

# U4 Expert Answer



## Overview of corruption and anti-corruption in Turkey

### Query

***What is the status of corruption and anti-corruption in Turkey?***

### Purpose

We would like to know how the Government in Turkey works to counteract corruption.

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### Summary

According to some observers, Turkey has made progress in terms of democratic political reforms, economic liberalisation and commitment to EU oriented reforms in the last decade, triggered by the country's accession to full EU membership candidacy status in 1999. However, the situation of human rights, especially with regard to minorities and political freedoms remain an issue of great concern that may undermine the country's growing standing in the region. In spite of progress made, the country also continues to be confronted to major challenges of rampant corruption, with both petty and grand forms of corruption permeating many sectors of the society, including the public sector, the private sector, political parties and the military.

The government has taken steps to address corruption challenges in the country. Major international anti-corruption conventions have been signed and ratified, an anti-corruption action plan has been adopted in 2010 and the government has implemented a comprehensive series of reforms aimed at reducing red tape and related opportunities for corruption and improving the country business environment.

In spite of these measures, progress in the fight against corruption remains limited and concerns have been raised in a number of areas. There is no central body in charge of developing and evaluating anti-corruption policies, inadequate coordination of the various institutions involved in the fight against corruption and no independent body in charge of monitoring the implementation of anti-corruption measures. In spite of greater civil awareness and participation, the 2010 strategic action plan on reducing corruption was designed with no consultation of non-governmental actors and civil society only has limited oversight over the implementation of national anti-corruption policies. Very strong immunity regulations for high ranking public officials are considered to be an important obstacle to the fight against corruption and the country needs to improve its legislation on the financing and auditing of political parties.

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## 1 Overview of corruption in Turkey

As a Muslim-majority country, Turkey has been striving in recent years to reconcile its identity with its commitment to democracy, secularism and economic liberalisation (Freedom House, 2008). The country has gone through an extensive process [www.U4.no](http://www.U4.no) democratisation and modernisation of its economic and social structure in the last decade, with political transformation mostly triggered by the country's accession to full EU membership candidacy status in 1999. However, while the country's standing in the region is growing, its human right record could undermine the credibility of reforms, especially with regard to the treatment of the large Kurdish minority and the situation of political freedoms (Human Right Watch, 2011). In particular, in its 2011 report, Amnesty International denounces persisting criminal prosecutions violating the right to freedom of expression and raises concerns about the impartiality/fairness of the judiciary (Amnesty international, 2011).

The ruling Justice and development Party (AKP) won both the 2002 and 2007 parliamentary elections, allowing the government to govern with relative stability and pass an impressive number of reforms anchored in the EU accession framework and roadmap. The reform process was further supported by greater civil awareness and participation, an increasingly vibrant press and citizens growing demand for good governance and transparency.

### Extent of corruption

These positive trends are reflected by the World Bank's worldwide governance indicators, with Turkey scoring 57,9 on a 0 to 100 scale in terms of control of corruption compared to 42,9 in 2000 (World Bank, 2010a).

However, despite these positive developments, other indicators suggest that the country remains confronted to challenges of rampant corruption, and weak enforcement of anti-corruption policies. Turkey performs below average in Transparency International's 2011 Corruption Perceptions Index, with a score of 4,2 on a 0 (highly corrupt) to 10 (highly clean) scale, indicating relatively high levels of public sector corruption (Transparency International, 2011).

An increasing number of companies also cite corruption as one of the most important obstacles for doing

business in the country, as reflected by the 2008 ERDB and World Bank Business Environment and Enterprise Performance Survey (BEEPS): 58 % of the companies surveyed in 2008 consider corruption as one of the most severe problems affecting the business environment - which represents a significant increase compared to 41 % in 2005 (World Bank, 2010b).

Citizens also share the perception that corruption remains a problem in the country, with 57 % of Transparency International Global Corruption Barometer (GCB)'s respondents believing that corruption has increased in the 3 years preceding the survey (Transparency International, 2010).

