

# TURKEY'S HUMAN RIGHTS ABUSES DERAIL CANDIDACY TO BECOME A MEMBER OF THE EUROPEAN UNION

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**Abstract.** In 1999, Turkey was officially recognized as a candidate to become a member state in the European Union. Negotiations to acquire its full membership commenced in October of 2005; and yet, nearly fourteen years later, the process is suspended, due almost entirely to Turkey's ongoing and increasingly abhorrent human rights abuses as well as its infractions to the rule of law. Despite a bright moment in 2016 when a refugee agreement emerged between the EU and Turkey wherein Turkey agreed to host millions of Syrian refugees in return for financial remuneration and increased Turkish visas, the same year witnessed a coup d'état attempt against Turkey's President Erdogan. His extreme crackdown on demonstrators and opponents destroyed any semblance of human rights considerations. In fact, President Erdogan's response to the coup d'état attempt was so violent, widespread, and "disproportionately repressive" that the European Parliament voted in favor of a non-binding resolution to temporarily suspend EU membership negotiations. The rebuff from the EU did nothing to reign in the president's authoritarianism, which is showing signs of strengthening and expanding daily.

**Keywords:** Turkey, coup d'état, Gülen, human rights, refugees, repression, European Union, authoritarian, Erdogan, Kurds.

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## I. INTRODUCTION

Turkey has a mere toehold in Europe, both physically and politically. Just 3% of its land mass lies inside the European continent. Politically, its grip is fragile and weakening. Since 1949, when Turkey became a member of the Council of Europe, its leadership aspired to win acceptance by the political powers to the north. In 2005, that decades-long effort resulted in active negotiations to acquire full membership in the European Union. Yet, progress toward the goal, which moved at a glacial speed for the 16 subsequent years, met an abrupt end in 2019.

The culprit is Turkey's human rights violations and its deficiencies in implementing the rule of law, both of which violate the so-called "Copenhagen Criteria" that define eligibility of membership in the European Union. Indeed, the very words written in that document state: "Membership requires that [the] candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights, respect for and protection of minorities..."<sup>1</sup>

This paper explores how those violations to human rights, the rule of law, and protection of minorities worsened to the point wherein Turkey's long-term goal of admission to the EU has essentially met its demise for the foreseeable future. Specifically, the Turkish government's over-zealous and violent response to an attempted government overthrow in 2016 was the pivotal event that caused an end to their EU membership aspirations. As stated by the official web site of the European Union: "In light of the dramatic deterioration of the rule of law in Turkey, in particular in the aftermath of the July 2016 attempted coup, it is fair to say that the accession process with Turkey is currently de facto frozen."<sup>2</sup>

This paper will explore the reasons why the Turkish government, who for decades coveted membership in the European Union, ignored all provisions of that entry and ramped up its power structure and demonstration of iron clad authority without regard to the democratic values and rule of law it has long claimed were an underpinning of its government.

Lastly, we'll look at how current developments have the potential to correct Turkey's course, should they continue.

## II. COUNTRY PROFILE AND OVERVIEW OF TURKEY

The Republic of Turkey is primarily located in Southwestern Asia, though a portion of the country (3%) lying west of the Bosphorus is geographically considered part of Europe, thus allowing the consideration of entrance to the European Union. One of its major cities, Istanbul, home to nearly 20% of the country's population, is the only metropolis in the world that physically straddles two continents. Slightly larger than the US state of Texas, Turkey is bordered by the Black Sea, Aegean Sea, and the Mediterranean Sea, placing it squarely in the crossroads of Asia, Europe, and the Middle East. As such, it has played a pivotal role in the history of all these regions.

