



Turkey: Arms and Human Rights

By Tamar Gabelnick, Federation of American Scientists

Considered a strategic NATO ally, Turkey has benefited from a U.S. policy that is long on military assistance and short on constructive criticism. Washington values close ties with Turkey both as a secular state with a predominately Muslim population and as a buffer between Europe and the Middle East and Caucasus regions. Once valued as a deterrent to the Soviet threat, Turkey is now considered a key ally in stopping terrorism, drug trafficking, and Islamic fundamentalism from seeping across the Bosphorus Straits. Turkey also offers opportunities as an emerging market and a potential site for the Caspian Sea oil pipeline. Finally, Turkey won U.S. favor by supporting the Gulf War, participating in Bosnian peacekeeping, and providing a base for U.S. fighter planes monitoring the "no-fly-zone" in northern Iraq.

has involved severe violations of international human rights and humanitarian law, including indiscriminate and disproportionate use of force. The war has served as an excuse to repress political leaders, journalists, and human rights activists seeking greater rights for Kurds and a peaceful end to the war. Additionally, in the name of protecting a strictly secular society, the Turkish military uses its inordinate power to suppress religious expression and mild political Islamic activism.

U.S. arms sales and continued conflict in Turkey also damage Turkey's economy and prospects for economic cooperation with the West. The 1998 *CIA Factbook* states that Turkey spends about \$7 billion a year on the war with the PKK, which contributed to a 99% inflation rate for 1998 and a national debt equal to half the government's revenue. War-related political and financial instability has discouraged foreign investment. A U.S.-backed plan would route a Caspian Sea oil pipeline through territory where the PKK operates, leaving it susceptible to rebel attacks. An end to the war and improvements in human rights are also necessary preconditions for Turkey's entry into the European Union (EU), which the U.S. believes would draw Turkey closer to the West. Turkey's ceaseless provocation of Greece, again using U.S. arms, is another barrier to EU entry.

The Turkish military is planning a massive modernization project, with over \$30 billion budgeted over the next eight years. The first major acquisition will be 145 attack helicopters worth \$3.5 billion, to be coproduced with the Turkish company TAI. As helicopters have figured prominently in the destruction of civilian targets, U.S. human rights and arms control groups protested vehemently when Boeing and Bell Textron requested marketing licenses for this sale. In response, the State Department approved marketing licenses, but stated that if a U.S. helicopter were selected, it would not issue an export license unless Turkey made significant progress on human rights and allowed the U.S. to monitor use of the equipment in Turkey. The specific criteria laid out included: decriminalization of free speech; release of journalists and parliamentarians; steps to end torture and police impunity; reopening of NGOs closed by authorities; democratization and the expansion of political participation; lifting of the state of emergency in southeast Turkey; and the resettlement of internally displaced persons (estimated at 500,000 to 2.5 million people).

Prime Minister Yilmaz pledged to make these improvements in a December 1997 meeting with President Clinton. While Turkey has yet to choose among five finalists (including the two U.S. competitors), it also remains far from meeting the agreed-upon conditions and has in fact regressed in key areas.

Key Points

- Turkey has long topped the list of U.S. arms importers and recipients of U.S. military aid.
- U.S. arms transfers support the Turkish army to the detriment of Turkey's fledgling democracy.
- Turkey has launched a major military modernization project and will be seeking even greater quantities of U.S. arms.

The 1980 Defense and Economic Cooperation Agreement reaffirmed the tight relationship between the U.S. and Turkey, which had been threatened after Turkey's 1974 invasion of Cyprus and the subsequent U.S. arms embargo. This accord allowed U.S. military bases on Turkish soil in exchange for help modernizing Turkey's military, opening the door to a flood of U.S. arms transfers. Since 1980 the U.S. has shipped \$9 billion

worth of arms to Turkey and provided \$6.5 billion in grant and loan military aid to purchase U.S. equipment. By fiscal year 1999, Congress phased out this type of military aid to both Greece and Turkey out of a recognition that these relatively well-off states could finance their own arms purchases. Before FY 1999, Turkey had been the third largest recipient of U.S. military aid.

The U.S. government believes large quantities of arms sales buy political influence in addition to providing economic benefits. In reality, Washington has held little sway over Ankara's behavior in such key foreign policy areas as promoting human rights and democracy, preserving regional stability, keeping Turkey tied to Western Europe, and promoting economic growth. Additionally, Turkey has only reluctantly accepted the embargo against Iraq and is pursuing a natural gas pipeline deal with Iran in defiance of the U.S. embargo.

