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## Freedom in the World - Turkey (2007)

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**Population:**  
73,700,000

**Capital:**  
Ankara

**Political Rights Score: 3**  
**Civil Liberties Score: 3**  
**Status: Partly Free**

### Overview

**Formal European Union accession talks, officially launched in 2005, were partially halted in December 2006; support for Turkish membership continued to fall in both the EU and Turkey itself during the year. Meanwhile, violence in predominantly Kurdish southeastern Turkey grew increasingly out of control, and a new Kurdish rebel group claimed responsibility for bombings throughout the country.**

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Turkey emerged as a republic following the breakup of the Ottoman Empire at the end of World War I. Its founder and the author of its guiding principles was Mustafa Kemal, dubbed Ataturk (Father of the Turks), who declared that Turkey would be a secular state. He sought to modernize the country through measures such as the pursuit of Western learning, the use of the Roman alphabet instead of Arabic script for writing Turkish, and the abolition of the Muslim caliphate.

Following Ataturk's death in 1938, Turkey remained neutral for most of World War II, joining the Allies only in February 1945. In 1952, the republic joined NATO to secure protection from the Soviet Union. However, Turkey's domestic politics have been unstable, and the army has overthrown civilian governments on four occasions since 1960. The military, which sees itself as a bulwark against both Islamism and Kurdish separatism, has traditionally wielded great influence over the functioning of the government.

The role of Islam in public life has been one of the key questions of Turkish politics in the 1990s and early twenty-first century. In 1995, the Islamist party Welfare won parliamentary elections but failed to obtain a majority. Initially, two other parties formed a majority coalition without it, but the breakup of that bloc in 1996 led the True Path Party to form a coalition with Welfare. The army, ever protective of Turkey's secular identity, forced the coalition to resign in 1997. Welfare's Necmettin Erbakan was replaced as prime minister by a member of the Motherland Party. The Welfare party was banned in 1998 on the grounds that it was seeking to introduce Islamic rule.

The governments that followed failed to stabilize the shaky economy, leading to an economic crisis in 2001 and growing discontent among voters. The Justice and Development (AK) Party, whose roots lay in the disbanded Welfare party, won a sweeping majority in the November 2002 elections by promising to end governmental corruption and put the country on a firm path toward European Union (EU) membership. AK's leader, former Istanbul mayor Recep Tayyip Erdogan, had previously been banned from politics after he was convicted of crimes against secularism for reading a poem that seemed to incite religious

intolerance. However, the party sought to distance itself from Islamism. The AK Party's Abdullah Gul served as prime minister until the Parliament changed the constitution, allowing Erdogan to replace him in March 2003.

Erdogan used his party's large parliamentary majority to push through successive wide-reaching reforms that were crucial to Turkey's application to join the EU. Formal accession talks officially began in October 2005 and were expected to continue for at least 10 years. However, difficulties soon arose, especially regarding Cyprus. The island had been divided since 1974 between an internationally recognized Republic of Cyprus, populated mostly by ethnic Greeks, and a Turkish-backed Turkish Republic of Northern Cyprus (TRNC). The southern republic, an EU member state since 2004, wanted Turkey to open its ports to Greek Cypriot ships as called for in an EU customs agreement, but Turkey refused, as the EU had not fulfilled its promise to end the economic isolation of the TRNC. Moreover, EU public opinion, and increasingly the EU's political leaders, were turning against Turkish membership as union officials continued to issue negative evaluations of Turkish progress on reforms. Support for membership among the Turkish population was falling as well, raising fears of renewed Turkish nationalism, although a majority were still in favor of joining the EU. In December 2006, the entry talks were partly frozen due to the Cyprus ports dispute.

The prime minister and his cabinet have experienced tension with entrenched, secularist state officials, including judges, prosecutors, and the military. Government rhetoric appealing to the AK Party's religious voter base has increased ahead of elections in 2007, while some segments of the bureaucracy seem to be purposefully rebelling against reforms they see as threatening to Turkey's secular system. This internal tension has jeopardized Turkey's democratic progress, as well as its EU aspirations.

Also in 2006, violence continued to rise in the southeast, where Kurdish separatists had fought a 15-year guerrilla war against government forces. That conflict had ended after the 1999 capture of the separatist leader, Abdullah Ocalan, but his Kurdish Workers Party (PKK) abandoned its ceasefire in 2004, and fighting has resumed. Although the PKK showed interest in a renewed ceasefire with the government in 2006, a new group known as the Kurdistan Freedom Falcons (TAK)—which appears to have links to the PKK—claimed responsibility for a number of bombings across Turkey.

