

*On the occasion of the Information Forum
organized by the CSCE in London, 18 April-12 May 1989*



**THE NEVER-ENDING VIOLATION
OF THE RIGHT TO FREEDOM
OF OPINION AND EXPRESSION
IN TURKEY**

(A 5-month record)

INFO-TÜRK

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INFO-TÜRK

INFO-TÜRK is a working group founded in 1974 by a number of progressive people with a view to informing world opinion of the political, economic, social and cultural life of Turkey and of Turkish immigration.

Denouncing the repression in that country, it contributes also the struggle for democracy in Turkey.

INFO-TÜRK has the honour of publishing the only bilingual periodical on Turkey which has been appearing abroad without interruption for more than ten years: The monthly newsletter INFO-TÜRK.

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INFO-TÜRK
Rue des Eburons 38
1040 Brussels - Belgium
Tel: (02) 230 34 72

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FOREWORD

Info-Türk's this new pamphlet was drawn up on the occasion of the *Information Forum* meeting organized by the Conference on Security and Cooperation in Europe (CSCE) in London between 18 April and 12 May 1989.

Although, the Republic of Turkey is one of the signatories of the Helsinki Final Act and is fully engaged to respect fundamental human rights and freedoms, the daily practice in this country is not at all in conformity with this engagement.

Since the military coup of 1980, all human rights and fundamental freedoms have been violated without taking heed of criticisms by international human rights institutions. The Turkish press and the country's intellectuals have been one of the principal targets of the State Terrorism.

Today, Turkish authorities claim that the situation is rapidly changing and there is no more violation of the right to freedoms of opinion and expression. But the daily practices are very far from confirming Ankara's this claim.

Resuming the information appeared in the Turkish press in last five months, *Info-Türk* draws the attention of the *Information Forum* to the continuing violations of the right to freedoms of opinion and expression in Turkey.

Info-Türk

25 JOURNALISTS STILL IN TURKISH PRISONS

According to the daily *Cumhuriyet* of January 15, 1989, currently 23 journalists are in prisons. Besides, *CPJ Update*, periodical of the Committee to Protect Journalists in the USA reports in its October 1988 issue the names of other journalists in Turkish prisons. So, the total number of journalists in prison rises to 25 in Turkey:

Below are their names, their periodicals and total of their prison terms

Veli Yilmaz (Halkin Kurtulusu) 748 years,
Kazim Arli (Oncu) 22 years and 6 months,
Abdullah Bektas Erdogan (Kitle) 36 years,
Irfan Asik (Partizan) 111 years,
Feyzullah Ozer (Kitle) 17 years and 6 months
Hu^seyin Ulgen (Genc Sosyalist) 12 years et 3 months,
Ali Rabus (Birlik Yolu) 17 years,
Erhan Tuskan (Ilerici Yurtsever Genclik) 123 years,
Candemir Ozler (Savas Yolu) 23 years and 10 months,
Mehmet Ozgen (Bagimsiz Turkiye and Devrimci Militan) 41 years,
Nevzat Acan (Halkin Kurtulusu Yolunda Genclik) 21 years and 7 months,
Alaattin Sahin (Halkin Yolu) 130 years,

Osman Tas (Halkin Kurtulusu) 661 years and 2 months,
Fikret Ulusoydan (Halkin Sesi) 66 years,
Ilker Demir (Kitle) 36 years,
Haci Ali Ozler (Emegin Birliđi) Prison term unknown
Remzi Kucukertan (Devrimci Proletarya) 17 years and 6 months
Kubilay Akpinar (Gunes Cagri) 7 years and 6 months
Ertugrul Mavioglu (Yeni Cözüm) 3 years
Sureyya Uri (Durum)
Mehmet Resat Güvenilir (Emegin Birliđi) 29 years and 9 months
Güzel Aslaner (Halkin Birliđi) 146 years.
Mete Dalgın (Halkin Birliđi) 30 years
Mehmet Coban (İktibas) 7 years and 6 months
Ayhan Erkan (Kivilcim) 25 years

Three other journalists have been condemned in default to different prison terms and courts warrants issued for their immediate arrest in the case of capture:

Mustafa Tütüncübası (Halkin Sesi) condemned to 42 years; Dogan Yurdakul (Aydinlik) to 18 years and Aydogan Büyüközden (Aydinlik) to 136 years.

Past year, five journalists have been released from prison after having served their prison terms: Fuat Akyürek, Mustafa Colak, Galip Demircan, Ersan Sarıkaya and Muhittin Göktas.

Mustafa Yıldırım Türker, responsible editor of Halkin Kurtulusu, escaped from prison in 1988 while serving his 155-year prison term. He is currently in West Germany as political refugee.

JOURNALISTS AT TRIBUNALS

In the last year, public prosecutors started more than 500 different penal or civil actions against daily newspapers and other periodicals.

303 of these actions are against daily newspapers: Tan underwent 71 legal proceedings, Günaydin 54, Günes 47, Sabah 40, Hürriyet 36, Milliyet 20, Cumhuriyet 17, Ulus 11, Milli Gazete 6, Türkiye 1.

As for the weekly or monthly periodicals, they underwent about 200 legal actions. While the weekly 2000e Dogru was indicted in 43 different legal actions, the number of penal actions against monthly reviews as follows: Yeni Cözüm 8, Emek Dünyası 4, Günes Cagri 3, Emegin Bayragi 3, Vardiya 2, Yeni Demokrasi 6, Cagdas Yol 3; Medya Günesi, İlk Adim, Bülten, Toplumsal Kurtulus, Yeni Öncü, Genclik Dünyası and Demokrat Arkadas one each.

Responsible editor of 2000e Dogru, Mrs. Fatma Yazici was already condemned to 2 years and 4 months imprisonment. The chief editor of the same weekly, Mr. Dogu Perincek was condemned to 17 years and 6 months in prison.

In addition to the above-mentioned political periodicals, some magazines such as Playboy, Playmen, Bravo and Erkekce have been the subject of legal actions for having published articles or photos which are considered "harmful to minors" by the virtue of a law adopted by the Ozal's majority in the Parliament.