### Forms of Corruption

#### *Petty and bureaucratic corruption*

In recent years, in an effort to reduce bureaucratic corruption and improve the business environment, the Turkish government has implemented a series of reforms aimed at reducing red tape and the regulatory burden on companies. These include measures such as simplifying company establishment procedures, reducing permits requirements and creating a single company registration form. One-stop shops such as the Investment Support and Promotion Agency of Turkey have been established to facilitate use of public services (Business Anti-corruption Portal, 2011). These reforms are reflected to some extent in the country's improved performance in the World Bank ease of doing business ranking (World Bank, 2012).

However, foreign companies in several sectors claim that regulations are sometimes applied in a non transparent manner (US Department of State, 2010). Corrupt and inefficient government bureaucracy, selective and opaque implementation of the law, and policy instability/frequent changes in the legal and regulatory environment further undermine the efficiency of these reforms, as identified by companies surveyed in the World Economic Forum's 2010-2011 Global Competitiveness report (World Economic Forum, 2011). Consistent with these views, companies surveyed within the framework of the World Bank and IFC 2008 Enterprise survey, report that their senior management spend more than 27% of their time each year dealing with requirements of government regulations and 18 % expect to make informal payments "to get things done" (World Bank and IFC, 2008).

Citizens' experience of corruption to access public services is also fairly high in Turkey. More than one third of the 2010 GCB's respondents in contact with key public services declared having paid a bribe to receive attention from at least one of nine different service providers in 12 months preceding the survey (Transparency International, 2010). Members of government themselves implicitly recognise that petty bribery is widespread in the country by arguing that one should not confuse bribes with tips: in 2008, after Prime Minister Recep Tayyip Erdogan claimed that his government had eradicated corruption, the Head of Turkey National Land Registry Office declared that the average 22 Turkish Liras (USD 15) his officers often took didn't amount for bribery but were merely tips, a statement that was echoed shortly afterwards by the Public Works Minister (Global Integrity, 2008).

### *Political corruption*

Turkey electoral processes are usually referred to as free and fair (Bertelsmann Foundation, 2010) Bertelsmann Transformation Index – Turkey country report, with a strong and independent election monitoring agency and Global Integrity assesses election integrity to be very strong in the country with a score of 100 (Global Integrity, 2010). However, there is anecdotal evidence of electoral corruption. For example, a business man close to the Prime Minister Erdogan and sponsor of his daughters' studies in the US was found guilty in 2008 of offering bribes to an opposition MP in return for his vote in the 2007 presidential election (Global Integrity, 2008).

There are also some problems in terms of political party financing regulations and transparency that can increase the country vulnerability to political corruption. For example, there are neither legal limits on political party expenditures nor an entity or agency for monitoring party financing. The current law on political parties requires political parties to submit their end-of-the-year financial tables to the Constitutional Court which does not have the expertise and capacity to effectively audit their accounts. In addition, there is neither a standard format for submission nor mechanisms in place to review and check the accuracy of the financial information provided and civil society access to the information is limited. There is no legislation regulating the political finance of individual candidates. While limits for donations to political parties are sufficient for ordinary citizens, they are considered to be very low for those who can influence the electoral process. According to Global Integrity, big

political parties have their own business groups which in turn support them in the elections.

The Bertelsmann Foundation also points to conflicts of interest as an area of concern in the country (Bertelsmann Foundation, 2010 and 2008). Government officials sometimes have business interests that directly conflict with their public functions. While conflicts of interests are usually sanctioned, politicians are treated differently in this regard, as those who misuse their public mandate can hardly be charged and prosecuted by the state tribunal. The wide scope of parliamentary immunity is also considered a major obstacle to the fight against corruption. According to experts consulted within the framework of this research, there have been cases where PMs openly favour firms belonging to their close relatives.

### **Sectors most affected by corruption in Turkey**

Empirical evidence suggests that corruption pervades many of the country's key sectors and institutions. The 2010 GCB data indicates that public administration, education, and the private sector are perceived as the sectors most affected by corruption (scoring 3,3 on a 1 to 5 scale), closely followed by political parties and the military (scoring 3,2) (Transparency International, 2010). The media report on a large number corruption cases, particularly in the field of real estate agencies, local government and universities (Bertelsmann Foundation, 2010).

