



# INFO TÜRK INFO-TÜRK INFO-TÜRK

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The year 1987 began, for the Turkish regime, with difficult days in Strasbourg.

First of all, the European Parliament, considering that respect to human rights has not yet been restored, refused

once more the setting up of EEC-Turkey Joint Parliamentary Committee, an organ foreseen in the EEC-Turkey Association Agreement and suspended since the 1980 military coup d'état.

As for the Council of Europe, while the Turkish Minister of Foreign Affairs was addressing to the Parliamentary Assembly of the Council of Europe as the Chairman of the Ministers Committee of 21 European countries, many European deputies questioned him on the recent violation of human rights and even a deputy, qualifying him as "so-called chairman", said: "it is very serious and sad debate. The 21 countries of the Council of Europe have as their Chairman of the Committee of Ministers a Minister who comes from a country that does not abide by human rights."

## IN STRASBOURG SHOW A NEW OF THE TURKISH REGIME

### A NEW DEFEAT AT THE EUROPEAN PARLIAMENT

Already at the session of December 11, 1986, the European Parliament had failed the resumption of parliamentary relations with Turkey by reminding its firm position vis-a-vis the anti-democratic regime of Ankara.

Since then, two major events occurred in Turkey have upset European parliamentary circles: The mass condemnation of the DISK leaders and the condemnation of the former social-democrat leader Ecevit.

During the reelection of the European Parliament's organs, the *Turkish lobby* set up in Strasbourg by a group of Turkish parliamentarians and a few right-wing European deputies, resorted to every means for having the Joint Committee founded.

However, on January 21, 1987, in accordance with an agreement between the chiefs of different political groups, the Plenary Assembly decided, instead of constituting the joint committee, to limit its relations with the Turkish National Assembly within the framework of "relations with third countries." So, the parliamentary wing of the European Communities has delayed the resumption of the association relations to a time later than the legislative elections of 1988 in Turkey, although the way of dialogue with the Turkish counterpart is kept open.

This position of the European Parliament has been commented in the following terms by the Turkish press:

"The European Parliament chooses an intermediary way." (*Cumhuriyet*)

"A new exclusion from Europe." (*Hürriyet*)

## RECOGNITION OF THE RIGHT OF INDIVIDUAL COMPLAINT

The most expected moment in Strasbourg was without any doubt the speech of the Turkish Minister of Foreign Affairs Halefoglu.

Due to the European capitulation before the blackmail of the Ankara regime, Turkey, despite the strong opposition of the democratic circles, had already been attributed the honorary title of "Chairman of the Ministers Committee".

While the Turkish lobby in Strasbourg was preparing itself to exploit this occasion for crowning the false image of "Democratic Turkey", the successive condemnations of the DISK leaders and Ecevit have been an unexpected blow to their scheme.

The Turkish Government, in order to be able to counterbalance this blow, had to announce in anticipate a gesture which was foreseen

in the friendly settlement between Turkey and the five countries as one of the prerequisites for withdrawing the complaint about Turkey from the European Commission on Human Rights. This gesture was to be the recognition of this commission's jurisdiction in the matter of individual complaints of those who claim being victim of any violation of the European Convention on Human Rights. All the member countries, with the exception of Turkey, Malta and Cyprus, had already made their declaration recognizing the commission's jurisdiction.

After the condemnations of DISK and Ecevit, the Turkish Government's spokesman Hasan Celal Güzel immediately announced that Turkey was to communicate to the Council of Europe her decision on the matter. However, he added that Turkey would accept the Commission's competence with certain reservations and for a 3-year duration. According to this first governmental declaration, the possible complaints concerning the practices at the martial law regions and the legal proceedings by virtue of the Turkish Penal Code's articles related to "crimes against the State" would be left out of the jurisdiction of the Commission.

Nevertheless, the idea of such a lame recognition provoked many reactions at the Turkish opposition as well as at the European democratic circles. Even before M. Halefoglu's arrival to Strasbourg, European deputies had tabled questions hinting at their disapproval of a restricted recognition.

### HALEFOGLU "SHOW" AT THE COUNCIL OF EUROPE

For this reason, when Mr. Halefoglu appeared at rostrum of the Strasbourg hemicycle, with the purpose of calming the regime's opponents, he had to declare that "Turkey has recognized as of today the competence of the European Commission of Human Rights to receive petitions from any person. I am sure that you will be relieved to know that there are no restrictions and it covers the whole of Turkey."

