House of Commons

Foreign Affairs Committee

The UK's relations with Turkey

Tenth Report of Session 2016–17

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The Foreign Affairs Committee

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Summary

As a vital country facing a volatile period, Turkey both needs and deserves the UK's support. Turkey hosts a greater number of refugees than any country in the world, and it plays a crucial role in preventing irregular migration into the EU, despite the inadequate international support that it receives for doing so. In addition to the threat from terrorism by the Kurdistan Workers' Party (PKK) and its offshoots that Turkey confronts, Turkey has made many crucial contributions to the fight against ISIL.

As well as supporting Turkey's defence of itself against terrorism, the UK established itself as a close friend of the Turkish people with the swift condemnation and solidarity that it offered after the coup attempt of 15 July 2016. In the face of those threats, the FCO told us that the understanding that the UK has shown to Turkey is almost unique. The UK empathises before it criticises, we were told, and this has favourably distinguished it from other countries—particularly those of the EU—in the eyes of the Turkish government.

Both the British and Turkish governments have stressed the opportunities inherent in expanding their trade ties along with defence and security co-operation. But our impression has been of two countries that share interests more than they share values, and the UK risks being perceived as de-prioritising its concern for human rights in its drive to establish a "strategic" relationship with Turkey.

Despite the FCO's emphasis on "understanding" Turkey, we continue to assess that the inadequate funding provided to the FCO has led to a worrying weakening of its independent analytical capacity, and may jeopardize the UK's ability to seize on the opportunities presented by Brexit. The FCO knows too little for itself about who was responsible for the coup attempt in Turkey, or about the 'Gülenists'—followers of the exiled Turkish Islamic cleric Fethullah Gülen—whom the Turkish government exclusively blames for the coup. We found that the Turkish government's account of the Gülenists and the coup, which the FCO seems willing to accept broadly at face value, is not substantiated by hard, publicly available evidence, although as yet uncontradicted by the same standard. More broadly, we disagree with the FCO's implication that the severity of the measures undertaken by the Turkish government after the coup attempt is justified by the scale of the threat.

The Turkish government has used the expanded powers afforded by the country's State of Emergency to detain or dismiss a large number of people, based on a broad definition of 'terrorism' and a low threshold of evidence. Despite the severity of the threat posed to Turkey by terrorism and the coup attempt, the scale of the current purges—and the fact that most of those affected were in the education sector or civil service rather than the military or security forces—means that we cannot consider them to be a necessary and proportionate response. The number of people who have been punished is extraordinary, and their means of redress are inadequate.

The Turkish government has applied its Emergency powers far beyond addressing the circumstances of the coup. The civilian suffering caused by the war between Turkey and PKK terrorists in the south-east of the country, examples of alleged human rights violations and impunity by the security forces, the erosion of freedom of expression

and assembly, the decline of judicial independence, and the restriction of civil society organisations—all problems in Turkey before the coup—have worsened in its aftermath. Once held up as an example to the region, Turkey's democracy and democratic culture are under severe pressure. We share the widespread concern about the arrest and continuing detention of Peoples' Democratic Party (HDP) parliamentarians.

On human rights in Turkey, the UK must be both seen and heard: It must raise its concerns about Turkey with the Turks in public, while also cultivating the influence required to press Turkey for meaningful change. We support the expansion of trade and defence ties between the UK and Turkey, not only because of the security and prosperity benefits for both countries but also because of the strong voice that these ties should give the UK in Ankara. It is a voice that we expect the UK to use, not least so that its human rights concerns are heard. We recommend that the FCO designate Turkey as a Human Rights Priority Country in its next Human Rights and Democracy Report.

President Recep Tayyip Erdoğan has come to command politics in 21st century Turkey. In his hands now lies the future of Turkey as either a repressive or recovering state. During our visit to Turkey in 2017, we were encouraged by the nascent language of restraint and reconciliation that we heard at the highest levels. But it stood in stark contrast to the pessimism often voiced by President Erdoğan's political opponents, as well as by a range of activists, business leaders and individual Turkish citizens.

Turkey has profound social and cultural divisions. They manifest themselves not only in its divisive politics, but also in an intense competition by those with different perspectives to capture and control the state. The campaigning ahead of the constitutional referendum set for 16 April 2017 looks set to exacerbate these divisions. The FCO made little mention of these divisions to us, but they run deep and pre-date President Erdoğan, the AK Party, and Turkey's current struggles. While being a legacy of Turkey's history, these divisions will also define the challenges that Turkey will face in the future.

The relationship that the FCO establishes with Turkey must not just be with the state apparatus, or with whichever party or person currently controls it. The UK should seek a deeper and therefore more durable connection with the Turkish people, whatever background they are from, while working to uphold the values of human rights, democracy and the rule of law, which will sustain the UK's economic, security and values interests in the relationship.

Introduction

1. The importance of the United Kingdom's relationship with Turkey, and the importance of Turkey as a key state positioned between Europe and the Middle East, was clear to the Committee from its work on the consequences of the civil war in Syria and the fight against ISIL. The Committee's analysis of these subjects raised questions about the UK's policy towards Turkey, and Turkey's own objectives, that we intended to answer through a full inquiry. Our predecessor Committee Report *UK-Turkey Relations and Turkey's Regional Role* published on 4 April 2012[1] provided useful background for us. However its conclusions had been overtaken by events and were clearly over-optimistic. The decision of the UK to leave the European Union, and the coup attempt that Turkey suffered on 15 July 2016, added to the scope and timeliness of our inquiry.

2. Our terms of reference were announced on 21 July 2016. These covered:

- The current state of UK-Turkey relations, and the FCO's recent record in managing this relationship
- The status in Turkey of the rights and values supported by the FCO, including freedom of speech and assembly, minority rights, and the status of democracy
- Turkey's aspirations to join the EU and how that is impacted by Brexit
- Turkey's foreign and security policies in the Middle East, and how these correspond with FCO policies in the region. Including:
  - Turkey's policies towards different Kurdish groups, both within Turkey itself and the wider region
  - Turkey's response to the 'Arab Spring' revolutions
- Turkey's role as a NATO partner to the UK, including its capabilities in the fight against ISIL.

3. We received a wide range of written submissions addressing these topics as well as others, which are published on the website of this inquiry.[2] We thank all of the authors for their work and contributions. In addition to this written evidence, the Committee also heard oral evidence in three public meetings and is grateful for the time and insight offered by the participants:

a) Professor William Hale, Emeritus Professor at the School of African and Oriental Studies (SOAS), University of London; Mr Ziya Meral, Resident Fellow at the Centre for Historical Analysis and Conflict Research; Mr Bill Park, Senior Lecturer at the Defence Studies Department, King's College, University of London; and Professor Rosemary Hollis, Professor of Middle East Policy Studies at City, University of London

b) Dr Yüksel Alp Aslandoğan, Executive Director of the Alliance for Shared Values; and Mr Özcan Keleş, Chairman of the Dialogue Society

1 Foreign Affairs Committee, 12th Report of Session 2010–12, UK–Turkey relations and Turkey's regional role, HC 1567.
2 Foreign Affairs Committee, "UK's relations with Turkey inquiry—publications", accessed 13 March 2017

c) Mr Ertuğrul Kürkçü, a Member of Parliament for, and Honorary President of, the Peoples' Democratic Party (HDP) of Turkey

d) Rt Hon Sir Alan Duncan MP, the Minister of State for Europe and the Americas at the Foreign and Commonwealth Office; and Lindsay Appleby, a Director for Europe at the Foreign and Commonwealth Office.

4. The Committee undertook a visit to Turkey in January 2017 that encompassed meetings in Ankara, Istanbul, and Adana. We would like to thank the Foreign Affairs Committee of the Grand National Assembly of the Republic of Turkey, who extended to us the invitation to visit, as well as the staff of the Turkish Embassy in London and all other Turkish institutions who facilitated our visit and provided us with security. We also record our thanks to the staff of the British Embassy in Ankara and the British Consulate in Istanbul for the significant work they undertook to support the visit.

5. During our visit, we had the opportunity to meet and put questions to President Recep Tayyip Erdoğan, Prime Minister Binali Yıldırım, Foreign Minister Mevlüt Çavuşoğlu, and the Governor of Adana Province Mahmut Demirtaş, as well as representatives from all four of Turkey's parliamentary parties. We thank them all for their hospitality. Our meetings with a wide range of activists, journalists, and analysts—as well as with business leaders and young Turkish citizens—were of great value for this inquiry.

6. The Committee would like to thank our Specialist Adviser, Güney Yildiz,[3] for his tireless work and attention to detail in support of our inquiry.

3 On 25 October 2016, Güney Yildiz made the following declaration of interest on his appointment as Specialist Adviser to the Foreign Affairs Committee: "I have been working for the BBC as a Producer and Reporter since 2007. I have switched to working part time with the BBC since October this year. I have also started and MPhil/PhD in the Department of Sociology at the University of Cambridge this year. I am not receiving funding from any government department at the moment. I am a member of trade unions the NUJ and the BECTU. I don't have any active role in these unions. My wife is also a PhD student." Foreign Affairs Committee, Formal Minutes 2016–17. In March 2017, Mr Yildiz updated his declaration of interest to inform the Committee that he was no longer employed by the BBC as from January 2017.

1 An "understanding" relationship, during a crucial period for Turkey and the UK

An "understanding" relationship

The coup attempt, and the UK's distinctive understanding of Turkey

7. On the evening of 15 July 2016, Turkey suffered a coup attempt. This was an attack against Turkey's democracy, and it was thwarted in a large part owing to the bravery of many members of the Turkish public who took to the streets in opposition. At least 241 people were killed, and Members of the Committee were able to express their condolences and support for democracy when they visited Turkey in January 2017. The coup attempt and its consequences are examined in more detail in Chapter 3 and Chapter 4 of this report.

8. The Foreign and Commonwealth Office (FCO) repeatedly uses the word "understanding" when referring to its own appreciation of the impact of the coup attempt on Turkey, and says that this understanding is a central and distinctive feature of the UK's relationship with Turkey. Rt Hon Sir Alan Duncan MP, the Minister of State at the FCO for Europe and the Americas, with responsibility for Turkey, told us:

> That coup attempt is the main issue in the psyche, mentality and attitude of the Turkish government and indeed the Turkish people at the moment.[4] […]If you don't understand it, you're never going to understand them or be able to have a proper relationship with them.[5]

9. Sir Alan told us that the understanding that the UK had shown to Turkey came close to being unique. When asked what Turkey wanted from its relationship with the UK, he replied:

> Respect, engagement at all levels and a clear understanding, which I think we almost uniquely have displayed, of the predicament they are in. They feel that they are under constant and regular assault from a number of directions: internally following the coup attempt of 15 July; and from the PKK and ISIS.[6]

When explaining how the UK's response to the coup attempt was distinctive from that of other countries, Sir Alan again repeated the importance of taking an understanding approach:

> Whereas everyone else was rather quick, from the comfort of their armchairs, to wag their fingers, we tried to understand exactly what the coup attempt really was. […] This singled us out, certainly from the rest of the European

4 Q134
5 Q137
6 Q132

> Union but also from many other countries. We made a distinctive stand, which was to empathise ahead of in any way criticising, whereas others criticised straightaway and even now are very slow to empathise.[7]

A contrast with the European Union in particular

10. The UK's understanding of Turkey's situation was contrasted by Sir Alan with what he described as the European Union's (EU's) lack thereof:

> I think there has been insufficient understanding in many quarters, particularly within the membership of the European Union, about what Turkey had to face and still faces.[8][…]What was important with the Turks was to ask the questions and understand first, before criticising later. The EU was overcritical too quickly.[9] […]. Our judgment in making it absolutely clear that we [the UK] understand what they [Turkey] have been going through has been the right one. I am pleased to say that they appreciate it and we appreciate their appreciation.[10]

11. The criticisms that Sir Alan mentioned in his answer refer largely to the aftermath of the coup attempt. This saw, among other actions, the declaration of a State of Emergency in Turkey and the detention or dismissal from their employment of a large number of people from a wide range of sectors. We examine the response to the coup attempt in Chapter 4 of this report. The argument of the Turkish government, with which Sir Alan agreed, has been that the EU in particular showed insufficient understanding of the threat that Turkey faced and moved too quickly to condemn the actions that Turkey took in response. A written submission to this inquiry from the Turkish Embassy in London told the Committee that the EU's reaction to the coup attempt had damaged Turkey's relationship with the bloc:

> Unfortunately, the level of trust in public opinion has decreased and the support for EU accession in Turkey has fallen very low[…]probably the most important [reason] is that the EU was unable to understand what Turkey went through during the foiled coup attempt of 15 July. They reacted in a wrong way and too late. Turkey is going through a very difficult time and Turkish public needs to feel that the EU understands and reacts much better to the terrorist threats Turkey is facing, whatever source they may come from.[11]

12. In order to demonstrate its understanding, the UK moved to undertake swift displays of solidarity with Turkey after the coup attempt. The FCO told us in its written submission that

> The UK immediately condemned the attempted coup and offered strong support for Turkey's democratic institutions and the constitutional order. It was vital for the UK to stand shoulder–to–shoulder with a trusted ally, defend democracy and reject violence as a means of seizing power. Had

7 Q137
8 Q160
9 Q191
10 Q146
11 Turkish Embassy, TUR0043, Q5

> the coup succeeded, the consequences for Turkey, its partners and the region would have been extremely damaging. Following telephone calls by the [Prime Minister], Foreign and Defence Secretaries, the Minister for Europe and the Americas travelled to Ankara on 20 and 21 July to express condolences for the lives lost and to demonstrate UK solidarity. He was the first minister from a major Western country to visit after the attempted coup. The Foreign Secretary further demonstrated UK support during his visit to Turkey on 25–27 September.[12]

The Turkish Embassy told us how Turkey had valued this solidarity:

> The UK has been the first European country voicing its strong and clear support in the wake of the attempted coup in Turkey. Again, it has been the first European country sending a high–level envoy to Turkey to offer official condolences. This support has been exceptionally valuable for and very warmly received by Turkey.[13]

13. **We welcome the UK's strong condemnation of the 15 July 2016 coup attempt. This was an attack on Turkey's democracy. We condemn it, and have expressed our condolences for the loss of life. Through its prompt displays of solidarity, the FCO ensured that the UK was seen by Turkey's leadership as a friend and close ally of the Turkish people. However, the anti-Western rhetoric that is prevalent in the popular discourse in Turkey, and historic suspicions around British policy, still influence perceptions of the UK in Turkey.**

A divided society in Turkey

A cultural and political divide

14. When developing our own understanding of Turkey's current situation, the Committee observed deep divisions within Turkish society. Witnesses told us that these divisions carried profound implications for Turkish politics, not least because they drove intense competition between different factions for control of the state in Turkey. Ziya Meral, from the Centre for Historical Analysis and Conflict Research, told us that

> I think an aspect of it is that the state is an attractive thing in itself in Turkey. The state is so powerful and so lucrative. There is no imagination of political or religious influence outside taking control of the state. That is the legacy of a strong nation state that has been governed in a particular way.[14]

Bill Park, from King's College, University of London, said in his evidence that a range of factions therefore sought to control the state within Turkey, even if they did so without formally holding power by being elected to government:

12 Foreign and Commonwealth Office TUR0010 para 7
13 Turkish Embassy TUR0012 p 2
14 Q34

> In Turkey, quite a lot of things come down to battles for control over state institutions. The Government is calling the Gülenists a parallel state, and it is right, but the [ruling Justice and Development Party] and the Kemalists are also parallel states.[15]

15. This competition to control is so strong because Turkish society is deeply divided. We were told that different perspectives in Turkey—in part rooted in ideology but also in other aspects such as culture, locality, and faith—had come to fear and exclude one another while each seeking to control the state. The British Council told us that

> [Turkey is] deeply polarised between conservative, traditional or more overtly religious individuals on the one side and those who identify as more liberal, secular and progressive on the other. These two 'halves' of Turkey traditionally distrust each other and do not interact.[16]

Professor Hale, from SOAS, told us that, in his rhetoric, President Recep Tayyip Erdoğan described this 'them and us' divide in the language of black and white, with the AK Party being partisan towards—and drawing its support from—one particular side:

> There is a speech [Erdoğan] made quite early in the AK Party where he talks about the white Turks and the black Turks. By the white Turks, he means the old Kemalist establishment—a large proportion of whom, incidentally, were drawn from refugees from Russia, the Balkans and other countries—whereas the black Turks implies the native inhabitants of Anatolia, who are now the majority in coming to power. He says, "There has been a division between the white Turks and the black Turks, and your brother Tayyip is a black Turk." So he is making a distinct appeal to that section.[17]

16. This fundamental divide in Turkish society is sometimes articulated by commentators in the language of 'Islamism' as opposed to 'secularism', with the AK Party representing an Islamist current against the historical predominance of the 'Kemalist'[18] secularist establishment. Witnesses told us that attitudes towards faith were one, important, part of the divide in Turkey. But they said that it was broadly inaccurate to describe the AK Party as 'Islamist'. We were told that demand for 'Sharia law', however that was interpreted, was low and declining in Turkey,[19] while electoral support for the AK Party had risen. Dr Katerina Dalacoura, an Associate Professor in International Relations at the London School of Economics and Political Science, emphasised the nationalist elements of the AK Party and Erdoğan's ideology, as well as their commitment to secularism:

> Erdoğan is as much a Turkish nationalist as he is an Islamist. His brand of Islamism has a strong Turkish imprint as became clear in his visit to Egypt in 2011 when he advised the Egyptian Muslim Brotherhood about the benefits of secularism.[20]

15 Q34
16 British Council TUR0034 para 9.1
17 Q29
18 'Kemalist' refers to supporters of Mustafa Kemal Atatürk and his vision of a modern secular state.
19 See Q25 [Ziya Meral]; and Q26 [Bill Park]
20 Dr Katerina Dalacoura TUR0021 para 3

17. Witnesses agreed that, inasmuch as religion mattered to President Erdoğan and the AK Party, it was in the sense of promoting personal, social piety rather than providing a formal role for Islam in the laws, constitution, or institutions of the state.[21] But, as well as describing the 'Islamist versus secularist' analogy as too simplistic, we were also told that this was not a strict socio-economic division between 'rich' and 'poor'. Witnesses described a division in Turkey that was rooted in broad cultural differences, even though it manifested itself in divided—and divisive—politics. Ziya Meral summarised the division, and its problematic implications for Turkey:

> It is no more the case that the secular Turks are rich and the conservative ones are poor. In fact, there is a really wealthy religiously conservative elite in Turkey. It is the Turkish culture wars between the traditional Kemalist establishment/coastal Turks, and the conservative Turks on the other hand, with much more Anatolian cultural values. It is the history of 100 years of grievances, management, military regime and reaction to it.
>
> If there is one ideology, I explain it from a sociological perspective, vis-à-vis a constituency that is always scared. This coup attempt confirmed their fear that if Erdoğan and the AK Party were to fall, they will go back to where things were. In other words, there will be a much tighter military Ankara-secularist regime that excludes them. That is why there are all these expressions of, "Stand firm. We are behind you. If he falls, we fall." You hear a lot of that fear. The closest I can get to an ideology is maintenance of that grievance that that cohort will lose if the AK Party was to disappear.[22]

18. Contrary to the mainstream media narrative on Turkey,[23] Turkish society is not polarised between two poles, be they 'secularists liberals' and 'religious conservatives.' It is a multipolar and deeply fragmented society between the different Islamist and nationalist groups, secularists, liberals, the Kurds and Alevis, among others. Elections and previous referendums showed that the largest of these fragments is the pro-Erdoğan camp. This leads to the competition for political authority being seen as a zero-sum game and leaves little room for consensus between rival parties.

19. **Turkey is a deeply divided country. The degree of political interaction between its competing social, cultural, and religious interpretations appears limited, and their fear of one another is great. Control of the state, and its power, is highly coveted in this context, because each side has sought to protect its supporters by empowering itself while excluding its opponents.** ***The relationship that the FCO establishes with Turkey must not just be with President Recep Tayyip Erdoğan, or with the Justice and Development Party alone. Indeed, it must not just be with the state apparatus, or with whichever party or person currently controls it. The UK should seek a deeper and therefore more durable connection. The UK should support programmes that seek engagement with the Turkish people, whichever background they hold, while working to uphold the values of human rights and democracy that benefit them all.***

21 See, for example, Q24 [Ziya Meral]; and Q26 [Bill Park]

22 Q28

23 See, for example, Erdogan triumph leaves Turkey polarised, *BBC News*, 2 November 2015

The implications of the referendum on expanding the presidency's power

20. Although Turkey's presidency is a largely ceremonial office under the terms of Turkey's current constitution, witnesses told us that Recep Tayyip Erdoğan continues to wield as much power as President and Head of State as he did as Prime Minister and Head of Government. Evidence to our inquiry also said that, while the current constitution stipulates that the President should not be affiliated with a political party, the power that President Erdoğan exercises is rooted in both his control of the AK Party, and the AK Party's majority in parliament. The AK Party has held a parliamentary majority since first being elected to government in 2002, with the exception of briefly losing it between the elections of June and November 2015. Bill Park, from King's College, University of London, told us that the AK Party had once encompassed a broad range of perspectives, but that it was becoming increasingly homogenous and based on personal loyalty to the President:

> When it first came to power, it was also a broad church. It had a liberal element and even an almost secular element. Most of those people have gone. They have either been massaged out of the party by Erdoğan or they have left of their own accord or they were trouble. The party has increasingly come to obedience or loyalty to Erdoğan himself. It owes its position to him. He handpicked most of the MPs at the most recent elections. People depend on him in a patronage system and sympathise with him. I think the AK party has changed quite a lot, and it has become much more a mirror of Erdoğan himself than it could have ever been when it first came to power.[24]

21. As well as President Erdoğan's control over the AK Party witnesses described growing control by the ruling AK Party over other institutions within Turkey that have formally or informally checked the government's power. This has included a growing politicisation of the judiciary, as described in Chapter 6, which has seen the appointment or dismissal of judges and the exercise of their power becoming increasingly partisan in practice. It has also included the armed forces, which have a history of intervening against civilian governments in Turkey. Bill Park told us that specific court cases under the AK Party had contributed to the government's growing influence over the military:

> The so-called 'Ergenekon' and 'Balyoz' trials of the 'deep state' led to the conviction in 2012 and 2013 of hundreds of military officers and the resignations of hundreds more. Although the sentences have since been rescinded given the largely fabricated nature of the evidence, the impact was to neuter the domestic political power of the Turkish military, an outcome strengthened by increasing government intrusion into the promotion practices of the general staff.[25]

Ziya Meral concluded that "without Erdoğan at this moment, there is nobody, and that is his making".[26]

22. **Recep Tayyip Erdoğan has made himself as central to 21st century Turkey as Mustafa Kemal Atatürk was in the 20th century. The choices that he makes now will determine whether his overall legacy will largely be positive, for Turkey and more**

24 Q23
25 Mr Bill Park TUR0032 para 2
26 Q28

widely. The wrong choices have the potential to deliver catastrophe well beyond Turkey's borders. The right choices would cement Turkey's position as a liberal, democratic state which provides a philosophical and ideological bridge between West and East.

