

10/4/00

**Draft motion for a Resolution**

pursuant to rule 50 of the Rules of Procedure

by Mr. Jannis SAKELLARIOU, Pierre SCHORI

on the imprisonment of Akin Birdal

B5-379/00

**The European Parliament,**

- having regard to its previous resolutions on relations between the European Union and Turkey and especially its resolutions of 3 December 98 and of 13 December 1995 as well as its resolution on 06/10/99
- having regard to its previous resolutions on the human rights situation in Turkey and in particular its resolution of 14 May 1998 and 19 November 1998 on Akin Birdal ,

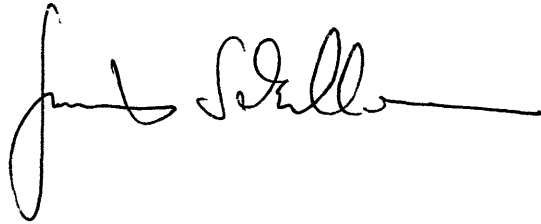
- A. Whereas the Helsinki Council granted Turkey EU candidate status;
- B. whereas Turkey has ratified the European Convention on the protection of human rights and fundamental freedoms;
- C. noting that during latest meetings with MEPs PM Ecevit and his advisors assured them that Changes of the Criminal Code, are foreseen in the very near future, in order to bring it into line with EU standards and that these changes would concern also Article 312 of the Code which was the basis for Akin Birdal's sentence;
- D. recalling that, on 1 September 1998, the Security Court sentenced Mr Akin Birdal, President of the Human Rights Association of Turkey (IHD), to one year's imprisonment and to pay a fine of TL 420,000, on the grounds that a speech by Mr Birdal during the World Day of Peace constituted an incitement to hatred and that later the General Board of Criminal Departments of the Court of Appeals ruled in favour of the Security Court's sentence and noting that there is no higher national court to which Mr Birdal could appeal and that the Commission already in 1998 in its progress report on Turkey stated that the "by their very nature these courts ('State Security Court ')do not offer defendants a fair trial",

1. Is shocked by the imprisonment of Mr Birdal one day after MEPs held talks about necessary changes in Turkey's legislation with the Turkish government;
2. Condemns strongly the action of Turkey's authorities and considers it as a clear sign for the fact that these authorities are far from understanding what future EU membership means;
3. Considers inadmissible such kind of behaviour by any of its candidate countries considering that freedom of political expression is one of the basic democratic rights of the Union;
4. Calls on President Demirel to grant immediately pardon and to release Mr Birdal as well as all other "political" prisoners;
5. Calls on the Turkish government and political parties to implement quickly the necessary legislation for democratisation based on freedom of speech

290.413

and freedom of opinion, furthermore calls for reforms to make the Turkish judicial system truly independent;

6. Invites Members of the Turkish Parliament to cooperate on necessary legislative chances and offers its experience on the matter;
7. Calls on the Council, the Commission and the Member States to draw up an clear road map for Turkey's further preparation towards membership in the EU in order to be able to measure Turkey's progress against concrete objectives linked to a timetable which should help to avoid to end up in a everlasting candidate status for this country;
8. Instructs its President to forward this resolution to the Council, the Commission, the Turkish government and the Turkish Grand National Assembly.

A handwritten signature in black ink, appearing to read "J. S. D. L. L." with a long horizontal flourish extending to the right.