

The effects of Turkish EU Membership on Assyrians and Other Minorities



Bachelor Thesis
Public Administration
University of Twente

Supervisors:
Prof. Dr. J.H. de Wilde
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Enschede, September 2006

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Mari Ailo,

Enschede, 27 August

Abbreviations and Acronyms

CHP	Cumhuriyet Halk Partisi (Republican People's Party)
AKP	Adalet ve Kalkınma Partisi (Justice and Development Party)
CoE	Council of Europe
CSCE	Commission on Security and Cooperation in Europe
DYP	Doğru Yol Partisi (True Path Party)
EC	European Commission
ECHR	European Court of Human Rights
ECRI	European Community against Racism and Intolerance
ECSR	European Committee of Social Rights
EEC	European Economic Community
EU	European Union
FCPNM	Framework Convention for the Protection of National Minorities
HRAC	Human Rights Advisory Committee
HRB	Human Rights Boards
HRP	Human Rights Presidency
IAP	Integrated Action Plan for the Social Integration of the Roma People
ICCPR	International Covenant on Civil and Political Rights
IDP	Internally Displaced Persons
NFP	Non-For-Profit Taskforce
NATO	North Atlantic Treaty Organisation
PKK	Kurdistan Workers Party
RMG	Reform Monitoring Group
UN	United Nations
UNMD	United Nations Declaration Belonging to National or Ethnic, Religious and Linguistic Minorities

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1. Introduction

Johann Gottfried Herder (1744-1803)

“Culture difference between nations is a human fact;
no strange culture may overshadow the own culture;
every nation must cultivate its own national nature.”¹

1.1 The Topic

In 1993 new membership criteria were laid down by the European Council in Copenhagen, Denmark. The Copenhagen criteria made it more difficult for Turkey to become a European Union (EU) member. Turkey could not follow up all the rules, but it started to carry through reforms as soon as possible. The EU negotiations with Turkey started on 6 October 2004.² Turkey will probably need more time than preceding candidate states to execute the rules. The differences between the country and its Western member states are clearly visible and are grounded in political, economical, judicial, demographical and cultural aspects. If Turkey wants to get full membership, it has to execute the Copenhagen criteria. Debates are going on in many (EU) countries about whether Turkey should join the EU or not. Turkey did already accomplish and implement some reforms, especially in the economical criterion of the Copenhagen criteria and the European Commission gave a positive opinion on Turkey's progress.³ But there are also other topics involved, like the political - “stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities”⁴ - and Community acquis criterions which need to be adopted as well. One of the interesting topics that rises up is how far Turkey comes to meet the Copenhagen criteria concerning human rights and respect for and protection of minorities - one section of the political criterion. I found it interesting to examine what the current situation is for Turkish minority groups. Did the reforms have any effect on minorities? Did certain minorities go forwards or backwards? The collected information showed me that Turkey only recognises three minority groups - Armenians, Jew and Greek - saying that these minorities are non-Muslims. Other minorities were left out. For more objectivity of this thesis, it seemed useful to specify on one minority. Since there is lots of a reading concerning the recognised three minorities I wanted to choose a less known minority. Because of my Assyrian background it was easy to make a choice between minority groups. So, I chose to specify my thesis by using Assyrians as a guide to show the current situation for domestic minorities. This choice brought me to the next question: what about Assyrian minority rights? Eventually, after searching and inquiring

¹ Leerssen, 1999: pp. 89

² Bibliotheek van de Universiteit van Amsterdam: www.uba.uva.nl

³ Commission of the European Communities, 2005

⁴ Tsitselikis, 2004: pp. 3

information about the Copenhagen criteria which lead me to the already mentioned questions, I came to the following research question:

“What are the advantages and disadvantages of Turkish EU membership for Assyrians and other minority groups who live in Turkey?”

How this question is being subdivided is discussed in section 1.2.

1.2 Outline of the Thesis

The research problem of this thesis involves the effects of a future Turkish EU membership on Assyrians and other minority groups that live in Turkey. Hence, the aim of this thesis is to find out what the advantages and disadvantages are for Assyrians and other minority groups if Turkey joins the EU. Chapter two starts with an explanation of theory and method of this thesis. For answering the research question, five sub questions will come up in this section - these concern chapters 3 to 7.

The first sub question concerns the impact of international organisations on national minorities - chapter three. This sub question tries to find out how the North Atlantic Treaty Organisation (NATO) and the Council of Europe (CoE) deal with minority issues. Section 3.1 handles NATO, section 3.2 handles the CoE. The questions that are being answered in this chapter are: do these organisations have their own definition of ‘minority’? What kind of influence do these international organisations have on domestic minority policies? Why did Turkey join these organisations? And last, but not least, concerns the question how Turkey acts up to the agreements as defined by these international organisations. The last section gives a conclusion on the chapter and answers the sub question. The conclusion also gives an answer if there is discrepancy visible between NATO and the CoE on the one side, and Turkey on the other side. Unfortunately, there was too little time to bring up the Organisation for Security and Co-operation in Europe (OSCE). The OSCE uses three pillars; the third pillar concerns a human dimension.⁵ The United Nations (UN) is also not discussed here, because I did not want to use organisations with members from all over the world.

The second sub question concerns the impact of the European Union (EU) on national minorities - chapter four. The same questions as the ones in chapter three will come up here as well. Because of the fact that this thesis also concerns the EU, it is good to check to what extent the EU’s impact on Turkish policies is. The aim of this chapter is to find out what the EU goals are - what the criteria and expectations are for candidate countries to be able to join in. The Copenhagen criteria will come up and are discussed in section 4.1. The second section of this chapter discusses the question why Turkey wants to join the EU. If Turkey has good reasons to join in, it

⁵ Organisation for Security and Co-operation in Europe: www.osce.org

The other two pillars are politico-military, and economic and environmental.

has to carry out many reforms, like domestic minority rights. Otherwise it will be excluded from joining the EU. The last section gives a conclusion on the chapter and answers the sub question. Throughout the next sub questions it will be clearer if it will turn out negatively or positively for Turkish minorities when Turkey joins the EU.

The third sub question concerns the present on paper: the current situation for Turkish minority groups - chapter five. The aim of this chapter is to see to what extent Turkey has carried through its reforms towards minority rights. Section 5.1 involves some facts about Turkey, its government and its constitution. The election procedure and some legal contradictions are mentioned here. Section 5.2 involves Turkish legal reforms that have been made concerning minority issues. The subjects that are discussed in this section concern the security level, discrimination level, education level, property rights and information about signing and ratifying certain treaties and protocols. The last section gives a conclusion on the chapter and answers the sub question. The conclusion shows that Turkey is really trying to treat minority groups better.

The fourth sub question concerns present in practice: the current situation for Turkish minority groups - chapter six. The aim of this chapter is to see to what extent Turkey has carried through its reforms of minority rights in practice. Section 6.1 shows the results of made reforms for 2005 in practice. The "Turkey 2004 Progress Report" helped a lot for answering this question. The Assyrian historian Sabri Atman helped me to know the situation in practice of the Assyrian minority. Section 6.2 involves minority rights standards in Turkey. The question in this section - and the other sections of this chapter - is to see if there is discrepancy between the present situation of Turkey on paper and in practice. Section 6.3 involves a case study of the Greece Gypsy minority. Has their situation improved since Greece is a member state, or not? Are there any reforms visible? Is the minority issue still high on the agenda in Greece? The last section gives a conclusion on the chapter and answers the sub question. The fifth and sixth chapter are linked together to find out if there is any difference on paper and in practice in Turkey. It also gives a guideline what to expect from Turkey in the future. The given conclusion shows that there is a clear discrepancy between the present situation on paper and in practice. Assyrians and other minorities are not really benefiting from the few reforms that only seem to occur on paper.

All the information from the different chapters will come together in the conclusion - chapter seven - where I will reflect on the analysis done in the previous chapters and decide what the advantages and disadvantages are of a Turkish EU membership on Assyrians and other domestic minorities. Section 7.1 gives a summary of the previous conclusions. Section 7.2 discusses the different chapters and tries on the basis of the sub questions to find the final answer of the research question. The last section involves recommendations for further research.

But first, section three will discuss some historical background information about Turkey and the Assyrians to show the mutual tension.

1.3 Historical Background Information

A long time ago, as from 2900 B.C, there was a state called Assyria - the Northern part of Mesopotamia.⁶ Nowadays, Assyria spans the states called Syria, Turkey, Iran and Iraq. In Syria it extended the West to the Euphrates River; in Turkey it extended the North to Harran, Edessa, Diyarbakir, and Lake Van; in Iran it extended the East to Lake Urmi, and in Iraq it extended about 100 miles south of Kirkuk.⁷

Figure 1-1:⁸ The Assyrian Empire



Experts say that Mesopotamia is the cradle of our civilization. The Assyrian empire collapsed in 612 B.C. Even though Assyrians - also referred to as Suryoye, Suroye, Arameans or Syriac - lost their country, they were still able to survive the Persian conquests. From 33 A.D. to 1300 A.D., Assyrians experienced peaceful times.⁹ Armed with the word of God, Assyrians set out to build a religious empire founded on divine revelation and Christian brotherhood - their plan succeeded using the 'Assyrian missionary enterprise'. The empire spanned from Syria to Mongolia, Korea, China, Japan and the Philippines. During the period 1300 A.D. and 1918 A.D. it went downwards for the Assyrians. The work of the Assyrian missionary enterprise came to an abrupt end by reason of the Mongols. Many Assyrians escaped by fleeing into the Hakkary mountains - present day Eastern Turkey - and the others staid in their own place - presently North Iraq, Iran and Syria. There was also a schism between Assyrians which got clear by the end of the 19th century and caused three different groups.¹⁰ The three groups did no longer see themselves as one and the same. In 1914-1918, the First World War took place. In that time, people were very nationalistic institutionalised - in a negative sense - and did not want to accept anything from other nations, other languages or other cultures.¹¹ People saw their own nation, language and culture as the best of the world. These

⁶ Assyrische Mesopotamische Vereniging Enschede: www.bethnahrin.nl

⁷ Assyrian International News Agency: www.aina.org

⁸ Assyrian International News Agency: www.aina.org

⁹ Assyrian International News Agency: www.aina.org

¹⁰ According to the Assyrian International News Agency: www.aina.org:

The western Assyrians, all of whom belonging to the Syrian Orthodox Church, began identifying themselves as "Jacobites". The remaining communities belonged to the Assyrian Church of the East. After the division of the Church of the East in 1550 A.D., the Chaldean Church of Babylon, a Roman Catholic Uniate, was created, and members of this church began to call themselves Chaldean.

¹¹ I recommend the following book concerning nationalistic processes and different nations:
Leerssen, 1999

nationalistic thoughts were also recognisable in the part what was left out of the powerful Ottoman Empire. The Ottoman inhabitants wanted to have their own state as well and found the charismatic Mustafa Kemal Atatürk (1881-1938) as their leader.¹²

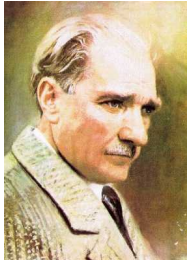


Figure 1-2:¹³ Mustafa Kemal Atatürk

Atatürk was seen as a military hero at the Dardanelles in 1915 and he became the leader of the Turkish national liberation struggle in 1919. He crushed the invaders of his country and had impressive victories on the way. This led eventually to the Treaty of Lausanne and the independence of secular Republic of Turkey in 1923.¹⁴ The Treaty of Lausanne included articles that granted non-Muslims special rights. Atatürk was the first president of Turkey and remained president for fifteen years - until 1938, his death. Many reforms were accomplished because of his help. Until this day Turkish people see Atatürk as a real hero. Even today, Turkish scholars get taught to see him as a hero. Nevertheless, Armenians, Assyrians, Greek and other minorities see Atatürk as a merciless murderer. In their point of view, it is nothing but Atatürk's policy that caused the Armenian genocide and the Seyfo - Assyrian naming of the genocide of 1914-1915.¹⁵ Millions of innocent people got killed. Atatürk intended to establish a Turkish state with Turkish citizens - he wanted a unity inside the state, a homogeneous population. Everything that came in the way of achieving his goal had to be destroyed. Atatürk let out his worst prisoners to carry out his policies.¹⁶ Along the way, his policy was effective and resulted into the secular Republic of Turkey. Notwithstanding the establishment of the Republic of Turkey, the homogenization process continued. Atatürk's achievements are of great importance for Turkish people and it is not weird that they see him as a powerful man with its great charisma. But still, is it right to overlook the facts of how Atatürk came to his achievements? Is it not important to know what tools were used during the war? In my view, it depends on the person himself whether he sees Atatürk as a hero or as a murderer, or in other words, it depends on a person's historical view on the circumstances. Most Turkish people do not think about these questions, but domestic minorities do.

Currently, the recognition of the Armenian genocide - other minorities are hardly mentioned - plays an important role in the public debate in the European Union.¹⁷

¹²Turkish News Site: www.turkishnews.com

Atatürk Information Site: www.ataturk.com

¹³ Turkish News Site: www.turkishnews.com

¹⁴ This Treaty was signed by the British Empire, France, Italy, Japan, Greece, Roumania and the Serb-Croat-Slovene State. For the full text of the Treaty of Lausanne, see the site: Online Armenian encyclopaedia: www.armeniapedia.org

¹⁵ For new found proof of the Seyfo see:

Zinda magazine, 2 November 2005: www.zindamagazine.com

¹⁶ Zinda magazine, 2 November 2005: www.zindamagazine.com

¹⁷ EPP-ED Group: www.epp-ed.europarl.eu.int

Reformatorisch Dagblad, 28 September 2006: www.refdag.nl

Calling the circumstances 'genocide' is one of the main issues of debate.

According to R.J. Rummel: www.hawaii.edu,

Turkey denies the genocide and is not planning to recognise it. It has its own reasons. The first reason is that it claims that the genocide never occurred. It was a matter of self-defence and aggressors had to be killed. The definition of genocide did not even exist then, so how is it possible to speak about genocide and hence recognize it? Secondly, the genocide occurred more than 90 years ago, so its importance has vanished in the governments eyes. Why should Turkey recognise the genocide just now? Thirdly, the genocide has nothing to do with Turkey wanting to join the European Union. This is because the genocide concerns (unrecognised) history and not the current situation in Turkey. Fourthly, recognition means the governments' accountability for the victims. In this situation Turkey will have to pay off its guilt. It will also need to change (subjective) teaching material which costs much money. The last reason is the fact that the genocide occurred 90 years ago, so why should Turkey suffer now and run up a dent? The perpetrators of the genocide are all gone, so who should be blamed now? It is true that the genocide occurred a long time ago. Nevertheless, minorities still want the genocide to be recognised and they also have some reasons. First, minorities want to clear up history. They want their history to be recognised by Turkey and the rest of the world. Secondly, recognising the genocide means recognising all minorities as separate nations which were involved. The Armenians were not the only victims, but also the Assyrians, the Greek, Chaldeans, Baheis, Georgians, Roma and others.¹⁸ Thirdly, recognition of the genocide is the last honour to its victims. Fourthly, recognition will make a start of minorities trusting the Turkish government. After all, recognition of the genocide means listening and respecting minorities. And the last point concerns the homogenisation process which continued after the establishment of the Republic of Turkey. Minorities had to live under corrupt and dangerous circumstances. There was also obvious inequality; notwithstanding, minorities did not come to action to defend their selves - except for the Kurds. It was taboo to talk about the genocide. The awful circumstances forced many minorities to flee to other countries. They were chased away by the hard policy of the Turkish government. In this observation the genocide does not seem to be a long time ago. Persons who fled from Turkey want to show the world that they took off for a reason and that it was not their choice to start a new life somewhere else. Recognition of the genocide will show the bottled up distress of minorities. Without an apology of the Turkish government, minorities cannot forgive nor forget what the establishment of the Turkish Republic has done to them. Hence, recognition has a symbolic meaning: it will be felt as liberation of all the sorrow since the beginning of the genocide until now. Currently, the Turks and Armenians reject each others

"New conceptions require new terms. By "genocide" we mean the destruction of a nation or of an ethnic group. This new word, coined by the author to denote an old practice in its modern development, is made from the ancient Greek word *genos* (race, tribe) and the Latin *cide* (killing), thus corresponding in its formation to such words a tyrannicide, homicide, infanticide, etc. Generally speaking, genocide does not necessarily mean the immediate destruction of a nation, except when accomplished by mass killings of all members of a nation. It is intended rather to signify a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves. The objectives of such a plan would be disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of the personal security, liberty, health, dignity, and even the lives of the individuals belonging to such groups. Genocide is directed against the national group as an entity, and the actions involved are directed against the individuals, not in their individual capacity, but as members of the national group."

¹⁸ For a reproduction of all domestic minorities, see Table 6-2 and 6-3.

opinions. The Dutch European Parliamentarian Camiel Eurlings wrote a critical report about Turkey. The report contained the recognition of the Armenian genocide as a demand next to the Copenhagen criteria. This report was accepted in the European Parliament with 407 votes pro and 262 votes contra on 15 December in 2004. But now, October 2006, the recognition of the genocide is no longer needed according to the European Parliament.¹⁹

Denying certain details about the history of a state is, as I may say, almost normal. All states want to represent themselves on a good way and tell that they did not intend to harm anyone. Even a state like the Netherlands tries to brighten up its behaviour in times of slavery trade and colonialism. The fact stays that as a result of the events in 1914-1918, many minority groups were murdered along the way.²⁰ After the war, the Christian minority amount went from 30 percent in the beginning of 1914 to only 0.2 percent nowadays. It is a fact that many of them died during 1914-1915. There were also much people who survived it by fleeing to Syria, Irak, the United States, Europe and Australia.²¹ Some books have been published by survivors of the Seyfo, like the bibliography of Thea Halo.²² The Seyfo was a taboo in the first decades. People were afraid to talk about it because they would be killed if the police found it out. The perception towards the Seyfo changed because of new born generations in other countries. The Second World War and the treatment of the Jew made the new generation see that the taboo could be broken up. New generations of Armenians, Assyrians and other Turkish minorities started to come up for their murdered ancestors by trying to force Turkey to recognise the genocide, and hence, honour their ancestors.

Last century, during the 1990s, certain incidents have occurred in the Eastern and South-eastern of Europe which caused a new perception on minority rights. The new perception got minority rights right back to the agenda. At the same time - on 14 April of 1987 - Turkey applied for full EEC (European Economic Community) membership.²³ In December 1989, the European Commission endorsed Turkey's eligibility for membership, but deferred the assessment of its application. The EU negotiations with Turkey started on 6 October 2004. The aim of this thesis is to find out whether Turkey's will to join the European Union has any effect - positive or negative - on its domestic minorities. I totally agree with Herders quotation. Every nation has indeed its own valuable culture which cannot be thrown away without any problems. But what is the opinion of the Turkish government concerning Herders quotation? Does the Turkish government agree or disagree with Herders quotation and is this visible in its policy or not?

¹⁹ EPP-ED Group: www.epp-ed.europarl.eu.int

European Parliament: www.europarl.europa.eu

²⁰ Atatürk made a lot of reforms that caused many difficulties for minorities. Examples were the compelling of a certain Turkish national costume; changing names into Turkish names; and practicing no other culture than the Turkish culture. Minorities had to sacrifice a lot if they wanted to stay in Turkey.

