

TESTIMONY OF ALI CINAR, PRESIDENT OF TURKISH HERITAGE
ORGANIZATION
HOUSE COMMITTEE ON FOREIGN AFFAIRS, SUBCOMMITTEE ON
EUROPE, EURASIA, AND EMERGING THREATS HEARING: TURKEY'S
DEMOCRACY UNDER CHALLENGE APRIL 5, 2017

Chairman Rohrabacher, Ranking Member Meeks, Members of the Subcommittee:

It is an honor for me to testify before you today. As a first generation American, I have had the privilege to take important leadership roles with two of the oldest Turkish-American umbrella organization – Assembly of Turkish American Associations (ATAA) in Washington, DC and Federation of Turkish-American Associations (FTAA) in New York City. As the President of Turkish Heritage Organization, I continue to dedicate myself to advance U.S. – Turkey relations. I am very much aware about the importance of these hearings and I feel particularly privileged to be invited to this hearing room again for a witness.

I think “Turkey's Democracy Under Challenge ” is a suitable title for this hearing. Regardless of where one stands on his/her views on Turkey, I am sure everyone would agree that 2016 was a particularly challenging year for Turkey and U.S. – Turkey relations. Exceptional security challenges, including an attempted coup on July 15 and an increase in deadly terror attacks carried out by groups like Daesh, the PKK, and TAK have compounded U.S.-Turkey relations, which have suffered a series of setbacks regarding disagreements and tensions over two major security issues: U.S. support of the YPG in Syria and Turkey's request for the extradition of Fethullah Gulen.

Understanding Turkey's democracy that is under challenge requires a thorough review of its domestic and regional risks. Terrorism continues to be Turkey's number one security concern. Escalation of the conflict between the Kurdistan Workers Party (PKK) and the Turkish state in 2016, ignited a wave of deadly terror attacks carried out by the Kurdistan Freedom Hawks (TAK) in cities like Istanbul, Ankara, and Kayseri. The renewal of this conflict is compounded by the increasing threat posed by Daesh, which successfully carried out a series of large-scale attacks in Turkey. These attacks made it clear that Turkey was facing an unprecedented security threat emanating from Syria that needed to be addressed. Overall, more than 270 people lost their lives in at least 12 major terror attacks in Turkey, making 2016 a year of terror.

The July 15 Coup Attempt, which was carried out by a faction within the Turkish Armed Forces (TSK), took a considerable toll on the Turkish nation. According to the Turkish government, the coup attempt was organized by U.S.-based Turkish exile Fethullah Gulen and a group of his followers that the Turkish government has labeled the Fethullah Gulen Terror Organization (FETO). Turkey's 26th Chief of the General Staff, Gen. (Ret.) M Ilker Basbug, who was jailed following the Ergenekon Trials, delivered a special address in Washington, D.C. as Turkish Heritage Organization's guest. Gen. Basbug told the audience he had no doubt that the coup attempt was organized by followers of Fethullah Gulen.

Similarly, Lt. Gen. Ismail Hakki Pekin, the former head of Turkey's military intelligence; Colonel Judge Ahmet Zeki Ucok, former military judge who has conducted investigations into the infiltration into the Turkish Armed Forces of followers of Pennsylvania-based Turkish cleric Fethullah Gulen; and Nedim Sener, who has investigated the role of Gulen-affiliated security forces in the assassination of Turkish-Armenian journalist Hrant Dink, spoke about the dangerous nature of the Gulen network when they visited Washington, D.C. as Turkish Heritage Organization's guests.

Following the coup attempt, the Turkish government formally requested Gulen's extradition to Turkey and presented the U.S. government with evidence showing Gulen's involvement in multiple crimes in Turkey. The extradition is one of the major areas of concern for Turkey with regard to its relations with the U.S.

It may be difficult to grasp the dangerous nature and capabilities of the Gulen movement for those who are not familiar with it but Turks and Americans from Turkish heritage are well aware of this organization's history and extensive world-wide network. Gulen network's infiltration of state institutions in Turkey was a well known fact. However, at the time both the Turkish and U.S. governments turned a blind eye to the organization "when it suited them."

Colonel Judge Ucok, who helped conduct military investigations into the Gulen network's infiltration during his tenure at the Air Force Attorney General's office, claimed that investigations had shown evidence that during the period between 1986 and 2006, 30,000 officers could have been connected to the Gulen movement. He estimated that during the following decade, an additional 40,000 could have entered into the armed services, thus making the number of affiliated officers approximately 100,000 by the present day. He said that of the 358 generals in the Turkish Armed Forces, 160 had been connected to this organization.

