



Turkey Report

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Sustainable Governance
Indicators 2017

Executive Summary

The period under review in 2015-16, like past years, was marked by deep divisions in Turkish politics and society. Snap parliamentary elections in 2015, numerous terrorist attacks, the failed coup attempt of 15 July 2016, and the subsequent state of emergency changed the course of Turkish politics and increased uncertainty. The government's politically charged allegations, judicial investigations, and dismissal of thousands of civil servants on the one hand, and the immense organizational capacity of Gülenist organizations and networks in the public and private sector on the other, brought public trust to rock bottom levels. Domestic and international challenges require a new grand strategy for Turkey economically, politically and socially in order to raise the level of sustainable governance.

The war in Syria has had a profound impact on politics and society in Turkey. The terrorist attacks in Suruc and Ankara, the massive inflow of Syrian refugees and the emergence of the Islamic State (IS) group have fueled tensions across the country and presented the government with major political challenges. The massive military counterinsurgency in predominantly Kurdish provinces in the southeast and attacks by terrorist-designated groups such as the Kurdistan Workers' Party (PKK) or the Kurdistan Freedom Hawks (TAK) signified the end of the peace process between the state and PKK, which had shown great promise in previous years. The government appears to lack a clear strategy for ending the continuing conflict in Turkey's southeast region. This not only hampers economic opportunities in the southeast, but also the capacity to reinvigorate democratic governance in the years ahead. Indeed, throughout the review period, the government continued to meet dissent with repressive tactics, including open threats to perceived opponents – activists, academics or journalists, the latter operating under conditions of financial threats, self-censorship and increased job insecurity.

Turkey and the EU entered into a high-level strategic dialogue, enhanced energy cooperation, reached an agreement on refugees, resettlement and visa issues, as well as outlined a process to review the customs union. At the same time, Turkey's membership negotiations with the EU have not advanced due to the government's response to the 15 July coup attempt and the ongoing Cyprus conflict. On a global level, however, during Turkey's G-20 presidency in 2015, the government, state agencies and some non-governmental groups

advanced global issues such as the fight against terrorism, improving socioeconomic prosperity and inclusiveness, and promoting energy and environmental sustainability.

Although the number of civil society organizations increased during the review period, their influence in decision-making processes remains limited. The massive polarization of the pro- and anti-government camps is present across all spheres of political, economic and social life. The negative effects of this divide were manifest in the aftermath of the parliamentary elections on 7 June 2015 that failed to deliver a coalition government in line with the constitution. This inability and/or unwillingness to engage in any kind of power-sharing agreement demonstrates a serious crisis of democratic politics and marks the first time in modern Turkish history that civilian politicians refused to accept parliamentary election results and reach across party lines. The Justice and Development Party (AKP) acquired an absolute majority in parliament during a second election in November 2015, allowing it to rule alone for the fourth time since 2002.

Electoral fairness, the AKP's use of state resources and campaign finance transparency were major campaign issues in both parliamentary elections. Throughout both, the AKP failed to fully implement recommendations issued by the Group of States against Corruption (GRECO) on campaign and party funding. The use of languages other than Turkish was permitted in both elections. Despite several improvements in anti-discrimination efforts, Alevis and Roma people still lack access to basic public services. Moreover, anti-Semitism in Turkish politics and society remains widespread. Authorities have begun to address gender issues, but violence against women persists and there have been no improvements in the gender gap in terms of educational attainment and economic participation. The inflow of Syrian refugees which, at the time of writing, exceeds two million, is bound to have serious social, economic and political implications for both Turks and Syrians alike.

Economically, Turkey over the past decade has experienced important gains in income and living standards. But recently, it has experienced a decrease in its competitiveness. Turkey's GDP expanded by 4% in 2015. However, measured in US dollars, GDP declined from \$798.7 billion in 2014 to \$717.9 billion in 2015 as a result of exchange rate devaluations. As of July 2016, the unemployment rate stood at 10.7%, whereas the annual inflation rate reached 7.8% in July 2016. Turkey's fiscal performance was satisfactory throughout the review period, although transparency and public fiscal control remain unsatisfactory, given e.g. the expenses on Syrian refugees. Looking ahead, Turkey will likely have to settle for modest growth as higher global interest rates will tighten external financing and lower economic momentum in

Europe. Combined with growing geopolitical tensions, these developments will reduce demand for Turkish exports.

Sustainability in fields such as environmental protection, energy, urbanization and progress toward a high-tech, science-based society is not sufficiently assured. However, the government's increased spending during the review period on a variety of areas (e.g., research and development, education, training, social policy and health care) marks a promising step forward.

Key Challenges

Turkey's main problems are political and societal. Political stability versus political competition and participation, freedom of religion versus freedom from religion, majority-minority cleavages versus an integrated state and society – each issue presents a trade-off with its own political, social and international repercussions.

The snap elections for parliament in 2015, numerous terrorist attacks, the bloody counterinsurgency in the southeast, and the 15 July 2016 failed coup reflect serious risks for the state structure in the last decade. Although the government was able to break the monopoly over state resources, policies, and discourse held by Kemalist state elites (the military and the judiciary), it also reached a crossroads with those whom it collaborated closely against the old establishment. Rebuilding the state apparatus needs the utmost care to restore public trust in government.

While some progress has been made in reforming institutions, shortcomings in civil rights persist. The incumbent AKP government should further expand minority rights for Kurds, Alevis, Christians and other minorities to increase their visibility within the state, thereby fostering their identification with the state and intra-societal peace, if not a pluralist, integrated society. The government should therefore enhance the powers of local and regional authorities as well as introduce mechanisms of democratic participation and subsidiarity. Additionally, the 10% electoral threshold should be reduced to increase smaller parties' participation in national decision-making.

At the same time, the AKP should seriously consider domestic and international concerns of increasing authoritarianism and of growing exclusivist conservatism at the expense of pluralism and liberalism within

society. The government should contribute to the peaceful inclusion of all social groups while, continuing to combat extremism and terrorism effectively. The successive monopoly of the AKP in government and the authoritarian stance of President Recep Tayyip Erdoğan against groups and media critical of the regime is a concern for foreign observers, but even more so for Turkish citizens. Since the Gezi protests, mass protests have continued against the government and its policies. Generally, a more inclusive, reconciliatory rhetoric and better communicated intentions of policy initiatives are urgently needed. Freedom and security must not be considered zero-sum games. In this respect, international stakeholders, such as the EU and the Council of Europe, repeatedly exercise their influence on the Turkish government.

Despite the global financial crisis, Turkey's economic performance has been above average. To sustain this positive development in the mid- and long-term, the government should introduce structural reforms, possibly by extending the current EU-Turkey Customs Union Decision of 1995, which covers industrial commodities, to include agriculture, services, government procurement and investments. Turkey's relatively high current account deficit remains a major problem, requiring appropriate action, including a real exchange rate policy.

During the review period, Turkey's gradual demographic shifts and the country's economic slow-down increasingly pose a problem. While a young and well-educated population is a boon and offers enormous potential, financial and social provisions for the elderly need to be addressed. In this context, the government should continue pension system reforms to avoid increased social exclusion and poverty. Furthermore, the country's record on environmental issues, public health care, education and technological innovation is poor when compared to other OECD countries. Since these are key elements in addressing rapidly growing populations and economies, the government should increase expenditures in these fields.

While Turkey has become a major emerging economic power and a key regional player, as demonstrated by holding the G-20 presidency in 2015, it increasingly struggles with the repercussions of the internal conflicts in neighboring and regional Arab countries as well as the coup attempt of 15 July 2016. Particularly with regard to the conflicts in Syria and Iraq, Turkey plays an important and crucial role, not only in humanitarian terms, but also as a stabilizing force, as it has shown in the past. In order to regain lost credibility and influence, Turkey should use all diplomatic means possible to re-establish trust, peace and security in the region, through close dialogue with reliable actors in the region and with its Western partners. Turkey's international influence and credibility would further increase if the government became

more involved and active in initiating and implementing international agreements, especially those of the OSCE, the Council of Europe and the EU. An active continuation of reform processes in line with the *acquis communautaire* and in close cooperation with the European Commission is necessary both in terms of Turkey's EU accession ambitions and sustainable democratization.

Policy Performance

I. Economic Policies

Economy

Economic Policy
Score: 4

After rising 3% in 2014, Turkey's GDP expanded by another 4% in 2015. However, measured in U.S. dollars, GDP declined from \$823 billion in 2013 to \$717.9 billion in 2015 as a result of exchange rate depreciations. The country's slowdown since 2012 has been driven in part by the ongoing global financial crisis, and in part by Turkish policymakers' desire to slow the economy in order to bring current extreme deficits under control. The impacts of political instability and war in formerly booming regional Turkish export markets such as Syria, Iraq and Russian Federation are also key factors.

Turkey's inflation rate, based on the consumer price index, decreased from 8.9% in 2014 to 7.7% in 2015. The country's annual inflation rate in July 2016 was 7.8%. Thus, headline inflation rate remains well above the central bank target of 5%. However, according to Turkey's hourly-labor-cost index, the total hourly cost of employing labor increased by 12% in 2014 and 9% in 2015. According to the most recent figures, hourly labor costs increased by 14.4% on a year-over-year basis during the first quarter of 2016. Despite high inflation, the central bank lowered the overnight lending rate considerably since March 2016. It also lowered the reserve requirements ratios for all maturities.

Turkey's most significant economic problems are related to external imbalances. The account deficit, which stood at \$63.6 billion in 2013 (7.7% of GDP), decreased both in 2014 (.6 billion, 5.5% of GDP) and 2015 (.2 billion, 4.5% of GDP). The latest publicly available annualized current account deficit amounted to \$31.2 billion (September 2015-August 2016). Thus, although moderate growth, a weaker lira and the fall in oil prices narrowed the current account deficit from close to 10% in 2011, Turkey still faces a considerable current account deficit. Net foreign direct investment had been on the decline until 2014, constituting 12.6% of the current account deficit. In 2015 net foreign

direct investment as a proportion of current account deficit increased considerably to 36.7%.

According to the World Bank, the current account deficit is expected to fall to \$34.6 billion (4.4% of GDP) in 2016 as a result of lower oil prices. But Turkey's external financing requirement will still amount to about \$200 billion since, in addition to a current account deficit of \$34.6 billion, the country will need \$166 billion to roll over existing external debt.

Turkey's net international-investment position (NIIP), defined as the value of total external assets owned by Turkish diaspora minus the value of total external liabilities of Turkish diaspora, increased from -3.8 billion at the end of 2012 to -5.5 billion in 2013; it decreased again to -3.3 billion at the end of 2014, but again increased to -0 billion at the end of 2015. The country's net foreign debt at the end of August 2016 amounted to \$388.5 billion. Considering the August 2015 figure for net foreign debt and the IMF's estimate of GDP for 2016, the net-foreign-debt-to-GDP ratio for 2016 would be 52.8%.

Turkey's main assets include a young, dynamic population, a large domestic market, a geographically strategic location, strong infrastructure and much-improved public services. However, domestic and foreign investors remain deterred by unpredictability and a lack of transparency in the business climate, and a lack of trust in key institutions. Growth since 2012 has been moderate. In 2013-2016, election-related uncertainties, regional geopolitical developments, concerns over the government's handling of corruption allegations, elections in June and November 2015, escalation of tensions with Russia, imposition of Russian sanctions, the failed coup attempt of 15 July 2016 and the subsequently declared state of emergency with the large-scale replacement of public officials dampened confidence and weakened private demand. Furthermore, a series of terrorist attacks in Turkey has weakened tourist arrivals and foreign investment. Turkey has been vulnerable to changes in investor sentiment and, together with other emerging markets, has experienced significant currency and financial market volatility since mid-2013.

A major challenge facing Turkey is the reform of trade policy. Almost 20 years have passed since the EU-Turkey Customs Union Decision (CUD) covering industrial commodities was signed. Comparison of the CUD with most open and encompassing international trade agreements such as the EU-Canada Comprehensive Economic and Trade Agreement (CETA) and Trans-Pacific Partnership (TPP) reveals that the CUD is outdated and that it does not meet the requirements of the 21st century trade relations.

Citation:

Dawar, K. and S. Togan (2016) 'Bringing EU-Turkey Trade and Investment Relations up to date?', Directorate General for External Policies, Policy Department, European Parliament, Brussels.

Organization for Economic Co-operation and Development (2016) OECD Economic Surveys Turkey, Paris: OECD.

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Labor Markets

Labor Market
Policy
Score: 6

Turkey's population and work force are growing significantly. From 2012 to 2015, the country's population increased by an estimated 2.5 million, to 78.2 million people. Likewise, the working-age population (those 15 years old and older) grew from 55 million in 2012 to 57.9 million in 2015, while the labor-force participation rate rose from 47.6% in 2012 to 51.3% in 2015, and again to 52.7% in July 2016. A total of 23.9 million people were officially registered as employed in 2012, rising to 26.6 million in 2015 and 27.6 million people in July 2016.

Employment figures in various sectors point to growing dynamism in Turkey's economy and labor market. Since the global financial crisis, Turkey has created some 7 million jobs. The recent employment figures in the industrial and services sectors point to an increase of 351,000 jobs in industry from 2012 to July 2016 and an increase of 2.9 million jobs in the services sector for the same time period. Agricultural employment increased by 426,000 jobs from 2012 to July 2016.

The official number of unemployed increased from 2.4 million in 2013 to 3.3 million in July 2016. The increase in unemployment shows that the number of new entrants to the labor force outnumbered the number of jobs created, reflecting demographic factors as well as the slowdown of the Turkish economy. The overall unemployment rate increased from 9% in 2013 to 10.7% in July 2016. Unemployment rose in the non-agricultural sectors from 10.9% in 2013 to 13% in July 2016.

A major challenge facing the government in the medium term is to create more and better jobs for Turkey's young and growing population, since many young people (15 to 24 years old) are neither in employment nor in education (NEET). The unemployment rate of young people increased from 15.8% in 2012 to 16% in April 2016.

Another major medium-term challenge for Turkey is to boost women's participation rate in the labor force. Despite notable job-creation successes in

recent years, almost half of Turkey's working-age population fails to enter the labor market, a problem accounted for in large part by women's low participation rates. As of July 2015, Turkey's female population aged 15 years and older amounted to 29.7 million, of which only 8.4 million were employed, which represents an employment rate of 28.4%. Furthermore, about 35% of youth, mostly women, are neither working nor attending school. 43% of working youth are employed in the informal sector, compared to a population average of 33%.

The World Bank points to labor market rigidity and high labor costs as important constraints to job creation in Turkey. Minimum wages are high, and Turkey has a generous severance payment system. The government's recently approved National Employment Strategy includes measures to reform the severance payment scheme, unemployment benefits and temporary work contracts. In January 2016, the minimum wage was increased by 30%. Recent research on the minimum wage increase indicates this raise should boost the incomes of the poor. But the increase in labor costs may discourage new hiring and change the composition of total employment toward the informal sector.

Recent research on international trade shows that firms participating in international markets through exports or multinationals are in general larger, more productive, more capital intensive, more skill intensive and pay higher wages than domestic firms in the same industry. Thus, by promoting exports through means such as real exchange rate devaluations and integration into global value chains (GVC), the country can create higher paying jobs in export sectors than domestically-focused firms and lead to productivity increases in the economy. It should be emphasized that Turkey, under current economic policies, exhibits one of the lowest shares of employment sustained by foreign demand, and hence real exchange rate depreciations and deeper GVC integration would generate new jobs and employment.

Citation:

World Bank (2016) World Bank Group - Turkey Partnership: Country Program Snapshot, Washington D.C.: The World Bank (April).

World Economic Forum, Global Gender Gap Report 2016, Geneva.

Taxes

Tax Policy
Score: 5

General government revenue increased from 39.6% of GDP in 2014 to 40.7% in 2015. In 2014, taxes accounted for 52.4% in 2014 and 52.5% in 2015. As a result, tax revenue totaled 21.4% of GDP in 2015.

The taxation system can be divided into three categories: direct taxes such as the individual-income tax and corporate-income tax; indirect taxes such as the value added tax (VAT), the banking and insurance-transaction tax, the special consumption tax, and the telecommunications tax; and other government revenues drawn from factor incomes, social funds and privatization revenues. In 2015, individual-income tax rates varied from 15% to 35%. The standard corporate tax rate is 20%, while capital gains are usually treated as regular income and taxed accordingly.

Biased toward indirect taxes, Turkey's taxation system does not take into consideration horizontal or vertical equity. This gives the government more flexibility to react to changes in Turkey's highly dynamic and volatile economy but, at the same time, decreases fiscal stability and political credibility, particularly concerning the special consumption tax. In 2012, 66.6% of total tax revenues were derived from indirect taxes. This share amounted to 68.1% in 2015.

Budgets

Budgetary Policy
Score: 9

Total general government expenditures as a share of GDP stood at 40.7% in 2015, while interest payments on public debt amounted to 2.8% of GDP. During the period under review, there were some changes in the composition of government expenditure, such as the share of current expenditures, investment expenditures and transfer expenditures in GDP and current expenditures at 4%. Current transfers increased slightly to 18.5% in 2015.

As of the end of 2015, gross public debt declined to 32.9% and the net-public-debt-to-GDP ratio experienced a minor increase to 26.6%. In sum, Turkey's fiscal policy has been sustainable.

Research and Innovation

R&I Policy
Score: 4

The government continued to strengthen the country's research and innovation capacity during the review period. The Scientific and Technological Research Council of Turkey (TUBITAK) is the leading agency for management, funding and conduct of research in Turkey.

According to the Turkish Statistical Institute, total R&D spending by the public and private sectors as a fraction of GDP in 2014 was 1%. Commercial enterprises account for the largest share of R&D expenditures, at 49.8%. While universities accounted for 40.5% of spending on R&D, public institutions' share was 9.7%. In terms of financial contributions to R&D projects, commercial

enterprises have the largest share with 51.4%, followed by public institutions with 26.5%, universities with 18.6%, and other sources 3.4% of R&D. In terms of full-time employment, 213,686 people worked in the R&D sector in 2014, an increase of 8.8% compared with the previous year. 34.5% of R&D personnel were employed by commercial enterprises, while 59% worked at universities, and public institutions employed 6.5% of R&D personnel.

