Overview of corruption and anti-corruption in the Western Balkans and Turkey

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In Albania, Bosnia & Herzegovina, Kosovo, Montenegro, North Macedonia, Serbia and Turkey powerful patronage networks have infiltrated and consolidated their control of state institutions. These networks wield influence in many fundamental judiciary, law enforcement and anti-corruption institutions. As a result, politically independent and effective oversight and prosecution mechanisms can be absent, and corrupt officials and organised criminals can occasionally engage in acts of corruption with impunity. Overall, the region has lost momentum, neither moving forward nor regressing. There may be two exceptions to this, however. First, North Macedonia, which has elected a government that has signaled increased willingness to make headway against corruption. Second, Turkey, where the remnants of a political culture conducive to accountable governance is eroding.

Query

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Background

Emerging from the chaotic and violent events of the 90s, the contours of state-building in the Western Balkan states have been heavily influenced by ethno-nationalism, post-war reconstruction efforts and external interventions (Keil 2018). In most of the Western Balkan states, elites and groups who had participated in the conflicts and controlled much of the war economy continued to wield significant influence in post-war institutions. This enabled them to maintain prominent roles in the state apparatus after the dissolution of the Socialist Federal Republic of Yugoslavia (Keil 2018).

To this day, countries including Bosnia-Herzegovina, Kosovo and North Macedonia remain fraught with ethnic polarisation and institutional challenges. Regardless, like Slovenia and Croatia, the only two former Yugoslavian republics to transition into consolidated democracies, several of the region's states believe their futures are tied to the European Community as members of the European Union. With the exception of Bosnia-Herzegovina (a potential candidate country) and

Main points

— In all Western Balkan countries there are pervasive elements of neopatrimonialism.

— Every country assessed lacks resilience to withstand attempts at state capture by patronage networks.

— All the Western Balkan states have witnessed large-scale public protests in 2019 over corruption issues.

— In Albania, Bosnia and Herzegovina, Kosovo and Serbia the overall situation in terms of corruption appears to be stuck at a status quo.

— In North Macedonia, recent years have seen a number of positive developments. The challenge for North Macedonia is to maintain the momentum in its fight against corruption in the midst of political

Kosovo (a de-facto state), all countries covered in this paper have become EU candidate countries.

In the case of Turkey (a candidate country since 1999), negotiations have become complicated, and there are no open accession negotiations on a range of areas (EU Delegation to Turkey 2019). For the Western Balkan candidate states, progress towards compliance with EU membership criteria has been slow. Aside from geopolitical disagreements, such as the status of Kosovo, endemic corruption has

been a key reason for the slow pace of advancement (Tcherneva 2019).

The accession negotiations have had to adjust accordingly. In 2018, the European Commission (EC) launched a new strategy for the Western Balkans. While reiterating its intentions to include the Western Balkan states into the EU, the EC also noted that the countries need to increase their efforts to undertake substantial governance reforms before negotiations could move forward. From a governance perspective, the EC's new strategy is notable for its more explicit use of terms such as state capture and a clear focus on corruption (EC 2018).

Moreover, individual member states, France in particular, have taken an even clearer stance on the Western Balkans enlargement question: only when the candidate countries have sufficiently demonstrated their willingness and capacity to perform well enough on a number of governance indicators can accession talks move forward substantially (Tcherneva 2019). As the new high representative/vice president (HRVP) and a new commission takes over, it is going to have to continue pushing for such substantial governance reforms and changes in the midst of increased Russian and Chinese influence in the Balkans (Nechev & Zeneli 2019) as well as low appetites in European countries for enlargement (Tcherneva 2019).

Hence, for the states in the Western Balkans, corruption has been a principal issue impeding progress towards EU standards (Ben-Meir 2019). (For Turkey, the issues impeding EU accession tend to reflect more fundamental differences, especially with regards to human rights and rule of law) (Aydıntaşbaş 2019).

While a lack of political will among Western Balkan elites is certainly to blame, the international community's own approaches have not been without their flaws either. Indeed, accession negotiations have not deterred democratic backsliding in the Balkans (Marovic et al. 2019; Keil 2018). Critics (e.g. Richter & Wunsch 2019) argue that the Western Balkan states have focused

on living up to formal conditionalities, while at the same time they have not implemented genuine democratisation efforts. In other words, democratisation and good governance have increasingly "decoupled" in theory and practice. Key to explaining this decoupling is state capture – the process by which patron-client networks infiltrate or gradually take control of state institutions (Richter, Wunsch 2019).

