

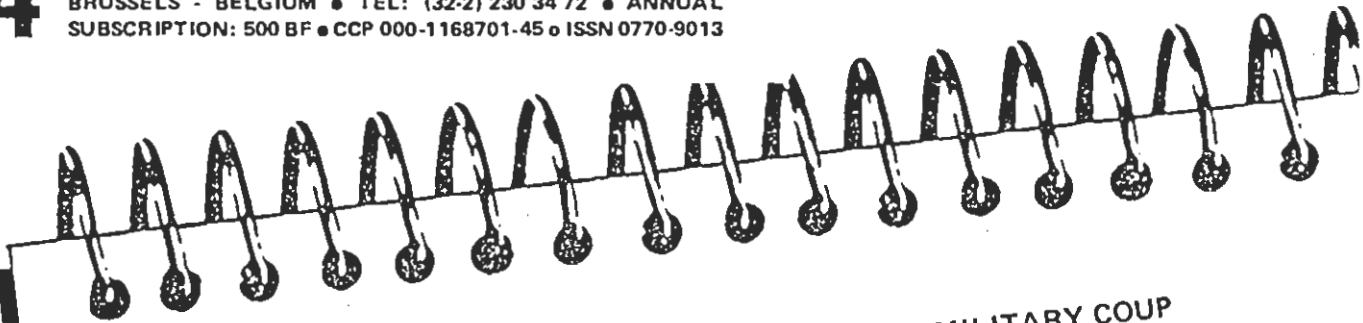


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ON THE OCCASION OF THE 4TH ANNIVERSARY OF THE MILITARY COUP

FIRST EVALUATION OF "RETURN TO DEMOCRACY"

The Council of Europe Parliamentary Assembly, at its 8 May session, "considering that the timetable drawn up by the previous military government for a return towards democracy has been formally respected" and "noting with satisfaction the lifting of martial law in 13 provinces" had urged the Turkish authorities "to continue the democratic normalisation of the country" by taking a series of measures. We are reproducing below these measures and giving for each item at issue a general survey of developments since Ozal's civilian government was formed:

o "the abolition of martial law throughout the country, implying the progressive restoration of the full jurisdiction of the civil courts and the abolition of the rule authorizing the police authorities to remand an individual in custody for 45 days without contacts with his family or his lawyers" (17/A - i)

- Martial law has been lifted in 26 provinces of Turkey, but it is still in force in 41 provinces, including the country's most important ones, such as Istanbul, Ankara and Izmir. In these provinces, military courts continue to put on trial individuals charged with political offenses, who risk the death sentence or who are liable to prison terms including life imprisonment.

- In the 11 provinces where martial law has been lifted, the Government has proclaimed the state of emergency, while the civil governors, who are directly attached to the "President of the Republic", have been authorized to impose a curfew, to forbid public meetings and rallies, to ban publications, television and radio programs, films and theater performances. They are also empowered to seize any communication means if they consider it necessary, to issue search warrants and to close down schools.

- In addition, by government decree as of August 8, 1984, the governors of the provinces which are under the state of emergency, are henceforth empowered to ban strikes and to permit employers to fire redundant workers.

- On August 16, Premier Ozal insisted that martial law should be kept in force in 41 provinces, saying that "one of our basic aims is not to live over again a period of instability and to provide democracy with firm foundations; for this laws and restrictions are necessary".

- The full jurisdiction of the civil courts still has not been restored. While in 41 provinces under martial law, the military courts are being kept in force, the civil government has been setting up State Security Courts, starting from May 1, 1984, in eight of the country's main cities, Ankara, Diyarbakir, Erzincan, Istanbul, Izmir, Kayseri, Konya and Malatya. These emergency courts, which are composed of both civilian and military judges and prosecutors, have to deal with cases relating to state security and to violations of the laws on both illegal carrying of firearms and smuggling.

— THE rule authorizing the police authorities to remand an individual in custody for 45 days without contacts with his family or his lawyer, is still in force. Up to now, all persons charged are being subjected to this rule.

o "the abolition, at the earliest possible moment of measures derogating from the European Convention on Human Rights taken under article 15, such measures being admissible only 'to the extent strictly required by the exigencies of the situation'." (17/A - II)

— THE fact is that the military regime has justified measures derogating from the Convention by recalling that prior to the 1980 coup the country was going through a wave of political violence with an average toll of 20 dead a day. However, one has to face up to the fact that over the past four years this argument has lost its credibility. In a "White Book" published on July 20, 1984, the civil government boasts that during the first six-month period of his term of office, between January 1 and June 30, 1984, the number of politically motivated incidents fell to 8, with merely 11 casualties. This figure is not higher than those recorded in some other European countries. Consequently, all emergency measures that are being kept in force ever since the military coup, are no longer admissible.