In 2013, Turkey adopted the Tenth Development Plan, covering the period 2014-18, aiming to improve science, technology and innovation, as one of the building blocks for innovative production and steady growth. In Turkey, the Supreme Council for Science and Technology (SCST) is the highest-ranking science and technology policymaking body in Turkey. In the last few SCST meetings, emphasis was placed on intensifying R&D efforts in the energy, health and biotechnology sectors, providing subsidies to R&D laboratories of multinational enterprises.

Global Financial System

Stabilizing Global
Financial Markets
Score: 7

Turkey has actively contributed to the G-20's work. On 1 December 2014, Turkey assumed the G-20 presidency and its priorities included ensuring global economic and financial stability; reforming the global economic system by reflecting the increasing weight of emerging economies; achieving inclusive and robust economic growth; and addressing problems related to trade, logistics, small and medium sized enterprises (SMEs), employment, strengthening gender equality in employment, security, climate change and migration. Turkey hosted the Leaders' Summit in Antalya on 15-16 November 2015. During Turkey's G-20 presidency, the G-20 agreed to reduce youth unemployment by a target of 15% by 2025, adopted a set of policy recommendations to reduce inequality and established Women-20 (W20) as a stand-alone engagement group to promote gender-inclusive economic growth. As G-20 president, Turkey focused on taking steps towards creating inclusive economic growth globally. To this end, G-20 leaders adopted a framework in Antalya to strengthen the dialogue between G-20 and low-income developing countries. The Turkish G-20 presidency brought issues related to global peace and security to the agenda as they relate closely to achieving sustainable and inclusive economic growth.

II. Social Policies

Education

Education Policy
Score: 3

In 2012, compulsory education in Turkey was extended from eight to 12 years, starting from the 2012-2013 academic year. A new approach to schooling consisting of eight years of primary school (4+4) and four years of secondary school was introduced. A child can now expect to receive 14 years of overall schooling, including two years of pre-school.

Over the years Turkey has made significant progress in increasing access to schools. In the 2014-2015 school year, it achieved almost universal primary school enrollment. Secondary-school enrollment was 79.4% during the same year. The government is actively seeking to expand secondary school enrollment to comply with the new “4+4+4” law on education. The gender-based enrollment gap has nearly disappeared for primary education, and has narrowed significantly for secondary education. However, Turkey is ranked 109th out of 144 countries in terms of educational attainment in the 2016 Gender Gap Report. The report indicates that 93% of females and 99% of males are literate; the enrollment rate in primary education is 92% for females and 93% for males; the enrollment rate in secondary education is 85% for females and 88% for males; and the enrollment rate in tertiary education is 73% for females and 85% for males. On the other hand, pre-primary-education participation rates among three- to five-year olds are increasing rapidly, as are higher-education enrollment rates.

Regarding the quality of education, the Program for International Student Assessment (PISA) scores Turkey’s performance still relatively low. Although Turkey’s scores have improved significantly over time, and inequality in student performance has declined, the performance of Turkey’s average 15-year-old in reading, mathematics, and science is 35 points behind the OECD average. Furthermore, Turkey has a higher-than-average proportion of underperforming students, and academic achievement is particularly low among disadvantaged students from low socioeconomic backgrounds. In addition, around 22% of Turkish 15-year-olds do not read well enough to be able to analyze and understand what they read.

As the government seeks to improve the quality of education, education spending has become the largest item in the national budget. Expenditure in this area now accounts for nearly a quarter of tax revenues. The proportion of GDP

allocated to education from the government budget has increased significantly, from 2.5% in 2000 to 4.8% during 2013.

The government seeks to align its tertiary-education standards with those in the EU. Currently, Turkey has 181 universities, but significant quality differences persist among the 181 universities. There is no independent and fully functional quality-assurance and accreditation agency. Participation in the Youth in Action program has continued to grow. In May 2014, Turkey became a full participant in the Erasmus+ program. In May 2014, the Higher Education Council (YÖK), Turkey's supreme decision-making body for universities and higher education, published a road map for enhancing higher education system quality. Despite announcements on the issue, the government continued to refrain from strengthening universities' autonomy, and the universities' ability to act autonomously further deteriorated after the failed coup attempt of 15 July 2016.

The aftermath of the failed coup attempt had severe impact on academic freedoms. During this period according to Commissioner for Human Rights of the Council of Europe close to 4,500 academics were dismissed through appended lists in emergency decrees, without any due process and with no judicial remedy.

Citation:

Commissioner for Human Rights (2017) 'Memorandum of Expression and Media Freedom in Turkey', CommDH (2017)5, Council of Europe.

Organization for Economic Co-operation and Development (2016) Education at a Glance 2016, OECD Indicators, Paris: OECD

World Bank (2016) World Bank Group - Turkey Partnership: Country Program Snapshot, Washington D.C.: The World Bank (April).

World Economic Forum, Global Gender Gap Report 2016, <https://www.weforum.org/reports/global-gender-gap-report-2015/> (accessed October 30, 2016)

Social Inclusion

Social Inclusion
Policy
Score: 5

Despite an improved Gini coefficient – falling from 42.2 in 2003 to 39.1 in 2014 – income distribution in Turkey continues to be among the OECD's most unequal. According to the Turkish Statistical Institute, the highest income group (20% of population) receives 45.9% of income in the economy, while the lowest 20% of population receives only 6.2%. According to the World Bank (2016) poverty decreased from 44% in 2002 to 22% in 2012. Poverty in Turkey is particularly prevalent among the less educated, workers in the informal market, unpaid family workers, the rural population and the elderly.

The government has developed an integrated social-assistance system geared toward helping welfare recipients get out of poverty. Social-assistance spending has increased rapidly in recent years, amounting to 1.26% of GDP in 2013. But there is still room to increase the generosity of benefits, as only about 10% of beneficiary household consumption is covered by social-assistance transfers. Since 2011 responsibility for all central government social-assistance benefits has been combined under the new Ministry of Family and Social Policies. This ministry has worked to strengthen social inclusion. The government has been implementing an Integrated Social Assistance Information System, using a single proxy means test to target benefits more effectively. Links between the social-assistance system and active labor market policies implemented by ISKUR are being strengthened.

The vast refugee crisis created an extra burden on the government's efforts to improve the quality of social inclusion. Local governments and several civil society organizations share this burden on ad hoc manner.

Citation:

World Bank (2016) 'World Bank Group - Turkey Partnership: Country Program Snapshot', Washington D.C.

Wendy Zeldin, "Refugee Law and Policy: Turkey," March 2016, Library of Congress, <https://www.loc.gov/law/help/refugee-law/turkey.php> (accessed 1 November 2016).

Health

Health Policy
Score: 7

The 2003 Health Transformation Program has produced significant improvements in Turkey's health care system in terms of access, insurance coverage, and services. As a result, the health status of Turkey's population has improved significantly. In particular, maternal mortality rate fell from 28.5 deaths per 100,000 live births in 2005 to 15.94 deaths in 2013. There has also been a sharp decline in infant mortality from 20.3 deaths per 1,000 live births in 2005 to 12 in 2012. As a result, Turkey has met its Millennium Development Goal target on both counts.

Recently, new legislation was introduced restructuring the Ministry of Health and its subordinate units, while enhancing its role in health-system policy development, planning, monitoring and evaluation. A new public health institution has been established to support the work of the Ministry of Health in the area of preventive health care services.

By 2014, Turkey had achieved near-universal health-insurance coverage, increasing financial security and improving equity in access to health care nationwide. The scope of the vaccination program has been broadened; the

scope of newborn screening and support programs have been extended; community-based mental-health services have been created; and cancer screening centers offering free services have been established in many cities.

As emphasized by the World Bank (2016), the key challenge in health care is to keep costs under control as demand for health care increases, the population ages, and new technologies are introduced. Total health expenditure as a share of GDP has been increasing steadily since 2003, reaching 5.1% in 2013. In 2013, 78% of this spending was funded by public sources, as compared to a 62% public share in 2000. In Turkey hospitals play a dominant role accounting for 52% of all health spending, representing a rapid increase in hospital spending. In 2012 the Turkish Hospital Agency was established to run the hospitals.

As access has widened, the government has focused attention on efficiency improvements and cost control, while maintaining high-quality services for the entire population. The authorities have launched an ambitious health public-private partnership program, aiming to leverage private funding and efficiencies in the management of integrated new hospital campuses, while redeveloping existing hospital buildings as part of ongoing urban renewal efforts.

Citation:

Organization for Economic Co-operation and Development (2015) 'Country Note: How does Health Spending in Turkey Compare?', in OECD Health Statistics 2015, Paris: OECD

World Bank (2016) 'World Bank Group - Turkey Partnership: Country Program Snapshot', Washington D.C.

World Health Organization (2014) 'Country Cooperation Strategy at a Glance: Turkey', Geneva.

Families

Family Policy
Score: 4

In July 2016, female population has amounted to 39.7 million, and of this population 9.8 million women formed the labor force. Since 8.4 million women were employed, the unemployed amounted to 1.4 million. While the labor force-participation rate for women amounted to 33%, the employment rate for women was 28.4%, and the unemployment rate amounted to 14%. Women's rate of participation in the labor market thus remains low, far below the EU average.

Among women in the labor force, 53.3% are employed in services, 31.3% in agriculture, 14.4% in industry, and 1% in construction sector. 45.7% of working women are not registered with any social security institution. In this respect, there are both sectoral and regional disparities. Paid maternity leave is 16 weeks.

Several national and local-level initiatives in recent years have ostensibly been aimed at helping women become more employable, helping them find more and higher-quality jobs, and in general helping to remove obstacles to their participation in the workforce. However, there have been many shortcomings in the implementation and proper monitoring of these policies.

In general, the government's conservative stance on women and family affairs (e.g. concerning the number of children, or women's roles) has provoked ongoing public debate on gender equality in the labor market and public life more generally.

Citation:

Zehra Yılmaz (2015) "The AKP and Its Family Policy in the Re-establishment Process of Authoritativeness in Turkey". In Jülide Karakoc (ed.), *Authoritarianism in the Middle East. Before and after the Arab Uprisings*. Basingstoke: Palgrave Macmillan, pp. 150–171.

Pensions

Pension Policy
Score: 5

Turkey's social security and general health insurance law, passed in 2006 and implemented in October 2008, radically reformed the country's previous pension and health system. The reforms put an end to the unequal, corporatist character and fragmented structure of the previous system and made the Social Security Institution responsible for managing provisions. With the new changes, the state began to contribute to the system, in addition to employers and employees. The new law specifically set out to cover all social groups, including individuals not formally employed, and guarantees equal access to health care. In addition, those under 18 years of age are covered by health insurance without having to pay premiums.

The 2008 reform updated pension rules by gradually increasing the retirement age and contribution period, while reducing the accrual rate. The 2008 social security reform improved the coverage provided by public pensions, and is expected to yield significant savings, but these are insufficient to ensure pension-system balance over the long term. The World Bank notes that pension spending in Turkey, at around 7% of GDP, is still modest in comparison to high-income OECD countries. This reflects the relatively young population, and the fact that due to the system's high dependency ratio and generous eligibility rules (including early retirement and low minimum years of service), more than half the country's pension spending is financed through budget transfers. The 2008 reform adjusted pension parameters, gradually increasing the retirement age and contribution period, and reducing the accrual rate. But these adjustments will be phased in over a period of several decades, too slowly to counter the effects of

expanded coverage and a maturing population. For this reason, pension-system deficits are expected to remain around 3% of GDP until the middle of the century.

Under the 2013 pension law, the government matches 25% of individual contributions up to a gross monthly salary of around €10. Participants will gain access to government contributions through a gradual vesting system – 15% after the first three years, 35% after six years, 60% after 10 years and 100% at retirement at the age of 56. The reform was aimed at widening system coverage and making the system more progressive, and could be an important step in making pensions far more attractive.

Citation:

World Bank (2016) “World Bank Group - Turkey Partnership - Country Program Snapshot, Washington D.C.

Integration

Integration Policy
Score: 7

Turkey’s new Law on Foreigners and International Protection took effect in April 2014. On the same date, the General Directorate for Migration Management officially took on responsibility for implementing the law with a view to bringing Turkey in line with EU and international standards.

Turkey is increasingly becoming a country of destination for regular migration. At the same time, it also remains a notable transit and destination country for irregular migration. The civil war in Syria, which started in 2011, has placed a heavy burden on the Turkish economy. It is estimated that there are now 3.1 million refugees from Syria and elsewhere in Turkey. Key development needs for the refugees relate to education, housing and employment, with increasing risks of rising poverty given the scale of the crisis. As a result of the crisis, Turkey is witnessing an unprecedented increase in asylum applications. Until recently, Turkey has been following an open-door policy for refugees. There are about 100,000 Iraqi refugees and more than 50,000 Afghan refugees in Turkey. Turkey hosts a large number of these refugees in refugee camps equipped with schooling, health care and social services, while nearly 60% of refugees are living in cities. It is estimated that Turkey has spent over 12 billion euros since the beginning of Syrian crisis for health, education, food security and social and other services. Yet, apart from the necessary emergency support, the authorities are reluctant to officially accept a long-term presence of refugees in the country and therefore do not actively pursue sustainable integration policies.

Most refugees, in particular women and children, are susceptible to exploitation. Poverty, insufficient health and educational facilities are major issues. Whether

refugees should stay or move beyond Turkey's borders is a subject of considerable debate among the Turkish public. Initially perceived in terms of humanitarian issues, many people are increasingly concerned about the long-term negative social and economic effects of refugees remaining in Turkey. In an effort to manage the influx of refugees more sensibly, the EU reached a deal with Ankara in March 2016, offering Turkey potentially up to three billion euros in aid, eased travel regulations and revitalized accession talks in return for its help with stemming the flow of refugees to Europe. But, until November 2016, the deal has not been fully implemented: Turkey is working to prevent migrants crossing into the Schengen zone of Greece or Bulgaria, and the EU offered shares of the promised three billion euros in project-related aid. Yet, EU member states have not accepted promised numbers of Syrian refugees living in Turkish camps, nor has Turkey fulfilled all criteria for visa liberalization according to EU law.

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Safe Living

Safe Living
Conditions
Score: 3

According to the OECD, in Turkey, 5.0% of respondents report having been victims of assault in 2014, which is higher than the OECD average of 3.9%. The survey indicates that 62% of respondents say they feel safe walking alone at night, which is lower than the OECD average of 69%. More recently, acts of terrorism carried out by domestic (PKK) and foreign (IS group) groups have become a troubling issue, raising considerable doubt about state authorities' capacity to effectively combat terrorist cells and groups. Bombings before and after the June 7 elections increased security and safety concerns, and since then, some 400 people have been killed in terrorist-related or other incidents

associated with the escalation of violence in the southeast. Since the beginning of 2015, homicides and the murder of women (honor crimes) have also increased. By the end of October 2015, a total of 249 women were killed by men (i.e., a husband, lover or another man).

The General Directorate of Security was allocated an annual budget of €5.45 billion in 2014 and 71% of this budget was spent for personnel expenditures. About €5 billion was spent for public order and security as part of the functional budget. In 2015, the directorate's total budget reached €5.67 billion. Some €3.38 billion of this sum has been allocated in 2015 to the public order and security category. About 270,000 personnel are employed by the directorate, which means 360 police per 100,000 inhabitants. The Turkish National Police (TNP) collaborates extensively with domestic partners as well as international organizations such as INTERPOL, EUROPOL, SECI, AGIT, BM, CEPOL, and FRONTEX. Moreover, the TNP has introduced an e-government infrastructure in many divisions, and initiated several projects intended to bring operations into harmony with the EU *acquis communautaire*. EU-funded capacity development projects for judicial sciences were completed in Adana, Diyarbakır and İzmir. Several projects were also initiated by the Directorate such as the Security Department Law Enforcement Services, the Missing Person Alarm System, or the Media Monitoring System. Except for logistical matters and work conditions, all major departments of the directorate achieved their performance objectives in the year 2014.

In 2010, the Undersecretariat of Public Order and Safety was established to develop policies and strategies to combat terrorism and to coordinate among the relevant institutions and agencies. As of the end of 2014, a total of 96 personnel were employed by the undersecretariat. Several national and international activities including surveys, publications on resolving the Kurdish issue were conducted in particular. The number of special security service companies reached 1,330 in 2014, and 233,457 people were employed in this sector by the end of 2014.

As a reaction to mass demonstrations, a controversial "domestic security" bill (Law No. 6638) amending the Law No. 2559 on the Duties and Powers of Police was adopted by parliament in March 2015. As a result, police chiefs can now order that a person, their belongings and private vehicle be searched if they have obtained the written or oral permission of administrative chiefs.

Many observers argue that Turkey needs a holistic, integrated and well-coordinated and centralized domestic security policy. This need, however, is challenged by the subsequent state of emergency and dismissal of thousands of staff in the security apparatus following the July 2016 failed coup attempt.

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Global Inequalities

Global Social
Policy
Score: 7

During the period under review, Turkey used development assistance to advance social inclusion and development beyond its borders. The government expanded its annual official development assistance (ODA) disbursements considerably from \$967 million in 2010 to \$4.5 billion in 2015. Turkey, thus, has become one of the leading countries in humanitarian assistance in the world, an aspect widely acknowledged.

The increase in ODA was mostly related to its response to the refugee crisis in Syria. Aid to Syrian refugees, provided by the Turkish Cooperation and Coordination Agency (TİKA) and the Disaster and Emergency Management Presidency (AFAD), amounted to \$1.6 billion in 2013. The ratio of ODA as a share of GNI rose from 0.32% in 2012 to 0.54% in 2015.

Turkey’s development cooperation is provided in line with the Statutory Decree on the Organization and Duties of TİKA, adopted in 2011. Turkey engages in bilateral development cooperation mostly in South and Central Asia and the Middle East, but also in Africa. Social infrastructure and services, notably education and health, as well as governance and civil society capacity building efforts are the priority areas of Turkey’s bilateral development cooperation.

III. Environmental Policies

Environment

Environmental
Policy
Score: 4

Sustainable development policies gained in importance in Turkey as part of the EU accession process, which involved the country taking steps forward in environmental policy and legislation. The environmental chapter (Chapter 27) of the EU acquis was opened in 2009. In terms of environmental impact assessments, Turkey is generally in line with EU environmental legislation. In recent years, considerable progress has been made toward establishing emissions controls, the use of renewable energies and promoting energy efficiency. In the 2016 Environmental Performance Index, Turkey was ranked 99th out of 180 countries. In the 2016 Climate Change Performance Index, Turkey was described as showing “very poor performance,” and was ranked 50th out of 61 countries, climbing one position compared to the previous year. Turkey’s greenhouse-gas emissions rose by 5.1% in the 2010 – 2011 period, and by 3.7% in 2011 – 2012. Whether the slowdown in this rate of growth is due to past legal and structural reforms and/or technical improvements is a matter of growing debate.

