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Turkey's EU Accession Reaches an Impasse

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*William Chislett**

Summary

Turkey's EU accession negotiations, started in October 2005, are going very slowly for many reasons, including the government's continued refusal to open its ports and airports to vessels and aircraft from Greek Cypriot-controlled Cyprus (an EU member since 2004). This issue will come up for review at the EU summit during the current Swedish Presidency. In the worst-case scenario, considered unlikely, negotiations could be suspended. Turkey has opened only 11 of the 35 accession chapters and closed one of them. Political life has become highly polarised between the government of the Islamist Justice and Development Party and the so-called Kemalist secular establishment. As a result, reforms have ground to a halt. Meanwhile, support among Turks for EU entry is declining and France and Germany oppose the country's full membership and instead are pressing for an ill-defined privileged partnership.

Contents

Introduction

The Ergenekon trial

Politics: The AKP Loses Power in Local Elections

The Sluggish Pace of Reforms

Creeping Islamisation

Cyprus: A Looming Deadline

Armenia: Signs of Rapprochement

Foreign Policy: 'Zero Problems with Neighbours'

The Kurdish Issue

The Economy

Conclusion

Appendices

1. Turkey's Progress in Negotiating Chapters

2. Timeline: The Long and Winding Road to the Opening of EU Accession Negotiations

3. Basic Statistics, Turkey and Spain

Selective Bibliography

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Introduction¹

As Turkey approaches its fourth year of negotiating accession to the EU, it is becoming increasingly clear that the reforms yet to be put in place and the obstacles to be surmounted, coupled with the opposition in some EU nations to the country's full membership, make Ankara's chances of success look slim, but not impossible.

As of June the socially conservative government of Recep Tayyip Erdogan, catapulted to power in 2002 when the Islamist Justice and Development Party (AKP) won a landslide victory and re-elected in 2007, had opened 11 of the 35 negotiating chapters, compared with 25 chapters in the case of the much smaller Croatia. It had closed only one of them (science and research, which consists of one and a half pages, see Appendix 1). Croatia has overtaken Turkey on the accession road and not just because of its much smaller population (4.4 million, compared with Turkey's 72 million), which makes fitting it into the EU-27 much easier.

Seven of Turkey's chapters remain blocked by the European Council as of December 2006 because of Ankara's failure to open its ports and airports to Greek-Cypriots –the EU could suspend membership negotiations if Ankara does not meet the deadline this December to do so– and four are opposed by France, which has exercised its veto as of July 2007 and effectively moved the goal posts, on the grounds that chapters in the area of economic and monetary integration would bring Turkey closer to EU membership. An additional chapter (agriculture) is blocked by both France and the European Council. President Nicolas Sarkozy says 'Turkey has no place in Europe' and is pushing for a privileged partnership that would also include Russia.² Sarkozy has been using Turkey to gain domestic political advantage. The German Chancellor, Angela Merkel, also publicly backs the partnership idea. The mood in other EU countries towards Turkey's full membership (it has enjoyed Customs Union since 1996) has also cooled. Among the few governments that actively support Turkey's full membership, provided it meets the criteria, are Spain, which is the EU's President in the first half of 2010, Italy, the UK and Sweden (the current EU President).

¹ I am grateful to Professor Halûk Kabaalioğlu, Chairman of the Economic Development Foundation (IKV) in Istanbul, for inviting me to give a lecture on Spain and Turkey and to his team of young and talented researchers for a brain-storming session. I would also like to thank Ender Arat, Turkish Ambassador in Madrid, for proposing my visit to IKV. Lastly, I also benefited from conversations with Marcelino Oreja, a former Spanish Foreign Minister and a member of the Independent Commission on Turkey, and Volkan Vural, Turkey's former Ambassador in Madrid. I thank Kerem Öktem, a Research Fellow at St. Antony's, Oxford University, for reading the manuscript and making comments.

² Sarkozy fails to mention that he was elected to the Presidency by votes not just from France: they also came from French Guyana in South America, Tahiti in the Pacific Ocean, Reunion in the Indian Ocean, Guadeloupe and Martinique in the Caribbean and the islets of Saint Pierre et Miquelon off the Canadian Atlantic coast.

In Turkey, the pace of reform has stalled. By June 2009 only around one-sixth of a self-developed list of legal reform measures announced in April 2007 had been passed. Global rankings show that the country is seriously underperforming in a wide range of areas. It stands 59th in the World Bank's latest Doing Business Report, 58th in Transparency International's 2008 Corruption Perceptions Index, 75th in the Heritage Foundation's 2009 Economic Freedom Index, 84th in the latest UN Human Development Index, 102nd in the Reporters Without Borders 2008 Press Freedom Index and 123rd in the World Economic Forum's Gender Gap Index. It is listed as only 'partially free' in Freedom House's 2008 Freedom in the World Report, and as a 'hybrid' regime, ranking 88th, in the Economist Intelligence Unit's first ever survey of democracies (2007).

The AKP was very reformist in its first three years. One of the many reasons why it won the 2002 general election, to the horror of the so-called Kemalist establishment, a loose coalition that includes the military, the judiciary and the bureaucracy which embraces secularism, Turkish nationalism, state-led development and a strong role for the armed forces, was that it was pro-EU and had gained the moral high ground over a corrupt and thoroughly discredited political class. The establishment is named after Kemal Atatürk, who founded the Republic of Turkey in 1923 on the ruins of the Ottoman Empire.

The AKP gained much in terms of legitimacy by being a pro-EU party and thus perceived as being not very Islamist. In its first two years in office, the AKP did more to bring Turkey closer to the EU –through a reform package which led to the decision at the December 2004 Copenhagen summit to start negotiations– than all previous Kemalist post-war predecessors. The AKP followed up the reforms started by the previous (coalition) government.

Once accession negotiations began in earnest, however, as of October 2005 and the economic and political cost of EU reforms began to be felt, the AKP's initial enthusiasm waned, sapped, to some extent, by the anti-membership statements coming out of Paris and Berlin and a feeling that however hard it might try the door would never be opened. Furthermore, support for the EU in Turkey is declining (see Figure 1), particularly among the young. A survey conducted in Izmir among secondary school and university students showed only 30% support for the EU.

Figure 1. Support for EU Membership in Turkey, 2004-08

| | (%) |
|---------|-----|
| 1H 2004 | 71 |
| 2H 2004 | 62 |
| 1H 2005 | 59 |
| 2H 2005 | 55 |
| 1H 2006 | 44 |
| 2H 2006 | 54 |
| 1H 2007 | 52 |
| 2H 2008 | 49 |
| 1H 2008 | 49 |
| 2H 2008 | 42 |

Source: Eurobarometer.

The European Court of Human Rights' decision in 2005 to uphold Turkey's ban on Islamic-style headscarves (*turban*) on university campuses is said to have marked a turning point for Erdogan (whose wife wears the headscarf) as he had hoped a favourable ruling would have enabled him to relax the rigidly secular norms and usher in more personal religious freedom in the public space.³

The European Commission's regular annual reports on Turkey's progress towards accession make it very clear there is a long way to go, particularly in the areas of drawing up a new constitution, civilian oversight of the security forces, the judiciary, human rights, protection of minorities and freedom of expression.⁴ To be fair to the AKP, its task has not been made any easier by the antagonism of the Republican People's Party (CHP), founded by the authoritarian reformist Atatürk, and the far-right Nationalist Movement Party (MHP), who oppose virtually every move of the AKP. The CHP, led by the 70-year-old Deniz Baykal since 1992, appealed 16 bills related to EU reforms to the Constitutional Court in 2008 for both domestic political reasons and its worries about the secular regime.

The AKP is caught between a rock and a hard place; it has been unable to transcend the limited political space created by the army and the CHP/MHP. Yet this cannot be continually used as an excuse not to engage in politics sensibly. The top military brass, the self-proclaimed guardians of the 1982 constitution (drawn up after their last direct coup in 1980 and approved in a referendum when voters were not fully free), remain deeply suspicious of Erdogan and the dismantling of some of the pillars of Kemalism. 'It is a historical irony that the very domestic forces that Atatürk tried to crush 80 years ago are now in the process of fulfilling his vision of a Turkey firmly rooted in the West', said

³ In June 2009, the French government backed the idea of a parliamentary inquiry into whether the *burka*, which covers the whole body and leaves a slit for the eyes, was in conflict with 'republican principles'. Fadela Amata, the Cities Minister, called the *burka* a 'coffin that kills fundamental reforms'. In 2004, France banned primary and secondary school students from wearing religious symbols, including the headscarf.

⁴ See the author's analysis of the 2008 progress report at http://www.realinstitutoelcano.org/wps/portal/riecano_eng/Content?WCM_GLOBAL_CONTEXT=/Elcano_in/Zonas_in/Europe/ARI143-2008.