Pronouncing a part of his speech as the Turkish Minister of Foreign Affairs, Halefoglu claimed that the difficulties coming out from the temporary interruption of the parliamentary regime had already disappeared.

"The steady progress achieved in Turkey throughout the transition period has enabled the gradual re-

moval of the difficulties in relations between Turkey and the organization. The inter-state complaint by five member countries against Turkey was concluded with a friendly settlement towards the end of 1985. The situation in Turkey ceased to be an item on the agenda of the Parliamentary Assembly in spring 1986 and simultaneously the question of Turkey's chairmanship of the Committee of Ministers was resolved in April 1986. Last July we were happy to host the mini-session in Istanbul, from the success of which the idea of holding regular summer sessions emerged. Our government are committed to furthering our relations with the Council of Europe. In this connection it is my privilege today to bring to your attention an important decision of the Turkish Government. The Council of Ministers announced on 23 January its decision to recognize the competence of the European Commission of Human Rights to receive petitions from any person, non-governmental organization or group of individuals, in accordance with Article 25 of the European Convention on Human Rights. The declaration is being deposited today with the Secretary General of the Council of Europe.

"That brings me to Turkey's relations with the European Communities. Turkey has decided to apply for full membership in the Community during the course of this year. It would be politically and economically inconceivable for Turkey to remain outside a Community which is already expanding. The political, economic and military integration of the West should be considered as a whole. In fact, long ago our people adopted for participating in the process of integration in all these three dimensions.

"We are firmly convinced that Turkey, committed to parliamentary democracy and liberal economy, is entitled to and capable of assuming its role in European integration."

### CRITICISMS AND QUESTIONS BY DEPUTIES

On a question by Danish representative Elmquist whether Turkey had the intention to restrict the right to individual petition in one way or another, for instance by excluding certain issues such as torture, fair trial and political rights, or by excluding certain areas of its territory and to recognize the compulsory jurisdiction of the court, Halefoglu said:

"I have already mentioned in my statement that Turkey has recognized as of today the competence of the Commission of Human Rights to receive petitions from any person. I am sure that you will be relieved to know that there are no restrictions on the issues mentioned in your question and it covers the whole of Turkey. As far as the jurisdiction of the court is concerned, that matter is considered separately by the Turkish Government."

This statement is followed by the questions of other parliamentarians.

Danish representative Budtz asked him:

"When the Government of Turkey will re-established the political rights for the trade unions and the former political leaders, and whether he considers

that his government are violating human and political rights as long as these rights are not re-established."

Mr. Claude Dejardin (Belgium), "noting that the European Convention on Human Rights guarantees freedom of association and freedom of expression, which implicitly incorporate such aspects of the right to organize as the right to hold strikes, and furthermore that the Council of Europe member states are required to uphold these rights and freedoms or to guarantee the enjoyment thereof;

"Recognizing that democracy is based on the separation of powers and the independence of the judiciary, which must nevertheless observe and enforce the law, while the political authority holds the prerogative of passing legislation and amending it if required;

"Concerned over the continuation of mass trials in Turkey, particularly in respect of trade unionists and the DISK Confederation, and the prosecution of political figures such as Mr Ecevit, intellectuals and peace campaigners for their petitions," asked Halefoglu how he proposes to make the governments of member states, including Turkey, abide by their undertakings regarding the preservation of the fundamental rights and freedoms set forth in the European Convention on Human Rights.

Mr. Chenad (France), "recalling that the Council of Europe exists chiefly to foster political democracy, and that many nations were not entitled to accede until they had regained political democracy; considering that this need admits of no laxity; noting, however, that we are sometimes prompted by the state of current affairs to doubt that all citizens are allowed freedom of thought and action; considering the evidence of the foregoing which is provided by the circumstances of two individuals, Mehdi Zana, the elected Mayor of Diyarbakir, imprisoned for many years after undergoing treatment denounced and condemned by the entire free world, and Bülent Ecevit, banned from politics, who are likely to suffer a similar fate," asked Halefoglu what steps he intends to take to persuade all governments, regardless of the difficulties, to do their utmost to free all member countries of any restriction or relinquishment of parliamentary democracy, however slight.

Mr. Parry (United Kingdom) asked Halefoglu what representation has the Government of Turkey received following the recent DISK trials.

