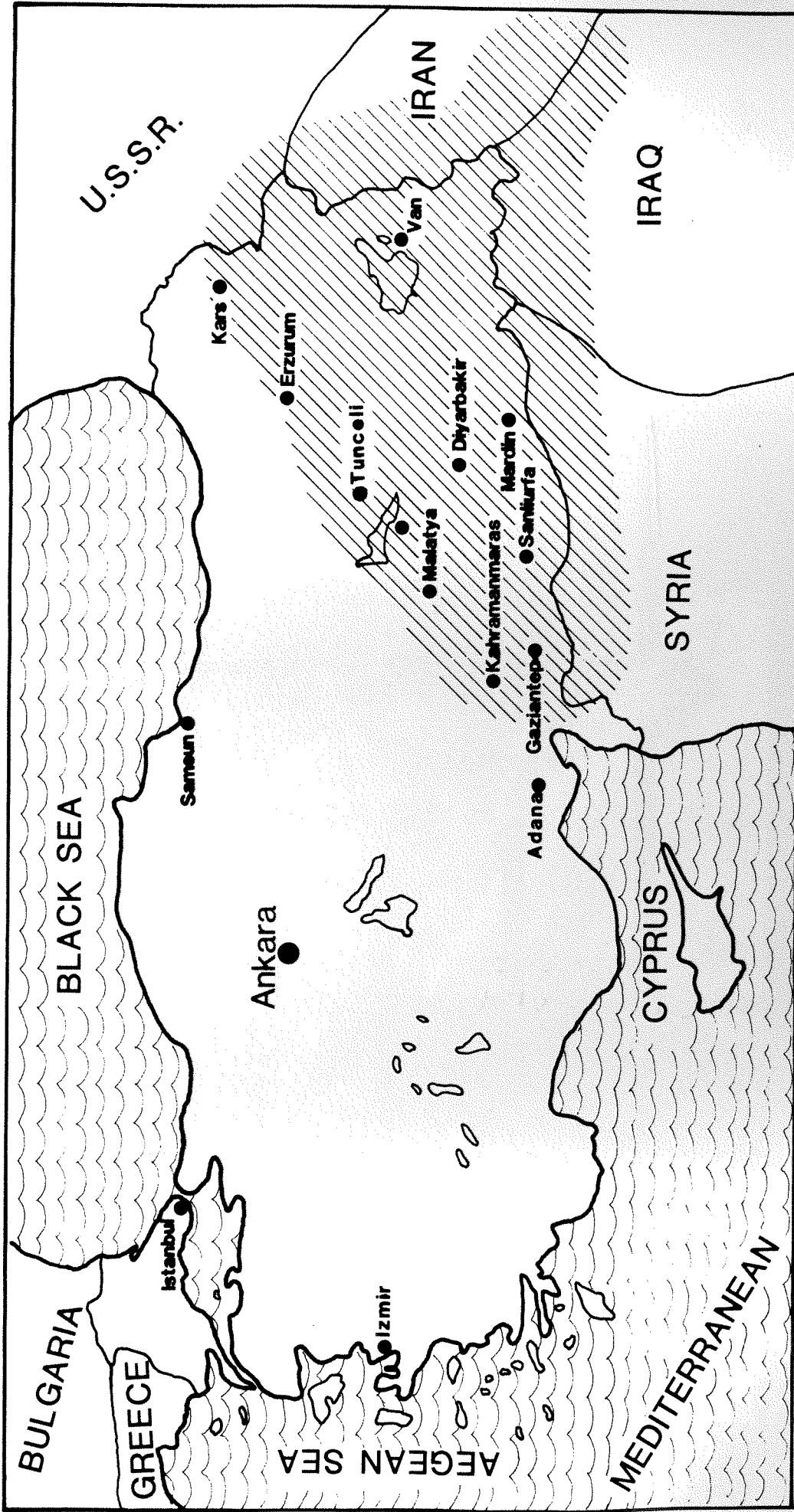


TURKEY TODAY



SHADOW OF THE JUNTA



TURKEY AND KURDISTAN

Area inhabited predominantly by Kurds

Cover painting by Irfan Irtel
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CHRDT
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**THIS REPORT IS DEDICATED TO OUR SISTERS AND BROTHERS
IN TURKEY.**

**'HISTORY IS NOT GOING TO PROSECUTE US FOR ORGANISING
AGAINST FASCISM, BUT IT WILL SURELY PROSECUTE US FOR
NOT ORGANISING AGAINST IT'**

MELIH PEKDEMIR.

INTRODUCTION

In January and February of 1988, a delegation was sent to Turkey by the Australian Committee for Human Rights and Democracy in Turkey (CHRDT).

The delegation comprised former Queensland ALP Senator George Georges, retired doctor Stefania Siedlecky, lawyer Robert Cavanagh and journalist Kyrn Stevens. We visited Istanbul, Ankara, and two eastern Kurdish provinces of Diyarbakir and Tunceli.

Whilst our visit to Turkey was brief delegation members met many sections of Turkish society including doctors, lawyers, journalists, students, academics, trade unionists, ex-political prisoners, families of political prisoners, peace activists and members of parliament. Additional information has been collected since our return.

This publication is a detailed report of the delegation's findings based on our impressions of life in Turkey. We flew into Istanbul from Athens.

One quarter of the worlds population have suffered military dictatorships. Turkey is one of the latest, and as we were to be told and shown one of the worst.

Turkey is one of the most strategically located nations in the world. It shares borders with Syria, Iran and Iraq in the south; the Soviet Union in the north and east; and Greece and Bulgaria to the west.

The armoured cars and stringent security checks on leaving Athens, and the soldiers with automatic weapons on arriving in Istanbul were to set the tone for the duration of our stay in Turkey.

Whilst Turkish culture is firmly rooted in Islam, and the East, Prime Minister Turgut Ozal and President Kenan Evren are looking west and embarking on a vigorous international public relations exercise. This has even resulted in big coal and ore deals for Australia.

The product being sold is Turkey Incorporated: the new model. The prize is full membership of the European Economic Community and a slice of the profits in the new Europe of the 1990's.

The new Turkey faces enormous problems. The shadow of the junta which led the 1980 military coup still lingers in Turkey, and the West still harbours strong suspicions about Turkey's 'European' credentials.

Prime Minister Ozal's economic miracle `a la Margaret Thatcher`, with rapid privatisation and wage restraint, has gained praise from outside Turkey.

But, inside Turkey people are asking at what price ?

The Ozal government is promoting itself as moderate, striving for economic liberalism. However liberalism is a whole philosophy which implies certain political responsibilities regarding people's democratic and human rights, which have been largely ignored by the government.

A news bulletin we saw on the official, and only, Turkish television network had a report in which Prime Minister Ozal was addressing a press conference in Munich, West Germany.

In referring to the military coup of 1980, the Prime Minister said that Turkey was now on the road to economic prosperity and democracy. There is in place however, a military supervision both subtle and all-pervasive. It is a form of fascism, hidden at its source, but apparent in all its ruthlessness to many of its citizens. Even a cursory look at the Constitution establishes this.

In 1982 there was a referendum in Turkey in which people were presented with the dilemma of voting for either a continuation of military rule, or, for a Constitution which severely limited trade union and democratic rights. They chose the limited civilian government.

Emil Galip Sandalci, of the Turkish Human Rights Association believes that this Constitution which is still in effect today, is the worst in Turkish history.

Emil believes that the main philosophy behind this Constitution is the glorification of the state, whereby Turkish citizens are in the service of the state rather than the state serving its people, thus restricting basic freedoms.

Two articles of the Turkish Penal Code, drawn up from this Constitution, were lifted from Mussolini's Penal code for Fascist Italy, dealing with illegal organisations and propaganda. The press is tightly controlled, and, whilst not specifically naming either, the Constitution lays the groundwork for the banning of Islamic fundamentalism and the language, songs and culture of the Kurdish minority living in the country's south-east.

Under this constitution, all power flows from the President - who was the chief of the military Junta which seized control in 1980.

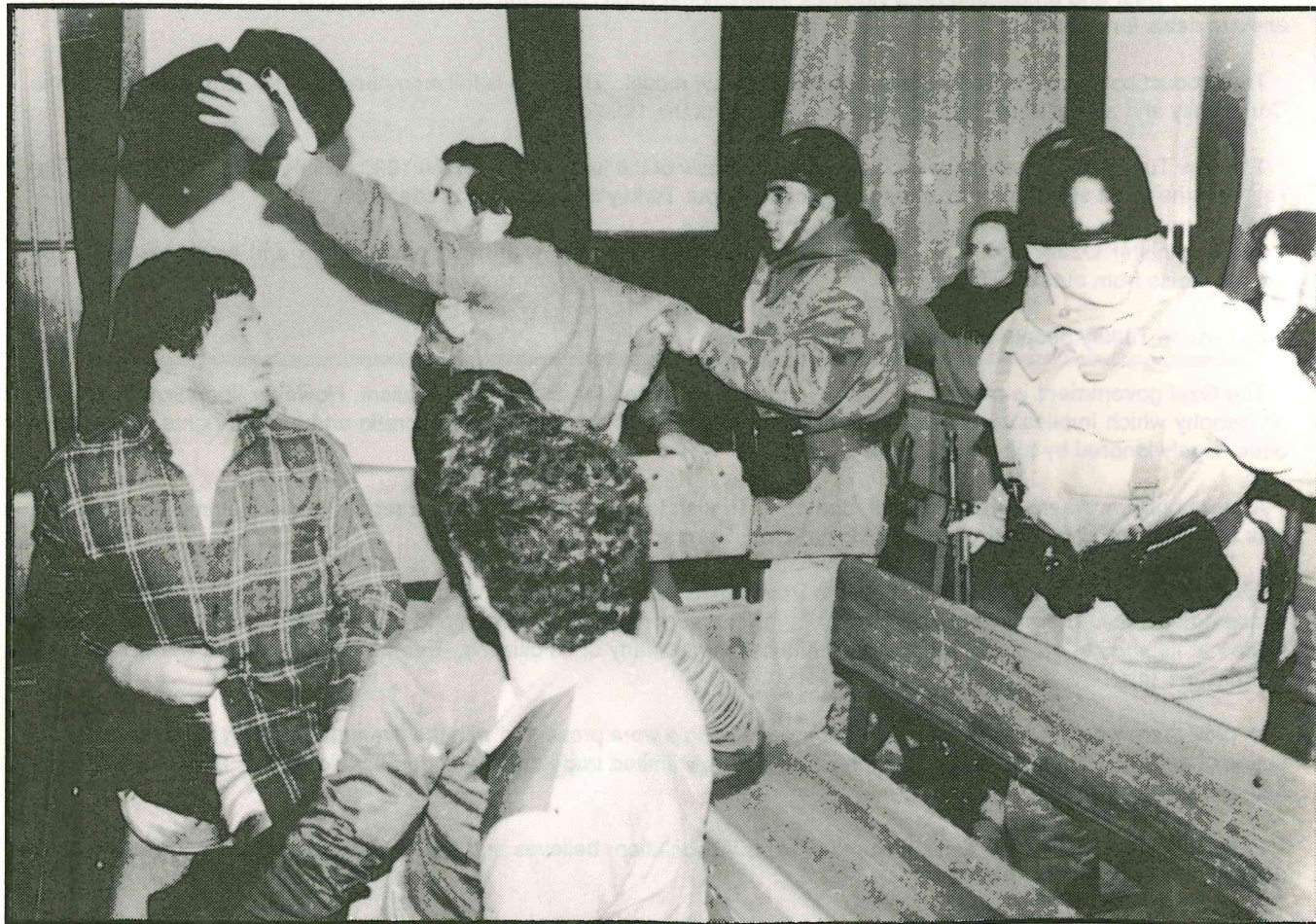
In one direction his power flows to the armed forces, to the High Council of War, to governors, internal security forces and the State Supervisory Council.

In another direction he controls the Presidential Council which is made up of former members of the Junta and army officers. This Presidential Council has under it an executive, a National Security Council, a Council of Ministers, and at the very bottom of this powerful political structure, the Grand National Assembly, the Parliament.

The President controls the judicial power, the Constitutional Court, the Council of State, the Chief Public Prosecutor, the Supreme Military Administration Court, the Military Court of Appeal, the Supreme Council of Judges and Prosecutors. All members of the above are appointed by the President of the Republic.

Finally, and worst of all, the President controls the scientific and cultural life of Turkey through the Higher Education Council (YOK), through the direct appointment of all university chancellors, and through the Ataturk High Institution of Culture, Language and History.

Shortly before we arrived in Turkey, elections were held under the 1982 Constitution. In 1987, for the first time since the military coup, a social democratic party was allowed to contest the elections achieving around 26 per cent of the vote, and a disproportionate 99 seats of the 450 in Parliament. The full extent of the Gerrymander in Turkey is saying in



Political prisoners being evicted from their trial for protesting against military prison uniforms.

the 292 seats held by the motherland party. In the 1987 elections they won 60% of the seats with just 36% of the vote. Since these elections, the popularity of Prime Minister Ozal and his ruling Motherland Party has waned considerably.

The rapid industrialisation of Turkey's economy has created land monopolies and landlessness, particularly in the east, and, sprawling urban nightmares in the big cities in the west.

These cities, where masses of unemployed people scrape together a living on the streets, are surrounded by shanty towns with massive housing, drainage and transport problems.

The official inflation rate is running at around 75 per cent. Unofficial estimates vary greatly but are always much higher than this. Meanwhile around 40 per cent of the government's budget is spent on the military.

Prime Minister Ozal and President Evren's new Turkey was firmly entrenched with a military coup on September 12 1980, in which President Evren was one of the five generals of the National Security Council which took power.

In the period leading up to the coup 20 to 30 people a week were dying in armed clashes across Turkey, the country's campuses were hotspots, and, over 50,000 workers were on strike with tens of thousands more about to go out.

The five generals of the National Security Council which took power with the coup legitimised their action by saying they had to restore order in an anarchic country.

However, many people we met in Turkey believe there were other reasons for the coup, and the repression of trade union and democratic rights which followed it.

They claim the coup was necessary to implement a program of economic austerity imposed by the World Bank and the International Monetary Fund after Turkey defaulted on its loan repayments in 1979.



These photos were banned from publication in Turkey Jan.1988

This program became known as the 24th of January Economic Measures, and is still the basis of the economic policies of Turkish Prime Minister Turgut Ozal and his ruling Motherland Party.

Yildirim Koc from Yol-Ish, the Turkish Construction Workers Union explains that before the coup, unrest in Turkey was instigated by small armed groups from a neo-fascist movement known as the Grey Wolves. He says they were being armed by certain sections of the military and big business :

"We know that the coup was within the knowledge, and I think approval, of the CIA and other western powers... There was of course some 'anarchy' before that, but it was not as generally stated - armed groups fighting.

It was a rightwing terror, a terror of capital that was attacking most democratic institutions, and there were some who were trying to fulfill the task of the state in protecting their lives, their right to life...

I've known trade unionists who were assassinated by right-wing terrorists and I've known workers who have acquired arms to protect themselves...

So it was the pretext for the people to implement the policy of the IMF and World Bank, of world capitalism that the coup came... it was not 'anarchy'."

Dr. Baskin Oran, a former Ankara University lecturer dismissed after the coup, agrees with Yildirim Koc :

"The coup had a different objective than to stop anarchy. They wanted to apply the 24th January Economic Measures, and the application of these measures was only feasible with a totalitarian government, not only an authoritarian government, but a totalitarian one..."

This neo-fascist presence, is now smearing in the background of Turkish political life.

However an assassination attempt on Prime Minister Ozal in July 1988 brought the dissatisfaction of the extreme right to a head.

Many of the old Grey Wolves now hold prominent positions in Prime Minister Ozal's ruling Motherland Party, and quite simply, they have blood on their hands.

The new Turkey that Prime Minister Ozal hopes to create still faces some serious challenges from the old Turkey

The military are not a fringe group in Turkish political life. Rather they see themselves as the protector of Turkish values and ideals.

Whoever criticises those values is treated harshly. Those trade unions which are allowed are severely restricted. Tens of thousands of political prisoners are still in military prisons, many of whom are still waiting on trials in military courts. In the south-east, the Kurdish resistance and civilians face a heinous and endless repression. One third of the Turkish Army occupies Kurdistan.

The armed Kurdish resistance fighters are being systematically suppressed by the military and security forces. However, the resistance is gaining support among the eight to ten million Kurds, being fuelled by unemployment, poverty, landlessness and banning of their language and culture.

Although there have been some improvements since the coup of 1980, large sections of the Kurdish population are still under state of emergency powers, which have been described as 'civilian' martial law, subject to displacement, imprisonment and torture.

A state terror still exists for many people in Turkey. This regime cannot be called civilised when many of its people are imprisoned and tortured for their political beliefs.

The military expediency of the U.S and European nations is revealed, as they do nothing to correct the situation, but continues to give arms and aid to the Turkish government, which are then used against its own people.

Other nations that turn their eyes away and close their minds are equally guilty. Australia must re-examine its relationship with Turkey. The position we take against South Africa must also be taken against Turkey. In all such cases, trade and political sanctions should apply until democratic processes and human liberties are installed.

SHORT HISTORICAL TIME TABLE

- 1918** October 30 the defeat and collapse of the Ottoman Empire.
- 1920** U.S. President Woodrow Wilson in his 'programme for World Peace' declared that the non-Turkish minorities of the Ottoman Empire should be granted the right of 'autonomous development'. Treaty of Sevres specifically stipulated that the Kurds were to be allowed 'local autonomy'. The effect of the Treaty on the whole was that Turkey would be split between the allies.
- 1923** Turkey became a republic under the leadership of Kemal Ataturk - Republican People's Party. Treaty of Lausanne gave international recognition to the Turkish state and carved up the national territory of the Kurdish people into four parts.
- 1924** Ataturk's new constitution and unicameral parliament formed.
- 1925** In 1925, 1930 and 1935, the Turkish government crushed three major insurrections depriving the Kurds of all rights.
- 1938** Ataturk died, Republican People's Party remained in power.
- 1950** The one-party system was ended in January 1946. The Democratic Party (DP) won Turkey's first free election and ruled for the next decade.
- 1960** Fifts Coup. Government was overthrown by the military who claimed that that the DP had betrayed Ataturk's principle of secularism. The coup was generally welcomed by the population. DP was dissolved, leaders arrested and charged with corruption. President Menderes executed.
- 1961** Military had no intention of remaining in power. New liberal constitution and general elections held. For the first time, trade union rights, freedom of association, press and academic liberties were guaranteed under the new constitution. However, the Communist Party (TKP) remained illegal.
- 1965** Demirel, leader of the right-wing Justice Party was elected. This group comprised of remnants of the old Democratic Party. During this period independent radio and television established state owned but editorially free with board consisting of academics, media workers and state officials.
- 1968** Period of national unrest including student uprisings. National Action Party (MHP) along with Federation of Grey Wolves (similar ideology to the Brown Shirts in Germany) escalated their actions against the left. Friction between left and right reflected in student demonstrations. Police and government officials became disturbed with this unrest.
- The 1960's were marked by an uneasy relation between the military and civilian governments. Propoganda circulated that the country was becoming communist
- 1971** Using the unrest as the pretext a second military coup occurred covertly sponsored by NATO. From 1971 the army backed the conservative forces. Parliament was used to introduce restrictive legislation against students, professionals and

- trade unions, in suppressing all left-wing activities. For the first time systematic torture was enforced. Three student leaders were arrested and given the death penalty. Executions were carried out despite public outcry.
- 1973** New elections, enormous swing to the Social Democrats as a backlash to the coup. The Republican People's Party under Bulent Ecevit was not strong enough to form a government in its own right, but found coalition partners with the religious right - National Salvation Party.
- 1974** Invasion of Cyprus led to a US embargo on Turkey, the coalition collapsed and Bulent Ecevit resigned. The right wing parties formed a national front including Demirel's Justice Party, the Salvation Party and fascist National Action Party.
- 1977** In the Late '70's heavy fighting flared up between the left and right with people being killed every day, including popular Mayors, Politicians and lawyers.
- Istanbul May Day festivities. 500,000 people were peacefully assembled in Topkapi Square, provocateurs commenced shooting from the Continental Hotel with the police stationed below. 35 people died.
- Armed groups from a neo-fascist organisation known as the Grey Wolves were used as a tool of the secret police, fascist death squads became rampant. Civilian and worker defence committees organised against these attacks.
- 1978** Martial Law proclaimed in 13 of Turkey's 67 provinces. On the 23rd and 24th of December the Nationalist Action Party escalated its fascist terror which led to the bloodbath in Kahramanmaras where more than 100 persons were killed and over 1,000 injured.
- 1979** Turkey defaulted on IMF payments. Army propaganda was that the civilian government was incapable of controlling unrest. The dress rehearsal for military intervention was being created. By September 1979 violence had claimed more than 2,000 lives and Martial Law was in force in 19 provinces. At the end of December, strikes and demonstrations were held in more than 15 cities against military repression and in memory of the victims of the massacre in Kahramanmaras.
- 1980** 12th September, third and most brutal military coup. Coup leaders immediately closed down trade unions, political parties and organisations. Trade union leaders, writers, workers and academics were arrested on a nationwide scale. 250,000 to 300,000 people were arrested and most tortured. Incommunicado detention was for 24 hours, then increased to 15 days, 45 and finally 90 days. Over eight hundred people are reported as missing, and more than 1,000 people died in street clashes and deaths in custody.
- 1981** All parties banned including Ataturk's Republican People's Party.
- 1982** New constitutional assembly formed. Taking away main constitutional rights and freedoms.

Referendum held to approve the constitution and elect the President of the Republic. Kenan Evren (leader of the coup) stood as the only candidate. Military supervised the voting 'Yes' card was green, 'No' card blue. People were too afraid not to vote No, voting was compulsory failure to vote incurred a fine or 6 months imprisonment, and also loss of voting rights for the next five years. There was a 92% turn out and 90% voted Yes.

1983

In the prison of Diyarbakir, Kurdish prisoners requested the right to celebrate the traditional festival of Nevroz. This was not permitted by the authorities, prisoners rioted, soldiers were called on and attacked prisoners with bombs and bullets, 37 Kurdish prisoners died as a result. Government declared only 11 deaths.

May 26th, Turkish troops entered Iraq border in pursuit of Kurdish resistance fighters (members of PKK- Kurdish Workers Party). Seven day operation ends after killing, raiding homes and capturing an estimated 2,000 Kurdish citizens.

November assembly elections held, all former members of parliament not permitted to participate. The military Junta hand picked the candidates. Only 3 parties allowed to contest. Ozal's Motherland Party (ANAP) won the vote as a protest against the favoured party of the military.

1984

Hidir Arslan member of Revolutionary Path (Dev-Yol) was executed in Izmir, bringing the total number of hangings to 54 since 1980.

1987

April 1987 Turkey applied for full membership to the European Common Market. Referendum was held in September to allow all previously banned members of parliament to run for the assembly elections.

November 1987, Ozal reinstated as Prime Minister.

1988

Turkey signs UN Nations Convention against Torture & Other Cruel Inhuman or Degrading Treatment or Punishment and also signature to the Council of Europe Convention on the Prevention of Torture.



Partner: Kenan Evren and Turgut Ozal

KURDISTAN - TURKEY'S PALESTINE

At the time of going to press up to one hundred thousand Kurdish refugees have been sitting out an unknown future in tent cities scattered throughout south eastern Turkey .

In late August 1988, Turkey opened its border to the Kurds who were fleeing chemical weapons attacks in northern Iraq .

The acceptance of the refugees by the government of Turgut Ozal has been hailed as a great humanitarian gesture putting Turkey in the unaccustomed role of championing human rights .

However critics of Ozal argue that he accepted the refugees to try and gain support for the ruling Motherland Party in Turkey's eastern provinces, for a looming referendum. Eight to ten million Kurds live in the eastern part of Turkey, a fifth of the country's population on a third of the land mass.

The Kurds, some twenty million people, claim that although they have never had a nation of their own, they have been living in a large area called Kurdistan since antiquity, with the Kurdish calendar dating back to 612 BC.

The treaty of Lausanne in 1923 completed the carving up of Kurdistan Between Iran, Iraq, Syria and Turkey with some Kurds living in the Soviet.

Whether or not Ozal did gain political mileage or not from the

acceptance of the refugees is a moot point as he lost the referendum. One thing is certain though, the acceptance of the refugees has made Turkey an accomplice after the fact in Iraq's genocidal chemical attacks.

Despite Western proof and condemnation of Iraq's use of chemical weapons against its own Kurdish population, Turkey denies that any of its doctors have found evidence of chemical illnesses



amongst the refugees.

Turkey is at pains to maintain good relations with Iraq-one of its biggest export markets in the Middle East. Having already stretched these relations by initially accepting the refugees, Turkey is now keen to secure its slice of the contracts worth \$50,000 million which are expected once Baghdad settles down to rebuild after eight years of war.

Ironically, the acceptance of the refugees by Turkey has served to spotlight its ill treatment of its own Kurdish population.

Since the formation of the Turk-

ish republic in the 1920's, the local Kurds have lived under a barrage of oppressive laws. Their language, music and culture are banned. It's only recently that there has been any official recognition of the existence of Kurds in Turkey. Previously they were labeled "Mountain Turks".

Place names have been changed from Kurdish to Turkish. Children given Kurdish names are denied official identities by Turkish authorities and their parents can be taken to court.

In contrast to western Turkey, educational standards are low and unemployment levels are high. Illiteracy and landlessness punctuate the underdeveloped nature of the eastern provinces.

KURDISH VILLAGERS Government in action in these areas, in not providing any infrastructure, is compounding development problems by discouraging investment in the area. Any investment which does occur is usually capital intensive and often results in products and profits returning to western Turkey or overseas.

Fuat Atalay, a Social Democrat (SHP) representative in the city of Diyarbakir, describes economic relations in the area as feudal with unemployment being the main problem.

Fuat also claims that 50-70% of Kurdish children don't attend high

school because they are needed as income earners and many villages are accessible only by goat track and are therefore isolated during the winter snows. He also stresses that many peasants actively discourage their daughters from seeking education.

For many Kurdish children there's not much point in attending school as they are taught in the 'official' language, Turkish, whereas the only language they know is Kurdish.

Since July 1987 'Super Governor' Hayri Kozakcioglu has controlled most of the Kurdish inhabited eastern provinces. Eight of these provinces are under state of emergency powers known as 'extra ordinary situations' describe to us as 'civilian' martial law. Hayri Kozakcioglu has wide powers, including command of the security forces in the region and full authority to evacuate villages temporarily or permanently.

According to Hayri Kozakcioglu, such measures are necessary to combat terrorism in these provinces and emphasizes that; "Turkey today applies equal rights to all its citizens... more than any other countries that call themselves democratic."

However, the hoards of Kurdish political prisoners, facing systematic torture and brutality, prove otherwise, as is documented by Amnesty International, the Turkish Human Rights Association and Kurds we met who'd recently released from Diyarbakir Military Prison.

Mehmet Vural, President of the Diyarbakir branch of the Turkish Human Rights Association, said: "Torture continues to exist in this region... as far as we know it has lessened in Ankara and Istanbul but it continues extensively in this region."

Adnan Ekman and Ahmet Turk are two Social Democrat representatives from the south eastern province of Mardin. Adnan Ekman says; "Today, to say 'I'm a Kurd' is

a crime in Turkey. to say you are a Kurd and a democrat is a double crime... Because of this tens of thousands of Kurds in Turkey are living in dungeons they call jails."

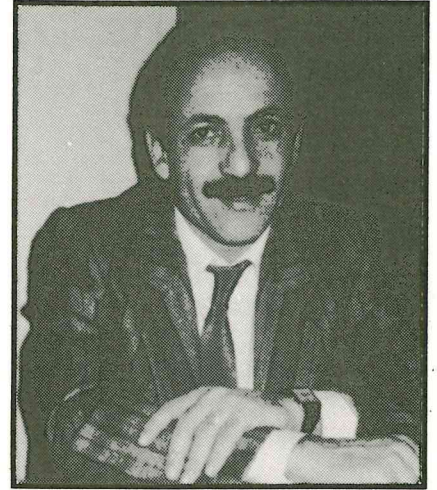
Ahmet Turk was one of fifteen members of parliament arrested after the 1980 military coup in Turkey and is one of the twenty or thirty new members who have experienced torture as political prisoners.

Ahmet Turk proudly noted he was released from prison just three weeks before the elections - and still managed to get elected - spending six months of this more recent sentence in the infamous Diyarbakir Military Prison. He was arrested because the police claim they found video tapes and cassettes of Kurdish songs in his possession - something he still manages to raise a smile about.

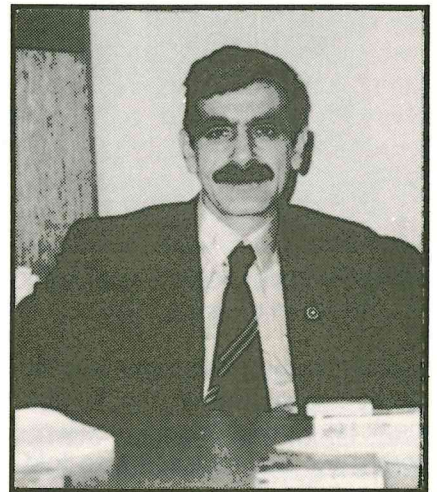
He offers the following explanation as to why he was really arrested; "I was supporting the people and their interests which was seen as a good enough reason to be arrested... In other words it was for political reasons. Because we were closely considering the Kurdish peoples problems."

Mehmet Ali Eren holds a seat for the Social Democrats in the city of Istanbul but was raised a Kurd. A speech of his in the Parliament caused uproar in one of the first sittings for this year.

The point of contention was his use of the word "Kurdish" in the



MEHMET ALI EREN



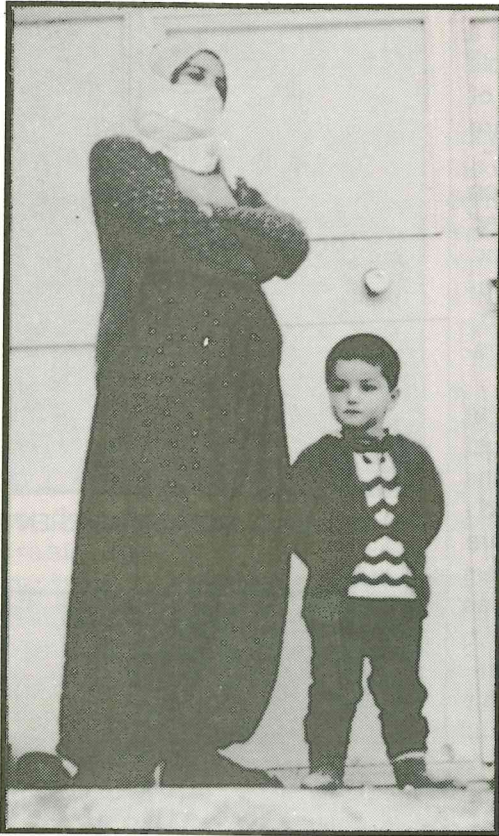
AHMET TURK

speech which he said was intended to break the taboo in the Parliament on the Kurdish question.

Ironically, whilst Mehmet Eren



Rural life often shattered by military raids



KURDISH VILLAGE WOMAN AND CHILD

was censured from repeating his speech in or out of the Parliament, the Turkish media widely reported the incident. He also told us that in Parliament he must now refer to the Kurdish question as 'the democratic problem in eastern Turkey'.

Whilst the democratic forces in Turkey are trying to remedy the problems faced by Kurds in Turkey, those who hold the real power - the military commanders and Generals - are orchestrating a systematic reign of terror in the east. This situation is shockingly illustrated by events at the Diyarbakir Military Prison in July 1988 when over 100 relatives of political prisoners were arrested.

The Government, as part of a religious festival, granted political prisoners contact visits with their families. The Military commanders in Diyar-

bakir had a different idea however. When the relatives gathered outside the prison they were unexpectedly set upon by Turkish Security Forces.

Their intended visit turned into two months jail. One of them told us the story the night he was released.

"Then, all the security forces, especially the secret police, started shooting with guns towards the civilians, after that, troops and formal policemen, all together started shooting. It was like a warzone.

It was a moment that reminded me of Palestine. This happens in the streets of Palestine everyday. But even the Israeli Zionists use rubber bullets. Turkey's fascist rulers use real killer bullets.

The people started to lie down. This made most of the police retire to a distance... They didn't want it to look like a massacre.

I think they were actually shooting out of fear. Because they just couldn't accept the fact that so many people were there to stand by with the political prisoners.

Super Governor Hayri Kozakcioglu's command of the security forces is formidable, as up to one third of the Turkish army is stationed in the eastern provinces - and the authorities are not hesitant to flex this military muscle against their own people.

In 1984 the banned, separatist Kurdish Workers Party (PKK) formed its armed wing the ERNK. Villagers are caught between the warring PKK and Turkish military with rural life often shattered by military raids, conducted under the pretext of looking for PKK members.

One village we visited in snow bound mountains, near the town of Tunceli, had been raided by the military a week before we were there. During the raid four young boys were beaten with sticks, another shot in the leg and a locked bedroom pumped full of heavy calibre ammunition - fortunately no one was in the room at the time.

Not so fortunate however was a man shot dead in a similar raid on another village a few days later. He was an alleged guerilla sympathiser. Several days later an Ankara based journalist was off to yet another Kurdish village which had also been raided.



KURDISH VILLAGES, ISOLATED BY WINTER SNOWS.

The military and secret police, from the National Intelligence Agency (MIT) have a network of armed informers called 'village guards'. Whilst resistance to pressure from the security forces to become an informer is strong, the consequences can be brutal. A Diyarbakir lawyer showed us photos of a sixty year old man who resisted the security forces advances and was horribly beaten and tortured as a result.

The reasons for this oppression of Turkey's Kurds are to be found in the fiercely nationalistic nature of the post-coup regime governing Turkey. This nationalism is in fact something which goes back centuries to the time of the Ottoman empire.

A banned Kurdish MP, who spoke on condition of anonymity said; "Turkey is pursuing incredibly harsh policies regarding the Kurdish issue. They refuse to recognise their (the Kurds) existence and are using every possibility to assimilate the Kurds"

Mehmet Vural from the Diyarbakir branch of the Turkish Human Rights Association said the branch was formed to draw attention to human rights violations in the east of Turkey.

He stressed the importance of the banning of the Kurdish language as an issue in itself; "Today, anywhere in the world, any language even if spoken between just a thousand people, there's an effort to keep it alive..."

"In this region, it's quite the opposite - there's an attempt to destroy a language which is spoken by nine to ten million people. There's an attempt to utterly destroy the culture... but Kurdish culture, Kurdish language is a common heritage of humanity, of all people in the world..."

"This language will cease to exist with these types of pressures. As I've said before it (Kurdish) is a living language, a living culture. Far from annihilate it, on the contrary, it should be kept alive."

THE WORLD ACCORDING TO YÖK.

ARMED CLASHES WITH FASCIST PROVOCATEURS, REGULAR POLICE SEARCHES OF STUDENTS, MASS SACKINGS AND RESIGNATIONS OF ACADEMIC STAFF, AND, A HIGHER EDUCATION COUNCIL "YÖK" THAT CONTROLS ALL ASPECTS OF UNIVERSITY LIFE - INCLUDING STUDENT ATTIRE. THIS IS REALITY FOR TURKISH UNIVERSITY STUDENTS...

The university campuses are a microcosm of Turkish political life. Education is a litmus test for Turkey. To succeed in creating the new model, Turkey needs a modern democratic education system. But to fit the mould education must be tightly controlled, monitored and administered.

20 to 30 people were being killed each week in armed clashes across Turkey leading up to the 1980 military coup.

The battles were intense on university campuses, but were regular occurrences in the big cities and towns as the left organised and armed themselves against attacks by small armed groups from a neo-fascist organisation known as the Grey Wolves.

A woman we met in Istanbul (all students asked not to be named) was a student in the late 1970's and she told me about campus life in those days.

"There were about 3,000 students in our faculty... only 19 of these were fascists, but whenever they came bombs exploded, dynamite was thrown and one or two people wounded..."

The police would not run after them but after us, arrest-

ing us, taking our fingerprints, photographing us, numbering us and then releasing us... they were getting ready for something... preparing their records, their files ...

...This of course creates a sense of revenge. The fascists were not being punished. Well if the government, the state, the security forces don't punish them, then we felt we should... and you also have to defend yourself. The students armed themselves as well... with anything chains, knives and with guns. It was not allowed to take guns on the university but there was always a way to be found".

The unrest in this period was not restricted to the campuses. There were student/worker rallies in the cities and growing industrial unrest.

The five general of the National Security Council used the unrest as a pretext to take power and impose martial law, on September 12, 1980.

A little over a year later, the military adopted a law establishing the 25 member Higher Education Council (yök) which exercises centralised authority over Turkey's 29 universities.

The 25 members are appointed by the Chief of State (President Kenan Evren), Council of Ministers and the National Ministry of Education. The chair of yök is known to be a close associate of President Evren and is said to have been part of the brains trust advising the junta.

The boards and faculties of universities were removed from decision making responsibilities and became advisory bodies.

University Chancellors are appointed by the President and Deans of Faculties are named by *yök*, and, their power is limited to the administrative functions laid down by *yök*. University staff and students are banned from being members of political organisations.

One year after its formation, in November 1982, *yök* began to sack lecturers and staff who were 'unacceptable', that is progressive or left-wing. Up to a quarter of some 22,000 academics were dismissed, transferred to secondary education or resigned in protest.

Baskin Oran was one of those sacked. He had been a lecturer at the school of Political Science at Ankara University for 13 years.

Baskin Oran and six colleagues successfully appealed against their sackings to the administrative appeals tribunal, but this was later overruled by the military with no one allowed to appeal against Martial Law decisions.

After martial law was lifted they again appealed to the civilian university authorities, arguing that the decisions of military authorities were no longer valid. They are now waiting on a decision on the rejection of this appeal.

Baskin Oran believes that many academics will not return to Turkish universities even if *yök* is lifted, and that it will take 20 to 30 years to repair the damage done to the education system.

Dr Korkut Boratav, dismissed as Professor of Economics from Ankara university further adds:

"What has happened to our

universities is a dark spot in the Turkish political history. What has been done to the academics, and it has not only been done to the academics it has been done to the civil servants, teachers, and other occupations have been victims of the same operation and I think that there is no question that it has to be corrected."

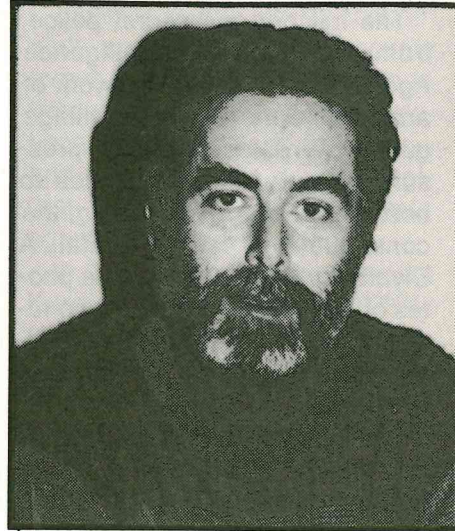
Baskin Oran believes that the military achieved their aims with tertiary education, and talks here about the effects on his old faculty at Ankara University.

"I even suspect that the students of today do not even know that the Political Science faculty has a tradition of discussion and dissent. Because, this tradition has been broken for a period of six years... all those who knew about this tradition graduated...

And these Seniors were not able to teach the newcomers what they knew. And this is what they wanted to do, this is exactly what the military authorities and their civil counterparts in the university wanted to do. To break the tradition, to make them forget, to be very quiet citizens, accepting everything that comes from higher up...

But this will be reversed one day because this is against the definition of a university... the university by definition is universal, but *yök* tells academics what they will and won't teach ...

If ever professors criticise *yök* they can be fired. So, there is a complete silence on the universities... What



BASKIN ORAN

will break the current situation will be the students. They have started doing it and are doing it."

University students accounted for a large number of the hundreds of thousands of political prisoners detained in the period after the 1980 coup.

Students are now on the move in Turkey.

In 1987 two extensive and successful campaigns were organised - one against an item of *yök*, and one against the proposed amalgamation of student associations.

Students have been confronting the government by holding a number of legal and illegal protests.

We saw a demonstration outside Istanbul University in support of the Palestinian Uprising. The protestors were promptly dispersed by riot police known as the Rapid Force who make Tactical Response Groups in Australia look like Boy Scouts. 25 students were arrested by secret police agents.



**'RAPID' FORCE' CLEANING UP STUDENTS
AT ISTANBUL PROTEST**

At the end of April 1988 there was a big demonstration outside Istanbul University with 160 students arrested and two members of the security forces injured.

On May Day 1988 truncheon wielding police charged thousands of unionists and students who defied the government ban on May Day celebrations. Many protestors and journalists were detained and beaten.

The determination of the military to maintain control over education is all too clear in the workings of *yök*.

In the manifesto of *yök* (The Higher Education Council) Item 56 prevents students from being members of political organisations. However, students are organising themselves with some 60 to 70 small student unions of which around 30 have official permission to exist.

Establishing these associations has not been easy. A medical student at Ankara University explained the process they had to go through to establish one in their faculty.

changes were wanted.

For example, one clause the authorities wanted changed concerned freedom of association for students.

The students appealed to an administrative appeals tribunal, arguing that the desired change contravened a clause in the Turkish constitution. They are still waiting on a decision.

In 1987, when the government proposed to amalgamate the existing student associations and bring them under the direct control of *yök*, students protested.

After a series of student hunger strikes and demonstrations, the government backed down. The legislation has been rescheduled for some time this year.

Item 44 deals with student dismissals. An Ankara university student told us that 80,000 students had been dismissed in the '84/'85 and '86/'87 academic years. Students organised a campaign against Item 44 and petitions with about 30,000 signatures, were sent to the Turkish parliament.

The association was formed and a copy of its constitution sent to the local government for approval. They were meant to answer the students within 15 days but it took eight months and

During this campaign students marched from Istanbul and Izmir to the capital Ankara to protest against Item 44. A student who was at the 'welcoming' of marchers in Ankara described what happened :

"When we met them (the marchers) in front of the Middle-East Technical University, civilian police and security forces came and many of our friends were arrested. After this the remaining students went and delivered the petition to parliament, and again the police arrested a lot of our friends and they were tortured in DAL."

We spoke with some of the students who were arrested at the march and they claim they were detained without being charged, which is possible for up to 15 days under Turkish law, interrogated, beaten and tortured.

They claim this occurred in the now infamous DAL, the sophisticated state interrogation centre, known as the 'Yusuf Kahraman Police School'. The building is on the grounds of the Ankara Police Headquarters and is joined to it by a corridor.

Ex-political prisoners we spoke with who had been interrogated in DAL said they were relieved when they were finally taken to the brutal military prisons.

Police on campus are another problem students have to contend with.

"We very seldom have uniformed police. But we have plain clothes police, there are certain people who are there as observers working for the police. Sometimes we manage to expose them..."

In my faculty they search our bags every morning, it is very regular."

Talking about item 56 another Ankara student said :

"...Of course this limits our political participation, and also, they say to join a student union you have to go and ask your Rector (Chancellor) for permission... we have struggled against this and it is not effective in practice, so we have founded our student unions".

Undergraduate students face daunting examination schedules. The average student would do about eight subjects a term with up to four or five exams per subject.

This means 40 exams each term:

"Each term is less than four months which means that every two weeks in my faculty, we have eight or nine exams."

Higher level studies at university are tightly controlled. One student was doing a Masters paper on Marxist theories of the state but was not allowed to use any primary sources - namely, Marx's own writings.

Whilst the students we met were optimistic, they conceded that less than ten per cent of students were in associations or active on campus.

These students are trying to take the struggle beyond the daily concerns of students. A student in Istanbul put it this way...

"Medical education is not separable from the health system and the health sys-

tem is not separable from the political system in Turkey... what we seek can not be achieved in this system. We're discussing the creation of autonomous, scientific and democratic universities."

We asked some students what type of student they thought yök was trying to create:

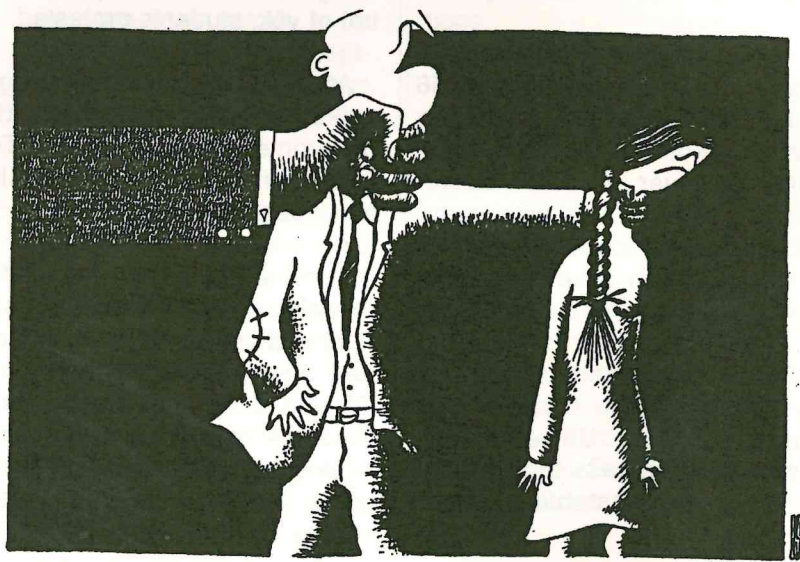
"Students like robots... students who are not interested in politics and social activities, who just attend classes, just study for examinations... students in uniform...."

This is an expanded version of an article which was first printed in NEWSWIT, journal of the University of Technology Sydney Students Association.

WOMEN IN TURKEY

"TURKEY IS A COUNTRY WHERE, STILL, FEUDALISTIC VALUES ARE LARGELY ACCEPTED... EVEN BY SOCIALIST MEN. BEING BEATEN AND GETTING NO HELP AT HOME ARE TWO OF THE ISSUES WOMEN FACE... IT'S NOT JUST YOUR HUSBANDS THOUGH. IT'S THE STATE OVERALL THAT ACCEPTS YOU AS A SECOND CLASS CITIZEN."

These strong words are from a Turkish woman who spoke to us on condition of anonymity. In all the publicity about conditions and the loss of human rights in Turkey, there is little mention of women. Yet women suffer the same loss of rights as men, they are tortured imprisoned, and have the additional burden of caring for families when the male members of the family are imprisoned. There are many contradictions in





Funeral of Didar Sensoy: bashed to death by police in a womens march, 1987

the position of women in Turkey, almost as if there are two separate populations.

Modern Turkey's patriarch, Mustafa Kemal Ataturk, made Turkey a secular state, removed the veil and introduced a new constitution. Women in Turkey obtained the right to vote in 1924, and have played an active part in political life ever since. The first woman was elected to parliament in 1933.

One of the best known political women was Behice Boran who entered parliament as a Labour Party member in 1965, and became president of the party in 1969. After the 1971 coup, the party was closed down and Behice Boran was arrested and sentenced to gaol for 8 years. She was released in the general amnesty and reformed the party in 1975. Following the 1980 coup the party was again banned and she escaped from Turkey.

She died in exile in 1987. As was her privilege as a former member of Parliament, her body was

brought back to Ankara for a formal funeral ceremony in Parliament House and later transferred to Istanbul for burial. Her funeral became a massive demonstration and thousands of people followed from Ankara to Istanbul.

Educated middle class women have careers in all fields. There are women judges, lawyers, deans of faculties, professors, doctors, journalists. Women are in the army, although military service is not compulsory as it is for men. The present Minister for Labour is a woman, Imren Aykut.

We spoke with some of these women in trying to find out what the real situation is in Turkey. The reality is that women are paid less than men, find it harder to get jobs and are usually the last hired and first fired. State funded childcare is non-existent, and private childcare is available only to women in higher prestige, better paid jobs. The high costs of child care puts it out of reach of ordinary women.

In establishments employing

200 or more women, the employer is obliged to make provision for child care. The solution is simple - always keep below that number of staff. Social services are lacking, child allowances minimal, and there are no unemployment benefits. Women caring for children alone have to join together or rely on their families for support.

Turkey is still very much a chauvinist state, and women get little help from their husbands. Domestic violence is common and women have little or no redress even though the law provides for it. There are no shelters for women seeking to escape from domestic violence.

After the 1980 coup all revolutionary, socialist and democratic women's organisations were banned. Some new feminist organisations which have been allowed to form only since 1983, have started to focus on issues such as domestic violence, although this is not the greatest problem women face in the area of human rights. The new democratic women's organisations however are severely restricted in the type of political activities they can engage in.

There are women working in factories, and in menial jobs and on farms in the rural areas, but one feature noticed by our delegation was the conspicuous absence of women generally, and from the jobs usually associated with women. We saw no waitresses, few women shop assistants or clerks, and few women in the streets or in restaurants.

At the other end of the spectrum are women in the poorer suburbs and in the rural areas, where their position is much like that of third world women. Three quarters of the houses are sub-standard and half the population live in slums, "night-built" (self-built) houses. There has been a heavy rural urban migration, people are attracted to the cities with the hope of better jobs and education. This has put great pressure on accommodation in the cities, which are spreading into the surrounding farming areas.

WOMEN AND HEALTH

Turkey became aware of a problem of excessive population growth in the mid-sixties. Prior to 1963, contraception was illegal. The first Family Planning Association of Turkey was started in 1963, and in 1965 the Turkish Government passed new legislation to allow the establishment of family planning clinics. Family planning was originally seen as a population control measure, but is now actively promoted in a health care context and contraceptives are provided free from clinics.

The most popular method used is the Intra-uterine device, and some nurses working in rural areas have been trained to insert IUDs. IUD's are provided and inserted free of charge in public hospitals. Many couples particularly in the remote areas rely on traditional methods such as breast feeding and withdrawal.

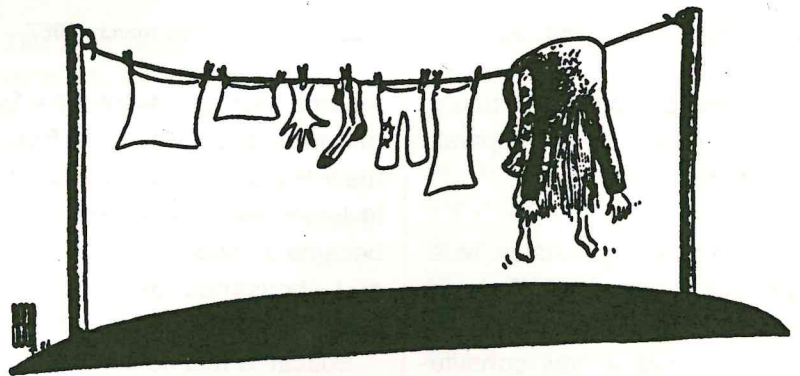
Oral contraceptives are theoretically only available on prescription but can be obtained without pre-

scription in pharmacies, as can other drugs which are restricted in Australia. Sterilisation has not been seen as acceptable and was illegal until 1986. Abortion has been legal since 1983, but only on medical grounds, and with the permission of the husband.

In public hospitals there are long waiting lists and women often have to wait up to several months when it becomes too late for an abortion. The lack of beds and doctors for abortions presents a

world country. A measure of the availability and quality of health services is seen in the infant mortality rate. Ninety out of every thousand children born each year die before the age of one year, or nine times as many as in Australia. Even this is a great improvement on the rate of 165 in 1965.

Children die mainly from respiratory infections and diarrhoea, both controllable diseases. Only 2.5% of the national budget is spent on health compared with 40% on the



cruel irony in a country where the government is attempting to pursue family planning and birth control, encouraging the two child 'nuclear' family unit.

Other persisting problems in providing family planning are religious beliefs, the need for child care in rural areas, and the desire for sons. Women tend not to use family planning until they have had up to five children. The population growth rate is 3.5% per year, more than double what the rate is in Australia, even allowing for immigration.

From a health point of view, conditions resemble that of a third

military. World Health Organisation standards are that 15% of the budget or 5% of the gross national product of a country should be spent on health.

One of the more positive actions of the government has been to try to improve health services for women in rural areas. As early as 1960, a "socialised" salaried medical service was devised mainly for the rural population which at that time made up 70% of the population.

In 1986 the Foundation for the Advancement and Recognition of Turkish Women was founded under the Presidency of the wife of

the Prime Minister, Mrs Semra Ozal.

The main objective of the Association is:

"To advance and enhance the economic, social and cultural solidarity among Turkish women working as mothers and housewives in public service, private sector, in various business fields, in agriculture, arts and politics, at province, district and village level; to promote the social, cultural and economic achievements of today's Turkish women world-wide." (From the Official Deed of the Federation)

The Federation has appealed for funds and equipment in and outside of Turkey. With aid from various international bodies it has established a health service for women in poor suburbs and rural areas to supplement the sparse services available. It has branches in the 48 major cities, and has established a network of 31 mobile and 34 stationary health units that function as fully equipped gynaecological units.

