoms of others by violence and terrorism cannot be permitted. Those whom you define as political prisoners are convicted of actions or terrorist activities aimed at overthrowing the existing state structure, destroying the political and legal system and establishing a totalitarian state.

Similarly, since 1983 my government have reviewed existing labour legislation and made significant modifications to bring that legislation more into line with the International Labour Organisation's standards. Recently, my government ratified the European Social Charter, thus enabling the full implementation of the principles of the Council of Europe by labour in our country. We are determined to pursue that policy. As a result of that policy collective bargaining and strikes, which are essential elements of labour rights, are being fully utilised by Turkish labourers. Prior to 1980 days lost through strikes reached a peak when Turkey faced anarchy and other problems. This year the number of days lost through strikes was much higher than prior to 1980 and that shows that there is no limitation in the use of strikes by labourers.

Mr KOLLWELTER (Luxembourg) said that the Deputy Prime Minister of Turkey had refused to give the number of political prisoners in his country. He asked the Prime Minister whether he would allow an international agency to assess the number and condition of such prisoners.

Mr ÖZAL.- I think that there has been some misunderstanding because I did not think that the question was about political prisoners. There was another question on that subject tabled by Mr Candal.

Political prisoners in Turkey have been discussed with our foreign friends. I just discussed Articles 141, 142 and 163. If some people have been gaoled under those articles, we do not call them political prisoners, as they have acted against the existing law. In your country communism is free and religious parties can be established so you may call such prisoners political prisoners. In answer to an earlier question I said that those three articles must and will be changed in Turkey. We have no worry about that. Some 60 years ago there was some worry, but now things have changed and those worries belong to history. The only requirement to consider is timing. To reach the right solution timing is very important. If the articles are removed there will be no prisoners who could be described as political prisoners.

Mr Miguel Angel MARTINEZ (Spain).- Your country, Mr Prime Minister, has applied for membership of the European Community and my country, Spain, regards your application with sympathy and solidarity. On the way to acceptance within the Community you will be faced with many obstacles and you will need a lot of support. Do you believe that it will be important to get the support of the Turkish trade union movement, as that would result in significant internal support and would certainly mean significant support and solidarity within the European Community as well?

Mr ÖZAL.- In Turkey there is consensus among many different political parties on our application to the European Community. That application also meets with consensus among different social groups. Perhaps some extremes in Turkey, some religious extremists or some extreme left groups, may be against our membership of the European Community. Studies have shown, however, that close to 90 per cent of people support the Turkish application to join the European Community. I am sure that our labour leaders will also support us or other governments during the negotiation period.

The PRESIDENT.- Thank you. We must now conclude the questions to Mr Özal.

On behalf of the Assembly, Mr Özal, I thank you very much for the answers given. This has been an interesting morning and once again I thank you for coming to us in Strasbourg.

6. DATE, TIME AND ORDERS OF THE DAY OF THE NEXT SITTING

The PRESIDENT.- I propose that the Assembly hold its next public sitting this afternoon at 3 pm with the following orders of the day:

1. Arms sales and human rights

Presentation by Mr Speed of the report from the Political Affairs Committee (Doc. 6115)

Presentation by Mr Holtz of the opinion of the Committee on Economic Affairs and Development (Doc. 6094)

Debate and votes on the draft resolution contained in Doc. 6115 and amendments.

2. The future of whaling

Presentation by Lord Kinnoull of the report from the Committee on Agriculture (Doc. 6093)

Debate and votes on the draft resolution contained in Doc. 6093 and amendments.

Is there any objection?

The next orders of the day are agreed to.

The sitting is closed.

The sitting closed at 12.58 pm.



amnesty
international

KOORDINATIONSGRUPPEN
FOR TYRKIET
FREDERIKSBORGGADE 1
1360 KBH. K

7. oktober 1989

United Communist Party of Turkey-Danmark
Ayse Coskun
Dyringparken 122 2 t.h.
2660 Brøndby Strand

Thank you for the material you have sent us about members of
UCPT who have returned to Turkey from Europe.

You will see from the enclosed copies that Amnesty International
has already taken up some of these cases.