— IT should be reminded that most of these emergency measures have been integrated into the provisions of the new Constitution. Consequently, without a change in the Constitution, Turkey will remain subjected to the emergency measures. But neither the "President of the Republic" nor the civilian Prime Minister have no intention at all to alter this anti-democratic Constitution. Already on May 28, in a speech delivered in Manisa, General Evren declared in response to the intellectuals' petition: "I stand as a guarantor for the Constitution and I shall oppose to the end any change in the Constitution". As for Premier Ozal, he too ruled out any amendment of the Constitution in his speech of July 23 in Bitlis: "Nobody should ignore the rules and laws of this country. The provisions of the Constitution are aimed at preventing the power game that went on in the past. Changing the Constitution without previously abiding by its implementation, is inadmissible."

o "An amnesty for those convicted for their opinions" (17/A - III)

— FOLLOWING the general election, the general amnesty issue had caused a lot of controversy in political circles, since as a result of the existence of about hundred thousand —both political and common law—prisoners, the newly-elected politicians were experiencing growing pressure from the voters and from the international institutions as well. Thereupon, in January 10, 1984, the Martial Law Commands which still continue to impose their censorship on the Turkish press, banned all written and oral controversy about amnesty. Whereas left-wing prisoners continued to serve their terms or were being tried under the threat of the death sentence or heavy prison sentences, military courts started to release many notorious leaders and activists of the fascist movement. So, after the Secretary-General of the Nationalist Action Party (MHP) was released, though he was liable to the death sentence, colonel Türkes, the MHP chairman, is of all leaders of this party —responsible for the pre-coup outburst of political violence— the only one who remains behind bars.

— MOREOVER, the new Turkish Constitution provides that those who have been convicted for the acts mentioned in articles 141-142-146-149 and 163 of the Turkish Penal Code, can never be pardoned,

even if the majority of deputies in Parliament took an opposite decision. In his response to the intellectuals' petition General Evren has drawn attention to this point: "One of their aims is to force us to announce a general amnesty which would include all those terrorists who brought us to the point of destruction. (...) Therefore we felt the need to include a clause in the Constitution barring the way for these terrorists to enjoy amnesty."

— THE same story was told by the Prime Minister in a speech he delivered on July 25 in Mardin: "Unfortunately all those campaigners for amnesty are people who have been convicted in accordance with the new Constitution. The Constitution includes some articles ruling out amnesty for certain individuals."

o "the full affirmation of political pluralism, trade union freedoms, freedom for political parties, freedom of association and of the press and education in order to ensure free expression of opinion of citizens in the framework of a democratic society" (17/A - iv).

POLITICAL PLURALISM: First, the political system established in accordance with the new Constitution will never permit political pluralism to develop in the sense provided for in the European Convention. This Constitution shows a determination to privilege and to uphold by all means the doctrine of Atatürk. Article 2 endows this doctrine with a value equivalent to that of the basic rights. This decision can never be changed (art.4); thus, restrictions imposed on any basic right are legitimated when they are required by the necessity of upholding the doctrine of Atatürk (art. 13). The statutes of political parties, trade unions and associations must not infringe, in particular, "the Republic's characteristics" as they are defined by the Constitution, and should be in conformity with the "principles of the Republic", that is with the doctrine of Atatürk. Should it be otherwise, the courts concerned will be entitled to pronounce their dissolution. Only three political parties out of those which were founded in conformity with these requirements, were permitted to take part in the 6 November 1983 general election, while six were allowed to participate in the local elections on March 25, 1984. The Council of Europe itself had expressed reserves, in its Resolution 803 (1983) adopted approximately one month prior to the general election, about the representative character of the present parliament.

Parliament's non-representative character came to light in the aftermath of the local elections, when all of the three parties which thanks to their privileged position had succeeded in having some deputies elected, saw their audience dwindling away among the masses. Out of 17.6 million votes, they lost 7 million, i.e. 41.73 percent. In his explanatory memorandum, Mr. Steiner, rapporteur of the Council of Europe Political Affairs Committee, said: "The Turkish Parliament elected in this way presents an anomaly which can only be removed by fresh elections." Yet, even by fresh elections, the anomaly cannot possibly be removed, as long as the Constitution is being kept in force, because it precludes any possibility of a real democracy. Moreover, this Constitution had the effect of establishing a despotic presidential system which is to last at least six years. The "President of the Republic" presently wields extensive powers in order to "ensure the implementation of the Constitution as well as the regular and harmonious working of the state organs". Besides, in the execution of his duties, the "President of the Republic" has at his disposal several organs such as the Presidential Council, composed of the former members of the military junta, the National Security Council mainly composed of the

military commanders and the State Supervisory Council, composed of high-ranking officials appointed by and directly attached to the "President of the Republic". Moreover, the Armed Forces, the High Council of War, the Constitutional Court, the Council of State, the Supreme Military Administration Court, the Military High Court of Appeal, the Supreme Council of Judges and Prosecutors, the Chief Public Prosecutor, the Supreme Education Council, all of them are appointed by the "President of the Republic" and act in conformity with the latter's instructions.

In view of the fact that the "President of the Republic" himself wields all executive and judicial powers and is empowered to return draft bills to the Assembly for reconsideration, to submit them to a referendum, if he considers it necessary, to dismiss ministers and to order fresh elections, the present Assembly and the present Government are merely a sham.

Indeed, since it came to "power", the Ozal Government has never gone beyond the limits of economic affairs. As for the opposition parties, they never dared criticize the political system established by the military, being content with criticizing the Government's decisions in the economic field.

TRADE-UNION FREEDOM: After collective bargaining was suspended for a 3-year period during which workers' spending power fell by 50 percent, trade unions have been allowed to resume their activities starting from early this year. But only trade unions in keeping with the "principles of the Republic", laid down in the Constitution, are susceptible to be granted this permission: TURK-IS (the main pro-governmental trade-union confederation), HAK-IS (Confederation of fundamentalist trade unions) and lately MISK (the confederation of fascist-dominated trade unions). As far as DISK (Confederation of progressive trade unions) is concerned, which represented a third of all unionized workers prior to the military coup, it is still banned, all its possessions and assets have been seized by the State, while its leaders are still being tried by a military court. Notwithstanding their recent release from prison, they are still liable to the death sentence.

