Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 1266 (1995)[1]

Turkey's military intervention in northern Iraq and on Turkey's respect of commitments concerning constitutional and legislative reforms

Parliamentary Assembly

1. The Assembly is deeply concerned about human rights violations in Turkey - notably in the south-east of the country, following armed conflict between central government forces, the PKK and Kurdish nationalists.

2. The Assembly underlines the right of Turkey, as of any other country, to fight - within the limits of international law and in particular the European Convention on Human Rights - against terrorism.

3. The Assembly condemns PKK terrorism, as much within as outside Turkey.

4. The Assembly condemns Turkey's military intervention in northern Iraq, regards it as contrary to international law, and expresses its anxiety for the safety of the civilian population, as well as that of the over 15 000 Turkish Kurd refugees who have fled the conflict in south-eastern Turkey.

5. The Assembly asks Turkey to guarantee the fundamental rights of civilians, in particular those of the more vulnerable, that is to say children, women and old people.

6. The Assembly considers that Turkey should immediately withdraw its forces from northern Iraq and commit itself to seeking a peaceful solution to the Kurdish problem.

7. The Assembly expects the Turkish authorities to assist in the organisation of an Assembly fact-finding mission to areas of tension in the south-east as part of the effort to find such a solution

8. The Assembly notes that despite repeated assurances from the Turkish Government and despite repeated requests from the Assembly (notably following its delegation's visit from 1 to 3 September 1994), there has been no significant progress in constitutional and legislative reform

9. In this latter regard, the Assembly strongly condemns the sentencing of several Kurdish parliamentarians to up to fifteen years' imprisonment for their political beliefs.

10. The Assembly considers that Turkey, in the light of the above facts, is in violation of its obligations under the Council of Europe's Statute.

11. Furthermore, the Assembly notes the European Parliament's position that the "state of human rights in Turkey is too grave to allow the establishment of a customs union".

12. The Assembly recommends that the Committee of Ministers:

12.1. call on Turkey to withdraw its forces from northern Iraq;

12.2. call on Turkey to seek a peaceful solution to the Kurdish problem on the basis of the principles embodied in the Statute and the relevant conventions of the Council of Europe;

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1. Assembly debate on 26 April 1995 (13th Sitting) (see Doc. 7290, report of the Political Affairs Committee, rapporteur: Mr Bársony; and Doc. 7295, opinion of the Committee on Migration, Refugees and Demography, rapporteur: Mr Cucó). Text adopted by the Assembly on 26 April 1995 (13th Sitting).

12.3. set a specific timetable for Turkey to bring its Constitution and legislation in line with the principles and standards of the Council of Europe;

12.4. consider suspending Turkey's rights of representation, unless the Committee of Ministers can report substantial progress on items i-iii above at the Assembly's third part-session (26-30 June 1995).

13. The members of the Parliamentary Assembly of the Council of Europe urgently ask their fellow parliamentarians, members of the Grand National Assembly of Turkey, to do their best by the earliest possible date to bring the Turkish Constitution and legislation into line with the principles and standards of the Council of Europe.