Thanking you again and hoping you will continue to keep us informed
about such cases,

I remain,
yours sincerely

Daphne Gammeltoft

Daphne Gammeltoft

TÜRKİYE SOSYAL TARİHİ ARAŞTIRMA VAKFI
TÜSTAV



amnesty international

INTERNATIONAL SECRETARIAT
1 Easton Street London WC1X 8DJ
United Kingdom

EXTERNAL (for general distribution)

URGENT ACTION

AI Index: EUR 44/109/89
Distr: UA/SC

UA 370/89

Fear of Torture

25 September 1989 .

TURKEY: Ahmet KARDAM aged 44
Seref YILDIZ, trade union official
Mehmet BOZISIK, aged 88

=====

On 22 September 1989 a group of Turkish exiles including the above-named three, returned to Turkey after publicly announcing their intention to do so and that they were members of the Central Committee of the illegal Turkish United Communist Party (TBKP). On arrival all three were detained and taken to Ankara Police Headquarters where they have since been held without access to their lawyers or relatives. There is concern that they may be interrogated under torture.

In October 1987, the illegal Turkish Communist Party (TKP) and the banned Turkish Workers Party (TIP) merged in exile to form the TBKP. In November their respective leaders, Haydar Kutlu and Dr Nihat Sargin, returned to Turkey, where they have been imprisoned ever since. Both alleged that they were tortured during incommunicado detention at Ankara Police Headquarters.

The TKP has been illegal almost since its foundation in the early 1920s and for most of the past 60 years the party has operated from abroad. Waves of persecution of alleged TKP members have frequently taken place and after the military coup of September 1980 the TKP was one of the military authorities' main targets, driving many suspected members into exile. In Turkey hundreds were arrested, tortured, tried and convicted. The TIP was banned following the September 1980 coup and many of its members were prosecuted and imprisoned. Neither party has ever adopted a policy of violence, and many TKP and TIP defendants were adopted by Amnesty International as prisoners of conscience.

BACKGROUND INFORMATION

Turkey ratified the European Convention for the Prevention of Torture on 25 February 1988 and the UN Convention Against Torture on 2 August 1988. However, all information available to Amnesty International indicates that torture is still widespread and systematic in Turkey. Allegations of torture have continued since the transfer of power to a civilian government in 1983. Most allegations relate to ill-treatment of detainees in police custody during their initial interrogation when they are usually denied access to relatives or a lawyer. Under current legislation the maximum detention period before being formally charged or released is 24 hours; in cases involving three or more suspects or due to the 'nature of the crime' it may be extended to 15 days. This period may be extended to 30 days in areas under emergency legislation or martial law.

Telephone: 01-833 1771 Fax: 01-833 5100 Telegrams: Amnesty London WC1 Telex: 28502

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

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

- appealing that Ahmet Kardam, Seref Yildiz and Mehmet Bozisik be released immediately and unconditionally as prisoners of conscience;
- urging that they be granted access to their families and lawyers and that they not be ill-treated while in detention;
- requesting to be informed of any charges against them.

APPEALS TO:

Prime Minister Turgut Üzal
Office of the Prime Minister
Basbakanlik
Ankara, Turkey

Telegrams: Prime Minister, Ankara, Turkey

Telex: 44061/44062/44063 BBMT
0607 42293
42099 6056 TR
42875 66 K TR

Fax: 90 42 30 88 96 PRIME MINISTER

Ankara Emniyet Müdürü
Mehmet Agar
Ankara Chief of Police
Ankara, Turkey

Telegrams: Emniyet Muduru, Ankara, Turkey

COPIES TO: diplomatic representatives of Turkey in your country.

PLEASE SEND APPEALS IMMEDIATELY. Please check with the International Secretariat, or your section office, if sending appeals after 25 October 1989.

— Please take action as soon as you receive this Urgent Action appeal. Carefully read the recommended action. If possible, send a telegram or express letter immediately to one or more of the addresses given. Other letters can be sent afterwards.

— Telegrams and letters should be brief and courteous. Stress that your concern for human rights is not in any way politically partisan. Refer to relevant provisions in international law, such as the United Nations Universal Declaration of Human Rights:

Article 3 — "Everyone has the right to life, liberty and security of person."

Article 5 — "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

Article 9 — "No one shall be subjected to arbitrary arrest, detention or exile."

— The name of Amnesty International may be used, although letters written in a private or personal capacity may be more effective.

— Copies of appeals should be sent to relevant diplomatic representatives in your country.

— In Urgent Action cases, Amnesty International has to act rapidly to prevent the ill-treatment of prisoners. An appeal is issued when Amnesty International believes it has received reliable and accurate information in such cases. It is not always possible to verify all details independently and in some instances the situation outlined in the appeal may change. Urgent Action participants are always notified of any significant new facts.