TURKEY: CHAMPION OF DESTROYING BOOKS

As the controversy on The Satanic Verses and its condemnation by Khomeini is growing, the Turkish Supreme Court, on March 2, 1989, upheld the verdict of a lower court ordering the confiscation and destruction of two books that were found obscene, provoking criticism from local officials and from around the world.

As a result of the Supreme Court verdict, Henry Miller's *Tropic of Capricorn* and Turkish writer Ahmet Altan's *Sudaki Iz* (Trace on Water) will never be distributed in Turkey and available copies will be destroyed. The Supreme Court, however, cleared two other books by a Turkish author which were accused of violating the anti-obscenity law.

The Supreme Court verdict ordering a literary work destroyed is the first to be handed down by the judicial body in nine years. Other cases from the same period, which resulted in the destruction of literature and political writing, was done upon the order of police and military regime.

Erdal Oz, publisher of the two books which are to be destroyed, told the press that the verdict of the Supreme Court was a clear sign of an attempt to undermine freedom of thought.

Ahmet Altan, the author of *Trace on Water*, said the verdict of the court is a death sentence which is similar to that given by Iranian leader Khomeini for the writer of The Satanic Verses.

"I'm sure that my book is not obscene. One cannot sentence the whole book by focusing on certain parts," Altan said.

The censorship law was passed in 1927 in the Turkish Parliament under President Mustafa Kemal Atatürk. It aimed to prevent the harmful effects of fanatic religious books on children. But none of the Turkish courts applied this law until 1985 when the ruling Motherland Party resurrected it and changed its application.

According to a recent survey of the left-leaning paper Cumhuriyet of

February 25, 1989, since the Motherland Party took power in 1983, 458 publications have been confiscated, 368 of them have been ordered by lower courts to be destroyed, and 90 await a decision.

The same survey shows that 2,792 responsible editors, translators, reporters and publishers have been tried in 1,881 press trials since 1983. Some 39 tons of publications were destroyed and another 40 tons are awaiting destruction pending a final court decision. Political magazines confiscated in the past six years comprised the largest portion within the total, followed by political books. Fifty-five popular magazines, 78 pornographic publications, five postcards, 14 music tapes, four video cassettes, one calendar, 64 daily papers, 48 popular weekly magazines, five atlases and one telephone directory were also confiscated as a result of court rulings, the paper said.

Reporters, translators and publishers were sentenced to a total 2,000 years in prison in the past six years while "responsible editors" of political magazines published before the military coup in 1980 were sentenced to a total of some 5,000 years and fined billions of Turkish liras. Twenty-six "responsible editors" of pre-coup publications are still in prison. Currently, 303 trials against 13 daily newspapers are still going on.

A written statement released by the Justice Minister Tinaz Titiz protested newspapers' use of the term "burned books" to describe the destruction of unlawful publications. He said the materials are sent to state-run paper processing plant, for recycling. The ministry said publications have never been burned.

Some parliamentarians and intellectuals in the United States and Europe strongly reacted the verdict of the Supreme Court, arguing that the destruction of books has no place in the contemporary world.

Banned and destroyed books, allegations of systematic torture in Turkey and the duration of police detention were among topics discussed in the U.S. House of Representatives subcommittee dealing with financial and military aid to Turkey for the years 1990 and 1991.

Worse criticism came about violations and abuses of human rights and democratic freedoms in Turkey. Rep. Donald E. Lukens (D-Ohio) said two literary books, including Henry Miller's *Tropic of Capricorn*, have been recently ordered destroyed.

The White House's spokesman Wilkinson said the administration has been only very recently informed about the bans and he argued, incorrectly, that the court rulings in Turkey against these books are still to be appealed. It was a final and irreversible Supreme Court ruling that Rep. Lukens was referring to.

Rep. Edward Feighan (D-Ohio) referred to reports by international

watchdog organizations like Amnesty International that systematic torture is practiced in Turkey.

West German member of the Turkish-EC Joint Parliamentary Commission, Wolfgang von Nostitz, told *Hurriyet* that the banning and destroying of books is anachronistic. He stated he will bring the issue before the European Parliament. He also said the subject will be discussed at the joint parliamentary commission meeting on April 24-26 in Ankara.

Rene Tavernier, chairman of the French chapter of the PEN Club (the international association of poets, essayists and playwrights) called the verdict as a scandal and protested the move on behalf of the chapter.

John E. Porter (R-III.), a member of the U.S. House of Representatives committee on appropriations who visited Turkey last year, told *Hurriyet* that the destruction of books was a practice seen during the Nazi era.

BOOKS BANNED SINCE 1955

The following is a list of books banned over the past 33 years (not all titles are included):

1955-56:

Oktay Rifat's *Karga ile Tilki* (The Crow and the Fox), Orhan Kemal's *Grev* (Strike), Melih Cevdet Anday's *Yanyana* (Side by Side), Fethi Naci's *Insan Tukenmez* (Man is Inexhaustible), Sukran Kurdakul's *Giderayak* (In the Last Minute), Metin Eleoglu's *Sultan Palamut* (Sultan Bonito), Arif Damar's *Gunden Gune* (From One Day to the Next), Ferruh Dogan's cartoon album *Asrilesen Koy* (Modernized Village).

1960s:

Ercument Behzat Lav's *S.O.S* in 1965, Asik Ihsani's *Yazacagim* (I Shall Write) in 1966, Nezihe Meric's *Nazim Nikmet Butun Eserleri 1* (Complete Works of Nazim Hikmet Vol. 1) in 1968, Hasan Huseyin's *Kizilirmak* (Red River), Sukran Kurdakul's *Halk Ordulari* (People's Armies).

1970s:

Sevgi Soysal's *Yurumek* (To Walk) in 1970, Ozkan Mert's *Kuracagiz Herseyi Yeniden* (We Will Build Everything Anew) in 1971, Tektas Agaoğlu's *Politika ve Felsefe* (Politics and Philosophy) in 1973, Cetin Altan's *BirAvuc Gokyuzu* (A Handful of Paradise) in 1974, Ceyhun Can's *Umut Devrimci Savasta* (Hope in the Revolutionary Struggle) in 1974, Hasan Iz-zettin Dinamo's *Kavga Siirleri* (Battle Poems) in 1977, Yasar Mirac's *Trabzonlu Delikanli* (The Young Man From Trabzon) in 1979.

