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REPORT

of the Committee on Foreign Affairs and Security . on EC-Turkey relations

Rapporteur: Mrs Raymonde DURY

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

= Consultation procedure requiring a single reading

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

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By letter of 12 July 1990 the Committee on Foreign Affairs and Security (the former Political Affairs Committee) requested authorization to draw up a report on relations between the European Community and Turkey.

At the sitting of 8 October 1990 the President of the European Parliament announced that the committee had been authorized to report on this subject.

At its meeting of 9 November 1990 the Committee on Foreign Affairs and Security appointed Mrs Raymonde Dury rapporteur.

The President of the European Parliament announced that he had asked the following committees to deliver opinions:

- on 22 October 1990, the Committee on Culture, Youth, Education and the Media (the former Committee on Youth, Culture, Education, the Media and Sport);
- on 19 November 1990, the Committee on External Economic Relations;
- on 19 April 1991, the Committee on Agriculture, Fisheries and Rural Development, the Committee on Economic and Monetary Affairs and Industrial Policy, the Committee on Social Affairs, Employment and the Working Environment and the Committee on the Environment, Public Health and Consumer Protection.

At its meetings of 20 September 1991, 27 November 1991, 16 March 1992, 22 April 1992 and 18 May 1992, the Committee on Foreign Affairs and Security considered the draft report.

At the last meeting it adopted the motion for a resolution by 24 votes to 11, with 4 abstentions.

The following were present for the vote: Baron Crespo, chairman; Cassanmagnago Cerretti and Crampton, vice-chairmen; Dury, rapporteur; Aglietta, Avgerinos, Belo (for Baget Bozzo), Capucho, Cheysson, Coates, Dillen, Ephremidis, Fernández Albor, Ford (for Balfe), Galle (for Morán López), Gawronski, Hänsch, Jepsen, Kostopoulos (for Schmid), Lacaze, Lagakos, (for Bethell), Llorca Vilaplana, Magnani Noya, McMillan-Scott, Musso (for Briant), Newens, Onesta, Oostlander (for Bonetti), Penders, Pesmazoglou, Pirkl, Planas, Poettering, Porto (for Bertens), Romeos (for Trautmann), Roth (for Langer), Sakellariou, Saridakis (for Formigoni), Stavrou (for Gaibisso), Titley, Trivelli, van Putten (for Cravinho), Woltjer and Zavvos (for Lenz).

The opinions of the Committee on Agriculture, Fisheries and Rural Development, the Committee on Economic and Monetary Affairs and Industrial Policy, the Committee on External Economic Relations, the Committee on Social Affairs, Employment and the Working Environment and the Committee on the Environment, Public Health and Consumer Protection will be published separately.

The Committee on Culture, Youth, Education and the Media decided on 7 February 1992 not to deliver an opinion.

The report was tabled on 21 May 1992.

The deadline for tabling amendments will appear on the draft agenda for the part-session at which the report is to be considered.

MOTION FOR A RESOLUTION

on EC-Turkey relations

The European Parliament,

- having regard to the Association Agreement between the European Community and Turkey,
- having regard to its resolution of 15 September 1988¹ on the renewed association between the European Community and Turkey and its resolution of 17 March 1989² on economic and trade relations between the Community and Turkey,
- having regard to Turkey's application to join the European Community (14 April 1987),
- having regard to its resolution of 18 June 1987 on a political solution to the ${\sf Armenian\ question}^3$,
- having regard to the Commission's opinion on the membership application4,
- having regard to the Commission's proposals on relations with Turkey ('Matutes package') June 1990^5 ,
- having regard to its resolution of 11 July 1990 on the violation of human rights in Cyprus⁶, in which it:
 - (a) condemned the flagrant violation of human rights in Cyprus,
 - (b) welcomed the European Council Declaration made in Dublin on 27 June 1990 stating that the Cyprus problem affected relations between the Community and Turkey, and
 - (c) called for the Community Institutions to adapt their policies accordingly,
- having regard to the Commission's communication to the Council, 'Towards a revamped Mediterranean policy' 7 ,
- having regard to its resolution of 12 July 1991 on a revamped Mediterranean $policy^8$,
- having regard to its resolution on Community enlargement and relations with other European countries 9 ,

¹ OJ No. C 262, 10.10.1988, p. 126

² OJ No. C 96, 17.4.1989, p. 212

³ OJ No. C 190, 20.7.1987, p. 119

⁴ SEC(89) 2290 final

⁵ SEC(89) 1961 final

⁶ OJ No. C 231, 17.9.1990, p. 173

⁷ SEC(90) 812 final

⁸ OJ No. C 240, 16.9.1991, p. 250

OJ No. C 158, 17.6.1991, p. 54

- having regard to its resolution on the role of Europe in relation to security in the $\mathsf{Mediterranean}^{10}$,
- having regard to the EC-Turkey cooperation agreement in the medical and health ${\sf sector}^{11}$,
- having regard to the report of the Committee on Foreign Affairs and Security and the opinions of the Committee on Agriculture, Fisheries and Rural Development, the Committee on Economic and Monetary Affairs and Industrial Policy, the Committee on External Economic Relations, the Committee on Social Affairs, Employment and the Working Environment, and the Committee on the Environment, Public Health and Consumer Protection (A3-193/92),
- A. whereas the operation of the various bodies set up under the 1963 Association Agreement was only recently normalized at the Association Council meeting of 30 September 1991,
- B. having regard to trade and economic relations with the European Community, which are particularly vital for Turkey, and the broad national consensus in Turkey on the country's links with Europe, as evidenced by the 1987 membership application,
- C. whereas Turkey is a member of the Council of Europe, a signatory to the Paris Charter of the CSCE, has just concluded an agreement with EFTA and is a member of NATO: whereas, therefore, Turkey is a signatory to several international pacts with which it must comply,
- D. having regard to the significant role which Turkey has always played and will inevitably have to play in settling the problems of the Near and Middle East, Asia Minor and the Caucasus owing to its position in Europe and in Asia, its interest in securing and consolidating peace in these regions and its determination to do so,
- E. whereas it is important that Turkey should remain an element of stability in a region marked by grave political and ethnic problems and welcoming the Turkish Government's positive attitude in the conflict between Azeris and Armenians in Nagorno-Karabakh,
- 1. Considers that there is an urgent need to study and improve relations with Turkey;

