

HUMAN RIGHTS AND DISCRIMINATION ISSUES IN THE EU INTEGRATION PROCESS OF MUSLIM BALKAN STATES AND TURKEY

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Abstract:

Turkey has received a great deal of attention lately as a result of its unsuccessful efforts to join the European Union (EU). European leaders have indicated that before Turkey can join, it must improve its human rights record.

This article will examine the relationship between human rights issues in Turkey and its ability to meet international standards necessary for membership in the EU. The purpose of this paper is to illustrate a clear image of the stage to which the Western Balkan Muslim States and Turkey arrived on their way towards the European Integration, with a close view to the connection between the enlargement policy as a constitutive element of the European Construction and the necessity to ensure a stable security environment in the community space.

I set myself by this approach to highlight both the challenges in integrating multiethnic states, the attitudes of Muslim populations issues such as religion identity, political participation, human rights and discrimination. I have chosen to analyze separately the project of the enlargement in the Western Balkans and the one of the enlargement in Turkey. It posits that the spreading of Muslims across Europe is not only on a speech act but also on a policy-making characterized by some specific features, which may determine different security costs and gains for the EU.

The EU symbolically opened membership talks with Turkey in October 2005, but a number of stumbling blocks remain on Ankara's road to EU accession, in particular concerning trade links with Cyprus, freedom of expression and the rights of the Kurdish minority. The European Council decided in December 2004 to open accession negotiations with Turkey in October the following year. Nevertheless, practical negotiations on the 35 chapters of the *acquis communautaire* only began in June 2006. So far, only one chapter (science and research) has been provisionally closed. Twelve more have been opened, but eight remain blocked over Turkey's failure to implement the Ankara Protocol, which states that access should be granted and ports opened to products coming from the Republic of Cyprus. According to Turkey's chief negotiator Egemen Bağış, five chapters are being blocked by France, three by Austria and Germany, and two by Cyprus. The reform impetus has also been waning in Turkey as a result of the increasingly critical stance of key players like France and Germany, which are sceptical of Turkey's credentials as a European country and its ability to fulfil the accession criteria.

Keywords: *current human rights problems, Turkey, torture, lack of political freedoms, EU membership integration, social status of Muslim women*

The Republic of Turkey was created out of the rubble of the Ottoman Empire when it was broken up following World War I. The 1920 Treaty of Sevres which settled the peace between the Ottoman Empire and the victorious Allies established that the Empire would be dismembered, dividing up some ethnically Turkish areas and allowing for the creation of an independent Armenia and Kurdistan. Before the treaty was even signed, however, Turkish nationalists, led by General Mustafa Kemal (Ataturk), began a rebellion against the Ottoman government and the British and Greek occupation forces to oppose the division of Turkish lands. The fighting lasted for three years and forced the Allies to renegotiate, resulting in the 1923 Treaty of Lausanne, under which the Allies recognized the present-day boundaries of Turkey and the idea of an independent Kurdistan was abandoned. Ataturk became the Republic's first leader, and instilled the guiding principle that Turkey should be a secular, modern democracy. His initial policies included radical programs aimed at modernizing Turkish political and social structures, such as adopting a secular legal code based on European civil code systems, abolishing the Sultanate and the caliphate, and banning the wearing of the fez, which was associated with the Ottoman Empire. Despite radical measures adopted by Ataturk aimed at assimilation of all peoples into a Turkish national identity, he is revered by most Turks because his attempts at modernization and secularization were successful in making Turkey a reasonably stable and developed democratic nation. Many of the Kurdish people, however, who make up nearly one-quarter of the population of Turkey, continue to be resentful that their culture and languages have been repressed for so long.

Turkey is a **parliamentary democracy**, but in the past 70 years there have been several bouts of political instability during which the military has seized control. Each time, after a period of brutal authoritarian rule, the military has surrendered control to the elected government. The last of these seizures took place in 1980 and ended with an elected civilian government taking control in 1983. Since then, Turkey has remained **democratic**, although the military remain an important and influential force in politics, particularly in issues of national security and domestic order.

Because of the country's strategic location at the junction of Europe and Asia, it became a NATO member and a valued ally to Europe and the United States during the Cold War, and **little attention** was paid to Turkey's **poor human rights record**. Even after the end of the Cold War, these close relations have continued because Western countries need an ally in the Middle East to counter hostile regimes in Iraq and Syria. They also want to support a secular nation that sets an example for extreme fundamentalist nations. With its recent efforts to join the European Union, however, Turkey has turned the spotlight on its domestic unrest and its human rights record.