Ingmar Karlsson, the former Swedish Consul in Istanbul. 'The pillars that the Ottoman Empire was based on –religion, ethnic diversity and imperial heritage which Kemalism tried to cast off– are again becoming prominent'.⁵ Meanwhile, the clock is ticking on the reforms needed for EU membership, among which are a requirement to end the military's tutelage of Turkey's democracy. Kemalism, according to the renowned sociologist Ernest Gellner (1925-95), was as reactionary and dogmatic as any religious orthodoxy and it is proving very resistant to the change that Turkey needs if it is to meet the EU's requirements.⁶

The army tried to prevent Abdullah Gül, the former Foreign Minister, from becoming President in 2007, among other reasons because his wife wears the Islamic-style headscarf.⁷ Erdogan called an election four months ahead of schedule and was returned to power with a larger slice of the vote (from 34% in 2002 to 46%) and Gül was elected President by the Turkish National Assembly for a seven-year term.⁸ The CHP boycotted the vote and denounced Gül as an 'enemy of the republic'. No generals attended their new Commander-in-Chief's inaugural ceremony. The next presidential election due in August 2014 will be by direct universal suffrage. In 2008, the AKP narrowly escaped a ban after the Constitutional Court found it guilty of anti-secular activities.⁹ This climate of hostility has limited the AKP's room for manoeuvre, and, in addition, the party itself shows a lack of appetite for reform, perhaps because it believes (mistakenly in the view of liberals who supported the AKP in 2002 and have drifted away from it) it no longer needs the EU project to sustain itself in power. Liberals who initially supported the AKP have become disenchanted with it, but, sadly, have no other party they can vote for that would fulfil their aspirations of Turkey joining the EU.

Two positive developments this year could lead to a more fruitful relationship between the AKP and orthodox Kemalists and secular fundamentalists and hence invigorate the EU accession process. The first is the hugely important Ergenekon trial of ardent nationalists from various walks of life, including retired generals, journalists, politicians and mafia bosses, who allegedly planned to provoke a military coup through assassinations and other destabilising actions. That this case has come to light is a triumph for the judiciary. If the prosecution gets to the bottom of what looks like a military-led parallel security state and sentences those responsible Turkey will have taken

⁵ See www.tesev.org.tr/UID_OBJS/PDF/DPT/AB/TESEV_Lund_Report.pdf.

⁶ 'The nation must be held by the hand' is a statement attributed to Atatürk.

⁷ See the author's analysis of the so-called 'e-coup' at www.realinstitutoelcano.org/wps/portal/riecano_eng/Content?WCM_GLOBAL_CONTEXT=/Elcano_in/Zonas_in/Europe/ARI+51-2007.

⁸ See the author's analysis of the 2007 general election at www.realinstitutoelcano.org/wps/portal/riecano_eng/Content?WCM_GLOBAL_CONTEXT=/Elcano_in/Zonas_in/Europe/ARI+86-2007.

⁹ See the author's analysis of the attempt to ban the AKP at www.realinstitutoelcano.org/wps/portal/riecano_eng/Content?WCM_GLOBAL_CONTEXT=/Elcano_in/Zonas_in/Europe/ARI36-2008.

a big step towards becoming a full-blooded Western-style democracy. The other development is the loss of power of the AKP in April's local elections, which might make it more disposed to reach out to its aggressively secular political opponents.

The Ergenekon trial

This case represents an historic opportunity to confront what is known in Turkey as the 'deep state', a state within a state, and assert civilian control over the army. According to some analysts, the Ergenekon network began as part of the Turkish Gladio network set up in various European countries with the support of the CIA against communism during the Cold War. US military bases were established in Turkey in 1952. An Italian magistrate, who has been investigating the Gladio network in Italy, believes Turkey is the only country where the network was not dissolved as it mutated into a parallel state structure.

The highly complex and confusing series of cases could lead to the unearthing of many unexplained events in Turkey over the past three decades, including extrajudicial killings of dissident Kurds by counter-insurgency forces during the 24-year-long separatist rebellion by the outlawed Kurdistan Workers' Party (PKK) and the 2007 murder of Hrant Dink, a Turkish-Armenian editor, who had been threatened by a retired general, Veli Kucuk, before his death. Kucuk, under arrest, is said to be one of Ergenekon's ringleaders.

In 1996, a lorry ran into a Mercedes near the small town of Susurluk. A police chief, a convicted fugitive who was an ultranationalist and a member of the Turkish Parliament were in the Mercedes. The ultranationalist, who died in the accident, was the man driving the car when nationalist youths killed seven students in Bahçelievler 18 years earlier. However, the opportunity to uncover the powerful connections of the 'deep state' was not taken up. In 2005, a bombing of a bookshop owned by a Kurdish nationalist in the south-eastern town of Şemdinli, during which two members of the Turkish security forces were caught red-handed, gave Turkey another chance. However, the prosecutor was disbarred by the Supreme Board of Prosecutors and Judges (HSYK) after indicting the land forces commander of the time as being the founder of a gang that was responsible for the bookshop bombing. The three main suspects –two non-commissioned officers and a PKK informant– were given nearly 40 years each by a civil court at the end of a lengthy trial process that lasted close to two years. However, in May 2008 the Supreme Court of Appeals declared the case a mistrial and ordered the suspects be retried by a military court.

The growing body of evidence is an embarrassment for the top brass. According to analysts, it has exposed divisions within the army between soldiers in favour of closer links with some of Turkey's Euro-Asian neighbours, such as Russia, and more pro-Western, Atlanticist soldiers who want the country to join the EU. But in today's highly polarised climate, many of the AKP's opponents doubt the veracity of the case simply

because the government favours it and, in the words of a former senior Turkish official, the AKP is using it as a 'tool of harassment' to create a climate of fear. Some people have been detained without charges for an excessive amount of time. In May, thousands marched in Ankara to protest at the investigation.

The military, the second largest in NATO, has also been put on the defensive by a document leaked in the *Taraf* newspaper with plans to undermine the AKP and the faith-based movement of Fethullah Gülen. The 'Action Plan to Combat Reactionarism', allegedly signed by Dursun Cicek, a Colonel in the army's psychological warfare unit, called for 'mobilising agents' with the AKP to discredit it through their actions and words and to plant weapons in the homes of members of Turkey's largest and most influential Islamic brotherhood.¹⁰ The authenticity of the document has not yet been established. If proved to be false, it would indicate an attempt to discredit the military and, if true, confirm the 'deep state's' mindset and its attempts to overthrow the AKP. Either way, the development is worrying.

The General Staff's Military Prosecutor's Office stated that the alleged plan to undermine the AKP and Gülen movement was not prepared by any department of the General Staff, and as the original version of the document could not be found legal proceedings against the Colonel thought to have prepared it were ruled out. Some Turkish jurists said a military investigation into the alleged plot was unlikely to produce a result that would satisfy the questions of the public and that it should be thoroughly investigated by a civilian court. Parliament passed a groundbreaking law at the end of June empowering civilian courts, not military ones, to prosecute military personnel in peacetime.

According to some reports, the prosecutors in the Ergenekon case are followers of Gülen, but this seemed most unlikely given that the judiciary is one of the pillars of Kemalism. Turkey has long suffered from conspiracy theories. However, the theory that the authors of the document are a group of renegade officers gained credence after a retired General told *Taraf* that he knew of some people who were seeking to discredit the AKP.

¹⁰ Gülen, who left Turkey in 1998 for the US, is a controversial figure. His very well organised religious and political movement has immense commercial holdings and a very wide network of educational institutions (secondary schools and universities world-wide). He is viewed as either a proponent of tolerance and dialogue or as a Trojan horse for installing *sharia* law in Turkey. Like American protestant missionaries he wants to make Turkey more religious and conservative. For a very critical view of him, see 'Fethullah Gülen's Grand Ambition: Turkey's Islamist Danger', by Rachel Sharon-Krespin in the *Middle East Quarterly*, <http://www.meforum.org/2045/fethullah-gulens-grand-ambition>. For a response to Sharon-Krespin's article see the article by Professor Greg Barton, acting Director at the Centre for Islam and the Modern World, on Gülen's website (<http://www.fethullahgulen.org/press-room/columns/3207-a-response-to-rachel-sharon-krespins-fethullah-gulens-grand-ambition-turkeys-islamist-danger-l.html>).

Politics: The AKP Loses Power in Local Elections

If Prime Minister Erdogan believed that storming out early this year from a debate with Israel's President, Shimon Peres, at Davos (Switzerland) over the war in Gaza, would lead to a surge in votes for the AKP in the municipal elections on 29 March he was mistaken.¹¹ The party won, but its share of the vote (39%) was well below the 46% gained in the 2007 general election and the even higher level that Erdogan was explicitly hoping for in the local elections. The AKP lost 12 cities, including Antalya, which Erdogan visited 26 times. Nevertheless, the AKP's share of the vote was more than the combined vote of the Republican People's Party (CHP) and the far-right Nationalist Action Party (MHP).

There were several elements behind the reduced share of the vote: Turkey's wobbling economy, which Erdogan had claimed would not be affected by the global recession; disenchantment among AKP's liberal supporters at the slow pace of reform; the government's failure to deliver on issues such as easing the headscarf ban that disheartened the AKP's pious constituents; and the fielding of some harder line candidates that frightened away voters.