A. ON TURKEY'S APPLICATION FOR EC MEMBERSHIP

2. Stresses that the Community has embarked on a new stage of integration with the imminent completion of the internal market and the establishment of an economic, monetary and political union as decided by the European Council at Maastricht on 8 and 9 December 1991 and set out in the Treaty signed on 7 February 1992 by the Heads of State and Government;

¹⁰ OJ No. C 158, 17.6.1991, p. 292

¹¹ COM(90) 573 final - C3-267/91 - SYN 320

- Stresses that the rights and obligations attaching to a country's status as a Member State will henceforth be more considerable;
- 4. Notes that the fundamental issue of the Community's future must be seen in the much broader context of the new European order;
- 5. Draws attention, in this connection, to the various types of organization already in existence such as the Conference for Security and Cooperation in Europe, the imminent establishment of a European Economic Area, and the Council of Europe;
- 6. Points out that Turkey's application for membership must be placed in the wider context of general deliberations on the enlargement of the Community;
- 7. Concurs, as regards Turkey's membership application, with the conclusions of the Commission's report and points out without casting doubt on Turkey's eligibility to join the Community at some time in the future that the membership issue is not the subject of the present report;
- 8. Notes that Turkey does not at present fulfil the conditions necessary for membership, particularly those of a political nature, but acknowledges Turkey's determination to become progressively more integrated into European structures;
- 9. Stresses, however, Turkey's importance as an economic, trading and political partner, and takes into consideration its cultural and religious diversity, which heightens the significance of its role as a bridge between Europe and Asia;

B. THE POLITICAL AND DEMOCRATIC SITUATION IN TURKEY

- 10. Notes that the general election of 20 October 1991, which testified to the multiparty nature and political maturity of the Turkish regime, marked the beginning of a new era in the country's political history, under an electoral law which continues to restrict the right of political expression;
- 11. Welcomes the Coalition Protocol between the True Path Party (DYP) and the Social Democratic Populist Party (SHP) and their programme of government, which are intended as guarantees of the process of democratization to be implemented in the spirit of the Paris Charter and calls on the government to implement the announced reforms and acknowledge the Kurdish situation in practical terms;
- 12. Notes the coalition government's desire to complete the review of the 1982 Constitution, which is at present preventing the establishment of a constitutional democracy;

- 13. Calls for the promotion and broadening of legislative measures, in line with the declared intention of the present Turkish Government to guarantee freedom of expression and association, reviewing penal law, detention procedures and the right to a legal defence, taking steps to abolish torture, abrogating certain provisions of the anti-terrorist law (of which Article 1 in particular poses a serious threat to democracy) and the law on police powers and responsibilities, and hopes that these draft laws will be quickly adopted by the Turkish Grand National Assembly;
- 14. Welcomes the closure of Eskisehir prison, but deplores the continuing use of torture and detention of political prisoners, a general amnesty for whom, as called for by the human rights organizations, could create a climate of reconciliation between the state and its citizens;
- 15. Appeals to the Turkish military and security forces, which still play a significant role in the country's political life, not to undermine the efforts of the coalition government, and to guarantee the right to life and put an immediate stop to the use of torture;
- 16. Calls on Turkey to sign, ratify and abide by a number of international conventions, particularly the ILO Convention on the Protection of Workers' Rights (trade union rights), to withdraw its reservations concerning the European Convention on Human Rights, to ratify the conventions on children's rights and the equality of women, and to abolish capital punishment;
- 17. Condemns the acts of terrorism, particularly those of the PKK, Dev-Sol and Hezbollah, perpetrated against innocent civilians;
- 18. Acknowledges that the Turkish Government has a perfect right to combat terrorism provided that human rights are fully observed and the exercise of this right does not spark off a cycle of violence; points out in this connection that the Community has condemned the Turkish Air Force raids on Kurds in Iraq;
- 19. Calls on the Turkish Government to lift the state of emergency in the South East of the country forthwith and to enter into a dialogue with the Kurdish people, with a view to a peaceful solution which will safeguard the rights of the Kurds;
- 20. Encourages the government's planned campaign to educate the police and armed forces in human rights,
- 21. Favours granting Community financial assistance to associations for the promotion and defence of human rights in Turkey in order to encourage their activities, particularly those of the rehabilitation centres for torture victims;
- 22. Notes that no previous Turkish Government has paid proper attention to the Kurdish problem and that, on the contrary, acts of repression have been committed by successive governments against the Kurdish people;
- 23. Is convinced that this situation has been one of the causes of the terrorism perpetrated by the PKK, a terrorist organization which it has always condemned and whose actions will only genuinely serve the interests of the Kurdish population when they become non-violent

- 24. Notes that the new government intends to respect the cultural identity of the Kurdish people as part of the process of establishing democracy and national unity;
- 25. Considers that these specific rights should include the right to speak, write and publish in Kurdish, use Kurdish in courts of law and receive instruction in Kurdish and that this should be accompanied by a programme of economic measures that would really benefit the Kurds by promoting greater economic and social development in the South-East region, which, as a result of the problems confronting it (such as unemployment and illiteracy), provides particularly fertile ground for the development of terrorist activities;
- 26. Wishes to see a situation in which all minorities in Turkey, in accordance with the provisions of the Treaty of Lausanne, are able to express their cultural identity without fear of repression or discrimination, and supports similar legitimate claims by Turkish minorities throughout the world;
- 27. Recalls its resolutions concerning, in particular, the Armenian question;
- 28. Calls for the right of all citizens to profess and practise in public their religious convictions to be recognized and safeguarded by law;

C. ON THE STATE OF THE ASSOCIATION

- 28. Notes that since the resumption of association relations in 1989, as it recommended its above-mentioned resolutions of 15 September 1988 and 17 March 1989 these relations having been broken off after the military coup d'état of 12 September 1980 one of the association bodies (the Joint Parliamentary Committee) has been able to resume normal operation on the basis of three meetings per year, and is delighted that dialogue has thus been preserved between Members of the Turkish Grand National Assembly and the European Parliament;
- 29. Welcomes the Association Council meeting of 30 September 1991 the first since the failed meeting of 26 April 1988 in Luxembourg and hopes that this body will henceforth work constructively and find a way of resolving the existing economic, commercial and political difficulties between the two partners which were the subject of an Association Committee meeting on 6 December 1991;
- 31. Notes that statistics show a substantial increase in trade, with, however, a considerable deficit on the Turkish side, and recalls that the European Community has made a significant effort to increase the export quotas of Turkish textiles to the European Community;
- 32. Welcomes the recent signing of the cooperation agreement between the EC and Turkey in the medical and health field, the agreement on vocational training projects in the tourism and mining sectors and numerous other sectoral agreements;