Turkey adopted the framework for IPA II in December 2015. Thus, budget implementation tasks for IPA funds’ management, including environment and climate action have been assigned. In April 2016, Turkey joined the European Union Civil Protection Mechanism. However, it has not yet connected to the EU Civil Protection Mechanism’s common emergency communication and information system. Court decisions related to the environment are not in harmony with the Aarhus Convention (not yet adopted). Also, the Strategic Environmental Assessments Directive is still pending. Environmental impact assessment shall not be taken into account for strategically important investment projects starting from September 2016. This will negatively affect on acquis implementation. Turkey signed, ratified and is fulfilling its commitments under the UN Framework Convention on Climate Change. A greenhouse gas monitoring mechanism is under preparation.

Progress has also been made in terms of regulating air quality and industrial pollution, though it will take time and considerable funding to fully implement this legislation. On 2 April 2015, the Turkish Ministry of Environment and Urban Planning adopted a new regulation on waste management based on the EU’s Waste Framework Directive (2008/98/EC), yet economic instruments are weak.

The framework legislation on nature protection and the national biodiversity strategy and action plan have not been adopted, and there are legal shortcomings, not in line with the acquis, in relation to wetlands, forests and natural sites. Areas such as industrial pollution and risk management, chemicals and noise need either effective regulation in line with international standards or effective implementation.

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Global Environmental Protection

Global
Environmental
Policy
Score: 5

As a member of the OECD and the G-20, and as an EU accession candidate, Turkey has set sustainable-development targets. These are also a main concern of bilateral and multilateral cooperation. Turkey's Climate Change Action Plan 2011 – 2023 stresses its adherence to international commitments, standards and measures, and foresees increasing cooperation with international actors, especially in the fields of combating climate change and improving energy efficiency, along with an active role in international activities more generally. In 2012, Turkey hosted a joint project with the United Nations Development Program (UNDP) on protected marine areas. In this area, Turkey has made remarkable achievements with regard to fulfilling its commitments to protect the health, wealth and sustainability of marine ecosystems, as well as the biodiversity, goods and services they provide. The government planned to include the topic of climate change on its G-20 presidency agenda and thereby send a strong message from the G-20 Antalya summit to the Paris summit on climate change. Although this intention was overshadowed by the Paris terrorist attacks, Turkey was able to push several issues forward through its G-20 presidency. These include the G-20 Principles on Energy Collaboration (established in 2012), which recognize the need to support the poor through the consideration of energy access, energy efficiency, renewable energy, market transparency, and the rationalization and phase-out of inefficient fossil fuel subsidies that encourage wasteful consumption. As a result, the G-20 Ministers

of Energy adopted a G-20 Toolkit of Voluntary Options on Renewable Energy Deployment and a G-20 Energy Access Action Plan, the Voluntary Collaboration on Energy Access.

Turkish reservations based on national concerns complicated negotiations of the Paris Agreement on Climate Change, which entered into force on 4 November 2016 after 55 Parties to the Convention (accounting in total for at least 55% of the total global greenhouse gas emissions) joined the agreement. The Turkish Ministry of Environment and Urban Planning signed the Paris Agreement in New York, and the Agreement was ratified by Turkey on 22 April 2016.

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Quality of Democracy

Electoral Processes

Candidacy
Procedures
Score: 7

The Turkish Constitution, Law 298 on the basic principles of elections and the electoral registry, Law 2839 on deputies' elections, and Law 2972 on local-administration elections lay the legal groundwork for fair and orderly elections and prevent discrimination against any political party or candidate. However, the relative freedom given to each political party's central executive committee in determining party candidates (by Law 2820 on political parties, Article 37) renders the candidate-nomination process rather centralized, antidemocratic and exclusionary. The parliament weakened the centralization of political parties' leadership to some extent in 2014 with the passage of a law permitting co-leadership structures. Some restrictions on candidacy rights are incompatible with Paragraph 7.5 of the 1990 OSCE Copenhagen Document and similar international documents.

The nationwide 10% electoral threshold for parliamentary elections (Law 2839 on deputies' elections, Article 33) is a major obstacle for all small political parties. In 2008, the European Court of Human Rights (ECtHR) found the 10% electoral threshold to be excessive, but not in violation of the European Convention on Human Rights' (ECHR) Protocol 1 Article 3. As of November 2015, there were 100 registered political parties, although only 20 participated in the June 7 parliamentary elections, and 16 in the subsequent November 1 elections. The share of the representation of valid votes rose to 97% during the last two parliamentary elections. Parties' executive boards typically determine their parties' candidate lists, with the exception of the Republican People's Party, which holds a primary-election vote. An independent candidate who secures a majority of votes in his or her electoral district is allowed to take a parliamentary seat without regard to the nationwide threshold.

Although there is no legal obstacle barring women from standing as candidates, issues of gender inequality and access to financing render their participation doubly difficult. The number of women candidates fluctuated in the June 7 and November 1 elections, with the number of women deputies ultimately dropping from 79 to 76. A bill permitting political parties and candidates to use any language or dialect in their campaigning, including written material, was passed

by the parliament in April 2014.

Presidential candidates are not asked to pay a nomination fee; however, political parties require parliamentary candidates to pay a fee ranging from €185 to €2,800. Women candidates are generally asked to pay half or less of the fee required from male candidates. Most political parties do not ask for a nomination fee from disabled candidates. Independent candidates face greater obstacles, as they must submit a nomination petition along with a fee of about €3,279 (TRY 10,167). This fee is held by the revenue department of the provincial election board where the candidate is standing for election. If the independent candidate fails to be elected, this fee is registered as revenue by the Treasury.

Citation:

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Media Access
Score: 1

According to Law 3984 on the establishment of radio and television enterprises and broadcasts, “equality of opportunity shall be established among political parties and democratic groups; broadcasts shall not be biased or partial; broadcasts shall not violate the principles of election bans which are determined at election times.”

Currently, most mainstream media companies, including the state-owned radio and television company (TRT), are either directly or indirectly controlled by the government. Privately owned media outlets face either judicial or financial investigations, and media freedom is thus being placed at risk in an unconstitutional manner. A member of the Radio and Television Supreme Council (RTÜK) revealed that in the period before the parliamentary elections (1 – 25 October 2015), the TRT provided 30 hours of coverage to the prime minister, in comparison to five hours for the Republican People’s Party (CHP) leader, 70 minutes for the Nationalist Action Party (MHP) and only 18 minutes

for the Peoples' Democratic Party (HDP) leaders. During the same period of time, the 12 nationwide television channels, including the TRT, allocated 138 hours of live broadcasting time to covering President Erdoğan's various activities.

In general, the existing structure of media ownership, the degree of cartelization and the media's business relations with the state violate the provisions of Law 3984, Article 29. The current legal framework easily enables the authorities to block Turkish residents' access to Internet sites and other electronic media. The incidence of violence against journalists and media outlets has increased. During the elections, the environment was characterized by media politicization, limited criticism of the government, the closure of several television channels that had been critical of the government, and judicial investigations against these channels on charges of supporting terrorism.

After the 15 July coup attempt, government control over "mainstream" media increased even further. The visibility of the opposition members in the news media gradually deteriorated. This was felt most dramatically by HDP parliamentarians who faced allegations of supporting terrorism and whose immunity was suspended in the months following 15 July.

Citation:

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Voting and
Registrations
Rights
Score: 8

All Turkish nationals over the age of 18 can exercise the right to vote (Constitution, Article 67). The Supreme Election Board is the sole authority in the administration of Turkish elections (Law 298, Article 10). The General Directorate of the Electoral Registry, a part of the Supreme Election Board, prepares, maintains and renews the nationwide electoral registry.

Armed-services privates and corporals in active duty, military-school students, and currently imprisoned convicts cannot vote. The Supreme Election Board determines measures to be taken to ensure the safety of the vote-counting process.

In 2008, the parliament passed a law facilitating voting for Turkish citizens who are not living or present in Turkey during elections (Law 5749). In the 2015 parliamentary elections, about 54 million voters were registered domestically, along with an additional 2.8 million voters living abroad. More than 1 million voters cast their votes abroad. The distance of polling stations from residents' homes and the comparatively short voting period can be considered as potentially major obstacles to voting.

Turkey has a passive electoral registration system maintained by the Supreme Election Board. Despite the recent revision of the national electoral registry based on an address-registration system, critics have noted that the number of registered voters and the number of eligible citizens registered in the address system do not match. In autumn 2015, these critics argued that about 672,000 citizens are missing from the electoral rolls. However, OSCE reports have judged the registration process to be reliable and inclusive.

Parliamentary and local elections are conducted by local election boards under the supervision of the Supreme Election Board. These local boards verify election returns and conduct investigations of irregularities, complaints and objections, with the national board providing a final check. Vote and Beyond (Oy ve Ötesi), a non-governmental organization, reported no significant violations of the law at the polling stations in 2015.

Disabled voters sometimes face difficulties if the polling stations lack appropriate access facilities.

Citation:

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Party Financing
Score: 4

Article 60 of Law 2820 requires political-party organs at every level to keep a membership register, a decision book, a register for incoming and outgoing documents, an income and expenditure book, and an inventory list. According to Article 73 of Law 2820, political parties must prepare yearly statements of revenues and expenditures, at both the party-headquarters and provincial levels. However, Turkish law does not regulate the financing of party or independent-candidate electoral campaigns. Presidential candidates' campaign finances are

regulated by Law No. 6271; these candidates can legally accept contributions and other aid only from natural persons having Turkish nationality. However, the Supreme Election Board has allowed political parties to organize campaign activities and purchase advertisements for their candidates in a way unregulated by law. Thus, the state aid provided to the political parties can be used indirectly for presidential-campaign activities.

There is no legal ceiling for campaign expenditures. Law No. 2820 (Article 66) enables organizations such as unions or professional organizations to contribute to political parties. The finances of candidates in local and parliamentary elections are not regulated by law. There is no specific reporting obligation for campaign contributors, apart from a general requirement, based on the Tax Procedure Code, for individuals to declare expenses (which could include political contributions) to the tax authorities. Pursuant to Article 69 of the constitution, Article 74 of Law 2820 stipulates that political-party finances must be audited by the Constitutional Court to verify whether the parties' property acquisitions, revenues and expenditures are in compliance with the law. Auditing decisions by the Constitutional Court are published in the Official Gazette. The review report of the Supreme Election Board on presidential candidates' campaigns must be announced within a month of the audit's completion. However, the law does not specify where the audit result shall be announced.

The Constitutional Court, with the assistance of the Court of Accounts, examines the accuracy of information contained in a party's final accounts and the legality of recorded revenues and expenditures on the basis of information at hand and documents provided. Before the court's examination, party accounts must be audited by certified experts. Law 2820 contains criminal, administrative and civil sanctions that can be imposed on political parties, party officials, party candidates or other persons.

Ceilings for donations to political parties by private individuals are evaluated each year. This level was approximately €7,200 in 2016. However, donations are often not properly or systematically recorded – for example, cash and in-kind contributions or expenditures made in support of parties or candidates during elections are not recorded. The funds collected and expenditures incurred by individual elected representatives or candidates during political party activities, including electoral campaigning, are not included in party accounts. Party accounts published in the Official Gazette provide only general figures and potential infringements. The accuracy of the financial reports posted by political parties online needs to be examined. Critics have argued that discretionary funds controlled by the Prime Minister's Office (PMO) and the president were used for the incumbent party's campaigns.

During the period under review, GRECO found that no tangible progress has been made in Turkey since the adoption of the Second Compliance Report on Transparency of Party Funding in March 2016. No legal framework for auditing election campaigns or individual candidates' finances at the local or parliamentary level exists.

Citation:

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Popular Decision-Making
Score: 2

According to Article 67 of the constitution, all citizens over 18 years old have the right to take part in referendums. Referendums are held in accordance with the principles of free, equal, secret and direct universal suffrage, with votes counted publicly. In recent years, referendums were held to amend the 1982 constitution. Paragraph 3 of Article 175 of the constitution reads that, if the parliament adopts a draft constitutional amendment referred by the president by a two-thirds majority, the president may submit the law to a referendum. Laws related to constitutional amendments that are the subject of a referendum must be supported by more than half of the valid votes cast in order to be approved.

If a law on an amendment to the constitution is adopted by at least a three-fifths majority but less than a two-thirds majority of the total number of members of the Grand National Assembly, and is not sent back to the Assembly for reconsideration by the president, it is then published in the Official Gazette and submitted to a referendum.

A law on a constitutional amendment adopted by a two-thirds majority of the Assembly directly or upon the return of the law by the president may be submitted to a referendum by the president.

Popular decision-making is also possible at the local level. Law 5593 on municipalities (Article 76) enables city councils to implement policies for the

benefit of the public. Yet these units are not wholly effective, as they depend upon the goodwill of the local mayor, and some councils exist on paper only and have yet to be established in fact. Law 6360, in effect since 2014, paved the way for more centralized decision-making processes, including in urban planning and on local matters .

Turkey has not signed the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention).

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Access to Information

Media Freedom
Score: 2

Although Turkey has a somewhat diversified media structure, the government places direct and indirect pressure on media owners in order to obtain coverage favorable to the government party. Most critical private media groups have been seized or turned into politically friendly trustees.

The constitutional guarantees of freedom of the press and freedom of expression are rarely upheld in practice. The current legal framework and practice are restrictive and do not meet EU standards. The government appoints the general director of the country's public broadcaster, Turkish Radio and Television (TRT). In doing so, it essentially exercises tutelage over the public-media organization's administration. Several TRT channels regularly broadcast pro-government programs, and invite experts allied with the government party to appear on these programs.

Most concerning for many observers have been the unprecedented expansion in the range of reasons given for journalists' arrests, the massive phone-tapping campaign, and the contempt shown for source confidentiality. These factors have in sum reintroduced a climate of intimidation with regard to the media.

Even before the coup attempt on 15 July, arrests and sentences targeting journalists have continuously gone up. The government targeted numerous journalists who critically investigated the military operations of the Armed Forces in major Kurdish cities, especially Cizre and Diyarbakir. In total, 12 TV

stations, 11 radio stations and a total of 173 media outlets that allegedly belong to or support terrorist groups were shut down as of October 2016. The shutting down of the IMC-TV station was notable because it contributed to minimizing journalistic coverage of the Kurdish issue.

Media owners' economic interests constitute an essential problem. Although Article 29 of Law 3984 restricts media owners' shareholder rights, owners with stakes in other business sectors have been seen to influence coverage to favor their outside business interests. A significant share of media owners are industrial conglomerates with interests that go beyond freedom of press and opinion, and some have close relationships with the government. This further undermines media independence, increasing self-censorship and job insecurity among journalists. The number of outlets belonging to the so called pool media (Havuz Medyası) – media properties owned by government-allied businesses which the government can make use from like a pool – has expanded. Allegations against and seizures of disloyal or opposition media gradually increased since late 2015.

Particularly, the aftermath of the 15 July coup attempt saw high numbers of arrests, hearings, detentions, prosecutions, censorship cases and layoffs. A number of physical attacks on media outlets and journalists took place. The closure of media outlets, the appointment of trustees to control media groups, and the active use of the tax authority, the financial crimes unit and courts against critical media intensified.

Intimidating statements by politicians and lawsuits launched against journalists critical of the government, combined with the media sector's ownership structure, have led to widespread self-censorship by media owners and journalists. In some cases journalists have simply been fired. The politicized Radio and TV Supreme Council (RTÜK) has issued disproportionate fines to pro-opposition media; however, after the 2015 parliamentary elections, the Supreme Election Board asked the RTÜK to issue fines to media companies that violated the election law.

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Media Pluralism
Score: 3

In addition to the increasing restrictions on media freedom in Turkey (see “Media Freedom” section), the country’s dominant media structure features ownership by industrial conglomerates, strong links between political forces and media organizations, and a lack of unionization in the media (a so-called Mediterranean or polarized pluralist media model). This undermines pluralism in the media sector. Adopted in 2011, Law 6112 increased the maximum allowable foreign-ownership stake in media companies from 25% to 50%, with the condition that a single foreign investor cannot invest in more than two enterprises. Foreign companies still cannot be majority stakeholders in domestic media companies.

Pressure on media outlets and owners has grown over the last several years. Media companies were accused of conspiring to incite a coup d’état in late 2014, with this pressure intensifying further before the June 7 elections. On 31 May 2015, the board of the World Association of Newspapers and News Publishers (WAN-IFRA), meeting in Washington D.C., called for the Turkish government to end its attacks on the country’s independent media and to recognize the value of a critical press to the democratic process. The WAN-IFRA board noted with alarm that the Ankara public prosecutor had asked the Turkish Satellite Communications Company (TÜRKSAT), which is overseen by the Ministry of Transportation, Maritime Affairs and Communications, to deny use of the state-owned satellite infrastructure to certain critical and opposition media outlets. Indeed, this tactic has been regularly used against several media companies.

A number of digital-transmission platforms including Digiturk, Tivibu and Turkcell also halted the broadcast of some opposition-allied TV channels. Digiturk was sold to the Qatar-based BeIN Media Group in July 2015 without a tender, although there were many companies interested in buying the firm. In the case of Tivibu, a satellite-broadcast system owned by TTNET, 55% of its shares were sold to a Saudi Oger-affiliated company for a period of 21 years. Turkcell is the country’s biggest GSM mobile-phone operator, and is jointly owned by Telia Sonera, the Çukurova Group and MV Holding.

In late October 2015, OSCE Representative on Freedom of the Media Dunja Mijatović condemned the police raids against media outlets in Turkey, and called on authorities to restore and ensure media pluralism. Media outlets that have been seized before or after the failed coup attempt have been assigned trustees tasked with managing their daily broadcasts. Precedent for this tactic came nearly eight years ago, when a similar operation was initiated against ATV, an organization owned by the Uzan Group. This raised questions about the role of media ownership and media freedom in Turkey that are even more pressing today.

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Access to
Government.
Information
Score: 6

According to Law 4982, citizens, noncitizens and foreign corporations have the right of access to government information. However, many public records are not included within the scope of the law, as there are exceptions for state secrets, intelligence information, individual privacy and communication privacy. There is no legislation on state and trade secrets, preventing effective use of access to information.