With regard to collective bargaining led by the privileged trade unions, this cannot possibly result in satisfactory results for the workers, given that all possibilities of going on strike have been virtually precluded and that, in most cases, the right of strike has been replaced by compulsory arbitration under the Supreme Arbitration Board's authority, which is dominated by the representatives of both the employers and the Government.

FREEDOM OF ASSOCIATION: Over the three years of military rule, 23,677 associations had been banned on the pretext that some irregularities had been found in their books or that they had been involved in political activities. The most striking example of this practice is the fate of the Peace Committee, whose main leaders have been sentenced to heavy prison terms just before the elections.

As for the surviving associations, they have been subjected to a number of restrictions in accordance with the Constitution and the new law on associations. In particular, any comments on government policies are being considered "political". This restriction is likely to prevent definitively all associations from defending their members' interests. In the course of these eight months of civilian government, the leaders of the Istanbul Bar Association, of the People's Houses and of the organizations of agriculturists and technicians have already been subjected to legal proceedings.

FREEDOM OF OPINION AND PRESS FREEDOM: The latest trial of 52 intellectuals signatories of

a petition to the "Président of the Republic", is in itself sufficient proof of disregard for these liberties.

The extent of press freedom violations appears clearly from the tables relating to trials of journalists and to banned publications (See next pages). Proceedings and bans did not come to an end at this list's closing date. Since March 12, 1984, in addition to the Petition's signatories, 22 journalists, authors and artists have been condemned for their opinions while 11 others have been put on trial. The trial of 18 leaders of the Union of Turkish Writers (TYS) is still going on at a military court.

Press censorship is still in force and newspapers' editors are supposed to practise self-censorship. The new press law is devised in such a way that a development toward greater press freedom seems most unlikely.

FREEDOM OF EDUCATION: Since the foundation of the Supreme Education Council (YOK), which is directly attached to the "President of the Republic", 794 university professors have left their posts; out of them 259 have been dismissed by YOK by order of the Martial Law authorities, while 535 have resigned or asked for early retirement in protest at academic autonomy violation. Dozens of them, as well as over 50,000 basic and high school teachers have been prosecuted. The latest examples of university purges can be found in the recent issues.

o "to strive for the respect of human rights by taking a vigorous stand against all cases of torture and of inhuman and degrading treatment; by improving conditions in prisons; by thoroughly investigating all allegations of torture and ill-treatment." (17/B)

As mentioned beforehand in this survey, despite the claim of the civil government that political violence has practically disappeared, the arrest of the opponents of the regime who have never been involved in the acts of terrorism continue *oçcessağtmu*;

Beside the example of the prosecution of the signatories of the petition, even some leaders of the political parties which have been founded with the approval of the military junta, that is the Correct Way Party (DYP) and the Social Democracy Party (Sodep), have been indicted for their electoral speeches. And this happened within the period of "return to democracy". Moreover, the Head Prosecutor of the Republic has taken legal proceedings at the Constitutional Court for the ban of DYP because of the electoral declarations of their leaders.

A complete list of the new legal proceedings and condemnations in the course of the period of civil government will be published in the coming issue.

As for torture and ill-treatment of political detainees, one should remember the hunger-strikes carried out in military prisons of Diyarbakır, İstanbul, Ankara, Elazığ, Malatya, Gölcük, İzmir and Bartın which ended with the death of tens of prisoners. A recent evaluation of this movement takes place in the other pages of this issue.

Although some members of the National Assembly proposed a parliamentary investigation on the allegations concerning the situation in Turkish prisons and this initiative was welcome with satisfaction by the Council of Europe in May, the Chief of General Staff of the Turkish armed Forces has not yet given green light to them for entering the military prisons.

After a 2-year suspension, Turkey is now represented again in the Council of Europe by those who have made their submission to the Military, and to cap it all, one of them occupies the post of Vice-president of the Parliamentary Assembly of that Council which is charged with the mission of safeguarding democratic life in member countries.

56 INTELLECTUALS CHARGED

As we feared in the preceding issue of this *Bulletin* (June 1984), "more than one thousand distinguished intellectuals of Turkey" have spent "the hot summer days in the interrogation centers of the military for having signed a petition to the 'President of the Republic'."

At the end of the inquiry, 56 of them have been charged by the Ankara military prosecutor. They risk from 3 to 12 months' imprisonment for infringing the article of martial law restricting the possibilities for criticizing the military administration. The opening of their trial took place on August 15 at Ankara military court.

This petition which so far has been signed by 1,383 artists, academics, journalists and lawyers had been submitted on May 15 to the "presidency of the Republic". This move for restoring democracy in Turkey had greatly angered General Evren who straight away branded the intellectuals "Turkey's internal enemies".

Those charged include humorist Aziz Nesin; journalists Ugur Mumcu, Mustafa Ekmekçi, İlhan Selçuk; professors Hüsnü Göksel, İlhan Tekeli, Bahri Savcı, Yalçın Küçük, Mete Tuncay, Serafettin Turan, Yakup Kepenek, Murat Belge, Korkut Boratav, Gençay Gürsoy, Veli Lök, Cumhuri Ertekin and Berna Moran.

