

APPENDIX

The following appendix does not form part of ECRI's analysis and proposals concerning the situation in Turkey

ECRI wishes to point out that the analysis contained in its third report on Turkey, is dated 25 June 2004, and that any subsequent development is not taken into account.

In accordance with ECRI's country-by-country procedure, ECRI's draft report on Turkey was subject to a confidential dialogue with the Turkish authorities. A number of their comments were taken into account by ECRI, and integrated into the report.

However, following this dialogue, the Turkish authorities requested that the following viewpoints on their part be reproduced as an appendix to ECRI's report.

“OBSERVATIONS PROVIDED BY THE TURKISH AUTHORITIES CONCERNING ECRI’S REPORT ON TURKEY

1) The Turkish Government has devoted itself to creating and sustaining a societal environment that is free from discrimination and built upon social peace. The claim that particular ethnic and religious groups in Turkey are subject to a deliberate policy of discrimination by the Government is an overstatement.

2) I regret that some very important proposals have not been taken into consideration during the revision of the draft report. Below, I would like to state out once again the reasons as to why the Turkish authorities considered these proposals essential:

- Concerning **paras. 72-76 and 80**, it should be noted that Turkey has been fighting terrorism for years. The EU and the US have labeled PKK and its affiliations as terror organizations. Therefore, Turkey’s struggle against PKK should not be portrayed as an “armed conflict” in any manner. Given the internationally acknowledged terrorist identity of this organization, the words “armed conflict” in these paragraphs should have been replaced with “struggle against terrorism”.

- **Para. 78** notes that “...a circular prohibits [parents of Kurdish origin] from choosing names incorporating the letters Q, W or X, which exist in the Kurdish language but not in the Turkish alphabet.”

Like in all EU countries, there is an official alphabet in Turkey. Signs or letters that are not included in the alphabet cannot be used. For example, the letters such as “ğ”, “ş”, commonly used in Turkish, are not available in Dutch or French alphabets. Similarly, letters peculiar to Danish or Swedish alphabets do not exist in Italian or German alphabets. This is a common and established practice throughout Europe.

- **Para. 95** claims that “Antisemitic propaganda continues to appear in certain sections of the media and it is apparently not unusual to come across sweeping statements in the press in which Turkey’s Jewish community is equated with the policies of the state of Israel”.

Despite the fact that there may have been some individual cases in the press that may verify the above claim, it would be largely unfair to insert such a general claim into this report creating a false impression that there indeed is a public animosity against the Jewish community, which is hardly the case given the fact that the November 2003 bombings targeting Jewish people were not only officially but also publicly condemned. Also the content of the declarations issued by the said community following the bombings disproves the aforementioned claim.

- **Para. 96** states that “ECRI recommends that the Turkish authorities take all the appropriate steps to combat antisemitism in Turkey and to protect members of the Jewish community against physical attacks. It is important in particular to duly prosecute those responsible for antisemitic statements and acts and to send a clear signal to the public that such behaviour will not be tolerated”.

Contrary to the wording of para. 14, **para. 96** (particularly the word “all” in the first line and the absence of an expression such as “, as legal authorities have recently started to do,” that could follow the word “prosecute” in the fourth line) gives the impression that no measures have been so far taken by the Turkish authorities to fight antisemitism. As such, the wording of this paragraph fails to appreciate an already growing sensitivity in the Turkish judiciary against antisemitist statements.

- **Para. 107** states that “According to several sources, the Kurds are particularly vulnerable to ill-treatment, especially Kurdish women who are doubly discriminated against in this area, in that they are subjected to sexual violence firstly because of their ethnic origin and secondly because of their gender.”

The wording of the above sentence creates a false impression that “all” Kurdish women, simply because they identify themselves as “Kurdish”, are systematically subjected to “sexual violence”. There may have been several unfortunate incidents where some women of ethnically Kurdish origin have been subjected to such violence. However, I believe that the “individuality” of such incidents must have been clearly stated out.”