Almost all public offices have a section that deals with requests for information. These can be made in person or electronically.

A total of 1,190,325 applications for information based on Law 4982 were made to public institutions in 2015. According to official information, 86% of requests resulted in the full provision of the requested information, 6,8% resulted in partial information or a negative response, and 7% were rejected. A total of 4,750 applications were found to be related to state secrets or private issues. The annual report on the issue does not provide information about the subject of the applications.

The Board of Review for Access to Information reviews administrative decisions rendered under articles 16 and 17 of the information-access law, and makes decisions regarding institutions' implementation of the associated right. The Board did not publish an annual report for 2015. As with other administrative decisions, appeals can be made to an administrative court if information requests are denied. A total of 622 applicants appealed for judicial review in 2015. Although the number of applications decreased radically, the number of "positive" responses from the relevant public bodies increased in 2015.

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Civil Rights and Political Liberties

Civil Rights
Score: 2

While Article 10 of the constitution guarantees equality before the law, and Article 12 enshrines fundamental rights and freedoms, concerns over shortcomings in judicial proceedings remain, including limited access by defense attorneys to prosecution files, lengthy pretrial detentions, and excessively long and catch-all indictments. This relates especially to numerous cases involving Kurdish activists, journalists, union members, students, military officers, and policy and security personal being tried for alleged violations of the Anti-Terror Law. Many such cases are considered by domestic and foreign observers to be partly or even fully politically motivated.

In the aftermath of the 15 July coup attempt, even more serious violations of civil rights have occurred. Although the government claims it conducts the rules of emergency government with utmost care, these practices are based on the decrees having the force of law and are not subject to judicial review. The institutionalized neglect of civil rights in Turkey are reflected in mass arrests of alleged coup plotters and sympathizers, confiscation of their properties, sentences against journalists and opposition politicians, renewed violence in the southeast, widespread restrictions on freedom of expression, association and assembly, a deteriorating judicial system, violence against women and impaired relations with key international actors.

Political influence and pressure on the judiciary as well as allegations of conspiring with Gülenist organizations has weakened the independence of the judiciary as the sole guarantor for civil and political rights and liberties. The Justice Minister's right of veto, as ex officio President of the High Council of Judges and Prosecutors (HSYK), continued to be a source of major concern.

Since September 2012, the Constitutional Court accepts individual petition if the right to a fair trial has been violated. 1,314 violations of the right to fair trial have been noted by the court since that time. Article 148 of the constitution states that anyone who believes his or her human or civil rights as set forth in the European Convention on Human Rights (ECHR) have been infringed upon by a public authority has a right to apply to the Constitutional Court, after exhausting other administrative and judicial remedies. The cost of individual application was about €1.35 in 2015. Individual applications must be filed within 30 days after the notification of the final proceeding that exhausts other legal remedies. As of August 2016, a total of 14,002 applications were submitted.

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Political Liberties
Score: 3

Whereas the freedoms of thought, conscience and religion are generally respected, official violations of the freedoms of expression and assembly occur, particularly when criticism of the ruling government and its policies is involved. Several key pieces of legislation adopted regarding the rule of law and fundamental rights were not in line with European standards, such as the law on data protection. The constitutional amendment to parliamentary immunities adoption in May 2016 allowed lifting immunity for a large number of deputies, and resulted in the detentions and arrests of several HDP Members of Parliament, including the two co-chairs in November 2016. Following the 2015 parliamentary elections, a peaceful solution for the Kurdish issue was replaced by a “nationalist” anti-terror policy by the government.

A highly controversial Internal Security Law adopted in March 2015 granted the police the power to detain a person caught in the act of committing a crime. A person can be kept in custody for 24 hours without seeing a judge, and this period can be extended to 48 hours if the police deem that a “collective crime” has been committed. The police forces have been allowed to use firearms against demonstrators, deepening fears of crackdowns on dissent ahead of parliamentary elections. This law was considered a threat to the Turkish state’s conflict-resolution negotiations with the PKK, and a means of attracting nationalist votes for the AKP.

In the Penal Courts of Peace established in July 2014, single judges have the authority to issue search warrants and approve detentions and the seizure of property. Judges have been criticized for undermining the public’s trust in the judiciary due to the arbitrary nature of their detentions, arrests and judgments.

The European Commission stated during the review period that the freedoms of expression and assembly have become major shortcomings in Turkey. Intimidation of journalists, up to and including physical attacks, has taken place. The Commission advised Turkey to improve monitoring of the implementation of the Action Plan on Prevention of ECHR Violations (adopted in March 2014). The Commission’s 2016 Progress Report identified several major weaknesses, including: the intimidation of and denial of accreditation to journalists; the government’s blocking of websites with or without a court decision; the lack of editorial independence within the public broadcast system, especially during the elections; and media ownership transparency more generally. The number of journalists in prison increased during the review period.

Although bans on social media imposed by the government in early 2014 were subsequently lifted by the Constitutional Court, legal provisions limiting the free use of the Internet, presented as necessary for “national security and protection of the public order,” have raised additional concerns.

Civil-society organizations have reported restrictions on their freedom of assembly, and have been fined for violating these restrictions. Concepts such as the “general morality,” the “Turkish family structure,” “national security,” and the “public order” have been widely used to justify restrictive practices, allowing broad discretion to authorities and hindering the freedom of association in practice. LGBTI associations have been closed on grounds of “general morality.” Court cases regarding the closure of five associations dealing with human rights in general and Kurdish issues in particular remain pending. Moreover, legislative and bureaucratic obstacles have hindered civil-society organizations’ financial sustainability. Associations applying for public-benefit status and for permission to raise funds have complained of discrimination. The

situation for media and civil society representatives deteriorated further during the state of emergency following the failed coup attempt in July 2016.

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Non-discrimination
Score: 4

While Article 10 of the constitution guarantees equality before the law, irrespective of language, race, sex, political opinion or religion, the political reality in Turkey differs significantly from this constitutional ideal.

The new Law on the Human Rights and Equality Institution of Turkey provides a positive development towards non-discrimination. Turkey did not ratify Protocol 12 of the ECHR providing a general prohibition of discrimination. The National Human Rights and Equality Institution needs to be rapidly established and start processing cases of discrimination.

Although Turkey ratified the Council of Europe Istanbul Convention on preventing and combating violence against women and domestic violence, gender-related violence, hate speech, and discrimination against LGBT communities are serious problems. Physical attacks on non-Muslim residents were reported during the period under review, and anti-Semitism in physical or oral form is clearly expressed in public. According to the Anti-Defamation League's 2015 Global Anti-Semitism Index, 71% of Turkey's adult population is estimated to harbor anti-Semitic attitudes – a slightly higher figure than for the Middle East and North Africa (MENA) region overall. The establishment of an inclusive Anti-Discrimination and Equality Board is still pending.

A number of high court rulings remain unimplemented, including the European Court of Human Rights' December 2014 decision on cemevi (gathering places for Alevi Muslims) as a place of worship and February 2015 rejection of Turkey's appeal on the issue of compulsory religious-education classes, as well as the Turkish Court of Cassation's August 2015 judgement on cemevi as religious locations within the scope of the ECHR ruling. Some leading politicians' "uneven" treatment of the Alevis negatively affects the public atmosphere.

The use of Kurdish and some other languages in formal education gradually widened. However, investigations and detentions of Kurdish activists have undermined efforts to find a workable solution to the Kurdish issue. The government introduced a National Strategy and Action Plan for Roma people, yet Roma continued to face discrimination in social and economic life.

Three years ago, the Ministry for Family and Social Policies adopted a national action plan to combat violence against women. However, despite rising public awareness, the incidence of violence against women in Turkey has undergone a dramatic and rapid increase in the last decade. Even though a large number of cases go officially unreported, women's rights groups reported that 230 women had been killed in 2016 as of mid-November. In some cases, courts have ruled that "extenuating circumstances" existed for perpetrators of so-called honor crimes. A 2014 Penal Code amendment expanding penalties for violence against women was considered unsatisfactory by women's rights associations. A controversial amendment on victims of sexual abuse was submitted by a group of AKP deputies in early November 2016, yet withdrawn by the Constitution Commission following street protests. Gender discrimination and discrimination against LGBTI in the workplace is widespread.

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Rule of Law

Legal Certainty
Score: 3

Several articles in the Turkish constitution ensure that the government and administration act in accordance with legal provisions, and that citizens are protected from the despotism of the state. Article 36 guarantees citizens the freedom to claim rights, and Article 37 concedes the guarantee of lawful

judgment. According to Article 125, administrative procedures and actions are subject to administrative review. In 2014, the Council of State, the country's highest administrative court, received more than 187,176 files, and completed its review of 159,358 cases. The average length of time a case takes to reach the Council of State, the supreme administrative court, is 480 days. In 2014, a total of 74,516 out of 167,559 administrative cases were annulled by the administrative courts, indicating a lack of certainty within the system.

The main factors affecting legal certainty in the administration are a lack of regulations on particular issues, the misinterpretation of regulations by administrative authorities (mainly on political grounds), and unconstitutional regulations that are adopted by parliament or issued by the executive. In addition, the high frequency of amendments to some basic laws under certain circumstances lead to a lack of consistency. High-profile prosecutions can follow unpredictable courses. For example, after prisoners associated with the clandestine Ergenekon network were released, they were called back for a retrial. Legal as well as judicial instruments are sometimes used against government opponents, especially those in the media.

The 15 July failed coup attempt caused a major uncertainty in legal and practical terms. The governmental decrees issued during the state of emergency are not subject to judicial review. Moreover, thousands of public servants mainly from the military, the judiciary, health sector and universities were dismissed. Although some ministers addressed that new personnel shall be employed in public service, the minister of finance did not prove it. The restructuring the public service may take time and lead to further uncertainty.

Although judicial reform was one of the major objectives of the government during the review period, the judiciary's independence, professionalism, organization and ability to provide fair trials all remain serious concerns. The government issued a new Judicial Reform Strategy Document in April 2015. However, this does not specify detailed instruments for reaching objectives such as judicial independence and impartiality. The Minister and Undersecretary of Justice are still members of the High Council of Judges and Prosecutors (HSYK).

The Constitutional Court found the prohibition of teaching staff working beyond regular working hours (full-time work regulation) contradictory to the principles of legal security and certainty granted under the rule of law, and annulled the relevant provisions of Law 2955 in November 2015.

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Judicial Review
Score: 3

Article 125 of the constitution states that all government administrative decisions and actions are subject to judicial review. Developments during the review period demonstrated that the Constitutional Court plays a vital role in safeguarding judicial review in Turkey.

However, the president of the Republic is not accountable for his actions except for "high reason". The actions of some other institutions are also excluded from judicial review, including the Supreme Military Council, whose decisions affect the individual rights of military personnel and are administrative in nature; parliamentary resolutions such as declarations of martial law or war, or the decision to send Turkish troops to a foreign country; and the Supreme Council of Judges and Public Prosecutors (HSYK), whose organization and working conditions are still in need of internal reform (as are the Court of Cassation and the Council of State), especially with regard to safeguarding the political independence of its members and bodies.

The Venice Commission, referring to some politically sensitive cases in Turkey, has expressed concern about violations of European and universal judicial-independence standards. A judicial-reform package adopted by the parliament in December 2014 allowed Court of Cassation (Yargıtay) investigatory judges be elected solely by the HSYK, bypassing the Supreme Court Presidency Council. During the review period, the HSYK also launched an investigation into the appointments of 5,000 judges and prosecutors on the basis of irregularities in the entrance exams conducted since 2010.

The Turkish judiciary is currently under severe pressure to handle the influx of cases in a timely manner. The ability of the judiciary to effectively perform its tasks in the aftermath of the attempted coup is in question as a result of the large-scale dismissals. Around 5,000 positions remain to be filled.

Civilian oversight during the review period was weak with regard to investigations of human-rights abuses or acts by the gendarmerie. Under Article 148 of the constitution, the Constitutional Court cannot review legal

amendments passed during a period of martial law or state of emergency, the latter in force since the failed coup attempt. A Human Rights Compensation Commission has been established within the Ministry of Justice and has demonstrated some positive results.

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Appointment of
Justices
Score: 3

The 2015-2019 Judicial Reform Strategy continued to be implemented. However, no measures were taken to tackle key shortcomings on independence and impartiality. It is crucial that the strategy is revised to address key outstanding problems and is implemented with the involvement of all relevant stakeholders, including civil society.

The structure of the so called Gülenist parallel state in the judiciary came to attention beginning in 2013 and has undermined the judiciary's credibility. While the number of court cases is increasing – not least after 15 July 2016 and the dismissal of thousands of judges and prosecutors allegedly linked to Gülenist networks – the lack of professional judicial personnel creates further deadlocks.

The Constitutional Court has 17 members, as outlined by Article 146 of the 2010 constitutional referendum, whose members are nominated or elected from other higher courts by the country's president, the parliament and professional groups made up of senior administrative officers, lawyers, first-degree judges, prosecutors, or Constitutional Court rapporteurs who have served for at least five years.

To be appointed to the Constitutional Court, candidates must either be members of the teaching staff of institutions of higher education, senior administrative officers or lawyers; be over the age of 45; have completed higher education; and have worked for at least 20 years. Constitutional Court members serve 12-year terms and cannot be reelected. The appointment of Constitutional Court judges

does not take place on the basis of general liberal-democratic standards such as cooperative appointment and special majority regulations. In addition, the armed forces still wield some civilian judicial influence, as two military judges are members of the Constitutional Court.

Recruitment patterns in the past have highlighted the politicization of the judiciary. In 2014, the regular elections for Supreme Council of Judges and Prosecutors (HSYK) members were indicative of this problem, occurring as they did in the wake of the corruption proceedings against the government, the allegations of infiltration of the judiciary by the FETO network, and the government's subsequent hasty legislative changes. Instead of being elected, four new members of the HSYK were appointed by President Recep Tayyip Erdoğan, thus undermining the principles of independence and impartiality. In sum, the amendments to the HSYK law and the subsequent dismissal of staff and numerous reassignments of judges and prosecutors raised serious concerns regarding both the independence and impartiality of the judiciary and the separation of powers.

European Commission, Turkey 2016 Report, Brussels, 9.11.2016, http://ec.europa.eu/enlargement/pdf/key_documents/2016/20161109_report_turkey.pdf (accessed 1 November 2016).

Yargı Reformu Strateji Belgesi 2015, http://www.sgb.adalet.gov.tr/yargi_reformu_stratejisi.pdf (accessed 27 October 2015)

Corruption
Prevention
Score: 3

Law 5018 regarding public financial management and oversight also touches on issues of legality, transparency and predictability. However, these concepts, as well as instruments such as the formation of strategic plans, performance budgets and regulatory impact assessments, are not effectively incorporated into government oversight processes. An amendment to the law on audit court has limited the degree to which state expenditures can be audited. Public-procurement safeguards have deteriorated thanks to legislation allowing municipalities to operate in a less than transparent fashion. There are no codes of conduct guiding members of the legislature or judiciary in their actions. Conflicts of interest are not broadly deemed a concern, and there is no effective asset-declaration system in place for elected and appointed public officials.

The Council of Ethics for Public Officials lacks the power to enforce its decisions through disciplinary measures. Codes of ethics do not exist for military personnel or academics. Legal loopholes (regarding disclosure of gifts, financial interests and holdings, foreign travel paid for by outside sources, etc.) in the code of ethics for parliamentarians remain in place. In 2014, a total of 3,664 public civil servants across 48 institutions were provided with ethics training, and 130 of them were themselves assigned to serve as ethics trainers. Moreover, two separate modules dealing with the issue were placed online for further training purposes.

In general, corruption remains widespread, and unfair and biased treatment by the bureaucracy is common. Especially at the local level, corruption remains a systemic problem. While municipalities controlled by opposition parties are closely monitored by law-enforcement authorities and government inspectors, municipalities controlled by the AKP are shielded from close scrutiny. The Court of Audit reported a number of municipalities to the Ministry of Finance in 2014 on the basis of illegitimate practices. Recent reports by the Audit Court have not been addressed by parliament. However, the reports have been published in the media and online, thus publicly exposing a number of irregularities including hidden budget expenditures, housing-procurement abuses and tax compromises.

A 2014 omnibus law amended various aspects of Turkish public-procurement legislation, introducing restrictive measures that make the previously optional domestic price advantage of up to 15% compulsory for “medium and high-technology industrial products.” The law authorizes the Ministry of Science, Industry and Technology to determine the list of items for which a domestic price advantage will be compulsory; this gives considerable discretion to the administration.

Citation:

European Commission, Turkey 2016 Report, Brussels, 9.11.2016, http://ec.europa.eu/enlargement/pdf/key_documents/2016/20161109_report_turkey.pdf (accessed 1 November 2016).

Turkey's top judicial body suspends graft probe prosecutors: agency, 30 December 2014, <http://www.reuters.com/article/2014/12/30/us-turkey-corruption-prosecutors-idUSKBN0K80WC20141230#MAC1r24rc4pB862h.97> (27 October 2015)

Daniel Donbay, Turkish parliament votes against graft trial for former ministers, Financial Times, 21 January 2015, <http://www.ft.com/cms/s/0/7f805574-a14a-11e4-8d19-00144feab7de.html#ixzz3rrWV7tpq> (27 October 2015)

Çiğdem Toker, Sayıştay yeni sovgunu belgeledi, Cumhuriyet daily newspaper, 7 October 2015, http://www.cumhuriyet.com.tr/koseyazisi/382949/Sayistay_yeni_soygunu_belgeledi.html (27 October 2015)

İşte duman eden Sayıştay raporları, Taraf daily newspaper, 10 March 2014, <http://www.taraf.com.tr/haber-iste-duman-eden-sayistay-raporlari-150242/> (accessed 5 November 2014).

Transparency International (2015) ‘Corruption Perception Index 2015’, <https://www.transparency.org/cpi2015/#results-table>. (1 November 2016)

Governance

I. Executive Capacity

Strategic Capacity

Strategic Planning
Score: 6

All public institutions, including municipalities, special provincial administrations (laws 5216, 5302 and 5393) and state-owned economic enterprises (KİTs), but excluding regulatory and supervisory bodies, must prepare strategic plans according to Law 5018 (2003) on Public Financial Management and Control and the By-law on Principles and Procedures for Strategic Planning in Public Administrations (2006).

