



REPORT

PANEL | Current State of Turkey's Political and Civic Rights

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Welcoming Remarks by the Host

The event was opened by **MEP Costas Mavrides** who welcomed the participants, presented the structure of the debate and the topics of the discussion, and briefly introduced Vocal Europe to the audience. In his opening statement, he also congratulated Vocal Europe for promoting democracy, the rule of law and civic rights.

PANEL I: Current Situation on Civic and Political Rights in Turkey

Henri Malosse, Honorary Chairman of Vocal Europe and Former President and Member of the European Economic and Social Committee (EESC), thanked MEP Costas Mavrides for accepting to host the event. He explained that the objective of the first panel was to present the current situation of political and civic rights in Turkey, whereas the second panel would focus on the steps that need to be taken in order to tackle these issues.

Jeroen Zuallaert, Foreign Policy Editor at Knack Magazine, introduced the speakers of the first panel. He also mentioned the recent release of Osman Kavala.

Yavuz Baydar, Editor-in-chief of Ahval, was asked to comment about Osman Kavala, a philanthropist accused of playing a role in the 2016 coup who has been released and detained again in the last days. He answered by referring to a 2019 Human Rights Watch report which says as of July 2019 almost 30,000 people in cases linked to the Gulen Movement were held in prison. The report further states that 8,500 political prisoners in Turkey which include elected politicians and journalists who are detained for their alleged links with the Kurdistan Workers' Party (PKK). To emphasise the collapse of the rule of law and the media environment in Turkey, he presented the developments surrounding the Gezi protest trials.



Yavuz Baydar, 19 February 2020. Brussels. Credit Vocal Europe.

In addition, he argued that “if we consider the fact that the incarceration of Kurdish citizens has probably reached beyond 10,000 as of today, and if we add to these figures the human rights defenders, civil rights activists such as Osman Kavala, defence lawyers and other journalists, this report leaves us with an horrifying picture of a country which according to some decision-makers here in Brussels is still candidate to EU membership. It’s a joke, of course.”

Mr Baydar then defined Osman Kavala as a symbol of quest for justice, arguing that he’s just one of the tens of thousands of people whose “lives are left to rot behind bars”, while the majority of the

European political segments in Brussels as well as in Strasbourg remain in apathy when facing what is happening in Turkey. “How much worse should it get before they can change their mind?” he asked.

In this context, Mr Baydar explained that the decline of the Turkish media began in June 2013, at the same time with the Gezi Park protest. In 2020, 93% of the media in Turkey is controlled either directly or indirectly by President Erdogan. Mr Baydar highlighted the high level of censorship in the country and the lack of “room for democracy to breathe.” Finally, he delineated those patterns implemented by the Turkish leadership, which consisted of:

- Jailing and firing thousands of people (whose 6,000 are journalists in jail since Gezi protests);
- Media capture: by using force, persuasion or threats, President Erdogan allowed media conglomerates close to the government to takeover media segments that might be critical for him;
- TRT: state broadcaster which pledged to turn into a proper public broadcaster, a platform for public discourse, but it fell far more under the state control;
- Closure of media outlets (TV channels, newspapers etc.): since 2015, more than 195 media outlets during the state of emergency have been shut down, and the government has even deleted their digital archives; laws are abused, such as the anti-terrorism legislation;
- Administrative measures: since 2017 referendum, directorate of communication established directly by President Erdogan monitors media, threatens and intervenes in newsrooms, leading to identical headlines in various newspapers, and now it is also the only authority able to issue press cards arbitrarily, leading to a chilling effect of the journalists who want to continue to carry their press cards and worsening the immense wave of self-censorship since neither local nor foreign journalists want to lose accreditation rights.

Mr Baydar added that under the current circumstances, Turkey is becoming ungovernable, and this could lead to a potential resolution. He mentioned that despite President Erdogan being around 30-35% in opinion polls, it is still unlikely for him to lose in an election due to the lack of a strong alternative.

