

**REVIEW OF MINORITY RIGHTS ENVIRONMENT IN
TURKEY**

JANUARY-JULY 2005

By

**COMMITTEE AGAINST RACISM AND DISCRIMINATION
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GENERAL OVERVIEW

After the 17th December turning point when EU promised Turkey to give a date for negotiations for membership, the seemingly rapid progress towards democratisation started to slow down and gradually came to a stop altogether, with the military taking a very aggressive stance in the Kurdish issue and against threats to “our national unity”, thus setting the tone in general. It should be noted that the interruption of the reform process is mainly due to the military’s continuing domination over Turkish policy making in both domestic and foreign affairs (backed by the nationalist hard-liners within the state, i.e. what we call “the deep state”). Several factors played a part in this change of atmosphere.

- The advent of the 90th anniversary of the Armenian Genocide and an increased attention in the international community on the Armenian issue.
- EU’s insistence on Kurdish rights.
- Formation of a Kurdish state in Iraq.
- Resumption of armed activities by the outlawed PKK

In the eyes of the military and its allies, i.e. the hard-liners within the state, these were factors that would potentially undermine the nationalist state ideology and destabilise the Turkish state.

The rising nationalism was triggered by the public statement of General Hilmi Özkök, Chief of the General Staff, upon TV channels’ showing two teenagers dragging the Turkish flag on the ground during the Kurds’ new year celebrations in Mersin. In his statement Özkök denounced the act as “treason” by the “so-called” citizens. The army would stand ready to “fight until the last drop of blood to protect the country and its flag”. It should be noted that the word “so-called” is a very common expression in the official language of Turkish state meaning in some contexts “unfoundedly alleged” as in the case of Armenian Genocide, and in some other contexts, “pseudo” or “fake”.

This statement was followed by an immense demonstration of displaying flags everywhere, homes, shops, offices, factories. Gangs of “Grey Wolves”, the ultra-nationalists, roamed the streets and the media created a nationalist hysteria close to the pogrom atmosphere against Kurds.

The approaching 24th April, the 90th anniversary of the Armenian Genocide and in the period that followed was marked with violent aggression towards any reference to Armenian Genocide, which will be detailed below. Arrival of every news from a foreign country about the commemoration of the Armenian Genocide echoed in Turkey with a strong reaction and fierce propaganda of government theses in connection with the Armenian issue.

The relation between these developments and the minority rights in Turkey lies in the fact that traditionally in Turkey whenever there is a “national crisis”, the minorities feel themselves threatened and terrorised, accustomed to be treated as “hostages” by Turkey whenever the country believes itself to be under threat by “outside enemies”.

In other words violation of minority rights is not only committed by means of legislation contradicting internationally recognised minority rights or by way of official practices in contravention of such norms, but also by the government’s and its supporters’ creating a general atmosphere of nationalism, chauvinism and authoritarian practices which as a whole

gives rise to a hostile environment for minorities which is not as visible as court decisions, official practices or the like. It should be noted that such invisible violations are much more deeply rooted and much more difficult to eradicate.

The below outline of the general conditions as regards minority rights should be read within this context of rising nationalism and threatening environment against minorities.

MINORITY FOUNDATIONS

Despite favourable steps taken in the past few years to improve minority foundations' conditions the resistance of certain conservative sections of the state could not be overcome and the draft law for foundations was submitted to the National Assembly in June with serious shortcomings in connection with the minority foundations' problems and therefore highly disappointing. The most important one is the lack of a legal arrangement that would ensure the restoration of the ownership of those properties which are already sold to third parties by the Treasury (or the General Directorate of Foundations – GDF) or that would at least enable indemnification of the loss suffered by such minority foundations. In fact the General Director of Foundations had declared as early as March 2005 that it was out of the question to restore minority foundations' ownership on those properties which are already transferred to third parties by way of sale by the government. Of the total 2234 applications filed with the GDF for the registration of minority foundations' immovables in Title Deed Office only 434 have been accepted until now. Armenian and Greek foundations are now taking the issue to the ECHR.