23. Turkey is currently debating whether to formalise the de facto power of the President by amending Turkey's constitution to expand the power of the presidency. Professor William Hale, from SOAS, told us that there was broad agreement on the need to revise Turkey's current constitution, which was enacted under military rule in the 1980s and includes restrictive terms.[27] Professor Hale also said that the proposed amendments could be interpreted as making "little difference", in practice, given the control that President Erdoğan has already established.[28] But there has been resistance to formally establishing this power within an amended constitution.

24. The proposed amendments to the constitution[29] would increase the President's power in ways that include abolishing the position of Prime Minister and making ministers accountable to the President. They would also see all senior judges appointed by politicians, and most of them by the President. The President would also gain the power to propose the budget under the proposals, and lose some of the checks to which the presidency is currently subjected. The proposed amendments were passed by the Turkish parliament in January 2017,[30] predominantly by members from the AK Party who also required the support of elements from the Nationalist Movement Party (MHP) to reach the required vote threshold. The opposition Republican People's Party (CHP) and Peoples' Democratic Party (HDP) opposed the reforms. The proposed changes to the constitution are now due to be put to the Turkish public for approval or rejection in a referendum on 16 April 2017, with the likely outcome of the vote appearing close and therefore uncertain.

25. Our inquiry heard different perspectives in terms of what implications there would be for the future of Turkey if Recep Tayyip Erdoğan formally became an executive President. His critics and opponents provided a negative outlook for such an outcome. Dr Natalie Martin, from Nottingham Trent University, told us that the referendum, along with other policies associated with President Erdoğan, should be "viewed through the prism of this power-grab over the past decade […] The point of them all has been to further Erdoğan's personal ambitions".[31] A submission from the opposition Republican People's Party (CHP) told us that "President Erdoğan, by broadening his own powers, intends to legitimize a regime which excludes anyone but his own voters."[32]

26. But it was also explained to us why the formal expansion of the powers of the executive, whether under the State of Emergency or through an amendment to the constitution, could hold advantages for Turkey. For example, Mina Toksoz, from Chatham House, wrote in the context of her submission about Turkey's economy that

> The wider popular support for an executive presidency is based on the perception of a repeatedly dysfunctional parliamentary party system that in the past led to military coups. This view is reflected in the support given

27 William Hale TUR0007 para 6
28 William Hale TUR0007 para 6
29 For a summary of the proposed changes see, for example, Centre for Turkey Studies, CEFTUS briefing on the proposed changes to the Turkish constitution, 15 December 2016; and Council of Europe, Proposed constitutional amendments in Turkey would be a "dangerous step backwards" for democracy, says the Venice Commission, 10 March 2017
30 Turkey passes last article of constitutional change, *Anadolu Agency*, 15 January 2017
31 Dr Natalie Martin TUR0016 p 7
32 Republican People's Party (CHP) TUR0038 Section 1

> by the Turkish Chambers of Commerce to Emergency Rule following the July attempted coup. The government economic policy team also welcomed the executive powers under Emergency Rule as an opportunity to pass politically difficult pension, labour market, and other structural reforms. This authoritarian turn has also enabled major policy reversals such as patching up relations with Russia that led to the re-launch of the Turk-Stream gas pipeline and discussions with Israel regarding co-operation on the Eastern Mediterranean gas reserves.[33]

27. **On 16 April 2017, the Turkish people are due to vote in a referendum on whether to amend Turkey's constitution to significantly expand the powers of the President. The choice is theirs, and the UK Government must not support one side or the other.**

28. **The proposed changes would constitutionally entrench the centralisation of power in the presidency beyond the current incumbent. However, it could be argued, from a UK perspective, that an approval of the proposed changes would make no de-facto difference to governance in Turkey or to Turkish policy in the short term, because it will make de jure the current situation. But there are concerns over the timing of the referendum, coming as it does at a point where freedom of expression and assembly has deteriorated in Turkey. It is difficult to foresee a fair, free and credible referendum when media, opposition MPs and civic organisations critical of the government have been closed down or silenced. The current period of Emergency Rule has also significantly expanded the power of the executive while simultaneously restricting certain rights and freedoms. Both the deep divisions that we have observed within Turkish society and the intensity of the competition to control the state are likely to be worsened by the referendum campaign whatever its outcome.**

29. **The settling of this constitutional question should leave President Erdoğan with strategic choices where there is a clear UK interest in supporting constructive policies. These include the Kurdish question, the healing of Turkish politics after the coup attempt of 15 July 2016, the advancement of judicial independence and the rule of law alongside other human and political rights, the sustaining of a successful economy, and other central challenges to Turkey that we address later in this Report. Shaping a positive legacy for the commanding figure of 21st century Turkish politics is in the interest of the UK's economy, security, and values whatever the outcome of the referendum. Now is a profound moment of choice for Turkey's future, in terms of whether it will be a repressive or a recovering country.**

30. **A central challenge that Turkey will face is the need to strengthen its public and state institutions. These have been weakened as a result of the acrimony in the country's politics over the past decade, and were further weakened by the coup attempt and the government's response. When facing its future challenges, Turkey will need an effective military, independent economic and judicial institutions, as well as a free and vibrant media, among other institutions. *The UK should assist Turkey in developing both the capacity and independence of these institutions.***

33 Dr Mina Toksoz TUR0033 p 3

2 A "strategic" relationship, and its implications for Turkey and the UK

A "strategic" relationship

31. Both the UK and Turkish governments used the word "strategic" to describe the relationship between the two countries. Both sides emphasised trade, security, and defence co-operation as being at the heart of the relationship. Sir Alan Duncan told the Committee that "we want a deep strategic relationship, which is of course political, but also based on trade."[34] Using the same word, "strategic", the Turkish Embassy wrote that

> Turkey and the UK enjoy well–established relations based on NATO alliance, strategic partnership, mutual economic interests and shared security concerns. […] The future presents ample opportunities for further enhancement of the bilateral relations. Defence and security, large infrastructure projects like airports, health, nuclear energy and finance sectors will be at the forefront of the economic co-operation between the two countries.[35]

32. The UK-Turkey relationship does not take place in isolation, but it takes place in the context of an existing network of relations, and possible repositioning in Turkey's strategic direction. The past few years saw increasing friction between the EU[36], the United States,[37] and Turkey, which might have led to a diminishing of influence by the West in Turkey.[38] In this regard, the UK has differentiated itself not only from the EU but also from many other Western countries as well. The same period has seen a rapprochement between the Turkish government and Russia. **We are concerned that the loss of influence of the UK's international allies in Turkey might have a detrimental effect on the possible leverage that the UK might have on Turkey as well. *The FCO should use its close relations with the Turkish establishment to mediate as required between Turkey and the US and EU states.***

The enhancement of trade

33. Despite the damage caused by the coup attempt and government's response, Turkey represents an economy that the UK will find difficult to ignore. Turkey's population currently stands at almost 79 million, according to the World Bank, and the Turkish Statistical Institute (TSI) projects that this will rise to exceed 83 million by 2023.[39] Turkey remains a demographically youthful country and the TSI projects that half of the population will be under the age of 34 in 2023. The Turkish Embassy in London told us

34 Q135
35 Turkish Embassy TUR0012 p 2
36 See, for example; Turkey's cooling relations with EU signal deadlock over travel, *Financial Times*, 28 September 2016; and German Foreign Minister: Turkey 'further away from EU membership than ever', *Reuters*, 18 March 2017
37 See, for example, Turkey-US relations are strained as Erdogan arrives in Washington, *Euro News*, 30 March 2016; and US-Turkey: The strained alliance, *BBC News*, 29 March 2016.
38 See, for example, As Turkey's coup strains ties with West, detente with Russia gathers pace, *Reuters*, 6 August 2016
39 See Turkish Statistical Institute, Population Projections 2013–2075, accessed 16 March 2017; and The World Bank, Turkey, accessed 16 March 2017

that Turkey had an average growth rate of 5% during the period of 2002–2016.[40] Although this rate has recently slowed, and has been harmed in part by the conditions created by the coup attempt, both the OECD and World Bank project future growth rates of over 3%.[41]

34. During its visit to Turkey in January 2017, the Committee met with representatives of UK companies that had invested in the country. They told us that the coup attempt and the ensuing purges had heightened the perceived risk of investing in Turkey, and that levels of additional investment were therefore currently suppressed. But they remained committed to their investment in Turkey due to the long-term potential that they saw in the country. They highlighted its young, growing, and well-educated population as a particular asset. More broadly, Mina Toksoz, an economist working for Chatham House, described an economy with both significant challenges and the resilience to overcome them with an emphasis on trade:

> Since the global financial crisis the [Turkish] economy has been stuck at middle-income of around $10,000 per capita and productivity is lagging. Global conditions are more difficult. Turkey's neighbourhood region is in deep political crisis. High levels of corporate foreign currency debt, big current account deficit, weak currency and the expected rise in international interest rates, as well as the growing financial burden of defence and hosting of 3 million refugees have increased country risks leading to recent sovereign ratings downgrades by Moody's and S&P.
>
> The economy looks set to slow in the short term. But, modest medium term growth is still likely on the back of the large domestic market and modest consumer debt levels, supported by a strong banking sector and competitive exporting sectors.[42]

35. The Turkish Embassy in London told us that there were 2,900 UK companies currently operating in Turkey, and that they were invested in a wide range of sectors.[43] This, the Embassy said, established the UK as "one of the largest investors in Turkey in terms of foreign direct investments". The UK is also a highly important market for Turkish exports, with the Embassy telling us that "bilateral trade between Turkey and the UK has increased by 68% since 2009 and exceeded 16 billion dollars in 2015. The UK is one of the top destinations (ranks 2nd) for Turkish exports".[44] The extent of Turkish investment in the UK and the prominence of Turkey as a market for UK exports is relatively lower, but remains significant. The FCO told us that

> Turkey is the UK's 19th largest export market. As of June 2016, we export more to Turkey than to India, Russia, Brazil or Mexico. Up to 200 Turkish businesses, across a range of sectors, have set up operations in the UK.[45]

40 Turkish Embassy TUR0012 p 4
41 See The World Bank, Turkey, accessed 16 March 2017; and OECD, Turkey - Economic forecast summary (November 2017), accessed 16 March 2017
42 Dr Mina Toksoz TUR0033 p 1
43 Turkish Embassy TUR0012 p 3
44 Turkish Embassy TUR0012 p 3
45 Foreign and Commonwealth Office TUR0010 para 37

36. In terms of the emphasis on enhancing trade in the bilateral relationship, the Turkish Embassy wrote:

> Economic relations between the two countries will be particularly important in the post–Brexit area. The UK has a larger trade volume with Turkey than with other big countries like Russia and Mexico. Therefore, it will be important to ensure that trade be carried out in the freest way possible with minimum obstacles between the two countries. It is a welcome development that initial contacts between our countries have already started to this end. During the recent visit of the Turkish Minister of Economy to London, it was agreed to initiate exploratory talks between Turkey and the UK with the prospect of a free trade agreement after the realization of Brexit.[46]

37. Turkey has a Customs Union with the EU covering most goods but not unprocessed agricultural products,[47] and the FCO told us that "future bilateral arrangements will depend on negotiations for the UK's withdrawal from the EU".[48] Nevertheless, both the UK and Turkish governments have emphasised their intention to expand trade and investment ties. The Turkish Embassy told us that the "post Brexit period presents new opportunities for better economic relations between Turkey and the UK".[49] While both Turkey and the UK will need to take account of their respective customs and trading relations with the EU, there is likely to be scope to agree preferential trading arrangements in areas that are not covered by the Customs Union agreement such as agricultural produce, services, and public procurement. The FCO said that "the Secretary of State for International Trade has identified Turkey as a key trade partner. Department for International Trade colleagues are talking to their Turkish counterparts about key barriers to further growth and future options for our trade relationship."[50]

38. **A totally free trade agreement with Turkey may not be possible due to the current relationship that Turkey has with the EU and the EU Customs Union.** ***Given Turkey's Customs Union with the EU, the FCO should clarify what trade arrangements it is currently able to negotiate with Turkey, when and how that might change, and when they will be implemented. The FCO should work with the Department for International Trade in exploring and delivering new trade and investment opportunities with Turkey, now and following Brexit, and in negotiating revised trading arrangements with Turkey once the UK leaves the EU.***

Security co-operation

39. In addition to trade, the FCO described security co-operation between the UK and Turkey as being central to the relationship. As well as benefitting the two countries bilaterally, the FCO said that such co-operation was in the interest of the broader region:

> Foreign and security policy collaboration between the UK and Turkey is vital to the stability of Europe and the Middle East. A solution in Syria is of paramount importance to both countries. Turkey has an important role to play in moving towards a settlement on Cyprus; responding to the major

46 Turkish Embassy TUR0012 p 4
47 Turkish Embassy TUR0012 p 12
48 Foreign and Commonwealth Office TUR0010 para 38
49 Turkish Embassy TUR0012 p 3 and European Commission, Trade, Countries and regions, Turkey, accessed 16 March 2017
50 Foreign and Commonwealth Office TUR0010 para 38

> challenges faced by the NATO alliance; and European energy security. Turkey's role in tackling the migration crisis has been extraordinarily important, with continued engagement with the UK and European partners vital.[51]

Sir Alan Duncan added that "we [the UK] work with them [Turkey] as well on important counter–terrorist issues against Daesh, ISIS".[52]

40. **Turkey is an essential partner facing a volatile period. It needs and deserves our support. We support the construction of a 'strategic' relationship between the UK and Turkey. Both the UK and Turkish governments emphasise to us their aim to enhance their trade ties, and their defence and security co-operation. Successful engagement would serve the prosperity and security of both countries, though a successful Turkey will be one that respects democratic norms.**

41. ***The complexity of modern Turkey, and the nature of its internal divisions, means that the process of constructing this relationship must be managed by the FCO with adequate capability and subtlety. We were impressed by the leadership and effectiveness of Her Majesty's Ambassador to Turkey Richard Moore, and by the knowledge of his staff. The FCO is running a large operation in Turkey, and it is important that the FCO is given the resources to sustain this operation and manage the complex and important relationship with Turkey going forward.***

'TF-X', and other arms sales

42. As the FCO describes trade and security co-operation as being at the heart of the strategic relationship between the UK and Turkey, it also describes a project known as 'TF-X' as being at the heart of this co-operation. TF-X is a project to develop a future-generation combat aircraft for the Turkish military, and an agreement was recently reached between BAE Systems and Turkish Aerospace Industries to work together on this process. The Heads of Agreement were signed by both companies, in the presence of the Prime Ministers of the UK and Turkey, on 24 January 2017.[53] TF–X is intended to be a long–term project between the UK and Turkey, involving contracts for defence–linked industries in both countries and the exchange of technological expertise between them. Sir Alan Duncan told us:

> The signing of the first phase of the TF-X- deal was a very significant step that could last for the long term.[54] […] We have essentially taken a very important strategic initiative that we want to maintain and sustain over many years—something for which the TF-X fighter project will embed commercial interests.[55]

43. The group Campaign Against Arms Trade wrote in its written submission that "the value of known UK export licences for military equipment to Turkey over the last three

51 Foreign and Commonwealth Office TUR0010 para 2
52 Q135
53 BAE Systems, "BAE Systems signs Heads of Agreement for a future contract with Turkish Aerospace Industries for TF-X Programme", accessed 16 March 2017
54 Q135
55 Q146

years for which data is available, July 2013 to June 2016, was £466million".[56] The group also noted that the UK aimed to expand defence sales to Turkey, and expressed concern about the message that this may send in terms of human rights, saying that

> Turkey's official invitation to arms fairs and its inclusion in the "priority market" list, sends the message to President [Recep Tayyip] Erdoğan that the UK government is unconcerned about his record on human rights and democracy when there is a potential for military sales.[57]

44. The UK operates strict arms export restrictions, including in particular the European Union Consolidated Criteria.[58] We asked Sir Alan Duncan whether he was confident that these would apply to the TF-X project, and he replied:

> Yes. This is a NATO ally, don't forget. We are dealing here with a NATO ally, a member of NATO.[59]

45. The FCO also told us that the TF-X contract would be covered by a Memorandum of Understanding (MOU), but that the details of the commercial contract had not been signed at the time that the Committee took this evidence.[60]

46. The Government will need to consider that the Turkish government announced in 2013 its intention to buy a Chinese missile system[61] which the Turkish Defence Minister said will not be integrated with NATO infrastructure.[62] The Turkish government then rejected the Chinese system following pressure from the West.[63] At the time of the publication of this Report, the Turkish government was in talks to buy a Russian anti-missile system[64] which might be an issue for concern regarding the TF-X deal at a time when the Turkish government is less responsive to Western pressure.

47. **We welcome the agreements reached over the 'TF–X' combat aircraft development programme, as a key component and symbol of the strategic co-operation between the UK and Turkey. This programme should last for decades; it needs to reflect the long–term interests of both countries and survive the inevitable short–term ups and downs in their bilateral relations. *The strategic partnership implied by this deal should be reinforced by the Government making clear what restrictions there are on the use or transfer by Turkey or the UK of sensitive technology and intellectual property contained within the programme, both during the aircraft's construction and after its completion.***

48. ***The Government should also clarify what safeguards are in place to ensure that the aircraft will be used in compliance with international humanitarian law. The UK is subject to safeguards in this respect, and we expect the FCO to explain how these safeguards will apply to TF–X.***

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56 Campaign Against Arms Trade TUR0018 para 5
57 Campaign Against Arms Trade TUR0018 para 9
58 HC Debate, 25 March 2014 col 9WS
59 Q172
60 Q169 [Sir Alan Duncan]
61 See, for example, Why Turkey Chose, and Then Rejected, a Chinese Air-Defense Missile, *Defense One*, 3 February 2016
62 See, for example, Turkey eyes deal with China on missile defense despite NATO concern, *Reuters*, 19 February 2015
63 See, for example, Turkey Under Pressure Over Likely Purchase of Chinese Missiles, *Voice of America News*, 8 October 2013
64 See, for example, Turkey likely to close S-400 missile deal with Russia, Daily Sabah, 22 February 2017

Turkey's role in the fight against ISIL

49. Attacks against targets in Turkey that have been claimed by or attributed to the Islamic State group (ISIL, also known as 'ISIS' or 'Daesh') include that against a rally of predominantly Kurdish activists in the town of Suruç in July 2015, against another predominantly Kurdish rally in Ankara in October 2015, against Istanbul's Atatürk airport in June 2016, and against the Reina nightclub in Istanbul during New Year's Eve celebrations to mark the beginning of 2017. Between 2015 and 2016, ISIL terrorists based in Syria launched fatal rocket and artillery fire across the border into Turkey. By the date that the Turkish Embassy in London submitted its written evidence to our inquiry, in October 2016, it said that 245 people had been killed in attacks by ISIL, and hundreds had been injured.[65] Turkey has confronted the terrorist threat from ISIL in a variety of ways.

- Since being launched in August 2016, Operation 'Euphrates Shield' has seen Syrian opposition forces trained by Turkey and affiliated with the 'Free Syrian Army'—backed by direct support from Turkish military units fighting on the ground, as well as from Turkish air and artillery assets—push ISIL back from an area of territory within Syria adjacent to the Turkish border. That area covered some 2,000 square kilometres by the end of January 2017,[66] according to Turkish military sources, and has expanded since.

- Turkey's President, Recep Tayyip Erdoğan, said in March 2017 that Turkish forces had killed more than 3,000 ISIL fighters in the previous 18 months[67], in various operations including Euphrates Shield. The exact number is disputed, and impossible to verify. It is also not known precisely how many Turkish soldiers have been killed during Euphrates Shield, but the number is estimated by various sources to be at least several dozen, including two who were burned alive by ISIL after having been captured.[68]

- In Iraq, Turkey retains a military base at Bashiqa, to the north–east of Mosul, and says that it has trained at least 3,000 members of Iraqi militias and 2,500 Peshmerga fighters as part of the battle against ISIL in that country.[69] It remains uncertain, however, whether the Turkish military presence in Iraq has ever been approved by the Iraqi national government, with some reports stating that the latter has referred to the Turkish presence as a "Turkish incursion".

- Turkey has been crucial in the effort to prevent the transit of international recruits seeking to join Islamist extremist groups fighting in Syria and Iraq. The Turkish Embassy told us that, in co-operation with its allies, the country had drawn up a 'no entry' list of individuals that contained 786 names in 2012 before growing to 52,000 names by the end of 2016, according to the Turkish government. While 202 individuals were arrested or detained by Turkey in 2012, Turkey says that—

65 Turkish Embassy TUR0012 p 14
66 Operation Euphrates Shield: Aims and gains, *Anadolu Agency*, 19 January 2017
67 Erdogan: Turkey killed 13,000 Daesh, PKK terrorists, *Anadolu Agency*, 4 March 2017
68 See, for example, ISIL video shows 'Turkish soldiers burned alive', *Al Jazeera*, 23 December 2016
69 Turkish Embassy TUR0012 p 14

as of 1 September 2016—3,934 individuals had been detained over the course of Turkey's operation and that 1,429 remained under arrest.[70] Turkey co–chairs the Counter ISIL Coalition Working Group on Foreign Terrorist Fighters.[71]

- As part of the strategy to defeat ISIL, Turkey has worked to counter the group's finances and has opened a large military airbase in southern Turkey, Incirlik, for the use of combat aircraft from the Global Coalition against ISIL. The FCO told us that "dozens of UK military aircraft use Turkish airspace each month".[72]

50. **ISIL is a shared enemy of the UK and Turkey, and Turkey has suffered greatly from terrorism by these extremists. Turkey is a vital military partner in the fight against ISIL, reinforced by the context of its NATO membership.** ***The UK, as a strategic partner of Turkey, and within the framework of both NATO and the Global Coalition against ISIL, must continue to engage Turkey fully in the fight against ISIL as a shared priority and ensure that Turkey is not distracted from focusing on this military objective, in light of concerns set out in Chapter 5.***

Turkey's role in the migrant and refugee crisis

51. The FCO told us that Turkey has been a vital partner, for both the UK and the EU, in efforts to prevent what the FCO terms "irregular migration".[73] In 2015 and early 2016, Turkey replaced the North African route as the primary departure point for migrants and refugees trying to reach the EU by sea. Of the 972,500 people who the Office of the United Nations High Commissioner for Refugees (UNHCR) reported to have crossed the Mediterranean to reach the EU in 2015, over 800,000 crossed the Aegean Sea between Turkey and Greece whereas approximately 150,000 crossed from North Africa. Syrians affected by the country's civil war accounted for half their number.[74]

52. In March 2016, Turkey and the EU signed a deal whereby Turkey worked to restrict the flow of people crossing by boat into Europe. The impact was significant in terms of curtailing the passage of migrants and refugees departing from Turkey. In the first nine months of 2016, the UNHCR reported that 165,000 migrants and refugees had arrived in Greece from Turkey, a figure 57% lower than that for the same period in 2015.[75] The FCO told us that "the Turkish coastguard has interdicted migrant vessels across the Aegean Sea to curb irregular migration flows"[76] and that this had resulted in the numbers of those crossing being "dramatically down".[77]

53. Turkey has also contributed to international humanitarian relief efforts for the wars in Syria and Iraq in particular, by hosting large numbers of refugees. According to the UNHCR, Turkey hosts more refugees than any other country in the world,[78] including

70 Turkish Embassy TUR0012 p 20
71 Turkish Embassy TUR0012 p 20
72 Foreign and Commonwealth Office TUR0010 para 20
73 Q145; Foreign and Commonwealth Office TUR0010 para 2
74 UNHCR, "A million refugees and migrants flee to Europe in 2015", 22 December 2015
75 UNHCR, "As 300,000 cross Mediterranean this year, UNHCR calls for admission pathways for refugees and speedy relocation out of Italy and Greece", 20 September 2016
76 Foreign and Commonwealth Office TUR0010 para 28
77 Foreign and Commonwealth Office TUR0010 para 34
78 UNHCR "Facts and Figures about Refugees", accessed 13 March 2017

approximately three million registered Syrian refugees.[79] Approximately 90% of these refugees are hosted in local communities rather than camps.[80] The Turkish government told us that it was also hosting at least 200,000 Iraqi refugees.[81]

54. The number of refugees that Turkey is hosting comes with the associated strains on the country at all levels, ranging from the national budget to local resources. It is a burden that is familiar to other refugee–hosting nations, not least Lebanon and Jordan—smaller, less wealthy countries with a larger number of refugees per capita than Turkey—in the context of Syria's civil war. We gained an insight into Turkey's response for ourselves when we visited facilities for refugees in the Turkish city of Adana.