The AKP is no longer such a broad mosque party; it is becoming increasingly harder for Erdogan to satisfy all of the many strands of the party all of the time. The electoral landscape, based on the local elections, can be divided into four segments: the coastal area of western Turkey voted for the CHP and cities in the central Aegean for the MHP; in Istanbul, the AKP mayor lost a lot of votes to the CHP; in the south-east, the pro-Kurdish Democratic Society Party (DTP) took back all major cities from the AKP (probably the biggest shock for the AKP) and won 75% of the vote in Diyarbakir, the provincial capital, even though the TRT state television finally launched a 24-hour Kurdish channel, and in central Anatolia, the AKP strengthened its position in its heartland. According to some commentators, Turks did not feel compelled, as they did in the 2007 general election, to vote for the AKP in order to support democracy. The results of the local elections showed Turks' desire to check the AKP's hegemony.

Erdogan reshuffled his cabinet. Ali Babacan, the Foreign Minister and former Chief EU Negotiator, moved back to a strengthened Economy Ministry with a wider remit, and Ahmet Davutoglu, Erdogan's chief foreign policy adviser, became Foreign Minister. The neo-Ottomanist Davutoglu is the chief architect of Turkey's more active regional engagement, summed up in the doctrine of 'zero problems with neighbours'. In a separate move, Egemen Bagis became Chief EU Negotiator and the post was given

¹¹ 'When it comes to killing, you know very well how to kill. I know well how you hit and kill children on beaches', thundered Erdogan. His walkout was widely applauded in the Arab world, particularly in Palestine where posters of him have been displayed. Erdogan spent around 60 minutes of a 90-minute meeting with members of the Independent Commission on Turkey in January 2009 continuing his tirade, to the frustration of the Commission which was seeking information on Turkey's EU progress.

cabinet rank for the first time. Davutoglu and Bagis, however, are perceived as not sharing the same deep commitment to the EU as President Gül.

Dispassionate observers are hoping the loss of political power at the local level will be a humbling experience for Erdogan and temper the authoritarian streak in him. Hakan Altınay, the Executive Director of the Open Society Foundation in Istanbul, says Erdogan needs to 'acquire a bit of Nelson Mandela's touch' and 'reach out to groups who now view him with utter suspicion' in order to 'heal the country's dangerous political divisions'.¹² Erdogan's call for a boycott of all newspapers and TV channels owned by the Dogan Group, Turkey's largest media group and a thorn in the side of the government for exposing corruption, is symptomatic of the problem and the need for Erdogan to be more magnanimous to his critics and political adversaries. The Dogan Group, which owns nearly half of Turkey's print and broadcasting media, has been fined more than €400 million for alleged tax irregularities, a charge it disputes and appealed against. None of the tax experts that Dogan consulted said it had done anything wrong.

That said, Erdogan's secularist critics would have more moral authority today if they had not looked the other way when the military threatened to intervene and stop Gül from becoming President in 2007. As Altınay points out, the constitutional court 'made a mockery of the constitution it is charged with protecting by establishing quorum requirements (where none had ever existed or been needed) and by annulling constitutional amendments (when they had no right to do so). When defenders or members of the establishment violate rules and norms so blatantly, or seek to undermine constitutional order, previously marginalised newcomers, such as Erdogan and his AKP, can all too easily follow suit. On both sides, lack of principle and accountability damages Turkey'.

The Sluggish Pace of Reforms

The AKP has gained a lot of credibility by pushing ahead with the Ergenekon trial and taking on the 'deep state', which would probably never have happened with another party in power. Whether the AKP's motives are entirely altruistic is another matter: the trial serves the government's interests of weeding out its hardline opponents.

Meanwhile, legal and administrative measures in other areas have led to a worsening of the human rights situation. The revised Anti-Terrorism Law of 2006 treats children between the ages of 15 and 18 as adults. Since its promulgation, more than 800 teenagers face prosecution in adult courts for allegedly supporting the terrorist PKK after throwing stones at the police during anti-government riots in the south-east or changing pro-PKK slogans. All are charged under Article 220/6 of the penal code, which criminalises acts on

¹² See 'Recep Tayyip Erdogan: the Mandela Test', by Hakan Altınay, *Open Democracy*, 17/III/2009, www.opendemocracy.net/article/recep-tayyip-erdogan-the-mandela-test.

behalf of a terrorist organisation.¹³ Some of the children have been held in prison before coming to trial. Human Rights Watch says this is in violation of the Convention on the Rights of the Child, to which Turkey is a party.

Police violence has also been on the rise. In one incident, Engin Ceber died last October in hospital after being held and beaten up in prison. He was arrested along with others for protesting against the impunity of Turkish authorities in the case of the shooting a year earlier of Ferhat Gerçek. In a landmark statement, the Turkish Minister of Justice accepted the responsibility of the state for Ceber's death and an indictment was drawn up against 60 state officials. More than 50 people have been killed by the police since the change in the anti-terrorism law.

According to Amnesty International's latest report on Turkey, issued in May, cases of torture and other ill-treatment have increased, despite the government's zero tolerance policy, dissenting views have been met with prosecution and intimidation, discrimination based on sexual orientation and gender identity persisted and implementation of laws aimed at preventing violence against women and girls remained slow.¹⁴ Although Article 301 of the penal code, which criminalises 'denigration of Turkishness', has been amended, it remains, in the words of Amnesty, an 'unfair limitation to freedom of expression'. Investigations under the new Article 301, which makes it a crime to 'denigrate the Turkish nation' continued, authorised by the Justice Minister as required by the amendments. Turkey's highest appeals court upheld in May a case against the 2006 Nobel laureate novelist Orhan Pamuk, brought by various individuals demanding compensation for the remarks he made in 2005 that landed him in court. That case was dropped under a technicality and in the wake of international outrage. Pamuk told a Swiss magazine that '30,000 Kurds and a million Armenians were killed in these lands and nobody but me dares to talk about it'. The compensation case was most unlikely to succeed, but it exposed the need for an overhaul of legislation to remove all articles and clauses that allow state institutions and individuals to bring charges that then have to be considered by the judiciary.¹⁵

Law 5816 regarding crimes committed against Kemal Atatürk, the revered founder of the Turkish Republic, has yet to be amended. His portrait hangs in most shops and restaurants and adorns all banknotes. An Istanbul court ban on access to the video-

¹³ See 'Stone-throwers in Glass Houses', *The Economist*, 23/V/2009.

¹⁴ See <http://report2009.amnesty.org/en/regions/europe-central-asia/turkey>.

¹⁵ See 'Pamuk "Insult to Turkishness" Claims Return to Court', *The Guardian*, 15/V/2009, www.guardian.co.uk/books/2009/may/15/pamut-insult-turkishness-court. In June, an Istanbul court acquitted the Turkish novelist Nedim Gürsel of inciting religious hatred with the publication of his novel *The Daughters of Islam*. A private citizen accused the novel of denigrating religious values under article 216 of the Turkish penal code, a complaint supported in a rare intervention by the Turkish directorate of religious affairs. The charge carried a maximum sentence of three years in prison.

sharing website YouTube more than two years ago, after Greek videos accused Atatürk of homosexuality, has still not been lifted.¹⁶

In the military sphere, there is still a lack of civilian control of the gendarmerie, which oversees security in rural areas, the army has not renounced its political role and there is little civilian oversight of military assets and budgets. The role of the once all-powerful National Security Council has diminished, however. It has been headed since 2003 by a civilian.

Political parties still have to win a minimum of 10% of total votes in order to gain seats in the national parliament. In Spain, the barrier is 5%. Turkey's threshold prevents the formation of a parliament reflecting more accurately the country's political realities and skews parliamentary representation: the AKP won 34% of the vote in the 2002 general elections and 67% of seats in the Assembly as only one other party cleared the hurdle. Half the electorate was thus disfranchised. The AKP won 47% of the votes in 2007 and 62% of seats as two other parties cleared the hurdle. The EU asked Turkey in the 2007 Accession Partnership to 'align with best practices in EU member states as regards legislation on political parties' and to make party financing fully transparent. Ironically, given the Kemalists deep suspicion of the AKP, the 10% hurdle has given the party a disproportionate strength in parliament.

On the constitutional front, there are still no signs of amending the constitution, drafted under military rule in 1982, which accords too much authority to the state and not enough rights to the individual, a situation that contradicts EU norms.¹⁷ The AKP's approach, in its first government (2002-07) was piecemeal, concentrating on issues dear to the hearts of its bedrock pious supporters, such as easing the ban on the wearing of the Islamic-style headscarf. This only antagonised its opponents –who took the issue to the Constitutional Court and got the reform reversed– and made politics even more factional. The CHP and the MHP, emboldened by their results in the municipal elections and an AKP perceived as weakened, still refuse to co-operate with the AKP over root and branch reform of the constitution. One of the opposition's main reasons for blocking any talk of reforming the constitution is that it fears the AKP will use it as a way to gain power in the judiciary.