It provides maternal and child health care, advice on nutrition and family planning, and health education. Under article 26 of the Official Deed of the Federation, at least 10% of the services and bed capacities of its institutions must be reserved for low income women.

Although its aims are commendable and its work very necessary, the Federation could hardly be called a democratic organisation. The president and the thirty prominent women who make up the Founders were appointed for life, and are the only members of the

General Assembly of the Foundation to have voting rights.

WOMEN AND TORTURE

The delegation met families of political prisoners, mostly wives and mothers. Some of them with their children had been arrested and tortured with their husbands. Women have been stripped, humiliated and tortured in front of male guards and even during menstruation. They have had beatings and electric shocks to their genitals.

One woman told us she was two months pregnant at the time of arrest. She was tortured with electric shocks. She miscarried and had to be transferred to hospital for bleeding. Although the doctor certified that the miscarriage resulted from the torture, the report was concealed and not presented in the court. Like many others she got no redress.

To try to force confessions women are sometimes tortured in front of their husbands and vice versa. In gaol there are women warders but military guards patrol the prisons and women are likely to be beaten daily. We heard stories of great cruelty. One woman was beaten 200 times over 2 years. Another woman cannot walk properly because of being kept for a long period in the "tortoise" position.

These women told us of continuing police harassment which is still going on. The police come and raid their homes looking for evidence; they are sometimes taken into custody for 1-2 days and questioned. Pressure is put

on them to co-operate, to divorce their husbands, or to persuade their husbands to become police informers.

Their neighbours are questioned and intimidated. They are frightened that they too could fall under suspicion. So these families become very isolated and find it very difficult to manage financially. There is no social welfare for them.

They have formed their own support networks, and in 1987, they finally obtained official approval to form a support group for families of political prisoners. In 1987 they held an exhibition on torture, and they showed us some of their exhibits. However they were refused permission to repeat the exhibition in 1988.

Most women we met agreed that the advancement of the status of women is closely linked with the struggle for democratic and human rights in Turkey.

"WOMEN SHOULD KNOW HOW TO UNITE AND RAISE THEIR VOICES ON MAJOR ISSUES, TO DEFEND NOT ONLY WOMEN'S RIGHTS BUT TO DEFEND EVERYBODY'S RIGHTS..."

IT'S WOMEN WHO GIVE BIRTH TO CHILDREN, IT'S THE WOMEN WHO RAISE THE CHILDREN... WE SUFFER WHEN OUR CHILDREN DIE, WE SUFFER WHEN OUR CHILDREN GO TO PRISONS AND ARE TORTURED AND LOST LIKE THE DISAPARASIDOS IN ARGENTINA AND EL SALVADOR."

TURKEY INCORPORATED

"TRADE UNIONS, ACCORDING TO THE CONSTITUTION CANNOT ORGANISE CAMPAIGNS IN CO-OPERATION WITH POLITICAL PARTIES. THEY CANNOT CO-OPERATE IN ANY AREA WITH OTHER ASSOCIATIONS ... CHAMBERS OF ARCHITECTS, ENGINEERS ETC."

The above quote is by Yildirim Koc, Research Officer of Yol-Ish, the Turkish Construction Workers Union. He spent some time in military prisons following the September 12, 1980 military coup in Turkey, having been dismissed from his academic post.

Yildirim Koc believes that the current industrial relations climate continues to be a reflection of the January 24th, 1979 Economic Measures :

"What we as trade unionists consider as the basic tenet of the model was an assault on the fundamental rights of trade unions. However, everyone knew that the restrictions to be imposed on trade union rights could not be realised under a parliamentary democratic system...

So, to complement the economic program, the coup had to take place. When we recall those days, almost immediately the price of commodities rose rapidly... at the end of January there were about only 6,000 workers on strike, and the number of strikers increased month by month to 55,000 and there were up to 100,000 workers who were about to go on strike when the coup happened...

So the coup had to ban strikes, force people to work more intensively in the working day, stop the activity of certain trade unions and curtail severely the activities of unions still allowed to function...

Turkish Labour power could then be sold more cheaply in the international division of labour. From 1980 to 1987 it has gone from about 100 foreign firms in Turkey to somewhere around 625."

Dr. Korkut Boratav, one of Turkey's leading economists, was also dismissed from his academic post in the University of Ankara. He describes the 24th January Economic Measures in detail, stressing the incomes policy aspects :

"The civilian government in office at the time adopted, then implemented somewhat orthodox stabilisation policies along the lines recommended by the IMF. That package was later on adopted by the military....

It was further developed during the three years of full military rule, and then once again adopted and furthered by the Ozal

government in office since late 1983...

In that particular package incomes policy played a much more important role than standard IMF policies implemented elsewhere, it is directed mainly at the repression of labour incomes. The whole philosophy of the model is based on that particular structural feature...

Without the political and repressive tools of a military regime the incomes policy aspects of the package could not have been implemented, and the control of the labour market through extra-economic means was crucial in the implementa-



Overcrowded cities with massive transport and housing problems

tion of the program...

For a little bit longer than three years strikes were banned, collective bargaining procedures were suspended wages were determined on the basis of a newly established Higher Court of Arbitration which systematically set annual wages below the rate of inflation as a result of which real wages have decreased dramatically since the late 1970's up to the present day...

I should add that apart from the military measures, institutional measures were taken with the Constitution of 1982 and the labour legislation which followed whereby the right to strike and the freedom to engage in collective bargaining procedures were restricted severely."

Article 54 of the 1982 Constitution severely restricted the right to strike.

Then in 1983, a series of anti-labour laws were brought in to effect which further restricted the rights of trade unions. This law is still in force today and contravenes accords of the International Labour Organisation and other international bodies.

Yildirim Koc explains whether or not Turkey's labour laws in fact mean that workers can't go on strike :

"When you compare it with the situation in contemporary western society, it is so. But in spite of that, the working class in Turkey is striving for its basic democratic rights and the spontaneous labour movement is developing..."

One of the aims of the employers, with government co-operation, was to depoliticise the working class. Before 1980 it was possible for trade unions to organise campaigns for the democratisation of the country, etc .

...After 1980, a provision in the 1982 Constitution forbade all political activity of trade unions. But the 1983 law perhaps softened that a little by saying that political activities relating to the economic interests of workers were permitted...

So there was some ambiguity about the political activities of trade unions. If compared with the Australian case, where there is very close co-operation of the ACTU and the ALP and affiliation of certain unions with the Labor Party, etc - it is all forbidden...

However it is up to the trade unions to work around these laws. For example in 1983 we organised a campaign for a change in the Constitution.

...There was a referendum in September 1987 concerning the Constitution where trade unions campaigned very actively for a 'yes' vote. Before the general election in 1983 unions campaigned for 'no' vote for the Motherland Party. In addition to that officials of unions may issue statements as individuals...

We are pushing down those limits imposed during the period of military rule bit by bit. But when you think in terms of the legislation in

force there are very strict restrictions but they can't impose them because of the militant activity of certain sections of the working class. It's like crossing the road when the red light is on, if you are the only one who's crossing there are sanctions against you. But if there are tens of thousands of you... they can't impose them."

The only trade union confederation in Turkey is Turk-Is. Out of total workforce of 16 million there are only around 2 million unionised workers in both public and private sectors .

Serap Akpınar is from the confederation's international department and was in Melbourne representing Turk-Is at the 1988 International Confederation of Free Trade Unions conference where this interview was recorded:

"We have a prohibition on strikes in certain areas such as the arms industry, teachers... in the public sector there are about 300,000 workers who have no right to strike..."

Some members of the Executive of Turk-Is have currently been placed on trial, why?

"In September 1987 we had this referendum to lift restrictions on some ex-parliamentarians, and elections in November, where members of Turk-Is defied the ban on trade unions being involved in political campaigns and they were prosecuted by the State Security Court."
Turkey's official inflation rate is

now running at around 75 per cent, and there is massive unemployment and poverty. Recent opinion polls have shown the ruling Motherland Party is losing ground to both the Social Democratic Populist Party, and the right-wing Islamic True Path Party led by another ex-Prime Minister Suleyman Demirel.

The present government is looking at a program of Thatcher style privatisation of the heavily state controlled economy. Furthermore, Turkey's pending full membership of the European Economic Community is seen as panacea to its current problems.

Haliz Akder is the Assistant Dean of Economics at Ankara's Middle-East Technical University. He has worked on a common agricultural policy for Turkey's entry into the European Economic Community (EEC) and is cautiously optimistic about Turkey's economic problems being solved within the EEC :

"Turkey will face many problems if it remains outside, and has to decide to resolve these problems either inside or outside the EEC. They have decided to try and solve the problems as a full member.

...Turkey's economic problems are structural and cannot be solved by signing a treaty or agreement, they will also exist within the Community. I think however, Turkey will gain greater flexibility and advantages inside."

Despite Haliz Akder's optimism, Dr Korkut Boratov believes Europe is not ready to accept Turkey as part of its community :

"The crucial question is, will Turkey become a full mem-

ber? My own prediction is that Europe will not accept Turkey as a full member...

It will be a very long process of bargaining, and in the end, I believe, the European Community is not ready to see a Middle-Eastern country with a predominantly Muslim population, and also a huge labour force which is waiting for the free circulation of labour to start so that it will flow into Europe... millions of people of Turkish origin.

...People with completely different cultural backgrounds... adaptation problems. That kind of a scenario I think is very bleak for the European Community to accept Turkey as a full member."

Of Turkey's 52 million people, only around 16 million are officially 'wage earners'. 16 per cent of the labour force are unemployed and they receive no welfare payments.

Today 27 million out of a population of 52 million live in towns straining them to the limit. Changes in the economy have caused a large number of peasants to migrate from rural areas to the industrial centres, scraping together a living on the streets of the big cities

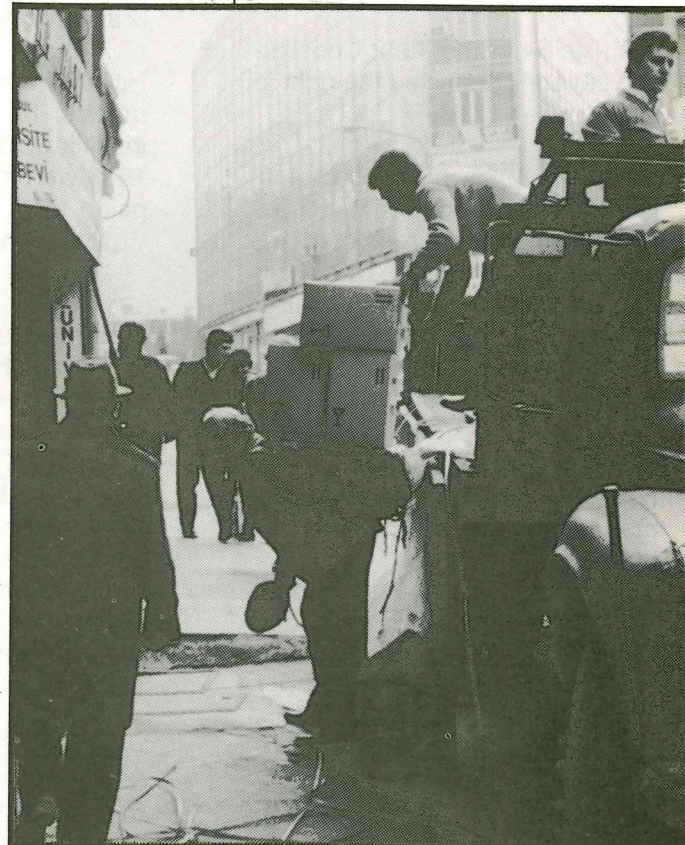
such as Istanbul, Ankara and Izmir.

According to the Swiss Bank, the top 20 per cent of the population control over half of the national income, while the lowest 40 per cent of people control only 10 per cent.

The country's economic problems are most severe in the east where some ten million Kurdish people live. Turkey annexed part of Kurdistan with the signing of the Lausanne Treaty in 1923.

An enormous number of Kurdish peasants have been made landless by growing land monopolies and government inaction on land reform. Investment projects established in Kurdistan often result in products and profits being re-directed to the western part of Turkey, or, overseas.

The Kurdish coal mining towns we saw were dilapidated and grey



WORKING CONDITIONS - TURKISH STYLE

in the bitter winter snow.

The Turkish government is trying to rapidly industrialise an agriculturally based economy at the expense of the standard of living of Turkish workers. The gross monthly minimum wage remains about TL 40,000 (\$50)* and employers pay negligible payroll and social security taxes. Yildirim Koc gave me these revealing statistics from the International Metal Workers Federation Annual Survey of the Purchasing Power of Work Time :

"According to those figures, to buy a kilo of sugar in Australia a steel worker has to work four minutes. In Turkey, in 1987, a worker in the General Directorate of Highways had to work 34 minutes, a worker in the private sector had to work 53 minutes.

...For a kilo of beef, in Australia 44 minutes. In Turkey four hours and 12 minutes for a government employee, and six hours and 37 minutes for the private sector construction workers.

...For a colour TV it was 69 hours in the Australian case, in the Turkish public sector, 954 hours, and 1,500 hours in the private sector...

Would the average Turkish worker own their own home?

... No, I think about 30 to 35 per cent of wage and salary earners would own their own home. The rest would

* As per exchange rate January 1988.

be renting and rent consumes a considerable proportion of the take home pay of workers."

In fact the minimum monthly wage would just cover the rent for an average two bedroom flat in a large Turkish city.

Serap Akpinar again, from Turk-Is :

"Basically all the strikes in Turkey today are aiming at better wages and working conditions. Because wages, since 1980, are always lagging behind the inflation rate which means a decrease...

So did the petroleum workers and the transport workers and the leather workers achieve pay increases in their recent campaigns?

"Yes they did but the year 1988 has seen even higher inflation and increasing prices again, so that rise was made null and void..."

I believe the government has just introduced some new austerity measures as well?...

"Yes, the current government has even broadened the policies of the 24th January Economic Measures, causing higher inflation, interest rates, higher prices and yet still lower wages."

Before the 1980 military coup over half a million workers from some thirty unions were affiliated to the Revolutionary Trade Union Confederation (DISK) .

DISK existed separately from the other trade union confederation, Turk-Is, until the coup when DISK was outlawed and all the executive and thousands of branch members were arrested.

Abdullah Basturk, the President of DISK was one of those arrested. He was released after serving four years in military pris-

ons and is now a member of Parliament for the Social Democratic Populist Party.

When we met Abdullah in the capital Ankara, he told us that most DISK members are now working within Turk-Is, and he's confident that DISK will re-emerge with an increased membership and exist in opposition to Turk-Is. He does however see a need for Trade Union unity.

Serap Akpinar says it's vital that leaders of DISK and Turk-Is work towards unity :

"Trade union unity, that is if we're talking about unity between Turk-Is and DISK, is a sensitive subject because it goes back some years where they existed as two different trade union confederations. In those days most of the social democratic and socialist trade unionists were in DISK and the rest were within Turk-Is..."

Today the situation is that most of the rank and file of DISK is within Turk-Is, most of them are members of Turk-Is affiliated unions. So the unification of DISK and Turk-Is must occur through dialogue between the leaders of both."

Fundamental issues of economic and democratic rights are the most pressing problems facing the trade union movement in Turkey. Today however, the internal questions of rank and file unity and representation of women are also being tackled.

But, in the short term, the aims of the trade union movement are best summed up in the motto of Turk-Is - "Bread, Peace and Freedom."

TURKISH GLASNOST

TURKISH PRIME MINISTER OZAL'S DESPERATE ATTEMPT TO CONVINCING THE EUROPEAN COMMUNITY OF TURKEY'S TURN TO DEMOCRACY , AS PART OF A CAMPAIGN TO GAIN FULL MEMBERSHIP OF THE EEC, CONTRASTS SHARPLY WITH THE DENIAL OF MEDIA FREEDOM.

The status of media freedom in Turkey gives a good indication as to the subtlety and double edged nature of the country's new found 'democracy'.

There are two state owned television stations which offer a variety of programming, from locally produced soapies to Hitchcock and Fassbinder. The news bulletins are blatantly 'establishment' with usually the first, and longest, item focussing on Prime Minister Ozal or President Evren.

Less than 20 per cent of Turkish homes have television sets. According to the International Metal Workers Federation Annual Survey of Purchasing Power of Work Time, at the end of 1986, a Turkish steel worker in the private sector, would have to work for 9 months to buy a new colour television.

There are also four state radio networks offering similar choice to those of the Australian Broadcasting Corporation (ABC). Given the situation with the electronic media, the press is the most significant branch of the Turkish media.

After the 1980 military coup, all left-wing journals and publications of revolutionary organisations were banned and those responsible sent to military prisons.

Several of the major dailies were

also shut down with a few progressive arts and cultural periodicals allowed to continue. Now, there are around half a dozen national dailies with a circulation of over 100,000, numerous local dailies and an almost equal number of weekly and colour magazines of varying political persuasions.

The variety of publications available on Turkish news stands lends a false impression. While left-wing publications are now permitted, the financial and political pressures of the state are restrictive.

Publications of revolutionary organisations are still banned today under sections 325 and 326 of the Turkish Penal Code, which was effected by the Junta .

The Turkish Government owns all the paper mills and therefore controls the price of news print, which has risen nearly 150 per cent in the last 12 months. One magazine editor said that paper now accounts for 60 per cent of his production costs. Distribution alone often accounts for up to 40 per cent of total revenue.

These types of financial pressures make it difficult for small left-wing and progressive publications to survive, and, impossible to establish new local or national dailies.

While we were in Turkey "Yeni Gundem" (New Agenda) a weekly, leftist, colour magazine temporarily suspended publication because of financial difficulties.

"New Agenda" currently has eleven legal actions against it initiated by the Public Prosecutor, and the editors consider two of these as the most important.

The first concerns the cover story of a July 1986 issue which examined homosexuality in Turkey.

The offending cover, of two topless men hugging, was deemed obscene. Turkey's obscenity law is supposed to protect minors from moral degradation and this cover is charged with promoting immoral behaviour in Turkey's youth - ironically, in a country where several dailies carry front page, colour photos of scantily clad women in suggestive poses.

The editor we spoke with doesn't think jail sentences will be imposed in this case, but rather a TL120 million (A\$150,000) fine to further tighten the financial screws on the magazine.

The second action involves a March 1987 issue carrying a cover story about the Kurds - some twenty million people living around the borders of Turkey, Iran, Iraq, Syria and the Soviet Union.

Eight to ten million Kurds live in eastern Turkey. The Kurdish language and culture is banned under Turkish law and their leaders claim they are being brutally oppressed by the Turkish regime.

The story in 'New Agenda' contained interviews with ex-Prime Minister Bulent Ecevit, an MP from the ruling ANAP Party, the ex-Martial Law Commander for Adana in the south east, and, the director of the Kurdish Institute in Paris.

The article's clearly stated aim was to put the Kurdish question on the public agenda, blatantly breaking one of the country's strictest taboos. Since the authorities would have found it difficult

to take action over the interviews with the ex-Prime Minister, the ex-Martial Law Commander and the MP from the ruling Party, the offending item was deemed to be the interview with the Director of the Kurdish Institute in Paris.

An editor and the Paris correspondent face long jail sentences if found guilty by the State Security Court, which is run along military lines. The editor's passport has been withdrawn and the Paris correspondent is now hiding in exile.

Under Article 28 of the Turkish Constitution, periodicals may be temporarily suspended by court order if convicted of publishing material inconsistent with the indivisible integrity of the state, the Republic, national security or public decency.

Also under Article 28, distribution may be forbidden as a preventative measure under a court order or, in cases where delay is considered prejudicial, on order of the authority expressly empowered by law.

This 'expressly empowered authority' may also seize publications "harmful to the protection of the indivisible integrity of the state."

The two banned issues of 'New Agenda' had already been in the newstands for one or two days before the court order banning them was executed. Since then the authorities have tightened up their procedure taking out court orders banning issues of publications whilst still at the printers.

This happened to three issues of Turkey's leading opposition weekly "2000e Dogru" (Towards 2000).

One offending issue, dated August 30, 1987, contained classified documents from a 1923

press conference about the Kurdish question, held by modern Turkey's patriarch, Mustafa Kemal - Ataturk.

The documents were the official notes of the press conference, taken by Ataturk's secretary, where he said that for the purposes of a united Republic, Turks and Kurds are one people.

The editor's aim was to show that Ataturk supported the Kurds thus reinforcing some popular misconceptions about the history of Turk/Kurd relations.

Another offending issue, dated November 15, 1987, contained a story about the issuing of an illegal military order to search for and kill Kurdish separatists. A young Turkish lieutenant received the order in 1985 and on completing his military service took the order and the story to 'Towards 2000'.

The Military Chief of Staff, in replying to the allegations, never denied the order was given but stated that the issuing of such an order was impossible because official instructions are to capture separatists alive.

Officials of the Contemporary Journalists Association in the capital Ankara claim that individual journalists are still harassed and beaten in the course of their work by security and civilian police.

The Contemporary Journalists Association, with a membership of 1,200 is one of three similarly sized journalist as-

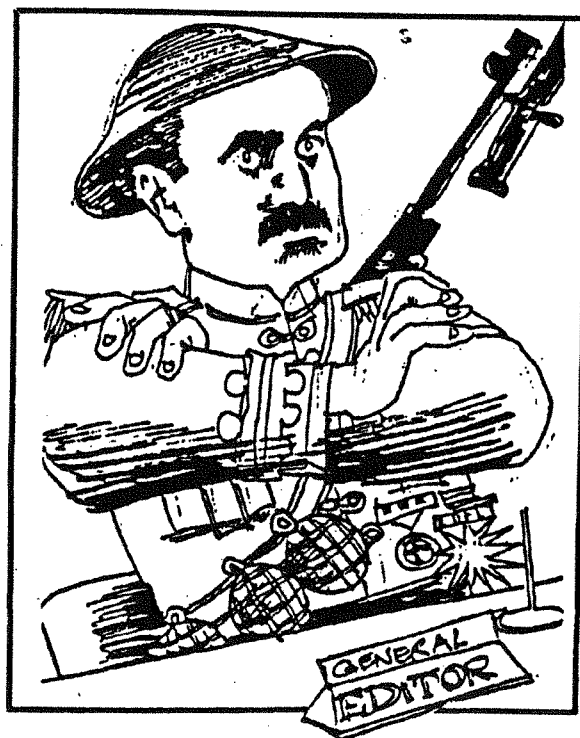
sociations affiliated to the Turkish Journalists Union.

Although the press in Turkey is getting more courageous, particularly about the Kurdish issue, the editor from 'New Agenda' we spoke with said one of the biggest problems is the degree of self censorship by Turkish journalists.

Some of the official and unofficial taboos include criticism of Ataturk and the official history of the Republic, Islam, disrespect of the Armed Forces and the rights of Kurds.

The editor added that "you have to have masochistic tendencies and rotten business sense to run a magazine like this... but we believe in putting our money and commitment where our mouths are."

**This article first printed in 'The Journalist' newsletter of the Australian Journalists Association.*



TORTURE IN TURKEY

"We were tortured...and yes my husband was violently, and savagely tortured. I can say that I was only tortured from time to time. In order to make my husband talk they put me in the same torture cell and tortured me in front of him.

... Under torture you lose your sense of time, hour, night and day. We had no contact with the world outside, we couldn't contact our families or lawyers by any means."

The nature and extent of torture in Turkey is well documented by Amnesty International and the Turkish Human Rights Association.

Our delegation met with victims of torture. These comments are based on first hand evidence and deal briefly with some of the aspects of torture in Turkey and some of the actions being taken by various groups working for the restoration of human rights in Turkey.

At the end of January 1988 Turkey became a signatory to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Shortly, after this Turkey also signed the Council of Europe Convention on the Prevention of Torture.

Nevertheless, Turkey is still listed by the UN Human Rights Committee as among the 10 countries where acts of torture are carried out, according to a news item in the Turkish Daily News of 1 February, 1988.

Torture has been institutionalised in Turkey since the early 1970s. We were told that there has been some improvement since 1986, but that torture still occurs.

Torture is aimed at destroying the personality and will of the victim, of obtaining information, of breaking down resistance and as a warning to others.

In some cases people have been arrested on suspicion, and the only evidence to justify the arrest is what has been obtained from torture.

We heard of people who had been arrested and tortured, and later released because no evidence could be found against them, and many stories of arrest, torture and imprisonment under cruel and foul conditions.

In the South Eastern provinces systematic torture and degradation are a way of life for the Kurdish minority living there.

We also heard that it is almost impossible for the victims to have their complaints heard or the torturers punished.

We also met with members of the Human Rights Association (HRA) in Istanbul and Ankara. The HRA was formed in 1986. It campaigns mainly for the rights of political prisoners. It is one of the few such organisations permitted by the regime.

In December 1987, the HRA held a march, attended by 10,000 people, calling for a general amnesty for political prisoners and the abolition of the death penalty. Some members of the association were arrested for short periods and some of them were brought

to trial on charges of violating the Law on Associations.

A petition of 130,000 signatures was presented to Parliament by a deputation of families of prisoners, professionals, artists etc. Demonstrations have only been permitted in the past year and placards are banned.



EMIL GALIP SANDALCI

Emil Galip Sandalci is the President of the Istanbul Branch of the Human Rights Association. He has studied in Turkish and American universities having lived through three military coups. He has been detained and tortured on several occasions.

Emil currently has two cases against him for alleged political offences and has had his passport withdrawn as a result;

"The Turkish government officially says they are against torture. On every occasion they say so. In my book, and everybody knows about it also, it was a sort of a state policy and state terrorism so to speak...."

Torture as a state policy has been going on since 1980, but actually before that too, there was another military coup d'etat in 1971, and then almost the same conditions existed at that time...

Since then torture became nationwide and very intensive. It became a policy as far as the police and secret forces are concerned....

Torture has existed in Turkey traditionally for a long time for centuries, like many other countries too, and I have to admit that Turkey is not the only country that torture has become an institution. We have to say that easily over a 100 countries in the world both in the so called western democracies or in the socialist countries in many of them torture is an institution, Turkey is one of them."

Since the 1980 military coup in Turkey over a quarter of a million people have been detained and interrogated for suspected political offences. Most people detained by the police or security forces allege that they have been tortured, in some cases tortured to death.

The estimated number of deaths in custody since 1980 resulting from torture or ill treatment range from an Amnesty International report of 100, to over 300 based on the figures of a Social Democrat member of parliament. The prison population currently is estimated to be over 53,000 of which around 18,000 are political prisoners. (Amnesty International. Turkey: Torture and Medical Neglect of Prisoners. May 1988)

Most allegations of torture relate to the initial period of secret

detention in police stations which can currently last for 15 days or more, at the request of the police or public prosecutor.

The aim of torture during detention appears to be to extract information and confessions. In prison, beating and humiliation are used to control the prison population and to instill such fear into the inmates that on leaving goal they will conform.

Documented methods of torture include sexual abuse, mock executions, hosing down with cold water then being left naked in harsh Turkish winters, beating of the soles of the feet until the skin is broken and prisoners supposedly falling out of third floor windows of police buildings.

One particularly brutal form of torture is known as the Palestinian Hanger. Here the victim is hung by the wrists which are joined together behind the back. The resulting pressure and strain eventually cracks the ribs which perforate the lung.

Another particularly brutal torture is called the Coca-Cola Bottle. This involves forcing the victim to sit down naked on a coke bottle. The pressure shatters the bottle into the victim's anus.

"One night or day, we heard them beating a new comer. He was silent except for the gurgling sounds coming from his throat....

Later... they hosed this person with his clothes on. We could understand what was occurring from the policemen's conversations amongst themselves....

When they took us out to the toilet we saw this man lying on the floor of the cor-

ridor. I realised it was my husband, only from the coat thrown on him. His face was crooked, he was covered in blood all over, unrecognisable, and only gurgling, gurgling and gurgling."

This statement is by a woman who was a torture victim in DAL - the scientific interrogation laboratory in Ankara Police Headquarters and understandably wants to remain anonymous.

Emil Galip Sandalci of the Human Rights Association was asked by the delegation to what extent torture is still being used by the present government.



PALESTINIAN HANGER

"Now it is not as large and widespread as it used to be, but in occasional cases it goes on. We can not say that it has stopped ...

It won't stop unless it is officially denounced by the authorities, by the government, and the higher administrators are held responsible for torture....

Just saying in a demagogic way that there are individual cases and separate people are doing this torture, and that we are investigating them and even punishing them... this is a false statement and it does not express the truth".

Do you see the bringing of individual torturers before the courts as an indication of the government's determination to stop torture ?

"...No, no, there are only a few cases of some of the police officers being taken to court, even some of them were punished for a few years....

But first of all they do not get heavy sentences, and secondly they are not detained when they are on trial. In most of the cases they remain free until the end of the decisions of the court, and when the court comes to the decision, and then if the decision is to be a heavy penalty in terms of years, then you can not find these guys...

they have already disappeared...

There has not been an increase in the number of torturers brought to trial. On

the one hand there are so many cases of torture and then only very few of them are being brought by the families to the courts and even then it is very difficult to prove them...

In many cases they are going on for years, in some cases the families of the victims after a long time are able to bring the cases to the courts."

Situated across a large square from the spectacular Blue Mosque is the Istanbul Palace of Justice. One of the city's several court buildings.

The palace houses 30 courts which hear up to 20 cases each per day. We attended a hearing there involving the death by torture of a 24 year old man, who was detained in 1984.

The action was taken by his father whose lawyers wanted to call in a fifth policeman who they claim was the chief torturer. The judges ruled this irrelevant and the hearing was over in 10 minutes, the next hearing was not due for another six weeks.

The lawyers working on the case added that the judges had been replaced because the previous judges had been too liberal and that the case was looking bad for the government.

Such a manoeuvre is unheard of in Australian legal practice.

We asked Emil Sandalci what steps he thought were necessary to end torture:

"First of all the government has to denounce these kind of activities, and then officially announce that they are going to hold responsible not only the tor-

turers but also their immediate superiors. Furthermore they should change the laws...

Amongst the newly elected members of parliament, and even members of the party in power have experienced, torture in the goals and in the police headquarters...

Well, in a parliament with 400 members there are about 30 members who were actually imprisoned and tortured. They went through all these experiences...and also the press is increasingly becoming more interested and courageous in reporting cases of torture."

Muzaffer Erdost, a publisher and member of the Human Rights Association in Ankara, told us how he was arrested in 1980 after the coup with his brother, Ilhan Erdost, a scientific publisher and well-known poet. The trip to prison, which should have taken 5 minutes, took 25 minutes. They were beaten so savagely in the police van that Ilhan collapsed and died without recovering consciousness. Muzaffer was not informed of the death for three days.

The official cause of death was given as heart failure, but the family later found out that doctors had refused to sign such a certificate. The men responsible were brought to court but the trial dragged out over four years and interest in the case subsided.

The soldiers in the case claimed they were obeying orders, the sergeant in charge claimed he was sitting in the front of the van and was not fully aware of what had happened.

All escaped with minimal sentences. The sergeant was sentenced to nearly eleven years gaol, but after two appeals this was reduced to six months. He spent only one week in gaol and was suspended from duty for six months. He was not removed from his position and was later reinstated and promoted. The soldiers were sentenced to eight and ten years gaol, but were released after a few years.

In most cases, beatings are carried out on soft tissues which heal without leaving scars. One man showed us scars on his head, limbs and body. This is his story.

He and his wife are teachers. He was a representative of the Republican People's Party in the town of Kahramanmaras before the coup.

He was accused of subversive political activity, and was arrested with his wife and two children, aged 20 days and two and a half years. He was tortured in front of his wife and children, and they were tortured in front of him. The

babies were hosed and beaten.

The wife and children were released after several days. He was tortured for 59 days and again later for 24 days.

On one occasion he was suspended on the Palestinian hanger for 45 minutes.

He was imprisoned for 5 years to be served in Diyarbakir, Mersin and Adana. At the time of his trial he reported that he had been tortured, and that there were witnesses to his torture. He had no legal representation.

Seven guards and the chief of Mersin prison were charged and tried for torture but he does not know the outcome of the trial or whether the torturers were eventually punished.

At a hunger strike in Adana prison, he became ill and vomited blood and was refused hospital transfer. By the end of the 23 day strike he was very ill. He and two others were taken to hospital. He was chained to the bed and only

released for toilet use.

The cells at Adana he says, were shocking because the territory is swampy and the cells which are two floors below ground level leak water.

During the hunger strike prisoners were put into damp cells, 10 to a cell, with no outside ventilation, and no toilet facilities. They were told that only when they confessed their ideologies and 'reformed' would they then be given better cells. These conditions made it difficult to continue the strike. He has seen two people die under torture.

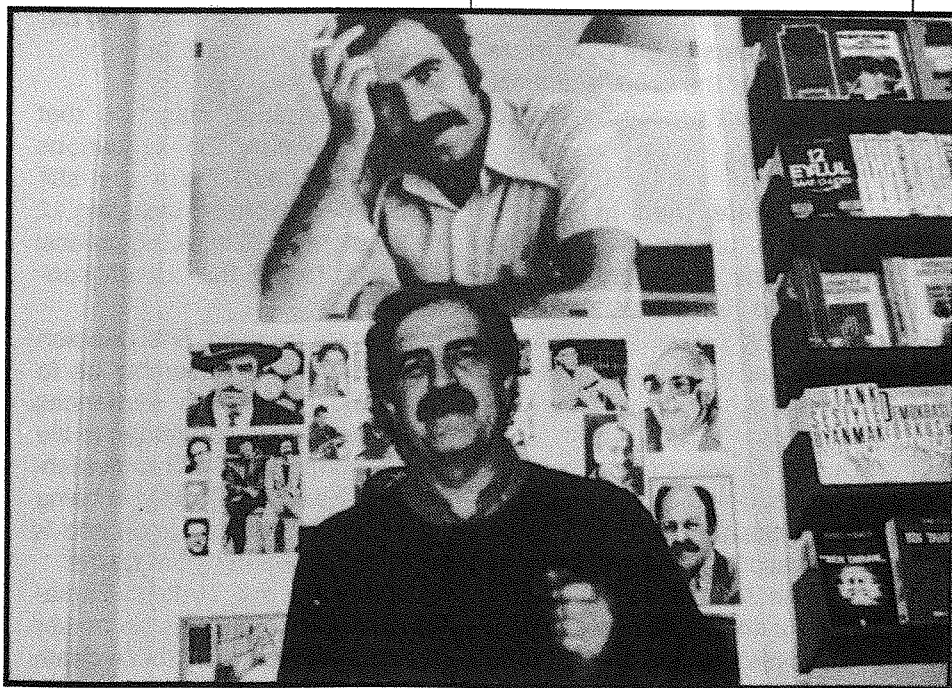
Since his release, neither he nor his wife have been allowed to work as teachers. They now make a living by selling water and by hawking.

We met a woman journalist whose husband was shot by military guards. He had gone as a representative to negotiate a pay dispute. The employer called the military guards and accused him first of robbery, then of being an anarchist and armed.

When searches revealed neither money nor weapons, he attempted to leave and was shot in the back. He bled to death.

He was 23 years old. His wife was three months pregnant, and had to face humiliation and abuse by the police when she tried to claim his body. She later miscarried. His father died of a heart attack some weeks later.

Political prisoners are protesting about being gaoled and tortured in military prisons and being forced to wear prison uniform. Medical care is often denied or delayed. There have been many hunger strikes in the prisons during



AUTHOR MUZAFFER ERDOST WITH A PHOTO OF HIS BROTHER ERHAN

which prisoners have died.

Wives and families of political prisoners have demonstrated outside the prisons in sympathy with the hunger strikers, often being arrested themselves. They have collected petitions demanding better treatment of prisoners and abolition of the death penalty. Relatives have restricted visiting rights and can communicate with prisoners only by phone, in the presence of the guards, with visits usually limited to five to ten minutes per week.

Prison conditions were described to us as worse than Auschwitz yet prisoners felt relief when they were removed from the torture centres to prison. On one occasion several prisoners immolated themselves in protest at the inhumane conditions of the prison.

One young man was arrested as a student. He did not wish to be photographed at the time we spoke to him as he has returned to university to complete his studies. The following are details of his experiences in custody for three years :

Prisoners were treated like Pavlov's dogs, and had to obey commands by the bell. From 6 am to 10-30 pm, except for two meal breaks, they followed a routine of 20 minutes drill, 20 minutes indoctrination by loud speaker and again 20 minutes drill.

There was always the chance of beatings for trivial reasons. After a hunger strike, the beatings were suspended. He was kept in a cell and did his exercise in the cell.

There were four men in the cell and only two single bunks. Lighting was on day and night and there was always a soldier visible. The guards were usually village boys doing their military service.

For punishment, prisoners (including himself) were put in another cell in solitary confinement. These cells had no door, only a low entry opening, no grill and no lights. They had a tin can for a toilet.

These punishment cells were 80cm x 80cm and there was no space to lie down. They were underground and very cold and damp. Prisoners could not be kept in these cells for more than 15 days at a time, but could be rotated with 15 days in the ordinary cells.

Offences for being sent to these punishment cells included not obeying orders, or not doing exercises properly.

Prisoners often formed close brotherhood links and nursed each other as well as they could.

One of our interviews was with the editor of the magazine "Towards 2000" and previously President of the Labour and Peasants Party. He told us of his experiences as a prisoner and as a publisher since his release. 1,500 members of the party were arrested after the coup, and there were 90 court proceedings leading to trials.

Some were tried in groups, some were gaoled awaiting trial from one month to 2 years and then found not guilty. Theoretically people can claim for wrongful arrest but in practice it does not work, and is too costly.

During 4 years he was not personally submitted to torture but was a witness to torture. He was in several different gaols, first Mamak then Ankara and Istanbul. He was a showcase prisoner, and had access to legal advice, others did not.

He told us that there were continuous beatings as a warning to other prisoners, six or seven of every 30 prisoners every morning. Sometimes all 300 prisoners would get beaten, often for trivial offences: singing the national anthem too loudly, or not loudly enough etc.

Cells measured 2 metres by 1.5 metres. Prisoners were made to march on the spot for four and a half hours per day, with four and a half hours official indoctrination on Ataturk's theory. Anyone could be called by name to quote passages from the book.

In his first week in goal he was given no peace. He was constantly made to walk and march. During the night from 11 pm to 6 am, prisoners were often disturbed and beaten. There were no outside windows, only a grill over the door into the corridor.

One of his cell-mates was Erdal Eren aged 17, who was hanged in 1980. There was only circumstantial evidence against him. A journalist was allowed to photograph and interview him before the hanging. The case was later described in "Towards 2000".

The delegation was told that there have been no executions since 1984, but there are still some 160 prisoners, including 12 right-wing and 99 left-wing political activists, facing the death sentence.

They are awaiting final decision by the National Assembly as to whether their death sentences are executed or commuted to life imprisonment. Capital punishment still exists in Turkey, is being demanded by prosecution and is still being granted by the courts.

Ultimately the Turkish Parliament is the final decision maker because it must ratify these death sentences.

Before 1986, people could not talk openly or publish anything about torture, now they can and conditions in goals have improved.

Officially there are no political prisoners, therefore there can be no political amnesties.

Defence lawyers are sometimes themselves taken to court because of their defence of a political prisoner. If the client is charged with membership of a secret organisation, the lawyer becomes suspect also.

Lawyers have been harassed and insulted.

The discussion with their client is recorded and may be brought up in evidence in another case. These cases are usually heard in military courts and lawyers are intimidated and deterred from de-

fending political cases.

These examples are just some of the many similar stories told to the delegation. They were confirmed by the lawyers, parliamentarians, doctors, teachers and journalists we met during the time we spent in Turkey.

Many people even in Turkey itself are not fully aware of the extent of torture and loss of civil and human rights in their own country. We hope that our evidence will help to bring the information into people's consciousness, to make them more aware that real democracy in Turkey is still but a superficial face to a carefully disguised fascist regime.

Turkey's interest in joining the European Economic Community can be a powerful weapon to force the Ozal government to take positive action against torture. Al-

though the Ozal government has signed international agreements, it still has to show its sincerity by establishing a clear position against torture and by bringing torturers to justice.

Doctors and Human Rights in Turkey

Turkish Medical Association

One of the national organisations affected by the clampdown after the military coup was the Turkish Medical Association. The Association is an autonomous body, with responsibility for medical registration and accreditation. Membership of the Association is obligatory.

After the election of the government of Turgut Ozal in 1983, approval was given for the re-establishment of the central council of the Association. One of the conditions imposed by the constitution is that a professional organisation will not engage in political activities.

In December 1985, the president of the council, Professor Nurettin Fisek and five other members were arrested and brought before a tribunal for signing a petition to the President of the Republic calling for the abolition of the death penalty.

They were indicted on a charge of political interference in violation of Article 136 of the constitution and the prosecution sought a two year sentence.

The petition had been drawn up in line with the resolution on the participation by doctors in capital



"ÖFKE" ANGER - ALIME MITAP

punishment, which was adopted by the General Assembly of the World Medical Association in 1981 (WMJ 1986).

The 1981 resolution states that it is unethical for doctors to participate in capital punishment except to issue certification of death. In Turkey, a physician must certify before execution, that the person is fit for execution and that there are no contra-indications, a quaint requirement at least. In these cases the doctor becomes party to the execution.

Article 136 of the Turkish Constitution, drawn up under the military junta and adopted in 1982, states:

" Professional organisations shall not engage in activities other than those for which they were formed, nor shall they become involved in politics or take joint action with political parties, unions or associations.

Political parties, unions and union federations shall not

nominate candidates in elections to the organs of professional organisations or their umbrella organisations, nor shall they engage in activities or propaganda in support of, or in opposition to, particular candidates."

Professor Fisek is a well-known figure, and has represented Turkey at the World Medical Assembly. Since the question of capital punishment was seen to involve Turkish doctors directly, the defence argument was that the petition lay within the competency of a professional medical organisation and did not constitute a political action.

Medical organisations in other countries and the World Medical Association sent protests to Prime Minister Ozal. In the end the charges were dismissed and the doctors were discharged without sentence.

The Medical Association has established a sub-group on Human Rights to co-operate with Amnesty International and the Danish As-

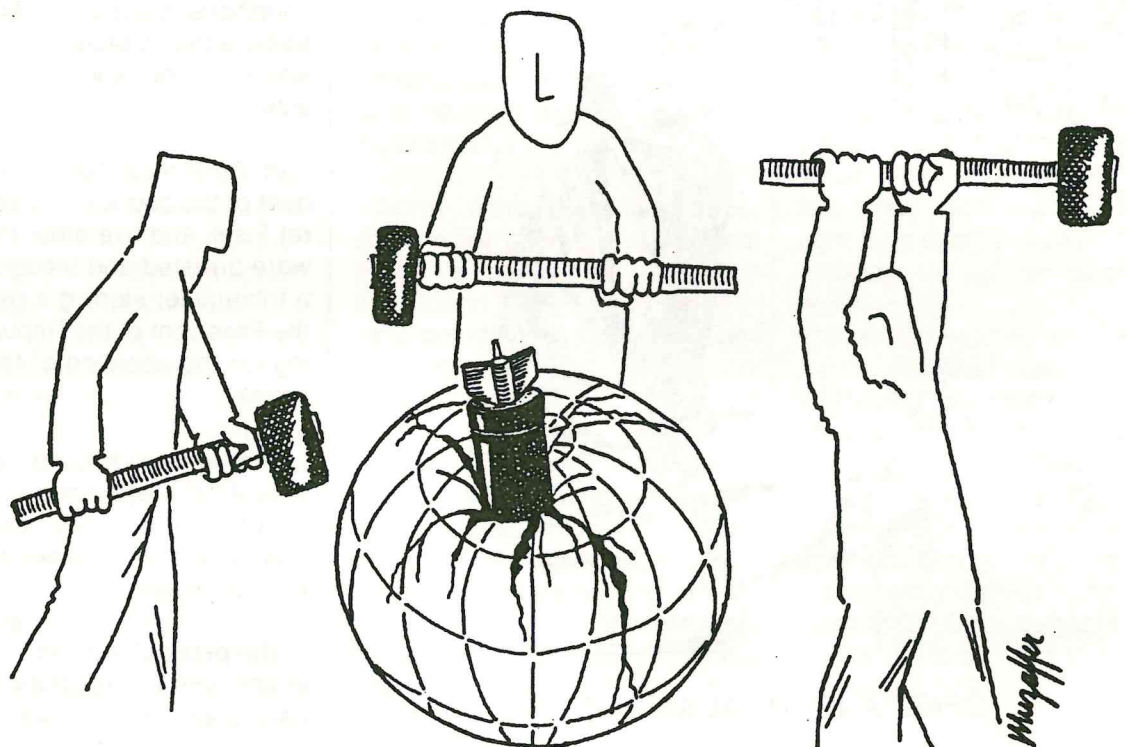
sociation for the Treatment of Victims of Torture.

We were told that although the death penalty has not been abolished, no executions had been carried out since 1984, whereas during the period of martial law, there were 54 executions - 27 of which were for political activities. There are still 163 people currently under sentence of death, some of whom have been in gaol for 8 years.

Torture has been institutionalised in Turkey since 1970. Although theoretically illegal, we were told that torture is still going on. It is very difficult to bring a charge of torture before the court and very few torturers are punished.

In January this year, the Turkish government signed the United Nations and European Council declarations on torture, but has yet to demonstrate its sincerity by banning torture and bringing torturers to justice.

Turkey on the surface has a so-



cialised type of medical service which provides medical treatment free of charge. However, there are dangers in idealising such a service: Turkey is relatively a poor nation yet it spends proportionately large amount of its budget on defence, thus health care and other social services are insufficiently funded.

All doctors serve 2 years in the medical service after graduation and are then called up for 2 years military service.

They return to the Medical service for further training and post-graduate work. Young doctors face security checks when applying for appointments and they suffer discrimination if they express political opinions.

During their military service, doctors are called upon to participate in torture in various ways, such as standing behind a blindfolded prisoner informing him of the torture ahead and its likely results, examining prisoners as to their fitness for torture, surveillance of torture, resuscitation of prisoners for the next bout of torture, certification of injuries or causes of death.

The aim of torture is to inflict suffering short of the point of death. It takes some courage to refuse to co-operate and many doctors in the situation co-operate as unwilling accessories under orders, or justify their participation as in the line of providing proper medical care. Some accept torture as a political reality, and some military doctors later regret their participation.

During our visit, I was able to attend a seminar in Istanbul given by two Danish doctors, Inge Lunde and Jorgen Ortmann, who had been invited by the Medical Association Human Rights group, to speak at a conference in Izmir

on torture, attended by 300 Turkish doctors.

They pointed out that torture would be impossible without the co-operation of doctors.

In their efforts to have torture abolished, the Turkish Medical Association is trying to identify doctors who have collaborated with the military police in acts of torture.

One doctor was suspended for one month for giving false evidence.

Military doctors are beyond the reach of the Association.

The Association recognises the need for encouragement and support by the profession for doctors who refuse to co-operate in torture. We were given examples of young doctors being victimised for refusing to give false certificates and for reporting evidence of torture.

Association of Physicians for the Prevention of Nuclear War in Turkey.

We also had a meeting with members of the Association of Physicians for the Prevention of Nuclear War and their president, Professor Dr Leziz Onaran.

This is now the only peace group in Turkey allowed by the government.

In February 1987, with 49 founding members, they sought approval to establish the group. Although in theory, approval is not necessary, they had to submit their constitution and details about their founding members to the Minister for the Interior.

At first the official response was that there was no need for such an organisation, but finally they were given approval in November 1987.

Their objectives are of necessity

limited to opposition to nuclear war and nuclear weapons testing. Turkey was affected by the Chernobyl disaster. It is illegal for the Association to have any affiliation with any political party, but individual members do belong to the Social Democratic Peoples' Party which is in opposition.

This is the only party with which they can have any dialogue on peace issues. They cannot, for instance, protest as an organisation against American bases in Turkey.

The founding members were checked against state registers of people wanted for previous political offences.

One of their members was arrested when his name was found on the list, of which he had been unaware. He was released the next day following intervention on his behalf by his employing organisation.

One of the members of the Association told how she had been arrested after the coup with her husband and imprisoned for 1 year for alleged political activities. She was tortured, "as everyone was".

The Association has adopted the slogan: "The Last Prescription against the Final Epidemic" and now have a membership of 77 people including doctors, dentists, pharmacists and nurses.

They had, by January 1988, published two issues of their bulletin 'Son Recete'. They hope to publish information on the work of similar international organisations and to get international affiliation. They merit the support of other doctors' groups interested in peace and human rights issues.

There are lessons to be learned from Turkey. We need to look at

what our own situation is regarding the treatment of prisoners in gaols.

We hear about South American countries where torture is carried out but little about Turkey.

Turkey is a long way from democracy, although in an effort to gain acceptance by the European community Prime Minister Ozal is trying to play down the issues of torture and denial of human rights. Turkey has a great need for power to carry out its development program and Australia is currently negotiating for the sale of coal to Turkey for new power stations to be built on the Turkish coast. There is an opportunity for the Australian Government to use its powers of persuasion with the Turkish Government to encourage the move towards democracy in Turkey and to support those groups who are working for the restoration of human rights.

**This article first appeared in 'New Doctor' the journal of the Australian Doctors Reform Society, Issue 48.*



TURKISH PEACE ASSOCIATION (TPA)

Mahmut Dikerdim is the President of the Turkish Peace Association which has been banned since the 12th September 1980 military coup.

After completing his primary and secondary education at a French speaking school in Turkey, Mahmut graduated from university in Geneva with a Doctorate in International Law.

In 1940 he joined the Turkish Diplomatic Corps and served for almost thirty five years including positions as ambassador in Jordan, Iran, Ghana and finally India.

He has lived through Turkey's three military coups in 1960, 1971 and 1980. The first one found him jobless for four years and the last one saw him in Turkey's infamous military prisons.

Shortly after his retirement in 1976, Mahmut and 38 other people launched Turkey's first Peace

Association. He was elected President of the Association in 1977.

Mahmut said the Association grew rapidly but was not really a mass movement :

"Our association had a maximum of 350 members. But all of them were representing a group... We also attracted the attention and animosity of other sectors."

The 12th September Junta came down heavy on the Turkish Peace Association.

In February 1982 a military court issued warrants to arrest 44 members of the Association for 'forming a secret organisation, propagating communism and separatism, and, praising activities that the law classifies as felonies'.

The 44 accused comprised a wide section of Turkish society including journalists, authors, trade unionists, lawyers, doctors and Members of Parliament.

Fourteen of the 44 fled the country and 23 others were given five to eight year sentences. They joined the hundreds of thousands of other political prisoners detained after the 1980 coup.

Mahmut explains why the Peace Association received this treatment :

"We didn't make any more or less noise than the rest of the international peace movement. The indictment was that we were affiliated to the World Peace Council which they claim was a front for the Soviet Communist Party and the KGB..."

We did nothing illegal but we openly and harshly criticised NATO, pointing out that NATO didn't protect Turkey, in fact it makes it the first target... Also, Turkey's pro-imperialist support for Britain and America pushed it away from its Arab neighbours...

The 12th September coup was aimed at completely extinguishing the left from political life, and our movement was seen as a leftist movement."

Mahmut describes to what extent the coup has affected the movement :

"Look, the government can do what they want but Turkish people want to have friendly bi-lateral relations, especially with our neighbours..."

The Turkish people want disarmament too. Up to 40 per cent of our budget is spent on the military."

Successive Turkish governments have regularly flexed the country's military might both internally and externally. The effects of Turkey's 1974 occupation of Cyprus are still felt to the present day. Up to one third of the Turkish army is stationed in the eastern part of the country and is used to systematically repress the Kurdish minority which is struggling against the banning of its language, culture and democratic rights.

The current government of Prime Minister Turgut Ozal is keen to sell Turkey as a country where military rule has ended and is on the path of democracy and economic prosperity, in an effort to gain full membership of the European Economic Community.

Mahmut Dikerdim is critical of Ozal's "turn to democracy" arguing that while the institutions of democracy are there, Turkish leftists and socialists are still disenfranchised and repressed.

He singles out two sections of the Turkish Penal Code (TPC) which were lifted from Mussolini's Penal Code for Fascist Italy - Articles 325 and 326 which deal with illegal organisations and propaganda :

"If they don't like you they can get you under those sections. This must change. The whole Constitution is handicapping the freedom of organisations - unions, youth, professional organisations, everything is very limited..."

We can't have meetings, forums, rallies and marches like you are doing in your country. In Turkey the peace movement's future is strongly linked with the struggle for democracy.

Commenting on the INF treaty signed between the Soviet Union and the United States, limiting interim range nuclear missiles, Mahmut Dikerdim says that while they constitute only four per cent of all nuclear weapons:

"For the first time a category of weapons will be destroyed... not only diminished but destroyed."

Mahmut stresses that it is vital for any reductions in nuclear forces are not negated by increases in conventional forces .

"Disarmament must mean that there will be agreement on the reduction of all forc-



'Mahmut Dikerdem

es. Conventional armaments must be diminished...

Of course all countries have the right to defend themselves but now people have realised that more weapons don't bring more security... on the contrary, less weapons must be safer for the entire world."

Mahmut concludes that ...