55. Among the terms of the March 2016 agreement between the EU and Turkey,[82] the EU offered Turkey:

- €3 billion, rising eventually to €6 billion, to help relief for Syrian refugees
- The resettlement in the EU of one Syrian, directly from Turkey, for every one Syrian returned to Turkey from Greece after an irregular attempt to enter
- The acceleration of visa liberalisation for Turkish citizens (90–day visa–free access to the Schengen area, provided Turkey met a list of 72 criteria on human rights and other issues).

But the agreement has only been partly fulfilled so far. Offering his assessment, Professor William Hale, from the School of Oriental and African Studies (SOAS), University of London, wrote:

> Implementation of these agreements—especially the last—proved difficult, however, since President Erdoğan refused to amend certain articles of Turkey's anti–terrorist legislation, demanded as one of the criteria. By early October 2016, the agreement on refugees was partially working, as the flow of would–be migrants across the Aegean had vastly reduced; some migrants were being returned to Turkey, but the EU countries were not accepting refugees from Turkey in return. The EU Commission was paying its share of the €3 billion, but some member states were failing to do so. The post–coup wave of arrests was delaying implementation of the visa waver agreement, but it was hoped that once the furore had died down in 2017 progress might be made.[83]

56. In monetary terms, Turkey said that the hosting of refugees has cost it at least $12 billion, and that this figure is rising.[84] However, of the €6 billion that it says it was promised by the EU for 2016–2018, Turkey says that—as of March 2017—€1.45 billion had been contracted and €748 million had actually been disbursed.[85] In terms of the UK's contribution, the FCO told us that

79 UNHCR "Syria Regional Refugee Response", accessed 13 March 2017
80 UNISON TUR0022, para 4.3
81 Turkish Embassy TUR0012 p 14
82 For a summary, see William Hale TUR0007 para 10; European Commission, "Implementing the EU-Turkey Agreement – Questions and Answers", 4 April 2016
83 William Hale TUR0007 para 10
84 Turkish Embassy TUR0012 p 19
85 Turkish Embassy TUR0043 Q5

> The UK has spent £32 million on humanitarian projects in Turkey. We have committed more than €300 million to the €3 billion Facility for Refugees in Turkey which will support refugees with education, food, healthcare and job opportunities.[86] […]The UK is in the process of launching a new set of migration projects worth over £2m to be delivered in partnership with the Turkish government in 2016–17.[87]

57. **Turkey hosts a larger number of refugees than any other state, and the third largest number per capita. This contribution should not be underestimated and a debt of gratitude is owed to Turkey from the entire international community. It plays a vital role in limiting or preventing the flow of migrants and refugees into the EU, within the framework of an agreement that it has reached with the bloc. The EU wants Turkey to continue to host and hold refugees, but the amount of money delivered to Turkey by way of assistance in this objective has so far been too small, and it has been provided too slowly. *To support Turkey though the refugee challenge, and the costs to Turkey that it entails, the UK should press the EU swiftly to give Turkey the funds for this purpose that have been promised but not yet delivered. While the terms of the agreement between Turkey and the EU are not being fully met by either side, it is the non-delivery of promised EU resources to relieve the actual suffering of refugees which is reinforcing an anti-EU narrative from the Turkish government.***

Whether Brexit will impact the strategic relationship

58. An important aspect of the relationship between the UK and Turkey has been the UK's consistent support for Turkey's accession process for membership of the European Union. A wide array of Turkish officials expressed to us their appreciation for this support when the Committee visited Turkey, and the FCO confirmed to us that this support remains the UK's position.[88] But this aspect of the relationship was given less emphasis by both governments, in their evidence to this inquiry, than trade, defence, and security ties. Several witnesses expressed concern to us that the way in which Turkey was discussed during the UK's EU referendum campaign,[89] and the UK's ultimate decision to leave the EU, would damage relations with Turkey. Professor Hale assessed that "the British government is attempting to develop its relations with Turkey, but in opting to leave the EU it has lost its main negotiating card".[90]

59. But the relevance of this argument strikes us as currently being diminished. In its evidence submission, the Turkish Embassy referred to Turkish membership of the EU only briefly, and as a "strategic objective".[91] The processes appears to be moribund, with the Embassy referring to "political and artificial blockages for the opening of new chapters".[92] Sir Alan Duncan described Turkish membership of the EU as being "a long way off".[93] The accession process currently seems to be a low priority for Turkey itself, as the country faces a State of Emergency, a contentious internal debate over its future model of government, and significant security challenges both within its borders and close beyond them. Our

86 Foreign and Commonwealth Office TUR0010 para 32
87 Foreign and Commonwealth Office TUR0010 para 34
88 Q133; Foreign and Commonwealth Office TUR0010 para 29
89 William Hale TUR0007 para 1; Union of European Turkish Democrats TUR0014 para 12—13; Dr Mina Toksoz TUR0033 p4
90 William Hale TUR0007 p 1
91 Turkish Embassy TUR0012 p 12
92 Turkish Embassy TUR0012 p 12
93 Q133

analysis in this Chapter suggests that both the UK and Turkish governments currently regard the UK's withdrawal from the European Union as being both an opportunity and incentive to strengthen their bilateral relationship, through the enhancement of trade, defence, and security ties.[94]

60. However, possible opportunities associated with the UK's withdrawal from the European Union extend beyond bilateral UK-Turkish relations. The German Foreign Minister Sigmar Gabriel noted that the establishment of a "special relationship" between the UK and the EU "will be an important learning process for the EU and perhaps some of it can serve as a blueprint for other countries [such as Turkey] in the long term."[95]

61. The relationship between EU countries such as Germany,[96] the Netherlands, and Austria worsened in the months prior to the publication of this Report.[97] This might be the result of Turkey losing its EU membership incentive, as well as the EU's handling of the attempted coup and the failure fully to implement the refugee deal. Recently the row with the Netherlands and Germany over AK Party ministers being barred from holding meetings in the Netherlands[98] has caused relations to sour. These tensions developed despite the fact that Germany is Turkey's leading trade partner.

The human rights imperative, and its relationship with trade and defence ties

The influence of the EU and the UK on human rights in Turkey

62. Sir Alan Duncan, the FCO Minister with responsibility for Turkey, told us that, in the relationship with Turkey, the UK would "ask the questions and understand first, before criticising later".[99] In Chapters 4, 5, and 6 of this report, we examine significant concerns about the erosion of the status of human rights and democracy in Turkey. It is notable that, while the written submission made by the Turkish Embassy to this inquiry opened with a reference to the "shared values"[100] between the UK and Turkey, the FCO's submission made no such reciprocal reference. Instead, the short section of the FCO's submission on 'Rights and values' in Turkey noted that "the EU Commission's Annual Progress Report on Turkey, released on 10 November 2015, rightly highlighted the need for reforms to further strengthen human rights and democracy in Turkey."[101]

63. We have noted, above, that Turkey's relationship with the EU has recently soured, and the accession process towards membership of the EU appears to have become both moribund and a low priority for Turkey. But several witnesses to our inquiry noted that this accession process had provided positive impetus to the improvement of human rights in Turkey,[102] and the FCO said in its Human Rights report of 2015 that, for Turkey, "the

94 See also Foreign and Commonwealth Office TUR0010 paras 5 and 44; Turkish Embassy concluded that the "post Brexit period presents new opportunities for better economic relations between Turkey and the UK", Turkish Embassy TUR0012 p 3.
95 See, for example, German Foreign Minister - Turkey 'further away from EU membership than ever, *Reuters*, 18 March 2017
96 See, for example, Merkel calls for calm over 'Nazi' accusations amid strained German-Turkish relations, *Deutsche Welle*, 6 March 2017
97 See, for example, WHY TURKEY'S REFERENDUM IS CAUSING HAVOC IN EUROPE, *Newsweek*, 14 March 2017
98 See, for example, Why is Turkey in a row with the Netherlands?, *New Statesman*, 14 March 2017
99 Q191
100 Turkish Embassy TUR0012 p 1
101 Foreign and Commonwealth Office TUR0010 para 11
102 See, for example, Peace in Kurdistan TUR0013 para 5

EU accession process—and prospect of accession—provides a powerful vehicle to drive human rights reform and compliance".[103] Now that the influence of this accession process on Turkey appears to have declined, it is important for the UK to place pressure on Turkey to ensure that these standards are met nevertheless.

64. **The UK has distinguished itself as a friend in the eyes of the Turkish government, and both sides are seeking to cement a strategic relationship. But, as the UK does so, it must not be seen as disregarding—or even excusing—allegations of serious human rights violations and the erosion of democracy in Turkey. It is vital that the UK's criticism both privately and publicly is not withheld when grounds for criticism exist.**

The role of trade in securing UK influence in Turkey

65. In order to possess effective influence within Turkey, on human rights as well as other issues, the UK must foster a basis of interdependence within the relationship in such a way that engenders leverage. Several witnesses told us that they believed the UK to lack such leverage, for reasons that include its decision to leave the European Union. Professor Rosemary Hollis from City, University of London, told us that "the Brits have got insufficient assets—with Brexit, now less than they had—to be much use to the Turks,"[104] and Professor Hale from SOAS told us that the UK "will be right to push the need for strengthening democracy, but in criticising Ankara on these grounds Britain has to tread cautiously, given that it has no usable sanctions to apply if the Turkish government fails to respond positively."[105] But Sir Alan Duncan told us that trade, and its development, would give the UK the influence required to have an impact, saying:

> It is probably only when we do have good trade that we can speak strongly about human rights.[106]

66. The Committee notes that good trade relations between Germany and Turkey did not prevent the relationship going sour. The difference between Germany's apparent failure to use trade as leverage and Russia's and Iran's ability to succeed in doing that can possibly be explained by two things: Successful compartmentalisation[107] of energy and commercial relations from conflicting geopolitical interests; and the ability of Russia and Iran to potentially use other regional actors, such as the Kurds,[108] as leverage against Turkey. However, the UK can also rely on security co-operation with Turkey, especially the TF-X project and intelligence sharing as well as its potential mediatory role between Turkey and the UK's Western allies.

67. Numerous witnesses to our inquiry told us that the drive to secure enhanced trade ties was a central aspects of Turkish foreign policy, and that trade played a significant role in shaping Turkey's relations with different countries. The Union of European Turkish Democrats (UETD) told us that this policy developed under the early years of the rule

103 Foreign and Commonwealth Office, *Human Rights and Democracy* Cm 9245, April 2016, p 30
104 Q20
105 William Hale TUR0007 para 4
106 Q136
107 See, for example, The Influence of the Ukraine Crisis on Turkish-Russian Relations, *European Leadership Network*, 11 March 2015; and Turkey and Iran: Bitter Friends, Bosom Rivals, *International Crisis Group*, 13 December 2016
108 See, for example, Playing the Kurdish card against Turkey, *Russia Direct*, 9 December 2015

of Turkey's incumbent AK Party after it was first elected to government in 2002, and was established while Recep Tayyip Erdoğan was still Prime Minister as opposed to his current position of President:

> During Erdoğan's time in office as prime minister, a more active foreign policy was designed which paved the way to more trade and investment in Turkey's surrounding regions and in particular the Middle East. This new foreign policy was not only designed to bring peace and prosperity to the region, but also allow Turkey to improve its economic relations in the region.[109]

Providing a specific national example, the Middle East analyst Lydia Sizer dedicated her written submission to explaining the instrumental role that trade ties played in shaping Turkey's policies towards Libya both before, during, and after the 2011 Libyan revolution.[110]

68. There is evidence that Turkey's prioritisation of its trading ties adds an incentive for it to listen to, and compromise with, nations with which it otherwise has disagreements. Perhaps the highest–profile example is Russia. As well as having a historically tense relationship, Russia and Turkey also have significant contemporary disagreements, not least with regard to the war in Syria where they support opposite sides. Yet the two countries have recently enjoyed an improvement of their ties, and have enhanced their diplomatic co-operation. When the Committee visited Turkey in January 2017, and asked President Erdoğan about the basis of Turkey's current good relations with Russia despite other policy disagreements, President Erdoğan's reply cited the high volume of trade between Turkey and Russia as a vital strategic concern. The Turkish Embassy also cited trade as being the basis for co-operation between Turkey and Russia, despite other disagreements:

> Despite diverging views on some issues, Turkey and Russia constructed their relations by focusing on areas of co-operation. Turkey believes dialogue is the key to resolving differences and values its partnership with Russia. With this understanding, the two countries became important partners during the last two decades and developed a comprehensive co-operation, based on mutual understanding especially in the fields of trade and energy.[111]

69. **In order to have an effective impact on human rights, the FCO must also cultivate the UK's influence and interdependence with Turkey to ensure that its voice is heard in Ankara. As the enhancement of its international trade ties has been a foreign policy priority for Turkey, strong trade ties between the UK and Turkey are likely to provide the UK with added leverage on a range of other policy areas, including human rights. However, we believe Sir Alan Duncan's statement that "it is probably only when we do have good trade that we can speak strongly about human rights" must be qualified to the extent that the UK should always raise serious human rights concerns whenever they occur; the UK's promotion of fundamental values cannot be predicated on "good trade", or any other precondition. The enhancement of its international trade ties has been a foreign policy priority for Turkey. There are examples, such as Turkey's**

109 Union of European Turkish Democrats TUR0014 para 24
110 Lydia Sizer TUR0024
111 Turkish Embassy TUR0012 p 21

relationship with Russia, to indicate that strong trade ties do indeed provide Turkey with incentive to compromise with countries that it disagrees with in other policy areas.

70. ***We support the expanding of trade and defence ties between the UK and Turkey, not only because of their security and prosperity implications but also because of the strong voice that these ties should give the UK in Ankara. It is a voice that we expect the UK to use, not least so that its human rights concerns are heard.***

71. ***The UK should therefore seek to both defend human rights and secure trade. These two concerns have complementary—not contradictory—interests. The protection of human rights in Turkey, and the success of UK trade there, both require the rule of law and an impartial judiciary, an end to the purges that have followed the coup attempt, an end to internal conflict and terrorism, and a UK Government that is listened to in Ankara.***

3 The coup attempt, and the 'Gülenists'

The coup attempt of 15 July 2016

72. On the evening of Friday 15 July 2016, elements within the Turkish armed forces attempted to overthrow the elected, AK Party–led government and remove the elected President, Recep Tayyip Erdoğan, from power. They failed. The President escaped from his villa in the port of Marmaris before rebel soldiers reached him, and flew to Istanbul. He spoke to the media from his mobile phone to call on Turks to oppose the coup attempt by taking to the streets. Large public demonstrations formed. Turkey has a history of military coups, but this was the first such attempt that had been resisted by the public and by the majority of the security forces. At least 241 people were killed as a result.[112]

73. The popular will, combined with the fact that the majority of the security forces remained loyal, ensured the failure of the coup. But, in addition to those killed, a night of violence had seen many thousands injured and physical damage done to national institutions in Turkey. The attack that has come to symbolise both the brutality of the coup attempt and the threat to democracy that it represented was the bombing of the Turkish parliament by a rebel jet while its chamber sat in emergency session. All four of Turkey's parliamentary parties united in their condemnation of the coup attempt.

74. The investigations into who exactly was responsible for the coup attempt, and why, are yet to conclude. Witnesses to our inquiry identified four categories of those who, in their view, appeared to be involved:

- The Turkish Islamic preacher Fethullah Gülen—who lives in the US state of Pennsylvania—his supporters, and their associated movement. We refer to them as 'Gülenists'.
- Elements of the military who acted in the name of aspects of the ideology of Mustafa Kemal, known as 'Atatürk', the founding father of the Turkish Republic whose legacy they interpreted as stipulating a strictly secular state tradition within Turkey, and as establishing the military as the guardians and enforcers of this tradition. They are also associated with a Turkish–nationalist outlook that takes a harder line with regard to issues surrounding Turkey's Kurdish minority and the state's fight against the Kurdish terrorist group, the Kurdistan Workers' Party (PKK). Witnesses often referred to them as 'Kemalists'.[113]
- Those elements in the military who acted to preserve their privileges, and sometimes their positions, within the armed forces.[114]

112 Foreign and Commonwealth Office TUR0010 para 6

113 See, for example Q32 [Ziya Meral]; and Professor Tim Jacoby TUR0002 paras 3—4, and 11. The coup plotters also forced a statement to be read on a state television channel, TRT, in the name of the 'Peace at Home Council'. Both the name of the Council, and the rhetoric of the statement, was interpreted to some as alluding to Kemalist ideology. See for example "*How Turkey's military coup failed*", *The Associated Press*, 20 July 2016.

114 See, for example, the description of opportunism by Ziya Meral, Q32 [Ziya Meral], or the description of military officers trying to preserve economic and financial privileges by Professor Tim Jacoby, TUR0002 para 15. One extensive theory is that the coup plot was launched prematurely by officers who anticipated a purge and sought to protect themselves against dismissal. See, for example, Q30 [William Hale] and Coup Facts, "15 July Coup Attempt and the Parallel State Structures" (August 2016), p 16

- Those in the military who were lied to or tricked into participation, or compelled to participate by their commanders.[115]

75. While some of our witnesses have therefore presented theories about diverse groups and interests supporting the coup, the Turkish government exclusively blames the Gülenists. The perception that the Gülenists were responsible for the coup attempt is not confined to the AK Party and the Turkish government. We heard this view in Turkey from a wide range of people, during our meetings. The attribution of blame solely to the Gülenists is especially important because it has justified and sustained an effort by the government to remove, root and branch, perceived Gülenists from positions of public influence in Turkey. The origins of this campaign of detentions and dismissals preceded the coup, and intensified significantly thereafter with the use of powers granted under the State of Emergency in Turkey, with President Erdoğan calling the coup attempt a "gift from God" for apparently this reason.[116] We examine the response of the Turkish government in Chapter 4 of this report, and devote the next section of this Chapter to examining the conflict between the Gülenists and the Turkish government, as well as the FCO's position.

The Turkish government and the Gülenists

Opposing narratives

76. The conflict between the Gülenists and the Turkish government is deep and bitter. We do not ourselves use the terms "Fethullah Terrorist Organisation" ('FETÖ') or "Parallel State Structure" (PSS)—which the Turkish government uses to describe the Gülenists—or terms such as "'Hizmet'" and "Cemaat", which the Gülenists use to describe themselves. Our Conclusions and Recommendations are informed by an examination of both perspectives, during which we use the term "the Gülenists".

77. It is not our intention to re–state the arguments of both sides in the detail that they give them, but rather to offer a summary. Both sides have produced extensive material to illustrate their perspectives, and we provide some links to a number of examples that are illustrative but certainly not exhaustive.[117] During our visit to Turkey, and in meetings that included conversations with the President, Prime Minister, and Foreign Minister, we heard the perspective of the Turkish government. We have also published two written submissions from the Turkish government to our inquiry, provided by the Turkish Embassy in London.[118] Our inquiry has also heard the perspective of groups and

115 See, for example, Ziya Meral, Q32, and Daily Sabah "July 15 Gülenist coup attempt" (3 July 2016), p 15 "SOLDIERS TOLD THEY WERE CONDUCTING AN EXERCISE: Soldiers in their testimonies have said that their commanders told them it was just a military exercise. Allegations circulating in the media are that high-ranking soldiers kept soldiers until 9 p.m. for night training and later ordered them to take ammunition for a military exercise. In testimony a soldier said: "When the nation came and climbed over the tanks, we realized that it was not a military exercise.""

116 For President Erdoğan's reference to a 'gift from God', see Youtube, "BAŞKOMUTAN Recep Tayyip Erdoğan'ın DARBE GECESİ Atatürk Havalimanın'da YAPTIĞI KONUŞMA", accessed 13 March 2017; On the purges of the Gülenists preceding the coup attempt, see the assertion by the Gülenists themselves that 60,000 individuals were dismissed in the year and a half before the coup, for perceived links with the movement, TUR0036 para 14c, 74. See also, for example, Bill Park TUR0032 para 6, who refers to President Erdoğan's use of the phrase 'gift from God'.

117 For some of the arguments in opposition to the Gülenists, and a perspective that is hostile to them, see Daily Sabah "July 15 Gülenist coup attempt" (3 July 2016); 15 July, 2016: Anadolu Agency FETÖ's Coup Attempt in Turkey: A Timeline (July 2016); or Coup Facts 15 July Coup Attempt and the Parallel State Structure 2016 (August 2016)
For some of the arguments in defence of the Gülenists, and a perspective that is supportive of them, see The Centre for 'Hizmet' Studies, 'Hizmet' Watch, or Fethullah Gülen Biographical Album by the 'Gülen Institute'

118 Turkish Embassy TUR0012 and Turkish Embassy TUR0043

individuals representing the Gülenists. We have published written submissions from the Gülenists,[119] and held an oral evidence session with Gülenist representatives that is a rare example of this organisation being publicly questioned.

78. Based on these sources, we can report that the Turkish government describes the Gülenists as a highly–organised and deceitful terrorist conspiracy that hides behind a charitable face to conceal its true objective: forming a parallel state to infiltrate, undermine, and supplant the current Turkish government. The Turkish government views the Gülenists as having a centralised and intricate command and control structure, deriving from a cult–like obedience to the orders of Fethullah Gülen at the apex of the hierarchy.

