

## **Table of Contents**

- ***Release Suhrob Zafar***
  - ***Hidden agendas cloak Turkish-US feud over jailed pastor***
  - ***Turkish constitutional referendum: TRexit from parliamentary democracy?***
  - ***Without proof the Commissioner Timmermans points to Gülen movement as coup plotter***
  - ***Repression against teachers***
  - ***British lawyers warn of human rights violations in Turkey***
  - ***Turkey's witch-hunt against the Gülen movement should stop***
  - ***Statement on journalists arrests***
  - ***Turkish professor begins serving time for headscarf charges, first imprisonment in such a case***
  - ***Grave risk to media freedom in Turkey as journalist deported for anti-government tweets***
  - ***Turkey needs a new constitution to save its democracy***
  - ***The view from Brussels***
  - ***Is EU-member Greece truly secular?***
  - ***Turkish language in public suffocated in Greece***
  - ***Turkey badly needs to liberalize its secularism***
  - ***Greek/Turkey border: The tragic limits of European migration policies***
  - ***Key findings of the 2013 progress report on Turkey***
  - ***Warning signals on civil liberties***
  - ***Amnesty accuses Turkey of 'brutal' Gezi Park protest abuse***
  - ***Resolution concerning the protection of lawyers in the exercise of their professional duties***
  - ***Is Erdoğan mildly, moderately or slightly Islamist?***
-

## **Release Suhrob Zafar**

***Send a letter/email to the Turkish embassy of your country to ask for his release***



HRWF (10.09.2018) - Suhrob Zafar, the leader of the opposition political movement "Group 24", who was arrested in Istanbul on 19 March 2018 at the request of Tajik authorities, has declared a hunger strike to protest his uncertain future and the risk of his extradition to Tajikistan. Zafar lived in Turkey for the past four years.

Tajik authorities banned Group 24 in 2014 after labeling it an extremist group.

Group 24 was founded by fugitive tycoon Umarali Quvatov, who was shot dead in Turkey in March 2015. Opponents of President Emomali Rahmon who live abroad say they believe Quvatov's killing was orchestrated by authorities in the Central Asian country.

The Tajik government has carried out a severe human rights crackdown over the past three years, with hundreds of political activists imprisoned, including several human rights lawyers, and opposition parties banned. Since 2015, Dushanbe has sought the detention and forcible return to Tajikistan of peaceful political activists in Belarus, Kyrgyzstan, Kazakhstan, Moldova, Russia, Turkey, and elsewhere.

A Group 24 activist, Maksud Ibragimov, was stabbed, forcibly disappeared in Russia, and returned to Tajikistan in January 2015, and later prosecuted and sentenced to 17 years in prison. In May 2015, another Group 24 activist, Ehson Odinaev, disappeared in St. Petersburg, Russia, following repeated attempts by Tajik authorities to detain and forcibly return him to Tajikistan. His whereabouts are still unknown. In May 2017, Tajikistan extradited another member of the group, Abdurakhim Vosiev, from Russia. Vosiev later was sentenced to 23 years in prison on trumped-up extremism charges.

In cases involving unlawful removal of people from Russia, the European Court of Human Rights has warned that "any extra-judicial transfer or extraordinary rendition, by its deliberate circumvention of due process, is an absolute negation of the rule of law and the values protected by the Convention. It therefore amounts to a violation of the most basic rights guaranteed by the Convention."

For more information, see

<https://www.hrw.org/news/2018/04/13/turkey-tajik-activists-face-deportation>

---

## **Hidden agendas cloak Turkish-US feud over jailed pastor**

World Watch Monitor (20.08.2018) - <https://bit.ly/2w05G3J> - On the eve of the week-long Muslim festival of sacrifice, Eid al-Adha, Turkish Foreign Minister Mevlüt Çavuşoğlu has accused US President Donald Trump of not wanting to solve his country's disagreements with the United States over jailed US pastor Andrew Brunson.

"It seems that they do not want to solve these problems, that they are manipulating them for their domestic political concerns," Çavuşoğlu said yesterday.

The top Turkish diplomat referred to prominent media claims over the past week speculating that Trump's reasons for refusing diplomatic negotiations with Turkey to resolve the Protestant pastor's fate were political – specifically, to shore up electoral support among his "religious right" constituents before the US mid-term elections in November.

Last week Turkish President Recep Tayyip Erdoğan also questioned Trump publicly on his demands for Brunson's immediate release, after the US leader doubled steel and aluminium tariffs against Turkey and threatened new sanctions until Brunson's release and return to the US.

The surprise US tariffs announced on 10 August sharply rocked the Turkish markets, pushing the lira to a record low of nearly 20 per cent in one day. Erdoğan called for a boycott of US electronic devices and then announced tariffs against US cars, alcohol, tobacco and other imports.

"You can never bring this nation in line with the language of threats," Erdoğan responded. "It is a pity that you choose a pastor over your strategic partner in NATO."

But yesterday a senior White House official blamed the breakdown in negotiations on Ankara, which allegedly continues to lobby behind the scenes to extract US concessions for Halkbank, a major Turkish state bank facing billions of dollars in US fines for violating Iran sanctions.

Quoted in the Wall Street Journal, the official said the US has informed Turkey that neither the Halkbank fines nor other areas of serious dispute between the two nations will be discussed until Brunson has been freed.

### ***Tweets and rejections***

On Friday, US President Donald Trump's latest tweet protested Turkey's continued jailing of Brunson, calling him a "patriot hostage".

"Turkey has taken advantage of the United States for many years," Trump wrote. "They are now holding our wonderful Christian pastor ... We will pay nothing for the release of an innocent man, but we are cutting back on Turkey!"

During a cabinet meeting on the same day, US Treasury Secretary Steven Munchin promised further sanctions "ready to be put in place" if Brunson is not freed.

"We have more that we are planning to do if they don't release him quickly," said Munchin.

Hours later, Izmir's 3rd High Criminal Court formally rejected a pending appeal filed earlier in the week by Brunson's lawyer to lift his client's current house arrest detention and travel ban.

Removal of these two court-ordered restrictions against Brunson would assumedly expedite the pastor's return to the United States.

His lawyer Ismail Cem Halavurt's petition on 14 August had requested the court to "prevent unlawful political interventions by lifting judicial control provisions on the defendant".

The appeal again stressed that the Izmir 2nd Criminal Court's three trial hearings against Brunson to date had failed to present any concrete evidence of criminal activities by the pastor; instead the three-member judicial panel had accepted the validity of secret testimony as actual proof of his involvement in terrorism and espionage. If convicted, the prosecution demands a 35-year prison sentence.

Imprisoned since October 2016, Brunson was finally charged in March 2018 of links that allegedly revealed his sympathies for the illegal separatist Kurdish Workers' Party (PKK) and the Fethullah Gülen network accused by Ankara of orchestrating the failed July 2016 coup attempt against the Erdoğan government.

Halavurt told CNN that he planned to appeal again in 15 to 20 days, "thinking that there might be a new evidence in the file or there might be a new outcome of talks". Noting other legal avenues, he said he would pursue appeals to the Constitutional Court, and if refused there then go on to the European Court of Human Rights.

The lawyer noted that the alleged "health reasons" for the Izmir higher court's judicial transfer of Brunson to house arrest, as told to the Turkish media, were unfounded, describing this explanation as "a political invention".

### ***Europeans urge release***

Diplomats in both Germany and the UK urged Turkey last week to resolve its contentious Brunson issue with the US by setting the pastor free.

"Deciding to release Brunson now would be the solution to resolve the current economic problems," German Foreign Minister Heiko Maas told Deutsche Welle on 14 August, admitting that the Turkish lira's record-low drop in value "causes us great anxiety".

The same day, UK Ambassador to the UN Karen Pierce stated: "The release of Brunson would alleviate the crisis between the two countries."

"I think Turkey is a modern democracy. We hope that they will follow the rule of law. We had also in the past called for [Turkey's] release of prisoners," she observed.

"[Turkey] missed a big opportunity. This is very easy to resolve," an unnamed US administration official told Reuters last week. "They made a big mistake trying to tie this to other things."

Married with three children, the 50-year-old pastor had lived in Turkey for 23 years before his arrest. At the time of his arrest, he was leading a small congregation at the Resurrection Church in the Aegean port city of Izmir.

After being imprisoned for 22 months in several Turkish detention centres and prisons, Brunson was transferred to house arrest and reunited with his wife in his Izmir home on 25 July, when his ankle was fitted with an electronic tracking device.

A fourth court hearing in his case has been scheduled for 12 October.

### **Andrew Brunson timeline**

1993 – present	US Protestant pastor Andrew Brunson involved in legally recognised church-related Christian ministry in Turkey.
2016: 15 July	Deadly military coup attempt against Turkish government fails; Ankara blames network of US-based Turkish cleric Fethullah Gulen for coup, seeks Gulen's extradition from US.
20 July	Turkish President declares state of emergency (still in force), suspending certain judicial practices; 110,000 public officials dismissed, 35,000 Gulen suspects under arrest, awaiting trial.
7 October	Brunson detained with wife Norine, in Alsancak police station, Izmir; told he would be deported within 15 days as "threat to national security".
19 October	Norine Brunson released from police detention.
20 October	Andrew Brunson moved to Harmandali Detention Centre (outskirts of Izmir), placed in solitary confinement.
9 December	Summoned (with lawyer) to closed hearing at Izmir 2nd Criminal Court. Charges changed to "membership in an [unnamed] armed terrorist organisation". Placed under formal arrest in overcrowded group cell at Aliaga Sakran Prison (45 miles from Izmir).
20 December	US Senator James Lankford meets Turkish Justice Ministry officials in Ankara, the capital.
29 December	Izmir court rejects lawyer's appeal to release Brunson.
2017: 3 January	Unnamed senior Turkish official to Wall Street Journal says claim that Brunson's arrest related to his religious affiliation is "ludicrous".