After 1980:

Yasar Mirac's *Taliplerin Agidi* (Ode to Talip) in 1980, Ataol Behramo-

glu's Ne Yagmur Ne Siirler (Neither Rain Nor Poems) in 1981, Talip Apaydin's Vatan Dediler (The Country, They Said" in 1981, Kente Inen Idris (Idris Who Went to Town) in 1981, Adalet Agaloglu's Fikrimin Ince Gulu (The Rose of My Mind), published in 1976, confiscated in 1981, Oktan Ankarali (Originally From Ankara) in 1982, Asim Bezirci's Anthology On Sair, On Siir (Ten Poets, Ten Poems), published in 1971, confiscated in 1982, Gulden Akin's Kirmizi Karanfil (Red Carnation), published in 1971, confiscated in 1982, Bertolt Brecht's Halkin Ekmegi (The People's Bread), the fifth edition confiscated in 1982, Nihat Behram's Hayati Tutusturan Acilar (Agonies That Set Life on Fire) in 1983, Fikret Otyam's Mayinlar Ciceek Acmaz (Mines Don't Bloom) in 1983, Ozan Telli's Ekmegim, Sarabim, Tuzum Askina (For the Love of My Bread, Wine, Salt) and Ishakca in 1983, Necati Gungor's Yeryuzunde Iki Golge (Two Shadows on Earth) in 1983, Yilmaz Guney's Ogluma Mektuplar (Letters to My Son) in 1983, Mehmet Yasin's Sevgili Olu Asker (Dear Dead Soldier) in 1984, Vecihi Timuroglu's BirSurgunun Ezgileri (Tunes of an Exile) in 1984, Ahmet Altan's Sudaki iz (The Trace on Water) in 1986, Pinar Kur's Bitmeyen Ask (Endless Love) in 1986; and recently, Nihat Behram's Yurekleri Safakta Kivilcimlar (Sparks with Hearts in Dawn) and Iskencede Olum Guncesi (Diary of Death Under Torture), Ibrahim Acan's Yargilayan Savunma (Judging Defense), Tayfun Mater's Devrimci Yol Davasi Savunmalari (Defense of the Devrimci Yol Case).

A 15-YEAR OLD POLITICAL PRISONER, IN TURKEY... AND IN 1989!

The European Communities and its member states resort for years to every means for encouraging Turkish immigrant workers to return to their country. Since the stopping of immigration in 1974 until 1984, within a 10-year period, the number of Turkish citizens who left Europe for Turkey reached 1,199,718.

Of these people, 512,770 were under the age of 18 when they returned to Turkey.

These young people who were often born in Europe and had studied in European schools often face a dramatic situation in their country of origin where they undergo an antidemocratic, Islamist and chauvinist education. This drama was explained our November 1988 issue.

The press clippings that we reprint here are more explicit.

15-year old Melih Calaylioglu one of the immigrant children who re-

turned home from the FRG. As he had freely done in German schools, Calaylioglu expressed his views on social and political problems of Turkey at the Karatas High School in Izmir. He was denounced to police by the school administration.

On October 4, 1988, he was arrested by police on grounds that he made communist propaganda among his school mates. He was tried by the State Security Court of Izmir under the menace of a 8-year imprisonment.

The court decided on December 29, 1988 to put him under the observation of the legal medicine in a view to determining whether or not he made communist propaganda in all conscience.

A team of six psychiatrists who made a six-week-long examination of Melih Calaylioglu declared in their report that he was incapable of deliberately committing the crime.

The report pointed to "the different interpretations of the act he is accused of in Turkey and in the country where he was born."

The report says that articles 46 and 47 of the Turkish Penal Code define 15-year-olds as mature enough to be held accountable for their actions. It points to the fact that Calaylioglu was 15 only 11 days before he allegedly committed the crime.

If the law is interpreted strictly, Calaylioglu would not benefit from penalty reductions and exemptions mentioned in those articles, the report said.

"However, the nature of the offense and how it was committed should also be taken into consideration along with the character structure and psychological circumstances of the defendant," says the report.

Calaylioglu spent his childhood in West Germany in a completely different culture and in an unstable family, according to the report, which also claims that he has a mentally disturbed aunt.

However, it also said that a number of psychiatric tests made on Calaylioglu revealed that he is "an intelligent, creative but restless young man."

The psychiatrists said Calaylioglu committed the crime in response to questions by his friends in an attempt to prove his knowledge and was motivated by his character traits.

"It is not possible to see his act as a deliberate and calculated violation of the offense described in article 142, namely making propaganda promoting the domination of one social class over the others," said the report.

After being deprived of his liberty for about five months, Calaylioglu was released on February 4. But his trial for communist propaganda has not yet ended. The court will pronounce its verdict on the medical and he still faces a 8-year prison term.

Before the release of Metin Calaylioglu, his mother, Cavidan Calaylioglu attempted to commit suicide due to a nervous breakdown.

While the controversy on the indictment of a 15-year old high school student for "communist propaganda" was spreading out as well in Turkey as abroad, Ankara regime, taking no heed of criticisms, has arrested more adolescents for the same pretext.

On February 10 with the arrest of 16-year old S.T. in Diyarbakir. The young detainee is accused of distributing propaganda tracts of PKK and faces a prison term of up to 12 years.

According to Milliyet of February 18, 1989, three students of the Orhan Veli Training School in Umraniye, H.F., M.D. and H.K., were arrested two months ago for having painted some left-wing slogans on the walls of school building.

H.F. and M.D., both 15 years old, are tried by the State Security Court of Istanbul and both face prison term of up to 10 years. As for H.K., who is not yet 15 years old, is tried by a special court for children for the same accusation.

