



## Resolution 1041 (1994)<sup>1</sup>

# Consequences of the dissolution of the Party for Democracy (DEP) in Turkey

Parliamentary Assembly

1. The Assembly recalls its [Resolution 1030 \(1994\)](#) of 13 April 1994 on the arrest and detention of six members of the Turkish Grand National Assembly on 2 and 3 March 1994 in which it, inter alia, expressed its concern on the arrest and detention of some members of the Grand National Assembly for their political views, and called on the Turkish authorities to withdraw their request before the Constitutional Court to "close" the DEP Party and in which it also called on the Turkish authorities - if they insist on pursuing the prosecution of the six DEP deputies - to release them from detention and to repeal all legislation which makes normal political discourse and free speech about specific changes in the Constitution a treasonable offence.
2. The Assembly considers that, since the adoption of its [Resolution 1030 \(1994\)](#) the situation has worsened, especially following, firstly, the decision of the Constitutional Court in Ankara of 17 June to "close", that is to declare unconstitutional, the DEP Party which had - apart from the six already detained since 2 and 3 March - thirteen members in the Grand National Assembly and, secondly, the filing on 21 June last of the indictments before the State Security Court of the six deputies, in which the death sentence has been demanded.
3. The Assembly is concerned that, as a result of the decision of the Turkish Constitutional Court, legal proceedings will be initiated against other members of this party.
4. The Assembly notes that applications were filed with the European Commission of Human Rights by, or on behalf of, the imprisoned members of the Grand National Assembly.
5. The Assembly reiterates, as it did in [Resolution 1030](#), its full awareness of the need to preserve the political unity and territorial integrity of the Republic of Turkey and acknowledges that finding a peaceful, democratic and non-separatist solution to this problem is solely the responsibility of the citizens of that republic.
6. The Assembly is convinced that a solution to the serious problems and the grave situation in south-east Turkey must be found by peaceful means, and that, apart from other considerations, the Turkish authorities are making a considerable political error in eliminating the elected representatives of a part of the Turkish people rather than trying to establish a dialogue with and through them, and with others seeking a peaceful, political solution to the Kurdish problem within Turkey.
7. The Assembly stresses the danger of the measures taken against the DEP deputies escalating into further breaches of the rule of law and of human rights in a democratic society, now that advocacy in the public debate of changes in the Constitution (in this case urging a measure of (cultural) autonomy for the Kurdish provinces) is being construed by the authorities as a form of aiding and abetting acts of separatism and terrorism.
8. The Assembly reiterates its abhorrence of any kind of terrorism, and wishes to stress the importance of Articles 10 and 11 of the European Convention on Human Rights, which grant freedom of expression, of assembly and of association - rights which take on a particular dimension for members of parliament.

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1. Assembly debate on 30 June 1994 (22nd Sitting) (see [Doc. 7112](#), report of the Committee on Legal Affairs and Human Rights, Rapporteur: Mr Jurgens). Text adopted by the Assembly on 30 June 1994 (22nd Sitting).



9. The Assembly expresses its wish that the Turkish Grand National Assembly make all the necessary efforts to adopt amendments to the Constitution as early as possible to bring it into line with the standards of the Council of Europe and to give back their mandates to those deputies who lost them as a result of the dissolution of the DEP.

10. In conclusion, the Assembly:

10.1. urges the Turkish Grand National Assembly, the Turkish authorities and the parliamentary delegation from Turkey to comply immediately with the proposals made in its [Resolution 1030 \(1994\)](#);

10.2. .instructs its Bureau to arrange for a delegation, headed by its President, to visit Ankara in the very near future to make yet further and, hopefully, positive contacts with the Turkish authorities regarding a situation which is of such immediacy as to cause considerable distress; and

10.3. expresses the wish that Turkey receive CSCE delegations to implement the human rights mechanisms set up by that organisation.