— Copies of any replies received from government authorities should be sent immediately to your section's Urgent Action coordinator or direct to the Campaign and Membership Department of the International Secretariat. If appropriate, thank the official who has replied and ask to be kept informed about the case.

EXTERNAL (for general distribution)

AI Index: EUR 44/113/89

Distr: CO/GR

Amnesty International
International Secretariat
1 Easton Street
London WC1X 8DJ
United Kingdom

29 September 1989

TURKEY: CASE OF TALAT ULUSOY - MEMBER OF THE UNITED TURKISH
COMMUNIST PARTY (TBKP) RETURNING FROM EXILE

On 22 September a group of political exiles, including Talat Ulusoy, returned to Turkey. On arrival at Istanbul airport they were detained. The following day Talat Ulusoy, a former board member of the Chamber of Architects in Izmir, was transferred to Izmir Police Headquarters where he was held incommunicado for three days. On 26 September he was formally arrested, charged and committed to Buca Prison, Izmir. He is accused of membership in the United Turkish Communist Party (TBKP) and the Turkish Communist Party (TKP), both illegal in Turkey. He will be tried in the State Security Court in Izmir, but no date has been set so far for the first hearing.

In October 1987, the illegal Turkish Communist Party (TKP) and the banned Turkish Workers Party (TIP) merged in exile to form the TBKP. In November of the same year their respective leaders, Haydar Kutlu and Dr Nihat Sargin, returned to Turkey, where they have been imprisoned ever since.

The TKP has been illegal almost since its foundation in the early 1920s and for most of the past 60 years the party has operated from abroad. Waves of persecution of alleged TKP members have frequently taken place and after the military coup of September 1980 the TKP was one of the military authorities' main targets, driving many of its suspected members into exile. In Turkey hundreds were arrested, tortured, tried and convicted. The TIP was banned following the September 1980 coup and many of its members were prosecuted and imprisoned. Neither party has ever adopted a policy of violence, and many TKP and TIP defendants were adopted by Amnesty International as prisoners of conscience.

The TBKP, resulting from the merger, is equally proscribed in Turkey and does not pursue a policy of violence. Therefore, Talat Ulusoy, aged 41 and married, is considered to be a prisoner of conscience, imprisoned in violation of his right to freedom of association. Amnesty International appeals for his immediate and unconditional release as a prisoner of conscience.

EXTERNAL (for general distribution)

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Amnesty International
International Secretariat
1 Easton Street
London WC1X 8DJ
United Kingdom

28 September 1989

TURKEY: CASE OF TEKTAS AGAOGLU, HÜSEYİN HASANÇEBİ, S. EKREM ÇAKIROĞLU
- TURKISH SOCIALIST WORKERS' PARTY MEMBERS RETURNING FROM EXILE

On 13 September Hüseyin Hasançebi and S. Ekrem Çakiroğlu, and on 19 September Tektas Agaoglu, returned to Turkey after years in exile. Upon arrival in Istanbul they were detained, and after 48 hours they were brought before a judge and committed to Sagmalcilar Prison in Istanbul, on charges mostly dating back to the early 1980s when they were accused of activities within the Turkish Socialist Workers' Party (TSIP).

TSIP was a legal political party until the military coup of September 1980 when it was banned together with all other political parties. TSIP has not been involved in violent activities nor has it advocated the use of violence.

Since the military coup trials have been conducted all over Turkey resulting in the conviction and imprisonment of many alleged TSIP members. The accused are mainly charged under Article 141 of the Turkish Penal Code with membership of, and activities within, an illegal party aiming to "establish the domination of one social class over other social classes" and thus to overturn the economic and social order of the country. Some are also charged, under Article 142, with making communist propaganda. Amnesty International has adopted many TSIP defendants during their imprisonment as prisoners of conscience.

Charges against Tektas Agaoglu relate to his executive functions in the party before the military coup and in the Turkish Peace Association, also banned since then; three arrest warrants are in force against him.

Hüseyin Hasançebi and S. Ekrem Çakiroğlu are equally charged with having been executive party members before the coup, but also with "re-establishing the party which was banned". Their arrest warrants were issued in 1981 and 1985.

All three are held at Sagmalcilar Prison in Istanbul, where they are to be tried in a criminal court. No date has been set so far for the opening of the trial. Their imprisonment is in violation of their right to freedom of association and Amnesty International is appealing for their immediate and unconditional release as prisoners of conscience.

