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Freedom in the World 2015 - Turkey

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2015 Scores

Status: Partly Free

Freedom Rating (1 = best, 7 = worst): 3.5

Civil Liberties (1 = best, 7 = worst): 4

Political Rights (1 = best, 7 = worst): 3

Trend Arrow: ↓

Turkey received a downward trend arrow due to more pronounced political interference in anticorruption mechanisms and judicial processes, and greater tensions between majority Sunni Muslims and minority Alevis.

OVERVIEW

The ruling Justice and Development Party (AKP) secured two electoral victories in 2014. In March, it prevailed in local elections with more than 40 percent of the vote, and in August the party's leader, Prime Minister Recep Tayyip Erdoğan, was elected president in the first direct elections for that post in Turkey's history.

The AKP won despite a corruption scandal implicating government ministers as well as Erdoğan and his family, which emerged in December 2013 and cast a shadow over Turkish politics throughout 2014. Erdoğan dismissed the evidence of corruption, including audio recordings, as fabrications by elements of a "parallel state" composed of followers of Fethullah Gülen, an Islamic scholar who had backed the AKP but was now accused of plotting to bring down the government. More than 45,000 police officers and 2,500 judges and prosecutors were reassigned to new jobs, a move the government said was necessary to punish and weaken rogue officials; critics claimed it was designed to stop anticorruption investigations and undermine judicial independence.

Erdoğan and AKP officials spoke out against other so-called traitors, including critical journalists and business leaders as well as members of the Alevi religious minority. Media outlets bearing unfavorable coverage of the government have been closed or placed under investigation. In December, more than 30 people linked to Gülen, including newspaper editors and television scriptwriters, were arrested on charges of establishing a terrorist group; this sparked widespread protests. The government also issued an arrest warrant for Gülen and a request to extradite him from the United States, accusing him of running an armed terrorist group. The latter two events signaled an escalation of the government's campaign against Gülen.

The March 2013 cease-fire between the Turkish government and the militant Kurdistan Workers' Party (PKK) held for most of 2014. However, in March 2014 the PKK started kidnapping Turkish

officials, soldiers, and civilians, a practice that continued through the remainder of the year. The situation in Kurdish-populated regions of southeastern Turkey is complicated by spillover from the war in Syria. Turkey hosts over one million Syrian refugees, and in September, approximately 130,000 Syrian Kurds entered Turkey. Authorities closed most border crossings to prevent Turkish Kurds from entering Syria to join local Kurdish militias' fight against the Islamic State militant group. In October, the PKK, which has been allied with Syrian Kurdish groups, attacked Turkish soldiers along the border, eliciting a counterattack by Turkish forces. Related riots and clashes across southeastern Turkey left at least 33 people dead.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 26 / 40 (-2)

A. Electoral Process: 10 / 12 (-1)

The prime minister is head of government and currently holds most executive authority, while the president is head of state and has powers including a legislative veto and authority to appoint judges and prosecutors. In August 2014, Turkey held direct presidential elections for the first time; presidents were previously elected by the parliament. Three candidates were on the ballot, and Erdoğan prevailed with 51.8 percent of the vote, winning a once-renewable five-year term. Foreign Minister Ahmet Davutoğlu assumed Erdoğan's posts of prime minister and head of the AKP. Some domestic and international observers, such as the Organization for Security and Co-operation in Europe, pointed to irregularities in the campaign, including media bias and self-censorship, misuse of state resources to support Erdoğan's election bid, lack of transparency in campaign finances, and voter fraud. Opposition figures and supporters noted similar problems in the March local elections, in which the AKP kept or gained control of most major Turkish cities. Erdoğan has pushed for constitutional changes to create a stronger presidency.

The unicameral parliament, the Grand National Assembly, is elected for a four-year term. The most recent elections, in 2011, were judged to be generally free and fair. The AKP won a majority (326) of the 550 seats, with the remainder divided among the Republican People's Party (CHP, 135 seats), the Nationalist Action Party (MHP, 53 seats), and the largely Kurdish People's Democracy Party (HDP, 36 seats).

A party must win at least 10 percent of the nationwide vote to secure parliamentary representation, the highest electoral threshold in Europe. In 2011, some Kurdish candidates ran as independents to circumvent the requirement. In May 2014 the AKP announced that it would no longer try to advance a 2013 proposal to change the system.