Many of the **current human rights problems in Turkey** can be linked to the longstanding "Kurdish problem." Since 1982, Turkey has been fighting an armed rebellion by the Kurdistan Workers' Party (PKK), the most radical of several Kurdish parties in Turkey, which advocates independence for Kurdistan. The Kurds number 23 million around the world, and over half live in Turkey. They are frequently described as one ethnic group, but more accurately, the Kurds are the descendants of several

ethnic groups that have historically occupied the lands known as Kurdistan, which encompasses the remote mountainous areas around the borders separating Turkey, Iraq, and Iran. The Kurds have long resented their inclusion in a greater Turkey and the Turkification that was forced on them after the creation of the Republic. In 1930, as part of his efforts to sow national unity, Ataturk banned the use of the Kurdish languages and did not allow Kurds to be recognized as distinct from the Turkish people. Until 1989, the term Kurd or Kurdish was never used by the government or in the media, and Kurds were referred to simply as "Mountain Turks." Whether or not one sympathizes with the Kurdish claim for self-determination or for greater cultural rights, it is clear that the armed conflict which has raged since 1982 has raised significant human rights concerns. Members of the PKK believe that any means used to bring about independence for Kurdistan are justified, and have frequently resorted to terrorist activities aimed at both civilian and government targets. The government's response to this has been to destroy completely any village suspected of harboring or sympathizing with the PKK. To date more than 14,000 villages and hamlets have been destroyed, causing countless casualties and displacing millions of people.

While there is no doubt that **violations of humanitarian law** have occurred on both sides in this conflict, non-governmental organizations such as Human Rights Watch report that the vast majority of these violations have been committed by the government in its efforts to put down the insurgency. When the conflict began, the PKK, a radical Marxist party, had only limited support among the Kurdish population, but the government's brutal repression of anyone suspected of affiliation with the party has made many Kurds much more sympathetic to the PKK and amenable to its policies.

Recently, Turkey has been criticized for the **routine use of torture** by the Turkish armed forces in interrogations of PKK members and sympathizers. Amnesty International has reported that over 400 detainees have been tortured to death since 1980. Human rights workers, journalists who report on the civil war, and doctors who attempt to provide medical care to wounded Kurds also are frequently arrested and tortured. During this decade, disappearances have also become common. The UN Working Group on Enforced or Involuntary Disappearances reported that in 1994, there were over 50 disappearances in Turkey, more than in any other country.

Although Turkey is a democracy, it **lacks many of the political freedoms** expected in European countries. For example, although it guarantees general freedoms of opinion and expression, the 1982 Turkish Constitution provides that no protection is given to *"thoughts or opinions contrary to Turkish National interests, the principle of the existence of Turkey as an indivisible entity with its State and territory, Turkish historical and moral values, or the nationalism, principles, reforms and modernism of Ataturk."* Article 28 of the Constitution further establishes that *the press is not free to publish news articles that "threaten the internal or external security of the state."*

These principles are the justification for provisions in the Turkish Penal Code and the Anti-Terror Law that prohibit any words or actions which might promote separatism or threaten the unity of the state, and these provisions have provided the Turkish military with its best weapon against not only the PKK, but also political activists, human rights workers, members of the press, and even authors of literature.

In March 1994, for example, **Leyla Zana, the first Kurdish woman ever elected to the Turkish Grand National Assembly (the parliament)**, was arrested and charged with violations of the Anti-Terror Law. Mrs. Zana is not a member of the PKK, but belongs to a competing Kurdish party that advocates peaceful resolution of the Kurdish problem. Her crimes included appearing before the Helsinki Commission of the U.S. Congress to criticize Turkey's violent suppression of the Kurdish minority and to garner support for her party's peaceful struggle in Turkey. For this work, the European Parliament awarded her the 1995 Sakharov Peace Prize and Turkey sentenced her to fifteen years in prison.

At this point, the conflict with the Kurds seems intractable. The Turkish government, and particularly the influential military, fear that making any concessions to the Kurds will threaten the continued existence of the Turkish state. Yet the ongoing conflict has damaged Turkey's economy and international reputation, and has created millions of poor, disaffected, and displaced refugees.