The other persons charged:

Erbil Tusalp, Dr. Haluk Genger, Mahmut Tali Ongören, Halit Celenk, Emin Deger, Tahsin Saraç, Nutkut Inan, İnci Güraral, Güler Tanyolaç, Güngör Aydın, Haldun Ozen, Bülent Tanık, Güngör Dilmèn, Vedat Türkali, Ozay Erkiş, Talip Sencan, Kemal Demirel, Vecdi Sayar, Sururi Sönmez, Onat Kutlar, Umit Erdogan, Mine Inkaya, Emre Kapkın, Cahit Taner, Yılmaz Tokman, Sinasi Acar, Ali Oral Basın, Rüsen Hakkı Özpençe, Hayri Tütüncüler, Güngör Türkeli, Atif Yılmaz Batıbeki, Başar Sabuncu, Şahap Balcıoğlu, Erdal Oz, Turgut Kazan, Talat Mete, Ercan Ulker, Ahmet Kocabıyık, Yılmaz Bolat.

INTERNATIONAL SOLIDARITY

As Turkey's intellectuals are being hit by a wave of repression, Portugal's former President of the Republic F. de Costa Gomes, three former Premiers A. Jørgensen (Denmark), Dr. B. Kreisky (Austria), M.L. Pintasilgo (Portugal) as well as over 2,000 Members of Parliament, authors, journalists and academics from a dozen of European countries and from the United States have issued an appeal in support of the petitioners.

Along with Turkey's intellectuals, these prominent figures insist that be abolished "the laws and practices conflicting with the Universal Declaration on Human Rights", of which Turkey is a signatory.

Those who signed the petition include also N. Kinnock, chairman of the British Labour Party; G. Spitaels and K. Van Miert, Chairmen of two Belgian Socialist Parties; E. Glinne, Chairman of the European Parliament's Socialist Group; M. Hinterscheid, General-Secretary of the ETUC; Raymonde Dury and Anne-Marie Lizin, Belgian members of the European Parliament; Ramsey Clark, former US Attorney-General; Laurent Schwartz, Pierre Vidal-Naquet, Günter Grass, Alan Ginsberg, Noam Chomsky, Bibi Anderson, David Steel, Mikis Theodorakis.

OPPRESSION OF THE PRESS

The Association of Contemporary Journalists (CGD), in Ankara, has recently published a bulky document concerning the state of press freedom in Turkey between March 12, 1980 and March 12, 1984.

According to this report, in the course of the past 4-year period, Turkish journalists have been condemned to prison terms totalling 316 years, four months and 20 days. This number does not include sentences passed on journalists who are accused of being involved in political actions.

The distribution of the condemnations according to the main daily newspapers is as follows:

Aydınlık (banned)	. . . . . 27 years and 6 months
Hergün (banned)	. . . . . 20 years and 8 months
Politika (banned)	. . . . . 13 years and 6 months
Milli Gazete	. . . . . 2 years and 8 months
Demokrat İzmir	. . . . . 1 year and 8 months
Cumhuriyet	. . . . . 1 year and 7 months
Tercüman	. . . . . 1 year
Demokrat (banned)	. . . . . 1 year
Milliyet	. . . . . 6 months
Dünya	. . . . . 6 months
Others	. . . . . 245 years and 9 months

Out of these sentences, prison terms totalling 184 years, 4 months and 15 days have been inflicted on the responsible editors.

Over the same period, martial law commanders have ordered 41 times the banning of newspapers for

a definite or indefinite time. The dailies *Demokrat*, *Aydınlık* and *Hergün*, and the weekly *Arayış* have been closed down for good.

The names of the dailies, the publication of which has been suspended for definite times, are as follows:

Milli Gazete (4 times)	. . . . . 72 days
Cumhuriyet (4 times)	. . . . . 41 days
Tercüman (twice)	. . . . . 29 days
Günaydın (twice)	. . . . . 17 days
Gülneş (once)	. . . . . 10 days
Milliyet (once)	. . . . . 10 days
Tan (once)	. . . . . 9 days
Hürriyet (twice)	. . . . . 7 days

As for the legal proceedings against journalists, artists, writers, poets and translators, their number has reached 181 over the past 4-year period. Some of them have been kept under arrest for a certain time.

The distribution of the legal proceedings according to the main publications, is as follows:

Cumhuriyet	. . . . . 28
Tercüman	. . . . . 27
Hürriyet	. . . . . 14
Milliyet	. . . . . 11
Milli Gazete	. . . . . 4
Dünya	. . . . . 4
Aksam	. . . . . 3
Son Havadis	. . . . . 3
Hergün (banned)	. . . . . 2
Arayış (banned)	. . . . . 2
Hayat	. . . . . 2

Nokta	2
Yankı	1
Demokrat (banned)	1
Politika (banned)	1
Adalet	1
Others	75

According to the same survey, over the same period, the Council of Ministers or the military tribunals have banned the introduction into Turkey of 927 publications printed abroad. Among them are also the publications of Info-Türk.

SOLIDARITY OF THE IFJ

17th World Congress of the International Federation of Journalists, held on June 4-8, 1984, in Edinburgh adopted the following Resolution on Turkey:

"Congress has been informed of the report on violation of press rights and freedoms in Turkey, and instructs the Bureau to continue to publicize - and campaign against - these abuses.