79. The Turkish government holds the Gülenists responsible for the 15 July coup attempt, as well as for many other negative developments in Turkey. It puts particular emphasis on the Gülenists' prioritisation of the establishment of educational institutions as being a pre–requisite for their infiltration of the state. It also says that the movement institutionalised a system of cheating in examinations for entry to state institutions. As well as its education activities, the Government says that the Gülenists established a range of media outlets for propaganda and dis–information purposes, as well as a wide array of secretive business networks for fund–raising.

80. The Gülenists, by contrast, describe themselves as a philanthropic social organisation that is inspired by a moderate and democratic interpretation of Islam but that does not discriminate on the basis of faith, and which embraces secularism while focusing on charity, welfare, dialogue, and education. Instead of the view that Fethullah Gülen is at the apex of a hierarchy, they describe themselves as lacking a centrally organised, top–down, structure that encapsulates the entire movement. Instead, they say, theirs is a movement inspired by Gülen rather than being controlled by him, and relying on informal networks to connect like–minded volunteers around the world.

81. The Gülenists reject the charges of infiltration, saying that any presence of their supporters in state institutions is coincidental—and derived primarily from the success of Gülenist–run schools—rather than organised. They describe their viewpoint as having been persecuted, requiring them to protect themselves. They say that they are strictly peaceful, that they have been baselessly blamed by the Turkish government for the 15 July coup attempt among other negative developments, and that the Turkish government is persecuting them in a bid to remove any possible counter to the rule of President Erdoğan and the AK Party.

Reports of a past alliance, and reasons for its collapse

82. Although the Turkish Embassy makes no reference to it in its submission, and the fact is also absent from other accounts supported by the Turkish government, numerous witnesses told us that the Gülenists and the AK Party were once allied. These witnesses included Lindsay Appleby, a Director for Europe at the Foreign and Commonwealth Office.[120] The Gülenists acknowledge their support for the AK Party against the "secular

119 Centre for Hizmet Studies TUR0009; Alliance for Shared Values & Dialogue Platform TUR0035; Alliance for Shared Values and the Dialogue Platform TUR0041. These Gülen-inspired organisations told the Committee that it was difficult to speak on behalf of the movement as a whole, but that they had made their submission as representative as possible of the perspective of the broader Gülenist movement. Mr Özcan Keleş, the Chair of the Dialogue Society, said: "we do not speak on behalf of Gülen, but we do believe that our evidence—both that provided in writing and, hopefully, oral—reflects the common Hizmet perspective." (Q42)

120 Qq180, 181[Lindsay Appleby]

establishment" in their evidence to our inquiry,[121] and we understand that President Erdoğan has acknowledged the past association between his party and the Gülenists as a "mistake".[122] Bill Park, a Senior Lecturer at the Defence Studies Department, King's College, University of London, told us in his written submission that

> 'Gülenists'—typically better educated than mainstream AK Party [supporters]—had penetrated the law, media, academia, and state institutions such as the police and bureaucracy. Many had been fast–tracked by the AK Party government, and some AK Party figures were themselves sympathisers.[123]

Asked in oral evidence what portion of blame for the coup attempt he placed on the Gülenists, Mr Park replied that

> Immediate responsibility—probably 60%. […] Responsibility in a deeper sense for there being that many Gülenists in the officer corps, if there were that many, lies with the AK Party.[124]

83. It is unclear when and how exactly the relationship between the AK Party and the Gülenists soured. The Gülenists themselves cited significant policy and ideological differences in their evidence. What is discernible from the Turkish media is that

- As recently as May 2013, the relationship between the AK Party and the Gülenists was tense but not broken. [On the first day of a visit to the US, then–Prime Minister Erdoğan sent his deputy to visit Fethullah Gülen in Pennsylvania. Erdoğan described this as a "humane visit" that his side requested, and spoke about a "relationship of brotherhood and friendship based on the past". Erdoğan acknowledged, but sought to play down, rumours that his relationship with Gülen had soured.][125]

- But the relationship rapidly disintegrated thereafter. In November 2013, the government moved to curtail Gülenist preparatory schools in Turkey, which would have been a blow to the heart of the organisation given its emphasis on education.[126]

- In December 2013, a series of corruption charges brought against leading AK Party figures have been broadly interpreted as revenge by Gülenists sympathisers within the judiciary.[127] The Gülenists date the beginning of the government's efforts to purge them to December 2013,[128] and say that 60,000 individuals were removed from their jobs even before the coup attempt of 15 July 2016.[129]

121 Alliance for Shared Values and Dialogue Platform TUR0035 para 32
122 Hata yaptım özür dilerim, *Vatan*, 5 August 2016
123 Bill Park TUR0032 para 4
124 Q32 [Bill Park]
125 See, for example, Deputy PM made 'humane visit' to Islamic scholar Gülen, Erdoğan confirms, *Daily News*, 19 May 2013
126 See, for example, Erdoğan launches another war, *Daily News*, 23 November 2013; and "Erdoğan: "No back steps in education reform", *Anadolu Agency*, 21 November 2013
127 See, for example We'll expose this set-up no matter what: PM Erdogan, *Anadolu Agency*, 18 December 2013; and Turkish PM calls December anti-graft probe coup attempt in disguise, *Anadolu Agency*, 15 January 2014; and "Anti-graft operation is a smear campaign": Turkish PM, *Anadolu Agency*, 29 December 2013
128 Peoples' Democratic Party TUR0036 repeatedly refers to the date
129 Peoples' Democratic Party TUR0036 para 14c, 74

84. **The AK Party and the Gülenists were once allied. They are both movements with Islamist influences, and they made common cause in challenging the Kemalist establishment and military leadership. This past alliance is a fact that AK Party officials now prefer not to mention, and this reinforces our concern that purges of perceived Gülenist sympathisers will be undertaken with the added bitterness of a fratricidal conflict.**

The basis of the case against the Gülenists

Description as 'terrorists'

85. The Gülenists were first officially described in Turkey as a terrorist organisation in April 2015,[130] and the Turkish Interior Ministry listed Fethullah Gülen as one of Turkey's most wanted terrorists on 28 October 2015.[131] Turkey's National Security Council described the Gülenists as the "Fethullah Terrorist Organisation" ('FETÖ'), in May 2016, six weeks before the coup attempt.

86. The Gülenists nevertheless dispute whether their definition as terrorists has validity under Turkish law. They argue that, under Turkey's constitution, only the United Nations or Turkey's High Court can make terrorist designations, and that neither institution has designated the Gülenists as terrorists.[132] A Memorandum by the Council of Europe's Commissioner for Human Rights has also questioned the legal validity of the definition of the Gülenists as terrorists in Turkey, on procedural grounds.[133] The Memorandum also said that "the Commissioner must also take note of the fact that this organisation's readiness to use violence, a *sine qua non* component of the definition of terrorism, had not become apparent to Turkish society at large until the coup attempt", thus calling into question the basis for the designation of the Gülenists as terrorists prior to the coup attempt. The Turkish government nevertheless maintains that the designation of the Gülenists as terrorists is both valid and essential.

Confessions

87. The evidence presented so far to argue in favour of the culpability of the Gülenists for the coup attempt has been overwhelmingly anecdotal or circumstantial, and often based on confessions. The validity of these confessions has been called into question in some cases, amid accusations that they were detained under duress. One prominent example, which is frequently cited by anti–Gülenist literature, is the purported confession of Lieutenant Colonel Levent Turkkan—an aide at the time to General Hulusi Aker, the Chief of the Turkish General Staff who was held hostage by the coup plotters—that he was a member of 'FETÖ' and that 'FETÖ' orchestrated the coup.[134] But, in Turkkan's case,[135] images have emerged to suggest that he may have been injured in detention. Allegations of

130 See, for example, Turkey: Seven Gulenists indicted on terrorism charges, *Anadolu Agency*, 9 April 2015

131 Put a Break on Terrorism at all Hands, Red List, accessed 13 March 2017

132 Peoples' Democratic Party TUR0036, para 65

133 Council of Europe, Commissioner for Human Rights, Memorandum on the human rights implications of the measures taken under the state of emergency in Turkey (October 2016), para 20: "Furthermore, it ['FETÖ'] has not yet been recognised as a terrorist organisation in a final judgment of the Turkish Court of Cassation which, according to the Turkish authorities, is a crucial legal act in the Turkish legal system when it comes to the designation of an organisation as terrorist."

134 See, for example Anadolu Agency FETÖ"s Coup Attempt in Turkey: A Timeline (July 2016) p 42—43; Examples of other confessions are in Daily Sabah *July 15 Gülenist coup attempt* (3 July 2016) p.27

135 See Top Turkish commander's aide admits allegiance to Gülenists, *Daily News*, 20 July 2016

torture being used by the Turkish security forces are discussed in Chapter 5 of this report. Gareth Jenkins, an analyst based in Turkey who works as a Non–Resident Senior Fellow at the Institute for Security & Development Policy, concluded in an article published on 26 January 2017 that

> Remarkably, despite months of vigorous interrogation, no convincing evidence has yet been made public about how the coup was planned or coordinated. There can be no doubt that, if such evidence had emerged, the Turkish authorities would have ensured it was in the public domain.[136]

88. Another prominent example of anecdotal evidence, that is frequently cited by anti–Gülenist literature to argue that Fethullah Gülen himself was directly involved in orchestrating the coup, is the testimony by General Aker that one of the soldiers who took him hostage—Brigadier General Hakan Evrim—tried to make him speak to Fethullah Gülen on the telephone during the coup attempt. The General said that he refused to do so.[137] Several of our witnesses told us that, if the Gülenists were indeed involved in the coup, then it was highly likely that Fethullah Gülen himself had direct knowledge of the attempt.[138] But Bill Park nevertheless cast doubt on the account of General Aker being offered a telephone conversation with Fethullah Gülen:

> One of the problems with this idea that Aker was told they could put him in touch with Fethullah Gülen is the assumption that this organisation, which can take over the state in a secretive way and more or less take over the economy in a massive way, is so dumb as to say to the chief of the general staff, who is going to oppose them, "Look, we're Gülenists and you can phone this guy." It is contested whether he was given that opportunity [to speak with Fethullah Gülen on the telephone]. The aide de camp who apparently gave him that opportunity [to speak with Fethullah Gülen on the telephone] was beaten up badly when he initially said, "Yes, that's what I did." So I am not sure we can say that there was going to be a phone call.[139]

The extent of the Gülenist movement, and concerns about circumstantial evidence

89. The size, scope, and decentralised nature of the Gülenist movement also casts doubt on the validity of the blanket designation of it, and by implication anyone ever associated with it, as terrorists. At the very least, it raises questions about whether the evidence used to make such a designation is highly circumstantial in the case of individuals. Among their global activities, and the institutions that the Gülenists have established world–wide, the Gülenists have described:

- Around 2,000 schools in 160 countries world-wide,[140] including approximately 100–120 in the United States[141] and approximately 800 of the best schools in Turkey.[142] The Turkish government argues that Gülenist–affiliated schools are

136 Myths and Mysteries: Six months on from Turkey's Curious Coup, *The Turkey Analyst*, 26 January 2017
137 See, for example, the mentioning of this story in Daily Sabah *July 15 Gülenist coup attempt* (3 July 2016) p.26
138 See, for example, Q32[Ziya Meral] and, Q31[William Hale]
139 Q31 [Bill Park]
140 Centre for Hizmet Studies TUR0009 para 8; Alliance for Shared Values and Dialogue Platform TUR0035 para 6
141 Turkish Embassy TUR0043 para 3
142 Alliance for Shared Values and Dialogue Platform TUR0035 para 50

part of a nefarious strategy for the group, including to raise revenue or infiltrate public institutions in Turkey. Sir Alan Duncan told us that 15 universities and more than 1,000 private schools had been closed in Turkey after the coup attempt, for alleged Gülenist links.[143]

- Affiliated media outlets in Turkey, including at least 13 television and radio stations that the group says the Turkish government has since taken over or closed.[144] Zaman newspaper, which was the largest–selling in Turkey at the time of its publication according to the Gülenists,[145] was one of them.[146]
- Medical facilities and international humanitarian relief organisations.[147]
- Affiliated companies.[148]
- Trade unions.[149]

The Gülenists told us that "the total value of the land and properties seized [in Turkey] from 'Hizmet'–affiliated schools, universities, hospitals and charities is estimated to have reached 15 billion dollars".[150]

90. The Gülenists insisted that the movement did not maintain a centrally–organised, top–down hierarchy that bound members strictly into the movement. Instead, they repeated that the movement was bound by "networks"[151] that they described as being "informal", rather than "loose",[152] and being predicated on inspiration, volunteering, and philanthropy:

> As a social movement, 'Hizmet' does not have a corporation–style centrally organised, top down, hierarchical structure that encapsulates the entire movement. Rather, it relies on informal networks, moral authority and organic leadership to mobilise the grassroots to support 'Hizmet's' formal activities.[153]

91. Given the extent of this organisation, and its purportedly informal organisation, the Gülenists have argued that individuals are being linked to the movement by the Turkish government, and therefore being punished as terrorists, on the basis of evidence that includes connections as circumstantial as what school they or their children go to, which bank they use (with Bank Asya being associated with the Gülenists), whether they use the messaging app 'ByLock' which the government associates with the Gülenists, which media

143 Q199
144 Alliance for Shared Values and Dialogue Platform TUR0035 para 14b
145 Alliance for Shared Values and Dialogue Platform TUR0035 para 35
146 Alliance for Shared Values and Dialogue Platform TUR0035 makes reference to "'Hizmet"s Zaman newspaper"
147 Gülen Institute, 'Fethullah Gülen Biographical Album', accessed 13 March 2017
148 Alliance for Shared Values and Dialogue Platform TUR0035 para 14c
149 Alliance for Shared Values and Dialogue Platform TUR0035 para 44
150 Alliance for Shared Values and Dialogue Platform TUR0035 para 25
151 See Q82[Özcan Keleş]
152 Alliance for Shared Values and Dialogue Platform TUR0035, para 5, says "To clarify, in no part of our written statement do we describe 'Hizmet' as a "loose network".
153 Alliance for Shared Values and Dialogue Platform TUR0035 para 7

publications they read or write for, and the charities that they donate to or are affiliated with.[154] The evidence provided by purported informants is alleged by the Gülenists to often form the basis of cases against individuals.[155]

92. Witnesses to our inquiry challenged the Gülenists' claim to lack a hierarchical structure. Ziya Meral told the Committee that the Gülen movement has "layers", differentiating between those who were simply inspired by Gülen's teachings and those on the "more politically active and professional side of the movement—people who are paid by the movement and under the movement's command."[156]

93. These witnesses told the Committee that, on the basis of their understanding of the nature of the Gülen movement, they found it inconceivable Gülen would not have known about individual Gulenists' involvement in the coup and that he would have had to sanction any activity. Ziya Meral noted that "if any Gülenist officer was part of it [the coup], they would never have acted on their own; their participation would have gone all the way up. It is impossible for a Gülenist general to act without consulting Gülen and getting his tacit or direct approval."[157] Professor William Hale also noted that "I can't believe that Fethullah Gülen didn't know anything about it, and I can't believe that, if he did know something about it, he couldn't have stopped it. I find that impossible to believe."[158]

Court cases

94. The Turkish government immediately blamed the Gülenists for the coup attempt, and did so on the night of 15 July itself. But having the Turkish courts convict individuals of participation in the coup on the basis of evidence, let alone convict them for doing so with Gülenist motivations, has proved to be a slower and more complex process. Gareth Jenkins concluded of the immediate blaming of the Gülenists that "it was was an assumption, not a deduction".[159]

95. The Committee asked the Turkish Embassy, six months after the coup attempt, whether any individuals had yet been convicted by a court for taking part, let alone being convicted of taking part on the basis of Gülenist motivations. The Embassy did not provide us with a figure, saying instead that "as the judicial process is in progress, the number of those subject to criminal investigations is not definite".[160] We asked the FCO the same question at the same time and, like the Turkish Embassy, it could not point us to a definitive example of a guilty conviction having yet occurred. The FCO told us that

> The Justice Minister said on 1 February [2017] that 1,094 trials have been opened against alleged coup plotters and members of the Gülen movement. Many of those trials have multiple defendants. Only a handful of cases have concluded and there are not currently official figures on those found guilty or acquitted.[161]

154 Alliance for Shared Values and Dialogue Platform TUR0035, para 28; Centre for Hizmet Studies TUR0009 para 9
155 Alliance for Shared Values and Dialogue Platform TUR0035, para 28; Centre for Hizmet Studies TUR0009 para 9
156 Q32
157 Q32
158 Q31
159 Myths and Mysteries: Six months on from Turkey's Curious Coup *The Turkey Analyst*, 26 January 2017
160 Turkish Embassy TUR0043 Q3. Confusingly, the next sentenced reads "less than half of them (around 40%) are detained on demand", which implies that the Embassy may have at least an indication of the numbers under criminal investigation.
161 Foreign and Commonwealth Office TUR0042 section 1

96. The Committee notes that, at the time of writing, some of the defendants in prominent trials surrounding the coup have admitted in court to taking part in the coup attempt while denying that they were Gülenists, or that their motives for taking part had anything to do with the Gülenists.[162] Those captured soldiers who have purportedly confessed to being Gülenists have not yet done so in court or in public. In terms of the FCO's position on whether there was sufficient evidence for the UK to designate the Gülenists as a terrorist organisation, Sir Alan Duncan's answer was categorical:

> No. I don't think that we can say that we have evidence of the sort of activity that would entitle us to call that a terrorist organisation.[163]

97. **Given the brutality of the events of 15 July, the severity of the charges made against the Gülenists, and the scale of the purges of perceived Gülenists that has been justified on this basis, there is a relative lack of hard, publicly–available evidence to prove that the Gülenists as an organisation were responsible for the coup attempt in Turkey. While there is evidence to indicate that some individual Gülenists were involved, it is mostly anecdotal or circumstantial, sometimes premised on information from confessions or informants, and is—so far—inconclusive in relation to the organisation as a whole or its leadership. As we publish this report, nine months after the coup attempt, neither the UK nor Turkish governments can point us to one person who has been found guilty by a court of involvement in the coup attempt, let alone anyone being found guilty with evidence of involvement with Gülenist motives. We also note that, despite Turkey purportedly submitting 80 boxes of 'evidence' to the US to achieve the extradition of Fethullah Gülen on the basis that he masterminded the coup attempt, the US judiciary has not yet moved to deport him.**

98. **But the explanations provided to us by the Gülenists did not resolve our uncertainties about the fundamental nature and motives of their movement. The belief that Gülenists were responsible for the coup attempt, as well as for numerous other manipulations of the state through abuse of public positions that they held in Turkey, is manifest across the political spectrum in Turkey. A lack of transparency pervades some of the core activities of the Gülenists, making it impossible for us to confirm that all of these activities are purely philanthropic.**

99. **Gülenists are unlikely to have been the only elements involved in the coup attempt. Kemalist elements within the military, those who opposed the AK Party, or those who simply wished to preserve their own positions, are also likely to have been involved. Some, especially in the lower ranks of the military, appeared to have taken part, at least initially, without realising that they were involved in a coup attempt.**

100. **Since around 2013, individuals associated with the Gülenists have adopted a political agenda opposed to the AK Party government of Turkey, and have possessed the means, motive, and opportunity to support the coup attempt, but their culpability has yet to be definitively proved. The FCO told us that it did not have evidence to justify the designation of the Gülenists as a terrorist organisation by the UK, and we agree with this assessment.**

162 See, for example, the trial of those soldiers who were captured and tried for allegedly trying to assassinate President Erdoğan in Marmaris on 15 July 2016. Some, such as Sukru Seymen and Gokhan Sahin Sonmezates, said that they took part in the coup attempt but denied any links with the Gülenists; Son dakika: Cumhurbaşkanı Erdoğan'a suikast girişimi davasında çarpıcı ifadeler *Milliyet*, 20 February 2017 and Darbeci eski general Gökhan Sönmezateş 'Tuzağa düşürüldük', *Aydinlik*, 20 February 2017.

163 Q193

The knowledge of the FCO about the Gülenists' role in the coup attempt

101. Despite Sir Alan Duncan telling us that the UK's understanding of the threat that Turkey is facing was almost unique,[164] the account that the FCO gave us of the Gülenists and their alleged involvement in the coup attempt seemed confused. The FCO's written submission to our inquiry made no reference to Gülen or the Gülenists.[165] Sir Alan Duncan explained this by saying that the terms of reference of this inquiry did not specifically invite the FCO to comment on the Gülenists,[166] but it was a surprising omission given the emphasis that the Turkish government places on the Gülenists and our aim of understanding the FCO's policy towards Turkey.