For the first time in its history, the Republic of Turkey, a country that is all too familiar with periodic military interferences, was able to stop a military coup but it claimed 248 lives and injured over 2000 people. Regardless of what we think about Turkey's democracy, the truth is that this coup attempt was going to undermine Turkey's democratic institutions, political parties and many other rights and liberties – exacerbating the existing domestic and regional risks and possibly initiating a civil war.

Republic of Turkey had survived an enormous threat and had to make difficult choices in the aftermath of the coup attempt. The emergency rule, which is still in effect, was aimed at taking the necessary precautions and eliminating the complex national security risks that it posed. According to Turkish newspapers, more than 113 thousand people were arrested for charges related to FETO. Close to 42 thousand people were released following the appropriate investigations.

As it entered its sixth year, the civil war in Syria became Turkey's biggest regional security risk in 2016. Turkey has continued to be a reliable and effective partner in the fight against Daesh. After opening up Incirlik Air Base in July 2015 for use by the Global Coalition to Counter ISIL as part of Operation Inherent Resolve, Turkey launched its own operation in August 2016 in northern Syria to counter Daesh as well as the People's Protection Units (YPG), which Ankara views as a terrorist organization due to its links to the PKK.

With Operation Euphrates Shield in northern Syria, Turkey declared that it was exercising its right to self-defense (codified under Article 51 of the UN Charter) and officially became the first anti-Daesh coalition country to use ground forces in Syria.⁶ However, continued U.S. support of the YPG – which Washington considers an effective partner in the fight against Daesh – has aggravated and severely antagonized Turkey's threat perceptions during a period in which Turkey is suffering from attacks by both Daesh and Kurdish nationalist terror groups.

Operation Euphrates Shield holds considerable significance for Turkey. Following the coup attempt in July, there were both domestic and international concerns about the state of the TSK and about Turkey's institutional strength as a critical NATO member. In addition to addressing border security concerns and confronting terror groups,

Operation Euphrates Shield provided Turkey the opportunity to re-affirm its military strength and capability not only to its allies but also to its adversaries.

The ongoing civil war in Syria and the fight against Daesh continue to pose significant risks not only for Turkey but also for its allies. The Syrian conflict has exposed Turkey's domestic and regional vulnerabilities and undermined its security. It has strained U.S.-Turkey relations, which worsened even further after the coup attempt. Various disagreements between Turkey and the U.S. – especially over Syria drove Turkey closer to Russia. As a result, near the end of 2016, Moscow and Ankara worked closely together to negotiate a humanitarian ceasefire in Aleppo that would pave the way to a 2017 international meeting on a Syrian settlement in Astana, Kazakhstan. Although the rapprochement between Russia and Turkey has distanced the U.S. from this process, Ankara has expressed its willingness to improve its relations with Washington under the new presidential administration in the U.S.

In addition to significant security risks, the ongoing civil war in Syria also poses a significant humanitarian aid concerns for Turkey. While EU was seeking ways to stem the flow of refugees, both the Turkish government and NGOs have expended ample time and resources to support the 3 million refugees in Turkey with little assistance from the international community. Turkey remains at the forefront of global humanitarian aid efforts, ranking second on the 2016 Global Humanitarian Assistance report's list of top global donors. Even though Turkey is the largest refugee hosting country in the world, it is only the 10th highest recipient of aid. There is a major need for more aid to support large refugee populations in host countries such as Turkey.

The observations that I make in Turkey as well as in Washington clearly indicate that continuation of complications between Washington and Ankara – will not only severely damage bilateral defense cooperation between the two largest militaries in NATO but

will also contribute to the destabilization of both Turkey and its region.

All of these challenges and enormous risks should be taken into consideration when evaluating Turkey's domestic and foreign policy motives. Turkey's domestic security will continue to be vulnerable to the conflict in Syria, and for that reason, Ankara cannot adequately address the threats it faces from myriad terror groups without strong cooperation with the U.S. on Syria.

Turkey is gearing up for a historical referendum on April 16, when voters will decide whether or not to approve constitutional amendments that will shift Turkey's current parliamentary system to an executive presidency. The idea of executive presidency is not new in Turkey. Former Presidents Turgut Ozal, Suleyman Demirel have introduced it but they were unable to pursue it due to the political conditions at the time. As someone who lived through the 1980's military coup d'etat and the constitution that was established afterwards in 1982, it is important to emphasize that Turkey is not a "classical" parliamentary system. In fact the existing constitution was set up to address the expectations of military for a president that would come from a military background. In other words, the existing constitution is geared more toward protecting the Turkish state from the people than guaranteeing political and civil rights. From this perspective, the proposed changes to Turkey's constitution should be seen as a natural urge.