"Congress instructs the Bureau to communicate its concern to the President of the Assembly of Turkey.

"Congress encourages Turkish journalists and their union in their resistance to Oppression."

NEW PRESS TRIALS

The responsible editor of the daily Cumhuriyet, Okay Gönensin, and correspondent Yalçın Doğan were both condemned on July 12 by a press court in Ankara to one month in prison for having published the bill of indictment against the Nationalist Action Party (MHP) before the opening of the trial of this neo-fascist organization.

On the same day, the military prosecutor of Ankara region initiated proceedings against poet Murat Koçak and editor Kivilcim Vasfi Çapın with the demand of prison terms of up to 8 years for both of them. They are accused of having made communist propaganda in a book published by Nitelik Publishing House.

On the other hand, on July 18, Okay Gönensin and Müserref Hekimoğlu, respectively responsible editor and columnist of the daily Cumhuriyet were brought before a military tribunal of Ankara region for having published an article concerning "Memed, My Hawk", a film recently made by Peter Ustinov adapted from Turkish author Yashar Kemal's renowned novel. The shooting of this film in Turkey had been banned by the military government and Ustinov had been forced to make it in Yugoslavia.

ECEVIT INTERVIEW SUSPENDED

On the occasion of the 10th anniversary of the occupation of the northern part of Cyprus by the Turkish Armed Forces, the daily Cumhuriyet made an interview with former social-democrat leader Bülent Ecevit who was Prime Minister at the time of the operation.

But on the orders of the military, the publication of this series of interviews has been stopped on its 12th day by the newspaper. Cumhuriyet announced that this was due to reasons outside its control.

Although Ecevit insisted on the "rightfulness" of that military operation, political observers in Ankara feel that in the military commanders' opinion this interview served Ecevit's personal propaganda, playing down their own role in that operation.

937 FILMS BANNED

According to the daily Milliyet of July 8, the Interior Ministry has recently banned the showing of 937 films shot in Turkey or abroad. This measure has been extended to video-cassettes of the same films as well. Among them are also the films directed by Cannes prizewinner Yılmaz Güney and played by the renowned singers Melike Demirağ and Cem Karaca, all of them stripped of Turkish nationality.

MILITARY PUT UNDER ARREST

About 270 military were reportedly arrested in Turkey on June 13, 1984, following an escape attempt from a military hospital by the former leader of the Neo-Nazi movement, Alparslan Türkeş. The escape is said to have been foiled on May 25, 1984. The plot had been hatched by a Medical Officer, a colonel, whose arrest has been confirmed at mid-June. Another military doctor involved in this plot is said to have committed suicide on June 13. In any case, his death has been confirmed by an obituary notice.

This affair which remains still largely mysterious has resulted in 3 arrests of journalists working with the private Turkish news agency UBA who had brought this to notice in a telex dispatch of June 13. After being interrogated, these journalists, Baki Özilhan, Cengiz Yıldırım and Müserref Seckin were released on July 13.

What is most important, this alleged escape attempt has been confirmed by General Evren in a speech he delivered on August 1 in the city of Bursa.

"Prior to 12 September (1980) there were infiltrations into the Armed Forces from terrorist groups. These people enticed some youngsters and recruited them into their organizations. All of them were discovered. But this is nothing new as for the past several years those who have infiltrated the Armed Forces are being weeded out."

Evren gave no details on how many officers were involved, whether they had been imprisoned or only questioned.

According to UBA, the inquiry afterwards resulted in 270 military arrested throughout the country. They are said to be held in three military camps.

PURGES AT UNIVERSITIES

On June 23, the Martial Law Command of the Egean Region sent instructions to the Rector of the 9th September University in Izmir, ordering that Professor Dr. Hüseyin Balcı should not be reinstated in his position as a teaching staff member at the start of the new academic year.

Last year, on the orders of the military, the University had ousted Balcı from his post. But after he had lodged an appeal against this decision, the Council of State had ruled that Balcı's exclusion was groundless and instructed the university administration to restore him to his former position.

So, the martial law command, defying the decision of the supreme court, has proved once more that the constitutional organs do not have any authority over the military.

On the other hand, on July 6, the Administrative Court of Ankara has quashed another decision of exclusion. The Court has decided that the dismissal of Assistant Professor Kadri Anafarta from the Medicine Faculty of Ankara University had no legal grounds.

4 HUNGER - STRIKERS DEAD

In the preceding issue we referred to the death of two hunger-strikers, Abdullah Meral and Mehmet Fatih Okutulmus, in Turkey's military prisons.

Thereupon, on June 20, Prime Minister Ozal declared that the Government was not prepared to yield to the demands of the detainees who went on hunger-strike. The hunger-strikers' demands included recognition of the status of political prisoners, the right to move along freely inside the prisons, to organize themselves in groups, to meet visitors without being under surveillance, to have access to publications of any kind, as well as to radio and television. Furthermore, they insisted that "infamous body searching" be stopped. With regard to the demand for the status of political prisoner, Ozal added: "As far as we are concerned, there are no political prisoners in Turkey."

This statement by the Prime Minister has been followed by the death of two hunger-strikers: Haydar Basbag, of TIKB (Union of Communist Revolutionaries of Turkey), and Hasan Telci of Dev-Sol (Revolutionary Left).

In addition, the lawyers announced the death of another hunger-striker, Sermet Parkın, but nothing has leaked out about his fate. In any case, his death has not been denied by the Turkish authorities.