D. ON THE RENEWAL OF THE ASSOCIATION

- 33. Is convinced that the renewal of the association is in both partners' interests;
- 34. Recalls that the problem of the Republic of Cyprus one of the unresolved political conditions of accession affects relations between the Community and Turkey and recalls the Community's unwavering stance expressed at various European Council meetings, particularly the Dublin Council of April 1990, and in Parliament's resolutions in favour of restoring the unity, independence, sovereignty and territorial integrity of the Republic of Cyprus and the withdrawal of the Turkish occupying army in accordance with United Nations resolutions;
- 35. Refers to the Council declaration of 24 June 1975:

'It is in the Community's interests to maintain and develop close association relations with Turkey and Greece's application for EC membership must not affect EC-Turkey relations or rights based on the agreement concluded between the EC and Turkey';

and the declaration of 26 June 1990:

'The European Council discussed the Cyprus question in the light of the impasse in the intercommunal dialogue.

The European Council, deeply concerned at the situation, fully reaffirms its previous declarations and its support for the unity, independence, sovereignty and territorial integrity of Cyprus in accordance with the relevant UN resolutions. Reiterating that the Cyprus problem affects EC-Turkey relations and bearing in mind the importance of these relations, it stresses the need for the prompt elimination of the obstacles that are preventing the pursuit of effective intercommunal talks aimed at finding a just and viable solution to the question of Cyprus on the basis of the mission of good offices of the Secretary-General, as it was recently reaffirmed by Resolution 649/90 of the Security Council';

- 36. Notes the joint declaration issued in Davos in February 1992 by the Prime Ministers of Greece and Turkey concerning a treaty of friendship between the two countries, and their encouragement of the efforts by the UN Secretary-General to convene an international summit with the aim of restoring Cypriot unity;
- 37. Is convinced that the democratization of Turkey can only increase the chances of solving the Cyprus problem;
- 38. Recalls that the Commission's opinion on Turkey's application for EC membership was accompanied by a draft proposal, known as the 'Matutes package' (June 1990), the aim of which was to promote the renewal and further development of the association and to support cooperation in general and the stepping up of political dialogue;

- 39. Recalls the philosophy of the Community's revamped Mediterranean policy, which provides for an increase in aid to its Mediterranean partners, while respecting the development aims and priorities which they have set for themselves and taking into consideration the specific problems of each;
- 40. Recalls its resolution of 12 July 1991 on the revamped Mediterranean policy, and in particular paragraphs 1, 2 and 11;
- 41. Notes that all the northern and southern Mediterranean countries are currently receiving financial aid from the Community whether they are linked to the Community by association agreements (as is the case with Cyprus and Malta) or by cooperation agreements (as is the case with Syria and Algeria);
- 42. Considers that Turkey is not being treated on an equal footing with the above partners of the EC, as it is currently the only country associated with the Community which is not receiving any economic or financial aid and calls for the funds entered against budget heading 100, utilization of which was made subject to conditions laid down by Parliament (respect for human rights, the rule of law, political liberalization), to be released;
- 43. Urges the Council to take the same stance on Turkey as on the Mediterranean countries, provided the announced reforms and democratization have in fact been carried out, and calls on the Community to give the go-ahead for further economic and financial aid, including the Fourth Financial Protocol;
- 44. Recommends, in the short term, the implementation of a number of specific measures to improve relations;

* In the economic and commercial field:

- 45. Hopes that the Turkish authorities will make efforts to resolve the problem of counterfeits, which have a far from insignificant impact on trade with the Community, put a stop to a number of dumping practices, fulfil their obligations under the Treaty of Ankara, particularly as regards Community agricultural exports to Turkey and honour their undertakings to dismantle customs duties and abolish charges having equivalent effect;
- 46. Proposes, moreover, that joint ventures between Community and Turkish undertakings be encouraged and, to this end, supports the organization in the near future of a number of EC-Turkey trade weeks;
- 47. Hopes that Turkey will take the necessary measures to create a climate favourable to investments by Community undertakings;

* In the field of culture and information:

- 48. Hopes that Turkish students and civil servants will be able to take advantage of scholarships offering the opportunity to learn about the European Community (Robert Schuman scholarships or the European Community visitors' programme) and welcomes the Commission's recent proposals to this effect;
- 49. Believes that Turkey should be able to take advantage of the Erasmus programme as regards student mobility and increased cooperation between universities, which would make a positive contribution to the mutual understanding of each other's culture, religion and mentality;
- 50. Believes that, in view of the huge size of the country, the opening in Istanbul of a branch of the European Community delegation (currently based only in Ankara) would provide an important staging-post for information and cooperation with the European Community in Turkey's economic metropolis;

* Political dialogue:

- 51. Places particular emphasis on the value and importance of political dialogue between the European Community and Turkey; gives every encouragement to relations between the corresponding parliamentary committees, exchanges of information between the European Parliament's Subcommittee on Human Rights and the Human Rights Committee of the Turkish Grand National Assembly, and further work in the joint parliamentary committee;
- 52. Calls on the Council meeting in Political Cooperation to consider information or associate status for Turkey in areas of concern to it, particularly, at the moment, on issues concerning Iraq, the Middle East and security in the Mediterranean and, in the context of the Common Foreign and Security Policy, supports observer status for Turkey in the Western European Union;
- 53. Instructs its President to forward this resolution to the Commission, the Council, European Political Cooperation and the Turkish Government and Grand National Assembly.

EXPLANATORY STATEMENT

First part

INTRODUCTION

Mrs Raymonde Dury, rapporteur for the Committee on Foreign Affairs and Security on relations between the European Community and Turkey, visited Turkey from 5 to 11 June 1991 to meet a number of prominent figures from the Turkish political and economic scene. The programme organized by the Turkish authorities provided a broad range of meetings at official level: the rapporteur had lengthy discussions with Mr Özal, President of the Republic, Mr Erzem, Speaker of the Turkish National Assembly, Mr Akbulut (the then Prime Minister), two ministers of state, Mr Inönü, the leader of the Social Democratic Party, and Mr Demirel, leader of the True Path Party.