### *Public administration*

According to 2010 GCB data, more than 30% of Turkish households perceive public officials to be extremely corrupt. Government accountability as well as administration and civil service are assessed as very weak in Global Integrity 2008 scorecard and EU progress reports consistently point to weaknesses in public service regulations (Freedom House, 2008). The Bertelsmann Foundation reports that many of public sector employees are under-qualified or have inadequate capabilities and mentions that citizens believe that the selection process for public sector employment is influenced by political opinion, especially for high ranking officials (Bertelsmann Foundation, 2010). According to Freedom House 2008, while civil servants are hired on the basis of examinations, patronage plays an important role, with AKP being criticised for gradually replacing civil servants with pro-AKP personnel. There have been some claims that 95

% of high level personnel have been replaced between 2002 and 2006 (Freedom House, 2008).

In particular, **public procurement** is singled out as one of the sectors most susceptible to corruption, with many cases involving high-level figures, relatives or persons closed to senior AKP figures. For example, in 2008, business conglomerate Calik group, runned by Prime Minister Erdogan's son-in-law appeared as the sole bidder for the country second biggest media outlet, Sabah-ATV (Global Integrity, 2008). Global Integrity 2007 also reports that former Education Minister Celik was charged by the Public Tendering Institution with corruption in relation to 62 tenders for the construction of 135 schools, but the government finally did not give permission for legal proceedings.

23 % of companies expect to give a gift to secure a government contract (IFC/World Bank, 2008) and, according to the 2008 BEEPS survey, the value of gift to win a contract amount to 3.9 % of the contract (ERDB/World Bank, 2008). Business executives surveyed within the framework of the 2010-2011 Global Competitiveness also confirm the high prevalence of corruption in public procurement by giving favouritism of government officials towards well-connected companies and individuals when deciding upon policies and contracts a score of 2,8 on a 1 (always show favouritism) to 7 (never show favouritism) scale.

While Turkish legislation generally requires competitive bidding in the public sector, there have been 17 amendments to the law since it was enacted, each of them bringing new exceptions to the law. There have also been allegations that state-owned enterprises enjoy preferential treatment in practice in procurement contracts. They apparently also have an easier time obtaining licenses, and have easier access to credit, especially from state-owned banks (US Department of State, 2010).

There are also corruption challenges in other areas of public administration such as **revenue collection and licences and permits**. Global Integrity 2008 reports that tax laws are not enforced uniformly and without discrimination and companies often identify tax administration as a major constraint for doing business in the country (World Bank and IFC, 2008). 34,5 % of households who had contact with tax revenue services throughout 2009 reported having paid a bribe (Transparency International, 2009).

### *The Judiciary*

The judicial system faces structural weaknesses of inefficiency, backlog of cases, inadequate training of judges, etc, that undermines public trust in the institution. More than a third of the companies surveyed within the framework of the BEEPS survey indicate that the judiciary constitute a major constraint to doing business in the country, while more than a fourth of the 2010 GCB respondents consider the judiciary to be extremely corrupt. 26,2 % of households who had contact with the judiciary having paid a bribe in 2009.

The constitution provides for an independent judiciary and the Bertelsmann Foundation considers the Turkish judiciary as relatively free from direct political interference. However, the government can still influence judges by means of appointments, promotions and financing (Freedom House, 2010). Concerns have been raised in this regard in a recent report by Transparency International over the recruitment, appointment, promotion and disciplinary proceedings of judges, which are not transparent, despite recent improvements to the law (Transparency International, 2011).

Turkey has no codes of conduct in place for members of the legislature or judiciary. Until recently, Turkey's judicial review body, the High Council of Judges and Prosecutors was not autonomous, and operated from within the Ministry of Justice, with no independent budget, premises or personnel. While the recent amendment to the Constitution granted it autonomy on paper, the Minister of Justice remains its president, raising concern over the independence of the judiciary from the executive branch. In addition, according to Transparency International, the High Council is not open to independent oversight or public review.

A report from the Council of Europe's Group of States against Corruption (GRECO) recommends strengthening the independence of judges vis-à-vis the executive power, i.e. the Ministry of Justice (GRECO, 2009). The law prohibits government to issue orders or recommendations for the exercise of judicial powers but the government sometimes launches formal investigations against critical judges (US Department of State, 2010). There have been occasionally accusations of political interference in judicial processes such as when a 2009 scandal revealed the wiretapping of judges (Freedom House, 2010). A constitutional reform package has been approved in the September 2010 referendum and concerns have been raised that proposed judicial reforms may undermine

judicial independence by giving the executive greater powers in appointing judges (Business Anti-Corruption Portal, 2011).

