



# AŞİTÎ BARİŞ PEACE

BULLETIN OF THE INTERNATIONAL INITIATIVE "FREEDOM FOR ABDULLAH OCALAN – PEACE IN KURDISTAN"

First Edition February 2003

## Editorial

At a time when international public opinion is barely aware of it the Turkish-Kurdish conflict is heading towards further escalation. This development is most apparent in the argument over prison conditions for Abdullah Ocalan. For more than two months Mr. Ocalan's lawyers were unable to obtain any impartial information on their client's situation. Using rather threadbare arguments the authorities consistently prevented them from seeing him. The Kurdish leader's health and even his life would appear to be in danger.

The Kurds are extremely worried by this turn of events. Furthermore, the numbers of clashes between the Turkish military and Kurdish defence forces in the Southeast have increased yet again. Several people have already lost their lives.

The current atmosphere would seem to favour Turkey. In the shadow of a possible war in Iraq an escalation of the Turkish-Kurdish conflict would currently call forth only minor responses. Turkey's participation in a campaign over Iraq seems certain. Little by little the country is stepping up its military presence in South-Kurdistan (Northern-Iraq). Continued occupation of this area by Turkey cannot be excluded, and does not exactly conflict with US plans for a new political order in this region. As a regional power by the grace of the United States, Turkey might be able to control potential Kurdish efforts towards autonomy. Mosul and Kirkuk could be secured.

Meanwhile, KADEK has made it clear that it will not simply stand by and watch the escalating Turkish attacks. The organisation points to its legitimate right of self-defence under these circumstances. A new, armed, encounter is coming ever closer and the consequences of a new war cannot be predicted. There is a widespread fallacy, particularly prevalent in Germany, that the end of the war saw a resolution of the biggest problems. The willingness of the Kurds to talk is being misinterpreted as weakness and therefore it is not deemed necessary to take any action. Thus an excellent opportunity for a peaceful resolution of the Turkish-Kurdish conflict is being lost. The consequences of this inaction could also become apparent in Europe in a variety of ways.

So far the window of opportunity has not yet closed, but in the long run, ignorance and inattentiveness will not be helpful in safeguarding European interests.

This first issue contains articles and interviews with Ari Oostlander (EU rapporteur on Turkey), Mustafa Karasu (member of the KADEK presidential council), Ismet Serif Vanli (president of the KNK), and Klaus Happel of the editorial staff. Special thanks go to the KNK office in Brussels. Without them the interview with Mustafa Karasu would not have been possible.

The editorial staff, January 31, 2003

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Peace in Kurdistan:

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continued on last page

**Contents****p. 2**

No Final Decision Yet  
Interview with Ismet serif Vanli (KNK)

**p. 4**

The Coming Weeks will Be  
Crucial  
Interview with Mustafa Karasu (KADEK  
Presidential Council)

**p. 8**

Intensifying Solitary  
Confinement  
Interview with Irfan Dündar, one of  
Abdullah Ocalan's lawyers  
by John Toobisch-Haupt

**p. 10**

Turkey's Accession Process: An  
Engine For Democratisation  
by Klaus Happel

**p. 11**

They Must Live Together,  
Eventually  
Interview with Uri Avnery (Gush  
Shalom, Israel)  
by Klaus Happel

**p. 13**

It Will Be A Long Process  
Quesions for Arie Oostlander, EU-  
rapporteur on Turkey  
by Cemal Ucar

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# No Final Decision Yet

Interview with Ismet Serif Vanli, President of the KNK

(Kurdish National Congress)

*United States intervention in Iraq is becoming more and more probable. Its purpose is - according to the U.S. - to overthrow Saddam Hussein. If this were to come true, would you expect a democratic regime to follow?*

This is the picture that is drawn by the Iraqi opposition, a scenario that we might find to be agreeable to us. It is going to be hard to implement it, however.

Meanwhile there is the danger of Turkish intervention in northern Iraq. The threat of a U.S. supported attack on KADEK guerrilla forces by the Turkish army cannot be easily dismissed. I hope this is not going to happen.

Ostensibly, an intervention is meant to prevent the formation of a Kurdish state. Behind that, however, lies the intention to stop the birth of a federation in which the Iraqi Kurds might then be on an equal footing with the other ethnic groups.

Well, the Turks are not omnipotent, too. Such a federation may also form against Turkey's wishes, if the Iraqi people want this. Even the Americans won't be able then to close their eyes to such a perspective.

*What should the Kurds do in the face of a possible Iraq campaign?*

We should wait and see. It will not be a disadvantage for the Kurds, if the Iraqis



Ismet Serif Vanli

get rid of Saddam. Some problems will be resolved this way with positive effects for the other parts of Kurdistan. On the other hand, there is the danger of the Iraqi opposition groups clashing. Although the Iraqi Kurds wish to resolve their problems, this is not supposed to be achieved at the expense of other people. No doubt - a status under international law would be very satisfactory for the Iraqi Kurds. However, the final decision in this matter has not been taken yet.

*Will that ever be the case?*

History proceeds rapidly. We have to continue to find a way, therefore, to put our case forward fearlessly. I also hope that DEHAP will regain in future

elections those Kurdish areas which were lost to AKP and CHP in the last polls. And the Muslim Kurds should also join the Kurdish camp.

We can live together peacefully in the same country if we are not confronted with enmity.

A third of Turkey's population are Kurds. More than a third of Turkey's soil is populated by Kurds. We are ready to live together in one state. Turks are always welcome to the Kurdish areas.

However, this has to apply to Kurds in Istanbul as well. It is possible in a democratic state.

And a central pre-requisite for this is the equality of treatment of the Kurdish and the Turkish languages.

It has to be left up to the people in which language they wish to express themselves. In this way, people will benefit from equal conditions.

Even though DEHAP was unable to reach the undemocratic ten-percent threshold in its first participation in elections, the result is acceptable. All border areas have been won and the potential is even greater.

The low votes for some racist parties also give us a reason to be optimistic.

Nevertheless, the Kurdish question in Turkey remains unresolved. Only if Turkey gives up its policy of denial a solution can be achieved.

*As president of the Kurdish National Congress (KNK) - how do you want to contribute to this?*

As long as Turkey does not recognise Kurdish identity or the geographical name Kurdistan I will oppose the Turkish accession to the European Union.

If Turkey does accept, however, the points mentioned, Europe will not ignore this as well.