15 February	78 US Congress members write to Turkish President Erdogan, urging him to release Brunson.
9 March	Turkish Prime Minister Yildirim tells USA Today it's a "nonsensical" idea that Brunson held hostage until Turkish cleric Gulen's extradition from US; says pastor's case could be "accelerated".
28 March	Brunson sends appeal letter to US President Trump.
30 March	US Secretary of State Tillerson meets Norine Brunson in Ankara.
15 May	American Center for Law & Justice files petition to UN Human Rights Council for Brunson's release.
16 May	Trump asks Erdogan in person during Washington DC visit to release Brunson.
Late May-June	Flurry of Turkish media allegations against Brunson link him with Gulen movement, armed PKK separatists, CIA, "missionary" activities.
30 May	Erdogan promises "retaliation" vs. countries holding Gulen movement suspects.
7 July	Washington Post reports Turkey's swap offer to exchange Brunson for release of millionaire Turkish-Iranian prisoner Reza Zarrab, facing trial in New York for evading US-led Iran sanctions.
17 July	Brunson moved to shared cell in Kiriklar Maximum Security Prison in Izmir's Buca district.
24 July	New charges of "espionage & insurgency" against Brunson reported in Turkish press.
24 August	Izmir judge initiates video conference call with Brunson and his lawyer; pastor informed his official criminal charges are "spying and insurgency".
25 August	New "state of emergency" Executive Order No. 694 authorises Erdogan to arrange to swap Turkish citizen prisoners for foreigners jailed in Turkey.
28 September	Erdogan publicly declares swap offer of Brunson for Gulen's extradition.

5 October	Two representatives of US Commission for International Religious Freedom visit Brunson at Kiriklar Prison.
15 November	Brunson's daughter Jacqueline addresses US Helsinki Commission hearing, Washington DC.
2018: 3 January	Brunson's 50th birthday.
11 January	Erdogan vows no extraditions to US until Gulen returned from US to Turkey.
23 January	US delegation visiting Ankara raises Brunson's "wrongful detention".
9 March	Jacqueline Brunson addresses UN Human Rights Commission, Geneva.
13 March	Written indictment against Brunson leaked to Turkish press.
16 March	Indictment accepted by Izmir 2nd Criminal Court; first trial date set for 17 April.
26 March	Brunson's North Carolina Senator Thom Tillis visits him at Kiriklar Prison.
17 April	First trial hearing: Brunson denies all charges, three prosecution witnesses testify; observed by US Ambassador for International Religious Freedom Sam Brownback and Senator Thom Tillis.
7 May	Second trial hearing: includes 11 hours of testimony, one from a secret witness who, identity concealed, appeared on video in the court. USCIRF's vice-Chair Sandra Jolley attends.
18 July	Court rules Andrew Brunson must remain in prison, dashing hopes of his imminent release.
25 July	Court orders Andrew Brunson to be moved from prison to house arrest.
14 August	Lawyer appeals arrest & travel ban to Izmir 2nd Court.
17 August	Izmir 3rd Court rejects lawyer's appeal.

---

## Turkish constitutional referendum: TRexit from parliamentary democracy?

By Dr. Demir Murat Seyrek

Euronews (13.03.2017) - <http://bit.ly/2ISRsPk> - The political system governing Turkey is on the verge of a profound change. In the case of a "yes" vote on 16 April, Turkey will be transformed from a parliamentary system to an executive presidency, in which the President will have an unprecedented role. Even Mustafa Kemal Atatürk, the founding father of the Republic, did not have such power.

A presidential system is not a bad thing per se; there are certainly good examples. Moreover, the presidential system discussion is not new in Turkish political history either. The issue was previously raised by the late President Turgut Özal, a key political figure in the transition of Turkey to a western-style liberal economy in the 1980s. However, the focus of these past discussions has always been the American system with a strong emphasis on the separation of power. The newly proposed system, literally described as "a la Turca" presidency by the Turkish government, has little in common with presidential systems in the Western world. Many elements in the constitutional package increase concerns regarding democracy, separation of powers and checks and balances.

*Out of 18 proposed changes, there are 6 that have raised widespread concern:*

**Article 7:** While the current constitution does not allow the president to be affiliated with a political party in order to maintain the president's impartial status following the election, this article will allow the president to be a member and even a chairperson of a political party. As a result, the president may run the party as well as the country. A "party state" may emerge out of this, especially considering the powers of political party leaders under current Political Parties Law. As candidates for parliamentary elections are chosen to a large extent by party leaders, the president may also select and control the majority of parliamentarians in case the president's party has the majority in the parliament. In this way, the president may control both the executive and legislative bodies.

**Article 8:** This article will abolish the prime minister's office and transfer all executive power currently belonging to the prime minister and ministers to the president. The president will also gain some legislative power through the right of issuing decrees. However, it should be noted that the scope of this right is narrow and laws will still have precedence over decrees.

**Article 9:** New impeachment procedures introduced by this article will make the process almost impossible. This is very important in terms of the accountability of a president whom enjoys unprecedented powers. Signatures of a simple majority of parliamentarians will be required to start proceedings. A three-fifths majority will be needed to set up an Inquiry Commission. If the commission decides to send the president to the Supreme Court then this decision will at least need to be backed by a two-thirds majority.

**Article 10:** The president will be able to appoint one or more vice-presidents without any restrictions. The vice-presidents, as non-elected officials, will replace the president and rule the country by using all of the president's powers if the president is absent, seriously ill or in the event of his/her death.

**Article 11:** This article will give extra power to the president on the legislative body. The president will have the right to dissolve the Parliament without any reason. Although, as

presidential and parliamentary elections will always be renewed simultaneously, the president will be directly affected by this decision. Furthermore, the parliament will also be able to call for early elections with a three-fifths majority.

**Article 14:** This will increase the power of the president over the Council of Judges and Prosecutors, a key actor for the independence of the judiciary. With this article, the president may directly and indirectly, through the parliament if the president's party has a sufficient majority, play an important role in the selection of the Council's members. However, it is not possible to claim that the president will have full control on the judiciary.

In the case of a "yes" vote, the main concern is the emergence of "one-man rule". While this concern is mainly raised by the opposition, this is indeed a major risk for everyone. Debating the issue by simply taking into account the current president is not very healthy. This is a fundamental change about the future of the country. President Erdogan will not be ruling the country forever. AKP supporters may even be the victims of this system in the future if an anti-AKP person were to be elected as the president with these powers.

While the result of the referendum is highly unpredictable with different polling companies estimating significantly different results, the government does not seem to be very confident about the success, considering that the "no" campaign consists of many political actors from diverse backgrounds including the main opposition CHP, the pro-Kurdish HDP, opposition groups within nationalist MHP and surprisingly the Islamist-leaning Saadet Party.

The European Union is also closely following this historical referendum. In Europe, there are major concerns about the future of Turkish democracy. However, a "yes" vote would not be the end of Turkey's strained relations with the EU, considering de facto frozen accession negotiations and the EU's short term priorities. While the issue-based cooperation, which started with the refugee deal, will most likely continue in any case, Turkey will certainly be a more difficult partner in the case of a "yes" vote.

---

## **Without proof the Commissioner Timmermans points to Gülen movement as coup plotter**

Dialog Platform (15.11.2016) - Weekly magazine Knack published an interview today with the EU Vice-President and Commissioner Frans Timmermans about the alleged involvement of the Gülen movement in the coup attempt of July 15th in Turkey.

Mr. Timmermans suggests that more empathy needs to be shown towards the Turkish government, which was targeted by a coup attempt on July 15. The commissioner also suggests that it is not entirely false that the Gülen movement is behind the coup.

Mr. Timmermans makes his statements not based on facts, but on supposition. "Based on American research there are growing indications that the Gülen movement certainly played a role in the failed coup this summer in Turkey," said the commissioner.

However, the article does not explain what evidence and which American research. It is remarkable that this statement of Timmermans comes after Erdoğan's threat to end the refugee deal with Europe.

Thus far, although demanding Gülen's extradition from the United States, there is no indication that the Turkish government can provide any substantive evidence at all that Gülen was involved in the coup. In addition, since the coup, the government has

dismissed and arrested thousands of police officers, judges, prosecutors and lawyers who are not compliant with the wishes of the ruling party. Currently, in Turkey there is no hope of a fair trial for anyone. In this environment, Erdoğan also intends to reintroduce the death penalty. Furthermore, there are reports of torture, sexual assaults, denial of medical care, and deaths in custody.

Immediately after the failed coup attempt Fethullah Gülen condemned the coup and denied any involvement, and he has asked for an international commission to investigate who was really behind the coup. He said that if 10% of the allegations could be proven, he would return on his own initiative to Turkey. To date his offer stands since no one has started such an inquiry.

About possible participation in the coup by individuals from the Hizmet Movement, Gülen has said that if any of his supporters were involved with the coup plotters, they would have betrayed his teachings and he will not forgive them for it. Finally, Gülen noted that an accusation is not a trial in itself, and it is wrong to blame a movement for a coup attempt before the investigatory process is completed.

---

## **Repression against teachers**

HRWF (19.09.2016) – On 15 July, a bloody coup attempt which resulted in more than 200 dead, hundreds of injured people and thousands of arrests took place in Turkey. Those responsible for unlawful killings and other human rights abuses must be brought to justice while respecting the rule of law but indiscriminate mass arrests and dismissals of thousands of judges, policemen, journalists, teachers and civil society activists are deeply worrying in a context of increasing repression of peaceful dissent on the part of the Turkish government.

In the last few weeks, our NGO has received calls for help from individuals in Turkey that we want to share with you. All names have been omitted to protect the identities of contributors to this article.

### ***Arrested and jailed***

Since the 15<sup>th</sup> of July, after the so-called coup attempt, Turkey has witnessed very dramatic troubles. This chaotic situation unfortunately still goes on incrementally, as you can easily observe during your visit, if you are allowed to visit one of the victims. My husband is in prison in TOKAT jail where he is detained and tortured badly. The place where my husband is in prison has severe conditions, no human can live there.