Some examples of continuing violation of Lausanne Treaty guaranteeing protection of non-moslem institutions despite promises made to the EU are as follows:

- Armenian Foundation of Surp Pırgiç Hospital, active for 172 years, applied to ECHR and the Court decided to accept the case on grounds of violation of the right to property and discrimination. Title deeds of the two buildings acquired by the foundation by way of donation had been cancelled by the Treasury in 1992.
- Fener Greek Foundation established in 1832 applied to ECHR claiming that they are denied their right to property which constitute the violation of Lausanne Treaty and also of Article 14 of the European Convention of Human Rights about discrimination.
- Owner of the Greek IHO newspaper Andrea Rombopoulos said, the government was trying to sell properties it unlawfully acquired from minority foundations before the passage of the draft law about minority foundations. Rombopoulos drew attention to the fact that this was a practice still under way in the Fener region of Istanbul. For example tenders were invited by the Treasury for the sale of the Greek Girls' School in Istanbul, Fatih. Another Greek School previously owned by a Greek Foundation and transferred to the Treasury under a court decision is now going to be leased to third parties by way of tendering. (12th July 2005, BIA News Center)

Halki Seminary case

The Halki Seminary, constituting one of the crucial issues waiting to be solved for Turkey's accession to EU, is still not reopened. Founded in 1844, the Seminary was closed down in 1971 by the Turkish government. During the reform process in Turkey on its way to EU membership the environment in this respect was much more promising whereas presently Turkish government has been raising excuses for its unwillingness to solve the issue. On 27

June State Minister Mehmet Aydın told the press that there were some obstacles as regards the prospective legal status of the Seminary under the existing Turkish legislation. The Minister said asking the government to grant a special status to the Seminary would mean asking discrimination in favour of Christians.

In the reform process Turkish Foreign Ministry had suggested the removal from the “National Security Policy Document” (a document which, although without any legal foundation is generally considered as more powerful than the Constitution) the argument that the Halki Seminary is a “threat” to Turkey’s national security. However, despite the verbal consent of the National Security Council Secretary General’s Office no step has been taken to this end. At the National Security Council meeting on 21st June this issue was not even included in the meeting agenda.

Büyükada Greek Orphanage (Prinkipo Palace) issue

In May 2005, Fener Greek Patriarchate applied to ECHR claiming that Turkish Government had been violating the Lausanne Treaty by cancelling the Patriarchate’s ownership on the Orphanage building, the biggest wooden architectural structure in Europe, and transferring it to the GDF. The patriarchate also claimed that Turkish authorities prevented Greek foundations’ activities, closed down some of them and seized their properties which constituted violation of international agreements.

According to a report in daily Radikal dated 31st July, the Council of State, hearing a case opened by the Büyükada Greek Orphanage Foundation against GDF’s taking over the management of the foundation on grounds that “no service is being provided” by the Foundation, decided that GDF had no right to dissolve the existing management of the Foundation and turn it to a “*mazbut vakıf*”, meaning a foundation the management of which is given to GDF.

NO SOLUTION TO EDUCATION PROBLEMS OF MINORITY SCHOOLS

Despite the “reform” packages and promises by the government officials at times appearing in the press practically no solution is provided to the “Turkish Assistant Director” question which is one of the most serious problems in minority schools, which is summarised below:

As is the case with the Greek schools there is a dual directorship at Armenian schools as well, with the result that there is an Armenian Director and a “Turkish Assistant Director”, The Armenian Director is appointed by the Administrative Board of the school but subject to the approval of the Ministry of National Education. The “Turkish” Director is appointed by the Ministry of Education. In other words by specifying the ethnic origin of the Assistant Director as “Turkish” the legislation discriminates between the Turkish citizens on ethnic and racial grounds. The administrative hierarchy is in favour of the Turkish Director and the Armenian Director’s authority is restricted to a great extent, with the result that the Turkish Assistant Director enjoys greater authority than the Armenian Director and in practice act as the “eyes and ears” (as stated openly by a high level government official a few years ago) of the government in minority schools. The so-called “culture” classes, namely history, geography, Turkish language and literature, social sciences and “morals”, which have to be taught by teachers of “Turkish origin” directly reporting to the “Turkish” assistant director and not the Director of the school. This is because the Turkish assistant director is the “*sicil amiri*” which means the superior of a civil servant who is to decide about the performance and

promotion, in other words the future career of the civil servant in question. So these teachers of “culture classes” are not accountable to the Director and the Director has no authority over them, whereas all teachers are accountable to the “Turkish” assistant director.