²¹ See annex 1 for nowadays diaspora of Assyrians

²² Halo, 2001

²³ European Union news and policy positions: www.euractiv.net

2. Theory and method

There is much literature about Turkish minority groups which is useful for the research design of this thesis. One good example is the article "Citizenship and Minorities: A Historical Overview of Turkey's Jewish Minority" by Sule Toktas. Sule Toktas article aims to revisit history of the Jewish minority in Turkey with a special focus on citizenship as a concept and a construction.²⁴ In the article of Toktas, the historical circumstances of the Jewish minority are chronological methodological encompassing a broad range of events, laws, ideas and movements spanning Early Republican Period up to present-day Turkey.²⁵ Toktas means by 'chronological methodological' the construction of the article, using three time periods: the Early Republican Period (1923-1945), the Multi-Party Democracy Period (1945-1980), and the Post- 1980 Period. The research is state centric and based on secondary research. The article highlighted on the history of the Jewish minority with a focus on citizenship. Toktas' independent variable is the Turkish government and the dependent variable is the results of the treatment of the Jew. In Toktas conclusion, there is a link on whom - or which party - has the power in a certain time to understand the treatment of Jew and other minorities. Toktas also mentioned some variables that could have an influence on the independent and dependent variables. These variables included the development of civil society, the rise of identity politics, liberalisation of the economy and the accession process to the EU.²⁶

What about the theory and methodology of this thesis? This research is also state centric, so the Top-Down approach is central.²⁷ The biggest part of this thesis is based on empiric analytic research. The theoretical eyesight is closed, unlike the open eyesight of qualitative research. I carried out a literature study to give solid argumentations for the analyse. Toktas used also secondary resources for her article. For the literature study I went to some libraries, used online papers, journals, newspaper articles, and some important websites of some institutions. In this thesis, the use of only secondary sources was not enough to be able to draw conclusions. Hence, unlike Toktas research, some parts of this thesis are based on primary resources. In addition, some interviews were taken. The interviews were especially taken to clarify the discrepancy between *de jure* and *de facto* notions for the Assyrian minority group that lives in Turkey.

The elaboration model of this thesis concerns partial spurious - see figure 2-1. In this thesis, variable T (third variable) is the international organisations - NATO, CoE and

²⁴ Toktas, 2005

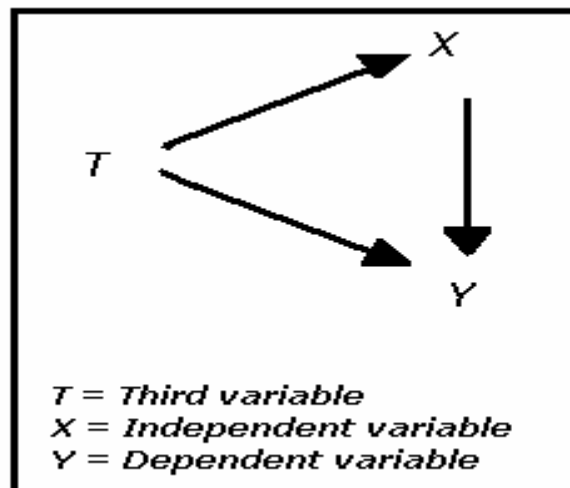
²⁵ Toktas, 2005

²⁶ Toktas, 2005

²⁷ A Top-Down model is headed by the top management, in this case the government. The top management invents the strategy for the company (the state) and her executors. State goals come into the government's agenda and the government turns them into strategies to act up to the goals. The executors carry out the made strategies.

EU. International organisations have influence on their member states. Since Turkey is - or wants to be - a member, it needs to follow up some rules of the organisations to stay in. Without participation it is hard for a member to stay in a certain international organisation. Thus, variable T has an effect on X - the independent variable: in this thesis it is Turkey. Variable X is dependent of variable T. At the same time, variable T indirectly affects variable Y - dependent variable of X and Y. In this case, variable Y is the implementations and results of minority policies. Turkish reforms are realized by international organisations and this leads to a positive or negative degree of certain results for domestic minority groups. The question that remains is where the real discrepancy is visible. Chapter 3 shows that the relation of variable T and X concerning minority treatment develops rough. Chapter 5, 6 and 7 show that there is an obvious difference between present on paper and in practice for Turkey.

Figure 2-1:²⁸ Elaboration model, partial spurious



The construction of this thesis is based on a logical order. It begins with variable T in chapter 3 and 4, goes further with X in chapter 5, Y comes up in chapter 6, and at the end the conclusion is given about the research question. Unlike this thesis, Toktas uses certain time periods which have also a logical order. Nevertheless, for the research question of this thesis history does not play such a big part, but the current situation of the involved variables does.

²⁸ Aarts and Bos, 2003-2004: pp. 11

3.

Impact of International Organisations on National Minorities

Throughout the nineteenth and twentieth century, many wars were taking place in Europe. After the Second World War and Cold War, European states wanted to stop being each others opponents. But how could this be done? Their main solution was to cooperate instead of being each others enemies. This solution led to the establishment of some international organisations in the second half of the twentieth century. A discussion about some international organisations is important for the research problem of this thesis. Searching for advantages and disadvantages of a future Turkish EU-membership for Assyrians and other minority groups can be found in the Turkish relation and behaviour towards these organisations. Why did Turkey join the international organisations which are mentioned in this chapter? How do international organisations deal with minority issues? What kind of influence do these international organisations have on domestic minority policies? Does Turkey act up to the agreements as defined by the international organisations? The answers to these questions could help to form expectations of the Turkish behaviour towards its minority groups after joining the European Union. The gap that leads to less Turkish minority rights needs to be found in this thesis. This discrepancy might be between the International Organisations and Turkey. Dealing with international organisations is therefore needed.

In this chapter, only two international organisations are discussed. The first international organisation is the North Atlantic Treaty Organisation (NATO), founded on the fourth of April in 1949. Together with Greece, Turkey joined NATO in 1952. Soon after NATO, the Council of Europe (CoE) was established on the fifth of May in 1949. In 1963, Turkey joined the CoE. Even though the Security and Co-operation in Europe (OSCE) is also worth mentioning it will not be discussed in this chapter because of a lack of time.²⁹ Other international organisations, such as the United Nations and non-governmental organisations, are not discussed because the research problem specifies on the Turkish government and Europe, and not on the whole world.

3.1 NATO

In 1952, Greece and Turkey joined NATO. The Strategic Concept of NATO outlines the purpose and nature and its fundamental security tasks. This Strategic Concept involves the alliance for today's security challenges and guides its future political and military development.³⁰ The updated Strategic Concept of 1999 describes the

²⁹ Organisation for Security and Co-operation in Europe: www.osce.org

The OSCE uses three pillars: the politico-military, the economic and environmental and the human dimension.

³⁰Online Infopack of NATO: pp. 17

purpose and tasks of the Alliance, the strategic perspectives, the approach to security in the twenty-first century and the guidelines for NATO's forces. The dangerous characteristics of the Cold War period have greatly diminished. As a result of the changes, the Alliance has moved to one that recognises security threats that are no longer limited in terms of their location and predictability and is prepared to address them whenever and wherever they occur.³¹ At present, new risks have emerged which threaten NATO goals of peace and stability. These risks include terrorism, political instability, ethnic conflict, economic fragility, the spread of nuclear biological and chemical weapons and human rights abuses.³² NATO's purpose is primarily to safeguard the freedom and security of all its members by political and military means, to uphold the values of democracy, human rights and the rule of law and contribute to peace and stability of the entire Euro-Atlantic region. There is hardly information available concerning human rights and minority rights. Dr İhsan D. Dağı wrote about the relationship between the level of respect for human rights and international security with special reference to Mediterranean. The paper of Dr İhsan D. Dağı showed that democracy and human rights are important issues for NATO for two reasons.³³ Firstly, in the post-military threat environment in Europe, NATO should recognize the linkages between the level of respect for human rights and international security. The peace-keeping and peace-making roles of NATO are directly linked to human rights. Secondly, following the end of the Cold War, the growth of intra-state conflicts and border disputes, tensions in inter-ethnic relations, slow progress in democratization, in sum, the persistence of instability in and around Europe where the crises are proved to be difficult to contain within national borders NATO should be prepared to take further peace-keeping and peace-making undertakings. Kosovo is a case in this direction.

Turkey joined NATO in 1952, but why? Why did other NATO-members want Turkey to join the Alliance? In other words: what were the reasons behind Turkish NATO-membership? According to J.A. Phillips (1987) the causes of the Turkish membership are laid down in geo-strategic, political and economic reasons.³⁴ Back then, NATO was extremely defensive towards the Soviet Union.³⁵ In view of geo-strategic considerations, Turkey could form a formidable barrier to Soviet expansion because of the large border between them. Over the last four centuries, Turkey had already confronted Russia in thirteen wars and has had experiences in dealing its neighbour. Turkey's well convenient location and large army were perfect for eastern control of security. Without assistance of friendly states in the Middle East (NATO-members, like Turkey) it is impossible to intervene in Middle East stability, control and security.³⁶ The political reason why Turkey joined NATO lies down into the fact

³¹ NATO Public Diplomacy Division: pp. 5

³² Online Infopack of NATO: pp. 17-18

³³ Dağı, 1999-2001: pp. 16

³⁴ Phillips, 1987: pp. 1

³⁵ Figure the time after the Second World War, and the tensions between the Allies - United States, France and Great Britain versus the Soviet Union - that came along with it. NATO had defence responsibilities against Soviet - communist - threats. Figure also times during the Cold War. In the event of conflict, Turkey could be used as a close army base.

³⁶ According to Peterson, 2000: pp. 4:

that Turkey would be the only Muslim member. This would make a bridge between the Western and Muslim world, and so on, it would enable NATO to play a stabilizing and controlling role in the Middle East. Thanks to Kemal Atatürk, Turkey is secularistic since 1923. Currently, Turkey is a parliamentary democracy which shows economical developments. An example is the introduction of the free market economy. Turkey is occupied with extensioning the export for an elevation of the domestic prosperity.

According to Phillips, Turkey is the logical choice to help fill the gap that could be left by the loss of the four major and several minor US installations in Greece.³⁷ All of this means that NATO's challenges are still the same, but the problems have changed. These problems need other solutions to keep up stability and security. In my opinion, NATO does not give enough attention to minority problems within Turkey. Perhaps NATO does not want to create tension between it and Turkey. The Alliance's primary goal is eventually militaristic. The tension will be made through the effect of NATO trying to give Turkey a lecture. Notwithstanding, NATO needs to act stronger and follow up its guidelines on a more effective and efficient way to solve minority problems of its member states.

Since 1990s, NATO began to look after human abuses. The Alliance laid this down in the Strategic Concept in 1999. Nonetheless, there is curiously enough no information available - not even on NATO's website - concerning the regulation of human rights abuses: in other words, minority rights. The concept 'minority' is not even mentioned, thus a definition of the word is hard to find. This makes me wonder why NATO does not declassify information about minority rights. Does NATO want to conceal information for interested people in this subject? This question seems to be a rhetorical one. It looks like NATO cannot oblige its members to carry through all its goals, because human rights violations are still taking place in Turkey. According to Dr. İhsan D. Dağı it is said that NATO could protect the world from 'conflicts outside the treaty area stemming from unresolved historical disputes and the actions of undemocratic governments and sub-state actors who reject the peaceful settlement of disputes'.³⁸ This judgment involves conflicts outside the treaty area, like Kosovo. It is not mentioned that NATO members should observe the same democratic and human rights principles. I could not find any useful information concerning Turkey and its human rights, even though it is a member state. The only paper I found that gave an answer on the question why Turkey - or any other member country - is not being obliged to act up to the human right principle was of Dr. İhsan D. Dağı.³⁹ In his paper Dağı explains that NATO wants security, and from there of, human rights and democracy will naturally follow up - see figure 3-1. First of all, security needs to

There is widespread recognition that American intervention in the Gulf may not be feasible without the assistance of friendly states. Thus, the US has placed considerable emphasis on securing use rights for facilities located in various countries around the Gulf. By 1985, the only states cooperating in this regard were o the periphery of the Gulf, viz. Kenya, Somalia, Oman, and possible Egypt, and, within the context of NATO, Turkey.

³⁷ Phillips, 1987: pp. 2

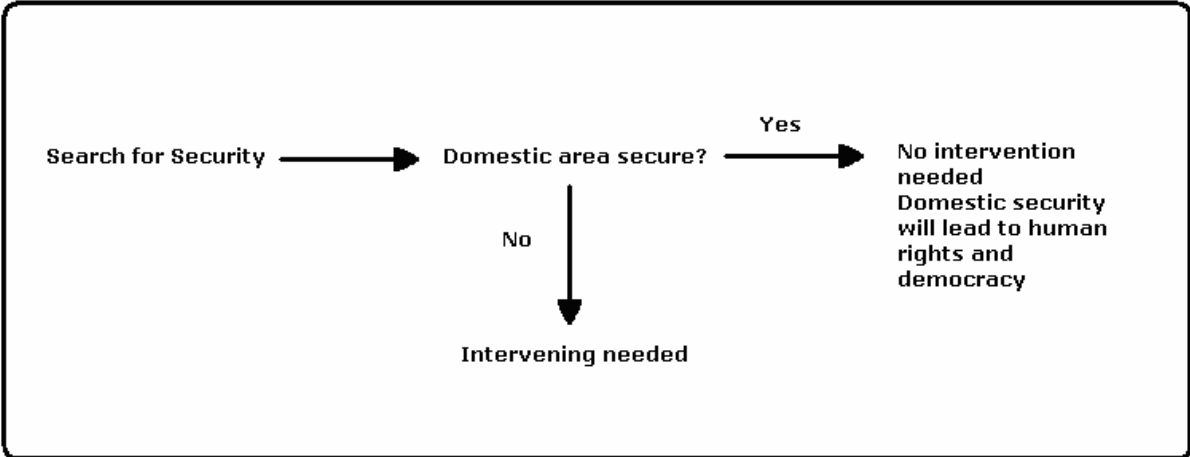
³⁸ Dağı, 1999-2001: pp. 17

³⁹ Dağı, 1999-2001: pp. 18

come out of the domestic area. Hence, human rights and democracy will slowly show up. Since Turkey’s domestic security level is well enough, NATO does not want to intervene. Of course, NATO does know about the human abuses of Turkey in the past decades, but still, it did and does not take control and keeps watching from the sideline. In my view, it means that NATO should revise its sight concerning its goals and principles. The Alliance has already adopted new goals in the Strategic Concept, so why would it not also change its sight? That would be more logic, because obviously, domestic security does not necessarily lead to human rights and democracy. The policy suggestion of Dağı concerning NATO and human rights:

“In short the policy suggestion of this research is that NATO and the West should take human rights issues seriously through investigating the implications of human rights for international security in the new international "order" particularly with reference to NATO’s Mediterranean dialogue. To conclude one can say that there exists a relationship between the level of respect for human rights, domestic (in) stability and the security risk for NATO members. The basic premise is that instability in the region is fundamentally linked to human rights conditions, and unless democratic political regimes respectful to human rights are formed, domestic and regional stability, hence security of wider Europe cannot be secured.”⁴⁰

Figure 3-1:⁴¹ When does NATO intervene in a sovereign country?



Another reason for not meddling in Turkish domestic policies is that NATO tries to avoid a possible tension with Turkey, and hence, pushes this problem aside by letting the European Union handle minority problems. NATO does not have enough power to have an influence on domestic minority rights in member states, after all, NATO stays a kind of military union. As a consequence of strategic and political reasons, it is hard to force Turkey to change its behaviour towards its domestic minorities. NATO wants to stay a close friend with Turkey. As already mentioned, Turkey is an important member state that helps to keep up some stability, control and security in the Mediterranean. Possible tensions need to be avoided to achieve

⁴⁰ Dağı, 1999-2001: pp. 38
⁴¹ Dağı, 1999-2001: pp. 18

the prior goals of the organisation. Strategic decisions of NATO are needed so that it can count on Turkey in difficult times.

Looking at 1945 - 1989, NATO's experience towards minority rights has generally been judged as a failure.⁴² After all, minorities were the ones who suffered most in the Second World War and they need(ed) the protection the most because of their little amount. Still, the goals of NATO neglected minority rights completely until the 1990's. In 1945 it was not a neglecting, but the goals were different and during that time other goals were really needed. Member states saw world peace as a better goal than domestic minority rights, and I go along with them. But now, the situation has changed. NATO's principles are revised, but unfortunately, the sight of finding signs to intervene did not.

By working with other international organisations such as the Council of Europe and the European Union, NATO tries to support minority rights - see annex 2. Minority rights are according to Bednarczyk: "*the rights of minorities to receive equal treatment, to practice their culture, religion and language, and to participate fully in the political and economic life of the state*".⁴³ Minority rights would help to diminish (military) conflicts throughout Central and Eastern Europe. Specific cases - such as the Kosovo conflict - received assistance by NATO.⁴⁴

Because of all the changes throughout the past three decades, NATO started forging ever closer relations with international organisations, including the European Union, the United Nations and the Organisation for Security and Co-operation in Europe (OSCE) - see annex 2.⁴⁵ NATO does not have a formal system towards minority rights, therefore, cooperation with other international organisations offers the solution for handling minority issues. As a consequence of a lack of formal rules Turkey can close its ears when the matter involves minority rights. The most recent event - in March 2006 - concerned the Kurdish minority fighting against the Turkish riot police.⁴⁶ NATO - as well as the United States - wants to see Turkey joining the European Union so that Turkey will be obligated to observe rules such as minority policies.

3.2 Council of Europe

In 1963 Turkey joined the Council of Europe (CoE). Turkey has always felt she belonged to Europe and that is why she joined the CoE. Since 1989, the CoE has three main jobs.⁴⁷ The first job is to act as a political anchor and human rights watchdog for Europe's post-communist democracies. The second job is to assist the countries of

⁴² Bednarczyk, 1998: pp. 15

⁴³ Bednarczyk, 1998: pp. 2

⁴⁴ For more information about the Kosovo conflict see: Albert and Shalom, 1999

⁴⁵ NATO Public Diplomacy Division: pp. 5

⁴⁶ See the next article:

Algemeen Dagblad, 31 March 2006, www.ad.nl/buitenland/

⁴⁷ Council of Europe: www.coe.int

central and Eastern Europe to carry out and consolidate political, legal and constitutional reform in parallel with economic reform. The last job is to provide know-how in areas such as human rights, local democracy, education, culture and the environment. The first and third jobs of the CoE concern both national minority-issues and that is the reason why the CoE will be discussed in this chapter.

In contrast to NATO, the CoE does have a lot of information about minority rights; human rights are its most important pillar. The CoE cooperates with the EU as well to avoid wasteful parallelism. The CoE has a lot of legal binding instruments for the protection of minorities.⁴⁸ This means that the CoE looks after treaties that are signed and/or ratified. The most important framework for this thesis is the Framework Convention for the Protection of National Minorities. Beside it, the CoE uses the European Convention on Human Rights, the Charter for Regional Minority Languages, the European Social Charter, and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, but because of the limited time for this thesis, they will not be mentioned here.⁴⁹

The Framework Convention for the Protection of National Minorities (FCPNM) entered into force in 1998. This Convention was the first legally binding multilateral instrument devoted to the protection of minorities and is regarded as the most comprehensive international standard in the field of minority rights so far.⁵⁰ So, national minority issues are postulated by the CoE. But not all CoE-members have signed this text. Only thirty-three of the forty-three countries have ratified it. Turkey has also not signed the FCPNM yet.⁵¹ This makes it interesting to look a bit further and find out how Turkey acted on similar subjects concerning human rights. Annex 3 shows the results so far. From that we can conclude that the general human rights of Turkey are moving to the right direction. Although Turkey signed five treaties, Turkey still has not ratified them. It seems like Turkey has a lack of the content of the treaties, because it does not ratify - and certainly not implement - them. Notwithstanding the signatures of some human right treaties, improvement of the treatment of minorities has still not really changed. The question rises when Turkey tends to cross the minority border so that its minorities will be treated equally like the majority of its citizens. The answer to this question is probably that this will not be any time soon.