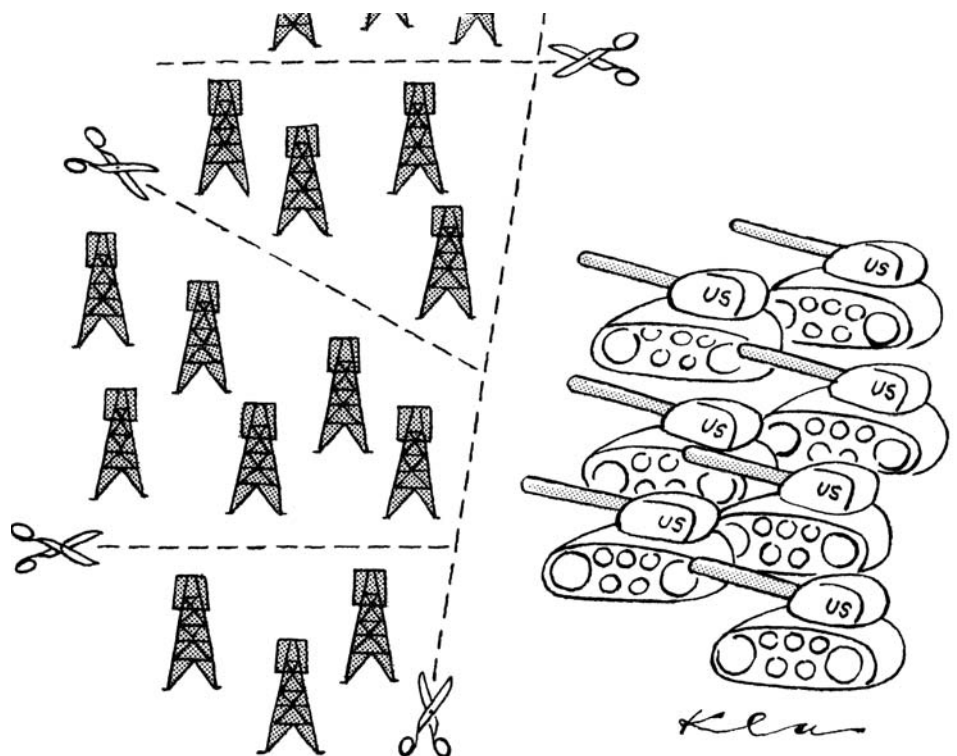
We also want to put our relations with parties in other parts of Kurdistan on a new basis.

We should support their struggle and - if necessary - struggle together.

Twenty years ago, nobody would have imagined that the Kurds might develop strengths on such a scale, as was the case on Newroz when both in Diyarbakir and throughout Turkey more than three and a quarter million people took part in the festivities.

Nothing will stop this strength. One day Turkey will have to recognise reality. Then it will have to adapt its laws to reality and not, as it does today, try and bend reality to fit its laws.

**İsmet Serif Vanlı** was born in Syria's capital Damascus on November 21st, 1924 as son of a Kurdish gendarme and a Kurdish housewife. After finishing grammar school he began studying engineering at the American University of Beirut. Later he attended the French University there and studied politics and law. After his degree, he immigrated to Lausanne in Switzerland. In 1956 he took part in the foundation of the first Kurdish student organisation in Europe. Soon after that, he was given a teaching position for Kurdish at the Sorbonne in Paris. Over the years, he has produced a great number of papers and studies in Kurdish history. When in 1961 under the leadership of Molla Mustafa Barzani the Kurdish liberation struggle against the Baath-regime in Iraq began, he began to support the Kurdish cause actively. Today he is the president of the Kurdish National Congress (KNK) in Brussels.



# The coming weeks will be crucial

Answers from Mustafa Karasu, member of the KADEK Presidential Council

*How would you assess the present situation of your President Abdullah Ocalan? How will this continue and what opportunities do you see arising whereby you can exercise influence on this situation?*

When our President was extradited, with the help of an international alliance of secret service organisations, this was not only a violation of international law but also a breach of European law.

Although the Greek and Italian authorities had no objections when our President indicated that he wished to continue his political work in Europe, he was then put under massive pressure to leave Europe again. In order to further their economic and political interests several countries took part in this piracy. The US and Israel, in particular, were hoping to build a better relationship with Turkey.

But our policy of balance also had a negative effect on their interests in the Middle East. Those countries participating in the plot saw it as advantageous to their interests for there to be an escalating Turkish-Kurdish conflict.

Turkey, on the other hand, was hoping to strike a decisive blow against our national democratic movement.

The same underlying interests exist in the current situation, as did in this conspiracy.

Many Kurds regard our President as a symbol of their national honour and

their own self-determination. Turkey wants to break this; if this were not the case they would treat our President differently.

Therefore, we may conclude that Turkey does not even envisage a solution to the Kurdish question. We have unilaterally ceased the former armed confrontation. But it will depend upon how our President is treated whether this situation can continue.

At present we are sticking to our intention to solve the existing problems in a democratic way. This has not yet been appreciated adequately. Some positive steps have been made but they do not even come close to creating a solution to the Kurdish question.

On the contrary. By refusing to solve the conflict, the Turkish authorities step up the repression of our people. The present tightening of our President's conditions in prison should be seen in this context.

The Turkish authorities are no doubt aware that there will be reactions to that. With a view to a military intervention in Iraq they believe, however, that there will only be minor reactions by the international community.

Meanwhile the new government, too, is being functionalised for this.

Only if there is a change in the attitude towards the Kurdish question will there be a change in our President's situation in prison.

The intensified isolation is meant to de-



Mustafa Karasu

prive him of his political identity. The aim is to prevent public discussion of his ideas.

At the same time they want to deal our guerrilla forces a crushing blow. We will not stand by passively and watch this happen.

Our present stance can only be maintained if the attacks are stopped and real steps towards a solution are taken. For the time being non-violent actions by our people will be the answer.

If Turkey, however, does not refrain from its present policy it is conceivable that our guerrilla forces will exercise their legitimate right to self-defence.

No decision has yet been made in this regard. We would like to see the existing

problems solved in a democratic way. Unfortunately Turkey considers this a weakness and they intensify their attacks.

Nobody can expect this to remain unanswered in the long run. The coming weeks will be crucial, therefore.

*KADEK was recently included on the U.S. list of terrorist organisations as a successor to the Kurdistan Workers Party (PKK). How do you assess this?*

This decision of the U.S. is without any legal or moral foundation. It was only in the beginning of 2002 that Europe added the PKK to its own similar list.

This seems paradoxical if you take into account that the PKK had stopped the war already a long time before and had definitively determined to continue its struggle by democratic means.