#### HALEFOGLU'S DEMAGOGICAL RESPONSES

The replies of Halefoglu to these questions were the new masterpieces of demagogy.

In reply to Mr. Budzt, he claimed that "at present, there are no restrictions on such people speaking their minds. Indeed, the Turkish press is full of their statements. The parliamentarians are discussing methods and ways of lifting the present ban which prevents them from being elected and being associated directly with a party for a certain period. It would be presumptuous of me, in the final analysis, to pronounce myself one way or another on this subject which falls solely within the jurisdiction of the Turkish Grand National Assembly.

"As far as trade unions are concerned, he added, we have had consultations with the ILO. The government

are fully conscious of the importance of having a situation in which trade union rights, as these are perceived by the ILO, are fully respected. I am confident that the social partners will participate actively with the government in achieving a consensus towards this objective. As you may know, labour leaders and members of unions do have political rights. However, trade union officials cannot at the same time be members of political parties. This naturally does not prevent labour leaders from expressing their views.

"I turn to Mr Dejardin's question. Mr Dejardin is fully aware of the steady positive developments in Turkey for consolidating the respect of human rights and fundamental freedoms. I have in my statement dwelt on his question at length. The recognition by Turkey of the competence of the Commission to receive individual petitions is the most recent example of our determination in this respect.

"Since 1983, many restrictions have been lifted. The recent by-elections of 28 September 1986 in which I personally have campaigned, demonstrated how political life in Turkey has become lively. The Turkish Parliament and public opinion are most sensitive regarding freedoms and fundamental rights. The press takes up such matters immediately. The parliament has formed a committee to investigate the conditions in prisons. The establishment of a new parliamentary committee is under consideration."

"As for Mr Chenard's question, there is no doubt that each and every government are committed to the common values uniting the members of the Council of Europe. Political democracy is one of the pillars of our societies. Whatever difficulties we might face, we must be united in order to preserve intact this principle.

"As far as the two specific names are concerned, I must say that there is no relation or similarity concerning the situations of Mr Ecevit and Mr Mehdi Zana. I am not aware that the free world has condemned the authorities for ill treatment of Mehdi Zana who is convicted of various crimes; which include membership of a secret terrorist organization and possession of a considerable quantity of arms and their distribution. He is currently serving a prison term. It would be unjust to put Mr Ecevit in the same position with Mr Mehdi Zana. Mr Ecevit, as far as his case is concerned, has appealed against the court decision.

"I turn to Mr Parry's question. The DISK trial is continuing. The defendants have appealed against the sentence of the court. The higher court has been seized of the appeal. I am not aware of any formal or official representation. However, there have been some expressions of dissatisfaction on this matter, mainly from non-governmental and trade union circles."

#### DEPUTIES REITERATE THEIR ANXIETIES

All these demagogical replies were very far from satisfying the authors of the questions.

Although welcomed the positive developments in the last three years in Turkey, Mr Dejardin noted that there was still some way to go. There were many circumstances which had given rise to concern and he particularly wished to know if further restrictions on press freedom were in preparation.

Mr. Chenard said that he recognized that progress came in drops rather than floods but wished to know how fast progress could be made.

Mr. Parry asked: "Is the Minister aware of the concern and anger of the British trade union movement, of the United Kingdom branch of Amnesty and of the British parliamentary all-party human rights group at the trial and sentences meted out to the DISK and other trade union leaders? These drastical measures and sentences make a mockery of Turkey's claim to be a democracy within the Council of Europe and to respect human rights and civil liberties."

The harshest reaction to Halefoglu came from Danish deputy Budtz: "This is a very serious and sad debate. I really mean it when I say that. The 21 countries of the Council of Europe have as their Chairman of the Committee of Ministers a Minister who comes from a country that does not abide by human rights. I say that with sadness, but it is true. I want you, Mr President and Mr Halefoglu, the Chairman of the Com-

mittee of Ministers, to know that the majority of members of the Danish parliament do not believe that this high-ranking organization should have as the Chairman of the Committee of Ministers a person who comes from a country that does not recognize civil rights, human rights and democracy.

"It cannot be denied that Mr Ecevit is not allowed to air his views. If a political leader is not allowed to do that, it cannot be said that his country is a democratic country. This important organization was established for two reasons: to safeguard human rights and to safeguard democracy. However, the exact opposite is the case in Turkey. The trade unions in Turkey do not enjoy political rights. The DISK trade unionists are treated in a way that would be unacceptable in any of the other member countries of the Council of Europe. I am sorry that I have to say this, but it is the reality and it cannot be avoided. So my question to the so-called Chairman of the Presidential Committee is: how can you accept this?"