Strangely enough, the FCPNM does not have one specific definition of 'minority' and leaves this up to the states to give their own definition of the word.⁵² In my view, this makes the FCPNM a bit vague and it would not be strange that it would count on criticism. Every state makes its own definition and that can lead to differences in implementing the FCPNM. However, the FCPNM applies only to 'national'

⁴⁸ Csaba Tabajdi, 2006: pp. 5

⁴⁹ Davis, 2000

⁵⁰ Secretariaat of the Framework Convention for the Protection of National Minorities, Pamphlet No. 8: pp. 2

⁵¹ Secretariaat of the Framework Convention for the Protection of National Minorities, Pamphlet No. 8: pp. 2

⁵² Troebst, 1999

minorities without 'ethnic religious and linguistic' minorities.⁵³ This makes the FCPNM's scope even narrower than that of the UN declaration. It is no wonder why Professor Stefan Troebst (1999) wrote an article in what he criticized the FCPNM. In his article he made clear that the FCPNM contains a great number of holes where governments could slip through and still succeed. According to Troebst, the FCPNM does not seem to be legally binding when we look closer:

*"The first reason is that the weak wording of the Convention should be highlighted. The escape clauses are in favour for the governments and to the disadvantage for their national minorities. Secondly, the deficiencies of signing, ratifying and implementing are not mentioned in the Convention. It does not contain a definition of the term 'national minority', and moreover, it does not mention collective rights of national minorities, but sticks to the UN principle of individual rights of 'persons belonging to national minorities'. In this way they explicitly patronize some communities and implicitly exclude others from benefiting from the Convention. 'The existence of minorities is a question of fact, not of law', this is not reflected in the Convention. Thirdly, the implementation of the Convention needs to be monitored, because unfortunately, the rules of the monitoring arrangements in general do not give much hope for such an optimistic development. For these reasons, the Convention is labelled as 'the worst of all worlds.'"*⁵⁴

Still, there is a light at the end of the tunnel. The FCPNM is a significant step in the right direction, because it leads to hope that in the short future we could see the Convention turn from paper to practice.

What kind of influence does the CoE have on domestic minority treatment? First, there is the European Court on Human Rights (ECHR). This is an international enforcement machinery whereby states and individuals, regardless of their nationality, may refer alleged violations by contracting states of the rights guaranteed in the Convention to the judicial institutions in Strasbourg established by the FCPNM.⁵⁵ Unfortunately, Turkish minorities cannot go to this court to bring a charge against the Turkish government because the government did not sign nor ratify this specific Convention. Briefly said, the CoE cannot intervene with the domestic minority treatment of Turkey. Secondly, the CoE uses the European Committee of Social Rights (ECSR). This Committee checks whether member states have honoured their undertakings under the Charter.⁵⁶ Here it also applies that Turkish minorities are in disadvantage, purely because Turkey did not sign the Framework Convention for the Protection of National Minorities. Thirdly, the CoE has a protection of national minorities. But still, Turkish minorities do not even have rights on paper, let alone in practice - chapters 5 and 6 will handle Turkey on paper and in practice. This means that the Turkish government still refuses to give its domestic minorities equal rights as the majority. Beside the three mentioned instruments, there is also a collective complaints procedure, combating racism and

⁵³ Secretariaat of the Framework Convention for the Protection of National Minorities, Pamphlet No. 8: pp. 3

⁵⁴ According to Troebst, 1999

⁵⁵ Council of Europe, 2004: www.coe.int

⁵⁶ Council of Europe, 2004: www.coe.int

tolerance, a Commissioner for human rights (without legal powers), the Convention for the Prevention of Torture and the European Committee of Social Rights, which all concern human rights.⁵⁷ From this we can conclude that all instruments, which are useful for Turkish minorities, can be checked off one by one. Once again, minorities are the ones that suffer from decisions taken by the Turkish government.

3.3 Conclusion

This chapter involved NATO and the CoE and their relations towards Turkey. The chapter tried to find whether these organisations are handling minority issues or not. Searching for advantages and disadvantages of future Turkish EU-membership for Assyrians and other minority groups could be found in the Turkish relation and behaviour towards these organisations.

Turkey joined NATO because of political strategically reasons. NATO wanted Turkey to join in for exactly the same reasons. When Turkey joined in, it was bordered on the old Soviet-Union and back then it was needed to have an ally nearby the enemy. NATO does not do much concerning minority issues. It is hard to find useful information about NATO and national minority rights, especially Turkish minority rights. However, since 1990s, NATO's goals have changed, because the world has also changed. The post Cold War era 'new NATO' has become an institution that intervenes to protect certain principles and values, a power for peace-making and post-conflict peacekeeping, and a model for developing democratic national security structures. However, what I noticed during my literature study was that I could not find any useful information concerning Turkey and its human rights, even though it is a member state. The Alliance has already adopted new goals in the Strategic Concept, so why would it not also change its sight? That would be more logic, because obviously, domestic security does not necessarily lead to human rights and democracy. NATO is able to protect the world from 'conflicts outside the treaty area stemming from unresolved historical disputes and the actions of undemocratic governments and sub-state actors who reject the peaceful settlement of disputes'. This judgment involved conflicts outside the treaty area, like Kosovo. It was not mentioned that NATO members should observe the same democratic and human rights principles. In my view NATO should reprimand its members to carry out its principles. Without a signature of a member state, NATO cannot do anything, except for a lack of security in a state. I think this needs to change: if states refuse to sign or ratify important protocols or treaties every now and then, they should be thrown out.

Turkey has always felt she belonged to Europe and that is why she joined the CoE. The CoE has three main jobs and human rights goals are laid down in two of them. In contrast to NATO, the CoE does have a lot of information about minority rights. The most important treaty for this thesis is the Framework Convention for the Protection of National Minorities in 1998. This Convention was the first legally binding multilateral instrument devoted to the protection of minorities and is

⁵⁷ Council of Europe, 2004: www.coe.int

regarded as the most comprehensive international standard in the field of minority rights so far. Turkey has not signed the Framework yet. Although Turkey signed five treaties, Turkey still has not ratified them. Turkey has a lack of the content of the treaties, because has not ratified - and certainly not implemented - them. According to Troebst, the FCPNM contains a great number of holes where governments could slip through and still succeed. Nevertheless, the FCPNM is a significant step in the right direction, because it leads to hope that in the short future we could see the FCPNM turn from paper to practice. But now, the CoE cannot intervene with domestic minority treatment of Turkey. Turkish minority groups are in disadvantage, because they cannot claim certain treaties.

Looking to the relation between Turkey, NATO and the CoE, there is a little bit of discrepancy visible. NATO and the CoE can check Turkey, but because of Turkey's right to be sovereign, they let it loose. At the same time, Turkey knows that the organisations will not pressure it to keep up the alliance. Thus Turkey only signs and ratifies those protocols and treaties that it wants, leaving minority rights in the background. Membership of NATO and the CoE could - and should - have positive results for domestic minority treatment, because that is the reason why treaties are made. In my opinion, both organisations need to act a bit harder and gain more power towards all their members. Through this way, member states will be more obliged to sign new documents. Regrettably I do not think this will happen any time soon. Members do not want to give up a part of their sovereignty, even though this decision will eventually lead to better performances of the organisation. But I truly hope that when one country crosses the finishing line, the rest will follow.

4.

Relation Between the EU and its Candidate Countries

Minority rights got more important in Europe after the Cold War. This development started in 1991, when the Declaration on Human Rights adopted at the Luxembourg European Council a whole paragraph to minority protection, and the guidelines for the recognition of new states after the break up of Yugoslavia required 'guarantees for the rights of ethnic and national groups and minorities'.⁵⁸ Subsequently, the accession for candidate countries is laid down in the Copenhagen criteria. These criteria require 'respect for and protection of minorities'. The European Union (EU) has not processed minority rights in the *acquis communautaire* yet, though, states which are waiting for accession need to hold on to the Copenhagen criteria, otherwise, they will not be able to become a member. The Copenhagen criteria include 'human rights and respect for and protection of minorities', but what groups does the European Union classify as a 'minority'? The EU rules concerning minorities are set out in the first section. References to minority protection were also included in the Stability Pacts for Eastern Europe in 1995, and South-Eastern Europe in 1999, but considering the time I have for this thesis, these will not be discussed.⁵⁹ Things that are discussed in the second section of this chapter concern the EU goals, the criteria for candidate countries, and the EU's influence on different issues of candidate countries. The third section discusses the question why Turkey wants to join the EU. The fourth section will give a conclusion about the relation between the EU and its candidate countries.

4.1 Definition of 'Minorities'

Within the EU there is no clear definition or agreement on the use of 'minorities' or 'minority rights'. Actually, the EU had to define the term 'minority' when it laid down the Copenhagen criteria. After all, the Copenhagen political criteria include 'human rights and respect for and protection of minorities'. Thus what are the rules to make a certain group called a minority?

The CoE and the EU work together on minority rights issues to avoid parallelism. Still, one general definition of 'national minorities' does not exist. Every EU member state uses its own definition. Gwendolyn Sasse (2005) gave some definitions in her article. One example is Estonia's definition of national minorities:

'citizens of Estonia who reside on the territory of Estonia; maintain longstanding, firm and lasting ties with Estonia; are distinct from Estonians on the basis of their ethnic, cultural and religious or linguistic characteristics; and are motivated by a concern to preserve together

⁵⁸ Lerch and Schweltnus, 2006: pp. 8

⁵⁹ Lerch and Schweltnus, 2006: pp. 8

*their cultural traditions, their religion or their language which constitute the basis of their common identity.*⁶⁰

The only link with minority protection within the EU is the concept of non-discrimination. Non-discrimination involves gender equality and the abolition of discrimination on the basis of nationality between member states.⁶¹ The non-discrimination framework has been expanded to include ethnic and racial discrimination, since the Amsterdam Treaty.⁶² After that, the Directive on equal treatment in employment and occupation, and the Race Equality Directive were adopted.⁶³ Article 21 of the Charter of Fundamental Rights included finally 'membership of a national minority'. This has become a part of the Treaty establishing a Constitution for Europe.⁶⁴ Still, the provisions do not go beyond non-discrimination, but states which are waiting in the EU anteroom must protect national minorities. In my view it is not fair to let these states keep up higher standards than the EU member states. By drawing this criterion up, the EU itself violates the article of non-discrimination. In this case, the discrepancy is obvious.

For the term minorities and their rights the EU uses international and European standards of minority rights. The key texts which the EU according to the Minority Rights Group International uses are:⁶⁵

- The United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UNDM).⁶⁶

- Article 27 of the International Covenant on Civil and Political Rights (ICCPR):
*"In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language."*⁶⁷

-The concluding document of the Copenhagen Meeting of the Commission on Security and Cooperation in Europe (CSCE) - now the Organization for Security and

⁶⁰ Sasse, 2005: pp. 12-13

Similarly, Poland's declaration affirms that it recognises as national minorities only those residing in the Republic of Poland who are Polish citizens. It also includes a reference to international agreements protecting 'national minorities in Poland and minorities or groups of Poles in other states'. Slovenia's declaration limits its definition of national minorities to 'the autochthonous Italian and Hungarian national minorities', but also states that the provisions also apply to 'the members of the Roma community, who live in the Republic of Slovenia', while excluding its numerically largest minority group, the Croats.

⁶¹ Lerch and Schweltnus, 2006: pp. 8

⁶² Article 13 of the European Community Treaty: europa.eu.int

⁶³ Treaty of the European Communities, 2000: articles 43 and 78

⁶⁴ Article 81 of the Treaty Establishing a Constitution for Europe: www.europa.eu

⁶⁵ Kaya and Baldzin, 2004: pp. 4-5

⁶⁶ Office of the High Commissioner for Human Rights, 1992: www.unhchr.ch

⁶⁷ Office of the United Nations High Commissioner for Human Rights, 1976: www.ohchr.org

Cooperation in Europe (OSCE) 1990, agreed by unanimity, which sets out rights for minorities across the CSCE region.

-The General Recommendations of the OSCE High Commissioner on National Minorities, which sets out how the OSCE's and other minority rights standards should be applied in practice, with particular reference to the prevention of conflict.

-The Council of Europe (CoE)'s Framework Convention for the Protection of National Minorities (FCPNM). Forty-two out of the CoE's 45 member states have signed the Convention; Turkey has refused to do so despite repeated requests by the Parliamentary Assembly.⁶⁸

-The European Court of Human Rights (ECHR), in many ways the leading guardian of European human rights standards, has stated that:
*"Respect for minorities is a condition sine qua non for democratic society."*⁶⁹ (*Gorzelik v. Poland*, 2004).

According to the Minority Rights Group International, the EU sets out the following rules about what constitutes a minority:⁷⁰

1. A shared group identity, based on culture ethnicity, religion or language (objective criteria)
2. Relative lack of power compared with the dominant group. (objective criteria)
3. The group itself must desire to be seen as an ethnic, religious or linguistic group. (subjective criteria)
4. Individuals have the right to a free choice as to whether they wish to be part of this group without suffering any detriment based on their choice. (subjective criteria)

4.2 EU goals, criteria for candidate countries and the EU's influence

The EU is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law.⁷¹ The EU wants European integration for the long run and candidate countries have to work on it. Candidate countries need to show the EU that they are willing and able to meet these principles, otherwise they cannot join the EU. In order to become a member of the EU, a country must meet the Copenhagen criteria. In 1993, the Copenhagen European Council used the next definition of the criteria:⁷²

⁶⁸ Council of Europe, 1995: conventions.coe.int

⁶⁹ Grand Chamber Judgment in the Case of *Gorzelik and Others v. Poland*, 2004, no. 0.78: www.echr.coe.int

⁷⁰ Kaya and Baldzin, 2004: pp. 5

⁷¹ Commission of the European Communities, 2005: pp. 7: ec.europa.eu

⁷² Delegation of the European Commission to Indonesia, Bruni, Darussalam and East Timor: www.delidn.cec.eu.int

- ❖ the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities (political criterion);
- ❖ the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the EU (economic criterion);
- ❖ the ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union (criterion concerning adoption of the Community acquis).

The political criterion is the most important one for this thesis since it involves democracy and the rule of law, regional issues, human rights and the protection of minorities. Hence, the economic and acquis criteria will be left out of consideration. Since the human rights and the protection of minorities belong to the key words of this thesis, it will be further discussed in this chapter. After all, we are only interested in minority issues.

The best secondary resource for mentioning the subjects of the 'human rights and the protection of minorities' section of the political criterion is the use of the "Turkey 2005 Progress Report" which has been drawn up by the European Commission (EC) - a supranational institution that publishes every year a new report about Turkey's progress.⁷³ Firstly, the human rights and the protection of minorities involve observance of international human rights law. Hereby, the Commission investigates the promotion and enforcement of human rights, and fights against discrimination. Used resources of the observance are signatures and ratifications and the implementation of judicial subjects, such as the Turkish ratification of the European Agreement relating to Persons Participating in Proceedings of the European Court of Human Rights (ECHR) and the Turkish signature of the Revised 1996 Social Charter. Secondly, it involves civil and political rights. In this part, the Commission investigates the prevention of torture and ill-treatment, fight against impunity, prison system, freedom of expression, freedom of press, broadcasting, freedom of association, rights to peaceful assembly, political parties, and the freedom of religion. Thirdly, the human rights and the protection of minorities involve economic and social rights. These include women rights, children rights, rights of disabled people, trade unions - like the ILO Convention -, and the EU's way of thinking about dealing the Turkish Penal Code. Finally, it involves minority rights, cultural rights and the protection of minorities. This subject handles the centre of this thesis. The investigation of minority rights, cultural rights and the protection of minorities has happened by means of the Human Rights Advisory Board,⁷⁴ education numbers of minorities in relation to the Turkish majority, signatures of Conventions or Protocols concerning human rights like the already mentioned CoE's Framework Convention for the Protection of National Minorities or the European Charter for Regional or Minority Languages, the discrimination level - this can be found in the European Commission against Racism and Intolerance (ECRI), labour perspective of minorities in comparison the national majority, minorities having the same security level as national majorities, special minority schools concerning teaching their own language,

⁷³ Commission of the European Communities, 2005

⁷⁴ Since the report of October 2004, the Board has not been operating since this time.

property rights in comparison to the national majority, cultural rights has happened by means of broadcasting in languages other than Turkish and free expression of a minority's culture. Table 4-1 gives clearer results of the used sources.

Table 4-1:⁷⁵ EC's investigation of achievements of certain subjects in Turkey

Political Copenhagen Criterion Section: Human Rights and the Protection of Minorities	
Subjects	Investigation through looking at:
1. Observance of international human rights law	<ul style="list-style-type: none"> - Promotion and enforcement of human rights - Fights against discrimination
2. Civil and political rights	<ul style="list-style-type: none"> - Prevention of torture and ill-treatment - Fight against impunity - Prison system - Freedom of expression - Freedom of the press - Broadcasting - Freedom of association - Rights to peaceful assembly - Political parties - Freedom of religion
3. Economic and social rights	<ul style="list-style-type: none"> - Women rights - Children rights - Rights of disabled people - Trade unions
4. Minority rights, cultural rights and the protection of minorities	<ul style="list-style-type: none"> - Results of Human Rights Advisory Board - education numbers - discrimination level - labour prospective - security level - schools other than Turkish language - property rights - culture rights

The criteria for candidate countries are already discussed in the first section, so now it is time to discuss the EU's range of influencing domestic minority treatment. If we would make a comparison between NATO, the CoE and the EU, the question would rise whether these organisations have the same influence or not. The answer is that there is a difference in the range of influence between NATO and the CoE on the one side and the EU on the other side. Both NATO and the CoE are intergovernmental. Most EU institutions are also intergovernmental, except for the European

⁷⁵ Commission of the European Communities, 2005

Commission and the European Court of Law, these two institutions are supranational. Rules of supranational institutions are binding and all member states need to act on it. Thus the EU has more influence on its member states than NATO and the CoE do. Another question is why Turkey would carry through most EU directions when she becomes an EU member, since it has not done that with NATO and CoE directions. If we would only look for Turkish results of reforms for NATO and CoE, future results of the EU will also be negative. It would not be strange if Turkey stayed behaving the same way. This means that the only thing that the EU could hold on to Turkey is the binding rules which are obliged to all member states.

The influence of the EU on Turkey does also depend on when Turkey wants to join the EU. If Turkey wants to join the EU soon, it has to meet the Copenhagen criteria. Without carrying out the indicated reforms, Turkey will not be able to join the EU. The Copenhagen criteria make that the EU has a great impact on its candidate countries. Since it is clear that the Turkish government wants to join the EU as soon as possible, the EU uses its influence by enforcing many reforms. Policy implementation goes very slowly in EU member states and this could also occur in the Turkish state, but does the EU want to wait long for implementation of policies since it can choose to look from the sideline while Turkey is implementing the needed reforms? I think that it is better for the EU to be looking from the sideline. From this way, reforms will be implemented faster. An example is the case study of Greek Gypsies which is discussed in section 6.3. It turned out that it was too early to let Greece joining the EU, because Greece still has not fulfilled some necessary reforms.