### *The Military*

According to the GCB, Turkish citizens perceive the Military to be very corrupt, scoring 3,2 on a 1 to 5 scale. There have been some allegations of cronyism and manipulation tied to the Turkish military and anecdotal evidence of corruption involving high ranking officials in the military. For example, in 2004, a retired Navy Commander was found guilty by a military court on charges of defrauding his expenses accounts, abusing his authority and failing to justify how he afforded two luxury villas in Istanbul (Bekdil B, 2006).

In particular, defence procurement seems to be especially prone to corruption in the country, due to its complexity, technicality and frequent use of “urgent requirements” as well as a weak auditing system that makes oversight difficult. In addition, although it is against the law for retired government officials to join a private company operating in his field of service after their retirement for a period of two years, it is a tolerated practice that retired officers be hired by agents or by foreign manufacturers who maintain offices in Turkey or provide “advisory services” to these companies without officially appearing on their payrolls.

However, as part of the EU accession oriented political reforms, there have been some recent efforts to reform the military in the area of increasing and asserting civilian control over the Military (Hughes, K, 2004).

### *The Private Sector*

While, according to the GCB 2010, the private sector is perceived by Turkish citizens as a corrupt sector in the country, there is little systematic and publicly available information on the extent, forms and manifestations of private sector corruption. Corruption is generally believed to be a major problem in interactions with public officials, especially in contract award and take-on processes. Foreign bribery is also prevalent in the country. Turkey is ranked 19 out of the 28 countries assessed by Transparency International’s 2011 Bribe Payers Index on the propensity of Turkish firms to engage in bribery when doing business abroad with a score of 7,5 on a scale of 0 (companies always bribe abroad) to 10 (companies never bribe abroad) (Transparency International, 2011). The report also underlines the prevalence of bribery between private companies across different sectors for most countries assessed.

## 2 Anti-corruption efforts in Turkey

### Overview

Turkish politicians have been vocal about fighting corruption in recent years, which translated into signing a number of international anti-corruption conventions. The government has also taken additional steps to address corruption challenges in the country. An “Action Plan on Increasing Transparency and Enhancing Good Governance in the Public Sector” has been adopted in 2002. The plan includes disciplinary and criminal sanctions against public officials involved in corruption, and measures aimed at modernising the auditing system of the public sector, improving transparency in public administration and in election campaign financing and strengthening the fight against money laundering (Business Anti-Corruption Portal, 2011). The 2003 Emergency Action Plan agreed upon between the EU and the Turkish Government also includes anti-corruption such as strengthening specialised anti-corruption units and awareness raising.

More recently, the Government launched a “strategic plan on reducing Corruption and Enhancing Transparency in February 2010 but the design process was relatively opaque, conducted with little to no participation of civil society actors. Civil society organisations also have little access to related information, making it difficult for them to be effectively involved in the monitoring of anti-corruption reforms as it is recommended in various GRECO reports.

In spite of these shortcomings, the public shows relative confidence in government efforts, with 59 % of the 2010 GCB respondents perceiving government efforts against corruption to be effective.

However, in spite of the various steps taken, most observers still consider that progress in the fight against corruption has been limited, as stated in the EU 2008 and 2011 progress reports. There is no central body in charge of developing and evaluating anti-corruption policies (Freedom House, 2008). Bertelsmann Foundation 2010 echoes this concern by highlighting the need of better coordination within the current existing system of fighting corruption through the creation of an independent body to design and monitor the implementation of anti-corruption measures (Bertelsmann Foundation, 2010). In spite of greater civil awareness and participation, civil society only has limited oversight over the implementation of national anti-corruption policies.

## Legal Framework

**Turkey's Criminal Code** criminalises active and passive bribery, attempted corruption, extortion, bribing a foreign official, money laundering and abuse of office. However, the GRECO 2010 evaluation report points to a number of legal shortcomings, including the narrow definition of bribery offences which excludes corrupt behaviour without an agreement between the parties or without a breach of duty by public officials. Recommendations to improve the legal anti-corruption framework include – among others - ensuring the law fully covers bribery in the private sector, trading in influence, bribery of foreign and international officials, foreign jurors and arbitrators, bribery committed through intermediaries.