A 17-year old son of a migrant family, A.K., was arrested two months ago in Turhal for "communist propaganda" and is now tried by a criminal court in Kayseri. A.K. said that he was tortured during police interrogation for obtaining a deposition accepting that he had come to Turkey in order to organize the Communist Party of Turkey/Union (TKP/B) in Turhal.

ARREST OF A 71-YEAR OLD LAWYER

Police terror takes as target not only adolescents, but also very aged people.

A 71-year old lawyer, Ibrahim Acan, was arrested by the State Security Court of Ankara on January 18, 1989 for having published a book entitled "A defence Which Judges". This book contains the written defences of alleged members of the Union of Revolutionary Communists of Turkey (TIKB) who were tried by a martial law court in Istanbul.

Public prosecutor claims that the book was intended to make propaganda for communism and demands a prison term of up to 20 years.

Acan was born in 1917. After having served in the Turkish Army until 1964, he retired at the rank of colonel. After being graduated from the Law Faculty of Ankara University he became attorney affiliated to the Bar Association of Ankara. He is also member of the Association of Contemporary Lawyers and the Human Rights Association of Turkey.

In the course of the post-coup period, he took place in many political trials as defence lawyer of defendants.

According to *Cumhuriyet* of January 19, Acan was insulted by the prosecutor during his interrogation at the State Security Court and his hairs were cut after his arrest.

MIDNIGHT ARREST OF INTELLECTUALS

Halit Celenk, a prominent Ankara lawyer known for his defense of political prisoners, and Muzaffer Erdost, a left-wing publisher, were taken from their homes by police midnight October 25.

Erdost's brother, also a publisher, had been killed at the Mamak Military Prison in 1982 after being brutally beaten.

The arrest of the two eminent intellectuals has stirred protests from opposition circles.

The Chief prosecutor of the State Security Court of Ankara, Nusret Demiral, claimed the two men made communist propaganda in articles published in a monthly magazine in Ankara.

Celenk and Erdost were released 18 hours after their detention following interrogations by a judge at the State Security Court, ruling that what they wrote in the magazine can only be considered legitimate criticism.

Onur Kumbaracıbasi, the deputy chairman of the SHP's parliamentary group, said the way police and the prosecutor acted was a "shame in a country where justice and law should prevail."

PROFESSOR KUCUK TORTURED

The daily *Cumhuriyet* of October 17, 1988 reported that Professor Yalcin Küçük was tortured on September 18-19 when he was taken into custody in Gaziantep.

The 50-year old professor, one of the distinguished researchers of Turkey, had been dismissed from his university post after the military coup d'état. He has written up to now 18 books of which one was confiscated. He is also the chief editor of the monthly *Toplumsal Kurtulus*. He has been arrested many times for his articles and books.

Recently he went to Gaziantep for participating in a conference organized by the monthly *Emek Dünyası*. After the conference, he was taken by police to the interrogation center. Küçük said that during the interrogation, policemen insulted, beat and kicked him until morning.

A BALLET CHOREOGRAPHER IN TROUBLE

The Bulgarian-born former chief choreographer of the Istanbul State Opera and Ballet, Sonya Aslan, found herself in trouble when she complained about Turkish dancers to the West German ballet director Peter von Dyk three years ago.

When two of the dancers failed to show up for the rehearsal, Aslan told the upset director that things in Turkey work this way. A case was brought against her on charges of insulting the Turkish nation when one of the ballerinas complained about her comments. The case is still going on.

At the hearing of November 8, Aslan said the German director wanted to fire the dancers and she wanted to prevent this by saying there was a different sets of rules in this country.

22-YEAR PRISON TO A KURDISH MAYOR

The trial of a Kurdish group, *Özgürlük Yolu* (Road to Freedom) resulted on October 12, in sentencing 27 defendants to prison terms of up to 15 years. At the same trial, the Martial Law Court of Diyarbakir pronounced two different sentences for the former Mayor of Diyarbakir, Mehdi Zana: 15 years for being member of this group and 7 years and 6 months for carrying fire arm without authorization.

On October 25, the same court tried again Mehdi Zana in another case for making a declaration in favour of *the Workers' Party of Kurdistan (PKK)*.

For the time-being Mehdi Zana is at the Prison of Eskisehir.

On October 14, the State Security Court of Istanbul sentenced seven members of the PKK to prison terms of up to 12 years for having provided the guerrilla units with sustenance.

On October 6, a new case opened against 11 alleged members of the PKK at the State Security Court of Diyarbakir.

OTHER CASES OF PERSECUTION IN LAST MONTHS

In October 1988, The State Security Court of Istanbul ordered the confiscation of five monthly reviews, *Yeni Cözüm*, *Günese Cagri*, *Dünyaya Bakis*, *Görüs* and *Yeni Demokrasi*. In Ankara, the State Security Court ordered the confiscation of the monthly *Toplumsal Kurtulus* and Losovsky's book entitled *On Trade Unions*.

Oct 2, public prosecutor opened a new legal pursuit against the *Human Rights Association of Turkey (IHD)* and its leading members. Accusing Chairman Nevzat Helvaci and 10 other members of the administrative board of leading political activities by demanding general amnesty and abolition of capital punishment, the prosecutor claimed the ban of the association and 3-year prison term for each defendant.

Oct 3, four musicassettes produced by three famous singers, Ahmet Kaya, Selda and Zülfü Livaneli were forbidden by the governor in the province of Bilecik.

Oct 5, Mrs. Fatma Yazici, responsible editor of the weekly *2000e Dogru*, was condemned in two different case. The State Security Court of Istanbul sentenced her to three years in prison for "making propaganda detrimental to national feelings." The case was brought against the magazine because it published an announcement commemorating the death of an alleged leader of the PKK. The court also ruled the seizure of the copies of the magazine in which the announcement appeared.

Oct 6, the State Security Court of Izmir sentenced three journalists of the monthly *Yeni Cozum*, Mujdat Yanat, Leyla Buyukdag and Recep Guler, to 18-month imprisonment each for having led a demonstration on May Day.