In 2004 upon the call from the Ministry of Education to the Armenian school directors to submit their views and recommendations for the purpose of drawing up a “Regulation” for Armenian schools, the directors expressed their demand that the present management structure of Armenian schools should be changed and the greater authority enjoyed by the “Turkish” assistant director should be discontinued. However no response was received from the Ministry and no progress has been made on this issue up till now.

The directors of Armenian schools also point out to the fact that the Ministry is so sensitive about the real “function” of these Turkish assistant directors that they are changed every 5 years as a measure - Armenian school directors and teachers believe – against the possibility that these assistant directors might develop in time close relations with their Armenian colleagues. (Reported by IHD Committee Against Racism and Discrimination).

ARMENIAN QUESTION

Armenian question is used by the government as a means to suppress attempts for greater freedom of speech and equal rights for all ethnic, religious, cultural identities. The first half of 2005 was a period when this was felt all the more strongly.

90th Anniversary of the Armenian genocide

It would not be an exaggeration to say that the domestic political scene in Turkey in the year 2005 was marked by the Turkish state’s strategy of an aggressive defence against external and internal criticism targeting Turkey in connection with the 90th Anniversary of Armenian genocide.

The state apparatus lead by the military adopted a proactive strategy of launching a counter-offensive against the calls for the recognition of the genocide. The General Staff published a two-volume book “Armenian Activities in the Archive Documents 1914-1918” and as part of the book’s “promotion” campaign all the mainstream newspapers were distributed press releases with photographs of dead bodies of “Turks killed by Armenians”. Several newspapers published on the same day the same photographs with the same text of press reports giving the Turkish government’s account of what happened in 1915.

Media gave wide coverage to denial of the genocide, columnists wrote articles, TV channels aired panel discussions all supporting the government theses with an aggressive tone. Almost all these were based on open distortion of the historical facts. At times, various forms of saying “they deserved it” or “under the same circumstances we wouldn’t hesitate to do the same thing” were being voiced. The aggressive campaign for promoting official theses provoked – as always -feelings of hostility and hatred towards Armenians, thus violating their personal rights and dignity and denied them the right to feel safe in their own homeland.

Anti-Blue Book campaign

As part of the government's offensive, a comprehensive campaign was launched by the government and pro-government circles against the "Blue Book" ("The Treatment of Armenians in the Ottoman Empire 1915-1916", a compilation of accounts of witnesses of the Armenian genocide, published by the British Government in 1916 for the first time), claiming that the book was unfounded, a propaganda tool and totally fake. Mainstream media carried out the task of disseminating this message on a wide scale. The Prime Minister Tayyip Erdoğan and the Leader of the only opposition party Republican People's Party (CHP) Deniz Baykal led an initiative whereby a letter was drawn up and signed by 550 deputies in the Turkish General Assembly, addressing to the British Parliament and asking the British government to acknowledge "the fact that the Blue Book was nothing but an unfounded war propaganda."

Voices of few Turkish intellectuals contradicting the government theses could not be heard in an environment dominated by the mainstream media.

Armenian Patriarchate intimidated

Under the pressure of this general threatening atmosphere, Armenian Patriarchate, on the eve of the 24th April, felt the necessity to apply to the Governor of Istanbul for additional security measures on 24th April to protect their premises, i.e. the Patriarchate building, schools, churches, hospitals and cemeteries against possible acts of violence. Upon this application the Istanbul branch of the Human Rights Association gave up their plans to visit the Armenian cemetery in İstanbul, Şişli, to commemorate the genocide and hold a press conference there. The Association had to make a press conference in their office instead condemning the genocide.

Campaign against Orhan Pamuk

Throughout this period spokespersons on behalf of the government numerous times stated on various occasions in connection with the Armenian issue that they opened their archives for free research and were ready to discuss the issue before the world public.

However reality proved to be just the opposite. Let alone free discussion anyone saying anything against the official view was terrorised. Orhan Pamuk's case is a striking example of this. Orhan Pamuk, the well-known Turkish writer whose novels are translated to various languages throughout the world, had reportedly said in an interview with a Swiss newspaper that "1 million Armenians and 30,000 Kurds were killed in Turkey". This article triggered another "national crisis". A wide range of varying degrees of nationalist outcries followed, very intimidating and threatening both the human rights defenders and the Armenian community in general.