4.3 Why should Turkey join the EU?

Since 1963, Turkey wanted to join the EC/EU already, but why? The first reason that comes up on my mind is the economical benefits. An EU-accession will take care of economical development. This result is already visible in the ten member states that joined the EU in 2004, so there is a good chance that the same thing will happen with Turkey. Secondly, there is the (geo) strategically reason. Turkey wants to be a part of Europe and not the Middle-East. The fact that Turkey is secularistic does already show that it wants to be compared to - and be like - European states and not to Muslim states of the Middle East. Subsequently, Turkey is a member of important European organisations; the EU is the only organisation left. Thirdly, because Turkey is a poor state with living standards at about a quarter of EU levels, it would receive central funding from the EU budget.⁷⁶ During an interview, Soner Gagaptay of the Washington Institute for Near East Policy gave his opinion on why Turkey wants to join the EU:

“A couple of reasons, first I think there is the historical, let’s say, social reason that for a lot of people, this is the country’s historical destiny. It’s a product of Turkey’s desire to be a Western European nation since the very early nineteenth century and joining the EU is the

⁷⁶ BBC News, 6 October 2004, news.bbc.co.uk

*end stage of this historical journey. Another reason on a more practical level, economically, this is something that makes a lot of sense to many Turks, because seventy percent of Turkey's trade is with the EU and a lot of people also expect gains from even accession talks, which when they're opened will probably end up drawing a lot of foreign direct investment into Turkey, creating jobs opportunities and finally the idea that once membership takes place, Turkey will receive funding from the E-U in terms of structural funds and money. So I think its historical first, economic next."*⁷⁷

This means that there are also historical/social reasons for an EU accession. Others say that Turkey wants to join the EU as a way of forcing itself to deal with internal issues that confront the nation. The reaction of Gagaptay on this reason:

*It is perhaps not forcing, but I would say, what the EU has done is it has acted as a very powerful catalyst for domestic political reform in Turkey. What I mean by that is this: Reforms that would have otherwise taken a decade or so to complete, the granting of cultural rights to the Kurds, meaning education and broadcasting in Kurdish; pushing the military out of the political sphere, to the margins of the political realm as it is the case in old European democracies; all of these things have been accomplished in Turkey over the last few years. Under normal circumstances, they would have taken perhaps a decade to pass, to adopt and to implement. Under the forceful dynamic of the EU accession acting as a catalyst, they've taken a matter of a few years and I think that's the impressive part of it. Why? Because across the borders, [there is] universal, almost universal support for EU accession in Turkey. I would say, more than eighty percent of Turks support this idea. As we said, for a variety of historical, cultural, economic, pragmatic reasons, they think, to use an American expression, it's the second best since sliced bread and they like it.*⁷⁸

The Assyrian historian Sabri Atman who lives in the Netherlands gave an answer to the question why Turkey wants to become an EU member.

There are three reasons: economical benefits, historical, and political. First, the economical reason, Turkey has 70.7 million inhabitants, and unemployment rate amounts 15 to 20 percent. Beside, Turkey has a high inflation rate, and a primitive infrastructure, especially in the South-East of Turkey where most Assyrians live or have lived. The inhabitants' wages are only a quarter of the average EU member state. Because of the Copenhagen criteria, Turkey has managed to use a somewhat free market economy. Next, as a candidate country, Turkey receives a couple budgets from the EU as a back up to achieve the goals of the Copenhagen criteria. These budgets cheer up the economical perspective. Secondly, the historical reason, Turkey has ruled a big part of Europe during the Ottoman Empire. Since the Turkish state was exlaimed in 1923, it has one leg in Europe and one leg in the Middle-East. Still, there are inhabitants who claim from a historical view that they belong to the Middle-East, and not Europe. Thirdly, the political reason, most of the inhabitants want to achieve a strong and stable democracy like the EU member states have. They do not want another military dictatorship which is politically right and undemocratic like in 1960, 1972 and 1880. Likewise, belonging to the EU leads to more respect and trust from the rest of the world. Some

⁷⁷ Felten, 2004

⁷⁸ Felten, 2004

inhabitants are even glad that the EU deprives some control of the government, and this fact diminishes the sovereignty of Turkey.

In principle, most reasons why Turkey wants to join the EU are discussed. Economical, geo-strategic/political, historical and social reasons were brought up. These are good reasons for Turkey to become an EU member. Still, there is one thing that shows defects here, namely the cultural reason. European integration is one of the most important subjects of the EU, and culturally seen, there is a huge discrepancy between the Turkish and European culture. Think about the differences in religion and the rule of law (like women rights and minority rights). To my way of thinking, Turkey needs to integrate the European culture before it joins the EU, otherwise, this will lead to conflicts. These future conflicts are already visible with Turkish EU immigrants. It turns out that it is very difficult for Turkish EU citizens to integrate with the European culture. Turkish EU citizens stay even more conservative than Turkish citizens. Turkish citizens become more modern over time, but Turkish EU citizens stay the same as when they left Turkey. This will probably be the same - but in less proportion - for the 70.7 million inhabitants of Turkey who need to be integrated, because they are attached to their own culture and do not want it to be vanished. Taking the cultural reason into account, Turkey will need more time to be able to join the EU.

Having discussed the reasons why Turkey wants to join the EU, it is also interesting to stand still near the question why the EU started the negotiations with Turkey since 3 October 2005. The underlying reason of the EU is the objective of strategic interests of a stable, democratic and increasingly prosperous Turkey - one of its largest neighbours.⁷⁹ The EU wants to achieve a strong secular state with its Muslim majority that will be an EU member, and thereby, demonstrate that there is a possibility of living, working and prospering together.

4.4 Conclusion

Turkey wants to join the EU because of many advantages, such as its position in the world and economic, geo-strategic/political benefits. Historical and social reasons also play a part in Turkey's need to join the EU. Since Turkey is a candidate country, it needs to follow up the Copenhagen criteria. This shows immediately the influence of the EU on Turkey: without fulfilment of Copenhagen criteria, Turkey will not be able to join the EU. However, if Turkey does not want to join the EU, then the EU would not have any influence whatsoever on Turkey. Turkey's accession depends on its behaviour and reforms, and throughout this way Turkey is obliged to carry out the needed reforms. The EU uses clear rules for its candidate countries and in my opinion its policy is almost perfect. A candidate country can take the rules or leave it. But there is one indistinctness: there is no clear definition of what a minority is. The Article concerning non-discrimination seems to give a sign of what it means, but unfortunately, the EU itself is violating this Article. In my view it is not fair to let

⁷⁹ European Commission: ec.europa.eu

these states keep up higher standards - Copenhagen criteria - than the EU member states. Thus, here there is a bit discrepancy visible.

Throughout this policy, both sides know what they are supposed to do and act on it - this is the positive side of the Copenhagen criteria. NATO and the CoE do not have such an impact on Turkey. There is hardly discrepancy visible in the relation of Turkey - EU because everything is clear, except for one thing: just like NATO and the CoE, the EU does not have one clear definition on minority rights. The definition is left to be filled in by member states.

The cultural dimension of Turkey and the EU tends to problems. Turkey needs to integrate the European culture before it joins the EU, otherwise, this will lead to conflicts. These conflicts are already visible in EU member states with Turkish immigrants who try to practice their own culture and avoid the general European culture.

There is also another problem: the future and Turkish behaviour. No one can see the future and nobody knows how Turkey will behave after she joins the EU. In Chapter 3 it was discussed that Turkey does not sign every protocol or treaty, especially those concerning minority rights. As a sovereign country, it can do whatever it wants. Even though the EU is totally different from NATO and the CoE, we can try to make a link between them. By doing so, we may predict Turkish future behaviour in the EU. By doing so, the future does not look good concerning minority rights. On the contrary, there are hardly improvements for minority groups. Every text concerning minority rights and minority protection that needed a signature was and is still not signed by Turkey. After its accession, Turkey will play a big role in the policy making process. Turkey can use its power to - perhaps - change some policies if other countries want the same goals. Thus, a future Turkish behaviour could be in disadvantage for domestic minority groups.

How Turkey currently deals with issues concerning minority rights and minority protection will be discussed in chapters 5 and 6. Chapter 5 will discuss the Turkish policy on paper and chapter 6 will discuss Turkish policy in practice. The most important question of these two chapters depends on whether there is any discrepancy visible and if so, is the discrepancy smaller or bigger than the discrepancy between Turkey and NATO and CoE.

5. Present on Paper: Current Situation for Turkish Minority Groups

Since the Treaty of Lausanne in 1923, national minorities gain some rights in accordance to policy. The definition of minority in Turkish national law is a very restrictive definition that apparently has not changed yet. The application of the term minority has the effect of denying minority rights to all groups except for Greek, Jew and Armenians.⁸⁰ In this thesis, I want to put forward the advantages and disadvantages of a future Turkish EU membership for Assyrians and other national minorities. Hence, finding discrepancies is needed. The third chapter did show some discrepancy of Directions of NATO and CoE and their implementation by Turkey. Though, this origination of discrepancy is not only appropriated by Turkey, but also by international organisations. The organisations are not clear enough in setting up the rules. There are too many gaps were states like Turkey can evade the Directives. So, Turkey is not the only one to blame. But what about the national minority rights in Turkey itself? What sort of rights do they have? The first section of this chapter discusses present Turkey, its government and its Constitution to understand the political view of the country. The second section discusses Turkish legal reforms. Turkey has also some governmental bodies that look after national minority groups like the Reform Monitoring Group, the Human Rights Presidency, the provincial and sub-provincial Human Right Boards and the Human Rights Advisory Committee. These are discussed in the third section. Subsequently, the conclusion is drawn about the situation for Turkish minority groups on paper in the final section.

5.1 Present Turkey, the Government and its Constitution

Present Turkey

The official name of Turkey is 'Republic of Turkey'.⁸¹ Its neighbours are Armenia, Azerbaijan, Bulgaria, Georgia, Greece, Iran, Iraq and Syria. The population amounts 70.7 million people from which 99.8 percent is Muslim and 0.2 percent is non-Muslim. Without assimilation campaigns in Turkey, the non-Muslim population would not shrink this fast from about 30 percent in the beginning of the 20th century to 0.2 percent nowadays.

The Government

The elections of Turkish legislation take place on a national level basis - articles 67-69 of the Constitution of the Republic of Turkey (1982). The president is elected for a seven year term by the parliament. The contemporary president is Recep Tayyip

⁸⁰ Kaya and Baldzin, 2004: pp. 6

⁸¹ European Commission: ec.europa.eu

Erdogan.⁸² The Grand National Assembly of Turkey - "*Türkiye Büyük Millet Meclisi*" - has 550 members, elected for a five year term.⁸³ Turkey is a secular republic. The country is based on proportional representation with a multi-party system. The results of the last election for the parties of 3 November 2002 are structured in annex 4. The oldest party is the Republic People's Party - "*Cumhuriyet Halk Partisi (CHP)*" - guided by the principles of republicanism, nationalism, statism, populism, secularism and revolutionism - these are the same principles which were formulated by Atatürk. Since 1950, politics has been dominated by conservative parties.

A party needs at least 10 percent of the votes in the district as well as 10 percent on national level to join the Assembly.⁸⁴ Because of this strict rule, it is impossible for minority groups to join the Assembly that represents 70.7 million people (2005). Taking 10 percent out of 70.7 million results in 7.07 million votes, so, it is impossible for Assyrians -10 to 15 thousand - and other minorities to have their own party in the Assembly that can represent them. It is even impossible for all non-Muslim minorities to join the Assembly with coordinating one party, because they amount 0,2 percent of the population. If minorities do not have a party in the Assembly that represents them and listens to them, it is hard to hear their voice. From this view, minorities are - as I may say - excluded, or have no opportunity to become a national party. I also do not think that there will be electoral reforms any time soon, because the biggest parties - such as AKP, CHP and DYP - want to keep things going like they are now to hold on to their national power. Turkey represents herself as a republic whereby the people have the greatest power - referring to a democracy. According to Robert A. Dahl, the political definition of democracy means that "*all members should be treated (under the constitution) as if they were equally qualified to participate in the process of making decisions about the policies the association will pursue*".⁸⁵ I used to think democracy brings along anticipation of national minorities and minority protection, as Lijphart said, but apparently this does not apply to Turkey.⁸⁶

The Constitution

The Turkish constitution has some controversies.⁸⁷ The controversies are immediately visible in articles 2, 3, 4 and 10. Article 2 states "*the Republic of Turkey is a democratic, secular and social state governed by the rule of law; bearing in mind the concepts of public peace, national solidarity and justice; respecting human rights; loyal to the nationalism of Atatürk, and based on the fundamental tenets set forth in the Preamble.*" Article 10, as amended in May 22 of 2004, states "*All individuals are equal without any discrimination before the law, irrespective of language, race, colour, sex, political opinion,*

⁸² European Commission: ec.europa.eu

⁸³ The Constitution of the Republic of Turkey, 1982, article 7: www.byegm.gov.tr

⁸⁴ Kaya and Baldzin, 2004: pp. 13

⁸⁵ Dahl, 1998: pp. 37-38

Dahl used five criteria for a democratic process: "*effective participation, voting equality, enlightened understanding, control of the agenda and the inclusion of adults*". It looks like in Turkey not all citizens are included, but only the Turkish majority.

⁸⁶ Lijphart, 1999

⁸⁷ The Constitution of the Republic of Turkey, 1982: www.byegm.gov.tr

philosophical belief, religion and sect, or any such considerations." In contrary, article 3 states "the Turkish state, with its territory and nation, is an indivisible entity. Its language is Turkish." The irrevocable provision article 4 continues with "the provision of Article 1 of the Constitution establishing the form of the state as a Republic, the provisions in Article 2 on the characteristics of the Republic, and the provision of Article 3 shall not be amended, nor shall their amendment be proposed." So, classes are considered irrelevant in the Turkish constitution, but Art 12 states "Everyone possesses inherent fundamental rights and freedoms which are inviolable and inalienable. The fundamental rights and freedoms also comprise the duties and responsibilities of the individual to the society, his or her family, and other individuals." Other similar human rights guidelines include the articles 17 (right to live and protect and develop his material and spiritual entity), 19 (right to liberty and security) and 26 (freedom of expression). But the human rights articles are in conflict with other articles in the law and according to article 11 laws shall not be in conflict with the constitution.

Looking a bit further, the constitution of 1961 turns out to be less limiting towards individual and political liberties in contrast to the current constitution (since 1982). Critics claim that the constitution of 1982 denies the fundamental rights of the Armenian, Assyrian, Greek, Kurds and others, although the legally recognized minorities are the Jew, Armenian and the Greek.⁸⁸ An example is the changing of article 4.⁸⁹

Further, article 42 states "...No language other than Turkish shall be taught as a mother tongue to Turkish citizens at any institutions of training or education. Foreign languages to be taught in institutions of training and education and the rules to be followed by schools conducting training and education in a foreign language shall be determined by law. The provisions of international treaties are reserved." The EC's 'Turkey Progress Report 2005' wants article 42 to be revised.

5.2 Turkish legal reforms

Turkey tries to fulfil the Copenhagen criteria since September 2001. Some important legislative reforms have already been entered into force, but the political criteria reforms concerning human rights and the protection of minorities will only be discussed here, leaving the rest of the legal reforms alone. Since we are interested in minority rights, it is better to use some subjects as a guideline. For this reason, subjects concerning minority issues - like the security, discrimination and education levels - are discussed separately in this paragraph.

⁸⁸ Constitution of the Republic of Turkey, 1982: www.byegm.gov.tr

⁸⁹ The Constitution of the Republic of Turkey, 1961, article 4: www.anayasa.gen.tr

"Sovereignty is vested in the nation without reservation and condition. The nation shall exercise its sovereignty through the authorized agencies as prescribed by the principles laid down in the Constitution. The right to exercise such sovereignty shall not be delegated to any one person, group or class. No person or agency shall exercise any state authority which does not derive its origin from the Constitution."

See also article 4 of the 1982 Constitution: pp. 33: www.byegm.gov.tr

Security level

As from January 2005, the responsibility for a number of issues of non-Muslim minorities lies down by the Governors' Offices under the Ministry of Interior. Previously it was the responsibility of the Provincial Security Directorates. This change was arisen from the question how to improve some non-Minority issues and combat IDP's (internally displaced persons). The Turkish government tries to secure the country as much as possible, but this does not work out very well because of terrorist acts for the Kurdish Kurdistan Workers Party (PKK). According to the European Parliament (EP) there is no equitableness for the used violence of the PKK.⁹⁰ The EP members express their solidarity with Turkey in his fight against terrorism.

Discrimination level

There is not a real recognition of cultural differences of minorities yet. The government is afraid that Turkey will fall into pieces if it gives all minorities the same rights as the Turkish majority - over ninety years of hard work would be flushed by the toilet. There is still a rejection of the minority tag for most minorities.⁹¹ Nevertheless, article 10 of the Constitution of the Republic of Turkey (1982) gives every Turkish citizen the right not to be discriminated - All individuals are equal in the law, irrespective of language, race, colour, sex, political opinion, philosophical belief, religion and sect, or any of such considerations.

Education level

In February 2005, the History Foundation had the recommendation to call on the Ministry of Education to amend textbooks and promote an image of a pluralist society - a society in which diversity is perceived as an asset, not a threat.⁹² A report of the EC on Turkey encouraged the government to "revise school curricula and textbooks... in order to heighten pupils' awareness of the advantages of multicultural society". Turkey uses dual presidency in Jewish, Greek and Armenian schools. The deputy heads of these schools are Muslims representing the Ministry of Education and they have more power than the head of the school. The ECRI report encourages the Turkish government to take the necessary steps to ensure the proper functioning of minority schools, because national minorities still encounter some difficulties in executing their work.

Concerning language issues, the ECRI report encourages the Turkish authorities to revise Article 42 of the Constitution, which prohibits the teaching of any language other than Turkish as a mother tongue in state schools. In this way, minorities will have the opportunity to catch up on their backlog and improve their situation.

⁹⁰ European Parliament: www.europarl.europa.eu

⁹¹ European Centre for Minority Issues: ecmi.de

⁹² European Commission: ec.europa.eu

At present, in accordance to policy, minorities have language rights in broadcasting and education. The Foreign Language Education and Teaching Law were amended on 9 August 2002.⁹³ The law and the regulation on its implementation now make possible, in theory, *'learning of different languages and dialects used traditionally by Turkish citizens in their daily lives'*. The law does have restrictions and includes a clause stating *'such courses cannot be against the fundamental principles of the Turkish Republic enshrined in the constitution and the indivisible integrity of the state with its territory and nation'*.

Furthermore, the law still does not protect language rights of minorities.

Property rights

Turkey uses the "Return to village and Rehabilitation Programme". This is a new governmental body which coordinates through a new unit in the Ministry of Interior. The Programme develops policy on IDP return and coordinates the implementation of the existing Programme, just like the United Nations Guiding Principles on Internal Displacement. So, national minorities have property rights.

Signing and ratifying

As a start, the definition of 'minority' has not changed since the Treaty of Lausanne in 1923. Minorities are only defined as non-Muslim minorities, so, it is wrong to define Assyrians as an Assyrian minority, especially because they are an unrecognised minority. The Protestants, Chaldeans, Georgians, Maronite Christians and Baheis are also excluded.⁹⁴ The only three recognised minorities by the Turkish government are the Jew, the Greek and the Armenians. 'Constitutional citizenship' is one of the most basic principles upon which the Turkish Republic is founded, but it does not give this right to all its citizens.⁹⁵ Secondly, Turkey did sign, but has not yet ratified the Additional Protocol No. 12 of the ECHR, implying general prohibition of discrimination by public authorities.⁹⁶ The 'Law on Compensation of Losses Resulting from Terrorist Acts' adopted in 2004 has started to be implemented although with considerable delay and uncertainty. Most importantly, Turkey has not signed the Council of Europe Framework Convention for the Protection of National Minorities or the European Charter for Regional or Minority languages. Because Turkey did not sign the Framework and the Charter, the EU cannot take measures to oblige it to treat her minority in a more respectable way. Other (legal) reforms that still need to be changed are the omissions of non-Sunni minorities, constitutional recognition, constitutional amendments, National election threshold, constitutionalization of the Lausanne Treaty, and finally, as already mentioned, international treaties.⁹⁷

⁹³ Kaya and Baldzin, 2004: pp. 10

⁹⁴ See also tables 6-2 and 6-3

⁹⁵ Human rights watch: www.hrw.org

⁹⁶ Commission of the European Communities, 2005

⁹⁷ European Centre for Minority Issues: ecmi.de

5.3 Conclusion

In Turkey, a party needs at least 10 percent of the votes in the district as well as 10 percent on national level to join the Assembly. Because of this strict rule, it is impossible for minority groups to join the Assembly that represents 70.7 million people (2005).