Conditionalities made by international institutions and the EU, Richter and Wunsch (2019) argue, have unintentionally enabled state capture. Firstly, rapid liberalisation allowed patronage networks to strengthen their power in society by rigging privatisation programmes in their favour. Secondly, national ownership in efforts to create accountable institutions were often weakened as these objectives became driven by international politics rather than from inside the countries. Accountability became something to present to the HRVP rather than to populations. Thirdly, progress towards compliance on conditionalities were often presented by ruling elites in ways that legitimised their claims to power (Richter & Wunsch 2019)

Regional corruption trends

According to the Southeast Europe and Leadership for Development and Integrity (SELDI 2016) overall corruption in the Western Balkans has gone down slightly in recent years. However, these changes are small, and the year-on-year change in levels overall levels corruption in the region is "negligible" (SELDI 2016). Roughly 50% of respondents in the 2013 Global Corruption Barometer (GCB) believed that corruption had increased either "a little" or "a lot", and 56% believed that their governments' attempts to counter corruption were either "ineffective" or "very ineffective". Likewise, 53% of respondents in the 2016 GCB believed that their government did a bad job in countering corruption.

In general, therefore, the countries in the region have stagnated in their measures to counter corruption, neither improving nor deteriorating (Rudic 2018). In every country in Southeast Europe, except Montenegro and Turkey, the majority do not

believe that corruption can be reduced substantially (SELDI 2016). In general, levels of public trust towards public institutions are low.

The issue of state capture is one of the primary issues in the region (Transparency International 2016). It is a systemic issue that underpins the states' modes of operation (Marovic et al. 2019). Patron-client networks have penetrated fundamental institution such as the judiciary, law enforcement agencies and anti-corruption agencies (Marovic et al. 2019; McDevitt 2016). As a consequence, the Western Balkans and Turkey lack politically independent and effective oversight and prosecution mechanisms (Marovic et al. 2019; McDewitt 2016). Moreover, in most countries in question, key institutions that counter and prevent corruption have overlapping mandates and weak inter-institutional coordination (McDewitt 2016). The fact that key anti-corruption institutions do not have sufficient independent authority encourages the impression of impunity.

Moreover, corruption in elections removes one of the key mechanisms for citizens to push for change (Marovic et al 2019; Keil 2018). This contributes to a wide-ranging feeling of distrust towards politicians as well as a feeling of helplessness that drives people to seek ways to benefit from rather than change the status quo (Marovic et al. 2019). Electoral commissions in the region tend to reflect partisan interests, with parties buying seats at local commissions (Marovic et al. 2019). Political parties can act as brokers that divert state resources towards securing their political ambitions, for instance, by guaranteeing employment for party members (thereby turning citizens into clients) or threatening non-voters with termination of employment (Marovic et al. 2019).

Companies in the private sector are known to return a part of their profits from pre-fixed procurement contracts back to the political party or incumbent acting as their patron (Marovic et al. 2019). In all Western Balkan countries, political parties have interests in state-owned enterprises (SOEs) (McDewitt 2016).

Many analysts (e.g. Marovic et al. 2019) view corruption in the Western Balkans through a lens of particularist governance, defined as a political economy where particular interests trump general ones. Thus, in the particular configurations of patron-client networks, there is little reason to expect the actors benefitting the most will change themselves (Marovic et al. 2019).

The Western Balkans serve as Europe's prime hubs for organised crime. Among the types of crime known to the area is trafficking of humans (for both sexual and labour exploitation purposes), trafficking of illegal arms and trafficking of drugs (GI-TOC 2015). Organised criminal networks often exist in a symbiotic relationship with corrupt elements at various levels of the state, and have penetrated state institutions across the region (GI-TOC 2015). In practice, therefore, organised criminals can act with impunity.

In Turkey's case, corruption trends cannot be analysed in separation from general political trends, which are characterised by a diminishing capacity to check the power of the executive, the dispensation of rules-bound governance and violent conflict. As will be explored in this report, militarised identity politics is used extensively by Turkey's ruling elites to justify these developments (Zirngast et al. 2019).