Ministries have established strategic planning units, creating the need for inner- and inter-ministerial coordination and cooperation on present and future tasks and problems. In general, the Prime Minister's Office, the Ministries of Finance, Development and Interior, the Turkish Grand National Assembly, the Turkish Court of Audit, and the Board of Internal Audit are the primary institutions involved in the process of strategic planning. In addition, the administration of the presidency has turned into another decisive body in policymaking.

Strategic management within the Turkish public administration faces several challenges. Public institutions in general have insufficient strategic-management capacity. Strategic plans, performance programs, budgets and activity reports are prepared with little if any coordination. Although a total of 730 internal auditors are employed across 207 public institutions, the Turkish public administration as a whole has failed to develop an effective internal-audit system. The Court of Audit cannot fulfill its functions and pursue performance audits. There is no relationship between political strategy documents and lower-level policy materials, and little coordination between associated institutions. Difficulties in gaining access to relevant information within public administrative bodies and insufficient human resource capacities are additional major contributors to this failure. There are also no cumulative statistics on the frequency of meetings between strategic-planning staff members and

government heads. In general, these meetings are held once a year and during budget negotiations.

During the review period, the Supreme Board of Planning approved action plans relating to 25 priority transformation programs (ÖDÖP) that fall under four primary macroeconomic-, sectoral- and regional-policy objectives – ensuring sufficient labor-market skills, supporting innovative production, enhancing livable space and engaging in international development cooperation – all within the scope of the 10th Development Plan.

Citation:

T.C. Kalkınma Bakanlığı, Kamuda Stratejik Yönetim Çalışma Grubu Raporu, Onuncu Kalkınma Planı (2014-2018),

<http://www.kalkinma.gov.tr/Lists/zet%20htisas%20Komisyonu%20Raporlar/Attachments/264/Kamuda%20Stratejik%20Y%C3%B6netim%20%C3%87al%C4%B1%C5%9Fma%20Grubu%20Raporu.pdf>

Kamu İdarelerince Hazırlanacak Stratejik Planlara Dair Tebliğ, Resmi Gazete, 30 April 2015, <http://www.resmigazete.gov.tr/eskiler/2015/04/20150430-10.htm>

Scholarly Advice
Score: 5

In recent years, the frequency of participation by non-governmental organizations (NGOs) and experts in political decision-making processes has increased. Regulations concerning the rules and principles by which new laws are prepared state that academic experts can be consulted during the drafting process. The government occasionally asks outside experts to prepare opinions or help with surveys or reports on individual issues.

A major step was taken in 2013 with the establishment of the so-called Wise Men Group of intellectuals, writers, academics and celebrities in favor of the government's conciliatory approach toward the Kurdish issue. This group was tasked with starting a dialogue with all segments of society on questions and concerns related to the issue. However, following the 2014 presidential elections, it ceased activity soon afterward without any lasting impact.

In addition to working with pro-government think tanks, the government consults with academic experts in the context of projects sponsored by the United Nations, the Council of Europe and the European Union. However, the spectrum of communication with outside experts is narrowing, as the government has begun to recruit its own experts to provide alternative but not critical opinions on relevant issues of public policy. As Turkish politics has become increasingly polarized, the government and the ruling party have seemed to shut themselves off from broader societal influences, basing decision-making increasingly on information provided by loyal personal or clientelist networks.

Public institutions' annual activity reports provide no indication of how often expert opinions have been requested. Selected groups of scholars participate in

the preparation of special expert reports related to the national development plans. The Turkish Academy of Sciences has been critical of the lack of scholarly cooperation with public institutions.

Citation:

Türkiye Bilimler Akademisi, 2014 Faaliyet Raporu, <http://www.tuba.gov.tr/upload/tables/2014-tuba-faaliyet-raporu.pdf> (accessed 27 October 2015)

Mevzuat Hazırlama Usul ve Esasları Hakkında Yönetmelik, 19.12.2005, <http://www.mevzuat.gov.tr/MevzuatMetin/3.5.20059986.pdf> (accessed 27 October 2015)

Interministerial Coordination

GO Expertise
Score: 5

The Prime Minister's Office (PMO) has established a General Directorate of Laws and Decrees and General Directorate of Legislation Development and Publication to scrutinize bylaws prepared by ministries and public agencies, examining their congruity with the existing body of draft bills, decrees, statutes, regulations and Council of Minister resolutions. The directorates also review laws, general legal principles, development plans and programs, and the government's program. These units are the primary government-office entities charged with drafting and coordinating new regulations. However, not all draft bills are the product of expert advice. Recently, the number of adjustments to draft bills made during the parliamentary-approval process indicated that standards were upheld only partially.

During the review period, the PMO had a total of 2,243 employees, a quarter of whom were experts or advisors, or able to provide similar services. A Sectoral Monitoring and Assessment Unit was established to provide advice to the PMO in 2011. As of May 2015, about 266 career employees from various public institutions were assigned to this unit. Critics argue that these senior civil servants lack sufficient resources, as well as incentives for effective action. Until the "cleansing" activities of the government following the 15 July coup attempt, the unit was also alleged to be a "detention camp" for bureaucrats supposedly close to illegal Gülenist organizations.

Citation:

TC Başbakanlık 2014 Yılı Faaliyet Raporu, http://www.basbakanlik.gov.tr/docs/KurumsalHaberler/2014-yili-basbakanlik-faaliyet-raporu_150302134448.pdf (accessed 27 October 2015)

Cinnah'taki toplama kampı, Taraf daily newspaper, 25 September 2015, <http://www.taraf.com.tr/cinnahtaki-toplama-kampi/> (accessed 27 October 2015)

Kamuda Paralel tasfiyesi, Akşam daily newspaper, 12 September 2015, <http://www.aksam.com.tr/ekonomi/kamuda-paralel-tasfiyesi/haber-442223> (accessed 27 October 2015)

GO Gatekeeping
Score: 9

According to Article 112 of the constitution, the prime minister, as chairman of the Council of Ministers, is tasked with ensuring cooperation among ministers and with supervising the implementation of government general policy. The

members of the Council of Ministers are jointly responsible for the implementation of policy. Each minister is responsible to the prime minister and is responsible for the conduct of affairs under his or her jurisdiction and the acts and activities of his or her subordinates. The prime minister ensures that the ministers exercise their functions in accordance with the constitution and the law, and can take corrective measures. Article 109 of the constitution, which gives the prime minister the power to appoint ministers, also makes his or her oversight power over ministerial proposals clear. However, ministries have been able to exercise greater influence during periods of coalition government. In those times, to prevent this, a special coordinating body composed of ministers from coalition parties sets the agenda for cabinet meetings. In contrast to that, since the presidential election in 2014, and the re-election of the AKP into power in 2015, the presidency evolved into another strong power center in the policymaking process, indicated by the regular times President Erdogan has been chairing cabinet meetings.

An example of the exceptional power of the Prime Minister's Office in terms of policymaking is the fact that all public institutions, entities and corporations in which more than 50% of assets are publicly held – excluding municipalities and special provincial administrations – must get permission from this office before selling, renting, transferring, allocating or bartering any real-estate holdings (Circular 2012/15).

There is also a hidden (discretionary) budget which is allocated through the approval of the prime minister and the minister of finance. This budget was increased to €429 million in the January-October 2015 period. Expenditures through the president's discretionary budget, which was created after the 2014 presidential elections, totaled €89.6 million during the first nine months of 2015. These expenditures are not audited.

Citation:

Circular, 2012/15, 16 Haziran 2012, http://www.resmigazete.gov.tr/eskil_er/2012/06/20120616-6.htm (accessed 27 October 2015)

Cumhurbaşkanlığı'na örtülü ödenek yetmedi, bütçe 546 milyona çıktı, T24, 16 September 2015, <http://t24.com.tr/haber/cumhurbaskanligina-ortulu-odenek-yetmedi-butce-546-milyona-cikti,309811> (accessed 27 October 2015)

Nereye harcandığı gizli tutulan örtülü ödenekten ilk 9 ayda başbakanlık 1 milyar 780 milyon, Cumhurbaşkanlığı ise 278 milyon lira harcadı, Kazete, 18.10.2015, http://kazete.com.tr/haber/ortulu-odenek-harcamasinda-basbakanlik-costu_42312 (accessed 27 October 2015)

Line Ministries
Score: 7

The Prime Minister's Office (PMO) has a twofold role in the preparation of draft bills. It checks the congruity of laws from a legal point of view, and collects ministries' legal and political opinions along with opinions from civil society, interest and pressure groups, expert groups and institutions. Thus, the PMO is always directly involved in the preparation of policy proposals at a relatively early stage.

However, line ministries do not always provide all the information necessary for draft bills, particularly in the case of information that may cast their ministry in a bad light. From time to time, policymaking is tarnished by issues of bureaucratic competition, including among politicians. The PMO's inability to foster interministerial cooperation has been a serious institutional shortcoming. A recent reorganization of the PMO and line ministries led to some performance declines. Conflicting announcements regarding policy proposals made by the PMO and line ministries have been a sign of weak coordination.

In 2014, the Ministry of Development was assigned as the primary consultation body in preparing policies according to the decision on the implementation, coordination and monitoring of the 2015 government's program. After the parliamentary election of 1 November 2015, government proposals to restructure the ministries and increase their number were made. Several new public units such as the National Mine Institute were additionally established. It remains to be seen whether this kind of institutional fragmentation of policymaking will hinder or enhance the effectiveness of policy coordination and accountability.

Citation:

TC Başbakanlık Kanunlar ve Kararlar Genel Müdürlüğü Performans Raporu 2014, http://www.basbakanlik.gov.tr/Forms/_Article/PerfRapor2014.pdf (accessed 5 November 2014)
2015 Programının Uygulanması, Koordinasyonu ve İzlenmesine İlişkin Karar, Resmi Gazete, 17 October 2014, <http://www.resmigazete.gov.tr/eskiler/2014/10/20141017-11-1.pdf> (accessed 27 October 2015)

Cabinet
Committees
Score: 6

The Better Regulation Group within the PMO ensures coordination among the related agencies and institutions and improve the process of creating regulations. In addition, the government has created committees – such as the anti-terror commission under the Ministry of Interior, which includes officials from the ministries of Foreign Affairs and Justice, as well as other security departments. These are composed of ministers, experts, bureaucrats and representatives of other bureaucratic bodies (such as those on legislation techniques, legislation management and administrative simplification, and regulatory impact analysis) in highly important policy areas or when important or frequently raised issues were under consideration.

Other such committees include the Economy Coordination Board, the Money Credit Coordination Council, the Investment Environment Coordination Board, the Coordination Board for Combating Financial Crimes and the Counter-Terrorism Coordination Board.

In addition, the Reform Monitoring Group was renamed to Reform Action Group to coordinate policy measures in line with EU legislation. It has been

extending its predecessor's tasks and mission. The new body is tasked with monitoring political reforms, preparing draft reform bills, and playing an active role in securing proposals' parliamentary passage and in the subsequent implementation process. However, this body had convened only three times until December 2015, raising doubts about its impact on policymaking.

Citation:

Ömer Öz, Regulatory Oversight Bodies in Turkey. Better Regulation Group, The Prime Minister's Office of Turkey,

31 May 2011, <http://www.oecd.org/mena/governance/48710734.pdf> (accessed 5 November 2014).

Çözüm Süreci Kurulu Resmi Gazete'de, 1 October 2014, <http://www.bianet.org/bianet/siyaset/158881-cozum-sureci-kurulu-resmi-gazete-de> (accessed 5 November 2014).

'Reform Monitoring Group for EU reforms replayed with Action Group', Hürriyet Daily News (7 November 2014)

2015 Programının Uygulanması, Koordinasyonu ve İzlenmesine İlişkin Karar, Resmi Gazete, 17 October 2014,

<http://www.resmigazete.gov.tr/eskiler/2014/10/20141017-11-1.pdf> (accessed 27 October 2015)

Daily Sabah, PM asks other parties to support passing EU bills, 11 December 2015, <http://www.dailysabah.com/eu-affairs/2015/12/12/pm-asks-other-parties-to-support-passing-eu-bills>

Ministerial
Bureaucracy
Score: 6

Ministerial undersecretaries, under the authority of a minister and his or her aide, executes services on behalf of the ministers. This is a political position that is achieved through merit and a successful political career. Deputy undersecretaries in the ministries also help to conduct ministerial affairs.

During the review period there was an increasing tendency to draft and adopt legislation without appropriate consultation. The creation of new ministries and agencies and the resulting fragmentation of responsibilities has complicated ministerial coordination, for example in the areas of budgeting and medium-term economic policymaking. The oversight bodies under the Prime Minister's Office are responsible not only for coordinating and overseeing legal proposals, but are also tasked with monitoring legislative implementation.

The 2014 Annual Activity Report of the Prime Minister's Office stressed that although coordination between various national and international policymaking activities had improved, performance goals in this area are not in general satisfactorily achieved. Similar observations have been made by the Ministry of Development, the primary policy-coordination body. Accordingly, a serious problem is inefficient coordination due to institutional ambiguity and conflicts.

Citation:

Ömer Öz, Regulatory Oversight Bodies in Turkey. Better Regulation Group, The Prime Minister's Office of Turkey,

31 May 2011, <http://www.oecd.org/mena/governance/48710734.pdf> (accessed 5 November 2014).

TC Başbakanlık 2014 Yılı Faaliyet Raporu, http://www.basbakanlik.gov.tr/docs/KurumsalHaberler/2014-yili-basbakanlik-faaliyet-raporu_150302134448.pdf (accessed 27 October 2015)

2015 Programının Uygulanması, Koordinasyonu ve İzlenmesine İlişkin Karar, Resmi Gazete, 17 October 2014,

<http://www.resmigazete.gov.tr/eskiler/2014/10/20141017-11-1.pdf> (accessed 27 October 2015)

Informal
Coordination
Score: 8

Informal bodies, which are usually made up of senior party members and their personal networks, are typically used to sketch the framework of an issue in consultation with experts, while civil servants develop proposals, and finally the upper administrative echelons finalize policy. The higher levels of the ruling party in particular, in cooperation with ministers who have considerable experience in their fields, continue to form a tight network and contribute significantly to policy preparation.

However, the recent allegations of and fight against an illegal parallel structure within existing state structures linked to the network of U.S.-based cleric Fethullah Gülen placed significant strain on these informal mechanisms. As a consequence, a new generation of cabinet and administrative staffers with a high degree of loyalty and commitment to the party-state system is being groomed.

Informal coordination between the PMO and the Presidency has allegedly become more relevant since President Erdogan took over office, and especially after Binali Yıldırım became prime minister. This type of informal coordination, however, cannot be considered constructive, but rather it has the potential to replace formal mechanisms of interministerial coordination.

Citation:

Bülent Duru and İlhan Uzgel, *AKP Kitabı-Bir Dönüşümün Bilançosu*, İstanbul: Phoenix Yayınevi, 2013.

Evidence-based Instruments

RIA Application
Score: 4

In 2007, the Prime Minister's Office issued a circular that provided guidance on how to prepare regulatory impact assessments (RIA). Since that time, the completion of a RIA has been required for all new legislation (laws, decrees and other regulatory procedures), excluding issues relating to national security, the draft budget or final accounts (under Article 24 of Regulation 4821 on the Procedure and Principles of Preparing Legislation, 12 December 2005). However, despite regulations adopted to encourage administrative simplification in April 2012, the introduction of RIAs has not improved the quality of government legislation, and RIA processes are only rarely followed.

Citation:

Dr. Sibel Güven, *Türkiye'de Düzenleyici Etki Analizi (DEA) Uygulamaları Nedenlenen Düzeyde Değil?* TEPAV, Ankara, Ocak 2011.

Technical Assistance Service for IPPC – Integrated Pollution Prevention and Control in Turkey, Draft Regulatory Impact Assessment, June 2013, <http://www.csb.gov.tr/db/ippceng/webmenu/webmenu9986.pdf> (accessed 5 November 2014).

TC Başbakanlık 2014 Yılı Faaliyet Raporu, http://www.basbakanlik.gov.tr/docs/KurumsalHaberler/2014-yili-basbakanlik-faaliyet-et-raporu_150302134448.pdf (accessed 27 October 2015)

Quality of RIA
Process
Score: 3

During the period under review, the regulatory impact assessment (RIAs) requirement did not help improve the quality of proposed government legislation. Instead, the government more often than not drafted and adopted legislation without appropriate consultation of NGOs or other stakeholders.

According to the 2014 Activity Report of the Prime Minister's Office none of the government's objectives related to regulatory impact assessment were achieved that year.

Citation:

Dr. Sibel Güven, Türkiye'de Düzenleyici Etki Analizi (DEA) Uygulamaları Neden İstenen Düzeyde Değil? TEPAV, Ankara, Ocak 2011.

Technical Assistance Service for IPPC – Integrated Pollution Prevention and Control in Turkey, Draft Regulatory Impact Assessment, June 2013, <http://www.csb.gov.tr/db/ippceng/webmenu/webmenu9986.pdf> (accessed 5 November 2014).

EKÖK "Entegre Kirlilik Önleme ve Kontrol" Teknik Yardım Hizmeti, Haziran 2013.

<http://www.csb.gov.tr/db/ipp/c/icerikbelge/icerikbelge1631.pdf>

TC Başbakanlık 2014 Yılı Faaliyet Raporu, http://www.basbakanlik.gov.tr/docs/KurumsalHaberler/2014-yili-basbakanlik-faaliyet-et-raporu_150302134448.pdf (accessed 27 October 2015)

Sustainability
Check
Score: 3

The government has conducted several sustainability checks within its regulatory impact assessment (RIA) framework, for instance for the Waste Electrical and Electronic Equipment (WEEE) Directive, the Habitat Directive and the Discharge Directive.

However, these examples refer to internationally sponsored projects and are not an indication of a general administrative practice. Politicians and experts widely use the term "sustainability" in policy slogans, but there is no formally adopted sustainability strategy in Turkey.