"The military industrial complex has reached a point where our poor planet is on a volcano crater, and, people have been suffering from a disease, it's called chauvinism. I call it very bad nationalism... this is the most dangerous philosophy of our century. This has created eternal animosities which is nonsense."

**First printed in 'Peace Action' newsletter of the New South Wales branch of Australian People For Nuclear Disarmament (PND).*

THE VENEER OF JUSTICE

For a nation to call itself democratic there should be certain fundamental human rights that are upheld by its government and available to all of its citizens.

If such rights do not exist, or are severely limited, the government of such a country clearly fails to be representative of the free will of its people and leaves itself open to criticism not only by its own people but also the international community.

The government of Turkey endorses through its legislation and the actions of its military and police forces many breaches of fundamental human rights. An examination of its penal code and the way it administers its justice system leaves Turkey open to the same types of criticism that are currently being made against countries such as South Africa and Chile.

The only difference is that Turkey has not, at least in Australia, been given the same degree of publicity about its flagrant disregard of human rights.

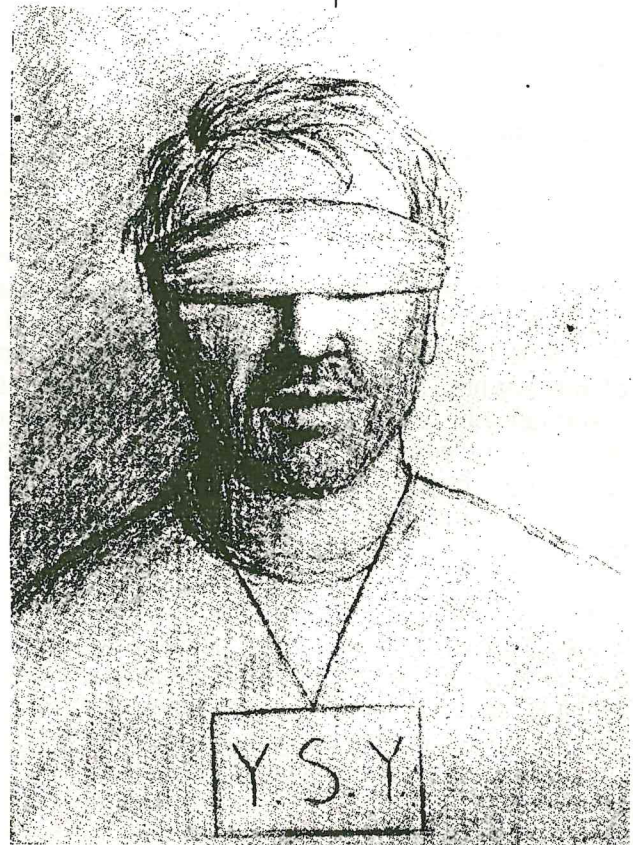
One of the most basic rights of an individual is to be allowed to live without fear of torture by the state. This fundamental right is breached on a wide and regular basis in Turkey. Not only does the population live in fear of being tortured if they dissent but they are also subjected to severe torture if they are unfortunate enough, as political activists, to be arrested by the military or police forces.

The Turkish people have been subjected to cycles of civilian and military rule. Torture has been

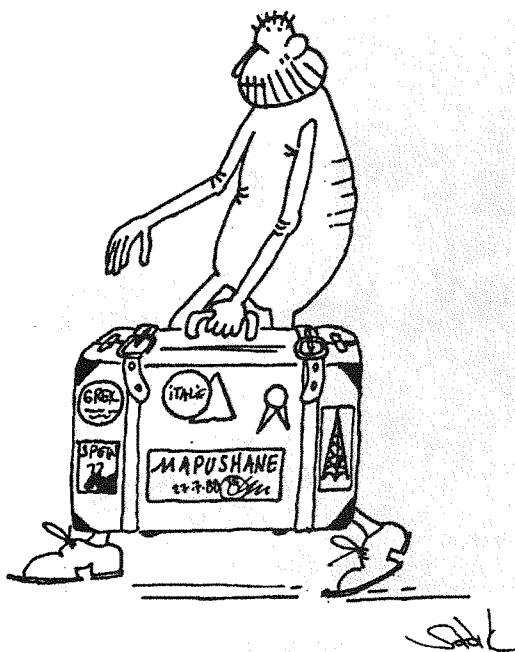
somewhat of a regular event in Turkish history becoming particularly pronounced after the military coup in 1971. Two years later a civilian government was elected and the use of torture by the state diminished. The most recent military coup on 12 September, 1980, reintroduced torture on a wide scale. Between 250,000 and 300,000 people were arrested by the military, many of them being held for long periods of time without any charges being laid. Many thousands of these people were subjected to torture and some 200 were known to have died as a result.

After the purported free election which put coup leader Evren

in as President in 1983 the widespread nature of torture diminished. A civilian government is now in place although with the military leaders still holding the real power under the constitution and with the ability to once again take complete control. The civilian government under Prime Minister Ozal now claims that torture is not institutionalised and that action is being taken to stop its practice. Indeed Turkey has signed the United Nation's Convention Against Torture and Other Cruel, Inhuman Or Degrading Treatment Or Punishment and the European Convention Against Torture Article 1 of the U.N. Convention provides a definition of torture. It states:



NO FOOD NO WATER



'Mapushane' = Prison

"For the purposes of this Convention, the term "torture" means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions."

Our delegation spoke to many former political prisoners and the families of political prisoners who

described in great detail the torture to which they or the member of their family had been subjected. To the people we spoke, torture meant the systematic ill treatment of an individual over extended periods of time. The purpose of such torture being to have a deterrent effect upon the individual in custody and to frighten others as well as to gain information. The gaining of information seemed to be less significant than the terrorising effect the torture was meant to have on the individual and the population generally.

Although not now as widespread as it was, ill treatment still occurs especially during interrogation by the police and by the military or para-military forces in the Kurdish regions. The ongoing ill treatment of the Kurdish people was highlighted in discussions we had in Diyarbakir and Tunceli. We visited a small village outside Tunceli where some ten days before the military had beaten four young boys with sticks, shot one in the leg and machine-gunned a house. The punishment of the boys was certainly intentional, it inflicted severe pain and suffering, and was designed to obtain information and instill fear. In this case, it is clear, the actions of the military fit the definition of torture in Article 1 of the U.N. Convention against Torture. The information that the military was trying to obtain was about guerilla movements in the area. Such brutality, we were informed, was a regular occurrence in Kurdish regions. A further example was provided when we met Hasan Korkmaz, Mayor of Tunceli, Orhan Veli Yildirim, a deputy of the National Assembly, and 14 other community leaders in Tunceli on 1 February, 1988. The recent events in the region, described in vivid detail, included the beating

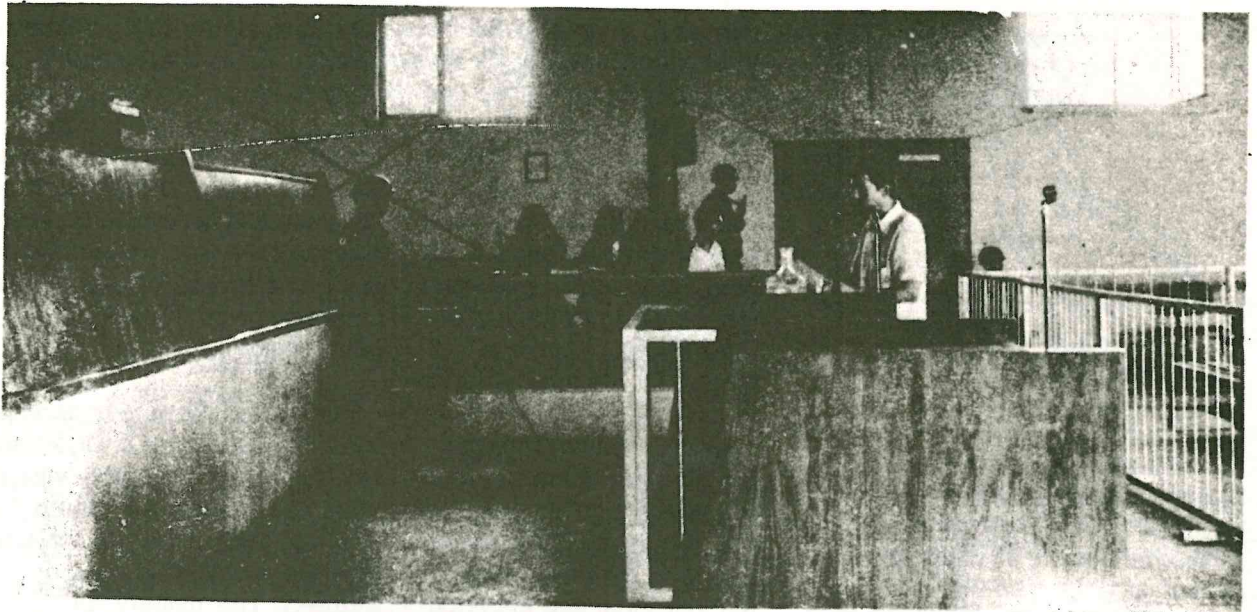
of a man by the military who refused to act as a 'protector' in one of the villages. 'Protectors' apparently being those people who are meant to guard against guerilla activity in villages. Again such actions seem to fall well within Article 1 of the U.N. Convention and are designed to coerce people into complying with the wishes of the government of Turkey.

Further evidence was provided by a lawyer we met in Diyarbakir. He described how 400 villages have been emptied in South Turkey and where people objected they were placed in custody and tortured. The military and police are allowed to hold people for interrogation for 15 days without notifying anyone and this period can be further extended by a public prosecutor or by the laying of additional charges. It was his belief that interrogation periods were often extended beyond the 15 days so that medical treatment could be given and the marks of torture covered up before the accused was brought before the courts. His understanding of the abuses that people suffer at the hands of the military or police goes beyond that of a lawyer under instructions.

Of the 100 lawyers in Diyarbakir only 7 or 8 were willing to take on political cases following the coup in 1980. He was one of those few willing to represent political prisoners and along with the others were subjected to torture. Of the lawyers willing to take political cases in Diyarbakir, 4 have now left Turkey.

Prior to going to Diyarbakir we met with the President of the Turkish Bar Association in Ankara and had discussions with him about violations of human rights and the role of the legal profession.

In particular we asked him if law-



ANKARA DEV YOL TRIAL - "COURTESY OF DEVRIMCI ISCI" (REVOLUTIONARY WORKER)
DEVRIMCI ISCI 10.8.1988

yers had been subjected to any abuses by the police or the military when representing political prisoners. He told us that there had been no such abuses. However, the Diyarbakir lawyer's view was that the Bar Association had made little attempt to criticise the government about torture and that to even claim the existence of torture was an offence. While it may be an offence in Kurdish regions which are generally under state of emergency powers, there have been actions taken in the western part of Turkey through the courts against torturers. The examples are, however, very rare and the penalties imposed very slight.

We attended one court hearing in Istanbul where an attempt was being made by the family of a man who had died under torture to bring those who had killed him to justice. The matter had been running for some years and the family's lawyers were attempting to obtain records and bring one of the chief torturers before the court for examination.

The court denied both the application for the information and the

application to have one of the chief torturers examined. As lawyers in Istanbul explained, this was not unusual.

From our observations the role of lawyers seemed to be very limited. Cross-examination was practically non-existent. For instance, in order for a defence lawyer to cross-examine a witness, a request would be made of the presiding judge who, if he thought it appropriate, would then ask the question of the witness. Furthermore, much of the information presented before the courts in criminal matters is done in the form of unsworn statements.

From an Australian lawyers point of view it was also of concern that no transcript of evidence was taken. After a witness had given oral evidence the presiding judge would simply give a summary of that evidence to a depositions clerk.

Moreover, trials are very disjointed sometimes running over many years.

Trial by jury does not exist in

Turkey and where a person is charged with a serious criminal offence he or she is brought before what is known as a heavy penalty court.

A heavy penalty court has three judges presiding and the prosecutor sits on the bench with them. The accused, if in custody, is brought before the court in blue garb, constrained by chains with his head shaved.

The atmosphere in the court is very intimidating as the accused is escorted by military personnel who carry machine guns.

Neither the concept of the presumption of innocence nor the concept of a defence lawyer acting "without fear or favour" seem to exist in Turkey. Guilt does not have to be proved 'beyond reasonable doubt' but rather must only be proved to the satisfaction of the conscience of the court.

We were told by lawyers of instances where defence lawyers were charged with contempt for suggesting that the penal code was unjust or being wrongly inter-

preted.

A number of lawyers expressed to us the view that the judiciary was not independent of the will of the government and that certain judges would adjust penalties and interpret the law in a way which they thought would be acceptable to their political masters.

Of particular importance is the question of statements taken from persons while under torture. Article 15 of the U.N. Convention Against Torture states:

"Each State Party shall ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made."

While there have been instances of evidence obtained under torture being rejected by the courts, the information we received from lawyers and others was that the bulk of such information was and is admitted as evidence.

In addition to the question of torture the Turkish Penal Code clearly shows the government's endorsement of the withdrawal of fundamental human rights. Articles 325, 326 and 327 of the penal code violate such basic rights as the freedom of expression, association and religion and as such contravene Articles 9, 10 and 11 of the European Convention of Rights of which Turkey is a State Party. Article 325 of the Turkish Penal Code states:

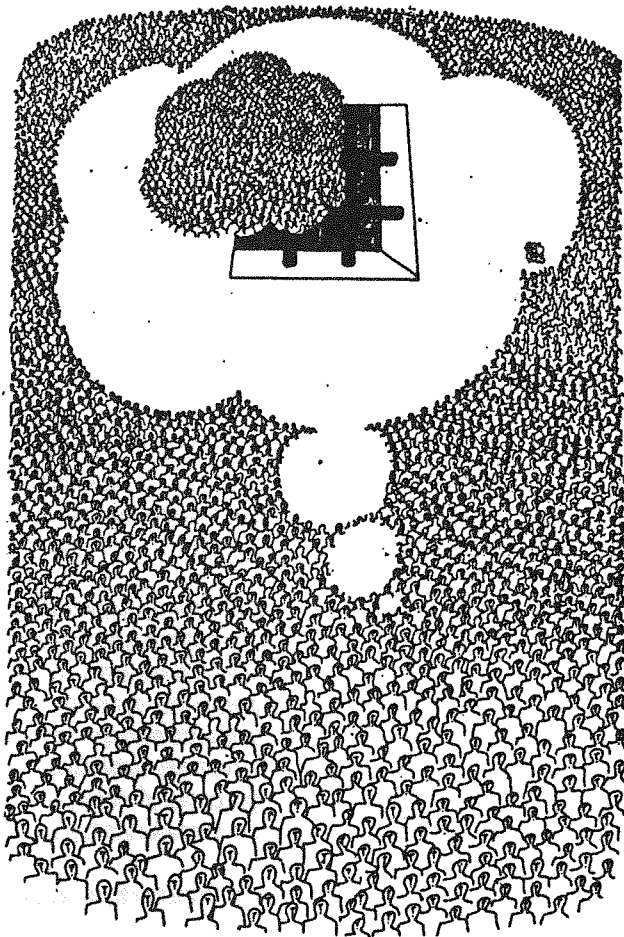
" 1) Whoever attempts to establish or establishes, or arranges or conducts and administers the activities of,

associations, in any way and under any name, or furnishes guidance in these respects, for the purpose of establishing domination of one social class over another social class or exterminating a certain social class or overthrowing any of the established basic economic or social orders of the country, shall be punished by heavy imprisonment for 8 to 15 years. Whoever conducts and administers some or all of such associations shall be punished by death;

2) Whoever attempts to establish or establishes or arrange or conducts and administers the activities of, associations, in any way and under any name, or furnishes guidance in these respects, for the purpose of totally exterminating the political and legal orders of the state, shall be punished by heavy imprisonment for 8 to 15 years;

3) Whoever attempts to establish or establishes or arranges or conducts and administers the activities of, associations, or furnishes guidance in these respects, for the purpose, contrary to republicanism and the principals of democracy, of governing the state by one person or by a group of persons, shall be punished by heavy imprisonment for 8 to 15 years;

4) Whoever attempts to establish or establishes or arranges or conducts and administers the activities of, associations, or furnishes guidance in these respects, for the purpose of abolishing partially or entire-



ly because of race, the public rights provided by the constitution, or to exterminate or weaken nationalist feelings, shall be punished by heavy imprisonment for 8 to 15 years;

5) Whoever joins any association indicated above shall be punished by heavy imprisonment for 5 to 12 years;

6) The punishment to be imposed on persons who commit the foregoing acts within government offices, municipalities, or within economic enterprises with its capital belonging partially or entirely to the state, trade unions workers' enterprises, schools or institutions of higher education as civil servants or employees, shall be increased by one-third;

7) If any of the perpetrators of the crimes described in this Article informs the respective authorities of the crime and identity of other perpetrators prior to the initiation of the final investigation and if his information is true, heavy imprisonment for not less than 10 years instead of death shall be adjudged; and heavy imprisonment and prison sentences shall be reduced by one-fourth depending upon situation, conditions and the event;

8) The associations mentioned in the Article are defined as two or more persons uniting for the same purpose."

Article 325 does not necessarily simply deal with the violent overthrow of the state but can and is interpreted to apply to situations

where two or more people may wish to alter the social or political order of the state by the promotion of alternatives.

The Section is so wide-ranging and ambiguous precisely so it will allow for the prosecution of people who, if in Australia, would be no more than exercising their normal democratic rights. Subsection (4) of this Article appears to be particularly designed for application against those Kurdish people who promote a separate national or cultural identity.

This Article was particularly useful to the military as it allowed for the arrest of the leadership and the members of associations who expressed their objection to the overthrow of democracy.

We met with Mr. Dogu Perincek, the former President of the Turkish Labour and Peasants Party who was arrested in November, 1980, and charged under this Article. He was tried in a military court and was sentenced to eight years in prison and served four of those years.

His only "offence" was that he was a leader of a party which the military had banned. In other words, the offence was made retrospective in that prior to the coup his party had legal standing.

His party had 10,000 members and of those 1,500 were arrested. Of these when brought to trial, after extensive delays, 1 in 40 were convicted and sentenced to gaol.

At the time the military could detain people for 90 days without notifying anyone and this was often extended. Furthermore bail was not allowed for and wrongful imprisonment considered irrelevant.

While Mr. Perincek was not personally subjected to torture he was moved around a number of gaols and witnessed the torture of many of his fellow prisoners. He believes that he was not tortured because of his high public profile both in Turkey and interna-

tionally.

Article 326 of the Turkish Penal Code states:

" 1) Whoever makes propaganda for the purposes of establishing the domination of one social class over other social classes, exterminating any of the social classes, overthrowing any of the established basic economic or social orders of the country, or totally exterminating the political or legal order of the state, shall be punished by heavy imprisonment for 5 to 10 years;

2) Whoever makes propaganda in any manner for the governing of the state, contrary to republicanism or to the principals of democracy by one person or by a group of persons, shall be punished by the same punishments;

3) Whoever makes propaganda in order to abolish partially or entirely public rights, because of race, or to exterminate or weaken nationalist feelings, shall be punished by heavy imprisonment for 5 to 10 years;

4) Whoever speaks favorably of the acts indicated in the foregoing paragraphs shall be punished by heavy imprisonment for 2 to 5 years;

5) The punishments for persons committing the acts described in the foregoing paragraphs, in those organizations or among persons specified in paragraph 6 of Article 325 shall be increased by one-third;

6) Where the acts in the

foregoing paragraphs are committed by means of publication the punishment to be imposed shall be increased by one-half;

7) If any of the participants of the crimes described in this Article informs the respective authorities of the crime and the identity of other perpetrators prior to the initiation of the final investigation and if his information is true, heavy imprisonment and imprisonment periods shall be reduced by not more than one-fourth; depending on situation, conditions and the event."

Like Article 325 this Article has the same inbuilt ambiguities and stands by itself as a clear denial of freedom of speech. It has particular application against media organisations and individuals and associations who attempt to put alternative views in opposition to the propaganda being disseminated by the state.

Article 327 states:

"1) Whoever contrary to secularism establishes, organises, regulates or administers associations for the purpose of adapting partially or entirely, the basic social, economic, political or judicial orders of the state to religious principals and beliefs, shall be punished by heavy imprisonment for 8 to 15 years.

" Whoever becomes a member of such associations or attempts to persuade others to become members of such associations shall be punished by imprisonment for 5 to 12 years.

" Whoever, contrary to sec-

ularism, makes propaganda or suggests for the purpose of adapting, partially or entirely, the basic social, economic, political or judicial orders of the state, or for the purpose of obtaining and installing a political aim or political benefit by making use of religion, religious feeling or things accepted as sacred by religion, shall be punished by heavy imprisonment for 5 to 10 years.

" Whoever makes propaganda or suggestions for the purpose of personal influence or benefit by making use of religion, religious feelings or things accepted as sacred by religion, shall be punished by heavy imprisonment for 2 to 5 years.

" The punishment to be imposed on the persons who commit the fore-going acts within government offices, municipalities or within economic enterprises with its capital belonging partially or entirely to the state, trade unions, workers' enterprises, schools or institutions of higher education as civil servants or employees, shall be increased by one-third. Where the act mentioned in paragraph 3 and 4 of this Article is committed by means of publication, the punishment shall be increased by one-half."

This Article clearly places severe restrictions on freedom of religion.

The above-cited Articles of the Penal Code are employed in the broadest way against people who are deemed to be a threat to the status quo. The Articles are quoted in their entirety so as to give their full flavour. There are a num-

ber of other Articles in the Turkish Penal Code which allow the abuse of human rights.

The abuse of human rights was also brought home to us by Mr. Ahmet Turk, member for Mardin in the Turkish National Assembly. He was gaoled after the 1980 coup and also in 1987. In 1987 he was gaoled on the basis that the security forces had found a video tape of Kurdish songs buried in the backyard of his home.

He spent some ten months in prison and was released just three weeks before the elections of the National Assembly. During the period of his imprisonment he was tortured and although he continues to attempt to have his torturers prosecuted he has so far been unsuccessful.

The oppressive nature of the Penal Code was again brought home to the delegation when it learned of the charges that had been brought against Emil Galip Sandalci, President of the Istanbul Branch for the Turkish Human Rights Association. Mr. Sandalci was arrested after the 1971 and 1980 coups and tortured on both occasions.

He is an academic of international standing who believes very strongly in his country and who has campaigned for the human rights cause for decades. He was charged with "opposition to the law of associations (societies)" because he collected signatures on a petition against capital punishment and in favour of a general amnesty for prisoners facing the death penalty.

Also charged was Ragip Zarakolu who is the Deputy Director of the Istanbul Branch of the Human Rights Association. The charge signed on 15 December, 1987 by a public prosecutor reads as follows:

DELEGATION PRESS RELEASE

" The Accused is in the capacity of Istanbul Branch Principal and second Principal of a society named Human Rights Association which has shown activity outside of the aims of the Society like collecting signatures from some part (or sort) of people under the name of petition against general amnesty and capital punishment. It is understood from the abovementioned evidences and contents of documents. With this regard it is requested (demanded) and claimed that the Accused be punished in accordance with written Articles which suit his action."

The charge falls under Article 76 of the Penal Code which provides for a penalty of 1 to 3 years imprisonment.

There seems to be little hope for a society that allows such citizens to be persecuted in this way.

Mr. Sandalci would undoubtedly disagree with me on this point as he views with optimism the future of his country, even though it has tortured him, continues to persecute him and won't even allow him to hold a passport.

Despite the continuing practice of torture and the failure of the government to amend its Penal Code to allow for basic human rights, President Ozal of Turkey is promoting his country as a legitimate member of the European community. Such promotion does not bear close scrutiny.

It will come as no surprise that the lawyer we met in Diyarbakir, was tortured for 50 days by one of the security advisers who he often publicly sees in the company of the Prime Minister.

Issued to the Turkish media in Istanbul February 1988.

We were asked by the Australian group called the Committee for Human Rights and Democracy in Turkey (CHRDT) to observe and report back on the human rights situation as it currently exists in Turkey. We had the opportunity of meeting with parliamentarians, journalists, trade union officials, doctors, lawyers, ex-political prisoners, families of political prisoners and others. Discussions were held in Istanbul, Ankara, Diyarbakir and Tunceli.

It was apparent to the delegation that although there has been some relaxation of restrictions on individuals and organisations over the past two years, the Turkish government still does not permit political, trade union and cultural activities that would normally be allowed in any country that called itself democratic.

It has been our observation that amongst other things:

- * the right to form political parties is limited to the extent that many people are disenfranchised.
- * the right of trade unions to bargain on conditions and wages with employers and the right to strike are severely restricted.
- * the legal rights of those detained by the police or the military are non-existent.
- * torture is still being carried out.
- * torturers have not been brought to justice on any

credible scale.

- * the police and military still engage in activities which severely limit the right of individuals to privacy and free association.
- * peace and cultural associations have either been dissolved or are so restricted in their activities as to be virtually emasculated.
- * institutions of higher education have been brought under the control of the government to the extent that freedom of speech and academic freedom has been lost.
- * political and financial restrictions are applied to the press.

While there is a theoretically civilian government, it seems that at present the government is merely a civilian front for military control.

The situation is even worse amongst the Kurdish people of Turkey. We can bear witness to examples of recent brutality and oppressive behaviour by security forces against these people. It is clear that the Kurdish people are being economically, socially, culturally and politically oppressed.

It is essential for the government of Turkey in order to gain credibility at the International level to show sincerity in its internal policies. The signing of the Council of Europe and the United Nations conventions against torture, and statements on democracy, are insufficient in themselves, unless backed up with determined politi-

cal action on the home front.

Of immediate concern is the nature of political prisoners and the reluctance of the government to abolish the death penalty. It is our opinion that if the Turkish govern-

ment is sincere in its move towards being a democratic state, the death penalty should be abolished, political prisoners should be released and their rights and the rights of ex-political prisoners restored.

While ever a community imprisons people for their political beliefs, it cannot expect to be regarded as a member of the international democratic community.

DELEGATION MEMBERS AND THE COMMITTEE FOR HUMAN RIGHTS AND DEMOCRACY IN TURKEY (CHRDT) HELD PUBLIC FORUMS IN MELBOURNE AND SYDNEY TO REPORT BACK ON THEIR OBSERVATIONS OF THE SITUATION IN TURKEY TODAY. FROM THESE FORUMS THE FOLLOWING RESOLUTIONS WERE UNANIMOUSLY ACCEPTED.

KURDISTAN

AN END TO THE BRUTAL OPPRESSION OCCURRING IN KURDISTAN AND GENOCIDAL PRACTICES BEING CARRIED OUT AGAINST THE KURDISH PEOPLE. FULL SUPPORT TO THE KURDISH PEOPLE IN THEIR RIGHTS TO SELF-DETERMINATION.

POLITICAL PRISONERS

THE ABOLISHMENT OF THE DEATH PENALTY, AND THE USE OF ALL FORMS OF TORTURE IN PRISONS AND DETENTION CENTRES. GENERAL AMNESTY FOR POLITICAL PRISONERS.

TRADE UNIONS

THAT THE RESTRICTIVE LABOUR CLAUSES IN THE CONSTITUTION AND THE DRASTIC CURBS IN THE REVISED TRADE UNION AND COLLECTIVE BARGAINING LAWS BE IMMEDIATELY WITHDRAWN. THAT DISK AND ALL OTHER PROGRESSIVE TRADE UNIONS BE RESTORED TO THEIR FORMER STATE.

CIVILIANS/ ORGANISATIONS

TO RE-ESTABLISH THE CIVIL AND POLITICAL RIGHTS OF ALL TURKISH CITIZENS. THAT ORGANISATIONS ARE ALLOWED TO WORK AS POLITICAL BODIES AND NOT TO FACE FEAR OF REPRESSION. SUPPORT THE COMPLETE RESTORATION OF ACADEMIC FREEDOM, FREEDOM OF ASSOCIATION, MEDIA FREEDOM, FREEDOM OF SPEECH.

TRADE RELATIONS

THAT AUSTRALIAN TRADE RELATIONS BE CONDITIONAL ON THE RESTORATION OF COMPLETE DEMOCRATIC AND HUMAN RIGHTS IN TURKEY.

REFUGEE STATUS

POLITICAL REFUGEES FROM TURKEY AND TURKISH KURDISTAN WHO HAD APPLIED TO ENTER AUSTRALIA AFTER THE 1983 ELECTIONS HAVE BEEN REFUSED ENTRY ON THE BASIS THAT THE AUSTRALIAN GOVERNMENT NOW CONSIDERS THAT TURKEY HAS RETURNED TO DEMOCRACY, AND THAT THIS RECOGNITION ALSO SUITS AUSTRALIA'S ECONOMIC RELATIONS WITH TURKEY.

IT IS ALSO NOTED THAT KURDS FACE PARTICULAR DISCRIMINATION AND OPPRESSION MERELY FOR BEING KURDS AND THAT REFUGEE STATUS BE GRANTED FOR THIS. WE URGE, THE AUSTRALIAN GOVERNMENT TO RE-CONSIDER THESE CASES IN VIEW OF THE FACT THAT DEMOCRACY AND HUMAN RIGHTS IN TURKEY ARE NON-EXISTENT.

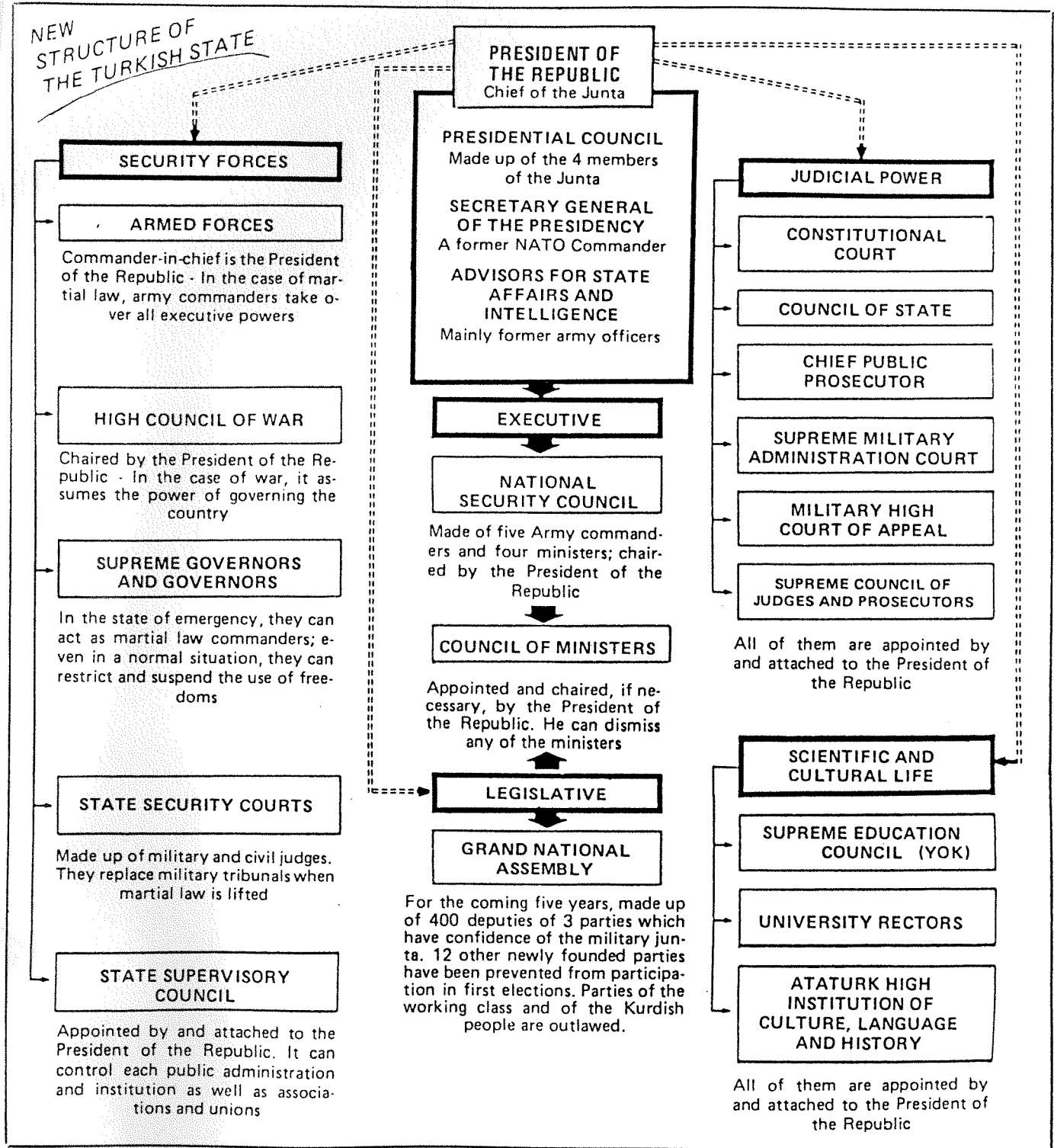
WE STRONGLY URGE THAT YOU TOO GET THESE MOTIONS RAISED IN ANY POLITICAL PARTIES, TRADE UNIONS OR ASSOCIATIONS YOU ARE INVOLVED WITH.

DISTRIBUTION OF DEATH PENALTIES

Organisation	Number of those sentenced to prison	Number of those sentenced to death
DEV-YOL (Revolutionary Path)	1,552	73
PKK (Workers' Party of Kurdistan)	640	129
TDKP (Revolutionary Communist Party of Turkey)	632	19
TKP/ML (Communist Party of Turkey/Marxist-Leninist)	529	43
TKP (Communist Party of Turkey)	436	—
KURTULUS (Liberation)	390	7
DEV-SOL (Revolutionary Left)	272	21
KAWA (Kurdish Organisation)	246	6
MLSPB (Marxist-Leninist Armed Propaganda Unit)	227	22
DHB (People's Revolutionary Union)	223	9
TIP (Workers' Party of Turkey)	185	—
THKP/C (Popular Liberation Party/Front of Turkey)	177	22
KIP (Workers' Party of Kurdistan)	153	—
EB (Union for Action)	97	10
DS (Revolutionary Struggle)	94	—
Ala Rizgari (Kurdish organisation)	93	—
IGD (Progressive Youth Association)	89	1
ACILCILER (Emergency Group)	83	12
Rizgari (Kurdish organisation)	75	—
HDO (People's Revolutionary Vanguard)	71	12
TKEP (Communist Labour Party of Turkey)	71	3
TKP/B (Communist Party of Turkey/Union)	70	—
TOB-DER (Teachers' Association of Turkey)	51	—
TIKB (Revolutionary Communists' Union of Turkey)	51	—
KUK (National Liberation of Kurdistan)	41	3
TDY (Path of Turkey's Revolution)	40	1
YDGD (Patriotic-Revolutionary Youth Association)	37	—
DHY (Revolutionary People's Path)	34	—
TKP/IS (Communist Party of Turkey/Workers' Voice)	33	—
TIKP (Workers-Peasants' Party of Turkey)	28	—
PY (Partisan's Way)	25	—
DK (Revolutionary Liberation)	24	9
THKO (Popular Liberation Army of Turkey)	22	2
TSIP (Socialist Workers' Party of Turkey)	22	—
Jehovah's Witnesses	22	—
TKKKO (Liberation Army of Turkey and Northern Kurdistan)	16	—
TIEKP (Revolutionary Communist Labour Party of Turkey)	15	—
EK (Emancipation of Labour)	14	—
DC (Revolutionary Front)	13	—
Kivilcim (Spark)	11	1
DÖ (Revolutionary Vanguard)	10	—
DEV-GENC (Revolutionary Youth)	9	—
Palestinian Guerillas	—	4
DDKD (Progressive Cultural Association of the East)	7	—
SGB (Socialist Youth Union)	4	—
TEKOSIN (Kurdish organisation)	3	2
HY (People's Path)	3	2
TIKKO/Bolcheviks (scission of TKP/ML)	3	—
EB (Union of Labour)	3	—
UY (Third Path)	3	—
TEP (Labour Party of Turkey)	1	—
TIKP (Revolutionary Workers-Peasants' Party of Turkey)	1	—
UKO (Revolutionary Liberation Army)	1	—
DIFFERENT WORKERS' GROUPS	741	—
DIFFERENT KURDISH GROUPS	199	4
DIFFERENT LEFT-WING GROUPS	331	39
DIFFERENT RIGHT-WING GROUPS	566	35
DIFFERENT UNLABELLED GROUPS	528	25

Courtesy of "Info-Turk" 1986

NEW STRUCTURE OF THE TURKISH STATE



TURKEY TODAY

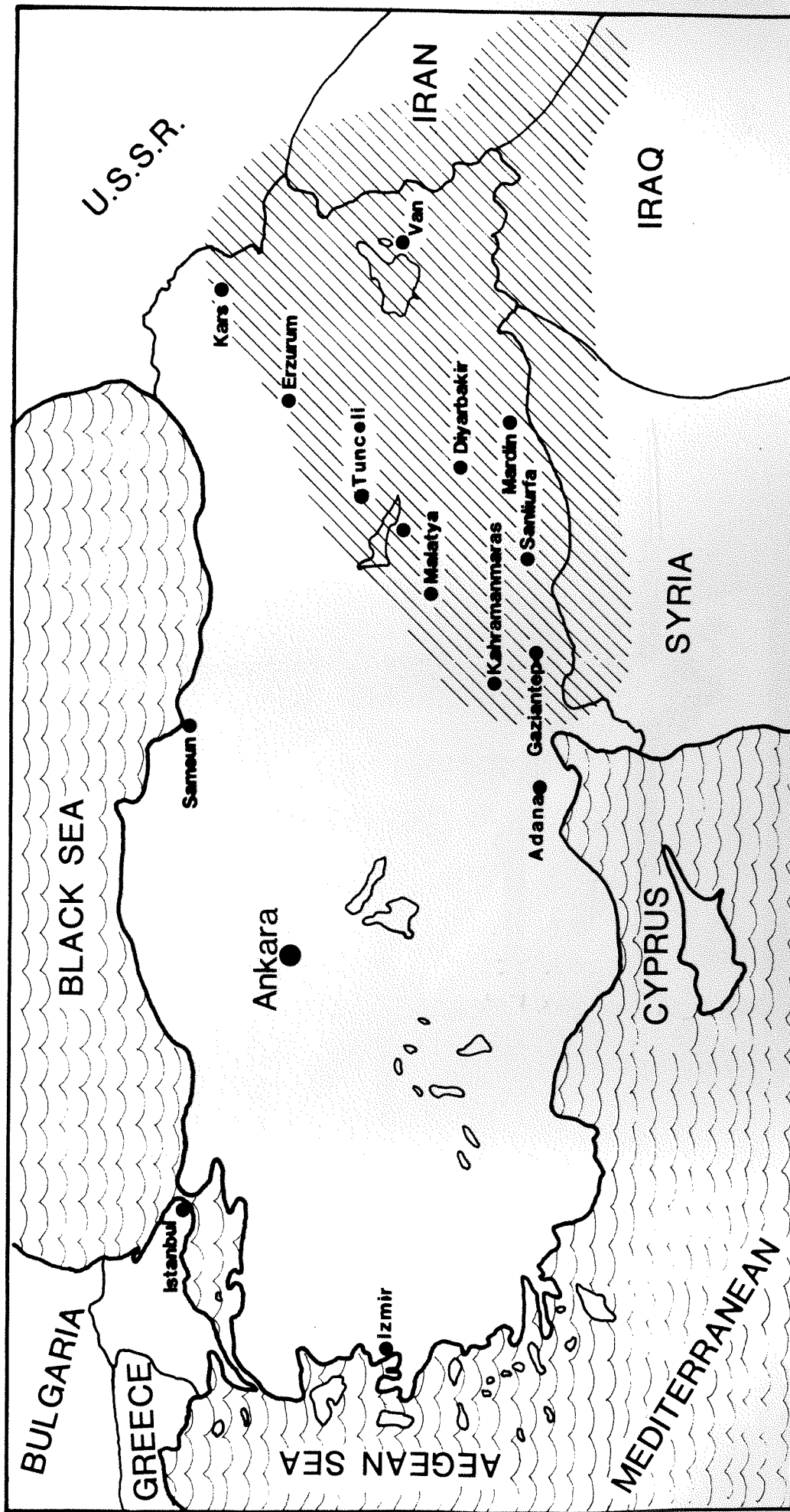


SHADOW OF THE JUNTA

TURKEY TODAY



SHADOW OF THE JUNTA



TURKEY AND KURDISTAN

Area inhabited predominantly by Kurds

Cover painting by Irfan Irtel
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**THIS REPORT IS DEDICATED TO OUR SISTERS AND BROTHERS
IN TURKEY.**

**'HISTORY IS NOT GOING TO PROSECUTE US FOR ORGANISING
AGAINST FASCISM, BUT IT WILL SURELY PROSECUTE US FOR
NOT ORGANISING AGAINST IT'**

MELIH PEKDEMIR.

INTRODUCTION

In January and February of 1988, a delegation was sent to Turkey by the Australian Committee for Human Rights and Democracy in Turkey (CHRDT).

The delegation comprised former Queensland ALP Senator George Georges, retired doctor Stefania Siedlecky, lawyer Robert Cavanagh and journalist Kyrn Stevens. We visited Istanbul, Ankara, and two eastern Kurdish provinces of Diyarbakir and Tunceli.

Whilst our visit to Turkey was brief delegation members met many sections of Turkish society including doctors, lawyers, journalists, students, academics, trade unionists, ex-political prisoners, families of political prisoners, peace activists and members of parliament. Additional information has been collected since our return.

This publication is a detailed report of the delegation's findings based on our impressions of life in Turkey. We flew into Istanbul from Athens.

One quarter of the worlds population have suffered military dictatorships. Turkey is one of the latest, and as we were to be told and shown one of the worst.

Turkey is one of the most strategically located nations in the world. It shares borders with Syria, Iran and Iraq in the south; the Soviet Union in the north and east; and Greece and Bulgaria to the west.

The armoured cars and stringent security checks on leaving Athens, and the soldiers with automatic weapons on arriving in Istanbul were to set the tone for the duration of our stay in Turkey.

Whilst Turkish culture is firmly rooted in Islam, and the East, Prime Minister Turgut Ozal and President Kenan Evren are looking west and embarking on a vigorous international public relations exercise. This has even resulted in big coal and ore deals for Australia.

The product being sold is Turkey Incorporated: the new model. The prize is full membership of the European Economic Community and a slice of the profits in the new Europe of the 1990's.

The new Turkey faces enormous problems. The shadow of the junta which led the 1980 military coup still lingers in Turkey, and the West still harbours strong suspicions about Turkey's 'European' credentials.

Prime Minister Ozal's economic miracle `a la Margaret Thatcher`, with rapid privatisation and wage restraint, has gained praise from outside Turkey.

But, inside Turkey people are asking at what price ?

The Ozal government is promoting itself as moderate, striving for economic liberalism. However liberalism is a whole philosophy which implies certain political responsibilities regarding people's democratic and human rights, which have been largely ignored by the government.

A news bulletin we saw on the official, and only, Turkish television network had a report in which Prime Minister Ozal was addressing a press conference in Munich, West Germany.

In referring to the military coup of 1980, the Prime Minister said that Turkey was now on the road to economic prosperity and democracy. There is in place however, a military supervision both subtle and all-pervasive. It is a form of fascism, hidden at its source, but apparent in all its ruthlessness to many of its citizens. Even a cursory look at the Constitution establishes this.

In 1982 there was a referendum in Turkey in which people were presented with the dilemma of voting for either a continuation of military rule, or, for a Constitution which severely limited trade union and democratic rights. They chose the limited civilian government.

Emil Galip Sandalci, of the Turkish Human Rights Association believes that this Constitution which is still in effect today, is the worst in Turkish history.

Emil believes that the main philosophy behind this Constitution is the glorification of the state, whereby Turkish citizens are in the service of the state rather than the state serving its people, thus restricting basic freedoms.

Two articles of the Turkish Penal Code, drawn up from this Constitution, were lifted from Mussolini's Penal code for Fascist Italy, dealing with illegal organisations and propaganda. The press is tightly controlled, and, whilst not specifically naming either, the Constitution lays the groundwork for the banning of Islamic fundamentalism and the language, songs and culture of the Kurdish minority living in the country's south-east.

Under this constitution, all power flows from the President - who was the chief of the military Junta which seized control in 1980.

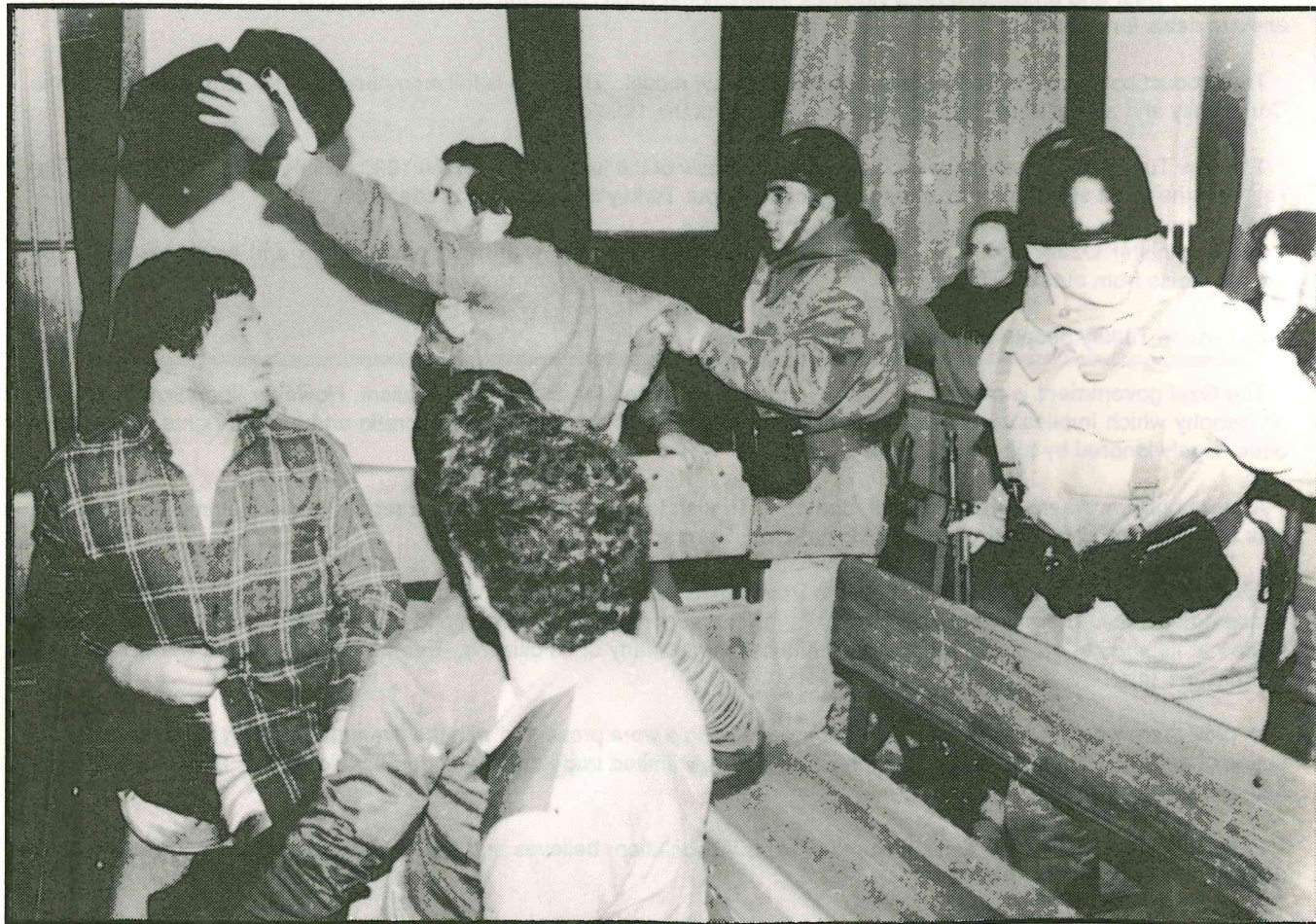
In one direction his power flows to the armed forces, to the High Council of War, to governors, internal security forces and the State Supervisory Council.

In another direction he controls the Presidential Council which is made up of former members of the Junta and army officers. This Presidential Council has under it an executive, a National Security Council, a Council of Ministers, and at the very bottom of this powerful political structure, the Grand National Assembly, the Parliament.

The President controls the judicial power, the Constitutional Court, the Council of State, the Chief Public Prosecutor, the Supreme Military Administration Court, the Military Court of Appeal, the Supreme Council of Judges and Prosecutors. All members of the above are appointed by the President of the Republic.

Finally, and worst of all, the President controls the scientific and cultural life of Turkey through the Higher Education Council (YOK), through the direct appointment of all university chancellors, and through the Ataturk High Institution of Culture, Language and History.

Shortly before we arrived in Turkey, elections were held under the 1982 Constitution. In 1987, for the first time since the military coup, a social democratic party was allowed to contest the elections achieving around 26 per cent of the vote, and a disproportionate 99 seats of the 450 in Parliament. The full extent of the Gerrymander in Turkey is saying in



Political prisoners being evicted from their trial for protesting against military prison uniforms.

the 292 seats held by the motherland party. In the 1987 elections they won 60% of the seats with just 36% of the vote. Since these elections, the popularity of Prime Minister Ozal and his ruling Motherland Party has waned considerably.

The rapid industrialisation of Turkey's economy has created land monopolies and landlessness, particularly in the east, and, sprawling urban nightmares in the big cities in the west.

These cities, where masses of unemployed people scrape together a living on the streets, are surrounded by shanty towns with massive housing, drainage and transport problems.

The official inflation rate is running at around 75 per cent. Unofficial estimates vary greatly but are always much higher than this. Meanwhile around 40 per cent of the government's budget is spent on the military.

Prime Minister Ozal and President Evren's new Turkey was firmly entrenched with a military coup on September 12 1980, in which President Evren was one of the five generals of the National Security Council which took power.

In the period leading up to the coup 20 to 30 people a week were dying in armed clashes across Turkey, the country's campuses were hotspots, and, over 50,000 workers were on strike with tens of thousands more about to go out.

The five generals of the National Security Council which took power with the coup legitimised their action by saying they had to restore order in an anarchic country.

However, many people we met in Turkey believe there were other reasons for the coup, and the repression of trade union and democratic rights which followed it.

They claim the coup was necessary to implement a program of economic austerity imposed by the World Bank and the International Monetary Fund after Turkey defaulted on its loan repayments in 1979.



These photos were banned from publication in Turkey Jan.1988

This program became known as the 24th of January Economic Measures, and is still the basis of the economic policies of Turkish Prime Minister Turgut Ozal and his ruling Motherland Party.

Yildirim Koc from Yol-Ish, the Turkish Construction Workers Union explains that before the coup, unrest in Turkey was instigated by small armed groups from a neo-fascist movement known as the Grey Wolves. He says they were being armed by certain sections of the military and big business :

"We know that the coup was within the knowledge, and I think approval, of the CIA and other western powers... There was of course some 'anarchy' before that, but it was not as generally stated - armed groups fighting.

It was a rightwing terror, a terror of capital that was attacking most democratic institutions, and there were some who were trying to fulfill the task of the state in protecting their lives, their right to life...

I've known trade unionists who were assassinated by right-wing terrorists and I've known workers who have acquired arms to protect themselves...

So it was the pretext for the people to implement the policy of the IMF and World Bank, of world capitalism that the coup came... it was not 'anarchy'."

Dr. Baskin Oran, a former Ankara University lecturer dismissed after the coup, agrees with Yildirim Koc :

"The coup had a different objective than to stop anarchy. They wanted to apply the 24th January Economic Measures, and the application of these measures was only feasible with a totalitarian government, not only an authoritarian government, but a totalitarian one..."

This neo-fascist presence, is now smearing in the background of Turkish political life.

However an assassination attempt on Prime Minister Ozal in July 1988 brought the dissatisfaction of the extreme right to a head.

Many of the old Grey Wolves now hold prominent positions in Prime Minister Ozal's ruling Motherland Party, and quite simply, they have blood on their hands.

The new Turkey that Prime Minister Ozal hopes to create still faces some serious challenges from the old Turkey

The military are not a fringe group in Turkish political life. Rather they see themselves as the protector of Turkish values and ideals.

Whoever criticises those values is treated harshly. Those trade unions which are allowed are severely restricted. Tens of thousands of political prisoners are still in military prisons, many of whom are still waiting on trials in military courts. In the south-east, the Kurdish resistance and civilians face a heinous and endless repression. One third of the Turkish Army occupies Kurdistan.

The armed Kurdish resistance fighters are being systematically suppressed by the military and security forces. However, the resistance is gaining support among the eight to ten million Kurds, being fuelled by unemployment, poverty, landlessness and banning of their language and culture.

Although there have been some improvements since the coup of 1980, large sections of the Kurdish population are still under state of emergency powers, which have been described as 'civilian' martial law, subject to displacement, imprisonment and torture.

A state terror still exists for many people in Turkey. This regime cannot be called civilised when many of its people are imprisoned and tortured for their political beliefs.