EXTERNAL (for general distribution)

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Amnesty International
International Secretariat
1 Easton Street
London WC1X 8DJ
United Kingdom

26 September 1989

TURKEY: CASE OF ERDAL TALU AND ALAATTIN TAS -
TURKISH PEACE ASSOCIATION (TPA) MEMBERS RETURNING FROM EXILE

On 22 September a group of Turkish exiles, including Erdal Talu and Alaattin Tas, returned to Turkey after publicly announcing their intention to do so. This announcement and Erdal Talu's statement that he was a Central Committee member of the proscribed United Turkish Communist Party (TBKP) was reported in the Turkish press. On arrival at Istanbul airport Erdal Talu and Alaattin Tas were detained. On 25 September they were taken to court and committed to Bayrampasa Prison in Istanbul on charges dating back to 1982. In that year a trial began before a military court in Istanbul of leading members of the Turkish Peace Association (TPA).

The TPA was legal until the military coup of September 1980 when it was banned like most other organizations and all political parties. Its leading officials were accused of having changed the legal aims of the organization, seeking to "establish the domination of one social class over the other social classes". They were imprisoned, tried and convicted in 1983, but the Military Appeal Court twice returned the verdict to the military court of first instance for retrial. It is currently, for the third time, before the Military Court of Appeal. All TPA defendants, who were adopted as prisoners of conscience during years of their imprisonment, are now free pending final confirmation of their sentences.

Several defendants in the TPA trial escaped arrest by fleeing abroad. Their cases were then separated from the trial and warrants for their arrest put in force. These cases are now being reopened in a criminal court once the accused are available for trial. As the TPA never used or advocated violence, Erdal Talu and Alaattin Tas are considered to be prisoners of conscience, imprisoned in violation of their right to freedom of association. Amnesty International is appealing for their immediate and unconditional release and for charges to be dropped.



Communautés Européennes

PARLEMENT EUROPÉEN

DOCUMENTS DE SEANCE

Edition en langue française

1989-90

15 janvier 1990

SERIE B

DOCUMENT B3-154/90

PROPOSITION DE RESOLUTION

déposée par M. BALFE
au nom du groupe socialiste

avec demande d'inscription au débat sur des problèmes
d'actualité, urgents et d'importance majeure
conformément à l'article 64 du règlement

sur les détentions en Turquie

PE 138.155
Or. En.

Série A: Rapports - Série B: Propositions de résolutions, Questions orales.

- Série C: Documents provenant d'autres institutions (p. ex. consultations)

★ = Consultation nécessitant une seule lecture

★★II = Procédure de coopération (Deuxième lecture) qui nécessite la majorité des membres effectifs

★★I = Procédure de coopération (Première lecture)

★★★ = Avis conforme qui nécessite la majorité des membres effectifs

Le Parlement européen,

- A. prenant acte du retour d'exil de Cicek Jagci et Gulenhay Ozturkcu qui ont atterri à Istanbul le 6 janvier dernier,
- B. notant que les intéressées, détenues à Istanbul durant le week-end, ont néanmoins été autorisées à se mettre en rapport avec des avocats, et qu'elles ont été interrogées le 9 janvier par le procureur qui a proposé de les libérer,
- C. notant qu'à la demande de M. Demiral, procureur d'Ankara, les intéressées ont été transférées dans cette ville le 9 janvier,
- D. constatant qu'elles sont en détention depuis cette date,
- E. prenant acte du fait que le ministère de la Justice turc a déclaré à plusieurs reprises, ces derniers temps, que tous les suspects pourraient s'adresser à des avocats,
- F. constatant que les avocats de Cicek Jagci et Gulenhay Ozturkcu ont demandé l'autorisation de voir leurs clientes et qu'elle leur a été refusée le 11 janvier,
- G. constatant que les avocats ont été informés que les intéressées pouvaient être détenues durant dix jours sans être autorisées à les rencontrer,
- 1. estime que la marge importante existant entre les déclarations publiques et les pratiques réelles du système judiciaire turc n'est plus admissible;
- 2. invite les ministres des Affaires étrangères des Etats membres à exercer des pressions sur la Turquie pour permettre aux intéressées de s'adresser à leurs avocats;
- 3. charge sa délégation compétente de se réunir d'urgence cette semaine pour examiner si, au vu des violations constantes des droits fondamentaux de l'homme commises par les autorités judiciaires turques et, notamment, de l'incapacité de ces dernières à contrôler en aucune façon les agissements du procureur Demiral, la réunion prévue pour le mois de mars doit être maintenue et, dans l'affirmative, à quelles conditions;
- 4. charge son Président de transmettre la présente résolution à la Commission, au Conseil et au gouvernement turc.