B. Political Pluralism and Participation: 10 / 16

Turkey has a competitive multiparty system, but parties can still be disbanded for endorsing policies that are not in agreement with constitutional parameters. This rule has been applied in the past to Islamist and Kurdish-oriented parties. Since 2009 no such bans have been enforced, and Kurdish-oriented parties have competed in various elections, but some members of these parties have been arrested in a law enforcement campaign against the Union of Communities of Kurdistan (KCK), which the government describes as a terrorist organization and the PKK's urban arm. In May 2014, a mayor from a district in Diyarbakır in the southeast was sentenced to prison for ties to the PKK. In the 2014 presidential campaign, Erdoğan made critical remarks about the Kurdish heritage of the HDP's candidate as well as the Alevi faith of the CHP leader.

The military has historically been a dominant power in politics, forcing out an elected government most recently in 1997. Under the AKP, various reforms have increased civilian control over the military. Hundreds of military officers were convicted in 2012 and 2013 for alleged involvement in coup plots. Some maintain that these trials were politically motivated.

C. Functioning of Government: 6 / 12 (-1)

Corruption remains a major problem in Turkey. In December 2013, three cabinet members resigned in a scandal involving money laundering and government contracts. In February 2014, an audio recording was posted on YouTube in which Erdoğan and his son appear to discuss hiding millions of dollars in cash. While Erdoğan claimed the recording was a montage and that he had been subject to illegal wiretapping by elements of a "parallel state," opposition parties said the recording was genuine. In March further recordings suggested, among other things, that Erdoğan had interfered in judicial cases, ordered media to run progovernment stories or silence the opposition, and approved the leak of a sex video featuring the former leader of the CHP. In addition to denying the authenticity of the tapes, the government passed a series of laws to more tightly control information, particularly on the internet. More than 2,000 police officers, judges, and prosecutors who had been investigating government corruption were dismissed from their jobs or transferred to different jurisdictions and assignments. While the government portrays such moves as a crackdown on corruption and necessary for security, others believe they are politically motivated. In November, a Turkish court banned reporting on the work of a parliamentary commission examining corruption allegations against four former ministers.

Civil Liberties: 29 / 60 (-3)

D. Freedom of Expression and Belief: 8 / 16 (-1)

Freedom of expression is constitutionally guaranteed, and some media outlets are critical of the government. However, in recent years dozens of intellectuals and journalists have been jailed, in many cases for alleged ties to the KCK or involvement in coup plots. Government harassment of journalists is also common, leading to self-censorship and dismissals. Nearly all media organizations are owned by large holding companies with ties to political parties or business interests in other industries, contributing to self-censorship. An October 2014 report suggested that hundreds of journalists, many of whom had been working on corruption investigations, had quit under pressure or been fired from their posts. For example, in January, a dozen state television officials were dismissed as part of a purge of those who had been investigating a corruption case involving businessmen with close ties to high-ranking officials. Other journalists have been sued for insulting government officials. In September, writer Erol Özkoray was sentenced to nearly a year in prison for insulting Erdoğan in a book on the 2013 Gezi Park protests.

In August, the Turkish Journalists' Association issued a report condemning government manipulation of and attacks on the media, including economic pressure and legal charges against critical outlets, and financial rewards for those deemed more friendly to the government. In December, the editor of Turkey's largest daily, *Zaman* – which is sympathetic to Gülen and critical of the government – and more than 20 other media workers were arrested for allegedly establishing a terrorist group to attack another Islamic-oriented organization. Thanks in part to a new law limiting pretrial detention, however, the number of jailed journalists has declined, from 40 at the end of 2013 to 19 by October 2014, with approximately 150 awaiting trial.

In March, following the release of recordings implicating Erdoğan and other officials in corruption cases, the government blocked access to YouTube and Twitter. In April and May, respectively, the Constitutional Court ruled the bans unconstitutional. However, the government has since used special courts to pressure Twitter to close the accounts of critical writers and journalists. In September, the government passed a new law giving the Telecommunications Directorate more authority to block websites and collect individuals' browsing histories.

In April the government passed a law giving the National Intelligence Organization more surveillance powers. The law also prescribed greater punishments for those who leak sensitive information. Critics said the measure reduced free expression and the right to privacy, weakened state accountability, and failed to include safeguards against abuse.