The military expediency of the U.S and European nations is revealed, as they do nothing to correct the situation, but continues to give arms and aid to the Turkish government, which are then used against its own people.

Other nations that turn their eyes away and close their minds are equally guilty. Australia must re-examine its relationship with Turkey. The position we take against South Africa must also be taken against Turkey. In all such cases, trade and political sanctions should apply until democratic processes and human liberties are installed.

SHORT HISTORICAL TIME TABLE

- 1918** October 30 the defeat and collapse of the Ottoman Empire.
- 1920** U.S. President Woodrow Wilson in his 'programme for World Peace' declared that the non-Turkish minorities of the Ottoman Empire should be granted the right of 'autonomous development'. Treaty of Sevres specifically stipulated that the Kurds were to be allowed 'local autonomy'. The effect of the Treaty on the whole was that Turkey would be split between the allies.
- 1923** Turkey became a republic under the leadership of Kemal Ataturk - Republican People's Party. Treaty of Lausanne gave international recognition to the Turkish state and carved up the national territory of the Kurdish people into four parts.
- 1924** Ataturk's new constitution and unicameral parliament formed.
- 1925** In 1925, 1930 and 1935, the Turkish government crushed three major insurrections depriving the Kurds of all rights.
- 1938** Ataturk died, Republican People's Party remained in power.
- 1950** The one-party system was ended in January 1946. The Democratic Party (DP) won Turkey's first free election and ruled for the next decade.
- 1960** Fifts Coup. Government was overthrown by the military who claimed that that the DP had betrayed Ataturk's principle of secularism. The coup was generally welcomed by the population. DP was dissolved, leaders arrested and charged with corruption. President Menderes executed.
- 1961** Military had no intention of remaining in power. New liberal constitution and general elections held. For the first time, trade union rights, freedom of association, press and academic liberties were guaranteed under the new constitution. However, the Communist Party (TKP) remained illegal.
- 1965** Demirel, leader of the right-wing Justice Party was elected. This group comprised of remnants of the old Democratic Party. During this period independent radio and television established state owned but editorially free with board consisting of academics, media workers and state officials.
- 1968** Period of national unrest including student uprisings. National Action Party (MHP) along with Federation of Grey Wolves (similar ideology to the Brown Shirts in Germany) escalated their actions against the left. Friction between left and right reflected in student demonstrations. Police and government officials became disturbed with this unrest.
- The 1960's were marked by an uneasy relation between the military and civilian governments. Propoganda circulated that the country was becoming communist
- 1971** Using the unrest as the pretext a second military coup occurred covertly sponsored by NATO. From 1971 the army backed the conservative forces. Parliament was used to introduce restrictive legislation against students, professionals and

- trade unions, in suppressing all left-wing activities. For the first time systematic torture was enforced. Three student leaders were arrested and given the death penalty. Executions were carried out despite public outcry.
- 1973** New elections, enormous swing to the Social Democrats as a backlash to the coup. The Republican People's Party under Bulent Ecevit was not strong enough to form a government in its own right, but found coalition partners with the religious right - National Salvation Party.
- 1974** Invasion of Cyprus led to a US embargo on Turkey, the coalition collapsed and Bulent Ecevit resigned. The right wing parties formed a national front including Demirel's Justice Party, the Salvation Party and fascist National Action Party.
- 1977** In the Late '70's heavy fighting flared up between the left and right with people being killed every day, including popular Mayors, Politicians and lawyers.
- Istanbul May Day festivities. 500,000 people were peacefully assembled in Topkapi Square, provocateurs commenced shooting from the Continental Hotel with the police stationed below. 35 people died.
- Armed groups from a neo-fascist organisation known as the Grey Wolves were used as a tool of the secret police, fascist death squads became rampant. Civilian and worker defence committees organised against these attacks.
- 1978** Martial Law proclaimed in 13 of Turkey's 67 provinces. On the 23rd and 24th of December the Nationalist Action Party escalated its fascist terror which led to the bloodbath in Kahramanmaras where more than 100 persons were killed and over 1,000 injured.
- 1979** Turkey defaulted on IMF payments. Army propaganda was that the civilian government was incapable of controlling unrest. The dress rehearsal for military intervention was being created. By September 1979 violence had claimed more than 2,000 lives and Martial Law was in force in 19 provinces. At the end of December, strikes and demonstrations were held in more than 15 cities against military repression and in memory of the victims of the massacre in Kahramanmaras.
- 1980** 12th September, third and most brutal military coup. Coup leaders immediately closed down trade unions, political parties and organisations. Trade union leaders, writers, workers and academics were arrested on a nationwide scale. 250,000 to 300,000 people were arrested and most tortured. Incommunicado detention was for 24 hours, then increased to 15 days, 45 and finally 90 days. Over eight hundred people are reported as missing, and more than 1,000 people died in street clashes and deaths in custody.
- 1981** All parties banned including Ataturk's Republican People's Party.
- 1982** New constitutional assembly formed. Taking away main constitutional rights and freedoms.

Referendum held to approve the constitution and elect the President of the Republic. Kenan Evren (leader of the coup) stood as the only candidate. Military supervised the voting 'Yes' card was green, 'No' card blue. People were too afraid not to vote No, voting was compulsory failure to vote incurred a fine or 6 months imprisonment, and also loss of voting rights for the next five years. There was a 92% turnout and 90% voted Yes.

1983

In the prison of Diyarbakir, Kurdish prisoners requested the right to celebrate the traditional festival of Nevroz. This was not permitted by the authorities, prisoners rioted, soldiers were called on and attacked prisoners with bombs and bullets, 37 Kurdish prisoners died as a result. Government declared only 11 deaths.

May 26th, Turkish troops entered Iraq border in pursuit of Kurdish resistance fighters (members of PKK- Kurdish Workers Party). Seven day operation ends after killing, raiding homes and capturing an estimated 2,000 Kurdish citizens.

November assembly elections held, all former members of parliament not permitted to participate. The military Junta hand picked the candidates. Only 3 parties allowed to contest. Ozal's Motherland Party (ANAP) won the vote as a protest against the favoured party of the military.

1984

Hidir Arslan member of Revolutionary Path (Dev-Yol) was executed in Izmir, bringing the total number of hangings to 54 since 1980.

1987

April 1987 Turkey applied for full membership to the European Common Market. Referendum was held in September to allow all previously banned members of parliament to run for the assembly elections.

November 1987, Ozal reinstated as Prime Minister.

1988

Turkey signs UN Nations Convention against Torture & Other Cruel Inhuman or Degrading Treatment or Punishment and also signature to the Council of Europe Convention on the Prevention of Torture.



Partner: Kenan Evren and Turgut Ozal

KURDISTAN - TURKEY'S PALESTINE

At the time of going to press up to one hundred thousand Kurdish refugees have been sitting out an unknown future in tent cities scattered throughout south eastern Turkey .

In late August 1988, Turkey opened its border to the Kurds who were fleeing chemical weapons attacks in northern Iraq .

The acceptance of the refugees by the government of Turgut Ozal has been hailed as a great humanitarian gesture putting Turkey in the unaccustomed role of championing human rights .

However critics of Ozal argue that he accepted the refugees to try and gain support for the ruling Motherland Party in Turkey's eastern provinces, for a looming referendum. Eight to ten million Kurds live in the eastern part of Turkey, a fifth of the country's population on a third of the land mass.

The Kurds, some twenty million people, claim that although they have never had a nation of their own, they have been living in a large area called Kurdistan since antiquity, with the Kurdish calendar dating back to 612 BC.

The treaty of Lausanne in 1923 completed the carving up of Kurdistan Between Iran, Iraq, Syria and Turkey with some Kurds living in the Soviet.

Whether or not Ozal did gain political mileage or not from the

acceptance of the refugees is a moot point as he lost the referendum. One thing is certain though, the acceptance of the refugees has made Turkey an accomplice after the fact in Iraq's genocidal chemical attacks.

Despite Western proof and condemnation of Iraq's use of chemical weapons against its own Kurdish population, Turkey denies that any of its doctors have found evidence of chemical illnesses



amongst the refugees.

Turkey is at pains to maintain good relations with Iraq-one of its biggest export markets in the Middle East. Having already stretched these relations by initially accepting the refugees, Turkey is now keen to secure its slice of the contracts worth \$50,000 million which are expected once Baghdad settles down to rebuild after eight years of war.

Ironically, the acceptance of the refugees by Turkey has served to spotlight its ill treatment of its own Kurdish population.

Since the formation of the Turk-

ish republic in the 1920's, the local Kurds have lived under a barrage of oppressive laws. Their language, music and culture are banned. It's only recently that there has been any official recognition of the existence of Kurds in Turkey. Previously they were labeled "Mountain Turks".

Place names have been changed from Kurdish to Turkish. Children given Kurdish names are denied official identities by Turkish authorities and their parents can be taken to court.

In contrast to western Turkey, educational standards are low and unemployment levels are high. Illiteracy and landlessness punctuate the underdeveloped nature of the eastern provinces.

KURDISH VILLAGERS Government in action in these areas, in not providing any infrastructure, is compounding development problems by discouraging investment in the area. Any investment which does occur is usually capital intensive and often results in products and profits returning to western Turkey or overseas.

Fuat Atalay, a Social Democrat (SHP) representative in the city of Diyarbakir, describes economic relations in the area as feudal with unemployment being the main problem.

Fuat also claims that 50-70% of Kurdish children don't attend high

school because they are needed as income earners and many villages are accessible only by goat track and are therefore isolated during the winter snows. He also stresses that many peasants actively discourage their daughters from seeking education.

For many Kurdish children there's not much point in attending school as they are taught in the 'official' language, Turkish, whereas the only language they know is Kurdish.

Since July 1987 'Super Governor' Hayri Kozakcioglu has controlled most of the Kurdish inhabited eastern provinces. Eight of these provinces are under state of emergency powers known as 'extra ordinary situations' describe to us as 'civilian' martial law. Hayri Kozakcioglu has wide powers, including command of the security forces in the region and full authority to evacuate villages temporarily or permanently.

According to Hayri Kozakcioglu, such measures are necessary to combat terrorism in these provinces and emphasizes that; "Turkey today applies equal rights to all its citizens... more than any other countries that call themselves democratic."

However, the hoards of Kurdish political prisoners, facing systematic torture and brutality, prove otherwise, as is documented by Amnesty International, the Turkish Human Rights Association and Kurds we met who'd recently released from Diyarbakir Military Prison.

Mehmet Vural, President of the Diyarbakir branch of the Turkish Human Rights Association, said: "Torture continues to exist in this region... as far as we know it has lessened in Ankara and Istanbul but it continues extensively in this region."

Adnan Ekman and Ahmet Turk are two Social Democrat representatives from the south eastern province of Mardin. Adnan Ekman says; "Today, to say 'I'm a Kurd' is

a crime in Turkey. to say you are a Kurd and a democrat is a double crime... Because of this tens of thousands of Kurds in Turkey are living in dungeons they call jails."

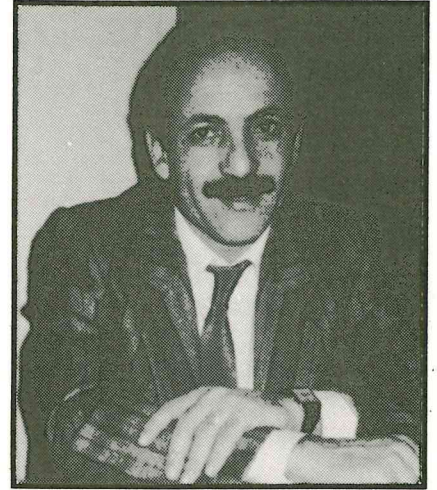
Ahmet Turk was one of fifteen members of parliament arrested after the 1980 military coup in Turkey and is one of the twenty or thirty new members who have experienced torture as political prisoners.

Ahmet Turk proudly noted he was released from prison just three weeks before the elections - and still managed to get elected - spending six months of this more recent sentence in the infamous Diyarbakir Military Prison. He was arrested because the police claim they found video tapes and cassettes of Kurdish songs in his possession - something he still manages to raise a smile about.

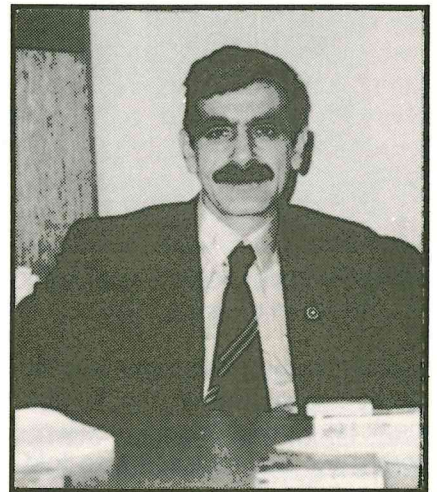
He offers the following explanation as to why he was really arrested; "I was supporting the people and their interests which was seen as a good enough reason to be arrested... In other words it was for political reasons. Because we were closely considering the Kurdish peoples problems."

Mehmet Ali Eren holds a seat for the Social Democrats in the city of Istanbul but was raised a Kurd. A speech of his in the Parliament caused uproar in one of the first sittings for this year.

The point of contention was his use of the word "Kurdish" in the



MEHMET ALI EREN



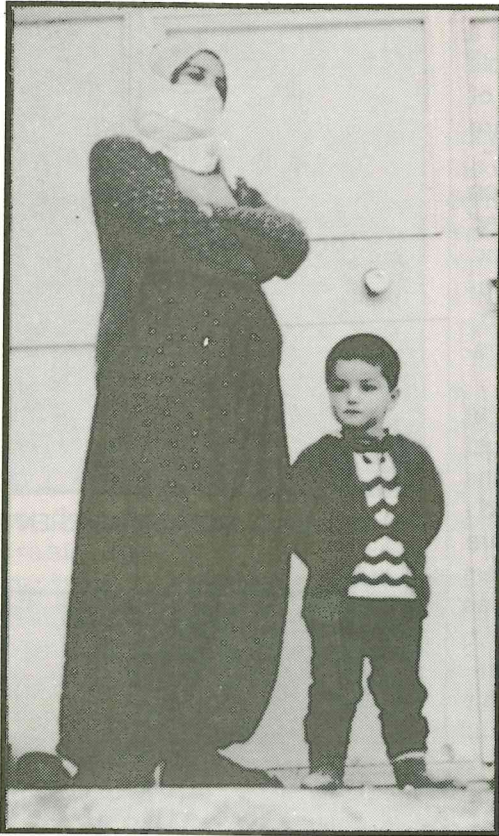
AHMET TURK

speech which he said was intended to break the taboo in the Parliament on the Kurdish question.

Ironically, whilst Mehmet Eren



Rural life often shattered by military raids



KURDISH VILLAGE WOMAN AND CHILD

was censured from repeating his speech in or out of the Parliament, the Turkish media widely reported the incident. He also told us that in Parliament he must now refer to the Kurdish question as 'the democratic problem in eastern Turkey'.

Whilst the democratic forces in Turkey are trying to remedy the problems faced by Kurds in Turkey, those who hold the real power - the military commanders and Generals - are orchestrating a systematic reign of terror in the east. This situation is shockingly illustrated by events at the Diyarbakir Military Prison in July 1988 when over 100 relatives of political prisoners were arrested.

The Government, as part of a religious festival, granted political s contact visits with their families. The Military commanders in Diyar-

bakir had a different idea however. When the relatives gathered outside the prison they were unexpectedly set upon by Turkish Security Forces.

Their intended visit turned into two months jail. One of them told us the story the night he was released.

"Then, all the security forces, especially the secret police, started shooting with guns towards the civilians, after that, troops and formal policemen, all together started shooting. It was like a warzone.

It was a moment that reminded me of Palestine. This happens in the streets of Palestine everyday. But even the Israeli Zionists use rubber bullets. Turkey's fascist rulers use real killer bullets.

The people started to lie down. This made most of the police retire to a distance... They didn't want it to look like a massacre.

I think they were actually shooting out of fear. Because they just couldn't accept the fact that so many people were there to stand by with the political prisoners.

Super Governor Hayri Kozakcioglu's command of the security forces is formidable, as up to one third of the Turkish army is stationed in the eastern provinces - and the authorities are not hesitant to flex this military muscle against their own people.

In 1984 the banned, separatist Kurdish Workers Party (PKK) formed its armed wing the ERNK. Villagers are caught between the warring PKK and Turkish military with rural life often shattered by military raids, conducted under the pretext of looking for PKK members.

One village we visited in snow bound mountains, near the town of Tunceli, had been raided by the military a week before we were there. During the raid four young boys were beaten with sticks, another shot in the leg and a locked bedroom pumped full of heavy calibre ammunition - fortunately no one was in the room at the time.

Not so fortunate however was a man shot dead in a similar raid on another village a few days later. He was an alleged guerilla sympathiser. Several days later an Ankara based journalist was off to yet another Kurdish village which had also been raided.



KURDISH VILLAGES, ISOLATED BY WINTER SNOWS.

The military and secret police, from the National Intelligence Agency (MIT) have a network of armed informers called 'village guards'. Whilst resistance to pressure from the security forces to become an informer is strong, the consequences can be brutal. A Diyarbakir lawyer showed us photos of a sixty year old man who resisted the security forces advances and was horribly beaten and tortured as a result.

The reasons for this oppression of Turkey's Kurds are to be found in the fiercely nationalistic nature of the post-coup regime governing Turkey. This nationalism is in fact something which goes back centuries to the time of the Ottoman empire.

A banned Kurdish MP, who spoke on condition of anonymity said; "Turkey is pursuing incredibly harsh policies regarding the Kurdish issue. They refuse to recognise their (the Kurds) existence and are using every possibility to assimilate the Kurds"

Mehmet Vural from the Diyarbakir branch of the Turkish Human Rights Association said the branch was formed to draw attention to human rights violations in the east of Turkey.

He stressed the importance of the banning of the Kurdish language as an issue in itself; "Today, anywhere in the world, any language even if spoken between just a thousand people, there's an effort to keep it alive..."

"In this region, it's quite the opposite - there's an attempt to destroy a language which is spoken by nine to ten million people. There's an attempt to utterly destroy the culture... but Kurdish culture, Kurdish language is a common heritage of humanity, of all people in the world..."

"This language will cease to exist with these types of pressures. As I've said before it (Kurdish) is a living language, a living culture. Far from annihilate it, on the contrary, it should be kept alive."

THE WORLD ACCORDING TO YÖK.

ARMED CLASHES WITH FASCIST PROVOCATEURS, REGULAR POLICE SEARCHES OF STUDENTS, MASS SACKINGS AND RESIGNATIONS OF ACADEMIC STAFF, AND, A HIGHER EDUCATION COUNCIL "YÖK" THAT CONTROLS ALL ASPECTS OF UNIVERSITY LIFE - INCLUDING STUDENT ATTIRE. THIS IS REALITY FOR TURKISH UNIVERSITY STUDENTS...

The university campuses are a microcosm of Turkish political life. Education is a litmus test for Turkey. To succeed in creating the new model, Turkey needs a modern democratic education system. But to fit the mould education must be tightly controlled, monitored and administered.

20 to 30 people were being killed each week in armed clashes across Turkey leading up to the 1980 military coup.

The battles were intense on university campuses, but were regular occurrences in the big cities and towns as the left organised and armed themselves against attacks by small armed groups from a neo-fascist organisation known as the Grey Wolves.

A woman we met in Istanbul (all students asked not to be named) was a student in the late 1970's and she told me about campus life in those days.

"There were about 3,000 students in our faculty... only 19 of these were fascists, but whenever they came bombs exploded, dynamite was thrown and one or two people wounded..."

The police would not run after them but after us, arrest-

ing us, taking our fingerprints, photographing us, numbering us and then releasing us... they were getting ready for something... preparing their records, their files ...

...This of course creates a sense of revenge. The fascists were not being punished. Well if the government, the state, the security forces don't punish them, then we felt we should... and you also have to defend yourself. The students armed themselves as well... with anything chains, knives and with guns. It was not allowed to take guns on the university but there was always a way to be found".

The unrest in this period was not restricted to the campuses. There were student/worker rallies in the cities and growing industrial unrest.

The five general of the National Security Council used the unrest as a pretext to take power and impose martial law, on September 12, 1980.

A little over a year later, the military adopted a law establishing the 25 member Higher Education Council (yök) which exercises centralised authority over Turkey's 29 universities.

The 25 members are appointed by the Chief of State (President Kenan Evren), Council of Ministers and the National Ministry of Education. The chair of yök is known to be a close associate of President Evren and is said to have been part of the brains trust advising the junta.

The boards and faculties of universities were removed from decision making responsibilities and became advisory bodies.

University Chancellors are appointed by the President and Deans of Faculties are named by *yök*, and, their power is limited to the administrative functions laid down by *yök*. University staff and students are banned from being members of political organisations.

One year after its formation, in November 1982, *yök* began to sack lecturers and staff who were 'unacceptable', that is progressive or left-wing. Up to a quarter of some 22,000 academics were dismissed, transferred to secondary education or resigned in protest.

Baskin Oran was one of those sacked. He had been a lecturer at the school of Political Science at Ankara University for 13 years.

Baskin Oran and six colleagues successfully appealed against their sackings to the administrative appeals tribunal, but this was later overruled by the military with no one allowed to appeal against Martial Law decisions.

After martial law was lifted they again appealed to the civilian university authorities, arguing that the decisions of military authorities were no longer valid. They are now waiting on a decision on the rejection of this appeal.

Baskin Oran believes that many academics will not return to Turkish universities even if *yök* is lifted, and that it will take 20 to 30 years to repair the damage done to the education system.

Dr Korkut Boratav, dismissed as Professor of Economics from Ankara university further adds:

"What has happened to our

universities is a dark spot in the Turkish political history. What has been done to the academics, and it has not only been done to the academics it has been done to the civil servants, teachers, and other occupations have been victims of the same operation and I think that there is no question that it has to be corrected."

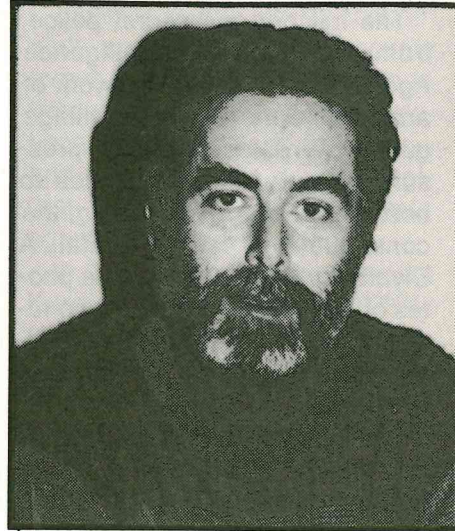
Baskin Oran believes that the military achieved their aims with tertiary education, and talks here about the effects on his old faculty at Ankara University.

"I even suspect that the students of today do not even know that the Political Science faculty has a tradition of discussion and dissent. Because, this tradition has been broken for a period of six years... all those who knew about this tradition graduated...

And these Seniors were not able to teach the newcomers what they knew. And this is what they wanted to do, this is exactly what the military authorities and their civil counterparts in the university wanted to do. To break the tradition, to make them forget, to be very quiet citizens, accepting everything that comes from higher up...

But this will be reversed one day because this is against the definition of a university... the university by definition is universal, but *yök* tells academics what they will and won't teach ...

If ever professors criticise *yök* they can be fired. So, there is a complete silence on the universities... What



BASKIN ORAN

will break the current situation will be the students. They have started doing it and are doing it."

University students accounted for a large number of the hundreds of thousands of political prisoners detained in the period after the 1980 coup.

Students are now on the move in Turkey.

In 1987 two extensive and successful campaigns were organised - one against an item of *yök*, and one against the proposed amalgamation of student associations.

Students have been confronting the government by holding a number of legal and illegal protests.

We saw a demonstration outside Istanbul University in support of the Palestinian Uprising. The protestors were promptly dispersed by riot police known as the Rapid Force who make Tactical Response Groups in Australia look like Boy Scouts. 25 students were arrested by secret police agents.



**'RAPID' FORCE' CLEANING UP STUDENTS
AT ISTANBUL PROTEST**

At the end of April 1988 there was a big demonstration outside Istanbul University with 160 students arrested and two members of the security forces injured.

On May Day 1988 truncheon wielding police charged thousands of unionists and students who defied the government ban on May Day celebrations. Many protestors and journalists were detained and beaten.

The determination of the military to maintain control over education is all too clear in the workings of *yök*.

In the manifesto of *yök* (The Higher Education Council) Item 56 prevents students from being members of political organisations. However, students are organising themselves with some 60 to 70 small student unions of which around 30 have official permission to exist.

Establishing these associations has not been easy. A medical student at Ankara University explained the process they had to go through to establish one in their faculty.

changes were wanted.

For example, one clause the authorities wanted changed concerned freedom of association for students.

The students appealed to an administrative appeals tribunal, arguing that the desired change contravened a clause in the Turkish constitution. They are still waiting on a decision.

In 1987, when the government proposed to amalgamate the existing student associations and bring them under the direct control of *yök*, students protested.

After a series of student hunger strikes and demonstrations, the government backed down. The legislation has been rescheduled for some time this year.

Item 44 deals with student dismissals. An Ankara university student told us that 80,000 students had been dismissed in the '84/'85 and '86/'87 academic years. Students organised a campaign against Item 44 and petitions with about 30,000 signatures, were sent to the Turkish parliament.

The association was formed and a copy of its constitution sent to the local government for approval. They were meant to answer the students within 15 days but it took eight months and

During this campaign students marched from Istanbul and Izmir to the capital Ankara to protest against Item 44. A student who was at the 'welcoming' of marchers in Ankara described what happened :

"When we met them (the marchers) in front of the Middle-East Technical University, civilian police and security forces came and many of our friends were arrested. After this the remaining students went and delivered the petition to parliament, and again the police arrested a lot of our friends and they were tortured in DAL."

We spoke with some of the students who were arrested at the march and they claim they were detained without being charged, which is possible for up to 15 days under Turkish law, interrogated, beaten and tortured.

They claim this occurred in the now infamous DAL, the sophisticated state interrogation centre, known as the 'Yusuf Kahraman Police School'. The building is on the grounds of the Ankara Police Headquarters and is joined to it by a corridor.

Ex-political prisoners we spoke with who had been interrogated in DAL said they were relieved when they were finally taken to the brutal military prisons.

Police on campus are another problem students have to contend with.

"We very seldom have uniformed police. But we have plain clothes police, there are certain people who are there as observers working for the police. Sometimes we manage to expose them..."

In my faculty they search our bags every morning, it is very regular."

Talking about item 56 another Ankara student said :

"...Of course this limits our political participation, and also, they say to join a student union you have to go and ask your Rector (Chancellor) for permission... we have struggled against this and it is not effective in practice, so we have founded our student unions".

Undergraduate students face daunting examination schedules. The average student would do about eight subjects a term with up to four or five exams per subject.

This means 40 exams each term:

"Each term is less than four months which means that every two weeks in my faculty, we have eight or nine exams."

Higher level studies at university are tightly controlled. One student was doing a Masters paper on Marxist theories of the state but was not allowed to use any primary sources - namely, Marx's own writings.

Whilst the students we met were optimistic, they conceded that less than ten per cent of students were in associations or active on campus.

These students are trying to take the struggle beyond the daily concerns of students. A student in Istanbul put it this way...

"Medical education is not separable from the health system and the health sys-

tem is not separable from the political system in Turkey... what we seek can not be achieved in this system. We're discussing the creation of autonomous, scientific and democratic universities."

We asked some students what type of student they thought yök was trying to create:

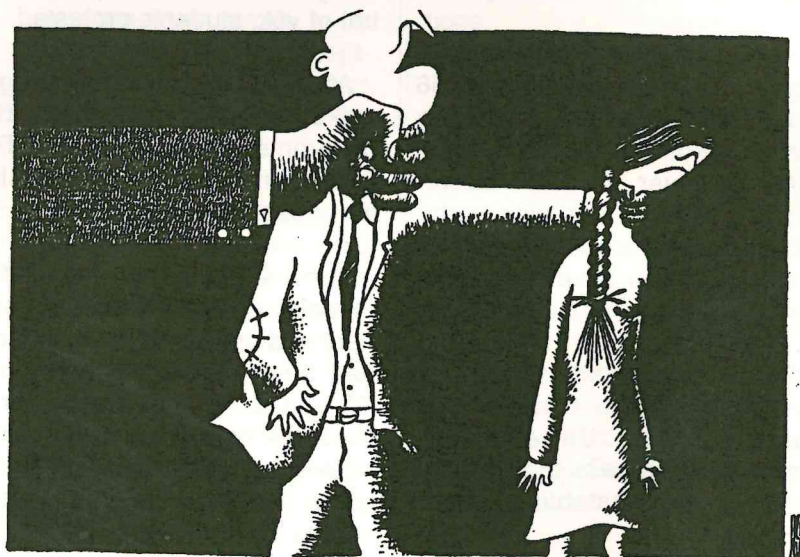
"Students like robots... students who are not interested in politics and social activities, who just attend classes, just study for examinations... students in uniform...."

This is an expanded version of an article which was first printed in NEWSWIT, journal of the University of Technology Sydney Students Association.

WOMEN IN TURKEY

"TURKEY IS A COUNTRY WHERE, STILL, FEUDALISTIC VALUES ARE LARGELY ACCEPTED... EVEN BY SOCIALIST MEN. BEING BEATEN AND GETTING NO HELP AT HOME ARE TWO OF THE ISSUES WOMEN FACE... IT'S NOT JUST YOUR HUSBANDS THOUGH. IT'S THE STATE OVERALL THAT ACCEPTS YOU AS A SECOND CLASS CITIZEN."

These strong words are from a Turkish woman who spoke to us on condition of anonymity. In all the publicity about conditions and the loss of human rights in Turkey, there is little mention of women. Yet women suffer the same loss of rights as men, they are tortured imprisoned, and have the additional burden of caring for families when the male members of the family are imprisoned. There are many contradictions in





Funeral of Didar Sensoy: bashed to death by police in a womens march, 1987

the position of women in Turkey, almost as if there are two separate populations.

Modern Turkey's patriarch, Mustafa Kemal Ataturk, made Turkey a secular state, removed the veil and introduced a new constitution. Women in Turkey obtained the right to vote in 1924, and have played an active part in political life ever since. The first woman was elected to parliament in 1933.

One of the best known political women was Behice Boran who entered parliament as a Labour Party member in 1965, and became president of the party in 1969. After the 1971 coup, the party was closed down and Behice Boran was arrested and sentenced to gaol for 8 years. She was released in the general amnesty and reformed the party in 1975. Following the 1980 coup the party was again banned and she escaped from Turkey.

She died in exile in 1987. As was her privilege as a former member of Parliament, her body was

brought back to Ankara for a formal funeral ceremony in Parliament House and later transferred to Istanbul for burial. Her funeral became a massive demonstration and thousands of people followed from Ankara to Istanbul.

Educated middle class women have careers in all fields. There are women judges, lawyers, deans of faculties, professors, doctors, journalists. Women are in the army, although military service is not compulsory as it is for men. The present Minister for Labour is a woman, Imren Aykut.

We spoke with some of these women in trying to find out what the real situation is in Turkey. The reality is that women are paid less than men, find it harder to get jobs and are usually the last hired and first fired. State funded childcare is non-existent, and private childcare is available only to women in higher prestige, better paid jobs. The high costs of child care puts it out of reach of ordinary women.

In establishments employing

200 or more women, the employer is obliged to make provision for child care. The solution is simple - always keep below that number of staff. Social services are lacking, child allowances minimal, and there are no unemployment benefits. Women caring for children alone have to join together or rely on their families for support.

Turkey is still very much a chauvinist state, and women get little help from their husbands. Domestic violence is common and women have little or no redress even though the law provides for it. There are no shelters for women seeking to escape from domestic violence.

After the 1980 coup all revolutionary, socialist and democratic women's organisations were banned. Some new feminist organisations which have been allowed to form only since 1983, have started to focus on issues such as domestic violence, although this is not the greatest problem women face in the area of human rights. The new democratic women's organisations however are severely restricted in the type of political activities they can engage in.

There are women working in factories, and in menial jobs and on farms in the rural areas, but one feature noticed by our delegation was the conspicuous absence of women generally, and from the jobs usually associated with women. We saw no waitresses, few women shop assistants or clerks, and few women in the streets or in restaurants.

At the other end of the spectrum are women in the poorer suburbs and in the rural areas, where their position is much like that of third world women. Three quarters of the houses are sub-standard and half the population live in slums, "night-built" (self-built) houses. There has been a heavy rural urban migration, people are attracted to the cities with the hope of better jobs and education. This has put great pressure on accommodation in the cities, which are spreading into the surrounding farming areas.

WOMEN AND HEALTH

Turkey became aware of a problem of excessive population growth in the mid-sixties. Prior to 1963, contraception was illegal. The first Family Planning Association of Turkey was started in 1963, and in 1965 the Turkish Government passed new legislation to allow the establishment of family planning clinics. Family planning was originally seen as a population control measure, but is now actively promoted in a health care context and contraceptives are provided free from clinics.

The most popular method used is the Intra-uterine device, and some nurses working in rural areas have been trained to insert IUDs. IUD's are provided and inserted free of charge in public hospitals. Many couples particularly in the remote areas rely on traditional methods such as breast feeding and withdrawal.

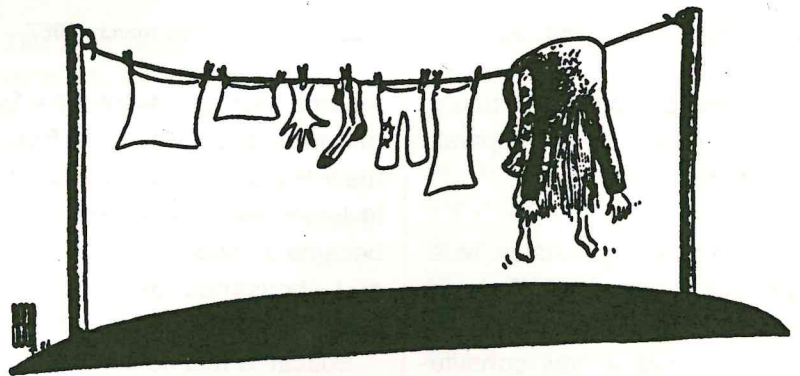
Oral contraceptives are theoretically only available on prescription but can be obtained without pre-

scription in pharmacies, as can other drugs which are restricted in Australia. Sterilisation has not been seen as acceptable and was illegal until 1986. Abortion has been legal since 1983, but only on medical grounds, and with the permission of the husband.

In public hospitals there are long waiting lists and women often have to wait up to several months when it becomes too late for an abortion. The lack of beds and doctors for abortions presents a

world country. A measure of the availability and quality of health services is seen in the infant mortality rate. Ninety out of every thousand children born each year die before the age of one year, or nine times as many as in Australia. Even this is a great improvement on the rate of 165 in 1965.

Children die mainly from respiratory infections and diarrhoea, both controllable diseases. Only 2.5% of the national budget is spent on health compared with 40% on the



cruel irony in a country where the government is attempting to pursue family planning and birth control, encouraging the two child 'nuclear' family unit.

Other persisting problems in providing family planning are religious beliefs, the need for child care in rural areas, and the desire for sons. Women tend not to use family planning until they have had up to five children. The population growth rate is 3.5% per year, more than double what the rate is in Australia, even allowing for immigration.

From a health point of view, conditions resemble that of a third

military. World Health Organisation standards are that 15% of the budget or 5% of the gross national product of a country should be spent on health.

One of the more positive actions of the government has been to try to improve health services for women in rural areas. As early as 1960, a "socialised" salaried medical service was devised mainly for the rural population which at that time made up 70% of the population.

In 1986 the Foundation for the Advancement and Recognition of Turkish Women was founded under the Presidency of the wife of

the Prime Minister, Mrs Semra Ozal.

The main objective of the Association is:

"To advance and enhance the economic, social and cultural solidarity among Turkish women working as mothers and housewives in public service, private sector, in various business fields, in agriculture, arts and politics, at province, district and village level; to promote the social, cultural and economic achievements of today's Turkish women world-wide." (From the Official Deed of the Federation)

The Federation has appealed for funds and equipment in and outside of Turkey. With aid from various international bodies it has established a health service for women in poor suburbs and rural areas to supplement the sparse services available. It has branches in the 48 major cities, and has established a network of 31 mobile and 34 stationary health units that function as fully equipped gynaecological units.

It provides maternal and child health care, advice on nutrition and family planning, and health education. Under article 26 of the Official Deed of the Federation, at least 10% of the services and bed capacities of its institutions must be reserved for low income women.

Although its aims are commendable and its work very necessary, the Federation could hardly be called a democratic organisation. The president and the thirty prominent women who make up the Founders were appointed for life, and are the only members of the

General Assembly of the Foundation to have voting rights.

WOMEN AND TORTURE

The delegation met families of political prisoners, mostly wives and mothers. Some of them with their children had been arrested and tortured with their husbands. Women have been stripped, humiliated and tortured in front of male guards and even during menstruation. They have had beatings and electric shocks to their genitals.

One woman told us she was two months pregnant at the time of arrest. She was tortured with electric shocks. She miscarried and had to be transferred to hospital for bleeding. Although the doctor certified that the miscarriage resulted from the torture, the report was concealed and not presented in the court. Like many others she got no redress.

To try to force confessions women are sometimes tortured in front of their husbands and vice versa. In gaol there are women warders but military guards patrol the prisons and women are likely to be beaten daily. We heard stories of great cruelty. One woman was beaten 200 times over 2 years. Another woman cannot walk properly because of being kept for a long period in the "tortoise" position.

These women told us of continuing police harassment which is still going on. The police come and raid their homes looking for evidence; they are sometimes taken into custody for 1-2 days and questioned. Pressure is put

on them to co-operate, to divorce their husbands, or to persuade their husbands to become police informers.

Their neighbours are questioned and intimidated. They are frightened that they too could fall under suspicion. So these families become very isolated and find it very difficult to manage financially. There is no social welfare for them.

They have formed their own support networks, and in 1987, they finally obtained official approval to form a support group for families of political prisoners. In 1987 they held an exhibition on torture, and they showed us some of their exhibits. However they were refused permission to repeat the exhibition in 1988.

Most women we met agreed that the advancement of the status of women is closely linked with the struggle for democratic and human rights in Turkey.

"WOMEN SHOULD KNOW HOW TO UNITE AND RAISE THEIR VOICES ON MAJOR ISSUES, TO DEFEND NOT ONLY WOMEN'S RIGHTS BUT TO DEFEND EVERYBODY'S RIGHTS..."

IT'S WOMEN WHO GIVE BIRTH TO CHILDREN, IT'S THE WOMEN WHO RAISE THE CHILDREN... WE SUFFER WHEN OUR CHILDREN DIE, WE SUFFER WHEN OUR CHILDREN GO TO PRISONS AND ARE TORTURED AND LOST LIKE THE DISAPARASIDOS IN ARGENTINA AND EL SALVADOR."

TURKEY INCORPORATED

"TRADE UNIONS, ACCORDING TO THE CONSTITUTION CANNOT ORGANISE CAMPAIGNS IN CO-OPERATION WITH POLITICAL PARTIES. THEY CANNOT CO-OPERATE IN ANY AREA WITH OTHER ASSOCIATIONS ... CHAMBERS OF ARCHITECTS, ENGINEERS ETC."

The above quote is by Yildirim Koc, Research Officer of Yol-Ish, the Turkish Construction Workers Union. He spent some time in military prisons following the September 12, 1980 military coup in Turkey, having been dismissed from his academic post.

Yildirim Koc believes that the current industrial relations climate continues to be a reflection of the January 24th, 1979 Economic Measures :

"What we as trade unionists consider as the basic tenet of the model was an assault on the fundamental rights of trade unions. However, everyone knew that the restrictions to be imposed on trade union rights could not be realised under a parliamentary democratic system...

So, to complement the economic program, the coup had to take place. When we recall those days, almost immediately the price of commodities rose rapidly... at the end of January there were about only 6,000 workers on strike, and the number of strikers increased month by month to 55,000 and there were up to 100,000 workers who were about to go on strike when the coup happened...

So the coup had to ban strikes, force people to work more intensively in the working day, stop the activity of certain trade unions and curtail severely the activities of unions still allowed to function...

Turkish Labour power could then be sold more cheaply in the international division of labour. From 1980 to 1987 it has gone from about 100 foreign firms in Turkey to somewhere around 625."

Dr. Korkut Boratav, one of Turkey's leading economists, was also dismissed from his academic post in the University of Ankara. He describes the 24th January Economic Measures in detail, stressing the incomes policy aspects :

"The civilian government in office at the time adopted, then implemented somewhat orthodox stabilisation policies along the lines recommended by the IMF. That package was later on adopted by the military....

It was further developed during the three years of full military rule, and then once again adopted and furthered by the Ozal

government in office since late 1983...

In that particular package incomes policy played a much more important role than standard IMF policies implemented elsewhere, it is directed mainly at the repression of labour incomes. The whole philosophy of the model is based on that particular structural feature...

Without the political and repressive tools of a military regime the incomes policy aspects of the package could not have been implemented, and the control of the labour market through extra-economic means was crucial in the implementa-



Overcrowded cities with massive transport and housing problems

tion of the program...

For a little bit longer than three years strikes were banned, collective bargaining procedures were suspended wages were determined on the basis of a newly established Higher Court of Arbitration which systematically set annual wages below the rate of inflation as a result of which real wages have decreased dramatically since the late 1970's up to the present day...

I should add that apart from the military measures, institutional measures were taken with the Constitution of 1982 and the labour legislation which followed whereby the right to strike and the freedom to engage in collective bargaining procedures were restricted severely."

Article 54 of the 1982 Constitution severely restricted the right to strike.

Then in 1983, a series of anti-labour laws were brought in to effect which further restricted the rights of trade unions. This law is still in force today and contravenes accords of the International Labour Organisation and other international bodies.

Yildirim Koc explains whether or not Turkey's labour laws in fact mean that workers can't go on strike :

"When you compare it with the situation in contemporary western society, it is so. But inspite of that, the working class in Turkey is striving for its basic democratic rights and the spontaneous labour movement is developing..."

One of the aims of the employers, with government co-operation, was to depoliticise the working class. Before 1980 it was possible for trade unions to organise campaigns for the democratisation of the country, etc .

...After 1980, a provision in the 1982 Constitution forbade all political activity of trade unions. But the 1983 law perhaps softened that a little by saying that political activities relating to the economic interests of workers were permitted...

So there was some ambiguity about the political activities of trade unions. If compared with the Australian case, where there is very close co-operation of the ACTU and the ALP and affiliation of certain unions with the Labor Party, etc - it is all forbidden...

However it is up to the trade unions to work around these laws. For example in 1983 we organised a campaign for a change in the Constitution.

...There was a referendum in September 1987 concerning the Constitution where trade unions campaigned very actively for a 'yes' vote. Before the general election in 1983 unions campaigned for 'no' vote for the Motherland Party. In addition to that officials of unions may issue statements as individuals...

We are pushing down those limits imposed during the period of military rule bit by bit. But when you think in terms of the legislation in

force there are very strict restrictions but they can't impose them because of the militant activity of certain sections of the working class. It's like crossing the road when the red light is on, if you are the only one who's crossing there are sanctions against you. But if there are tens of thousands of you... they can't impose them."

The only trade union confederation in Turkey is Turk-Is. Out of total workforce of 16 million there are only around 2 million unionised workers in both public and private sectors .

Serap Akpınar is from the confederation's international department and was in Melbourne representing Turk-Is at the 1988 International Confederation of Free Trade Unions conference where this interview was recorded:

"We have a prohibition on strikes in certain areas such as the arms industry, teachers... in the public sector there are about 300,000 workers who have no right to strike..."

Some members of the Executive of Turk-Is have currently been placed on trial, why?

"In September 1987 we had this referendum to lift restrictions on some ex-parliamentarians, and elections in November, where members of Turk-Is defied the ban on trade unions being involved in political campaigns and they were prosecuted by the State Security Court."
Turkey's official inflation rate is

now running at around 75 per cent, and there is massive unemployment and poverty. Recent opinion polls have shown the ruling Motherland Party is losing ground to both the Social Democratic Populist Party, and the right-wing Islamic True Path Party led by another ex-Prime Minister Suleyman Demirel.

The present government is looking at a program of Thatcher style privatisation of the heavily state controlled economy. Furthermore, Turkey's pending full membership of the European Economic Community is seen as panacea to its current problems.

Haliz Akder is the Assistant Dean of Economics at Ankara's Middle-East Technical University. He has worked on a common agricultural policy for Turkey's entry into the European Economic Community (EEC) and is cautiously optimistic about Turkey's economic problems being solved within the EEC :

"Turkey will face many problems if it remains outside, and has to decide to resolve these problems either inside or outside the EEC. They have decided to try and solve the problems as a full member.

...Turkey's economic problems are structural and cannot be solved by signing a treaty or agreement, they will also exist within the Community. I think however, Turkey will gain greater flexibility and advantages inside."

Despite Haliz Akder's optimism, Dr Korkut Boratov believes Europe is not ready to accept Turkey as part of its community :

"The crucial question is, will Turkey become a full mem-

ber? My own prediction is that Europe will not accept Turkey as a full member...

It will be a very long process of bargaining, and in the end, I believe, the European Community is not ready to see a Middle-Eastern country with a predominantly Muslim population, and also a huge labour force which is waiting for the free circulation of labour to start so that it will flow into Europe... millions of people of Turkish origin.

...People with completely different cultural backgrounds... adaptation problems. That kind of a scenario I think is very bleak for the European Community to accept Turkey as a full member."

Of Turkey's 52 million people, only around 16 million are officially 'wage earners'. 16 per cent of the labour force are unemployed and they receive no welfare payments.

Today 27 million out of a population of 52 million live in towns straining them to the limit. Changes in the economy have caused a large number of peasants to migrate from rural areas to the industrial centres, scraping together a living on the streets of the big cities

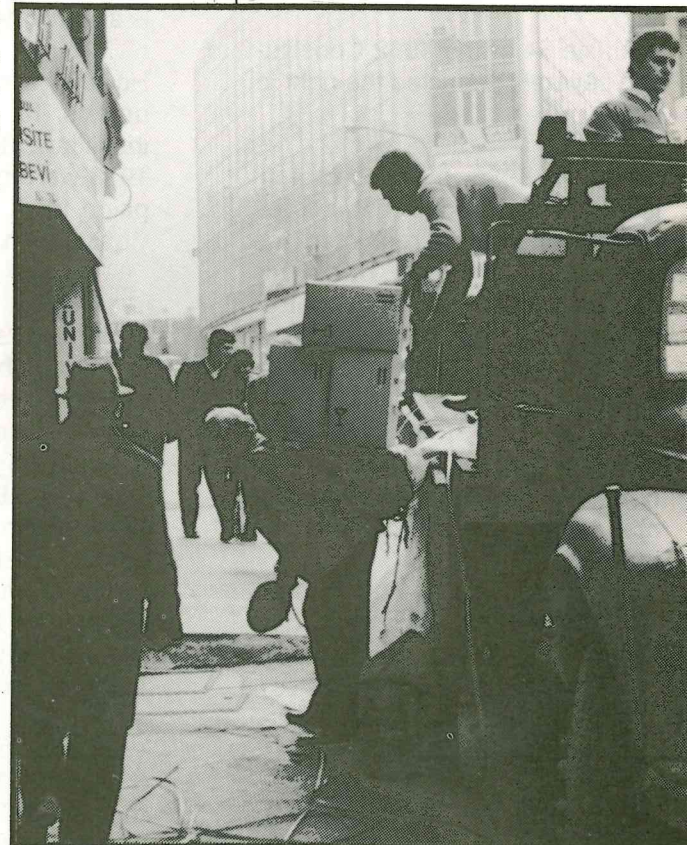
such as Istanbul, Ankara and Izmir.

According to the Swiss Bank, the top 20 per cent of the population control over half of the national income, while the lowest 40 per cent of people control only 10 per cent.

The country's economic problems are most severe in the east where some ten million Kurdish people live. Turkey annexed part of Kurdistan with the signing of the Lausanne Treaty in 1923.

An enormous number of Kurdish peasants have been made landless by growing land monopolies and government inaction on land reform. Investment projects established in Kurdistan often result in products and profits being re-directed to the western part of Turkey, or, overseas.

The Kurdish coal mining towns we saw were dilapidated and grey



WORKING CONDITIONS - TURKISH STYLE

in the bitter winter snow.

The Turkish government is trying to rapidly industrialise an agriculturally based economy at the expense of the standard of living of Turkish workers. The gross monthly minimum wage remains about TL 40,000 (\$50)* and employers pay negligible payroll and social security taxes. Yildirim Koc gave me these revealing statistics from the International Metal Workers Federation Annual Survey of the Purchasing Power of Work Time :

"According to those figures, to buy a kilo of sugar in Australia a steel worker has to work four minutes. In Turkey, in 1987, a worker in the General Directorate of Highways had to work 34 minutes, a worker in the private sector had to work 53 minutes.

...For a kilo of beef, in Australia 44 minutes. In Turkey four hours and 12 minutes for a government employee, and six hours and 37 minutes for the private sector construction workers.

...For a colour TV it was 69 hours in the Australian case, in the Turkish public sector, 954 hours, and 1,500 hours in the private sector...

Would the average Turkish worker own their own home?

... No, I think about 30 to 35 per cent of wage and salary earners would own their own home. The rest would

* As per exchange rate January 1988.

be renting and rent consumes a considerable proportion of the take home pay of workers."

In fact the minimum monthly wage would just cover the rent for an average two bedroom flat in a large Turkish city.

Serap Akpinar again, from Turk-Is :

"Basically all the strikes in Turkey today are aiming at better wages and working conditions. Because wages, since 1980, are always lagging behind the inflation rate which means a decrease...

So did the petroleum workers and the transport workers and the leather workers achieve pay increases in their recent campaigns?

"Yes they did but the year 1988 has seen even higher inflation and increasing prices again, so that rise was made null and void..."

I believe the government has just introduced some new austerity measures as well?...

"Yes, the current government has even broadened the policies of the 24th January Economic Measures, causing higher inflation, interest rates, higher prices and yet still lower wages."

Before the 1980 military coup over half a million workers from some thirty unions were affiliated to the Revolutionary Trade Union Confederation (DISK) .

DISK existed separately from the other trade union confederation, Turk-Is, until the coup when DISK was outlawed and all the executive and thousands of branch members were arrested.

Abdullah Basturk, the President of DISK was one of those arrested. He was released after serving four years in military pris-

ons and is now a member of Parliament for the Social Democratic Populist Party.

When we met Abdullah in the capital Ankara, he told us that most DISK members are now working within Turk-Is, and he's confident that DISK will re-emerge with an increased membership and exist in opposition to Turk-Is. He does however see a need for Trade Union unity.

Serap Akpinar says it's vital that leaders of DISK and Turk-Is work towards unity :

"Trade union unity, that is if we're talking about unity between Turk-Is and DISK, is a sensitive subject because it goes back some years where they existed as two different trade union confederations. In those days most of the social democratic and socialist trade unionists were in DISK and the rest were within Turk-Is..."

Today the situation is that most of the rank and file of DISK is within Turk-Is, most of them are members of Turk-Is affiliated unions. So the unification of DISK and Turk-Is must occur through dialogue between the leaders of both."

Fundamental issues of economic and democratic rights are the most pressing problems facing the trade union movement in Turkey. Today however, the internal questions of rank and file unity and representation of women are also being tackled.

But, in the short term, the aims of the trade union movement are best summed up in the motto of Turk-Is - "Bread, Peace and Freedom."

TURKISH GLASNOST

TURKISH PRIME MINISTER OZAL'S DESPERATE ATTEMPT TO CONVINCING THE EUROPEAN COMMUNITY OF TURKEY'S TURN TO DEMOCRACY, AS PART OF A CAMPAIGN TO GAIN FULL MEMBERSHIP OF THE EEC, CONTRASTS SHARPLY WITH THE DENIAL OF MEDIA FREEDOM.

The status of media freedom in Turkey gives a good indication as to the subtlety and double edged nature of the country's new found 'democracy'.

There are two state owned television stations which offer a variety of programming, from locally produced soapies to Hitchcock and Fassbinder. The news bulletins are blatantly 'establishment' with usually the first, and longest, item focussing on Prime Minister Ozal or President Evren.

Less than 20 per cent of Turkish homes have television sets. According to the International Metal Workers Federation Annual Survey of Purchasing Power of Work Time, at the end of 1986, a Turkish steel worker in the private sector, would have to work for 9 months to buy a new colour television.

There are also four state radio networks offering similar choice to those of the Australian Broadcasting Corporation (ABC). Given the situation with the electronic media, the press is the most significant branch of the Turkish media.

After the 1980 military coup, all left-wing journals and publications of revolutionary organisations were banned and those responsible sent to military prisons.

Several of the major dailies were

also shut down with a few progressive arts and cultural periodicals allowed to continue. Now, there are around half a dozen national dailies with a circulation of over 100,000, numerous local dailies and an almost equal number of weekly and colour magazines of varying political persuasions.