Without a doubt, you can be sure that Turkish authorities will certainly hide all cases of torture and harassment that they have done to the victims, of whom nobody has any criminal case.

My husband served as a Turkish teacher at a school for about 10 years. All the citizens, parents in our city, and students have known that very well. He dedicated all his life to his job. Although he has no relation with the coup attempt or any so-called terrorist group, he was detained at home, while our two children were crying, by a very crowded and unhuman, ill-tempered police. Most of them had masks on their faces.

During custody and the following process, we haven't heard anything from my husband for about 23 days. Although, he has some health problems, he wasn't allowed to use his pills. He has barely survived. Although, it is an essential human right to have a lawyer, no lawyer has accepted our proposals, and no lawyer has been assigned to him by government either.

I'm very anxious for his life. He is only one person out of a total of about fifty thousand (increasing day by day), who has been the victim of such medieval behavior by the Turkish government.

I strongly recommend you to visit my husband in TOKAT jail, and also the other victims in all the places (prisons, police stations, gyms), as much person as you can.

### ***An English teacher dismissed***

I'm an English teacher in Burdur, Turkey. I was dismissed on 2 September 2016 without any legal basis.

There was a coup attempt on 15 July 2016 in Turkey. Fortunately the coup attempt failed. I am deeply sorry for this attempt because I am a teacher and a patriot, so I teach patriotism, democracy, justice, and equality to my students. I love my job and students very much. A week later on 22 July, I was suspended from my duty. The reason why I was suspended is because I was a member of an educational union (aktif eğitim sen) which I resigned eight months before and for being a member of terrorist organisation (FETÖ). Being a member of educational union is totally legal so I don't understand why it is something related.

Police searched my home and couldn't find anything related to coup attempt.

On 29 July 2016 I was summoned to bear testimony. Before the testimony the police took my mobile phone and memory card which is inside it.

I am accused of being a member of a terrorist organisation, with which I have no relations.

In court, the judge asked me 'why I was a member of the educational union and do I have connections with coup attempt?' I answered 'because it is a union and it protects rights of the teachers and I have no connection with coup attempt.'

I was dismissed on 2 September 2016 without any legal basis. Because some of the higher judges and members of higher judicial bodies are dismissed I think I cannot prove that I am innocent in Turkey.

What I request from your organisation is to hear my voice also not only mine thousands of other just like me.

### ***University staff suspended, fired, and jailed***

I am ... from Afyonkarahisar, Turkey. I was working as a nurse at Afyon Kocatepe University in Afyonkarahisar city. I was suspended at 20th of July 2016, just after one month from the date my husband was suspended from his job. My husband, Assistant Professor Dr. ..., was the head of Psychiatry Department in Afyon Kocatepe University. He had been working as an academician in this department for eleven years. He had trained himself very well in his branch and worked hard to gain these experiences.

He was accused of being a member of armed terrorist organization and in opposition to the law without any concrete evidence. Even though he had no relation with the group attempting coup, he was accused just because hostility and slanders of some people working in the same university.

He was suspended at 20th of July 2016 and fired from his job with delegated legislation. He was held in jail for nine days. Even we, his family, couldn't communicate with him anyway. We couldn't see or talk to him for nine days. We were really worried about his

health. We only learned about the circumstances in which he lived for nine days in jail from other persons who were freed.

They had been held in a jail cell with five people, but actually the place was sufficient for only one person. The jail was six square meters. There was only one bed and one sofa.

My husband and the other people in his jail had been very sad about this and they were mentally depressed. My children and I had difficulties spiritually and financially, and suffered a lot during my husband's custody period. My children were especially seriously affected because of their father's unsettling condition. My youngest's school was closed because it was found to be related with this group by the government. He had to leave his friends and teachers. They are very upset about this.

It's impossible for us to be related to this coup attempt planned against democracy. The slander and accusations hurt us too much. We are the grandchildren of Çanakkale martyrs and veterans. It's unacceptable for us to be slandered as traitors. My husband has dedicated his life to save the lives of other people and he has worked as a doctor for twenty years. How can it be possible for a person who has such a holy career to be included in a plan of killing people?

I am writing this letter to you to request help from human rights organizations. And I would be very happy if you can tell the world our unjust treatment and victimisation.

We don't know exactly where to apply to tell our unjust treatment. We also would be grateful if you can inform us about the authorities we can consult. We look forward to your response.

Thank you very much.

### ***A plea from many***

We are citizens of Turkish Republic. While we were working as teachers the Turkish Government dismissed us using the excuse of the coup, without any investigation. As teachers we are not related to coup. We couldn't use right of defense although we are innocent. We don't know anything about why we are dismissed. Hundreds of thousands of officers and their families are abandoned to hunger. Also no one wants to give us work because the Turkish Government has names us as terrorists. We hope you to announce European Nations our problems. WE ARE NOT PART OF THE COUP, ONLY TEACHERS.

Thanks for your interest.

---

## **British lawyers warn of human rights violations in Turkey**

### ***Report alleges serious setback for democracy as 40,000 removed from jobs and police and media figures imprisoned***

The Guardian (28.09.2015) - <http://www.theguardian.com/world/2015/sep/28/british-lawyers-warn-of-human-rights-violations-in-turkey> - Turkey's government is inflicting "systematic human rights violations" on its judiciary, police and media, according to a scathing report by senior British lawyers that was commissioned by one of president Erdogan's exiled opponents.

The critical, 95 page-long survey alleges that the AK party government has interfered to produce "supine" courts, censored websites, restricted freedom of expression, stifled corruption investigations and subjected detainees to degrading treatment.

It has been written by Lord Woolf, the former lord chief justice, Sir Edward Garnier QC, the Conservative MP and former solicitor general, Prof Sir Jeffrey Jowell QC, the director of the Bingham Centre for the Rule of Law, and Sarah Palin, a barrister specialising in media law.

Their inquiry was funded by the US-based Journalist and Writers Foundation, whose honorary chairman is the Islamic cleric Fethullah Gülen – a former ally of Erdogan who has become a forthright critic. Last year, a Turkish court was reported to have issued a warrant for Gülen's arrest.

The lawyers' report focuses on Gülen's Hizmet movement and claims that his followers have suffered systematic purges that have removed as many as 40,000 employees from public positions, led to mass arrests and in some cases periods of detention.

Beginning with allegations of corruption made against Erdogan and his ministers in December 2013, the report – based on documentary evidence rather than visits to observe trials or interview witnesses in Turkey – records what it says are repeated breaches of human rights.

"We have analysed the actions taken by the Turkish government and its agents since December 2013 and have unanimously concluded that there has been a distinct reversal in the reform process that had been taking place since Turkey began accession talks with the European Union in 2005," the four British authors state.

"We regard this as a serious setback for Turkish democracy and its respect for human rights, in particular for the freedom of speech and the rule of law.

"From the perspective of international human rights law, we consider that the Turkish government has perpetrated significant human rights violations against supporters of the Gülen movement that would justify legal action before the European Court of Human Rights, in the absence of suitable remedies in Turkey."

The media and criminal justice system in particular, the report says, have been targeted. Radio and TV stations have had broadcasts suspended. Social media have been subject to bans which authorise removal of content from websites in some cases without having first obtained a court order, it states.

"The arrest and detention of journalists, media executives, police officers, public prosecutors and judges who are perceived to be supporters of the Hizmet movement, and their treatment in custody, has raised serious concerns about violations of their right to liberty and security," it notes.

One of the most prominent victims the report identifies is Hidayet Karaca, chief executive of Samanyolu Media Group, who was arrested last December on the "dubious allegation" of establishing a terrorist organisation.

Karaca, Ekrem Dumanlı, editor in chief of Zaman newspaper, and other newspaper journalists, producers and scriptwriters of a television drama are accused of conspiring against an Islamist group. Karaca and 63 detained police officers remain in prison, the report said, "notwithstanding that an order was made by a competent court" for their release on bail.

The report estimates that approximately 40,000 police officers, civil servants, judges and public prosecutors have been removed from their posts since the December 2013 corruption investigation into Erdogan's close circle.

Sir Edward Garnier told the Guardian: "Given the way the [Turkish] courts are being undermined ... there's an absence of any realistic prospect of a remedy in the domestic courts." The constitutional court remains "a last beacon", he added, but is overwhelmed with cases. "It's possible, we believe, for those who are aggrieved to go directly to the European Court of Human Rights (ECHR). They would have to take legal advice but the situation is not too optimistic in Turkey."

Last year, the ECHR handed down to Turkey 101 judgments confirming violations of human rights; only Russia lost more cases at Strasbourg. The report dates the worsening of human rights in Turkey to the government's "repressive" response to the 2013 popular Gezi Park demonstrations against the government in Istanbul.

Alp Aslandogan, a spokesman for the Journalist and Writers Foundation, told the Guardian: "There has been subjugation of the judiciary and the media. The Gulen movement has been chosen as a scapegoat to justify the government's authoritarian actions."

The Turkish embassy has not responded to requests for comment.

The report is available at: <http://bit.ly/1O5rYFu>

---

## **Turkey's witch-hunt against the Gülen movement should stop**

Muftah.org (15.09.2015) - <http://muftah.org/turkeys-witch-hunt-against-the-gulen-movement-should-stop/#.VguyjvmgpBe> - We're told they are "vampires" and "traitors", "pawns of foreign powers" and "cancerous cells" and a "blood-sucking virus" to be "annihilated," "cleansed," "vaporized," and "separated into its molecules."

Is this the violent invective spewed at dissidents from the pages of Pravda at the height of the 1930s Soviet purges or from some official mouthpiece of the North Korean regime promising to crush the enemies of the people? No. These are phrases taken in 2014 and 2015 straight from the front pages of Turkish newspapers, like Sabah, Aksam, Takvim, and Star, that are known to be unconditional supporters of Turkey's president Recep Tayyip Erdogan and his ruling Justice and Development Party (AKP). The "virus to be annihilated" is Hizmet, an Islamically-inspired, Turkish transnational civic movement. Hizmet, also known as the Gülen movement (after its founder Fethullah Gülen, a Turkish Muslim cleric), was until recently an ally of Erdogan in his fight against the Kemalist establishment that had ruled Turkey since 1923.