The primary requirements for membership in the EU are that a country must be European, must be a **democratic system that respects human rights**, and must be capable of maintaining the political and economic obligations of a member state. Turkey applied for membership in the European Economic Community in 1959, and in 1963, was granted an associational membership, with a view toward full membership in the future. Turkey still has not attained full membership, but recently entered into a Customs Union with Europe and continues to press its case. The EU has indicated that membership is unlikely in the near future given Turkey's human rights record, and in fact, has withheld aid promised to Turkey under the Customs Union agreement, claiming that Ankara has not complied with its pledge to improve its human rights situation.

Turkey is a **party to the European Convention for the Protection of Human Rights and Fundamental Freedoms and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment**. In 1989, Turkey accepted the compulsory jurisdiction of the European Court of Human Rights, and since that time, several decisions have found violations of these conventions by Turkey. The most important of these cases was issued in September of 1996 in the Akdivar case, in which the Court held that the government had violated the property rights of Kurdish villagers when soldiers destroyed virtually all the homes in the village of Kelekci, in Southeastern Turkey. Later in 1996, a decision was issued in the Loizidou case finding that Turkey had violated the property rights of a Greek Cypriot who has been excluded from her home in northern Cyprus since Turkey invaded and occupied the northern one-third of the island in 1974.

The enlargement process is complicated because the adhesion of a state to the EU is preceded by a range of phases that are meant to prepare that state to assume its role as EU member. European Union came into being because of the efforts to make conflict inconceivable for the European States, a goal that has already been attained.

The creation of the EU has bought an unprecedented period of peace and stability between the European nations. Peace, stability, cooperation were achieved in this space through the gradual integration of the states within the institutional environment of political, economical, institutional dialogue which produced a community of interests and values.

Therefore, enlargement is an efficient mean to establish member states' solidarity and to elude the conflict possibility. From this point of view, EU could be successfully included in the category of the pluralist security communities¹, defined as transnational regions, composed of sovereign states, whose people nourish well-founded expectations on peaceful changes.

Actually, the enlargement engenders the expansion of the peace and security area, constituted by the EU; de facto. The enlargement is not only a projected subsumed to the physical geographical but also a geopolitical project. The European construction generates an integrative dynamics around its member States and is meant to magnetize all the states willing to choose this type of international relations relying on solidarity and on the rejection of violent conflicts as relation to their possible disputes.

The status of EU member state represents a warranty for the stability and predictability of the security environment on the European continent. The acceptance of Muslim Balkan states and Turkey within the European community² would determine nothing but positive results: most countries were previously part of one national economy and significant economic gains can be reaped from reintegrating fragments of former regional systems; a number of geographic and ethnic factors increase the interdependency between these countries: common languages and common ethnic minorities.

The membership in the EU represents for the Western Balkans a good motive to correct the existing shortcomings and undertake actively the building of a better future.³ Western Balkan is a geopolitical term that refers to Countries: Albania, Bosnia and Herzegovina, Croatia, Macedonia, Serbia, Montenegro, and new state Kosovo. Muslim Balkans States are still not members of EU, but some of them are candidates, they all are in the process of Stabilization and Association Agreement and they all share similar and turbulent history with a lot of struggles and bloody ethnic conflicts. On June 2000 in the Feira European Council, the EU member countries confirmed that the prospect of the Balkan countries to be potential candidates for EU membership would be the main motivation reform. Another important development was the Zagreb Summit of November 2000 the 1st summit of Balkan States and European Union.⁴

EU launched the **Stabilization and Association Process** for the countries of Western Balkans and it was established a strategic framework for their relations with EU, combining a new contractual relationship (SAA) and an assistance program (CARDS).⁵

Stabilization and Association Agreements are legally binding international agreements, which after signature require EP assent ratification by the parliament of the country concluding the agreement as well as by all EU member state parliaments. They require respect for democratic principles, human rights and the rule of law. They

¹ Emanuel Adler and Michael Barnett, "Security Communities", Cambridge University Press, 1998, p. 30.

² Communication from the Commission to the European Parliament and the Council Western Balkans :Enhancing the European perspective, May 2008.

³ Jean Francois Drevet. L'enlargissement d l'Union europeenne, Jusquou p.232.

⁴ Dorian Jano, EU-Western Balkan Relations: The Many EU Approaches, University of Milan, 2009, p157.