Oct 11, the Ministry of Culture and Tourism issued, on new regulations on the selection of folk songs to be printed or broadcasted. According to the new rules, the words of a folk song should not contravene the Constitution, laws and public morality. Besides, a consultative board will be charged to verify the words and notes of folk songs and to make, if necessary, changes on the words and notes before their printing or broadcasting.

Oct 20, two journalists of the weekly *Tempo*, Engin Ardic and Yetkin Iscen are condemned by a criminal court in Istanbul to 21-month imprisonment each for an article criticizing Premier Ozal.

Oct 26, a criminal court in Istanbul sentenced two journalists of the daily *Cumhuriyet*, Cüneyt Arcayürek and Okay Gönensin, to five months, 25 days in jail on charges of insulting Premier Ozal. The court later commuted the prison sentences to fines of 81,066 TL (\$46).

Oct 27, Mrs. Yazici was again sentenced by the SSC to a 7-year prison term for an article on the cultural rights of the Kurdish people.

Oct 27, the martial law court of Diyarbakir sentences poet Yilmaz Ozbasi to 8-year prison for being member of the outlawed Kurdish group *Ozgürlük Yolu* (Road to Freedom).

Oct 30, the public prosecutor opened a lawsuit against journalist Erbil Tusalp at the State Security Court of Ankara for having unveiled the depo-

sition of the presumed author of the attempt on Premier Ozal's life. He faces a 13-year imprisonment.

Nov 3, the Istanbul office of the monthly *Toplumsal Dirilis* is raided by police and its staff members are detained.

Nov 4, November issue of the monthly *Sorun* is confiscated.

Nov 11, fascicles of the *Encyclopaedia of Modern Times* (Yakin Tarih Ansiklopedisi) are confiscated on pretext that it contains articles insulting Atatürk.

Nov 12, two members of the folk music group *Yorum*, Efsan Sesen and Tuncay Akdogan, are detained in Ankara for singing Kurdish songs.

Nov 15, daily *Cumhuriyet* reports that Erdal Cayir, Ankara representative of the monthly review *Yeni Cözüm* attempted to commit suicide when he was under police arrest. After his detention on November 11, his father sent Prime Minister a telegram alleging his son might be under torture.

Nov 16, the prosecutor of Ankara indicts the *Association of Teachers (EGIT-DER)* leaders for having invited a group of French teachers to Turkey without any authorization.

Nov 18, November 88 issues of two monthlies, *Yeni Cözüm* and *Demokrat Arkadas*, are confiscated by the SSC.

Nov 19, cartoonist Güneri Icoğlu of the weekly humorist magazine *Limon* is summoned for serving his 10-month imprisonment.

Nov 23, journalist Erbil Tusalp is indicted by the prosecutor of the State Security Court of Istanbul for having revealed the deposition of the alleged author of the attempt on Turgut Ozal's life.

Nov 24, Mustafa Zülkadiroğlu, director of *Emek* Publishing House, is put in prison for serving his 6 years and 3 months imprisonment to which he was condemned for a pamphlet on May Day he had published eleven years ago.

Nov 25, the director of *Sorun* Publication House, Sirri Öztürk is condemned by a criminal court to 2-month prison term and a fine of 28,000 TL for a publication.

Nov 25, 70-year old novelist Kerim Korcan and publisher Rabia Sen Sürer are brought before the SSC of Istanbul. They are accused of communist propaganda in Korcan's novel entitled *Bridge of Fire*, relating the torture practiced in the years 30 at Political Police center of Istanbul.

Nov 26, a monthly review, *Yönelis*, and Lenin's work on "party organization" are confiscated by the SSC of Istanbul.

Nov 27, a concert to be given by the folk music group *Yorum* is banned by local police in Mersin.

Nov 30, two journalists of the weekly *2000e Dogru*, Fatma Yazici and Emin Göker, are condemned to imprisonment for having insulted Prime

Minister Ozal. Five other journalists, Eren Güvener and Talat Halman of daily *Milliyet*, Hasan Kilic and Inan Göksel of daily *Günaydin* and Sabahat Aksakal of *Yeni Nesil* are tried for the same accusation at criminal courts of Istanbul.

Dec 1, two editors of Hedef Publication House, Nurettin Karakoc and Mehmet Demir, are taken into custody.

Dec 5, a prison term of 3 months and 15 days against Necmettin Kuru-cu, responsible editor of the daily *Inanis* in Zonguldak, is ratified by the Court of Cassation.

Dec 6, responsible editor of the monthly *Toplumsal Kurtulus*, Mr. Felemez Ak, is taken into custody.

Dec 8, public prosecutor opens a legal action against famous folk singer Cem Karaca for his new musi-cassette. He is accused of weakening religious sentiments.

Dec 9, editor Asuman Ozcan is brought before the State Security Court of Istanbul for having published Losovsky's work on trade unions. He faces a 7.5-year prison term.

Dec 14, the last issue of the mothly *Yeni Acilim* is confiscated and its responsible editor, Sefik Calik, is interrogated by the prosecutor of the State Security Court of Istanbul.

Dec 15, the trial of two distinguished intellectuals, lawyer Halit Celenk and editor Muzaffer Erdost starts at the State Security Court of Ankara.

Dec 12, chief editor of the weekly *2000e Dogru*, Mr. Dogu Perincek is condemned to a prison term of 17 months and 15 days by a criminal court in Istanbul for an article about Atatürk's views concerning God and Islam religion. Responsible editor Fatma Hikmet Yazici is condemned a fine of 135,000 Turkish Liras for publishing the said article. For quoting this article, two editors of the daily *Yeni Nesil*, Bunyamin Ates and Sabahattin Aksakal too are condemned to 17-month prison each.

Dec 21, six journalists are indicted by the State Security Court of Ankara for issuing a press communiqué against the Iraqi Government's using chemical weapons on Kurds. Nadir Nadi Usta (from *Yeni Asama*), Hatice Onat (Emegin Bayragi), Metin Faruk Tamer (Isci Dünyasi), Riza Resat Cetinbas and Mehmet Ali Cakiroglu (*Yeni Demokrasi*) and Can Gülsenoglu (*Medya Günesi*) face prison terms of up to 6 years each.