The relationship between AKP and Hizmet fell apart in late 2013 after allegations of corruption were made against the Erdogan government by an allegedly "parallel structure" within the state and supposed shadow fifth column controlled by the Gülen Movement. The prosecutors and police officers in charge of these corruption investigations were subsequently removed from their posts and all charges against the suspects, including some members of Erdogan's inner circle, were dismissed. This was only the beginning of the government's wholesale campaign to discredit and purge Hizmet.

Hizmet itself is a network of businesses, media entities, charities, and educational establishments based on the religious teachings of Fethullah Gülen and emphasizing the

compatibility between Islam, science, reason and progress. Erdogan's government has already targeted some of the most visible of Hizmet's institutions.

In December 2014, Hidayet Karaca, general manager of Samanyolu Broadcasting, a Hizmet-affiliated media group, was arrested. As of this writing, he remains in pre-trial detention. The government has also disrupted the work of Kimse Yok Mu? (Is Anyone There?), Turkey's largest relief organization, known for undertaking extensive humanitarian work in Africa, seized the management control of the Bank Asiya, and raided businesses belonging to the Koza İpek Holding company, all of which are closely affiliated with the Gülen movement.

Recently, Turkey's Radio and Television Supreme Council (RTÜK) ruled that the Samanyolu Haber TV station, which is also associated with the movement, violated a broadcast principle during one of its news program, paving the way for the channel's closure.

Just last month, agents of Turkey's Anti-Smuggling and Organized Crime Bureau (KOM) raided at least eight Gülen-linked private schools. Perhaps most ludicrous of all, pro-government media have claimed (without a shred of evidence) that investigations have exposed the movement's "armed leg," which is known as Otuken, and that movement members committed massacres of Christian missionaries in 2006 and 2007.

These are but a few examples of the state's relentless campaign of defamation and discrimination targeting Hizmet.

### **Western Silence**

Yet Turkey's Western friends, the United States and European Union, have never explicitly condemned the vitriolic anti-Gülen campaign. By contrast, the international community, particularly the EU, has been very detailed and direct in its (well-deserved) criticism of Turkey on a number of issues relating to human rights and basic freedoms, especially with respect to the Kurds, Alevis, non-Muslim minorities, the LGBT community, and women. In their 2014 progress reports on Turkish accession to the EU, both the European Commission and the European Parliament criticized the politicized nature of the Turkish judiciary and dwindling freedom of the press. The European Parliament even adopted a resolution calling out the lack of freedom of expression in Turkey, following the arrest of journalists who had exposed the corruption allegations against the Erdogan government.

So far, the EU has, however, been reluctant to denounce the persecution of Hizmet in its own right, rather than as an extension of broader problems with the Turkish justice system and protection of basic rights in Turkey.

Such reluctance may be partly explained by perceptions that the AKP-Gülen conflict is a power struggle between "dueling" Islamist movements in which the EU has no business intervening. This perception is reinforced by Hizmet's controversial role in spearheading the Ergenekon and Sledgehammer investigations in 2007 and 2010, respectively, which focused on alleged plans for a military coup against the AKP government. Most of the accused were members of the Turkish military, but some were civilian Kemalists. During trials related to these investigations, allegedly fabricated evidence was used against the defendants.

Last December, one member of the European Parliament, in condemning both Erdogan's slide toward authoritarianism and the Hizmet witch-hunt, declared that the "members of the Fethullah Gülen movement and the AKP have created monsters together in a coalition that long turned against everything in their combined path." Illustrating the view that the two groups are often seen as equally-matched competitors in an ongoing Turkish power

struggle, she added, "Now they turn against each other, leading to even more violations of the rule of law."

There is some merit to these claims. Indeed, through its media outlets, Hizmet was quite cavalier toward the fundamental presumption of innocence, and summarily condemned the Ergenekon and Sledgehammer suspects even before their cases went to trial. The movement's failure to condemn the arrest of journalists, such as Ahmet Sik and Nedim Sener, on bogus charges also remains an utter disgrace.

Still, injustice committed by the Gülen movement does not justify government repression toward the group. There are signs some soul-searching may be happening about past mistakes within the movement's ranks. More importantly, what is happening between the government and the movement looks more like a regime crackdown on an independent civic group, than a struggle between two centers of power in Turkey. This is especially true when viewed within the context of Erdogan's ever intensifying authoritarianism.

Another explanation for the international community's silence may be Western discomfort with Islamically-based or -inspired movements in general. But while Hizmet is certainly an Islamic movement, it is not an explicitly Islamist one. In fact, even when AKP and Gulen were allies, the difference in its outlook occasionally broke through, most prominently in 2011, when Hizmet condemned the AKP-supported Gaza flotilla that tragically ended in the murder of activists on the Mavi Marmara cargo ship by Israeli security forces. At the time, some dismissed Hizmet's deferential stance toward Israel as a tactical ploy to please the United States (where Gülen himself lives). In reality, however, the episode illustrates the long-standing and deep philosophical differences between the movement and the AKP.

Hizmet's growing anti-Islamist bent has also led it to take a hostile view toward Iran. This hostility has, at times, expressed itself in aggressively anti-Shia sectarian language, which is strongly at odds with the movement's professed interest in interfaith dialogue and tolerance.

The differences between Hizmet and the AKP did not, however, prevent the movement from working with the AKP when their interests in confronting the Kemalist state overlapped. It also did not stop the movement from moving closer to the opposition People's Republican Party (CHP), after its fall out with the AKP. While the CHP's Kemalist ideology could not, in principle, be further from Hizmet's core Islamic values and beliefs, the alliance reflects the Gülen movement's overall strategy – namely, to work with any political force willing to advance its interests and exploit opportunities to wield political power behind the scenes.

In emphasizing its rejection of political Islam, the movement may indeed risk criticism for opening itself up to exploitation and appropriation by Western neoconservatives who are opposed to Erdogan and the AKP. Yet the conflict between the movement and Erdogan has less to do with Islamism than with Erdogan's expanding authoritarianism. In fact, after cleansing Gülenists (followers of the Gülen movement) from the state apparatus, the AKP brought in many members of the old, Kemalist regime. In fact, many of Erdogan's closest lieutenants are not Islamists at all. One of them, Egemen Bagis, a former EU affairs minister and a suspect in the anti-corruption probe, was even caught mocking the Qur'an.

### ***A Strategic Call to Conscience?***

Whatever Hizmet's faults, there are at least four good reasons why the West should reconsider its position of non-interference and urge Erdogan to stop persecuting the group.

First, as Erdogan pursues his obsessive anti-Gülen "jihad," real terrorists are reaping the benefits. While intelligence and security officers are tasked with dealing with Hizmet as the "most serious threat" to the country's national security, both ISIS and Al-Qaeda have mostly been operating freely in Turkey.

Second, government targeting of Hizmet-affiliated and other critical media seems to be part of Erdogan's strategy to ensure his ultimate goal: introducing a fully presidential system to Turkey, with Erdogan as the executive in chief. Erdogan hopes that early parliamentary elections set for this autumn will deliver the AKP with the necessary majority to pass the relevant constitutional amendment and accomplish the switch. Opposition media and a more critical electorate may be an obstacle to these plans. But, the chances of success are high. If Erdogan's presidential ambitions are realized, this would inflict a fatal blow to Turkey's symbolic position as a democratic and pluralistic model for the Muslim world.

Third, Hizmet's approach to "de-radicalization by default" is a valuable asset in fighting and defeating violent extremist ideologies, reflected in the practices of ISIS and Al-Qaeda. This approach emphasizes theological refutations of violent extremism and provides a counter-narrative rooted in Islamic teachings. For his part, Erdogan is doing the fight against extremism no favors by simultaneously cracking down on Hizmet, warming up to Saudi Arabia, and supporting Salafist militant groups in Syria, in what one prominent journalist Cengiz Aktar calls the "Salafization of Turkey." Ironically, to effectively tackle the extremist threat, Turkey may be compelled to take a cue from Pakistan, which, after supporting and breeding the Taliban in Afghanistan (much like Turkey now does with Salafist groups in Syria), has turned to Hizmet to counter the noxious effects of its own policies.

Fourth, Hizmet's global reach endows its approach toward rooting out violent extremism with an international dimension. It is a useful antidote to the Saudi-funded expansion of an intolerant Salafist-Wahhabi ideology, which has and continues to cause great damage to Muslims and non-Muslims alike. But, in order to be an effective player in this endeavor, the movement must convince skeptics that it does not seek to achieve political and religious hegemony and genuinely values pluralism.

For these reasons, and before it destroys the fabric of Turkish society, the witch-hunt against the Gülen movement in Turkey should stop, and attention should be focused, instead, on the country's real problems, from the resumption of the Kurdish peace process to the fight against the violent extremism of ISIS and Al-Qaeda.

---

## **Statement on journalists arrests**

Dialogue Platform (15.12.2014) - On Sunday December 14, 2015, the Turkish police raided the headquarters of Zaman daily, which has the highest circulation in Turkey, and detained Mr. Ekrem Dumanlı, the editor-in-chief, Mr. Hidayet Karaca, the CEO of Samanyolu Media Group as well as other journalists, producers, and scriptwriters. This is another worrying signal for the deterioration of democracy and freedom of expression in Turkey. The independent media has been the target of the Turkish government due to its opposition to increasingly authoritarian policies and laxity against the serious corruption charges.

It is not surprising that these arrests took place just days before the anniversary of corruption scandal which shook the government of Turkey last year. Since then, the government has passed a series of legislations taking the country opposite direction from the democratic values and European Union.