The variety of publications available on Turkish news stands lends a false impression. While left-wing publications are now permitted, the financial and political pressures of the state are restrictive.

Publications of revolutionary organisations are still banned today under sections 325 and 326 of the Turkish Penal Code, which was effected by the Junta.

The Turkish Government owns all the paper mills and therefore controls the price of news print, which has risen nearly 150 per cent in the last 12 months. One magazine editor said that paper now accounts for 60 per cent of his production costs. Distribution alone often accounts for up to 40 per cent of total revenue.

These types of financial pressures make it difficult for small left-wing and progressive publications to survive, and, impossible to establish new local or national dailies.

While we were in Turkey "Yeni Gundem" (New Agenda) a weekly, leftist, colour magazine temporarily suspended publication because of financial difficulties.

"New Agenda" currently has eleven legal actions against it initiated by the Public Prosecutor, and the editors consider two of these as the most important.

The first concerns the cover story of a July 1986 issue which examined homosexuality in Turkey.

The offending cover, of two topless men hugging, was deemed obscene. Turkey's obscenity law is supposed to protect minors from moral degradation and this cover is charged with promoting immoral behaviour in Turkey's youth - ironically, in a country where several dailies carry front page, colour photos of scantily clad women in suggestive poses.

The editor we spoke with doesn't think jail sentences will be imposed in this case, but rather a TL120 million (A\$150,000) fine to further tighten the financial screws on the magazine.

The second action involves a March 1987 issue carrying a cover story about the Kurds - some twenty million people living around the borders of Turkey, Iran, Iraq, Syria and the Soviet Union.

Eight to ten million Kurds live in eastern Turkey. The Kurdish language and culture is banned under Turkish law and their leaders claim they are being brutally oppressed by the Turkish regime.

The story in 'New Agenda' contained interviews with ex-Prime Minister Bulent Ecevit, an MP from the ruling ANAP Party, the ex-Martial Law Commander for Adana in the south east, and, the director of the Kurdish Institute in Paris.

The article's clearly stated aim was to put the Kurdish question on the public agenda, blatantly breaking one of the country's strictest taboos. Since the authorities would have found it difficult

to take action over the interviews with the ex-Prime Minister, the ex-Martial Law Commander and the MP from the ruling Party, the offending item was deemed to be the interview with the Director of the Kurdish Institute in Paris.

An editor and the Paris correspondent face long jail sentences if found guilty by the State Security Court, which is run along military lines. The editor's passport has been withdrawn and the Paris correspondent is now hiding in exile.

Under Article 28 of the Turkish Constitution, periodicals may be temporarily suspended by court order if convicted of publishing material inconsistent with the indivisible integrity of the state, the Republic, national security or public decency.

Also under Article 28, distribution may be forbidden as a preventative measure under a court order or, in cases where delay is considered prejudicial, on order of the authority expressly empowered by law.

This 'expressly empowered authority' may also seize publications "harmful to the protection of the indivisible integrity of the state."

The two banned issues of 'New Agenda' had already been in the newstands for one or two days before the court order banning them was executed. Since then the authorities have tightened up their procedure taking out court orders banning issues of publications whilst still at the printers.

This happened to three issues of Turkey's leading opposition weekly "2000e Dogru" (Towards 2000).

One offending issue, dated August 30, 1987, contained classified documents from a 1923

press conference about the Kurdish question, held by modern Turkey's patriarch, Mustafa Kemal - Ataturk.

The documents were the official notes of the press conference, taken by Ataturk's secretary, where he said that for the purposes of a united Republic, Turks and Kurds are one people.

The editor's aim was to show that Ataturk supported the Kurds thus reinforcing some popular misconceptions about the history of Turk/Kurd relations.

Another offending issue, dated November 15, 1987, contained a story about the issuing of an illegal military order to search for and kill Kurdish separatists. A young Turkish lieutenant received the order in 1985 and on completing his military service took the order and the story to 'Towards 2000'.

The Military Chief of Staff, in replying to the allegations, never denied the order was given but stated that the issuing of such an order was impossible because official instructions are to capture separatists alive.

Officials of the Contemporary Journalists Association in the capital Ankara claim that individual journalists are still harassed and beaten in the course of their work by security and civilian police.

The Contemporary Journalists Association, with a membership of 1,200 is one of three similarly sized journalist as-

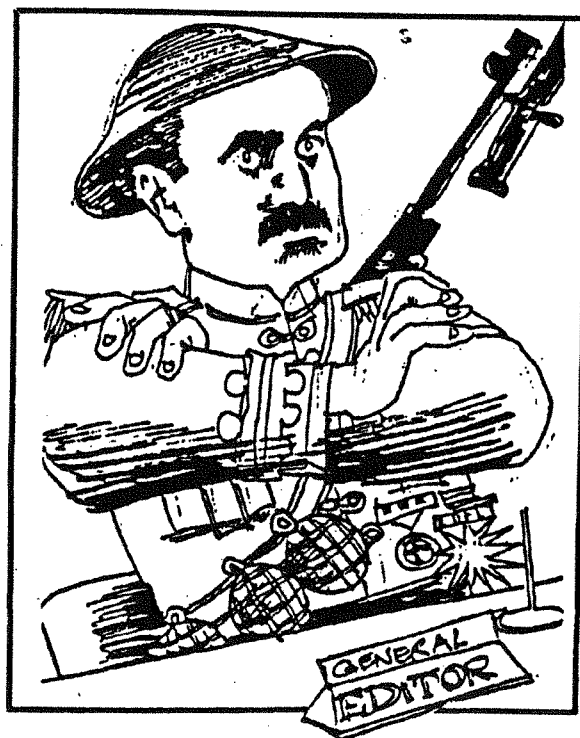
sociations affiliated to the Turkish Journalists Union.

Although the press in Turkey is getting more courageous, particularly about the Kurdish issue, the editor from 'New Agenda' we spoke with said one of the biggest problems is the degree of self censorship by Turkish journalists.

Some of the official and unofficial taboos include criticism of Ataturk and the official history of the Republic, Islam, disrespect of the Armed Forces and the rights of Kurds.

The editor added that "you have to have masochistic tendencies and rotten business sense to run a magazine like this... but we believe in putting our money and commitment where our mouths are."

**This article first printed in 'The Journalist' newsletter of the Australian Journalists Association.*



TORTURE IN TURKEY

"We were tortured...and yes my husband was violently, and savagely tortured. I can say that I was only tortured from time to time. In order to make my husband talk they put me in the same torture cell and tortured me in front of him.

... Under torture you lose your sense of time, hour, night and day. We had no contact with the world outside, we couldn't contact our families or lawyers by any means."

The nature and extent of torture in Turkey is well documented by Amnesty International and the Turkish Human Rights Association.

Our delegation met with victims of torture. These comments are based on first hand evidence and deal briefly with some of the aspects of torture in Turkey and some of the actions being taken by various groups working for the restoration of human rights in Turkey.

At the end of January 1988 Turkey became a signatory to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Shortly, after this Turkey also signed the Council of Europe Convention on the Prevention of Torture.

Nevertheless, Turkey is still listed by the UN Human Rights Committee as among the 10 countries where acts of torture are carried out, according to a news item in the Turkish Daily News of 1 February, 1988.

Torture has been institutionalised in Turkey since the early 1970s. We were told that there has been some improvement since 1986, but that torture still occurs.

Torture is aimed at destroying the personality and will of the victim, of obtaining information, of breaking down resistance and as a warning to others.

In some cases people have been arrested on suspicion, and the only evidence to justify the arrest is what has been obtained from torture.

We heard of people who had been arrested and tortured, and later released because no evidence could be found against them, and many stories of arrest, torture and imprisonment under cruel and foul conditions.

In the South Eastern provinces systematic torture and degradation are a way of life for the Kurdish minority living there.

We also heard that it is almost impossible for the victims to have their complaints heard or the torturers punished.

We also met with members of the Human Rights Association (HRA) in Istanbul and Ankara. The HRA was formed in 1986. It campaigns mainly for the rights of political prisoners. It is one of the few such organisations permitted by the regime.

In December 1987, the HRA held a march, attended by 10,000 people, calling for a general amnesty for political prisoners and the abolition of the death penalty. Some members of the association were arrested for short periods and some of them were brought

to trial on charges of violating the Law on Associations.

A petition of 130,000 signatures was presented to Parliament by a deputation of families of prisoners, professionals, artists etc. Demonstrations have only been permitted in the past year and placards are banned.



EMIL GALIP SANDALCI

Emil Galip Sandalci is the President of the Istanbul Branch of the Human Rights Association. He has studied in Turkish and American universities having lived through three military coups. He has been detained and tortured on several occasions.

Emil currently has two cases against him for alleged political offences and has had his passport withdrawn as a result;

"The Turkish government officially says they are against torture. On every occasion they say so. In my book, and everybody knows about it also, it was a sort of a state policy and state terrorism so to speak....

Torture as a state policy has been going on since 1980, but actually before that too, there was another military coup d'etat in 1971, and then almost the same conditions existed at that time...

Since then torture became nationwide and very intensive. It became a policy as far as the police and secret forces are concerned....

Torture has existed in Turkey traditionally for a long time for centuries, like many other countries too, and I have to admit that Turkey is not the only country that torture has become an institution. We have to say that easily over a 100 countries in the world both in the so called western democracies or in the socialist countries in many of them torture is an institution, Turkey is one of them."

Since the 1980 military coup in Turkey over a quarter of a million people have been detained and interrogated for suspected political offences. Most people detained by the police or security forces allege that they have been tortured, in some cases tortured to death.

The estimated number of deaths in custody since 1980 resulting from torture or ill treatment range from an Amnesty International report of 100, to over 300 based on the figures of a Social Democrat member of parliament. The prison population currently is estimated to be over 53,000 of which around 18,000 are political prisoners. (Amnesty International. Turkey: Torture and Medical Neglect of Prisoners. May 1988)

Most allegations of torture relate to the initial period of secret

detention in police stations which can currently last for 15 days or more, at the request of the police or public prosecutor.

The aim of torture during detention appears to be to extract information and confessions. In prison, beating and humiliation are used to control the prison population and to instill such fear into the inmates that on leaving goal they will conform.

Documented methods of torture include sexual abuse, mock executions, hosing down with cold water then being left naked in harsh Turkish winters, beating of the soles of the feet until the skin is broken and prisoners supposedly falling out of third floor windows of police buildings.

One particularly brutal form of torture is known as the Palestinian Hanger. Here the victim is hung by the wrists which are joined together behind the back. The resulting pressure and strain eventually cracks the ribs which perforate the lung.

Another particularly brutal torture is called the Coca-Cola Bottle. This involves forcing the victim to sit down naked on a coke bottle. The pressure shatters the bottle into the victim's anus.

"One night or day, we heard them beating a new comer. He was silent except for the gurgling sounds coming from his throat....

Later... they hosed this person with his clothes on. We could understand what was occurring from the policemen's conversations amongst themselves....

When they took us out to the toilet we saw this man lying on the floor of the cor-

ridor. I realised it was my husband, only from the coat thrown on him. His face was crooked, he was covered in blood all over, unrecognisable, and only gurgling, gurgling and gurgling."

This statement is by a woman who was a torture victim in DAL - the scientific interrogation laboratory in Ankara Police Headquarters and understandably wants to remain anonymous.

Emil Galip Sandalci of the Human Rights Association was asked by the delegation to what extent torture is still being used by the present government.



PALESTINIAN HANGER

"Now it is not as large and widespread as it used to be, but in occasional cases it goes on. We can not say that it has stopped ...

It won't stop unless it is officially denounced by the authorities, by the government, and the higher administrators are held responsible for torture....

Just saying in a demagogic way that there are individual cases and separate people are doing this torture, and that we are investigating them and even punishing them... this is a false statement and it does not express the truth".

Do you see the bringing of individual torturers before the courts as an indication of the government's determination to stop torture ?

"...No, no, there are only a few cases of some of the police officers being taken to court, even some of them were punished for a few years....

But first of all they do not get heavy sentences, and secondly they are not detained when they are on trial. In most of the cases they remain free until the end of the decisions of the court, and when the court comes to the decision, and then if the decision is to be a heavy penalty in terms of years, then you can not find these guys...

they have already disappeared...

There has not been an increase in the number of torturers brought to trial. On

the one hand there are so many cases of torture and then only very few of them are being brought by the families to the courts and even then it is very difficult to prove them...

In many cases they are going on for years, in some cases the families of the victims after a long time are able to bring the cases to the courts."

Situated across a large square from the spectacular Blue Mosque is the Istanbul Palace of Justice. One of the city's several court buildings.

The palace houses 30 courts which hear up to 20 cases each per day. We attended a hearing there involving the death by torture of a 24 year old man, who was detained in 1984.

The action was taken by his father whose lawyers wanted to call in a fifth policeman who they claim was the chief torturer. The judges ruled this irrelevant and the hearing was over in 10 minutes, the next hearing was not due for another six weeks.

The lawyers working on the case added that the judges had been replaced because the previous judges had been too liberal and that the case was looking bad for the government.

Such a manoeuvre is unheard of in Australian legal practice.

We asked Emil Sandalci what steps he thought were necessary to end torture:

"First of all the government has to denounce these kind of activities, and then officially announce that they are going to hold responsible not only the tor-

turers but also their immediate superiors. Furthermore they should change the laws...

Amongst the newly elected members of parliament, and even members of the party in power have experienced, torture in the goals and in the police headquarters...

Well, in a parliament with 400 members there are about 30 members who were actually imprisoned and tortured. They went through all these experiences...and also the press is increasingly becoming more interested and courageous in reporting cases of torture."

Muzaffer Erdost, a publisher and member of the Human Rights Association in Ankara, told us how he was arrested in 1980 after the coup with his brother, Ilhan Erdost, a scientific publisher and well-known poet. The trip to prison, which should have taken 5 minutes, took 25 minutes. They were beaten so savagely in the police van that Ilhan collapsed and died without recovering consciousness. Muzaffer was not informed of the death for three days.

The official cause of death was given as heart failure, but the family later found out that doctors had refused to sign such a certificate. The men responsible were brought to court but the trial dragged out over four years and interest in the case subsided.

The soldiers in the case claimed they were obeying orders, the sergeant in charge claimed he was sitting in the front of the van and was not fully aware of what had happened.

All escaped with minimal sentences. The sergeant was sentenced to nearly eleven years gaol, but after two appeals this was reduced to six months. He spent only one week in gaol and was suspended from duty for six months. He was not removed from his position and was later reinstated and promoted. The soldiers were sentenced to eight and ten years gaol, but were released after a few years.

In most cases, beatings are carried out on soft tissues which heal without leaving scars. One man showed us scars on his head, limbs and body. This is his story.

He and his wife are teachers. He was a representative of the Republican People's Party in the town of Kahramanmaras before the coup.

He was accused of subversive political activity, and was arrested with his wife and two children, aged 20 days and two and a half years. He was tortured in front of his wife and children, and they were tortured in front of him. The

babies were hosed and beaten.

The wife and children were released after several days. He was tortured for 59 days and again later for 24 days.

On one occasion he was suspended on the Palestinian hanger for 45 minutes.

He was imprisoned for 5 years to be served in Diyarbakir, Mersin and Adana. At the time of his trial he reported that he had been tortured, and that there were witnesses to his torture. He had no legal representation.

Seven guards and the chief of Mersin prison were charged and tried for torture but he does not know the outcome of the trial or whether the torturers were eventually punished.

At a hunger strike in Adana prison, he became ill and vomited blood and was refused hospital transfer. By the end of the 23 day strike he was very ill. He and two others were taken to hospital. He was chained to the bed and only

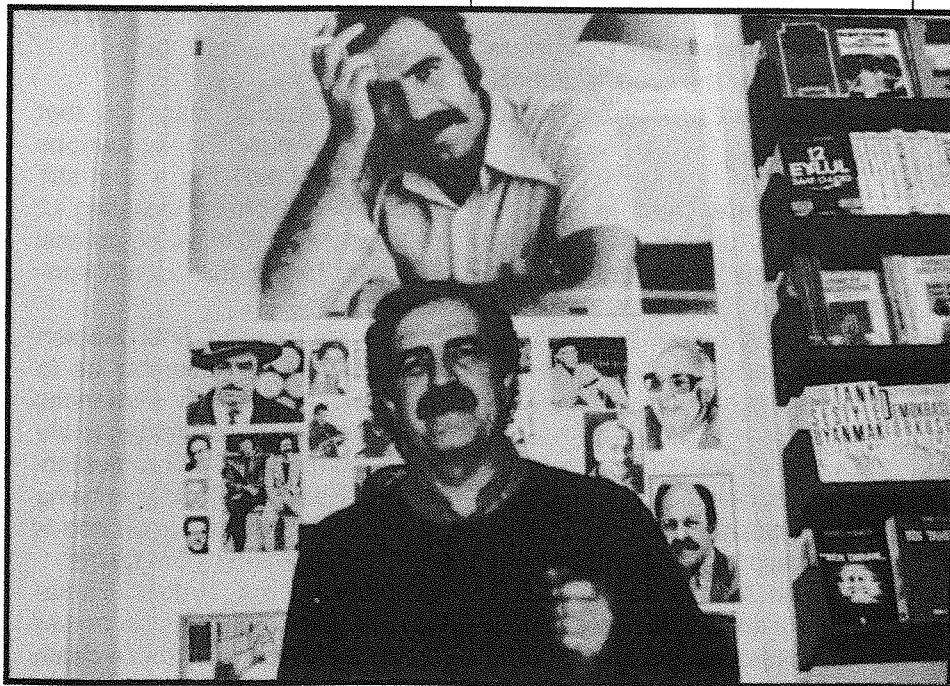
released for toilet use.

The cells at Adana he says, were shocking because the territory is swampy and the cells which are two floors below ground level leak water.

During the hunger strike prisoners were put into damp cells, 10 to a cell, with no outside ventilation, and no toilet facilities. They were told that only when they confessed their ideologies and 'reformed' would they then be given better cells. These conditions made it difficult to continue the strike. He has seen two people die under torture.

Since his release, neither he nor his wife have been allowed to work as teachers. They now make a living by selling water and by hawking.

We met a woman journalist whose husband was shot by military guards. He had gone as a representative to negotiate a pay dispute. The employer called the military guards and accused him first of robbery, then of being an anarchist and armed.



AUTHOR MUZAFFER ERDOST WITH A PHOTO OF HIS BROTHER ERHAN

When searches revealed neither money nor weapons, he attempted to leave and was shot in the back. He bled to death.

He was 23 years old. His wife was three months pregnant, and had to face humiliation and abuse by the police when she tried to claim his body. She later miscarried. His father died of a heart attack some weeks later.

Political prisoners are protesting about being gaoled and tortured in military prisons and being forced to wear prison uniform. Medical care is often denied or delayed. There have been many hunger strikes in the prisons during

which prisoners have died.

Wives and families of political prisoners have demonstrated outside the prisons in sympathy with the hunger strikers, often being arrested themselves. They have collected petitions demanding better treatment of prisoners and abolition of the death penalty. Relatives have restricted visiting rights and can communicate with prisoners only by phone, in the presence of the guards, with visits usually limited to five to ten minutes per week.

Prison conditions were described to us as worse than Auschwitz yet prisoners felt relief when they were removed from the torture centres to prison. On one occasion several prisoners immolated themselves in protest at the inhumane conditions of the prison.

One young man was arrested as a student. He did not wish to be photographed at the time we spoke to him as he has returned to university to complete his studies. The following are details of his experiences in custody for three years :

Prisoners were treated like Pavlov's dogs, and had to obey commands by the bell. From 6 am to 10-30 pm, except for two meal breaks, they followed a routine of 20 minutes drill, 20 minutes indoctrination by loud speaker and again 20 minutes drill.

There was always the chance of beatings for trivial reasons. After a hunger strike, the beatings were suspended. He was kept in a cell and did his exercise in the cell.

There were four men in the cell and only two single bunks. Lighting was on day and night and there was always a soldier visible. The guards were usually village boys doing their military service.

For punishment, prisoners (including himself) were put in another cell in solitary confinement. These cells had no door, only a low entry opening, no grill and no lights. They had a tin can for a toilet.

These punishment cells were 80cm x 80cm and there was no space to lie down. They were underground and very cold and damp. Prisoners could not be kept in these cells for more than 15 days at a time, but could be rotated with 15 days in the ordinary cells.

Offences for being sent to these punishment cells included not obeying orders, or not doing exercises properly.

Prisoners often formed close brotherhood links and nursed each other as well as they could.

One of our interviews was with the editor of the magazine "Towards 2000" and previously President of the Labour and Peasants Party. He told us of his experiences as a prisoner and as a publisher since his release. 1,500 members of the party were arrested after the coup, and there were 90 court proceedings leading to trials.

Some were tried in groups, some were gaoled awaiting trial from one month to 2 years and then found not guilty. Theoretically people can claim for wrongful arrest but in practice it does not work, and is too costly.

During 4 years he was not personally submitted to torture but was a witness to torture. He was in several different gaols, first Marmak then Ankara and Istanbul. He was a showcase prisoner, and had access to legal advice, others did not.

He told us that there were continuous beatings as a warning to other prisoners, six or seven of every 30 prisoners every morning. Sometimes all 300 prisoners would get beaten, often for trivial offences: singing the national anthem too loudly, or not loudly enough etc.

Cells measured 2 metres by 1.5 metres. Prisoners were made to march on the spot for four and a half hours per day, with four and a half hours official indoctrination on Ataturk's theory. Anyone could be called by name to quote passages from the book.

In his first week in goal he was given no peace. He was constantly made to walk and march. During the night from 11 pm to 6 am, prisoners were often disturbed and beaten. There were no outside windows, only a grill over the door into the corridor.

One of his cell-mates was Erdal Eren aged 17, who was hanged in 1980. There was only circumstantial evidence against him. A journalist was allowed to photograph and interview him before the hanging. The case was later described in "Towards 2000".

The delegation was told that there have been no executions since 1984, but there are still some 160 prisoners, including 12 right-wing and 99 left-wing political activists, facing the death sentence.

They are awaiting final decision by the National Assembly as to whether their death sentences are executed or commuted to life imprisonment. Capital punishment still exists in Turkey, is being demanded by prosecution and is still being granted by the courts.

Ultimately the Turkish Parliament is the final decision maker because it must ratify these death sentences.

Before 1986, people could not talk openly or publish anything about torture, now they can and conditions in goals have improved.

Officially there are no political prisoners, therefore there can be no political amnesties.

Defence lawyers are sometimes themselves taken to court because of their defence of a political prisoner. If the client is charged with membership of a secret organisation, the lawyer becomes suspect also.

Lawyers have been harassed and insulted.

The discussion with their client is recorded and may be brought up in evidence in another case. These cases are usually heard in military courts and lawyers are intimidated and deterred from de-

fending political cases.

These examples are just some of the many similar stories told to the delegation. They were confirmed by the lawyers, parliamentarians, doctors, teachers and journalists we met during the time we spent in Turkey.

Many people even in Turkey itself are not fully aware of the extent of torture and loss of civil and human rights in their own country. We hope that our evidence will help to bring the information into people's consciousness, to make them more aware that real democracy in Turkey is still but a superficial face to a carefully disguised fascist regime.

Turkey's interest in joining the European Economic Community can be a powerful weapon to force the Ozal government to take positive action against torture. Al-

though the Ozal government has signed international agreements, it still has to show its sincerity by establishing a clear position against torture and by bringing torturers to justice.

Doctors and Human Rights in Turkey

Turkish Medical Association

One of the national organisations affected by the clampdown after the military coup was the Turkish Medical Association. The Association is an autonomous body, with responsibility for medical registration and accreditation. Membership of the Association is obligatory.

After the election of the government of Turgut Ozal in 1983, approval was given for the re-establishment of the central council of the Association. One of the conditions imposed by the constitution is that a professional organisation will not engage in political activities.

In December 1985, the president of the council, Professor Nurettin Fisek and five other members were arrested and brought before a tribunal for signing a petition to the President of the Republic calling for the abolition of the death penalty.

They were indicted on a charge of political interference in violation of Article 136 of the constitution and the prosecution sought a two year sentence.

The petition had been drawn up in line with the resolution on the participation by doctors in capital



"ÖFKE" ANGER - ALIME MITAP

punishment, which was adopted by the General Assembly of the World Medical Association in 1981 (WMJ 1986).

The 1981 resolution states that it is unethical for doctors to participate in capital punishment except to issue certification of death. In Turkey, a physician must certify before execution, that the person is fit for execution and that there are no contra-indications, a quaint requirement at least. In these cases the doctor becomes party to the execution.

Article 136 of the Turkish Constitution, drawn up under the military junta and adopted in 1982, states:

" Professional organisations shall not engage in activities other than those for which they were formed, nor shall they become involved in politics or take joint action with political parties, unions or associations.

Political parties, unions and union federations shall not

nominate candidates in elections to the organs of professional organisations or their umbrella organisations, nor shall they engage in activities or propaganda in support of, or in opposition to, particular candidates."

Professor Fisek is a well-known figure, and has represented Turkey at the World Medical Assembly. Since the question of capital punishment was seen to involve Turkish doctors directly, the defence argument was that the petition lay within the competency of a professional medical organisation and did not constitute a political action.

Medical organisations in other countries and the World Medical Association sent protests to Prime Minister Ozal. In the end the charges were dismissed and the doctors were discharged without sentence.

The Medical Association has established a sub-group on Human Rights to co-operate with Amnesty International and the Danish As-

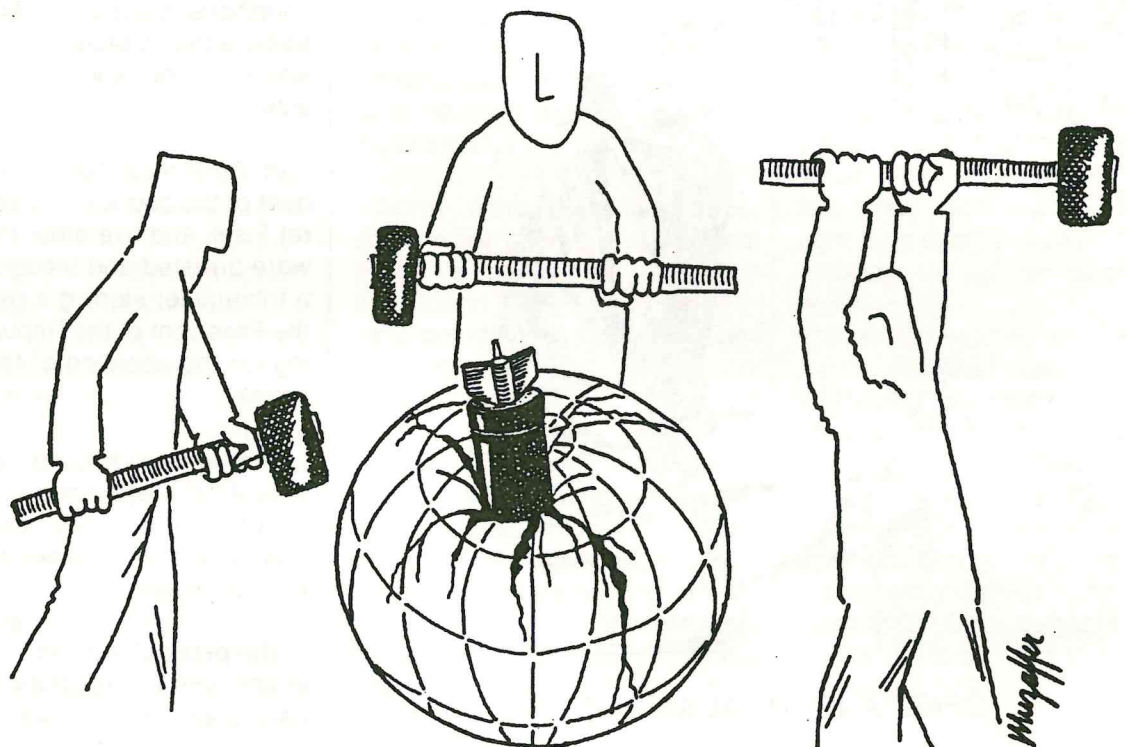
sociation for the Treatment of Victims of Torture.

We were told that although the death penalty has not been abolished, no executions had been carried out since 1984, whereas during the period of martial law, there were 54 executions - 27 of which were for political activities. There are still 163 people currently under sentence of death, some of whom have been in gaol for 8 years.

Torture has been institutionalised in Turkey since 1970. Although theoretically illegal, we were told that torture is still going on. It is very difficult to bring a charge of torture before the court and very few torturers are punished.

In January this year, the Turkish government signed the United Nations and European Council declarations on torture, but has yet to demonstrate its sincerity by banning torture and bringing torturers to justice.

Turkey on the surface has a so-



cialised type of medical service which provides medical treatment free of charge. However, there are dangers in idealising such a service: Turkey is relatively a poor nation yet it spends proportionately large amount of its budget on defence, thus health care and other social services are insufficiently funded.

All doctors serve 2 years in the medical service after graduation and are then called up for 2 years military service.

They return to the Medical service for further training and post-graduate work. Young doctors face security checks when applying for appointments and they suffer discrimination if they express political opinions.

During their military service, doctors are called upon to participate in torture in various ways, such as standing behind a blindfolded prisoner informing him of the torture ahead and its likely results, examining prisoners as to their fitness for torture, surveillance of torture, resuscitation of prisoners for the next bout of torture, certification of injuries or causes of death.

The aim of torture is to inflict suffering short of the point of death. It takes some courage to refuse to co-operate and many doctors in the situation co-operate as unwilling accessories under orders, or justify their participation as in the line of providing proper medical care. Some accept torture as a political reality, and some military doctors later regret their participation.

During our visit, I was able to attend a seminar in Istanbul given by two Danish doctors, Inge Lunde and Jorgen Ortmann, who had been invited by the Medical Association Human Rights group, to speak at a conference in Izmir

on torture, attended by 300 Turkish doctors.

They pointed out that torture would be impossible without the co-operation of doctors.

In their efforts to have torture abolished, the Turkish Medical Association is trying to identify doctors who have collaborated with the military police in acts of torture.

One doctor was suspended for one month for giving false evidence.

Military doctors are beyond the reach of the Association.

The Association recognises the need for encouragement and support by the profession for doctors who refuse to co-operate in torture. We were given examples of young doctors being victimised for refusing to give false certificates and for reporting evidence of torture.

Association of Physicians for the Prevention of Nuclear War in Turkey.

We also had a meeting with members of the Association of Physicians for the Prevention of Nuclear War and their president, Professor Dr Leziz Onaran.

This is now the only peace group in Turkey allowed by the government.

In February 1987, with 49 founding members, they sought approval to establish the group. Although in theory, approval is not necessary, they had to submit their constitution and details about their founding members to the Minister for the Interior.

At first the official response was that there was no need for such an organisation, but finally they were given approval in November 1987.

Their objectives are of necessity

limited to opposition to nuclear war and nuclear weapons testing. Turkey was affected by the Chernobyl disaster. It is illegal for the Association to have any affiliation with any political party, but individual members do belong to the Social Democratic Peoples' Party which is in opposition.

This is the only party with which they can have any dialogue on peace issues. They cannot, for instance, protest as an organisation against American bases in Turkey.

The founding members were checked against state registers of people wanted for previous political offences.

One of their members was arrested when his name was found on the list, of which he had been unaware. He was released the next day following intervention on his behalf by his employing organisation.

One of the members of the Association told how she had been arrested after the coup with her husband and imprisoned for 1 year for alleged political activities. She was tortured, "as everyone was".

The Association has adopted the slogan: "The Last Prescription against the Final Epidemic" and now have a membership of 77 people including doctors, dentists, pharmacists and nurses.

They had, by January 1988, published two issues of their bulletin 'Son Recete'. They hope to publish information on the work of similar international organisations and to get international affiliation. They merit the support of other doctors' groups interested in peace and human rights issues.

There are lessons to be learned from Turkey. We need to look at

what our own situation is regarding the treatment of prisoners in gaols.

We hear about South American countries where torture is carried out but little about Turkey.

Turkey is a long way from democracy, although in an effort to gain acceptance by the European community Prime Minister Ozal is trying to play down the issues of torture and denial of human rights. Turkey has a great need for power to carry out its development program and Australia is currently negotiating for the sale of coal to Turkey for new power stations to be built on the Turkish coast. There is an opportunity for the Australian Government to use its powers of persuasion with the Turkish Government to encourage the move towards democracy in Turkey and to support those groups who are working for the restoration of human rights.

**This article first appeared in 'New Doctor' the journal of the Australian Doctors Reform Society, Issue 48.*



TURKISH PEACE ASSOCIATION (TPA)

Mahmut Dikerdim is the President of the Turkish Peace Association which has been banned since the 12th September 1980 military coup.

After completing his primary and secondary education at a French speaking school in Turkey, Mahmut graduated from university in Geneva with a Doctorate in International Law.

In 1940 he joined the Turkish Diplomatic Corps and served for almost thirty five years including positions as ambassador in Jordan, Iran, Ghana and finally India.

He has lived through Turkey's three military coups in 1960, 1971 and 1980. The first one found him jobless for four years and the last one saw him in Turkey's infamous military prisons.

Shortly after his retirement in 1976, Mahmut and 38 other people launched Turkey's first Peace

Association. He was elected President of the Association in 1977.

Mahmut said the Association grew rapidly but was not really a mass movement :

"Our association had a maximum of 350 members. But all of them were representing a group... We also attracted the attention and animosity of other sectors."

The 12th September Junta came down heavy on the Turkish Peace Association.

In February 1982 a military court issued warrants to arrest 44 members of the Association for 'forming a secret organisation, propagating communism and separatism, and, praising activities that the law classifies as felonies'.

The 44 accused comprised a wide section of Turkish society including journalists, authors, trade unionists, lawyers, doctors and Members of Parliament.

Fourteen of the 44 fled the country and 23 others were given five to eight year sentences. They joined the hundreds of thousands of other political prisoners detained after the 1980 coup.

Mahmut explains why the Peace Association received this treatment :

"We didn't make any more or less noise than the rest of the international peace movement. The indictment was that we were affiliated to the World Peace Council which they claim was a front for the Soviet Communist Party and the KGB..."

We did nothing illegal but we openly and harshly criticised NATO, pointing out that NATO didn't protect Turkey, in fact it makes it the first target... Also, Turkey's pro-imperialist support for Britain and America pushed it away from its Arab neighbours...

The 12th September coup was aimed at completely extinguishing the left from political life, and our movement was seen as a leftist movement."

Mahmut describes to what extent the coup has affected the movement :

"Look, the government can do what they want but Turkish people want to have friendly bi-lateral relations, especially with our neighbours..."

The Turkish people want disarmament too. Up to 40 per cent of our budget is spent on the military."

Successive Turkish governments have regularly flexed the country's military might both internally and externally. The effects of Turkey's 1974 occupation of Cyprus are still felt to the present day. Up to one third of the Turkish army is stationed in the eastern part of the country and is used to systematically repress the Kurdish minority which is struggling against the banning of its language, culture and democratic rights.

The current government of Prime Minister Turgut Ozal is keen to sell Turkey as a country where military rule has ended and is on the path of democracy and economic prosperity, in an effort to gain full membership of the European Economic Community.

Mahmut Dikerdim is critical of Ozal's "turn to democracy" arguing that while the institutions of democracy are there, Turkish leftists and socialists are still disenfranchised and repressed.

He singles out two sections of the Turkish Penal Code (TPC) which were lifted from Mussolini's Penal Code for Fascist Italy - Articles 325 and 326 which deal with illegal organisations and propaganda :

"If they don't like you they can get you under those sections. This must change. The whole Constitution is handicapping the freedom of organisations - unions, youth, professional organisations, everything is very limited..."

We can't have meetings, forums, rallies and marches like you are doing in your country. In Turkey the peace movement's future is strongly linked with the struggle for democracy.

Commenting on the INF treaty signed between the Soviet Union and the United States, limiting interim range nuclear missiles, Mahmut Dikerdim says that while they constitute only four per cent of all nuclear weapons:

"For the first time a category of weapons will be destroyed... not only diminished but destroyed."

Mahmut stresses that it is vital for any reductions in nuclear forces are not negated by increases in conventional forces .

"Disarmament must mean that there will be agreement on the reduction of all forc-



'Mahmut Dikerdim

es. Conventional armaments must be diminished...

Of course all countries have the right to defend themselves but now people have realised that more weapons don't bring more security... on the contrary, less weapons must be safer for the entire world."

Mahmut concludes that ...

"The military industrial complex has reached a point where our poor planet is on a volcano crater, and, people have been suffering from a disease, it's called chauvinism. I call it very bad nationalism... this is the most dangerous philosophy of our century. This has created eternal animosities which is nonsense."

**First printed in 'Peace Action' newsletter of the New South Wales branch of Australian People For Nuclear Disarmament (PND).*

THE VENEER OF JUSTICE

For a nation to call itself democratic there should be certain fundamental human rights that are upheld by its government and available to all of its citizens.

If such rights do not exist, or are severely limited, the government of such a country clearly fails to be representative of the free will of its people and leaves itself open to criticism not only by its own people but also the international community.

The government of Turkey endorses through its legislation and the actions of its military and police forces many breaches of fundamental human rights. An examination of its penal code and the way it administers its justice system leaves Turkey open to the same types of criticism that are currently being made against countries such as South Africa and Chile.

The only difference is that Turkey has not, at least in Australia, been given the same degree of publicity about its flagrant disregard of human rights.

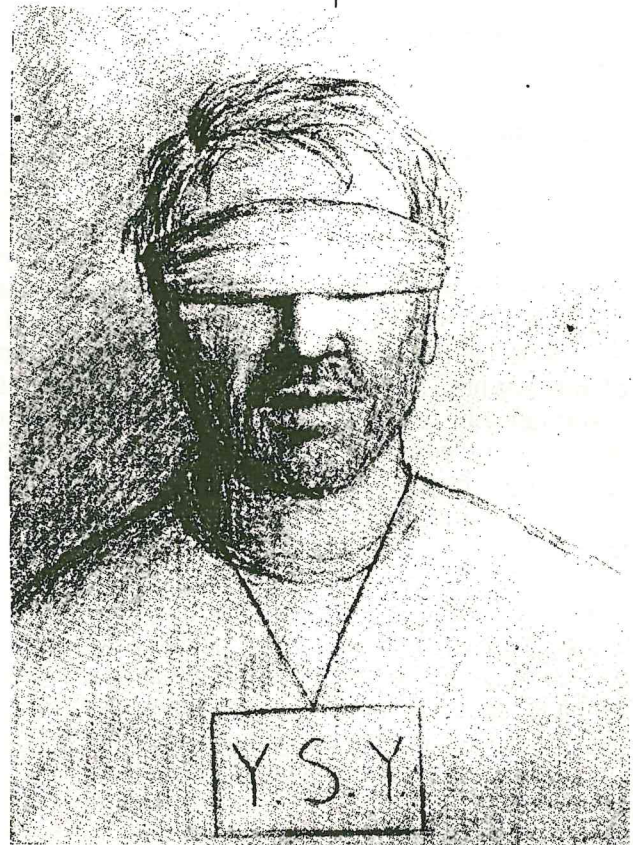
One of the most basic rights of an individual is to be allowed to live without fear of torture by the state. This fundamental right is breached on a wide and regular basis in Turkey. Not only does the population live in fear of being tortured if they dissent but they are also subjected to severe torture if they are unfortunate enough, as political activists, to be arrested by the military or police forces.

The Turkish people have been subjected to cycles of civilian and military rule. Torture has been

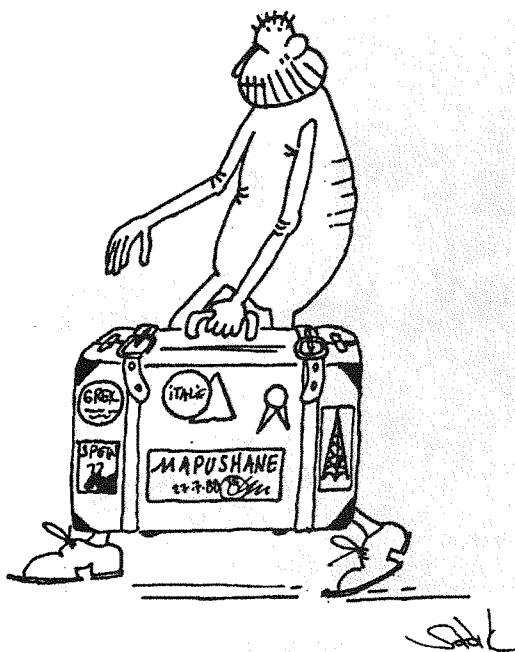
somewhat of a regular event in Turkish history becoming particularly pronounced after the military coup in 1971. Two years later a civilian government was elected and the use of torture by the state diminished. The most recent military coup on 12 September, 1980, reintroduced torture on a wide scale. Between 250,000 and 300,000 people were arrested by the military, many of them being held for long periods of time without any charges being laid. Many thousands of these people were subjected to torture and some 200 were known to have died as a result.

After the purported free election which put coup leader Evren

in as President in 1983 the widespread nature of torture diminished. A civilian government is now in place although with the military leaders still holding the real power under the constitution and with the ability to once again take complete control. The civilian government under Prime Minister Ozal now claims that torture is not institutionalised and that action is being taken to stop its practice. Indeed Turkey has signed the United Nation's Convention Against Torture and Other Cruel, Inhuman Or Degrading Treatment Or Punishment and the European Convention Against Torture Article 1 of the U.N. Convention provides a definition of torture. It states:



NO FOOD NO WATER



'Mapushane' = Prison

"For the purposes of this Convention, the term "torture" means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions."

Our delegation spoke to many former political prisoners and the families of political prisoners who

described in great detail the torture to which they or the member of their family had been subjected. To the people we spoke, torture meant the systematic ill treatment of an individual over extended periods of time. The purpose of such torture being to have a deterrent effect upon the individual in custody and to frighten others as well as to gain information. The gaining of information seemed to be less significant than the terrorising effect the torture was meant to have on the individual and the population generally.

Although not now as widespread as it was, ill treatment still occurs especially during interrogation by the police and by the military or para-military forces in the Kurdish regions. The ongoing ill treatment of the Kurdish people was highlighted in discussions we had in Diyarbakir and Tunceli. We visited a small village outside Tunceli where some ten days before the military had beaten four young boys with sticks, shot one in the leg and machine-gunned a house. The punishment of the boys was certainly intentional, it inflicted severe pain and suffering, and was designed to obtain information and instill fear. In this case, it is clear, the actions of the military fit the definition of torture in Article 1 of the U.N. Convention against Torture. The information that the military was trying to obtain was about guerilla movements in the area. Such brutality, we were informed, was a regular occurrence in Kurdish regions. A further example was provided when we met Hasan Korkmaz, Mayor of Tunceli, Orhan Veli Yildirim, a deputy of the National Assembly, and 14 other community leaders in Tunceli on 1 February, 1988. The recent events in the region, described in vivid detail, included the beating

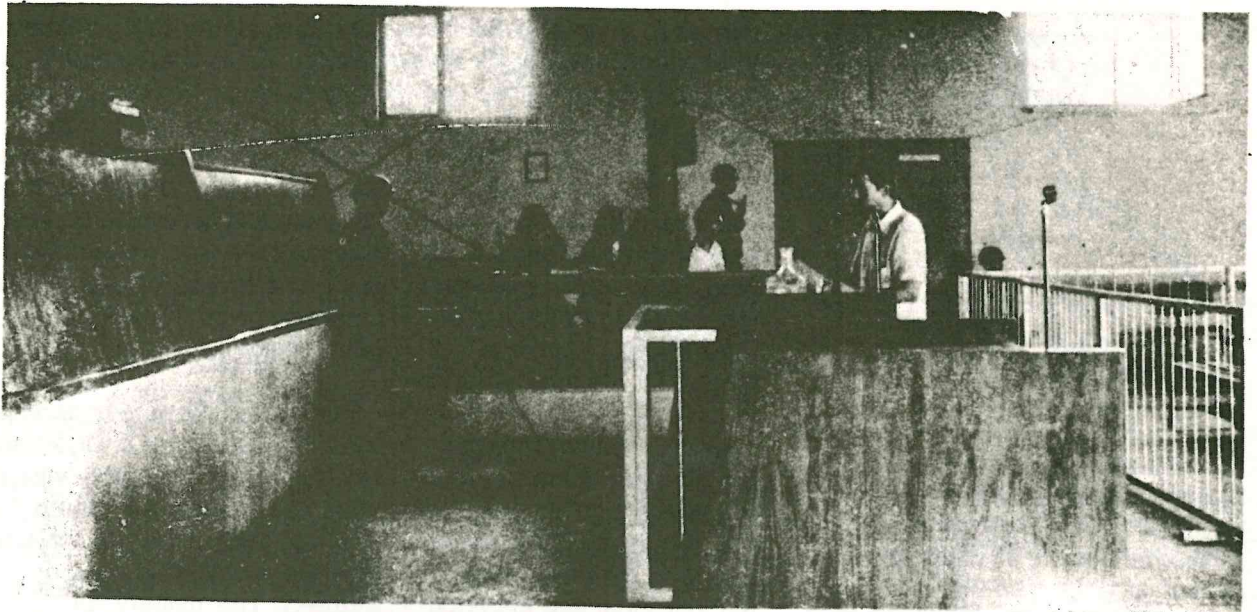
of a man by the military who refused to act as a 'protector' in one of the villages. 'Protectors' apparently being those people who are meant to guard against guerilla activity in villages. Again such actions seem to fall well within Article 1 of the U.N. Convention and are designed to coerce people into complying with the wishes of the government of Turkey.

Further evidence was provided by a lawyer we met in Diyarbakir. He described how 400 villages have been emptied in South Turkey and where people objected they were placed in custody and tortured. The military and police are allowed to hold people for interrogation for 15 days without notifying anyone and this period can be further extended by a public prosecutor or by the laying of additional charges. It was his belief that interrogation periods were often extended beyond the 15 days so that medical treatment could be given and the marks of torture covered up before the accused was brought before the courts. His understanding of the abuses that people suffer at the hands of the military or police goes beyond that of a lawyer under instructions.

Of the 100 lawyers in Diyarbakir only 7 or 8 were willing to take on political cases following the coup in 1980. He was one of those few willing to represent political prisoners and along with the others were subjected to torture. Of the lawyers willing to take political cases in Diyarbakir, 4 have now left Turkey.

Prior to going to Diyarbakir we met with the President of the Turkish Bar Association in Ankara and had discussions with him about violations of human rights and the role of the legal profession.

In particular we asked him if law-



ANKARA DEV YOL TRIAL - "COURTESY OF DEVRIMCI ISCI" (REVOLUTIONARY WORKER)
DEVRIMCI ISCI 10.8.1988

yers had been subjected to any abuses by the police or the military when representing political prisoners. He told us that there had been no such abuses. However, the Diyarbakir lawyer's view was that the Bar Association had made little attempt to criticise the government about torture and that to even claim the existence of torture was an offence. While it may be an offence in Kurdish regions which are generally under state of emergency powers, there have been actions taken in the western part of Turkey through the courts against torturers. The examples are, however, very rare and the penalties imposed very slight.

We attended one court hearing in Istanbul where an attempt was being made by the family of a man who had died under torture to bring those who had killed him to justice. The matter had been running for some years and the family's lawyers were attempting to obtain records and bring one of the chief torturers before the court for examination.

The court denied both the application for the information and the

application to have one of the chief torturers examined. As lawyers in Istanbul explained, this was not unusual.

From our observations the role of lawyers seemed to be very limited. Cross-examination was practically non-existent. For instance, in order for a defence lawyer to cross-examine a witness, a request would be made of the presiding judge who, if he thought it appropriate, would then ask the question of the witness. Furthermore, much of the information presented before the courts in criminal matters is done in the form of unsworn statements.

From an Australian lawyers point of view it was also of concern that no transcript of evidence was taken. After a witness had given oral evidence the presiding judge would simply give a summary of that evidence to a depositions clerk.

Moreover, trials are very disjointed sometimes running over many years.

Trial by jury does not exist in

Turkey and where a person is charged with a serious criminal offence he or she is brought before what is known as a heavy penalty court.

A heavy penalty court has three judges presiding and the prosecutor sits on the bench with them. The accused, if in custody, is brought before the court in blue garb, constrained by chains with his head shaved.

The atmosphere in the court is very intimidating as the accused is escorted by military personnel who carry machine guns.

Neither the concept of the presumption of innocence nor the concept of a defence lawyer acting "without fear or favour" seem to exist in Turkey. Guilt does not have to be proved 'beyond reasonable doubt' but rather must only be proved to the satisfaction of the conscience of the court.

We were told by lawyers of instances where defence lawyers were charged with contempt for suggesting that the penal code was unjust or being wrongly inter-

preted.

A number of lawyers expressed to us the view that the judiciary was not independent of the will of the government and that certain judges would adjust penalties and interpret the law in a way which they thought would be acceptable to their political masters.

Of particular importance is the question of statements taken from persons while under torture. Article 15 of the U.N. Convention Against Torture states:

"Each State Party shall ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made."

While there have been instances of evidence obtained under torture being rejected by the courts, the information we received from lawyers and others was that the bulk of such information was and is admitted as evidence.

In addition to the question of torture the Turkish Penal Code clearly shows the government's endorsement of the withdrawal of fundamental human rights. Articles 325, 326 and 327 of the penal code violate such basic rights as the freedom of expression, association and religion and as such contravene Articles 9, 10 and 11 of the European Convention of Rights of which Turkey is a State Party. Article 325 of the Turkish Penal Code states:

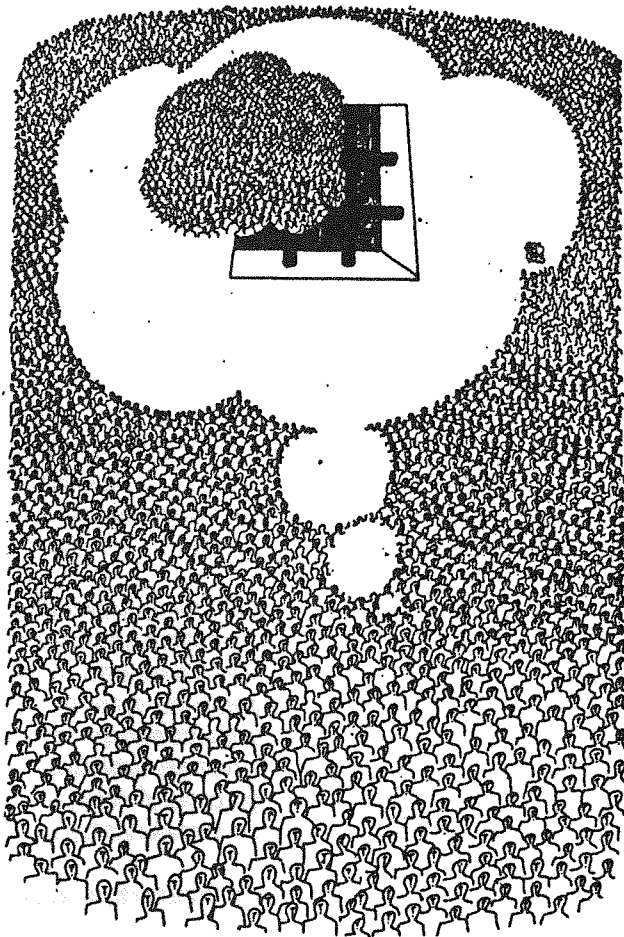
" 1) Whoever attempts to establish or establishes, or arranges or conducts and administers the activities of,

associations, in any way and under any name, or furnishes guidance in these respects, for the purpose of establishing domination of one social class over another social class or exterminating a certain social class or overthrowing any of the established basic economic or social orders of the country, shall be punished by heavy imprisonment for 8 to 15 years. Whoever conducts and administers some or all of such associations shall be punished by death;

2) Whoever attempts to establish or establishes or arrange or conducts and administers the activities of, associations, in any way and under any name, or furnishes guidance in these respects, for the purpose of totally exterminating the political and legal orders of the state, shall be punished by heavy imprisonment for 8 to 15 years;

3) Whoever attempts to establish or establishes or arranges or conducts and administers the activities of, associations, or furnishes guidance in these respects, for the purpose, contrary to republicanism and the principals of democracy, of governing the state by one person or by a group of persons, shall be punished by heavy imprisonment for 8 to 15 years;

4) Whoever attempts to establish or establishes or arranges or conducts and administers the activities of, associations, or furnishes guidance in these respects, for the purpose of abolishing partially or entire-



ly because of race, the public rights provided by the constitution, or to exterminate or weaken nationalist feelings, shall be punished by heavy imprisonment for 8 to 15 years;

5) Whoever joins any association indicated above shall be punished by heavy imprisonment for 5 to 12 years;

6) The punishment to be imposed on persons who commit the foregoing acts within government offices, municipalities, or within economic enterprises with its capital belonging partially or entirely to the state, trade unions workers' enterprises, schools or institutions of higher education as civil servants or employees, shall be increased by one-third;

7) If any of the perpetrators of the crimes described in this Article informs the respective authorities of the crime and identity of other perpetrators prior to the initiation of the final investigation and if his information is true, heavy imprisonment for not less than 10 years instead of death shall be adjudged; and heavy imprisonment and prison sentences shall be reduced by one-fourth depending upon situation, conditions and the event;

8) The associations mentioned in the Article are defined as two or more persons uniting for the same purpose."