U.S. arms sales actually undermine many U.S. foreign policy goals by providing physical and political support to the Turkish military at the expense of democratically elected leaders and civil society. The Turkish military's 15-year war against the rebel Kurdistan Workers' Party (PKK) in southeast Turkey

The December 1997 State Department agreement to link an export license to human rights improvements would signal—if implemented—respect for international human rights law. It would also bring U.S. policy in line with Section 502B of the Foreign Assistance Act, which states that weapons may not be provided to any country “the government of which engages in a consistent pattern of gross violations of internationally recognized human rights.” The State Department’s annual human rights reports have documented Turkey’s flagrant human rights abuses year after year in a pattern that is clearly gross and consistent. Arms exports to Turkey also contravene President Clinton’s Presidential Decision Directive (PDD) 34, issued in February 1995, which directs the State Department to factor into arms export decisions the impact of an export on regional stability and on human rights and democracy in the recipient state.

Turkey has also regressed or made little progress on the human rights criteria the State Department laid out for the attack helicopter sale. The cultural and linguistic rights of Kurds are still repressed, and the “state of emergency” continues in six of the nine southeast provinces. Torture continues with impunity, and Turkey has one of the world’s highest numbers of imprisoned journalists.

As the 1998 State Department Human Rights report for Turkey states: “Despite Prime Minister Yilmaz’s stated commitment that human rights would be his government’s highest priority in 1998, serious human rights abuses continued....Extrajudicial killings, including deaths in detention from the excessive use of force, ‘mystery killings,’ and disappearances continued. Torture remained widespread.... Security forces continued to use arbitrary arrest and detention. Prolonged pretrial detention and lengthy trials continued to be problems.”

According to an April 1999 Human Rights Watch report, journalists risk fines, imprisonment, bans, or violent attacks if they write about such subjects as “the role of Islam in politics and society, Turkey’s ethnic Kurdish Minority, the conflict in southeastern Turkey, or the proper role of the military in government and society.” At present, many journalists, prominent human rights leaders, and Kurdish and Islamic political leaders—including members of parliament—are in prison for violating ambiguous laws against inciting “racial” or “religious hatred” or for issuing “separatist” propaganda. The arrest of PKK leader Abdullah Ocalan provided an excuse to once again lash out against those calling for a peaceful end to the war.

Intimidation tactics marred the April 1999 national and local elections, leaving interim Prime Minister Ecevit’s nationalist Democratic Left Party (DSP) with the most seats in parliament. The only remaining legal Kurdish party, the Peoples’ Democratic Party (HADEP), faced an imminent ban, and thousands of HADEP members—including its leader and several electoral candidates—were detained prior to the elections.

Members of the Islamic Virtue party were also harassed and jailed. Turkey’s chief prosecutor is now seeking to close the Virtue party after a newly elected female Virtue parliamentarian insisted on wearing a head scarf inside parliament chambers.

U.S. weapons transfers not only provide tacit support for these repressive policies, but have also been used directly by military and police forces to commit human rights abuses, as documented by both Human Rights Watch and the U.S. State Department. In a campaign to root out local Kurdish support for the PKK, U.S.-supplied attack helicopters, jets, tanks, and armored personnel carriers have been used to destroy over 3,000 Kurdish villages. U.S.-origin small arms have been used in the extrajudicial killing of suspected PKK soldiers or sympathizers, and American-made utility helicopters have been used to transport soldiers on these missions. After the Ocalan arrest, the Turkish military heightened its attacks on the PKK, both in Turkey and across the border into northern Iraq. Turkey’s renewed faith in the ability to win the war probably encourages the military to continue using indiscriminate and disproportionate force, though Turkish authorities have prevented U.S. officials and international human rights groups from monitoring their activities in the region.

The war with the PKK also carries repercussions for stability in the region and within Turkey, both of which adversely affect U.S. security interests. The CIA’s 1997 “State Failure Task Force” report identified Turkey as a nation in danger of collapse. The military’s heavy-handed, destabilizing role in domestic politics can only be justified as long as the war continues. The conflict has also created entrenched governmental corruption, touching all central political actors in Ankara.

By flooding the Aegean region with high-tech arms, the U.S. has also fueled an arms race between Turkey and Greece and exacerbated their fractious relationship. Time and time again, Turkey has provoked Greece by flying over its airspace and entering its territorial waters, and it has flown F-16s over southern Cyprus in violation of its licensing agreement with the U.S. government. Turkey has often threatened force against Greece and Cyprus, most recently in response both to Greece’s role in harboring PKK leader Ocalan and to the Greek Cypriot government’s planned purchase of Russian S-300 air-defense missiles. The U.S. has often had to intervene to prevent open conflict between the two NATO allies, whose tense relationship threatens to further undermine regional stability.