Participants of Hizmet movement remain committed to democracy, fundamental human rights and freedoms. Detention of people in the media reflects a new level of repression by Erdogan's regime.

We urge the proponents of freedom of expression and the friends of Turkey in Europe to stand against the anti-democratic actions, and raise their voice for the freedom of press, rule of law and fundamental rights to save the democracy in Turkey.

---

## **Turkish professor begins serving time for headscarf charges, first imprisonment in such a case**

Hurriyet Daily (26.11.2014) - A former professor at Ege University in Turkey's Aegean city of İzmir will enter jail on Nov. 27 to serve his two-year sentence for preventing a female student with a headscarf from entering the faculty building, becoming the first individual to be sentenced according to the law.

Esat Rennan Pekünlü, a former professor of astrophysics at Ege University, is set to begin a two-year-one-month jail term for violating a female student's right to education, after refusing to allow her to enter the university building for wearing a headscarf to class.

Before beginning to serve his time at the Foça Open Prison, Pekünlü will give his last lecture on the "universe and evolution" on Nov. 27 in a park in İzmir's Bornova neighborhood. He will then be summoned to the prison.

The ban on wearing headscarves in universities was lifted during the ruling Justice and Development Party's (AKP) term.

Most recently, a government decree changing the regulation on the dress code in public schools was published on Sept. 27 in the Official Gazette, allowing girls as young as 10 to attend classes wearing headscarves.

---

## **Grave risk to media freedom in Turkey as journalist deported for anti-government tweets**

IRFS (08.02.2014) - The deportation of the Azerbaijani journalist Mahir Zeynalov from Turkey is further proof of the Justice and Development Party (AKP)'s increasingly aggressive crackdown on independent media and freedom of expression, Institute for Reporters' Freedom and Safety (IRFS) said today.

According to Turkish newspaper, [Today's Zaman](#), authorities decided to expel its journalist, an Azerbaijani national Mahir Zeynalov after he posted anti-government tweets. The newspaper says Turkish Prime Minister (PM) Recep Tayyip Erdoğan filed a complaint against Zeynalov for "defamation and inciting public to hatred".

This latest act comes amid a recent resurgence of repression that has included disparagement of journalists, the use of pressure tactics to encourage self-censorship, and the launching of criminal cases against reporters under broadly worded anti-terror and penal code statutes. The Committee to Protect Journalists (CPJ) says [Turkey had 40 journalists](#) in prison as of Dec. 1, 2013, accounting for almost 20 per cent of all reporters jailed worldwide.

The freedom of expression online is of particular concern. This week, the AKP-dominated Turkish parliament [approved a bill](#) that would tighten government control over the Internet. The new law would allow Turkey's telecommunications authority to block websites without first seeking a court ruling.

Since December 2013, when a corruption scandal broke, the stories that purportedly discredit public officials have panned social media, raising speculations that the bill aims to prevent dissemination of any damaging information online. Turkish PM has been openly critical of the internet, calling Twitter a "scourge" and condemning social media as "the worst menace to society".

IRFS resolutely condemns harassment and legal persecution of the Today Zaman's journalist Mahir Zeynalov amid a [frantic media crackdown](#) in Turkey. IRFS urges PM Erdoğan and his government to accept criticism in the press and refrain from using criminal law against journalists. The charges against journalist Zeynalov must be dropped and all necessary conditions must be created for him to continue his journalism in Turkey, the organization said.

Finally, IRFS calls on the President Abdullah Gül to veto the amendments to the Law 5651 on the Internet as they violate the constitution and international conventions that Turkey has signed.

---

## **Turkey needs a new constitution to save its democracy**

***A small group in the executive is holding the country to ransom, says Fethullah Gulen***

By Fethullah Gulen

FT (10.03.2014) - Trust and stability are fundamental to a nation's development and to how the world perceives it. There is inherent trust in a democratic and accountable government that respects the rule of law. Turkey painstakingly built this trust over the past decade. Until recently it was seen as an example of a country that prospered while maintaining a democratic government run by observant Muslim leaders.

No longer. A small group within the government's executive branch is holding to ransom the entire country's progress. The support of a broad segment of the Turkish public is now being squandered, along with the opportunity to join the EU. Several recent actions of the Turkish government have drawn strong criticism from the EU and other western countries – among them, a law that gives the justice minister powers to appoint and discipline judges and prosecutors; a bill to curb internet freedoms; and a draft law that would give Turkey's intelligence agency powers akin to those claimed by dictatorial regimes.

After decades of coups and political dysfunction, the ruling AK party's attempt to end military interference in domestic politics was necessary. Democratic reforms towards that end were praised by the EU and supported by a majority of Turks, as evidenced in the 2010 constitutional referendum.

But the dominance in politics that was once enjoyed by the military now appears to have been replaced by a hegemony of the executive. A dark shadow has been cast over achievements of the past decade – the result of insidious profiling of certain groups of Turkish citizens for their views, constant shuffling of civil servants for political

convenience, and an unprecedented subjugation of the media, the judiciary and civil society.

The only way for the Turkish government to restore trust at home and regain respect abroad is by renewing its commitment to universal human rights, the rule of law and accountable governance.

This commitment must include a new, democratic constitution, drafted by civilians. Democracy does not conflict with Islamic principles of governance. Indeed, the ethical goals of Islam, such as protection of life and religious freedom, are best served in a democracy where citizens participate in government.

We also need to embrace certain values that form the fabric of a thriving nation. One such value is respect for diversity of all kinds – religious, cultural, social and political. This does not mean compromising on our beliefs. On the contrary, accepting every person – regardless of colour or creed – as a dignified creature of God demonstrates respect for the free will God has given all human beings.

---

## **The view from Brussels**

By Şahin Alpay

Today's Zaman (24.02.2014) - I was in Brussels last week. On Wednesday, I spoke on the current state of affairs in Turkey during a "Turkey Debate" roundtable meeting organized in the European Parliament (EP).

It was hosted by MEP İsmail Ertuğ and attended by MEPs Andrew Duff, Metin Kazak and Filiz Hyusmenova. On Thursday and Friday, I gave two lectures at Belgium's Leuven University upon the invitation of the Fethullah Gülen chair of the anthropology department. The former lecture was titled "What went right and wrong in Turkey?" and was addressed to graduate students while the latter was titled "Is Turkey a secular state?" and addressed a Ph.D. seminar.

As usual, I contacted members of the European Parliament and European Commission (EC) officials in Brussels with expertise in Turkish affairs. British liberal MEP Andrew Duff summarized quite well how Turkey is currently viewed in Brussels. Duff, speaking during the "Turkey Debate" meeting, stated that the European Union has never before been as close as it is now to considering the possibility of suspending accession talks with Turkey.

He said following the passing of legislation on the Internet and the Supreme Board of Judges and Prosecutors (HSYK), doubts have been increasing in Brussels about whether the Justice and Development Party (AKP) government is truly interested in EU membership, whether Prime Minister Recep Tayyip Erdoğan really understands the importance of the separation of powers in a democracy and whether he is behaving like a statesman.

He asked me what I would advise the EU to do in face of the increasing authoritarianism of the Erdoğan government. In brief, I responded by saying that the suspension of accession talks would be a terrible idea, but that the EU should not hold back from well-deserved criticisms and warnings.

The main impressions I received in Brussels regarding the views on Turkey are the following: The allegations by the pro-government media in Turkey that Erdoğan convinced European leaders during visits to Brussels and Berlin that the graft investigation is a fraud and merely a coup attempt against his government organized by

outside powers and operated by the Gülenist "parallel state" is not in the least bit the case. The idea in Brussels, like among all sound-minded people here in Turkey, rather, is that the Erdoğan government is using the "parallel state" conspiracy theory as a pretext to suppress the investigation into the gravest bribery and corruption charges in the history of the country and destroy the achievements of the last 10 years in terms of democracy and the rule of law. It appears that the view in both the EP and the EC is that the EC's decision to start accession talks with Ankara in 2005, based on the assessment that it has "sufficiently" fulfilled the Copenhagen political criteria, is no longer valid.

Despite that common view, it seems that a suspension of talks is not on the agenda, at least for the time being, mainly because the hope that Ankara will fix itself is not yet lost. It was emphasized that once a decision to suspend talks is taken, it would be nearly impossible to reverse it. It was also pointed out that Germany and France in particular attach importance to trade relations with Turkey and will not take any steps to endanger the re-emerging possibility of a comprehensive solution to the Cyprus problem that would open the way to EU-NATO cooperation. It was underlined, on the other hand, that both the EP and the EC would continue to issue critical reports on measures that threaten democracy and the rule of law in Turkey. There should be no doubts as to how such reports will affect Turkey's image in the world.

The EU officials I contacted believe in general that Prime Minister Erdoğan has set himself on an irreversible path that is very unlikely to serve his political career. There is also disappointment with President Abdullah Gül due to his endorsement of the Internet censorship law and his likely endorsement of other authoritarian legislation considered by the AKP government. One of those I spoke to said, "I had all along thought that Gül was the good cop, but apparently that is not the case." I heard no regrets being expressed about Mr. Egemen Bağış, who was often referred to as the "anti-EU minister," losing his seat in the Cabinet due to the graft investigation, but heard complaints about new EU Affairs Minister Mevlut Çavuşoğlu, who "does not talk about anything else other than the parallel state" which does not raise much interest.

---

## **Is EU-member Greece truly secular?**

Today's Zaman (16.12.2013) - I was taken aback when I heard Turkey's Deputy Prime Minister Bülent Arınç imply that his government is considering converting the Hagia Sophia museum into a mosque. Hagia Sophia was built in the sixth century as a Greek Orthodox cathedral and served as a mosque between 1453 and 1931, and is registered as a UNESCO World Heritage Site. It is surely one of the most treasured historic sites of İstanbul.