Article 325 does not necessarily simply deal with the violent overthrow of the state but can and is interpreted to apply to situations

where two or more people may wish to alter the social or political order of the state by the promotion of alternatives.

The Section is so wide-ranging and ambiguous precisely so it will allow for the prosecution of people who, if in Australia, would be no more than exercising their normal democratic rights. Subsection (4) of this Article appears to be particularly designed for application against those Kurdish people who promote a separate national or cultural identity.

This Article was particularly useful to the military as it allowed for the arrest of the leadership and the members of associations who expressed their objection to the overthrow of democracy.

We met with Mr. Dogu Perincek, the former President of the Turkish Labour and Peasants Party who was arrested in November, 1980, and charged under this Article. He was tried in a military court and was sentenced to eight years in prison and served four of those years.

His only "offence" was that he was a leader of a party which the military had banned. In other words, the offence was made retrospective in that prior to the coup his party had legal standing.

His party had 10,000 members and of those 1,500 were arrested. Of these when brought to trial, after extensive delays, 1 in 40 were convicted and sentenced to gaol.

At the time the military could detain people for 90 days without notifying anyone and this was often extended. Furthermore bail was not allowed for and wrongful imprisonment considered irrelevant.

While Mr. Perincek was not personally subjected to torture he was moved around a number of gaols and witnessed the torture of many of his fellow prisoners. He believes that he was not tortured because of his high public profile both in Turkey and interna-

tionally.

Article 326 of the Turkish Penal Code states:

" 1) Whoever makes propaganda for the purposes of establishing the domination of one social class over other social classes, exterminating any of the social classes, overthrowing any of the established basic economic or social orders of the country, or totally exterminating the political or legal order of the state, shall be punished by heavy imprisonment for 5 to 10 years;

2) Whoever makes propaganda in any manner for the governing of the state, contrary to republicanism or to the principals of democracy by one person or by a group of persons, shall be punished by the same punishments;

3) Whoever makes propaganda in order to abolish partially or entirely public rights, because of race, or to exterminate or weaken nationalist feelings, shall be punished by heavy imprisonment for 5 to 10 years;

4) Whoever speaks favorably of the acts indicated in the foregoing paragraphs shall be punished by heavy imprisonment for 2 to 5 years;

5) The punishments for persons committing the acts described in the foregoing paragraphs, in those organizations or among persons specified in paragraph 6 of Article 325 shall be increased by one-third;

6) Where the acts in the

foregoing paragraphs are committed by means of publication the punishment to be imposed shall be increased by one-half;

7) If any of the participants of the crimes described in this Article informs the respective authorities of the crime and the identity of other perpetrators prior to the initiation of the final investigation and if his information is true, heavy imprisonment and imprisonment periods shall be reduced by not more than one-fourth; depending on situation, conditions and the event."

Like Article 325 this Article has the same inbuilt ambiguities and stands by itself as a clear denial of freedom of speech. It has particular application against media organisations and individuals and associations who attempt to put alternative views in opposition to the propaganda being disseminated by the state.

Article 327 states:

"1) Whoever contrary to secularism establishes, organises, regulates or administers associations for the purpose of adapting partially or entirely, the basic social, economic, political or judicial orders of the state to religious principals and beliefs, shall be punished by heavy imprisonment for 8 to 15 years.

" Whoever becomes a member of such associations or attempts to persuade others to become members of such associations shall be punished by imprisonment for 5 to 12 years.

" Whoever, contrary to sec-

ularism, makes propaganda or suggests for the purpose of adapting, partially or entirely, the basic social, economic, political or judicial orders of the state, or for the purpose of obtaining and installing a political aim or political benefit by making use of religion, religious feeling or things accepted as sacred by religion, shall be punished by heavy imprisonment for 5 to 10 years.

" Whoever makes propaganda or suggestions for the purpose of personal influence or benefit by making use of religion, religious feelings or things accepted as sacred by religion, shall be punished by heavy imprisonment for 2 to 5 years.

" The punishment to be imposed on the persons who commit the fore-going acts within government offices, municipalities or within economic enterprises with its capital belonging partially or entirely to the state, trade unions, workers' enterprises, schools or institutions of higher education as civil servants or employees, shall be increased by one-third. Where the act mentioned in paragraph 3 and 4 of this Article is committed by means of publication, the punishment shall be increased by one-half."

This Article clearly places severe restrictions on freedom of religion.

The above-cited Articles of the Penal Code are employed in the broadest way against people who are deemed to be a threat to the status quo. The Articles are quoted in their entirety so as to give their full flavour. There are a num-

ber of other Articles in the Turkish Penal Code which allow the abuse of human rights.

The abuse of human rights was also brought home to us by Mr. Ahmet Turk, member for Mardin in the Turkish National Assembly. He was gaoled after the 1980 coup and also in 1987. In 1987 he was gaoled on the basis that the security forces had found a video tape of Kurdish songs buried in the backyard of his home.

He spent some ten months in prison and was released just three weeks before the elections of the National Assembly. During the period of his imprisonment he was tortured and although he continues to attempt to have his torturers prosecuted he has so far been unsuccessful.

The oppressive nature of the Penal Code was again brought home to the delegation when it learned of the charges that had been brought against Emil Galip Sandalci, President of the Istanbul Branch for the Turkish Human Rights Association. Mr. Sandalci was arrested after the 1971 and 1980 coups and tortured on both occasions.

He is an academic of international standing who believes very strongly in his country and who has campaigned for the human rights cause for decades. He was charged with "opposition to the law of associations (societies)" because he collected signatures on a petition against capital punishment and in favour of a general amnesty for prisoners facing the death penalty.

Also charged was Ragip Zarakolu who is the Deputy Director of the Istanbul Branch of the Human Rights Association. The charge signed on 15 December, 1987 by a public prosecutor reads as follows:

DELEGATION PRESS RELEASE

" The Accused is in the capacity of Istanbul Branch Principal and second Principal of a society named Human Rights Association which has shown activity outside of the aims of the Society like collecting signatures from some part (or sort) of people under the name of petition against general amnesty and capital punishment. It is understood from the abovementioned evidences and contents of documents. With this regard it is requested (demanded) and claimed that the Accused be punished in accordance with written Articles which suit his action."

The charge falls under Article 76 of the Penal Code which provides for a penalty of 1 to 3 years imprisonment.

There seems to be little hope for a society that allows such citizens to be persecuted in this way.

Mr. Sandalci would undoubtedly disagree with me on this point as he views with optimism the future of his country, even though it has tortured him, continues to persecute him and won't even allow him to hold a passport.

Despite the continuing practice of torture and the failure of the government to amend its Penal Code to allow for basic human rights, President Ozal of Turkey is promoting his country as a legitimate member of the European community. Such promotion does not bear close scrutiny.

It will come as no surprise that the lawyer we met in Diyarbakir, was tortured for 50 days by one of the security advisers who he often publicly sees in the company of the Prime Minister.

Issued to the Turkish media in Istanbul February 1988.

We were asked by the Australian group called the Committee for Human Rights and Democracy in Turkey (CHRDT) to observe and report back on the human rights situation as it currently exists in Turkey. We had the opportunity of meeting with parliamentarians, journalists, trade union officials, doctors, lawyers, ex-political prisoners, families of political prisoners and others. Discussions were held in Istanbul, Ankara, Diyarbakir and Tunceli.

It was apparent to the delegation that although there has been some relaxation of restrictions on individuals and organisations over the past two years, the Turkish government still does not permit political, trade union and cultural activities that would normally be allowed in any country that called itself democratic.

It has been our observation that amongst other things:

- * the right to form political parties is limited to the extent that many people are disenfranchised.
- * the right of trade unions to bargain on conditions and wages with employers and the right to strike are severely restricted.
- * the legal rights of those detained by the police or the military are non-existent.
- * torture is still being carried out.
- * torturers have not been brought to justice on any

credible scale.

- * the police and military still engage in activities which severely limit the right of individuals to privacy and free association.
- * peace and cultural associations have either been dissolved or are so restricted in their activities as to be virtually emasculated.
- * institutions of higher education have been brought under the control of the government to the extent that freedom of speech and academic freedom has been lost.
- * political and financial restrictions are applied to the press.

While there is a theoretically civilian government, it seems that at present the government is merely a civilian front for military control.

The situation is even worse amongst the Kurdish people of Turkey. We can bear witness to examples of recent brutality and oppressive behaviour by security forces against these people. It is clear that the Kurdish people are being economically, socially, culturally and politically oppressed.

It is essential for the government of Turkey in order to gain credibility at the International level to show sincerity in its internal policies. The signing of the Council of Europe and the United Nations conventions against torture, and statements on democracy, are insufficient in themselves, unless backed up with determined politi-

cal action on the home front.

Of immediate concern is the nature of political prisoners and the reluctance of the government to abolish the death penalty. It is our opinion that if the Turkish govern-

ment is sincere in its move towards being a democratic state, the death penalty should be abolished, political prisoners should be released and their rights and the rights of ex-political prisoners restored.

While ever a community imprisons people for their political beliefs, it cannot expect to be regarded as a member of the international democratic community.

DELEGATION MEMBERS AND THE COMMITTEE FOR HUMAN RIGHTS AND DEMOCRACY IN TURKEY (CHRDT) HELD PUBLIC FORUMS IN MELBOURNE AND SYDNEY TO REPORT BACK ON THEIR OBSERVATIONS OF THE SITUATION IN TURKEY TODAY. FROM THESE FORUMS THE FOLLOWING RESOLUTIONS WERE UNANIMOUSLY ACCEPTED.

KURDISTAN

AN END TO THE BRUTAL OPPRESSION OCCURRING IN KURDISTAN AND GENOCIDAL PRACTICES BEING CARRIED OUT AGAINST THE KURDISH PEOPLE. FULL SUPPORT TO THE KURDISH PEOPLE IN THEIR RIGHTS TO SELF-DETERMINATION.

POLITICAL PRISONERS

THE ABOLISHMENT OF THE DEATH PENALTY, AND THE USE OF ALL FORMS OF TORTURE IN PRISONS AND DETENTION CENTRES. GENERAL AMNESTY FOR POLITICAL PRISONERS.

TRADE UNIONS

THAT THE RESTRICTIVE LABOUR CLAUSES IN THE CONSTITUTION AND THE DRASTIC CURBS IN THE REVISED TRADE UNION AND COLLECTIVE BARGAINING LAWS BE IMMEDIATELY WITHDRAWN. THAT DISK AND ALL OTHER PROGRESSIVE TRADE UNIONS BE RESTORED TO THEIR FORMER STATE.

CIVILIANS/ ORGANISATIONS

TO RE-ESTABLISH THE CIVIL AND POLITICAL RIGHTS OF ALL TURKISH CITIZENS. THAT ORGANISATIONS ARE ALLOWED TO WORK AS POLITICAL BODIES AND NOT TO FACE FEAR OF REPRESSION. SUPPORT THE COMPLETE RESTORATION OF ACADEMIC FREEDOM, FREEDOM OF ASSOCIATION, MEDIA FREEDOM, FREEDOM OF SPEECH.

TRADE RELATIONS

THAT AUSTRALIAN TRADE RELATIONS BE CONDITIONAL ON THE RESTORATION OF COMPLETE DEMOCRATIC AND HUMAN RIGHTS IN TURKEY.

REFUGEE STATUS

POLITICAL REFUGEES FROM TURKEY AND TURKISH KURDISTAN WHO HAD APPLIED TO ENTER AUSTRALIA AFTER THE 1983 ELECTIONS HAVE BEEN REFUSED ENTRY ON THE BASIS THAT THE AUSTRALIAN GOVERNMENT NOW CONSIDERS THAT TURKEY HAS RETURNED TO DEMOCRACY, AND THAT THIS RECOGNITION ALSO SUITS AUSTRALIA'S ECONOMIC RELATIONS WITH TURKEY.

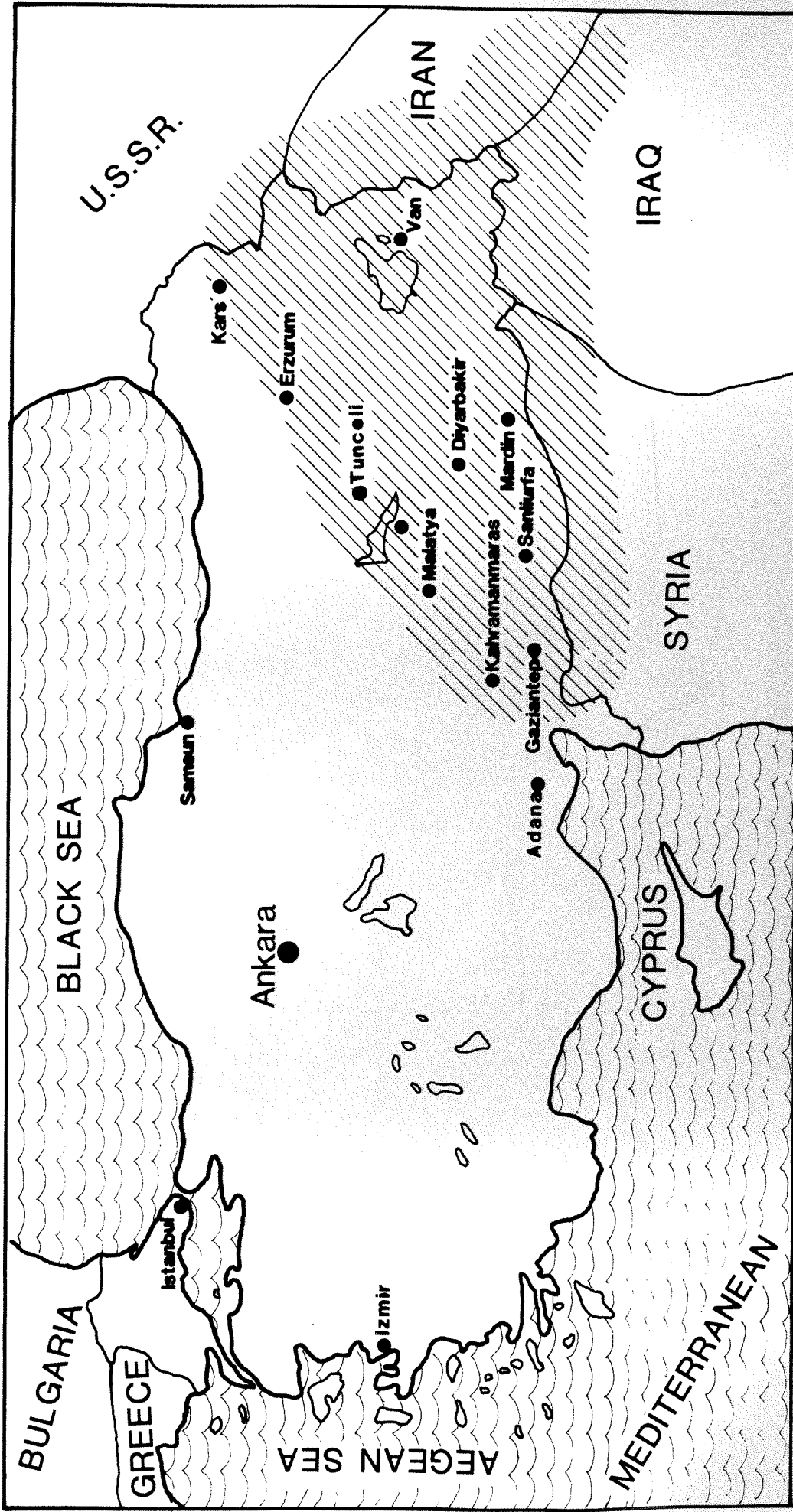
IT IS ALSO NOTED THAT KURDS FACE PARTICULAR DISCRIMINATION AND OPPRESSION MERELY FOR BEING KURDS AND THAT REFUGEE STATUS BE GRANTED FOR THIS. WE URGE, THE AUSTRALIAN GOVERNMENT TO RE-CONSIDER THESE CASES IN VIEW OF THE FACT THAT DEMOCRACY AND HUMAN RIGHTS IN TURKEY ARE NON-EXISTENT.

WE STRONGLY URGE THAT YOU TOO GET THESE MOTIONS RAISED IN ANY POLITICAL PARTIES, TRADE UNIONS OR ASSOCIATIONS YOU ARE INVOLVED WITH.

DISTRIBUTION OF DEATH PENALTIES

Organisation	Number of those sentenced to prison	Number of those sentenced to death
DEV-YOL (Revolutionary Path)	1,552	73
PKK (Workers' Party of Kurdistan)	640	129
TDKP (Revolutionary Communist Party of Turkey)	632	19
TKP/ML (Communist Party of Turkey/Marxist-Leninist)	529	43
TKP (Communist Party of Turkey)	436	—
KURTULUS (Liberation)	390	7
DEV-SOL (Revolutionary Left)	272	21
KAWA (Kurdish Organisation)	246	6
MLSPB (Marxist-Leninist Armed Propaganda Unit)	227	22
DHB (People's Revolutionary Union)	223	9
TIP (Workers' Party of Turkey)	185	—
THKP/C (Popular Liberation Party/Front of Turkey)	177	22
KIP (Workers' Party of Kurdistan)	153	—
EB (Union for Action)	97	10
DS (Revolutionary Struggle)	94	—
Ala Rizgari (Kurdish organisation)	93	—
IGD (Progressive Youth Association)	89	1
ACILCILER (Emergency Group)	83	12
Rizgari (Kurdish organisation)	75	—
HDO (People's Revolutionary Vanguard)	71	12
TKEP (Communist Labour Party of Turkey)	71	3
TKP/B (Communist Party of Turkey/Union)	70	—
TOB-DER (Teachers' Association of Turkey)	51	—
TIKB (Revolutionary Communists' Union of Turkey)	51	—
KUK (National Liberation of Kurdistan)	41	3
TDY (Path of Turkey's Revolution)	40	1
YDGD (Patriotic-Revolutionary Youth Association)	37	—
DHY (Revolutionary People's Path)	34	—
TKP/IS (Communist Party of Turkey/Workers' Voice)	33	—
TIKP (Workers-Peasants' Party of Turkey)	28	—
PY (Partisan's Way)	25	—
DK (Revolutionary Liberation)	24	9
THKO (Popular Liberation Army of Turkey)	22	2
TSIP (Socialist Workers' Party of Turkey)	22	—
Jehovah's Witnesses	22	—
TKKKO (Liberation Army of Turkey and Northern Kurdistan)	16	—
TIEKP (Revolutionary Communist Labour Party of Turkey)	15	—
EK (Emancipation of Labour)	14	—
DC (Revolutionary Front)	13	—
Kivilcim (Spark)	11	1
DÖ (Revolutionary Vanguard)	10	—
DEV-GENC (Revolutionary Youth)	9	—
Palestinian Guerillas	—	4
DDKD (Progressive Cultural Association of the East)	7	—
SGB (Socialist Youth Union)	4	—
TEKOSIN (Kurdish organisation)	3	2
HY (People's Path)	3	2
TIKKO/Bolcheviks (scission of TKP/ML)	3	—
EB (Union of Labour)	3	—
UY (Third Path)	3	—
TEP (Labour Party of Turkey)	1	—
TIKP (Revolutionary Workers-Peasants' Party of Turkey)	1	—
UKO (Revolutionary Liberation Army)	1	—
DIFFERENT WORKERS' GROUPS	741	—
DIFFERENT KURDISH GROUPS	199	4
DIFFERENT LEFT-WING GROUPS	331	39
DIFFERENT RIGHT-WING GROUPS	566	35
DIFFERENT UNLABELLED GROUPS	528	25

Courtesy of "Info-Turk" 1986



TURKEY AND KURDISTAN

Area inhabited predominantly by Kurds

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CHRDT
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**THIS REPORT IS DEDICATED TO OUR SISTERS AND BROTHERS
IN TURKEY.**

**'HISTORY IS NOT GOING TO PROSECUTE US FOR ORGANISING
AGAINST FASCISM, BUT IT WILL SURELY PROSECUTE US FOR
NOT ORGANISING AGAINST IT'**

MELIH PEKDEMIR.

INTRODUCTION

In January and February of 1988, a delegation was sent to Turkey by the Australian Committee for Human Rights and Democracy in Turkey (CHRDT).

The delegation comprised former Queensland ALP Senator George Georges, retired doctor Stefania Siedlecky, lawyer Robert Cavanagh and journalist Kyrn Stevens. We visited Istanbul, Ankara, and two eastern Kurdish provinces of Diyarbakir and Tunceli.

Whilst our visit to Turkey was brief delegation members met many sections of Turkish society including doctors, lawyers, journalists, students, academics, trade unionists, ex-political prisoners, families of political prisoners, peace activists and members of parliament. Additional information has been collected since our return.

This publication is a detailed report of the delegation's findings based on our impressions of life in Turkey. We flew into Istanbul from Athens.

One quarter of the worlds population have suffered military dictatorships. Turkey is one of the latest, and as we were to be told and shown one of the worst.

Turkey is one of the most strategically located nations in the world. It shares borders with Syria, Iran and Iraq in the south; the Soviet Union in the north and east; and Greece and Bulgaria to the west.

The armoured cars and stringent security checks on leaving Athens, and the soldiers with automatic weapons on arriving in Istanbul were to set the tone for the duration of our stay in Turkey.

Whilst Turkish culture is firmly rooted in Islam, and the East, Prime Minister Turgut Ozal and President Kenan Evren are looking west and embarking on a vigorous international public relations exercise. This has even resulted in big coal and ore deals for Australia.

The product being sold is Turkey Incorporated: the new model. The prize is full membership of the European Economic Community and a slice of the profits in the new Europe of the 1990's.

The new Turkey faces enormous problems. The shadow of the junta which led the 1980 military coup still lingers in Turkey, and the West still harbours strong suspicions about Turkey's 'European' credentials.

Prime Minister Ozal's economic miracle `a la Margaret Thatcher`, with rapid privatisation and wage restraint, has gained praise from outside Turkey.

But, inside Turkey people are asking at what price ?

The Ozal government is promoting itself as moderate, striving for economic liberalism. However liberalism is a whole philosophy which implies certain political responsibilities regarding people's democratic and human rights, which have been largely ignored by the government.

A news bulletin we saw on the official, and only, Turkish television network had a report in which Prime Minister Ozal was addressing a press conference in Munich, West Germany.

In referring to the military coup of 1980, the Prime Minister said that Turkey was now on the road to economic prosperity and democracy. There is in place however, a military supervision both subtle and all-pervasive. It is a form of fascism, hidden at its source, but apparent in all its ruthlessness to many of its citizens. Even a cursory look at the Constitution establishes this.

In 1982 there was a referendum in Turkey in which people were presented with the dilemma of voting for either a continuation of military rule, or, for a Constitution which severely limited trade union and democratic rights. They chose the limited civilian government.

Emil Galip Sandalci, of the Turkish Human Rights Association believes that this Constitution which is still in effect today, is the worst in Turkish history.

Emil believes that the main philosophy behind this Constitution is the glorification of the state, whereby Turkish citizens are in the service of the state rather than the state serving its people, thus restricting basic freedoms.

Two articles of the Turkish Penal Code, drawn up from this Constitution, were lifted from Mussolini's Penal code for Fascist Italy, dealing with illegal organisations and propaganda. The press is tightly controlled, and, whilst not specifically naming either, the Constitution lays the groundwork for the banning of Islamic fundamentalism and the language, songs and culture of the Kurdish minority living in the country's south-east.

Under this constitution, all power flows from the President - who was the chief of the military Junta which seized control in 1980.

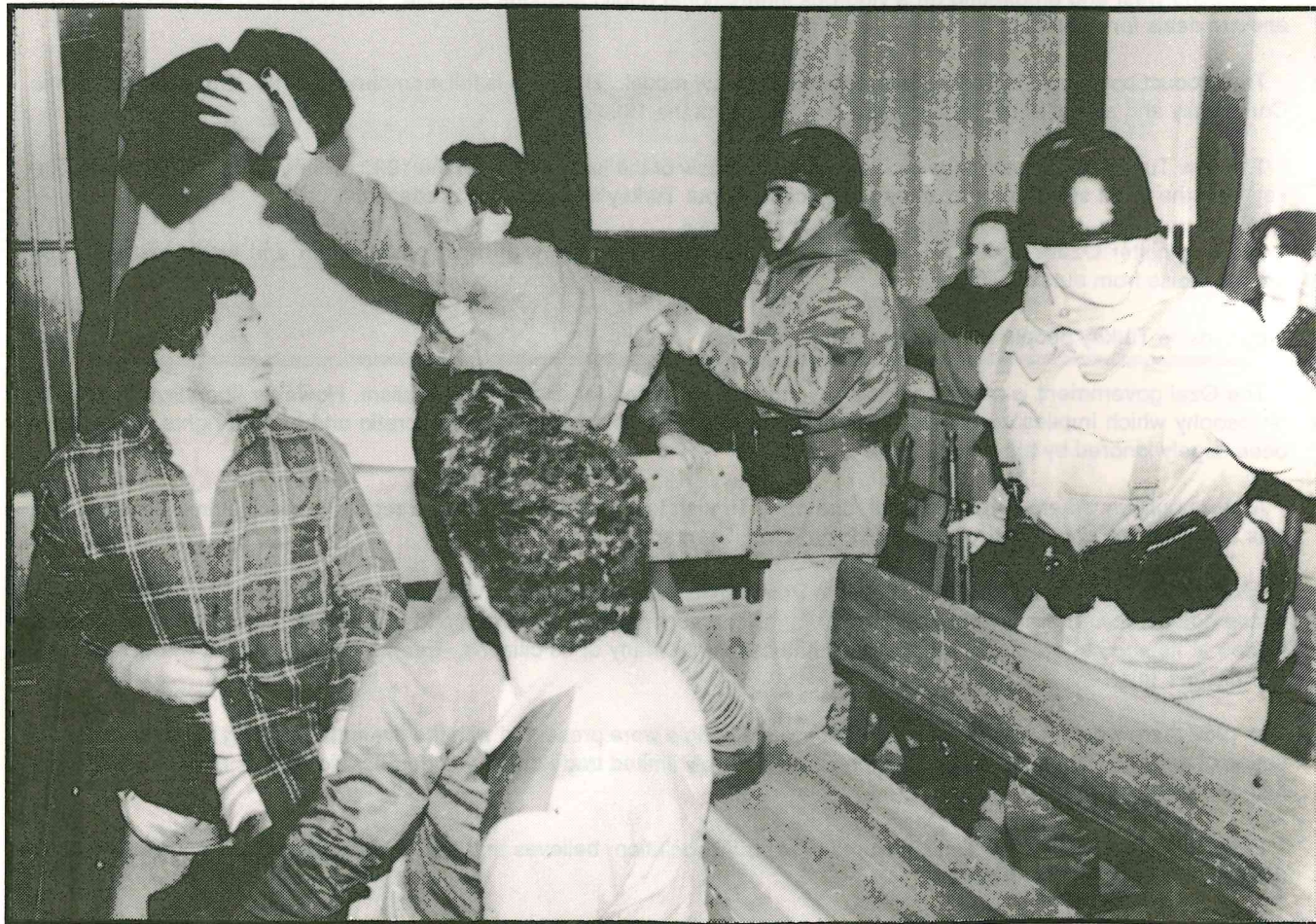
In one direction his power flows to the armed forces, to the High Council of War, to governors, internal security forces and the State Supervisory Council.

In another direction he controls the Presidential Council which is made up of former members of the Junta and army officers. This Presidential Council has under it an executive, a National Security Council, a Council of Ministers, and at the very bottom of this powerful political structure, the Grand National Assembly, the Parliament.

The President controls the judicial power, the Constitutional Court, the Council of State, the Chief Public Prosecutor, the Supreme Military Administration Court, the Military Court of Appeal, the Supreme Council of Judges and Prosecutors. All members of the above are appointed by the President of the Republic.

Finally, and worst of all, the President controls the scientific and cultural life of Turkey through the Higher Education Council (YOK), through the direct appointment of all university chancellors, and through the Ataturk High Institution of Culture, Language and History.

Shortly before we arrived in Turkey, elections were held under the 1982 Constitution. In 1987, for the first time since the military coup, a social democratic party was allowed to contest the elections achieving around 26 per cent of the vote, and a disproportionate 99 seats of the 450 in Parliament. The full extent of the Gerrymander in Turkey is saying in



Political prisoners being evicted from their trial for protesting against military prison uniforms.

the 292 seats held by the motherland party. In the 1987 elections they won 60% of the seats with just 36% of the vote. Since these elections, the popularity of Prime Minister Ozal and his ruling Motherland Party has waned considerably.

The rapid industrialisation of Turkey's economy has created land monopolies and landlessness, particularly in the east, and, sprawling urban nightmares in the big cities in the west.

These cities, where masses of unemployed people scrape together a living on the streets, are surrounded by shanty towns with massive housing, drainage and transport problems.

The official inflation rate is running at around 75 per cent. Unofficial estimates vary greatly but are always much higher than this. Meanwhile around 40 per cent of the government's budget is spent on the military.

Prime Minister Ozal and President Evren's new Turkey was firmly entrenched with a military coup on September 12 1980, in which President Evren was one of the five generals of the National Security Council which took power.

In the period leading up to the coup 20 to 30 people a week were dying in armed clashes across Turkey, the country's campuses were hotspots, and, over 50,000 workers were on strike with tens of thousands more about to go out.

The five generals of the National Security Council which took power with the coup legitimised their action by saying they had to restore order in an anarchic country.

However, many people we met in Turkey believe there were other reasons for the coup, and the repression of trade union and democratic rights which followed it.

They claim the coup was necessary to implement a program of economic austerity imposed by the World Bank and the International Monetary Fund after Turkey defaulted on its loan repayments in 1979.



These photos were banned from publication in Turkey Jan. 1988

This program became known as the 24th of January Economic Measures, and is still the basis of the economic policies of Turkish Prime Minister Turgut Ozal and his ruling Motherland Party.

Yildirim Koc from Yol-Ish, the Turkish Construction Workers Union explains that before the coup, unrest in Turkey was instigated by small armed groups from a neo-fascist movement known as the Grey Wolves. He says they were being armed by certain sections of the military and big business :

"We know that the coup was within the knowledge, and I think approval, of the CIA and other western powers... There was of course some 'anarchy' before that, but it was not as generally stated - armed groups fighting.

It was a rightwing terror, a terror of capital that was attacking most democratic institutions, and there were some who were trying to fulfill the task of the state in protecting their lives, their right to life...

I've known trade unionists who were assassinated by right-wing terrorists and I've known workers who have acquired arms to protect themselves...

So it was the pretext for the people to implement the policy of the IMF and World Bank, of world capitalism that the coup came... it was not 'anarchy'."

Dr. Baskin Oran, a former Ankara University lecturer dismissed after the coup, agrees with Yildirim Koc :

"The coup had a different objective than to stop anarchy. They wanted to apply the 24th January Economic Measures, and the application of these measures was only feasible with a totalitarian government, not only an authoritarian government, but a totalitarian one..."

This neo-fascist presence, is now smearing in the background of Turkish political life.

However an assassination attempt on Prime Minister Ozal in July 1988 brought the dissatisfaction of the extreme right to a head.

Many of the old Grey Wolves now hold prominent positions in Prime Minister Ozal's ruling Motherland Party, and quite simply, they have blood on their hands.

The new Turkey that Prime Minister Ozal hopes to create still faces some serious challenges from the old Turkey

The military are not a fringe group in Turkish political life. Rather they see themselves as the protector of Turkish values and ideals.

Whoever criticises those values is treated harshly. Those trade unions which are allowed are severely restricted. Tens of thousands of political prisoners are still in military prisons, many of whom are still waiting on trials in military courts. In the south-east, the Kurdish resistance and civilians face a heinous and endless repression. One third of the Turkish Army occupies Kurdistan.

The armed Kurdish resistance fighters are being systematically suppressed by the military and security forces. However, the resistance is gaining support among the eight to ten million Kurds, being fuelled by unemployment, poverty, landlessness and banning of their language and culture.

Although there have been some improvements since the coup of 1980, large sections of the Kurdish population are still under state of emergency powers, which have been described as 'civilian' martial law, subject to displacement, imprisonment and torture.

A state terror still exists for many people in Turkey. This regime cannot be called civilised when many of its people are imprisoned and tortured for their political beliefs.

The military expediency of the U.S and European nations is revealed, as they do nothing to correct the situation, but continues to give arms and aid to the Turkish government, which are then used against its own people.

Other nations that turn their eyes away and close their minds are equally guilty. Australia must re-examine its relationship with Turkey. The position we take against South Africa must also be taken against Turkey. In all such cases, trade and political sanctions should apply until democratic processes and human liberties are installed.

SHORT HISTORICAL TIME TABLE

- 1918** October 30 the defeat and collapse of the Ottoman Empire.
- 1920** U.S. President Woodrow Wilson in his 'programme for World Peace' declared that the non-Turkish minorities of the Ottoman Empire should be granted the right of 'autonomous development'. Treaty of Sevres specifically stipulated that the Kurds were to be allowed 'local autonomy'. The effect of the Treaty on the whole was that Turkey would be split between the allies.
- 1923** Turkey became a republic under the leadership of Kemal Ataturk - Republican People's Party. Treaty of Lausanne gave international recognition to the Turkish state and carved up the national territory of the Kurdish people into four parts.
- 1924** Ataturk's new constitution and unicameral parliament formed.
- 1925** In 1925, 1930 and 1935, the Turkish government crushed three major insurrections depriving the Kurds of all rights.
- 1938** Ataturk died, Republican People's Party remained in power.
- 1950** The one-party system was ended in January 1946. The Democratic Party (DP) won Turkey's first free election and ruled for the next decade.
- 1960** Fifts Coup. Government was overthrown by the military who claimed that that the DP had betrayed Ataturk's principle of secularism. The coup was generally welcomed by the population. DP was dissolved, leaders arrested and charged with corruption. President Menderes executed.
- 1961** Military had no intention of remaining in power. New liberal constitution and general elections held. For the first time, trade union rights, freedom of association, press and academic liberties were guaranteed under the new constitution. However, the Communist Party (TKP) remained illegal.
- 1965** Demirel, leader of the right-wing Justice Party was elected. This group comprised of remnants of the old Democratic Party. During this period independent radio and television established state owned but editorially free with board consisting of academics, media workers and state officials.
- 1968** Period of national unrest including student uprisings. National Action Party (MHP) along with Federation of Grey Wolves (similar ideology to the Brown Shirts in Germany) escalated their actions against the left. Friction between left and right reflected in student demonstrations. Police and government officials became disturbed with this unrest.
- The 1960's were marked by an uneasy relation between the military and civilian governments. Propoganda circulated that the country was becoming communist
- 1971** Using the unrest as the pretext a second military coup occurred covertly sponsored by NATO. From 1971 the army backed the conservative forces. Parliament was used to introduce restrictive legislation against students, professionals and

- trade unions, in suppressing all left-wing activities. For the first time systematic torture was enforced. Three student leaders were arrested and given the death penalty. Executions were carried out despite public outcry.
- 1973** New elections, enormous swing to the Social Democrats as a backlash to the coup. The Republican People's Party under Bulent Ecevit was not strong enough to form a government in its own right, but found coalition partners with the religious right - National Salvation Party.
- 1974** Invasion of Cyprus led to a US embargo on Turkey, the coalition collapsed and Bulent Ecevit resigned. The right wing parties formed a national front including Demirel's Justice Party, the Salvation Party and fascist National Action Party.
- 1977** In the Late '70's heavy fighting flared up between the left and right with people being killed every day, including popular Mayors, Politicians and lawyers.
- Istanbul May Day festivities. 500,000 people were peacefully assembled in Topkapi Square, provocateurs commenced shooting from the Continental Hotel with the police stationed below. 35 people died.
- Armed groups from a neo-fascist organisation known as the Grey Wolves were used as a tool of the secret police, fascist death squads became rampant. Civilian and worker defence committees organised against these attacks.
- 1978** Martial Law proclaimed in 13 of Turkey's 67 provinces. On the 23rd and 24th of December the Nationalist Action Party escalated its fascist terror which led to the bloodbath in Kahramanmaras where more than 100 persons were killed and over 1,000 injured.
- 1979** Turkey defaulted on IMF payments. Army propaganda was that the civilian government was incapable of controlling unrest. The dress rehearsal for military intervention was being created. By September 1979 violence had claimed more than 2,000 lives and Martial Law was in force in 19 provinces. At the end of December, strikes and demonstrations were held in more than 15 cities against military repression and in memory of the victims of the massacre in Kahramanmaras.
- 1980** 12th September, third and most brutal military coup. Coup leaders immediately closed down trade unions, political parties and organisations. Trade union leaders, writers, workers and academics were arrested on a nationwide scale. 250,000 to 300,000 people were arrested and most tortured. Incommunicado detention was for 24 hours, then increased to 15 days, 45 and finally 90 days. Over eight hundred people are reported as missing, and more than 1,000 people died in street clashes and deaths in custody.
- 1981** All parties banned including Ataturk's Republican People's Party.
- 1982** New constitutional assembly formed. Taking away main constitutional rights and freedoms.

Referendum held to approve the constitution and elect the President of the Republic. Kenan Evren (leader of the coup) stood as the only candidate. Military supervised the voting 'Yes' card was green, 'No' card blue. People were too afraid not to vote No, voting was compulsory failure to vote incurred a fine or 6 months imprisonment, and also loss of voting rights for the next five years. There was a 92% turnout and 90% voted Yes.

1983

In the prison of Diyarbakir, Kurdish prisoners requested the right to celebrate the traditional festival of Nevroz. This was not permitted by the authorities, prisoners rioted, soldiers were called on and attacked prisoners with bombs and bullets, 37 Kurdish prisoners died as a result. Government declared only 11 deaths.

May 26th, Turkish troops entered Iraq border in pursuit of Kurdish resistance fighters (members of PKK- Kurdish Workers Party). Seven day operation ends after killing, raiding homes and capturing an estimated 2,000 Kurdish citizens.

November assembly elections held, all former members of parliament not permitted to participate. The military Junta hand picked the candidates. Only 3 parties allowed to contest. Ozal's Motherland Party (ANAP) won the vote as a protest against the favoured party of the military.

1984

Hidir Arslan member of Revolutionary Path (Dev-Yol) was executed in Izmir, bringing the total number of hangings to 54 since 1980.

1987

April 1987 Turkey applied for full membership to the European Common Market. Referendum was held in September to allow all previously banned members of parliament to run for the assembly elections.

November 1987, Ozal reinstated as Prime Minister.

1988

Turkey signs UN Nations Convention against Torture & Other Cruel Inhuman or Degrading Treatment or Punishment and also signature to the Council of Europe Convention on the Prevention of Torture.



Partner: Kenan Evren and Turgut Ozal

KURDISTAN - TURKEY'S PALESTINE

At the time of going to press up to one hundred thousand Kurdish refugees have been sitting out an unknown future in tent cities scattered throughout south eastern Turkey .

In late August 1988, Turkey opened its border to the Kurds who were fleeing chemical weapons attacks in northern Iraq .

The acceptance of the refugees by the government of Turgut Ozal has been hailed as a great humanitarian gesture putting Turkey in the unaccustomed role of championing human rights .

However critics of Ozal argue that he accepted the refugees to try and gain support for the ruling Motherland Party in Turkey's eastern provinces, for a looming referendum. Eight to ten million Kurds live in the eastern part of Turkey, a fifth of the country's population on a third of the land mass.

The Kurds, some twenty million people, claim that although they have never had a nation of their own, they have been living in a large area called Kurdistan since antiquity, with the Kurdish calendar dating back to 612 BC.

The treaty of Lausanne in 1923 completed the carving up of Kurdistan Between Iran, Iraq, Syria and Turkey with some Kurds living in the Soviet.

Whether or not Ozal did gain political mileage or not from the

acceptance of the refugees is a moot point as he lost the referendum. One thing is certain though, the acceptance of the refugees has made Turkey an accomplice after the fact in Iraq's genocidal chemical attacks.

Despite Western proof and condemnation of Iraq's use of chemical weapons against its own Kurdish population, Turkey denies that any of its doctors have found evidence of chemical illnesses



amongst the refugees.

Turkey is at pains to maintain good relations with Iraq-one of its biggest export market in the Middle East. Having already stretched these relations by initially accepting the refugees, Turkey is now keen to secure its slice of the contracts worth \$50,000 million which are expected once Baghdad settles down to rebuild after eight years of war.

Ironically, the acceptance of the refugees by Turkey has served to spotlight its ill treatment of its own Kurdish population.

Since the formation of the Turk-

ish republic in the 1920's, the local Kurds have lived under a barrage of oppressive laws. Their language, music and culture are banned. It's only recently that there has been any official recognition of the existence of Kurds in Turkey. Previously they were labeled "Mountain Turks".

Place names have been changed from Kurdish to Turkish. Children given Kurdish names are denied official identities by Turkish authorities and their parents can be taken to court.

In contrast to western Turkey, educational standards are low and unemployment levels are high. Illiteracy and landlessness punctuate the underdeveloped nature of the eastern provinces.

KURDISH VILLAGERS Government in action in these areas, in not providing any infrastructure, is compounding development problems by discouraging investment in the area. Any investment which does occur is usually capital intensive and often results in products and profits returning to western Turkey or overseas.

Fuat Atalay, a Social Democrat (SHP) representative in the city of Diyarbakir, describes economic relations in the area as feudal with unemployment being the main problem.

Fuat also claims that 50-70% of Kurdish children don't attend high

school because they are needed as income earners and many villages are accessible only by goat track and are therefore isolated during the winter snows. He also stresses that many peasants actively discourage their daughters from seeking education.

For many Kurdish children there's not much point in attending school as they are taught in the 'official' language, Turkish, whereas the only language they know is Kurdish.

Since July 1987 'Super Governor' Hayri Kozakcioglu has controlled most of the Kurdish inhabited eastern provinces. Eight of these provinces are under state of emergency powers known as 'extra ordinary situations' describe to us as 'civilian' martial law. Hayri Kozakcioglu has wide powers, including command of the security forces in the region and full authority to evacuate villages temporarily or permanently.

According to Hayri Kozakcioglu, such measures are necessary to combat terrorism in these provinces and emphasizes that; "Turkey today applies equal rights to all its citizens... more than any other countries that call themselves democratic."

However, the hoards of Kurdish political prisoners, facing systematic torture and brutality, prove otherwise, as is documented by Amnesty International, the Turkish Human Rights Association and Kurds we met who'd recently released from Diyarbakir Military Prison.

Mehmet Vural, President of the Diyarbakir branch of the Turkish Human Rights Association, said: "Torture continues to exist in this region... as far as we know it has lessened in Ankara and Istanbul but it continues extensively in this region."

Adnan Ekman and Ahmet Turk are two Social Democrat representatives from the south eastern province of Mardin. Adnan Ekman says; "Today, to say 'I'm a Kurd' is

a crime in Turkey. to say you are a Kurd and a democrat is a double crime... Because of this tens of thousands of Kurds in Turkey are living in dungeons they call jails."

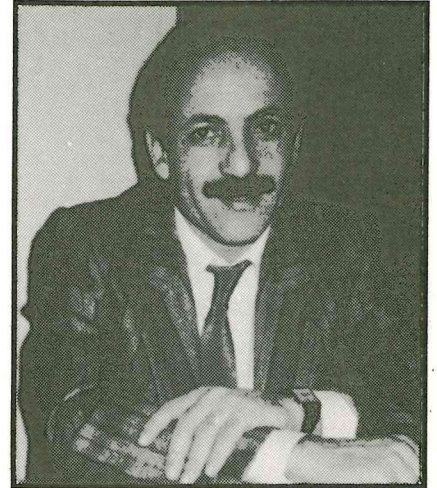
Ahmet Turk was one of fifteen members of parliament arrested after the 1980 military coup in Turkey and is one of the twenty or thirty new members who have experienced torture as political prisoners.

Ahmet Turk proudly noted he was released from prison just three weeks before the elections - and still managed to get elected - spending six months of this more recent sentence in the infamous Diyarbakir Military Prison. He was arrested because the police claim they found video tapes and cassettes of Kurdish songs in his possession - something he still manages to raise a smile about.

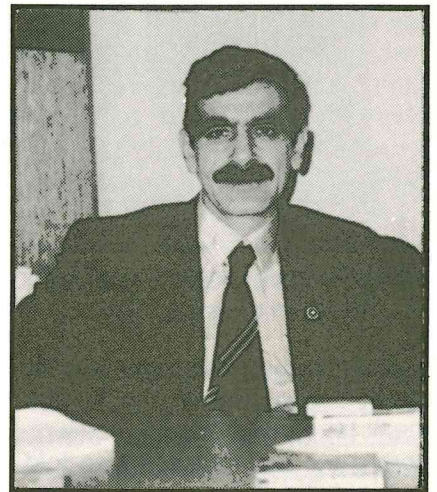
He offers the following explanation as to why he was really arrested; "I was supporting the people and their interests which was seen as a good enough reason to be arrested... In other words it was for political reasons. Because we were closely considering the Kurdish peoples problems."

Mehmet Ali Eren holds a seat for the Social Democrats in the city of Istanbul but was raised a Kurd. A speech of his in the Parliament caused uproar in one of the first sittings for this year.

The point of contention was his use of the word "Kurdish" in the



MEHMET ALI EREN



AHMET TURK

speech which he said was intended to break the taboo in the Parliament on the Kurdish question.

Ironically, whilst Mehmet Eren



Rural life often shattered by military raids



KURDISH VILLAGE WOMAN AND CHILD

was censured from repeating his speech in or out of the Parliament, the Turkish media widely reported the incident. He also told us that in Parliament he must now refer to the Kurdish question as 'the democratic problem in eastern Turkey'.

Whilst the democratic forces in Turkey are trying to remedy the problems faced by Kurds in Turkey, those who hold the real power - the military commanders and Generals - are orchestrating a systematic reign of terror in the east. This situation is shockingly illustrated by events at the Diyarbakir Military Prison in July 1988 when over 100 relatives of political prisoners were arrested .

The Government, as part of a religious festival, granted political s contact visits with their families. The Military commanders in Diyar-

bakir had a different idea however. When the relatives gathered outside the prison they were unexpectedly set upon by Turkish Security Forces.

Their intended visit turned into two months jail. One of them told us the story the night he was released.

"Then, all the security forces, especially the secret police, started shooting with guns towards the civilians, after that, troops and formal policemen, all together started shooting. It was like a warzone.

It was a moment that reminded me of Palestine. This happens in the streets of Palestine everyday. But even the Israeli Zionists use rubber bullets. Turkey's fascist rulers use real killer bullets.

The people started to lie down. This made most of the police retire to a distance... They didn't want it to look like a massacre.

I think they were actually shooting out of fear. Because they just couldn't accept the fact that so many people were there to stand by with the political prisoners.

Super Governor Hayri Kozakcioglu's command of the security forces is formidable, as up to one third of the Turkish army is stationed in the eastern provinces - and the authorities are not hesitant to flex this military muscle against their own people.

In 1984 the banned, separatist Kurdish Workers Party (PKK) formed its armed wing the ERNK. Villagers are caught between the warring PKK and Turkish military with rural life often shattered by military raids, conducted under the pretext of looking for PKK members.

One village we visited in snow bound mountains, near the town of Tunceli, had been raided by the military a week before we were there. During the raid four young boys were beaten with sticks, another shot in the leg and a locked bedroom pumped full of heavy calibre ammunition - fortunately no one was in the room at the time.

Not so fortunate however was a man shot dead in a similar raid on another village a few days later. He was an alleged guerilla sympathiser. Several days later an Ankara based journalist was off to yet another Kurdish village which had also been raided.



KURDISH VILLAGES, ISOLATED BY WINTER SNOWS.

The military and secret police, from the National Intelligence Agency (MIT) have a network of armed informers called 'village guards'. Whilst resistance to pressure from the security forces to become an informer is strong, the consequences can be brutal. A Diyarbakir lawyer showed us photos of a sixty year old man who resisted the security forces advances and was horribly beaten and tortured as a result.

The reasons for this oppression of Turkey's Kurds are to be found in the fiercely nationalistic nature of the post-coup regime governing Turkey. This nationalism is in fact something which goes back centuries to the time of the Ottoman empire.

A banned Kurdish MP, who spoke on condition of anonymity said; "Turkey is pursuing incredibly harsh policies regarding the Kurdish issue. They refuse to recognise their (the Kurds) existence and are using every possibility to assimilate the Kurds"

Mehmet Vural from the Diyarbakir branch of the Turkish Human Rights Association said the branch was formed to draw attention to human rights violations in the east of Turkey.

He stressed the importance of the banning of the Kurdish language as an issue in itself; "Today, anywhere in the world, any language even if spoken between just a thousand people, there's an effort to keep it alive..."

"In this region, it's quite the opposite - there's an attempt to destroy a language which is spoken by nine to ten million people. There's an attempt to utterly destroy the culture... but Kurdish culture, Kurdish language is a common heritage of humanity, of all people in the world..."

"This language will cease to exist with these types of pressures. As I've said before it (Kurdish) is a living language, a living culture. Far from annihilate it, on the contrary, it should be kept alive."

THE WORLD ACCORDING TO YÖK.

ARMED CLASHES WITH FASCIST PROVOCATEURS, REGULAR POLICE SEARCHES OF STUDENTS, MASS SACKINGS AND RESIGNATIONS OF ACADEMIC STAFF, AND, A HIGHER EDUCATION COUNCIL "YÖK" THAT CONTROLS ALL ASPECTS OF UNIVERSITY LIFE - INCLUDING STUDENT ATTIRE. THIS IS REALITY FOR TURKISH UNIVERSITY STUDENTS...

The university campuses are a microcosm of Turkish political life. Education is a litmus test for Turkey. To succeed in creating the new model, Turkey needs a modern democratic education system. But to fit the mould education must be tightly controlled, monitored and administered.

20 to 30 people were being killed each week in armed clashes across Turkey leading up to the 1980 military coup.

The battles were intense on university campuses, but were regular occurrences in the big cities and towns as the left organised and armed themselves against attacks by small armed groups from a neo-fascist organisation known as the Grey Wolves.

A woman we met in Istanbul (all students asked not to be named) was a student in the late 1970's and she told me about campus life in those days.

"There were about 3,000 students in our faculty... only 19 of these were fascists, but whenever they came bombs exploded, dynamite was thrown and one or two people wounded..."

The police would not run after them but after us, arrest-

ing us, taking our fingerprints, photographing us, numbering us and then releasing us... they were getting ready for something... preparing their records, their files ...

...This of course creates a sense of revenge. The fascists were not being punished. Well if the government, the state, the security forces don't punish them, then we felt we should... and you also have to defend yourself. The students armed themselves as well... with anything chains, knives and with guns. It was not allowed to take guns on the university but there was always a way to be found".

The unrest in this period was not restricted to the campuses. There were student/worker rallies in the cities and growing industrial unrest.

The five general of the National Security Council used the unrest as a pretext to take power and impose martial law, on September 12, 1980.

A little over a year later, the military adopted a law establishing the 25 member Higher Education Council (yök) which exercises centralised authority over Turkey's 29 universities.

The 25 members are appointed by the Chief of State (President Kenan Evren), Council of Ministers and the National Ministry of Education. The chair of yök is known to be a close associate of President Evren and is said to have been part of the brains trust advising the junta.

The boards and faculties of universities were removed from decision making responsibilities and became advisory bodies.

University Chancellors are appointed by the President and Deans of Faculties are named by *yök*, and, their power is limited to the administrative functions laid down by *yök*. University staff and students are banned from being members of political organisations.

One year after its formation, in November 1982, *yök* began to sack lecturers and staff who were 'unacceptable', that is progressive or left-wing. Up to a quarter of some 22,000 academics were dismissed, transferred to secondary education or resigned in protest.

Baskin Oran was one of those sacked. He had been a lecturer at the school of Political Science at Ankara University for 13 years.

Baskin Oran and six colleagues successfully appealed against their sackings to the administrative appeals tribunal, but this was later overruled by the military with no one allowed to appeal against Martial Law decisions.

After martial law was lifted they again appealed to the civilian university authorities, arguing that the decisions of military authorities were no longer valid. They are now waiting on a decision on the rejection of this appeal.

Baskin Oran believes that many academics will not return to Turkish universities even if *yök* is lifted, and that it will take 20 to 30 years to repair the damage done to the education system.

Dr Korkut Boratav, dismissed as Professor of Economics from Ankara university further adds:

"What has happened to our

universities is a dark spot in the Turkish political history. What has been done to the academics, and it has not only been done to the academics it has been done to the civil servants, teachers, and other occupations have been victims of the same operation and I think that there is no question that it has to be corrected."

