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Freedom in the World 2017 - Turkey

Freedom Status:
Partly Free

Freedom in the World Scores

Aggregate Score



(0=Least Free, 100=Most Free)
Freedom Rating: 4.5/7

Political Rights



Civil Liberties



(1=Most Free, 7=Least Free)

Quick Facts

Population:
79,500,000
Capital:
Ankara
GDP/capita:
\$9,126
Press Freedom Status:
Not Free
Net Freedom Status:
Not Free

Ratings Change, Trend Arrow:

Turkey's political rights rating declined from 3 to 4, its civil liberties rating declined from 4 to 5, and it received a downward trend arrow due to the security and political repercussions of an attempted coup in July, which led the government to declare a state of emergency and carry out mass arrests and firings of civil servants, academics, journalists, opposition figures, and other perceived enemies.

Overview:

The Republic of Turkey regularly holds multiparty elections. Although the prime minister traditionally held most executive power, Recep Tayyip Erdoğan has dominated the government since moving from the premiership to the presidency in 2014. The Justice and Development Party (AKP) has been the ruling party since 2002. After initially passing some liberalizing reforms, the government has shown decreasing respect for political rights and civil liberties, especially in the past five years. Problem areas include minority rights, free expression, associational rights, corruption, and the rule of law.

Key Developments:

- The government survived an attempted military coup in July, in which more than 260 people were killed.
- In the wake of the coup, the government declared a state of emergency that was later extended through the end of the year. Over 150,000 people—including soldiers, police, judicial officials, civil servants, academics, and schoolteachers—were detained, arrested, or dismissed from their positions in a massive purge of suspected coup plotters and other perceived enemies of the state.
- In May, Binali Yıldırım, a close ally of President Erdoğan, replaced Ahmet Davutoğlu as prime minister.
- There were several terrorist attacks linked to the Islamic State (IS) militant group or Kurdish insurgents, including a June attack on Istanbul's Atatürk Airport, an August suicide bombing in Gaziantep, and December bombings outside a soccer stadium in Istanbul.

Executive Summary:

On July 15, antigovernment forces in the Turkish military moved to overthrow the elected government. Thanks in part to massive civilian demonstrations, the government survived the coup attempt. Over 260 people were killed and roughly 2,000 were wounded in related violence. President Erdoğan claimed that Fethullah Gülen, an Islamic preacher living in self-imposed exile in the U.S. state of Pennsylvania, was the mastermind behind the attack on the government. Gülen's organization, which the government had previously described as a terrorist group, had been officially designated as such a few weeks before the coup attempt.

The government declared a three-month state of emergency, allowing the president to rule by decree and derogate constitutional protections. Over 150,000 soldiers, judges, police, civil servants, academics, and teachers were detained by authorities or dismissed from their jobs for alleged loyalties to Gülen, Kurdish militants, or other antigovernment forces. Gülen-affiliated schools and universities were closed. Scores of media outlets and hundreds of civic organizations—some of which were Kurdish oriented or simply critical of the government—were also closed. The state of emergency was extended through year's end in October, raising serious concerns about accountability, civil liberties, and the rule of law.

Even prior to the coup, freedom for media and free expression had declined. In March, the government took over *Zaman*, a leading daily newspaper that was supportive of Gülen. Social media users and others continued to be charged with insulting state leaders. Academics who signed a petition calling for peace talks with Kurdish militants in January were accused by Erdoğan of being "treasonous," and dozens of the signatories faced criminal investigations and dismissal from their positions over the course of the year.

In May, Binali Yıldırım, a close ally of President Erdoğan, replaced Ahmet Davutoğlu as prime minister and leader of the ruling AKP. Critics suggested that Erdoğan, whose position as president is supposed to be nonpartisan, was the force behind this change. Yıldırım had expressed strong support for Erdoğan's proposal to amend the constitution and strengthen presidential powers, while Davutoğlu had faced months of criticism in pro-AKP media outlets for insufficient loyalty to Erdoğan.

