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*) HUMAN RIGHTS

EUROPE REFUSED TO RECEDE BEFORE THE MENACE OF THE JUNTA

At the end of a two-day debate, the Parliamentary Assembly of the Council of Europe adopted on January 28 with the vote of a great majority a resolution which "takes seriously into consideration" the eventuality of the Turkey's exclusion from the ministerial committee of the organization.

The resolution adopted by 97 votes to 15 and 5 abstention asks the Turkish Government to refrain from using its voting rights in the Committee of Ministers until parliamentary democracy is fully restored and until Turkey is also again represented in the parliamentary organ of the Council of Europe.

The rapporteur of the Political Affairs Committee, Mr. Ludwig Steiner (Austrian Christian-democrat) has indicated that this resolution constitutes for the time-being the most severe warning addressed by the Council of Europe to the Turkish authorities and that the numerous pressures, exercised recently by the Government of Ankara for preventing the adoption of this resolution, failed before the firm position of the Council.

1. This exclusion might put an end to the procedure engaged before the European Commission of Human Rights by five member states (Denmark, France, Holland, Norway and Sweden).
2. The Council of Europe might lose all means of pressure on the government of Ankara.

It was fifth time since the coup d'état of September 12, 1980 that the Parliamentary Assembly has leaned on the Turkish case.

During the days preceding the vote, "friends" of the Turkish Junta had hired full pages of advertisement in the European newspapers on the theme: "Turkey: A break with Europe might be irretrievable!"

Despite this campaign, the European deputies have chosen the right way and unmasked once more the ugly face of "constitutionalised dictatorship".

The full text of the Turkish Constitution adopted on November 7, 1982 is available in English. Our readers who desire to have it, should send 300 BF (15 DM) to the postal account of Info-Türk.

RESOLUTION OF THE COUNCIL OF EUROPE

The Assembly,

1. Recalling its earlier positions on this question;
2. Having considered the new Constitution of Turkey which was adopted in a referendum on 7 November 1982;
3. Considering that the voting operations at the referendum, which was followed by its observers who went to Turkey in accordance with Order No. 413 (1982), were, from a technical point of view, conducted in a fair manner;
4. Accepting that the new Constitution was approved by an overwhelming majority of the Turkish people;
5. Regretting however that no free campaign and that no free discussion of the final version of the Constitution were allowed in the period between its approval by the National Security Council and the referendum itself, and that the issue was confused by the fact that the same vote confirmed General Evren as Head of State for seven years;
6. Considering the opinions of the three constitutional experts which it consulted on the new Constitution and taking into account their reservations;
7. Considering that there are a number of dangers and weaknesses inherent in the new Constitution which include the far-reaching restrictions of its provisions on human rights, the extensive powers of the President of the Republic and the apparent shortcomings in the independence of the judiciary;
8. Believing that the democratic character of the new Constitution will be determined, to a large extent, by the way it is implemented;
9. Considering that the new Constitution is intended as a first step towards the restoration of full parliamentary democracy and that it is to be completed by an electoral law, a law on the political parties, to be followed in Autumn 1983 by parliamentary elections, the reintroduction of political liberties and of the freedom of the press;
10. Considering that Turkey has not yet returned to a situation fully compatible with the Statute of the Council of Europe and the European Convention on Human Rights and that this will not be the case until a freely elected parliamentary democracy can be seen to be operating satisfactorily and full respect for human rights is guaranteed;
11. Concerned about the fact that several categories of persons, including former members of parliament, are at present excluded from actually participating in the democratic process;
12. Concerned about recently adopted legislation and its implementation such as the law on the universities and Decree 71 which further limit political freedoms;
13. Recalling that, on 1 July 1982, Denmark, France, the Netherlands, Norway and Sweden submitted identical applications to the European Commission of Human Rights on alleged violations of the Human Rights Convention in accordance with Article 24 of the Convention;
14. Concerned by the fact that there are still numerous and serious allegations about violations of human rights in Turkey;
15. Greatly concerned by the long protracted mass trials such as the one against the leaders of DISK;
16. Desirous to support all forces in Turkey working for true parliamentary democracy for the safeguarding of human rights;
17. Conscious that the Council of Europe's influence will be more effective so long as Turkey's links with the Council of Europe are maintained;

18. Stresses that Turkey's continued membership of the Council of Europe is only conceivable if all political and other fundamental rights and freedoms, including rights of minorities in accordance with Turkey's international obligations, are respected, and the provisions of the European Convention on Human Rights are fully applied;

19. Decides to give serious consideration to making a recommendation to the Committee of Ministers aiming at application of Article 8 of the Statute of the Council of Europe;