102. The FCO's oral evidence addressed the Gülenists, but appeared at times to be contradictory. Sir Alan Duncan initially appeared to repeat the Turkish government's position. He referred to "clear and systematic infiltration of the entire apparatus of government by a group of people who, as a state within the state, try to overturn the state",[167] although he did not specifically refer to the Gülenists by name. When asked specifically whether the Gülenist organisation were responsible for the coup he answered:

> I think the answer has to be, in large part, in terms of significant involvement, yes.[168]

103. But Sir Alan's later answers were more equivocal. When pressed about the extent of Gülenist involvement in the coup attempt, he said:

> This is a very complicated phenomenon in Turkish government and society; it will probably take years to analyse this and to get to the bottom of it.[169]

Asked specifically whether he believed that the Gülenists were "a state within a state", Sir Alan said:

> I think, from where I sit, if I were asked to say yes or no, I would say yes. Is it absolutely crystal clear? That is impossible to answer. I think there is a court process here, which will decide: extradition requests, that kind of thing. That is a court process. I am a Foreign Minister, not the world's greatest expert on Fethullah Gülen. But that is the judgment I have offered the Committee.[170]

104. When asked on the basis of what evidence the FCO was reaching its conclusions on the Gülenists and the coup attempt, Lindsay Appleby, a Director for Europe at the FCO, gave an initial reply indicating that it was uncertain to what extent Gülenists were involved:

> Many of the key individuals, by the nature of an attempted coup, were from the military. It is not consistent with membership of the military to

164 Q132
165 Foreign and Commonwealth Office TUR0010
166 Q174
167 Q156
168 Q175
169 Q173
170 Q177

> be a member of an alternative organisation, so it isn't clear how many of the military people were Gülenists, nor is it clear the degree to which the organisation—or the multiple organisations that make up Gülenism—were themselves directing or driving any of the activity.[171]

Soon afterwards, however, Mr Appleby said that there was evidence of individual Gülenist being involved, although he once again said that the degree of organisational participation by the Gülenists was unclear. He also identified the Turkish government as a source of information for the FCO:

> On the basis of the information that I have and on the basis of what we have looked at in the Foreign Office, it is very clear that there were lots of people identified as Gülenists who were involved in the coup. But we don't have clear information, or an analytical base, to assert definitively one way or another whether the organisation as a whole directed the coup attempt. That is precisely the sort of evidence that we have been asking for from the Turkish government, when they bring to us individual allegations.[172]

105. **The FCO seems willing to accept the Turkish government's account of the coup attempt and the Gülenists broadly at face value. While some of the individuals involved in the coup may have been Gülenists, given the large number of Gülenist supporters and organisations in Turkey, it does not necessarily follow that the Gülenists were responsible for the coup or that their leadership directed the coup. However, the FCO seems unable to cite much evidence to prove that it is true. Despite its claim to possess an almost unique understanding of the threat that Turkey faces, the FCO strikes us as knowing too little for itself about either the Gülenists or their role in the coup attempt. The Government's support for the Turkish government in the wake of the coup attempt would have been more convincing had it been able to present an independent analysis to support its position.** ***We recommend again that the Government ensures that sufficient funding is available to the FCO, to repair the hollowed-out state of the FCO's analytical and research capabilities.***

171 Q178

172 Q180 [Lindsay Appleby]

4 The Turkish government's response to the threat from the coup attempt

The State of Emergency

106. The lethal violence underpinning the coup attempt of 15 July 2016 represents a denial of the most basic of human rights and freedoms, as well as of the values of democracy. As the FCO repeated to us, the UK supports Turkey's right and obligation to defend itself against such threats, and to punish the perpetrators.[173] At the same time, Turkey accepts—as an intrinsic part of its values—legal limitations to the way in which a state can respond to such threats, so as to protect the values, rights, freedoms that are threatened by terrorism, coups, and other crimes.[174]

107. On 21 July 2016, after the 15 July coup attempt, Turkey declared a State of Emergency. In the formal notification that Turkey provided to the Council of Europe, under the terms of the European Convention on Human Rights (ECHR), Turkey said that its basis for declaring the Emergency was not just the coup attempt, but also the threat from terrorism:

> The coup attempt and its aftermath together with other terrorist acts have posed severe dangers to public security and order, amounting to a threat to the life of the nation in the meaning of Article 15 of the Convention for the Protection of Human Rights and Fundamental Freedoms.[175]

The State of Emergency was extended by the Turkish parliament for a further three months in October 2016 and then for a second time for another three months, in January 2017.

108. Under the terms of Turkey's Constitution,[176] a State of Emergency enhances the powers of the Turkish state in order to counter threats to national security and stability. One of its most salient features is its granting to the President, supported by the council of ministers, the power to issue legislative decrees that have the status of law without being passed by parliament. At the same time, the State of Emergency also suspends or reduces some of the rights and freedoms that are conventionally guaranteed to the citizen under the Turkish constitution, including some of those with regard to dismissal from employment, detention, freedom of speech, and freedom of assembly.[177] International law takes account of the existence of a State of Emergency, and the declaration of an Emergency alters some of Turkey's international obligations. The ECHR permits the declaration of a State of Emergency under the provisions of its Article 15, "in time of war or other public emergency threatening the life of the nation", and this is the clause that Turkey applied to the coup attempt and its aftermath and to terrorism.

109. Article 15 of the ECHR nevertheless applies with specific restrictions: certain provisions of the ECHR remain in place even under a State of Emergency, including the right to life except in respect of deaths resulting from lawful acts of war (Article 2), the

173 See, for example, the FCO's offer of support for Turkey in response to the coup attempt, Foreign and Commonwealth Office TUR0010 paras 8—9

174 Turkish Embassy TUR0012 p 7; Turkish Embassy TUR0043 Q1

175 Council of Europe, Declaration contained in a letter from the Permanent Representative of Turkey, dated 21 July 2016, accessed 13 March 2017

176 Constitution of the Republic of Turkey

177 For a summary, see William Hale TUR0007 para 3

prohibition of torture (Article 3), and the principle of 'no punishment without law' (Article 7).[178] Governments must remain bound by their other commitments under international law. And any actions taken by the Government under a State of Emergency must be "strictly required by the exigencies of the situation". This latter point means that a State of Emergency should over time be self-correcting, because the measures taken under it should remove the circumstances that justify their existence. In light of this, witnesses expressed a number of concerns to us about the basis of the State of Emergency in Turkey. These concerns were summarised to us by Dr Alan Greene, a Lecturer in Law at Durham University:

- The application of the Emergency by Turkey to the coup attempt, its aftermath, and terrorism is broad, and Turkey's definition of terrorism—not least the one that it applies to the Gülenists, as discussed in Chapter 3—is vague. Making the provision even broader still, the Council of Europe reports that Emergency powers can target not only those who are members of a terrorist organisation but also those who support such an organisation.[179] The wide application of these powers will likely make the "exigencies of the situation" harder to resolve, thus lengthening the time taken to do so and the period for which the Emergency powers apply.[180]

- Article 15 of the ECHR contains no specific time limit as to the duration of a State of Emergency. A permanent state of emergency is not, technically, a contravention. It is nevertheless unprecedented for the European Court of Human Rights (ECtHR) to pressure a state into ending a State of Emergency, and Dr Green told the Committee that "to date, the Court has never found that an emergency did not exist in a state that declared one".[181]

- Turkey has a history of extending States of Emergency for prolonged periods. Dr Greene writes that "in 1987, for example, Turkey declared a State of Emergency in the face of escalating terrorist attacks. This was to remain in force until it was lifted on the last two provinces in November 2002—a period of 15 years."[182] The AK Party cancelled this State of Emergency after first being elected to government in 2002.

110. In terms of Turkey's legal obligations under the State of Emergency, the submission from the Turkish Embassy said:

> In the face of grave and violent attacks against the national security and FETO terrorist organisation's infiltration everywhere, the declaration of the State of Emergency was deemed necessary. The Republic of Turkey adheres to its obligations stemming from international conventions to which it is a party and strongly adheres to democracy, human rights, the principle of rule of law. In this process, due respect will continue to be shown to protect fundamental rights and freedoms and the principle of supremacy of law will be strictly observed, as always. Legal remedies are available against acts

178 European Convention on Human Rights, Article 15
179 Council of Europe, "Measures taken under the state of emergency in Turkey", 26 July 2016
180 Dr Alan Greene TUR0006 p 8
181 Dr Alan Greene TUR0006 p 4,6
182 Dr Alan Greene TUR0006 p 6

> and measures to be taken within the context of the State of Emergency, including individual application to Constitutional Court. The supervision of the European Court of Human Rights remains valid.[183]

Referring to Article 15 of the ECHR, the Embassy also told us that Turkey's response was necessary and proportionate.[184] The FCO said that the UK emphasised to Turkey the importance of complying with these obligations:

> Ministers have also made clear the importance of ensuring measures taken under the State of Emergency are measured and proportionate, upholding democratic principles and Turkey's international human rights obligations.[185]

111. **Terrorism and coup attempts are a denial of the most basic of human rights and freedoms, as well as of the values of democracy. It would be naïve to assume that any country would go through a coup such as the one Turkey went through and not see significant changes made in order to protect its democracy and the rule of law. The UK is right to support Turkey's defence of itself against future threats from coups and terrorism. However, Turkey must demonstrate its commitment to upholding its international legal obligations during its response to these threats, and the UK has an important role to play in ensuring Turkey's compliance.**

112. **The State of Emergency in Turkey significantly expands the power of the executive, while also curtailing some of the rights and freedoms of the citizen. While the implementation of the State of Emergency is understandable given the events of the July coup attempt, the Turkish government needs to provide the international community with a clear indication that it is seeking a path to normalise the security situation. States of Emergency should be self-correcting, as the powers that they allow should address the threat that permits them. The threat to which they apply should be specific. Although permissible under, and guided by, the provisions of Article 15 of the European Convention in Human Rights (ECHR), a broad and vague application of the State of Emergency in Turkey, in a way that extends far beyond addressing the causes of the coup attempt, risks a prolonged period of Emergency rule, and that raises the risk of people's rights being abused.**

113. ***The FCO should press Turkey to ensure that***

a) ***the provisions of Turkey's State of Emergency, and the actions taken under them, are proportionate to the exigencies of the circumstances that triggered the Emergency's declaration, and that these exigencies are given as narrow a definition as possible***

b) ***the State of Emergency is temporary, not prolonged, and is lifted as soon as possible***

c) ***That Turkey complies fully with its ECHR obligations.***

183 Turkish Embassy TUR0012 p 7
184 Turkish Embassy TUR0043 Q1
185 Foreign and Commonwealth Office TUR0010 para 8

Detentions and dismissals after the coup attempt

114. The scale of dismissals and detentions that have taken place after the 15 July coup attempt has been significant. In terms of dismissals, we have seen official figures cited in January 2017 during a television interview by the Turkish Labour Minister Labour, Minister Mehmet Müezzinoğlu,[186] and which were corroborated for us by the FCO as official Turkish figures at that time. These were that 97,679 public servants had been permanently dismissed from their jobs and a further 37,677 had been temporarily suspended.[187] In terms of the numbers of people detained, the Committee has seen figures—again dated to January 2017—that were published by the state news agency, Anadolu, and attributed to sources in Turkey's Justice Ministry. These were that legal action had been taken against approximately 103,000 people and that approximately 41,000 of them had been remanded in custody.[188] Sir Alan Duncan told us that "the scale of arrests and detentions is massive and needs to be explained and justified"[189] and that "I think that anyone would share the concern that they do appear over-extensive."[190]

115. We consider it likely that these numbers have since risen, but the latest figures are difficult to obtain. We asked the Turkish Embassy in London to provide us with the latest figures at the conclusion of our inquiry but, despite being asked for them directly, the Embassy did not do so.[191] Instead, the Embassy told us that "as the investigations continue, the numbers of those dismissed/suspended are not definite."[192] There also appears to be uncertainty on facts as fundamental as how many individuals face trial by a court, and how many have so far been found guilty or acquitted. The Committee wrote to the FCO for clarification, and was told that

> With regard to criminal trials, the [Turkish] Justice Minister said on 1 February [2017] that 1,094 trials have been opened against alleged coup plotters and members of the Gülen movement. Many of those trials have multiple defendants. Only a handful of cases have concluded and there are not currently official figures on those found guilty or acquitted.[193]

Dismissal by decree

116. From the above figures, it appears as though only a minority of those dismissed from their employment after the coup attempt have had criminal charges pressed against them. The Turkish Embassy's written submission asked for a distinction to be drawn between those who were subject to criminal investigation at the behest of the judiciary, and those who had been dismissed from their jobs as part of "administrative proceedings" or an "administrative" investigation on the basis of the decree powers afforded to the executive by the State of Emergency. It said that

186 See, for example, Mehmet Müezzinoğlu; KHK'lerle kamudan 97 bin 679 kişi ihraç edildi *Öğretmenler İçin*, 10 October 2017
187 The FCO subsequently provided us with a slightly lower number, of 94,867 public employees having been permanently dismissed since the coup attempt of 15 July 2016 and 30,618 suspended.
188 More than 40,000 remanded in custody since coup bid, *Anadolu Agency*, 2 January 2017
189 Q156
190 Q190
191 Turkish Embassy TUR0043 Q1, Sections a-d
192 Turkish Embassy TUR0043 Q1
193 Foreign and Commonwealth Office TUR0042 Section 1

> Dismissals can be made via lists annexed to Decrees or through Board decisions that function within public institutions in accordance with the Laws and Decrees.[194]

117. Although the Turkish Embassy told the Committee that "dismissals should not be seen as criminal punitive actions",[195] it is unclear how else they should be interpreted, given that these dismissals occurred after the coup attempt and overwhelmingly on the basis of Emergency decree powers that are intended to protect the state against the most severe of threats. Additionally, the provisions that apply to those dismissed appear tantamount to punishments that will severely and adversely affect their lives, and to punishment without necessarily being able to see the evidence against them or ever being tried by a court. In a Memorandum published in October 2016, the Council of Europe's Commissioner on Human Rights wrote of the dismissals that

- "The decrees do not specify any evidentiary criteria or requirements on which these "assessments" must be based. […]The Commissioner was informed that in the practical application of these measures, the persons in question were not provided with evidence against them and were unable to defend themselves in an adversarial manner in many cases."[196]

- "The Commissioner is particularly concerned about a number of additional sanctions which automatically apply to physical persons dismissed by decree or through the procedures established in decrees. These include a life-long ban from working in the public sector (which includes the practice of law) and private security companies, annulment of passports, eviction from staff housing and the annulment of rental agreements between these persons and public or semi-public bodies."[197]

- "The Commissioner also has grave concerns about the method of publishing a list of names annexed to decrees, which are laws in essence. It is beyond doubt that these persons will have to bear the stigma of having been assessed as having links with a terrorist organisation by the Turkish government itself, heavily compromising their potential of finding employment elsewhere."[198]

- "A series of measures of particular concern to the Commissioner are those which target directly or are liable to affect family members of suspects in an automatic fashion [… including] evictions, termination of lease agreements and freezing of assets of the said suspects […] the possibility for annulling passports of spouses of suspects who are themselves not under investigation. […]The Commissioner is worried that such measures will inevitably fuel the impression of "guilt by association"".[199]

194 Turkish Embassy TUR0043 Q2
195 Turkish Embassy TUR0043 Q2
196 Council of Europe, Commissioner for Human Rights, Memorandum on the human rights implications of the measures taken under the state of emergency in Turkey (October 2016), para 23—24
197 Council of Europe, Commissioner for Human Rights, Memorandum on the human rights implications of the measures taken under the state of emergency in Turkey (October 2016), para 33
198 Council of Europe, Commissioner for Human Rights, Memorandum on the human rights implications of the measures taken under the state of emergency in Turkey (October 2016), para 33
199 Council of Europe, Commissioner for Human Rights, Memorandum on the human rights implications of the measures taken under the state of emergency in Turkey (October 2016),para 41

118. The extent of the consequences for those seen as previously associated with the Gülen movement was brought home to us in the conversations we had with major private sector representatives. Their anxiety not to recruit anyone with the taint of such association reinforced the impression that even inadvertent and wholly innocent association with Gülenists was now likely to have catastrophic long term individual and family consequences and therefore provide the scope for wide ranging and sustained injustice.

The range of sectors affected

119. As well as the scale of the dismissals and detentions that took place after the coup attempt, what is also striking is the number of different sectors affected. After a military coup attempt, it is to be expected that the armed forces will be extensively investigated and some of its members dismissed or subject to other punishments. In Turkey, before the end of July 2016, the three branches of Turkey's armed forces had lost almost half of their most senior officers to dismissals. According to information published in the state news agency Anadolu on 28 July 2016:

> Of the armed forces' 325 most senior officers, 149 have been sacked … In the army, 87 out of 202 generals […]were discharged; 32 out of 56 admirals, […]were dismissed from the navy; and 30 out of 67 generals […]lost their air force posts.[200]

120. The scale of these purges within the armed forces raises questions in its own right about what impact there might be on the efficacy of Turkey's military.[201] But a wide range of civilians sectors were also affected. Even before the end of July 2016, those dismissed included 42,767 staff from the Ministry of National Education (around half of them teachers and half of them support staff), 2,239 academics from state universities, and others from Ministries ranging from the Ministry of Health (5,581 dismissals) and the Ministry of Food, Agriculture, and Livestock (1,379 dismissals) to the Ministry of Forestry and Water Affairs (221 dismissals). A publication produced by the state news agency, Anadolu, detailed these dismissals along with others from dozens of other sectors.[202] The numbers of those dismissed by decree in Turkey has subsequently risen.

121. **Almost 100,000 people were permanently dismissed from their employment in Turkey following the coup attempt, while between 30,000 and 40,000 were temporarily suspended. The Turkish government itself seems uncertain about the latest figure, but the number is likely to have risen since these numbers were published in January 2017. Most appear to have lost their jobs, and been subjected to a range of other punishments, on the basis of executive decrees that are permitted by Turkey's State of Emergency. They do not face criminal charges, and were not tried by a court before their punishment.**

122. **Given the anecdotal and circumstantial nature of the evidence that has been used to link the Gülenists with the coup attempt, we question the evidential basis upon which these individuals—including the majority who held positions in the education sector or civil service, rather than the military branch of the state—were designated**

200 Turkey's coup probe sees 149 senior officers sacked, *Anadolu Agency*, 28 July 2016

201 The Turkish Embassy told us that " the country's military capacity has come out almost intact from the thwarted coup attempt", Turkish Embassy TUR0012 p 5

202 Anadolu Agency FETÖ"s Coup Attempt in Turkey: A Timeline (July 2016), p 40

by the state as terrorists, or connected to the coup attempt, under Turkey's State of Emergency. The coup attempt has also been used as an opportunity to dismiss large numbers of non-military government employees that were opposed to or critical of the government and President, as well as those suspected of links to the Gülen movement.

Means of appeal and redress

123. The Turkish Embassy told us that "domestic remedies exist for those who believe they have been "wrongfully suspected" in the anti-terrorism probes".[203] A written submission from the Embassy explained that

> For dismissals; boards have been established at the office of Prime Minister, within the public institutions and the Offices of Governors across Turkey. Upon individual applications to these boards, over 31 thousand public employees have been reinstated, to date.
>
> Moreover, with the Decree 685 dated 2 January 2017, a special commission (Inquiry Commission on State of Emergency Measures) has been established as a binding legal remedy to address measures that are taken directly with Decrees.
>
> In this respect, the Commission will assess applications regarding acts and measures that are taken directly with Decrees. These include dismissals of public employees and closure of associations, institutions, as well as media outlets, as listed in relevant Decrees. Establishment of the Inquiry Commission provides an effective domestic legal remedy concerning such cases.[204]

124. The Turkish Embassy therefore told us that 31,000 public employees had been reinstated after their cases were investigated. This figure marked a significant increase on the previous numbers provided to the Committee. When the Committee met President Erdoğan on 17 January 2017, he told us that approximately 19,500 public servants had been reinstated. Similarly, when Sir Alan Duncan gave evidence to the Committee on 31 January 2017, he said that 20,000 civil servants had been reinstated.[205]

125. Our assessments from interviews conducted during our visit to Turkey in January 2017 were less optimistic, and indicated that—by that time—only a very small number of people had been restored to their work. The opposition People's Democratic Party (HDP) in Turkey, which is one of four to have representation in Turkey's parliament, is one of the sources to have commented that there still exists only a limited number of institutions that are able to hear appeals in Turkey, and that their ability to hear adequately the more than 100,000 cases that could be presented is therefore limited.[206] As well as the capacity constraint, the HDP also questioned the impartiality of the Commission of Inquiry in particular, saying that

203 Turkish Embassy TUR0043 Q1
204 Turkish Embassy TUR0043 Q4
205 Q200
206 Peoples' Democratic Party Latest decrees are too small and symbolic to change the deteriorating course of the country, 31 January 2017

> The Prime Minister will appoint three of the seven members of this commission. One member will be appointed by the Minister of Justice, one by the Minister of Interior, and the remaining two members will be assigned by the High Council of Judges and Prosecutors[…]
>
> The fact that members of the commission will be assigned directly by the government (prime minister and ministers) and High Council of Judges and Prosecutors, known for its biased and controversial structure and decisions, raises serious concerns about the independence and impartiality of the commission. The Commission will evaluate the results of emergency rule decrees of the Council of Ministers who will appoint the members of the commission, which is scandalous.[207]

126. **The Turkish government told us that avenues for appeal and redress existed for those dismissed, and that 31,000 civil servants had been restored to their employment by the beginning of March 2017. The number marked a significant jump from the previous figure of 20,000 that the Committee was given by the FCO one month previously. We hope that it is accurate, but worry that it is not, given the stories of those affected that we heard in Turkey, the small number of public bodies authorised to hear appeals in Turkey, and the large number of appeals that these bodies have been tasked with hearing. If it is accurate, then we regret that it still represents 31,000 people who were punished without good reason, and who are likely to bear consequences of their punishment.**

127. **Despite the security threats represented by the coup attempt and by terrorism in Turkey, the scale of the current purges—and the number of sectors that they affect—means that we cannot conclude that they are a necessary and proportionate response.** ***The FCO needs to clarify whether it supports the extent of the purges as being justified by the scale of the threat that Turkey is facing.***

128. **This purge carries significant negative implications for Turkey, and not just for the individuals affected and their families. It risks undermining Turkey's reputation, its economy, the ability of the UK to trade there, and the capabilities of the Turkish military in the fight against enemies like ISIL.** ***We were encouraged by the nascent language of restraint and reconciliation that we heard at the highest political level when we visited Turkey. The FCO must work to see that this trajectory is pursued in practice, by pressing the Turkish government to ensure that***

a) ***All of those detained or dismissed can access a substantive means of appeal, and that this means of appeal is both fair and prompt. We are concerned that the existing means are too often inaccessible, and too slow in hearing the large number of cases.***

b) ***That these individuals must have access to the evidence against them and to their lawyers.***

207 Peoples' Democratic Party Latest decrees are too small and symbolic to change the deteriorating course of the country, 31 January 2017

c) ***That the structures established to determine their innocence or guilt are sufficiently independent of the executive. There currently remains a risk that they are appointed to a large extent by the institutions whose use of powers they are intended scrutinise.***

d) ***That those who have not yet been reinstated know the avenues of appeal and redress.***

5 The Turkish government's response to the threat from the PKK

The threat from the PKK, and the collapse of the ceasefire

129. Terrorism, whether committed by the Kurdistan Workers' Party (PKK), ISIL, or any other group represents a denial of the most basic of human rights and freedoms, as well as of the values of democracy. We said the same of the coup attempt in Chapter 3 and, like its response to the coup attempt, Turkey also accepts specific limitations—including under the terms of its current State of Emergency—to the actions that it can legally undertake while countering terrorism. The FCO told us that the UK, along with other states such as the US and those of the EU, has designated the PKK as a terrorist organisation and that the UK supports Turkey in the fight against the group.[208]

130. The PKK describes its aim as the achievement of self-governing autonomy, but not independence per se, for the predominantly-Kurdish areas of Turkey in the south east, and is inspired by the ideology of its principal figurehead, Abdullah Öcalan, a founder of the group who has been imprisoned by Turkey since 1999. The Turkish government views the PKK as a separatist organisation,[209] has declared it as a terrorist group, and has fought it since 1984 in a conflict that—although interspersed by periodic but so–far unsuccessful ceasefires—has killed tens of thousands of people,[210] displaced at least one million and likely more,[211] and caused destruction and disruption to the lives of many, primarily in the Kurdish-majority south-east of Turkey.