Dec 22, Secretary General of the United Communist Party of Turkey (TBKP), Haydar Kutlu, is indicted once more by the State Security Court of Ankara for book collecting his speeches and writings.

Dec 27, the December issue of the monthly *Yeni Cözüm* is confiscated and three members of the editorial board, Recep Güler, Ilker Alcan and Mer-

al Coskun are taken into custody. A group of 42 people protesting against this arrest are also detained by police.

Dec 28, police, on the decision of the State Security Court of Ankara, confiscates 3,300 copies of a book entitled *The journal of Death Under Torture*, written by poet Nihat Behram. The book puts in evidence police's torturing to death. The same court had ordered the confiscation of 15,000 copies of another book written by the same author. Nihat Behram is one of the Turkish intellectuals deprived of Turkish nationality because of his opinions and is currently in the FRG.

Dec 29, famous Turkish sociologist Dr. Ismail Besikci is detained by police for an interview he gave to the monthly *Ozgür Gelecek*. He spent more than ten years of his life in prisons for his academic works criticizing the State's repressive policy against the Kurdish people and culture.

Dec 30, thousands of new year cards illustrated with Picasso's drawings and worded with verses of Pablo Neruda and Nazim Hikmet are confiscated by police.

Jan 2, a second book of poet Nihat Behram, "Their hearts are sparks at dawn", published by Yurt Yayinlari, was confiscated by the State Security Court of Ankara. The poet is accused of making propaganda for Communism and provoking the sentiments of hate and hostility in the people. In December, the same court had confiscated Behram's book entitled "The Journal of Death under Torture."

Jan 3, journalist Ozcan Ozgür is sentenced to 2-month imprisonment by a criminal court of Mugla for having insulted a müftü (moslem priest).

Jan 5, the No.2 of the monthly review *Yönelis* is confiscated by the SSC of Istanbul on grounds that it contains propaganda for communism and separatism.

Jan 6, the editor of the monthly review *Yeni Acilim*, Sefik Calik, was indicted by the State Security Court of Istanbul. He is accused of communist propaganda.

Jan 9, the police of Bursa provinces confiscated four books of Sol Publishing House: Karl Marx's *Capital*, Nikitin's *Political Economy*, Huberman's *ABC of socialism* and Politzer's *Fundamental Principles of Philosophy*. All these books had earlier been the object of legal proceedings and acquitted by tribunals.

Jan 11, famous folk singer Arif Sag, who is also a deputy of the social democrat SHP, was indicted for having insulted the Governor of Ankara.

Jan 13, the January 89 issue of the monthly review *Emek Dünyasi* was confiscated by the order of the State Security Court of Istanbul. Two editors, Yilmaz Eksi and Osman Günes, were indicted by the prosecutor for an article criticizing the privatization of public sector.

Jan 18, the trial of Huseyin Coskun, correspondent of the monthly review *Yeni Cözüm* in Usak, began at the State Security Court of Izmir. He is accused of communist and separatist propaganda in an article.

Jan 19, a criminal court of Izmir sentenced Hacay Yilmaz to 6-month imprisonment and a fine of 37,000 TL for having praised the workers' resistance in the Taris Mills of Izmir in 1980.

Jan 20, the trial of novelist Kerim Korcan, 70, and publisher Rabia Sen, both accused of communist propaganda in the novel entitled "Bridge of fire", began at the State Security Court of Istanbul. Korcan faces a 10-year imprisonment.

Jan 21, university student Serdar Yildiz was detained in Ankara for an article that he wrote to the monthly review *Yeni Katilim*.

Jan 23, two editors of the monthly review *Ozgür Gelecek*, Mehmet Bayrak and Bekir Kesen, were arrested by the State Security Court of Ankara. Besides, the January issue of the review was confiscated.

Jan 24, the chief editor of the monthly *Toplumsal Kurtulus*, Dr. Yalcin Küçük, was arrested by the State Security Court of Ankara for communist and separatist propaganda.

Jan 24, the editor of the humorist review *Limon*, Tuncay Akgün, was brought before a criminal court in Ankara for publishing a reader's letter. Prosecutor claims that the letter contains slander against Islam religion.

Jan 25, the State Security Court of Ankara issued a warrant for arresting Osman Tayfun Mater who edited a book entitled "Before and After the 12th September: Defense at the Dev-Yol Trial". Mater too is one of the defendants of this biggest political mass trial in the last 9-year period. The SSC considered the publication of the defense read at the Martial Law Court as "propaganda for communism."

Jan 26, the introduction of 402 different publications into the Aydin Prison was banned by penitentiary authorities. Among the banned authors are also Voltaire and Kafka.

Feb 7, the last issue of the monthly review *Yeni Demokrasi* was confiscated for an article on State terrorism in Kurdistan.

Feb 11, the responsible editor of the *Encyclopaedia of Socialism and Social Struggles*, Mr. Abdullah Onay was indicted for having quoted some parts of Wilhelm Weitling's writing on communism, printed in 1846. He faces a prison term of up to 15 years.

Feb 21, Professor Yalcin Kucuk was detained for a fourth time. In all trials opened for his articles, he faces a total of 45-year prison term.

Feb 22, the issue No.3 of the monthly review of *Ozgur Gelecek* was confiscated in printing house before distribution. Responsible editor Be-

kir Kesen, who is already in prison for another press trial, was indicted again.

Feb 22, the responsible editor of the monthly review *Emek Dunyasi*, Mr. Osman Gunes was sentenced to a 6-month prison term by the Istanbul SSC, for an article about workers' resistance.

UNLAWFUL EXTRADITION OF 5 EXILES

Turkish authorities showed once more their double-faced attitude when they extradited five and arrested three of eight self-exiled left-wing activists who returned home on December 10, to mark the 40th anniversary of the signing of the Universal Declaration of Human Rights.

As the eight arrived on three separate flights originating from London, Copenhagen and Frankfurt, police accompanied them to isolated rooms at the Istanbul Airport.