This becomes clearer when seen against the background of a realignment in their relations with Turkey.

The decision had economical and political reasons. This shows, however, that Europe and the U.S. pursue their policies at the expense of the Kurdish democratic movement.

There are also countries in the Middle East that are interested defaming the Kurdish democratic movement as terrorist. In this way Turkey was encouraged to continue to violate the rights of the Kurds and to pursue the destruction of the organisations representing them. Thus the U.S. conducts a policy initiative at the expense of the Kurds in order to strengthen its ties with Turkey and to exercise more influence in support of its own interests.

Apart from a different evaluation of the political situation and a certain political distance, KADEK has done nothing against the U.S. which has as yet failed to

give an answer to KADEK's peace policy. The US classifying of KADEK as terrorist is not helpful for a solution of the Kurdish question. Instead it helps pave the way for war. This gives the impression that the U.S. is not interested in an end to Turkey's war against the Kurds. Instead of prompting Turkey to resolve the Kurdish question, Turkey is supported in its refusal.

On the one hand the U.S. calls the Kurdish movement terrorist in order to strengthen its ties with Turkey; on the other hand it does not take advantage of these strengthened ties in order to help Turkey with the problems that have exactly produced the organisations they now call terrorists.

A solution to the Kurdish question has to be found within the framework of this paradox. Our President called the policy described above "the Kurdish trap". It would by all means serve U.S. interests if Turkey again made war on our movement. It is in this context that we have to see the attacks on our units in the Diyarbakir region as well as the treatment of our President.

Significantly, our President's prison conditions were tightened after KADEK was included on the U.S. list of terrorist organisations.

This was not done in order to make Turkey happy but because the U.S. is aware of Turkey's weakness. In this sense the "Kurdish trap" is also a trap for the other peoples of the region.

The purpose of this decision was to encourage Turkey to take part in a military campaign in Iraq and was sweetened with the hint that the new order that would be installed in the wake of such a campaign might very well facilitate the destruction of the guerrilla forces.

Therefore, the U.S. includes in its plans an intervention in South-Kurdistan

(North-Iraq). At the same time a policy is being pursued which is meant to manoeuvre the international community into recognising KDP and PUK as the sole representatives of the Kurds because the U.S. wants to be sure that these parties will collaborate.

If the U.S. really wants peace and democracy, as it has declared many times, then it has to exercise more pressure on Turkey. Otherwise its declarations become untrustworthy.

*The AKP has initiated a number of political reforms which have been demanded both by the EU and democratic forces in Turkey. Will these reforms have any effect on the democratisation in Turkey?*

*We already can observe major tensions between the powerful military and the new government while the EU wants the power of the military to be curtailed.*

*How long can the present government survive politically in the area of conflict?*

It is true that the government has initiated some new legislation. The system, however, remains unchanged.

An increase in the number of civilians in the National Security Council does not necessarily result in greater democracy. As long as members of parliament can be called traitors by the speaker because they took part in a discussion on the solution of the Cyprus problem there has not been real democratic progress.

With a party leader like Erdogan who openly denies the existence of a Kurdish question it is hardly possible to take true steps toward democratisation.

From the beginning he sought an understanding with the military and their followers because he feared losing his economic and political benefits.

At the same time the death penalty was

abolished, parliament confirmed a number of restrictive government decisions. It would be naïve to expect a government to exert itself for the democratisation of the country while it has to prove permanently its commitment to the system.

The draft that has been submitted to smooth Erdogan's way for parliament actually has a reforming touch. It is based, however, on a section of the Turkish penal code that contains other punishable offences.

The AKP government wants to make Europe admit Turkey without extensive structural reforms by just implementing a few rather cosmetic reforms.

The reforms that were adopted recently, however, are not suitable for beginning a real democratisation of Turkey.

On the contrary; the adoption of a law that allows Kurdish language education and TV within certain limits was celebrated as a real breakthrough. And yet this law rather prevents the things that it pretends to allow.

We can only describe this as a deception perpetrated in order to play for time.

At the moment the government complies with the task it has been given, namely to act against Turkish and Kurdish democratisation efforts.

Its life-span will depend on its usefulness for national and international interests.

The media are used by the military to give a biased picture of the problems. This creates an atmosphere of confrontation that keeps the government in line. Nonetheless there are areas where an understanding between the new government and the military and the bureaucracy seems rather difficult.

There are some issues where the government already seems to have given up.

Apart from this a certain degree of understanding could only be achieved when Turkey was exposed to massive internal and external pressure.

Then again the classical weakness of the civilian authorities become obvious.

In the last elections the old system was not re-elected, which is why there is a strong interest in keeping the anticipated reforms at a superficial level.

We can already anticipate that the forthcoming local elections in 2004 will bring about heavy losses for the present government.

If it shows some deference towards the political establishment it may survive to the next regular parliamentary elections.

The forthcoming local elections, however, may again challenge this moratorium between the government and the political establishment.

If this government really wanted to adopt the reforms the people demand it could base itself on the people and could appear more self-confident when confronting other centres of power. It will not be difficult for these to shorten the life-span of the government when it does not live up to the demands of the people but instead helps its own adversaries.

This policy does not contain a programme that adequately represents the interests of the population.

*In the course of a possible U.S. military intervention in Iraq, Turkish forces are supposed to be on the side of the U.S. troops. There are already a large number of Turkish soldiers stationed in northern Iraq. Where have these been deployed and how strong do you think are the Turkish forces in this area?*

*Do you expect a Turkish invasion and occupation of this area?*

*What will the consequences be for KADEK and what will KADEK do in such a case?*

Since October 1992 there have been repeated interventions in southern Kurdistan (northern Iraq) by the Turkish army which became regular after 1997 and involved large numbers of troops.

In the beginning these were deployed in areas under control of the KDP (Kurdistan Democratic Party).

Meanwhile this military presence has been extended into PUK controlled areas and was in all cases invited by PUK and KDP.

Thus revolutionary democratic developments in South-Kurdistan could be prevented securing the survival of the old feudal system which was based on traditional tribal interests.

Presently, there are 15,000 Turkish soldiers permanently deployed in the KDP area.

From time to time this force is complemented by additional troops which only remain there for a limited time.

Apart from this, several secret service organisations have taken up residence in this area and operate behind the disguise of civil enterprises.

They also have official offices, though, which have been set up at important points.

The airport in Bamerni is controlled by Turkish troops with combat tanks and a squadron of helicopter gunships.