The degree of this hostility was best illustrated by an incident where the *Kaimakam* (highest ranking government official in a district) of Sütçüler, a district of Isparta, ordered in writing that all books written by Orhan Pamuk kept in public libraries and libraries of public establishments and schools should be collected and "destroyed". It was ironic that they couldn't find a book by Orhan Pamuk in the district. The written order signed by the *Kaimakam* stated that Orhan Pamuk offended Turks with his slanders and "racism in favour of minorities" and the Turkish people had the legitimate right to defend themselves. When the news appeared in the press Governor of Isparta said they cancelled the *Kaimakam's* instruction which was an incident of misuse of one's authorities.

Prosecution of Hrant Dink

Hrant Dink, Editor-in-chief of the Armenian newspaper Agos, is being tried in two separate cases on charge of insulting the Turks. One of the cases was opened because of Dink's article in weekly Agos in which Dink criticised Armenians who build their identity on the basis of hostility towards Turks and, using a metaphore, that the Armenians should get rid of the "Turkish poison" in their blood, instead link their identity with closer ties with Republic of Armenia. The public prosecutor demands 1 to 6 years' imprisonment for Hrant Dink. The second case was opened because of a speech he made in a panel discussion.

The public prosecutor in the first case rejected the expertise report which established that Dink's words about the "Turkish poison" was only a metaphore, that the article did not constitute an insult to Turks and that the public prosecutor did not take into consideration the context of the article as a whole. During the hearing held on 27th July it was decided to hold the next hearing on 13th September. It is expected that the court will make the decision for the case.

In February 2004 ultranationalist "Ulku Ocaklari" members had staged a demonstration in front of the Agos offices shouting thretnaning slogans against Hrant Dink in person.

Actors impersonating Armenians are still being "killed" at Liberation Day celebrations

Another episode in connection with this generally hostile atmosphere took place in Pasinler District of Erzurum. Traditionally in a number of Eastern provinces of Turkey the celebrations of the "liberation days" since the foundation of the Republic include a dramatisation of the "liberation" where volunteers from the local people act as the Turkish soldiers and some others are required to act as "Armenians". Often it is hard to find local people to volunteer for the role of Armenians. This time the Mayor of the Pasinler district of Erzurum told the reporters that none of the municipality employees volunteered to act as Armenians so they had to pay money to 6 unemployed persons to persuade them. "I would rather see Orhan Pamuk, the advocate of Armenians, come and act as one of the Armenians," he added. Those who were paid 30 YTL each said if they did not need money that badly they would never accept to act as Armenians. Traditionally in the dramatic performances staged in "liberation day" celebrations "Armenians" kill local people and put the mosques on fire and then the Turkish soldiers come and kill the Armenians one by one accompanied by the cheers of the crowd watching the performance.

Cancellation of the Armenian Conference in Istanbul

A group of Turkish academics supported by three Istanbul universities, namely Bosphorus, Sabanci and Bilgi universities, organised a conference under the title "Ottoman Armenians at the End of Empire: Academic Responsibility and Issues of Democracy" between 25-27th May. This was the first time that the Armenian issue was to be discussed by scholars who did not use the official language and who stand for free, open discussion of the issue. On 24th May, the day before the opening of the Conference Justice Minister Cemil Çiçek spoke at the National Assembly saying that those organising this conference were traitors "stabbing the Turkish nation in the back." He went on to say: "We must put an end to this cycle of treason

and insult, of spreading propaganda against the Turkish nation by people who belong to it. There is not a nation that has as clear a conscience and hands, as pure a head as the Turkish nation, and history and the archives bear witness to this.'

The opposition joined the criticism. Sukru Elekdag, an MP for the main opposition Republican People's Party and a retired ambassador, called the conference "a treacherous project" aimed at disseminating pro-Armenian propaganda "under the guise of research."

The next day when the conference was supposed to open the presidency of Bosphorus University that was to host the conference announced that they had been forced to decide to postpone the event. The declaration of the Bosphorus University presidency noted that the university was saddened to be confronted with 'serious accusations' because of this conference whereas they aimed to provide 'a context for scientific discussion;' criticised the 'expression of prejudices on the contents of a conference that had not yet been actualized;' and stated that by so doing, a condition and context harmful to academic freedom have been created.

Some newspapers reported that in addition to the anonymous threats received by the university authorities, the day before the opening of the conference the Public Prosecutor of Istanbul called the President in person asking the University to deliver to the Public Prosecutor's Office the copies of the papers to be presented at the conference by the prospective participants.