Turkey suffered terrorist attacks by both IS and Kurdish militants during the year. The government used antiterrorism laws to ban Kurdish organizations and remove mayors who were members of the Kurdish-oriented Peoples' Democratic Party (HDP). A constitutional amendment signed in June facilitated the removal of lawmakers' parliamentary immunity, exposing numerous deputies from the HDP and the secularist opposition Republican Peoples' Party (CHP) to prosecution. In November, 12 HDP deputies, including the party's two coleaders, were arrested for refusing to give testimony in an investigation of alleged "terrorist propaganda."

Political Rights

Political Rights 18 / 40 (-6)

A. Electoral Process 8 / 12 (-1)

- A1. Is the head of government or other chief national authority elected through free and fair elections?
 A2. Are the national legislative representatives elected through free and fair elections?
 A3. Are the electoral laws and framework fair?

Turkey has a semipresidential system of government. The prime minister is the head of government and under the constitution holds most executive authority. The president is the head of state and has a legislative veto as well as power to appoint judges and prosecutors. In 2014, Erdoğan became the country's first popularly elected president, winning a once-renewable five-year term with 51.8 percent of the vote; presidents were previously chosen by the parliament. Some domestic and international observers, such as the Organization for Security and Co-operation in Europe (OSCE), pointed to irregularities in the election campaign, including media bias and self-censorship, misuse of state resources to support Erdoğan, lack of transparency in campaign finances, and cases of voter fraud.

The unicameral parliament, the 550-seat Grand National Assembly, is elected by proportional representation for a four-year term. The most recent elections were in November 2015. They were called by President Erdoğan after no party won a majority in June 2015 elections and a coalition government could not be formed. In the November vote, the AKP won 49 percent of the ballots and 317 seats, giving it a clear parliamentary majority. The CHP won 134 seats with 25 percent of the vote, whereas the HDP and the Nationalist Action Party (MHP) won 59 and 40 seats, respectively. Many reports cited irregularities in the electoral process. Erdoğan campaigned for the AKP in the June elections, in violation of the president's nonpartisan status under both precedent and law. Opponents of the government also alleged media bias and censorship, noting that the state-owned TRT television station provided extensive coverage of the AKP's campaign while giving far less time to opposition parties and rejecting some of their advertisements. The HDP suffered from terrorist attacks, arrests, and mob violence. The OSCE, while acknowledging that Turkish voters had a choice among parties and that the vote count was transparent, concluded that media restrictions and violence severely hindered the campaign.

After the November 2015 elections, Davutoğlu of the AKP remained prime minister, but he resigned in May 2016 and was replaced by Yıldırım, a longtime ally of Erdoğan. Some reports indicated that Erdoğan orchestrated this change, believing Davutoğlu was insufficiently supportive of his efforts to amend the constitution to strengthen presidential powers.

Judges on the Supreme Electoral Council (YSK) oversee voting procedures. In June 2016, the parliament passed a judicial reform bill that allowed AKP-dominated judicial bodies to replace most YSK judges in September. In addition, three YSK judges were arrested in July for their alleged involvement in the coup.

B. Political Pluralism and Participation 7 / 16 (-2)

- B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system open to the rise and fall of these competing parties or groupings?
 B2. Is there a significant opposition vote and a realistic opportunity for the opposition to increase its support or gain power through elections?
 B3. Are the people's political choices free from domination by the military, foreign powers, totalitarian parties, religious hierarchies, economic oligarchies, or any other powerful group?
 B4. Do cultural, ethnic, religious, or other minority groups have full political rights and electoral opportunities?

Turkey has a competitive multiparty system, with four parties represented in parliament. However, the rise of new parties is inhibited by the 10 percent vote threshold for parliamentary representation, and parties can 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. After a cease-fire with the militant Kurdistan Workers' Party (PKK) collapsed in 2015, the government accused the HDP of being a proxy for the PKK. Erdoğan has called for HDP deputies linked to the PKK to be prosecuted.