### **Political Rights and Civil Liberties**

Turkey is an electoral democracy. The 1982 constitution provides for a 550-member unicameral Parliament, the Grand National Assembly, which is elected to five-year terms. The Parliament elects the president for a single seven-year term, and the president appoints the prime minister from among the lawmakers. The prime minister is head of government, but the president has limited power, including to veto legislation and appoint judges and prosecutors. Democratic choice has been undercut by the army in the past, most recently in 1997, when the military forced the government of the religious Welfare party out of office. The November 2002 elections were widely judged as free and fair.

A party must win at least 10 percent of the votes cast nationwide to have representation in Parliament. As a result, although a large number and variety of parties participated in active campaigning in 2002, only two—the AK Party and the secularist, center-left Republican People's Party (CHP)—won seats. Nevertheless,

both of these parties had been in the opposition, and the elections demonstrated the ability of the electorate to bring about change. Because of shifts in party affiliation, eight parties now hold seats in Parliament, but opposition parties remain weak. The Motherland Party, which was voted out in the last election, now holds more than 20 seats; no other party besides AK and the CHP has more than 10 seats. AK, which controls more than 350 seats, appears to have abandoned its former Islamist aspirations, but much of its popular base is very religious. Although the party has supported some loosening of restrictions on religious activity, it has not made any attempt to undermine Turkey's secular underpinnings.

In 2003, legal amendments loosened restrictions on party names and candidates and circumscribed the reasons for closure of a political party. However, a party can still be shut down if its program is not in agreement with the constitution, and this criterion is broadly interpreted. The Communist Party and parties representing Kurdish interests face court cases threatening their closure and can function only minimally.

Recent reforms have increased civilian oversight of the military. The National Security Council, once dominated by the military, had its policy-setting role downgraded to a purely advisory one in 2003, and a civilian was chosen to head the council for the first time in 2004. Significantly, the military did not intervene in 2003 when the AK's Recep Tayyip Erdogan was chosen as prime minister, despite its known reservations. Nevertheless, the opinions of top generals on subjects well beyond military affairs continue to generate press attention, as with the new hard-line chief of staff's praise for secularist demonstrations in May 2006. Military intervention in policy making on key topics remains a possibility.

Turkey struggles with corruption in government and in daily life. The AK Party— *ak* means "pure" in Turkish—came to power with promises to clean up governmental corruption, and it has adopted some anticorruption measures. However, enforcement is lacking, and a culture of tolerance of corruption pervades the general population. Parliamentary immunity prevents the prosecution of many politicians, though there are allegations of corruption against several cabinet members. Transparency has improved through EU-related reforms, but the government seemed to be reversing that trend through 2006 changes in the procurement law that, for example, exempt certain contract award procedures from procurement provisions. Turkey was ranked 60 out of 163 countries surveyed in Transparency International's 2006 Corruption Perceptions Index.

The right to free expression is guaranteed in the constitution. Legal impediments remain to freedom of the media, although recent reforms have had some positive effect. Publications in Kurdish are now permitted, and television broadcasts in Kurdish began in March 2006. Journalists are sometimes prosecuted under the penal code instead of being sued according to the press law, and a new antiterrorism law reintroduces jail sentences for journalists. Nearly all media organizations are owned by giant holding companies with interests in other sectors, which contributes to self-censorship by journalists. Article 301 of the 2004 revised penal code includes tight restrictions, allowing journalists and others to be prosecuted for discussing controversial subjects such as the division of Cyprus and the 1915 mass killings of Armenians by Turks; the article has drawn criticism from the EU and others. Several well-known writers, publishers, and journalists were charged and/or tried in 2006 for crimes including insulting the armed services and denigrating "Turkishness"; very few have been convicted and charges are often

dropped, but trials are time-consuming and expensive. Most prominently, novelist and 2006 Nobel laureate Orhan Pamuk was charged in 2005 for comments he made to a Swiss newspaper about the 1915 Armenian killings; the charges were dropped in January 2006. Article 301 was also unsuccessfully invoked against a Dutch member of the European Parliament and a Turkish work of fiction in late 2005 and 2006. The government does not specifically restrict access to the internet, but it is subject to the same censorship policies that apply to other media.

The constitution protects freedom of religion. Turkey is a predominantly Muslim country, and much of its population is very devout. Three non-Muslim groups—Jews, Greek Orthodox Christians, and Armenian Christians—are officially recognized, and attitudes toward them are generally tolerant, although they are not integrated into the Turkish establishment. Other groups lack legal status, and their activities are subject to legal challenges. In unusual violence against Roman Catholics, three priests were attacked in separate incidents in 2006.