The Turkish constitution is contradictory in certain articles. Articles 2 and 10 give national minorities certain rights, but Article 3 claims that the only language is Turkish. Article 4 is an irrevocable provision claiming Article 2 and 3 will not be amended nor proposed. Article 42 is also in contradiction with the political Copenhagen criterion.

Reforms are being ratified and implemented, such as the property rights. Most reforms do not concern minority issues. Still, it is obvious that Turkey is trying to act up to the Copenhagen criteria and that is a positive point. Perhaps reforms concerning minority issues will really start after the economical criterion is fulfilled.

6. Present in Practice: Current Situation for Turkish Minority Groups

The current situation on paper for Turkish minority groups is discussed in chapter 5. This chapter involves the current situation for Turkish minority groups in practice. Since the introduction of the Copenhagen criteria, Turkey has already made many reforms. The human rights reforms - which were not many - were very positive received. Regrettably, the reforms are not good visible in practice. Throughout the previous and this chapter I will try to find out if there is any discrepancy visible. Therefore, the results of 2005 will come up in the first section. The second section will discuss minority rights standards of Turkey. The Treaty of Lausanne will come up in this section. The third section will give a comparison with the Greek Gypsy minority and its developments. The conclusion will be drawn in the final section.

6.1 Results of 2005

Turkey has tried to implement some legislative reforms, however, the changes have slowed in 2005. The implementation of the reforms remains uneven. According to the EC, Turkey should translate the political reforms into more concrete achievements for the benefit of all Turkish citizens, regardless of their origin.⁹⁸ But still, since 2004, minority rights remain unchanged. Under the 1923 Treaty of Lausanne, minorities in Turkey consist exclusively of non-Muslim communities. Turkey has only three recognised minorities: Jew, Armenians and Greek. Other minorities, which are qualified as minorities by international and European standards - such as Assyrians, Roma and the Kurds - are being overlooked by the Turkish government. Even though the Jew, Armenians and Greek are recognised, they do not have the same rights as the majority Turkish citizens. The same goes for other minorities. For this reason, subjects concerning different minority issues - like the security, discrimination and education levels - are discussed separately in this paragraph. The results in practice are taken from the Commission of the European Communities and the Minority Rights Group International.⁹⁹

Security level

Article 60 of the Constitution of the Republic of Turkey (1982) states "*Everyone has the right to social security. The state shall take the necessary measures and establish the organisation for the provision of social security.*" The situation in the East and Southeast of Turkey needs the biggest attention concerning the security level of minorities. Most people here are of Kurdish origin and some of the Assyrian minority lives in

⁹⁸ Commission of the European Communities, 2005: pp. 42

⁹⁹ Commission of the European Communities, 2005: pp. 18-40 and
Kaya and Baldzin, 2004: 7-39

this area as well. Because of terrorist acts of the Kurdish organisation PKK, the security level is pulled down. The progress in the area has been slow and uneven, but still, there is some progress visible since 1999. The progress slowed down since the resumption of violence by the Kurdistan Workers Party (PKK) - an organisation which appears on the EU's list of terrorist organisations.¹⁰⁰ This situation has an effect on the lives of the population, because sometimes security forces respond inappropriately in certain situations. Still, Turkey is not to blame, because it cannot stop terrorist acts. One big problem for Assyrians who want to return to their villages nowadays is that the villages are located between the Kurds who operate from the East and the Turkish government operating from the West - they are located between two fires. This makes the situation even more threatening. As already mentioned in chapter six, the "Law on Compensation of Losses Resulting from Terrorist Acts" was adopted in 2004. Here also, there is some delay and uncertainty about the implementation. The reasons for the delays are the shortcomings of the law.¹⁰¹ Beside the Kurds and the PKK, the area has a large number of landmines. These landmines killed twenty people and injured twenty in the first seven months of 2005. There are also some village guards in the area. These village guards harass people that return to their villages. This also makes the security for minorities unstable. According to OSCE reports it is difficult to visit the Southeast of Turkey. After seeing the security level in the area, it is no wonder why Turkey does not want to send researchers to find out what is going on there.

Discrimination level

As already mentioned in chapter six, Turkey has not ratified the Additional Protocol No. 12 yet. This Protocol is established by ECHR and concerns the general prohibition of discrimination by public authorities. For minorities, this is particularly important. Minorities are often a subject of discrimination. They are not treated equally in contrast to the Turkish majority. Minorities have difficulties in getting well jobs in administrative and military positions. Turkish schoolbooks contain discriminatory language towards minorities. The EC reports that students are being taught that minorities are untrustworthy, traitorous and harmful to the state. Sabri Atman answered the question concerning discrimination on Turkish national minorities:

¹⁰⁰ Commission of the European Communities, 2004: pp. article 1

For more information see also: Carter, 1995-1996: pp. 86

¹⁰¹ Commission of the European Communities, 2005: pp. 39-40:

There are five shortcomings. "Firstly, there is concern that the commissions responsible for assessing the damage include officials from the Interior Ministry who were responsible for the security forces which inflicted the damage. Secondly, the conditions attached to eligibility for compensation are too strict and could leave a large number of potential beneficiaries outside the scope of the Law. This applies in particular to persons who were forced to destroy their own properties or sign a form attesting that they were leaving voluntarily. There is also a heavy burden of proof on applicants to provide documentation, including property titles, that in many cases never existed. Thirdly, the lack of legal support for applicants, coupled with the limited capacity of the commissions to process claims, undermines the overall efficiency of the system. Fourthly, the maximum threshold for compensation is too low and there is no time limit for the government to settle agreed claims. Finally, the absence of an appeal mechanism is also of concern."

In Turkish schools, scholars learn to deny the Armenian - as well as the Assyrian - genocide. The history books are one-sided and this shows the censorship of the country. Another example is the story of Orhan Pamuk - a famous writer whose books were also translated in English.¹⁰² Orhan Pamuk said: 'Thirty thousand Kurds and a million Armenians were killed in Turkey. Almost no one dares speak but me, and the nationalists hate me for that'. After that, all hell broke loose for him and Turkey. Orhan Pamuk had to face the Turkish court of law and his books were publicly burned. All of this happened in 2005. In my view, this circumstance shows that Turkey has a very fragile democracy that can fall any time into a military dictatorship, just like it has been throughout the past decades. Turkey does say to give equal rights and opportunities to its citizens, but it also rules out discrimination against citizens.¹⁰³

Article 10 states "All individuals are equal without any discrimination before the law, irrespective of language, race, colour, sex, political opinion, philosophical belief, religion and sect, or any such considerations.", but in practice this is not visible. Fact is there are restrictions for minorities which make them second range citizens. The whole Turkish Constitution does not refer to minorities, except for article 10. There is only one bilateral treaty regarding minorities, between Turkey and Bulgaria (1925), which states that the Lausanne provisions will apply to ethnic Bulgarians in Turkey as well - and visa versa.¹⁰⁴

Article 63 of the Constitution of the Republic of Turkey states "The state shall ensure the conservation of the historical, cultural and natural assets and wealth, and shall take supportive and promotion measures towards that end." According to the EC Report of 2005, a Greek school was turned into a hotel by the government. Would this also have happened if it concerned a Turkish school? No matter what language is taught at schools, they should all have the same importance.

Freedom of Expression:

According to Dağı: "Amnesty International claims that in Turkey human rights defenders continue to face harassment and intimidation in Turkey. Writers, politicians, religious leaders, human rights defenders and many others were tried and imprisoned for exercising their right to freedom of expression, particularly when they expressed opinions on the Kurdish question or the role of Islam. Amnesty International reports that torture remains widespread and the perpetrators are rarely brought to justice. According to the ratings of Freedom House Turkey is a 'partly free' country".¹⁰⁵

Education level

The right to education needs to be for all Turkish citizens. But according to the European Commission, this right could be used to prevent further progress on the protection of minority rights. Without good education, it is difficult to find a good

¹⁰² BBC1, 1 September 2005: news.bbc.co.uk

¹⁰³ Human rights watch: www.hrw.org

¹⁰⁴ Kaya and Baldwin, 2004: pp. 6

¹⁰⁵ Dağı, 1999-2001: pp. 24

job that provides enough income. Regarding a research, conducted by the History Foundation, textbooks do not include information regarding history, culture and traditions of minorities.¹⁰⁶ Worse still, the textbooks contain sweeping generalizations and discriminatory statements about minority groups - like Roma, the Armenians and the Greek language. The textbooks even contents statements that the Turkish nationality and the Islamic religion are better than all others. This interprets the strong nationalistic thoughts of Turkey nowadays.

In minority - only recognised minorities - schools, there is a matter of dual presidency. The deputy head of these schools is a Muslim representing the Ministry of Education and he has more power than the head. So, there is still no progress in this situation. Every (recognised) minority has education problems - see table 6-1. An example is the Greek minority that needs new teaching materials and recognition of teachers trained abroad.

Further, the use of minority languages in schools or requesting their use, continues to lead to punishment. The restriction of the Foreign Language Education and Teaching Law does not apply to education in English or French - see chapter 5, section 2. But despite the restriction and bureaucratic delays, there has been some progress regarding private language courses - in Adana, Batman, Şanlıurfa and Van. The Ministry of National Education has even permitted Kurdish courses. Some minorities cannot educate in their own language because of financial restrictions. Nevertheless, the use of minority languages in schools continues in some cases to lead to punishment by using articles 3 and 42 of the Constitution.¹⁰⁷

Table 6-1:¹⁰⁸ Inequality in Education Rights in Turkey

Right to Education in Turkey	
Minority:	Unequally in:
Greek	2003 Labour Law. In contrast with Turkish colleagues, Greek teachers are not allowed to teach in more than one school. Schools are in need of teaching materials.
Armenians	Training of Armenian Language teachers in an Armenian department within an Istanbul university is (still) not possible.
(As)syrians and other non-Muslims	Not even permitted to establish schools. These minorities are (still) not associated by the authorities with the Treaty of Lausanne.

¹⁰⁶ Kaya and Baldwin, 2004: pp. 11

¹⁰⁷ For example, Oktay Eriman, a teacher, was transferred from Batman city centre to another school in Gercüş, for asking students to memorize a poem in Kurdish about peace. Calling for education in your first language can still be grounds for prosecution. The Ankara Public Prosecutor began a case for the closure of the Trade Union of Education and Science Labourers (Eğitim-Sen) on 10 June 2004, because the Union's statute has 'education in mother tongue' as an objective. According to the Public Prosecutor this constitutes a violation of Articles 3 and 42 of the Constitution.

¹⁰⁸ Commission of the European Communities, 2005: pp. 86

Culture rights

On the side of cultural rights, there has been only limited progress in the past two years. There is greater tolerance towards the use of other languages and the expression of minority cultures in their different forms. There is a possibility for minorities to broadcast in their own language, but there are significant restrictions. The Kurds are an example of a minority that has its own broadcasting time. Five Kurdish schools closed in one year because of financial difficulties. The Turkish government does not give enough financial help for minorities. Because of Kurdish nationalistic features, the tension rose, leading to violence in the Southeast of the country.¹⁰⁹

Property rights

Turkish national minorities have problems with inheriting property. Some people lodged a complaint concerning property cases at the ECHR. First, problems with property rights occur on the island of Gökçeada (Imvros). Since June 2005, a new hotel is operating on the island. Before, the building of the hotel was a minority school and the Greek did not want this to be changed. Even the Turkish member of CoE Parliamentary Assembly expressed his intention to propose legislative changes to address these issues. A couple Assyrians returned from abroad. Still, some of them have difficulties with their nationality and the loss of their Turkish nationality. These people are not able to register their property in the land registry in the Southeast. This is the reason why complaints of Assyrians are increasing in Turkey. Property of Assyrians is being seized by both the citizens in the region and the land registry authorities.

Current Assyrian rights

According to Sabri Atman Assyrians are not recognised yet by the Turkish government. There is lots of reading material about a Christian minority, but this is not correct when people want to refer to Assyrians. Assyrians are Syrian-Orthodox Christians, in contrast to the Greek who are Catholic. In Turkey, these two groups get the same label, according to their religion. Assyrians have the right to be recognised as a minority, just like the Jew, Greek and Armenians. Beside, the history of Assyrians should be recognised, like the area's that belonged to Assyria and the Seyfo (genocide) of 1914-1915. The Assyrian minority has another language, culture and history that have an important value to them. Assyrians do not want to loose this and adjust to another nationality. Because of the fact that Assyrians are not recognised as a minority in Turkey, they do not have education materials of their own language, they do not have their own broadcasting time in Turkey - but since two years they have one broadcasting station 'Suroyo tv' in Sweden, and since a couple of months a new broadcasting station 'Suryoyo Sat' which is stated in Sweden

¹⁰⁹ An example of nationalistic features was an incident in Mersin. Two childrens teared the Turkish flag apart and ignited certain nationalist reactions.

-, they do not have their own paper, no restoration or renewal of their churches, and no infrastructure in the villages where they live. Only after Assyrians make themselves known as a full Turkish citizen, the doors will open for them and they will be able to do what they want. The doors will stay closed for those that represent themselves as Assyrians. An example is an Assyrian who wants to get to a higher place in the army. This person will not succeed in getting a job he wants if he stays to represent himself an Assyrian - he actually needs to have a Turkish name.¹¹⁰ So, in practice, minorities are still being treated as second-range citizens. Of course, all of this applies also to other unrecognised minorities, like the Chaldeans, Georgians and Roma.

Sabri Atman went to school in his early years. He saw with his own eyes how he and other scholars were taught to lie about genocide and minority subjects. Every scholar, no matter what race, had to say *'We are Turks and we are proud of that, there will come a day that we will give our soul for Turkey'*, before the doors of the school would open. This has not changed since then. The given shows the fundamental nationalistic thoughts of the Turkish government - and this does not make Turkey a democratic country in any way possible. Why should an Assyrian, Gregorian, or Kurdish scholar say something like that? Above the school doors states *'Ne mutlu turkum diyene an bir turk dunyaya bedeldir'*, meaning *'Bravo for those who call themselves Turks, one Turk is worth the whole world'*. These two sentences have a very racist disposition and this does not go along with democracy. It certainly does not go along with the Copenhagen criteria of the EC. Sabri Atman even makes a link between the actions of Hitler and the actions made by the Turkish government.

Next to the above negative content, there has been also some progress made towards the Assyrian minority. The Turkish government tries to get more in contact with them. The reason is political: Turkey needs to fulfil the Copenhagen criteria to get an EU membership. So, the Copenhagen criteria are an advantage for domestic Assyrians. Another progress that has been made is that the Turkish government gives foreign Assyrians that used to live in Turkey the opportunity to return to their own property. According to Sabri Atman, the Turkish government does this for three political reasons. Firstly, the reason concerns the Copenhagen criteria. The second reason concerns the problems with the Kurds. There are always conflicts between Turkey and the Kurdish minority. These conflicts are mostly visible in the Southeast of the country - the Kurds gained more power since the Kurds in Northern Irak also gained more power in the government. Turkey is afraid for amalgamation between the Southeast and Northern Irak. To break a possible amalgamation, Turkey wants to put Assyrians in between. The government is not worried at all that Assyrians come back home, which is in contrast to what the writer Sonyel said about Assyrians in 1914-1915. After all, if Assyrians would be a threat, they would not be welcomed by the government. Thirdly, Assyrians - between 10 to 15,000 - come back every year as tourists and give lots of money away that helps the economy in the Southeast. They also help to renovate their own churches. Without the tourists, the Southeast would not have a working economy. Finally, foreign Assyrians have had better education.

¹¹⁰ See also: Kaya and Baldwin, 2004, pp. 24

This will also help to lift up the economy in the Southeast. Still, the problem remains that Assyrians that come back are labelled as a Christian minority, not as Assyrians.

6.2 Minority Rights Standards in Turkey

Turkey still applies the Treaty of Lausanne, meaning that the Greek, Jew and Armenians are the only recognised minorities. Because of its membership in the United Nations (UN), OSCE, NATO and the CoE, Turkey should comply with their standards - see also chapters 3 and 4. Turkey is bound to the jurisprudence of the ECHR because of its CoE membership. But Turkey continued to refuse to further its protection of minority rights through adherence to the FCPNM, despite repeated requests by the CoE bodies to do so.¹¹¹ Turkey also violated article 27 of the ICCPR - page 19 - by limiting rights under this article to minority recognised under its Constitution - the Lausanne Treaty.¹¹² Section III 'Protection of Minorities', articles 37-44 contained many stipulations with regard to the protection of minorities and specified that minorities were "non-Muslim minorities."¹¹³ The Turkish government never respected those provisions. This is why it refused to have a special League Commission oversee minority rights in Constantinople. This way Turkey even violates its own Constitution principles. All this means that Turkey has violated many rules concerning respect for minorities and their protection, even though it is a member of organisations that made certain rules for their members. If Turkey keeps behaving this way, nothing will change for domestic minorities if Turkey joins the EU.

The only source for recognition and protection of domestic minorities is the Treaty of Lausanne in 1923 and Turkey does not even follow its principles. Additionally, Turkey has restricted the Lausanne definition than the treaty allows. Herewith the fact follows that The Treaty of Lausanne does not comply with modern standards concerning minority issues, because it only refers to non-Muslim minorities, leaving other minorities out of consideration - except for article 39.¹¹⁴

¹¹¹ Kaya and Baldwin, 2004: pp. 5

¹¹² Kaya and Baldwin, 2004: pp. 5

¹¹³ Online Armenian encyclopaedia (Armenia Encyclopedia): www.armeniapedia.org

¹¹⁴ Kaya and Baldwin, 2004: pp. 5

Article 39 of Lausanne Treaty:

"Turkish nationals belonging to non-Moslem minorities will enjoy the same civil and political rights as Moslems.

All the inhabitants of Turkey, without distinction of religion, shall be equal before the law.

Differences of religion, creed or confession shall not prejudice any Turkish national in matters relating to the enjoyment of civil or political rights, as, for instance, admission to public employments, functions and honors, or the exercise of professions and industries.

No restrictions shall be imposed on the free use by any Turkish national of any language in private intercourse, in commerce, religion, in the press, or in publications of any kind or at public meetings.

Notwithstanding the existence of the official language, adequate facilities shall be given to Turkish nationals of non-Turkish speech for the oral use of their own language before the Courts."

When the Turkish Republic was proclaimed in 1923, the Turkish government wanted to homogenise the country to solve domestic conflicts. An interesting question is how important people looked at minority issues:

Dr. Riza Nur, former Minister of Health¹¹⁵: *“The French have three concepts of minorities: racial minorities, linguistic minorities, and religious minorities... With racial, they will group the Circassians, the Abkhaz, the Bosnian and the Kurd together with the Greek and the Armenian. And with religion, they will turn the two million kızılbaş into a minority. Thereby they will tear us apart... Lesson to be learned: The most real, just and urgent task awaiting us is to make sure that there remains no one belonging to another race, language and religion in our country.”*

The Turkish politician Recep Peker (1888-1950) who was connected with the party of Mustafa Kemal Atatürk¹¹⁶: *“We consider those citizens of ours within the political and social community of the Turkish nation who have been persuaded with ideas such as kurdishness, circasianness and even lazness and pomacness as one of us. It is our duty to rectify with kindness and wholeheartedness these misconceptions, which are legacies of the dark oppressive periods of the past and the product of long historical conflicts.”*

As strange as it may sound, it seems the governments thought still has not changed in Turkey. The government’s thought has become worse. The proof can be found in the restrictions of minority rights that have increased since the official Lausanne Treaty of 1923. Next to the three recognised minorities, there are also 6 other non-Muslim minorities and 10 Muslim minorities - see tables 6-2 and 6-3. The Muslim minorities are almost unknown - except for the Kurdish minority - because the Turkish Constitution claims that all Muslims are Turks, the others are indicated as non-Muslims. According to international and European standards, these minorities should be recognised also.