Notwithstanding their comrades' death, ten prisoners went on with their hunger-strike at Istanbul military hospital. All of them were in a critical state. In particular, the case of a 20-year-old militant, Aysel Zehir, gave cause for anxiety: her lawyer had seen her "in the mental state of a 3-year-old child"

According to information gathered by the lawyers, there were also hunger-strikes in Buca (in Izmir province on the Egean coast), in Bartın on the Black Sea and in Elazığ (in Turkish Kurdistan). In addition, some parents of detainees have mentioned hunger-strikes in the military prisons at Gölçük (near Istanbul) and at Malatya.

The military authorities claimed that the prisoners' hunger-strike was "political", but their lawyers refute the argument of the authorities that the hunger-strikers allegedly are demanding a general amnesty and the abolition of the death penalty. "It's untrue," a lawyer said, "they insisted that their very basic human rights should be respected and not subjected to the guards' arbitrary. They've had enough of being searched even in their anus and of being permanently insulted. Do not underestimate this complaint, honor is something very important in Turkey."

The hunger-strikes in Turkey's military prisons did not hit the headlines of the mass media, while at the same time the Turkish press was not permitted to refer to it by order of General Evren.

Nevertheless, a few European newspapers expressed their concern as follows:

"If they chose this way in their effort to move by their protest world opinion, it is because, eight months after a civilian government has been restored in Turkey, they have no other resort left... In today's Turkey two powers exist. The one, Premier Ozal's civilian power, who embarked upon the difficult task of economic recovery that, no matter what one may think of his methods, deserves to be encouraged. However, for all that, Europe cannot be satisfied with a situation where the other power, that of General Evren and of the Army, does its utmost to keep the country under its heel." (*Le Monde*, 21.6.1983)

"Premier Ozal, the civilian tree hiding the military forest, has been asserting repeatedly that the detainees were calling for a general amnesty and for abolishing the death penalty. This argument has strongly been refuted by the Turkish lawyers... Aysel Zehir who is waiting death, had been sentenced to five years' imprisonment. It is for the sake of dignity that Aysel is going through her last struggle in Turkey. It is for the sake of human rights that 100,000 Turkish, Kurdish and Armenian detainees are rotting in the dungeons." (*L'Humanité*, 23.6.1984)

"There is little likelihood that Hollywood will produce a film about him, that some famous actor will play his part... Likewise, there is no chance that the right-thinking people will organize a big show where ministers and opposition leaders are pushing to get in, though they are embarked on an election campaign. No president has hesitated to visit his country, no president has made a scene in order to get trustworthy information about his state of health. His name is not Sakharov, but Abdullah Meral. He is a Turk and he is dead; one would be almost tempted to say that he died from it: so great is the indifference to this country... Maybe the Generals have started to move back towards their barracks, but their civilian successors have kept dirty habits, at least as far as the treatment of prisoners is concerned." (*Liberation*, 22.6.1984)

"Even their dead failed to move the 'kind souls'... Their fate does not hit the headlines of the big press which affects to be concerned by the defence of human rights. The point is that this is going on in Turkey, a member country of NATO, linked by treaty with the EEC and represented within the Council of Europe Parliamentary Assembly." (*Le Drapeau Rouge*, 23.6.1984)

DEJARDIN - ELMQUIST REPORT ON DIYARBAKIR PRISON

Hunger-strikes similar to those which occurred in the military prisons in Istanbul, had been staged in Diyarbakir military prison early this year, resulting in the death of eleven detainees.

A delegation of the Council of Europe, including M. B. Elmquist (Danish Liberal), O. Güntern (Swiss Christian-Democrat) and Claude Dejardin (Belgian Socialist), went to Diyarbakir on April 27 and proceeded to visit the military prison there led by the commanding officer and his deputy, while a civil servant

of the Turkish Ministry of Foreign Affairs had been charged with the task of translating.

Prior to this visit, the delegation had been given a document stating "The names hereafter were included in Amnesty International's lists of deceased persons. Except for one person who died after the AI list was issued, all of them are alive." Seventeen names had been mentioned. Thereupon, in Diyarbakir military prison the delegation had asked to meet five out of the 17 people included in the list.

On its return from Turkey, the delegation had based its findings, with regard to conditions in Diyarbakır prison, on those elements. Therefore, Info-Türk had criticized the statements made by Mr Dejardin prior to the session of the Council of Europe.

Mr Dejardin has been so kind as to send us a copy of a final report he has written, jointly with Mr Elmquist, after exposing the Turkish regime's deceitful manoeuvres. In the final part of this report, these European parliamentarians made the following critical remarks:

"On Tuesday 8 May, in Strasbourg, a photocopy of this document (including the names of 17 persons who deceased) was forwarded to Mrs Huguette Fugier, a professor at Strasbourg University and sitting as an observer on behalf of Amnesty International at the Committee for Migrations, Refugees and Demography of the Council of Europe Parliamentary Assembly, who forwarded it to the London-based organization.

"On Wednesday 9 May, at 5.30 p.m., a telephone call to Claude Dejardin from Anne Burley, in charge of Turkish affairs at A.I., denied A.I.'s authorship of this list of "deceased", pointing out that no request for information had been submitted to the Turkish authorities with regard to Yıldırım Merkit, Ahmet Ogretmen, Karabet Demirci, Ali Ozbey, Levent Beken and Sami Memis.