Talks were also held with representatives from economic circles (the Chamber of Commerce TOBB, the Chairman of the Committee on Economic Development and members of TUSIAD), a director of the Sabanci Holding Co. and the press (a newspaper editor and the chairman of the Press Council).

In addition to these official contacts, the rapporteur was able to meet the Vice-Chairman of the Welfare Party, which was not represented in the National Assembly, one of the leaders of the association for human rights, which is not recognized by the Turkish Government, and a number of students. These meetings took place in Istanbul.

A briefing session was also held in Istanbul with the Commission representative and the ambassadors of the Community Member States to Turkey (an economic symposium taking place at the time provided the opportunity for this meeting).

Following a request by the rapporteur to visit the region affected by the plight of the Kurds and the Iraqi refugees, the Turkish authorities arranged for a stop-over in Dyarbakir, where the rapporteur had a lengthy meeting with the prefect of the region which is under a state of emergency (south-east Anatolia). The Commission delegation, in conjunction with the coalition forces, then arranged a visit to a Kurdish refugee camp in the Zakho region, which is in the security zone on Iraqi territory. The rapporteur also visited a Belgian military camp.

During these talks the economic and political situation in Turkey and its relations with the European Community were discussed. There was a clear willingness on the part of the Turkish authorities to ensure the success of the visit as well as the frank and open nature of all the talks.

A. THE POLITICAL, ECONOMIC AND SOCIAL SITUATION IN TURKEY

1. The political climate

At the time the rapporteur visited Turkey, the political climate was that of an election campaign, although a general election was due only in autumn 1992. The political landscape was as follows:

- The ANAP, with an absolute majority in the National Assembly (276 members out of 450), was divided into several factions. Following the party conference of 15 June, a new party leader was elected Mr Yilmaz who also took over the office of Prime Minister in accordance with Turkish tradition.
- The True Path Party, led by Mr Demirel, already expected to win the elections.

To a foreign observer, it was difficult to distinguish between the policies of the ANAP, made up of conservative and liberal factions, and the True Path Party, of a more conservative colouring. As the election campaign in October was to show, the various currents have tended to crystallize around the individual leaders of the two parties rather than their political programmes. Both proclaimed the same message as regards democratization, Turkey's commitment to western values and the market economy. Nevertheless, the election campaign enabled the opposition to voice criticisms of President Özal and to condemn his failure to share power.

- The Social Democratic Party of Mr Inönü established a distinct position through its concern with and proposals on the country's economic and social problems, in particular in the less-favoured regions. It was also the only party with a clear position and programme on the Kurdish problem in Turkey.
- The other party which should be mentioned is the Welfare Party, which at the time was not represented in the National Assembly. This is a party which calls for a society based on a fairer distribution of wealth in which the notion of profit is outlawed. It believes in the independence and sovereignty of the Turkish State and is thus against accession to the European Community, which it claims would subject Turkey to the interests of Jewish and American multinationals and cause it to lose its cultural identity. The party also claims that the application for accession to the European Community is unconstitutional.

- The election results

The early general election took place on 20 October. The turnout was 83.92% and the results were as follows:

		%	Seats
DYP -	True Path Party	27.3	178
ANAP -	Motherland Party	24.1	115
SHP -	Social Democratic Party	20.75	84
RP -	Welfare Party	16.88	62
DSP -		10.75	7

The Right thus won 68% of the votes but no party obtained a majority of 226 seats in parliament. The cabinet of Mr Yilmaz resigned. A coalition was now needed to form a government.

Attention should be drawn to the entry into parliament of the Welfare Party and of Mr Ecevit's DSP.

2. The democratization process and human rights

All those with whom discussions were held (government and opposition) spoke in favour of democratization, because it is needed in itself to give Turkey the image of a 'civilized country' and because Turkey has opted to move closer to the western democracies.

- 2.1. Some progress has certainly been achieved, such as the establishment of a Committee of Human Rights in the National Assembly and the adoption by the National Assembly of the law of 12 April 1991 abolishing Articles 141, 142 and 163 of the Turkish penal code; thanks to this law, the use of the Kurdish language is legal once again, as are the Communist and Islamic parties. Under the interpretation given by the ruling party, freedom of opinion, speech and conscience are now fully recognized, provided no violence is used. The law also provides for the conditional release of all persons charged with or convicted on related offences.
- 2.2. Apart from these notable advances, there are a number of problems which give rise to serious concern and on which your rapporteur was able to speak freely with members of the SHP, the Press Council, the association for human rights, students and individuals in the emergency zone.

- Among these problems is freedom of the press: according to the Press Council, freedom of the press does not yet exist; since the Constitution makes no reference to the right to information, 'the press is working in the dark'. The chairman of the Press Council therefore believes the Constitution should be reformed and this right introduced and guaranteed. Freedom of the press can certainly not be said to exist in the emergency zone (the provinces of south and south-east Anatolia), given the powers of confiscation (or the risk of harsh penalties for journalists) granted to the prefects of these regions. However, there were now believed to be no journalists left in prison. The expulsion of the British journalist Fisk was raised and roundly condemned. The chairman of the Press Council said that the expulsion of a journalist for professional reasons was completely unacceptable.

Reference was made to frequent seizures of newspapers and magazines (e.g. 'Ülke', a newspaper published in Turkish and advocating an independent Kurdistan, as well as left-wing and far-left magazines).

The rapporteur herself fell victim to a sector of the Turkish press which seems to be devoid of ethical standards: a Turkish daily attributed statements to her which she never made.

- 2.3. Certain articles of the Constitution still prohibit women's and students' associations. Trade union rights, as we understand them, do not exist. The 1982 Constitution depoliticized Turkish society. Greater democratization is needed above all at the level of the authorities themselves. There is also a need for a change of attitudes. According to the Press Council, Turkish politicians (whether government or opposition) find it difficult to distinguish between criticism and insults.
- 2.4. The main concern (according to the SHP and the association on human rights) is the anti-terrorist law adopted in April 1991 by the National Assembly, governing all areas of Turkish political and social activity. This is a law aimed at the terrorist activities of the PKK and its separatist demands.