Turkey may not be a perfect democracy but one has to recognize that despite numerous challenges and setbacks, political and civil rights has significantly improved since the 1980's. The upcoming referendum is an attempt by the Turks to start a new chapter – a chapter that does not involve any military imposed constitution. Political stability, something that is difficult to grasp for under the military imposed constitution will be the ultimate goal of this referendum.

I am not an expert on constitutional law and government. However, it is important to analyze the root causes and needs behind the proposed changes. Turkey traditionally had been governed by a bureaucratic-military secular elite. Up until recently, Turkish military remained as the invisible hand that monitored and threatened the political establishment. In 2007, military blocked then AK Party Foreign Minister Abdullah Gul's run for the presidency – a complete disregard to political process. This is just one example at the highest level. Turkey and Turks have been living under this invisible hand for over 35 years now!

Turkey and Turks hope that the proposed changes will finally change this three decades-long influence and interference that has negatively impacted the natural course of democratic progress. Under the proposed changes to the constitution, the President will be elected directly by the people with more than 50% of the votes, which means that there will be a better representation of the national will. Additionally, current issues with jurisdiction of the President is extraordinarily large. The new system proposes greater responsibility and accountability as well as faster and more efficient decision making process. Administrative obstacles and red-tape, which have severe consequences on Turkey's overall governance, will be eliminated. Not to mention that the proposed system will create a strong barrier against coups.

The Current Version: Judicial power shall be exercised by ***independent courts*** on behalf of the Turkish Nation. **The Proposed Version:** The Current Version: Judicial power shall be exercised by ***independent and impartial courts*** on behalf of the Turkish Nation. **Why:** This would increase confidence into the Judiciary. FETO like illegal structures will not be able to infiltrate to the Judiciary.

Who has the Power? The Grand National Assembly can take the decision to send the president to the Supreme Court with two-thirds of its members secret votes.

Judiciary in the new Proposed Presidential System: The Council of Judges and Prosecutors shall be composed of **13** regular members; and shall comprise **two chambers**. The Council's **four members** are appointed from among judges and prosecutors by the **president**. **Seven members** are appointed by the **Grand National Assembly**. The minister of justice is the head of the council and the undersecretary is its natural member. Democratic legitimacy would be consolidated. Factionalism would come to an end. Example: **The Netherlands**: All members **appointed by the King** upon the proposal of the Justice Minister. **Spain**: All members **appointed by the King** upon the proposal of the Parliament. **Norway**: 9 members. **2 appointed by the Parliament**. The **King appoints 7** upon the proposal of the Government.

I wanted to give some examples of the proposed Presidential system. The Turkish Parliament will remain to be active and involve with the execution and able to investigate the President if needed.

The most important part is to have a stronger system will increase the country's influence in the region and across the world.

Don't we-U.S – need a much stronger NATO Ally in the Region?

I would like to make some highlights on Turkey's Current Issues and Future of Partnership w U.S especially after April 16th:

We will learn the results on April 16th but no matter what happens US-Turkey partnership will remain stronger despite some disagreements.

Security:

- Especially PYD&PKK and FETO are the two top major issues for the relationship. Many members of congress don't believe that FETO was behind the coup attempt but many evidences show that FETO was

behind of the coup. PYD and FETO are the big terror threats for Turkey along w ISIS.

While Turkey considers the PKK/PYD to be a terrorist group affiliated to the PKK, which has waged war against Turkey since 1984, the U.S. sees the PKK/PYD as its ground ally against Daesh in Syria. Turkey launched Operation Euphrates Shield on Aug. 24 and completed mission last week. As a result: the operation was ensure the security of turkey, purge isis terrorities from turkish borders, to eliminate operational force of the terror PKK-PYD and ISIS to ensure stability securyithof region. More than 2500 ISIS terrorist were neutralized more than 600 terrorist captured- more than 71 Turkis Military staff martred . Life in the purges areas went back to normal and thousands of syrians went back their homelands

Turkey is ready to support for fighting against ISIS in the region but concern remains on the US support to PYD. Several NGPs including Amnesty IntHuman Rights Watch and Syrian Network forhuman Rights report continuous human right violoations and ethnic leasing campaign conducted bt PYD-YPG.