I was also taken aback some time ago when I learned that the Hagia Sophia museum in Trabzon had been converted back into a mosque. I could not quite understand the logic behind it, as the government had not so long ago restored the 10th-century Armenian Akdamar cathedral in Van, allowing religious services to be held there at certain times of the year, and also restored to its original condition the 19th-century Greek Orthodox Taksiyarhis Church in Ayvalık, used as a storehouse since the 1920s.

It is really difficult to comprehend the logic behind converting the Hagia Sophia museums back into mosques, because these buildings are some of the finest examples of Turkey's historic-cultural heritage, which certainly includes Christianity. Turkey is a Muslim-majority country, but surely it is not a country of Muslims only, having tens of thousands of Christian citizens and receiving every year millions of tourists who visit these historic sites. It is absolutely necessary to treat these sites as historic-cultural treasures consigned to the Turkish government's protection.

It did appear to me that Arınc's call to convert the Hagia Sophia museum in İstanbul back into a mosque was perhaps "reciprocity" for the Greek government's pussyfooting on the construction of a mosque in Athens it decided to build some time ago. That the Greek Orthodox Halki Seminary on Heybeliada island, closed since 1971, is still closed -- despite all the official statements that it would be opened over the last decade, including statements from Arınc -- may also be the Turkish government's "reciprocity" for the Greek government not allowing the Muslims of Western Thrace elect their religious leaders, muftis, themselves.

If, however, Turkey is a truly secular state, it has to respect the religious rights of all its citizens -- and thus without delay allow the reopening of Halki Seminary, which once trained Greek Orthodox clergy. It surely is understandable when a spokesperson for the Greek Foreign Ministry says, "Statements by high-ranking Turkish officials concerning intentions to convert Byzantine churches into mosques hurt the feelings of millions of Christians." It is, however, also understandable when a spokesman for the Turkish Foreign Ministry replies, "There is nothing Turkey can learn from Greece about religious freedoms."

The fact is that Greece is not much better than Turkey in terms of respecting the religious rights of citizens. The Greek state decides which religions are acceptable and which are not. The Orthodox Church is part of the state administration, like the Directorate of Religious Affairs in Turkey. The government pays for salaries and religious training of Orthodox clergy, partially finances the maintenance of Orthodox Church buildings, and provides a tax exemption for the Orthodox Church's property revenues. Orthodox religious courses are mandatory in public schools. Students may request exemptions, but there is no alternative religious instruction for the non-Orthodox. Proselytizing is forbidden, as in Putin's Russia.

There are three Muslims in Greece's Parliament, but Muslims are highly underrepresented in public sector employment. Aside from the 140,000 to 150,000 citizens who belong to the officially recognized Muslim minority in Thrace, an estimated 500,000 to 700,000 Muslim immigrants live in the Athens area. They frequent about 120 unregistered, informal places of worship, since there is not a single mosque (or Muslim cemetery) outside of Thrace, and have to travel to Thrace for official Islamic marriages and funerals.

It is indeed questionable whether EU-member Greece is a truly secular state, as one can read in the US State Department's International Religious Freedom Report. Both Turkey and Greece badly need to liberalize their secularism.

---

## **Turkish language in public suffocated in Greece**

Today's Zaman (15.12.2013) - When I drove through Greece's beautiful Western Thrace region, where a Turkish-speaking Muslim minority (Turks, Pomaks and Roma) live, the backwash of the scandal was still rather strong.

Whomever I met in the city of Komotini was taken aback, talking about it.

The event went unnoticed by both the Turkish and Greek media. But it deserves everyone's attention.

On Nov. 22-23, a conference was arranged in Komotini jointly by the Greek think tank Hellenic Foundation for European and Foreign Policy (ELIAMEP) and the Programme on

Education of Muslim Children (PEN), under the title "The Treaty of Lausanne: 90 years later -- framing migration issues." A large number of experts, scholars, Greek bureaucrats and representatives of the Turkish minority attended.

The initiative by Professor Thalia Dragona and Professor Anna Frangoudaki, both from PEN, was actually a bold one, when one considers the sharp rise of the violent far-right and xenophobia in Greece, due to the country's financial crisis.

Yet it was also timely because, as I argued here in this column, some clauses in the Treaty of Lausanne and the European Convention on Human Rights (ECHR) now contradict one another. Both Ankara and Athens resort to those outdated clauses to create pretexts to ignore the demands of both Greek and Turkish minorities.

Tension was visible when the conference began because a colleague of mine from the region, Evren Dede, who runs the *Azınlıkça* newspaper and website, had earlier notified the organizers that he wished to address the audience in his mother tongue: Turkish.

But his co-panelist, Georgios Kalantzis, secretary-general of the Ministry of Education and Religious Affairs, told the organizers that there is no way he would allow Turkish to be spoken there. "It is either me or him," he told them.

When Dede was told that he would not be allowed to speak his native tongue, he silently walked out of the hall. His text was read out in Greek by a colleague, Aydın Bostancı, as the minority members in the audience were apparently in shock.

More shocking, however, was that no Greek participant, many of them intellectuals, raised an objection, let alone protest, to what had happened.

Although the second day of the conference was boycotted by many minority members, as reported by the *Gündem* newspaper of Western Thrace, Greeks continued to attend "as if nothing had happened."

A wave of dismay swept through the minority. The former and current minority deputies in parliament issued protests, followed by the Syriza Party, which emphasized the irony of a language being suffocated and a person's right to speak in his mother tongue being openly banned at a conference whose core was about just those rights.

I met Dede in Komotini. He was saddened, bitter. He told me he had no wish to comment on the incident. Once more, as had happened before, a prominent minority figure and a hard-working, fair journalist was receiving threats and was subjected to hate campaigns.

Another remarkable part is that this is happening in a country that is a member of the Council of Europe and the European Union. What is striking is, although Kurdish as a mother tongue is now being "normalized" in Turkey, the issue of Turkish -- a common feature uniting the minority in Western Thrace -- remains a stark taboo.

Greek media largely ignored the scandal. There were, indeed, very few voices criticizing the maltreatment of a Greek citizen among Greek intellectuals, some of whom were witnessing the very event.

Hülya Emin, editor of the *Gündem* weekly in Komotini, wrote: "How sad that in this meeting where the former Greek ombudsman Nikiforos Diamandouros, former ECtHR judge Christos Rosakis and Professor Herkul Millas were present, no joint action of protest against a basic human right was taken."

One of the few brave Greek voices was of Panagiotis Dimitras, spokesperson of Helsinki Watch in Greece, who wrote in a blog that the de facto ban on Turkish was an attack on confidence in majority-minority relations. He asked whether the "Greek deep state has again took over rule in Western Thrace" and concluded that there will be "no open society where people are forced to only speak Greek."

This is where the Treaty of Lausanne is, after 90 years.

---

## **Turkey badly needs to liberalize its secularism**

By Şahin Alpay

Today's Zaman (09.12.2013) - I was in Berlin last week to participate in a conference titled "Achieving religious equality in Turkey" organized by the Order of St. Andrew the Apostle, Archons of the Ecumenical Patriarchate in the US, on Dec. 4-5.

Alongside representatives of various religious minority groups, academics, professionals and politicians from Turkey concerned with issues of religious freedom discussed at length at the conference the restrictions on the rights of not only non-Muslim minorities but also the Muslim Sunni majority and Alevi minority imposed by the Kemalist, authoritarian kind of secularism in force since the founding of the republic.

I was asked by the organizers to moderate a panel attended by representatives of Turkey's parliamentary parties, and to make one of the brief concluding talks at the end of the conference. I do not, unfortunately, have space here to share with you the highly interesting responses to my questions from the panelists. I shall, however, share the remarks I made in my talk. This is a summary of what I said:

I belong to a generation in Turkey whose views on religion have substantially changed over time. I was born to a family of exchangees who left their homes in what is today Greece to be settled in Turkey in accordance with the forced population exchange agreement signed between the two countries in 1923. My parents were happy to leave behind the years of turmoil that began with the Balkan Wars and find a safe haven in their new home. They deeply admired Mustafa Kemal Paşa, and believed whatever he did was right. Due to the family influences and surely to the indoctrination I was subject to in primary and secondary school, I adopted the Kemalist idea of authoritarian secularism, which basically attempted to restrict religious beliefs to private consciences and exclude religion from public life.

When attending university in Ankara in the second half of the 1960s my transition from a Kemalist to a Marxist understanding of religion (as the "opium of the people") was smooth. Living and studying as a political refugee in Stockholm during the 1970s, my disillusionment with communism led to a rethink and gradual paradigm shift away from Marxism. On the basis of life experiences and continued studies I arrived at the following conclusion: Human beings do not only have material but also spiritual needs, and religion will remain an integral part of culture as long as humanity survives. Nineteenth-century theories about modernization leading to secularization have grossly failed. Most of the world has remained highly religious, believing even without belonging. What is important is to resist kinds of religious belief that do not respect the freedom to choose. Freedom of conscience as well as religion, the right to believe as well as not to believe need be equally respected.

I am very happy to have participated in this conference. I sincerely hope it will soon be possible to organize a conference similar to this one in Ankara where all in the majority and the minority who feel that their freedom of religion and conscience is being trampled on can without exception openly voice their grievances. One of the greatest needs of Turkey today is the adoption of a liberal and pluralist kind of secularism based on state neutrality instead of the authoritarian kind of secularism which puts religion under state monopoly and control and restricts religious freedoms. A country where the state illegally and secretly continues to keep records that classify its non-Muslim citizens according to race and similarly registers the religious affiliations of its Muslim citizens can be regarded as neither democratic nor secular.

A final remark is about our neighbor Greece. Restrictions on religious rights and official discrimination against religious minorities in Greece are as serious a problem as in Turkey. I will not go into detail but would like to invite all participants in this conference to at least read the US State Department's International Religious Freedom Report on the situation in Greece. A conference on "Achieving religious equality in Greece" is equally worth organizing.