"On the other hand, A.I. had been concerned about Hüseyin Karakas (dead) - wrongly spelt as Karakus - and Cemal Kılıç (who died on 19.9.1982) - wrongly spelt as Kemal Kılıç -, while the request for information about Sadettin Güven had been cancelled and while the Turkish authorities admitted that Kemal Pir had died in prison.

"As for Ali Ceylan, Zeki Dümen, Güner Akkus and Kemal Dogan, A.I. has received a reply from the authorities stating that they were still alive, but no reply was forwarded with regard to Ergün Sen.

"Lastly, A.I. had been informed that Cahide Senner was still alive and had been badly tortured and that Remzi Siler had been released from prison in February 1982.

"Claude Dejardin has met on Tuesday 8 May, from 4.30 p.m. to 8 p.m. with Mr. Serafettin Kaya, a former president of the Bar in Mus, at the office of the Belgian delegation to the Council of Europe Parliamentary Assembly, in Strasbourg (previously he had met in Brussels Kurdish lawyer Hüseyin Yıldırım, on Wednesday 2 May morning: the statements of both lawyers agree; both of them have been jailed in Diyarbakır because of some statements they made before the Court in Diyarbakır during their speeches for the defence of people on trial). (...)

"Both lawyers who are exiled in Western Europe consider that in Diyarbakır torture practices are horrible and that 'falaka' and electric shocks, which are a common occurrence there, are the mildest kind of torture."

IDEOLOGICAL CONDITIONING IN DIYARBAKIR

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In order to illustrate the ideological conditioning in Diyarbakır military prison, to which the parliamentary delegation had the good luck not to be subjected, we have reprinted below some excerpts of a report which has been written not by an opponent of the present regime, but by one of its notorious propagandists, Tokay Gözütok; this report has been published on August 2, 1983 by the rightist daily *Tercüman* with the permission of the military authorities:

"In the military camp of special confinement in Diyarbakır, over two thousand prisoners belonging to eighteen different organizations are being held. As or-

naments there are everywhere Turkish flags and Atatürk's portraits, which have been hung up by prisoners.

Treacherous thoughts pass through my body,
I am a descendant of brave heroes,
Pain and disgust oppress my heart,
Your enemies are not brave people,
Only a Turk is a friend for a Turk;
he has no other friends.

"These words, which were heard in the camp at Diyarbakır, resound in our ears. We had thought these were soldiers singing marches while training. We were mistaken. We met these people who serve their prison terms here, as they were striding along like soldiers, singing in unison. Previously, they used to display marxist, leninist and separatist ideologies and wanted to divide our country and our people. We moved step by step forward through the prison's corridor while restraining our emotions. We lived over again history while moving forward from the canteen to the dormitory. On the ceiling Turkish flags have been hanged up as well as banderoles describing the part played by and the greatness of the Turks. No part of the wall has been left uncovered. What we are seeing helps us to relive history, and through what we are reading, we get to know the greatness of the Turks. We read catchwords such as: "One Turk is as strong as the world" - "I am so happy to be able to say that I am a Turk!" - "Oh young Turk, what strength flows through your veins!"

DISK DEFENDANTS: 474

The Military Court of Martial Law Command in Istanbul decided on July 11, to combine four other union cases with the DISK Trial, bringing the total number of defendants to 474, 76 of whom are facing the death sentence. The Court, after turning down once more the request of release submitted by DISK Chairman Abdullah Bastürk and seven other executive members, adjourned the trial until August.

The trade unions of which the cases have been combined with the DISK Trial are Tömka-Is (Doorkeepers' Union), Banksen (Bank Employees' Union), Tekstil (Textile Workers' Union) and Maden-Is (Metal Workers' Union).

This session of the DISK Trial was attended by P. Dejonge and B. Petterson, respectively representatives of the International Confederation of Free Trade Unions and the European Trade Union Confederation.

CONDEMNATIONS

2.6, in Istanbul, 10 members of TKP/ML were sentenced to capital punishment, two to life imprisonment and 50 others to different prison terms up to 20 years. In Erzurum, 2 left-wing militants to death.

5.6, in Adana, 19 members of TDKP to prison terms up to 16 years and 9 months.

6.6, in Istanbul, 3 militants of TKP/ML to capital punishment, three to life imprisonment and 12 others to different prison terms up to 15 years. In Izmir, 2 members of a right-wing youth organization (UGD) both to 7 years' imprisonment.

7.6, in Izmir, 3 members of the Path of Turkey's Revolution (TDY) each to 5 years imprisonment.

8.6, in Ankara, 2 militants of THKO/Dirilis (People's Liberation Army of Turkey/Resurrection) sentenced to death, one to life imprisonment and 14 others to different prison terms up to 15 years.

9.6, in Diyarbakır, 100 presumed members of TKP to different prison terms from 3 to 8 years.

10.6, in Ankara, 8 militants of Dev-Sol to prison terms up to 10 years.

13.6, in Istanbul, 4 members of Dev-Yol to prison terms up to 4 years.

14.6, in Ankara, 2 members of Kurtulus to life imprisonment and 11 others up to 16 years.

15.6, in Diyarbakır, 10 members of TKP/ML to capital punishment, 2 to life imprisonment and 92 others to different prison terms up to 20 years. In Izmir, 10 members of UGD to prison terms up to 15 years; 2 members of HDO (Revolutionary Vanguard of the People) up to 36 years.