Turkey has all the capabilities and ready to cooperate w US on ground fight against DAESH

-FETO: Turkey would like Fettullah Gulen to be extradited ASAP. If U.S believes Turkey as a strong ally on this case, U.S should take a look evidences more seriously and Turkey needs to be more patient on the U.S justice system.

Since we talk about the respect of the countries justice system, **The extradition treaty signed by U.S-Turkey in 1979 - treaty's 10th article says that in cases of urgency, if Turkey or the U.S. suspects anyone, the host country needs to arrest the suspect for 60 days until documents for extradition are submitted to the executive authority of the requested party.**

The “Kurdish Issue”

The “Kurdish issue” in Turkey is so-named because previous governments in Turkey restricted the rights and representation of ethnic Kurds, and this situation was exacerbated by violence against citizens of Turkey in the name of Kurdish separatism.

Since 1980, Turkey has been experiencing a violent conflict with the Kurdistan Workers’ Party (PKK). The PKK is classified as a terrorist organization by Turkey, the U.S., and the EU. The fight between the PKK and the Turkish state has cost more than 40,000 lives.

In the 2000s, the AKP-led Turkish government initiated a “Kurdish opening” in an effort to find a political solution to this decades-long conflict. This opening included pursuing reforms that would allow for greater cultural rights. As one example of progress, in recent years, several Kurdish-language television and radio stations have been established in Turkey and courses teaching the Kurdish language and dialects have been created. This is a far cry from the days when Kurdish was banned in various forms under previous governments.

As part of this “Kurdish opening,” the Turkish government pursued a peace process with the PKK aimed at ending the violence of the previous decades. This process collapsed in 2015.

When looking at the “Kurdish issue” in Turkey today, it is important to disassociate Turkey’s Kurdish population from the PKK terrorist group.

The only “issue” the government of Turkey has is with PKK terrorists and their affiliates, who attack and kill citizens of Turkey of all backgrounds. It is important to note that the resurgence of the PKK

conflict in Turkey is directly tied to the ongoing conflicts in Syria and Iraq. The chaos on Turkey's borders has strengthened the PKK by allowing it to continue operating from northern Iraq while strengthening its affiliates in Syria.

There are significant links between the PKK and the Democratic Union Party (PYD) and its armed wing, the People's Protection Units (YPG), in northern Syria. In addition to sharing an ideology and a devotion to Abdullah Ocalan, both the PKK and the PYD/YPG also share fighters, who may be fighting with the PKK one week and with the YPG the next.

The PYD-led cantons in northern Syria have also served as a training ground for terrorists who go on to conduct attacks in Turkey, as was the case of Seher Cagla Demir, who killed 37 people in a bombing in the heart of Ankara in March 2016.

In the West, there is a narrative that YPG and PKK advances against ISIS are victories for human rights. Juxtaposed against ISIS, many militant and terrorist groups look tame. But the need to defeat ISIS does not erase the fact that both the YPG and the PKK are terrorist organizations. The latter in particular has the blood of thousands of Kurds and Turks on its hands in Turkey alone.

Turkey has also been a victim of ISIS. In 2016, ISIS killed more than 100 people in Turkey – including foreigners. For Turkey, both ISIS and the PKK pose significant, deadly threats. A whitewashing of groups like the YPG and the PKK only serves to elongate conflicts in Syria, Iraq, and Turkey.

It is paramount for Turkey and the PKK to return to a peace process that will enable this conflict to be resolved once and for all. For this to happen, the U.S. needs to stand behind its NATO ally and help create the conditions for peace. This includes heeding Turkish concerns about U.S. support for the YPG while also working with

Turkey and other regional actors to negotiate an end to the Syria conflict. As long as there is a war on Turkey's borders, there will be the threat of spillover into Turkey's domestic issues.

The recent detentions and arrests of a number of MPs from the People's Democratic Party (HDP) must be understood in the context of the PKK conflict. Last May, immunity from criminal prosecution was lifted from over 100 members of the Turkish parliament, including MPs from every political party represented in parliament. Following this move, all affected members except some HDP MPs gave depositions regarding ongoing investigations into potential criminal activities. Turkish courts issued warrants for the HDP MPs in order to secure depositions. Since then, some have been remanded into custody while others have been released.

The HDP is a political party that passed the election threshold to enter the Turkish parliament, and it should continue to be included in the Turkish parliament as such. As a party with a broad Kurdish base, it will likely play an essential role in any new peace process between the Turkish state and the PKK, as it did in the past. Nevertheless, there are concerns about certain HDP members maintaining links to the PKK or otherwise supporting the terrorist group, such as in the case of some HDP members attending the funerals of PKK terrorists. These concerns need to be addressed. It must also be remembered that despite a base that is broadly Kurdish, the HDP is not the de facto representative of all Kurds in Turkey.