Citation:

Başbakanlık, Bürokrasinin Azaltılması ve Kamu Hizmet Sunum Esaslarının Geliştirilmesi, DÜZENLEYİCİ ETKİ ANALİZİ RAPORU, Temmuz 2009, www.riaturkey.org/doc/Burokrasinin_azaltilmasi.doc (accessed July 26, 2010)

Yavuz Gazibey, Ahmet Keser, Yunus Gökmen, Türkiye'de İllerin Sürdürülebilirlik Boyutları Açısından Değerlendirilmesi, Ankara Üniversitesi SBF Dergisi, 2014, 69(3): 511-544. (accessed 27 October 2015)

Societal Consultation

Negotiating Public
Support
Score: 4

The country's civil society is deepening, but the legal, financial and administrative conditions for participatory decision-making need to be improved. Government-society and parliament-society relations are not based on a systematic, ongoing and structured consultation mechanism. Political polarization during the review period increased the government's restrictions

and biases on public access to policymaking processes and strengthened its preference to consult only with pro-government actors.

In the 2014 Activity Report of the Grand National Assembly of Turkey, performance indicators assessing the development of civil-society participation and feedback mechanisms within the parliamentary processes were given negative ratings. The EU-Turkey Civil Society Dialogue has helped sponsor a number of projects involving participation by more than 40 civil-society organizations from Turkey and the EU with the goal of enabling civil society to contribute to the political reform process. Several additional mechanisms also facilitate societal participation. Development and strategic plans, as well as e-transformation projects, involve stakeholder participation, which, for example, is required under the Environmental Impact Assessment Regulation. Moreover, institutions such as the Economic and Social Council, city councils, the Minimum Wage Determination Commission, and Web-based public-consultation applications provide participatory platforms when used effectively.

In general, governmental authorities consider this requirement to have a “slowing” effect on policymaking, e.g. on progressive projects such as urban renewal or the planning of hydroelectric power plants. Although it is required by the legal framework, societal consultation has largely been neglected or rendered ineffective.

Citation:

TBMM Başkanlığı İdari Teşkilatı 2014 Faaliyet Raporu, https://www.tbmm.gov.tr/docs/faaliyet_raporu_2014.pdf (accessed 27 October 2015).

Türkiye’de Hidroelektrik Sektöründe Paydaş Analizi, İstanbul: WWF-Türkiye, 2015, http://awsassets.wwftr.panda.org/downloads/wwf_paydas_analizi.pdf (accessed 27 October 2015).

Civil Society Dialogue, Political Criteria Projects, <http://civilsocietydialogue.org/masonry-grid/> (accessed 27 October 2015).

Ayşe Buğra and Osman Savaşkan, *New Capitalism in Turkey The Relationship between Politics, Religion and Business*, Cheltenham and Northampton: Edward Elgar Publishing, 2014.

Hakan Yerlikaya, *Kamu Politikalarının Oluşturulmasında Katılımcılık ve Bilgi ve İletişim Teknolojileri*, Uzmanlık Tezi, TC Kalkınma Bakanlığı, 2015.

Gökçeçişek Ayata and Ulaş Karan, *Sivil Topluma Aktif Katılım: Uluslararası Standartlar, Ulusal Mevzuattaki Engeller, Öneriler*, İstanbul: TÜSEV, 2015.

Policy Communication

Coherent
Communication
Score: 5

In spite of its centralized and hierarchical structure, Turkey’s executive is far from being monolithic or able to speak with a single voice.

The minister of economy and the minister of finance have frequently expressed opposing views regarding macro- and microeconomic policies. For example, when Ali Babacan, former deputy prime minister responsible for the economy, also participated in such public debates, the AKP was considered to have

multiple “types of policies” regarding the economy. President Erdoğan also publicly criticized the Central Bank’s interest-rate policy in late 2014 and early 2015, causing some speculative financial crises. This situation did not change with the governmental reshuffle when Binali Yıldırım took over the prime minister’s office. Similarly, bureaucrats from various ministries also make opposing statements on economic policies, again causing public confusion.

A high-profile example of such variance emerged after the Ankara bombing in October 2015, when three different official views were expressed in public concerning the failure of security measures. While the minister of interior affairs claimed that “no failure” had been made in advance of the bombing, the deputy chairman of the AKP admitted negligence, and the prime minister wondered aloud if any failures had been made.

Citation:

Zaaf bir varmış bir yokmuş! AKP’li Şahin: Var; Bakan: Yok; Başbakan: Varsa..., 10.10.2015, <http://www.diken.com.tr/zaaf-bir-varmis-bir-yokmus-akpli-sahin-var-icisleri-bakani-yok-basbakan-inceliyoruz/> (accessed 27 October2015)

Patates fiyatında bakanlar da anlaşılmadı, 8 May 2015, <http://www.ohaber.com/patates-fiyatinda-bakanlar-da-anlasamadi/> (accessed 27 October2015)

Ali Babacan’ı Vekillik İçin Davutoğlu İkna Etti, 19 September 2015, <http://www.haberler.com/ak-parti-ekonomi-kurmaylarindan-vazgecemedi-7706500-haberi/> (accessed 27 October2015)

Zeybekci ile Şimşek arasında konut çıkmazı, 14 Ekim 2015, <http://www.fortuneturkey.com/zeybekci-ile-simsek-arasinda-konut-cikmazi-21033> (accessed 27 October2015)

Erdoğan Merkez Bankası’nı eleştirdi, dolar rekor kırdı, 4 February 2015, http://www.bbc.com/turkce/ekonomi/2015/02/150204_erdogan_dolar_faiz (accessed 27 October2015)

Implementation

Government
Efficiency
Score: 6

The government’s performance has been mixed at best during the review period. The economy has weakened compared with the situation some years ago, while its onetime proactive and strategic foreign and security policies have become less coherent, particularly with regard to regional conflicts. The AKP’s credibility was itself undermined by the party leadership’s unwillingness to accept the results of the June 2015 elections. The contradictions between the goals of political liberalization and the government’s conservative-religious ambitions have become increasingly visible. Seeking to consolidate its control over the government, the AKP has instead sought to create a legal framework for a “monopolization” of power. Admittedly, oppositional forces inside and outside of parliament often play into the ruling party’s hands.

Governmental inefficiency in several sectors are worthy of special mention, especially in the economy. The first nine months of implementation of the government’s annual economic objectives varied sharply from official forecasts in the budget and the Medium Term Plan of 2015-2017. Ultimately, the government had to correct its end-year expectations with regard to

unemployment, inflation rates, growth and per capita income. The decrease in the current account deficit has been attributed to the shrinking economy. Results were similarly mixed in other sectors. For instance, the Ministry of Education realized half of its 130 performance objectives, while the Ministry of Health completed 10 of 34 service-oriented performance objectives and 12 of 17 institutional performance objectives in 2014. During the review period and not least due to the high number of terrorist attacks, the more accommodationist approach towards the Kurdish population on social and cultural policy has been replaced with a security-related and increasingly nationalistic approach that opposes the values of a liberal society.

Foreign policy faced a number of significant challenges associated with regional and international dynamics within the Middle East, especially the conflicts in Syria and Iraq. On the one hand, Turkey's own involvement in the conflict – particularly with regard to the Kurdish issue within Turkey and in northern Syria – as well as President Erdoğan's tactical approach created tensions with Turkey's main Western allies, as well as neighbors such as Russia and Iran. On the other hand, the government's doctrine of humanitarian diplomacy, with a special focus on the refugee crisis, has been effectively implemented by the main actors, including the Turkish Red Crescent (Kızılay), the Turkish Cooperation and Development Agency (TİKA), and the Disaster and Emergency Management Presidency (AFAD).

No significant progress was made concerning EU accession, although two more chapters have been opened (No. 17 - Economic and monetary policy on 14 December 2015, and No. 33 - Financial and budgetary provisions on 30 June 2016). Yet no previously opened ones has been preliminarily closed. During 2015, the refugee issue led to the mutual awareness of a common problem requiring joint action; however, the mutual commitment between the EU and Turkey on handling the inflow of refugees was finalized only in late November 2015, and agreement on a final package, then including visa liberalization and other aspects, was reached on 18 March 2016.

Citation:

Ministry of Development, 2015-2017 Medium Term Programme in Macro-economic and Fiscal Targets, <http://www.mod.gov.tr/Lists/Duyurular%20ve%20Kalknma%20Ajans%20Duyurular/Attachments/9/2015-2017%20Medium%20Term%20Program-Main%20Macroeconomic%20and%20FiscalTargets.pdf>. (accessed 27 October 2015)

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Fuat Keyman and Şebnem Gümüşçü, *Democracy, Identity and Foreign Policy in Turkey: Hegemony Through Transformation*, London: Palgrave MacMillan, 2014.

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Pelin Ünker, *Ekonomide tüm hedefler şaşı*, Cumhuriyet daily newspaper, 10 September 2015. (accessed 27

October 2015)

Allesia Chiriatti and Federico Donelli, Turkish 'Zero Problems' Between Failure and Success, 30 March 2015, <http://researchturkey.org/turkish-zero-problems-between-failure-and-success/> (accessed 27 October 2015)

Ministerial
Compliance
Score: 7

The entrenched single-party government, with strong party leadership and high demand for ministerial positions among party members, provides strong incentives for the promotion of the government program. Therefore, it is difficult even for those ministers who are professionals in their fields to come independently to the forefront. The charisma and standing of the party leader and the tendency of political parties to leave personnel decisions to the party leader prevent ministers from pursuing their own interests during their time in office.

The AKP government under former Prime Minister Recep Tayyip Erdoğan has made it even more difficult for ministers to follow their own agendas, a situation which has continued under Erdoğan's successors since 2014. A number of key ministries during the review period were under the leadership of ministers with substantial professional expertise, but these figures had little support from the party apparatus, leaving them dependent on the prime minister. This ensures that the strong leadership of the prime minister and party leader, rather than other incentives, drives ministers to implement the governmental program. After Erdoğan was elected to the presidency, additional loyalist ministers were appointed to the cabinet. Erdoğan rejected claims that the new prime minister would merely do his bidding; however, he continues to maintain his grip on the government, stressing his intention to be an active president, and interfering in virtually every policy field and ministerial portfolio.

Erdoğan also intervenes in the nomination of deputies, appointment of higher civil servants and the organization of electoral campaigns by taking part actively in these events. In other words, it is argued that the office of the president, now located in a lavish presidential palace and entrusted with increasing powers, has replaced those otherwise established by the constitution. Thus, the current constellation raises the question whether the effectiveness of the executive in general and the government in particular will be diminished by the existence of several centers of power and suggests that the democratic separation of powers as a whole are eroding.

Citation:

Erdoğan says new PM will not be puppet, Al Jazeera, 27 August 2014, <http://www.aljazeera.com/news/europe/2014/08/Erdoğan-says-new-pm-will-not-be-puppet-2014827133851415267.html> (accessed 5 November 2014)

Why does Erdoğan need to defend himself? Hürriyet Daily News, 3 October 2015, <http://www.hurriyetdailynews.com/why-does-erdogan-need-to-defend-himself.aspx?PageID=238&NID=89331&NewsCatID=409>

Daniel Dombey, Turkish president tightens grip on state, The Financial Times, 15 April 2015, <http://www.ft.com/cms/s/0/f89a7b74-c747-11e4-8e1f-00144feab7de.html#axzz3rIjSiYj> (accessed 27 October 2015)

Monitoring
Ministries
Score: 7

The Prime Minister's Office has, among other measures, established the General Directorate of Laws and Decrees and the General Directorate of Legislation Development and Publication to examine the congruity with the constitution of draft bills, decrees, regulations and resolutions of the Council of Ministers, as well as to review in general laws, plans and the government's program. These bodies are the primary government centers for the drafting and coordinating of regulations.

However, there is no systematic monitoring of the activities of line ministries. In some cases, the ministerial bureaucracy resists policy handed down by the government without serious consequences, particularly in issues of democratization. In general, however, ministries work in cooperation with the prime minister's office because the single-party government has staffed leading ministerial posts with bureaucrats who operate in sync with the ruling party's program and ideology.

The PMO has a total of 2,243 employees, a quarter of whom are experts or advisors, or able to provide similar services. A Sectoral Monitoring and Assessment Unit was established in 2011 to provide the PMO consultation. Beginning in May 2015, about 266 career employees from various public institutions were assigned to this unit.

TC Başbakanlık 2014 Yılı Faaliyet Raporu, http://www.basbakanlik.gov.tr/docs/KurumsalHaberler/2014-yili-basbakanlik-faaliyet-raporu_150302134448.pdf (accessed 27 October 2015)

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Kamuda Paralel tasfiyesi, Akşam daily newspaper, 12 September 2015, <http://www.aksam.com.tr/ekonomi/kamuda-paralel-tasfiyesi/haber-442223> (accessed 27 October 2015)

Monitoring
Agencies,
Bureaucracies
Score: 7

Turkey is a unitary state divided into 81 provinces (Article 126 of the constitution). Power is devolved in such a way as to ensure the efficiency and coordination of public services from the center. Ministerial agencies are monitored regularly. The central administration by law holds the power to guide the activities of local administration, to ensure that local services are delivered in conformance with the guidelines set down by the central government, as well as ensuring services are uniform, meeting local needs and in the interest of the local population (Article 127). The central government has provincial organizations that differ in size and capacity and are regularly scrutinized by the central government. Independent administrative authorities such as the Telecommunications Authority and Energy Market Regulatory Authority are not monitored, but are subject to judicial review.

The Internal Audit Coordination Board, affiliated with the Ministry of Finance, was established under Article 66 of the Public Financial Management and

Control Law (Law 5018). It ensures that administrative bodies cooperate with public auditing bodies, and makes its own proposals to eliminate fraud or irregularities.

All public agencies maintain an internal audit body; however, such bodies do not function effectively or operate to their fullest capacity.

Law 5018, adopted in 2004, introduced a strategic-management approach under which all public agencies must prepare a strategic plan, annual program and activity reports. The subunits' performance is assessed on the basis of these documents. However, neither strategic management principles nor internal oversight mechanisms have been effectively implemented by the administration.

The State Supervision Board, which is subject to the Presidency of the Republic, provides supervision and prepares in-depth reports upon the request of the Presidency. These reports were made public until recently; since 2009 only summaries of the reports are available.

Tamer Çetin and Fuat Oğus (eds.), *The Political Economy of Regulation in Turkey*, New York, Springer, 2011.

N.Z. Gürkan, *Kamu mali yönetiminde iç denetim uygulaması ve iç denetim algısı*, MA Thesis, 2010. <http://eprints.sdu.edu.tr/id/eprint /690>

Task Funding
Score: 6

Municipal governments depend on financial contributions from the central government. Many municipalities do not have the sufficient resources to finance basic duties. Thus, many have declared bankruptcy. Municipal borrowing constitutes a large share of Turkey's total medium- and long-term debt. Financial decentralization and reform of local administration have been major issues during the review period. The central administration (mainly through the Bank of Provinces) is still the major funding source for local governments. During the 2014-2015 fiscal year, the government allocated €18 million to a village infrastructure project (KÖYDES), €189,9 million to the Drinking Water and Sewer Infrastructure Program (SUKAP), €74 million to the Social Support Program (SODES).

The previous governments have been frequently accused of taking a partisan approach toward the distribution of funds. Since 2009, transfers from the central government to municipalities via the Bank of Provinces have taken into consideration the number of inhabitants and the locality's relative position on development indices. However, the new model has not eased the difficult financial situation of Turkey's municipalities, which are seriously indebted to central-government institutions.

The recent change in regulations governing metropolitan municipalities was designed to generate funds for them. However, this shift is expected in turn to

cause smaller administrative units to be fiscally and administratively dependent on the metropolitan municipalities. In other words, the authority held by subunits such as villages and small towns are expected to be undermined in the long run.

TC Kalkınma Bakanlığı KÖYDES Projesi 2015 Ödeneği, 20 January 2015, http://www.migm.gov.tr/Dokumanlar/2015_1_KOYDES_YPK_KARARI.pdf. (accessed 27 October 2015)

2015 Yılı Yatırım Programı yayımlandı, 15 January 2015, <http://www.bloomberght.com/haberler/haber/1702267-2015-yili-yatirim-programi-yayimlandi> (accessed 27 October 2015)

TC Sayıştay Başkanlığı Kalkınma Bakanlığı 2014 Yılı Sayıştay Denetim Raporu, http://www.sayistay.gov.tr/rapor/kid/2014/Genel_B%C3%BCt%C3%A7e_Kapsam%C4%B1ndaki_%20Kamu_%C4%B0dareleri/KALKINMA%20BAKANLI%C4%9El.pdf (accessed 27 October 2015)

'Hazine'ye 17 milyar lira borçlu olanların listesi', Karar daily newspaper, 23 April 2015, <http://www.karar.com/ekonomi-haberleri/hazineye-17-milyar-lira-borclu-olanlarin-listesi> (accessed 27 October 2015)

Constitutional
Discretion
Score: 4

According to Article 127, Paragraph 1 of the constitution, local administrative bodies are public entities established to meet the common needs of the local inhabitants of provinces, municipal districts and villages, whose decision-making bodies are determined by the electorate as described in law, and whose structure is also determined by law. However, according to Article 127, Paragraph 5 of the constitution, the central administration has the power of administrative trusteeship over local governments, under a framework of legal principles and procedures designed to ensure the functioning of local services in conformity with the principle of administrative unity and integrity, to secure uniform public services, to safeguard the public interest and to meet local needs in an appropriate manner.

Past reforms driven by the process of alignment with the European charter of local self-government have changed Turkey's administrative structure and the relationship between the center and subnational bodies. A December 2012 law revised the boundaries of metropolitan municipalities with the goal of making the provision of public services more effective and productive. The law has been criticized, as it appears to set aside the principle of subsidiarity despite its "official" goal of strengthening democracy at the local level. First, the legal status of provincial administrations, villages and municipalities cannot be changed through a special law without consultation or referendum; such changes require a constitutional amendment. Second, the 2012 law essentially violates the principle of self-government. And finally, it is questionable whether the effective delivery of social services is indeed relevant to strengthening local democracy.

In mid-2014, some mayors in southeast Anatolian provinces called for the transfer of half of the state's share yielded from oil drilling to the municipality of the province in which oil is produced.

Soon after the 7 June parliamentary elections, a total of two towns and 16 municipalities (14 towns and two neighborhoods in İstanbul) declared self-government. The government took a strong stand against these declarations, and judicial investigations were initiated against mayors and other people in charge. Moreover, in the wake of the 15 July coup attempt and the government's declared state of emergency, numerous democratically elected mayors and municipality staff of larger and smaller local administrations in various provinces have been detained and replaced with trustees by the central government.