At the moment the Turkish army is enlarging this base in order to make it usable for all kinds of fighter planes.

The Turkish soldiers in the KDP area are mainly stationed around the towns of Duhok and Saxo as well as in the region around Zaxo and Amediye.

There are also Turkish military bases at strategic points between the mountains of Metina and the Turkish border.

In the PUK (Kurdistan Democratic Union)

area the Turkish troops have been mainly deployed in the small towns of Ranya and Cakurna.

They often go on joint reconnaissance patrols with PUK peshmergas in areas which are controlled by Guerrilla forces of the HPG (People's Defence Forces). Even though no precise numbers are known we can assume that the strength of the Turkish forces is probably between 1,000 and 1,500 soldiers.

Additional troops are based around Sulemaniye, as well as along the border between the KDP and PUK controlled areas. Turkey describes these forces as a "peace contingent".

In all probability Turkey will join a U.S. intervention in Iraq in order to safeguard its own interests there.

Turkey wants to make sure that the oil-rich region around Kirkuk does not fall under the control of the Kurdish autonomous region.

Another goal is the destruction of the guerrilla forces of the HPG. To this end, Turkey intends to occupy South-Kurdistan in the long run.

Its army has been present there for years anyway. This, so they say, will create stability and will secure a central power that has to be installed.

Only if South-Kurdistan was pacified and the Mosul-Kirkuk region was again controlled by the central power would the Turkish forces be withdrawn again.

They do not primarily intend to annex the oil-rich areas although they hope for a certain participation in the exploitation of the oil-wells there.

The recent goodwill tour through the Arab countries was directed solely at convincing the respective regimes of Turkey's noble intentions if it came to an occupation. Everything would be done in order to avoid the division of Iraq.

An intervention in Iraq will also have many consequences for us. Predomi-

nantly, the situation of the South-Kurdish people is affected.

We will not leave their fate and the representation of their national democratic rights exclusively to KDP and PUK.

We will not permit that an intervention that will be for the worse for our people. Our forces there are a safeguard for the democratisation of Iraq and the liberation of Kurdistan.

We will therefore enhance our forces there. We will meet any attack calmly, because we have sufficient strength for self-defence and we have forces that can be used in all areas of Kurdistan.

Those who contemplate an attack on our guerrilla forces should take that into consideration.

Our self-defence forces will support the partisan forces of the PCDK whose task it is to protect the democratic rights of the Kurdish people.

In case of an extermination campaign we will take advantage of the geography and arrange our forces correspondingly. This may include Turkey since we have left there a limited contingent of our forces after our withdrawal from Turkey. We have sufficient experience for such manoeuvres.

With a view to an intervention we think it important that the democratic forces concentrate their initiative on the democratisation of the region. Such an intervention may topple the regime in Iraq but it cannot possibly install a regime serving the interests of the intervening powers. In order to prevent such interventions for the future we focus on democratisation for the region and a free unity of its peoples.

Whether today or tomorrow, we are against all external intervention in our region. Not until the peoples there solve their problems among themselves will such interventions be rendered impossible.

## From the European Lawyer Federation (AED)

The Commission Défense de la Défense of the European Lawyer Federation AED (European Democratic Lawyers) refers to the complete isolation of Abdullah Öcalan in solitary confinement on Imrali who has not seen his lawyers since November 27, 2002 (excerpt):

Article 16 of the UN Basic Principles on the Role of Lawyers states, "Governments shall ensure, that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference." These Basic Principles were adopted by the Eighth UN Congress on the Prevention of Crime and Treatment of Offenders in 1990 in Havana and welcomed by the General Assembly of the UN, including the Turkish government. They are designed to set guidelines for the proper role of lawyers.

This is why the Commission Défense de la Défense of the European Lawyer Federation AED (European Democratic Lawyers) claims, that

- 1) military influence over the prison-island must be removed in order to ensure the separation of powers and the independence of the judiciary, as required in the Turkish Constitution.
- 2) the lawyers representing Mr. Öcalan have to have free access to their client.

*Rome, February 1st, 2003*

The Commission Défense de la Défense of the European Lawyer Federation AED (European Democratic Lawyers)

### **Full text of this motion at**

[http://www.freedom-for-ocalan.com/eng/Background/briefing\\_050203.htm](http://www.freedom-for-ocalan.com/eng/Background/briefing_050203.htm).

# Intensifying Solitary Confinement

An interview with Irfan Dündar, one of Abdullah Ocalan's lawyers

by John Tobisch-Haupt

*There has been no contact with your client for seven weeks. What can you do in such a situation, and which legal measures have you taken so far?*

This situation is not new. We have been confronted with measures like that ever since Abdullah Ocalan was illegally abducted to Turkey.

Since September last year, however, our client's isolation has been increasingly stepped up. This is a result of political considerations and is not being done for legal or procedural reasons.

Bad weather has been used before as a pretext for interfering with visits from his family or his lawyers. Since September 2002, however, bad weather has become the standard pretext.

*How often were you allowed to see your client during this time?*

Three times between 18 September 2002 and 15 January 2003. Under normal circumstances we are allowed to see our client once a week for one hour.

These meetings are necessary in order to ensure legal representation in his proceedings before the European Court for Human Rights as well as in his case before the 8th section of the state security court in Ankara, and for the trial that has been opened in Greece recently.

Our visits all constitute part of his right to appropriate legal assistance, a right that is also guaranteed by the European Con-

vention on Human Rights. Nonetheless, he has been prevented from exercising this right over and over again, and still is being prevented today.

We must assume that these obstructions will be systematically continued, and will even be increased.

*In a state where the rule of law applies there are usually legal remedies in such a case.*

*In Turkey, however, there are some problems in this regard. In your client's case, what measures can you take. What legal action have you taken already to proceed against this practice?*

Even before the detention conditions were tightened we filed a number of complaints and applications concerning our client's severe circumstances with the Ministry of Justice, the Department of Corrections in Ankara, and the administration of the prison on the island of Imrali.

We also have filed a complaint with the Committee for the Prevention of Torture (CPT) of the European Council to draw their attention to our client's situation.

*Did your efforts give any results, did you get answers?*

So far, the CPT has travelled twice to Imrali in order to view the situation there. The results of these inspections has been summarised in two different reports and

brought before the Turkish government. These reports describe the conditions of Mr. Ocalan's detention as severe and call it solitary confinement, of a kind capable of having a detrimental effect on our client's psychological and physical health.