20. Urgently appeals, in the meantime, to the Government of Turkey:

- i. to implement the new Constitution in a democratic manner;
- ii. to allow for a free discussion, at all stages, of further legislation to implement the Constitution in a democratic way, in particular the electoral law and the law on the political parties;
- iii. to do everything to ensure for political parties all the freedom necessary to organise and to prepare themselves for parliamentary elections
- iv. to refrain from using its voting rights in the Committee of Ministers until parliamentary democracy is fully restored and until Turkey is also again represented in the parliamentary organ of the Council of Europe;
- v. to abolish martial law and end the derogation it made under Article 15 of the European Convention on Human Rights;
- vi. to recognise in accordance with frequent appeals the Assembly made to member states in the past, the optional clauses of the European Convention on Human Rights, ie the right of individual application (Art.25) and the compulsory jurisdiction of the European Court of Human Rights (Art.46);

21. Stresses the importance it attaches to the organs of the Council of Europe being informed as soon as possible of the conclusions reached by the European Commission of Human Rights in the interstate applications submitted by Denmark, France, the Netherlands, Norway and Sweden against Turkey and calls on the states concerned to make every effort to accelerate the procedure before the Commission;

22. Calls on the governments of the member states to use every opportunity to urge on the Turkish Government, at all levels, the necessity of an effective improvement in respect of human rights and of a prompt return to a real democracy;

23. Decides to continue to monitor developments in Turkey very closely and to hold a further debate on the situation at its January 1984 part-session at the latest, or at an earlier part-session should the committees concerned consider this desirable.

EXPLANATORY MEMORANDUM BY STEINER

1. The Sub-Committees on the Situation in Turkey expressed the wish, at their meeting in Paris on 3 December, that Mr Bardens, Rapporteur for the Legal Affairs Committee, and I should concert our efforts and present, as far as possible, a single draft text. The draft resolution is therefore common to both Rapporteurs except with respect to a single precise point on which we were unable to agree (see paragraph 8 below). Naturally my position is based on the intentions and suggestions expressed during the discussion which took place in the Political Affairs Committee at its meeting on 20 December 1982.

2. First, on the question of the referendum. In

accordance with paragraph 4 of Order No. 413 MM Bardens and van den Bergh, the two observers with the task of freely following the course of the referendum, went to Turkey from 4-8 November last. Their report, which naturally only applies to the towns and polling stations visited, shows that the referendum was free, from the technical point of view -they observed no sign of pressure or intimidation; voting operations proceeded in an atmosphere of calmness and serenity and vote-counting was public. However, the free nature of a referendum cannot be judged solely on the basis of voting procedures. Account must also be taken of the electoral campaign which calls for information of the public and freedom of debate. In Resolution 786, the Assembly had pointed out that "debates in the Turkish Consultative Assembly on the draft Constitution have been widely echoed in the mass media, and that several independent personalities and individual citizens have been able to express their views and their criticisms", but regretted that "some former politicians have been silenced by Decree No. 70". The situation which, all in all, was a fairly positive one underwent a sudden change when all propaganda on behalf of "no" was banned in the two weeks preceding the referendum from the time the final text of the Constitution at last became known. In Resolution 786 the Assembly had also expressed "the earnest hope" that the referendum "is preceded by a campaign in which all individuals or groups of individuals are free to express themselves freely on the draft Constitution and to seek to influence the choice of their fellow citizens". The fact that this hope was not fulfilled is a negative aspect that needs to be included in the assessment of the overall process culminating in the referendum.

3. A majority of nearly 92 pc of the votes cast approved the constitutional text. An equally impressive proportion of the electorate took part in the vote -with some enthusiasm, according to the observers- 91.27 pc of the population. How is this to be explained? In the absence of precise and concrete indications one is reduced to speculation. Perhaps, in the first instance, we should assume that the Turkish voters were expressing the desire to leave behind the military regime, which assumed power after a very difficult period for the country and hoped that the country has embarked on a path capable of leading to democratic development. Neither must we forget that in this respect General Evren himself, as was recounted by journalists, declared that anybody voting "no" to the Constitution would be showing that the military regime suited them and that they did not wish for change. "No" to the Constitution would have meant the continuation of the regime, purely and simply, and the dwindling of any prospect of change or return to democracy.