Of particular concern were certain provisions of the anti-terror law which, in the view of the observers and members of the Turkish opposition, created a particularly indulgent climate regarding the practice of torture (see, in particular, Article 15). Although Turkey is a signatory to a number of international conventions on torture, repeated accusations were made of the widespread use of torture in various police stations. This is a matter of grave concern, for there is no doubt that torture is fairly common in Turkey and there is a clear need to put a stop to it. Even if the authorities claim to be against it, care must be taken to ensure that it really is abolished; measures such as Article 15 of the new anti-terror law leave room for doubt as to the reprisals to be taken against those who use torture. Proceedings can only be taken against 'torturers' on the authorization of the Minister of the Interior and can only be conducted before state security tribunals. There are known to be quite large numbers of torture victims and private initiatives have made it possible to set up rehabilitation centres for them. The government, which initially saw such centres as giving implicit credence to torture claims, has finally given permission for them to be set up.

Various other provisions (Article 6 ff.) of the new anti-terror law constitute clear restrictions on freedom of speech. There is a danger that freedom of the press may be restricted even more than at present.

Article 11 states that people may be kept in police custody for up to 30 days, which is contrary to the European Convention on Human Rights.

The Social Democratic Party has lodged an appeal against this law with the Constitutional Council.

The Speaker of the National Assembly, among others, was aware of the concern aroused by this law and acknowledged the risk that it might be enforced in a restrictive manner, in particular as regards the concept of 'separatist activities'. He indicated that the law might be amended. Many people consider that the law effectively restores articles of the penal code which had previously been abolished.

2.5. The state of emergency, which is a consequence of Kurdish separatist activities and the numerous attacks carried out in the region in question, covers 13 provinces, which have been governed by emergency law for 12 years (the provinces of south and south-east Anatolia, a region which is particularly backward in social and economic terms and provides fertile soil for the Kurdish separatists). According to the SHP, which is the only party to have a clear position on this problem, it is unacceptable for a self-styled democratic state to place its citizens under differing laws. This is, however, the situation which pertains in this region of around five million people whose lives are subject to extraordinary regulations and where the sociological, cultural, social and economic dimensions have often been neglected.

The prefect in the region of thirteen provinces covered by the state of emergency believes that it should already have been lifted. In 1988 and 1991 a wave of Iraqi refugees flooded into the region and there was an increase in terrorism, in particular from 1984 onwards, largely supported by the neighbouring states; these factors have justified maintaining the special provisions. The prefect considers that the state of emergency can only be lifted if there is genuine economic development in the region. The GAP is seen as a project of national importance which may be able to assist the development of this backward region.

2.6 The Kurdish question has been taboo in Turkish politics for many years. The Kurds are claimed not to exist as such but to be 'mountain Turks'. The long-standing approach of the government has been not to recognize any special rights for the Kurds, which, on the basis of non-discrimination, meant that Kurds could be given the same public-sector iobs as Turks.

The Gulf War and the influx of Iraqi-Kurdish refugees into Turkey are probably the reason for a certain change in attitudes on this matter. The use of the Kurdish language is now allowed under the law of 12 April 1991. However, it is not clear how far this extends – whether it means only the spoken language, as some would claim, while others point out that the Kurdish language is a spoken language and that it is extremely difficult to write because there are a number of variants. One thing is certain: teaching of the Kurdish language is not allowed and publications in Kurdish are regularly seized. The Kurds themselves wish their identity to be recognized but they are by no means all supporters of the PKK, which is calling for an independent Kurdistan.

It should also be pointed out that the region effected by terrorist separatist attacks suffers from many economic and social problems (e.g. illiteracy and unemployment) and provides fertile soil for such activities. The Turkish Government should therefore be encouraged — as emphasized by some opposition parties (e.g. the SHP) — to deal with the political causes of terrorism. Without wishing to interfere in Turkish internal affairs, there can be no doubt that recognition of the Kurds' special rights — clearly not involving any challenge to the territorial integrity and unity of the Turkish nation — and greater economic support would make it possible to bring back into the mainstream a whole sector of the population which sees itself as 'second class citizens' and still lives under a special legal regime.

There was an international outcry recently at the incursions by the Turkish army into Iraqi territory to bomb Kurdish terrorist camps. The raids caused a number of civilian casualties. The Turkish Government made clear that it was prepared to take all measures needed to guarantee the security of the country. However, the raids were denounced by one opposition party (the True Path Party of Mr Demirel).

- Certain developments should be welcomed, such as the holding of the 2.7 International Socialist Congress on 9 and 10 June in Istanbul and the International Congress on Human Rights held last October, which was attended by representatives of the European Parliament. This congress would appear to have been primarily for the benefit of the media ... Clearly, criticism can be communicated to the Turkish authorities through greater dialogue between the Community and Turkey, via the various existing bodies - the Joint Committee and political groups. It is hard to grasp that a country that calls itself a democracy, which is a member of the Council of Europe and of NATO, which has applied to join the European Community and has just negotiated an agreement with the EFTA countries should be riddled with such deep contradictions on the matter of democracy. The positive signs of the current process must be encouraged, because it corresponds to the wishes of the Turkish population and is moving in the right direction, leaving aside any considerations to do with Turkey's relations with the EC.
- 2.8 The programme of the coalition government formed between the DYP (of Mr Demirel) and the SHP (of Mr Inönü), which was presented on 14 November, is intended to make Turkey a genuine 'state based on the rule of law'. The programme emphasizes the amendments which need to be made to the Constitution and certain laws in particular the antiterror law. These changes will 'give Turkey a new image'.

However, the Turkish Grand National Assembly has come out in favour of renewing the state of emergency in the provinces in the south-east of the country for a period of four months. The DYP, the ANAP and the RP voted in favour, the SHP against and the DSP abstained.