Evin Incir is a Swedish politician of Kurdish descent, she was elected to the European Parliament in 2019, and is part of the S&D group. She is a member of the Delegation to the EU-Turkey Joint Parliamentary Committee and a member of the Committee on Civil Liberties, Justice and Home Affairs.

Ms Incir highlighted that civil rights in Turkey is a very topical issue, but so far, the focus has mostly been put on Turkey's invasion of Syria in 2019 and the situation in the region of Rojava. She stated that the oppression inside Turkey should not be forgotten. It is important to put the current situation into a long and historical context: there has been an escalation in the last years, but oppression *per se* has existed in Turkey for many decades. Minorities have been under oppression, like the Kurdish, the Alevis and Christian minorities. Ms Incir also mentioned as an example the 1915 Genocide of Armenians and Assyrians.

Ms Incir underlined that for the future, the Turkish constitution needs to change, to better accommodate all its people, not only the few. She stated that “the right to enjoy democracy should not be the privilege of the few but should be the right of all people living in the country.” However, the situation in Turkey is critical, and it escalated for the last few years. A few years ago, people thought that there would be some change in Turkey because there was a new person in charge of the country. But the situation escalated since the 2016 attempted coup. “We see journalists being jailed, as far as I know, Turkey is the country with the most journalists in jail.” She quoted the 2019 World Press Freedom Index, where Turkey is 157 out of 180. This shows the seriousness of the situation in Turkey. Ms Incir shared a personal story about her aunt losing her job at a university because of a Facebook post made by another relative.



Evin Incir, 19 February 2020. Brussels. Credit Vocal Europe.

Ms Incir believes that the opposition in the country needs to find a way to gather and to find common solutions because the situation will continue as long as the opposition is not on the same page. According to Evin Incir, if CHP did not agree to the withdrawal of parliamentary immunity in 2016, the situation might not have gone as fast as it did. Maybe if some of the opposition had not given the green light for the Turkish invasion of Rojava, it would not have been as easy for President Erdogan's government. Ms Incir claimed that many things could have been done from the opposition's side.

On the Kurdish question, Ms Incir affirmed that Erdogan is clearly an anti-Kurdish president. According to her, “he is also anti-everybody who believes in democracy and an anti-peace president”. She mentioned the example of the trial against Kurdish political parties because their names contain “Kurdistan.” These parties are going to be closed down. She underlined that previously, Kurdish politicians have been continuously under threat and were put in jail, for instance, Selahattin Demirtas is incarcerated because of his statements, which were considered as threats to the Turkish state by President Erdogan.

Ms Incir believes the Turkish institutions are now in harm because they are easy to break down and not as easy to build up. In Europe, for instance, it took decades to build solid democracies, but it does not take such a long time to break democratic principles. She mentioned Poland and Hungary as practical examples on the start of the dismantling of democracies and putting the rule of law at stake. She believes that something should be done.

Ms Incir highlighted the responsibility of the European Union, as well as the United States, in promoting democracy. She emphasised the leadership vacuum, and she added that the EU should prevent Russia or China — which do not share the same values — from filling this vacuum. She finally underlined that the regime put young people in jail and provoked young protestors to weaken opposing movements.



Ugur Tok, 19 February 2020. Brussels. Credit Vocal Europe.

Ugur Tok, Director of Platform for Peace and Justice, provided an overview of the current state of the judiciary in Turkey and the history behind it. He stated that the judiciary has not been impartial, nor independent since the current constitution came into force and that it works “hand in hand” with the government. Mr Tok said that President Erdogan’s policies were different in his early years in power compared to the current situation, as the President’s Justice and Development Party (AKP) was seeking to ally itself with the “real powers behind the state.” They relied on liberals, they have approached the Kurds, minorities, Gulenists and the EU.