4. The three constitutional experts appointed by us have provided us with opinions on the text of the Constitution which will be very valuable in the task which lies before us. I shall refrain from examining the Constitution in detail; Mr Bardens will do that on behalf of the Legal Affairs Committee. Here I shall simply draw certain conclusions from a reading of the text in the light of the opinions of the three experts. The Constitution cannot be considered to be anti-democratic. That is a first conclusion which can be drawn from the opinions of the three experts and a point which is of fundamental importance for us. At the same time considerable reservations have been expressed with particular regard to the part which deals with the protection of human rights and fundamental freedoms, numerous clauses of which could be interpreted restrictively. The problem is, however, that of how the Constitution will be enacted in law and how

the laws will be applied in practice. It will be possible to take the true measure of the democratic nature of the Turkish governmental system born of this constitutional text only on the basis of the laws that will be adopted (including first of all the law on political parties) and of practice as it becomes established. Any Constitution must take account of a people's historical background and concrete experience. Thus in the mind of the drafters of the Turkish Constitution we find a reaction against certain features of the previous Constitution which had, in their opinion, brought about or, at least, made possible the decline of public life. Thus we note an attempt to de-politicise Turkish life particularly by a ban in the case of civil servants, on membership of political parties and on interference in political affairs by any associations other than political parties etc. The drafters of this text also aim to uphold, in a manner which they consider clear and effective, the principle of "no freedom for the enemies of freedom". These tendencies and the desire to endow the country with a strong executive are understandable if we bear in mind the traumatic effects of terrorism. But they can only be justified provided they do not impede the workings of democracy as we understand it, or neglect human rights. If we also remember that in approving the Constitution the electorate automatically appointed General Evren to be President of the Republic for the next 7 years we are bound to conclude that the authors of the Constitution and the National Security Council had the intention, one might say, of putting the country in "plaster" for a time. It remains to be seen whether the violence done to democratic principles by this "plaster" has been such as to prevent the rebirth, albeit slow but sure, of Turkish democracy.

5. The human rights situation continues to be a subject of concern. The prosecution of the Turkish Writers Union involving 18 union leaders charged with "communist propaganda" and relations with illegal associations is a source of fresh anxiety. Among them is Mr Orhan Apaydın, one of the leading persons accused in the trial of the Turkish Committee for Peace, whose release is one of the aims of Recommendation 938, addressed by our Assembly to the Committee of Ministers. The photographs of Mr Apaydın -whom the sub-committees had met on their fact-finding tour in January 1982- on the front pages of Turkish newspapers affected us deeply; they showed a dignified old man with his hair shaved off and dressed in common prisoner's garb. However, we must note with satisfaction one recent piece of information: the release, decided on 23 December 1982 by the Istanbul Martial Law Court, of all those detained in connection with the Turkish Committee for Peace trial.

As a result of five inter-state applications by the human rights situation in Turkey is now under examination by the Commission of Human Rights. In this respect I should like to recall paragraph 8 of Resolution 786 in which the Assembly considered that in view of the present situation, "it would be of great importance for the organs of the Council of Europe to be informed of the conclusions reached by the European Commission of Human Rights as soon as possible, and that the states concerned should make every effort to contribute to accelerating the procedure".

6. In the light of the information available to us, which I have attempted to summarise, we must now make a political assessment of the situation in Turkey and the implications of its membership of the Council of Europe. The decisions which the Assembly must take in January is a difficult one because of our responsibilities resulting from the Statute of the Council

of Europe, as well as those vis-à-vis the Turkish people and Europe as a whole. The picture which I have just sketched is an indistinct one and we shall have to weigh various arguments in the balance. However the choice which lies before us seems to be fairly clear: either we assert that it is best for Turkey to remain a member of the Council of Europe -although we may agree that she does not comply, at the present time, with the conditions laid down in Art. 3 of the Statute- on condition that the evolution of the situation in the country is continuously monitored by the Committee of Ministers and our Assembly, with particular regard to the laws shortly to be enacted in application of the Constitution; or else we ask the Committee of Ministers to begin the procedure provided for in Article 8 of the Statute of the Council of Europe.

7. The two alternatives entail risk. If the Assembly chooses the first and the process of return to democracy comes up against legislative or practical obstacles we run a serious political risk - the credibility of the Council of Europe as defender of human rights would be in jeopardy if it became apparent that our policy did not produce positive, concrete results.

If, on the other hand, we take the second course the dangers are as follows:

a) the withdrawal of Turkey from the Council of Europe, although it would not, from a strictly legal point of view, put an end to the proceedings pending before the European Commission of Human Rights, it would risk, for evident political reasons either preventing their completion or depriving them of a large part of their significance;

b) we would lose all power to influence, at this delicate stage, the process of restoration of democratic institutions and we could be blamed for having recommended to the Committee of Ministers a radical measure at the very time when the hope of a return to democracy was stronger than it had ever been since 12 September 1980. Neither should the appeals made

to us on this question by representatives of the former political parties and by our former colleagues in the Parliamentary Assembly -to which Mr van den Bergh has repeatedly referred- be overlooked at the time when we have to make up our minds.