3. The economic and social situation

- Turkey currently faces serious economic problems: galloping inflation 3.1 (around 60%), rapid urbanisation due to large-scale migration from the country, a population growth-rate of about 2% (which may be as high as 3.5% in regions such as south-east Anatolia) and a high unemployment rate. On the whole these problems were not considered to be obstacles to Turkey's development by the people to whom we spoke. They emphasized the Turkish people's capacity for hard work and the rapid industrial growth of the country. However, it is widely acknowledged that the present education system is inadequate, in particular vocational training. The recent agreement on vocational training in the mining and tourism sectors should therefore be welcomed. In addition, some holding companies (e.g. Sabanci) have set up their own training programmes. There is still a high illiteracy rate of around 20% of the population, a problem which particularly affects women and elderly people in the lessfavoured areas (the emergency zone). The programme of the coalition government is aimed primarily at reducing inflation and cutting taxes.
- 3.2 Lastly, there is the problem of fundamentalism. This is not seen as a threat, as Turkey is a secular state, a principle which, by national consensus, may not be called into question. Nevertheless, Islam is omnipresent. The results achieved by the Welfare Party speak for themselves.

The existence side by side of western and traditional elements (some women still wear the veil) gives the impression that Turkish society is split into two: on the one hand a significant part of the economic and political elite which has turned definitively in the direction of Europe and, on the other hand, a large proportion of the population which keeps to its traditional customs and whose standard of living is close to that of a developing country. Between those two extremes, the middle class appears to be in an uncomfortable position.

B. RELATIONS WITH THE EUROPEAN COMMUNITY

(1) Philosophy

There is a consensus among the leading economic, business and political classes that Turkey should become a member of the European Community. This is the maximalist approach. It is based primarily on cultural arguments: ever since 1963, Turkey has made clear its wish to be a member of the Community and the association agreement signed with the Community provided for such a development. This in effect means opting for western, democratic values. Accession would guarantee Turkey's position in the family of European democracies. Parallels are often made in this respect with Greece, Spain and Portugal. It is also argued that, as Turkey is a member of the Council of Europe and Nato and proved its European credentials in the Gulf Crisis, it should play a full part in the Community. Stress was also laid on the geo-strategic element, i.e. Turkey as a bridge between Europe and the East.

Apart from the Welfare Party, which rejects these arguments (also on the basis of cultural values), there are some nuances within the general consensus. All parties are in favour of the democratization and modernization of the country. This approach should be encouraged irrespective of the question of accession, although many of those to whom we spoke feel that accession could only facilitate progress in these areas. Some believe that Turkey will catch up to the level of the Community Member States whether it is a member or not and the goal of modernization is seen as something separate from the question of accession; for others, the modernization of Turkey can only take place if it is integrated into Europe. Some believe in a firm attachment to the Community of Twelve and wish their country to become the thirteenth member; others, while in favour of closer ties with Western Europe, are not entirely committed to accession.

A number of our contacts found it difficult to understand the present state of development of the Community - i.e. the introduction of economic and monetary union and political union - and to see that the question of enlargement of the Community is related not only to Turkey but, in the near future, to a number of applicant countries and should therefore be discussed in a much wider context. Some took the view that there was no possible alternative to Turkey and that Turkey should be the 'thirteenth member'. It would not be satisfied with a 'special status' or a third type of agreement.

The people to whom we spoke hoped that the obstacles raised by the Commission in its opinion on Turkey's request for accession, i.e. essentially economic and social obstacles, were the real reasons for the refusal. However, in the eyes of the then Prime Minister, Mr Akbulut, these objective reasons were in fact being used to mask other matters, such as human rights and the problem of Cyprus.

The Turks felt that they were not popular in Europe and accused the European Parliament and certain left-wing forces of an unfriendly attitude towards them; they acknowledged that they do not make a good case for themselves.

The most direct question which was most frequently posed is as follows: 'Tell us whether you want us or not. If you don't want us we won't declare war on you but we will draw the appropriate conclusions for developing our markets (Demirel, Inan, Baikal)'. The President of the Republic, Mr Özal, made it clear that if Europe did not want Turkey, Turkey would go elsewhere. The Turks thus wish to be given a firmer commitment by the Community and they wonder whether it is their eligibility as such which is being questioned (Demirel).

The feeling is that, following the events in Eastern Europe and the subsequent applications for accession, Turkey will be last in line. In economic circles (TOBB), the view is that, while maintaining the goal of accession, Turkey should continue to seek other possibilities. Following the developments in Eastern Europe, the Community is no longer as important as it was; there are other important economic areas (the Black Sea countries, the Balkans, the Soviet Union, etc). Nevertheless it is questionable whether this alternative is really viable for Turkey.

(2) From the technical point of view, those who were in favour of Turkey's accession to the Community did not envisage any economic and social difficulties. They were optimistic about their industrial growth rate and potential and believed that the Turkish market would be a huge market for the European Community. The structural disparities-referred to in the Commission's opinion — in the agricultural and industrial spheres, macro-economic imbalances, the high level of protection for industry, the low level of social protection and the low per capita income were considered not to be real obstacles: reference is constantly made to the level of Greece at the time of its accession. 'If there are economic constraints, we will accept them (Sabanci)'; as regards the level of protection enjoyed by Turkish industry, this is being sharply reduced (according to TOBB).

In the immediate future, Turkey wishes to strengthen relations with the Community and thus implement the Commission's proposals, which are currently being held up by Greece's veto. The Turks in fact accuse the Community of having become 'a hostage to Greece'. It is difficult for them to see that any Member State has a right of veto concerning the agreement in question; they themselves feel that the dispute between Greece and Turkey would be more easily settled and dissipated if Turkey were integrated into the European Community.

They wish to strengthen political dialogue and, in particular, relaunch the Association Council (the ambassador of the Netherlands confirmed in this connection that his country - which was to take over the Presidency in the next few months - would ensure that this council - the only body through which the association can operate - was reestablished). The meeting of 30 September was a success to the extent that the psychological hurdle was overcome. There is now a need to go further and work at a practical level through this body. The hope was also expressed that dialogue would continue between parliamentarians on both sides, both within the European Parliament-Turkish Grand National Assembly Joint Committee and through the various political groups and parliamentary committees.

(3) Cyprus

There is also a consensus in the country that the Cyprus issue should be kept separate from accession. There must be no linkage between Turkey's accession to the Community and the Cyprus problem. The Turkish authorities are in any case determined to solve this problem.

