Resolution 860 (1986)[1]

Situation in Turkey

Parliamentary Assembly

The Assembly,

1. Recalling its numerous previous texts on the situation in Turkey, adopted between October l980 (Recommendation 904) and April 1985 (Resolution 840) ;

2. Having examined the report of its Political Affairs Committee (Doc. 5546) and the opinion of its Legal Affairs Committee (Doc. 5547), which take account of the fact-finding mission carried out in Turkey by the respective rapporteurs from 11 to l5 March l986 ;

3. Noting with satisfaction that the Turkish Grand National Assembly, acting in the spirit, inter alia, of Resolution 822 (l984) and Resolution 840 (l985) :

3.1. has continued to secure the lifting of martial law, which now applies in only five of Turkey's sixty-seven provinces, situated in the extreme east of the country ;

3.2. has approved a law which has some characteristics of an amnesty, providing for conditional release of sentenced prisoners, having the effect of reduction of sentences by 60% ;

3.3. has ratified no death sentences in the last year ;

4. Also welcoming the assurances from the Government that public prosecutors must automatically investigate all allegations of torture and ill-treatment, a number of which have been made publicly from the tribune of the Grand National Assembly, and noting the fact that, under the terms of the friendly settlement reached on 7 December l985 between the five applicant states and Turkey, provision is made for further progress and continued information to the European Commission of Human Rights concerning :

conditions and procedures of detention,

greater implementation of personal rights and freedoms,

the issue of amnesty ;

5. Noting the report and proposals which the Parliamentary Committee for the Inspection of Prisons, chaired by Mr Bülent Akarçali, submitted to the Speaker of the Grand National Assembly on 22 November l985, concerning, inter alia, improvement of access to lawyers and family visits, and including a decision to continue its work ;

6. Noting the recent revocation of certain restrictive measures contained in Law No. 2969 of November l983, already largely ignored in practice by an increasing lively and critical press, concerning publication of the views of political leaders of the period before l2 September l980, and also the disquiet of the press and of opposition parties of left and right concerning a new law with imprecise provisions concerning ‘‘harmful publications" ;

7. Noting that revision of the Turkish penal code by a twenty-five-man commission of jurists and academics is in progress,

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1. Assembly debate on 24 April 1986 (7th Sitting) (see Doc. 5546, report of the Political Affairs Committee, and Doc. 5547, opinion of the Legal Affairs Committee). Text adopted by the Assembly on 24 April 1986 (7th Sitting).

8. Notes with satisfaction that consideration by the Turkish Government concerning acceptance of the right of individual petition (Article 25 of the European Convention on Human Rights) is in progress, and expresses the hope that this will result in an early favourable decision ;

9. Welcomes the clear desire of the Turkish Government and people to normalise fully relations with the European organisations ;

10. Reiterates its serious concern at the continuing mass trials against members of DISK and the Turkish Peace Association ;

11. Expresses the hope that the Turkish Government and Grand National Assembly will take further steps :

11.1. to encourage and to intensify the fight against torture and degrading treatment ;

11.2. towards granting amnesty to those prosecuted or convicted for their opinions, exploiting to the full those possibilities which exist, even before amending the Constitution ;

11.3. to continue progress towards the necessary full affirmation of political pluralism and human rights, encompassing freedom of association, including within trade unions ;

12. Decides to transmit this resolution to the European Parliament and instructs its own Political Affairs and Legal Affairs Committees to continue to follow developments closely.