Table 6-2:¹¹⁷ Non-Muslim Minorities in Turkey

Non-Muslim Minorities	
Recognised:	Excluded:
-Jew	-Assyrians
-Armenians	-Protestants
-Greek	-Chaldeans
	-Georgians
	-Maronite Christians
	-Baheis

¹¹⁵ Etker, 1998: pp. 244-246

¹¹⁶ For the needed information I was referred to the Online Encyclopedia by the Turkish government site: nl.wikipedia.org

¹¹⁷ European Centre for Minority Issues: ecmi.de

Table 6-3:¹¹⁸ Unrecognised Minorities in Turkey

Unrecognised Minorities		
Ethnic	Religious/Sectarian	Linguistic
-Kurds	-Alevi (Turks/Kurds)	-Zaza
-Arabs	-Caferis	
-Laz		
-Circassians		
-Georgians		
-Bosnians		
-Roma		

Since 1999, Turkey has established many governmental bodies dealing with human rights abuses and violations, such as the Reform Monitoring Group (RMG), the Human Rights Presidency (HRP), the provincial and sub-provincial Human Rights Boards (HRB), the Human Rights Advisory Committee (HRAC) and several investigation boards.¹¹⁹ However, the impact of these bodies and the participation of civil society in them are still very limited. It seems like minorities are frightened or do not trust the employers to discuss their problems, because such issues were always taboo.

6.3 Waiting in the anteroom Case study: The Greek Gypsy Minority

Since 1981, Greece is an EU member. Before its accession Greece had some difficulties in handling its minority problems. Back then the EU did not make a big issue of this minus, but it thought that Greece would be able to handle its own minority issues. If it would be needed, the EU would help Greece in finance matters and setting up projects concerning minorities. Hence, it is useful to see if Greece achieved improvements concerning its minorities, with the Gypsy - also called Roma - minority as a focus. Making a comparison between minority treatment with Turkey and Greece may lead to interesting information about the future behaviour of Turkey as an EU member state. The first point that will be discussed in this section concerns the projects that were used to improve the gypsy situation. What were the results of these projects? To what extent did the gypsy minority situation improve? At the end of this section, an expectation of the Turkish behaviour will be drawn up.

According to the Integrated Action Plan for the Social Integration of the Roma People (IAP) the Roma population is around 300,000 in Greece.¹²⁰ This is roughly 3,5 percent of the Greek population. 40,000 of the Roma population are estimated to be tent-dwelling. The majority of the Roma population is Christian Orthodox, but around 35,000 of the Roma in Greece are officially recognised as a 'Muslim minority' group.

¹¹⁸ European Centre for Minority Issues: ecmi.de

¹¹⁹ Tsitselikis, 2004: pp. 5

¹²⁰ Amnesty International, 2005

In 2002 the report of National Commission for Human Rights suggested that segregation and racist discrimination remain very serious problems in Greece. Because of the Lausanne Treaty, Greece gives the Muslim Roma resident in Thrace a special status, but the rest of the Christian Roma or Muslim Roma who live outside the area do not have the special status.¹²¹ Mid 1970s Christian Roma were afforded Greek citizenship, but they were classified as aliens of Gypsy descent. Thus there is unequal treatment of religion and place where Roma people live.

Table 6-4 shows some projects concerning the Roma minority in Greece. As the table shows, the projects concerns improvements on educational matters. The education level is a good tool to find out in which social stratum the Roma population is living in. In 2004, a set of data were published that showed an increased Roma enrolment at primary school level from 25 percent to 75 percent and a reduction in the dropout rate. Nevertheless, the actual participation of Roma children in Greek educational systems remains very low. A 1998-1999 survey showed that 69.7 percent of the sample aged 18-47 had never attended school, while only 10 percent completed primary education, 2.1 percent compulsory education and 0.9 percent higher secondary education.¹²² 42.6 percent of parents stated that their children attend school, but none in secondary education. Among the reasons given for not attending school 29.7 percent suggested the racist behaviour of teachers, pupils and their parents. Nevertheless, 85 percent believe that a better education would lead to better employment. However, 36.7 percent of the 85 percent considers that the greatest difficulty lies in the racist discrimination and social isolation experienced by their children at school. The project "Education of Gypsy Children" which was followed up by the project "Integration of Gypsy Children in Schools" was not integrated into regular schooling. The projects were an add-on element and they attracted criticism in the NFP report on the scope, the objectives and the impact. The NFP report also concluded that existing data concerning Roma enrolment in the past years have not been reliable because of overcrowding - pupils names were mentioned, but they did not actually attend classes. The project of Education of Gypsy Children was implemented in 30 areas, training about 3,000 teaches, producing new training and educational material, creating reception and supplementary teaching classes and organising events addressed to non-Roma parents.¹²³ Since 2002, there is also financial support of €300 for Roma families with an annual income of €3,000 or less for children enrolled in primary education. Nevertheless, actual school attendance rates, performances and attainments still need to be improved. The Greek Helsinki Monitor Reports revealed strong parental reactions to the enrolment of Roma pupils leading to their de facto segregation in separate schools or classes, occasionally in different buildings, because such reactions allegedly tend to be adopted rather than critically addressed by local authorities, as well as schools.

¹²¹ Word Press site, 9 May 2006: deviousdiva.wordpress.com

¹²² Word Press site, 9 May 2006: deviousdiva.wordpress.com

¹²³ Word Press site, 9 May 2006: deviousdiva.wordpress.com

Table 6-4:¹²⁴ Projects concerning the Greek Gypsy Minority and Education

Year	Name	Function
2000	Project "Roma Student Card"	Enables Roma pupils to enrol without formalities -bureaucratic requirements. Established by the Education Ministry.
1997	Project "Education of Gypsy Children" (Ekpedefsi Tsiganopedon)	Ensuring integration of Roma children into mainstream education through the improvement of enrolment and attendance rates and the development of curricular resources with elements of Roma culture for use by Roma pupils. Also, the cultural awareness of teachers working with them is to be improved. → Partly financed by EU structural funds → Followed up by the Integration of Gypsy Children in Schools Project.
2004	Project "Integration of Gypsy Children in Schools" (Entaxi Tsiganopedon sto Scholio)	Ensuring integration of Roma children into mainstream education through the improvement of enrolment and attendance rates and the development of curricular resources with elements of Roma culture for use by Roma pupils. Also, the cultural awareness of teachers working with them is to be improved. → Partly financed by EU structural funds

Another report about Greece concerned the failure of the state to comply with human rights law and standards regarding access to the asylum process, the detention of migrants, and the protection from discrimination and ill-treatment.¹²⁵ In 2005 Representatives of Amnesty International visited Greece and collected information about the violations. The results showed that Greece has not replied the raised concerns towards human rights yet. In 1998 the European Court of Human Rights found Greece to be in violation of the right of freedom of association.¹²⁶

¹²⁴ Word Press site, 9 May 2006: deviousdiva.wordpress.com

¹²⁵ Amnesty International, 2005

¹²⁶ Amnesty International, 2005:

An example was the case of Sideropoulos. Greek courts had refused the application of the complainants to register 'the Home of Macedonian Culture' as a non-governmental organisation. The domestic courts claimed that the organisation's goals threatened public order. Greece did not follow up the ECHR and rejected the application. On 7 February 2005 the Supreme Court banned the "Turkish Union of Xanthi" on the basis that its "aim is illegal and contrary to Greek public order". The "Turkish Union of Xanthi" association was founded in 1946 and was dissolved in 1984, on the basis that it constituted a danger to national security, since which time the case has been examined by the courts.

What Greece has not done yet is re-issuing citizenship documents to members of the Muslim population of western Thrace. It has failed to carry out international human rights law and standards as well as national legislation on non-discrimination.¹²⁷ Article 19 of the Greek Citizenship Code was abrogated in 1998.¹²⁸ Before 1998 Greek citizens who were not of ethnic Greek origin could have their citizenship withdrawn, if they were believed by the authorities to have emigrated to another country.¹²⁹ Some people lost their citizenship because they left the country and have to date not been able to regain it. These people live as non-citizens and do not have access to state benefits and institutions.

After the acknowledgment of the Gypsy situation in Greece I can conclude that Greece still has difficulties with dealing its Gypsy minority. I found it conspicuous that on account of the Treaty of Lausanne not all Roma population gets the same treatment. Is it not odd to give a part of a nation more rights and to deprive it of from the rest? Turkey is doing the same but in a different way by only recognising three minority groups and neglecting the rest of them. Next, there is an obvious discrimination level in Greece that is also visible in Turkey. Another thing was that throughout the projects Greece tries to present better statistics than the actual results. This discrepancy is comparable with Turkish behaviour. Greece still has minority problems, even though it is an EU member since 1981. Thus, will it be a good approach to let Turkey join the EU while it is dealing with domestic minority problems? Looking to Greece, it would be a mistake to let Turkey in too early. The example of Greece and its Gypsy minority shows that problems concerning domestic minorities will not disappear after joining the EU. I believe this will also be the case for Turkey. Turkey needs to have the opportunity to solve its own domestic problems. This may take a while, but the obliged Copenhagen criteria will help Turkey to integrate faster and more easily into the EU culture.

6.4 Conclusion

Most reforms of Turkey are not implemented in practice. Especially domestic minorities cannot put the reforms into use. The only visible improvements, even though restricted, are in the education level and in property rights. The security level is improving, but in the Southeast of the country the progress goes slow and uneven. The discrimination level towards minorities is still the same and there seems to be no progress visible any time soon, even though Article 10 of the Constitution of the

¹²⁷ Amnesty International, 2005

¹²⁸ Embassy of the United States in Athens, Greece, 2005: Article 19:

1. *Children of naturalized Greek citizens who became Greek citizens according to Article 11 may renounce their Greek citizenship provided that: a. They are aliens b. They maintain the citizenship they acquired during the naturalization of their parent c. Declare their wish to renounce the Greek citizenship before the Mayor or the President of the Community or the Greek Consulate at their place of residence within one year of completing eighteen years of age. A copy of the declaration is submitted from the above-mentioned authorities to the Ministry of Interior, Public Administration and Decentralization.* 2. *For the renunciation of Greek citizenship a decision is issued by the Minister of Interior, Public Administration and Decentralization and is published in the Government's Gazette.*

¹²⁹ Amnesty International, 2005

Republic of Turkey claims something else. Freedom of expression is hard to find and the story of Orhan Pamuk made clear that Turkey uses censorship. There has been only limited progress concerning cultural rights. An improvement is the bigger tolerance of minority languages and the expression of minority cultures.

The results showed that the Turkish Constitution has contradictions. In my view Turkey should renew its Constitution and add all reforms that are needed to meet the Copenhagen criteria. The only source for recognition and protection of domestic minorities in Turkey is the Treaty of Lausanne in 1923. Turkey does not even follow its principles. Additionally, Turkey has even restricted the Lausanne definition than the treaty allows. Herewith the fact follows that The Treaty of Lausanne does not comply with modern standards concerning minority issues, because it only refers to non-Muslim minorities, leaving other minorities out of consideration - except for article 39. How strange it might sound, it seems the governments thought still has not changed in Turkey. The government thought has even become worse. Therefore, despite moves in the right direction, needs to take fundamental steps to meet the spirit and practice of the international organisations. A multicultural society should be seen as a positive resource of modern society and not as a threat. Article 42 needs to be abolished from the Constitution to come to equality in Turkey, otherwise the contradictories will increase. I noticed that Turkey does carry out some reforms, but it always uses restrictions companioning the reforms. There is always a way out concerning human rights and minority right and this is the reason why civilians are afraid to go to governmental bodies and ask for help. In my opinion, Turkey should stop drawing restriction and truly begin carrying out reforms as they should be.

Section three handles a case study concerning the Gypsy minority in Greece. It turned out that Greece - an EU member state since 1981 - still has some difficulties in dealing with its Gypsy minority. The example of Greece and its Gypsy minority shows that problems concerning domestic minorities will not disappear after joining the EU. I believe this will also be the case for Turkey. Turkey needs to have the opportunity to solve its own domestic problems. This may take a while, but the obliged Copenhagen criteria will help Turkey to integrate faster and more easily into the EU culture.

This chapter also showed the discrepancy between the de jure and de facto rules. Turkey tries to represent itself in a better view by showing better results than the actual results. The Turkish government carries out reforms, but gives restrictions on them at the same time. There is progress visible, but the progress is moving slowly and in some cases uneven. The Turkish civilians want to enjoy their new rights, but at the same time, they are afraid to use them because of the restrictions.

7. Discussion and Conclusion

7.1 Summary

Chapter three: Impact of International Organisations on National Minorities

This chapter involved NATO and the CoE and their relations towards Turkey. The chapter tried to find whether these organisations are handling minority issues or not. Searching for advantages and disadvantages of future Turkish EU-membership for Assyrians and other minority groups could be found in the Turkish relation and behaviour towards these organisations.

Turkey joined NATO because of political strategically reasons. NATO wanted Turkey to join in for exactly the same reasons. When Turkey joined in, it was bordered on the old Soviet-Union and back then it was needed to have an ally nearby the enemy. NATO does not do much concerning minority issues. It is hard to find useful information about NATO and national minority rights, especially Turkish minority rights. However, since 1990s, NATO's goals have changed, because the world has also changed. The post Cold War era 'new NATO' has become an institution that intervenes to protect certain principles and values, a power for peace-making and post-conflict peacekeeping, and a model for developing democratic national security structures. However, what I noticed during my literature study was that I could not find any useful information concerning Turkey and its human rights, even though it is a member state. The Alliance has already adopted new goals in the Strategic Concept, so why would it not also change its sight? That would be more logic, because obviously, domestic security does not necessarily lead to human rights and democracy. NATO is able to protect the world from 'conflicts outside the treaty area stemming from unresolved historical disputes and the actions of undemocratic governments and sub-state actors who reject the peaceful settlement of disputes'. This judgment involved conflicts outside the treaty area, like Kosovo. It was not mentioned that NATO members should observe the same democratic and human rights principles. In my view NATO should reprimand its members to carry out its principles. Without a signature of a member state, NATO cannot do anything, except for a lack of security in a state. I think this needs to change: if states refuse to sign or ratify important protocols or treaties every now and then, they should be thrown out.

Turkey has always felt she belonged to Europe and that is why she joined the CoE. The CoE has three main jobs and human rights goals are laid down in two of them. In contrast to NATO, the CoE does have a lot of information about minority rights. The most important treaty for this thesis is the Framework Convention for the Protection of National Minorities in 1998. This Convention was the first legally binding multilateral instrument devoted to the protection of minorities and is regarded as the most comprehensive international standard in the field of minority rights so far. Turkey has not signed the Framework yet. Although Turkey signed five treaties, Turkey still has not ratified them. Turkey has a lack of the content of the

treaties, because has not ratified - and certainly not implemented - them. According to Troebst, the FCPNM contains a great number of holes where governments could slip through and still succeed. Nevertheless, the FCPNM is a significant step in the right direction, because it leads to hope that in the short future we could see the FCPNM turn from paper to practice. But now, the CoE cannot intervene with domestic minority treatment of Turkey. Turkish minority groups are in disadvantage, because they cannot claim certain treaties.

Looking to the relation between Turkey, NATO and the CoE, there is a little bit of discrepancy visible. NATO and the CoE can check Turkey, but because of Turkey's right to be sovereign, they let it loose. At the same time, Turkey knows that the organisations will not pressure it to keep up the alliance. Thus Turkey only signs and ratifies those protocols and treaties that it wants, leaving minority rights in the background. Membership of NATO and the CoE could - and should - have positive results for domestic minority treatment, because that is the reason why treaties are made. In my opinion, both organisations need to act a bit harder and gain more power towards all their members. Through this way, member states will be more obliged to sign new documents. Regrettably I do not think this will happen any time soon. Members do not want to give up a part of their sovereignty, even though this decision will eventually lead to better performances of the organisation. But I truly hope that when one country crosses the finishing line, the rest will follow.

Chapter four: Impact of the European Union on National Minorities

Turkey wants to join the EU because of many advantages, such as its position in the world and economic, geo-strategic/political benefits. Historical and social reasons also play a part in Turkey's need to join the EU. Since Turkey is a candidate country, it needs to follow up the Copenhagen criteria. This shows immediately the influence of the EU on Turkey: without fulfilment of Copenhagen criteria, Turkey will not be able to join the EU. However, if Turkey does not want to join the EU, then the EU would not have any influence whatsoever on Turkey. Turkey's accession depends on its behaviour and reforms, and throughout this way Turkey is obliged to carry out the needed reforms. The EU uses clear rules for its candidate countries and in my opinion its policy is almost perfect. A candidate country can take the rules or leave it. But there is one indistinctness: there is no clear definition of what a minority is. The Article concerning non-discrimination seems to give a sign of what it means, but unfortunately, the EU itself is violating this Article. In my view it is not fair to let these states keep up higher standards - Copenhagen criteria - than the EU member states. Thus, here there is a bit discrepancy visible.

Throughout this policy, both sides know what they are supposed to do and act on it - this is the positive side of the Copenhagen criteria. NATO and the CoE do not have such an impact on Turkey. There is hardly discrepancy visible in the relation of Turkey - EU because everything is clear, except for one thing: just like NATO and the CoE, the EU does not have one clear definition on minority rights. The definition is left to be filled in by member states.

The cultural dimension of Turkey and the EU tends to problems. Turkey needs to integrate the European culture before it joins the EU, otherwise, this will lead to conflicts. These conflicts are already visible in EU member states with Turkish immigrants who try to practice their own culture and avoid the general European culture.

There is also another problem: the future and Turkish behaviour. No one can see the future and nobody knows how Turkey will behave after she joins the EU. In Chapter 3 it was discussed that Turkey does not sign every protocol or treaty, especially those concerning minority rights. As a sovereign country, it can do whatever it wants. Even though the EU is totally different from NATO and the CoE, we can try to make a link between them. By doing so, we may predict Turkish future behaviour in the EU. By doing so, the future does not look good concerning minority rights. On the contrary, there are hardly improvements for minority groups. Every text concerning minority rights and minority protection that needed a signature was and is still not signed by Turkey. After its accession, Turkey will play a big role in the policy making process. Turkey can use its power to - perhaps - change some policies if other countries want the same goals. Thus, a future Turkish behaviour could be in disadvantage for domestic minority groups.

How Turkey currently deals with issues concerning minority rights and minority protection will be discussed in chapters 5 and 6. Chapter 5 will discuss the Turkish policy on paper and chapter 6 will discuss Turkish policy in practice. The most important question of these two chapters depends on whether there is any discrepancy visible and if so, is the discrepancy smaller or bigger than the discrepancy between Turkey and NATO and CoE.

Chapter five: Present on Paper: Current Situation for Turkish Minority Groups

In Turkey, a party needs at least 10 percent of the votes in the district as well as 10 percent on national level to join the Assembly. Because of this strict rule, it is nearly impossible for minority groups to join the Assembly that represents 70.7 million people (2005).

The Turkish constitution is contradictory in certain articles. Articles 2 and 10 give national minorities certain rights, but Article 3 claims that the only language is Turkish. Article 4 is an irrevocable provision claiming Article 2 and 3 will not be amended nor proposed. Article 42 is also in contradiction with the political Copenhagen criterion.