Uğur Ömürgönülşen and Uğur Sadioğlu (eds.) 2014. Workshop on Local Governance and Democracy in Europe and Turkey. Hacettepe University, Ankara: TBB Publication.

Mehmet Zahid Sobacı, Türkiye'nin Avrupa Yerel Yönetimler Özerklik Şartı'na Uyumu: Özerklik Miti, 2015, <http://setav.org/tr/turkiyenin-avrupa-yerel-yonetimler-ozerklik-sartina-uyumu-ozerklik-miti/analiz/18570>

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HDP submits bill for oil revenue sharing with local governments, 3 July 2014, <http://www.hurriyetdailynews.com/hdp-submits-bill-for-oil-revenue-sharing-with-local-governments.aspx?pageID=517&nID=68621&NewsCatID=348>

National Standards
Score: 5

The Ministry of Interior Affairs closely monitors the structure and quality of services provided by municipal governments, through its own local agencies and administrative trusteeship (through internal and external audits, and audits by civil service inspectors). The Union of Municipalities of Turkey also offers nationally or EU-funded training and technical support for municipalities in this respect.

While United Nations Development Program (UNDP) support for the implementation of local-administration reform in Turkey (LAR Phase 2) has been concluded, Turkey still aims to fulfill some requirements of the European Local Self-Government Charter. In this context, municipalities work to establish departments tasked with monitoring, investment and coordination. The main duties of these departments are to provide, monitor and coordinate public institutions and organizations' investments and services; to provide and coordinate central-administration investments in the provinces; and to guide and inspect provincial public institutions and organizations. However, the most significant outstanding issues with regard to standardizing local public services are essentially financial, technical and personnel-driven. Within the OECD, Turkey remains the country with the largest regional disparities.

Currently, all municipalities (metropolitan, province and town) have developed service standards for health, transportation, environmental protection, real estate, construction etc. in proportion to their size and scope of activities. However, there is no effective mechanism to assess whether these standards are met or not.

Citation:

İBB Hizmet Standartları Tabloları, http://www.ibb.gov.tr/tr-TR/Pages/Hizmet_Standartlari_Tablolari.aspx

Diyarbakır-Kayapınar Belediyesi Hizmet Standartları, <http://www.diyarbakirkayapinar.bel.tr/zkb/hizmet-standartlari>

Domestic
Adaptability
Score: 5

Adaptability

So far, the EU accession process has been the main driving force behind changes or adaptations in Turkey's domestic government structures. Almost all public entities maintain a unit for EU affairs; strategic-planning units can be found in all ministries. The European Union and Turkey have developed several projects aimed at harmonizing legislation with the body of EU law and increasing Turkey's human resources capacity. Particularly, the EU Instrument for Pre-Accession Assistance (IPA) and EU twinning programs are major mechanisms aimed at adapting central and local governmental structures to supranational developments, addressing issues of primary and secondary legislation, public administrative reform, education, justice and home affairs, health care, the environment, public works and so on. In the context of EU accession, the government was able to reform the National Security Council and limit the political role of the military. With respect to judicial reforms, the government created the Higher Council of Judges and Prosecutors (HSYK), modeling it on similar criteria found in other EU member states.

Turkey is a signatory of several international conventions that include binding provisions, and the Turkish government has attempted to comply with these international responsibilities. However, the government has fallen short on many requirements, either legally or institutionally. On issues such as child labor, gender issues, general working conditions and environmental standards, Turkey still falls below international standards.

In contrast to former tendencies of adopting international standards and practices, centralizing power and control have become the major drivers for restructuring governance during the review period. In January 2015, a new restructuring plan for the Turkish Public Administration was announced. According to this plan, the Armed Forces (TSK), the National Intelligent Service (MİT), the Gendarmerie and the General Directorate of Security (Turkish Police) will be organized under the Ministry of Security. Moreover, the major economic and financial sector institutions, such as the central bank, the treasury, the Capital Market Board, the Saving Deposit Insurance Fund and the İstanbul Stock Exchange (Borsa İstanbul) shall also be included in a similar reorganization process. Many observers have argued that the central bank's responsibilities should be redefined.

The changes in the security sector have been revamped by governmental decree no. 669 on 25 July 2016 during the state of emergency following the 15 July coup attempt, subordinating the general staff of the Armed Forces to the presidency, the TSK to the Ministry of National Defense, the Gendarmerie and the Turkish Police to the Ministry of Interior.

Citation:

Bakanlar Kurulu yeniden yapılandırılıyor, *Hürriyet*, 8 June 2011, <http://www.hurriyet.com.tr/gundem/17982957.asp> (accessed 5 November 2014)

Seriye Sezen, *International versus Domestic Explanations of Administrative Reforms*, Andrew Massey (eds.) *Public Sector Reform*, Vol. II, Sage Publications, 2013.

Saray Kendine Hazine Kuruyor, *Taraf*, 29 January 2015, <http://www.taraf.com.tr/saray-kendine-hazine-kuruyor/> (accessed 27 October 2015)

Yaşar Aydın, Erdoğan steht vor der Wegscheide, <http://www.b-republik.de/aktuelle-ausgabe/erdogan-steht-vor-der-wegscheide> (accessed 21 December 2016)

International
Coordination
Score: 6

Concerning international security and foreign aid, Turkey's presence in UN peacekeeping operations in Afghanistan, Kosovo, Lebanon, Somalia, Haiti and the Democratic Republic of Congo is noteworthy. The government has continued its efforts to mediate in the Balkans, the Middle East and the Black Sea/ Caucasus region. The government's doctrine of humanitarian diplomacy represents the foundations of its global activities, with the main actors being the Turkish Red Crescent (Kızılay), the Turkish Cooperation and Development Agency (TİKA) and the Disaster and Emergency Management Presidency (AFAD). Turkey hosted the first UN Humanitarian Summit in May 2016 in Istanbul. This was considered an important step and a missing item in the UN's 2030 Agenda for Sustainable Development.

As a result of the ongoing civil war in Syria, Turkey had hosted and assisted more than 2.5 million Syrian refugees as of November 2015, with only a limited share of this group living in state-run refugee camps. The flow of refugees through Turkey on their way to Europe has become an urgent international issue. EU-Turkey dialogue on the refugee issue, beginning with a late-November 2015 summit, quickly became a bargaining dialogue over the EU's financial contribution to Turkey's attempts to stem the flow of migrants and Turkey's membership negotiation process.

The emergence of the Islamic State (IS) terrorist group has represented a new threat to Turkey as well as others. It challenges established state frontiers, exacerbates sectarianism and refugee pressures, and claims ideological hegemony with its fundamentalist interpretation of Islam. Moreover, IS's sudden advance into the Kurdish regions in Syria and Iraq has imposed new challenges for the Kurds in the region and to the Turkish government's "solution process." Turkey's initial, rather unilateral policy toward IS was criticized by opposition parties, media outlets, and the international community. Later, in July

2015 and after the Suruç bombing, the Turkish Armed Forces began to strike IS as well as PKK targets. The government subsequently realized that both the refugee and the international terrorist crises require an effective and coordinated action plan with the participation of all relevant parties. In addition to the consultative, coordinative and cooperative structures within NATO and the EU, Turkey also participated in the Vienna and Geneva talks as well as - after overcoming disputes with Russia - bilateral talks with Russia, Iran and other regional players in search of a diplomatic solution to the Syrian conflict.

Chairing the G-20 in 2015, Turkey effectively coordinated a wide range of policies and global issues including youth, refugees, climate change and transparency within the consultative framework of this multilateral body. In addition, Turkish politicians participate in World Economic Forum meetings and other regional and international organizations. The country is also one of the initiators and co-sponsors of the U.N.-affiliated Alliance of Civilizations initiative. Turkey hosted the 8th Global Forum on Migration and Development (GFMD) Summit Meeting “Migration and Human Mobility for Sustainable Development” in October 2015. In the final phase of the 2015 Paris summit on climate change, however, Turkey showed some reluctance with the agreement. In the end, Turkey signed the declaration, thus committing to decreasing greenhouse gasses by 21% before 2030.

Citation:

Turkey to contribute more to UN peacekeeping, says PM, 29.09.2015, <http://www.aa.com.tr/en/turkey/turkey-to-contribute-more-to-un-peacekeeping-says-pm/347611> (accessed 27 October 2015).

Murat Yetkin, BM'den Türkiye'ye mülteci uyarısı: Yıl sonuna dek 2,5 milyonu bulur, 27.4.2015, <http://www.radikal.com.tr/yazarlar/murat-yetkin/bmden-turkiyeye-multeci-uyarisi-yil-sonuna-dek-2-5-milyonu-bulur-1344086/> (accessed 27 October 2015).

Turkey rejects EU offer on refugee crisis, Aljazeera, 15 October 2015, <http://www.aljazeera.com/news/2015/10/turkey-rejects-eu-offer-refugee-crisis-151016194610039.html> (accessed 27 October 2015).

Turkey's air force hits IS and PKK in Syria and Iraq, 26 July 2015, <http://www.bbc.com/news/world-europe-33663005> (accessed 27 October 2015).

Organizational Reform

Self-monitoring
Score: 8

Several units in the hierarchic Turkish administration contribute to the monitoring process directly or indirectly. These include the State Supervisory Council, the Prime Ministry Inspection Board, the Directorate General of Legislation Development and Publication, the Directorate General of Laws and Decrees, and the Council of State. Each administrative institution has its own internal control unit for monitoring how financial rules are implemented. However, these units are not fully effective. The Prime Minister's Office (PMO) and individual ministries also occasionally communicate with the parliament's general secretariat and other institutions and organizations with the aim of reforming existing legislation.

All ministries regularly assess current legislation and draft amendments. The Prime Minister's Office also requires public institutions to produce regular monitoring reports, but these are not made publicly available. In a limited sense, national and international organizations such as the United Nations Development Project, the European Union and the Council of Europe provide a blueprint for institutional performance, as observations may produce a needs analysis and outline reasons to pursue institutional reforms. Public participation in this process is limited, however.

Turkey has undergone an organizational change involving the creation of new institutions, the merging or splitting of ministerial bodies, legal changes and rapid personnel shifts. These developments make monitoring exceedingly difficult. The OECD Sigma assessments provide some insight on actual operations. As stated in the annual report of the PMO and of the Ministry of Development, coordination and monitoring are major weaknesses in Turkish public administration.

The European Commission's recent Enlargement Strategy document also emphasizes that regular monitoring of governmental performance enables effective auditing and the realization of objectives.

During the review period, the debate on changing Turkey's political system towards presidentialism has intensified. This is not due to clearly observable inefficiencies of the parliamentary system however, but rather, due to former Prime Minister and incumbent President Erdogan's conviction that a shift towards presidentialism could stabilize politics and solve the country's economic and social problems. For the time being, it is unclear in which manner and to what extent self-monitoring would be considered relevant in the new constitutional framework that President Erdogan and the AKP have in mind.

Citation:

TC Maliye Bakanlığı, İç Denetim Koordinasyon Kurulu, Kamu İç Denetim Rehberi, <http://www.idkk.gov.tr/Sayfalar/Mevzuat/Ucuncul%20Duzey%20Mevzuat/KamuIcDenetimRehberi.aspx> (accessed 27 October 2015)

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Enlargement Strategy and Main Challenges 2014-15, ec.europa.eu/enlargement/pdf/key_documents/2014/20141008-strategy-paper_en.pdf (accessed 27 October 2015)

Institutional
Reform
Score: 6

According to Law 5018 on Public Financial Management and Control, all public institutions, including municipalities and special provincial administrations, must prepare strategic plans. All public bodies have designated a separate department for developing strategy and coordination efforts; however, these departments are not yet completely functional. Maximizing strategic capacity

requires resources, expert knowledge, an adequate budget and a participatory approach. The government lacks sufficient personnel to meet the requirements of strategic planning, performance-based programs and activity reports. In this respect, several training and internship programs have been established.

During the assessment period, Turkey developed sectoral strategies and action plans for 2015-2018 on biotechnology, entrepreneurship, small and medium scale enterprises, productivity and information society. Several strategy documents were also prepared such as a National Employment Strategy. Also, a National Strategy of Regional Development was prepared for the period of 2014-2023. The central government's institutions and agencies, local administrations, universities, and the state economic enterprises (KİTs) also prepared strategic plans.

The European Commission's recent Enlargement Strategy document underlines that public administration reform is essential in the process of integration and must be based on certain principles such as strategic management, monitoring and the integration of national, local and sectoral policies.

Making matters worse, debates continue to rage on over the transformation of Turkey's parliamentary system into a presidential system, which has been driven by President Erdogan and the ruling AKP in an effort to, as they assert, reduce the frictions resulting from the "current military-drafted constitution" and thereby enhance "efficiency and democracy." And although the AKP failed in November 2015 to secure enough seats in parliament to enable it to draw a new constitution, it has nonetheless declared its intent to consult with opposition parties in an effort to reform the constitutional system. The debates have increased significantly after the failed coup attempt and the government's subsequent drafting of new paragraphs for the constitution to realize the shift towards presidentialism.

Citation:

Stratejik Yönetimde Kapasite Geliştirme Teknik Destek Projesi Revize Edilmiş Taslak Boşluk Değerlendirme Raporu , <http://www.sp.gov.tr/tr/html/54/Stratejik+Yonetimde+Kapasite+Gelistirme+Projesi>, (accessed 27 October 2015)

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II. Executive Accountability

Citizens' Participatory Competence

Policy Knowledge
Score: 5

The government generally does not adequately inform citizens about the content and development of government policy. In his monthly TV appearance, the prime minister only shares government success stories. Government officials highlight policies as a promising objective, but do not offer follow-up details. While there are no surveys that review how citizens get information over government policy, it is evident that policymaking in Turkey is not transparent or participatory.

Although citizens in Turkey do reflect critically about politics in general, they often learn of policies only after their implementation process has already begun. The public's level of knowledge about government affairs is low, as is the public's level of satisfaction with the government; however, this has not until recently manifested itself in public unrest. Even the participatory mechanisms set up to assist government policymaking do not work effectively. Civil-society organizations are not able to inform their members or society at large about ongoing developments. Policy plans are mainly kept secret or are subject to last-minute changes, and the parliament's tendency to pass important measures as a part of omnibus legislative packages has been subject to increasing criticism, because it confuses the public.

Social media has become a widespread tool, even for the government in its public relations. Ministries and municipalities use social media frequently, though there are some fake accounts spreading disinformation. Academic studies concluded that people consider social media a mechanism able to influence views and developments in two directions: government can inform its citizens and the people can influence government policies. In other words, social media can facilitate input-output and implementation and feedback in governmental processes. Sometimes ministers, mayors and other decision-makers share their policies through social media. However, the recent restrictions and bans on social media on the one hand and its limited presence on the other make it ineffective. Furthermore, as is the case demonstrated in other countries, social media may inform people, but it also tends to re-affirm biased views and opinions among the public. As a result, social media may underline or even exacerbate polarization tendencies in Turkey.

Citation:

Meseleyi Kamuoyuna İyi Anlatamadık, 2.6.2013, http://www.ulusalstrateji.com/haber/gundem/meseleyi_kamuoyuna_iyi_anlatamadik_126

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Volkan Göçoğlu and Mehmet Devrim Aydın, Kamu Politikası ve Sosyal Medya İlişkisinin Toplumsal Hareketler Bağlamında İncelenmesi, Uluslararası Sosyal Araştırmalar Dergisi, 2015, 8(37): 880-901.

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Legislative Actors' Resources

Parliamentary
Resources
Score: 6

The administrative organization of the Grand National Assembly of Turkey (TBMM) consists of departments that support the Speaker's Office. The conditions of appointment of the administrators and officers are regulated by law (Law 6253, 1 December 2011). The administrative organization (including the research services department and the library and archives services department) is responsible for providing information as well as bureaucratic and technical support to the plenary, the bureau, committees, party groups and deputies; informing committees about bills and other legislative documents and assisting in the preparation of committee reports; preparing draft bills in accordance with deputy requests; providing information and documents to committees and deputies; coordinating relations and legislative information between the Assembly and the general secretary of the president, the Prime Minister's Office and other public institutions; organizing relations with the media and public; and providing documentation, archive, and publishing services (Article 3, Law 6253). Although the budget of the Assembly is part of the annual state budget, it is debated and voted on as a separate spending unit. The Assembly prepares its own budget without negotiation or consultation with the government; yet, it does follow the guidelines of the Ministry of Finance.

During the review period, the 550 deputies were provided with 482 primary and 465 secondary advisors and 493 clerks. A total of 29 experts and 93 clerks are assigned to the various party groups. The Turkish parliament has improved both its human-resources services and technical infrastructure, thus providing greater support for members' work. However, capacity development remains a major problem. The parliamentary library and research unit cannot effectively meet demands for information. Following the 15 July failed coup, several staff members were dismissed from the Assembly.

The 2015 Annual Activity Report of the TBMM identifies the following weaknesses in the country's parliamentary services: transition problems in human resources management, insufficient expertise in some areas, low

information technology literacy rates and a low adaptive capacity of personnel for deputy services. So far, internal reforms to address these issues have not been initiated.

Citation:

TBMM İdari Teşkilatı 2015 Faaliyet Raporu, https://www.tbmm.gov.tr/docs/faaliyet_raporu_2015.pdf (accessed 1 November 2016)

Nakamura, Robert and Omer Genckaya. 2010. "Assessment for the Turkish Grand National Assembly in Support of the Implementation of the Public Financial Management Act." Report to the World Bank. Turkish Parliament: Grand National Assembly of Turkey, Research Center, Ankara, 2012.

Obtaining
Documents
Score: 6

According to Article 98 of the constitution, the Grand National Assembly of Turkey exercises its supervisory power over the government by posing written and oral questions, conducting inquiries, sponsoring general debates, offering motions of censure or starting parliamentary investigations (Articles 96-113 of the Rules of Procedure). Parliamentary committees or commissions may ask the ministries to provide any information relevant to their sphere of duty (Article 41 of the Rules of Procedure). However, in practice some parliamentary inquiry committees that deal with security or military issues have not been able to collect information from security forces. Some invited public officials, mainly military officers, have not attended parliamentary inquiry committee meetings.