---

## **Greek/Turkey border: The tragic limits of European migration policies**

FIDH (18.11.2013) - Tighter controls at the border between Greece and Turkey are forcing many people fleeing conflict to use increasingly dangerous routes. Migrants who manage to reach the EU border have been victims of push-backs and those who cross over into Greece are systematically detained on arrival, in inhuman and degrading conditions. The response of the European Union is to strengthen means of surveillance and interception. There is an urgent need to shift the focus away from criminalisation to the conditions of reception of migrants.

These are the conclusions of a fact-finding mission to Greece and Turkey, where our delegation was able to interview refugees and migrants and access several Greek detention centres. The delegation observed widespread violations of human rights at the borders, which cannot be ignored by the various bodies involved in migration control at the Greek-Turkish border.

In Greece, many victims report having been pushed back by Greek coastguards at sea or even upon reaching European soil [1]. These victims do not find their way into statistics. The delegation was able to meet with some of these invisible people, who gave details of acts of violence perpetrated by coastguards: ill-treatment (including of pregnant women and children), theft (jewellery, money, mobile phones), confiscation of identity papers which are often thrown overboard and boats pushed back towards Turkish coasts.

Reforms to migration and asylum laws are under-way, aimed at addressing systemic failures which have been repeatedly condemned by European courts. Yet, confusion reigns over responsibility for intercepted migrants. Those who manage to remain on Greek territory are systematically detained by the authorities, including unaccompanied minors awaiting identification – a practice for which Greece has recently been condemned. Migrants who are released are given an order to leave within 30 days. They have no rights on Greek territory. The rate of acceptance of asylum claims is very low and racist attacks are steadily increasing.

Afghans, Iraqis, Somalis, Sudanese, Eritreans, Syrians, Palestinians are trapped between Greece and Turkey. Both countries, with Europe's support, use the presence of these

populations as a justification for increasingly repressive border control policies.

In Turkey, the adoption of a new law on immigration and international protection, which will come into force in April 2014, has done little to alleviate concerns regarding violations of migrants' human rights. Turkey maintains geographical reservations to the 1951 Geneva Convention on the status of refugees, which exclude non-Europeans from asylum claims. Although it has been heralded as a sign progress, the new law reproduces many of the legal shortcomings of European law (increased use of accelerated procedures for asylum claims; detention of persons pending return for up to 12 months). These reforms are a sign that Turkey is taking a 'European turn', without meeting international human rights obligations. Among the most serious violations: difficulty in accessing asylum procedures in particular for persons in detention centres, absence of laws on the protection of personal data, detention of minors and families, lack of access to legal aid. Since the first arrivals, the Turkish authorities have forcibly returned hundreds of Syrian refugees to Syria. The impact of the reform has been limited by structural failures to meet international obligations, but also by the fact that Turkey is forced to bear final responsibility for people who have no legal possibilities to enter the EU.

What is Europe doing? What is the position of the European Agency for border management, Frontex, and the European institutions behind it, as they witness and participate, at least indirectly, in these violations?

The EU's support to Greece over the past several years on migration issues has been primarily focused on strengthening the presence of Frontex, at the sea and land borders between Greece and Turkey. However, the presence of Frontex has made no difference to the reception conditions of migrants. Nor has it addressed the risks for migrants taking this route, while human rights violations persist at the border.

The gravity of the situation of migrants in Turkey appears to be no obstacle to the EU's negotiation of a readmission agreement with Turkey, the funding of detention centres, or future cooperation opportunities between Turkish authorities and Frontex.

Over the past few weeks, the tragedy that took place at the shores of Lampedusa seems to have raised awareness about the distress faced by migrants trying to reach the European continent. To address this situation, the EU is now considering increasing the capacity of Frontex. However, our organizations have tirelessly warned that the misery of migrants and the risky nature of the routes they take are linked to the lack of alternatives to access EU territory and to unsatisfactory reception conditions within European borders.

Increased border control does not save lives but leads instead to grave human rights violations and even deaths of women, men and children.

---

## **Key findings of the 2013 progress report on Turkey**

European Commission (16.10.2013) - The Commission's 2013 Progress Report on Turkey highlights a number of important steps taken by Turkey over the past 12 months, notably the adoption of a fourth judicial reform package and the start of a peace process to end terrorism and violence in the Southeast of the country. At the same time, the report emphasises the pressing need to develop a truly participatory democracy, able to reach out to all segments of society, as well as the clear requirement to further amend criminal legislation and reform its interpretation by the courts so as to ensure respect for fundamental freedoms, including freedom of expression and freedom of assembly. These

issues underline the importance for the EU to enhance its engagement with Turkey, especially on fundamental rights, so that it remains the benchmark for reforms in the country.

### ***Political criteria***

**The accession process remains the most suitable framework for promoting EU-related reforms in Turkey.** Therefore, accession negotiations need to regain momentum, respecting the EU's commitments and the established conditionality. In this regard, the opening of chapter 22 (Regional policy), after more than three years of stalemate in the negotiations, will be an important step.

**Reform efforts continued**, notably with the adoption of an important judiciary reform package, the announcement of a democratisation package and the start of peace talks aiming to end terrorism and violence in the Southeast of the country and to pave the way for a solution of the Kurdish issue.

However, the political climate continued to be marked by polarisation. This translated into an understanding of democracy as relying exclusively on parliamentary majority, rather than a participative process in which all voices are heard, and finally in an uncompromising stance in the face of dissent and a failure to protect fundamental rights and freedoms. This was exemplified in late May and early June, when police used excessive force in response to a major wave of protests.

In addition, key provisions of the Turkish legal framework and their interpretation by the judiciary continue to hamper respect for fundamental freedoms, including freedom of expression. Cross-ownership in the media and intimidating statements by politicians have made self-censorship in the traditional press widespread

These issues underline the **importance for the EU to enhance its engagement with Turkey on fundamental rights**. It is in the interest of both Turkey and the EU that the opening benchmarks for chapters 23 (Judiciary and Fundamental rights) and 24 (Justice, Freedom and Security) are agreed upon and communicated to Turkey as soon as possible with a view to enabling the opening of negotiations under these two chapters. This would significantly contribute to ensuring that the EU remains the benchmark for reforms in Turkey.

With regard to regional issues and international obligations, Turkey expressed support for a resumption of talks aimed at achieving a comprehensive solution of the Cyprus issue under the good offices of the United Nations. However, Turkey has still not complied with its obligation of full non-discriminatory implementation of the Additional Protocol to the Association Agreement and has yet to remove all obstacles to the free movement of goods.

### ***Economic criteria***

**Turkey is a functioning market economy.** In 2012, the Turkish economy slowed down to an annual GDP growth of 2.2% from an unsustainable level of around 9% in the preceding two years. The slowdown was partly induced by a tightening of monetary policy and was accompanied by a rebalancing of growth from domestic demand to foreign trade, a narrowing of the current account deficit and falling inflation. In the first quarter of 2013, the economy regained some momentum, but Turkey's financial markets and the Turkish lira have subsequently come under severe downward pressure in the context of anticipated changes in international monetary conditions, domestic political unrest and the civil war in neighbouring Syria. These developments underline the economic vulnerability associated with Turkey's still large current account deficit and they may put at risk the return to growth in the short term.

## ***EU legislation***

**Turkey's alignment efforts with the *acquis* continued.** Progress was particularly noticeable on free movement of goods, financial services, energy, regional policy and coordination of structural instruments. Significant developments were noted on establishing legal framework in the area of migration and asylum. Continued efforts are needed towards legislative alignment and increased institutional capacity in most areas. Further significant progress should continue on judiciary and fundamental rights and justice, freedom and security.

The signature of the EU-Turkey readmission agreement and the simultaneous start of the visa dialogue need to move forward.

## ***State of play on accession negotiations***

EU accession negotiations with Turkey began on 3 October 2005. In total, 13 out of 33 negotiation chapters have been opened and one chapter has been provisionally closed. As a result of Turkey not having fully implemented the Additional Protocol to the Association Agreement, the EU decided in December 2006 that eight negotiating chapters could not be opened and that no chapter could be provisionally closed until Turkey meets its obligations.

## ***Key dates***

September 1959: Turkey applies for associate membership of the European Economic Community (EEC)

September 1963: Signature of the Association Agreement, aiming at enhancing economic cooperation and achieving a Customs Union between Turkey and the EEC

April 1987: Turkey presents its formal application for membership of the European Economic Community

January 1995: Turkey - EU Agreement creating a customs union

December 1999: Helsinki Council recognises Turkey as a candidate country

December 2004: The European Council agrees to start accession negotiations with Turkey

October 2005: Start of accession negotiations

December 2006: The Council decides that 8 negotiating chapters cannot be opened and no chapter can be closed until Turkey meets its obligation of full, non-discriminatory implementation of the additional protocol to the Association Agreement

June 2010: Chapter on Food safety, veterinary and phytosanitary policy becomes the 13th chapter on which negotiations are opened

May 2012: European Commission and Turkey start the implementation of the Positive agenda for Turkey

June 2013: The Council agrees to open Chapter 22 on Regional Policy and coordination of structural instruments

## ***More information at:***

## Warning signals on civil liberties

ALDE (16.10.2013) - The European Commission today adopted its progress report on Turkey, as part of the annual enlargement package, ALDE MEPs made the following statement

**Alexander Graf Lambsdorff (FDP, Germany)**, ALDE Spokesperson on Turkey commented " *As expected, the 2013 progress report on Turkey is marked by the heavy handed Government crackdown on the Gezi park protesters and the absence of dialogue with civil society. The Turkish Government must take full responsibility for improving the respect for civil liberties in the country. The state needs to protect the citizens and allow for the peaceful expression of opinions and views. The Commission report rightly underlines that this is now a priority area. If Prime Minister Erdogan strikes for peace with Kurdish guerrillas, he should also be capable of making peace with the Turkish urban secular middle classes.*"

**Andrew Duff (UK, Lib Dems)**, Member of the EU-Turkey joint parliamentary committee, said: "*Friends of Turkey are disappointed. The truth is that there has been very little progress on either side in the last year – and both sides show a lack of political will and sincerity of purpose. Cyprus remains the biggest obstacle. The new Parliament and Commission next year will have to decide whether to take Turkey's candidacy seriously, or to call the whole thing off. Other options short of full membership doubtless exist.*"

---

## Amnesty accuses Turkey of 'brutal' Gezi Park protest abuse

BBC News (02.10.2013) - Turkish authorities committed human rights abuses "on a massive scale" while trying to quell anti-government protests over the summer, Amnesty International says.