The CPT therefore requested changes in these conditions and submitted some proposals to that effect to the Turkish government.

The authorities, however, have ignored all this as yet. On the contrary, they have tightened the conditions still further. So we again addressed the institutions mentioned above.

We also appealed to the Human Rights Committee of the Turkish National Assembly and the parties represented there. We also tried to contact the representatives of a number of European countries. There have been no responses worth mentioning so far.

*An application by your client is pending with the European Court for Human Rights. What bearing does the present situation have on these proceedings and your conduct of the case?*

It is true that adverse consequences to his psychological and physical health, may not be the only negative effect on our client of his severe isolation. His right to appropriate legal assistance is also massively impaired. Even in Turkey every citizen has

the right to unrestricted legal assistance. The current practice has no legal basis and is, ultimately, a violation of the Turkish constitution.

Thus, the special treatment for our client cannot be justified by any regulations whatsoever. The authorities always give as a reason our client's special position and role but this should not lead to completely depriving him of his right to legal assistance.

It is not the security measures that pose a problem but the negation of all universally accepted legal standards. This cannot be accepted and is incompatible with universal legal principles.

Our conduct of this case before the European Court for Human Rights is also directly affected. There are many points where we would need to consult our client and cannot do so.

Even under normal circumstances our restricted visiting times would make adequate conduct of this case quite difficult. The present circumstances render it impossible. Our European colleagues who assist with the proceedings before the European Court face the same problems. They applied for a visit to Imrali two months ago, and have not had any response yet.

So at present, adequate conduct of the proceedings is not possible, and this in turn may also affect the outcome negatively.

*The pronouncement of the decision has already been postponed several times. January 2003 was cited as a final target date. Can you give us any details about how far this has proceeded? What will be your next steps?*

The case before the first section of the European Court for Human Rights has reached the point where a decision is within reach.

There will probably be a decision in mid-February. We cannot give any precise in-

formation yet about whether or not the Turkish state or Abdullah Ocalan are going to accept the decision. But we may safely assume that depending on the outcome, one party or the other will appeal against the decision. In this case the proceedings will be continued in all probability before the Grand Chamber of the court. We are already preparing the proceedings there. But this work is also affected negatively by the measures concerning our client that I described above, i.e. once again appropriate preparation is impossible.

*Recently, so the media reported, a case was opened in Greece in order to shed light upon the circumstances of Abdullah Ocalan's entry into Greece in the beginning of 1999. What can you tell us about this trial, and to which extent are you involved in it?*

That is right. The trial that you mention has been initiated because of our client's illegal entry into Greece.

Our client is one of those directly accused in this case together with some of his companions, some officials belonging to different authorities, and a number of individuals who had put up our client, all in all twenty people. In this trial again we are hampered by the fact that we are systematically prevented from seeing our client..

Originally Mr. Ocalan had asked us to have him represented in the Greek trial by a lawyer who is accredited in Greece, which proved awish we could not comply with due to the above-mentioned circumstances.

We needed a power of attorney with his signature. That means that our client is de facto barred from defending himself against the allegations in the Greek court.

*The extraordinary security measures that have been implemented concerning your*

*client show that he is not just a normal prisoner. This is why, particularly during the past weeks, there were increasing Kurdish protests against his isolation. Do you think the Turkish authorities will continue their present practice?*

The current development is a cause for great concern. After our client was abducted from Kenya to Turkey, there were a number of disagreeable incidents. A genuine ethnic conflict could not be excluded any longer.

We hope such a scenario will never come true, but we also feel a legitimate concern for our client's life and safety. If the current situation continues the original conflict might again escalate although a new war is not in the interests of Turkey or of the Kurds. Such a development is not desirable and would be a draw back for the entire region. After Abdullah Ocalan was abducted illegally, however, no such thing happened.

Rather, there was an easing of tension and subsequently a number of democratic reforms have been initiated which in turn have had a positive effect for Turkey's European hopes.

All this is ultimately a consequence of Abdullah Ocalan's cautious attitude, and in this way our client has added quite a lot to the present state of relative peace. Apart from this, even a client like ours has some rights, which are in his case, however, trampled underfoot. This conflicts with the principle of equality.

There are some rights our client is systematically barred from. We only demand, nothing more and nothing less, that Mr. Ocalan should be allowed to enjoy the same rights as every prisoner in Turkey. His situation must be changed accordingly without delay.

# Turkey's Accession Process: An Engine For Democratisation

*by Klaus Happel*

At the Copenhagen summit in December 2002 the European Union was obliged to respond to Turkey's wish for a date marking the beginning of negotiations for full membership. The new Turkish government elected in November had put considerable pressure on the Europeans and was strongly supported in its EU aspirations by the US administration.

A compromise was eventually reached at the summit and Turkey was given a date, December 2004, at which time another date, for further accession talks, made in the light of Turkey's progress in fulfilling the "Copenhagen Criteria" at that point, is expected to be given.

Key questions in this context are: the human rights situation (torture is still widespread, the press remains shackled, etc.), the minority question - EU jargon for the Kurdish question, the role of the military (which manifests itself in the composition of the National Security Council), and the Cyprus issue. This last is becoming more and more urgent since a unified Cyprus is to be admitted to full membership in 2004.

These key questions, which will have to be resolved before the beginning of membership negotiations, are also questions that are of particular interest and concern the Kurds.

The accession negotiations will involve the implementation of the European "Aquis Communautaire", the 80,000 page package of EU legislation comprising high standards on education, minority rights, freedom of the press, freedom of

expression and so on. The Copenhagen criteria can be regarded as the umbrella for this legislation, the minimum requirement on the road to full membership.

Since 1999 a number of necessary reforms have been enacted in Turkey. Some were adopted in a hurry in order to improve the Turkish position prior to last December's European summit. Nearly all were initiated with a view to the accession process, and it is this process that is the 'engine' for Turkey's adaptation to European legislation and European concepts of democracy, pluralism and economy. Those who support this kind of change need to refuel the engine from time to time in order to keep it running.

Immediately following the Copenhagen summit, when it was clear that no fixed date would be forthcoming despite US and British pressure, Turkey's focus shifted towards Iraq. Currently, all progress in the context of the criteria has in effect come to a halt, blocked by the prospect of imminent war in Iraq. In this the US needs Turkey's support for the provision of bases from which to deploy its ground forces, as well as runways for its fighter planes and bombers.