The Turkish republic was set up on the premise of secularism, in which state and religious affairs are separated. In practice, this has meant considerable government control of religion. Women wearing headscarves are not allowed in public universities and government offices, and observant men are dismissed from the military. The European Court of Human Rights has ruled repeatedly in favor of the headscarf ban's legality, and AK dropped its attempt to introduce an easing of the ban in the 2004 penal code reforms. Turkey saw mass protests in early 2006 amid a worldwide scandal over the publication of Danish cartoons depicting the prophet Muhammad. The government does not restrict academic freedom, although self-censorship on sensitive topics, such as the role of Islam and the Kurdish problem, is common.

Freedoms of association and assembly are protected in the constitution. Prior restrictions on public demonstrations have been relaxed, but police sometimes monitor public meetings of nongovernmental organizations. A 2004 law on associations was expected to reduce state interference in civil society, but 2005 implementing legislation allows the state to restrict groups that might oppose its interests. Members of local human rights groups sometimes receive death threats. Nevertheless, civil society plays a growing role in Turkish politics. Trade union activity remains restricted in practice, although laws to protect unions are in place. EU-related reforms have improved the legal framework, but implementation lags.

The Turkish constitution establishes an independent judiciary, but the government can influence judges through its control of appointments, promotions, and financing. The judiciary has been strengthened in recent years by structural reforms. The 2004 overhaul of the penal code, which took effect in 2005, is expected to have wide-reaching positive effects on the criminal justice system. The death penalty was fully abolished in 2004, and State Security Courts, where many human rights abuses occurred, were replaced by so-called Heavy Penal Courts. Still, some trials last so long as to become an inconvenience and financial burden for the defense. Amnesty International has accused the Heavy Penal Courts of accepting evidence extracted under torture.

An attacker shot five judges in a committee meeting in May 2006, killing one. The gunman announced that the attack was a protest against the court's ruling that schoolteachers could not wear headscarves. After the shooting, thousands of people demonstrated in support of secularist policies.

The Erdogan government has a "zero tolerance" policy concerning torture, backed up by new laws and training to improve implementation. However, while there continue to be reports that torture has decreased, particularly in its harshest forms, rights groups still cite new cases and highlight the fact that perpetrators are not consistently punished. The government has established a variety of bodies to investigate and field complaints on human rights, but so far their impact has been limited.

Prison conditions, including overcrowding, are improving but can still be harsh. Most controversial are the F-type prisons, which are criticized for isolating prisoners. An especially contentious imprisonment is that of Abdullah Ocalan, former leader of the Kurdish guerrilla movement, who is serving a life sentence in solitary confinement on an island off the Turkish coast.

The legacy of the 1990s Kurdish conflict in the southeast, in which more than 35,000 people were killed, remains in the form of discrimination and lingering tensions. At least 15 people were killed in clashes between Kurds and police during rioting in March 2006. Meanwhile, full-scale fighting between the PKK and the government continued to increase in 2006, along with bombings in Istanbul, the southeast, and tourist regions. Responsibility for many bombings has been claimed by the TAK. Ocalan called for a renewed ceasefire in September, but it was rejected by Erdogan and the military's chief of staff.

Turkey claims that all Turkish citizens are treated equally, but its unwillingness to acknowledge minority differences results in de facto unequal treatment under the law. Because recognized minorities are limited to the three defined by religion and there has been a traditional emphasis on Turkish national identity, Kurds in particular have faced restrictions on their language, culture, and freedom of expression. The situation has improved with EU-related reforms, but official and informal discrimination remains. Alleged collaboration with the PKK can be used as an excuse to arrest Kurds who challenge the government. Human Rights Watch condemned the arrest of three Kurdish activists during a peaceful protest in May 2006.

Property rights are generally respected in Turkey. The most significant problem is the tens of thousands of Kurds who were driven from their homes by government forces during the conflict in the 1990s. While increasing numbers have returned to their homes since a new program to address the situation was launched in 2004, and the first families received monetary compensation in 2006, progress has been slow. Local paramilitary "village guards" have been criticized for obstructing returning families through intimidation and violence.

The amended constitution provides women full equality before the law, but they face discrimination in employment and are underrepresented in government. Domestic abuse and so-called honor crimes continue to occur. The 2004 penal code revisions include increased penalties for crimes against women and the elimination of sentence reductions in cases of honor killing and rape. A delegation of Turkish Parliament members visited the southeast in December 2005 to conduct research into honor killings, and the government has been working to raise awareness about domestic violence. Suicide among women reportedly increased in 2006, possibly stemming from familial pressure as stricter laws have made honor killings less permissible. A national poll in March found that Turks hold deeply conservative values, including disapproval of homosexuality and the cohabitation

of unmarried couples.