

## EU and Turkey Facing the Same Security-Liberty Trade-Off

Senem Aydin Düzgit\*

*Associate Research Fellow at the Centre for European Policy Studies (CEPS), Brussels*

After the Helsinki Summit of December 1999 and the December 2004 Brussels Summit, we are once again approaching one of those so-called 'turning points' in Turkey-EU relations where all eyes turn to the 'Turkey question' in Europe. Last year's dominant issue, the fulfilment of the Copenhagen political criteria, despite still being on the table, seems to have been replaced this time by the Cyprus impasse.

The prevalence of the Cyprus issue and its related high diplomacy at this juncture of EU-Turkey relations, important as they are, hide some crucial developments in Turkish internal politics and their intertwining with the developments in Europe today. Since 2000, Turkey has come a long way in fulfilling the Copenhagen political criteria by various reforms, primarily in the field of human rights, protection of minorities, the judicial system and the role of the military in Turkish politics. The reform process, despite the expectation of some, continued even after the December 2004 Brussels Summit where it was decided that the country sufficiently fulfils the Copenhagen political criteria. With the new Public Finance Ruling and Controlling Law that entered into force in January 2005, the long-criticised extra-budgetary funds of the military were brought into the defence budget and parliamentary control over military spending was further enhanced by changes in the method of budgeting, which now require performance reports to be submitted to parliament and related institutions. The new Penal Code, introducing progressive measures particularly on women's rights, entered into force in June 2005. The signing of international protocols has continued with the recent signing of the Additional Protocol to the UN Convention against Torture in September 2005. Work is undergoing for the granting of the rights to broadcast in Kurdish at the regional level.

While shortcomings remain, primarily with respect to the slow change in the mindsets of the bureaucracy responsible for implementing the new laws, it is clear that the country is well set on the path to democratic transformation. However, one now sees also the recent revival of a serious challenge to this process. Terrorist activities in Turkey, just like in Europe, are now forcing the country to strike a fragile balance on the thin line between human rights and security. Turkey has now to deal with not only fundamentalist Islamist terror as seen in the Al Qaida bombings in Istanbul on 15-20 November 2003, but also the recent revival of PKK terrorism.

It is now commonly accepted that the defeat of the terrorist organisation PKK by the Turkish military by 1999 significantly eased subsequent democratisation efforts in the country by decreasing the political costs of reforms for, especially, the conservative segments of Turkish society. While the PKK is not what it used to be at the height of its power in the 1990s, the recent explosions of mines and bombs in the south-east, which led to the death of more than 50 people in the last three months and the presence of armed PKK terrorists in the mountains to which no legitimate democratic authority can turn a blind eye, demonstrate that it remains difficult today to totally dissociate the Kurdish issue from the challenge of terrorism. What is even more worrying is the fact that most prominent Kurdish political figures such as Leyla Zana and Orhan Doğan are now more blatant in their links with the PKK and reluctant to take a critical stance against the terrorist organisation, as demonstrated in a recent interview with Orhan

---

\* This comment was first published as a CEPS (Centre for European Policy Studies) commentary, [www.ceps.be](http://www.ceps.be)

Doğan in a respectable Turkish newspaper in August 2005.<sup>1</sup> In the very same interview, Doğan stated PKK's (Kurdistan Workers Party) will to spread into the Black Sea region of Turkey, to 'make its voice heard'. This was subsequently followed by a clash between 3 PKK terrorists, caught with bombs and explosives, and the Turkish police in a Black Sea province. Such attempts to spread terror into regions well-known for their strong Turkish nationalism run the risk of exacerbating inter-ethnic tensions and spreading unrest and terror on a larger scale.