In May 2016, the parliament approved a constitutional amendment to facilitate the removal of deputies' immunity from prosecution. Over 150 lawmakers, mostly from the HDP and CHP, subsequently had their immunity lifted for supposed links to terrorism or corruption. In June, files on 57 deputies were sent to the Ministry of Justice for possible prosecution, and in August two HDP deputies, including the party's cochair, were indicted for engaging in "terrorist propaganda." HDP officials in Istanbul were detained after state raids on the party's offices in August. In September, the government removed 28 HDP mayors from their posts, citing links to either the PKK or Gülen's organization. In November, 12 HDP deputies, including the party's coleaders, were

arrested for refusing to cooperate in other cases involving alleged terrorist activities. Between October and December, 45 more mayors were dismissed, and by the end of the year 2,700 local HDP politicians had been jailed.

The military has historically been a dominant force in politics. Under the AKP, various reforms and controversial, politically motivated prosecutions have increased civilian control over the military. The attempted coup in July therefore came as a surprise to many. After the government reestablished its authority, it purged over 10,000 military personnel, including nearly half of all generals and admirals; many were also subsequently arrested.

C. Functioning of Government 3 / 12 (-3)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government?

C2. Is the government free from pervasive corruption?

C3. Is the government accountable to the electorate between elections, and does it operate with openness and transparency?

The May 2016 ouster of Davutoğlu illustrated the declining power of the Grand National Assembly compared with the presidency. The state of emergency, announced in July after the coup attempt and renewed for another three months in October, placed additional powers in the hands of the president. Furthermore, local self-government has been compromised, as the Interior Ministry took over dozens of municipalities in the southeastern part of the country after their elected HDP mayors were dismissed.

Corruption—including money laundering, bribery, and collusion in the allocation of government contracts—remains a major problem. In April 2016, Transparency International released a report highlighting the poor implementation of measures to combat corruption, and ineffective checks on power holders. Rather than investigating widely publicized corruption allegations, the government tends to attribute them to rogue elements in the police and judiciary that are allegedly part of an antigovernment “parallel state” linked to Gülen’s network.

Anti-Gülen operations accelerated after the July coup attempt. Under the state of emergency, roughly 120,000 police, civil servants, military personnel, teachers, and academics were dismissed or suspended; by November, 37,000 others had been formally arrested for political reasons. The state of emergency also raised serious questions about accountability and transparency, as it removed important checks on state power. It effectively derogated the constitution and the European Convention on Human Rights, allowing the president to suspend civil liberties and rule by decree, without oversight from the Constitutional Court. The Council of Europe has criticized the state of emergency for bestowing “almost unlimited discretionary powers” on the government.

Civil Liberties

Civil Liberties 20 / 60 (-9)

D. Freedom of Expression and Belief 6 / 16 (-2)

D1. Are there free and independent media and other forms of cultural expression?

D2. Are religious institutions and communities free to practice their faith and express themselves in public and private?

D3. Is there academic freedom, and is the educational system free of extensive political indoctrination?

D4. Is there open and free private discussion?

Freedom of expression is constitutionally guaranteed. However, in recent years dozens of intellectuals and journalists have been jailed, particularly on terrorism charges or for insulting state leaders, with more than 3,000 cases opened on the latter charge during Erdoğan’s presidency. High-profile events in 2016 included the government’s March seizure of *Zaman*, a leading daily newspaper that had been supportive of Gülen and critical of the government. Its offices were raided by police, and a demonstration in support of the paper was broken up with tear gas. After the editors were replaced, the paper began adopting progovernment positions. In April, Dutch-Turkish journalist Ebru Umar was arrested for insulting Erdoğan, and in May a former Miss Turkey was found guilty of the same offense. Also in May, a Turkish court sentenced *Cumhuriyet* editor Can Dündar to nearly six years in prison for revealing state secrets; hours earlier, a man had tried to shoot him during a break in the trial. In June, a Turkish representative of Reporters Without Borders and the president of the Human Rights Foundation of Turkey were arrested for publishing material that allegedly included “terrorist propaganda” during their stints as temporary editors of the pro-Kurdish newspaper *Özgür Gündem*.