Turkey emerged from the ashes of the Ottoman Empire after its defeat in World War I, and gained recognition as an independent country in 1923. Though governed by a one-party system for decades, by the 1950's multiple political parties began vying for power, and the transfer of power since that time has been, for the most part, orderly and peaceful. The current president, Recep Tayyip Erdogan, has held the position since August of 2014. An exceptionally influential leader, he also served as Prime Minister from 2003 to 2014, and prior to that, from 1994 to 1998, served as mayor of Istanbul, a powerful role in itself.<sup>3</sup>



Fig. 1. Map of Turkey

For decades Turkey has enjoyed a parliamentary system, with executive, legislative, and judicial branches. While those branches remain strong, as of 2018 the country became a Presidential Republic. In 2018, a constitutional referendum eliminated the post of prime minister, and approved the switch from a parliamentary to a presidential system. This has strengthened Erdogan's hand, and created caution and wariness around the globe with worries Erdogan is flexing his political muscles in a dictatorial fashion. Turkey is one of the very few countries in the Middle East considered to be a democracy, and keeping it so is considered critical to regional stability.

Turkey's democracy has been challenged by a number of coup attempts over the years, one per decade in the 1960's, 70's, 80's, and 90's. Each time, power was restored to the democratic leadership following the attempt. In 2016, however, when the Turkish Armed Forces attempted to wrest power from President Erdogan and failed, they were met with a brutal and deadly response, and the ensuing crackdown in the form of human rights abuses and a departure from the rule of law have changed the nature and governance of Turkey in dramatic and concerning ways.

Nearly all (99.8%) of Turkey's 81 million citizens are Sunni Muslims. In terms of ethnicity, of those 81 million individuals, about three-quarters are Turkish and 19% are Kurdish. The rest are a combination of numerous other minorities. Nearly everyone speaks Turkish, with a sizable minority also fluent in Kurdish.

Similar to nearly all countries in the region, Turkey has endured terrorist attacks and infiltrations that have impacted its governance and safety. Both home-grown and foreign based terror groups have created havoc inside Turkey's borders. Internally, two groups threaten Turkey from within. Though weakened in the past year, ISIS (Islamic State of Iraq and ash-Sham) networks in Turkey have fought to replace the Turkish government with an Islamic state and implement their strict interpretation of Sharia law.<sup>4</sup> The Revolutionary People's Liberation Party/Front (DHKP/C) is a second internal terror group struggling to upend and replace Turkey's democracy, with a goal to install a Marxist-Leninist regime. Turkey officially outlawed the group in 2018.

Foreign-based terror groups include 1) al-Nusrah Front, whose aim is to overthrow Syrian President Bashar al-ASAD's regime and replace it with a regional Muslim caliphate that includes Turkey; 2) al-Qa'ida, who aim to radicalize the Turkish population, overthrow the government, and install a pan-Islamic caliphate with a "strict Salafi Muslim interpretation" of Sharia Law; and 3) the Kurdistan Worker's Party (PKK), who seek to establish an autonomous Kurdish region inside Turkey with their own political and cultural rights. The PKK is made up of Turkish Kurds, as well as Kurds living in Iraq and Syria. The PKK is officially outlawed inside the borders of Turkey.<sup>5</sup>

Particularly throughout 2015 and 2016, large-scale terrorist attacks in Turkey's largest cities of Ankara and Istanbul occurred, in addition to terror attacks throughout the Kurdish southeastern region of the country. In addition to these attacks and others, as already mentioned, the Turkish army itself staged a coup attempt that ultimately failed.

### III. UPENDING THE RULE OF LAW

On July 15, 2016, a section of the Turkish military launched a coordinated, multi-city attempt to topple the government and unseat President Erdogan. This was a well-planned effort that involved soldiers, tanks, and fighter jets that dropped bombs on the parliament. It was personal as well. Hulusi Akar, the Chief of Staff, was physically kidnapped and held by his very own security details. It was a major, bloody attempt to steal power from the democratically elected president and others in position of authority, yet it was derailed by something that could not play a factor in Turkey's four previous coup attempts—social media.

When news of the coup attempt became known by a few, it spread like wildfire across all channels of social media, inspiring regular citizens to act. Armed with small, largely non-threatening weapons such as kitchen utensils, crowds filled the street to support the government. Together with loyalist soldiers and police officers, the crowds successfully help defeat the coup within hours.