131. Turkey's ethnic Kurdish minority forms around 20% of the population.[212] But, under legal and constitutional arrangements inspired by ethnic-Turkish nationalism—arrangements whose origins date to those of the Turkish Republic—elements of distinctive Kurdish identity, such as the use of the Kurdish language, were denied recognition by the state. After coming to power in 2002, the AK Party took significant and historically unprecedented steps to reverse some of these restrictions.[213] The AK Party government has also formed strong ties with Kurdish elements, both domestically—where the AK Party has drawn significant electoral support from some Kurds[214]—and internationally through, for example, the strong relations that Turkey has enjoyed with the Kurdistan Regional Government (KRG) in Iraq.[215] The Turkish government has consistently emphasised that its conflict is with the PKK, rather than with its Kurdish citizens who it described to us as an integral part of Turkey.[216]

208 See, for example, the FCO's position on Turkey and the PKK in Foreign and Commonwealth Office TUR0010 paras 15—16, 21, and Q10.

209 Turkish Embassy TUR0012 p 16—17

210 Turkish Embassy TUR0012 p 16—17

211 The numbers of those displaced by the conflict are disputed Republic of Turkey, Ministry of Foreign Affairs, Internally Displaced Persons (IDPs) and the "Return to Village and Rehabilitation Program" in Turkey, accessed 13 March 2017. Some NGOs have provided high estimates, of two to three million Internal Displacement Monitoring Centre, Turkey: Internal displacement in brief, 31 December 2013

212 Union of European Turkish Democrats TUR0014 para 21

213 Peace in Kurdistan TUR0013 para 4; Union of European Turkish Democrats TUR0014 para 22; Q40

214 Q36 [Professor William Hale]

215 Specifically, President Erdoğan and the AK PARTY enjoy a strong relationship with the KRG's current leadership, President Masoud Barzani and his Kurdistan Democratic Party (KDP), in particular. But the view is not confined to the AK PARTY. The Republican People's Party (CHP) also refers to KRG and Barzani as Turkey's ally in Republican People's Party (CHP) TUR0038, Section 5.

216 Turkish Embassy TUR0012 p 16

132. Despite the conflict, the AK Party government took bold steps by entering into a ceasefire and negotiations with the PKK,[217] the latest of which collapsed in July 2015. The reasons for this collapse are disputed. One month earlier, in the elections of June 2015, the AK Party had lost its majority in parliament for the first time since assuming power, and it did so in part because of the gains made by the People's Democratic Party (HDP), a specifically pro-Kurdish party. Some witnesses did therefore suggest that President Erdoğan abandoned the peace process, or at least decided not to prevent it collapsing, in the hope that the security crisis would benefit his party electorally.[218] After the fighting resumed, the AK Party re-gained its majority in fresh elections called four months later in November. Other observers have blamed the collapse on the Turkish government, for what they described as its failure to recognise a basis for the peace process known as the 'Dolmabahçe' agreement.[219]

133. But we now agree with most of our witnesses who described a complex and mutual rise in tensions between the Turkish government and the PKK, rooted primarily in developments in Syria.[220] Under this explanation, the expansion first of ISIL in Syria and later the expansion of armed Kurdish groups in northern Syria caused mounting mistrust between the PKK and the government that was ultimately ignited when ISIL bombed a Kurdish demonstration in the Syrian town of Suruç in July 2015. Attacks by the 'Kurdistan Freedom Falcons' (TAK) terrorist group were a further catalyst to the deterioration of the ceasefire.[221] Even by the time a Kurdish coalition affiliated with the PKK declared an end to the ceasefire on 11 July,[222] the PKK claimed the killing of two Turkish police officers on 22 July, and Turkish military operations recommenced in earnest thereafter,[223] both sides had likely come to regard negotiations as futile.

134. While the reasons for the ceasefire's collapse are contested, its results are indisputable: a resumption of the conflict, and its associated death, destruction, and disruption. A report by the United Nations Office of the High Commissioner for Human Rights (OHCHR), which was published in March 2017, reported that between July 2015 and December 2016 the latest phase of this long–running conflict had displaced between 355,000 and half a million people, and killed approximately 2,000.[224]

135. **In July 2015, the ceasefire between the Turkish government and the PKK collapsed primarily due to a complex and mutual rise in tensions between them, rooted largely in developments in Syria. This conclusion represents a correction to our Third Report of Session 2015–16, in which we were too unequivocal in placing the primary responsibility on the Turkish government for the end of the ceasefire.**

136. ***The FCO must both support Turkey in its fight against the terrorist threat from the PKK and encourage both sides to re-engage with the peace process. The ceasefire between the PKK and the state between 2013 and 2015 allowed an unprecedented de-facto improvement in Kurdish rights, but the FCO must press the Turkish government to enshrine them into law.***

217 Turkish Embassy TUR0012 p 16—17
218 See, for example, Dr Natalie Martin TUR0016 para 4
219 Peace in Kurdistan TUR0013 para 9; HDP para 1
220 See, for example, Dr Katerina Dalacoura TUR0021 Summary and para 8; Q39 [Ziya Meral, Bill Park]
221 Q39 [Professor William Hale]
222 Q215 [Lindsay Appleby]; Peace in Kurdistan TUR0013 para 9
223 Foreign and Commonwealth Office TUR0042 Q2
224 Office of the United Nations High Commissioner for Human Rights, Report on the human rights situation in South-East Turkey (February 2017),p 4—5

137. **The resumption of the conflict since 2015 has deeply damaging implications for Turkey. Ultimately, there is no military solution to this conflict.** ***The FCO should explain how it is working with the Turkish government to secure a path towards both a ceasefire with the PKK, and a wider process of reconciliation to address the causes of the conflict. Turkey may be able to benefit from the FCO sharing the example of the UK's experience in Northern Ireland.***

Human rights in the war against the PKK

138. In the context of the war against the PKK, which has focused predominantly on the towns and cities within the majority–Kurdish south-east of Turkey, concerns have been raised about whether some aspects of Turkey's counter-terrorism operation are necessary, proportionate, and legal.

Curfews

139. One issue has been the imposition by the state of round-the-clock curfews, which have sometimes been open-ended and are described by some observers as having caused indiscriminate suffering within civilian areas. In a Memorandum published in December 2016, the Council of Europe's Commissioner for Human Rights reported that the government's practice of imposing curfews in war-affected areas began in August 2015. The Memorandum said that "while these curfews were initially declared for shorter periods in relatively restricted areas, their length, scope and intensity increased quickly and considerably":[225]

> The Commissioner observes that these curfews range from periods of less than 24 hours up to round-the-clock curfews lasting 79 days in Cizre and Yüksekova, 81 days in Şırnak or 134 days in Nusaybin. […] Despite the end of antiterrorist operations, the round-the-clock curfew in one neighbourhood of Sur was being maintained since 11 December 2015, after more than 10 months.[226]

The Council of Europe's Commissioner for Human Rights concluded that

> The use of curfews raises extremely serious human rights questions, the most important being their lawfulness and proportionality, the two main criteria which would determine their compatibility with Turkey's international human rights obligations. As Turkey did not officially derogate from the ECHR until after 15 July 2016, no deviation from any of Turkey's negative or positive obligations (both substantive and procedural) under the ECHR can be admitted for the period until then, during which the longest curfews and heaviest operations took place.[227]

225 Council of Europe, Memorandum on the Human Rights Implications of Anti-Terrorism Operations in South-Eastern Turkey (December 2016), para 13

226 Council of Europe, Memorandum on the Human Rights Implications of Anti-Terrorism Operations in South-Eastern Turkey (December 2016), para 17

227 Council of Europe, Memorandum on the Human Rights Implications of Anti-Terrorism Operations in South-Eastern Turkey (December 2016), para 18

140. The Commissioner estimated that as many as 1.6 million people could have potentially been affected by curfews in Turkey's south east,[228] and that the length of the curfews was so long that civilians had no practical choice but to break the law and defy the curfew in order to survive.[229] The Memorandum reached the conclusion that "under these circumstances, the Commissioner cannot consider that the curfews and the anti–terrorist operations accompanying them as having been proportionate to the aims pursued."[230]

Deaths of civilians, and damage to civilian property

141. There are also accusations that Turkish security forces have taken inadequate measures to prevent the deaths of civilians, and to prevent the destruction of civilian property. Figures of civilian deaths during operations in Turkey's south east are highly contentious, but the Council of Europe's Commissioner for Human Rights referred to reports of the security forces firing on those attempting to retrieve the bodies of the dead as well as other incidents of indiscriminate fire in densely-populated areas under the effect of perpetual curfew.[231]

142. The extensive destruction of civilian infrastructure has been another aspect of the war in the south east that has been criticised. The United Nations High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, concluded in May 2016 that there had been "massive, and seemingly highly disproportionate, destruction of property and key communal infrastructure", with reference to the town of Cizre in south-eastern Turkey.[232] In March 2017, the Office of the UN High Commissioner for Human Rights (OHCHR) produced a report that concluded:

> While comprehensive statistics on destroyed housing are not available, the analysis of satellite imagery provided by UNOSAT shows extensive damage across south-east Turkey. […] In Nusaybin (Mardin province), for example, a UNOSAT damage assessment through satellite imagery identified 1,786 damaged buildings, 398 of which were completely destroyed, 383 severely damaged, and 1,005 moderately damaged […]. Based on satellite image analysis, UNOSAT attributes such damage to the use of heavy weapons and, possibly, air-dropped munitions.[233]

143. The Turkish government blames the PKK's strategy of urban entrenchment for the damage, and has committed to re–building the affected areas. Prime Minister Benali Yildirim announced on 27 January 2017, for example, that the state would build 35,000 new homes in south-eastern Turkey.[234] The submission from the Turkish Embassy told the Committee that

228 Council of Europe, Memorandum on the Human Rights Implications of Anti-Terrorism Operations in South-Eastern Turkey (December 2016), para 27
229 Council of Europe, Memorandum on the Human Rights Implications of Anti-Terrorism Operations in South-Eastern Turkey (December 2016), para 36
230 Council of Europe, Memorandum on the Human Rights Implications of Anti-Terrorism Operations in South-Eastern Turkey (December 2016), para 41
231 Council of Europe, Memorandum on the Human Rights Implications of Anti-Terrorism Operations in South-Eastern Turkey (December 2016), paras 38, 57 and 60
232 'Alarming' reports of major violations in south-east Turkey – UN rights chief, *UN News Centre*, 10 May 2016
233 Office of the United Nations High Commissioner for Human Rights, Report on the human rights situation in South-East Turkey (February 2017), para 4
234 Turkish premier outlines rebuilding plan for SE Turkey, *Anadolu Agency*, 27 January 2017

> The PKK's tactic to wage urban uprising has backfired. But it has also caused considerable human suffering and material loss as well. According to the initial accounts, 1 billion [Turkish Lira] (approximately €300,000,000) has to be allocated for the recovery of the damage caused by PKK. 4,000 houses need to be rehabilitated only in Diyarbakır. The Turkish government continues to provide housing and food assistance to the dislocated people due to terrorist acts in the region and the people, who suffered from terrorism, are compensated. Reconstruction work is also underway in the region.[235]

Allegations of torture

144. The use of torture is another concerning allegation made in the context of the war in the south east. The group Freedom From Torture detailed evidence of torture being practiced in Turkey in its written submission,[236] and said: "for the past five years Turkey has been one of the top ten countries of origin for those referred to us for clinical services [in response to torture] and last year it moved into the top five".[237] In its concluding observations for its report on Turkey in June 2016, the UN Committee against Torture described:

> Numerous credible reports of law enforcement officials engaging in torture and ill-treatment of detainees while responding to perceived and alleged security threats in the south-eastern part of the country (e.g. Cizre and Silopi). […] The Committee is further concerned at the reported impunity enjoyed by the perpetrators of such acts.[238]

The UN Committee re-stated that "no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture."[239]

A lack of access for external observers

145. Any claims with regard to what exactly has taken place in south–eastern Turkey are difficult to verify, largely owing to the restrictions imposed by the government on access to the area. The Office of the United Nations High Commissioner for Human Rights (OHCHR) wrote , in relation to its March 2017 report,[240] that it had sought access to the affected parts of south-east Turkey for "almost a year", but that no "meaningful access" had been granted by the Turkish government.[241] Separately, the Council of Europe's Commissioner for Human Rights reported that

> The special circumstances surrounding these curfews and antiterrorism operations make these allegations particularly difficult to refute: the areas

235 Turkish Embassy TUR0012 p 18
236 Freedom from Torture TUR0019
237 Freedom from Torture TUR0019 para 1
238 UN Committee against Torture, Concluding observations on the fourth periodic reports of Turkey, 2 June 2016, para 11
239 UN Committee against Torture, Concluding observations on the fourth periodic reports of Turkey, 2 June 2016, para 12
240 Office of the United Nations High Commissioner for Human Rights, Report on the human rights situation in South-East Turkey (February 2017)
241 Office of the United Nations High Commissioner for Human Rights, UN report details massive destruction and serious rights violations since July 2015 in southeast Turkey, 10 March 2017

> in question were blockaded and cut off from the outside world, making media access impossible. In addition, journalists seeking to report on the events faced serious risks.[242]

The Commissioner's memorandum also "stresses that the problem of effective investigations and impunity of security forces is a very long-standing and entrenched problem in Turkey".[243]

146. ***While the conflict in Turkey's southeast continues, we recommend that the FCO presses the Turkish government to ensure:***

a) ***that the operations undertaken by the Turkish security forces to counter PKK terrorism are legal, necessary and proportionate. There is significant evidence to indicate that they are not. In particular, the FCO should press for the use of open-ended and wide-reaching curfews to be ended, and damage to civilian infrastructure to be both minimised as a matter of policy and repaired as a matter of urgency.***

b) ***that allegations of the killing of civilians and the use of torture by the Turkish security forces, and allegations of a culture of impunity within these forces, are properly investigated.***

c) ***that independent observers are given access to the conflict–affected areas.***

The PKK, the YPG, and Turkey's policy in northern Syria

147. As explained in Chapter 2, Turkey largely justified its military intervention in northern Syria—Operation Euphrates Shield—on the grounds of confronting ISIL. A submission to this inquiry by the Turkish Embassy in London specifically told the Committee that "this is a counter-Daesh operation".[244] The Turkish Embassy also told us that another objective of Euphrates Shield was to establish a safe zone, which it called a 'terror free zone', where Syrian refugees could be settled in Syrian territory.[245] Operation Euphrates Shield succeeded in pushing ISIL from the areas under its control adjacent to Turkey within a month of being launched,[246] and by 23 February 2017 it had captured the strategic town of Al-Bab from ISIL. After that, and as senior Turkish officials including President Erdoğan had been saying for months that they would,[247] the forces of Euphrates Shield advanced east, towards the town of Manbij.

148. The fighting around Manbij represented a change of direction for Euphrates Shield, in a strategic as well as a geographic sense. The Operation was no longer fighting ISIL. Instead, Manbij, the area around it, and large swathes of northern and eastern Syria were held at the time by predominantly Kurdish units. The most powerful of these units were the People's Protection Forces (YPG), a Kurdish militia that is close to the Syrian-Kurdish 'Democratic Union Party' (PYD). The YPG had also entered into an alliance with other,

242 Council of Europe, Memorandum on the Human Rights Implications of Anti-Terrorism Operations in South-Eastern Turkey (December 2016), para 67

243 Council of Europe, Memorandum on the Human Rights Implications of Anti-Terrorism Operations in South-Eastern Turkey (December 2016), para 75

244 For the Turkish Embassy's description of Euphrates Shield see Turkish Embassy TUR0012 p 14–15

245 Turkish Embassy TUR0043 Q7

246 Turkish Embassy TUR0012 p 2

247 Turkish army urges Syrians to seek safety as rebels push on al-Bab, *Reuters*, 12 December 2016

smaller militias—including Syrian Arab components–under the auspices of the Syrian Democratic Forces (SDF) coalition, of which the YPG was the predominant component. The SDF had succeeded in capturing large areas of northern Syria from ISIL. As it did so, the SDF received weapons and military support from the United States in particular, as part of the US strategy to defeat ISIL.

149. Turkey considers the YPG to be the armed wing of the PYD, and it considers both groups to be an extension of the PKK.[248] Therefore, and although their advances took territory from ISIL, Turkey considered the expansion of YPG-led forces across northern Syria—and their political consolidation into an autonomous, Kurdish-led region termed 'Rojava'—to have direct and negative implications for its own fight against PKK terrorism.[249] Many of our witnesses told us that, although ostensibly justified as an operation to counter ISIL, the primary objective of Euphrates Shield had always been to impede the YPG. Evidence to this inquiry argued that Euphrates Shield appeared to intend, first, to prevent 'Rojava' from encompassing a contiguous stretch along Syria's northern border with Turkey and, secondly, to push back YPG-led forces from areas to the west of the Euphrates River in particular.[250]

150. Most of the witnesses to our inquiry who commented on the question agreed that the YPG had a close relationship with the PKK.[251] It was based, they said, on political coordination as well as the exchange of experience and fighters. As well as describing other links between the YPG and the PKK, for example, Bill Park, from King's College, University of London, told us that

> There are calculations that suggest that up to a third of PKK fighters in Turkey in the past have been Kurds of Syrian origin crossing the border, so that interlocking relationship is really very close. Technically, they are different—they have a different label on their front door—but ideologically and organisationally, they are very much under one umbrella.[252]

151. The Turkish government says that the exchanges between the PKK and the YPG also involves the exchange of weapons. A submission from the Turkish Embassy argues that

> The obvious organic ties between PKK and PYD/YPG is crystal clear: PKK suicide bombers are trained in the YPG camps in Syria (Rojava). PKK's use of anti-tank and anti-aircraft weapons are also on increase. There is clear evidence that they are procuring this equipment through YPG in Syria and in Iraq.[253]

Turkey specifically contends that weapons supplied by NATO countries—in particular the US—to fight against ISIL in Iraq and Syria are being transferred to the PKK for use in Turkey. The Turkish Embassy provided us with written evidence, and accompanying photographs, to illustrate this assertion.[254]

248 See Turkish Embassy TUR0012 p 15
249 Turkish Embassy TUR0012 p 18
250 See, for example, William Hale TUR0007 para 12; Bill Park TUR0032 para 20; Dr Katerina Dalacoura TUR0021 para 9; Dr Natalie Martin TUR0016; Ziya Meral in Q6 and Q10
251 Hale reports but does not commit BUT Dr Natalie Martin TUR0016 section 4; Dr Katerina Dalacoura TUR0021 para 8
252 Q9 [Bill Park]
253 Turkish Embassy TUR0012 p 18
254 Turkish Embassy TUR0043 Q6 and Attachments

152. The Turkish Embassy said that Turkey has presented this evidence, and raised these concerns, with the US. It was hoping, it said, for a change in US policy and an end to what Turkey regards as US support for the YPG against ISIL.[255] A statement received by the Committee from the US Department of Defense nevertheless said that it had seen no evidence of the weapons that the US supplied into Syria being transferred to Turkey, and that the US only armed the Arab elements of the SDF:

> The Coalition has provided equipment to the Syrian Arab Coalition, which are vetted Arab elements of the Syrian Democratic Forces. […] The U.S. has not, to date, provided materiel support to Kurdish elements of the SDF. […] We certainly do not provide any support whatsoever to the PKK and have had no indications that any DoD [Department of Defense] equipment has been transferred to the PKK.[256]

153. When explaining its policy towards the PYD and the YPG, the FCO told us that

> The Kurdish Democratic Union Party (PYD) and the People's Protection Units (YPG) have made an important contribution to counter-Daesh efforts. However, we are also concerned that they maintain links with the PKK, a proscribed terrorist organisation in the UK. While a range of Kurdish groups will play an important role in a political settlement for Syria, we do not recognise the declaration by the PYD of a federal structure in northern Syria.[257]

154. The FCO told us that the UK does have contact and dialogue with the PYD, but Lindsay Appleby, a Director for Europe at the FCO, told us that "the conversations we have had with the PYD are about politics, about them separating themselves from the PKK and about the future of Syria".[258]

155. The FCO also told us that it understood Operation Euphrates Shield to be aimed at countering ISIL.[259] But when the Committee asked, weeks before clashes took place, what the implications would be if the YPG and the Euphrates Shield forces fought one another rather than fighting ISIL, Sir Alan Duncan appeared uncertain:

> I understand the picture you are painting of possible conflict with US policy and things like that. I am not sure it is helpful to speculate, and, again, it is not specifically my brief as a Minister. I am not sure there is more I can say than that, at this stage, but I see what you are driving at.[260] […] The broad answer to your series of questions is that our main focus would be to urge Turkey to keep the focus on fighting Daesh.[261]

When asked to elaborate on the UK's policy through written evidence, the FCO replied that

255 Turkish Embassy TUR0043 Q6b
256 Statement from Defense Press Operations, US Department of Defense, to the Foreign Affairs Committee, received on 3 February 2017
257 Foreign and Commonwealth Office TUR0010 para 21
258 Q233
259 Foreign and Commonwealth Office TUR0010 para 20
260 Q241
261 Q242

> Turkey continues to make an invaluable contribution to the international campaign against Daesh. The UK welcomes the operation by Turkish-backed Free Syrian Army fighters to remove Daesh from the border area. The Syrian Democratic Forces also continue to make an important contribution to counter Daesh. We call on all parties to work constructively alongside the Global Coalition to achieve our shared objective of defeating Daesh.[262]

156. **The Turkish forces have, in part through the direct participation in the fighting of its armed forces and in part by supporting anti-regime Syrian militias, created and held an enclave of territory in northern Syria. They have done so in part to create what they call a 'terror-free zone' in which refugees can live safely, in part to confront ISIL, and in part to confront the Kurdish YPG militia, which Turkey says is tied to the PKK terrorist group.** ***Turkey's policies in northern Syria pose important questions for the UK, and the FCO should:***

a) ***Explain whether the UK supports the creation of a safe-zone by Turkish forces and their allies in northern Syria, and provide an assessment of the implications that the creation of such a zone carries for Syria's sovereignty and territorial integrity and any peace process, as well as for the safety and security of those within such a zone.***

b) ***Explain whether the UK supports the settlement of Syrian refugees within territory controlled by Turkish-backed Syrian opposition groups in Syria.***

c) ***Explain whether it shares our assessment that the YPG, rather than ISIL, are now the primary target of Turkey's Operation Euphrates Shield.***

d) ***Explain whether it agrees with Turkey's assertion that the YPG are linked with the PKK to such an extent that they should share the latter's designation as terrorists. This is of immediate importance, given that the YPG are the predominant Kurdish group in northern Syria, have significantly expanded their territory there, and are the main component of the SDF coalition which both the UK and US support against ISIL.***

157. ***Conflict between the YPG and Turkey is not in the interest of the UK or the wider international community, and the FCO must explain how it is going to work to end the fighting between two forces that have been the primary armies fighting ISIL on the ground in Syria.***

158. ***We recommend a determined effort by the FCO to persuade Turkey to recommence the peace process with the PKK. This should include support for Turkish recognition and enablement of Kurdish cultural identity, and discussion of sustainable local autonomy as the basis for the wider reconciliation of Turkish, Kurdish, and international interests.***

262 Foreign and Commonwealth Office TUR0042 Section 3

6 The status of democracy in Turkey

Turkey's role as a democratic example

159. We heard during our inquiry that Turkey had in the past, including in our own 2012 Report, often been held up as a democratic example for the region. Western politicians in particular hoped that the rest of the Middle East could follow Turkey's path of democracy combined with economic development and political secularism in a Muslim-majority country. Professor Rosemary Hollis, from City, University of London, told us that a "golden period" for Turkey's international image was over:

> As of, let's say, 2011 or the eve of the Arab uprisings, Turkey was in an enviable position. Everything was going well. The economy was booming. Countries like Britain had the perception that Turkey represented a model for how democracy and Islam can be combined. Turkey's relations with all the countries in the Arab world were increasingly positive and there was a kind of lovefest between Erdoğan and Assad of Syria. There was resolution of the Kurdish issues on the cards. It was a kind of golden period, in retrospect, and Turkey even had a formula for regional relations, which was "zero problems with neighbours". My perception is that, since 2011, many things on many fronts have gone wrong for Turkey.[263]

160. The FCO's submission to our inquiry began with a reference to Turkey's status as a "Muslim majority democracy". The FCO told us that this was one of the factors that made Turkey a "vital strategic partner", with which the UK enjoyed a "strong, respectful bilateral relationship".[264] But it was notable that, while the Turkish Embassy's submission to our inquiry opened with a reference to the "shared values"[265] between the UK and Turkey, the FCO's submission made no reciprocal mention of shared values. Instead, as was described in Chapters 1 and 2, the FCO's language emphasises a "strategic" relationship with Turkey, the importance of "understanding" the threat that Turkey faces, and placing developments within Turkey surrounding human rights and democracy in that context. Sir Alan Duncan told us that

> [Turkey is] facing very serious and specific threats to their country. They have, of course, taken serious action in response. […] This question always needs to be set against the nature of the threats they have been facing. So one can share values, but they are sharing very different circumstances. We in the UK are unable to contemplate in our own politics something happening to us in the way that it happened to them.[266]

Sir Alan Duncan told us that the equivalent of Turkey's coup attempt in the UK would involve "a regiment of the Army driving tanks up Whitehall, shooting people on Westminster Bridge, trying to kill the Queen and the Prime Minister, bombing Parliament while it was sitting and taking over the BBC. That is what happened in Turkey".[267]

263 Q3 [Professor Rosemary Hollis]
264 Foreign and Commonwealth Office TUR0010 para 1
265 Turkish Embassy TUR0012 p 1
266 Q155
267 Q186

161. Witnesses to our inquiry nevertheless warned us that the Turkish government's response to the coup attempt had accelerated an erosion of democracy in Turkey that had already been apparent before the coup attempt took place.