¹⁶ Turkey is not the only country with such archaic laws. Spain's criminal code forbids both 'insulting' and 'undermining the reputation of' certain members of the royal family. In 2007, a judge ordered all copies of the satirical magazine *El Jueves* to be removed from newsstands after the cover showed Crown Prince Felipe and Princess Letizia having sex. The two cartoonists were fined €3,000 each. The cartoon was a comment on the government's announcement that it would pay couples €2,000 for each new baby born or adopted.

¹⁷ 'The underlying philosophy of the 1982 Constitution was to protect the state from the actions of its citizens, rather than protecting the fundamental rights and liberties of citizens from the state's encroachment'. Ergun Özbudun & Serap Yazici, 'Democratisation Reforms in Turkey', Turkish Economic and Social Studies Publications, September 2004.

The passing of a trade union law required for opening a chapter of EU negotiations has also been the casualty of ideological battles and a reform of the outdated commercial code has been stuck in parliament since last December. Turkey does not yet have basic trade union rights: there are restrictive thresholds for trade unions to be eligible for collective bargaining, restrictive provisions relating to the right to strike and to collective bargaining for public-sector employees, and limitations for certain public-sector employees on joining trade unions. The international Labour Organisation (ILO) has long complained that Turkey is out of step with the EU. As a result of the lack of a new trade union law, the chapter on social policy could not be opened, as hoped for during the Czech Republic's EU Presidency, and only one chapter (taxation) was opened.

The AKP lacks the two-thirds majority in Parliament which would enable it to push through reforms, but even if it had such a position use of it in a country as polarised as Turkey would only provoke the secular autocrats.

Creeping Islamisation

While the Ergenekon trial is exposing a violent parallel state, the AKP, through a subtle process of societal pressure, has been fomenting what the Turkish academic Kerem Öktem, a Research Fellow at St Antony's, Oxford University, calls a 'moderate Muslim society.' This is his shorthand for a society where 'a few areas of relative social freedom in cities like Istanbul and Izmir and tourist areas notwithstanding, girls are educated with the aim of being good mothers and might also work until they get married, where modesty rules (either headscarf or at least long sleeves) and where alcohol is served if at all only in dedicated areas outside town centres, not visible to the large public.¹⁸ Religion has become the central unifying factor in what is otherwise a diverse society, and creationism is being taught alongside evolution as an equally important scientific theory'.

Two developments provide an insight in terms of tolerance. One is the rising number of murders of transsexuals, transvestites and homosexuals¹⁹ and the other is the sacking earlier this year of Dr Cigdem Atakuman, editor of a leading science magazine for a cover story on Charles Darwin. The Darwin cover in the March issue of *Bilim ve Teknik* (Science and Technology), published by a government agency, the Scientific and Technological Research Council (TÜBİTAK), was replaced with one on global warming (see Figure 2). Intelligent design is taught in some Turkish schools, thanks to some extent to Adnan Oktar, a preacher who set up the *Bilim Arastirma Vakfi* (Scientific Research Foundation),

¹⁸ The government levies a 63% *ad valorem* tax on all wines before value added tax, making it impossible for Turkey's burgeoning wine industry to compete on price. See 'The new Ottoman emperors', by Janice Robinson, *Financial Times*, 5/VI/2009.

¹⁹ See 'Another Stuggle: Sexual Identity Politics in Unsettled Turkey', www.merip.org/merol/interventions/oktem_intero.html, and 'Deep Trouble', *New Humanist*, issue 6, November/December 2008, <http://newhumanist.org.uk/1891>, both by Kerem Öktem.



and the schools of Fetullah Gülen. Oktar's *Atlas of Creation* has been distributed around the Muslim world and Europe.

The decision to sack Dr Atakuman was made by Ömer Cebeci, Vice-president of TÜBİTAK. He is a pious Muslim and a former professor at the King Abdulaziz University in Jeddah, Saudi Arabia, during the 1980s. The AKP has tended to fill leading positions in public institutions with people (generally men) sympathetic to its moderate Islamist worldview. Leading Turkish scientists, shocked by the move, called for the resignation of Cebeci.²⁰

Figure 2. Darwin cover replaced by one on global warming



A study by Binnaz Toprak, a political science professor, shows how basically all groups who do not confirm to the AKP-promoted lifestyle suffer from some degree of social pressure.²¹ She concludes that while the large cities in the western part of the country can accommodate niches for all social groups, a certain version of 'modern Islam' has become hegemonic in most cities in central and eastern Anatolia and the Black Sea. She suggests that all non-conforming groups, ranging from male students with long hair and earrings, women without headscarves to heterodox Muslim groups like Alevis suffer from various forms of discrimination and marginalisation, which are often supported by state agencies, while attacks on people who are/look different are often not investigated by the police.

Perhaps one should not be too surprised by this worrying development. Large parts of central Anatolia, the heartland of the AKP, were never noted for their pluralism in lifestyles, and Christian Democrat parties, when in power in Europe, also sought to push

²⁰ A subsequent issue of the magazine reinstated Darwin on the cover.

²¹ Not yet available in English.

their mindset. Indeed, the AKP prefers to be likened to a Christian Democrat party in the Muslim context than to be called Islamist, a term it disputes.

The Turkish version of secularism is very *sui generis*: it is neither a separation of religion from the state nor a disestablishment, but the micro management of a certain type of Sunni Islam financed by the state and administered by the Diyanet, a vast religious services 'ministry' with more than 80,000 imams on its payroll and a larger budget than eight other ministries combined. The number of mosques has been rising briskly under the AKP and there are now more than 85,000. The Diyanet became more powerful after the 1980 military coup thanks to promotion of Islam by the generals as a way to counter socialism and communism and making religious teaching mandatory in schools. They instituted the 'Turkish-Islamic Synthesis' as the country's semi-formal state doctrine.

Although Turkey is predominantly Muslim (98% of the population), Islam is not a monolithic religion in the country. Most Turks belong to the loosely defined Sunni interpretation of Islam, but the practice also includes mystical and folk Islam as well as conservative and more moderate understanding of Islam. This mosaic of religions as well as sects is a carry-over from the multicultural Ottoman Empire, the result of which was that a uniform faith and practice was not imposed on its subjects. The *Diyanet* acknowledges this diversity and promotes a moderate, tolerant and embracing perception of Islam. However, the Alevis, the largest religious minority and estimated to account for up to 20% of the population, do not enjoy the same rights as the majority Sunnis. They are regarded by their Sunni counterparts as being deeply unorthodox, often even as not being Islamic at all. The European Court of Human Rights ruled in October 2007 that Turkey's education system was not treating Alevis properly, a decision forcing changes in the mandatory religion classes.

Turkey's brand of secularism also does not yet provide sufficiently for the protection of non-Muslim minorities (0.2% of the population), something that is inherent in the EU's understanding of religious freedom.²² Barack Obama, the US President, reminded deputies when he spoke to the Turkish Parliament in April that the Greek Orthodox seminary on Halki, an island off Istanbul, closed in 1971 had still not been re-opened. Religious identity is still written on every Turkish ID card, exposing those who are of other faiths.

²² It should be noted that there is no common brand of secularism in EU countries. The Anglican Church in the UK, and the Roman Catholic Church in Spain, for example, both still enjoy privileged positions. Twenty six bishops from what is now a minority religion sit in the House of Lords and the monarch is not allowed to marry a Roman Catholic. In Spain, the Roman Catholic Church is the only faith that receives funds via taxpayers ticking a box on their annual tax declaration, even though there are now around one million Muslims in the country and significant numbers of other religions. As co-sponsors of the UN-backed 'Alliance of Civilizations', Turkey and Spain could do more to set an example by establishing a level playing field in their own countries.

While women's rights have been enhanced by amending parts of the Penal Code and the constitution as of 2001, Turkey's ranking in the UN Development Programme's gender empowerment index nevertheless dropped from 63 in 2002 to 90 out of 173 countries today. The World Economic Forum's gender gap report shows a similar fall, from 105 in 2002 to 123 in 2008 out of 130 countries. The new code treats female sexuality as a matter of individual rights, rather than family honour. Rape in marriage and sexual harassment in the workplace are criminal offences and sexual crimes in general are no longer classified as crimes against society, the family or public morality. The regulation of crimes such as rape, abduction or sexual abuse against women as crimes against society, and not as crimes against individuals, was a manifestation of the code's foundational premise that considered women's bodies and sexuality as a property of men, family or society.²³ Family courts have been established, employment laws amended and there are programmes to tackle domestic violence and improve access to education for girls. The startling contrast between the legal position of women and Turkey's low ranking in gender empowerment is basically due to socially conservative traditions and mentalities in rural areas that die hard.²⁴ This year, for example, there has been a spate of 'honour killings'.

Cyprus: A Looming Deadline

The biggest obstacle to Turkey's full EU membership is to resolve the 35-year conflict over the divided island of Cyprus (see Figure 3). As part of a review at the EU summit this December of Turkey's membership bid, the government faces a deadline to implement the Ankara protocol signed in July 2005. Turkey does not recognise the Greek Cypriot government of Cyprus and still refuses to open its ports and airports to Greek Cypriot ships and planes until the EU ends its trade embargo of Turkish-held northern Cyprus, recognised as a state only by Turkey.