The battle was bloody, however, resulting in a death toll of 241 people, with another 2200 injured. Within days after it ended, the government declared a state of emergency "to be able to remove swiftly all the elements of the terrorist organisation involved in the coup attempt."<sup>6</sup>

In the weeks and months that followed, tens of thousands of suspects were arrested, including military officers, pilots, police, and academics. Teachers were removed from their positions under the suspicion they were linked to the mastermind terrorists whom the government believed conceived and orchestrated the plan. By the end of the year following the coup attempt, more than 100,000 individuals had been fired or suspended from their jobs, and 50,000 were arrested.

The next section describes more fully the human rights abuses the Turkish government is accused of committing, which led to their all-but-final rejection from the European Union membership. While Europe and other Western powers cooled their relationship with Turkey after witnessing their overreaching response to the coup, the attempted overthrow of the government became a unifier within the political parties inside Turkey. The normally combative parties circled the wagons almost immediately and issued a joint declaration condemning the effort. The new and highly visible solidarity between the people of Turkey had one glaring exception—it did not include the Kurdish leaders or Kurdish people who Turkish citizens. Their leader, Selahattin Demirtas, head of the People's Democratic Party (a pro-Kurdish political party), was rebuffed due to their party's support of the outlawed Kurdistan Worker's Party, or PKK. In fact, in November, just a few months after the coup attempt, the Kurdish leader was imprisoned.

These massive arrests, combined with the expulsion of 50,000 workers from their jobs, and the repression of the Kurdish political leadership, was the beginning of the escalation of Turkey's human rights abuses and lack of respect for the rule of law that hurt their relationship not only with European leaders, but with Western governments all together. Not only that, it put a series of events into motion that likely are beginning to crumble President Erdogan's grip on the country, as well as his party's leadership.

#### IV. HUMAN RIGHTS ABUSES IN TURKEY

While human rights have long been a concern of those who monitor the Turkish government's behavior, the past three years in Turkey can be depicted as a freefall in protection of human rights and a surge in the abuse of those rights. Yet, even prior to the coup attempt of 2016, the Turkish government under President Erdogan had already restricted and repressed both the media and political opponents to his ruling party, the Justice and Development Party (AKP).

For example, in response to anti-government protests in 2013, President Erdogan began censoring press and social media, completely blocking the most popular sites such as Twitter and You Tube<sup>7</sup>. Research sites such as Wikipedia were banned. This government blockade of free speech sparked the immediate attention of EU leaders concerned about Turkey's backsliding democratic values and rule of law. The latter came in to stark relief when Erdogan and his close allies were incriminated in a massive, \$100 billion corruption scandal.

The concern continued into 2014 and 2015, the latter of which was a difficult year for Turkey overall, as they accepted millions of refugees including 2.2 million Syrians alone. Additionally, a double-suicide bombing by members of ISIS (Islamic State) occurred during an election in Ankara. The bombing killed over 100 people, and raised the tensions further inside the heavily populated country. 2015 also witnessed a breakdown in talks between the Erdogan leadership and the Kurdish PKK party, which led to an increase in terrorists acts by the outlawed group as well as a violent response by the military that included bombing PKK camps in northern Iraq and Turkey. The Turkish military also placed "blanket" curfews on Kurdish towns. A well-known Kurdish human rights lawyer was shot dead. New and massive investigations began.

"Starting in July [of 2015], authorities launched a new wave of investigations into hundreds of Kurdish political party officials and activists, including mayors, detaining many on terrorism charges, including in cases where the threadbare evidence consisted of non-violent political association and involvement in peaceful protests or press conferences."<sup>8</sup>

Other abuses also occurred, such as police violence that existed in Turkey for decades. Yet, the attempted coup unleashed a wave of abuse that went far beyond previous boundaries, and 2016 became a turning point. Erdogan blamed the coup on old friend and colleague turned adversary, a cleric named Fethullah Gülen. He immediately labeled Gülen and his followers terrorists, and accused them of running a terrorist organization. He declared a state of emergency, then arrested thousands of soldiers he believed or guessed were supporters of Gülen. Erdogan's mistakes, which proved to be numerous and ultimately may be self-defeating, included the paranoid and nearly grotesque oppression of Kurdish and other leaders, including mayors—a display of force that rocked the stability and definition of democracy.