8. In the light of the discussion which took place in the Political Affairs Committee on 20 December 1982 and which suggested that the majority of members would be favourable to an intermediate solution between the status quo and the procedure envisaged under Article 8 of the Statute a third possibility might be envisaged. This intermediate possibility cannot consist in "suspension" in the strict sense of the word since there is no provision for suspension in the Statute, however the following formula could be imagined: the Turkish Government could voluntarily suspend its participation in the Committee of Ministers until institutions in conformity with the Statute of the Council of Europe are re-established. This wish could be expressed in the resolution which will be adopted at the next session.

9. We should in my opinion already draw the lessons from the situation we are now experiencing in case similar situations occur in the future, which we certainly do not hope. These lessons are rather, in my view, of a procedural nature. We know, however, that the possibilities offered by procedure often condition in fact the substance of problems. In the first place we should consider the need to seek to amend the Statute with a view to clarifying the meaning and the scope of Article 8. This is indeed drafted in a somewhat ambiguous manner. Several studies have already sought to answer the question as to whether "suspension" as provided for in the article can be considered an autonomous measure. The opinion of jurists tended to be negative, in other words, to consider that the Statute does not provide for the "suspension" of a member state in cases when its internal situation is not in conformity with the conditions contained in

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FORGERY OF THE JUNTA'S AMBASSADOR

Desirous of getting information about the fate of Mr. Saim Akbulut who was arrested together with the other trade union leaders of the DISK on November 8, 1980, the European Parliament member Mrs. Raymond Dury had written to the Turkish Ambassador.

The Ambassador Mr. Falk Melek has answered Mrs. Dury's letter with coarse falsifications: "I hasten to inform you that no worker or trade unionist has been prosecuted or arrested owing to his trade union activities since September 12, 1980. Likewise, no trade union has been suspended by reason of its legal trade union activities. So, the trade unions' confederation Türk-İs which embodies the majority of the workers carries on its trade union activities provided by law. The activity of the trade unions' confederation DISK has been suspended because of the serious accusations brought against it as the participation to the terrorist or anarchist actions, acting in collusion with illegal organizations and providing moral and material support for them. The former leaders of the DISK are tried by a free and independent law court according to the Turkish legislation..."

In a letter directed to the persons concerned, Mrs. Dury says: "His answer at least makes me perplexed and I submit it to your reflection."

In order to help the reflection of the European democrats we call once again their attention to the request of the President of the DISK Mr. Abdullah Bastürk (*Info-Türk Bulletin*, December, 1982) and the following ICFTU press release:

"VULGAR DISTORTIONS: The views of the General Secretary of the ICFTU Mr. John Vanderveken (who had betaken himself to Turkey from December 14 to December 19 in order to realize on the spot the evolution of the situation in this country) about the DISK trial were coarsely distorted by the Turkish Government's information bulletin NEWSPOT which is distributed among the diplomats and other foreign representatives in Ankara. In its English edition the Newspot made Vanderveken say that the trial has been led in 'an absolutely just manner'. He has never made such a declaration. On the contrary, he said the reporters that the mission could not find the least proof that the defendants had committed any act of violence. One can rather imagine that they are tried for their opinions. Vanderveken laid stress on the fact that the ICFTU would continue to help the victims of such trials. In fact, when he met the Turkish Prime Minister, Vanderveken initiated steps for the discharge of those who are actually brought up for trial for their opinions (*Nouvelles Syndicales Internationales*, Forthnightly of the International Confederation of Free Trade Unions, January 10, 1983).

Article 3 of the Statute of the Council of Europe. It has been stressed that, according to Article 8, suspension from rights of representation of a state is accompanied by a request addressed to the state by the Committee of Ministers "to withdraw under Article 7". Suspension of rights of representation would thus be only a preliminary stage of final withdrawal of the state concerned. In fact "if such member does not comply with this request, the committee may decide

that it has ceased to be a member of the Council as from such date as the committee may determine".

It would seem important to provide, in the second place, that a state accused of violating a provision of the Statute cannot participate in votes in the Committee of Ministers on any matter concerning the accusation in question, it being understood that participation in the relevant discussion would be permitted.

STATE TERROR

PUNISHMENTS AGGRAVATED

The National Security Council adopted on January 22 a new law modifying the Turkish Penal Code. According to the changes in articles 141, 142 and 163 of the TPC, the prison term for those who found "separatist" organization was raised from 3 years to 10 years, for founding "fundamentalist" organization from 7 to 12 years and for "fundamentalist" propaganda from 5 years to 10 years.

COUNTRY-WIDE INQUIRY

The Interior Ministry announced on 15th December that the security services carry on inquiry about 327,000 persons. Majority of those who subjected to the inquiry are the persons who request passport for travelling abroad. The ministry complained of the lack of the personnel to effectuate the inquiry.

MORE POWER TO COMMANDERS

According to a new modification of the legislation on martial law regime, adopted on 17th December by the NSC, the martial law commanders have been empowered to order confiscating all audiovisual means such as records, musi-cassettes, films, slides, etc., containing anti-regime propaganda.