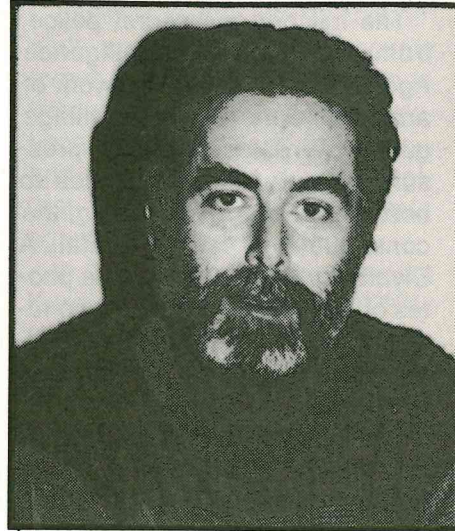
Baskin Oran believes that the military achieved their aims with tertiary education, and talks here about the effects on his old faculty at Ankara University.

"I even suspect that the students of today do not even know that the Political Science faculty has a tradition of discussion and dissent. Because, this tradition has been broken for a period of six years... all those who knew about this tradition graduated...

And these Seniors were not able to teach the newcomers what they knew. And this is what they wanted to do, this is exactly what the military authorities and their civil counterparts in the university wanted to do. To break the tradition, to make them forget, to be very quiet citizens, accepting everything that comes from higher up...

But this will be reversed one day because this is against the definition of a university... the university by definition is universal, but *yök* tells academics what they will and won't teach ...

If ever professors criticise *yök* they can be fired. So, there is a complete silence on the universities... What



BASKIN ORAN

will break the current situation will be the students. They have started doing it and are doing it."

University students accounted for a large number of the hundreds of thousands of political prisoners detained in the period after the 1980 coup.

Students are now on the move in Turkey.

In 1987 two extensive and successful campaigns were organised - one against an item of *yök*, and one against the proposed amalgamation of student associations.

Students have been confronting the government by holding a number of legal and illegal protests.

We saw a demonstration outside Istanbul University in support of the Palestinian Uprising. The protestors were promptly dispersed by riot police known as the Rapid Force who make Tactical Response Groups in Australia look like Boy Scouts. 25 students were arrested by secret police agents.



**'RAPID' FORCE' CLEANING UP STUDENTS
AT ISTANBUL PROTEST**

At the end of April 1988 there was a big demonstration outside Istanbul University with 160 students arrested and two members of the security forces injured.

On May Day 1988 truncheon wielding police charged thousands of unionists and students who defied the government ban on May Day celebrations. Many protestors and journalists were detained and beaten.

The determination of the military to maintain control over education is all too clear in the workings of *yök*.

In the manifesto of *yök* (The Higher Education Council) Item 56 prevents students from being members of political organisations. However, students are organising themselves with some 60 to 70 small student unions of which around 30 have official permission to exist.

Establishing these associations has not been easy. A medical student at Ankara University explained the process they had to go through to establish one in their faculty.

changes were wanted.

For example, one clause the authorities wanted changed concerned freedom of association for students.

The students appealed to an administrative appeals tribunal, arguing that the desired change contravened a clause in the Turkish constitution. They are still waiting on a decision.

In 1987, when the government proposed to amalgamate the existing student associations and bring them under the direct control of *yök*, students protested.

After a series of student hunger strikes and demonstrations, the government backed down. The legislation has been rescheduled for some time this year.

Item 44 deals with student dismissals. An Ankara university student told us that 80,000 students had been dismissed in the '84/'85 and '86/'87 academic years. Students organised a campaign against Item 44 and petitions with about 30,000 signatures, were sent to the Turkish parliament.

The association was formed and a copy of its constitution sent to the local government for approval. They were meant to answer the students within 15 days but it took eight months and

During this campaign students marched from Istanbul and Izmir to the capital Ankara to protest against Item 44. A student who was at the 'welcoming' of marchers in Ankara described what happened :

"When we met them (the marchers) in front of the Middle-East Technical University, civilian police and security forces came and many of our friends were arrested. After this the remaining students went and delivered the petition to parliament, and again the police arrested a lot of our friends and they were tortured in DAL."

We spoke with some of the students who were arrested at the march and they claim they were detained without being charged, which is possible for up to 15 days under Turkish law, interrogated, beaten and tortured.

They claim this occurred in the now infamous DAL, the sophisticated state interrogation centre, known as the 'Yusuf Kahraman Police School'. The building is on the grounds of the Ankara Police Headquarters and is joined to it by a corridor.

Ex-political prisoners we spoke with who had been interrogated in DAL said they were relieved when they were finally taken to the brutal military prisons.

Police on campus are another problem students have to contend with.

"We very seldom have uniformed police. But we have plain clothes police, there are certain people who are there as observers working for the police. Sometimes we manage to expose them..."

In my faculty they search our bags every morning, it is very regular."

Talking about item 56 another Ankara student said :

"...Of course this limits our political participation, and also, they say to join a student union you have to go and ask your Rector (Chancellor) for permission... we have struggled against this and it is not effective in practice, so we have founded our student unions".

Undergraduate students face daunting examination schedules. The average student would do about eight subjects a term with up to four or five exams per subject.

This means 40 exams each term:

"Each term is less than four months which means that every two weeks in my faculty, we have eight or nine exams."

Higher level studies at university are tightly controlled. One student was doing a Masters paper on Marxist theories of the state but was not allowed to use any primary sources - namely, Marx's own writings.

Whilst the students we met were optimistic, they conceded that less than ten per cent of students were in associations or active on campus.

These students are trying to take the struggle beyond the daily concerns of students. A student in Istanbul put it this way...

"Medical education is not separable from the health system and the health sys-

tem is not separable from the political system in Turkey... what we seek can not be achieved in this system. We're discussing the creation of autonomous, scientific and democratic universities."

We asked some students what type of student they thought yök was trying to create:

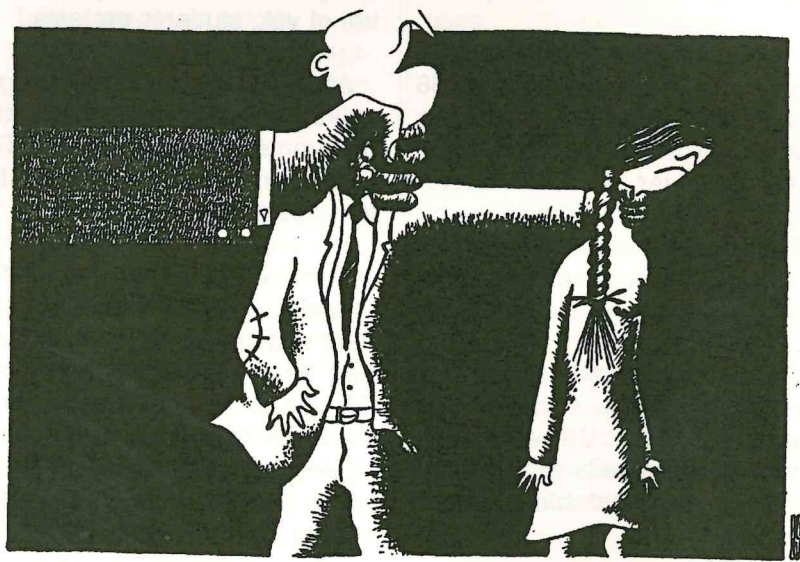
"Students like robots... students who are not interested in politics and social activities, who just attend classes, just study for examinations... students in uniform...."

This is an expanded version of an article which was first printed in NEWSWIT, journal of the University of Technology Sydney Students Association.

WOMEN IN TURKEY

"TURKEY IS A COUNTRY WHERE, STILL, FEUDALISTIC VALUES ARE LARGELY ACCEPTED... EVEN BY SOCIALIST MEN. BEING BEATEN AND GETTING NO HELP AT HOME ARE TWO OF THE ISSUES WOMEN FACE... IT'S NOT JUST YOUR HUSBANDS THOUGH. IT'S THE STATE OVERALL THAT ACCEPTS YOU AS A SECOND CLASS CITIZEN."

These strong words are from a Turkish woman who spoke to us on condition of anonymity. In all the publicity about conditions and the loss of human rights in Turkey, there is little mention of women. Yet women suffer the same loss of rights as men, they are tortured imprisoned, and have the additional burden of caring for families when the male members of the family are imprisoned. There are many contradictions in





Funeral of Didar Sensoy: bashed to death by police in a womens march, 1987

the position of women in Turkey, almost as if there are two separate populations.

Modern Turkey's patriarch, Mustafa Kemal Ataturk, made Turkey a secular state, removed the veil and introduced a new constitution. Women in Turkey obtained the right to vote in 1924, and have played an active part in political life ever since. The first woman was elected to parliament in 1933.

One of the best known political women was Behice Boran who entered parliament as a Labour Party member in 1965, and became president of the party in 1969. After the 1971 coup, the party was closed down and Behice Boran was arrested and sentenced to gaol for 8 years. She was released in the general amnesty and reformed the party in 1975. Following the 1980 coup the party was again banned and she escaped from Turkey.

She died in exile in 1987. As was her privilege as a former member of Parliament, her body was

brought back to Ankara for a formal funeral ceremony in Parliament House and later transferred to Istanbul for burial. Her funeral became a massive demonstration and thousands of people followed from Ankara to Istanbul.

Educated middle class women have careers in all fields. There are women judges, lawyers, deans of faculties, professors, doctors, journalists. Women are in the army, although military service is not compulsory as it is for men. The present Minister for Labour is a woman, Imren Aykut.

We spoke with some of these women in trying to find out what the real situation is in Turkey. The reality is that women are paid less than men, find it harder to get jobs and are usually the last hired and first fired. State funded childcare is non-existent, and private childcare is available only to women in higher prestige, better paid jobs. The high costs of child care puts it out of reach of ordinary women.

In establishments employing

200 or more women, the employer is obliged to make provision for child care. The solution is simple - always keep below that number of staff. Social services are lacking, child allowances minimal, and there are no unemployment benefits. Women caring for children alone have to join together or rely on their families for support.

Turkey is still very much a chauvinist state, and women get little help from their husbands. Domestic violence is common and women have little or no redress even though the law provides for it. There are no shelters for women seeking to escape from domestic violence.

After the 1980 coup all revolutionary, socialist and democratic women's organisations were banned. Some new feminist organisations which have been allowed to form only since 1983, have started to focus on issues such as domestic violence, although this is not the greatest problem women face in the area of human rights. The new democratic women's organisations however are severely restricted in the type of political activities they can engage in.

There are women working in factories, and in menial jobs and on farms in the rural areas, but one feature noticed by our delegation was the conspicuous absence of women generally, and from the jobs usually associated with women. We saw no waitresses, few women shop assistants or clerks, and few women in the streets or in restaurants.

At the other end of the spectrum are women in the poorer suburbs and in the rural areas, where their position is much like that of third world women. Three quarters of the houses are sub-standard and half the population live in slums, "night-built" (self-built) houses. There has been a heavy rural urban migration, people are attracted to the cities with the hope of better jobs and education. This has put great pressure on accommodation in the cities, which are spreading into the surrounding farming areas.

WOMEN AND HEALTH

Turkey became aware of a problem of excessive population growth in the mid-sixties. Prior to 1963, contraception was illegal. The first Family Planning Association of Turkey was started in 1963, and in 1965 the Turkish Government passed new legislation to allow the establishment of family planning clinics. Family planning was originally seen as a population control measure, but is now actively promoted in a health care context and contraceptives are provided free from clinics.

The most popular method used is the Intra-uterine device, and some nurses working in rural areas have been trained to insert IUDs. IUD's are provided and inserted free of charge in public hospitals. Many couples particularly in the remote areas rely on traditional methods such as breast feeding and withdrawal.

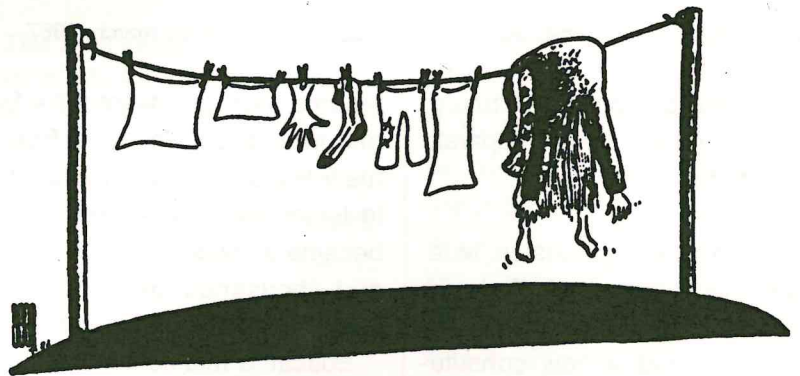
Oral contraceptives are theoretically only available on prescription but can be obtained without pre-

scription in pharmacies, as can other drugs which are restricted in Australia. Sterilisation has not been seen as acceptable and was illegal until 1986. Abortion has been legal since 1983, but only on medical grounds, and with the permission of the husband.

In public hospitals there are long waiting lists and women often have to wait up to several months when it becomes too late for an abortion. The lack of beds and doctors for abortions presents a

world country. A measure of the availability and quality of health services is seen in the infant mortality rate. Ninety out of every thousand children born each year die before the age of one year, or nine times as many as in Australia. Even this is a great improvement on the rate of 165 in 1965.

Children die mainly from respiratory infections and diarrhoea, both controllable diseases. Only 2.5% of the national budget is spent on health compared with 40% on the



cruel irony in a country where the government is attempting to pursue family planning and birth control, encouraging the two child 'nuclear' family unit.

Other persisting problems in providing family planning are religious beliefs, the need for child care in rural areas, and the desire for sons. Women tend not to use family planning until they have had up to five children. The population growth rate is 3.5% per year, more than double what the rate is in Australia, even allowing for immigration.

From a health point of view, conditions resemble that of a third

military. World Health Organisation standards are that 15% of the budget or 5% of the gross national product of a country should be spent on health.

One of the more positive actions of the government has been to try to improve health services for women in rural areas. As early as 1960, a "socialised" salaried medical service was devised mainly for the rural population which at that time made up 70% of the population.

In 1986 the Foundation for the Advancement and Recognition of Turkish Women was founded under the Presidency of the wife of

the Prime Minister, Mrs Semra Ozal.

The main objective of the Association is:

"To advance and enhance the economic, social and cultural solidarity among Turkish women working as mothers and housewives in public service, private sector, in various business fields, in agriculture, arts and politics, at province, district and village level; to promote the social, cultural and economic achievements of today's Turkish women world-wide." (From the Official Deed of the Federation)

The Federation has appealed for funds and equipment in and outside of Turkey. With aid from various international bodies it has established a health service for women in poor suburbs and rural areas to supplement the sparse services available. It has branches in the 48 major cities, and has established a network of 31 mobile and 34 stationary health units that function as fully equipped gynaecological units.

It provides maternal and child health care, advice on nutrition and family planning, and health education. Under article 26 of the Official Deed of the Federation, at least 10% of the services and bed capacities of its institutions must be reserved for low income women.

Although its aims are commendable and its work very necessary, the Federation could hardly be called a democratic organisation. The president and the thirty prominent women who make up the Founders were appointed for life, and are the only members of the

General Assembly of the Foundation to have voting rights.

WOMEN AND TORTURE

The delegation met families of political prisoners, mostly wives and mothers. Some of them with their children had been arrested and tortured with their husbands. Women have been stripped, humiliated and tortured in front of male guards and even during menstruation. They have had beatings and electric shocks to their genitals.

One woman told us she was two months pregnant at the time of arrest. She was tortured with electric shocks. She miscarried and had to be transferred to hospital for bleeding. Although the doctor certified that the miscarriage resulted from the torture, the report was concealed and not presented in the court. Like many others she got no redress.

To try to force confessions women are sometimes tortured in front of their husbands and vice versa. In gaol there are women warders but military guards patrol the prisons and women are likely to be beaten daily. We heard stories of great cruelty. One woman was beaten 200 times over 2 years. Another woman cannot walk properly because of being kept for a long period in the "tortoise" position.

These women told us of continuing police harassment which is still going on. The police come and raid their homes looking for evidence; they are sometimes taken into custody for 1-2 days and questioned. Pressure is put

on them to co-operate, to divorce their husbands, or to persuade their husbands to become police informers.

Their neighbours are questioned and intimidated. They are frightened that they too could fall under suspicion. So these families become very isolated and find it very difficult to manage financially. There is no social welfare for them.

They have formed their own support networks, and in 1987, they finally obtained official approval to form a support group for families of political prisoners. In 1987 they held an exhibition on torture, and they showed us some of their exhibits. However they were refused permission to repeat the exhibition in 1988.

Most women we met agreed that the advancement of the status of women is closely linked with the struggle for democratic and human rights in Turkey.

"WOMEN SHOULD KNOW HOW TO UNITE AND RAISE THEIR VOICES ON MAJOR ISSUES, TO DEFEND NOT ONLY WOMEN'S RIGHTS BUT TO DEFEND EVERYBODY'S RIGHTS..."

IT'S WOMEN WHO GIVE BIRTH TO CHILDREN, IT'S THE WOMEN WHO RAISE THE CHILDREN... WE SUFFER WHEN OUR CHILDREN DIE, WE SUFFER WHEN OUR CHILDREN GO TO PRISONS AND ARE TORTURED AND LOST LIKE THE DISAPARASIDOS IN ARGENTINA AND EL SALVADOR."

TURKEY INCORPORATED

"TRADE UNIONS, ACCORDING TO THE CONSTITUTION CANNOT ORGANISE CAMPAIGNS IN CO-OPERATION WITH POLITICAL PARTIES. THEY CANNOT CO-OPERATE IN ANY AREA WITH OTHER ASSOCIATIONS ... CHAMBERS OF ARCHITECTS, ENGINEERS ETC."

The above quote is by Yildirim Koc, Research Officer of Yol-Ish, the Turkish Construction Workers Union. He spent some time in military prisons following the September 12, 1980 military coup in Turkey, having been dismissed from his academic post.

Yildirim Koc believes that the current industrial relations climate continues to be a reflection of the January 24th, 1979 Economic Measures :

"What we as trade unionists consider as the basic tenet of the model was an assault on the fundamental rights of trade unions. However, everyone knew that the restrictions to be imposed on trade union rights could not be realised under a parliamentary democratic system...

So, to complement the economic program, the coup had to take place. When we recall those days, almost immediately the price of commodities rose rapidly... at the end of January there were about only 6,000 workers on strike, and the number of strikers increased month by month to 55,000 and there were up to 100,000 workers who were about to go on strike when the coup happened...

So the coup had to ban strikes, force people to work more intensively in the working day, stop the activity of certain trade unions and curtail severely the activities of unions still allowed to function...

Turkish Labour power could then be sold more cheaply in the international division of labour. From 1980 to 1987 it has gone from about 100 foreign firms in Turkey to somewhere around 625."

Dr. Korkut Boratav, one of Turkey's leading economists, was also dismissed from his academic post in the University of Ankara. He describes the 24th January Economic Measures in detail, stressing the incomes policy aspects :

"The civilian government in office at the time adopted, then implemented somewhat orthodox stabilisation policies along the lines recommended by the IMF. That package was later on adopted by the military....

It was further developed during the three years of full military rule, and then once again adopted and furthered by the Ozal

government in office since late 1983...

In that particular package incomes policy played a much more important role than standard IMF policies implemented elsewhere, it is directed mainly at the repression of labour incomes. The whole philosophy of the model is based on that particular structural feature...

Without the political and repressive tools of a military regime the incomes policy aspects of the package could not have been implemented, and the control of the labour market through extra-economic means was crucial in the implementa-



Overcrowded cities with massive transport and housing problems

tion of the program...

For a little bit longer than three years strikes were banned, collective bargaining procedures were suspended wages were determined on the basis of a newly established Higher Court of Arbitration which systematically set annual wages below the rate of inflation as a result of which real wages have decreased dramatically since the late 1970's up to the present day...

I should add that apart from the military measures, institutional measures were taken with the Constitution of 1982 and the labour legislation which followed whereby the right to strike and the freedom to engage in collective bargaining procedures were restricted severely."

Article 54 of the 1982 Constitution severely restricted the right to strike.

Then in 1983, a series of anti-labour laws were brought in to effect which further restricted the rights of trade unions. This law is still in force today and contravenes accords of the International Labour Organisation and other international bodies.

Yildirim Koc explains whether or not Turkey's labour laws in fact mean that workers can't go on strike :

"When you compare it with the situation in contemporary western society, it is so. But in spite of that, the working class in Turkey is striving for its basic democratic rights and the spontaneous labour movement is developing...

One of the aims of the employers, with government co-operation, was to depoliticise the working class. Before 1980 it was possible for trade unions to organise campaigns for the democratisation of the country, etc .

...After 1980, a provision in the 1982 Constitution forbade all political activity of trade unions. But the 1983 law perhaps softened that a little by saying that political activities relating to the economic interests of workers were permitted...

So there was some ambiguity about the political activities of trade unions. If compared with the Australian case, where there is very close co-operation of the ACTU and the ALP and affiliation of certain unions with the Labor Party, etc - it is all forbidden...

However it is up to the trade unions to work around these laws. For example in 1983 we organised a campaign for a change in the Constitution.

...There was a referendum in September 1987 concerning the Constitution where trade unions campaigned very actively for a 'yes' vote. Before the general election in 1983 unions campaigned for 'no' vote for the Motherland Party. In addition to that officials of unions may issue statements as individuals...

We are pushing down those limits imposed during the period of military rule bit by bit. But when you think in terms of the legislation in

force there are very strict restrictions but they can't impose them because of the militant activity of certain sections of the working class. It's like crossing the road when the red light is on, if you are the only one who's crossing there are sanctions against you. But if there are tens of thousands of you... they can't impose them."

The only trade union confederation in Turkey is Turk-Is. Out of total workforce of 16 million there are only around 2 million unionised workers in both public and private sectors .

Serap Akpinar is from the confederation's international department and was in Melbourne representing Turk-Is at the 1988 International Confederation of Free Trade Unions conference where this interview was recorded:

"We have a prohibition on strikes in certain areas such as the arms industry, teachers... in the public sector there are about 300,000 workers who have no right to strike...

Some members of the Executive of Turk-Is have currently been placed on trial, why?

"In September 1987 we had this referendum to lift restrictions on some ex-parliamentarians, and elections in November, where members of Turk-Is defied the ban on trade unions being involved in political campaigns and they were prosecuted by the State Security Court."
Turkey's official inflation rate is

now running at around 75 per cent, and there is massive unemployment and poverty. Recent opinion polls have shown the ruling Motherland Party is losing ground to both the Social Democratic Populist Party, and the right-wing Islamic True Path Party led by another ex-Prime Minister Suleyman Demirel.

The present government is looking at a program of Thatcher style privatisation of the heavily state controlled economy. Furthermore, Turkey's pending full membership of the European Economic Community is seen as panacea to its current problems.

Haliz Akder is the Assistant Dean of Economics at Ankara's Middle-East Technical University. He has worked on a common agricultural policy for Turkey's entry into the European Economic Community (EEC) and is cautiously optimistic about Turkey's economic problems being solved within the EEC :

"Turkey will face many problems if it remains outside, and has to decide to resolve these problems either inside or outside the EEC. They have decided to try and solve the problems as a full member.

...Turkey's economic problems are structural and cannot be solved by signing a treaty or agreement, they will also exist within the Community. I think however, Turkey will gain greater flexibility and advantages inside."

Despite Haliz Akder's optimism, Dr Korkut Boratov believes Europe is not ready to accept Turkey as part of its community :

"The crucial question is, will Turkey become a full mem-

ber? My own prediction is that Europe will not accept Turkey as a full member...

It will be a very long process of bargaining, and in the end, I believe, the European Community is not ready to see a Middle-Eastern country with a predominantly Muslim population, and also a huge labour force which is waiting for the free circulation of labour to start so that it will flow into Europe... millions of people of Turkish origin.

...People with completely different cultural backgrounds... adaptation problems. That kind of a scenario I think is very bleak for the European Community to accept Turkey as a full member."

Of Turkey's 52 million people, only around 16 million are officially 'wage earners'. 16 per cent of the labour force are unemployed and they receive no welfare payments.

Today 27 million out of a population of 52 million live in towns straining them to the limit. Changes in the economy have caused a large number of peasants to migrate from rural areas to the industrial centres, scraping together a living on the streets of the big cities

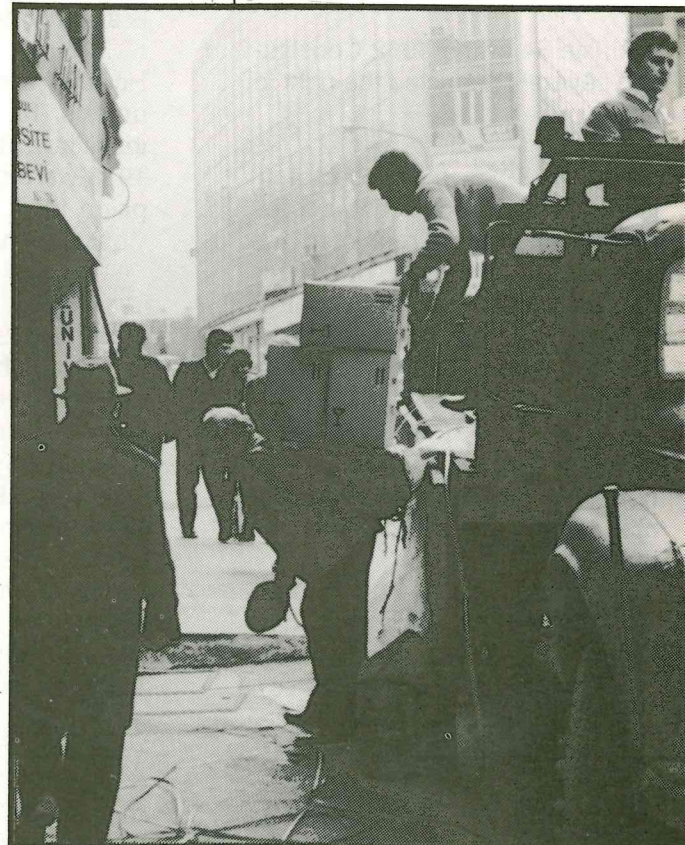
such as Istanbul, Ankara and Izmir.

According to the Swiss Bank, the top 20 per cent of the population control over half of the national income, while the lowest 40 per cent of people control only 10 per cent.

The country's economic problems are most severe in the east where some ten million Kurdish people live. Turkey annexed part of Kurdistan with the signing of the Lausanne Treaty in 1923.

An enormous number of Kurdish peasants have been made landless by growing land monopolies and government inaction on land reform. Investment projects established in Kurdistan often result in products and profits being re-directed to the western part of Turkey, or, overseas.

The Kurdish coal mining towns we saw were dilapidated and grey



WORKING CONDITIONS - TURKISH STYLE

in the bitter winter snow.

The Turkish government is trying to rapidly industrialise an agriculturally based economy at the expense of the standard of living of Turkish workers. The gross monthly minimum wage remains about TL 40,000 (\$50)* and employers pay negligible payroll and social security taxes. Yildirim Koc gave me these revealing statistics from the International Metal Workers Federation Annual Survey of the Purchasing Power of Work Time :

"According to those figures, to buy a kilo of sugar in Australia a steel worker has to work four minutes. In Turkey, in 1987, a worker in the General Directorate of Highways had to work 34 minutes, a worker in the private sector had to work 53 minutes.

...For a kilo of beef, in Australia 44 minutes. In Turkey four hours and 12 minutes for a government employee, and six hours and 37 minutes for the private sector construction workers.

...For a colour TV it was 69 hours in the Australian case, in the Turkish public sector, 954 hours, and 1,500 hours in the private sector...

Would the average Turkish worker own their own home?

... No, I think about 30 to 35 per cent of wage and salary earners would own their own home. The rest would

* As per exchange rate January 1988.

be renting and rent consumes a considerable proportion of the take home pay of workers."

In fact the minimum monthly wage would just cover the rent for an average two bedroom flat in a large Turkish city.

Serap Akpinar again, from Turk-Is :

"Basically all the strikes in Turkey today are aiming at better wages and working conditions. Because wages, since 1980, are always lagging behind the inflation rate which means a decrease...

So did the petroleum workers and the transport workers and the leather workers achieve pay increases in their recent campaigns?

"Yes they did but the year 1988 has seen even higher inflation and increasing prices again, so that rise was made null and void..."

I believe the government has just introduced some new austerity measures as well?...

"Yes, the current government has even broadened the policies of the 24th January Economic Measures, causing higher inflation, interest rates, higher prices and yet still lower wages."

Before the 1980 military coup over half a million workers from some thirty unions were affiliated to the Revolutionary Trade Union Confederation (DISK) .

DISK existed separately from the other trade union confederation, Turk-Is, until the coup when DISK was outlawed and all the executive and thousands of branch members were arrested.

Abdullah Basturk, the President of DISK was one of those arrested. He was released after serving four years in military pris-

ons and is now a member of Parliament for the Social Democratic Populist Party.

When we met Abdullah in the capital Ankara, he told us that most DISK members are now working within Turk-Is, and he's confident that DISK will re-emerge with an increased membership and exist in opposition to Turk-Is. He does however see a need for Trade Union unity.

Serap Akpinar says it's vital that leaders of DISK and Turk-Is work towards unity :

"Trade union unity, that is if we're talking about unity between Turk-Is and DISK, is a sensitive subject because it goes back some years where they existed as two different trade union confederations. In those days most of the social democratic and socialist trade unionists were in DISK and the rest were within Turk-Is..."

Today the situation is that most of the rank and file of DISK is within Turk-Is, most of them are members of Turk-Is affiliated unions. So the unification of DISK and Turk-Is must occur through dialogue between the leaders of both."

Fundamental issues of economic and democratic rights are the most pressing problems facing the trade union movement in Turkey. Today however, the internal questions of rank and file unity and representation of women are also being tackled.

But, in the short term, the aims of the trade union movement are best summed up in the motto of Turk-Is - "Bread, Peace and Freedom."

TURKISH GLASNOST

TURKISH PRIME MINISTER OZAL'S DESPERATE ATTEMPT TO CONVINCING THE EUROPEAN COMMUNITY OF TURKEY'S TURN TO DEMOCRACY, AS PART OF A CAMPAIGN TO GAIN FULL MEMBERSHIP OF THE EEC, CONTRASTS SHARPLY WITH THE DENIAL OF MEDIA FREEDOM.

The status of media freedom in Turkey gives a good indication as to the subtlety and double edged nature of the country's new found 'democracy'.

There are two state owned television stations which offer a variety of programming, from locally produced soaps to Hitchcock and Fassbinder. The news bulletins are blatantly 'establishment' with usually the first, and longest, item focussing on Prime Minister Ozal or President Evren.

Less than 20 per cent of Turkish homes have television sets. According to the International Metal Workers Federation Annual Survey of Purchasing Power of Work Time, at the end of 1986, a Turkish steel worker in the private sector, would have to work for 9 months to buy a new colour television.

There are also four state radio networks offering similar choice to those of the Australian Broadcasting Corporation (ABC). Given the situation with the electronic media, the press is the most significant branch of the Turkish media.

After the 1980 military coup, all left-wing journals and publications of revolutionary organisations were banned and those responsible sent to military prisons.

Several of the major dailies were

also shut down with a few progressive arts and cultural periodicals allowed to continue. Now, there are around half a dozen national dailies with a circulation of over 100,000, numerous local dailies and an almost equal number of weekly and colour magazines of varying political persuasions.

The variety of publications available on Turkish news stands lends a false impression. While left-wing publications are now permitted, the financial and political pressures of the state are restrictive.

Publications of revolutionary organisations are still banned today under sections 325 and 326 of the Turkish Penal Code, which was effected by the Junta.

The Turkish Government owns all the paper mills and therefore controls the price of news print, which has risen nearly 150 per cent in the last 12 months. One magazine editor said that paper now accounts for 60 per cent of his production costs. Distribution alone often accounts for up to 40 per cent of total revenue.

These types of financial pressures make it difficult for small left-wing and progressive publications to survive, and, impossible to establish new local or national dailies.

While we were in Turkey "Yeni Gundem" (New Agenda) a weekly, leftist, colour magazine temporarily suspended publication because of financial difficulties.

"New Agenda" currently has eleven legal actions against it initiated by the Public Prosecutor, and the editors consider two of these as the most important.

The first concerns the cover story of a July 1986 issue which examined homosexuality in Turkey.

The offending cover, of two topless men hugging, was deemed obscene. Turkey's obscenity law is supposed to protect minors from moral degradation and this cover is charged with promoting immoral behaviour in Turkey's youth - ironically, in a country where several dailies carry front page, colour photos of scantily clad women in suggestive poses.

The editor we spoke with doesn't think jail sentences will be imposed in this case, but rather a TL120 million (A\$150,000) fine to further tighten the financial screws on the magazine.

The second action involves a March 1987 issue carrying a cover story about the Kurds - some twenty million people living around the borders of Turkey, Iran, Iraq, Syria and the Soviet Union.

Eight to ten million Kurds live in eastern Turkey. The Kurdish language and culture is banned under Turkish law and their leaders claim they are being brutally oppressed by the Turkish regime.

The story in 'New Agenda' contained interviews with ex-Prime Minister Bulent Ecevit, an MP from the ruling ANAP Party, the ex-Martial Law Commander for Adana in the south east, and, the director of the Kurdish Institute in Paris.

The article's clearly stated aim was to put the Kurdish question on the public agenda, blatantly breaking one of the country's strictest taboos. Since the authorities would have found it difficult

to take action over the interviews with the ex-Prime Minister, the ex-Martial Law Commander and the MP from the ruling Party, the offending item was deemed to be the interview with the Director of the Kurdish Institute in Paris.

An editor and the Paris correspondent face long jail sentences if found guilty by the State Security Court, which is run along military lines. The editor's passport has been withdrawn and the Paris correspondent is now hiding in exile.

Under Article 28 of the Turkish Constitution, periodicals may be temporarily suspended by court order if convicted of publishing material inconsistent with the indivisible integrity of the state, the Republic, national security or public decency.

Also under Article 28, distribution may be forbidden as a preventative measure under a court order or, in cases where delay is considered prejudicial, on order of the authority expressly empowered by law.

This 'expressly empowered authority' may also seize publications "harmful to the protection of the indivisible integrity of the state."

The two banned issues of 'New Agenda' had already been in the newstands for one or two days before the court order banning them was executed. Since then the authorities have tightened up their procedure taking out court orders banning issues of publications whilst still at the printers.

This happened to three issues of Turkey's leading opposition weekly "2000e Dogru" (Towards 2000).

One offending issue, dated August 30, 1987, contained classified documents from a 1923

press conference about the Kurdish question, held by modern Turkey's patriarch, Mustafa Kemal - Ataturk.

The documents were the official notes of the press conference, taken by Ataturk's secretary, where he said that for the purposes of a united Republic, Turks and Kurds are one people.

The editor's aim was to show that Ataturk supported the Kurds thus reinforcing some popular misconceptions about the history of Turk/Kurd relations.

Another offending issue, dated November 15, 1987, contained a story about the issuing of an illegal military order to search for and kill Kurdish separatists. A young Turkish lieutenant received the order in 1985 and on completing his military service took the order and the story to 'Towards 2000'.

The Military Chief of Staff, in replying to the allegations, never denied the order was given but stated that the issuing of such an order was impossible because official instructions are to capture separatists alive.

Officials of the Contemporary Journalists Association in the capital Ankara claim that individual journalists are still harassed and beaten in the course of their work by security and civilian police.

The Contemporary Journalists Association, with a membership of 1,200 is one of three similarly sized journalist as-

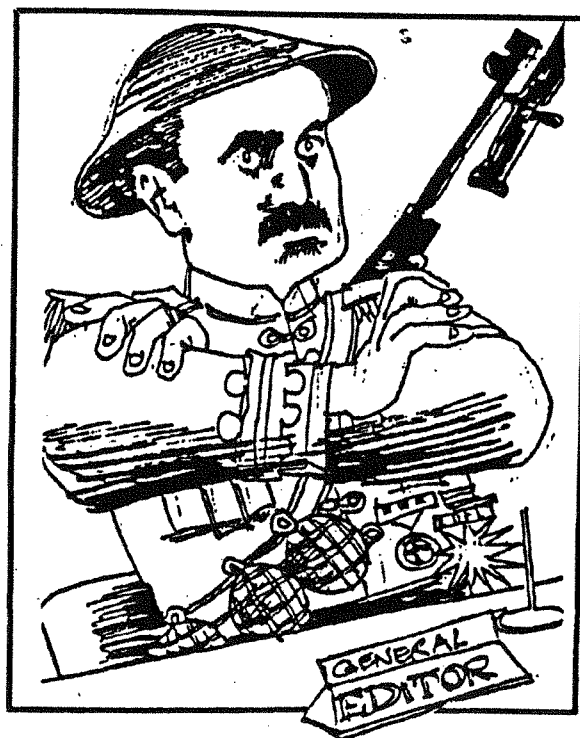
sociations affiliated to the Turkish Journalists Union.

Although the press in Turkey is getting more courageous, particularly about the Kurdish issue, the editor from 'New Agenda' we spoke with said one of the biggest problems is the degree of self censorship by Turkish journalists.

Some of the official and unofficial taboos include criticism of Ataturk and the official history of the Republic, Islam, disrespect of the Armed Forces and the rights of Kurds.

The editor added that "you have to have masochistic tendencies and rotten business sense to run a magazine like this... but we believe in putting our money and commitment where our mouths are."

**This article first printed in 'The Journalist' newsletter of the Australian Journalists Association.*



TORTURE IN TURKEY

"We were tortured...and yes my husband was violently, and savagely tortured. I can say that I was only tortured from time to time. In order to make my husband talk they put me in the same torture cell and tortured me in front of him.

... Under torture you lose your sense of time, hour, night and day. We had no contact with the world outside, we couldn't contact our families or lawyers by any means."

The nature and extent of torture in Turkey is well documented by Amnesty International and the Turkish Human Rights Association.

Our delegation met with victims of torture. These comments are based on first hand evidence and deal briefly with some of the aspects of torture in Turkey and some of the actions being taken by various groups working for the restoration of human rights in Turkey.

At the end of January 1988 Turkey became a signatory to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Shortly, after this Turkey also signed the Council of Europe Convention on the Prevention of Torture.

Nevertheless, Turkey is still listed by the UN Human Rights Committee as among the 10 countries where acts of torture are carried out, according to a news item in the Turkish Daily News of 1 February, 1988.

Torture has been institutionalised in Turkey since the early 1970s. We were told that there has been some improvement since 1986, but that torture still occurs.

Torture is aimed at destroying the personality and will of the victim, of obtaining information, of breaking down resistance and as a warning to others.

In some cases people have been arrested on suspicion, and the only evidence to justify the arrest is what has been obtained from torture.

We heard of people who had been arrested and tortured, and later released because no evidence could be found against them, and many stories of arrest, torture and imprisonment under cruel and foul conditions.

In the South Eastern provinces systematic torture and degradation are a way of life for the Kurdish minority living there.

We also heard that it is almost impossible for the victims to have their complaints heard or the torturers punished.

We also met with members of the Human Rights Association (HRA) in Istanbul and Ankara. The HRA was formed in 1986. It campaigns mainly for the rights of political prisoners. It is one of the few such organisations permitted by the regime.

In December 1987, the HRA held a march, attended by 10,000 people, calling for a general amnesty for political prisoners and the abolition of the death penalty. Some members of the association were arrested for short periods and some of them were brought

to trial on charges of violating the Law on Associations.

A petition of 130,000 signatures was presented to Parliament by a deputation of families of prisoners, professionals, artists etc. Demonstrations have only been permitted in the past year and placards are banned.



EMIL GALIP SANDALCI

Emil Galip Sandalci is the President of the Istanbul Branch of the Human Rights Association. He has studied in Turkish and American universities having lived through three military coups. He has been detained and tortured on several occasions.

Emil currently has two cases against him for alleged political offences and has had his passport withdrawn as a result;

"The Turkish government officially says they are against torture. On every occasion they say so. In my book, and everybody knows about it also, it was a sort of a state policy and state terrorism so to speak....

Torture as a state policy has been going on since 1980, but actually before that too, there was another military coup d'etat in 1971, and then almost the same conditions existed at that time...

Since then torture became nationwide and very intensive. It became a policy as far as the police and secret forces are concerned....

Torture has existed in Turkey traditionally for a long time for centuries, like many other countries too, and I have to admit that Turkey is not the only country that torture has become an institution. We have to say that easily over a 100 countries in the world both in the so called western democracies or in the socialist countries in many of them torture is an institution, Turkey is one of them."

Since the 1980 military coup in Turkey over a quarter of a million people have been detained and interrogated for suspected political offences. Most people detained by the police or security forces allege that they have been tortured, in some cases tortured to death.

The estimated number of deaths in custody since 1980 resulting from torture or ill treatment range from an Amnesty International report of 100, to over 300 based on the figures of a Social Democrat member of parliament. The prison population currently is estimated to be over 53,000 of which around 18,000 are political prisoners. (Amnesty International. Turkey: Torture and Medical Neglect of Prisoners. May 1988)

Most allegations of torture relate to the initial period of secret

detention in police stations which can currently last for 15 days or more, at the request of the police or public prosecutor.

The aim of torture during detention appears to be to extract information and confessions. In prison, beating and humiliation are used to control the prison population and to instill such fear into the inmates that on leaving goal they will conform.

Documented methods of torture include sexual abuse, mock executions, hosing down with cold water then being left naked in harsh Turkish winters, beating of the soles of the feet until the skin is broken and prisoners supposedly falling out of third floor windows of police buildings.

One particularly brutal form of torture is known as the Palestinian Hanger. Here the victim is hung by the wrists which are joined together behind the back. The resulting pressure and strain eventually cracks the ribs which perforate the lung.

Another particularly brutal torture is called the Coca-Cola Bottle. This involves forcing the victim to sit down naked on a coke bottle. The pressure shatters the bottle into the victim's anus.

"One night or day, we heard them beating a new comer. He was silent except for the gurgling sounds coming from his throat....

Later... they hosed this person with his clothes on. We could understand what was occurring from the policemen's conversations amongst themselves....

When they took us out to the toilet we saw this man lying on the floor of the cor-

ridor. I realised it was my husband, only from the coat thrown on him. His face was crooked, he was covered in blood all over, unrecognisable, and only gurgling, gurgling and gurgling."

This statement is by a woman who was a torture victim in DAL - the scientific interrogation laboratory in Ankara Police Headquarters and understandably wants to remain anonymous.

Emil Galip Sandalci of the Human Rights Association was asked by the delegation to what extent torture is still being used by the present government.



PALESTINIAN HANGER

"Now it is not as large and widespread as it used to be, but in occasional cases it goes on. We can not say that it has stopped ...

It won't stop unless it is officially denounced by the authorities, by the government, and the higher administrators are held responsible for torture....

Just saying in a demagogic way that there are individual cases and separate people are doing this torture, and that we are investigating them and even punishing them... this is a false statement and it does not express the truth".

Do you see the bringing of individual torturers before the courts as an indication of the government's determination to stop torture ?

"...No, no, there are only a few cases of some of the police officers being taken to court, even some of them were punished for a few years....

But first of all they do not get heavy sentences, and secondly they are not detained when they are on trial. In most of the cases they remain free until the end of the decisions of the court, and when the court comes to the decision, and then if the decision is to be a heavy penalty in terms of years, then you can not find these guys...

they have already disappeared...

There has not been an increase in the number of torturers brought to trial. On

the one hand there are so many cases of torture and then only very few of them are being brought by the families to the courts and even then it is very difficult to prove them...

In many cases they are going on for years, in some cases the families of the victims after a long time are able to bring the cases to the courts."

Situated across a large square from the spectacular Blue Mosque is the Istanbul Palace of Justice. One of the city's several court buildings.

The palace houses 30 courts which hear up to 20 cases each per day. We attended a hearing there involving the death by torture of a 24 year old man, who was detained in 1984.

The action was taken by his father whose lawyers wanted to call in a fifth policeman who they claim was the chief torturer. The judges ruled this irrelevant and the hearing was over in 10 minutes, the next hearing was not due for another six weeks.

The lawyers working on the case added that the judges had been replaced because the previous judges had been too liberal and that the case was looking bad for the government.

Such a manoeuvre is unheard of in Australian legal practice.

We asked Emil Sandalci what steps he thought were necessary to end torture:

"First of all the government has to denounce these kind of activities, and then officially announce that they are going to hold responsible not only the tor-

turers but also their immediate superiors. Furthermore they should change the laws...

Amongst the newly elected members of parliament, and even members of the party in power have experienced, torture in the goals and in the police headquarters...

Well, in a parliament with 400 members there are about 30 members who were actually imprisoned and tortured. They went through all these experiences...and also the press is increasingly becoming more interested and courageous in reporting cases of torture."

Muzaffer Erdost, a publisher and member of the Human Rights Association in Ankara, told us how he was arrested in 1980 after the coup with his brother, Ilhan Erdost, a scientific publisher and well-known poet. The trip to prison, which should have taken 5 minutes, took 25 minutes. They were beaten so savagely in the police van that Ilhan collapsed and died without recovering consciousness. Muzaffer was not informed of the death for three days.

The official cause of death was given as heart failure, but the family later found out that doctors had refused to sign such a certificate. The men responsible were brought to court but the trial dragged out over four years and interest in the case subsided.

The soldiers in the case claimed they were obeying orders, the sergeant in charge claimed he was sitting in the front of the van and was not fully aware of what had happened.

All escaped with minimal sentences. The sergeant was sentenced to nearly eleven years gaol, but after two appeals this was reduced to six months. He spent only one week in gaol and was suspended from duty for six months. He was not removed from his position and was later reinstated and promoted. The soldiers were sentenced to eight and ten years gaol, but were released after a few years.

In most cases, beatings are carried out on soft tissues which heal without leaving scars. One man showed us scars on his head, limbs and body. This is his story.

He and his wife are teachers. He was a representative of the Republican People's Party in the town of Kahramanmaras before the coup.

He was accused of subversive political activity, and was arrested with his wife and two children, aged 20 days and two and a half years. He was tortured in front of his wife and children, and they were tortured in front of him. The

babies were hosed and beaten.

The wife and children were released after several days. He was tortured for 59 days and again later for 24 days.

On one occasion he was suspended on the Palestinian hanger for 45 minutes.

He was imprisoned for 5 years to be served in Diyarbakir, Mersin and Adana. At the time of his trial he reported that he had been tortured, and that there were witnesses to his torture. He had no legal representation.

Seven guards and the chief of Mersin prison were charged and tried for torture but he does not know the outcome of the trial or whether the torturers were eventually punished.

At a hunger strike in Adana prison, he became ill and vomited blood and was refused hospital transfer. By the end of the 23 day strike he was very ill. He and two others were taken to hospital. He was chained to the bed and only

released for toilet use.

The cells at Adana he says, were shocking because the territory is swampy and the cells which are two floors below ground level leak water.

During the hunger strike prisoners were put into damp cells, 10 to a cell, with no outside ventilation, and no toilet facilities. They were told that only when they confessed their ideologies and 'reformed' would they then be given better cells. These conditions made it difficult to continue the strike. He has seen two people die under torture.

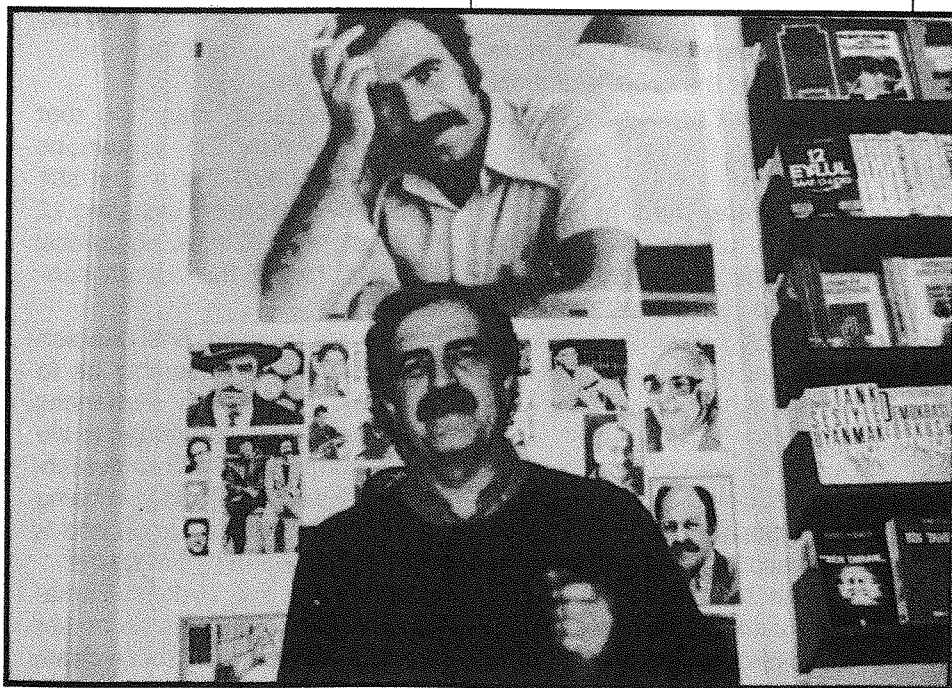
Since his release, neither he nor his wife have been allowed to work as teachers. They now make a living by selling water and by hawking.

We met a woman journalist whose husband was shot by military guards. He had gone as a representative to negotiate a pay dispute. The employer called the military guards and accused him first of robbery, then of being an anarchist and armed.

When searches revealed neither money nor weapons, he attempted to leave and was shot in the back. He bled to death.

He was 23 years old. His wife was three months pregnant, and had to face humiliation and abuse by the police when she tried to claim his body. She later miscarried. His father died of a heart attack some weeks later.

Political prisoners are protesting about being gaoled and tortured in military prisons and being forced to wear prison uniform. Medical care is often denied or delayed. There have been many hunger strikes in the prisons during



AUTHOR MUZAFFER ERDOST WITH A PHOTO OF HIS BROTHER ERHAN

which prisoners have died.

Wives and families of political prisoners have demonstrated outside the prisons in sympathy with the hunger strikers, often being arrested themselves. They have collected petitions demanding better treatment of prisoners and abolition of the death penalty. Relatives have restricted visiting rights and can communicate with prisoners only by phone, in the presence of the guards, with visits usually limited to five to ten minutes per week.

Prison conditions were described to us as worse than Auschwitz yet prisoners felt relief when they were removed from the torture centres to prison. On one occasion several prisoners immolated themselves in protest at the inhumane conditions of the prison.

One young man was arrested as a student. He did not wish to be photographed at the time we spoke to him as he has returned to university to complete his studies. The following are details of his experiences in custody for three years :

Prisoners were treated like Pavlov's dogs, and had to obey commands by the bell. From 6 am to 10-30 pm, except for two meal breaks, they followed a routine of 20 minutes drill, 20 minutes indoctrination by loud speaker and again 20 minutes drill.

There was always the chance of beatings for trivial reasons. After a hunger strike, the beatings were suspended. He was kept in a cell and did his exercise in the cell.

There were four men in the cell and only two single bunks. Lighting was on day and night and there was always a soldier visible. The guards were usually village boys doing their military service.

For punishment, prisoners (including himself) were put in another cell in solitary confinement. These cells had no door, only a low entry opening, no grill and no lights. They had a tin can for a toilet.

These punishment cells were 80cm x 80cm and there was no space to lie down. They were underground and very cold and damp. Prisoners could not be kept in these cells for more than 15 days at a time, but could be rotated with 15 days in the ordinary cells.

Offences for being sent to these punishment cells included not obeying orders, or not doing exercises properly.

Prisoners often formed close brotherhood links and nursed each other as well as they could.

One of our interviews was with the editor of the magazine "Towards 2000" and previously President of the Labour and Peasants Party. He told us of his experiences as a prisoner and as a publisher since his release. 1,500 members of the party were arrested after the coup, and there were 90 court proceedings leading to trials.

Some were tried in groups, some were gaoled awaiting trial from one month to 2 years and then found not guilty. Theoretically people can claim for wrongful arrest but in practice it does not work, and is too costly.

During 4 years he was not personally submitted to torture but was a witness to torture. He was in several different gaols, first Mamak then Ankara and Istanbul. He was a showcase prisoner, and had access to legal advice, others did not.

He told us that there were continuous beatings as a warning to other prisoners, six or seven of every 30 prisoners every morning. Sometimes all 300 prisoners would get beaten, often for trivial offences: singing the national anthem too loudly, or not loudly enough etc.

Cells measured 2 metres by 1.5 metres. Prisoners were made to march on the spot for four and a half hours per day, with four and a half hours official indoctrination on Ataturk's theory. Anyone could be called by name to quote passages from the book.

In his first week in goal he was given no peace. He was constantly made to walk and march. During the night from 11 pm to 6 am, prisoners were often disturbed and beaten. There were no outside windows, only a grill over the door into the corridor.

One of his cell-mates was Erdal Eren aged 17, who was hanged in 1980. There was only circumstantial evidence against him. A journalist was allowed to photograph and interview him before the hanging. The case was later described in "Towards 2000".

The delegation was told that there have been no executions since 1984, but there are still some 160 prisoners, including 12 right-wing and 99 left-wing political activists, facing the death sentence.