The EU accepts the need to phase out the embargo, but says Turkey must act first because Cyprus is a full member of the EU. The Republic of Cyprus is recognised by the EU as the lawful government of the whole of the divided island, though its writ does not extend north of the United Nations buffer zone established after the Turkish invasion in 1974, in response to a Greek military junta backed coup in Cyprus. The invasion came after a decade of sporadic intercommunal violence between Greek and Turkish Cypriots.

²³ See 'Reforming the Penal Code in Turkey: the Campaign for the Reform of the Turkish Penal Code from a Gender Perspective', by Pinar Ilkcaracan, Institute of Development Studies, September 2007, www.ids.ac.uk/download.cfm?downloadfile=84C49B9B-5056-8171-7B91B4C166C45C59&typename=dmFile&fieldname.

²⁴ Twenty-one out of every 100 girls between the ages of 15 and 19 do not complete primary school, according to a June 2009 report prepared in association with Sabanci University. The number of students between the ages of 6 and 13 who are not registered in the education system stood at 220,000; of this total, 130,000 are girls and 100,000 of them live in central and south-eastern Anatolia. These figures do not include children who have not been registered for a birth certificate.

Figure 3. Cyprus



Source: BBC.

A total breakdown in Turkey's accession negotiations was avoided in December 2006 when the government failed to meet the previous deadline on Cyprus. Instead, the European Council decided to block the opening of negotiations on eight chapters. Since then there has been positive declarations in support of re-unification on both sides, but no agreement is in sight. And the issue has been further compounded by the return to power in April's legislative election in the breakaway Turkish north of the nationalist National Unity Party (UBP).

The UBP government is making the already complex settlement negotiations conducted by President Mehmet Ali Talat –whose left-wing pro-reunification Republican Turkish Party (CTP) lost the legislative election– even more difficult. The UBP captured 44% of the vote, giving it a majority in the 50-seat parliament with 26 deputies and opening the way for a one-party government, and the CTP 29.2% of the vote and 15 seats. Economic woes and the government's policies were behind the CTP's defeat. Talat is pressing ahead with what he calls a 'bicomunal, bizonal federation', alongside Demetris Christofias, the Greek Cypriot President. The UBP's 72-year-old leader, Dervis Eroglu, less enthusiastic about the idea, is pushing for his party to have a seat at the negotiating table.

Turkish Cypriots and the government in Ankara continue to feel let down by the Greek Cypriot rejection in the 2004 referendum of a UN-brokered deal (known as the Annan Plan). Erdogan won a lot of sympathy from the international community for overturning 30 years of policy and pressing the Turkish-Cypriots to endorse the reunification plan in a referendum, which they did with a 65% majority. The EU then rubbed salt in the wounds by reneging on its promise to open direct trade with Turkish Cypriots. More than three-quarters of Greek-Cypriots in the south –guaranteed EU membership regardless of how they voted– rejected the deal. This was a huge blow to the international community, since the UN, the EU and Turkey had put a considerable effort into winning support for the plan. One week later only the southern part joined the EU as both sides had to approve the plan. Erdogan, who took a big domestic political risk by pressing for a 'yes' vote, described the accession of the divided island as 'a big mistake', a view now shared by other EU countries.

A much more recent aggravation for Turkish Cypriots is the judgement of the European Court of Justice (ECJ), issued in April, affecting one of the most contentious issues of the talks. It ruled that courts in the EU should enforce a Greek Cypriot judgement on disputed property. Talat, however, said his government would continue distributing titles to land owned by absentee Greek Cypriots and added that, if a UK court followed the ECJ's guidance and enforced Greek Cypriot claims on land in the north, 'our people will push us to get out of negotiations'.²⁵ Close to 80% of property in the north is believed to be owned by Greek Cypriots who fled in the 1970s. Many Britons have bought holiday homes in the north and their property faces an uncertain future.

Christofias' Cyprus Communist Party (AKEL) beat the pugnacious incumbent Tassos Papadopoulos of the centre-right Democratic Party in the February 2008 presidential election. Papadopoulos based his re-election campaign on having virulently blocked the Annan Plan and his promise to say 'no' to any attempt to resurrect it. The more pragmatic Christofias, elected in the second round, has reversed the previous hardline approach and overturned taboos, addressing Greek Cypriots on television to prepare for a compromise solution and warning that not all Greek Cypriots would be able to return to their old homes.²⁶ In June's European elections, Greek Cypriot parties that support the current round of UN-backed negotiations on re-unifying Cyprus took 70% of the vote, but turnout (58.8%) was the lowest on record, although well above the EU-27 average. Turkish Cypriots were excluded from the election.

One of the few positive signs over the last year has been the opening of Ledra Street in the heart of Nicosia, bringing to six the number of points at which people can cross between the south and the north. It had been divided since 1964, when an outbreak of intercommunal fighting led British soldiers to lay barbed wire to cut off the Greek and Turkish Cypriot communities.

Both Talat and Christofias are much more committed to finding a solution than their respective predecessors (they have been engaged in full negotiations since last September), but progress has been very slow. The answer lies as much in Ankara and the military as in the divided island. Turkey would benefit the most from a solution: not only would its EU bid be greatly enhanced, but the considerable economic cost of propping up the northern part of the island, not least the stationing of around 35,000 regular Turkish troops, would come to an end. Cyprus as a whole would also benefit. 'From being a burden and source of tension, Cyprus, with its low taxes, strategic position and relatively efficient government, would become a confident, cosmopolitan society and booming beacon of prosperity', says Hugh Pope, the Turkey/Cyprus project director for the

²⁵ See 'Time Running Out For Settlement', by Delphine Strauss, *Financial Times*, 12/V/2009.

²⁶ See 'Rethinking Cyprus', by Hugh Pope, International Crisis Group, autumn 2008, www.crisisgroup.org/home/index.cfm?id=5780.



International Crisis Group. Having gone out on a limb in 2004 over the Annan Plan, Erdogan is wary of sticking his neck out again unless he could win something in return.

Armenia: Signs of Rapprochement

While very little progress has been made over Cyprus, moves are afoot to bury the hatchet with neighbouring Armenia, another protracted issue (see Figure 4).²⁷ Turkey closed its border with Armenia in 1993 in support of its ally Azerbaijan, which was in conflict with Armenia over the enclave of Nagorno-Karabakh. Open borders is an EU membership requirement.

Figure 4. Turkey and Armenia



Source: Financial Times.

Coming to terms with the controversial issue of the 1915 massacre of up to 1.5 million Armenians during the Ottoman Empire, which Armenia and its diaspora label genocide, a term the Turkish authorities virulently refuse to accept because it does not take into account their view of what happened, is not an EU requirement. Yet some form of words satisfactory to both sides, if not an outright apology, would certainly go down well in some countries, particularly in France where there is a large Armenian community.

The Armenian issue is now much more openly debated in Turkey, although the risk of prosecution for expressing views deemed as a crime has not totally disappeared. The murder of the Armenian-Turkish journalist Hrant Dink in 2007 triggered a protest march by 100,000 people in Istanbul carrying signs saying 'We are all Armenians'.²⁸ Last

²⁷ See the author's analysis at

http://www.realinstitutoelcano.org/wps/portal/riecano_eng/Content?WCM_GLOBAL_CONTEXT=/Elcano_in/Zonas_in/Europe/ARI72-2009.

²⁸ See 'We Are All Armenians', by Hugo Pope, *Wall Street Journal Europe*, 27/IV/2009, www.crisisgroup.org/home/index.cfm?id=6077.

December 200 leading Turkish intellectuals launched a signature campaign to apologise for the massacre of Armenians. More than 30,000 people have signed it so far.

Abdullah Gül kicked off the rapprochement with Armenia with some football diplomacy last September when he made the first-ever visit by a Turkish President to Armenia and attended the World Cup qualifying game between the two countries. On 23 April this year, one day before Barrack Obama gave the annual statement by US Presidents on the killing of Armenians, Turkey and Armenia agreed a framework to normalise their relations. Obama, anxious to keep Turkey on board as part of his promise to reach out to the Muslim world, did not follow a campaign pledge and studiously avoided the G-word (used when he was a Senator). Instead he chose one of the Armenian terms for the atrocities, *Mets Yeghern*, meaning 'Great Man-Made Catastrophe'.