The group says live ammunition was used, killing one protester, and some women protesters were sexually abused.

It says other demonstrators were badly beaten, resulting in one death.

The unrest began in May as a protest to stop the redevelopment of Istanbul's Taksim Square and Gezi Park.

But after a harsh crackdown by riot police, it snowballed into nationwide anti-government demonstrations that lasted for weeks.

Prime Minister Recep Tayyip Erdogan defended the police action and denounced protesters as "terrorists".

However his deputy, Bulent Arinc, acknowledged that the police had gone too far, and apologised to protesters who were injured in the original operation.

[Amnesty International's report](#) says investigators interviewed scores of people who were injured, unlawfully detained, beaten or sexually assaulted during detention.

Andrew Gardner, Amnesty International's expert on Turkey, said: "The attempt to smash the Gezi Park protest movement involved a string of human rights violations on a huge scale.

"They include the wholesale denial of the right to peaceful assembly and violations of the rights to life, liberty and the freedom from torture and ill-treatment."

Among its findings, the report says:

- Protesters and others were severely beaten, resulting in one death and scores of injuries
- Police frequently fired plastic bullets directly at protesters' heads and upper bodies
- Tear gas canisters were fired directly at protesters and bystanders, and sometimes into residential buildings and medical facilities
- Chemical irritants were added to water cannon supply tanks
- Women protesters were sexually abused by law enforcement officials
- Live ammunition was used, killing one protester

"The levels of violence used by police in the course of Gezi Park protests clearly show what happens when poorly trained, poorly supervised police officers are instructed to use force - and encouraged to use it unsparingly - safe in the knowledge that they are unlikely ever to be identified or prosecuted for their abuses," said Mr Gardner in the report.

"The Turkish government must learn to tolerate the dissenting opinions expressed through street protests and ensure that police are equipped, trained and instructed to police them lawfully," he added.

Turkish authorities have not yet responded to the report.

Earlier this year, the government said a policeman was also killed in the protests and some 600 officers injured.

Prime Minister Recep Tayyip Erdogan, who was branded a "dictator" by protesters, initially appeared to want to placate demonstrators but later hardened his rhetoric.

At huge rallies of his supporters he claimed the protesters were "extremists" who had been manipulated by "terrorists".

He also suggested that an international conspiracy with financial interests was behind the protests, but did not elaborate.

In June, the deployment of gendarmes - a military unit under control of the interior ministry in peacetime - caused shock among some protesters in Istanbul.

Gezi Park has since reopened although its future is still uncertain.

---

## **Resolution concerning the protection of lawyers in the exercise of their professional duties**

ECBA (13.05.2013) -

### **Whereas, on the one hand**

1 By Article 3 of its Constitution the European Criminal Bar Association (ECBA) is obliged "(...) to promote the administration of justice and human rights under the rule of law within the member states of the Council of Europe and among the peoples of the world";

2. Principle 16 of the United Nations Basic Principles on the Role of Lawyers (Basic Principles) provides that "Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics";

3. Principle 18 of the Basic Principles provides that lawyers "shall not be identified with their clients or their clients' causes as a result of discharging their functions";

4. Principle 20 of the Basic Principles provides that lawyers "shall enjoy civil and penal immunity for relevant statements made in good faith in written or oral pleadings or in their professional appearances before a court, tribunal or other legal or administrative authority";

5. Principle 17 of the Basic Principles provides that where "the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities";

6. The Tenth Recital of the Basic Principles declares, inter alia that "professional associations of lawyers have a vital role to play in upholding professional standards and ethics, protecting their members from persecution and improper restrictions and infringements, providing legal services to all in need of them, and cooperating with governmental and other institutions in furthering the ends of justice and public interest";

7. The Tenth Recital of the Basic Principles also declares that these principles "should be respected and taken into account by Governments within the framework of their national legislation and practice and should be brought to the attention of lawyers as well as other persons, such as judges, prosecutors, members of the executive and the legislature, and the public in general (...)"

8. The Basic Principles, being indispensable for political democracy and the rule of law fall under the protection of the European Convention on Human Rights and Fundamental Freedoms (ECHR) in general and in particular of Recital 4 and Article 6 thereof;

9. Turkey is a signatory of the ECHR;

### **Whereas, on the other hand**

10. It is stated at § 65 of the Report of the UN Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, following her mission to Turkey that the "increase in the number of cases of arrest, detention and prosecution under terrorism-related charges of lawyers defending individuals accused of terrorism-related crimes is of particular concern (...); it is far from uncommon for investigations to be initiated against

lawyers on grounds of an alleged link to, or the provision of support for, their clients' alleged criminal activities", which "(...) regrettably seems to be increasingly the case in Turkey";

11. The statements made by the Special Rapporteur are corroborated by reliable testimony from the European Lawyers for Democracy and World Human Rights, the International Association of Democratic Lawyers, the CCBE, the International Bar Association, the German Federal Bar and from the Istanbul Bar Association itself all of which detail the mass arrests and detention of lawyers in Turkey defending persons accused of acts of terrorism, whose clients are thereby denied a fair trial;

12. According Article 76 of the Law governing the profession of advocate in Turkey the duty of the Turkish bars is to defend the supremacy of law and human rights; according to Article 95 of the same law the duty of the board of every bar is to defend the profession against encroachments on the rights particular to the profession; according to Article 97 of the same law the duty of the president of every the bar is to defend the dictates of law and professional rules (...) in matters involving the honour and independence of the profession;

13. Defence counsel in the so-called Sledgehammer case (Balyoz Harekâti) pending before the 10<sup>th</sup> Criminal Court with special authority in Istanbul refused to appear because they were prevented by the court from discharging their duty to defend the accused and consequently the President and Board of the Istanbul Bar Association formally requested the court orally and in writing to conduct the trial according to law and fair trial principles, pursuant to Articles 76, 95 and 97 of the above law;

14. As a result of this intervention the President and the Board of the Istanbul Bar Association have been indicted on criminal charges of attempting to influence judges unlawfully pursuant to Article 277 of the Criminal Code;

15. By acting as required by the Law governing the legal profession, the President and the Council of the Istanbul Bar Association cannot have been acting unlawfully within the meaning of Article 277 of the Criminal Code;

16. The ECBA is gravely concerned that the trial against the President and Council of the Istanbul Bar Association is going ahead on 17 May 2013,

17. To demonstrate this concern the ECBA will be present during the public trial in Istanbul as European observer in terms of the rule of law and the Basic Principles.

**Now therefore the ECBA resolves urgently and respectfully to call upon Turkey:**

- i) To comply with the UN Basic Principles on the Role of Lawyers in respect of all cases tried within its jurisdiction, including cases being tried under its terrorism laws;
- ii) To release all lawyers detained in breach of the UN Basic Principles on the Role of Lawyers and to permit them to return to their professional duties;
- iii) To ensure the personal and professional safety of all lawyers including those defending persons accused of anti-state activities;
- iv) To desist from the prosecution of lawyers' representatives or associations who, in compliance with the UN Basic Principles on the Role of Lawyers, as required by Articles 76, 95 and 97 of the Law governing the profession of advocate and

who in good faith seek to protect their members from persecution and improper restrictions and infringements;

So resolved and entered in the records of the European Criminal Bar Association at London on 13 May 2013 and sent to the President of Turkey and the Turkish Justice Minister on 13 May 2013.

**Prof Dr Holger Matt**  
**Chairman**  
[www.ecba.org](http://www.ecba.org)

---

## **Is Erdoğan mildly, moderately or slightly Islamist?**

By Sahin Alpay

Today's Zaman (15.04.2013) - Prime Minister Recep Tayyip Erdoğan and his Justice and Development Party (AKP) have been in power in Turkey for over 10 years. Considering their performance during these 10 years, one would expect their political identity to have been clarified by now. This, however, is not the case. There are both inside and outside the country those who continue to label them as "Islamist," although they have long rejected this label and declared to adhere to "conservative democracy."

There is a broad consensus among Kemalists and Islamists in Turkey that a proper Muslim cannot be anything but Islamist and since Erdoğan is devoutly Muslim, he is by definition an Islamist. Even some who claim to be political scientists adhere to this conception. Abroad, there are understandable reasons why the Israeli lobby in the United States considers Erdoğan a hidden Islamist of the worst kind. It is rather ridiculous, however, that even some of the more sophisticated media outlets in the West continue to refer to Erdoğan as "mildly, moderately, slightly, occasionally" Islamist. This may also be due to confusion caused by some Western analysts who define Islamism in such a broad way that anyone devoutly Muslim becomes an Islamist.

But if Islamism is to be defined in a tangible manner, that is, as a political movement that aims to establish a state based at least partly on Shariah law and advocating for pan-Islamic unity and the elimination of all Western influence, Erdoğan and his party can be anything but Islamist. Erdoğan's government never attempted to adopt Shariah law. Far from aiming to eliminate all Western influence, it legislated reforms to fulfill the Copenhagen Criteria to start accession negotiations with the European Union. It never advocated Turkey moving out of the Western alliance and assuming the leadership of the Muslim world.

Erdoğan and many of his party members certainly have roots in the Islamist, National Vision movement, but at least since the founding of the AKP, they represent a mixture of influences from different ideological sources. Let's take Erdoğan. He definitely is a conservative politician in the cultural sense, being inspired by Islamic moral and social values. Yes, he sometimes blasts against rightly define him as a "control freak."

---