This would necessitate Turkish participation in the campaign, but the country's population is largely opposed to this war. In return for agreement to its demands Washington has offered several billion dollars as compensation for the losses that Turkey already complains it will suffer. At the moment Turkey seems to be

walking on a razor's edge, but it would seem only to be a matter of time and the right offer from Washington before the balance will tilt towards war. The problem of Iraq is, therefore, interfering directly in the process of reform in Turkey while at the same time it reinforces the position of the military. Here again Turkey is confronted by the question of where its path is leading: is it towards Europe, or into a permanent alliance with the US that goes beyond its NATO obligations and has as an immediate pay-off a constant flow of dollars and capital investment without the need to adapt to the rules of a "Christian club?". If Turkey decides to follow the path of EU accession with all its difficulties and wherever it may lead, then ultimately the country will successfully live up to its centuries old European aspirations.

The Turks - and with them all the other nations and minorities living within the borders of Turkey - will, finally, have adapted their country to modern times and brought it successfully into the long convoy of democratic nations trying to face their future in a pluralist and flexible way.

What can the Kurds expect from this process for themselves and for their hopes of nationhood? The least they will, and must, get is recognition of their struggle for emancipation, respect for themselves as Kurds - a people with different traditions, a different culture and way of life and a completely different cultural and historical heritage in the coun-

# They Must Live Together, Eventually

## An interview with Uri Avnery (Gush Shalom, Israel)

by Klaus Happel

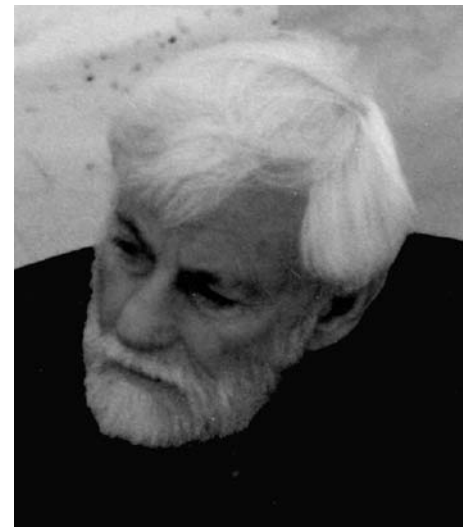
*The Kurdish guerrilla force has largely withdrawn from Turkey and the PKK now says it will continue its struggle by political means. At present the Turkish government still refuses to talk with the Kurds. What chances do you think there are of achieving a genuine dialogue?*

I believe, that the public has to be mobilised at the grassroots level both in Turkey and in Europe. There must be pressure on the Turkish government internally and externally.

*We are talking about a government here, which avoids any dialogue while it reacts only through repression when the Kurds try to improve the human rights situation, or demand cultural rights. The current campaign for native language education is a good example. What can be done to overcome this refusal to take part in a dialogue?*

I believe my answer will be the same as before. It needs pressure both from inside and outside. Turkey wants to join the European Union, as we know. That leaves much room for external pressure. Any pressure from outside, supporting human rights or national rights for the Kurds will affect the Turkish government. Turkey really wants to join the EU, and therefore, I believe, it is very sensitive to criticism particularly from Europe. So everything possible must be tried in order to get something like a dialogue

going. On the other hand, I think, the Europeans have also to be convinced: firstly, in order to learn about the real situation in Turkey, and secondly, to make it clear to them that the Kurds in Turkey want a peaceful settlement, a settlement that is acceptable to reasonable people. I do not know if the Kurdish community in Turkey has already prepared an explicit political programme, an outline of the system it wants to see in Turkey. If not, it will be very important to draw up a detailed programme for a new Turkey. I believe that Turkey - I'm not a Turkey expert of course - is tied to a national model that belongs to the past. Kemal Atatürk, whom we admired as young people, was a man of the early 20th century. His model of the nation state was similar to those that were common practice at that time. And he made a revolution in order to implement this model in Turkey. This was, however, at the outset of the 20th century. Now we have reached the beginning of the 21st century and all nation states have entered a process of change. All states of the world, at least as far as the modern and democratic world is concerned, have entered such a process of change. The Germans for example believed for many centuries that the German people - an ethnic term - ought to have its own state, a state only for ethnic Germans, i.e. a German nation state. Today many people in Germany regard this as an out-dated concept since Germany today has to naturalise many peo-



Uri Avnery

ple of foreign origin who are not ethnic Germans, who come from different cultures, and so on. The concept, on the other hand, that the U.S is built on, is a multi-ethnic, multicultural concept. This concept will spread and by and by will prevail everywhere. The Turkish state, too, will have to change from an ethnocentric state with only either ethnic or cultural Turks to a state that is home to two peoples with two different cultures who can live together if the state is ready for different ethnic and cultural communities. We have the same situation in Israel, as you know, there are 20% Palestinian citizens in Israel, that is in Israel itself, not in the occupied territories. Our problem is that the Jewish community in Israel

follows the same ethnocentric ideal, namely that the country belongs to the Jews and that Non-Jews cannot be true and adequate citizens.

This problem probably exists in many countries of the world and all these states will have to reorganise themselves in order to be modern societies.

*There is, however, an additional aspect to the Kurdish problem. Abdullah Ocalan is serving his time in prison on Imrali island while his application with the European Court for Human Rights is still pending. His case also needs a solution. In the meantime the state security court in Istanbul has brought charges against Mr. Ocalan's lawyers, who now could face up to seven years in prison.*

This is, of course, part of a repressive policy which is rooted in the nature of the Turkish nation state. We can only denounce this, not only for the violation of human rights or ethical reasons but rather because it is actually foolish, foolish for the Turkish people and for the Turkish state.

In the end Turks and Kurds will have to live together. If that should prove impossible, the existence of Turkey as a whole would be threatened. We must not think only in terms of a few years; we must take into account what might happen in the course of twenty or even fifty years. If the Turkish state does not accept the Kurdish people as a people with equal rights in Turkey, then the country will break apart sooner or later. In my opinion, every sensible Turk will understand that it is for the better of the country if it is reorganised in time in such a way that a Turkish majority and a Kurdish minority can live together in the same state.

I believe that Abdullah Ocalan's imprisonment and the way he is treated do not comply with the real interest of the Turkish state. If I was president of Turkey and thought about Turkey's future the first thing I would do was to release Abdullah Ocalan from prison, and then try to initiate a dialogue with him.