The dispute over Nagorno-Karabakh dates from the time when the Soviet Union was collapsing (see Figure 5). A referendum held there in December 1991 and in the neighbouring district of Shahumian resulted in a declaration of independence from Azerbaijan as the Nagorno-Karabakh Republic, which is still not recognised by any country. Tensions over the mainly Armenian-populated enclave led to a war between Armenia and Azerbaijan. Up to 30,000 people were killed and more than one million fled their homes. Since the war ended in 2004, Nagorno-Karabakh has been legally part of Azerbaijan but controlled by ethnic Armenians. Turkey has strong relations with Azerbaijan based on trade, shared oil and gas pipelines and a sense of common destiny in an ethnic, cultural and linguistic Turkic world. Turkey was the first country to recognise Azerbaijan after it declared independence in 1991. In 2008, the two countries exchanged 10 state visits at the Presidential and Prime Ministerial level. The close relations are underscored by the saying 'one nation, two states'. The relationship has an important strategic dimension in the form of the Baku-Tbilisi-Ceyhan oil pipeline (which runs just 16 km from the ceasefire line), the Baku-Tbilisi-Erzurum gas pipeline and the Baku-Tbilisi railway.

Figure 5. Nagorno-Karabakh



Source: BBC.

The close relationship between Turkey and Azerbaijan has so far conditioned Turkey-Armenia normalisation as Ankara has always insisted on Armenia's withdrawal from occupied Azerbaijani territories as a precondition for opening the border and establishing diplomatic relations. Azerbaijan would not be happy with a de-linkage; it could affect future sales of its gas to Turkey. President Ilham Aliyev cancelled his attendance at the summit meeting in Istanbul of the 'Alliance of Civilizations' in April, apparently because the Turkish government did not confirm or deny media reports of de-linkage. This is a typical case of a larger power becoming hostage to a client state. A compromise would have to involve Armenia withdrawing from some areas.

Foreign Policy: 'Zero Problems with Neighbours'

A rapprochement with Armenia, which would mean that all of Turkey's borders with its neighbours were open and a successful outcome to the longstanding Cyprus problem would represent significant milestones in the government's policy of 'zero problems with neighbours' and in the path to EU membership.

This expression was coined by Ahmet Davutoğlu, Erdogan's former chief foreign policy adviser, who became Foreign Minister earlier this year. In a book published in 2001 Davutoğlu introduced the concept of strategic depth as a factor that should characterise Turkish foreign policy.²⁹ The country's strong historical and cultural connections to the surrounding regions give Turkey a geopolitical strategic depth and a capacity to engage with all countries in them.³⁰

Turkish foreign policy today is a far cry from the days when it was cited as a 'post-Cold War warrior' or a 'regional coercive power'. It has become a benign if not a soft power whose foreign policy is increasingly driven by economic factors.³¹ Among the drivers are Turkey's Europeanisation, a much more open economy, geopolitical transformations in regions surrounding Turkey, a more self-confident and richer nation and a military less inclined to push its nation-state security mindset. The country's growing influence and popularity, particularly in the Arab world, was tacitly recognised when it was elected in October 2008 as a non-permanent member of the United Nations Security Council for the first time since the early 1960s. Barrack Obama has been quick to court Turkey –calling it a 'critical' ally in his speech to the Turkish parliament in April– as part of his policy of reaching out to the Muslim world. Turkey has some 900 troops in Afghanistan and is a

²⁹ Ahmet Davutoğlu, *Stratejik Derinlik*, Küre Yayınları, İstanbul, 2001.

³⁰ For a fuller analysis of this topic see 'Turkey's Rise as a Regional Power and its Role in the European Neighbourhood', by Deniz Devrim & Evelina Schulz, Elcano Royal Institute, 30/VI/2009, http://www.realinstitutoelcano.org/wps/portal/riecano_eng/Content?WCM_GLOBAL_CONTEXT=/Elcano_in/Zonas_in/Europe/ARI108-2009.

³¹ See 'The Transformation of Turkish Foreign Policy: the Rise of the Trading State', by Kemal Kirisci, *New Perspectives on Turkey*, Spring 2009, www.edam.org.tr/images/PDF/yayinlar/makaleler/npt_40_kemal_kirisci.pdf.

transit hub for supplies to American troops both there and in Iraq.³² The visit of President Gül to Armenia in 2008 and Turkey's efforts to mediate between Afghanistan and Pakistan, on the one hand, and Israel and Syria, on the other, were unthinkable a decade ago.

Economic considerations –export markets, investment opportunities, tourism, energy supplies, etc– have become much more forceful drivers behind foreign policy. Take trade: exports and imports as a percentage of GDP rose from 9% in 1975, when Turkey was still an import substitution economy, to 46% in 2008 (during this period the size of the economy increased tenfold). As it becomes more integrated into the global economy, so Turkey is developing into a trading state. Foreign trade with countries in its neighbourhood increased from US\$9.6 billion in 1995 to US\$67.7 billion in 2007. A significant chunk of exports to both the EU, with whom Turkey has a Customs Union since 1996, and to countries that are nearer is coming from the so-called Anatolian Tigers, a dynamic and socially conservative business class that mainly supports the ruling AKP. Improved relations between Turkey and its neighbours would be an asset for the EU, whether Turkey joined it or not.

The Kurdish Issue

Hopes for an end to 25 years of fighting between Turkish troops and the separatist Kurdistan Workers Party (PKK) in the south-east of the country have been raised by the PKK's decision to extend a unilateral ceasefire declared on 14 April until 15 July and dropping its demands for independence in favour of greater autonomy and cultural rights. The PKK could extend the truce to 1 September if it believes the government is making progress on finding a political solution to the conflict that has killed 40,000 people, mainly Kurds. The strident Deniz Baykal, leader of the opposition Republican People's Party, which has abandoned its social-democrat roots and become almost as ultra-nationalist as the far-right Nationalist Action Party, has suggested an amnesty for PKK fighters.

Turkey's 14 million Kurds are beginning to enjoy more cultural rights (speaking Kurdish in public was forbidden in Turkey until 1991). In January, ahead of March's municipal elections, the TRT state television launched a 24-hour Kurdish channel in the main Kurdish dialect, Kurmanji, implementing the reform of broadcasting laws approved in 2002. Private Kurdish TV channels are still only allowed to broadcast in their mother tongue for four hours a week. Every show is vetted and has to have Turkish subtitles,

³² Parliament's vote in 2003 against allowing US troops to use Turkey as a route for opening a second front in Iraq provoked the wrath of the Pentagon. And America's refusal to move against separatist PKK rebels in northern Iraq fed Turkish anger. The mood began to change in 2007 when Washington agreed to provide intelligence on PKK bases and let Turkish fighter jets bomb them and Obama's election has the potential to improve relations more.

making live programmes impossible. As a result, these programmes have little chance of becoming a popular alternative to Roj TV, which broadcasts a pro-PKK message by satellite from Denmark. Kurdish is not an elective subject in schools.

The TRT move and distributing electoral incentives, such as white goods and winter fuel, did nothing to help the ruling AKP obtain more votes in the south-east where the pro-Kurdish Democratic Society Party (DTP), which has 20 deputies in the national Parliament, took back all major cities from the AKP including Diyarbakir, the provincial capital. The DTP won eight provincial mayoralties (four more than in the 2004 local elections) and 50 district mayoralties (up from 18 five years ago). More than 50 members of the DTP, which is threatened with closure in a Constitutional Court lawsuit, were arrested after the elections. DTP mayors are often prosecuted for projects such as multi-language services, even though they fully comply with the AKP's policy objectives.

Despite the ceasefire, the army has kept up its attacks on PKK bases in northern Iraq and incidents still occur in Turkey. Six soldiers were killed and 11 wounded on 27 May in Hakkari province near the Iraqi border in an explosion blamed on the PKK. Some 3,000 PKK fighters are said to be based in northern Iraq, and the US is providing Turkey with intelligence to allow jets to bomb the group's weapons stores, shelters and other sites.

The Kurdish problem, coupled with family-feud traditions, has left a bitter legacy in the south-east. In May, 47 people at a wedding party, including six children as well as the bride and groom, were killed by 'village guards', local Kurds armed by the government to help in the fight against the PKK. Their weapons, under a system dating back to 1985 as a counter-insurgency method, were official issue. These guards, paid to patrol and protect villages from PKK attacks, number around 60,000 and have become a law unto themselves. The EU has long called for them system to be dismantled.

The Economy

The European Commission already recognises Turkey as a functioning market economy. The structural reforms that Turkey has put into place, ending hyperinflation and massive budget deficits and strengthening a banking sector hard hit by the devastating financial crisis of 2001, among other things, have helped the country to weather the global recession better than many EU and indeed most OECD countries.³³ Most strikingly, Turkey is one of the very few OECD countries whose government or central bank has not had to come to the rescue of a failed bank. The banks have little exposure to toxic assets and are generally well regulated by the relevant authorities.

³³ Much of the credit here must go to a first round of EU-related economic reforms led in 2001-02 by Kemal Dervis, the Economy Minister, of the previous coalition government.

Nevertheless, unemployment has been steadily rising (15.8% in April) and the economy contracted 6.2% in the fourth quarter of 2008, the first shrinkage in seven years. Real GDP growth declined from an average of 7.25% a year in 2002-06 to 4.75% in 2007 and 1% in 2008. This time, however, the country's recession is not of its own making.