In this connection the Greek authorities are accused of lacking flexibility. The Turks accuse the European Community of taking the side of one of its members, Greece. They argue that United Nations Resolution 649 should be implemented and that it is primarily up to the Greek-Cypriot and Turkish-Cypriot communities to solve the problem. Despite the Turkish Government's declared wish to solve the Cyprus question, our impression was that they were fairly satisfied with the status quo. It would therefore seem pointless to use the financial protocol to put pressure on them to solve the Cyprus question.

(4) The limited overall budget of ECU 600 m is currently frozen but this has not prevented economic and trade relations from developing normally, particularly since the Gulf crisis. (Before the war Iraq was Turkey's largest trade partner). A number of specific cooperation measures are under way (the 'Cheysson facilities', preparations for a new EEC-Turkey trade week, attendance by Turkish officials at European Community visitors' programme, etc). The hope was expressed that such measures could be strengthened and that Turkey could participate in the ERASMUS programme.

The recent cooperation agreement in the medical and health sector should also be welcomed, as should the training projects in the tourism and mining sector. These, too, are measures which are helping consolidate relations.

Conclusions

The European Community has every interest in improving relations with Turkey, while not abandoning its demands as regards democracy and respect for human rights. These demands are in the interest of the Turkish people themselves.

The new coalition government should be supported in its efforts to make changes and attach Turkey to the family of European democracies, if the country is not to topple into the fundamentalist camp or face the risk of destabilization. The current fragile political climate in this part of Eastern Europe should remind the Community that it is vital that Turkey continues to play a major stabilizing role there. The best way to achieve this end is to relaunch and strengthen cooperation.

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The Iraqi refugees

Taking advantage of an offer to visit a refugee camp in the security zone on Iraqi territory, your rapporteur went to Zakho accompanied by members of the EC Commission office in Ankara. Transport was by helicopter supplied by the US armed forces.

The refugees who arrived in Turkey in early April 1991 have nearly all returned to Iraq, to camps or villages in the security zones. There are no more than 12 000 Iraqi refugees left on Turkish territory (precise information on the refugees has not yet been provided). The 12 000 refugees are in camps in Silopi and Cendili. (It should not be forgotten that there are 7000 more refugees who arrived in Turkey in 1988 and are still in refugee accommodation. These people are being supported entirely by the Turkish authorities).

On 2 April 1991, around 302 000 people arrived in the emergency zone in Turkey First-aid was arranged following the intervention by France and arrived in Diyarbakir on 7 April. From 10 April it was parachuted or taken by lorry to various locations. These hundreds of thousands of people received assistance for a week from the Turkish population. The press, however, seized upon a number of incidents which showed Turkish troops in a bad light (photos, etc.), thereby presenting a highly unfavourable image of Turkey's role in the refugee problem. While certain incidents did take place - which have been acknowledged (e.g. by the prefect for the emergency zone) and were probably inevitable given the huge numbers concerned - it is undeniable that without the voluntary assistance of some of the Turkish population the refugees would have succumbed in far greater numbers. A movement of national solidarity thus took shape in Turkey and provided food and material aid, blankets, pharmaceutical products, etc. So far, according to information provided by the prefect of the emergency zone, the Turks have provided a total of 21 000 Although non-governmental organizations do not usually have tonnes of aid. access to the zone as it is under a state of emergency, when the NGOs arrived they received a great deal of cooperation from the Turkish authorities - a point which should also be emphasized. The coalition forces arrived at Diyarbakir Airport, which served as a point for dispatching material and supplies to the various refugee assembly points.

At present, the great majority of Kurdish refugees are on Iraqi territory, where they are protected by the coalition forces. The visit to the camp at Zakho (around 30 000 people) revealed the huge efforts made by all the NGOs, the coalition forces and the Turkish Red Crescent. The refugees are grouped in families; each family has been given a tent with basic equipment, blankets, cooking utensils, etc. Basic products are distributed once a week and each family arranges its own meals. It was clear from the few words we exchanged with the refugees that they would under no circumstances return to their home villages, which were located outside the security zone. The military guarantees their security and if the troops were to leave the refugees would return to the mountains and cross over into Turkey. A visit to the hospital at Shiladiza, currently being administered by the Belgian military, and talks with the latter confirmed the danger to the refugees once the coalition forces leave.

The military forces are currently helping the refugees to return to their mountain villages, which Saddam Hussein had vowed to destroy in order to bring the Kurds down to the valleys where they could be controlled more easily. Some infrastructure has already been restored (houses, wells, etc.) and the successful cooperation between the various national military units augurs well for the creation of a European army.

Our talks with the military made clear the need to maintain their troops on the ground while there are no substantial UN forces and while there is no agreement between the Iraqi Government and the Kurdish representatives guaranteeing the latter a safe return to their villages.

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List of Turkish dignitaries met during the visit

- Mr Özal, President of the Republic
- Mr Akbulut, then Prime Minister and leader of the ANAP
- Mr Erdem, Speaker of the Grand National Assembly
- Mr Inan, Minister of State
- Mr Kercerciler, Minister of State
- Mr Akarcali, Co-chairman of the EC-Turkey Joint Parliamentary Committee
- Mr Demirel, leader of the True Path Party
- Mr Inönü, leader of the SHP
- Mr Suleyman Eman Arij Emre, Welfare Party
- Mr Kozakcioglu, Prefect of the emergency zone of Diyarbakir
- Mr Erez, Chairman of the Union of Chambers of Commerce of Turkey (TOBB)
- Mr Kamhi, Chairman of the Economic Development Foundation
- Mrs Sabanci (SABANCI Holding Company)
- Mr Eksi, Chairman of the Press Council
- Mr Cemal, Editor of 'CUMHURIYET'

EXPLANATORY STATEMENT

Second part

INTRODUCTION

After being appointed by the Committee on Foreign Affairs and Security to report on relations between the Community and Turkey, your rapporteur made a first visit to Turkey in June 1991. This gave her the opportunity to meet members of the government then in power and make contact with a number of people on a non-official basis. Following this visit she drew up a motion for a resolution with explanatory statement. The explanatory statement set out the political situation in Turkey at the time and described a number of unresolved problems in areas such as the process of democratization and respect for human rights with particular reference to torture, restrictions on freedom, etc. The visit also revealed the importance that Turkey attached to closer rapprochement with the Community; most people your rapporteur met thought this should ultimately lead to membership.