In 2005, the Prime Minister also adopted an **Ethical Code** setting ethical guidelines for the public sector and training has been undertaken to raise awareness among public officials about corruption. However, many public officials are not covered by the code, including members of the judiciary, military personnel, members of academia and members of parliament. In terms of the country's **asset declaration regime**, all civil servants are required by law to file an asset declaration every five years at the beginning and the middle of every decade or at any time there is a significant change in their assets. However, there is no effective verification mechanism and declarations are kept confidential unless the relevant public servant is the subject of a criminal investigation (Global Integrity, 2010).

Turkey has no codes of conduct in place for members of the legislature or judiciary, which undermines public trust in these institutions (Transparency International, 2011). Citizens have a right by law to request government information and basic government records but the Law contains a number of provisions that limit the **right to access government information**, in particular on the ground of the restrictions stated in Article 16 (state confidential) and Article 17 (economic interest of the country) (Global Integrity, 2010).

While several laws cover **whistle-blowing protection**, Global Integrity 2010 concludes that there is no culture of whistle blowing and that in practice, cultural factors, social control, as well as insufficient legal protection for whistle-blowers constitute major obstacles (Global Integrity, 2010). For example, by law, the identity of whistleblowers can not be made public without their consent. However, when the denunciation is valid, the identity can be made public at the request of the

prosecuted person (Business Anti-Corruption Portal, 2011).

According to Global Integrity 2010, Turkey's **procurement** system is fairly robust, governed by the Public Procurement Law and the law on Procurement Contracts, which require competitive bidding for major procurement and limit the extent of sole sourcing. All major bids beyond a certain threshold need to be advertised and tender notices are published on the website of the Public Procurement Authority. However, the US Department of State 2010 states that the law gives preference to domestic bidders, Turkish citizens, and legal entities established by them. As already mentioned, the public procurement law has been amended 17 times since its enactment to bring new exception to the competitive bidding rule and has been cited by the EU as not being in conformity with the EU "acquis communautaire" (US Department of State, 2010)."

A major obstacle to hold leading public officials accountable for their action is the strong **immunity granted by law** to members of parliament, ministers, the Prime Minister and the President. Cases involving these figures can not be pursued unless the Prime Ministers decides to pursue them. Permission is also required from the superiors of the public official to open investigations against them (Freedom House, 2008).

Most reports agree that Turkey needs to improve its legislation on the **financing and auditing of political parties** (Bertelsmann Foundation, 2010 and Global Integrity, 2010). Among the major shortcomings of the legislation, Global Integrity points to the lack of effective monitoring/auditing mechanism, the lack of an entity or agency for monitoring party financing and the absence of regulation of political financing of individual candidates.

Turkey has signed and ratified several **international treaties and conventions** related to corruption including the United Nation's Convention Against Corruption, OECD Anti-Bribery Convention, the Council of Europe Criminal Law Convention on Corruption, the Council of Europe Civil Law Convention on Corruption and the United Nations Convention against Transnational Organized Crime. Turkey is also a member of the Council of Europe Group of States against Corruption (GRECO).

## Institutional framework

Although Turkey does not have an anti-corruption agency in charge of designing and monitoring the implementation of anti-corruption measures, several institutions have an anti-corruption mandate. As already mentioned, the need for an effective coordination of anti-corruption measures and of the various agencies and institutions involved in the fight against corruption has also been a repeated item of international recommendations

### *The Financial Crimes Investigation Board (MASAK)*

MASAK has been established within the Ministry of Finance in 1996 to coordinate investigations on money laundering and collect data on dubious transactions. The functions of MASAK cover five main areas:

1) developing and regulating policies; 2) coordination; 3) collecting, analyzing and evaluating data; 4) supervision of obligations; 5) Examination. As such, MASAK is not an anti-corruption unit/agency per se (Global Integrity, 2010).