Country analyses

Albania

Background

For Albania, 2019 has been a year of political crisis. In February 2019, the Albanian opposition coalition began protesting after most members of the Democratic Party, one of Albania's opposition parties, resigned from parliament. The move happened as an increasing amount of evidence exposed the ruling party's attempts at electoral manipulation through vote buying in the 2017 elections. The protests intensified in the following months, culminating in June of the same year when opposition parties decided to boycott local

elections and called for Prime Minister Edi Rama's resignation (Al Jazeera 2019). Amid the protests, the German newspaper Bild published a leak from a wiretap, providing insights into extensive collusion between high-ranking police officers, the mafia, state officials, private sector individuals and politicians (Exit 2019). The leaks shows the extent to which the state has become subject to capture by a nexus of political elites and organised crime.

In June 2019, Albania held mayoral elections in spite of the opposition's choice to boycott. The OSCE election observation report (2019b:1) stated that the elections were held "….with little regard for the interests of the electorate" and that more than half of the Socialist Party's mayoral candidates ran unopposed.

Main corruption challenges

Levels of corruption in Albania are high. On the Corruptions Perceptions Index (CPI), Albania has a score of 36 out of 100 (where a higher score indicates less perceived corruption). This makes Albania rank 99/180 globally, and one of the lowest ranking countries in Europe. On the Worldwide Governance Indicators (WGI), measured on a -2.5 to 2.5 scale, Albania has a control of corruption score of -0.52 (World Bank 2018).

Captured institutions and weak institutional anti-corruption framework

State capture is present in Albania and the country's political systems and institutions do not adequately ensure checks and balances on power. Prior to current reforms, most appointments to important senior positions in bodies such as the prosecutor general, the constitutional court and the supreme audit institutions are made by the parliament on a basis of a simple majority (Halo & Llubani 2016). The only exception was the ombudsman institution, which is appointed by a two-thirds majority of parliament. The Albanian ombudsman institution comes closest to international standards for integrity (Halo & Llubani 2016). As parliament has traditionally been dominated by one party, the executive has a strong influence in most national institutions meant to

ensure checks and balances. In the past, there has been a tendency to use this influence to appoint partisan individuals (Halo & Llubani 2016).

The executive have traditionally wielded a high level of influence over the judiciary branch of Albania's government. Appointments to courts often happened along partisan lines, resulting in a judicial system that cannot work at an arm's length from the executive and legislative branches of government (Halo & Llubani 2016).

In line with the tendencies of other institutions, the election commission, which provides oversight of elections, is politicised and weak. There are effectively few laws that regulate campaign financing or require politicians to publish their sources of funding (Halo & Llubani 2016). This enables organised criminal groups to contribute to party finances and buy favours from politicians (see later).

In addition to clear legal and institutional gaps, the laws in place to counter and prevent corruption in Albania are generally implemented poorly. Institutions and bodies with anti-corruption mandates often do not work systematically. Combined with a lack of commitments in dominant political parties to allow institutions that ensure public integrity to carry out their mandates this makes for multiple inadequacies (Halo & Llubani 2016).

Judiciary reforms

In July 2016, Albania's parliament adopted a series of amendments to the constitution seeking to address the widespread lack of trust in judicial institutions in Albania (Xhepa 2018). The reform, according to the EU ambassador to Albania, is one the deepest justice reforms in the world (Soreca in Hopkins 2019) and an unprecedented push towards meeting accession criteria (Soreca in Hopkins 2019). The amendments established the High Council of the Judiciary and the High Council of Prosecution. The reform packages also introduced a commission for vetting staff in the judiciary, the Independent Qualifications Commission (Hopkins 2019).

The vetting process has three components: assets, background and proficiency (Xhepa 2018). First, judges and prosecutors fill out a series of documents, including asset declarations, then background checks (including assessments on links to individuals in organised crime) are carried out in cooperation with intelligence agencies. Finally, judges or prosecutors are assessed against their histories of complying to laws for prosecutors (Xhepa 2018).

Since beginning its work, the commission has dismissed around 60% of the judges and prosecutors that have been subject to vetting procedures (Hopkins 2019). While this may seem effective, the Independent Qualifications Commission's work has also produced some inconsistent results (Albanian Helsinki Committee 2018).

The vetting process, moreover, has been marred by long delays that have left Albania's supreme court and the constitutional court in a state where many judges are yet to be vetted, producing a massive backlog of cases (Hopkins 2019). So far, only 15% of judges and prosecutors have been vetted.

Organised crime

Potentially the most serious concern with regards to corruption in Albania are the links between the government and organised crime.