⁵ Le Courier des pays de l'Est n 1039, Octobre 2003, Balkans, vers un nouvel espace de cooperative.

foresee the establishment of a free trade area with the EU and they set out rights and obligations in area such as competition and state aid rules, intellectual property, and establishment, which will allow the economies of the region to begin to integrate with that of the EU.⁶

The works of the **Thessalonica Council**, in 2003⁷ ended with a decision that the **Western Balkans states shall benefit of European partnerships**, with a view of a more extended integration in the EU. The synonyms for the Western Balkan countries in the last decade of the twentieth were ethnic conflicts, problems of minorities and dislodged persons, secessionist aspirations and violation of territorial integrity. A special problem for the group of countries of Western Balkans is the amount of the foreign loan. An inflow of foreign direct investments, especially green field investments, would considerably affect the reduction of the foreign loan and, in due time, ensure the conditions for a more intensive economic development of the region. According to the systematization done by the systematization done by World Bank, the economies of the Western Balkans belong to a group of countries with lower middle income. The opinions of the EU countries are divided concerning a new extension of EU: for instance, Markel Angels, The German chancellor, proposes during the Meeting of the Ministries of Foreign Affaires at Prague that EU should 'press the stand -by button 'referring to the extension of its limits. Contrary, the Swedish Ministry of Foreign Affaires, Carl Bildt, warned that ' *the crush of the Balkan countries* ' aspirations to the adherence to EU will have devastating consequences' because the Balkans are contained in Europe.

Similar to EU countries N.A.T.O. decided to integrate Albania and Croatia due to a unanimous decision taken by its 27 member-states .Croatia is more favored to become a member of EU because it is sustained by more states member of E.U. Croatia is also thought the only state which can adhere to EU in the year 2011. The last opponent to the adherence to EU of this country is Slovenia, state that continues a territorial dispute for many years with Croatia. Macedonia has made progress lately regarding the reforms in the judicial system, has accomplished its obligations foreseen in A.S.A and has progressed in its fight against corruption, in improving the reform of the public administration, is stimulating people to occupy a job and to distribute efficiently the work force. The state continues to strengthen the multiethnic democracy by applying the rules taken to the **Agreement at Orchid in 2001**, when it was accepted the usage of Albanian language in those cities and countries in which the Albanian population predominates.⁸ In 2006, through a national referendum, Montenegro claimed its independence towards Serbia. In order to be seen as a serious candidate adherence, the country must continue to reform its judiciary sector; the weakness in this field is representing a strong reason for Germany to come out against its application. **Montenegro is a potential candidate for membership to the EU**. The Council reaffirmed its European perspective in June 2006 after the recognition of the

⁶ Olivier Lamotte .Une zone de libre -echange en Europe du Sud- Est , Pertinence et Viabilite, p 4-16.

⁷ Sommet UE-Balkans .Tessalonique 21 juin 2003:Communique de presse de la Commission Europeene point 4.

⁸ Bouland Didier.Les relations de l'Albanie et l'Ancienne Republique Yougoslave de Macedoine avec l'Union europeene.Rapport n 287 de la Delegation pour l' Union europeenne du Senat.4avril 2006

country's independence by EU member states. On 15 October 2007, Montenegro signed the Stabilization and Association Agreement (SAA) and an Interim Agreement on trade and trade-related issues. The latter entered into force on 1 January 2008 while the SAA will enter into force once its ratification process is completed. The Council adopted a European partnership with Montenegro on 22 January 2007. The government of Montenegro adopted an action plan for its implementation on 17 May 2007. Agreements between the EU and Montenegro on Visa Facilitation and Readmission entered into force on 1 January 2008. On 15 July the European Commission proposed to grant visa liberalization to Montenegro. Montenegro submitted its application for EU membership on **15 December 2008**. On 23 April 2009, the Council decided to invite the Commission to prepare an Opinion on Montenegro's application. Based on previous experiences (like Croatia or the Former Yugoslav Republic of Macedonia) the Commission estimates that the preparation of an Opinion takes normally 14 to 16 months. Thus, it intends to submit the Opinion to the Council in the course of 2010. Bosnia-Herzegovina⁹ must reach a necessary political consensus and to continue its reforms, while Kosovo, the newest state in the Western Balkans, which finds itself in the main stages of integration in the EU, has been accepted as a FMN Member State in April 2009, and after 2 months as a member of the World Bank. Kosovo cannot be accepted as a member of the European Bank because its independence is not yet recognized by 5 EU Member States (Spain, Slovakia, Cyprus, Romania, and Greece). Serbia's acceptance is blocked by the Netherlands and who must cooperate with war crimes tribunal at Hague for the handing over of the war criminal Ratko Mladic and at the same time must recognize the independence of Kosovo. The accession of Bosnia and Herzegovina to the European Union faces many economic and political problems today. The nation has recently been making slow but steady progress.