Five of them, trade unionists Nafiz Bostanci, Murat Tokmak, Ekrem Aydin, Turan Ata and lawyer Beria Onger, president of the Progressive Women Association, were immediately put on the planes that brought them home. Police announced that they were extradited because they are no more Turkish citizens. A number of European parliamentarians, lawyers and journalists accompanying the exiles also returned with the five.

Green-helmeted riot police cordoned off the entrance to the airport, keeping out the supporters and relatives of the exiles.

Three of the exiles, engineer Nurettin Yalcin, woman activist Yuksel Selek and youth activist Haluk Tan Ipekci, were detained because they still had Turkish nationality while the other five had lost their citizenship with government decrees issued after 1980.

The detained three exiles were released a few days after interrogations.

The forcing of the five to return to Europe sparked a public controversy. According to the State Security Court of Ankara, the arrest warrants issued earlier about the five exiles were valid even if the defendants had lost their Turkish nationality.

A social democrat deputy, Kemal Anadol, pointed to earlier examples such as the return of Yahya Demirel, the nephew of former prime minister Demirel, who had an arrest warrant against him on charges of fraud, and Cem Karaca, a folk singer. He said the two were accepted when they returned last year.

In his earlier statements, Prime Minister Turgut Ozal had said that all those who are exiled abroad or deprived of Turkish nationality could return

home without fear and ,if there is a legal pursuit against them, they could rely on the Turkish justice.

This last practice proved that Ozal does not respect to his own words, let aside the international norms of law.

NO REINSTATEMENT OF CITIZENSHIP

Reinstating the citizenship rights for more than 14,000 Turks living in self-imposed exile outside the country is not possible, Prime Minister Turgut Ozal said in a written note to a parliamentary committee on October 31.

A bill tabled by Social Democrat Populist Party deputy Erdal Kalkan to abrogate the government's authority to take the citizenship rights of people born as Turkish nationals was refused by the government majority at the Parliament.

On the other hand, the government has prepared a bill enabling some of the people who were stripped of their citizenship to regain it. After the ratification of the bill by the National Assembly, the concerned people can apply within two years for repatriation. Applications will be subject to inquiry by the government, and those found "without reserve" may regain citizenship.

The bill aims to change several articles in the Turkish Citizenship Law . The reason for introducing the draft law was explained as the need to clear contradictions between different cases. Although the preamble of the draft did not say it openly, it was a clear reference to Turkish citizens who have been stripped of their nationality without any appropriate legal ruling simply on request from martial law commanders.

However, the draft law gives the final authority to the government to say who can become a Turkish citizen.

There are some 14,000 Turks deprived of their citizenship.

442 DEPRIVED OF NATIONALITY

The practice of depriving of Turkish nationality against those who are suspected of anti-regime activities or who refuse to perform military service, continues in spite of criticisms coming from international human rights organizations.

Lately, on March 14, the Council of Minister announced that 442 Turkish citizens abroad were deprived of Turkish nationality and their properties in Turkey would be confiscated by the State.

NO CITIZENSHIP TO NAZIM HIKMET

The Supreme Administrative Court ruled on October 24 it cannot hear the case opened by lawyers of the family of the late Turkish poet Nazim Hikmet demanding reinstatement of his citizenship rights which were abrogated by a government decree in 1951.

Following an appeal by his family, the same supreme court refused for a second time, on January 18, 1989, to deal with a petition for post mortem reconstituting of Turkish citizenship of the famous poet Nazim Hikmet. The court declared itself incompetent to take a decision on this petition presented by his family.

The poet died 25 years ago in Moscow. After spending 13 years in jail on charges of inciting the army to rebellion, Nazim Hikmet was released from prison by a general amnesty declared following a change of government in 1950.

After his release he received a conscription notice instructing him to report to the military authorities for compulsory service. Hikmet, who was suffering from heart disease at the time, decided to leave Turkey fearing that he would not survive the ordeal. He lived in exile for 11 years and died in Moscow.

Nazim Hikmet is the most famous Turkish poet whose works have been translated into many languages.

The lawyers of Hikmet's family have said if all the judicial possibilities in Turkey are exhausted they would apply to the European Human Rights Commission in Strasbourg.

A NEW VICTIM OF PASSPORT BAN

A 46-year old journalist has been the victim of the ban on travelling abroad.

Ismail Hakki Inanc, suffering from a heart disease, was invited by Amnesty International and the German Senate for a treatment in the FRG. But all his attempts to obtain a passport were failed by the authorities because his name was placed in the list of suspects.

Inanc was the managing editor of the daily *Politika* prior to the military coup of 1980. Although prosecutors opened two political cases against him, he was acquitted by tribunals.

NO PASSPORT TO A FILMMAKER

Turkish film director Serif Goren was not allowed by the Turkish Government to participate in Berlin Film Festival, though his film "Polizei" was one of the runners for the prize.

Goren is also the co-director of Yilmaz Guney's Cannes prize-winner film "Yol". Turkish authorities refused to deliver him a passport on grounds that there were legal proceedings against him for sending "Yol" to France without authorization and for his trade union activities prior to the military coup.

GENERAL EVREN AND INTELLECTUALS

In a move to charm public opinion and especially intellectuals, General Evren gave a reception to outstanding Turkish artists, sportpersons and journalists at the Presidential Palace on January 9, 1989.

However, many distinguished intellectuals such as septuagenarian humorist Aziz Nesin, film director Atif Yilmaz, musician Ilhan Irem, actor Genco Erkal, poets Melih Cevdet Anday and Cahit Kulebi, writers and novelists Adalet Agaoglu, Ferit Edgu, Furuzan, Tarik Dursun and Ilhan Berk did not attend Evren's party though they were invited.

Nesin, also chairman of the Turkish Writers' Union (TYS), said after receiving his invitation: "He once described me as a traitor in speeches he made at rally grounds. Now he is trying to be sympathetic. I am not playing his game."

When 1,380 Turkish intellectuals submitted a petition to Evren in 1984 protesting the injustices and anti-democratic practices of his regime, he said he didn't have any need for such intellectuals who in the past had committed treason against their country.