Turkey Refuses To Register YBC's Ararat Brandy

In April 2005 Turkey refused to register the Ararat brand of Yerevan Brandy Company. President and Director General of YBC Herve Caroff said that Turkish officials explained their denial by the fact that Ararat is in Turkish territory of Turkey and does not belong to Armenia, hereby the Ararat trademark of YBC cannot be registered in Turkey.

YBC has appealed the refusal, but its claim has not been satisfied, Herve Caroff says. He says YBC policy is to register its trademarks in the markets it intends to enter.

YBC trademarks are registered in 48 countries, and its production is sold in 25 countries.

Armenian cemetery attacked and destroyed several times

In 13th May issue of weekly Agos it was reported that Balikli Armenian cemetery had recently been attacked several times by groups of people whose identities could not be established. The group shouted slogans, cursing Armenians, breaking grave stones, breaking in the guard's cottage and destroying the furniture. The management of the cemetery called the police who came and made the physical investigation and took the finger prints but nobody was caught.

Armenian historical heritage are being left to dilapidation

Speaking at a meeting at the Armenian National Academy of Sciences, the Chairman of the Department of Studies on Turkey Prof. Ruben Safrastian criticised Turkey for not protecting Armenian cultural and architectural heritage, leaving Armenian churches in ruins and using them for different purposes. "According to a survey carried out by UNESCO in the year 1974, Of the 913 Armenian churches remaining after 1915, 464 was totally destroyed, 252

was in ruins and 197 needed urgent action,” he commented. Before 1914 there were a total of 2549 sacred places belonging to Armenians, including 1639 churches and 210 monasteries. (Agos, 22nd July, 2005)

Churches still being converted to mosques

A group of Armenian visitors wanting to visit the Twelve Apostles Church in Kars, one of the symbols of the city which is turned into a mosque (Kümbet Camii) and pray, were stopped by the *Imam* of the alleged “mosque”. When the incident was reported in the local press the *Müftü* (local official in charge of religious affairs) of Kars said “there is no such place as Twelve Apostles Church. It is the Kümbet Mosque. It is impossible to hold a christian religious ceremony where Moslems do their *namaz* (Moslem prayer).” (Weekly Agos, 29th July 2005)

A new tactic: Harassing dissidents’ meetings in connection with the Armenian question

One example was the meeting “Armenians in Turkey” organised by the Helsinki Citizens Assembly of Istanbul on 5th February, with the Lawyer Fethiye Çetin and Prof. Mete Tunçay as the speakers. In the middle of the meeting a member of the audience interfered, insulting the speakers, attempting to attack them and hitting a person sitting next to him who was trying to stop him. He was then taken out by the security personnel.

“Subversive” animal names in Latin changed by Turkish government

An episode clearly expressing the general mindset of the Turkish government authorities. Below is an excerpt from BBC News dated 8th March 2005: “Turkey renames 'divisive' animals. Turkey has said it is changing the names of three animals found on its territory to remove references to Kurdistan or Armenia. The environment ministry says the Latin names of the red fox, the wild sheep and the roe deer will be altered. The red fox for instance, known as *Vulpes Vulpes Kurdistanica*, will now be known as *Vulpes Vulpes*. Turkey has uneasy relations with neighbouring Armenia and opposes Kurdish separatists in Turkey. The ministry said the old names were contrary to Turkish unity. "Unfortunately there are many other species in Turkey which were named this way with ill intentions. This ill intent is so obvious that even species only found in our country were given names against Turkey's unity," a ministry statement quoted by Reuters news agency said. Some Turkish officials say the names are being used to argue that Armenians or Kurds had lived in the areas where the animals were found.”

UNRESTRICTED ANTI-SEMITISM IN TURKEY

There is no provision in Turkish legislation banning and penalising racism and hate speech. Combined with the widespread prejudices against Jews among Turkey’s predominantly Moslem population this enables particularly the Islamic media to display unrestricted anti-Semitism and hate towards Jews under the pretext of criticising Israel. Considering the tragic bombings of two sinagogues in Istanbul in 2003 legal action against anti-Semitism is an urgent need in Turkey.

Below are excerpts (in italics) from MEMRI's (The Middle East Media Research Institute) report "Anti-Semitism in Turkish Media" dated 28th April 2005.