Turkey started the collaboration with **European Community in 1959**, when it submitted the application, in order to become **an associate member of European Economic Community**. In 1963, Turkey signed an Association Agreement, which attended the integration of Turkey in The Customs Union and a possible accession of Turkey to the European Community, but only in 2005, the domestic context of Turkey allowed the adhering negotiations to be started.¹⁰ Of all candidate countries, Turkey faces the most **problems regarding the support of accession, at internal and external level**, European debate being focused on accession implications of a large state which, from the geographic point of view, lies only partially on the European Continent, with a large population mostly Muslim and with a developing economy.

Although Turkey is a rather well developed country and a member of North-Atlantic Alliance, with an important geostrategic position, some EU states continue to remain reserved to it. The most eloquent example is France. In October 2009, after a meeting between the president of France and his Turkish homologue, Sarkozy affirmed his belief that: 'Europe must stop to be diluted in an indefinite enlargement and that Turkey, a secular state of 71 millions of people, almost

⁹ Haenel Hubert et Bouland Didier . La situation de la Bosnie- Herzegovine. Rapport n 367 de la Delegation pour l'Union europeenne du Sennat. 47 pages. 3 juin 2005.

¹⁰ Alexandre Del Valle, La Turquie dans l'Europe , Editions des Syrtes, 2003.

exclusively Muslims, doesn't have the vocation to become a member. The international press announced that conclusion of a tacit agreement regarding Ankara's EU accession between Turkey and France.¹¹ By this, the two countries recognize their disagreement on the relationship between Turkey and EU and point out their common interests. If the Western Balkan States were the chance of obtaining a stable and secure situation in the area is closely linked to the prospect of accession, as far as Turkey is concerned is clear that the membership could become an advantage in the Union's efforts to assert itself as a relevant actor on a international scene.

Although Muslims have lived in the **Baltic and Balkan regions**, on the Iberian Peninsula, in Cyprus and in Sicily for centuries, the largest part of the Muslim population in the European Union arrived as migrant workers from the 1960s and a smaller number as asylum seekers in the 1990s¹². Muslims are inadequately captured in demographic statistics: the most conservative. Estimate based on official and, where they are not available, unofficial data is of a Muslim population of around thirteen million, around 3.5 per cent of the total population of the European Union, but with great variations between Member States. The demographic profile of the Muslim population is reportedly younger than the general population, indicating that policy interventions aimed at young people should have a strong impact.

In the European context, a central question is whether Muslims feel well integrated in European societies, or whether some experience marginalization and alienation. Discriminatory practices resulting from intolerant and prejudicial attitudes towards different cultures reinforce social exclusion and alienation.¹³ National as well as international opinion polls invariably show a negative picture of general public opinion towards Muslims, but with considerable variations between Member States. One of its key findings was that in a number of respects Muslims are less inclined to see a clash of civilizations and often associate positive attributes with Westerners - including tolerance, generosity, and respect for women.

The **social status of Muslim women** varies depending on their social class and Educational background, whether they came from rural or urban areas in the country of origin and other factors.¹⁴ Muslim women are at the centre of heated public debates concerning the role of religion, tradition and modernity, secularism and emancipation, and are often singled out as victims of oppression attributed to Islam. An issue that has been publicly debated in recent years in many Member States concerns the wearing of a headscarf, which is often interpreted by non-Muslims as a symbol of oppression and subordination. The issue of the headscarf is complex and multifaceted. Many Muslim women may indeed wear a headscarf involuntarily, because of social pressure by family or even harassment by their peer group, but others choose to wear it either on

¹¹ J-L. Bourlanges, Ankara et l'UE, les raisons du "non", CEPS Turkey in Europe Monitor 10, 2004.

¹² Arjona, A and Checa, J. C (2002) Exclusión residencial de los inmigrantes marroquíes en Andalucía, in F. J. García and C. Muriel (eds) La inmigración en España. Contextos y alternativas, Granada: Universidad de Granada, Laboratorio de Estudios Interculturales.

¹³ Edgar, B. (2004), Policy measures to ensure access to decent housing for migrants and ethnic minorities, Joint Centre for Scottish Housing.