Inflation dropped from an average of 70% in 1993-2002 to 10.4% at the end of 2008 and an annual rate of 5.2% in May, the lowest level in almost 40 years and below the Bank of Turkey's target of 7.5% for the whole of 2009. The budget deficit was 1.8% of GDP in 2008 and public debt 40% of GDP. The deficit last year was well within the EU's ceiling of 3% (Turkey, like many EU countries including Spain, will substantially overshoot the ceiling this year) and the level of debt is also currently much lower than the 60% requirement for becoming a euro zone country (see Appendix 3).

The economy has come a long way in less than a decade, manifested by the greater degree of globalisation. As the OECD pointed out in its last survey of the country, this is due to three factors: (1) an increase in the share of exports in output (textiles, clothing, car assembly, consumer electronics, white goods and light industrial machinery); (2) the opening of domestic markets to import competition; and (3) increasing recourse to international savings in funding investment.

Among the major structural reforms still pending are to get to grips with the unrecorded economy, which is reckoned to account for up to one-third of Turkish GDP, and implement serious tax reform through an institution similar to the US's Inland Revenue Service (IRS). The tax system depends for around 70% of revenue on indirect taxation, leaving the country's finances extremely sensitive to economic downturn. These two issues are a central part of a new IMF standby agreement which the government has been negotiating on and off for around a year. Prime Minister Erdogan is reluctant to bite the bullet on curbing public spending which needs to be done unless revenue can be substantially increased –unlikely in an environment of recession or downturn–.

Conclusion

Turkey faces a crunch point this December when its membership comes up for review at the EU summit. A suspension of negotiations because of its continued failure to implement the Ankara Protocol and open its ports and airports to Greek Cypriot ships and aircraft is most unlikely because it would require a unanimous vote by all 27 EU countries. Several of the big EU nations, such as the UK and Spain, would not be prepared to go so far. In the best-case scenario, and probably the most likely, Turkey would be warned again about the consequences of not meeting its obligations and given more time as both the Turkish-Cypriot and Greek-Cypriot Presidents are negotiating about re-unification of the island. A successful conclusion to these negotiations could lead

to another referendum in 2010 on the issue and a 'yes' vote on both sides would undoubtedly make it much easier for Erdogan to implement the protocol.

If this happened, the eight chapters blocked by the European Commission as of December 2006 would be in a position to be opened, though probably not agriculture as this chapter is one of the five opposed by France on the grounds that they would bring Turkey closer to full EU membership. President Sarkozy, backed by Chancellor Merkel wants Turkey to have a privileged partnership with the EU.

The partnership idea, which has never been fully spelled out and is rejected by Turkey, may gain momentum as a result of the greater share of seats in the European Parliament won by extreme right-wing parties in June's European elections. The extreme right gained ground in Hungary, the UK, Rumania, Austria and Slovakia. One of their rallying cries was that the EU should renege on its promise to allow Turkey into the EU. It is assumed that under a partnership deal Turkey would be integrated in European defence, security and foreign policy mechanisms, with eventual full membership in the relevant decision-making bodies. As a member of NATO Turkey has already spent 57 years defending Europe so there is nothing new here. The Customs Union that Turkey has enjoyed since 1996 could be extended to other areas, but probably more to the Union's than to Turkey's advantage. In essence, a privileged partnership offers no new privileges to Turkey and by excluding it from decision-making enforces the growing feeling in Turkey that the most the country can expect is to be treated as a second-class European citizen because it is poor, large and Muslim.³⁴

Turkey has already spent 46 years in the EU's anteroom, since becoming an associate member of the then European Economic Community in 1963. Failure to make Turkey a full member, assuming it meets all the criteria one day, like all other countries that have negotiated their membership, would also erode the EU's credibility by showing to the world that it does not keep its word. The basic principle of Roman law *-pacta sunt servanda* (agreements must be kept)- is part of the European cultural heritage.

The opposition in some governments and some populations to Turkey's full EU membership is a gift to the Republican People's Party (CHP) and the far-right Nationalist Movement Party (MHP), the two main opposition parties in Parliament which have refused to back many of the ruling AKP's reforms. While the AKP needs to reinvigorate the political will to forge ahead with reforms that it showed in 2002-05, there is a limit to how far Erdogan can push. After all, his party narrowly avoided being outlawed in 2008 by the Constitutional Court, like some of its predecessors in the past. The Kemalist establishment shows no sign of giving up its quest to find a way to ban the AKP. Erdogan keenly began the EU negotiations and does not want them derailed (they give the AKP

³⁴ For a fuller explanation of the privileged partnership idea see the article by Hugo Pope published by the International Crisis Group on 23/VI/2009, www.crisisgroup.org/home/index.cfm?id=5908&t=1.

protection from the Kemalist camp), but he has become less enthusiastic about completing them.

Sweden –the current EU President– and Spain –as of January– are well disposed towards Turkey. The governments of these two countries, however, could be more proactive in their support for Turkey and counter, for example, statements that Sarkozy makes.

There is a window of opportunity until sometime late next year when parties will begin campaigning for a general election that has to be held by July 2011. The EU accession process during that period will be even more on the back burner than it is at the moment. It is now widely accepted that, barring a miracle, Turkey will not meet all 35 chapters by 2014, a date mooted when negotiations began in October 2005. At the current pace, another decade will be needed, by which time Turks may have lost interest in joining (and vote against it in a referendum) and/or countries such as France and Germany would still be against full EU membership. The road ahead is very bumpy. So far all countries that have started and completed negotiations have joined the EU. It is to be hoped that Turkey does not become the exception.

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Appendices

Appendix 1. Turkey's Progress in Negotiating Chapters

(a) Provisionally closed

25. Science and research

(b) Opened

4. Free movement of capital
6. Company law
7. Intellectual property rights
10. Info society and media
16. Taxation
18. Statistics
20. Enterprise and industrial policy
21. Trans European networks
28. Consumer and health protection
32. Financial control

(c) Chapters to be negotiated (1)

2. Free movement of workers
5. Public procurement
8. Competition policy
10. Information society and media
12. Food safety, veterinary and phytosanitary policy
15. Energy
18. Statistics
19. Social policy and employment
20. Enterprise and industrial policy
21. Trans-European networks
23. Judiciary and fundamental rights
24. Justice, freedom and security
25. Science and research
26. Education and culture
27. Environment
28. Consumer and health protection
31. Foreign, security and defence policy
32. Financial control

(1) As of June 2009.

(d) Chapters suspended over Cyprus by the European Council in December 2006

1. Free movement of goods
3. Right of establishment and freedom to provide services
9. Financial services
11. Agricultural and rural affairs
13. Fisheries
14. Transport policy



- 29. Customs Union
- 30. External relations

(e) Chapters opposed by France

- 11. Agricultural and rural affairs
- 17. Economic and monetary policy
- 22. Regional policy and coordination of structural funds
- 33. Financial and budgetary provisions
- 34. Institutions

Appendix 2. Timeline: The Long and Winding Road to the Opening of EU Accession Negotiations

February 18 1952

Turkey becomes a full member of Nato.

September 20 1959

Turkey applies to the European Economic Community (EEC) to become an associate member.

May 27 1960

The army stages a *coup* and remains in power until October 1961. It draws up a new constitution and establishes a mechanism to intervene in politics, the National Security Council.

September 12 1963

Turkey is made an associate member of the EEC.

July 22 1970

Turkey signs an agreement foreseeing its eventual full membership of the bloc.

March 12 1971

The army hands an ultimatum to Prime Minister Demirel's government. On April 27 1971 martial law is declared in 11 provinces; some leftist and religious political parties are closed down. The state security courts, heavily influenced by the military, are created. The direct influence of the military lasted until the October 1973 elections.

July 20 1974

Turkey invades Cyprus by sea and air following the failure of diplomatic efforts to resolve conflicts between Turkish and Greek Cypriots. After gaining control over 40% of the island, Turkey unilaterally declares a ceasefire.

February 13 1975

Turkish Cypriots establish their own state in the north of the island. Later that year Turkey takes control of most of the US installations within that territory, except the joint defence base at Incirlik, which it reserves for 'Nato tasks alone'.

1978-79

The EC suggests that Turkey applies for membership along with Greece. Ankara declines the suggestion.

September 12 1980

After months of street fighting between rival left-wing and right-wing factions, a third army *coup* topples the Turkish government. Military rule lasts until November 1983. Relations with the EC are virtually frozen.

1983



Northern Cyprus declares its territory as the Turkish Republic of Northern Cyprus. The state is recognised by no one else but mainland Turkey. Parliamentary elections are held in Turkey and military rule is ended. Relations with the EC begin to normalise.

May 1984

The Council of Europe accepts the participation of Turkish parliamentarians.

January 26 1987

Turkey recognises the right of its citizens to file complaints with the European Human Rights Commission.

April 14 1987

Turkey applies to the EC for full membership.

December 18 1989

The European Commission endorses Turkey's eligibility for membership, but defers the assessment of its application.

January 1 1996

A Customs Union between the now-named European Union (EU) and Turkey enters into force for industrial goods and processed agricultural products.