MASS TRIALS

At the beginning of the new year, two of the biggest mass trials of Turkey have started with a total 446 demands of death sentence.

740 habitants of the Black Sea town of Fatsa were brought before a military tribunal on January 12 in the city of Amasya on the charge of adhering to the Revolutionary Path (Dev-Yol) and having established a popular administration in the town. 220 of the defendants face the death penalty. Among them is also the elected mayor of the town of Fatsa, Fikri Sönmez.

In fact, Mr. Sönmez supported by all left organizations ran on an independent ticket for mayor of Fatsa and won in 1979. After the elections, the municipality attempted to establish many institutions for serving the habitants of the town, for this reason, Fatsa was considered as a "liberated zone" in the left movement. But, prior to the coup d'état, the military forces raided the town with the purpose of suppressing this popular administration. After the coup, Mr. Sönmez and thousands of the habitants were arrested and subjected to torture and inhuman treatments in military prisons.

Another mass trial started on January 6 in Diyarbakır against 375 militants of the Workers' Party of Kurdistan (PKK) whose 186 face capital punishment.

Other political trials started in December are listed below. The number of the demands of death sentence are mentioned between parantheses just after the number of the defendants:

- Revolutionary Communist Party of Turkey (TDKP): 9.12 in Izmir: 22(-), 29.12 in Istanbul 39(3)
- Liberation: 4.12 in Istanbul: 48(-)
- Labour Party of Kurdistan (KIP): 15.12 in Diyarbakır: 35(-)
- Rightist groups: 9.12 in Istanbul: 37(10), 17.12 in Adana: 94(41)

So, the total number of the demands of death sentence for political defendants has raised to 5,464.

TRADE UNION CASES

The military prosecutor of Istanbul has continued to open new cases against the leaders of the trade unions affiliate to DISİ.

Dec 2: 20 officials of the Ceramics Workers' Union,

Dec 11: 15 officials of the Hospital Workers' Union,

Dec 13: 24 officials of the Bank Employees' Union,

Dec 14: 22 officials of the Public Workers' Union,

Dec 22: 41 officials of the Hotel and Restaurant Employees' Union were indicted with the demand of a 20-year prison term for each.

Besides, 7 officials of the Chemists' Chamber of Istanbul and 5 officials of the Popular House of Artvin have been subjected to legal proceedings for their declarations against the regime.

A local court of Ankara decided on December 19 to close down the Bookkeepers' Association, the State Personnel's Association and the Popular Association of Dikmen.

CONDEMNATIONS

Dec 2: One person condemned to death and five others to prison terms up to 20 years in Erzurum.

Dec 9: In Ankara, 4 defendants of the TKP/Workers' Voice were condemned to life-prison and three others to 15-year term each.

Dec 13: Four persons condemned to life-prison and 17 others to prison terms up to 17 years in Erzurum.

Dec 15: Ten members of the Association of Patriotic Revolutionary Youth condemned to 10-year prison term each in Istanbul.

Dec 15: One left militant in Adana and two rightists in Izmir were condemned to death.

Dec 16: In Adana, five persons condemned to prison terms up to 10 years.

Dec 18: 20 left militants condemned to prison terms up to 25 years in Erzurum.

Dec 19: In Adana, four persons condemned to 36-year each.

Dec 24: One presumed member of the TKP/Workers' Voice condemned to 6 years and 8 months prison in Izmir.

Dec 25: In Gölcük, 13 persons condemned to prison terms up to 16 years for adhering to THKP/C.

Dec 30: Two persons condemned to 32 years each in Adana, 11 persons to 8 years each in Izmir, 12 members of the Liberation to 7 years each and 3 members of the Dev-Yol to 5 years each in Ankara.

Dec 30: The trial of 259 presumed members of the Communist Party of Turkey (TKP) ended in Gölcük. 149 persons condemned to prison terms from 4 years to 10 years. 110 persons were acquitted.

TIP MEMBERS RELEASED

The military tribunal of Istanbul released five more defendants at the trial of the Workers' Party of Turkey (TIP). Among them are also the members of the central committee of the party who claimed at the trial that they were no marxist-leninist and never aimed to establish communist order in Turkey.

Besides, an 8-year condemnation of the chairwoman of this party, Behice Boran, was overruled by the Military Court of Cassation.

EXECUTIONS

On December 30 and 31, three persons condemned to death, Mazaffer Oner, Fevzi Uyguntürk and Kazım Ergün, were hanged in local prisons of Amasya, Afyon and Aksehir.

The families of 1,880 prisoners who are facing the death penalty for political activities have appealed to the authorities to commute the sentences to life imprisonment. They said in their petition to the "Consultative Assembly" that they timed their action coincide with the 34th anniversary of the signing of the International Human Rights Convention guaranteeing the right to live.