The Albanian Mafia (Mafia Shqiptare), which consists of various clans, sub-clans and families, is generally regarded as one of the most potent and influential crime rings in Europe, equal only to their allies in Italy, 'Ndrangheta (Townsend 2019). Authorities believe it to be the most powerful criminal network in the UK cocaine trade (Townsend 2019) as well as one of the largest players in the markets for both cocaine and other drugs in the rest of Western Europe. Albanian mobsters run their own supply chains directly from origin countries – in the case of cocaine, through Colombian cartels (Townsend 2019). The efficiency of the Albanian mob's business model and supply chains have brought the price of cocaine to its

lowest point in decades in the UK, while quality has increased steadily (Townsend 2019). The Shqiptare Mafia has influence on corrupt customs officials in most of Europe's important ports including those in Rotterdam, Antwerp and Liverpool (Townsend 2019).

Inside Albania, the mafia started shaping national institutions back in 1990. Through decades, it has evolved into one of the most influential para-institutions in Albanian society (Zhilla & Lamari 2016). As it has become more powerful, both at home and abroad, it has emerged as a kingmaker in Albanian politics, and is known to manipulate votes, provide funding for political campaigns, mobilise support for politicians and scare opponents (Zhilla &Lamari 2016).

Organised criminal groups also use legal businesses to launder money and to use as facades for trafficking activities (Zhilla & Lamari 2016).

Money laundering

One example of how organised criminals have captured state institutions in Albania is the tendency of the Albanian authorities to launder money through alternative forms of public-private partnerships (Exit 2018). In recent years there have been an odd number of large-scale architectural projects in Tirana, commissioned by the government of Albania as well as by the mayor. It has been speculated that these prestige projects are money laundering projects undertaken by the state for criminal networks (Exit 2018).

In practice, public-private partnerships are often formed in ways that either hinders competitive tendering altogether or simply invents a competition, by fabricating a procurement process that appears to go through all the required stages of approval for major infrastructure projects (from ministry of finance to local councils, etc.). This happened recently when the prestige architect Bjarne Ingels was directly elected to design Albania's national theatre, a project he (wrongfully) claimed to have won through an open tender (Exit 2018).

Allegedly, corrupt Albanian politicians that launder money for criminal groups often follow a procedure where it first confiscates public land, then gives it to a private developer and disguises the process as a public-private partnership. Preselected developers and responsible elites then do not have to account for their finances and can proceed without public consultations (Caushaj 2019). A similar script has been alleged was followed during the erection of Tirana's new national football stadium as well as in multiple other prestige projects (Oei 2019). These cases may show how rules of procurement are bent and reshaped by corrupt ruling elites (and their international 'starchitect' partners) to launder the proceedings of organised crime (Oei 2019). Moreover, they may demonstrate how Albanian state institutions have become captured at multiple levels.

Bosnia & Herzegovina

Background

Bosnia and Herzegovina's (BiH) complicated past lives on in the country's complex political structures. Bosnia works according to a tripartite presidency that was reinstated (its history goes back to the socialist era) after the Dayton accords of 1995. It is meant to reflect BiH's ethnic and religious plurality through a system where the Federation of BiH elects a Muslim Bosniak and a Croat president and Republika Srpska elects a Serbian president. The three presidents rotate on an eight-month basis. In addition, each of the three groups have their own presidents and the 10 cantons also have significant decision-making powers. While this system has kept ethno-religious violence from flaring up, it has also reproduced ethnic divisions and created a state that lacks (for reasons beyond just corruption) accountability and, ultimately, legitimacy. Such a system makes it difficult to address regulatory gaps and coordinate anti-corruption efforts across BiH (Lee-Jones 2018; Reynolds 2019).

Since October 2018, BiH has been in a year-long political deadlock over its NATO membership and has not formed a unified government (Reynolds 2019; Associated Press 2019). The past year has seen a number of worrying signs. Hardliners, such

as the leader of Republika Srpska and member of the Presidency of BiH Milorad Dodik, continue to call for a split of BiH. Combined with increased Russian and Croatian interference these trends put the continued semi-stability of BiH in question (Reynolds 2019). In such an environment, the political fragmentation that makes it difficult to counter corruption is unlikely to be addressed.

Main corruption challenges

Corruption is a serious issue in Bosnia and Herzegovina. The country has a CPI score of 38/100, earning the country a rank of 89/180. These numbers look stubbornly similar to those from earlier in the decade. On the Worldwide Governance Indicators Control of Corruption Index, BiH scores -0.57 (World Bank 2018).