Risks and restrictions to democracy in Turkey

Elections

162. Democracy, at its most fundamental, requires the free and fair operation of the ballot. The mechanics of democracy in Turkey continue to function, and Bill Park from King's College, University of London, told us that

> The Justice and Development Party (Adelet ve Kalkinma Partisi, or AK Party) came to power in November 2002, with 34% of the vote. Its electoral support has since grown, to reach almost 50% in the November 2015 election. In August 2014 Prime Minister Recep Tayyip Erdoğan was elected as President with 52% of the vote.[268]

163. Some of our witnesses nevertheless warned that, although these elections were free in a procedural sense, the wider electoral environment was of concern. Ziya Meral, from the Centre for Historical Analysis and Conflict Research, told us that, in his analysis of democracy in Turkey:

> None of these calculations have genuinely shown a major irregularity that would call into question the ultimate outcome of an election. […] However, the government has used its privileged position in terms of airtime, state networks and using all the free buses and so on, so it might not necessarily be fully fair.[269]

Dr Nathalie Martin, a Lecturer in Politics and International Relations and Nottingham Trent University, expressed a similar concern:

> Turkey is a democracy in terms of its citizens having the right to vote, but it is certainly not a liberal democracy in terms of the norms and values of the European Union—or the UK. Turkey could now be characterised as an authoritarian democracy given the dominance of the AK Party and President Erdoğan over the state institutions and the media. […] Many layers of scrutiny within Turkish society have disappeared over the past decade as a result of AK Party policy.[270]

Freedom of expression

164. When assessing the health of the media in Turkey, the FCO told us that, "Turkey's position as 151st out of 180 in the World Press Freedom Index remains a concern".[271] The National Union of Journalists (NUJ) assessed that the Turkish government had taken extensive measures to restrict the media, and said that some of these measures aimed to silence critics:

268 Bill Park TUR0032 para 1; President Erdoğan was the first directly elected President of the Turkish Republic.
269 Q38 [Ziya Meral]
270 Dr Natalie Martin TUR0016 para 2
271 Foreign and Commonwealth Office TUR0010 para 8

> There continues to be severe violations of media freedom in Turkey. One journalist has died; there have also been extensive detentions, arrests and imprisonments. Journalists have been targeted and threatened, news and media organisations have been banned, media licences have been suspended and media organisations have been shut down. Furthermore, high numbers of media workers are now unemployed and hundreds of press cards have been suspended. […] Turkey has seen the suppression of practically all independent, oppositional media in the country. Any journalist daring to criticize the government on any level or produce reports which make the government look anything less than glowing are a potential target for the security services.[272]

Witnesses provided us with different figures for the number of journalists currently in prison in Turkey, varying from 56[273] through to 90.[274] Reporters Without Borders have called Turkey a "world leader in imprisoned journalists"[275] and said that "more than 100 journalists have been put in prison, where they continue to await the start of their trials. No fewer than 149 media outlets and 29 publishing houses have been closed arbitrarily. At least 775 press cards have been rescinded and the passports of hundreds of journalists have been withdrawn without any form of judicial proceedings".[276]

165. The breadth of the legal definition of 'terrorism' in Turkey, combined with the strength of the state's counter-terrorism powers, were described by some witnesses as enabling the government to restrict the media.[277] The NUJ told us that the problem of a broad definition of terrorism preceded the coup attempt, and cited research which showed that "one third, or 12,897, of all terrorism-related convictions world-wide" between 2001 and 2011 "were handed down by Turkish courts".[278] But, after the coup attempt, the powers of the state to counter terrorism were significantly expanded under the State of Emergency, and witnesses told us how these powers were applied against the media. Sir Alan Duncan told us that 178 media outlets had been closed by decree in Turkey after the coup attempt.[279] Amnesty International gave the example of one decree, issued on 27 July 2016, which it said "resulted in the shutdown of 131 media outlets, including 16 TV channels, 23 radio stations and 45 newspapers. Access to critical websites and Twitter accounts has been blocked and media outlets have had their licenses revoked."[280]

166. The restrictions placed by the Turkish government on the media have frequently been described to us as being politically motivated. The NUJ said that restrictive measures by the government were instilling a culture of "self-censorship"[281] in the media. One of Turkey's oldest and most widely-read opposition newspapers, *Cumhuriyet*, is among those whose staff have been arrested on anti-terrorism grounds. The NUJ said that

272 National Union of Journalists TUR0037 Executive Summary
273 National Union of Journalists TUR0037 para 5, citing the Progressive Journalists Association's (CGD)
274 TUC TUR0015 p 2; Amnesty International told us that "over 100 journalists have been remanded in pre-trial detention since the coup attempt" Amnesty International TUR0017 para 27.
275 Turkey - world leader in imprisoned journalists, *Reporters Without Borders*, 10 August 2016
276 RSF urges EU leaders to defend media freedom in Turkey, *Reporters Without Borders*, 2 February 2017
277 See, for example, National Union of Journalists TUR0037 Executive Summary; TUC TUR0015; William Hale TUR0007, para 4; and Q128
278 National Union of Journalists TUR0037 para 12
279 Q200
280 Amnesty International TUR0017 para 27
281 National Union of Journalists TUR0037 para 9

> In November [2016], 13 journalists, lawyers and board members, including the chief executive, of the oppositional newspaper Cumhuriyet, were detained as part of an investigation into staff "committing crimes in the name of" the Kurdistan Workers Party (PKK) and Gülen.
>
> This followed the driving of the paper's former Editor-in-Chief, Can Dundar, into exile after his prosecution for producing reports in May 2015 which appeared to implicate Turkish security in transferring weapons to militant groups in Syria. During the judicial process, Dundar was the target of an assassination attempt outside a courtroom. The editorial stance of Cumhuriyet is clear—as the country's leading secular-nationalist newspaper, to accuse it of links to either the PKK or the Islamic-rooted Gülen movement is particularly absurd.[282]

167. Kurdish media outlets have been particularly heavily restricted by the Turkish government, again broadly on anti-terrorism grounds and again with the accusation that the measures were politically motivated. The HDP, a pro-Kurdish opposition party in Turkey that is critical of the AK Party, described the extent of the measures against the Kurdish press under Emergency decree powers:

> 16 TV channels that are critical of Erdoğan—including pro-democracy and pro-labour channels such as IMC TV, HayatinSesi and those broadcasting in Kurdish such as Jiyan TV, Zarok TV—were shut down with a government decree. Among these, Zarok TV is the first children's channel that broadcasts in Kurdish. Moreover, 24 radio stations, 19 magazines, 5 news agencies and 29 publishing houses were shut down.[283]

Ertuğrul Kürkçü, a Member of Parliament for the HDP and Honorary President of the party, told us that

> We have one Turkish media, with hundreds of TV channels and hundreds of newspapers and printing houses. For all of those, the head writer is Tayyip Erdoğan, the anchorman is Tayyip Erdoğan, and the senior columnist is Tayyip Erdoğan. The Turkish media is under the total control of the Turkish government. The basic agreement is that the HDP is going to be made unseen, unheard and unfavourable. If HDP is in the papers or on the TV screen, it is just to belittle or defame it.[284]

Civil society, academia, and freedom of assembly

168. While the Turkish government encouraged Turks to take to the streets to resist the coup attempt of 15 July 2016, witnesses expressed concerns that the government's attitude to other public demonstrations had been hostile. This implies an inconsistent application of freedom of assembly which, as with the above descriptions of press freedom in Turkey, was upheld when the government agreed with demonstrators but risked being denied when the government was being criticised by demonstrators. In stark contrast to the pro-

282 National Union of Journalists TUR0037 paras 17—18
283 Peoples' Democratic Party (HDP) TUR0036 para 25
284 Q111

government demonstrations that occurred during and after the coup attempt, Amnesty International gave the example of the May 2013 anti-government protests against plans to develop the Gezi Park area in Istanbul, and said that

> Between 28 May and mid July 2013, demonstrations known as the Gezi Park protests took place in all but two of Turkey's 81 provinces, ranging between crowds of a few hundred to tens of thousands. Security forces across Turkey repeatedly used abusive and arbitrary force against peaceful protesters, sometimes with fatal consequences. At least four protesters died.[285]

169. Civil society organisations, such as NGOs and trade unions, have also been restricted in Turkey. Again, this restriction began before the coup attempt and intensified thereafter in the context of the Emergency powers. The Council of Europe's Commissioner for Human Rights has reported that "more than a thousand NGOs and trade unions […] were disbanded and liquidated without judicial proceedings" after the coup attempt.[286] The HDP told us that these include at least 199 Kurdish civil society organisations.[287] The Trades Union Congress (TUC) described "state oppression" of trade unions in Turkey, rooted in the specific difficulties that Turkish employment law placed on labour organisation, but also in "brutal state responses to public expressions of dissent".[288]

170. Chapter 3 and Chapter 4 explained how the Gülenist movement has placed a significant emphasis on establishing schools, and how the Turkish government therefore explained significant purges of the education sector in Turkey as an effort to defeat what they saw as a Gülenist strategy to infiltrate the state and raise revenue through educational institutions. The Middle East Studies Association Committee on Academic Freedom nevertheless told us that

> The scope of the investigations, prosecutions, dismissals, detentions and campaigns of private harassment directed against academics across the country is staggering. These measures preceded the attempted coup of July 15th, though they have now expanded and accelerated under cover of emergency laws.[289]

171. Some of the figures for the number of academics dismissed in Turkey following the coup attempt are reported in Chapter 4, but witnesses have told us that the dismissal of academics has not just been confined to the removal of perceived Gülenists. Some academics have been restricted under counter-terrorism laws on the basis of allegations that they supported the PKK. Amnesty International gave us the example of the 'Academics for Peace' campaign:

> In January 2016 investigations were commenced into more than 1,000 academics in Turkey—known as the "[Academics] for Peace"—under laws prohibiting "making propaganda for a terrorist organisation" (the PKK) as well as laws against "denigrating the Turkish nation". The academics were all signatories to a petition entitled "We will not be a partner to this crime"

285 Amnesty International TUR0017 para 23
286 Council of Europe, Memorandum on the human rights implications of the measures taken under the state of emergency in Turkey (October 2016), p 2
287 Peoples' Democratic Party (HDP) TUR0036 para 28
288 TUC TUR0015 p 1
289 Middle East Studies Association Committee on Academic Freedom TUR0005 p 3

> calling for peace and criticising Turkish military operations in the south east. In a speech on the 15th January President Erdoğan referred to the academics as the "darkest of the dark", adding that "they commit the same crime as those who carry out massacres". Some of the academics have since been prosecuted, while others continue to be investigated in criminal and/or administrative proceedings.[290]

The political opposition, and the case of the HDP

172. Political parties must gain at least 10% of the votes in a general election in order to gain representation in Turkey's parliament, and four did so at the most recent election. The largest of them, the Justice and Development Party (AK Party), holds a majority of the seats in parliament. The smallest of them, the Nationalist Movement Party MHP (MHP), has recently aligned itself with the AK Party on key legislative votes such as the introduction of constitutional amendments to establish an executive presidency.[291] As shown by their written submissions to this inquiry, the two other parties—the Republican People's Party (CHP)[292] and the Peoples' Democratic Party (HDP)[293]—have established themselves in a more consistent role of opposition to the AK Party. But the HDP in particular says that its capacity to oppose the AK Party is being curtailed.

173. The Turkish government has accused some elements of the HDP, which is among other things a pro-Kurdish party, of ties with the PKK. But the HDP has accused the government of targeting it under anti-terrorism legislation because it is a critical voice. For example, the Turkish parliament voted in May 2016 to remove immunity from 138 parliamentarians, including those in all four parties,[294] and the HDP told us that its members were specifically targeted:

> As a result of this process the immunities of 55 of our 59 MPs were lifted. When the distribution of the records of the accusations among the political parties and President Erdoğan's declarations are taken into consideration, it becomes clear that the target of the immunity bill was the HDP and its MPs. There are 510 immunity files against 55 HDP MPs, the sum of the files against members of other three political parties is less than this number.
>
> There was a rapid increase in the number of files against our MPs, after Erdoğan's declaration that our MPs immunities should be lifted and our MPs should be "punished."[…] In the following 4 months 468 new files, 368 of which were against HDP MPs, were prepared. While previously the number of files concerning HDP deputies was 182, for the period between July 2007 and December 2015, by May 2016 the number jumped to 510.[295]

Thirteen HDP MPs were detained pending trial in November 2013, of which ten remained in custody at the time of writing. There are fears that these arrests, and other actions taken by the state against the AK Party, could constitute a deliberate restriction of the political

290 Nigel Meredith Jones TUR0027 para 26
291 Nigel Meredith Jones TUR0007 para 7
292 Republican People's Party (CHP) TUR0038
293 Peoples' Democratic Party (HDP) TUR0036
294 World, Seven facts to know about Turkey's immunity vote, *TRT*, 21 May 2016
295 Peoples' Democratic Party (HDP) TUR0036 para 13 and 14

opposition. The US Department of State expressed deep concern[296] about the arrests of HDP parliamentarians in November 2016. The UK supported an EU statement expressing grave concern during the same month but has not issued an independent statement of its own.[297]

174. **We share the concern of the US and the EU about the arrests and continuing detention of elected Peoples' Democratic Party (HDP) parliamentarians.**

The judiciary

175. During our inquiry, we heard concerns that the impartiality of the judiciary was being undermined in Turkey. Part of this was as a result of the dismissals that took place following the coup attempt of 2016. Dr Alan Greene from Durham University, for example, told us that 2,700 judges were removed under the ensuing purge.[298] Sir Alan Duncan told us that 293 judges had subsequently been reinstated.[299] Professor William Hale, from SOAS, said that

> The widespread dismissals of judges and public prosecutors also strengthened the belief that the government was seeking to end the independence of the judiciary.[300]

But there was also a perception that the culture of judicial independence was itself being undermined. 'Osman Erturk', who said that he represented a group of Turkish lawyers who were living in exile after being the subject of dismissals following the coup attempt, wrote that

> Judges in Turkey, if they apply the law, are labelled Gülenists. To stay in their positions, they need to get on well with the ruling political elite. This means that the ruling elite's claims are adopted by the judges as their ultimate decisions.[301]

176. **The democratic institutions and culture of Turkey have significantly weakened in recent years. Freedom of expression is one aspect that has notably deteriorated. There is a fundamental intolerance of alternative narratives in Turkey, with the government broadly suppressing, discrediting, or punishing those who contradict its authorised accounts of sensitive events. The powers afforded by the State of Emergency—combined with a vaguely-framed definition of terrorism, a pliant media, and a politicised judiciary—have allowed the government to silence a broad spectrum of critics by labelling them as "Gülenists" or "terrorists" on the basis of light evidence or broad interpretations.** ***The FCO should press Turkey to adopt a narrow and focused definition of "terrorism", and to ensure that it—or other procedural methods—are not applied in the politically-motivated sense of silencing the government's critics.***

296 US Department of State, Daily Press Briefing, 4 November 2016
297 Q225
298 Dr Alan Greene TRU0006 p 8
299 Q200
300 William Hale TUR0007 para 4
301 Osman Erturk TUR0031 para 33

177. **The origins of the deterioration in Turkey's human rights preceded the coup attempt. However, actions justified in the name of the coup attempt or counter-terrorism—and framed as being temporary, short-term, and necessary—are further undermining the fundamentals of the democratic culture that they are justified as protecting. These actions carry implications that may outlast the causes of the coup itself, and the current threat that Turkey faces from terrorism.**

178. ***When defending human rights, the UK must be both seen and heard. Discretion is sometimes necessary for impact, and private behind–the–scenes meetings will also play an important role in the UK's influence on human rights in Turkey, but the FCO must be prepared to raise its concerns about Turkey with the Turks publicly. Currently, by giving human rights insufficient prominence in its dialogue with Turkey, the UK risks being perceived as de–prioritising its human rights values. If that impression is sustained, then it would damage the UK's international reputation and not serve the protection of human rights in Turkey.***

179. ***We recommend that the FCO designate Turkey as a Human Rights Priority Country in its next Human Rights and Democracy Report.***

Conclusions and recommendations

An "understanding" relationship, during a crucial period for Turkey and the UK

1. We welcome the UK's strong condemnation of the 15 July 2016 coup attempt. This was an attack on Turkey's democracy. We condemn it, and have expressed our condolences for the loss of life. Through its prompt displays of solidarity, the FCO ensured that the UK was seen by Turkey's leadership as a friend and close ally of the Turkish people. However, the anti-Western rhetoric that is prevalent in the popular discourse in Turkey, and historic suspicions around British policy, still influence perceptions of the UK in Turkey. (Paragraph 13)

2. Turkey is a deeply divided country. The degree of political interaction between its competing social, cultural, and religious interpretations appears limited, and their fear of one another is great. Control of the state, and its power, is highly coveted in this context, because each side has sought to protect its supporters by empowering itself while excluding its opponents. *The relationship that the FCO establishes with Turkey must not just be with President Recep Tayyip Erdoğan, or with the Justice and Development Party alone. Indeed, it must not just be with the state apparatus, or with whichever party or person currently controls it. The UK should seek a deeper and therefore more durable connection. The UK should support programmes that seek engagement with the Turkish people, whichever background they hold, while working to uphold the values of human rights and democracy that benefit them all.* (Paragraph 19)

3. Recep Tayyip Erdoğan has made himself as central to 21st century Turkey as Mustafa Kemal Atatürk was in the 20th century. The choices that he makes now will determine whether his overall legacy will largely be positive, for Turkey and more widely. The wrong choices have the potential to deliver catastrophe well beyond Turkey's borders. The right choices would cement Turkey's position as a liberal, democratic state which provides a philosophical and ideological bridge between West and East. (Paragraph 22)

4. On 16 April 2017, the Turkish people are due to vote in a referendum on whether to amend Turkey's constitution to significantly expand the powers of the President. The choice is theirs, and the UK Government must not support one side or the other. (Paragraph 27)

5. The proposed changes would constitutionally entrench the centralisation of power in the presidency beyond the current incumbent. However, it could be argued, from a UK perspective, that an approval of the proposed changes would make no de-facto difference to governance in Turkey or to Turkish policy in the short term, because it will make de jure the current situation. But there are concerns over the timing of the referendum, coming as it does at a point where freedom of expression and assembly has deteriorated in Turkey. It is difficult to foresee a fair, free and credible referendum when media, opposition MPs and civic organisations critical of the government have been closed down or silenced. The current period of Emergency Rule has also significantly expanded the power of the executive while simultaneously restricting

certain rights and freedoms. Both the deep divisions that we have observed within Turkish society and the intensity of the competition to control the state are likely to be worsened by the referendum campaign whatever its outcome. (Paragraph 28)

6. The settling of this constitutional question should leave President Erdoğan with strategic choices where there is a clear UK interest in supporting constructive policies. These include the Kurdish question, the healing of Turkish politics after the coup attempt of 15 July 2016, the advancement of judicial independence and the rule of law alongside other human and political rights, the sustaining of a successful economy, and other central challenges to Turkey that we address later in this Report. Shaping a positive legacy for the commanding figure of 21st century Turkish politics is in the interest of the UK's economy, security, and values whatever the outcome of the referendum. Now is a profound moment of choice for Turkey's future, in terms of whether it will be a repressive or a recovering country. (Paragraph 29)

7. A central challenge that Turkey will face is the need to strengthen its public and state institutions. These have been weakened as a result of the acrimony in the country's politics over the past decade, and were further weakened by the coup attempt and the government's response. When facing its future challenges, Turkey will need an effective military, independent economic and judicial institutions, as well as a free and vibrant media, among other institutions. *The UK should assist Turkey in developing both the capacity and independence of these institutions.* (Paragraph 30)

A "strategic" relationship, and its implications for Turkey and the UK

8. We are concerned that the loss of influence of the UK's international allies in Turkey might have a detrimental effect on the possible leverage that the UK might have on Turkey as well. *The FCO should use its close relations with the Turkish establishment to mediate as required between Turkey and the US and EU states.* (Paragraph 32)

9. A totally free trade agreement with Turkey may not be possible due to the current relationship that Turkey has with the EU and the EU Customs Union. *Given Turkey's Customs Union with the EU, the FCO should clarify what trade arrangements it is currently able to negotiate with Turkey, when and how that might change, and when they will be implemented. The FCO should work with the Department for International Trade in exploring and delivering new trade and investment opportunities with Turkey, now and following Brexit, and in negotiating revised trading arrangements with Turkey once the UK leaves the EU.* (Paragraph 38)

