

COMMISSION ON HUMAN RIGHTS
58th Session (March-April 2002)
Item 11 of the Agenda
Civil and Political Rights
Oral Statement by CETIM

Mr. Chairman,

The fundamental rights of the Kurdish people have been violated since the foundation of the Turkish Republic in 1923. The teaching of the Kurdish language in Turkey is forbidden by virtue of Article 42 of the Constitution¹. This ban on the Kurdish language remains in force even as the Turkish Government has authorized the use of all other languages, even foreign languages. The question is, therefore, one of human rights of a people who number between 15 and 20 million in Turkey. Far from considering the Kurdish language as an enrichment to the whole of society, the Turkish government considers it a threat and a danger to "national unity."

Upon her return from her mission to Turkey, the Special Rapporteur, Katarina Tomasevsky, criticized the fact that the debate on the use of the Kurdish language in universities and other educational institutions is still dominated by a discourse on national security with no consideration at all for human rights. Thus, the right to be educated in the Kurdish language continues to be violated².

Despite its avowed commitment to ratify the two international covenants on human rights³, the Turkish Government's practice in this instance, in effect, contradicts its commitment.

In November 2001, over 12'000 Kurdish university students in Turkey launched a campaign and organized a petition demanding education in Kurdish in universities in the country.

Although the right of petition is recognized in Turkey in its Constitution (Article 47) as a legal form of expression, thousands of students who signed the petition were arrested along with their families. A number of them have been tortured or have suffered from inhumane treatment. A total of 143 students have been imprisoned⁴.

In addition:

- three students who signed the petition were convicted to 3 years and 9 months in prison on the basis of Article 169 of the Turkish Penal Code, which condemns all "aid to an armed group⁵".
- forty-six students were expelled from their university studies for life while 85 students were suspended for one year⁶.

¹ "(...) No other language than the Turkish language is to be instructed to Turkish citizens or used as mother tongue in educational institutions. (...)"

² E/CN.4/2002/60/Add.2

³ Statement of Mr. N. Arseven, Minister of State, 58th session of the Commission on Human Rights

⁴ Report of the Human Rights Association (IHD), February 2002

⁵ Interview with the association of lawyers at Diyarbakir, March 2002

⁶ Report of the Kurdish Centre of Human Rights/Geneva, march 2002

- fourteen teachers and directors who supported the petition were dismissed from work and another 422 students, teachers and university staff have been subjected to criminal proceedings⁷.

To date, the wave of arrests continues. On the 27th of March 2002, the Turkish Police arrested some one hundred students who demonstrated in Istanbul demanding the right to be educated in the Kurdish language⁸. On the 9th of April of this year, 325 students were arrested in Diyarbakir and 50 in Mersin for having sent a petition to the Turkish Parliament asking for a modification of Article 42 of the Constitution⁹. At the same time, the police are present on a daily basis at universities in Istanbul and exercise continued surveillance over students and harassing them by taking pictures and filming them¹⁰.

Mister Chairman,

In conclusion, we ask the Turkish Government to respect the fundamental rights of students and their families and ensure that its Constitution conforms to international legislation concerning human rights.

We also call on the Commission on Human Rights to investigate human rights violations committed against the Kurdish students and their families.

Thank you, Mr. Chairman.

⁷ Report of the Human Rights Association (IHD), February 2002

⁸ Neue Zürcher Zeitung 28th of March, 2002

⁹ Özgür Politika, 10th of April 2002

¹⁰ Interview with expelled university students, March 2002