The constitution protects freedom of religion. In the past, the state's official secularism led to restrictions on expressions of religious belief, but these have gradually been reduced over the past few years. In September 2013, the government passed measures to allow women to wear headscarves in most public buildings and institutions. However, critics charge that the AKP has a religious agenda favoring Sunni Muslims, citing the expansion and alleged use of the Directorate of Religious Affairs for political patronage and to deliver government-friendly sermons in mosques. Three non-Muslim religious groups – Jews, Orthodox Christians, and Armenian Christians – are officially recognized. Disputes over property and prohibitions on training of clergy remain concerns for these groups. An independent media monitoring report released in August 2014 highlighted increased hate speech in the media against non-Muslim minorities.

The Alevis, non-Sunni Muslims who make up as much as 25 percent of the population, lack protected status. Historically, they were targets of violence and discrimination, and their houses of worship do not receive state support, as Sunni mosques do. In 2014, Erdoğan made repeated disparaging remarks about Alevis. In May, violence between Sunni and Alevi groups in Istanbul claimed two lives, and thousands of Alevis subsequently demonstrated to demand full rights. In September the European Court of Human Rights ruled that compulsory religious classes in Turkish public schools, taught with the Sunni understanding of Islam, discriminated against religious minorities including the Alevis. Separately, Gülen's faith-based Hizmet movement has been a prominent target of government action, including profiling of its members and closure of some of its schools.

Academic freedom is limited by self-censorship and legal or political pressure regarding sensitive topics, such as the Kurds and the definition of World War I-era massacres of Armenians as genocide. In the past, academics who have spoken out against the government have been fired from their posts. In January 2014, the Higher Education Council passed a measure restricting academics from speaking to the media on subjects outside their immediate field.

E. Associational and Organizational Rights: 5 / 12 (-1)

Freedoms of association and assembly are protected in the constitution, and Turkey has many politically active nongovernmental organizations (NGOs). However, authorities have monitored and harassed some NGOs – most notably those affiliated with the Hizmet movement. The police have forcibly broken up public gatherings on the grounds that they need to maintain order and due to alleged radical elements among the protesters. While in 2014 Turkey did not experience anything as dramatic as the massive 2013 antigovernment protests originating in Istanbul's Gezi Park, large demonstrations to mark May Day and the anniversary of Gezi led to clashes between police and protesters. These included the use of tear gas and water cannons by police, as well as hundreds of arrests.

Protests in Istanbul in February over proposed controls on the internet, and those in May in Soma over a mine disaster that killed more than 300 miners, also turned violent. In the latter case, both Erdoğan and one of his advisers were caught on video assaulting people during a visit to the town, spurring additional protests.

Throughout the spring and summer in southeastern Turkey, protesters blocked roads in response to plans for new military bases in the region; violence between security forces and protesters claimed two lives. In June, two dozen leaders of the Gezi protests were put on trial for violating public order and organizing illegal demonstrations. Amnesty International reported that 5,500 people across Turkey had been prosecuted as of June for involvement in the Gezi Park protests. Despite hundreds of registered complaints against police abuse, only nine police officers faced legal repercussions at the time. In September, 35 members of the Çarşı soccer fan club were indicted for allegedly trying to overthrow the government during the Gezi protests, a charge that carried a maximum sentence of life imprisonment.

Turkey has four national trade union confederations. Trade unions have been active in organizing antigovernment protests. However, union activity, including the right to strike, remains limited in practice, and unions are increasingly weak and face some harassment. Because of various threshold requirements, only half of union members in Turkey enjoy collective bargaining rights.

F. Rule of Law: 7 / 16 (-1)

The constitution provides for an independent judiciary, but in the past the government has influenced judges through appointments, promotions, and financing. Nevertheless, the ongoing corruption investigation of businessmen with close ties to the government, including the sons of three cabinet ministers, signaled that police and prosecutors enjoyed some independence. In response, the parliament passed a new law in February 2014 to give the justice minister greater authority over members of the Higher Council of Judges and Prosecutors (HSYK), the body responsible for senior judicial appointments. The government claimed that the change promoted accountability and averted a "judicial coup," but critics said it was designed to purge the judiciary of Gülen supporters and other perceived enemies of the government. Parts of the new law were annulled by a Constitutional Court ruling in April, at which point the government had already removed or reassigned most of the HSYK and replaced more than 100 judges with AKP loyalists. In October, judges and prosecutors elected new members of the HSYK, most of whom were backed by the AKP, through a highly politicized process. In addition to the aforementioned reassignment of thousands of police officers, judges, and prosecutors, in July more than 100 police officers were arrested for alleged illegal wiretapping of state officials, renewing complaints that the government was quashing corruption investigations.