Freedom of Expression and the Media

Freedom of expression and the media constitute an important pillar of human rights in Turkey. It is a fundamental freedom guaranteed under the Constitution and other relevant legislation.

This does not mean, however, that mistakes have not been made in the past regarding ensuring this fundamental right. The abuses and fabrications of the Ergenekon and Sledgehammer trials, which were carried out by corrupt officials tied to FETO, are just one example.

Today, media in Turkey includes a diverse and wide variety of domestic and foreign print, television, radio, and online news outlets. In Turkey, there are over 7,000 newspapers and journals as well as more than 200 TV stations and more than 1,000 radio stations that reach national and local audiences. Each regularly exercises free speech without intervention from the government.

There are 110,000 Associations and 50,000 foundations currently operating in Turkey. In recent years, Turkey has undertaken a series of comprehensive judicial reforms in line with both international and EU standards and principles for the protection and promotion of freedom of expression and the media.

There is no Turkish legislation that includes any provision that would lead to imprisonment of journalists on account of their journalistic work. Everyone is equal before the law without any distinction as to his or her profession.

It is important to note that the post-coup-attempt state of emergency has necessitated extraordinary actions in order to ensure the stability and security of Turkey. Those journalists who have been detained or arrested under the state of emergency have been charged with serious crimes, which include spreading propaganda for terrorist organizations such as FETO and the PKK. Turkey has suffered repeated attacks and loss of life from both of these groups, and it is necessary to take actions that prevent further violence, including by pursuing criminal investigations against those who support these organizations.

Domestic remedies exist for those who believe they have been wrongfully suspected in the anti-terrorism probes. The Inquiry Commission on the State of Emergency Measures addresses applications from citizens who feel they have been wrongly persecuted. This provides an effective domestic legal remedy to any false accusations.

U.S.-Turkey Relations More Important Now Than Ever

Today, Turkey is beset by three major terrorist groups – the PKK, ISIS, and FETO. Violent conflicts in Syria and Iraq have direct ramifications for Turkey’s own security. Turkey – and Turkish democracy – is experiencing an exceptional period of stress due to these security concerns.

Many of the actions taken under the current state of emergency have been pursued in order to return Turkey to a state of security and stability.

However, the Turkish government must also be cognizant of how these actions are carried out.

There are concerns that many innocents have been caught up in the Turkish government’s efforts to extract members of FETO and other terrorist groups from the ranks of the military, police, judiciary, and academia.

It is imperative that the government continue to pursue programs like the Inquiry Commission on the State of Emergency Measures to give legal recourse to citizens who have been negatively affected.

Already, 31,000 individuals have been reinstated in their jobs after having been removed under the state of emergency measures, and 300 institutions that were previously closed under the state of emergency have been reopened.

While trials and detentions continue, it is essential that the Turkish government works to ensure fair and speedy trials and to prevent undue suffering while individuals remain in custody. Allegations of abuse of prisoners must be addressed when and where they are made.

A strong and stable Turkey will be a more beneficial partner for the U.S. It is important, then, for the U.S. to understand the exceptional situation Turkey is now in and to support its partner in its pursuit of stability.

As Turkey reconciles with the events of July 15 and their aftermath while also defending itself against spillover from the conflicts in Syria and Iraq, it is more important than ever for the U.S. and Turkey to maintain an open dialogue. Officials in both Washington and Ankara, need to return to a tenor of solidarity, respect, and shared commitment toward the realization of each country's interests.

As a NATO ally with the second largest military in the alliance, Turkey is a crucial security partner for the U.S. A weaker, destabilized Turkey will be a catastrophe not just for citizens of Turkey but for Europe, NATO, and the U.S. It is important for both Washington and Ankara to be able to engage in honest but respectful discussions with each other even in the face of disagreements or concerns. As General Joseph Dunford said on a November 2016 visit to Turkey, "an express willingness to work through these issues and share perspectives will mean stability in the region."

The July 15 coup attempt shook Turkey to its core and called into question its democratic resilience. However, the incredibly courageous response shown by the Turkish public as the coup attempt was unfolding made one thing clear: the Turkish people want a strong, free, and fair democracy.

The U.S. remains the preeminent example of such a democracy, and it is more important now than ever that Washington and Ankara maintain their strategic and historic relationship in order to ensure the security of both of their countries.

I would like to thank you again Mr. Chairman and Committee Members for giving me the opportunity to be a part of this hearing today.