*If we talk about a Turkey that might be threatened in its existence then there are several reasons for that. The Turkish government believes that the existence of Kurds, not only in Turkey but also in Syria, Iran, and Iraq, is a major factor in this context, the more so since the present U.S. anti-terror campaign gives the impression that a war in Iraq is imminent.*

That would indeed be a threat to Turkey. If the U.S really began a war in Iraq there would be the danger of Iraq breaking apart. That would eventually leave three different parts, i.e. a Shiite-Islamic state in the South, a Sunni-Arabian state in the centre, and a Kurdish state in the North. Such a Kurdish state would be quite attractive for the Kurds in Turkey, Iran, and Syria. Therefore, Turkey's interest in a war in Iraq is rather limited. On the contrary, it is very keen to keep the U.S. from beginning such a campaign.

The Arabs share the Turkish fears. There is a fear on the part of the Sunni Arabs in the entire Middle East that Iraq might break apart, giving rise to a Shiite state in the South which would be something like an Iranian client state. That would destroy the buffer between the Arab world and Iran.

But it seems that the U.S will carry its campaign through, on its own account if necessary, and regardless of such considerations. This is why the threat is real.

*Well, it seems that the U.S. will really conti-*

*nue in this direction. And the Turkish government tries to prevent it at any rate.*

Of course, no wonder. The Kurdish question does exist. In its way the Kurdish problem is perhaps the most tragic problem in the world because the Kurdish people lives separated and split in so many countries. As far as I know there are also serious disputes among different parts of the Kurdish people, which is why we cannot hear its voice as well articulated as it could be.

I believe, it will be difficult among the Kurds in Turkey and the Kurds in Iraq to draft a common programme for the Middle East. Nonetheless, all parties involved have an interest in avoiding a war between the U.S. and Iraq.

*Let us hope then, that this war can be avoided. - Turkish-Israeli relations have intensified over the past years, in particular their military relations.*

This Turkish-Israeli co-operation is at least fifty years old. It was a secret for a long time and is rooted in the conception that all Arabs are Israel's enemies. My enemy's enemies are my friends and that makes the co-operation reasonable. In the past there were similar relations with Iran, too. I do denounce this, not because I am against good relations between Turkey and Israel but because I am against relations which are good because the Arab countries are our common enemy. My friends and I in the Israeli peace movement want peace between Israel and the entire Arab world. We welcome the proposal made by crown prince Abdallah from Saudi-Arabia, which precisely amounts to a peace between the complete Arab world and Israel and a normalisation of their relations. I believe

ve this is the way for the future, and then the friendship between Israel and Turkey can be a normal friendship between two countries instead of a friendship directed against somebody else, against Arabs and Kurds.

**Uri Avnery** was born in 1923 in Beckum, Germany. In 1933 he immigrated to Palestine. There he became a member of the Irgun (1938-1942), a Zionist group, who fought for a Jewish state in Palestine. In 1948 he joined Samson's foxes, a commando unit, and fought against the British rule in the Holy Land. He was twice wounded in action. Since 1948 he has advocated a Palestinian state alongside Israel. In 1974, Uri Avnery was the first Israeli to establish contact with the PLO leadership. In 1982 he was the first Israeli ever to meet Yassir Arafat, after crossing the lines in besieged Beirut.

*Among the prizes he was awarded are:*

Erich-Maria-Remarque Peace Prize (Germany) for the year 1995  
 Honorary citizenship of Abu-Ghosh near Jerusalem, for his part in preventing the eviction of the village, awarded 1953  
 Honorary citizenship of Kfar Kassem, Israel, awarded 1996, on the occasion of the 40th anniversary of the war crime, for his principal role in exposing it.  
 Aachen Peace Prize for "Gush Shalom with Uri Avnery", awarded 1997.  
 Kreisky Prize for human rights, Vienna, autumn 1997.  
 Lower Saxony Prize for human rights, awarded 1998  
 Palestinian Award for human rights, awarded by "LAW", Palestinian Society for Human Rights Jerusalem 1998

(Mr. Avnery has never received any prize from any official Israeli body.)

# It Will Be A Long Process

## Questions for Arie Oostlander, EU-rapporteur on Turkey

*by Cemal Ucar*

*You were in Turkey last November. You were also in the Kurdish region and saw some Kurdish families and talked to the people. What are your impressions of this journey?*

The Southeast I cannot but say seems like an occupied country because of the huge military presence, not only in the towns but also in the country. And, of course, I saw Turkey's two faces. The western, European face, and the other one. This is Turkey's major problem, it finds itself between these two parts and it has to come to an understanding with both of them.

I was somewhat disappointed because there were always new victims of torture coming to the institute in Diyarbakir, which is financially supported by us. This is absolutely not acceptable for a European member state, for a state where the rule of law applies. There is a small protestant parish in Diyarbakir - I am a protestant myself - which is an utterly peaceful group. The authorities would not let them build a new church hall. This seemed very odd to me and so I put this on a list of similar small but annoying things regarding the protection of minorities, a list that I gave later to the Turkish ambassador here. I told him, if you really wanted to prove that Turkey is full of good intentions, these problems could be solved within two weeks. You could immediately stop bothering these small minorities. I do not know why people are doing these things, maybe there is more to it than I know, but as a protestant I



Ari M. Oostlander

would not be able to live there without getting into serious difficulties with the authorities. And this is true for all citizens of the European Union even if Turkey becomes a member.

All citizens in all member countries should be able to enjoy the same freedoms. It should be as easy to build a church in Diyarbakir or another city as it is to build a mosque in Rotterdam.

Actually, I was surprised repeatedly. I was close to the Syrian border visiting a monastery of the Syrian-Orthodox church, a church half of whose people live in the Netherlands as refugees. They live in the same area there as I live. In the area of south eastern Turkey where they come from, their old language, Aramaic, is forbidden. It is an old Semitic language. The abbot of the monastery who is an expert in this language himself is nonetheless forced to send students who want to learn the liturgical language to Oxford, for in Turkey teaching this language is not allowed. How can a government be so misguided?

They have such a beautiful old monastery and such people, and all this has been part of Turkey for centuries. They could really make something of that, a scholarly centre for example for scholars of the Aramaic language. This might be very helpful for the development of this region.

We should nonetheless continue on our present course with Turkey and we should always state openly and clearly what we expect and what we do not wish to see in a member state of the European Union. And issues like the protection of minorities in small matters which can be improved quickly might also help Turkey to show our people that things are being taken seriously.

Of course, we have been expecting such change in Turkey since 1963 but then there were the wars with the Kurds and other problems and therefore, at heart, real change has only begun in 1999 or 2000.