#### EXTRAVAGANCES OF THE SO-CALLED PRESIDENT OF THE COUNCIL

Upset by all the second turn remarks of European deputies, Turkish Foreign Minister Halefoglu resorted to extravagances. He accused Mr. Budtz of making a *"shameless propagandism"* and described his criticism as being on the Assembly which had elected him rather than on Turkey. He argued that Mr. Budtz had mentioned only one political leader. *"If Mr Budtz is so 'passionate' of the democracy in Turkey, why didn't he mention the names of other leaders. He spoke of one of them, only one of them. Whereas, the others are subjected to the same law! Newspapers are full of their declarations,"* he said.

In his last reply to Mr. Dejardin, Halefoglu resorted to another kind of demagoguery: *"Does Mr Dejardin really want to know if the freedom of press reigns or not in Turkey? It would be enough to go out of this hall and to ask the press representatives themselves for having the reply! They are just there, Mr. Dejardin, and you could directly forward your question to them. They would have answered you."*

In another response, he said: *"It is enough to read the press in order to admit that the freedom of press is complete."*

Of course, within the framework of a parliamentary debate "in haste", it was not possible for a deputy neither to read Turkish newspapers in a few moments nor to forward questions to Turkish journalists in order to contradict Mr Halefoglu on the spot.

Moreover, even if it were possible, many of the Turkish journalists present at the debates would never dare contradict him before European deputies in the fear of being labelled "enemy of the Turkish State".

It is very well known that many journalists, writers and artists, including two editors of Info-Türk, have been deprived of the Turkish nationality for the simple reason that they had denounced the violation of human rights in their country.

To read the press, but what press? Doesn't he know that in Turkey tens of newspapers and periodicals have been banned by the military and their responsible editors have been tried and even condemned by military tribunals? And doesn't he know that these newspapers are still out-lawed and the resumption of their publication is still out of question even at the so-called democratic period of Özal Government? As for the existing newspapers, aren't they always submitted to a self-censorship particularly when it is the excessive power of the military in question? And isn't it the same government that has recently drawn up a new law project for rendering the control on the press more strict.

Nevertheless, following Mr. Halefoglu's suggestion, without expecting the demand of M. Dejardin or other members of the Council of Europe, we, by right of "Turkish journalists", shall answer in other columns to the question whether press freedom exists or not in Turkey? (See: *Draft of new repressive measures*).

As for Mr. Halefoglu's other responses, it turns out that they are also lies well hidden behind the habitual claim that the government in Turkey does never interfere in judicial affairs.

Wasn't it the Labour Minister of the same government who, during the budget debates at the National Assembly and a few days earlier than the pronouncement of the tribunal's judgement, had qualified the DISK as a *"trade union to be decapitated"*?

What is more, tribunals, civil or military, apply a penal code which was borrowed fifty years ago from that of Mussolini. If there were not such an anti-democratic penal code, could tribunals condemn trade union officials and political figures for the acts or declarations which are *monnaies courantes* in European democracies. It would be

enough to modify this penal code in order to release detainees of opinion without interfering in judicial affairs. Whereas, the present government, on the contrary, is in the preparation of aggravating this penal code.

It is Mr. Halefoglu himself who said in Strasbourg: *"The matter of lifting the present ban falls solely within the jurisdiction of the Turkish Grand National Assembly."*

Well admitted! If it is true, why this national assembly which is an integral part of the Parliamentary Assembly of the 21 has not attempted for more than three years to lift the ban imposed by the military?

As to his response related to the Mr. Ecevit's condemnation, the Turkish Minister accused Danish deputy Budtz in these terms: *"He has talked of one, only one! Whereas, the same law is applied to other leaders as well. Newspapers are full of their declarations."*

It is true that in Turkey there are a few hundreds politicians who are the object of this ban imposed by provisional article 4 of the 1982 Constitution and that Turkish newspapers are full of their declarations. But what does it mean if all these former political leaders are prosecuted after each declaration? The number of the legal proceedings only against Mr. Ecevit and Mr. Demirel has already passed over a hundred.

During this period of interdiction, 5 years from 1982 for some and 10 years for others, they are always under the threat of being jailed.