Mr Tok also mentioned that within the first six months in power, in order to attract support, the AKP government visited 25 European capitals where it promised respect for democracy, the rule of law and human rights, and western norms etc. He explained that the deterioration of the judiciary in Turkey began in 2013 with what he described as “the biggest corruption scandal in Turkey” for which President Erdogan blamed the Gulenist movement in terms of conducting this massive corruption investigation. Since then, the government started to exercise control over the members of the Council of Judges and Prosecutors.

Mr Tok stated that these moves were opposed by the Venice Commission, while the European Network of Council and Judges (ENCJ) dismissed its Turkish member, due to their lack of impartiality and independence. He also added that since 2013, a “new form of courts” was created, the criminal peace courts, to purge Gulenist structures from the judiciary, policy or bureaucracy.

During the Q&A session, Mr Tok stated that one of the reasons behind President Erdogan’s policies is his interest to remain in power. To answer a question coming from the audience about the state of mothers with children in prison, he shared his experience of an interview he had conducted with imprisoned mothers with children to hear their stories.

PANEL II: Perspectives on “What-to-do?” Regarding the situation of Civic and Political Rights in Turkey

Mehmet Onur Cevik of the University of Gent moderated the discussions in the second panel. He welcomed the participants to the panel, introduced the speakers and invited them to share their views on the steps which need to be taken regarding the situation in Turkey, bearing in mind that the EU-Turkey cooperation on security and migration, as well as the fact that the EU is also facing challenges such as the debate on the Green Deal, the adoption of the Multiannual Financial Framework and the aftermath of Brexit.

Lukas Mandl, Member of the European Parliament (EPP), stressed the importance of such discussion as Turkey is a neighbour, it has the second largest army in NATO, and it plays a crucial role due to its geopolitical position. He explained that in the Assembly of European Regions, whereby he is Vice-President, Turkish regions are included. He underlined the positive aspect it implies since local and regional level can provide the political scene with officials who are less oriented on ideologies or nationalistic approaches and more focused on the living standards of their citizens. During conflicts, such as the one between Russia and Turkey, Ukraine and Russia, Albania and Serbia, the regions of these countries worked closely together, exchanging views and experiences and providing each other with best practices.



Lukas Mandl, 19 February 2020. Brussels. Credit Vocal Europe.

Mr Mandl stressed the fact that despite having a very critical political position towards the current Turkish leadership, he feels strong closeness with Turkish people. Additionally, he explained that, as we can see in surveys and studies, at least half of the Turkish people would be also critical of the leadership if they were free to express themselves. He argued that the lack of the rule of law that characterises the country these days implies lack of democracy.

Furthermore, Mr Mandl expressed his doubts on whether the second largest army in NATO is truly associated with the Alliance's values. Turkish leadership uses these values not only against its own people internally but also in the external action as it resulted in the military actions in Syria and Northern Africa. “What does NATO really mean to the second largest army?” he asked. Mr Mandl acknowledged the history and people of Turkey as well as the great contribution of many Turkish business people.

He concluded by affirming that a positive future is possible, but a Turkish membership to the EU is out of the question, also given Ankara's negative influence in the Western Balkans. A proper relationship with a new democratically elected Turkish leadership, a positive EU-Turkey relation could lead in the future to a stronger customs union, a mutual understanding on issues and on a level playing field. Today, many things still have to be solved, and the EU has to draw attention to the violation of human rights in Turkey.

Petras Auštrevičius, Member of the European Parliament in the Renew Europe Group, thanked Vocal Europe for the invitation to speak at this event and to address the issues on civic and political rights in Turkey.



Petras Auštrevičius, 19 February 2020. Brussels. Credit Vocal Europe.

He emphasised the importance of human rights for his political group describing it “as very close to our hearts and minds.” While stating that countries where democracy is not observed and where human rights and the rule of law is not respected represent an issue of major concern for Renew Europe, Mr Auštrevičius added that Turkey falls in that category. However, he argued that it is important for the EU to monitor the political situation in the country, to support independent voices in the Turkish society, stay engaged with the Turkish authorities to showcase their shortcomings in terms of democracy and the rule of law and find adequate solutions.