Communautés Européennes

PARLEMENT EUROPÉEN

DOCUMENTS DE SEANCE

Edition en langue française

1989-90

15 janvier 1990

SERIE B

DOCUMENT B3-125/90

PROPOSITION DE RESOLUTION

déposée par MM. EPHREMIDIS, WURTZ, CARVALHAS et DE ROSSA
au nom du groupe Coalition des gauches

avec demande d'inscription au débat
sur des problèmes d'actualité, urgents et
d'importance majeure

conformément à l'article 64 du règlement

sur les droits de l'homme en Turquie

PE 138.126

Or. Gr.

Série A: Rapports - Série B: Propositions de résolutions, Questions orales,

- Série C: Documents provenant d'autres institutions (p. ex. consultations)

★

= Consultation nécessitant une seule lecture

★★II

= Procédure de coopération (Deuxième lecture) qui nécessite la majorité des membres effectifs

★★I

= Procédure de coopération (Première lecture)

★★★

= Avis conforme qui nécessite la majorité des membres effectifs

Le Parlement européen,

- A. considérant ses résolutions antérieures sur la situation des droits de l'homme en Turquie,
 - B. considérant la demande d'adhésion à la Communauté européenne présentée par la Turquie et l'avis émis à ce sujet par la Commission, lequel souligne que les procédures démocratiques n'ont pas été pleinement rétablies en Turquie et que le fonctionnement de tous les partis politiques n'y est pas autorisé,
 - C. considérant que l'interdiction faite à certains partis politiques de fonctionner légalement se fonde essentiellement sur les articles 141 et 142 du Code pénal turc, d'inspiration mussolinienne,
 - D. s'inquiétant des récentes arrestations de très nombreux citoyens accusés de faire partie des cadres du Parti communiste turc unifié,
 - E. déplorant que deux dirigeants du Parti communiste turc unifié qui étaient rentrés de leur plein gré en Turquie, MM. Haydar Kutlu et Nihat Sargin, soient toujours détenus, de même que d'autres prisonniers politiques,
 - F. inquiet de l'arrestation de l'épouse de M. Kutlu, Mme Cicec Yagci, ainsi que de Mme Saime Gulanay Özturkcü, détenues à la sûreté de l'Etat à Ankara sans pouvoir communiquer avec leurs avocats,
 - G. considérant que les autorités turques, comme l'a fait savoir le Conseil de l'Europe, mettent des obstacles à l'examen auquel la Commission européenne des droits de l'homme procède à la suite du recours que les deux dirigeants de parti précités ont introduit au sujet du traitement qui leur a été infligé dans les locaux de la direction de la police d'Ankara,
1. condamne l'arrestation récente de 106 citoyens, accusés uniquement d'appartenir au Parti communiste turc unifié, et demande la libération immédiate de M. Haydar Kutlu, M. Nihat Sargin, Mme Cicec Yagci et Mme Saime Gulanay Özturkcü ;
 2. invite le gouvernement turc à abroger immédiatement les dispositions légales qui interdisent le fonctionnement libre et sans entraves de tous les partis politiques ;
 3. invite le gouvernement turc à abolir les cours spéciales de sûreté de l'Etat ;
 4. demande que soient garanties toutes les conditions permettant à la Commission européenne des droits de l'homme de mener à bien l'examen auquel elle procède dans le cadre de la requête introduite par MM. Kutlu et Sargin pour violation de l'article 3 de la Convention européenne des droits de l'homme, requête déclarée recevable le 11 mai 1989 ;
 5. invite le Conseil et la Commission à confronter la Turquie avec opiniâtreté, lors des rencontres qui ont lieu au titre de l'accord d'association, aux violations des droits de l'homme commises dans ce pays ;
 6. charge son Président de transmettre la présente résolution au Conseil, à la Commission, aux gouvernements des Etats membres et au gouvernement turc.

MADAMES, MONSIEURS, LES MEMBRES DU PARLEMENT EUROPEEN

C'est le 200ème anniversaire de la Déclaration des Droits de l'Homme et le gouvernement turc s'oppose aux libertés et aux droits démocratiques en Turquie et au Kurdistan du nord-ouest.