*What is your impression of the Kurds, what do they want now, and what help do they need?*

I think people did not speak their mind. They feel that the war is lost and try to adapt to this situation. I did not find people dreaming of an independent Kurdistan. They know there is no future for this at present. This is why they stick to demands like Kurdish language education and Kurdish broadcasting. Currently there are only a few hours of Kurdish programme on the official Turkish broadcast, which is not much.

*These problems must be solved politically...*

It will not be hard to meet the demands of the Kurds once Turkey feels safe. I do not see any separatism there. Borders are not that important in the European context. Once Turkey has really become

a proper and complete state of law according to the European model the Kurds will have all freedoms. Let me give you an example. In the Netherlands there is a very small minority, the Frisians. They have their own language and literature. They can use their Frisian language in all communications with the authorities in Friesland (as well as Dutch, of course). There are also Frisian radio-stations etc. Nobody in the Netherlands fears a separation of Friesland.

This will be true for the Kurds accordingly once Turkey feels safe. Then there may even be Kurdish language universities.

*Can you really imagine a Kurdish language University in Diyarbakir in the near future?*

Why not? At home in the Netherlands all minorities, mostly religious minorities, have their own universities.

*For six weeks (now that this bulletin is being produced it is already eight weeks) neither his lawyers nor his family were allowed to see Abdullah Ocalan. He is the only prisoner on an island that lies in a military restricted area in the Sea of Marmara. Usually at least his lawyers are permitted to see him once a week for one hour. Meanwhile we cannot even be sure if he is still alive. This creates a lot of emotion in the Kurdish community.*

In my judgement, Turkey must react more intelligently on the Ocalan phenomenon and that means not stirring up the distrust and outrage of Kurdish people.

*Cannot Europe do something more in order to positively influence Turkey on this issue?*

Things like that are, of course, always mentioned in discussions on Turkey's EU

Accession. All motions and resolutions in this context distinctly point at the minority question. The EU as an organisation is actively committed in this regard. The more Turkey is keen to become a member of the EU the more often they find the Kurdish question on the table. We want them to treat this question in a flexible non-rigid way, so that the Kurds are able to live freely in Turkey. We want two languages to be allowed in those regions which are predominantly Kurdish, and the Kurds to be treated in a way that makes them feel that they are a respected part of this country.

*What part does Turkey currently play with regard to the Iraq conflict?*

Turkey is very hesitant to actively support a war in Iraq. From a political or historical point of view it is not an easy decision for them. Just recently, however, I learnt that some Turkish politicians actually question the Iraqi borders, and that Turkey is considering annexing the entire North-Iraq which is populated by Kurds. This is very dangerous.

*There are still fighters of the PKK and the KADEK in the mountains there. The Kurds fear Turkey might attempt to get rid of this problem - with the help of the U.S.*

I do not think that the Americans have any intention of getting involved in an internal Turkish conflict. But if Turkey should really intend to annex North-Iraq...

*What would the EU do?*

It would be very critical if a candidate for EU membership threatened the integrity of another country. We could not accept this. If Turkey would really use a U.S. campaign to cut off some chunks of Iraq for itself we would not accept this. That would mean the end of our dialogue

with Turkey for several years.

*For a few months now there is a new government in Turkey. What do you think are they capable of, which problems can they tackle?*

First of all they have a broad majority in parliament. That's good.. As a Christian democrat I am not afraid of a party which is religiously inspired. They can be democrats, too. It all depends upon how this party develops; they may be able to relax the tension between religion and politics. Of course, there is the fear of Islamism, of fundamentalism, but apart from that, in a European country religion ought to be simply accepted.

*How would you comment on the statement that Valery Giscard d'Estaing made recently, saying the EU was based on Christian thought? He is supported by the German Christian Democrats.*

Well, if Mr. Erdogan says the EU was not and should not be a Christian club; then I say, the culture of Western Europe is based on Christian thought, but we do not say that there is a Christian monopoly for the political values derived from this culture. There is nothing to be said against adopting these values. This is not impossible and will take its time, a long time perhaps. Therefore, I am not against a special partnership with Turkey until membership becomes possible. You cannot completely reform a state and its society root and branch without risking utter confusion. The structure of the Turkish state is very complex. There is for example the important role of the army. We want this to be changed. But even if this were formally changed now, there would not be a change in reality.

*What could be done about this problem?*  
I know the Turkish citizens feel that the

army protects them and that they put more trust in the military than in their politicians. You cannot change this in the short run. But for a European member state such a role for the army is unacceptable. It will take a long process to change this in a European sense, a process that may well take more than ten years.

*The final decision on the beginning of accession talks has been postponed into 2005. Do you believe Turkey will comply with the criteria until then?*

That would be a great miracle. I have always opposed such a date. It seems to me that the Turkish politicians know very well what needs to be done. They should start with their minorities, for as long as even the rights of such small and peaceful groups like that parish in Diyarbakir of which I told you are not protected there is a lot of things which can be done immediately.

Moreover, Turkey should also consider the opinion of the population in Europe. Geopolitical or other political reasons will not be enough for it to be eventually admitted to the European Union.

**Arie M. Oostland**, born in 1936 in the Netherlands, is Member of the European Parliament, Group of the European People's Party (Christian Democrats) and European Democrats, Member of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, Member of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.

He is the EU-parliament's rapporteur on Turkey.

## The International Initiative

*"Freedom-for-Abdullah Ocalan - Peace in Kurdistan"*

On February, 15th 1999, the president of the Kurdistan Workers Party, Abdullah Ocalan, was handed over to the Republic of Turkey in the wake of a clandestine operation backed by an alliance of secret service organisations and directed by their corresponding governments. Disgusted by such an outrageous violation of international law several intellectuals and representatives of civil organisations launched an initiative for the release of Abdullah Ocalan. With the opening of a central coordination office in March 1999 the International Initiative 'Freedom for Abdullah Ocalan - Peace in Kurdistan' started its work.

The International Initiative conceives itself as a multi-national peace initiative working for a civil solution of the Kurdish question with Kurds and Turks peacefully living together.

Even after his imprisonment until today Abdullah Ocalan is regarded as the undisputed leader by a large proportion of the Kurdish community. A solution of the Kurdish question in Turkey, therefore, will always be closely attached to his fate. Many Kurds see him as a safeguard for peace and democratisation. Therefore, the Ocalan case itself needs a conceivable perspective for a solution. By continuous lobbying and dedicated public relations the International Initiative endeavours to contribute to this. Regular publication of papers, articles, bulletins, and books based on a balanced and unbiased policy are constant components of its work.

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