The authorities carried out a severe crackdown on the media after the July coup attempt. Decree Order 668 allows the state to shutter outlets and seize their assets on national security grounds. Within two weeks of the

coup, 131 media outlets were closed, including dozens of national and regional newspapers, three wire services, 16 television stations, and 23 radio stations, and arrest warrants were issued for 89 journalists. In August, the government closed *Özgür Gündem* and detained over 20 of its journalists. In September, more than 20 Kurdish-language and leftist television and radio stations were shut down. In October, the editor and at least a dozen staff from *Cumhuriyet* were detained for publishing material that was allegedly supportive of the coup attempt. By the end of October, over 170 outlets had been closed and more than 700 journalists had their credentials revoked. The Committee to Protect Journalists reported in December that 81 journalists were behind bars in Turkey, the most in any country in the world. In addition, ownership of many remaining media outlets has been transferred to AKP supporters, with the result that access to independent, critical media is extremely limited.

Infringements on internet freedom have mounted. A law that took effect in June 2016 permits the government to suspend or block internet access in case of war or national emergency. Social media were blocked after the June attack on the Istanbul airport and during the coup attempt in July. During the first half of 2016, Twitter reported nearly 2,500 requests from the Turkish government, police, or courts to remove content, affecting nearly 15,000 accounts, by far the most for any country in the world. After the coup, pro-Gülen websites and others critical of the government were blocked or taken down.

The constitution protects freedom of religion, and religious expression has become more prominent in the public sphere under the AKP. Critics charge that the AKP has a religious agenda favoring Sunni Muslims, evidenced by the expansion of the Directorate of Religious Affairs and the alleged use of this institution for political patronage and to deliver government-friendly sermons in mosques. The Alevi minority, a non-Sunni Muslim group, has historically faced violence and discrimination. In April 2016, the European Court of Human Rights ruled that Alevis were subject to discrimination because the state refused to recognize their faith and provide support for their houses of worship, as it does for Sunni mosques. Three non-Muslim religious groups—Jews, Orthodox Christians, and Armenian Christians—are officially recognized. However, disputes over property and prohibitions on training of clergy remain problems for these communities. In April 2016, the government seized several Christian churches in Diyarbakır, claiming that the move was part of a historical restoration.

Academic freedom has become a major concern. In January 2016, over 1,400 Turkish academics signed a petition calling for an end to the military campaign against Kurdish population centers. Erdoğan called this action treasonous, and Turkish signatories were placed under investigation. More than two dozen were detained by police, and several were dismissed from their jobs. After the July coup, all university deans were forced to resign, while universities were required to submit a report naming faculty with suspected links to Gülen. Close to 4,000 academics were suspended, and 15 universities were closed. The government also ordered the closure of over 1,000 private schools allegedly affiliated with Gülen and dismissed more than 11,000 teachers suspected of pro-PKK activities.

Self-censorship on controversial issues is commonplace, and even private discussion has become more constrained amid the postcoup crackdown.

E. Associational and Organizational Rights 3 / 12 (-3)

E1. Is there freedom of assembly, demonstration, and open public discussion?

E2. Is there freedom for nongovernmental organizations?

E3. Are there free trade unions and peasant organizations or equivalents, and is there effective collective bargaining? Are there free professional and other private organizations?