It is ironic to see that terror is being revitalised at a time when the country is attempting to undertake reforms to improve the lives of the Kurdish minority. The Europeisation process in Turkey contributed to the increasing perception of the Kurdish problem as a minority issue with socio-economic and identity-related dimensions to it, rather than just a military matter. Democratisation, which is the key to the resolution of the Kurdish issue, by eroding the support base of the PKK, seems to threaten the grounds on which the terrorists felt comfortable a few years ago. The fact that their activities have intensified in the period leading up to October, when the negotiations with the EU are scheduled to start, testify to this view. The extreme nationalist Kurds are not alone in feeling threatened by the democratic transformation in the country. They are joined by extreme Turkish nationalists both on the right and left end of the political spectrum who, upon recent terrorist attacks, have been calling for a curbing of the recent democratic reforms and even for the reestablishment of the state of emergency in the South East. Until now, there has been no such reversal. While the government is currently working to revise some provisions of the Anti-Terror Law, the outcome of which is uncertain, the Minister of Justice and Prime Minister Erdoğan have stressed on various occasions that there would be no going back on the Copenhagen political criteria. On a recent visit to Italy, the Prime Minister reiterated his claim that in case Turkey is not admitted into the EU, it would continue on its reform trajectory by reference to the famous 'Ankara criteria', which would, in essence, be no different than the Copenhagen political criteria. In a similar vein, just before his trip to Diyarbakır upon the escalation of terrorist activities, Erdoğan agreed to meet some prominent Turkish intellectuals who called for an end to terrorist activity on the part of PKK and for further democratisation efforts on the part of the government.

For a large number of Kurds and Turks, such commitment to democratisation is the only way to marginalise terror and resolve the Kurdish issue. Here, the role of Europe becomes of crucial importance in various respects. Any failure to start accession negotiations due to the Cyprus issue would tremendously benefit the Eurosceptic segments of the Kurdish and Turkish society, and contribute to their efforts to divide society along ethnic lines. A weakening of pro-democracy forces in the event of a rejection from Europe, would be to make it more difficult to resist nationalists' desire to curb the democratisation process, which could in turn fuel the support for terrorist activity.

In a second respect, in case accession negotiations are opened with Turkey, they should contribute to focusing the reform agenda on pressing issues in dealing with the roots of the problem, such as that of the electoral threshold. If the marginalisation of terror can only be achieved through democratisation, this is a belated, but certainly the central issue that Turkey should be dealing with in the immediate future. In Turkey, a national threshold of 10% is required for parties to enter parliament. This excessively high and in effect, undemocratic threshold, a remnant of the 1980 military coup, needs to be reduced to strengthen legitimate rule in Turkey and to ensure fair representation of the Kurds in parliament and their effective participation in political dialogue. Alternative and peaceful views on the Kurdish issue can only be articulated by a shift to the political sphere, and so to narrow the terrain of terrorism. The transformation of Turkish political Islam provides a relevant example as to how radical voices can indeed be marginalised through incorporation into the political system.

---

<sup>1</sup>Radikal, 15 August 2005.

A third respect where Europe could play an important role concerns the wider measures that need to be taken to combat terrorism while respecting human rights and civil liberties. After the London attacks of 7 July 2005, the European Union has devised certain controversial policies to fight international terrorism without much concern for civil liberties and human rights standards.<sup>2</sup> Furthermore, UK Home Secretary Charles Clarke, speaking to the European Parliament in early September stated that 'civil liberties may have to be bartered away in exchange for protection from terrorists and organised criminals'. Despite these worrying developments, there are also voices in Europe that argue for the primacy of the rule of law in the fight against terrorism. Hence, Europe itself is currently caught in the struggle to find the fine balance between human rights and security and these recent developments signal that it is finding it difficult to do so. All efforts to strike a successful balance between the two in Europe would help Turkey to facilitate democratisation and human rights reforms, provided that relations between EU and Turkey proceed closely under a negotiating framework where Turkey adopts the EU *acquis*.

Hence, while the Cyprus issue and other classic Turkey questions may be dominating current diplomatic manoeuvres, the internal developments in Turkey and their interlinkages with Europe should not be missed. Last year's December Summit decided that the political criteria were being fulfilled. However, the real test case for democracy emerges in the face of crises such as terrorism. The difficulty in dealing with it under the rule of law is what unites Turkey and Europe today, requiring special treatment not just by policy analysts, but also by the political elites.

---

<sup>2</sup> See Thierry Balzac and Sergio Carrera, *The EU's Fight against International Terrorism: Security Problems, Insecure Solutions*, CEPS Policy Brief, No.80/July 2005 for a detailed treatment of EU initiatives in this area.

*Las ideas expresadas por los autores en los documentos difundidos en la página web no reflejan necesariamente las opiniones de FRIDE. Si tiene algún comentario sobre el artículo o alguna sugerencia, puede ponerse en contacto con nosotros en [comments@fride.org](mailto:comments@fride.org) / The views expressed by the authors of the documents published on this website do not necessarily reflect the opinion of FRIDE. If you have any comments on the articles or any other suggestions, please email us at [comments@fride.org](mailto:comments@fride.org) .*