What is more important, it is the permanent political ban which hits some *élite* categories of the population of Turkey. By the virtue of Constitution, all trade union officials, university professors, State functionaries and public servants and university students are all deprived of the right to adhere to a political party or to make a political declaration. Political parties of the working class and of the Kurdish people are categorically outlawed and their leaders are excluded from legal political activities.

Of course, the Turkish Government should be very content that the European Parliament and the Council of Europe are interested only in the fate of some well-known politicians such as Ecevit and Demirel and can see only a tiny part of an iceberg emerging from water.

#### **Halefoglu denies world-wide protests**

*"The Turkish Government are fully conscious of the importance of having a situation in which trade union rights, as these are perceived by the ILO, are fully respected,"* said Halefoglu. If it is so conscious, how could it be possible that 264 officials of DISK were condemned to prison and the most important trade union confederation of the country dissolved by a military tribunal?

The Turkish Minister is so impudent that he dare say that he was not aware of the world-wide reaction against the condemnation of Mayor Mehdi Zana neither of the international actions after the DISK condemnation.

When Mehdi Zana was arrested, tortured and tried by the military in Diyarbakir, many international missions, notably that of the International League of Human Rights, had gone to Turkey and issued numerous reports on the fate of this first elected Kurdish mayor of the biggest city of Turkish Kurdistan.

Moreover, hundreds of mayors or municipal councillors all over the world, including German mayors, had actively participated in a movement of solidarity with Zana and other prosecuted mayors of the country.

At that time, Mr. Halefoglu was the ambassador of the Turkish regime in Bonn, and with this title, thousands of protest letters were addressed to himself.

As to the actions against the DISK condemnation, even if he were not aware of hundreds of protest actions throughout the world, he should have been informed at least of the press conference organized by the ETUC on the eve of the Strasbourg meeting. This was a firm protest that European trade union movement addressed particularly to the Parliamentary Assembly of the Council of Europe of which Halefoglu is so-called chairman.

#### **Halefoglu deceives once more the Council of Europe**

Mr. Halefoglu's show turned into a real *farce* when he formulated a series of lies related to the recognition of the right of individual complaint.

First of all, he solemnly excluded the recognition of the "obligatory jurisdiction of the European Court of Human Rights". It means that even if the European Commission of Human Rights finds a violation of human rights, the Turkish Government will not be obliged to apply this decision as long as the jurisdiction of the court is not recognized by Ankara.

Furthermore, although Halefoglu claimed that *"Turkey has recognized the competence of the Commission without any restriction"*, the Turkish press reported later on that the government had annexed to the declaration of recognition a letter in which figure many restrictions. The content of that letter has not yet been rendered public at the moment of this bulletin's editing. Nevertheless, at his arrival to Turkey, Mr. Halefoglu declared to Turkish journalists that these restrictions were related especially to *"Turkey's integrity and indivisibility and the fundamental principles of the Republic mentioned in the Constitution."*

In fact, Ankara is afraid of an eventual deposition of an individual complaint at the European Commission of Human Rights against the discrimination of Kurdish and Christian peoples and the interdiction of communist propaganda and organization in Turkey.

By putting these reservations, the Turkish Government attempts to close the only way of international appeal and it makes it by lying at the Strasbourg hemicycle and by deceiving once more the representatives of European democracies.

In brief, Halefoglu "show" in Strasbourg was not only a new proof of the double-faced attitude of the Turkish regime, but also showed clearly once more that the 21 had committed one of the gravest errors in the history of the European integration by surrendering themselves in haste to the blackmail of this regime.



## EUROPEAN TRADE UNION MOVEMENT'S SOLIDARITY WITH DISK

After the condemnation of DISK officials, the Secretariat of the European Trade Unions Confederation (ETUC) has decided, in order to demonstrate strong opposition to this measure, to take part with a top-level delegation, in Istanbul on February 13,14 and 15, in the commemoration of the 20th anniversary of DISK and a seminar on trade union rights in Turkey, organized by the Social Democrat Populist Party (SHP).

For this, the ETUC Executive Committee meeting has been brought forward by one day in order to enable a maximum number of trade union representatives to attend these meetings.

During a press conference held in Brussels on January 27, 1987, Secretary General Mathias Hinterscheid said that "by this verdict and its consequences — destruction of DISK and confiscation of all its assets— the Turkish Government has achieved its goal: to make it impossible for free and independent trade union to function."