Reforms are being ratified and implemented, such as the property rights. Regrettably most reforms do not concern minority issues. Still, it is obvious that Turkey is trying to act up to the Copenhagen criteria and that is a positive point. Perhaps reforms concerning minority issues will come after the economical criterion is fulfilled.

Chapter six: Present in Practice: Current Situation for Turkish Minority Groups

Most reforms of Turkey are not implemented in practice. Especially domestic minorities cannot put the reforms into use. The only visible improvements, even though restricted, are in the education level and in property rights. The security level is improving, but in the Southeast of the country the progress goes slow and uneven. The discrimination level towards minorities is still the same and there seems to be no progress visible any time soon, even though Article 10 of the Constitution of the Republic of Turkey claims something else. Freedom of expression is hard to find and the story of Orhan Pamuk made clear that Turkey uses censorship. There has been only limited progress concerning cultural rights. An improvement is the bigger tolerance of minority languages and the expression of minority cultures.

The results showed that the Turkish Constitution has contradictions. In my view Turkey should renew its Constitution and add all reforms that are needed to meet the Copenhagen criteria. The only source for recognition and protection of domestic minorities in Turkey is the Treaty of Lausanne in 1923. Turkey does not even follow its principles. Additionally, Turkey has even restricted the Lausanne definition than the treaty allows. Herewith the fact follows that The Treaty of Lausanne does not comply with modern standards concerning minority issues, because it only refers to non-Muslim minorities, leaving other minorities out of consideration - except for article 39. How strange it might sound, it seems the governments thought still has not changed in Turkey. The government thought has even become worse. Therefore, despite moves in the right direction, needs to take fundamental steps to meet the spirit and practice of the international organisations. A multicultural society should be seen as a positive resource of modern society and not as a threat. Article 42 needs to be abolished from the Constitution to come to equality in Turkey, otherwise the contradictories will increase. I noticed that Turkey does carry out some reforms, but it always uses restrictions companioning the reforms. There is always a way out concerning human rights and minority right and this is the reason why civilians are afraid to go to governmental bodies and ask for help. In my opinion, Turkey should stop drawing restriction and truly begin carrying out reforms as they should be.

Section three handles a case study concerning the Gypsy minority in Greece. It turned out that Greece - an EU member state since 1981 - still has some difficulties in dealing with its Gypsy minority. The example of Greece and its Gypsy minority shows that problems concerning domestic minorities will not disappear after joining the EU. I believe this will also be the case for Turkey. Turkey needs to have the opportunity to solve its own domestic problems. This may take a while, but the obliged Copenhagen criteria will help Turkey to integrate faster and more easily into the EU culture.

This chapter also showed the discrepancy between the de jure and de facto rules. Turkey tries to represent itself in a better view by showing better results than the actual results. The Turkish government carries out reforms, but gives restrictions on them at the same time. There is progress visible, but the progress is moving slowly

and in some cases uneven. The Turkish civilians want to enjoy their new rights, but at the same time, they are afraid to use them because of the restrictions.

7.2 Overall Conclusion

Coming back to Herders quotation "Culture difference between nations is a human fact; no strange culture may overshadow the own culture; every nation must cultivate its own national nature." which came up in the first chapter, I can conclude that the Turkish government has seen the fact that there are indeed culture differences between nations. This was the reason why Atatürk killed much people who belonged to domestic minority groups. After all, he wanted a homogenous Turkish state with Turkish citizens. After Atatürk, domestic minorities kept themselves quiet and did not practice their culture in public. They were afraid to be chased or prosecuted. This means that the own culture of domestic minorities was overshadowed for a long time, but in the last two years - 2004-2005 - Turkey made some reforms giving its minorities more rights by letting them practice their own culture and religion. The three recognised minorities - the Jew, Greek and Armenians - were most in advantage of the new reforms. But still, even the Kurdish minority got broadcasting time in a Turkish broadcasting station. I think that the made reforms would not have been occurred if Turkey would not be an EU candidate country. So, at this moment, domestic minorities are better of with Turkey being an EU candidate country. But will improvements go on for domestic minorities when Turkey joins the EU or not? This is a difficult question that could only be answered by predicting Turkey's behaviour, meaning that the answer would be less objective. The Turkish membership of NATO and the CoE showed how small the influence on Turkey is. NATO and the CoE are intergovernmental, but the EU has two supranational institutions and some intergovernmental institutions. Would this difference have a bit more influence on Turkey? Of course it does, because supranationalism takes away a bit of a member state's sovereignty. At the same time, Turkey will have more influence on EU policy-making when it becomes an EU member state. Next, policy implementation goes very slow in EU membership countries and this could also occur in the Turkish state, but does the EU want to wait long for implementation of policies since it can choose to look from the sideline while Turkey is implementing the needed reforms? I think that it is better for the EU to look from the sideline. From this way, reforms will be implemented faster.

The research question of this thesis was: *what are the advantages and disadvantages of Turkish EU membership for Assyrians and other minority groups who live in Turkey?* It is remarkable that the current Turkish constitution claims the opposite of reforms that are made or still need to be made concerning minority rights and minority protection. Some articles are even contradicted, while article 4 forbids articles which are in contradiction of each other. This means that the Turkish law itself is not streamlined well enough. On the other side, it also means that Turkey is really trying to reform its constitution by adding new articles, even though the contradictory articles are not revised yet. The only source for recognition and protection of domestic minorities in Turkey is laid down in the Lausanne Treaty in 1923.

Currently, Turkey does not follow the Lausanne principles. In stead of this, Turkey has even restricted the Lausanne minority definition than the treaty in fact allows. Herewith the fact follows that the Treaty of Lausanne does not comply with modern standards concerning minority issues, because it only refers to non-Muslim minorities, leaving other minorities out of consideration - except for article 39. How strange it might sound, it seems the governments thought still has not changed in Turkey. The government's thought has even become worse for domestic minorities by restricting their definition. The research showed that the Constitution of 1961 was more conservative, but it had liberalistic thoughts towards its minority groups. The Constitution which functions from 1982 seems to be more liberal. Still, Turkish minority rights - referring to article numbers - seem to decrease instead of increase. From the chapters it appeared that this has to do with the government's composition that is functioning on a certain moment. In a party with conservative ideals, difficulties will not be made if persons practise their religion in public. But at the same time it is possible that minorities with another religion than the majority are not allowed to practice their religion in public because of the conservative attitude. Difficulties will also be visible in a liberalistic party, because the accent lies on the secular nature that is indicated in the constitution. Thus it can be concluded that it is an advantage when Turkey joins the EU, because it will lead to more transparency in the political system, possibly leading to a better and more stable constitution and democracy. Still, there is also a disadvantage. Since the contact with minorities changes during a change of power, it is also possible that this could lead to conflicts - also when Turkey already is an EU member. To what extent would the EU want to meddle with minority issues? After all, this subject concerns a domestic issue and Turkey is still a sovereign state, just like the rest of the EU member states.

This thesis was trying to find possible discrepancies - where does or did it go wrong? The link between Turkey and international organisations showed that Turkey will stay sovereign. International organisations like NATO and the CoE can only influence Turkey if it already signed or ratified a treaty or a Protocol. Without a Turkish signature, treaties of international organisations hardly have effect on Turkey. Things are a bit different in the EU. Turkey wants to become an EU member and it is waiting in the anteroom. If it wants to become an EU member, Turkey needs to carry through some reforms. Without reforms, the country will not be able to join in - this is the point where the EU has an influence and can pressure Turkey. The influence lies down in the Copenhagen criteria whose 'human rights, minority rights and the protection of minorities' are a section of it. Without fulfilment of the Copenhagen criteria, Turkey cannot join the EU. Hence, an advantage of Turkish EU membership is that the country will be obliged this way to reform its policy towards minority issues. However, implementation of reforms will take a long time.

A more obvious discrepancy is in Turkey itself. This discrepancy lies down in the differences between policy on paper and policy in practice. Turkey has already carried out some reforms concerning minority issues. However, the reforms are hardly visible in practice and they are not implemented well enough. It is a pity since the government is working on these reforms and is accountable for the results. The

Progress Reports of the European Commission show how big the discrepancy really is. Nevertheless, the European Commission is positive about the procedures, because how small the actual reforms are in practice, Turkey shows a form of progress. In time, progress will give more legitimacy to the government. I agree with the Commissions view because Turkey did improve on some levels. Continuing these improvements is better than stopping co-operation by reason of a certain time-limit which could be given by the EU. There are many differences between Turkey and the EU that need to be solved - the integration process for an ever closer union is an example of this. How the process of reforms concerning minority issues will built up is blurred. In my opinion, the yearly European Commission report is a fine tool to see when it is time for Turkey to join in. After all, the European Commission shows results of practice of implemented reforms. When it becomes visible that minorities are getting the same treatment as the national majority does, then it is time for Turkey to join in. If the yearly Reports are neglected and the country joins the EU in a too early stage, then it is difficult to accept that there will come more reforms. After Turkey joins in, it will possibly have another agenda. When Greece became an EU member, minority issues were also placed in the background. A similar mistake should be avoided; that is only possibly if Turkey will not join the EU too soon.

What about the effects of the candidate country Turkey on Assyrians? Do Assyrians see a positive or negative future for a Turkish EU membership? A clear advantage of a Turkish EU membership that applies to all citizens is the economic improvement. Other advantages are laid down in reforms that have already been implemented. A disadvantage is that Turkey needs to recognize Assyrians as a minority and stop discriminating them and other minorities. Even though the Non-Muslim minority is 0.2 percent, it harms the government's legitimacy. Minorities do not approve decisions that involved minority treatment. A stable democracy is one which recognises all its minorities and gives its minorities equal rights and duties as the majority enjoys. The chapters of this thesis showed that Assyrians are currently more fixated on the sorrow of the Seyfo that occurred in 1914-1915. They hold on to the past, while the current situation asks for attention as well. History cannot be changed, but the current situation and the future can. Most Assyrians want Turkey to stop denying the Seyfo. This fact shows the nationalistic nature and the age-old solidarity of Assyrians, just like any other nation does. They want their history to be recognised. In my view, if Turkey does recognize the genocide, the Assyrian minority will have more faith in it - the government will be more legitimate. Concerning the Seyfo, Turkey could give them the benefit of the doubt and recognize it - why else would Turkey spend so much money in destroying evidence each year? The way of thinking of the Turkish government should change. The government still wants to homogenise its inhabitants if you look into its Constitution and Education materials. Multiculturalism is seen as a threat, but it should be seen as a positive resource for the country. The second disadvantage of a Turkish EU membership is that the country is Muslim. Assyrians are afraid that the Christian Europe will be converted to Muslim in the long run. After all, their Christian country Assyria turned into a couple Muslim states that enforced many restrictions for Christians and later on other minorities and made it sometimes nearly impossible to stay living there. In

proportion, Muslim households are bigger than Christian. This means that in the future Muslims will grow faster. In the long run this given may lead to a Muslim-EU which is already suggested by some Mediterranean Muslim states politicians. Thirdly, the Assyrian minority and other minorities are also afraid for the influence of Turkey after joining the EU. After the accession Turkey will have more influence on EU policies and perhaps succeed in altering some policies. Nevertheless, there are many Assyrians in Turkey who want Turkey to join in, because they have the feeling that they will gather more rights through this way. Some Assyrians of the Diaspora have even turned back to their villages, even though it is still not safe there.

Although it does not give an answer on the research question of this thesis, I found it useful to bring up two possible solutions for domestic minority problems in the EU. What Turkey has done this past decade was reforming articles of its Constitution. The reforms included some measures concerning minority issues. But is a bigger amount of special minority policies better for specific groups? What about moving forward and accomplishing a constitutional citizenship on EU-level? In my opinion, minorities will stay second range citizens when they need to follow up special minority policies. Assyrians and other minorities should be treated exactly the same as the Turkish majority. By giving Assyrians and other minorities specific rights and obligations, they will not be treated the same. On contrary, if all EU citizens will have the same constitutional citizenship rights, national minorities of Turkey will be better off. Do not forget here that only three minorities are recognised in Turkey, the rest is not recognised. Another solution could be a new Turkish constitution which adds all the necessary legal reforms to fulfil the Copenhagen criteria. This means, among other things, an inclusion of a clear definition of 'minority' or 'citizenship'. The new constitution looks again at the content of the Lausanne Treaty of 1923. Using legal anti-discrimination instruments - like new history books urging on to a multicultural society - may change the negativity toward minorities into a positive angle.

In brief, a future Turkish EU membership has positive and negative effects. The positive effects concern the reforms which Turkey has ratified. There are only few reforms made concerning domestic minority rights. It is very difficult to augur Turkey's future behaviour towards domestic minorities. Auguring means speculating certain things without having the facts laid down on the table. This could lead to wrong conclusions. An important question in this thesis remains how far Turkey wants to go through with its reforms, because the results show that reforms are currently going slow and uneven. Another important question is how Turkey will behave after joining the EU. These questions can only be answered after Turkey joins the EU. For not gambling too much, it is the best thing for the EU to wait as long as it is necessary before letting Turkey joining the EU. This way, Turkey can show its strong will to join the EU. Hence, the EU will trust Turkey more when it sees the improvements.

7.3 Recommendations for Further Research

The content of this thesis has a restriction: except for the interviews with Sabri Atman, I could only use documents that were already published. This restriction is a result of secondary research. The problem could be helped by collecting primary resources. In this thesis, a Top-Down model was used. Therefore, it might be useful to start a field study in a similar research using a Bottom-Up model with its primary resources to extent the knowledge of this topic. In this case, the researcher needs to go to Turkey - especially to the Southeast of it - and observe what is happening there. Interviews with inhabitants are also very important for the researcher, because they will help to unravel certain taboo-issues.

Other restrictions of this paper are the expectations on how Turkey will deal with minority issues after joining the EU. Many articles try to predict Turkish behaviour, but it is not certain how it will really behave. In chapter six I also tried to predict the future of Turkey by making a comparison with the Turkish minority groups and the events around Greece Gypsy minority. Greece is an EU member since 1981, but did it have an effect on its minority policies? According to chapter six, unfortunately it did not change the situation as it should have changed. It is a pity that I did not have enough time to explore this chapter like I wanted to. Hence, for further research I also recommend others who are interested in the subject to make a comparison research of domestic minority policies - in policy as well as in practice. A good starting point is a comparison between Turkey and Greece.

The minority policy itself could also come up in further research. This research is meant for finding out what sort of policy gives the best solution concerning minority issues. Is it the domestic policy of Turkey, with its special rules and articles for minority groups, or is it better to establish one EU minority policy where all its members should stick to? Which policy is more effective?

Reference List

Books and Articles:

Aarts, C.W.A.M. and Bos, J.M. (2003-2004), *methoden en technieken- 1*, Enschede: faculteit der bestuurskunde

Albert, Michael and Shalom, Stephen R. (1999), "The Kosovo/NATO Conflict", Z magazine Available at:
http://www.thirdworldtraveler.com/Yugoslavia/Kosovo_NATO_Conflict.html

Algemeen Dagblad, 31 March 2006, "Dodental bij Turks-Koerdisch conflict stijgt", *Algemeen Dagblad*, Available at: <http://www.ad.nl/buitenland/article246020.ece>

Amnesty International (2005), "Greece: Out of the Spotlight: The rights of foreigners and minorities are still a grey area", online documentation archive (library) Available at: <http://web.amnesty.org/library/index/ENGEUR250162005>

BBC 1 (1 September 2005), "Turk 'genocide' author faces jail", *BBC1* Available at: <http://news.bbc.co.uk/2/hi/europe/4205708.stm>

BBC News (6 October 2004), "Q&A: Turkey and the EU", *BBC News*, Available at: <http://news.bbc.co.uk/1/hi/world/europe/3682828.stm>

Bednarczyk, Hab. Boguslaw (1998), NATO Research Programme 1996/1998, "Preventing Ethnic Conflicts and Protecting Minority Rights in Democratic System; Options and Implications", Jagiellonian University; Cracow, Poland Available at:
<http://www.nato.int/acad/fellow/96-98/bednarcy.pdf#search=%22PREVENTING%20ETHNIC%20CONFLICTS%20AND%20PROTECTING%20MINORITY%20RIGHTS%20IN%20DEMOCRATIC%20SYSTEM%3B%20OPTIONS%20AND%20IMPLICATIONS%22>

Carter, Jimmy (1995-1996), "State of World Conflict Report", the International Negotiation Network: Atlanta Available at:
<http://www.cartercenter.org/documents/1225.pdf#search=%22wetenschap%3A%20OPKK%20EU%20Turkey%22>

Commission of the European Communities (2005), "Turkey 2005 Progress Report", Belgium: Brussels Available at:
http://ec.europa.eu/comm/enlargement/report_2005/pdf/package_v/com_561_final_en_strategy_paper.pdf

Commission of the European Communities (2 April 2004), "Council Decision of 2 April 2004: implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to

combating terrorism and repealing Decision 2003/902/EC", *Official Journal of the European Union*, vol. 99, issue 29, Available at:
<http://www.statewatch.org/news/2004/apr/eu-terr-list1.pdf>

Commission of the European Communities (2005), "Communication from the Commission", Brussels Available at:
http://europa.eu.int/information_society/eeurope/2005/doc/all_about/new_chall_en_adopted.pdf#search=%22Commission%20of%20the%20European%20Communities%20Communication%20from%20the%20Commission%20%202004%22

Council of Europe (1995), "Framework Convention for the Protection of National Minorities", European Treaty series no. 157: Strasbourg Available at:
<http://conventions.coe.int/Treaty/en/Treaties/Word/157.doc>

Csaba Tabajdi, Mep (May 2006), "New Challenges for the Traditional Minorities in Europe", Hungary: Bautzen Available at:
<http://www.fuen.org/pdfs/20060525Tabajdi.pdf#search=%22NEW%20CHALLENGES%20FOR%20THE%20TRADITIONAL%20MINORITIES%20IN%20EUROPE%20%80%9D%22>

Dağı, İhsan D. (1999-2001), "The State of Human Rights in the Mediterranean: Security Implications for NATO" Available at: <http://www.nato.int/acad/fellow/99-01/dagi.pdf>

Dahl, Robert A. (1998), *On Democracy*, New Haven: Yale University Press

Davis, Terry (2000), "The Council of Europe and Human Rights", Secretary General of the Council of Europe Available at:
http://www.coe.int/T/E/Com/About_Coe/Brochures/human_rights.asp

Etker, S (1998), "Identifying the author of Gazi Aintab (1926): a survey on medical geography in the southeastern province", *Yeni Tıp Tarihi Arastirmalari* (the New History of Medicine Studies), vol. 4, issue 2, pp. 44-246 Available at:
<http://www.ncbi.nlm.nih.gov/entrez/query.fcgi?cmd=Retrieve&db=PubMed&listuids=11624180&dopt=Citation>

Felten, Eric (2004), "Turkey's Quest to Join the E-U", *Voice of America News* Available at: <http://www.voanews.com/uspolicy/archive/2004-10/a-2004-10-26-3-1.cfm>, visited at 7 July 2006

Halo, Thea (2001), *Not even my name*, New York: Picador USA

Human Rights Watch (2000), "Turkey: Human Rights and the European Union Accession Partnership" *Human Rights Watch*, vol. 12, issue 10 Available at:
<http://www.hrw.org/reports/2000/turkey2/index.htm#TopOfPage>

Infopack of the North Atlantic Treaty Organisation, Public Diplomacy Division
Available at:

<http://www.nato.int/docu/info-pack/infopack-eng.pdf#search=%22infopack%20north%20atlantic%20treaty%20organisation%20public%20diplomacy%20division%22>

Kaya, Nurcan and Baldwin, Clive (2004), "Minorities in Turkey: Submission to the European Union and the Government of Turkey", Minority Rights Group International Available at:

<http://www.minorityrights.org/admin/download/pdf/MRG-TurkeySub.pdf#search=%22Minorities%20in%20Turkey%20Submission%20to%20the%20European%20Union%20and%20the%20Government%20of%20Turkey%22>

Leerssen, Joep (1999), *Nationaal denken in Europa; een cultuurhistorische schets*, Amsterdam: Amsterdam University Press

Lerch, Marika and Schweltnus, Lerch (2006), "Normative by nature? The role of coherence in justifying the EU's external human rights policy", *Journal of European Public Policy*, vol. 13, issue 2, pp. 304-321 Available at:

[http://taylorandfrancis.metapress.com/\(izetddyzr0z1ps2qhanyvu45\)/app/home/contribution.asp?referrer=parent&backto=issue,9,10;journal,5,51;linkingpublicationresults,1:101484,1](http://taylorandfrancis.metapress.com/(izetddyzr0z1ps2qhanyvu45)/app/home/contribution.asp?referrer=parent&backto=issue,9,10;journal,5,51;linkingpublicationresults,1:101484,1)

Lijphart, Arend (1999), *Patterns of Democracy. Government Forms and Performance in Thirty-Six Countries*, United States of America: Yale University Press

Minority Rights Group International (2004), "Minorities in Turkey: Submission to the European Union and the Government of Turkey" Available at:

<http://www.minorityrights.org/admin/download/pdf/MRG-TurkeySub.pdf#search=%22Minorities%20in%20Turkey%20Submission%20to%20the%20European%20Union%20and%20the%20Government%20of%20Turkey%22>

NATO Public Diplomacy Division, *NATO in the 21st century*, Belgium: Brussels
Available at: http://www.nato.int/docu/21-cent/21st_arab.pdf

Örnekol, Metin (1999), "The Relations between the Council of Europe and Turkey in the 50th Anniversary of the Council" in: Seyfi Taşhan and Selahaddin Bakan etc, *DIŞ POLİTİKA - FOREIGN POLICY: A Quarterly of the Foreign Policy Institute*

Available at:

<http://www.ceeol.com/aspx/getdocument.aspx?logid=5&id=807ac9d4-8df2-4272-805d-7391184bcb3d>

Peterson, J.E. (2000), "Defending Arabia, Chapter 5: US Military Options in the Gulf", London; Croom Helm; New York: St. Martin's press 1986 Available at:

<http://www.jepeterson.net/sitebuildercontent/sitebuilderfiles/dfdgar05.pdf#search=%22Chapter%205%3A%20US%20MILITARY%20OPTIONS%20IN%20THE%20GULF%22>

Phillips, James A. (1987), "Turkey: An Increasingly Key Strategic Asset for the U.S.", Backgrounder #609

Available at: <http://www.heritage.org/Research/MiddleEast/bg609.cfm>

Press Releases Rapid, (29 June 2005), "Frequently asked questions about the accession negotiations and Turkey-EU relations", *Press Releases Rapid*, vol. 05, issue 227, Brussels Visited at:

<http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/05/227&format=HTML&aged=0&language=EN&guiLanguage=en>

Reformatorsch Dagblad, "Turken moordden ook driekwart Assyriërs uit", *Reformatorsch Dagblad*, available at:

<http://www.refdag.nl/artikel/1276001/Turken+moordden+ook+driekwart+Assyri%26euml%3Brs+uit.html>

Visited at 28 September 2006

Salihi, R. Sonyel (2001), "The Assyrians of Turkey Victims of Major Power Policy", Ankara: Turkish Historical Society Printing House

Sasse, Gwendolyn (2005), "EU Conditionality and Minority Rights: Translating the Copenhagen Criterion into Policy", Department of Economics, College of Liberal Arts and Sciences, University of Connecticut: IDEAS

Available at: http://cadmus.iue.it/dspace/bitstream/1814/3365/1/05_16.pdf

Secretariat of the Framework Convention for the Protection of National Minorities, Pamphlet No. 8 of the UN guide for minorities. Available at:

<http://www.ohchr.org/english/about/publications/docs/minorpam8.doc>

Svazlian, V. (1995), Meds Yeghern. Arevmtahayots banavor vkayutyunner [The Great Genocide. Oral Evidences of the Western Armenians], Yerevan, Armenia: "Gitutian" Publishing House of the NAS RA

Toktas, Sule (2005), "Citizenship and Minorities: A Historical Overview of Turkey's Jewish Minority", *Journal of Historical Sociology*, vol. 18, issue 4, pp. 394

Available at: <http://www.blackwell-synergy.com/doi/full/10.1111/j.1467-6443.2005.00262.x>

Troebst, Stefan (1998), "The Council of Europe's Framework Convention for the Protection of National Minorities Revisited", Germany: University of Leipzig

Available at: <http://www.greekhelsinki.gr/english/articles/chrf-sar2-conseil.html>

Tsitselikis, Konstantinos (2004), "How far have EU policies affected minority issues Greece and Turkey?" Available at:

<http://www.euborderconf.bham.ac.uk/case/GreeceTurkey/Gr-Tsitselikis.pdf#search=%22How%20far%20have%20EU%20policies%20affected%20minority%20%22>

Zinda Magazine, "A Breakthrough for Sayfo Research", *Zinda Magazine*, 2 November 2006 Available at: <http://www.zindamagazine.com/>
Visited at 12 June 2006

Internet sources:

Amnesty International:

<http://news.amnesty.org/index/ENGEUR250222005>

Visited at 10 July 2006

Assyrian International News Agency:

<http://www.aina.org/aol/peter/brief.htm>

<http://www.aina.org/aol/peter/brief.htm#First>

Visited at 23 August 2006

Assyrische Mesopotamische Vereniging Enschede:

<http://www.bethnahrin.nl/>

Visited 23 August 2006

Atatürk information site:

<http://www.aturk.com/>

Visited at 15 August 2006

Bibliotheek van de Universiteit van Amsterdam:

<http://www.uba.uva.nl/jb/object.cfm/objectID=98D94933-6077-4B5B-9F32BA82A0CA85AD#paragraaf2>

Visited at 7 July 2006

Constitution of the Republic of Turkey 1961:

<http://www.anayasa.gen.tr/1961constitution-text.pdf>

Visited at 20 July 2006

Constitution of the Republic of Turkey 1982:

<http://www.byegm.gov.tr/mevzuat/anayasa/anayasa-ing.htm>

Visited at 20 July 2006

Council of Europe:

http://www.coe.int/T/E/Com/About_COE/

http://www.coe.int/T/E/Com/About_Coe/Human_rights.asp

Visited at 10 July 2006

Delegation of the European Commission to Indonesia, Bruni, Darussalam and East Timor:

http://www.delidn.cec.eu.int/en/eu_guide/eu_guide_2.htm

Visited at 3 July 2006

European Parliament:

http://www.europarl.europa.eu/news/expert/infopress_page/027-10972-268-09-39-903-20060922IPR10896-25-09-2006-2006-false/default_en.htm

Visited at 27 September 2006

EPP-ED Group in the European Parliament:

<http://epp-ed.europarl.eu.int/press/showPR.asp?PRControlDocTypeID=1&PRControlID=3161&PRContentID=5996&PRContentLg=nl>

Visited at 27 September 2006

Embassy of the United States in Athens, Greece:

http://athens.usembassy.gov/consular/ac_citizenship.htm

Visited at 26 August 2006

European Centre for Minority Issues:

http://ecmi.de/download/DKurban20050412_ProtectionofMinoritiesinTurkey.ppt

Visited at 20 August 2006

European Commission:

http://ec.europa.eu/comm/enlargement/faq/index.htm#tr_1

http://ec.europa.eu/enlargement/turkey/political_profile_en.htm

Visited at 27 July 2006

European Community Treaty (2000):

http://europa.eu.int/eur-lex/en/treaties/dat/EC_consol.html

Visited at 20 July 2006

European Court of human Rights:

<http://www.echr.coe.int/Eng/Press/2004/Feb/GrandChamberJudgmentGorzelikvPoland.htm>

Visited at 28 August 2006

European Union news and policy positions:

<http://www.euractiv.net/en//eu-turkey-relations/article-129678>

<http://www.euractiv.com/en/enlargement/eu-turkey-negotiations/article-145219>

Visited at 26 July 2006

European Union Communication Group (Avrupa Berliği İletişim Grubu) (11-05-2004):

<http://www.abig.org.tr/en/template.asp?nx=0&id=1891&go=News%3ANews%3APolitical%3ANATO+Summit>

Visited at 2 July 2006

Office of the High Commissioner for Human Rights:

http://www.unhchr.ch/html/menu3/b/d_minori.htm

Visited at 28 August 2006

Office of the United Nations High Commissioner for Human Rights:

<http://www.ohchr.org/english/law/ccpr.htm>

Visited at 28 August 2006

Online Armenian encyclopaedia (Armenia Encyclopedia):

http://www.armeniapedia.org/index.php?title=Treaty_of_Lausanne

Visited at 20 August 2006

Organisation for Security and Co-operation in Europe:

<http://www.osce.org/>

Visited at 25 August 2006

R.J. Rummel personal information and documents:

<http://www.hawaii.edu/powerkills/DBG.CHAP2.HTM>

Visited at 20 August 2006

Treaty Establishing Constitution for Europe:

http://europa.eu/constitution/futurum/constitution/index_en.htm

Visited at 26 July 2006

Turkish news site:

<http://www.turkishnews.com/Ataturk/>

Visited at 24 August 2006

Online Encyclopaedia Wikipedia:

http://en.wikipedia.org/wiki/Elections_in_Turkey

Visited at 19 July 2006

Word Press site:

<http://deviousdiva.wordpress.com/2006/05/09/roma-segregation/#more-279>

Visited at 26 August 2006

Appendix

Annex 1:¹³⁰ World Assyrian Population

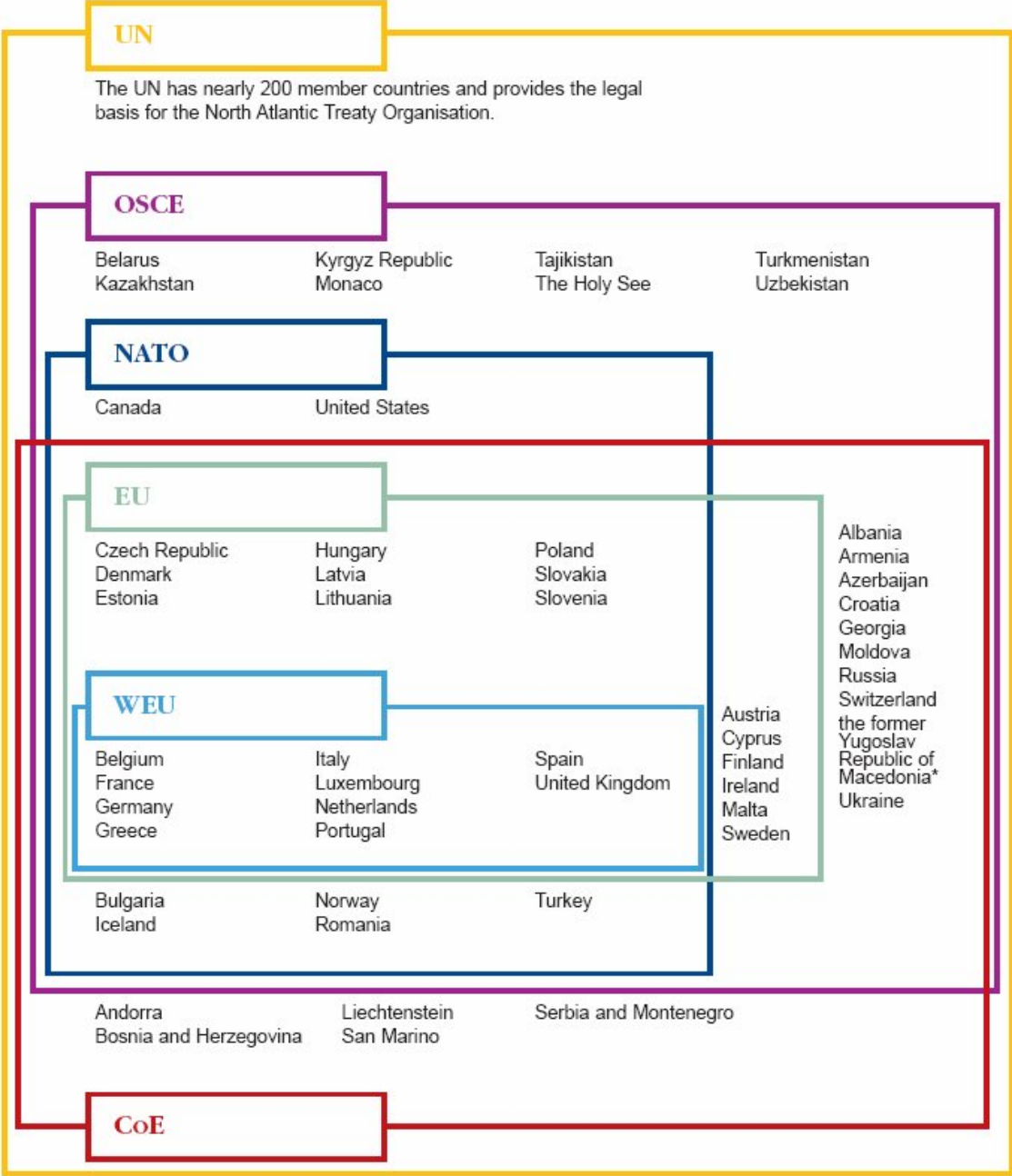
World Assyrian Population

Iraq	1,500,000	France	20,000
Syria	700,000	Belgium	15,000
USA	400,000	Georgia	15,000
Sweden	120,000	Armenia	15,000
Lebanon	100,000	Switzerland	10,000
Brazil	80,000	Denmark	10,000
Germany	70,000	Greece	8,000
Russia	70,000	England	8,000
Iran	50,000	Austria	7,000
Jordan	44,000	Italy	3,000
Australia	30,000	New Zealand	3,000
Turkey	24,000	Mexico	2,000
Canada	23,000	Other	100,000
Holland	20,000		
		Total	3,447,000

¹³⁰ <http://www.aina.org/aol/peter/brief.htm#First>

Annex 2:¹³¹ NATO's relation with other international organisations by means of membership of states

Working with other organisations



* Turkey recognises the Republic of Macedonia with its constitutional name.

 UN	United Nations	 EU	European Union
 OSCE	Organization for Security and Co-operation in Europe	 WEU	Western European Union
 NATO	North Atlantic Treaty Organisation	 CoE	Council of Europe

¹³¹ Infopack, North Atlantic Treaty Organisation, Public Diplomacy Division, pp. 7

Annex 3:¹³² Signed and ratified treaties and protocols by Turkey

Treaties signed but not ratified as of 11/7/2006

No.	Signature	Title	Opening of the Treaty	Entry into force
046	19/10/1992	Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, securing certain rights and freedoms other than those already included in the Convention and in the first Protocol thereto	16/9/1963	2/5/1968
117	14/3/1985	Protocol No. 7 to the Convention for the Protection of Human Rights and Fundamental Freedoms	22/11/1984	1/11/1988
140	6/11/1990	Protocol No. 9 to the Convention for the Protection of Human Rights and Fundamental Freedoms	6/11/1990	1/10/1994
177	18/4/2001	Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms	4/11/2000	1/4/2005
194	6/10/2004	Protocol No. 14 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending the control system of the Convention	13/5/2004	

Treaties signed and ratified or having been the subject of an accession as of 11/7/2006

No.	Signature	Title	Opening of the Treaty	Entry into force
005	Signature: 4/11/1950 Ratification accession: 18/5/1954 Entered into force: 18/5/1954	Convention for the Protection of Human Rights and Fundamental Freedoms	4/11/1950	4/11/1950
044	Signature: 6/5/1963 Ratification accession: 25/3/1968 Entered into force: 21/9/1970	Protocol No. 2 to the Convention for the Protection of Human Rights and Fundamental Freedoms, conferring upon the European Court of Human Rights competence to give advisory opinion	6/5/1963	21/9/1970
045	Signature: 6/5/1963 Ratification accession: 25/3/1968 Entered into force: 21/9/1970	Protocol No. 3 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending Articles 29, 30 and 34 of the Convention	6/5/1963	21/9/1970
055	Signature: 14/5/1971 Ratification accession: 20/12/1971 Entered into force: 20/12/1971	Protocol No. 5 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending Articles 22 and 40 of the Convention	20/1/1966	20/12/1971
114	Signature:	Protocol No. 6 to the Convention	28/4/1983	1/3/1985

¹³²

<http://conventions.coe.int/Treaty/Commun/ListeStats.asp?PO=TUR&MA=999&CM=17&CL=ENG>

	15/1/2003 Ratification or accession: 12/11/2003 Entered into force: 1/12/2003	for the Protection of Human Rights and Fundamental Freedoms concerning the Abolition of the Death Penalty		
118	Signature: 4/2/1986 Ratification or accession: 19/9/1989 Entered into force: 1/1/1990	Protocol No. 8 to the Convention for the Protection of Human Rights and Fundamental Freedoms	19/3/1985	1/1/1990

Treaties neither signed nor ratified as of 11/7/2006

No.	Title	Opening of the Treaty	Entry into force
146	Protocol No. 10 to the Convention for the Protection of Human Rights and Fundamental Freedoms	25/3/1992	
148	European Charter for Regional or Minority Languages	5/11/1992	1/3/1998
157	Framework Convention for the Protection of National Minorities	1/2/1995	1/2/1998

Annex 4:¹³³ Turkey's election results of 3 November 2002

Parties	Votes			Seats	
	No.	%	+ - %	No.	+
 Justice and Development Party (<i>Adalet ve Kalkınma Partisi</i>)	10,779,489	34.3	+18.8	363	+252
 Republican People's Party (<i>Cumhuriyet Halk Partisi</i>)	6,099,083	19.4	+10.5	178	+178
 True Path Party (<i>Doğru Yol Partisi</i>)	3,004,842	9.5	-2.5	0	-85
 Nationalist Movement Party (<i>Milliyetçi Hareket Partisi</i>)	2,622,545	8.3	-9.7	0	-129
 Youth Party (<i>Genç Parti</i>)	2,277,651	7.2	+7.2	0	+0
 Democratic People's Party (<i>Demokratik Halk Partisi</i>)	1,953,627	6.2	+1.5	0	+0
 Motherland Party (<i>Anavatan Partisi</i>)	1,610,708	5.1	-8.1	0	-86
 Democratic Left Party (<i>Demokratik Sol Parti</i>)	385,950	1.2	-21.1	0	-136
 New Turkey Party (<i>Yeni Türkiye Partisi</i>)	361,284	1.2		0	
 Great Union Party (<i>Büyük Birlik Partisi</i>)	321,046	1.0		0	
 Homeland Party (<i>Yurt Partisi</i>)	294,560	0.9		0	
 Workers Party (<i>İşçi Partisi</i>)	161,563	0.5		0	
 Independent Turkey Party (<i>Bağımsız Türkiye Partisi</i>)	150,385	0.5		0	
 Freedom and Solidarity Party (<i>Özgürlük ve Dayanışma Partisi</i>)	105,886	0.3		0	
 Liberal Democratic Party (<i>Liberal Demokrat Parti</i>)	90,119	0.3		0	
National Party (<i>Millet Partisi</i>)	68,577	0.2		0	
 Communist Party of Turkey (<i>Türkiye Komünist Partisi</i>)	59,994	0.2		0	
Independents	310,145	1.0		9	+6
Valid votes	31,448,428	100		550	
Invalid votes	1,284,982				
Total	31,448,428				

¹³³ http://en.wikipedia.org/wiki/Elections_in_Turkey