"The rising antisemitism in the Turkish media is a complex phenomenon that manifests itself in several forms:

1. Animosity towards Jews, Judaism and 'Jewish lobbies.' Jews are targeted as individuals, a community, people and "race," and as a sinister political entity seeking Jewish dominance on world affairs, businesses and media. Jews are demonized in many conspiracy theories including causing earthquakes, globalization, and the creation of Wahhabism in Saudi Arabia.

2. A hostile approach towards the Jewish citizens of Turkey, questioning their loyalty; blaming them of treason and for the fall of the Ottoman Empire; characterizing them with derogatory adjectives; inciting the public by citing Koran verses hostile to them; and creating an atmosphere conducive to violence. This type of antisemitism also targets Masonic lodges and freemasons for their alleged connections with Judaism.

3. Antisemitism that in recent years has turned into a harsh campaign, which some Turkish intellectuals have called "a witch hunt" against the 'Dönme' who are regarded as 'hidden Jews' posing as Muslims. They are blamed for helping to found the modern Republic of Turkey as a 'spare' Jewish state, for holding all key positions' in Turkey and for ruling the country.

4. Antisemitism directed at Israel and Zionism. The word 'Zionists' often replaces the word 'Jews' in the press.

"The Disgusting Form of Racism Called Antisemitism, is Fast Growing and Causing the Increased Interest in 'Mein Kampf'"

"In an article titled 'Mein Kampf and the Protocols of Zion', Ayse Hür wrote in the left of center, liberal daily Radika (13th March 2005) "Recently there are two interesting books in the 'bestseller' lists: Adolf Hitler's Mein Kampf and the Protocols of Zion. Mein Kampf which is the 'handbook' for the ultra-nationalists of Turkey was translated [into Turkish] and published about 45 times between the years of 1940 and 2005. [...] the Protocols of Zion, which inspired Mein Kampf, was published in full or in summarized form over 100 times during 1943-2004. Mein Kampf which is thought to sell about 1,000 copies a year, is now being marketed by 11 publishers.

"[...] Sami Celik, the owner of Emre Publications, who recently printed 31,000 copies told Aksam newspaper on February 27, 2005: 'Following our research and observations, we thought that Mein Kampf would be a book that would be sought after and read by the public. [...] Mein Kampf was [indeed] affected by [recent] developments and its sale figures peaked.' (According to the most recent reports, 'Mein Kampf' has climbed to second place in Turkey's 'Bestsellers' list. The first place is occupied by a book titled 'Metal Storm,' a futuristic novel set in 2007 when Turkey is attacked by the U.S. military, after which a young Turkish hero explodes a nuclear bomb in America.) As a matter of fact it has become a sort of handbook for the [electorate] base of MHP [the ultra-nationalist 'National Movement Party'] and 'Genç Parti' [the Youth Party]. Some claim that it is very popular among the students at

police academies.

"In the same newspaper [Aksam] we read sociologist Prof. Mustafa Erkal who said: 'Reading Hitler is a reaction. Israel's policies and goals cause a reaction. Naturally, people get curious about Hitler's antisemitism and want to learn more about what he did and wanted to do.' What our academician failed to say is the fact that in Turkey, as in the rest of the world, animosity toward the Jews, that disgusting form of racism called antisemitism, is fast growing and causing the increased interest for Mein Kampf. We know that publishing this book in Europe is banned; and in Germany even its possession is a crime. [...]"

"Having 'Mein Kampf' and the 'Protocols' on our bestseller list today, must make us think twice before we claim 'there is no antisemitism here.'"

"Our Times are Similar to 1930's in Germany"

"In the leftist-liberal daily Radikal, Murat Necip Arman wrote (23rd January 2005) : 'The discussions we are having now are almost identical to the ones they had in Germany during the 1930's. At those days the press articles were not openly targeting the non-Germanic races yet, but were often arguing that they [the Jews] dominated the economy and that they were conducting [secret] activities that would ruin the fiber of the German society.[...]"

"On New Year's Eve, in a TV channel which does not feel the need to hide its ties to a [Turkish] political party, it was recounted at great length that the Jews are a cursed people and that for this reason it was obligatory for the Muslims to eradicate them [the Jews]. [...] it should not be forgotten that to openly say such a sentence constitutes a crime. [...] While this neo-antisemitism is recklessly manifested in almost all media organs, in the eyes of the masses Israel's aggression towards Palestinians provides justification for such a dangerous kind of racism.