President Erdogan's expanding paranoia began to unleash the authoritarian side of the man. Keeping the state of emergency in place, he was able to make decrees without scrutiny or due process. Many of those decrees conflicted with human rights laws and safeguards that included:

*Provisions allowing for dismissal from public service without an investigation, confiscation of property without judicial review, police custody of up to 30 days, and the reintroduction of incommunicado detention in which detainees can be denied access to a lawyer in the first five days of custody, giving rise to heightened risks of ill-treatment.*<sup>9</sup>

The result of these decrees resulted in numerous human rights abuses including "torture, ill-treatment in police detention, including beating and stripping detainees, use of prolonged stress positions, threats of rape, threats to lawyers, and interference in medical exams."<sup>10</sup>

Though supportive of Turkey and Erdogan after the coup, Western countries were growing wary of the plummet in rule of law and the increase in human rights abuses. Public comments began emerging. Then UN Secretary-General Ban Ki-moon called out Turkey publicly, urging its government officials to "do their utmost to ensure that the constitutional order and international human rights:



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*... 'are fully respected in line with Turkey's international obligations, including freedom of expression, freedom of movement and peaceful assembly, independence of the judiciary and of the legal profession, right to fair trial, and strict adherence to due process.'*<sup>11</sup>

And yet, the opposite occurred. In addition to outright abuses such as torture, the dismissal of 100,000 public officials and civil servants, including 28,000 teachers alleged to be Gülen supporters and labelled by the government as being participants in a terrorist organization, was central to the charges of authoritarian overreach. Other offenses included bold efforts to silence the media by jailing journalists, taking over media companies and closing 160 media outlets by decree, seizing their assets, and closing them down. Government officials also removed television stations from distribution, physically attacked and threatened journalists, and blocked news websites. Of those detained journalists, most were critics of the government, and many of them prominent veterans journalists for whom no evidence was presented to support the charges against them.

Other overreach included the suspension of 370 NGO's (non-governmental organizations), many of them human rights, women's rights, and even children's rights groups.

By 2018, respect for the rule of law and protections for human rights had not improved. Two years of extended "emergency decrees" removed nearly 2800 additional public officials, granted immunity to crimes committed by civilians during the coup attempt crackdown, and perhaps most egregious of all, abandoned the principle of prisoner "presumption of innocence".

*In 2018, Freedom House's World Freedom Report downgraded Turkey as a country that is "not free", saying "Turkey's status declined from Partly Free to Not Free due to a deeply flawed constitutional referendum that centralized power in the presidency, the mass replacement of elected mayors with government appointees, arbitrary prosecutions of rights activists and other perceived enemies of the state, and continued purges of state employees, all of which have left citizens hesitant to express their views on sensitive topics."*<sup>12</sup>

Human rights abuses were so widespread by 2018 that the list of offenses is too vast for the scope of this report. However, the following list encapsulates many of those who suffered under the government of President Erdogan's government: Kurds, prisoners, those perceived to be associated with the Gülen Movement, anyone who criticized the president or government, academics, journalists, writers, women, any type of activists, children (who were imprisoned with their parents), and many more. Anyone who wished to march or protest anything... including such seemingly benign causes such women's rights, LGBT+ rights, worker's rights, were banned or canceled. Closed door meetings were often banned, based on reasons such as "public safety", "inconvenient content", or "preservation of general health and morals".<sup>13</sup>

### V. ABUSE OF POWER HAS CONSEQUENCES

For perhaps the first time in his political career, President Erdogan is experiencing a persistent and growing threat to his authority and position. In March of 2019, for the first time in his 25 years of political power, his Justice and Development Party (AKP) lost the mayoral elections in Turkey's three largest cities, including Istanbul, his hometown. Because Istanbul is considered by many, including Erdogan, to be the bell-weather city, its loss could indicate the beginning of the end for Erdogan and his party. As he himself is famous for saying, "Whoever wins Istanbul, wins Turkey."<sup>14</sup>