17.6, in Izmir, 2 members of UGD to 18 years and 8 months. In Erzincan, 22 members of Dev-Yol up to 21 years. On the same day, in another trial 15 members of Dev-Yol and TKP/ML up to 5 years. In Ankara, a member of the SGB (Socialist Youth's Union) to 5 years.

22.6, in Erzincan, 27 members of Dev-Yol, TDKP and Kurtulus to capital punishment and 7 others to life imprisonment.

23.6, in Ankara, a member of THKP-C to life imprisonment and another to 4 years and 2 months.

24.6, in Izmir, 4 members of THKP-C up to 11 years.

29.6, in Adana, 41 members of TDKP up to 20 years and 11 members of UGD up to 24 years.

30.6, in Ankara, Chairman of Köy-Koop (Peasant Cooperatives Union) Nedim Tarhan and 8 other executive board members up to 8 years. In Erzincan, 3 members of Kurtulus to life imprisonment and 59 others to prison terms up to 20 years. In Istanbul, 4 members of the right-wing YDGD up to 26 years.

5.7, in Izmir, a member of TDKP to 5 years and 6 months.

11.7, in Istanbul, 10 members of TIP (Workers' Party of Turkey) to 5 years' imprisonment each.

14.7, in Izmir, 4 members of IGD (Progressive Youth Organization) to 4 years imprisonment each.

31.7, in Gölçük, 5 members of Dev-Yol to prison terms up to 22 years.

NEW POLITICAL TRIALS

5.6, in Istanbul, against 23 presumed members of TKP/ML with the demand of prison terms up to 24 years.

11.6, in Istanbul, against 140 presumed members of Dev-Sol, 47 of whom are facing the death sentence. So, the number of Dev-Sol defendants being tried by the same court rose to 1,254 and the number of those who are liable to the death sentence to 404.

28.6, in Istanbul, against 63 presumed members of Dev-Yol. The military prosecutor demanded the death sentence for 10 defendants.

6.7, in Istanbul, against 28 presumed members of Kurtulus, 3 of whom risk capital punishment.

11.7, in Izmir, against 14 militants accused of having attempted to reorganize the Workers' Voice group of TKP.

13.7, in Istanbul, against 11 members of TSIP (Socialist Workers' Party of Turkey).

19.7, in Izmir, against 4 members of Dev-Yol.

20.7, in Istanbul, the trial of 23 presumed members of TKP/ML began at 1st Military Court of Martial Law Command. In protest at the obligation of putting on prison uniforms 5 defendants appeared before the court with underwears on.

25.7, in Istanbul, 33 officials of the out-lawed Labour Party of Turkey (TEP) were brought before a military tribunal. They had already been tried before a criminal court in 1979, but the judge had released them after ruling that the accusation was groundless. Now all defendants risk prison terms of up to 15 years.

27.7, in Ankara, 13 persons were indicted for having made propaganda of Jehova's Witnesses in Turkey. They are to be tried by the newly established State Security Court in Ankara.

MAN-HUNTINGS

2.6, in Izmir, 22 persons were detained on the charge of having attempted to reorganize the Workers' Voice Group of TKP. 9 of them will be tried under arrest. On the same day, 11 presumed members of Dev-Yol were detained in Istanbul. In Ankara, Martial Law Command announced that 17 militants of the outlawed TSIP and 21 of the PKK had been arrested.

5.6, a leading member of TKP/ML was arrested in Adana.

9.6, in Denizli, 23 people were taken into custody by security forces on the charge of having attempted to reorganize Dev-Yol in that area. One of them, Mehmet Ali Sagıt was shot dead.

10.6, in Tokat, two presumed militants of Dev-Yol, Ali Gümüs and Ayhan Gökvelioğlu were shot dead by the security forces.

13.6, in Ankara, 16 persons were detained on the charge of reorganizing Dev-Yol. Among them is also Ayşe Kumru Koçak, niece of A. Baser Kafaoglu, former Finance Minister of the military government.

22.6, military authorities announced the arrest of nine left-wing militants charged with "conspiracy to establish a marxist-leninist regime in Turkey". The defendants were allegedly members of two underground organizations, the THKO and the TDY.

23.6, AFP reported that an armed clash had opposed on June 21, in Istanbul, the security forces to a group of political militants. Many soldiers and policemen were wounded and dozens of resisting militants were arrested. Again according to AFP, on the same day, a bomb explosion destroyed a bank office in the center of Istanbul without casualties.

24.6, security forces killed three persons and wounded one in a shoot-out in the Black Sea coastal village Unye, the state radio reported. Two other persons were arrested in the operation on June 21. Dev-Yol, Turkey's largest left-wing organization has been very influential in this part of the country. The victims of this bloody operation were identified as Habil Irgül, Necmettin Karagülle and Ibrahim Levent.

20.7, in Antalya, security forces arrested 30 activists, presumed members of Dev-Yol.

24.7, the military authorities announced that during a police operation in Ankara, 3,819 suspects had been rounded up. 7 of them had been tracked for a long time for their political activities.

26.7, in Elazığ, 12 members of two outlawed leftist organizations were rounded up in the past week.

27.7, in Diyarbakır, two women, Sıdıka Can and Saliha Sener, were arrested for having requested Premier Ozal, during his visit to this city, to amnesty their sons who are in prison for a political case.