"[...] This animosity towards the non-Muslims, the like of which we have not witnessed in many years, is hovering over Turkey and agitating masses of people who are not bothered by its [grave] consequences.

"As I said, what we have here [in Turkey] presents similarities with Germany of the 1930's. I hope common sense prevails in Turkey and this dangerous trend does not lead to frightening results. [...]"

"At least the national press must keep in mind its social responsibility in presenting these matters with a cool head. Political parties can play dangerous games for political gains. [...] But the media's common sense is essential [...]"

Anti-Semitism in Turkey becomes all the more widespread and more serious due to the strong "anti-imperialist" nature of both the left and right minded Turks as Israel is identified with the US and with all the Jews everywhere in the world.

So special importance should be attached to anti-Semitism in Turkey and the government

should be urged to take action in this respect, especially in the form of legislative arrangements against hate speech.

TURKEY STILL UNWILLING TO RECOGNISE KURDISH IDENTITY

The promises made in “reform packages” are not kept as regards freedom of broadcasting and education in languages other than Turkish. The amendments in legislation proved to be inadequate for proper implementation of the reforms.

Ban on Kurdish continues despite “reforms”

- Under the threat of being closed down, Turkey’s biggest teachers’ union Eğitim-Sen was forced to change its statute, removing the statement that it would work for “...the defence of the right of individuals to receive education in their mother tongue”. In June 2004, a case was opened against the trade union at a labour court in Ankara asking for its closure since it had refused to remove from its statute the above mentioned statement. The Ankara State Prosecutor who brought the case alleged that such an aim was contrary to Article 42 of the Turkish Constitution which stipulates that “No other language than Turkish may be taught in educational and teaching facilities to Turkish citizens as their mother tongue”. The State Prosecutor therefore demanded the closure of the trade union in accordance with the Law on Public Servants’ Trade Unions which provides that the activities and administration of such trade unions may not be contrary to the Constitution.
- In September 2004, the court rejected the request for closure in a landmark decision which cited the rights to freedom of association and expression as laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms to which Turkey is a party. However, in November 2004, the Court of Appeals cancelled this ruling on the basis that limitations to the rights to freedom of expression and association in this and other cases were necessary in order “...to prevent activities contrary to the unitary structure of the country as a compulsory precaution with the aim of protecting national and public security, and protecting public order”. While it is true that the European Convention does accept some reasons for the limitation of these rights, it has stressed repeatedly in its judgements that the existence of relevant and sufficient grounds must be convincingly established by the state and that the limitation must be proportionate.
- Despite the reform package passed by the parliament in October 2001 introduced the right to speak, broadcast and newspaper publication in Kurdish and contrary to Article 39/4 of the Lausanne Treaty guaranteeing Turkish citizens’ right to use any language they wish in open air meetings and demonstrations, use of Kurdish is still being prosecuted. Below are some examples:
 - Chief Public Prosecutor of Ankara brought legal action against 13 members of executive committee of HAKPAR (Rights and Freedoms Party) on charge of sending General Assembly Meeting invitations written in Kurdish and speaking at the meeting in Kurdish under Articles 81/C and 117 of the Law on Political Parties. (Daily Radikal, 17th March)
 - 7 members of executive committee of DEHAP Bitlis office were sentenced to 5 months imprisonment on charge of violating Article 117 of the Law on Political Parties by playing a Kurdish song during the general assembly meeting on 11 May 2003. The imprisonment was turned into fines of YTL 1000 (Radikal, 4th May)
 - In Urfa Handan Çağlayan was sentenced to 7 months ‘ imprisonment and a fine of

YTL 513 for saying “dear sisters” in Kurdish while addressing a meeting during the local elections campaign. (Radikal, 8th July)

- Legal proceedings were started against Office Workers’ Union on grounds that the Union stands for the right to receive education in one’s own mother tongue. (Radikal, 12th July).
- In Ergani district of Diyarbakır, the Governor’s Office denied the official permission for the establishment of a women’s association named PELDA on grounds that the name of the association was Kurdish. (Ülkede Özgür Gündem, 2nd August)