¹⁴ Observatoire national des zones urbaines sensibles (2004) Rapport 2004 de l'Observatoire national des zones urbaines sensibles, La Plaine Saint Denis : Observatoire national des zones urbaines sensibles, p. 252.

religious grounds, as an assertion of Muslim identity or as a culturally defined display of modesty. While acknowledging that the social status and life conditions of many Muslim women must be considerably improved to achieve gender equality, it should also be recognized that to consider all Muslim women as passive victims is not an accurate reflection of how many Muslim women see their lives. In other words, to focus solely on negative issues such as forced marriages and honor killings, without denying that they exist, is only to scratch the surface of Muslim women's diverse Experiences across Europe¹⁵.

Muslims in the Member States of the European Union experience various levels of discrimination and marginalization in employment, education and housing, and are also the victims of negative stereotyping by majority populations and the media. In addition, they are vulnerable to manifestations of prejudice and hatred in the form of anything from verbal threats through to physical attacks on people and property. Discrimination against Muslims can be attributed to Islam phobic attitudes, as much as to racist and xenophobic resentment, as these elements are in many cases inexplicably intertwined. Racism, xenophobia, and Islam phobia become mutually reinforcing phenomena and hostility against Muslims should also be seen in the context of a more general climate of hostility towards migrants and minorities.¹⁶

The EU symbolically opened membership talks with Turkey in October 2005, but a number of stumbling blocks remain on Ankara's road to EU accession, in particular concerning trade links with Cyprus, freedom of expression and the rights of the Kurdish minority. The European Council decided in December 2004 to open accession negotiations with Turkey in October the following year. Nevertheless, practical negotiations on the 35 chapters of the *acquis communautaire* only began in June 2006.

So far, only one chapter (science and research) has been provisionally closed. Twelve more have been opened, but eight remain blocked over Turkey's failure to implement the Ankara Protocol, which states that access should be granted and ports opened to products coming from the Republic of Cyprus. According to Turkey's chief negotiator Egemen Bağış, five chapters are being blocked by France, three by Austria and Germany, and two by Cyprus. The reform impetus has also been waning in Turkey as a result of the increasingly critical stance of key players like France and Germany, which are sceptical of Turkey's credentials as a European country and its ability to fulfil the accession criteria.

As a conclusion, I believe when asked about the denial of EU membership to Turkey, European politicians will invariably cite **human rights concerns**. While the concern is genuine, this response might also be triggered by the fact that human rights is a more politically correct reason than the many other legitimate reasons for Europe to doubt Turkey's ability to uphold the obligations of a member state. A more honest response might cite Turkey's financial instability, particularly its very high inflation rate; the animosity between Turkey and Greece, which is already an EU member, over

¹⁵ Cesari, Joycelyne (2004), *When Islam and Democracy Meet: Muslims in Europe and in the United States*, New York: Palgrave Macmillan.

¹⁶ International Helsinki Foundation for Human Rights, *Human Rights in the OSCE Region: Europe, Central ASIA and North America Report 2006*.

institutions

Cyprus and other issues; and fear that open immigration between Turkey and other member states would result in a flood of immigrants because of the Kurdish conflict and because Turkey's standard of living is still lower than most member states. In addition, there may be some legitimacy to the claim by Turkey that the EU is afraid to admit a country which is over 99% Islamic, even if it is a secular state.

Even if human rights are not the EU's primary concern, international criticism, coupled with Ankara's strong desire to join the EU, may provide Turkey with an incentive to improve its human rights standards. Turkey's efforts to woo Europe have so far resulted at least in superficial improvements such as the creation of a parliamentary commission on human rights, although the effectiveness of this commission is far from apparent at this point. In 1995 Turkey also amended the much-criticized Article 8 of its Anti-Terrorist Law to lower the penalties and raise the burden of proof to require that the prosecutor at least prove seditious intent. Because the amendment was retroactive, over 100 prisoners were released just before the European Parliament was to vote on whether to approve the Customs Union with Turkey. These 100 prisoners represent a mere fraction of the total number still imprisoned under the Anti-Terrorist Law, but their release is certainly a step in the right direction.

The outcome of the struggle for human rights is crucial to Turkey's future. The Turkish people, for the most part, see themselves as Europeans and resent the constant criticisms of their internal politics. It is clear, however, that there are legitimate concerns about the ability of Turkey to live up to the human rights standards expected among European nations.

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