



Washington

# Selected News on Turkey

March 22-28, 2010

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## Proposed Changes to Turkey's Constitution Revealed

The ruling Justice and Development Party, or AKP, has proposed amendments to the Turkish Constitution. The constitutional amendments package proposes changes to 23 articles and three interim articles, namely, Articles 10, 20, 23, 41, 53, 69, 74, 84, 94, 125, 128, 129, 144, 145, 146, 147, 148, 149, 156 and 159 of the Constitution. If a popular referendum is held, the package would be approved or rejected as a whole. The amendments include several changes.

First, it includes changes to the judiciary. Until now, the government has been dogged by problems with the Constitutional Court, the Supreme Board of Judges and Prosecutors (HSYK) the Council of State and the Ergenekon case; the amendments seek to tackle all these problems at once. The changes envisage the complete restructuring of the HSYK and open the possibility that its members can now be freely investigated for any wrongdoing. Meanwhile, the current 11-member Constitutional Court would now have 19 members, 16 of whom would be appointed by the president and three members by Parliament.

Second, the AKP proposes a party closure commission. A parliamentary commission would be set up to examine party closure cases, with a commission of 20 members, five members from each party. A two-thirds majority would be sufficient to approve a decision to close a party through a secret vote. To open a case, 14 votes from the commission would be required.

Ministerial decisions on religious high schools or the headscarf ban would no longer be a reason for party closures. If the Constitutional Court rules that a party is the center of activities threatening the unity of the state and nation, human rights, the rule of law or the democratic and secular nature of the Republic, it would be dissolved. The votes of 13 of 19 members would be needed for the ruling. Discussions and debates in Parliament would not be considered a reason for a party closure.

Deputies subject to prohibitions from politics will be banned from membership in a different party for three years. However, they would retain the right to remain in Parliament until the end of the legislative session in question.

According to the proposal, it will be permissible for a new party to resurrect the name of a closed party. Meanwhile, the auditing of political parties will be conducted under the jurisdiction of the Court of Accounts. If there is a pending lawsuit against a party, new rules will be applied.

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The judicial power of the Constitutional Court and the Council of State would be limited to administrative practices and functions, meaning that no ruling process in the "public interest" will be permitted. In this, there will be no check for "correctness" in cases that are opened.

Other than appointments and promotions by the Supreme Military Council (YAS) all dismissal decisions will be subject to judicial supervision, including disciplinary punishment for civil servants. Members of the military involved in criminal gangs or accused of coup attempts will be sent to civilian courts while military courts would only be permitted to hear military-related cases.

Positive measures for the protection of women, children, elderly and disabled would not be considered a violation of equal rights. Civil servants would have the right to collective bargaining with a body for conciliation to be established in the event of disagreement. On the other hand, workers would neither have the right to strike nor could the state lock out any employees. Everyone would be entitled to the protection of privacy. Data access for personal information would be included in protection measures.

The 15th interim article in the Constitution would be abolished meaning that those involved in the Sept. 12, 1980, coup, including Kenan Evren, Nejat Tümer and Tahsin Şahinkaya, could be subject to trial.

EU Commissioner for enlargement Stefan Fuele on Monday reaffirmed his support to Turkey's accession talks and bid to join the European Union (EU). Fuele also underlined his support to efforts to normalize relations between Turkey and Armenia while speaking at a joint news conference with Turkish Foreign Minister Ahmet Davutoglu in Ankara. /Hurriyet/

## **Irish President McAleese Arrives in Ankara for Landmark Visit**

Irish President Mary McAleese arrived in Ankara Tuesday for a landmark official visit, the first of its kind, at the invitation of her Turkish counterpart Abdullah Gul, who welcomed McAleese with full military honors at the Cankaya Presidential Palace. The two presidents' spouses, Martin McAleese and Hayrunnisa Gul, were also present at the official welcoming ceremony. In a face-to-face meeting, Gul and McAleese chaired an interdelegational meeting as well. Speaking at a joint press conference afterwards, McAleese said Ireland has always supported Turkey's EU accession bid. Expressing pleasure at being the first Irish president to visit Turkey, McAleese thanked Gul for giving her a warm welcome.

Stating that Turkey and Ireland have strong historic ties despite the geographical distance between them, McAleese said, "We remember very well how the Ottoman Empire lent a helping hand to our people during the Great Hunger. The Ottoman sultan sent three ships, full of foodstuff, to Irish ports in Drogheda. The Irish people never forgot this unique generosity. The symbols in the Turkish flag, the crescent and the star, have become symbols of the region. Moreover, we see the Turkish symbols on the uniforms of the Drogheda United soccer team. If you visited Drogheda next Saturday, you might think that the Turkish National Soccer Team was about to play. All these are

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small signs that show how the Irish people see Turkey, as well as highlight the importance we place on our relations with the Turkish people."

Stating that gaining European Union membership requires a difficult integration process, McAleese added that it is worth it. Turkey and Ireland enjoy good political relations, she said, calling for better trade ties between the two countries. Nearly 120,000 Irish tourists visit Turkey every year and some of them buy property in the country, strengthening their ties with Turkey, she said. "The closer our countries grow in education, the more people will understand each other. Turkey has a good education system," she said, adding that they would welcome Turkish students studying in Ireland.