MAN-HUNTINGS

Despite heavy repression reigned throughout the country, the resistance groups are carrying on their activities in clandestinity. The security forces have arrested 419 left militants in December 1982.

Worker's Party of Kurdistan (PKK): 12 in Kars.

Communist Party of Turkey/Marxist-Leninist (TKP/ML): 23 in Izmir, 41 in Kocaeli.

Revolutionary Communist Party of Turkey (TDKP): 11 in Izmir, 42 in Istanbul.

Revolutionary Left (Dev-Sol): 15 in Istanbul.

Communist Party of Turkey (TKP): 69 in Diyarbakır.

National Liberation of Kurdistan (KUK): 26 in Elazığ.

Communist Labour Party of Turkey (TKEP): 19 in Erzurum, 29 in Diyarbakır.

Emergency Group: 3 in Istanbul, 81 in Hatay, 12 in Diyarbakır.

Rızgari and THKP/C: 24 in Ankara.

TKP and Liberation: 12 in Antalya.

TORTURES

At the trial of PKK in Diyarbakır, on December 30, defendant Fatma Celik said: "The torture to which I had been subjected is the heaviest punishment

for me. Because of the torture, my memory weakened and I can no more remember the name of my mother."

On December 7, at the trial of the Dev-Yol, defence lawyers declared that their clients had been detained for 90 days without any court warrant and subjected to inhuman tortures for obtaining fabricated depositions.

In Erzurum, 4 policemen were condemned to 3-year prison term each on December 12 for having tortured a Kurdish militant in detention house.

PERSECUTION OF INTELLECTUALS

The trial of the Turkish Writers' Union (TYS) started on January 6 at the military tribunal of Istanbul. 18 distinguished writers and artists of the country are accused of transforming the union into a revolutionary organization and the military prosecutor requested prison term up to 15 years for each. The indictment has been based on the Union's cooperation with the DISK and the organization of a soirée to honour the memory of the greatest Turkish poet Nazım Hikmet who had died in exile in 1973. (See the list of the accused in the preceding Bulletin).

On the other hand, the accused No. 1 of this process, humorist Aziz Nesin was questioned by the military prosecutor on December 15 in connection with the investigation about the Turkish Peace Committee.

Although all detainees of this case were released on December 24 by the military court, the military prosecutor still carries on persecution against 220 persons allegedly having participated in the works of the Committee.

DEC 7: Editor-in-chief of the periodical Sebil, Ramazan Güntay condemned to 6-month prison in Istanbul

DEC 9: Journalist Akın Simav was condemned to 10-month prison and 3-month compulsory residence in Ankara for having insulted former premier Demirel in an article.

DEC 9: Cannes prize winner Yılmaz Güney was condemned to 7 years and 6 months imprisonment by the military tribunal of Istanbul for an article he wrote in a periodical prior to the military coup d'état. The Turkish Government announced on January 6 that the famous film-maker was also deprived of Turkish nationality. Popular singer Cem Karaca has also lost his nationality with the same decree.

DEC 10: In Erzurum, 21-year old municipal employee, Mrs. Sengül Özay was indicted for praising communism in the exam-paper which she filled during entrance examination.

DEC 10: Editor of the periodical Bağımsız Türkiye, Mr. Mehmet Özgen was condemned to 16 years and 3 months prison term by a military court of Istanbul. Same day, another military court condemned Mr. Aydoğan Büyükközen, editor of the daily Aydınlık, to 1,5-year prison term.

DEC 17: University professor Server Tanilli was tried in default by the press court of Istanbul for a pamphlet he wrote prior to the coup. He is accused of having praised communism in the pamphlet entitled "Lies of Fascism" and the prosecutor requested a 3-year prison term for him. Prof. Tanilli had been shot by the "Grey Wolves" and paralysed four years ago. He is actually in Strasbourg as a guest professor.

DEC 24: Editor of the periodical Savas Yolu, Mr. Candemir Ozer was condemned to 14 years and 10 months prison term for communist propaganda.

DEC 26: Secretary General of the DISK, Mr. Fehmi Isıklar was condemned to a 6-month prison term by the military tribunal of Istanbul for an article he wrote in 1975.

DEC 30: Lawyer Turgan Arınır was arrested in Istanbul on the charge of having adhered to a clandestine organization.

DEC 30: University professor Sadi Ozansu and his two friends were condemned to 8-year prison each by a military court of Istanbul on the accusation of having formed a Trotskyist organization.

BAN ON PUBLICATIONS

DEC 3: Daily newspaper Günaydın was closed indefinitely by martial law authorities for publishing details of an alleged trade war between Turkey and France. The paper resumed publication on December 11.

DEC 10: Publication and distribution of the daily Türkiye was banned by martial law authorities.