Freedoms of association and assembly are protected in the constitution, and Turkey has an active civil society. Since the 2013 Gezi Park protests, however, the authorities have broken up numerous demonstrations and passed laws to expand police powers to use force against protesters. In May 2016, police in Istanbul used tear gas to disperse May Day gatherings and detained over 200 demonstrators. In June, police forcibly broke up a demonstration against an earlier mob attack on music fans who were consuming alcohol. After the July coup attempt, there were numerous large progovernment demonstrations throughout the country; some of these included leaders from the CHP and MHP. But the state of emergency gave authorities the power to impose curfews and declare certain public and private areas off limits, and to ban or restrict meetings, gatherings, and rallies. In September, in southeastern Turkey, protests against the postcoup purges were dispersed with water cannons and tear gas, and dozens of people were arrested.

Turkey has a large number of active nongovernmental organizations (NGOs). However, authorities have monitored and harassed many NGOs in recent years, in particular those affiliated with Gülen's Hizmet movement. In the aftermath of the coup, 1,229 foundations and associations and 19 trade unions were shut down without judicial proceedings. In November, 375 more associations and NGOs were closed for alleged links to terrorists, and their assets were seized by the government. These included several charities, medical and lawyers' associations, and groups advocating for women's and children's rights.

There are four national trade union confederations. Trade unions have traditionally been active in organizing antigovernment protests. Nevertheless, union activity, including the right to strike, remains limited by law and in practice, and antiunion activities by employers are common. Because of various threshold requirements, only half of union members in Turkey enjoy collective-bargaining rights, and fewer than 10 percent of workers are unionized. In June 2016, the leader of the Confederation of Progressive Trade Unions of Turkey was arrested for allegedly insulting Erdoğan. In September, union protests in Bursa were forcibly broken up by police acting under the state of emergency.

F. Rule of Law 4 / 16 (-2)

F1. Is there an independent judiciary?

F2. Does the rule of law prevail in civil and criminal matters? Are police under direct civilian control?

F3. Is there protection from political terror, unjustified imprisonment, exile, or torture, whether by groups that support or oppose the system? Is there freedom from war and insurgencies?

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population?

The constitution provides for an independent judiciary, but the government has been able influence judges through appointments, promotions, and financing. Antiterrorism laws have been widely employed to investigate and prosecute critics of the government. Reassignments of thousands of police officers, judges, and prosecutors, which began in 2014, continued into 2016. The government also passed laws to gain more control over the courts. In June, the government issued a decree to reassign 3,750 judges and prosecutors, promoting those who had issued rulings favorable to the government. In the aftermath of the July coup attempt, over 2,700 more judges and prosecutors were dismissed or arrested, including two Constitutional Court judges, who were jailed for alleged connections to Gülen. A law adopted at the end of June overhauled higher judicial organs, including the Supreme Court of Appeals and the Council of State, leading to a mass dismissal of judges.

Under the state of emergency, tens of thousands of people have been detained, and the maximum permissible pretrial detention period has been extended from four to 30 days. Family members of suspects have also been detained and arrested. Human rights watchdogs have decried the conditions under which those accused of organizing or supporting the coup have been held, citing little or no access to lawyers as well as evidence of beatings, torture, and forced confessions. The Constitutional Court lacks the power to review or overturn executive decrees during the state of emergency.

A cease-fire with the PKK ended in July 2015, leading to guerrilla attacks and intense urban fighting in the southeast. The International Crisis Group reports that more than 2,400 people—PKK fighters, Turkish security forces, and civilians—had died by December 2016, double the casualty rate during the last period of intense fighting from 2011 to 2012. According to Amnesty International, by the end of 2016 over 500,000 people had been displaced due to fighting in Kurdish-majority regions. Several terrorist attacks have been attributed to Kurdish groups. In February and March of 2016, the Kurdistan Freedom Falcons (TAK), an offshoot of the PKK, claimed responsibility for suicide bombings in Ankara directed against military personnel that claimed 28 and 37 lives, respectively. In October, a car bomb in Hakkâri Province killed 10 soldiers and eight civilians. In December, TAK claimed responsibility for a suicide bombing outside a soccer stadium in Istanbul that killed 39 people. Turkish security forces have been accused of committing numerous atrocities, including the killing of more than 160 Kurdish civilians in February in the town of Cizre, which was under curfew.