Le 27 septembre 1989, Turgut Ozal le premier ministre de Turquie va faire un discours devant le parlement européen. Nous demandons que l'opinion publique démocratique fasse pression sur lui pour que les demandes ci-dessous de l'Union des Réfugiés Politique de Turquie et de Kurdistan du Nord-Ouest en France soient réalisées tout de suite.

- 1) 60.000 réfugiés provenant de l'Irak s'abritant en Turquie après l'attaque chimique de BAAS se voient accordés le statut de réfugiés politiques.
- 2) Les politiques d'assimilation, d'exil, d'évacuation des villages kurdes, de génocide soient arrêtées.
- 3) Liberté à toutes les formes d'organisation.
- 4) Amnistie générale

* * *

Notre union formée en exil pour les hommes et les femmes d'Anatolie, victimes politiques du régime militaire du 12 septembre 1980, agissant comme ci-dessus, est une association ayant pour but de répondre aux besoins des réfugiés et de se solidariser avec les militants qui exigent la démocratie, la liberté et l'application des droits de l'homme en Turquie et au Kurdistan du Nord-Ouest. Elle est la partie de l'affaire d'Asile en Europe en générale et du problème de démocratie en Turquie en particulier.

Du coup-d'Etat militaire du 12 septembre 1980 à nos jours, la Turquie et le Nord-Ouest du Kurdistan vivant sous l'occupation depuis des siècles, se trouvent sous une dictature barbare portant divers masques et prête à violer, à chaque moment, les droits de l'Homme et la démocratie.

L'humanité entière en est conciente. Des milliers d'exemples de cette barbarie se déroulent quotidiennement. Le plus récent en est celui des événements du 1er mai 1989. Le régime a tiré sans aucun scrupule sur le peuple et les grévistes voulant simplement célébrer la fête du travail à Istanbul, d'une manière qui rappelle les soldats israéliens opprimant les Paléstiens dans les territoires occupés. Pendant ces événements, des centaines de manifestants ont été grièvement blessés et un jeune, nommé Mehmet A. DALCI, a été assassiné par les forces de l'ordre.

Il faut souligner sans cesse que la torture est devenue une partie intégrante du régime en Turquie pour son fonctionnement quotidien. Ce fonctionnement du régime n'a plus de mystère et les incidents de la torture se reflètent dans la presse quotidienne tous

les jours.

Le caractère du régime anti-démocratique en Turquie ne montre aucun changement sérieux vers la démocratie après les arrangements "constitutionnels"(7) des dictateurs eux-mêmes en 1983, jusqu'à aujourd'hui.

La torture et les violations des droits de l'homme restent à l'ordre du jour. Par exemple, dans les procès politiques, les tribunaux violent les règles les plus élémentaires du droit, d'une manière des plus anti-démocratiques.

Dans la partie nord-ouest du Kurdistan qui se trouve sous l'occupation turque, on nie au peuple kurde, réprimé par les génocides, les massacres, la discrimination nationale des siècles, même droits les plus élémentaires.

Les droits nationaux et démocratiques des Kurdes sont confisqués et même parler kurde est un crime punissable par la loi. D'autre part, comme faisant partie d'une stratégie d'extermination du peuple kurde l'une des nations les plus anciennes de la région, par les Etats occupant leurs territoires, le Sud du Kurdistan (Iraq) a subi un génocide par les armes chimiques. Les survivants de ce génocide ont passé au Kurdistan de Turquie (Nord-Ouest du Kurdistan) pour s'abriter de Iraq et ils y ont été mis en camps de concentration par la République Turque qui a violé ainsi tous les accords internationaux.

Le régime anti-démocratique en Turquie génère les applications les plus minables que l'on puisse avoir dans un tel pays. Par exemple, selon les listes de l'Amnesty International, le nombre de personnes politiques tuées par le régime turc est de 159.

L'oppression en Turquie est systématique et elle s'étend à tous les aspects de la vie. Des centaines de détenus sont devenus grièvement malades lors de leur arrestation et pendant leur emprisonnement. Recevant aucun traitement médical, ils attendent la mort.

La Fédération Internationale des Droits de l'Homme d'Helsinki a adressé un rapport intitulé "la question des Droits de l'Homme dans une sélection de pays signataires d'Helsinki" à la conférence des Droits de l'Homme qui s'est tenue à Paris en mai-juin 1989.