They are awaiting final decision by the National Assembly as to whether their death sentences are executed or commuted to life imprisonment. Capital punishment still exists in Turkey, is being demanded by prosecution and is still being granted by the courts.

Ultimately the Turkish Parliament is the final decision maker because it must ratify these death sentences.

Before 1986, people could not talk openly or publish anything about torture, now they can and conditions in goals have improved.

Officially there are no political prisoners, therefore there can be no political amnesties.

Defence lawyers are sometimes themselves taken to court because of their defence of a political prisoner. If the client is charged with membership of a secret organisation, the lawyer becomes suspect also.

Lawyers have been harassed and insulted.

The discussion with their client is recorded and may be brought up in evidence in another case. These cases are usually heard in military courts and lawyers are intimidated and deterred from de-

fending political cases.

These examples are just some of the many similar stories told to the delegation. They were confirmed by the lawyers, parliamentarians, doctors, teachers and journalists we met during the time we spent in Turkey.

Many people even in Turkey itself are not fully aware of the extent of torture and loss of civil and human rights in their own country. We hope that our evidence will help to bring the information into people's consciousness, to make them more aware that real democracy in Turkey is still but a superficial face to a carefully disguised fascist regime.

Turkey's interest in joining the European Economic Community can be a powerful weapon to force the Ozal government to take positive action against torture. Al-

though the Ozal government has signed international agreements, it still has to show its sincerity by establishing a clear position against torture and by bringing torturers to justice.

Doctors and Human Rights in Turkey

Turkish Medical Association

One of the national organisations affected by the clampdown after the military coup was the Turkish Medical Association. The Association is an autonomous body, with responsibility for medical registration and accreditation. Membership of the Association is obligatory.

After the election of the government of Turgut Ozal in 1983, approval was given for the re-establishment of the central council of the Association. One of the conditions imposed by the constitution is that a professional organisation will not engage in political activities.

In December 1985, the president of the council, Professor Nurettin Fisek and five other members were arrested and brought before a tribunal for signing a petition to the President of the Republic calling for the abolition of the death penalty.

They were indicted on a charge of political interference in violation of Article 136 of the constitution and the prosecution sought a two year sentence.

The petition had been drawn up in line with the resolution on the participation by doctors in capital



"ÖFKE" ANGER - ALIME MITAP

punishment, which was adopted by the General Assembly of the World Medical Association in 1981 (WMJ 1986).

The 1981 resolution states that it is unethical for doctors to participate in capital punishment except to issue certification of death. In Turkey, a physician must certify before execution, that the person is fit for execution and that there are no contra-indications, a quaint requirement at least. In these cases the doctor becomes party to the execution.

Article 136 of the Turkish Constitution, drawn up under the military junta and adopted in 1982, states:

" Professional organisations shall not engage in activities other than those for which they were formed, nor shall they become involved in politics or take joint action with political parties, unions or associations.

Political parties, unions and union federations shall not

nominate candidates in elections to the organs of professional organisations or their umbrella organisations, nor shall they engage in activities or propaganda in support of, or in opposition to, particular candidates."

Professor Fisek is a well-known figure, and has represented Turkey at the World Medical Assembly. Since the question of capital punishment was seen to involve Turkish doctors directly, the defence argument was that the petition lay within the competency of a professional medical organisation and did not constitute a political action.

Medical organisations in other countries and the World Medical Association sent protests to Prime Minister Ozal. In the end the charges were dismissed and the doctors were discharged without sentence.

The Medical Association has established a sub-group on Human Rights to co-operate with Amnesty International and the Danish As-

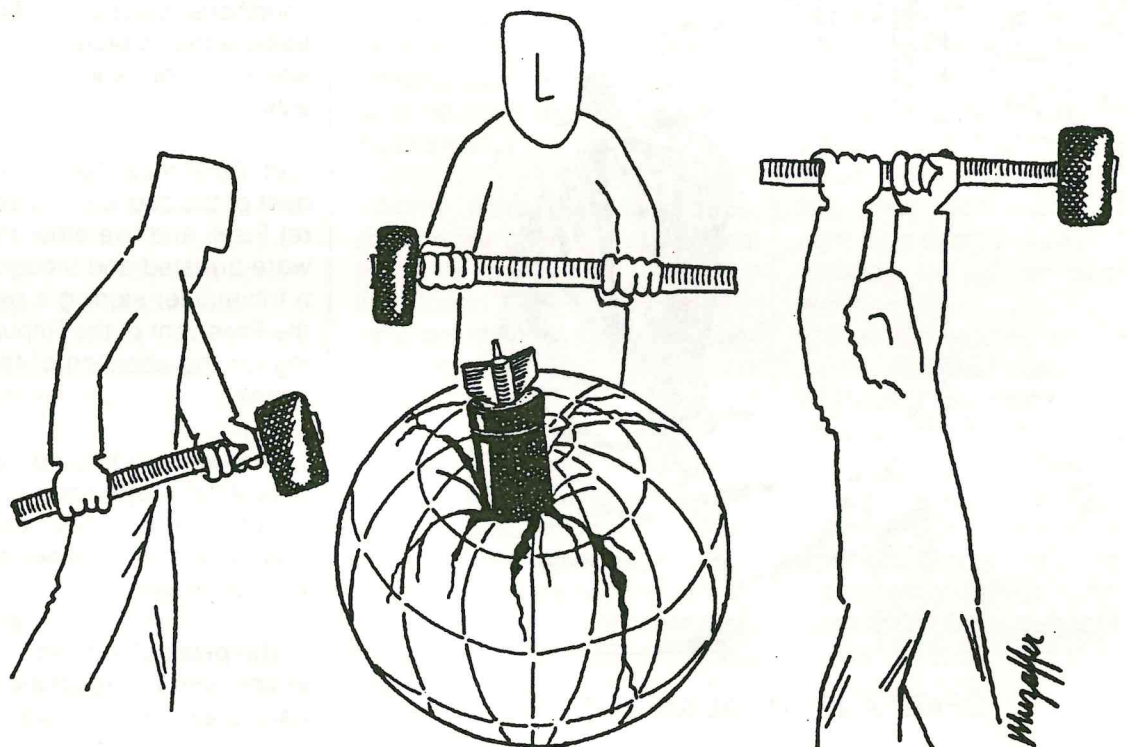
sociation for the Treatment of Victims of Torture.

We were told that although the death penalty has not been abolished, no executions had been carried out since 1984, whereas during the period of martial law, there were 54 executions - 27 of which were for political activities. There are still 163 people currently under sentence of death, some of whom have been in gaol for 8 years.

Torture has been institutionalised in Turkey since 1970. Although theoretically illegal, we were told that torture is still going on. It is very difficult to bring a charge of torture before the court and very few torturers are punished.

In January this year, the Turkish government signed the United Nations and European Council declarations on torture, but has yet to demonstrate its sincerity by banning torture and bringing torturers to justice.

Turkey on the surface has a so-



cialised type of medical service which provides medical treatment free of charge. However, there are dangers in idealising such a service: Turkey is relatively a poor nation yet it spends proportionately large amount of its budget on defence, thus health care and other social services are insufficiently funded.

All doctors serve 2 years in the medical service after graduation and are then called up for 2 years military service.

They return to the Medical service for further training and post-graduate work. Young doctors face security checks when applying for appointments and they suffer discrimination if they express political opinions.

During their military service, doctors are called upon to participate in torture in various ways, such as standing behind a blindfolded prisoner informing him of the torture ahead and its likely results, examining prisoners as to their fitness for torture, surveillance of torture, resuscitation of prisoners for the next bout of torture, certification of injuries or causes of death.

The aim of torture is to inflict suffering short of the point of death. It takes some courage to refuse to co-operate and many doctors in the situation co-operate as unwilling accessories under orders, or justify their participation as in the line of providing proper medical care. Some accept torture as a political reality, and some military doctors later regret their participation.

During our visit, I was able to attend a seminar in Istanbul given by two Danish doctors, Inge Lunde and Jorgen Ortmann, who had been invited by the Medical Association Human Rights group, to speak at a conference in Izmir

on torture, attended by 300 Turkish doctors.

They pointed out that torture would be impossible without the co-operation of doctors.

In their efforts to have torture abolished, the Turkish Medical Association is trying to identify doctors who have collaborated with the military police in acts of torture.

One doctor was suspended for one month for giving false evidence.

Military doctors are beyond the reach of the Association.

The Association recognises the need for encouragement and support by the profession for doctors who refuse to co-operate in torture. We were given examples of young doctors being victimised for refusing to give false certificates and for reporting evidence of torture.

Association of Physicians for the Prevention of Nuclear War in Turkey.

We also had a meeting with members of the Association of Physicians for the Prevention of Nuclear War and their president, Professor Dr Leziz Onaran.

This is now the only peace group in Turkey allowed by the government.

In February 1987, with 49 founding members, they sought approval to establish the group. Although in theory, approval is not necessary, they had to submit their constitution and details about their founding members to the Minister for the Interior.

At first the official response was that there was no need for such an organisation, but finally they were given approval in November 1987.

Their objectives are of necessity

limited to opposition to nuclear war and nuclear weapons testing. Turkey was affected by the Chernobyl disaster. It is illegal for the Association to have any affiliation with any political party, but individual members do belong to the Social Democratic Peoples' Party which is in opposition.

This is the only party with which they can have any dialogue on peace issues. They cannot, for instance, protest as an organisation against American bases in Turkey.

The founding members were checked against state registers of people wanted for previous political offences.

One of their members was arrested when his name was found on the list, of which he had been unaware. He was released the next day following intervention on his behalf by his employing organisation.

One of the members of the Association told how she had been arrested after the coup with her husband and imprisoned for 1 year for alleged political activities. She was tortured, "as everyone was".

The Association has adopted the slogan: "The Last Prescription against the Final Epidemic" and now have a membership of 77 people including doctors, dentists, pharmacists and nurses.

They had, by January 1988, published two issues of their bulletin 'Son Recete'. They hope to publish information on the work of similar international organisations and to get international affiliation. They merit the support of other doctors' groups interested in peace and human rights issues.

There are lessons to be learned from Turkey. We need to look at

what our own situation is regarding the treatment of prisoners in gaols.

We hear about South American countries where torture is carried out but little about Turkey.

Turkey is a long way from democracy, although in an effort to gain acceptance by the European community Prime Minister Ozal is trying to play down the issues of torture and denial of human rights. Turkey has a great need for power to carry out its development program and Australia is currently negotiating for the sale of coal to Turkey for new power stations to be built on the Turkish coast. There is an opportunity for the Australian Government to use its powers of persuasion with the Turkish Government to encourage the move towards democracy in Turkey and to support those groups who are working for the restoration of human rights.

**This article first appeared in 'New Doctor' the journal of the Australian Doctors Reform Society, Issue 48.*



TURKISH PEACE ASSOCIATION (TPA)

Mahmut Dikerdim is the President of the Turkish Peace Association which has been banned since the 12th September 1980 military coup.

After completing his primary and secondary education at a French speaking school in Turkey, Mahmut graduated from university in Geneva with a Doctorate in International Law.

In 1940 he joined the Turkish Diplomatic Corps and served for almost thirty five years including positions as ambassador in Jordan, Iran, Ghana and finally India.

He has lived through Turkey's three military coups in 1960, 1971 and 1980. The first one found him jobless for four years and the last one saw him in Turkey's infamous military prisons.

Shortly after his retirement in 1976, Mahmut and 38 other people launched Turkey's first Peace

Association. He was elected President of the Association in 1977.

Mahmut said the Association grew rapidly but was not really a mass movement :

"Our association had a maximum of 350 members. But all of them were representing a group... We also attracted the attention and animosity of other sectors."

The 12th September Junta came down heavy on the Turkish Peace Association.

In February 1982 a military court issued warrants to arrest 44 members of the Association for 'forming a secret organisation, propagating communism and separatism, and, praising activities that the law classifies as felonies'.

The 44 accused comprised a wide section of Turkish society including journalists, authors, trade unionists, lawyers, doctors and Members of Parliament.

Fourteen of the 44 fled the country and 23 others were given five to eight year sentences. They joined the hundreds of thousands of other political prisoners detained after the 1980 coup.

Mahmut explains why the Peace Association received this treatment :

"We didn't make any more or less noise than the rest of the international peace movement. The indictment was that we were affiliated to the World Peace Council which they claim was a front for the Soviet Communist Party and the KGB..."

We did nothing illegal but we openly and harshly criticised NATO, pointing out that NATO didn't protect Turkey, in fact it makes it the first target... Also, Turkey's pro-imperialist support for Britain and America pushed it away from its Arab neighbours...

The 12th September coup was aimed at completely extinguishing the left from political life, and our movement was seen as a leftist movement."

Mahmut describes to what extent the coup has affected the movement :

"Look, the government can do what they want but Turkish people want to have friendly bi-lateral relations, especially with our neighbours..."

The Turkish people want disarmament too. Up to 40 per cent of our budget is spent on the military."

Successive Turkish governments have regularly flexed the country's military might both internally and externally. The effects of Turkey's 1974 occupation of Cyprus are still felt to the present day. Up to one third of the Turkish army is stationed in the eastern part of the country and is used to systematically repress the Kurdish minority which is struggling against the banning of its language, culture and democratic rights.

The current government of Prime Minister Turgut Ozal is keen to sell Turkey as a country where military rule has ended and is on the path of democracy and economic prosperity, in an effort to gain full membership of the European Economic Community.

Mahmut Dikerdim is critical of Ozal's "turn to democracy" arguing that while the institutions of democracy are there, Turkish leftists and socialists are still disenfranchised and repressed.

He singles out two sections of the Turkish Penal Code (TPC) which were lifted from Mussolini's Penal Code for Fascist Italy - Articles 325 and 326 which deal with illegal organisations and propaganda :

"If they don't like you they can get you under those sections. This must change. The whole Constitution is handicapping the freedom of organisations - unions, youth, professional organisations, everything is very limited..."

We can't have meetings, forums, rallies and marches like you are doing in your country. In Turkey the peace movement's future is strongly linked with the struggle for democracy.

Commenting on the INF treaty signed between the Soviet Union and the United States, limiting interim range nuclear missiles, Mahmut Dikerdim says that while they constitute only four per cent of all nuclear weapons:

"For the first time a category of weapons will be destroyed... not only diminished but destroyed."

Mahmut stresses that it is vital for any reductions in nuclear forces are not negated by increases in conventional forces .

"Disarmament must mean that there will be agreement on the reduction of all forc-



'Mahmut Dikerdem

es. Conventional armaments must be diminished...

Of course all countries have the right to defend themselves but now people have realised that more weapons don't bring more security... on the contrary, less weapons must be safer for the entire world."

Mahmut concludes that ...

"The military industrial complex has reached a point where our poor planet is on a volcano crater, and, people have been suffering from a disease, it's called chauvinism. I call it very bad nationalism... this is the most dangerous philosophy of our century. This has created eternal animosities which is nonsense."

**First printed in 'Peace Action' newsletter of the New South Wales branch of Australian People For Nuclear Disarmament (PND).*

THE VENEER OF JUSTICE

For a nation to call itself democratic there should be certain fundamental human rights that are upheld by its government and available to all of its citizens.

If such rights do not exist, or are severely limited, the government of such a country clearly fails to be representative of the free will of its people and leaves itself open to criticism not only by its own people but also the international community.

The government of Turkey endorses through its legislation and the actions of its military and police forces many breaches of fundamental human rights. An examination of its penal code and the way it administers its justice system leaves Turkey open to the same types of criticism that are currently being made against countries such as South Africa and Chile.

The only difference is that Turkey has not, at least in Australia, been given the same degree of publicity about its flagrant disregard of human rights.

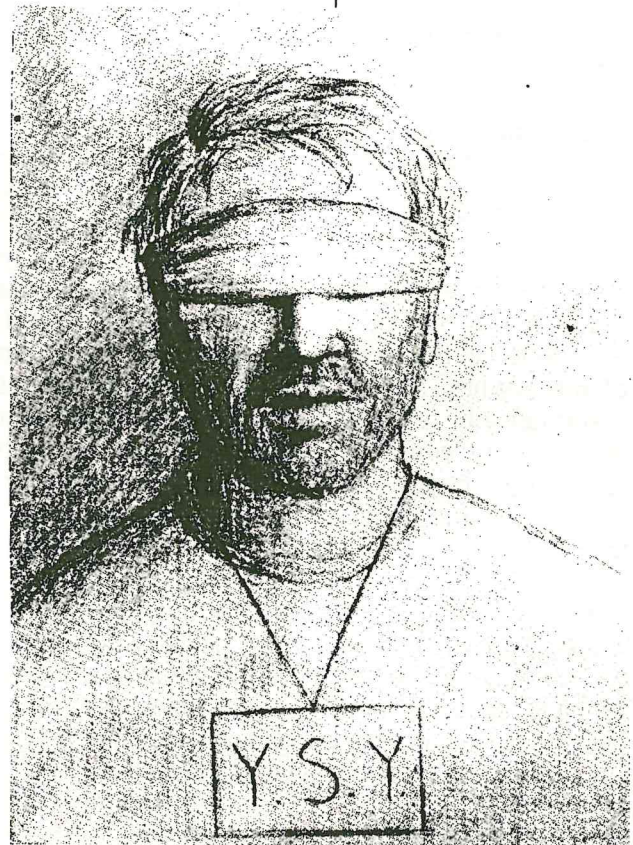
One of the most basic rights of an individual is to be allowed to live without fear of torture by the state. This fundamental right is breached on a wide and regular basis in Turkey. Not only does the population live in fear of being tortured if they dissent but they are also subjected to severe torture if they are unfortunate enough, as political activists, to be arrested by the military or police forces.

The Turkish people have been subjected to cycles of civilian and military rule. Torture has been

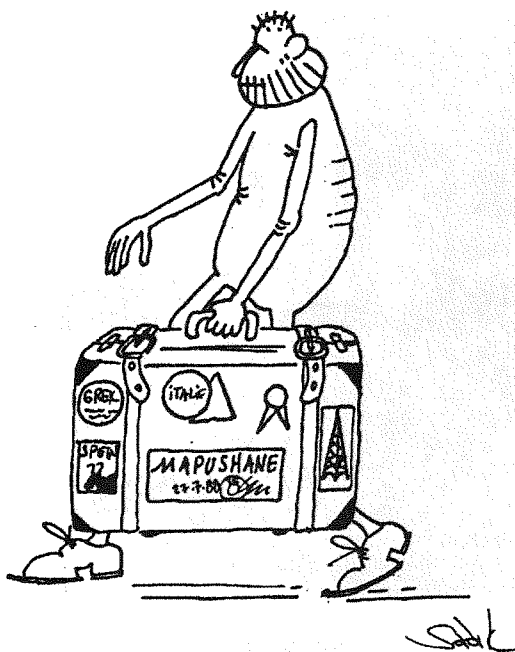
somewhat of a regular event in Turkish history becoming particularly pronounced after the military coup in 1971. Two years later a civilian government was elected and the use of torture by the state diminished. The most recent military coup on 12 September, 1980, reintroduced torture on a wide scale. Between 250,000 and 300,000 people were arrested by the military, many of them being held for long periods of time without any charges being laid. Many thousands of these people were subjected to torture and some 200 were known to have died as a result.

After the purported free election which put coup leader Evren

in as President in 1983 the widespread nature of torture diminished. A civilian government is now in place although with the military leaders still holding the real power under the constitution and with the ability to once again take complete control. The civilian government under Prime Minister Ozal now claims that torture is not institutionalised and that action is being taken to stop its practice. Indeed Turkey has signed the United Nation's Convention Against Torture and Other Cruel, Inhuman Or Degrading Treatment Or Punishment and the European Convention Against Torture Article 1 of the U.N. Convention provides a definition of torture. It states:



NO FOOD NO WATER



'Mapushane' = Prison

"For the purposes of this Convention, the term "torture" means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions."

Our delegation spoke to many former political prisoners and the families of political prisoners who

described in great detail the torture to which they or the member of their family had been subjected. To the people we spoke, torture meant the systematic ill treatment of an individual over extended periods of time. The purpose of such torture being to have a deterrent effect upon the individual in custody and to frighten others as well as to gain information. The gaining of information seemed to be less significant than the terrorising effect the torture was meant to have on the individual and the population generally.

Although not now as widespread as it was, ill treatment still occurs especially during interrogation by the police and by the military or para-military forces in the Kurdish regions. The ongoing ill treatment of the Kurdish people was highlighted in discussions we had in Diyarbakir and Tunceli. We visited a small village outside Tunceli where some ten days before the military had beaten four young boys with sticks, shot one in the leg and machine-gunned a house. The punishment of the boys was certainly intentional, it inflicted severe pain and suffering, and was designed to obtain information and instill fear. In this case, it is clear, the actions of the military fit the definition of torture in Article 1 of the U.N. Convention against Torture. The information that the military was trying to obtain was about guerilla movements in the area. Such brutality, we were informed, was a regular occurrence in Kurdish regions. A further example was provided when we met Hasan Korkmaz, Mayor of Tunceli, Orhan Veli Yildirim, a deputy of the National Assembly, and 14 other community leaders in Tunceli on 1 February, 1988. The recent events in the region, described in vivid detail, included the beating

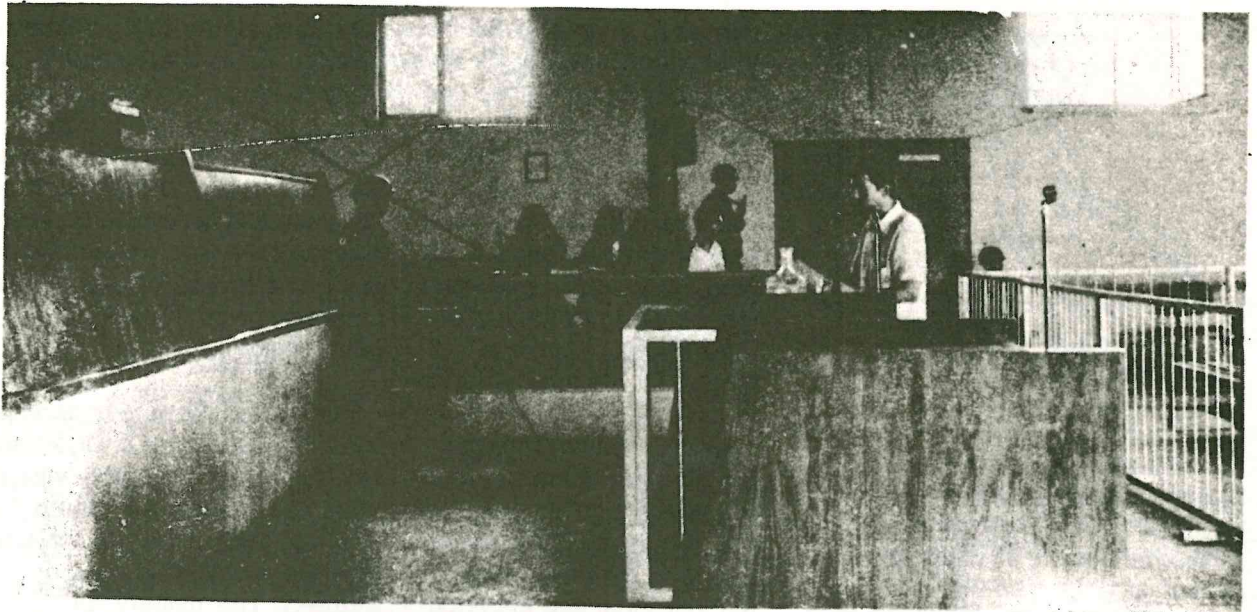
of a man by the military who refused to act as a 'protector' in one of the villages. 'Protectors' apparently being those people who are meant to guard against guerilla activity in villages. Again such actions seem to fall well within Article 1 of the U.N. Convention and are designed to coerce people into complying with the wishes of the government of Turkey.

Further evidence was provided by a lawyer we met in Diyarbakir. He described how 400 villages have been emptied in South Turkey and where people objected they were placed in custody and tortured. The military and police are allowed to hold people for interrogation for 15 days without notifying anyone and this period can be further extended by a public prosecutor or by the laying of additional charges. It was his belief that interrogation periods were often extended beyond the 15 days so that medical treatment could be given and the marks of torture covered up before the accused was brought before the courts. His understanding of the abuses that people suffer at the hands of the military or police goes beyond that of a lawyer under instructions.

Of the 100 lawyers in Diyarbakir only 7 or 8 were willing to take on political cases following the coup in 1980. He was one of those few willing to represent political prisoners and along with the others were subjected to torture. Of the lawyers willing to take political cases in Diyarbakir, 4 have now left Turkey.

Prior to going to Diyarbakir we met with the President of the Turkish Bar Association in Ankara and had discussions with him about violations of human rights and the role of the legal profession.

In particular we asked him if law-



ANKARA DEV YOL TRIAL - "COURTESY OF DEVRIMCI ISCI" (REVOLUTIONARY WORKER)
DEVRIMCI ISCI 10.8.1988

yers had been subjected to any abuses by the police or the military when representing political prisoners. He told us that there had been no such abuses. However, the Diyarbakir lawyer's view was that the Bar Association had made little attempt to criticise the government about torture and that to even claim the existence of torture was an offence. While it may be an offence in Kurdish regions which are generally under state of emergency powers, there have been actions taken in the western part of Turkey through the courts against torturers. The examples are, however, very rare and the penalties imposed very slight.

We attended one court hearing in Istanbul where an attempt was being made by the family of a man who had died under torture to bring those who had killed him to justice. The matter had been running for some years and the family's lawyers were attempting to obtain records and bring one of the chief torturers before the court for examination.

The court denied both the application for the information and the

application to have one of the chief torturers examined. As lawyers in Istanbul explained, this was not unusual.

From our observations the role of lawyers seemed to be very limited. Cross-examination was practically non-existent. For instance, in order for a defence lawyer to cross-examine a witness, a request would be made of the presiding judge who, if he thought it appropriate, would then ask the question of the witness. Furthermore, much of the information presented before the courts in criminal matters is done in the form of unsworn statements.

From an Australian lawyers point of view it was also of concern that no transcript of evidence was taken. After a witness had given oral evidence the presiding judge would simply give a summary of that evidence to a depositions clerk.

Moreover, trials are very disjointed sometimes running over many years.

Trial by jury does not exist in

Turkey and where a person is charged with a serious criminal offence he or she is brought before what is known as a heavy penalty court.

A heavy penalty court has three judges presiding and the prosecutor sits on the bench with them. The accused, if in custody, is brought before the court in blue garb, constrained by chains with his head shaved.

The atmosphere in the court is very intimidating as the accused is escorted by military personnel who carry machine guns.

Neither the concept of the presumption of innocence nor the concept of a defence lawyer acting "without fear or favour" seem to exist in Turkey. Guilt does not have to be proved 'beyond reasonable doubt' but rather must only be proved to the satisfaction of the conscience of the court.

We were told by lawyers of instances where defence lawyers were charged with contempt for suggesting that the penal code was unjust or being wrongly inter-

preted.

A number of lawyers expressed to us the view that the judiciary was not independent of the will of the government and that certain judges would adjust penalties and interpret the law in a way which they thought would be acceptable to their political masters.

Of particular importance is the question of statements taken from persons while under torture. Article 15 of the U.N. Convention Against Torture states:

"Each State Party shall ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made."

While there have been instances of evidence obtained under torture being rejected by the courts, the information we received from lawyers and others was that the bulk of such information was and is admitted as evidence.

In addition to the question of torture the Turkish Penal Code clearly shows the government's endorsement of the withdrawal of fundamental human rights. Articles 325, 326 and 327 of the penal code violate such basic rights as the freedom of expression, association and religion and as such contravene Articles 9, 10 and 11 of the European Convention of Rights of which Turkey is a State Party. Article 325 of the Turkish Penal Code states:

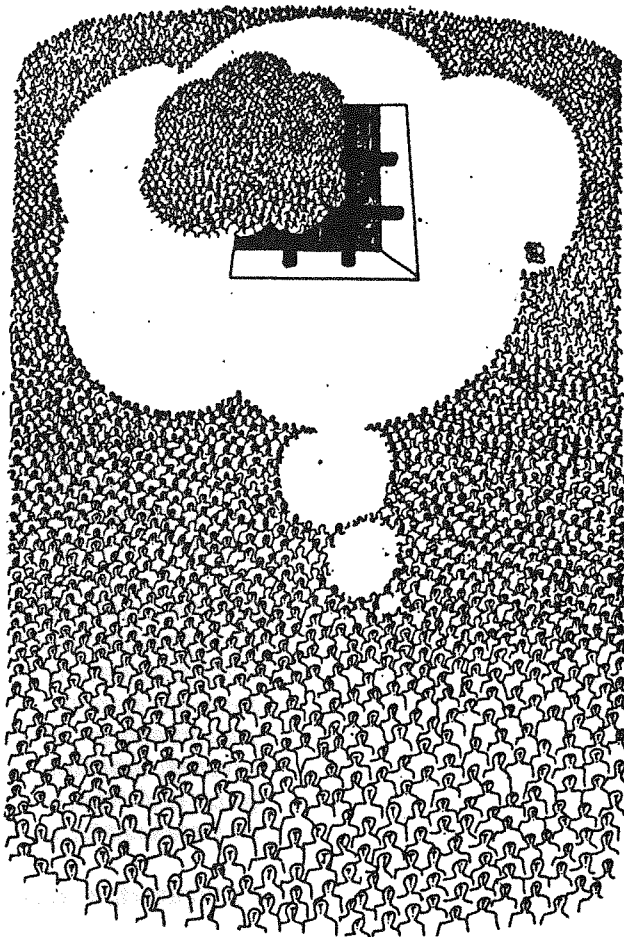
" 1) Whoever attempts to establish or establishes, or arranges or conducts and administers the activities of,

associations, in any way and under any name, or furnishes guidance in these respects, for the purpose of establishing domination of one social class over another social class or exterminating a certain social class or overthrowing any of the established basic economic or social orders of the country, shall be punished by heavy imprisonment for 8 to 15 years. Whoever conducts and administers some or all of such associations shall be punished by death;

2) Whoever attempts to establish or establishes or arrange or conducts and administers the activities of, associations, in any way and under any name, or furnishes guidance in these respects, for the purpose of totally exterminating the political and legal orders of the state, shall be punished by heavy imprisonment for 8 to 15 years;

3) Whoever attempts to establish or establishes or arranges or conducts and administers the activities of, associations, or furnishes guidance in these respects, for the purpose, contrary to republicanism and the principals of democracy, of governing the state by one person or by a group of persons, shall be punished by heavy imprisonment for 8 to 15 years;

4) Whoever attempts to establish or establishes or arranges or conducts and administers the activities of, associations, or furnishes guidance in these respects, for the purpose of abolishing partially or entire-



ly because of race, the public rights provided by the constitution, or to exterminate or weaken nationalist feelings, shall be punished by heavy imprisonment for 8 to 15 years;

5) Whoever joins any association indicated above shall be punished by heavy imprisonment for 5 to 12 years;

6) The punishment to be imposed on persons who commit the foregoing acts within government offices, municipalities, or within economic enterprises with its capital belonging partially or entirely to the state, trade unions workers' enterprises, schools or institutions of higher education as civil servants or employees, shall be increased by one-third;

7) If any of the perpetrators of the crimes described in this Article informs the respective authorities of the crime and identity of other perpetrators prior to the initiation of the final investigation and if his information is true, heavy imprisonment for not less than 10 years instead of death shall be adjudged; and heavy imprisonment and prison sentences shall be reduced by one-fourth depending upon situation, conditions and the event;

8) The associations mentioned in the Article are defined as two or more persons uniting for the same purpose."

Article 325 does not necessarily simply deal with the violent overthrow of the state but can and is interpreted to apply to situations

where two or more people may wish to alter the social or political order of the state by the promotion of alternatives.

The Section is so wide-ranging and ambiguous precisely so it will allow for the prosecution of people who, if in Australia, would be no more than exercising their normal democratic rights. Subsection (4) of this Article appears to be particularly designed for application against those Kurdish people who promote a separate national or cultural identity.

This Article was particularly useful to the military as it allowed for the arrest of the leadership and the members of associations who expressed their objection to the overthrow of democracy.

We met with Mr. Dogu Perincek, the former President of the Turkish Labour and Peasants Party who was arrested in November, 1980, and charged under this Article. He was tried in a military court and was sentenced to eight years in prison and served four of those years.

His only "offence" was that he was a leader of a party which the military had banned. In other words, the offence was made retrospective in that prior to the coup his party had legal standing.

His party had 10,000 members and of those 1,500 were arrested. Of these when brought to trial, after extensive delays, 1 in 40 were convicted and sentenced to gaol.

At the time the military could detain people for 90 days without notifying anyone and this was often extended. Furthermore bail was not allowed for and wrongful imprisonment considered irrelevant.

While Mr. Perincek was not personally subjected to torture he was moved around a number of gaols and witnessed the torture of many of his fellow prisoners. He believes that he was not tortured because of his high public profile both in Turkey and interna-

tionally.

Article 326 of the Turkish Penal Code states:

" 1) Whoever makes propaganda for the purposes of establishing the domination of one social class over other social classes, exterminating any of the social classes, overthrowing any of the established basic economic or social orders of the country, or totally exterminating the political or legal order of the state, shall be punished by heavy imprisonment for 5 to 10 years;

2) Whoever makes propaganda in any manner for the governing of the state, contrary to republicanism or to the principals of democracy by one person or by a group of persons, shall be punished by the same punishments;

3) Whoever makes propaganda in order to abolish partially or entirely public rights, because of race, or to exterminate or weaken nationalist feelings, shall be punished by heavy imprisonment for 5 to 10 years;

4) Whoever speaks favorably of the acts indicated in the foregoing paragraphs shall be punished by heavy imprisonment for 2 to 5 years;

5) The punishments for persons committing the acts described in the foregoing paragraphs, in those organizations or among persons specified in paragraph 6 of Article 325 shall be increased by one-third;

6) Where the acts in the

foregoing paragraphs are committed by means of publication the punishment to be imposed shall be increased by one-half;

7) If any of the participants of the crimes described in this Article informs the respective authorities of the crime and the identity of other perpetrators prior to the initiation of the final investigation and if his information is true, heavy imprisonment and imprisonment periods shall be reduced by not more than one-fourth; depending on situation, conditions and the event."

Like Article 325 this Article has the same inbuilt ambiguities and stands by itself as a clear denial of freedom of speech. It has particular application against media organisations and individuals and associations who attempt to put alternative views in opposition to the propaganda being disseminated by the state.

Article 327 states:

"1) Whoever contrary to secularism establishes, organises, regulates or administers associations for the purpose of adapting partially or entirely, the basic social, economic, political or judicial orders of the state to religious principals and beliefs, shall be punished by heavy imprisonment for 8 to 15 years.

" Whoever becomes a member of such associations or attempts to persuade others to become members of such associations shall be punished by imprisonment for 5 to 12 years.

" Whoever, contrary to sec-

ularism, makes propaganda or suggests for the purpose of adapting, partially or entirely, the basic social, economic, political or judicial orders of the state, or for the purpose of obtaining and installing a political aim or political benefit by making use of religion, religious feeling or things accepted as sacred by religion, shall be punished by heavy imprisonment for 5 to 10 years.

" Whoever makes propaganda or suggestions for the purpose of personal influence or benefit by making use of religion, religious feelings or things accepted as sacred by religion, shall be punished by heavy imprisonment for 2 to 5 years.

" The punishment to be imposed on the persons who commit the fore-going acts within government offices, municipalities or within economic enterprises with its capital belonging partially or entirely to the state, trade unions, workers' enterprises, schools or institutions of higher education as civil servants or employees, shall be increased by one-third. Where the act mentioned in paragraph 3 and 4 of this Article is committed by means of publication, the punishment shall be increased by one-half."

This Article clearly places severe restrictions on freedom of religion.

The above-cited Articles of the Penal Code are employed in the broadest way against people who are deemed to be a threat to the status quo. The Articles are quoted in their entirety so as to give their full flavour. There are a num-

ber of other Articles in the Turkish Penal Code which allow the abuse of human rights.

The abuse of human rights was also brought home to us by Mr. Ahmet Turk, member for Mardin in the Turkish National Assembly. He was gaoled after the 1980 coup and also in 1987. In 1987 he was gaoled on the basis that the security forces had found a video tape of Kurdish songs buried in the backyard of his home.

He spent some ten months in prison and was released just three weeks before the elections of the National Assembly. During the period of his imprisonment he was tortured and although he continues to attempt to have his torturers prosecuted he has so far been unsuccessful.

The oppressive nature of the Penal Code was again brought home to the delegation when it learned of the charges that had been brought against Emil Galip Sandalci, President of the Istanbul Branch for the Turkish Human Rights Association. Mr. Sandalci was arrested after the 1971 and 1980 coups and tortured on both occasions.

He is an academic of international standing who believes very strongly in his country and who has campaigned for the human rights cause for decades. He was charged with "opposition to the law of associations (societies)" because he collected signatures on a petition against capital punishment and in favour of a general amnesty for prisoners facing the death penalty.

Also charged was Ragip Zarakolu who is the Deputy Director of the Istanbul Branch of the Human Rights Association. The charge signed on 15 December, 1987 by a public prosecutor reads as follows:

DELEGATION PRESS RELEASE

" The Accused is in the capacity of Istanbul Branch Principal and second Principal of a society named Human Rights Association which has shown activity outside of the aims of the Society like collecting signatures from some part (or sort) of people under the name of petition against general amnesty and capital punishment. It is understood from the abovementioned evidences and contents of documents. With this regard it is requested (demanded) and claimed that the Accused be punished in accordance with written Articles which suit his action."

The charge falls under Article 76 of the Penal Code which provides for a penalty of 1 to 3 years imprisonment.

There seems to be little hope for a society that allows such citizens to be persecuted in this way.

Mr. Sandalci would undoubtedly disagree with me on this point as he views with optimism the future of his country, even though it has tortured him, continues to persecute him and won't even allow him to hold a passport.

Despite the continuing practice of torture and the failure of the government to amend its Penal Code to allow for basic human rights, President Ozal of Turkey is promoting his country as a legitimate member of the European community. Such promotion does not bear close scrutiny.

It will come as no surprise that the lawyer we met in Diyarbakir, was tortured for 50 days by one of the security advisers who he often publicly sees in the company of the Prime Minister.

Issued to the Turkish media in Istanbul February 1988.

We were asked by the Australian group called the Committee for Human Rights and Democracy in Turkey (CHRDT) to observe and report back on the human rights situation as it currently exists in Turkey. We had the opportunity of meeting with parliamentarians, journalists, trade union officials, doctors, lawyers, ex-political prisoners, families of political prisoners and others. Discussions were held in Istanbul, Ankara, Diyarbakir and Tunceli.

It was apparent to the delegation that although there has been some relaxation of restrictions on individuals and organisations over the past two years, the Turkish government still does not permit political, trade union and cultural activities that would normally be allowed in any country that called itself democratic.

It has been our observation that amongst other things:

- * the right to form political parties is limited to the extent that many people are disenfranchised.
- * the right of trade unions to bargain on conditions and wages with employers and the right to strike are severely restricted.
- * the legal rights of those detained by the police or the military are non-existent.
- * torture is still being carried out.
- * torturers have not been brought to justice on any

credible scale.

- * the police and military still engage in activities which severely limit the right of individuals to privacy and free association.
- * peace and cultural associations have either been dissolved or are so restricted in their activities as to be virtually emasculated.
- * institutions of higher education have been brought under the control of the government to the extent that freedom of speech and academic freedom has been lost.
- * political and financial restrictions are applied to the press.

While there is a theoretically civilian government, it seems that at present the government is merely a civilian front for military control.

The situation is even worse amongst the Kurdish people of Turkey. We can bear witness to examples of recent brutality and oppressive behaviour by security forces against these people. It is clear that the Kurdish people are being economically, socially, culturally and politically oppressed.

It is essential for the government of Turkey in order to gain credibility at the International level to show sincerity in its internal policies. The signing of the Council of Europe and the United Nations conventions against torture, and statements on democracy, are insufficient in themselves, unless backed up with determined politi-

cal action on the home front.

Of immediate concern is the nature of political prisoners and the reluctance of the government to abolish the death penalty. It is our opinion that if the Turkish govern-

ment is sincere in its move towards being a democratic state, the death penalty should be abolished, political prisoners should be released and their rights and the rights of ex-political prisoners restored.

While ever a community imprisons people for their political beliefs, it cannot expect to be regarded as a member of the international democratic community.

DELEGATION MEMBERS AND THE COMMITTEE FOR HUMAN RIGHTS AND DEMOCRACY IN TURKEY (CHRDT) HELD PUBLIC FORUMS IN MELBOURNE AND SYDNEY TO REPORT BACK ON THEIR OBSERVATIONS OF THE SITUATION IN TURKEY TODAY. FROM THESE FORUMS THE FOLLOWING RESOLUTIONS WERE UNANIMOUSLY ACCEPTED.

KURDISTAN

AN END TO THE BRUTAL OPPRESSION OCCURRING IN KURDISTAN AND GENOCIDAL PRACTICES BEING CARRIED OUT AGAINST THE KURDISH PEOPLE. FULL SUPPORT TO THE KURDISH PEOPLE IN THEIR RIGHTS TO SELF-DETERMINATION.

POLITICAL PRISONERS

THE ABOLISHMENT OF THE DEATH PENALTY, AND THE USE OF ALL FORMS OF TORTURE IN PRISONS AND DETENTION CENTRES. GENERAL AMNESTY FOR POLITICAL PRISONERS.

TRADE UNIONS

THAT THE RESTRICTIVE LABOUR CLAUSES IN THE CONSTITUTION AND THE DRASTIC CURBS IN THE REVISED TRADE UNION AND COLLECTIVE BARGAINING LAWS BE IMMEDIATELY WITHDRAWN. THAT DISK AND ALL OTHER PROGRESSIVE TRADE UNIONS BE RESTORED TO THEIR FORMER STATE.

CIVILIANS/ ORGANISATIONS

TO RE-ESTABLISH THE CIVIL AND POLITICAL RIGHTS OF ALL TURKISH CITIZENS. THAT ORGANISATIONS ARE ALLOWED TO WORK AS POLITICAL BODIES AND NOT TO FACE FEAR OF REPRESSION. SUPPORT THE COMPLETE RESTORATION OF ACADEMIC FREEDOM, FREEDOM OF ASSOCIATION, MEDIA FREEDOM, FREEDOM OF SPEECH.

TRADE RELATIONS

THAT AUSTRALIAN TRADE RELATIONS BE CONDITIONAL ON THE RESTORATION OF COMPLETE DEMOCRATIC AND HUMAN RIGHTS IN TURKEY.

REFUGEE STATUS

POLITICAL REFUGEES FROM TURKEY AND TURKISH KURDISTAN WHO HAD APPLIED TO ENTER AUSTRALIA AFTER THE 1983 ELECTIONS HAVE BEEN REFUSED ENTRY ON THE BASIS THAT THE AUSTRALIAN GOVERNMENT NOW CONSIDERS THAT TURKEY HAS RETURNED TO DEMOCRACY, AND THAT THIS RECOGNITION ALSO SUITS AUSTRALIA'S ECONOMIC RELATIONS WITH TURKEY.

IT IS ALSO NOTED THAT KURDS FACE PARTICULAR DISCRIMINATION AND OPPRESSION MERELY FOR BEING KURDS AND THAT REFUGEE STATUS BE GRANTED FOR THIS. WE URGE, THE AUSTRALIAN GOVERNMENT TO RE-CONSIDER THESE CASES IN VIEW OF THE FACT THAT DEMOCRACY AND HUMAN RIGHTS IN TURKEY ARE NON-EXISTENT.

WE STRONGLY URGE THAT YOU TOO GET THESE MOTIONS RAISED IN ANY POLITICAL PARTIES, TRADE UNIONS OR ASSOCIATIONS YOU ARE INVOLVED WITH.

DISTRIBUTION OF DEATH PENALTIES

Organisation	Number of those sentenced to prison	Number of those sentenced to death
DEV-YOL (Revolutionary Path)	1,552	73
PKK (Workers' Party of Kurdistan)	640	129
TDKP (Revolutionary Communist Party of Turkey)	632	19
TKP/ML (Communist Party of Turkey/Marxist-Leninist)	529	43
TKP (Communist Party of Turkey)	436	—
KURTULUS (Liberation)	390	7
DEV-SOL (Revolutionary Left)	272	21
KAWA (Kurdish Organisation)	246	6
MLSPB (Marxist-Leninist Armed Propaganda Unit)	227	22
DHB (People's Revolutionary Union)	223	9
TIP (Workers' Party of Turkey)	185	—
THKP/C (Popular Liberation Party/Front of Turkey)	177	22
KIP (Workers' Party of Kurdistan)	153	—
EB (Union for Action)	97	10
DS (Revolutionary Struggle)	94	—
Ala Rizgari (Kurdish organisation)	93	—
IGD (Progressive Youth Association)	89	1
ACILCILER (Emergency Group)	83	12
Rizgari (Kurdish organisation)	75	—
HDO (People's Revolutionary Vanguard)	71	12
TKEP (Communist Labour Party of Turkey)	71	3
TKP/B (Communist Party of Turkey/Union)	70	—
TOB-DER (Teachers' Association of Turkey)	51	—
TIKB (Revolutionary Communists' Union of Turkey)	51	—
KUK (National Liberation of Kurdistan)	41	3
TDY (Path of Turkey's Revolution)	40	1
YDGD (Patriotic-Revolutionary Youth Association)	37	—
DHY (Revolutionary People's Path)	34	—
TKP/IS (Communist Party of Turkey/Workers' Voice)	33	—
TIKP (Workers-Peasants' Party of Turkey)	28	—
PY (Partisan's Way)	25	—
DK (Revolutionary Liberation)	24	9
THKO (Popular Liberation Army of Turkey)	22	2
TSIP (Socialist Workers' Party of Turkey)	22	—
Jehovah's Witnesses	22	—
TKKKO (Liberation Army of Turkey and Northern Kurdistan)	16	—
TIEKP (Revolutionary Communist Labour Party of Turkey)	15	—
EK (Emancipation of Labour)	14	—
DC (Revolutionary Front)	13	—
Kivilcim (Spark)	11	1
DÖ (Revolutionary Vanguard)	10	—
DEV-GENC (Revolutionary Youth)	9	—
Palestinian Guerillas	—	4
DDKD (Progressive Cultural Association of the East)	7	—
SGB (Socialist Youth Union)	4	—
TEKOSIN (Kurdish organisation)	3	2
HY (People's Path)	3	2
TIKKO/Bolcheviks (scission of TKP/ML)	3	—
EB (Union of Labour)	3	—
UY (Third Path)	3	—
TEP (Labour Party of Turkey)	1	—
TIKP (Revolutionary Workers-Peasants' Party of Turkey)	1	—
UKO (Revolutionary Liberation Army)	1	—
DIFFERENT WORKERS' GROUPS	741	—
DIFFERENT KURDISH GROUPS	199	4
DIFFERENT LEFT-WING GROUPS	331	39
DIFFERENT RIGHT-WING GROUPS	566	35
DIFFERENT UNLABELLED GROUPS	528	25

Courtesy of "Info-Turk" 1986

NEW STRUCTURE OF THE TURKISH STATE

SECURITY FORCES

ARMED FORCES

Commander-in-chief is the President of the Republic - In the case of martial law, army commanders take over all executive powers

HIGH COUNCIL OF WAR

Chaired by the President of the Republic - In the case of war, it assumes the power of governing the country

SUPREME GOVERNORS AND GOVERNORS

In the state of emergency, they can act as martial law commanders; even in a normal situation, they can restrict and suspend the use of freedoms

STATE SECURITY COURTS

Made up of military and civil judges. They replace military tribunals when martial law is lifted

STATE SUPERVISORY COUNCIL

Appointed by and attached to the President of the Republic. It can control each public administration and institution as well as associations and unions

PRESIDENT OF THE REPUBLIC
Chief of the Junta

PRESIDENTIAL COUNCIL
Made up of the 4 members of the Junta

SECRETARY GENERAL OF THE PRESIDENCY
A former NATO Commander

ADVISORS FOR STATE AFFAIRS AND INTELLIGENCE
Mainly former army officers

EXECUTIVE

NATIONAL SECURITY COUNCIL

Made of five Army commanders and four ministers; chaired by the President of the Republic

COUNCIL OF MINISTERS

Appointed and chaired, if necessary, by the President of the Republic. He can dismiss any of the ministers

LEGISLATIVE

GRAND NATIONAL ASSEMBLY

For the coming five years, made up of 400 deputies of 3 parties which have confidence of the military junta. 12 other newly founded parties have been prevented from participation in first elections. Parties of the working class and of the Kurdish people are outlawed.

JUDICIAL POWER

CONSTITUTIONAL COURT

COUNCIL OF STATE

CHIEF PUBLIC PROSECUTOR

SUPREME MILITARY ADMINISTRATION COURT

MILITARY HIGH COURT OF APPEAL

SUPREME COUNCIL OF JUDGES AND PROSECUTORS

All of them are appointed by and attached to the President of the Republic

SCIENTIFIC AND CULTURAL LIFE

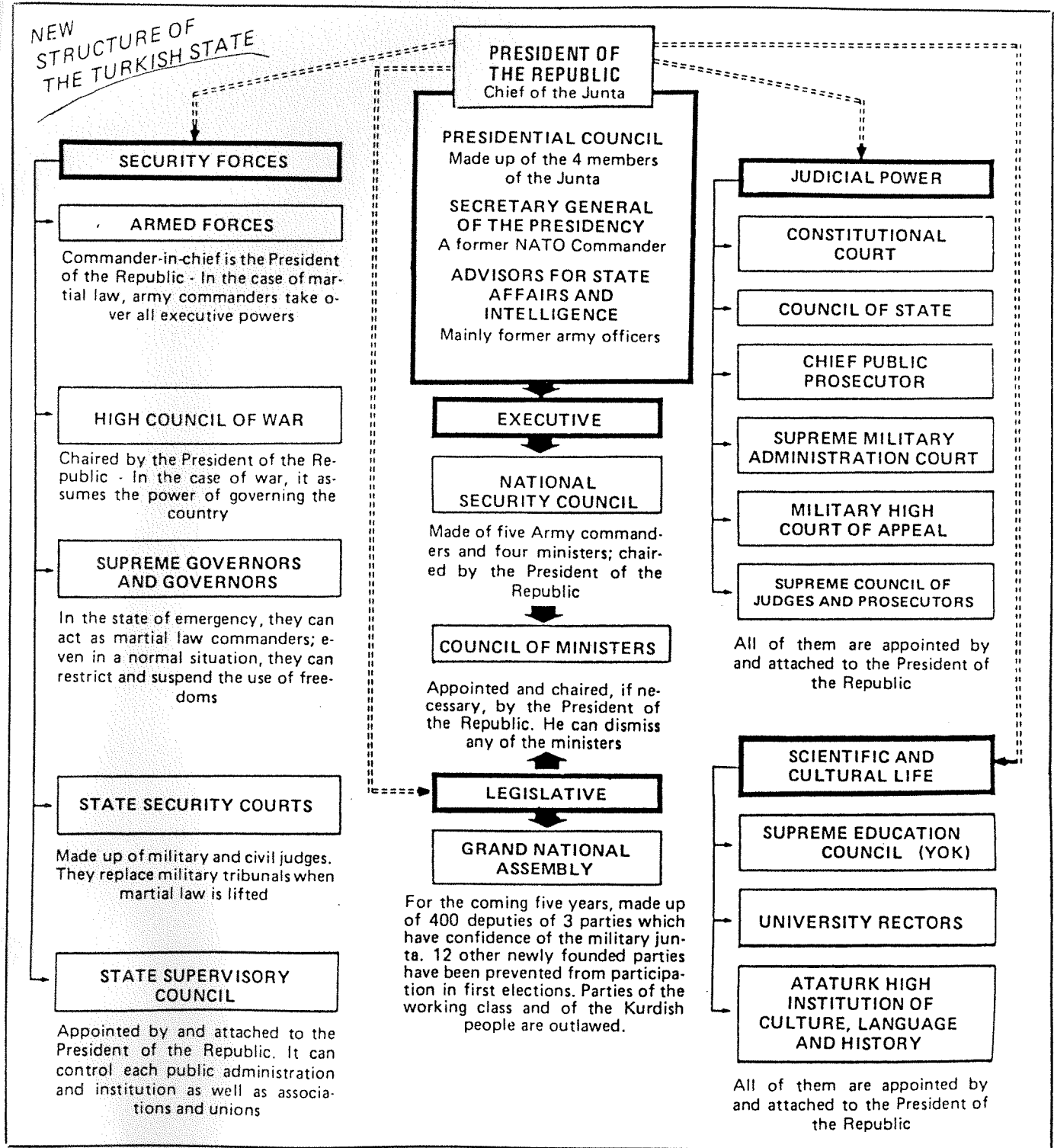
SUPREME EDUCATION COUNCIL (YOK)

UNIVERSITY RECTORS

ATATURK HIGH INSTITUTION OF CULTURE, LANGUAGE AND HISTORY

All of them are appointed by and attached to the President of the Republic

**NEW
STRUCTURE OF
THE TURKISH STATE**



\$5.00