Citation:

Rules of Procedure of the Grand National Assembly of Turkey, http://global.tbmm.gov.tr/docs/rules_of_procedure_en.pdf (accessed 5 November 2014)

Ruling party eventually nominates deputies for corruption commission, Hürriyet Daily News, 26 June 2014, <http://www.hurriyetdailynews.com/ruling-party-eventually-nominates-deputies-for-corruption-commission.aspx?pageID=449&nID=68329&NewsCatID=338> (accessed 5 November 2014)

Merve Tahiroğlu, Turkey's Inquiry into Corruption Charges Will Change Little, 12 May 2014, <http://www.defenddemocracy.org/media-hit/turkeys-inquiry-into-corruption-charges-will-change-little/#sthash.IY3PjmJl.dpuf> (accessed 5 November 2014)

Summoning
Ministers
Score: 6

According to Article 30 of the parliamentary rules of procedure, the prime minister or ministers can attend committee meetings as a representative of the government without invitation, and may talk on the subject matter at hand. However, the prime minister or ministers may also delegate a senior civil servant to be his or her representative at a committee meeting. If relevant, the committee may ask a minister to explain a government position, but he or she is not required to comply with this invitation if there is no legal obligation. While parliamentary committees are not able to summon ministers for hearings, the responsible minister may voluntarily decide to participate in a meeting. Normally, the committees are briefed by high-ranking ministerial bureaucrats.

The annual activity reports of the TBMM do not provide any information on how many ministers were summoned and how many times by which parliamentary commission.

During the review period, numerous terrorist attacks occurred both in the southeastern provinces as well as in city centers of Ankara, Istanbul and other western cities. In light of these attacks, opposition figures leveled drastic critiques against officials in charge of the country's security. The Prime Minister and the Minister for the Interior did not assume responsibility, did not step down, or even allow for an independent parliamentary investigation. As such, the government demonstrated a high degree of non-accountability vis-à-vis parliament.

Citation:

Rules of Procedure of the Grand National Assembly of Turkey, http://global.tbmm.gov.tr/docs/rules_of_procedure_en.pdf (accessed 5 November 2014)

TBMM İdari Teşkilatı 2014 Faaliyet Raporu, https://www.tbmm.gov.tr/docs/faaliyet_raporu_2014.pdf (accessed 27 October 2015)

Türkiye Büyük Millet Meclisi 24. Yasama Dönemi Faaliyet Raporu (Yasama, Denetim ve Yönetim), https://www.tbmm.gov.tr/docs/24yd_faaliyet_raporu_07062015.pdf (accessed 27 October 2015)

Summoning
Experts
Score: 8

According to Article 30 of the parliamentary rules of procedure, committees are legally able to summon experts from non-governmental organizations, universities or the bureaucracy to provide testimony without limitation. During the review period, parliament made de facto use of this right, for example in committees to investigate past military coups, the mass killings in Tunceli (Dersim) in 1937 and 1938, and the Uludere incident of December 2011. The parliamentary majority of the ruling party and the polarized atmosphere in Turkish public policy, however, silences critical voices and diminishes the impact of independent experts in the policymaking process.

Citation:

Rules of Procedure of the Grand National Assembly of Turkey, http://global.tbmm.gov.tr/docs/rules_of_procedure_en.pdf (accessed 5 November 2014)

Task Area
Congruence
Score: 7

There are 18 standing committees in the Grand National Assembly of Turkey (TBMM), which are generally established in parallel with structure of the ministries. The most recent such committee, the Security and Intelligence Commission, was established in spring 2014. Except for committees established by special laws, the jurisdiction of each committee is not expressly defined by the rules of procedure. Some committees have overlapping tasks. Committees do not independently monitor ministry activity, but do examine draft bills. During discussions, committees may also supervise the ministry activity indirectly. The State Economic Enterprises Commission does not audit ministries but plays an important role in monitoring developments within their administration. The distribution of the workload of these committees is uneven. The Planning and Budget Commission is the most overloaded group, as every bill possesses some financial aspect. Professionalization among committee members is low. Neither the Strategic Plan nor the Activity Reports of the

TBMM emphasize the need to implement effective ministerial monitoring. These committees recently stated their intent to recruit more qualified personnel in certain areas.

Citation:

Nakamura, Robert and Omer Genckaya. 2010. "Assessment for the Turkish Grand National Assembly in Support of the Implementation of the Public Financial Management Act." Report to the World Bank.

TBMM İdari Teşkilatı 2015 Faaliyet Raporu, https://www.tbmm.gov.tr/docs/faaliyet_raporu_2015.pdf (accessed 1 November 2016)

Türkiye Büyük Millet Meclisi 24. Yasama Dönemi Faaliyet Raporu (Yasama, Denetim ve Yönetim), https://www.tbmm.gov.tr/docs/24yd_faaliyet_raporu_07062015.pdf (accessed 27 October 2015)

Audit Office
Score: 4

According to Article 160 of the constitution, the Court of Accounts is charged on behalf of the Grand National Assembly with auditing all accounts related to revenues, expenditures and properties of government departments that are financed by the general or subsidiary budgets. The Court's auditing capacity was limited by the Law No. 6085 in 2010, but the Constitutional Court annulled Article 79 regulating the audit of the Audit Court's accounts in 2013. In December 2012, the Court also annulled the provision limiting performance auditing. In December 2013, a new article was added to the Regulation Concerning the Submission of the Public Institutions' Accounts to the Audit Court, which meant that these accounts are to be excluded from the audit of the Court until the end of 2016. Although the Court completed the reviews of 480 public institutions and 77 public enterprises' accounts and found several corrupt transactions in 2014, parliament does not have sufficient capacity to monitor them effectively. In addition, about 15% of defense expenditures, including several governmental funds related to defense, are not supervised by parliament.

The parliamentary Final Accounts Committee reviews the TBMM's accounts annually. The Court of Accounts reports to parliament but is not accountable to it. The parliament, from a list compiled by its Plan and Budget Commission, elects the Court's president and members. The Council of Ministers, however, appoints court rapporteurs and prosecutors.

Citation:

Fikret Bila, Sayıştay'ı daha etkisiz kılacak teklif, Milliyet daily newspaper, 21 April 2013, <http://www.milliyet.com.tr/sayistay-i-daha-etkisiz-kilacak-teklif/siyaset/siyasyazardetay/21.04.2013/1696253/default.htm>, (accessed 5 November 2014)

Transparency International Government Defence Anti Corruption Index, Turkey 2015 Country Summary, <http://government.defenceindex.org/downloads/docs/turkey.pdf> (accessed 27 October 2015).

TC Sayıştay Başkanlığı 2014 Yılı Faaliyet Raporu, <http://www.sayistay.gov.tr/tc/faaliyet/faaliyet2014.asp> (accessed 27 October 2015).

Ombuds Office
Score: 5

A law establishing a Turkish ombudsman office, called the Public Monitoring Institution (KDK), was adopted in June 2012 and went into force in December 2012. The office is located within the Parliamentary Speaker's Office, and is

accountable to parliament. The ombudsman reviews lawsuits and administrative appeals (from the perspective of human rights and the rule of law) and ensures that the public administration is held accountable. In 2014, a total of 5,639 petitions arrived at the Ombudsman and by the end of 2014 it had addressed 6,348 complaints (including the pending cases from 2013). According to the KDK itself, two main obstacles hamper the efficacy of its work. First, the degree of compliance with its decisions has been low, with only 20% of its released decisions having been obeyed by public administrative bodies. Second, under the current law, the KDK cannot conduct inquiries on its own initiative. Moreover, the mandate of the office does not cover administrative actions performed by military personnel.

The Parliamentary Petition Committee reviews citizens' petitions (a total of 6,055 in 2015) and refers them to the relevant authority, when appropriate. The Human Rights Investigation Commission has the authority to receive, investigate and review complaints on human-rights issues. The Commission on Equal Opportunities for Women and Men is entitled to review complaints regarding violations of gender equality.

Citation:

The Ombudsman Institution (2014) 'The Chief Ombudsman Annual Press Conference', http://www.ombudsman.gov.tr/en/content_detail-322-779-the-chief-ombudsman-annual-press-conference.html (accessed 10 December 2014)

T.C. Kamu Denetçiliği Kurumu 2014 Yıllık Rapor, http://www.ombudsman.gov.tr/contents/files/2014_kdk_y%C3%84%C2%B1l%C3%84%C2%B1k_raporu.pdf (accessed 27 October 2015)

TBMM Dilekçe Komisyonu 24. Dönem Faaliyet Raporu, https://www.tbmm.gov.tr/komisyon/dilekce/docs/faaliyet_raporlari/24_yd_faaliyet_rapor.pdf (accessed 27 October 2015)

Media

Media Reporting
Score: 3

Despite the pluralistic media scene in Turkey, the Turkish media (TV channels, newspapers, etc.) seems increasingly split between proponents and opponents of the AKP government. The situation for free media deteriorated greatly after the failed coup attempt of 15 July 2016. In consequence, it is difficult for citizens to find objective or substantive in-depth information on government policies and government decision-making. A media-ownership structure based on industrial conglomerates (the so-called Mediterranean or polarized pluralist media model), the government's clear-cut differentiation between pro- and anti-government media, and the increasingly polarized public discourse make it difficult for journalists to provide substantial information to the public. This is true even of the main news agencies, such as Anadolu, ANKA, Doğan and Cihan. Superficial reporting, self-censorship and dismissal of critical journalists from their job are widespread within the major media outlets. Media ownership, and direct and

indirect government intervention in private media outlets and journalism obscure the objective analyses of government policies. Thus, few newspapers, radio or TV stations offer in-depth analysis of government policies or their effects concerning human rights, the Kurdish issues, economic conditions and so on. Social media has recently become a major means of communication, but is limited in its reach to urban, primarily young segments of society. However, it is frequently restricted by the government. In 2015, a total of 106,188 web sites were blocked.

Citation:

Derya Sazak, Batsın Böyle Gazetecilik (İmralı Zabıtları / Gezi / 17 Aralık), İstanbul: Boyut Yayın Grubu, 2014.

Sabahattin Önkibar, İmamlar ve Haramiler Medyası, İstanbul: Kırmızı Kedi Yayınevi, 2015.

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Ethical Journalism Network, Censorship in The Park: Turkish Media Trapped by Politics and Corruption, 2014. <http://ethicaljournalismnetwork.org/assets/docs/021/035/02fc715-bc8d623.pdf> (accessed 27 October 2015)

Aslı Tunç, Türkiye’de Medya Sahipliği ve Finansmanı: Artan Yoğunlama ve Müşteri İlişkileri, Platform 24.org, <http://platform24.org/projeler/1357/turkiye-de-medya-sahipligi-ve-finansmani> (accessed 27 October 2015)

Parties and Interest Associations

Intra-party
Democracy
Score: 2

The Political Parties Law (Law No. 2820) does not encourage intra-party democracy. Nor do the bylaws of the major parties provide any incentive to pursue intra-party democracy. Although the Justice and Development Party (AKP), the Republican People’s Party (CHP) and the Peoples’ Democratic Party (HDP) do not discriminate on the basis of ethnicity or religious orientation with regard to membership, contestation within the parties is limited, at best. Dissenting voices are generally unable to find an institutional path by which to engage in effective debate. Competition usually revolves around party members’ ability to create local power centers through which they compete for the attention and goodwill of the party leader.

Membership, party congresses and executive boards are not democratically managed in most political parties. Süheyl Batum, former deputy of the CHP, was dismissed from the party in 2014, but returned to the party through a court decision in early 2015. Sinan Ogan, a leading politician of the MHP, was dismissed from the party after he speculated that the party may fail to meet the 10% threshold in the election. Later, he returned to the party by a court order, but the party annulled that decision. Tuğrul Türkeş, the son of the founder of the MHP, was also dismissed when he agreed to take part in the government formed in August 2015. Several deputies of the AKP allegedly closer to illegal Gülenist networks either resigned or faced being dismissed in 2013 and 2014.

In 2014, the ruling AK Party retained its internal regulations – unique in comparison to other parties – limiting deputies and officeholders to three terms. Before the renewed parliamentary elections of November 2015, that time Prime Minister Davutoğlu announced that they lifted this rule. The AKP's intra-party democracy arbitration committee does facilitate intra-party bureaucracy only.

The AKP determines its candidates through a somewhat complex process involving a so-called tendency survey, interviews by special commissions, and the supreme board's final say. However, candidates are ultimately chosen by the party's leadership, which consults "significant" public opinion leaders. The CHP chose 301 out of 550 candidates through primary elections before the June 7 elections, however, most of the delegates were determined by the trusteeship of the party's central executive committee during the provincial and township congresses. Some 41 candidates were placed near the top by the party's leader. The MHP and the HDP also follow somewhat centralized nomination procedures.

Citation:

Mehmet Akıncı, Özgür Önder and Bilge Kağan Sakacı, "Is Intra-Party Democracy possible in Turkey? An Analysis of Political Parties Act and Party By-Law", *European Scientific Journal*, 2013, 9(11): 33-49.

AKP'nin milletvekili adaylarını belirleyecek 'üst kurulu'nda kimler yer alıyor? 9 March 2015, <http://t24.com.tr/haber/akpnin-milletvekili-adaylarini-belirleyecek-ust-kurulunda-kimler-yer-aliyor,289760> (accessed 27 October 2015)

Ve AK Parti'de 3 dönem kuralı kalktı! 12 September 2015, <http://www.radikal.com.tr/politika/ve-ak-partide-3-donem-kurali-kalkti-1432915/> (accessed 27 October 2015)

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Bekir Ağırır, Fuat Keyman, Tarhan Erdem, Türkiye'nin Demokratikleşmesi İçin Kapsamlı Bir Siyasi Parti ve Seçim Sistemi Reformu Önerisi, İstanbul: IPC, 2015, <http://ipc.sabanciuniv.edu/en/wp-content/uploads/2014/03/Turkiyenindemokratiklesmesiinkapsamli.pdf> (accessed 27 October 2015)

Association
Competence
(Business)
Score: 6

The Union of Chambers and Commodity Exchanges (TOBB) is the most influential business association in Turkey, representing more than 1.2 million enterprises and members of various industry and business chambers. The Economic Policy Research Foundation of Turkey (TEPAV), affiliated with TOBB University in Ankara, provides extensive surveys in various fields. The pro-Western, Istanbul-centric Turkish Industrialists' and Entrepreneurs' Association (TÜSİAD) and the conservative, Anatolian-centric Independent Industrialists' and Entrepreneurs' Association (MÜSİAD), also have R&D units and sponsor reports on political reforms, education, health care, security and migration. The degree of direct impact of such proposals and amendments on legislation is unknown, but the government regularly claims to take such reports under consideration.

The Turkish Confederation of Businessmen and Industrialists (TUSKON), an umbrella organization founded in 2005 and representing seven business federations, 211 business associations and over 55,000 entrepreneurs from

across Turkey, is believed to be close to U.S.-based preacher Fethullah Gülen and his global network of enterprises and schools. In November 2015, the Ankara police department launched a raid against the TUSKON headquarters as part of an investigation into the illegal, allegedly terrorist network, called “Parallel State Structure Terror Organization/Pro-Fethullah Terror Organization.” Moves against the confederation and its members intensified after the July 2016 failed coup .

Among labor unions, the ideological split between secular unions such as the Confederation of Public Workers’ Unions (KESK) and the Confederation of Revolutionary Trade Unions of Turkey (DİSK) and the more conservative-Islamic Confederation of Turkish Real Trade Unions (Hak-İş) tends to prevent common action. Moreover, it has become increasingly obvious over the last decade that religiosity has become a strategic resource in creating solidarity among union members, and in bolstering loyalty to the government. Turkey’s oldest trade union, Türk-İş, has for many years prepared monthly surveys on hunger and poverty thresholds and is included in the collective bargaining process.

Citation:

Ayşe Bugra and Osman Savaskan, *New Capitalism In Turkey The Relationship between Politics, Religion and Business*, Edward Elgar, 2014.

Ankara police raid Gülen-linked business group TUSKON, 6 November 2015. <http://www.hurriyetdailynews.com/ankara-police-raid-gulen-linked-business-group-tuskon.aspx?pageID=238&nID=90838&NewsCatID=509> (accessed 7 November 2015)

Türk-İş, Açlık ve yoksulluk, <http://www.turkis.org.tr/Aclik-Yoksulluk-catg91-pn1> (accessed 27 October 2015)

Association
Competence
(Others)
Score: 4

The number of non-economic civil-society organizations has increased in the last decade, indicating a growing degree of public engagement within many segments of Turkish society. There are several initiatives to promote the capacity of civil society in Turkey, yet only a few leading, semi-professional associations have the financial and human resources needed to work and provide alternative proposals for social issues that are grounded in scholarly research. The number of pro-government and pseudo-CSOs (otherwise known as GONGOs) benefiting from public as well as EU funding has increased recently. Several CSOs lack the staff, resources and visibility to carry out face-to-face fundraising. Turkey ranked 123rd in the World Giving Index 2014 (WGI). The government has excluded opponents from participation in decision-making process, creating instead its own loyal civil-society groups such as TÜRGEV, a foundation led by President Erdoğan’s son that has gained political influence in the executive and expanded its financial resources. Religious orders and communities have extended their networks under the different names of solidarity associations.

Environmental pressure groups have increasingly demonstrated against dam and hydroelectric-energy projects throughout Turkey, but their protests are regularly suppressed by the security forces and subjected to criminal investigations.

The Association for Support of Women Candidates (KA.DER) has for years promoted the equal representation of women and men in all walks of life. KA.DER sees equal representation as a condition for democracy and calls for equal representation in all elected and appointed decision-making positions. It conducts several EU- and UNDP-sponsored projects and advocate its objectives.

The initiative Oy ve Ötesi Girişimi (Vote and Beyond) in collaboration with the Unions of Bars of Turkey, several bars and the Checks and Balances Network monitored the local and presidential elections in 2014 and two parliamentary elections in 2015 with tens of thousands of volunteers spanning the spectrum of political affiliations and ideological backgrounds. Upon receiving training, these volunteers acted as independent election observers and reported the accuracy of the official election results.

In the wake of the failed coup in July 2016 and the government's declaration of the state of emergency, hundreds of foundations and CSOs that are allegedly part of the Gülenist movement were shut down, their assets confiscated and their principles and/ or members detained. The state of emergency has extremely diminished the influence of civil society on governmental actions.

Citation:

CIVICUS, State of Civil Society Report 2016, <http://civicus.org/documents/reports-and-publications/SOCS/2016/summaries/SoCS-full-review.pdf> (accessed 1 November 2016)

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Ka.Der, Projects, <http://www.ka-der.org.tr/en-US/Page/Show/665/project.html>

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