MASAK makes an ex-ante evaluation of complaints and suspicious operations and submits its reports to the relevant departments to take legal action. As such, MASAK's work is subordinated to other governmental agencies. Investigations can be started at the initiative of the Prosecutor General and the institution does not have enforcement authority. Its independence has been questioned and Global Integrity raises concerns over the influence exerted by the Ministry of Finance over the body (Global Integrity, 2010 and 2008).

### *Coordination Board for Combating Financial Crimes (CBCFC)*

The CBCFC is composed of the representatives from relevant ministries and financial institutions and is placed under the chairmanship of the undersecretary of the Ministry of Finance. Its functions are to review the draft law on prevention of laundering proceeds, draft regulations issued by the Council of Ministers and coordinate relevant institutions and organisations for implementation (Business Anti-Corruption Portal, 2011).

### *The Ombudsman*

A law establishing the Ombudsman office in Turkey – whose functions included to arbitrate between individuals and public authorities in case of a conflict, to receive complaints from the affected ones about injustices in public services, to investigate these issues,

and to solve problems - was vetoed by former President who contested its legality in front of the Constitutional Court. Following the decisions of the Court and despite being envisaged by the constitution, there is currently no Ombudsman office in Turkey and many observers perceived this decision as a major setback in government efforts to meet EU accession requirements (Business Anti-Corruption Portal, 2011). However, the recent constitutional amendments of September 12, 2010 included the ombudsman as a constitutional institution. As of 2010, a draft law on Ombudsman was being reviewed at the relevant parliamentary commission (Global Integrity, 2010).

### *Council of Ethics for the Public Service*

The Council of Ethics for the Public Service was established in June 2004 to promote transparency in public administration, with the main function of managing and investigating complaints by individuals and companies of mismanagement and misconduct at public offices. With regard to the key functions of management and investigation of complaints, the Council of Europe considers that the Council of Ethics only has a very limited investigative capability and trained staff to fulfil its mandate as well as no power to sanction misconduct (Council of Europe, 2008).

### *Inspection Board of the Prime Minister*

The Prime Ministry Inspection Board is another auditing and inspecting entity of Turkish Administrative System which is directly attached to the Prime Minister. It has the mandate to inspect and supervise ministries, public institutions or other public bodies under the directive of the Prime Minister. It can also investigate major corruption cases. It has been criticised in the past for lacking transparency (Business Anti-Corruption Portal, 2011).

### *Turkish Court of Accounts (TCA)*

The Court of Accounts is the supreme auditing authority covering the whole public bodies. Members of the TCA can't be dismissed and are elected by the Grand National Assembly from the candidates determined by the court's election board and general assembly. It conducts external audits of revenues, expenditures and property of public administrations as well as audits of local governments' finance. The audit agency is able to initiate its own investigations only in terms of financial and performance audit and the Treasury transactions. It informs relevant authorities regarding disciplinary investigations and the Public Prosecutor for criminal investigations when necessary. In December 2010, a

new law on Court of Accounts was adopted by the parliament. According to this new law, TCA no longer has the authority to conduct inspections and limit public institutions' power of discretion. Under the changes, the court will not be able to carry out performance audits of public institutions. According to new law, while all of the audit reports of the Court will be open to public exception is made for the Military Forces (Global Integrity, 2010).

In general, while not all public financial audits are published and made accessible to the public, the Accountability Report, External Audit General Evaluation Report, General Conformity Statement, and reports on treasury operations are published online annually. Other reports of the Audit Court are published irregularly (Global Integrity, 2010). Global Integrity 2008 argues that reports are usually ignored or given superficial attention by government and the Parliament.

### *Public Procurement Authority*

The Public Procurement Authority (PPA) was legally established by the Public Procurement Act as a financially and administratively autonomous regulatory body, managed by a 10-members Board. It is in charge of policy-making, supervision, providing training and operational support to contracting authorities, publishing tender notices, informing the economic operators and awareness-raising. According to Freedom House 2008, the implementation of the Public Procurement Law is weak and the *“PPA is not in a position to ensure consistent policy in all areas related to public procurement, nor does it effectively steer the implementation of the procurement legislation”*.