Mr Auštrevičius also stressed the need to provide political and material support to civil society and the democratic opposition. Furthermore, he believes that the Sakharov Prize for Freedom of Thought, awarded every year by the European Parliament, will potentially be awarded to somebody from the democratic opposition in Turkey in the near future. Mr Auštrevičius outlined the necessity to engage with the Turkish government and sustain cooperation with Turkey. Moreover, he argued that although the ascension negotiations are not progressing, it continues to be a useful tool in EU-Turkey relations and must be conditioned to democratisation and advance on the situation of human rights and fundamental freedoms.

Mr Auštrevičius underlined that the European Parliament has condemned the worsening of the situation of civic and political rights in Turkey in 2018. He also expressed his support for the approval of the Magnitsky Global Act by the European Parliament, an act which is centred around human rights. Mr Auštrevičius argued that the passage of this act could send a strong message to the Turkish leadership. During the Q&A session, speaking about the Sakharov Prize and potential award to a member of the Turkish democratic opposition, he stated that only by being nominated to the shortlist

would send a strong message to any government who doesn't support democracy and human rights, in this case referring to the Turkish government. Also, Mr Auštrevičius said that any new economic agreement with Turkey would require the approval of civil society.

Cengiz Aktar is a Turkish political scientist, journalist and writer. He is a professor of Political Science at National and Kapodistrian University of Athens, in the Faculty of Turkish Studies and Modern Asian Studies.



Cengiz Aktar, 19 February 2020. Brussels. Credit Vocal Europe.

Mr Aktar claimed that “Turkey is a totalitarian country.” He mentioned newspapers of the day about Osman Kavala, “a poor man jailed for two and a half years.” Kavala was arrested in 2017, was acquitted on 18 February 2020, and was put back in custody on the same day regarding the 2016 attempted coup. Mr Aktar believes that the 2016 coup d’Etat might have been organised by Erdogan himself.

He claimed that EU institutions should re-evaluate how they are acting and how they should act vis a vis Turkey. The Council conclusions of 26 June 2018 on the accession negotiations, were a landmark, which decided that it was no longer necessary to talk about accession negotiations nor the revision of the agreement on the customs union. The European Commission recently announced new enlargement guidelines, which do not mention Turkey anymore, and are rather focusing on the six Western Balkans States. Furthermore, the instrument of pre-accession (IPA) funds were cut for Turkey. Mr Aktar does not believe that the new multiannual financial framework (MFF) would provide Turkey with funding.

Mr Aktar presented his analysis about the three main EU institutions: according to him, the European Commission should think twice about how to channel funds to the Turkish civil society, through direct implementation or other means. “It won’t be easy”, Mr Aktar claimed. The problem is that many NGOs, in particular in Kurdish towns, are either closed down, forbidden or scared to take foreign money because it can be considered an “offence.” Mr Aktar added that the situation was not yet as difficult as in Russia, where a “foreign agent” law was enacted in 2012 to put extra pressure on Russian civil society. Channelling funds to the new Turkish diaspora is also necessary. This diaspora is growing and “these people are trying to survive in the country where they are.”

Mr Aktar claimed that the Council of the European Union deals with Turkey as a third country, like Egypt or Venezuela. Turkey is part of the General Affairs Council’s agenda, but always regarding a

problem and not a solution. Some say that the only remaining leverage of the EU on human rights in Turkey is the visa exemption deal, under discussion since 2013. Some say that some human right related strings should be put on the visa waiver, “which will never happen by the way”, stated Mr Aktar.

The current standards, principles, norms and values of the present regime are in complete contradiction with the norms and values of the European Union. Mr Aktar added that despite all the conditions and strings, the Turkish regime will just ignore them. The leverage-based approach is the last remaining option since the accession negotiations and the revision of the customs union “are dead.” But the leverage-based approach will not work according to Cengiz Aktar, because a paradigm change is needed.