Turkey has suffered from several terrorist attacks attributed to IS. These include a suicide bombing that killed at least 10 people in Istanbul's Sultanahmet district in January, a June attack on Istanbul's Atatürk Airport that killed 44, and an August bombing of a wedding in Gaziantep that killed 57. Security forces conducted anti-IS raids throughout 2016, and in August Turkish ground forces entered Syria to free territory held by the group.

Turkey harbors over 2.8 million refugees from Syria. Refugees have access to education and health care, and in January 2016 Turkey passed a new law allowing them to work legally, although few refugees are in a position to take advantage of these legal protections. In March, Turkey signed an agreement with the European Union (EU) under which migrants and refugees are to be returned to Turkey if they cross irregularly into EU territory. Critics of the deal argued that Turkey is unable to provide adequate services for refugees, even with promised EU aid.

Same-sex sexual activity is legally permitted, but LGBT (lesbian, gay, bisexual, and transgender) people are subject to widespread discrimination, police harassment, and occasional violence. There is no legislation to protect people from discrimination based on sexual orientation or gender identity. In June 2016, the government refused to grant permission for an Istanbul gay pride parade on security grounds.

G. Personal Autonomy and Individual Rights 7 / 16 (-2)

G1. Do individuals enjoy freedom of travel or choice of residence, employment, or institution of higher education?

G2. Do individuals have the right to own property and establish private businesses? Is private business activity unduly influenced by government officials, the security forces, political parties/organizations, or organized crime?

G3. Are there personal social freedoms, including gender equality, choice of marriage partners, and size of family?

G4. Is there equality of opportunity and the absence of economic exploitation?

Freedom of travel and choice of residence and employment are generally respected, though movement in parts of the southeast was seriously hampered throughout 2016 by curfews, checkpoints, and fighting between security forces and PKK militants. As part of the state of emergency after the July coup, academics were temporarily prohibited from leaving the country. Tens of thousands of people who have been dismissed from jobs in the postcoup purges have also had their passports revoked.

There is a right to private property, but since 2013 many critics of the government have been subjected to intrusive tax and regulatory inspections. After the July coup attempt, the government raided numerous companies linked to Gülen, including Akfa Holding, Kaynak Holding, and Boydak Holding. Their assets have been seized and management turned over to state-appointed trustees. By the end of 2016, hundreds of companies and thousands of properties worth nearly \$10 billion had been confiscated. Assets of closed NGOs have also been turned over to the state.

The constitution grants women full equality before the law, but only about 32 percent of working-age women participate in the labor force. One cabinet minister is female. Turkey ranked 130 out of 144 countries in the World Economic Forum's 2016 Global Gender Gap report. In March 2016, Erdoğan, who has claimed that gender equality is "against nature," proposed reforms that would embrace "Turkish-style" women's rights. In May, he condemned use of birth control and declared that women who work are "deficient" and "half-people." Some issues, in particular the problem of violence against women, have gained more visibility in recent years. However, critics argue that the government is often more concerned with family integrity than women's rights. For example, a parliamentary commission on protecting the integrity of the family issued a May 2016 report that proposed lowering the legal age of marriage to 15, favored mediation over shelter for abused women, and urged more involvement by the Religious Affairs Directorate in family counseling. In November, the government proposed a bill that would lift some convictions for child sexual assault if the perpetrators marry their victims; the measure was withdrawn amid domestic and international protest.

Syrian refugees and other migrants have been subjected to sex trafficking and forced labor. In February 2016, the government moved to increase criminal penalties for trafficking in persons. A U.S. State Department report issued in July noted some progress but suggested that more attention needed to be devoted to the issue, including more vigorous efforts to identify and support victims.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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