DEC 12: Martial law authorities ordered the confiscation of all books imported from the Soviet Union in 1979. This importation had been made on a 60,000 dollars worth trade agreement between two countries.

DEC 13: The Ministerial Council decreed the interdiction of introducing 10 different publications into the country. Among them is also the Turkish newspaper of the German Metal Workers' Union (IG Metall) published for the Turkish members of the union.

DEC 14: Martial law authorities banned the distribution of the daily Hürriyet within 6 provinces of Western Turkey.

A GENERAL TO THE TV

The government appointed the retired army general Sadık Öztekin to the post of Secretary General of the Turkish Radio-Television Corporation (TRT). All the key posts of the corporation, including the Director General, are in the hands of the military since the coup of 12 september, 1980.

TROUBLED UNIVERSITIES

Within last one month 200 professors and teaching assistants were fired from the four universities of Ankara. Thereupon, 10 professors resigned to protest the dismissals.

The trouble in the Turkish universities has started with the adoption of the controversial law on the creation of a 25-member Higher Education Council, known in short as "YOK", which has central control of Turkey's 27 universities, their 6,723 professors, 12,000 teaching assistants and instructors and an estimated student-body of 350,000.

The members of YOK are appointed by the president of the Republic. Under the new constitution the President is also empowered to appoint rectors of universities. The rectors appoint deans who can appoint department heads. A department head can break the career of an academician considered against the regime.

Every year half a million high-school graduates line up at the doors of the universities which can admit only 120,000 by stretching capacity. Sports halls are turned into lecture rooms. Most universities lack laboratories. They have dormitory space for only 20 percent of the students. As a remedy, the YOK decided to set up 15 universities in the provinces. In order to satisfy the need of teaching staff of these new universities, the YOK has introduced a "rotation system" which requires that university teachers move from one university to another several times during their careers. This system also provoked unrest among university professors and some of them preferred to quit the career.

This brain-drain causes the deterioration of the higher education services and those who quit the job are replaced by the blind-partisans of the regime.

SOCIAL LIFE

The special commission formed by the representatives of the Government, employers and the labour confederation Türk-İs has decided to raise the monthly minimum wage from 7,000 TL net (\$35) to 10,000 TL net (\$50)

According to a survey published by the daily Cumhuriyet of January 15, 1983, monthly minimum needs of a bachelor worker is above 30,000 TL. As to a worker's family of four persons, the monthly minimum needs pass over 60,000 TL.

Despite this fact, the representatives of the Türk-İs having voted this decision, expressed their satisfac-

tion of the new level of the minimum wage. On this declaration, the daily Tercüman disclosed that those trade-union officials get monthly salaries of 60-80,000 TL except premiums and bonus.

Another survey published by Cumhuriyet on January 13, '83 indicates that a worker is obliged to work 4 hours and 26 minutes in order for a meal in 1982 while he was working 2 hours 20 minutes for it in 1978.

A new menace on the workers: The Supreme Council of Arbitration has decided that a worker can be fired in the case of insulting the employer or one of his family members.

FOREIGN CAPITAL

Federal Germany and Switzerland topped Turkey's foreign capital investment licences list last year.

The State Planning Organization issued investment licences worth US \$37.8 million to 21 Swiss companies and US \$32.9 million to 33 German ones in 1982. Combined the two countries account for 42 pc of the total US \$167 million worth foreign capital investment licenced in 1982.

Third on the list is Libya, with the US \$20 million investment in the field of marine transport.

Fourth on the list capitalwise is eleven companies from the US which represent an aggregate investment amount of US \$ 19,3 million. Nearly half that amount, US \$7,9 million to be precise, will be financed through unguaranteed commercial debts.

Of the total US \$ 167 million foreign capital investment licenced last year, US \$ 20,7 million will be spent on extension, US \$ 76,4 million for new investment, US \$ 47,5 million for capital expansion and US \$ 22,3 million for equity shares. (ANKA-1/2)

FOREIGN RELATIONS

TURKEY - EUROPE

Hans Dietrich Genscher, in his capacity as the sessional chairman of the EEC ministerial council, said that the Community "expects Ankara to continue the process of return to democracy, before reactivating the association agreement between the two parties". Addressing the European Parliament, Genscher added that the EEC's Ten should ensure that their individual adjustments as dictated by economic realities do not adversely affect the association agreement with Turkey.

A trade war between Turkey and EEC had begun with the limitation imposed by the latter on the import of Turkish textile products. Thereupon, Turkey had decided to impose a surcharge of 15 pc on the iron and steel products of EEC origin as a retaliation. The Turkish Commerce Minister Kemal Cantürk announced on January 5 that, Turkey would seek other suppliers who offer iron and steel at cheaper prices such as the United States and Japan.