## Other stakeholders

### *Media*

According to the 2009 US Department of State's country report on Human Right practices, while the law provides for freedom of speech and the press, the government continues to limit these freedoms in practice. For example, the government levied a substantial tax fine against a media conglomerate in 2009 which is believed by many to be related to the political editorial line of its media outlets. There have also been instances where the government has used some constitutional restrictions and laws such as the prohibition to insult the Turkish State to limit freedom of expression (US Department of State, 2010). Global Integrity 2010 echoes these findings and notes that the

high number of cases initiated against journalists and the frequent website bans are a cause for concern. The EU's 2010 progress report on Turkey also states: *“As regards freedom of the press, concerns remain as regards political attacks against the press”* and mentions in particular cases that have been opened against journalists by politicians and high-level authorities, including military authorities. There is a very high number of journalists in prison and Turkey ranks 138 out of 178 countries on the Reporters without Borders' 2010 Worldwide Press Freedom Index (Reporters without Borders, 2010).

In March 2011, thousands of people demonstrated in Istanbul to protest against a crackdown on the local media after several journalists were arrested which allegedly aimed at silencing critics of the government (Global Integrity, 2010).

### *Civil society*

According to Bertelsmann Foundation 2010, Turkey has a moderate developed tradition of civil society and that civil society organisations need to be strengthened. However, the EU accession process has had a significant impact on the environment in which civil society operates, with increased funding opportunities, capacity/skill development and reduction of regulatory barriers to civil society operations. As a result, civil society activism has increased in the last decade, with a significant increase in the number and strength of NGOs (Freedom House 2008). While a new law on associations has been passed in 2004 that reduces the legal restrictions on civil society operations, its implementing legislation allows the state to restrict civil society organisations that might oppose its interest (Freedom House, 2010).

There are a number of organisations dedicated to fighting corruption, including the Transparency Association (TI Turkey), the Association for Combating Corruption and the Association for the Protection of Citizens' Taxes (VAVEK). There are also some associations focused on good governance such as the Corporate Governance Association of Turkey and the Corporate Social Responsibility Association of Turkey as well as some research-oriented organizations such as Economic and Social Studies Foundation of Turkey (TESEV) and the Economic Policy Research Foundation of Turkey (TEPAV) whose areas of research also include corruption.

According to Global Integrity, while there is no legal pressure on associations dealing with corruption-related



matters, no visible progress has been made toward enabling CSOs to become involved in policymaking process in 2010. The 2008 report mentions that anti-corruption organisations have been marginalised at times through indirect pressure such as inspections. The GRECO 2008 progress report calls the government to actively involve civil society in the national anti-corruption agenda, but this only seems to happen to a limited extent. According to Global Integrity 2010, the extent of civil society organisations involvement in developing anti-corruption action plan has been limited to consultation of organisations such as TEPAV, TESEV, Transparency Society have been consulted but they didn't take active part in the policy making process.