Key Problems

- Turkey does not meet basic U.S. criteria for arms exports, nor those outlined by the State Department specifically for the attack helicopter sale.
 - Turkish forces have used U.S. arms to commit human rights abuses, and the U.S. government does not have the ability to prevent future arms exports from being used in this manner.
 - Stability—both within Turkey and in the region—is undermined by high levels of U.S. arms exports.
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Vague U.S. law gives the Clinton administration a great deal of discretion over arms export approvals. When a sale to a close ally like Turkey is at stake, the immediate financial and political gratification of an arms sale is almost always favored over the longer-term benefits of restraint. For this reason, U.S. arms export law should

Key Recommendations

- Congress should pass an Arms Transfers Code of Conduct to create clear and consistent guidelines about which states may import U.S. arms.
- The State Department should honor its December 1997 agreement and refuse to approve the sale of attack helicopters until Turkey's human rights situation has significantly improved.
- The Clinton administration should encourage democratization and the guarantee of human rights in Turkey rather than relying on arms sales to try to buy political influence.

be amended to include more precise eligibility criteria. Legislation introduced in the past three Congresses—the Arms Transfers Code of Conduct—would prevent arms sales to states that are undemocratic, abuse their citizens' human rights, are engaged in acts of armed aggression, or do not fully participate in the UN Register of Conventional Weapons, unless the President issues a national security waiver. Unlike present law, these disqualifying categories are fully defined so that decisions can be made according to clear, consistent criteria.

If a code of conduct were in place, Turkey would not qualify for arms sales until it ended the war with the PKK, guaranteed the rights of all Turkish citizens, and ended its aggressive posturing toward Greece. Although the Clinton administration would probably take advantage of the code's national security waiver, the process of denying eligibility and then justifying the sale on national security grounds would add a degree of scrutiny that might cause both the buyer and the seller to reconsider.

In the meantime, the U.S. State Department should honor its pledge to withhold an export license for attack helicopters until Turkey takes serious steps to meet agreed-upon human rights conditions. In a March 1999 meeting between nongovernmental groups and Assistant Secretaries of State Grossman and Koh, the U.S. officials appeared optimistic that significant improvements could be achieved before Turkey makes its arms purchasing decision, expected in the next six to eight months. Yet the strong showing for both the nationalist DSP and the extreme-right National Action Party (MHP) in recent elections does not bode well for a positive policy shift in the near future.

The U.S. State Department must not accept promises in exchange for real change; past pledges to reform

human rights laws and practices have not translated into actual reforms. Moreover, until the Turkish government rescinds the state of emergency in the Southeast and allows U.S. government officials access to the region, Washington will be unable either to verify official claims of improvements or to ensure that future arms shipments are not used in human rights abuses. Rather than trusting the Turkish government to use U.S. arms appropriately, America should refrain from selling arms until independent verification is possible.

The attack helicopter sale provides a good test case for the new U.S. policy with its due emphasis on human rights, but it should not be a unique occurrence. By adopting a consistent set of firm criteria, such as the Arms Transfers Code of Conduct, the U.S. government would affirm that short-term goals—in this case logistical support for U.S. policy toward Iraq—do not outweigh longer-term goals, such as a democratic and stable Turkey. U.S. interests in the Aegean region go far beyond containing Saddam Hussein, and a free-flowing arms sales policy undercuts other strategic, political, and economic objectives.

Moreover, the U.S. policy of maintaining a no-fly-zone in northern Iraq is absurdly illogical. U.S. jets based at Incirlik, Turkey, patrol Iraqi airspace—and have recently bombed air-defense systems—in order to protect the Kurdish population from military attacks. Yet in regular sorties north of the Iraqi border, Turkey simultaneously uses U.S.-exported jets and attack helicopters—and U.S.-supplied intelligence—to target the same Kurdish population in Turkey.

Washington must issue a strong statement of concern over human rights and democratic practices and back it with an arms embargo—as several European states have done—for Turkey to take U.S. concerns seriously. State Department officials assert that they use bilateral discussions to push for democratic and human rights reforms. Given the dismal failure of these efforts, either arms sales have not provided the U.S. with enough influence, or U.S. officials have not cared to exercise their supposed clout to defend these foreign policy goals. Withholding arms to Turkey can help achieve such goals by denying the physical and political support the Turkish military needs to continue its civil conflict with the PKK, its stranglehold on Turkish politics, and its maintenance of a political system based on exclusion and repression.

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