On the other hand, the ETUC Secretariat has decided to carry out the following activities as soon as possible:

a) Protest the verdict to the Council of Europe and its Parliamentary Assembly, when it meets in Strasbourg on January 26-30, 1987,

b) Demand that the Council of Europe's Legal Affairs Committee arrange one other hearing about trade union rights in Turkey based on Article 11 of the European Human Rights Convention,

c) Investigate the possibilities for member states of the Council of Europe to make a new application to the European Commission on Human Rights,

d) The ETUC Secretariat will address itself to the European Communities on the subject and ask for a meeting with Commissioner Claude Cheysson and the Belgian Minister of Foreign Affairs, Leo Tindemans (current President of the Council of Ministers),

e) ETUC will inform the European Parliament and its political groups now about its opinion and solicit their support in this matter,

f) the EFTA Secretariat will also be informed of our policy and requested to take responsible measures.

In a common text addressed by each affiliated trade union to its own government, the position of the European trade union movement is expressed in the following terms:

"In the verdict against DISK and its leaders, it was alleged that the aim of DISK was to create a social class that would rule over other classes in Turkey thereby violating Article 141/1-5-5 of the Turkish Penal Code.

"We consider this a grotesque verdict, since it is and almost always has been the opposite situation in Turkey where the military, the banks and industry that has mainly carried out a restrictive class policy on the working people of Turkey.

"To conclude, the military authority, in conceding certain signs of 'democratization', more or less fictive, have continued and attained their aim: the destruction of DISK and they continue to be rulers of Turkey."

On the other hand, the International Confederation of Free Trade Unions (ICFTU) immediately issued a

strong protest over the sentences. General Secretary John Vanderveken told the Turkish authorities that the punishments were unjust and infringed trade union rights and international labour conventions. He particularly emphasized that the court has been unable to prove that DISK had engaged in violence. Insisting that the sentences must be quashed, Vanderveken said the ICFTU's moral and material support for the DISK defendants would continue.

## NEW COMPOSITION OF THE NATIONAL ASSEMBLY

While its foreign affairs minister was marketing militarist "democracy" in Strasbourg, the Ozal Government, after having reinforced its absolute majority at the National Assembly, has taken a series of initiatives in order to render more repressive the Turkish Penal Code.

The last by-elections held in September 1986 led to the upsetting of the political framework imposed by the military junta and the *Motherland Party (ANAP)* of Premier Ozal lost about 10 percent of its votes while the *Correct Way Party (DYP)*, supported by former premier Demirel, was making a unexpected opening. However, thanks to some shifts, the ANAP has managed within a few months to group 251 out of 398 deputies in its parliamentary group.

First of all, in December 1986, the *Free Democracy Party (HDP)*, supported by a group of businessmen, decided to dissolve and its 15 deputies joined the ANAP while 6 others were choosing the DYP.

The HDP was the emanation of the *Nationalist Democracy Party (MDP)*, favorite of the military. When it was dissolved by its founders after a series of electoral defeats, a part of its deputies formed the HDP, while another group remained non-attached. Nevertheless, the members of this last group adhered later on either to the ANAP or to the DYP.

Another party which has recently been dissolved by its founders is the *Citizens' Party (VAP)*. But its two deputies prefer for the time-being to remain non-attached.

According to the Turkish press of December 4, 1986, the number of the political parties which had been founded after the military coup and dissolved later on raised to twelve.

As to the left wing of the National Assembly, social democrat deputies are divided between two formations: the *Social Democrat Populist Party (SHP)* of Mr. Erdal İnönü on the hand, and on the other, the *Democratic Left Party (DSP)* of Mrs. Rahsan Ecevit.

At the beginning, 117 social democrat deputies were attached to the *Populist Party (HP)*. But after the merging of this party with the Social Democracy Party (SODEP), some deputies disapproving the new radical line, refused to join the new-born SHP.

Former Premier Ecevit's attitude has also played an important role in the present dispersion of social democrat deputies. First, he accused the SHP of having set up a parliamentary group with the deputies elected with the benediction of the military junta and refused, on this pretext, any cooperation or unity of force with

this party. However, after the defeat of his wife's party DSP at the last by-elections, Ecevit has diametrically changed his position and transferred 24 deputies elected with the benediction of the junta to his wife's party with a view to forming a group in the Assembly.