En ce qui concerne la Turquie, le rapport met en évidence les faits suivants :

"TORTURE : on continue à torturer en Turquie et ce malgré les dénégations du gouvernement. Presque tous les suspects dans des procès politiques sont torturés pendant leur détention préventive. Amnesty International a rapporté la mort de 17 personnes sous la torture en 1987, et celle de 5 autres dans la première moitié de 1988. Le Gouvernement turc a reconnu la mort sous la torture de 32 personnes entre décembre 1979 et mars 1989. Al, quant à elle, a une liste de 47 personnes présumées avoir succombé sous la torture et une autre de 172 cas de décès survenus durant la détention préventive.

"PRISONNIERS POLITIQUES : des milliers de prisonniers politiques sont actuellement détenus dans les prisons turques et dans des centres de détention, certains attendent encore la fin de leur procès qui dure depuis des années. L'Association turque des Droits

de l'Homme estime à 5.000 le nombre de prisonniers politiques en Turquie; en décembre 1988, le premier ministre en avait reconnu 3.800. Des centaines d'entre eux ont été arrêtés et mis en accusation pour avoir simplement usé de leur liberté d'expression.

"LIBERTE D'EXPRESSION : actuellement, la presse turque se permet de critiquer le gouvernement comme jamais elle ne l'avait fait depuis 1980, mais les éditeurs de publications risquent toujours des harcèlements, des poursuites judiciaires et des peines de prison. De septembre 1980 à avril 1988, 2.217 journalistes ont été jugés dans 1.426 affaires. Actuellement, au moins 41 journalistes et rédacteurs en chef sont en prison à cause d'articles qu'ils ont écrits ou publiés. Certains purgent des peines de 600 ou 700 ans de prison (en effet, selon la loi turque, un journaliste encourt une peine de 7 ans et demi de prison pour chaque article jugé offensant) alors que selon la loi, aucun ne purgera plus de 35 ans, peine maximale prévue par le code penal.

"LIBERTE DE MOUVEMENT : depuis 1980, près de 300.000 citoyens turcs se sont vus refuser l'exercice de leur liberté de mouvement. La loi refuse d'accorder un passeport à certaines catégories de personnes et parmi elles, celles dont le départ est jugé indésirable par le ministère de l'intérieur, et ce, pour des raisons de sécurité.

D'un autre côté, le groupe l'Helsinki, dans un rapport intitulé : "Payer le prix - Liberté d'expression en Turquie", a annoncé que de nombreux journalistes, éditeurs et écrivains sont toujours victimes de harcèlements, de poursuites judiciaires, d'emprisonnement, de tortures et sont toujours traduits en justice.

Le rapport analyse la liberté d'expression dans tous les médias en Turquie ainsi que la liberté d'association et d'adhésion à des associations.

Après une évaluation de la situation actuelle, basée sur les résultats de la visite d'Helsinki Watch en Turquie en 1988 ainsi que sur des informations communiquées par la presse turque, dont Info-Türk, le rapport conclue : "Si la Turquie espère faire partie de la communauté des nations qui respectent les libertés individuelles ainsi que les droits de l'homme, elle doit réécrire ou revoir sérieusement la constitution de 1982 et d'abolir les nombreuses lois qui restreignent de façon drastique les libertés des citoyens. Il doit également être mis fin à la torture et aux pratiques telles que détenir des personnes durant des très longues périodes et dans des conditions inhumaines"

* * *

LA SITUATION DES KURDES EN TURQUIE :

Il nous faut vous présenter la situation des kurdes vivant en Kurdistan du Nord-Ouest qui se trouve sous l'occupation de la Turquie :

1) L'idéologie officielle en Turquie refuse d'admettre la notion de KURDE, l'existence d'un peuple KURDE, l'existence d'une langue KURDE, l'existence du "KURDISTAN" en tant que région géographique. Dans cette optique, les Kurdes du Kurdistan du Nord-Ouest n'ont

aucun droit démocratique ou national.

2) La République turque interdit, officiellement, aux kurdes de parler kurde, de faire des discours en kurde pendant des réunions, de produire des publications-disques-cassettes-films en kurde. Cette interdiction se base les articles 26 et 28 de la Constitution de la République turque.

3) Selon l'article 42 de la Constitution de la République turque, l'enseignement en kurde est formellement interdit. D'ailleurs, selon les articles 13, 33, 52, 68, 69 de la Constitution, les kurdes ne peuvent établir des organisations politiques, démocratiques ou professionnelles en tant que kurde.

4) Les kurdes ne peuvent porter des noms kurdes ou ressemblant au kurde, ne peuvent pas s'inscrire à l'Etat Civil avec des noms kurde.