December 13 1997

At the Luxembourg summit, EU leaders decline to grant candidate status to Turkey. Ankara reacts angrily, freezing relations and contacts.

June 2 1999

Abdullah Ocalan, the founder of the Kurdistan Workers' Party (PKK), who led a violent 15-year campaign for independence for Turkey's 14 million or so Kurds, is convicted by Turkey of treason and separatism and sentenced to death (not carried out).

December 10 1999

The EU summit in Helsinki recognises Turkey as a 'candidate state destined to join the Union on the basis of the same criteria as applied to the other candidate States'.

April 2000

The composition of the State Security Courts is changed, to exclude members of the military.

March 2001

The EU approves the Accession Partnership document, which sets out the political, economic and legislative reforms that Turkey has to carry out to fulfil the accession criteria. Cyprus is included as part of the 'Political Dialogue and Political Criteria'.

March 19 2001

The Turkish Government publishes the National Programme for the Adoption of the *Acquis*, with a detailed explanation of the reforms to fulfil the accession criteria.

October 3 2001

The Turkish Grand National Assembly approved 34 amendments to the Constitution, the most ambitious overhaul since its entry into force in 1982, in order to meet the Copenhagen political criteria.

August 3 2002

The Turkish Parliament passes sweeping reforms, including the abolition of the death penalty and the easing of bans on the use of the Kurdish language, to meet some of the EU's human rights criteria.

November 3 2002

The conservative Justice and Development Party (AKP), which has Islamic roots, wins a general election partially on a pledge to drive forward Turkey's sagging EU bid.

November 30 2002



The state of emergency in all remaining provinces of the south-east was lifted.

December 11 2002

The Turkish Parliament approves a clutch of constitutional reforms that make it harder to shut down parties and easier to prosecute torturers.

December 12 2002

The EU summit at Copenhagen decides to accept Cyprus in May 2004, despite faltering talks to reunify the island. It proposes a December 2004 review of Turkey's progress in fulfilling the Copenhagen political criteria for EU membership, and if the outcome is positive accession negotiations will be opened 'without delay'.

April 2003

The EU Council approves a revised Accession Partnership, specifying the remaining priority areas for reform. In July the Turkish government publishes a revised National Programme for the Adoption of the *Acquis*.

July 2003

The seventh reform package reduces the influence of the armed forces via the powerful National Security Council. The Council becomes more of an advisory body.

November 5 2003

The European Commission released its sixth regular report on Turkey's progress towards accession. It said the government had 'shown great determination in accelerating the pace of reforms' but 'on the ground, implementation of the reforms is uneven'. The report warned that Turkey's hopes of starting formal accession talks with the EU could face a 'serious obstacle' if no settlement is reached over the divided island of Cyprus by May 2004 (when Cyprus joins the EU).

January 15 2004

Romano Prodi is the first President of the European Commission to visit Turkey since 1963.

March 31 2004

Talks on a revised UN plan for the unification of Cyprus failed to win endorsement from the leaders of the island's Greeks. But the United Nations decided to go ahead anyway and put its plans to a vote in both parts of Cyprus on April 24, ahead of the island's entry into the EU on May 1.

April 24 2004

The Greek-Cypriot part of Cyprus entered the EU, but not the Turkish-Cypriot part, after more than three-quarters of Greek-Cypriots voted against the UN plan to reunite the island. Turkish-Cypriots, in contrast, endorsed the plan. Both sides had to accept the reunification plan in order for the whole island to join the EU.

September 6 2004

An Independent Commission of Europeans who previously held high positions in public office, including Marcelino Oreja, a former Spanish Foreign Minister and EU Commissioner, called for the EU to treat Turkey's case with 'respect, fairness and consideration'.

September 13 2004

Less than a month before the landmark report by the European Commission on Turkey's progress towards meeting the criteria for starting accession talks, Brussels warned Ankara that unless it removed proposals before parliament to criminalise adultery it would not meet the minimum criteria required of aspiring members. Recep Tayyip Erdogan, the Turkish Prime Minister, accused the EU of interfering in the country's internal affairs, but withdrew the proposals.

September 26, 2004

The Turkish parliament held an emergency session and approved reforms of the penal code including tougher sentences for torture and 'honour killings'.



October 6, 2004

The European Commission issues a report recommending that the European Council at its meeting in December opens accession negotiations, but with certain conditions.

December 17, 2004

EU leaders agree at the Brussels summit to open talks on Turkey's EU accession. The decision, made at a summit in Brussels, follows a deal over an EU demand that Turkey recognise Cyprus as an EU member.

October 3, 2005

EU membership negotiations officially launched.

Appendix 3. Basic Statistics, Spain and Turkey (1)

| | Spain | Turkey |
|--|------------------|-------------------|
| Population (million) | 46.6 | 71.9 |
| Unemployment rate (%) | 11.3 | 9.4 |
| GDP (Purchasing Power Parity, US\$ bn) | 1,396,881 | 915,184 |
| Per capita GDP (Purchasing Power Parity) (US\$) | 30,621 | 13,138 |
| Per capita GDP (Purchasing Power Parity, EU-27=100) | 104 | 45 |
| GDP structure (%) | | |
| Primary sector | 3.4 | 9.4 |
| Secondary sector | 29.0 | 33.5 |
| Tertiary sector | 67.6 | 50.8 |
| Merchandise exports (% of GDP) | 17.6 | 19.3 |
| Imports of goods (% of GDP) | 25.7 | 26.6 |
| Number of tourists (million) | 57.4 | 30.9 |
| Current account (% of GDP) | -9.5 | -5.7 |
| Inflation (annual % change in CPI) | 4.1 | 10.4 |
| General government balance (% of GDP) | -3.8 | -1.8 |
| General government debt (% of GDP) | 39.5 | 40.0 |
| Inward stock of foreign direct investment (US\$ billion) | 537.4 (2007) | 145.5 (2007) |
| Outward stock of Spanish investment abroad (US\$ billion) | 636.8 (2007) | 12.2 (2007) |
| Total tax revenue (% of GDP) | 32.8 | 23.7 (2007) |
| Spending on R&D (% of GDP) | 1.27 (2007) | 0.58 (2006) |
| Passenger cars per 1,000 inhabitants | 445 (2006) | 84 (2006) |
| Fertility rate | 1.46 | 2.20 |
| UN human development index (2) | 0.949 (2005) | 0.775 (2005) |
| Life expectancy at birth (years) | 81 (2007) | 72 (2007) |
| Percentage of population under the age of 15 | 14.5 | 26.4 |
| Percentage of population over the age of 65 | 16.7 | 7.0 |
| Gini coefficient of income inequality (mid-2000s) (3) | 0.319 | 0.430 |
| Transparency International Corruption Perceptions Index (Rank & score) (4) | 28th, 6.5 | 58th, 4.6 |
| Gender empowerment (ranking in UN Development Programme's measure) | 12th | 90th |
| Press freedom index (Reporters without Borders) | 36 th | 102 nd |
| Prisoners per 100,000 inhabitants (average of years 2005-07) | 146 | 102 |
| Number of governments since 1977 (5) | 10 | 20 |
| Military expenditure (% of GDP) | 1.0 (2006) | 2.9 (2006) |

(1) 2008 unless otherwise stated.

(2) The maximum value is one.

(3) The closer to zero the more equal the income distribution.

(4) The closer to 10 the cleaner the country.

(5) This is taken as the reference year because it was when Spain had its first free elections since 1936.

Source: Eurostat, OECD, Turkish Statistical Institute, UNCTAD, UN Human Development Report, World Development

Indicators and Economist Intelligence Unit.

Selective Bibliography

- Chislett, William (2008), *Turkey's Conundrum: Are the Country's Versions of Secularism and Political Islam Compatible?*, Working Paper, Elcano Royal Institute, www.realinstitutoelcano.org/wps/portal/rielcano_eng/Content?WCM_GLOBAL_CONTEXT=/Elcano_in/Zonas_in/Europe/DT24-2008.
- De Bellaigue, Christopher (2009), *Rebel Land: Among Turkey's Forgotten Peoples*, Bloomsbury, London.
Financial Times, Turkey Special Report, 9/VI/2009.
- International Crisis Group (2008), *Turkey and Europe: The Decisive Year Ahead*.
- Karlsson, Ingmar (2009), *Turkey in Europe but not of Europe?*, conference paper presented at Lund University, Sweden, in May and published by TESEV, www.tesev.org.tr/UD_OBJS/PDF/DPT/AB/TESEV_Lund_Report.pdf.
- Open Society Foundation Istanbul (2009), *The Cost of No EU-Turkey*, Hakan Altınay, Michael Lake, Carl Bildt, Norbert Walter, Paulina Lamposa & Hakan Yılmaz.
- Organisation for Economic Co-operation and Development (2008), *Turkey Survey*.
- Yılmaz, Bahri (2008), *The Relations of Turkey with the European Union: Candidate Forever?*, Center for European Studies at Harvard University, www.ces.fas.harvard.edu/publications/docs/pdfs/CES_167.pdf.