10. Turkey is an essential partner facing a volatile period. It needs and deserves our support. We support the construction of a 'strategic' relationship between the UK and Turkey. Both the UK and Turkish governments emphasise to us their aim to enhance their trade ties, and their defence and security co-operation. Successful engagement would serve the prosperity and security of both countries, though a successful Turkey will be one that respects democratic norms. (Paragraph 40)

11. *The complexity of modern Turkey, and the nature of its internal divisions, means that the process of constructing this relationship must be managed by the FCO with adequate capability and subtlety. We were impressed by the leadership and effectiveness of Her Majesty's Ambassador to Turkey Richard Moore, and by the knowledge of his staff.*

The FCO is running a large operation in Turkey, and it is important that the FCO is given the resources to sustain this operation and manage the complex and important relationship with Turkey going forward. (Paragraph 41)

12. We welcome the agreements reached over the 'TF–X' combat aircraft development programme, as a key component and symbol of the strategic co-operation between the UK and Turkey. This programme should last for decades; it needs to reflect the long–term interests of both countries and survive the inevitable short–term ups and downs in their bilateral relations. *The strategic partnership implied by this deal should be reinforced by the Government making clear what restrictions there are on the use or transfer by Turkey or the UK of sensitive technology and intellectual property contained within the programme, both during the aircraft's construction and after its completion.* (Paragraph 47)

13. *The Government should also clarify what safeguards are in place to ensure that the aircraft will be used in compliance with international humanitarian law. The UK is subject to safeguards in this respect, and we expect the FCO to explain how these safeguards will apply to TF–X.* (Paragraph 48)

14. ISIL is a shared enemy of the UK and Turkey, and Turkey has suffered greatly from terrorism by these extremists. Turkey is a vital military partner in the fight against ISIL, reinforced by the context of its NATO membership. *The UK, as a strategic partner of Turkey, and within the framework of both NATO and the Global Coalition against ISIL, must continue to engage Turkey fully in the fight against ISIL as a shared priority and ensure that Turkey is not distracted from focusing on this military objective, in light of concerns set out in Chapter 5.* (Paragraph 50)

15. Turkey hosts a larger number of refugees than any other state, and the third largest number per capita. This contribution should not be underestimated and a debt of gratitude is owed to Turkey from the entire international community. It plays a vital role in limiting or preventing the flow of migrants and refugees into the EU, within the framework of an agreement that it has reached with the bloc. The EU wants Turkey to continue to host and hold refugees, but the amount of money delivered to Turkey by way of assistance in this objective has so far been too small, and it has been provided too slowly. *To support Turkey though the refugee challenge, and the costs to Turkey that it entails, the UK should press the EU swiftly to give Turkey the funds for this purpose that have been promised but not yet delivered. While the terms of the agreement between Turkey and the EU are not being fully met by either side, it is the non-delivery of promised EU resources to relieve the actual suffering of refugees which is reinforcing an anti-EU narrative from the Turkish government.* (Paragraph 57)

16. The UK has distinguished itself as a friend in the eyes of the Turkish government, and both sides are seeking to cement a strategic relationship. But, as the UK does so, it must not be seen as disregarding—or even excusing—allegations of serious human rights violations and the erosion of democracy in Turkey. It is vital that the UK's criticism both privately and publicly is not withheld when grounds for criticism exist. (Paragraph 64)

17. In order to have an effective impact on human rights, the FCO must also cultivate the UK's influence and interdependence with Turkey to ensure that its voice is heard in Ankara. As the enhancement of its international trade ties has been a foreign policy priority for Turkey, strong trade ties between the UK and Turkey are likely to provide the UK with added leverage on a range of other policy areas, including human rights. However, we believe Sir Alan Duncan's statement that "it is probably only when we do have good trade that we can speak strongly about human rights" must be qualified to the extent that the UK should always raise serious human rights concerns whenever they occur; the UK's promotion of fundamental values cannot be predicated on "good trade", or any other precondition. The enhancement of its international trade ties has been a foreign policy priority for Turkey. There are examples, such as Turkey's relationship with Russia, to indicate that strong trade ties do indeed provide Turkey with incentive to compromise with countries that it disagrees with in other policy areas. (Paragraph 69)

18. *We support the expanding of trade and defence ties between the UK and Turkey, not only because of their security and prosperity implications but also because of the strong voice that these ties should give the UK in Ankara. It is a voice that we expect the UK to use, not least so that its human rights concerns are heard.* (Paragraph 70)

19. *The UK should therefore seek to both defend human rights and secure trade. These two concerns have complementary—not contradictory—interests. The protection of human rights in Turkey, and the success of UK trade there, both require the rule of law and an impartial judiciary, an end to the purges that have followed the coup attempt, an end to internal conflict and terrorism, and a UK Government that is listened to in Ankara.* (Paragraph 71)

The coup attempt, and the 'Gülenists'

20. The AK Party and the Gülenists were once allied. They are both movements with Islamist influences, and they made common cause in challenging the Kemalist establishment and military leadership. This past alliance is a fact that AK Party officials now prefer not to mention, and this reinforces our concern that purges of perceived Gülenist sympathisers will be undertaken with the added bitterness of a fratricidal conflict. (Paragraph 84)

21. Given the brutality of the events of 15 July, the severity of the charges made against the Gülenists, and the scale of the purges of perceived Gülenists that has been justified on this basis, there is a relative lack of hard, publicly–available evidence to prove that the Gülenists as an organisation were responsible for the coup attempt in Turkey. While there is evidence to indicate that some individual Gülenists were involved, it is mostly anecdotal or circumstantial, sometimes premised on information from confessions or informants, and is—so far—inconclusive in relation to the organisation as a whole or its leadership. As we publish this report, nine months after the coup attempt, neither the UK nor Turkish governments can point us to one person who has been found guilty by a court of involvement in the coup attempt, let alone anyone being found guilty with evidence of involvement with Gülenist motives. We also note that, despite Turkey purportedly submitting 80

boxes of 'evidence' to the US to achieve the extradition of Fethullah Gülen on the basis that he masterminded the coup attempt, the US judiciary has not yet moved to deport him. (Paragraph 97)

22. But the explanations provided to us by the Gülenists did not resolve our uncertainties about the fundamental nature and motives of their movement. The belief that Gülenists were responsible for the coup attempt, as well as for numerous other manipulations of the state through abuse of public positions that they held in Turkey, is manifest across the political spectrum in Turkey. A lack of transparency pervades some of the core activities of the Gülenists, making it impossible for us to confirm that all of these activities are purely philanthropic. (Paragraph 98)

23. Gülenists are unlikely to have been the only elements involved in the coup attempt. Kemalist elements within the military, those who opposed the AK Party, or those who simply wished to preserve their own positions, are also likely to have been involved. Some, especially in the lower ranks of the military, appeared to have taken part, at least initially, without realising that they were involved in a coup attempt. (Paragraph 99)

24. Since around 2013, individuals associated with the Gülenists have adopted a political agenda opposed to the AK Party government of Turkey, and have possessed the means, motive, and opportunity to support the coup attempt, but their culpability has yet to be definitively proved. The FCO told us that it did not have evidence to justify the designation of the Gülenists as a terrorist organisation by the UK, and we agree with this assessment. (Paragraph 100)

25. The FCO seems willing to accept the Turkish government's account of the coup attempt and the Gülenists broadly at face value. While some of the individuals involved in the coup may have been Gülenists, given the large number of Gülenist supporters and organisations in Turkey, it does not necessarily follow that the Gülenists were responsible for the coup or that their leadership directed the coup. However, the FCO seems unable to cite much evidence to prove that it is true. Despite its claim to possess an almost unique understanding of the threat that Turkey faces, the FCO strikes us as knowing too little for itself about either the Gülenists or their role in the coup attempt. The Government's support for the Turkish government in the wake of the coup attempt would have been more convincing had it been able to present an independent analysis to support its position. *We recommend again that the Government ensures that sufficient funding is available to the FCO, to repair the hollowed-out state of the FCO's analytical and research capabilities.* (Paragraph 105)

The Turkish government's response to the threat from the coup attempt

26. Terrorism and coup attempts are a denial of the most basic of human rights and freedoms, as well as of the values of democracy. It would be naïve to assume that any country would go through a coup such as the one Turkey went through and not see significant changes made in order to protect its democracy and the rule of law. The UK is right to support Turkey's defence of itself against future threats from coups

and terrorism. However, Turkey must demonstrate its commitment to upholding its international legal obligations during its response to these threats, and the UK has an important role to play in ensuring Turkey's compliance. (Paragraph 111)

27. The State of Emergency in Turkey significantly expands the power of the executive, while also curtailing some of the rights and freedoms of the citizen. While the implementation of the State of Emergency is understandable given the events of the July coup attempt, the Turkish government needs to provide the international community with a clear indication that it is seeking a path to normalise the security situation. States of Emergency should be self-correcting, as the powers that they allow should address the threat that permits them. The threat to which they apply should be specific. Although permissible under, and guided by, the provisions of Article 15 of the European Convention in Human Rights (ECHR), a broad and vague application of the State of Emergency in Turkey, in a way that extends far beyond addressing the causes of the coup attempt, risks a prolonged period of Emergency rule, and that raises the risk of people's rights being abused. (Paragraph 112)

28. *The FCO should press Turkey to ensure that*

    a) *the provisions of Turkey's State of Emergency, and the actions taken under them, are proportionate to the exigencies of the circumstances that triggered the Emergency's declaration, and that these exigencies are given as narrow a definition as possible*

    b) *the State of Emergency is temporary, not prolonged, and is lifted as soon as possible*

    c) *That Turkey complies fully with its ECHR obligations.* (Paragraph 113)

29. Almost 100,000 people were permanently dismissed from their employment in Turkey following the coup attempt, while between 30,000 and 40,000 were temporarily suspended. The Turkish government itself seems uncertain about the latest figure, but the number is likely to have risen since these numbers were published in January 2017. Most appear to have lost their jobs, and been subjected to a range of other punishments, on the basis of executive decrees that are permitted by Turkey's State of Emergency. They do not face criminal charges, and were not tried by a court before their punishment. (Paragraph 121)

30. Given the anecdotal and circumstantial nature of the evidence that has been used to link the Gülenists with the coup attempt, we question the evidential basis upon which these individuals—including the majority who held positions in the education sector or civil service, rather than the military branch of the state—were designated by the state as terrorists, or connected to the coup attempt, under Turkey's State of Emergency. The coup attempt has also been used as an opportunity to dismiss large numbers of non-military government employees that were opposed to or critical of the government and President, as well as those suspected of links to the Gülen movement. (Paragraph 122)

31. The Turkish government told us that avenues for appeal and redress existed for those dismissed, and that 31,000 civil servants had been restored to their employment by the beginning of March 2017. The number marked a significant jump from the previous figure of 20,000 that the Committee was given by the FCO one month previously. We hope that it is accurate, but worry that it is not, given the stories of

those affected that we heard in Turkey, the small number of public bodies authorised to hear appeals in Turkey, and the large number of appeals that these bodies have been tasked with hearing. If it is accurate, then we regret that it still represents 31,000 people who were punished without good reason, and who are likely to bear consequences of their punishment. (Paragraph 126)

32. Despite the security threats represented by the coup attempt and by terrorism in Turkey, the scale of the current purges—and the number of sectors that they affect—means that we cannot conclude that they are a necessary and proportionate response. *The FCO needs to clarify whether it supports the extent of the purges as being justified by the scale of the threat that Turkey is facing.* (Paragraph 127)

33. This purge carries significant negative implications for Turkey, and not just for the individuals affected and their families. It risks undermining Turkey's reputation, its economy, the ability of the UK to trade there, and the capabilities of the Turkish military in the fight against enemies like ISIL. *We were encouraged by the nascent language of restraint and reconciliation that we heard at the highest political level when we visited Turkey. The FCO must work to see that this trajectory is pursued in practice, by pressing the Turkish government to ensure that*

    a) *All of those detained or dismissed can access a substantive means of appeal, and that this means of appeal is both fair and prompt. We are concerned that the existing means are too often inaccessible, and too slow in hearing the large number of cases.*

    b) *That these individuals must have access to the evidence against them and to their lawyers.*

    c) *That the structures established to determine their innocence or guilt are sufficiently independent of the executive. There currently remains a risk that they are appointed to a large extent by the institutions whose use of powers they are intended scrutinise.*

    d) *That those who have not yet been reinstated know the avenues of appeal and redress.* (Paragraph 128)

The Turkish government's response to the threat from the PKK

34. In July 2015, the ceasefire between the Turkish government and the PKK collapsed primarily due to a complex and mutual rise in tensions between them, rooted largely in developments in Syria. This conclusion represents a correction to our Third Report of Session 2015–16, in which we were too unequivocal in placing the primary responsibility on the Turkish government for the end of the ceasefire. (Paragraph 135)

35. *The FCO must both support Turkey in its fight against the terrorist threat from the PKK and encourage both sides to re-engage with the peace process. The ceasefire between the PKK and the state between 2013 and 2015 allowed an unprecedented de-facto improvement in Kurdish rights, but the FCO must press the Turkish government to enshrine them into law.* (Paragraph 136)

36. The resumption of the conflict since 2015 has deeply damaging implications for Turkey. Ultimately, there is no military solution to this conflict. *The FCO should explain how it is working with the Turkish government to secure a path towards both a ceasefire with the PKK, and a wider process of reconciliation to address the causes of the conflict. Turkey may be able to benefit from the FCO sharing the example of the UK's experience in Northern Ireland.* (Paragraph 137)

37. *While the conflict in Turkey's southeast continues, we recommend that the FCO presses the Turkish government to ensure:*

    a) *that the operations undertaken by the Turkish security forces to counter PKK terrorism are legal, necessary and proportionate. There is significant evidence to indicate that they are not. In particular, the FCO should press for the use of open-ended and wide-reaching curfews to be ended, and damage to civilian infrastructure to be both minimised as a matter of policy and repaired as a matter of urgency.*

    b) *that allegations of the killing of civilians and the use of torture by the Turkish security forces, and allegations of a culture of impunity within these forces, are properly investigated.*

    c) *that independent observers are given access to the conflict–affected areas.* (Paragraph 146)

38. The Turkish forces have, in part through the direct participation in the fighting of its armed forces and in part by supporting anti-regime Syrian militias, created and held an enclave of territory in northern Syria. They have done so in part to create what they call a 'terror-free zone' in which refugees can live safely, in part to confront ISIL, and in part to confront the Kurdish YPG militia, which Turkey says is tied to the PKK terrorist group *Turkey's policies in northern Syria pose important questions for the UK, and the FCO should:*

    a) *Explain whether the UK supports the creation of a safe-zone by Turkish forces and their allies in northern Syria, and provide an assessment of the implications that the creation of such a zone carries for Syria's sovereignty and territorial integrity and any peace process, as well as for the safety and security of those within such a zone.*

    b) *Explain whether the UK supports the settlement of Syrian refugees within territory controlled by Turkish-backed Syrian opposition groups in Syria.*

    c) *Explain whether it shares our assessment that the YPG, rather than ISIL, are now the primary target of Turkey's Operation Euphrates Shield*

    d) *Explain whether it agrees with Turkey's assertion that the YPG are linked with the PKK to such an extent that they should share the latter's designation as terrorists. This is of immediate importance, given that the YPG are the predominant Kurdish group in northern Syria, have significantly expanded their territory there, and are the main component of the SDF coalition which both the UK and US support against ISIL.* (Paragraph 156)

39. *Conflict between the YPG and Turkey is not in the interest of the UK or the wider international community, and the FCO must explain how it is going to work to end the fighting between two forces that have been the primary armies fighting ISIL on the ground in Syria.* (Paragraph 157)

40. *We recommend a determined effort by the FCO to persuade Turkey to recommence the peace process with the PKK. This should include support for Turkish recognition and enablement of Kurdish cultural identity, and discussion of sustainable local autonomy as the basis for the wider reconciliation of Turkish, Kurdish, and international interests.* (Paragraph 158)

The status of democracy in Turkey

41. We share the concern of the US and the EU about the arrests and continuing detention of elected Peoples' Democratic Party (HDP) parliamentarians. (Paragraph 174)

42. The democratic institutions and culture of Turkey have significantly weakened in recent years. Freedom of expression is one aspect that has notably deteriorated. There is a fundamental intolerance of alternative narratives in Turkey, with the government broadly suppressing, discrediting, or punishing those who contradict its authorised accounts of sensitive events. The powers afforded by the State of Emergency—combined with a vaguely-framed definition of terrorism, a pliant media, and a politicised judiciary—have allowed the government to silence a broad spectrum of critics by labelling them as "Gülenists" or "terrorists" on the basis of light evidence or broad interpretations. *The FCO should press Turkey to adopt a narrow and focused definition of "terrorism", and to ensure that it—or other procedural methods—are not applied in the politically-motivated sense of silencing the government's critics.* (Paragraph 176)

43. The origins of the deterioration in Turkey's human rights preceded the coup attempt. However, actions justified in the name of the coup attempt or counter-terrorism—and framed as being temporary, short-term, and necessary—are further undermining the fundamentals of the democratic culture that they are justified as protecting. These actions carry implications that may outlast the causes of the coup itself, and the current threat that Turkey faces from terrorism. (Paragraph 177)

44. *When defending human rights, the UK must be both seen and heard. Discretion is sometimes necessary for impact, and private behind–the–scenes meetings will also play an important role in the UK's influence on human rights in Turkey, but the FCO must be prepared to raise its concerns about Turkey with the Turks publicly. Currently, by giving human rights insufficient prominence in its dialogue with Turkey, the UK risks being perceived as de–prioritising its human rights values. If that impression is sustained, then it would damage the UK's international reputation and not serve the protection of human rights in Turkey.* (Paragraph 178)

45. *We recommend that the FCO designate Turkey as a Human Rights Priority Country in its next Human Rights and Democracy Report.* (Paragraph 179)

Formal Minutes

Tuesday 21 March 2017

Members present:

Crispin Blunt, in the Chair

Ann Clwyd	Daniel Kawczynski
Mike Gapes	Ian Murray
Stephen Gethins	Andrew Rosindell
Mr Mark Hendrick	Nadhim Zahawi
Adam Holloway	

Draft Report (*The UK's relations with Turkey*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 179 read and agreed to.

Summary agreed to.

Resolved, That the Report be the Tenth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Tuesday 28 March at 2.15pm

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the inquiry publications page of the Committee's website.

Tuesday 1 November 2016

Question number

Professor William Hale, School of Oriental and African Studies (SOAS), University of London, **Professor Rosemary Hollis**, City, University of London, **Mr Ziya Meral**, Centre for Historical Analysis and Conflict Research, and **Mr Bill Park**, King's College London — Q1–42

Tuesday 15 November 2016

Dr Yüksel Alp Aslandoğan, Executive Director, Alliance for Shared Values, and **Mr Özcan Keleş**, Chair, the Dialogue Society — Q43–105

Mr Ertuğrul Kürkçü, Honorary President of, and MP for, the HDP — Q106–130

Tuesday 31 January 2017

Rt Hon Sir Alan Duncan MP, Minister of State for Europe and the Americas, Foreign and Commonwealth Office, and **Lindsay Appleby**, Director, Europe, Foreign and Commonwealth Office — Q131–246

Published written evidence

The following written evidence was received and can be viewed on the inquiry publications page of the Committee's website.

TUR numbers are generated by the evidence processing system and so may not be complete.

1 Alliance for Shared Values and Dialogue Platform (TUR0035)
2 Alliance for Shared Values and Dialogue Platform(TUR0041)
3 Amnesty International UK (TUR0017)
4 British Council (TUR0034)
5 Campaign Against Arms Trade (TUR0018)
6 Campaigner, Artist and Inventor Bob Goodall (TUR0020)
7 Campaigner, Artist and Inventor Bob Goodall (TUR0025)
8 Centre for Hizmet Studies (TUR0009)
9 Dr Alan Greene (TUR0006)
10 Dr Katerina Dalacoura (TUR0021)
11 Dr Mina Toksoz (TUR0033)
12 Dr Natalie Martin (TUR0016)
13 Dr Patrick Xavier (TUR0001)
14 Foreign and Commonwealth Office (TUR0010)
15 Foreign and Commonwealth Office (TUR0042)
16 Freedom from Torture (TUR0019)
17 Lydia Sizer (TUR0024)
18 Middle East Studies Association Committee on Academic Freedom (TUR0005)
19 Mr Bill Park (TUR0032)
20 National Union of Journalists (TUR0037)
21 Osman Erturk (TUR0031)
22 Overseas Development Institute (TUR0008)
23 Peace in Kurdistan (TUR0013)
24 Peoples' Democratic Party (HDP) (TUR0036)
25 Professor Tim Jacoby (TUR0002)
26 Republican People's Party (CHP) (TUR0038)
27 TUC (TUR0015)
28 Turkish Embassy in London (TUR0043)
29 Turkish Embassy in London (TUR0012)
30 Union of European Turkish Democrats, UETD (TUR0014)
31 UNISON (TUR0022)
32 William Hale (TUR0007)

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the publications page of the Committee's website.

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2016–17

First Report	The UK's role in the economic war against ISIL	HC 121 (HC 680)
Second Report	Equipping the Government for Brexit	HC 431 (HC 704)
Third Report	Libya: Examination of intervention and collapse and the UK's future policy options	HC 119 (HC 834)
Fourth Report	The use of UK-manufactured arms in Yemen	HC 688
Fifth Report	The future operations of BBC Monitoring	HC 732 (HC 921)
Sixth Report	'Political Islam' and the Muslim Brotherhood Review	HC 118
Seventh Report	The United Kingdom's relations with Russia	HC 120
Eighth Report	'Political Islam', and the Muslim Brotherhood Review: Government Response to the Committee's Sixth Report	HC 967
Ninth Report	Article 50 negotiations: Implications of 'no deal'	HC 1077
First Special Report	The UK's role in the war against ISIL following the Cessation of Hostilities in Syria in February 2016: Government Response to the Committee's Third Report of Session 2015–16	HC 209
Second Special Report	The FCO's administration and funding of its human rights work overseas: Government Response to the Committee's Fourth Report of Session 2015–16	HC 545
Seventh Special Report	Committees on Arms Export Controls: unauthorised disclosures of draft Report on Use of UK-manufactured arms in Yemen	HC 935

Session 2015–16

First Report	The FCO and the 2015 Spending Review	HC 467 (HC 816)
Second Report	The extension of offensive British military operations to Syria	HC 457
Third Report	The UK's role in the war against ISIL following the Cessation of Hostilities in Syria in February 2016	HC 683
Fourth Report	The FCO's administration and funding of its human rights work overseas	HC 860
Fifth Report	Implications of the referendum on EU membership for the UK's role in the world	HC 545
First Special Report	The FCO and the 2015 Spending Review: Government response to the Committee's First Report of Session 2015–16	HC 816