“We cannot consider Turkey as a maybe, future state of the European Union, we are not there anymore.”

He pointed out the current “appeasement policy” of the Council of the EU, connected to two reasons: first, Mr Aktar mentioned the 2016 deal on migrations, the so-called “refugee deal” and the current situation where an additional 1 million refugees could cross Turkey and reach the EU. He pointed out that Angela Merkel visited Ankara seven times since the 2016 coup, “it is unseen.” The second reason for appeasement is that the Europeans fear the total collapse of Turkey. Mr Aktar mentioned the “huge phobia” of seeing other millions of Syrians at the doorstep of the European continent.

“Unfortunately, appeasement is like cortisone, it does not cure anything. You have the impression that it cures, but it does not.”

Mr Aktar believes that with appeasement, the problem increases, and the Turkish regime abuses more and more. He mentioned the ECOFIN meeting held on 17 January 2020, about the blacklist of states which do not provide financial information to the EU. “Turkey is one of these countries.” But the ambassadors concluded that “Turkey should be given more time” to comply. Mr Aktar deplored the Council decision because, in the meantime, the UN Security Council is openly talking about how Turkey is financing terrorism. “It is an open secret.”

“ECOFIN is trying to delay real action. But what we need here is not appeasement, it is containment.”

On the European Parliament, Mr Aktar mentioned the new legislature and the change of the team for Turkey, with a new EP rapporteur on Turkey, Nacho Sanchez Amor and a new chair for the Delegation to the EU-Turkey Joint Parliamentary Committee, Sergey Lagodinsky. They both started with enthusiasm according to Mr Aktar. Sanchez Amor knows Turkey quite well because he was in charge of the human right and elections monitoring matters at the OSCE. “He was quite critical of the Turkish government back then.”

Mr Aktar believes that Nacho Sanchez Amor did not meet the right people during his first official visit to Turkey. He should have met with the Turkish MP Ömer Faruk Gergerlioğlu, who is involved in grassroots actions regarding human rights violations. Nacho Sanchez Amor stated that “the EU needs to maintain a credible accession perspective, based on an objective assessment of the conditions.” Sanchez Amor also said that “the EU was committed to Turkey’s accession process.”

“There is no such a thing, he is talking for himself, and he is a rapporteur?”

Mr Aktar mentioned the situation of his friend Osman Kavala, his acquittal and then re-detention. Sanchez Amor tweeted about the “right path of normalisation” and a few hours later, came the total opposite of “normalisation.”

“I think we should be very careful with this word *normalisation*, normalisation with what? Normalisation with a totalitarian regime?”

Mr Aktar criticised the new catchword of “a new narrative” used by Sanchez Amor. Before there was the “positive agenda”, but at that time there was some ground for it.

“Today, there is hardly any ground to push for a positive agenda or any new narrative with Turkey.”

During the Q&A, Mr Aktar gave some important economic information about Turkey. Turkey has a stock of \$180 billion in foreign direct investment (FDI), in which 75% come from EU countries. Regarding overall trade between the EU and Turkey, it hovers around 150 billion a year. “It is important for Turkey, but it is nothing for European, compared to other partners.”

“There are 22,000 EU companies, either directly held by EU capital or with shares in those companies, out of which 7,000 are German companies, 2,800 are Dutch companies and so on.”

Mr Aktar underlined the role of major financial institutions, such as the European Investment Bank (EIB), the European Bank for Reconstruction and Development (EBRD) and the World Bank, in financing the Turkish regime. He claimed that some strings should at least be attached to arms sales. Finally, Mr Aktar quickly mentioned the Istanbul Channel project.

The debate concluded on a positive note, with MEP Costas Mavrides congratulating Vocal Europe for putting together this event, thanking the panellists for their contribution and saying that: “The Europe Union despite its challenges, remains the best peaceful, value-based, rule-based political system around the globe today.”

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