Fig. N. Turkey President Recep Tayyip Erdogan Singing at a Political Rally

President Erdogan's very desire to hold on to power, undermining the rule of democracy, may be his undoing. With very little opportunity to voice dissent—or even disagreement—with the government, 80% citizens showed up at the ballot box. When his party lost the mayoral elections in a stinging defeat, President Erdogan even attempted to block the victory, citing corruption and demanding a rerun. But the rerun of that election that took place in June, 2019, resulted in the same outcome. The new mayor, Ekrem Imamoglu, called the victory “a step toward repairing a damaged democracy”<sup>15</sup>. But the first day he took office, the new mayor received instructions from the government that limited his powers. He warned Erdogan publicly against further interference, telling an international audience:

*“I received a curricular for the limitations of my powers...they may plan other bureaucratic obstacles and challenges,” he said. “This is as if they have not learnt their lesson on the [the election of] 23 June and they want another lesson.”<sup>16</sup>*

Just days after the second election not only confirmed his party's loss in Istanbul but did so by a more decisive margin than the original election, President Erdogan reacted in a dictatorial manner that may forecast a turn toward even greater authoritarianism, when he had the head of the Istanbul branch of the Republican People's Party (CHP) arrested for tweets she sent six years earlier that the government claimed “insulted the president”. Canan Kaftancioglu, was formally charged and, if convicted, could face up to 17 years in prison.<sup>17</sup>

Now that threats to Erdogan's iron-clad power have become apparent with these elections, and now that the European Union has officially suspended Turkey's accession bid based on:

*“...severe human rights violations, the dismantling of the rule of law and the fact that Turkey holds the world record for the number of journalists in jail, [and] the recently amended constitution [which] consolidates Erdogan's authoritarianism...”<sup>18</sup>*

the EU has publicly and officially denounced Turkey's human rights record and adherence to the rule of law, describing them as “seriously backsliding”. Adding to that, in its annual report stated that “Turkey has continued to move further away from the European Union”, and negotiations for its membership had come to a standstill.<sup>19</sup>

## VI. CONCLUSION

It is ironic and unfortunate that Turkey's relationship with the European Union frayed so completely at a time when Turkey is hosting over 3 million refugees from the Syrian conflict, many of whom preferred Europe as their destination. For Turkey, the particularly difficult piece is that Europe has neither paid the amount stipulated in their agreement to host the refugees, nor has it granted the visa freedom promised for Turkish citizens.

Nevertheless, Erdogan's own actions are responsible for the consequences his country is enduring, which include a cessation, if not the end, of the process of entry into the European Union, something Turkey has wanted and worked for decades. However, the EU has strict and unrelenting rules when it comes to human rights and the rule of law, and Turkey has violated both to an extreme degree.

The coup attempt of 2016 initially caused Turkey's allies to circle around in a protective effort. The concern for keeping the largest and most populous Middle East country a democracy was seen as a must. Regardless of this effort and concern, Turkey began morphing into an authoritarian state in reaction to the coup. Yet, Turkey wasn't the role model for democratic values even before the coup attempt of 2016. For years valid questions about Turkey's human rights challenged the integrity of its democratic nature. The actions of President Erdogan since then have created a dramatic surge in that concern, and it has all been due to his actions and those in his circle of influence.

This reversal and worsening record of the rule of law and human rights abuses has turned Turkey's most supportive Western democracies into leery, tentative allies.

Of greater concern for President Erdogan is his own citizens' response to his crackdown on freedom. The recent mayoral elections in Turkey's three largest cities, including Istanbul, resulted in a win for the opposition party. In Turkey it is a known quantity that local elections dictate the future of national elections. The loss of the power among the ruling AKP party in local mayoral elections is a harbinger of future political rule. That future is increasing looking like one without Erdogan, which, again ironically, may be the very event that wins Turkey membership in the European Union.

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