CONDITIONS OF THE ROMA PEOPLE

- The Roma people are still mentioned among the “suspected” in the Turkish legislation. They are perceived by both government officials and the general public not as an ethnic identity but a group of people who are inclined to crime. Law on Settlement dated 1934, which is still in force, Article 4 mentions “nomadic gypsy tribes” as those who will not be accepted into Turkey as immigrants, the other four being “Those who do not have attachment to Turkish culture”, “Anarchists”, “Spies” and “Deportees”. In 1993 an MP had given a motion demanding the amendment of this article but his motion was rejected by the Prime Minister. As a result the said article remained unchanged to date. (Findings by the UYD – Accessible Life Association)
- In Article 134 of a regulation governing the duties of the police and the organisational structure of police stations, “Gypsies who do not have an established profession” are cited among persons “persons against whom the necessary measures have to be taken.” (UYD)
- There is no progress towards the solution of the serious problems related to the education, employment and housing of the Roma people (UYD) In a survey carried out in Edirne where there is a significant Roma population it was found that the Roma families are very keen to have their children educated but they complain about the prejudiced approaches and incidents of discrimination they face in this field.
- The rate of benefitting from social security schemes are particularly very low in case of Roma. Because of this reason their accessibility to health services is very low as well.
- “Çingene” which is the Turkish word for “Gypsy” is considered as an insult at courts and forms a legitimate reason for divorce “for cause” without paying any compensation.

ASSYRIANS ARE DENIED THE RIGHT TO RETURN THEIR HOMELAND

Contrary to government’s declarations and promises made there are big obstacles to displaced Assyrian’s return to their homeland.

Assyrian village unlawfully occupied by Village Guards

Gülgöze (in Assyrian Ayınvert) village of Midyat was a settlement shared by Assyrians and Kurds. Following departure of the majority of Assyrian population of the village, the Kurdish inhabitants started to settle in Assyrians’ quarter, building homes for themselves. Assyrians remaining in the village tried to prevent this unlawful act but they couldn’t be effective. The owners of the land in question applied to the Kaimakam’s office through their lawyers demanding that this unlawful occupation and the construction going on should be prevented. Upon this application Midyat Kaimakam’s office stopped the construction work but decided

that the land in question was a government property owned by the Treasury. The owners of the land filed a formal complaint with the Midyat Public Prosecutor's office to start legal action against the occupiers who are all Village Guards (a semi-militia corps employed by the government) and use their authority to threaten the Assyrian natives of the village. (Reported by UYD)

Property of the Assyrian church seized by the government, church turned into mosque

101 hectare land owned by the Mor Efrem Church in Bardakçı (Bote) village in Midyat had been registered in the Title Deed Office by the Midyat Kaimakam's Office as the Treasury's property on grounds that the subject land had no owner and no title deed, although no land registry work had been conducted in the village until that date. However the Moslem inhabitants of the village also confirm the Church's ownership of the land. In an official letter dated 9th May 2005 the Midyat Kaimakam's Office argue that the land in question was owned by nobody. In the same village another Church named Meryem Ana Church has been turned into a mosque by the Moslem inhabitants and used by them as a mosque. The Assyrian inhabitants of the village officially claim that the use of the church as a mosque should be put to an end. (Reported by UYD)

Land mine explosion on the road to the Assyrian village

On 7th June 2005, a land mine exploded near the car carrying Bishop Ibrahim Gök, the Committee Chairman of Turabdin Development Associations Federation (DETA), Maravge Çınar, the Village Headmen of Üçköy (Harabele) village and the businessman Hapsuna Kara, all Assyrians, from Harabele village to Kafro village. The villagers believe that the mine was remote controlled and part of the efforts to prevent Assyrians in general from returning to their villages. Assyrian organisations both local and international wrote letters to the Prime Minister, Minister of Interior, Mardin Governor's Office and the local gendarmerie headquarters asking an investigation into the incident. (BIA News Center, 8th June 2005)

CONCLUSION

There is a regression in the general environment in Turkey in terms of democratisation and improvement in human rights issues. Growing nationalism, hard-liners gaining the upper hand and lack of any improvement in the dominant position of the military all contribute to the change of climate from that of a growing prospects for more democracy to disappointment.

A campaign led by the General Staff against NGO's and press advocating greater freedom of speech and better enjoyment of human rights including accusations of siding with the outlawed PKK (which restarted armed activities) makes the general picture more gloomy.

It seems that the only way to change this general trend for the better is to strengthen the democratic opposition in general against the resistance within the state to alignment with EU norms.