On January 27, 1987, the distribution of deputies to political parties is as follows:

<i>Motherland Party (ANAP)</i>	251
<i>Social Democrat Populist Party (SHP)</i>	65
<i>Correct Way Party (DYP)</i>	35
<i>Democratic Left Party (DSP)</i>	24
<i>Non-attached</i>	23
<i>Vacants</i>	2
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<b>TOTAL</b>	<b>400</b>

After this redistribution of deputies, the composition of the National Assembly, elected in 1983, has entirely changed. While two parties disappeared from political scene, three new political parties have entered in the Assembly.

However, despite the upsetting of the political framework of the junta, the majority of the Parliament, due to the shifts of deputies, is stronger than ever.

As for the opposition, the DSP and the DYP, supported respectively former premiers Ecevit and Demirel, they devote all their efforts to obtain a mini-modification in the 1982 Constitution so as that their godfathers could officially take part in political life before the coming legislative elections.

Only the SHP attempts to give a parliamentary struggle against the violation of human rights and the project of new repressive measures, but the destructive campaign of Ecevit on the one hand, and on the other, the faction quarrels within the party, prevent the SHP from rendering more efficient and more coherent this struggle which is supported by all democratic forces of the country.

## THE DRAFT OF NEW PENAL CODE

Sure of its absolute majority at the National Assembly, the Ozal Government has drawn up a draft of new penal code with a view to suppressing last remnants of freedoms.

This draft printed as a 190-page book has been made public by the Justice Minister just after Foreign Minister's "show" in Strasbourg.

While the present code contains 492 articles, the draft reduced the number of articles to 444.

The Turkish Penal Code had been borrowed from the Italian code and all modifications made later on by Mussolini on this code with a view to punishing communist propaganda and organization had been integrated into the Turkish code in 1930. Since then the Turkish Penal Code has been modified many times so as to render more severe Articles 141 and 142 related to communist propaganda and organization.

Although the code changes in form with this draft, its substance remains entirely anti-democratic and incompatible with the European Convention on Human Rights. While the punishment for certain acts are be-

ing aggravated, some new "crimes" are added to the text:

- Articles 141 and 142 are kept with the same terms of prison. Contrary to this, with the modification of Article 163, punishment for "reactionary crimes" is considerably reduced.

- Capital punishment is kept in Turkey, although the Turkish Foreign Minister congratulated a few days earlier the countries which had suppressed this inhuman penalty.

- A journalist who manages to obtain a document or informations related to the security or internal and external interests of the State will be liable to a prison term of up to 10 years. Even the information on the debates of the Ministerial Council can be considered within this category.

Will be also liable to imprisonment the publication of articles which can deteriorate Turkey's economic image abroad or aimed at breaking off any accord with a foreign country.

Moreover, the repressive measures put in force last year for preventing publications "harmful to minors" are integrated in the new penal code. The publication of a nude woman's photography can lead to the condemnation of a journalist to a fine of 10 millions TL (\$12,500).

The draft foresees a reduction of 7 eighth of the prison term of the detainees who will denounce his accomplices.

Many acts and even gestures are also considered liable to imprisonment by the authors of this draft. The most spectacular example is that whoever expels intestinal gas in public will face a prison term of up to 6 months.

This draft will be the object of a public debate for six months. Towards the end of this year the government will transmit the final text to the National Assembly for enactment.

## ECEVIT'S CONDEMNATION

One of the legal proceedings started against former political leaders for having taking part in the last electoral campaign in favour of certain parties ended on January 18 with the condemnation of former social democrat leader Ecevit to a prison term of 11 months and 20 days by a military tribunal in Izmir

Ecevit had taken part in electoral campaign of the DSP, led by his wife Rahsan Ecevit who was also the candidate in Izmir.

The number of legal proceedings against Ecevit has raised to 80. One trial has ended with acquittal.

As for Demirel, who supported the DYP's electoral campaign, the number of legal proceedings against him has attained to 55. Two trials have already ended with acquittal.

## 124 DEATH SENTENCES TO BE RATIFIED

According to a press release of the Speaker's Office of the National Assembly, 124 capital punishment approved by the Court of Cassation are on the agenda of the Justice Committee for ratification.

## NEW POLITICAL CONDEMNATIONS

10.1, in Istanbul, 17 members of the Progressive Youth Association (IGD) and the Progressive Women Association (IKD) are condemned to up to 8 years.