Critics of the government have long argued that the so-called Ergenekon and Sledgehammer trials in 2011-13, in which hundreds of military officers, state bureaucrats, and journalists were convicted of plotting to overthrow the government, were politically motivated. In a reversal, Erdoğan suggested in January 2014 that the cases could be reopened due to possible prosecutorial misconduct. In March, the special courts established under antiterrorism laws to try suspects in coup plots were abolished, and more than 50 defendants in pending coup-related cases were released. Many others who had been convicted were released in June and granted new trials. A trial that began against 103 defendants in September 2013 was ongoing in 2014; the suspects, mostly from the military, were charged with illegal actions linked to the 1997 "soft coup" that removed an elected Islamist government.

Lengthy pretrial detention has been a chronic problem, and in March the government passed a new law to limit pretrial detention to five years. As a consequence, many detainees have been released, including dozens in various cases concerning the KCK. This move has not been accompanied by broader changes to antiterrorism laws.

In recent years the state has enhanced the rights of Kurds through numerous reforms, including a 2013 law allowing private education in Kurdish that led to three private Kurdish-language schools opening in southeastern Turkey in 2014. The March 2013 cease-fire with the PKK has largely held. However, there was little progress in 2014 toward a final political settlement to resolve the conflict with the PKK, and Kurdish officials complained that state officials had shut down informal Kurdish-language schools.

In March 2014 the PKK started kidnapping Turkish officials and soldiers. After the kidnapping of 25 teenagers in May, reports surfaced claiming that the group had also kidnapped over 300 children in the preceding six months, with the goal of training them as PKK fighters. Tensions escalated when PKK sympathizers began blocking roads in southeastern Turkey, prompting deadly clashes with Turkish security forces. Meanwhile, in September more than 130,000 Syrian Kurds crossed into Turkey to flee Islamic State militants. The Turkish government closed the border to prevent Turkish Kurds from joining the fight against the Islamic State in Syria. This

prompted deadly antigovernment protests and renewed violence between the government and the PKK, which has supported the Syrian Kurds.

Homosexual activity is legal, and an annual gay pride parade has taken place in Istanbul since 2003, but LGBT (lesbian, gay, bisexual, and transgender) people are subject to widespread discrimination, police harassment, and occasional violence. Some online gay dating platforms have been banned, and no legislation protects people from hate crimes based on their sexuality.

G. Personal Autonomy and Individual Rights: 9 / 16

Freedom of travel and choice of residence and employment are respected. Property rights are generally upheld. However, non-Muslim religious communities that lack a corporate legal identity have had trouble acquiring property. Since the Gezi protests in 2013, businesses perceived to be opponents of the government – including Koç Holding, the country's largest conglomerate – have come under pressure, undergoing intrusive tax and regulatory inspections and being denied government contracts. Bank Asya, founded by Gülen supporters, faced extreme instability in 2014 due to government interference, including a coordinated withdrawal of deposits by state-owned companies, multiple suspensions of stocks, and verbal attacks by government officials in the media. In June, the chairman of the Turkish Industry and Business Association, Muharrem Yılmaz, resigned. His own companies had come under increasing government scrutiny, and Erdoğan labeled Yılmaz a traitor after he warned that foreign companies would not invest in Turkey if certain laws limiting freedom and rule of law were passed.

The constitution grants women full equality before the law, but the World Economic Forum ranked Turkey 125 out of 142 countries surveyed in its 2014 Global Gender Gap Index. Only about a third of working-age women participate in the labor force. The government has declared that combating domestic violence is a priority, and in June it toughened punishments for sexual assault. However, cases of domestic violence continue to increase, and critics argue that the government is more focused on family integrity than women's rights. Many question the government's commitment given its sexist rhetoric in the past, including suggestions by Erdoğan that men and women are not equal and that women should have at least three children. In December, Erdoğan accused those promoting birth control of committing treason by seeking to dry up the Turkish bloodline.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year