Thereupon, Aziz Nesin sued Evren for his comments. Since Turkish tribunal refused to deal with this affair against Evren, Nesin brought the case past year to the European Commission of Human Rights.

A NEW ANTI-PRESS LAW PROJECT

Considering insufficient all legal means of censorship on the press, the Government has presented to the National Assembly a new bill for putting in force new punishments.

If the bill is approved by the National Assembly, by virtue of a new

paragraph to be added to Article 312 of the Turkish Penal Code, it will be a punishable offense to spread rumors, verbally or in print, which might provoke threats against a person's life, health or property. Violating the law is punishable by one to three years in prison and/or a 2 million TL to 10 million TL (\$1,100 to \$5,400) fine. If the law is violated by the mass media, the punishment is increased by one-half.

The bill leaves intact the controversial articles 141, 142 and 163 which have been used against prisoners of conscience.

According to press associations, this bill was prepared for putting an end to criticisms in the press against the ruling party's leading members or their families who were involved in corruption and irregularities.

Currently, the Turkish press is already being kept under censorship by strict application of the following laws:

1. The Press Code No. 5680:

Articles 5,6 and 7: Whosoever was condemned to a prison term higher than five years, can never make a publication. Publication in foreign languages is depended on the special permission by the government.

Article 30: 6-month prison for publishing the documents concerning a penal proceeding.

Amendment dates 1983: Prosecutors can ban the distribution of a publication without obtaining a court warrant.

The Press Code authorizes the government to ban the introduction into Turkey of the publications printed abroad.

2. The Turkish Penal Code:

Article 140: Imprisonment not less than five years for spreading information abroad which damages the reputation of the Turkish State.

Article 142: Imprisonment of up to 15 years for disseminating propaganda intended to establish the domination of one class on the other (communist propaganda) and propaganda undermining national unity and pride (separatism).

Article 158: Four and a half years imprisonment minimum for insulting the President of the Republic.

Article 159: Imprisonment of up to six years for insulting the authorities, that is the National Assembly, the government and the Army.

Article 163: Five to eight years imprisonment for disseminating propaganda intended to convert the State to religious rule.

Articles 266 and 268: Imprisonment of up to three years for slandering public servants.

Article 273: Imprisonment of up to four years for slandering a member of the National Assembly.

Article 311: Three to five years imprisonment for inciting people to commit a crime.

Article 312: Six months to two years imprisonment for praising a crime

Articles 426 and 427: Fines for the publications considered "obscene."

3. The code on police's task and authority: Police can confiscate any publication that he considers "harmful to moral values of the society".

4. The law No. 1117 for the protection of minors against harmful publications: A special board set up by the virtue of this law can decide to ban the distribution and sale of such publications.

MONOPOLIZATION AND DECADENCE IN THE TURKISH PRESS

The London-based Turkish Cypriot business tycoon Asil Nadir added another newspaper in January 1989 to the publishing empire he has recently acquired in Turkey, arousing concern in press and opposition circles that he may eventually monopolize the entire printed media. He reportedly paid about 100 billion TL (\$54 million) for taking over the daily *Günes*.

Asil Nadir, the major shareholder of the British Polly Peck Group, who now owns nearly one-third of the Turkish press, is a man who has spent little of his life in Turkey and knows practically nothing about journalism.

Asil Nadir had first bought the Veboffset Group, which publishes two popular national newspapers, *Gunaydin* and *Tan* in addition to a number of magazines and four provincial newspapers.

Gelisim, the company that publishes the weekly *Nokta* and 14 other periodicals in addition to 24 encyclopedias, was Nadir's next acquisition.

As for his last acquisition, the daily *Günes*, it was launched in 1982 and changed owner twice before Nadir.

Press circles claim that Nadir's monopolizing operation is supported by the government.

The Turkish press accomplished the important technological transformation to offset printing in the 1970's, mainly thanks to heavily subsidized, and therefore cheap, newsprint.

In 1980, as the author of the drastic January 24 economic measures, Turgut Ozal declared that he was against state subsidies. By raising the prices of newsprint and other printing products, Ozal pushed the owners of these press groups to a financial crisis and obliged them to sell their publications to Asil Nadir. The newly-purchased Günes reported on the January 24 anniversary that the price of paper had gone up 133-fold in nine years, a record among all items.

Due to the above-mentioned factors on the one hand, and on the other, to the competition of the State Television, the daily total circulation of all newspapers has remained for years at the level of 2.7 million while the population of Turkey increases each year by 2 percent.

Opposition leader Erdal İnönü said: "There is anti-trust and anti-monopoly legislation even in capitalist countries. Turkish Radio and Television Corporation (TRT) is already a government monopoly. The government uses some of the financial means in its hands to reduce the Turkish press to a single voice. Press institutions should resist such monopolistic trends in its own sector."

According to the data of 1988, the shares of the main national Turkish newspapers in a total of 2.7 million-copy daily circulation are as follows:

Hürriyet (Erol Simavi)	628,914
Sabah (Dinc Bilgin)	506,671
Milliyet (Aydin Dogan)	304,927
Gazete (Erol Simavi)	273,725
Günaydin (Asil Nadir)	267,531
Türkiye (an Islamist group)	190,886
Tan (Asil Nadir)	152,315
Günes (Asil Nadir)	142,884
Tercüman (Kemal Ilıcak)	118,298
Cumhuriyet (Nadir Nadi)	114,389

DECREASE IN BOOK PRINTING

Since Ozal came to power in 1983, the number of new printed books and its proportion to the population show a steady fall, mainly due to the high-rate inflation, expensiveness of newsprint and obscurantist practices of the government.

Below are the figures published on January 26, 1989, by a right-wing newspaper, Tercüman:

Year	Number of titles of newly printed books	Number of copies of newly printed books	Number of copies per 1,000 inhabitants
1983	5,351	14,715,250	543
1984	5,073	13,950,750	449
1985	4,877	13,411,750	421
1986	4,785	13,158,750	403
1987	4,660	12,815,000	383
1988	4,500	12,375,000	360