Mr. Sermet Pasin, State Minister in Charge of External Economic Relations called on the EEC to eliminate problems affecting mutual relations and said: "The Community should be aware of the fact that the textile industry is a particular importance for Turkey since 60 pc of our industrial exports are made up of textile products."

TURKEY - USA

The problem of Turkish support to the Rapid Deployment Force gained new dimensions in December, when on November 29 Turkey and the USA signed a new agreement in Brussels. This agreement which seem to signify the climax point of the on-going speculation over the Turkish "contributions" to the RDF, stipulates building new airfields in Turkey, modernization of the existing ones and gives the US the right of military storage on Turkish soil.

Within the frame of this new agreement, Turkey was visited in December by two high-rank US officers: NATO's South Wing Strike Command and Sixth Fleet Commander William H. Rowden arrived in Ankara on

December 3, Southern Europe Allied Air Force Commander William E. Brown on December 7.

Just after these visits, it was announced that the United States set up a new military command for the Middle East area for defending US interests in the Gulf area and Indian Ocean.

Besides, the United States and Turkey signed on December 17 an application agreement of the first 200-million dollar tranche of the 350-million dollar US economic grant aid to Turkey for 1983.

TURKEY - SOCIALIST COUNTRIES

Recent months have witnessed a considerable progress in the relations between Turkey and socialist countries.

Following his visit to Yugoslavia in September, Chief of the military junta, General Kenan Evren visited the People's Republic of China in December 1982.

Welcomed "warmly" by the Chinese leaders on December 13, General Evren concluded a series of agreements with the PRC in cultural, commercial and economic fields. In this framework, a Turco-Chinese Mixed Economic Commission was set up which will organize bilateral cooperation of Turkish and Chinese economic sectors. General Evren promised also to increase the number of Turkish students sent to PRC.

During his 2-week voyage to the Far-East, General Evren visited also Pakistan, Indonesia, South Korea and Bangladesh.

On the other hand, Turkish Prime Minister Ulu-su's participation in the funeral of Leonid Brezhnev marked a turning point in the Turco-Soviet relations.

Turkish Foreign Minister Ilter Türkmen visited Moscow at the end of November and was received by Soviet Premier Tikhonov. At his return from Moscow, Türkmen said his visit contributed to furthering the good relations between Turkey and the Soviet Union and the Turco-Soviet economic and technical cooperation would be boosted.

On November 23, Hungarian Prime Minister György Lazar visited Turkey and had talks with Evren and other officials in order to develop economic relations.

IMMIGRATION

- According to the weekly *Der Stern*, the Supreme Administrative Court of the Federal Republic of Germany judged that it would be no more accorded the statute of political refugee to those who fled Turkey on the claim of that the minorities are subjected to repression in that country. On this judgement, the demand of political asylum of a Kurdish lawyer, Serafettin Kaya, was rejected by a lower administrative court, despite the fact that he was tortured and condemned to 8-year prison term in Turkey after the military coup d'état. The similar demands of five members of the DISK were also refused by German authorities on the same pretext. (8.12)

- A 52-year old Turkish worker, Ismail Ketikli died at work in Lorrach, Germany, because he was working in spite of his grave illness in the fear of losing his work. (10.12)

- In Hambourg, a 22-year old Turkish worker, Hüseyin Ergün, father of two children, committed suicide, during a fit of depression (12.12)

- Protesting against the limitation on social benefits attributed to the children of immigrant workers, about 10,000 persons rallied in The Hague, Holland. Chairman of the Dutch trade-union FNV, Wim Kok said, addressing the rally: "Beforehand, the racist acts were being carried out by some organizations. But now, the Dutch Government itself has started to act in the same way..."

- In Austria, a new racist organization was founded under the name of "Struggle against the integration of foreigners". (19.12)

- According to the German TV, everyday about 200 Turkish families return to Turkey from FRG. (22.12)

- A 56-year old Turkish worker, Sükrü Mecitalan, was arrested in Istanbul on the charge of having introduced clandestine political publications published in Germany. The prosecutor requested a 5-year prison term for him. (24.12)

- The Minister of Immigration Anita Gradin announced that the Swedish Government charged a commission for elaborating the modalities of the participation of foreigners in the country to coming legislative elections in Sweden. According to a survey, during the local and regional elections held until now, foreigners' participation in voting was about 60 percent and they have generally voted for social-democrat party. (28.12)

- On the initiative of the Turkish government, 23 Turkish mosques in Belgium have been attached to a new institution: The Turkish Islamic Foundation. Among the founders of this new foundation aiming at taking the Turkish Islamic community under the control of the Turkish regime are also Tayyar Altıkulaç, President of the Religious Affairs Department of Turkey, and some attachés of the Turkish Embassy in Brussels. (29.12)