17.1, in Adana, a military tribunal condemns two right-wing activists to capital punishment and 11 others to prison terms of 96 years in total.

20.1, in Adana, three DEV-YOL militants are condemned to capital punishment and 10 others to prison terms of up to 13 years.

21.1, in Diyarbakir, four PKK members are sentenced to life-prison and 7 others to up to 20 years.

## NEW POLITICAL TRIALS

6.1, in Diyarbakir, 40 alleged members of PKK are brought before a military tribunal. Eleven face capital punishment while the others are liable to prison terms of up to 15 years.

7.1, in Izmir, a new trial against 20 people on the accusation of "militating for communist party".

22.1, in Diyarbakir, another mass trial against 28 alleged members of PKK. The military prosecutor claims capital punishment for a defendant and prison terms of up to 4 years for the others.

## ARRESTS AND ARMED ACTIONS

5.1, two TKP/ML militants are arrested in Tunçeli.

18.1, security forces announce the arrest of eight people, accused of committing sabotage on arms factory in Kirikkale on August 13, 1986.

19.1, a raid of Kurdish guerrillas on a village in the district of Gerets (province of Mardin) ends in the death of three militiamen.

25.1, another raid of PKK in Uludere (province of Hakkari) ends in the death of eight people.

26.1, in the village of Basyurt (province of Mardin), Kurdish guerrillas shoot dead 10 people.

According to data given by the Turkish press, since the beginning of the armed conflicts between Kurdish militants and the security forces, 133 officers, soldiers and policemen as well as 177 peasants have been killed by the guerrillas.

## ASSOCIATION FOR HUMAN RIGHTS

The statute of the Turkish Association for Human Rights, founded recently by renown Turkish intellectuals, has been refused and sent back to founders by the Ministry of Interior on the pretext that it does not conform to the Law on Associations.

According to the statute, the association has the objective of carrying out polyvalent studies on the practices incompatible with the respect to human rights, of rendering public the results of these studies and of calling judicial and police authorities for using their power to put an end to these practices.

The judicial counsellor of the Ministry of Interior claims that these objectives pass over the limits of the

right to petition foreseen for association in Article 74 of the Constitution.

The statute of another association which had been founded pay the people dismissed from their posts pay the order of martial law commanders has also been refused by the same ministry. Their demand to return to their posts is considered as an infringement of the law on associations which ban all association to make any declaration or act in a view to obtaining any right.

## NEW ARRESTS AT UNIVERSITIES

The protest actions of university students against the arbitrary practices of the Higher Education Council (YÖK) continue in many university cities.

According to official data, in the academic year of 1985-86, out of 449,405 university students, 14,291 were expelled from 27 universities of the country.

The hunger-strikes of 38 students in Istanbul and 28 in Bursa ended on January 4. However, on January 12 in Adana, 28 students of the Cukurova University started another hunger-strike after a petition of 786 students was not taken in account by the direction.

On January 6 in Istanbul, police arrested 12 leading members of the Technical University Students' Association and confiscated their books. At the end of the month, two students were still under arrest.

## INTERDICTIONS AND CONFISCATIONS

12.1, the governor of Ordu province bans secondary school students from attending the performances of the municipal theatre of the city.

15.1, the Board of Censorship bans the projection of the film entitled "The Woman To Be Hanged", produced by film-director Basar Sabuncu after a novel of the same title by Pinar Kür. The film is labelled "incompatible with the moral norms of the country".

21.1, the book entitled "The Disappeared Under Arrest", written by journalist Kürsat Istanbulu, is confiscated by the virtue of criminal court's decision.

22.1, the poems collections of renown poet Can Yücel, "Poems Deprived of Their Voice" is confiscated on the pretext that it contains obscenity.

23.1, public prosecutor claims a prison term of 22 years and 6 months in total for publisher Hüseyin Kivanc who is tried for having translated and published seven books which, according to the prosecution, contains communist propaganda.

28.1, in the district of Tavas in de province of Denizli, three café-keepers are condemned to pay each a fine of 2 millions TL for having projected "harmful" video-cassettes in their cafés.

30.1, the State Security Court of Istanbul condemns Hasan Bakirci to a prison term of 6 years and three months for anti-secular propaganda by the means of musi-cassettes.

31.1, in Ankara, the responsible editor of the magazine Gökyüzü, Mr. Deniz Ögüt is arrested for having organized a cultural soirée with the participation of some anti-establishment artists.