A general election was held in October 1991. A new government was formed and a programme of democratization was announced. Six months after the new government came into office, your rapporteur again visited Turkey (on her own initiative, while being given a great deal of assistance from the Commission delegation in Ankara and the Turkish authorities), in a spirit of objectivity since it seemed that there had been changes in Turkey since the change in government.

Consequently, there appears to be a need for a second explanatory statement, to supplement the statement written after the first visit, based on meetings during the second visit and events that happened in the meantime. The two statements will give Members a better understanding of the political situation in Turkey and current changes and also the numerous difficulties that remain, despite a change in political direction.

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Your rapporteur made her second visit from 12 to 14 March 1992; meetings were held at a very high level, showing that the Turkish authorities appreciated her personal initiative. Your rapporteur met the Prime Minister, Mr Demirel, the Speaker of the Grand National Assembly, the Minister of the Interior, the Minister of Justice, the Deputy Speaker of the Grand National Assembly, the co-chairman of the joint parliamentary committee for relations with the European Parliament, and the chairman of the Committee on Human Rights; overall, these represented the DYP-SHP governing coalition and the ANAP.

Your rapporteur also met the Secretary-General of the Confederation of Progressive Trade Unions of Turkey (DISK), which was restored to official recognition after the October elections, and representatives of the Association and Foundation of Human Rights.

Talks during the second visit largely focused on the political situation in $\overline{\text{Turkey}}$ and the implementation of the coalition protocol and government programme, which the new government had presented as the basis for establishing democracy.

The impression that emerged from the talks was that the new government was sincere in its intention of making Turkey a constitutional democracy that respects democratic freedoms and human rights and in putting an end to the military regime that had held sway since the coup d'état of 12 September 1980. There was consensus among the politicians in power on the need for democratization and the eventual aim was revision of the 1982 constitution, which did not at provide a foundation for a democratic state.

The new government was seen as offering Turkey an opportunity and hope for all those who wanted change. There were some very encouraging signs: the government's desire to reconcile the state and people and the way in which unions and human rights organizations were being associated with preparation of legislation.

Democratization

During your rapporteur's visit, the Ministry of Justice presented its programme for the amendment of several articles in the penal code, the law governing the legal profession, the removal of several legal provisions on the responsibilities and rights of the police, the anti-terrorist law, etc. The package of reforms also included measures to prevent torture; at the same time the police were issued with manuals showing how to treat suspects in a way that respected human rights.

The parliamentary coalition recently reached consensus on amendment of sixty articles of the constitution (e.g. increased freedom for the press and the unions, ending of the state monopoly on broadcasting, establishment of judicial independence, etc.).

In view of its assumption of the presidency of the Council of Europe on 8 May 1992, the Turkish Government has undertaken to waive all reservations implying a limitation of human rights expressed by Turkey when signing international treaties.

Draft legislation allowing reconstitution of the CHP (Social Democratic Party, which was disbanded following the military intervention on 12 September 1980) has been sent to the Grand National Assembly's constitutional committee; the party should be reconstituted on 9 September, the anniversary of its foundation.

The government's expressed wish to introduce democracy thus seems to be taking concrete form in view of the numerous bills before the Grand National Assembly, but there are still a number of problems, most of them left over from the previous regime, that have still not been removed or solved. The new government has also been criticized for not having put its promises into effect fast enough.

Certain facts should be mentioned: the continued existence of anti-democratic forces in the army, the police and the magistracy, which do not intend to play the democratic game. The present government contains only three former ministers; civil servants are badly paid and thus open to corruption, procedures are cumbersome, etc.

The National Security Council, which still contains members of the military and whose recommendations have to be followed by the Council of Ministers, is incompatible with constitutional democracy. Many agree with the Speaker of the Grand National Assembly's view that it should be abolished but the coalition has to obtain the two thirds majority needed for reform of the constitution.

<u>Torture</u>, although condemned at the highest level, is still apparently practised, especially in the South East, where the state of emergency has had to be extended for four months. At this level, government statements have not yet been put into effect.

Terrorism: the problem has got considerably worse in the last few months. During your rapporteur's visit there was an overwhelming mood of fear on the eve of the Kurdish New Year festival of Newrouz, celebrated on 21 March.

The tragic turn of events taken by the demonstrations are well known. The European Parliament immediately responded with a resolution in topical and urgent debate, condemning excesses by terrorist groups, the military and forces of law and order.

The situation in South-East Anatolia has changed little since your rapporteur's first visit; the region is still under state of emergency, with all the restrictions on freedom that this implies (since the renewal of the state of emergency the HEP Members from South-East Anatolia have resigned from the SHP political group).

The European Parliament voted in favour of lifting the state of emergency as soon as possible and introducing a general amnesty, a democratic fight against terrorism and recognition of the Kurds. This problem was taboo during your rapporteur's first visit to Turkey but is now discussed officially. The government is however showing extreme caution; it intends to grant certain rights to people of Kurdish descent: cultural rights, the right to publish books and newspapers in Kurdish and to broadcast in Kurdish, etc. These plans have of course been heavily compromised by the bloody events at the Newrouz.

<u>Cyprus</u>: the situation has barely changed since your rapporteur's first visit. The Prime Minister has however stated his wish to find a solution that respects the United Nations resolutions and stressed the importance of maintaining good relations with Greece following the meeting between the Prime Ministers of Greece and Turkey at the Davos Summit in February 1992.

Relations with the European Community: a slight change has become perceptible since your rapporteur's first visit. Membership has not been forgotten but no longer seems to be a government obsession. Relations with Europe have to be improved, Turkey may one day be part of Europe but its main intention is to play a regional role, which will be of prime importance and which was highlighted by the French Head of State and a senior British diplomat during their recent visits to Turkey.

The Turks deserve credit for their attitude in the conflict in Nagorno Karabakh and the country has an important role to play in relations with the new 'Turkish republics'.

Your rapporteur therefore supports the proposal to grant Turkey observer status in the Western European Union and of course supports increased political cooperation with Turkey, particularly with regard to all Mediterranean and Middle Eastern issues. There is a need, while showing full understanding of the interests of Turkey and the Community, to reinforce and regenerate relations with Turkey, which is destined to play an increasingly important, in fact a decisive, political role in this particularly sensitive region. Your rapporteur advocates that the government should be given every encouragement in putting its electoral promises into effect.