Asked about the Armenian allegations, McAleese said Ireland knows to steer clear of the debate. "Ireland supports all measures that will encourage friendship," she said. For his part, Gul underlined Turkey's strong desire to improve ties with Ireland.

Stressing the importance of improving bilateral economic and commercial ties, Gul added, "I believe President McAleese's visit will make a valuable contribution to efforts to boost our economic relations. The Turkish-Irish trade volume currently stands at around €1 billion. But we have a great potential to increase it. We invite Irish businessmen to make more investments in Turkey."

The visiting Irish president also met with Parliament Speaker Mehmet Ali Sahin and Prime Minister Recep Tayyip Erdogan. During their meeting, Erdogan presented a replica of a map of Ireland drawn by Ottoman sea captain Ali Macar Reis on animal skin. /Turkish Press Review/

## **German Chancellor Merkel's Agenda Set for Turkey Visit**

German Chancellor Angela Merkel will travel to Turkey on March 29 on a two-day state visit. During her second visit to Turkey as the chancellor of Germany since 2006, Merkel will meet with representatives of some opposition parties after visiting the mausoleum of Mustafa Kemal Atatürk. She is set to meet with Prime Minister Recep Tayyip Erdoğan. Merkel will be received by President Abdullah Gül and partake in a banquet to be hosted in his honor by Prime Minister Erdoğan. She will proceed to İstanbul later in the same day.

On the second day of her visit, Merkel will visit the Hagia Sophia and the Blue Mosque. After taking part in a panel discussion with students at the German High School, Merkel will meet with religious representatives of German community in İstanbul. Besides Chancellery Commissioner for Migration, Refugees, and Integration Maria Boehmer, a number of Turkish and German businessmen will accompany Merkel during her visit.

Turkey-Germany bilateral relations as well as Turkey-European Union relations, the Cyprus issue, the Middle East peace process and the nuclear crisis with Iran are expected to top the agenda of the meeting between Prime Minister Erdoğan and Chancellor Merkel. /Today's Zaman/

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## Turkey Reaches out to Armenians after 'Deportation' Row

In a show of goodwill towards the Armenian people, the Turkish government has decided to take two significant steps to improve relations: allowing a religious service to be held at the Akhtamar Church in the eastern province of Van and launching studies on providing educational opportunities to the children of illegal Armenian workers.

The government's move came amid growing criticism in Turkey over Prime Minister Recep Tayyip Erdoğan's latest remarks on the possibility of deporting illegal Armenian workers in the country if necessary. On March 16, while on a visit to the UK, Erdoğan said Turkey could send 100,000 Armenian workers who are working in the country without the necessary permission back to Armenia.

Facing fierce criticism, Erdoğan later complained that he had been misquoted in the media, which he said misrepresented his remarks to mean that they were targeting Turkey's Armenian community.

In Van, the governor's office announced on Thursday that Culture and Tourism Minister Ertuğrul Günay had approved an application submitted by the Van Governor's Office in December 2009 to permit a religious sermon to be held once a year at the Akhtamar Church, which was re-opened as museum in March 2007 following restoration that was undertaken at the behest of the government. At the time, the Armenian community pressed for the 1,100-year-old church on Lake Van's Akhtamar Island to be made available for religious services.

According to the decision signed by Günay, the church will be opened for religious services only one day every year and this service will take place in the second half of September, to be attended by a limited number of visitors and at a time which will not complicate the movement of visitors to the museum.

On Thursday in Ankara, Deputy Prime Minister Bülent Arınç told the NTV news channel that the government has been attempting to create a formula which will allow the children of illegal Armenian workers to attend non-Muslim minority schools.

"The Education Ministry is continuing its studies on the requirements for enrollment in minority schools," Arınç said. "Up until this date, Turkey has always opened its arms to those who come to this country," he added.

According to a recent study, the "State of Armenian Irregular Migrants in Turkey," the children of these workers, especially if they are born in Turkey, face many problems, including being stateless since there is no diplomatic representation for Armenia in Turkey and the children are not registered as citizens of any country. The children are not able to attend school because their parents are irregular workers and they need to keep this fact hidden. There are schools in Turkey for the Armenian minority but under Turkish law only Turkish citizens can attend.

Education Minister Nimet Çubukçu, speaking to reporters in Ankara, however, was cautious regarding the chances of providing opportunities for the children of illegal workers to receive an education, saying the government was considering whether to ease

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laws that specify only those children who are Turkish nationals and belong to a non-Muslim minority can attend minority schools.

Çubukçu said Arınç thus referred to possibilities for children of foreigners who reside in Turkey legally to attend minority schools. "It's an issue which is still under consideration. The final decision has not yet been made," she added. /Today's Zaman/

## Ambassador Koruturk to Return to Sweden

Turkish Foreign Minister Ahmet Davutoglu said Wednesday that Turkey's Ambassador in Stockholm, Zergun Koruturk, will return back to Sweden at the beginning of next week. "The cases in Sweden and the US are not the same The Swedish government clearly opposed the adoption of a bill on the incidents of 1915 at the Swedish Parliament. The Swedish government clearly demonstrated its stand on the bill regarding the incidents of 1915," Davutoglu stressed. Within this frame, statements from Sweden were satisfactory, Davutoglu also explained. /Anadolu Ajansi/

## TUSIAD Highlights

TUSIAD has issued a press release about the proposed constitutional amendments package. To view this press release, visit [www.tusiad.us](http://www.tusiad.us).

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