### 3 References

- Human Right Watch, 2011, Turkey's human rights challenges, <http://www.hrw.org/news/2011/12/19/turkeys-human-rights-challenges>
- Amnesty international, 2011, *Turkey 2011 annual report*, <http://www.amnesty.org/en/region/turkey/report-2011>
- Freedom House, 2008, *Turkey in transit*, <http://old.freedomhouse.org/template.cfm?page=383&report=65>
- World Bank, 2010a, *Worldwide Governance Indicators*, [http://info.worldbank.org/governance/wgi/sc\\_country.asp](http://info.worldbank.org/governance/wgi/sc_country.asp)
- Transparency International, 2011, *Corruption Perceptions Index*, [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi](http://www.transparency.org/policy_research/surveys_indices/cpi)
- World Bank, 2010b, *Turkey, BEEPS at a glance 2008*, [http://siteresources.worldbank.org/INTECAREGTOPANTCO/R/Resources/704589-1267561320871/Turkey\\_2010.pdf](http://siteresources.worldbank.org/INTECAREGTOPANTCO/R/Resources/704589-1267561320871/Turkey_2010.pdf)
- Transparency International, 2010 *Global Corruption Barometer*, [http://www.transparency.org/policy\\_research/surveys\\_indices/gcb/2010](http://www.transparency.org/policy_research/surveys_indices/gcb/2010)
- Transparency International, 2009 *Global Corruption Barometer*, [http://www.transparency.org/policy\\_research/surveys\\_indices/gcb/2009](http://www.transparency.org/policy_research/surveys_indices/gcb/2009)
- Transparency International, 2011, *Bribe Payers Index*, <http://bpi.transparency.org/results/>
- Business Anti-corruption Portal, 2011 *Turkey country profile*, <http://www.business-anti-corruption.com/country-profiles/europe-central-asia/turkey/>
- World Bank, 2012, *Doing business in Turkey*, <http://www.doingbusiness.org/data/exploreeconomies/turkey/>
- World Economic Forum, 2011, *Global Competitiveness report*, [http://www3.weforum.org/docs/WEF\\_GlobalCompetitivenessReport\\_2010-11.pdf](http://www3.weforum.org/docs/WEF_GlobalCompetitivenessReport_2010-11.pdf)
- World Bank and IFC, 2008, *Enterprise survey – Turkey*, <http://enterprisesurveys.org/Data/ExploreEconomies/2008/turkey>
- Bekdil, B, 2006, *Defence Procurement Reform in Turkey: What goes Wrong?* [http://www.12iacc.org/archivos/WS\\_7.1\\_BURAK\\_BEKDIL.PDF](http://www.12iacc.org/archivos/WS_7.1_BURAK_BEKDIL.PDF)
- Hughes, K, 2004, Turkey and the European Union: just another enlargement? [http://www.cdu.de/en/doc/Friends\\_of\\_Europe\\_Turkey.pdf](http://www.cdu.de/en/doc/Friends_of_Europe_Turkey.pdf)
- Transparency International, 2011, *EU anti-corruption requirements: measuring progress in Albania, Kosovo, FYR Macedonia and Turkey*, [http://www.transparency.org/news\\_room/latest\\_news/press\\_releases/2011/2011\\_06\\_21\\_cimap\\_report\\_launch](http://www.transparency.org/news_room/latest_news/press_releases/2011/2011_06_21_cimap_report_launch)
- Bertelsmann Foundation, 2010, *Bertelsmann Transformation Index – Turkey country report*, <http://www.bertelsmann-transformation-index.de/147.0.html?L=1>
- Bertelsmann Foundation, 2008, *Bertelsmann Transformation Index – Turkey country report*, <http://bti2008.bertelsmann-transformation-index.de/147.0.html?&L=1>
- Global Integrity, 2008, *Global Integrity Report – Turkey country profile*, <http://report.globalintegrity.org/Turkey/2008>
- Global Integrity, 2010, *Global Integrity Report – Turkey country profile*, <http://www.globalintegrity.org/report/Turkey/2010/scorecard>
- US Department of State, 2010, *Investment Climate Statement for Turkey*, <http://www.state.gov/e/eb/rls/othr/ics/2010/138159.htm>
- US Department of State, 2010, *2009 Country Report on Human Right Practices*, <http://www.state.gov/g/drl/rls/hrrpt/2009/>

Freedom House, 2010, *Freedom in the World – Turkey Country Profile*,  
<http://freedomhouse.org/template.cfm?page=22&country=7937&year=2010>

GRECO , 2009, Joint First and Second Round Evaluation, Compliance Report on Turkey,  
[http://www.coe.int/t/dghl/monitoring/greco/evaluations/round2/GrecoRC1&2\(2008\)2\\_Turkey\\_EN.pdf](http://www.coe.int/t/dghl/monitoring/greco/evaluations/round2/GrecoRC1&2(2008)2_Turkey_EN.pdf)

GRECO, 2010 , *Third Evaluation Round, Evaluation Report on Turkey*  
[http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoEval3%282009%295\\_Turkey\\_One\\_EN.pdf](http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoEval3%282009%295_Turkey_One_EN.pdf)

Council of Europe, 2008, *Interim evaluation report*,  
[http://www.etik.gov.tr/proje/raporlar/aradegerlendirme/1062\\_TYEC\\_REP\\_InterEvalu\\_Dec08-1.pdf](http://www.etik.gov.tr/proje/raporlar/aradegerlendirme/1062_TYEC_REP_InterEvalu_Dec08-1.pdf)

Reporters without Borders, 2010, Worldwide Press Freedom Index, <http://en.rsf.org/press-freedom-index-2010,1034.html>