5) Les kurdes ne peuvent fêter leurs jours de ferriés traditionnels, na peuvent utiliser leurs couleurs nationales. Des recherches scientifiques sur la culture et la structure socio-économique des kurdes sont formellement interdites, et elles sont punissables par la loi.

6) Il y a d'autres faits frappants : le Kurdistan du Nord-Ouest a des ressources naturelles très riches. Il produit 34,2% de l'output agricole de la Turquie, son élevage des animaux atteint à 50% du total pour la Turquie. Ses matières premières constitue 52,8% du total pour l'industrie de la Turquie. Mais sa part dans le revenu national n'est que 3% du total. 60% des forces de l'armée turque sont stationnées au Kurdistan de Turquie. La seule politique de l'Etat turc au Kurdistan est celle de la terreur étatique.

7) Un exemple de la terreur barbare étatique : Au Kurdistan du Nord-Ouest, seulement selon les statistiques judiciaires de Diyarbakir, entre le 26 septembre 1979 et 20 février 1982, 116.800 kurdes ont été interrogés aux commissariats et aux centres d'interrogation.

Voilà la liste des villages dont les habitants ont subi des tortures en masse pendant les derniers mois :

- * La village de Koçpinar de SIIRT, le 28.12.1988,
- * La village de Dagveli d'ERUH, le 5.1.1989,
- * La village de Peyamli d'ERUH, le 6.1.1989,
- * La village de Demirkaya d'ERUH, le 11.1.1989,
- * La village de Yesilyurt de Cizre, le 16.1.1989.

En outre, une fosse-commune a été decouverte cachant les corps de ceux, assassinés sous la torture lors des interrogations.

8) Les réfugiés kurdes provenant de l'Iraq pour se sauver des attaques chimiques de BAAS sont traités comme prisonniers par le gouvernement turc. Aujourd'hui en Turquie, l'Etat turc laisse mourir plus 60.000 réfugiés kurdes dans les camps de concentration. Malgré son adhésion à la Convention de Genève, le gouvernement turc refuse toujours d'accorder à ces réfugiés le statut de réfugié politique. Ils subissent une oppression inimaginable : on, a même essayé de les empoisonnés.



European Communities

EUROPEAN PARLIAMENT

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SERIES B

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MOTION FOR A RESOLUTION

by Mr BALFE and others

on behalf of the Socialist Group

with request for inclusion in the debate on topical and
urgent subjects of major importance pursuant to Rule 64
of the Rules of Procedure

on detentions in Turkey

*Avrupa Parlamentosunun
oylanarak kabul edilen kararı*

PE 138.155
Or. En

A Series: Reports - B series: Motions for Resolutions, Oral Questions.

★ = Consultation procedure requiring a single reading

★★I = Cooperation procedure (first reading)

★★II = Cooperation procedure (second reading) which requires the votes of the majority of the Members of Parliament

★★★ = Parliamentary assent which requires the votes of the majority of the current Members of Parliament

The European Parliament,

- noting that Cicek Yagci and Gulenay Ozturkcu returned from exile to Istanbul, landing on 6 January,
 - noting that they were detained in Istanbul during the weekend but granted access to lawyers and interviewed by the prosecutor on 9 January and that he proposed to free them,
 - noting that a request was received from the Ankara prosecutor, Mr Demiral, and that these two women were transferred to Ankara on 9 January,
 - noting that they have been held in police detention since that date,
 - noting that the Turkish Ministry of Justice has frequently proclaimed recently that all suspects will be granted access to lawyers,
 - noting that the lawyers for Cicek Jagci and Gulenay Ozturkcu applied for permission to see their clients and that this was refused on 11 January,
 - noting that the lawyers were told that these two women could be held without access to lawyers for ten days,
1. Resolves that this Parliament no longer regards as acceptable the wide discrepancy between public pronouncements and actual practice by the Turkish judicial system;
 2. Calls on the Foreign Ministers of the Member States to exert pressure on Turkey to allow access to lawyers in this case;
 3. Instructs its delegation to meet urgently this week to consider whether, in view of the continuing flaunting of basic human standards by the Turkish judicial authorities, and in particular the failure of the Turkish authorities to control in any way the activities of prosecutor Demiral, to decide whether or not the delegation meeting planned for March should any longer be contemplated and if so under what conditions;
 4. Instructs its President to forward this resolution to the Commission, the Council and the Government of Turkey.