Political, grand and petty corruption

Political corruption is a serious concern in BiH. During past elections, there have been accusations of vote buying, fraud and organised breaching of electoral laws (Lee-Jones 2018). Just over half (54%) of Bosnian citizens in the 2016 GCB believed that believed that most or all legislators are corrupt.

There are signs, however, that respect for democratic norms have been rising slightly in recent years. According to the OSCE (2019) the 2018 general election was "genuinely competitive", even if it was marred by serious issues such as undue pressure on voters to vote for ruling parties, lack of transparency in media coverage and technical issues at the Central Electoral Commission (OSCE 2019). In addition, the use of outright fearmongering on an ethnic basis continues to be a widespread issue that underpins many of these issues and prevents a more genuine debate on how to solve BiH's severe accountability and socioeconomic issues (OSCE 2019).

Grand corruption is rife in BiH. Politicians often participate in patronage networks that consist of – and thus allows for collusion between – actors in various layers in society, including the private sector, media, political parties and organised crime (EC 2019). State capture by such networks have

spread into "all levels of government" (EC/DG NEAR 2019:42). The interests of these patronage networks are reflected in every economic sector and manifests itself in issues such as non-competitive tendering processes etc. (EC/DG NEAR 2019:42).

A good example of how ruling elites collude with private sector clients at the detriment of the public's interests is the privatisation of Birač, which was one of ex-Yugoslavia's largest manufacturing firms (Transparency International BiH 2018). Birač was bought by the same investment group that advised the government during the privatisation process. The investor then stripped the companies of funds and assets while using its relations with its government patrons to ensure a continual stream of subsidies for Birač. Though these practices are unlawful, they continued for over a decade with the collusion of corrupt elements in various layers of the state, including tax authorities, the judiciary and the highest level of government (Transparency International BiH 2018).

Corruption at the level of everyday exchange between citizens and the bureaucracy is also a serious concern in BiH: 27% of respondents in the GCB (2016) reported having paid a bribe to authorities. In addition, bribes are commonly exchanged for certain court rulings, according to a 2016 report from the World Economic Forum.

Fragmented and weak institutional anti-corruption framework

In BiH, the mechanisms to ensure the independence of the different branches of government are inadequate and cannot ensure that state institutions are not subject to capture.

The judiciary in BiH is not guaranteed to work free of the involvement of executive powers (Lee-Jones 2018). A case in point, involving the judiciary, is the 2014 appointment of a president to the High Judicial and Prosecutorial Council with links to the elites in Republika Srpska and organised criminal groups (Lee-Jones 2018; McDevitt 2016). Law enforcement agencies also lack the capacities to ensure prosecution. Despite the adoption of a

law in 2015 establishing a specialised office for corruption within the supreme court and the federal prosecutor, this has yet to be implemented. Moreover, due to a lack of coordination between law enforcement and prosecutors, there have been few results (EC/DG NEAR 2019). In general, according to DG NEAR's latest report the "the law enforcement sector in the country continues to be politicised, poorly coordinated, and dysfunctional" (EC/DG NEAR 2019:22).

BiH has established the legal and institutional foundations for countering and preventing corruption (Lee-Jones 2018). Bribery, in both its passive and active forms, are criminalised, the legal code contains provisions for punishing embezzlement, there are access to information laws in place and the legal anti-money laundering and terrorist financing (AML-TF) framework BiH is up to global standards (Lee-Jones 2018; DG NEAR 2019).

The asset disclosure laws are complex and fragmented and do not cover politicians when in office (Lee-Jones 2018). Nonetheless, the three political entities in BiH have not aligned their criminal codes and different levels of government apply different strategic approaches to anti-corruption (DG NEAR 2019). The different governments have their own auditing institutions, and individual entities' prosecutors are equal to the federal prosecutor (Lee-Jones 2018). All of this effectively hinders coordination between institutions and government bodies (EC/DG NEAR 2019). The Agency for Prevention of Corruption and Coordination of the Fight against Corruption (APIK), which has the mandate to coordinate anti-corruption needs to take a stronger leadership and have more capacity to overcome this fragmentation issue (EC/DG NEAR 2019).

On top of this, political will to tackle corruption tends to be limited (EC/DG NEAR 2019). In recent years, BiH has taken steps to strengthen its institutional and legal framework further by providing a foundation for regulation of political party financing (Lee-Jones 2018). However, serious enforcement issues remain (DG NEAR 2019). As a consequence, few officials have ever

been convicted of abuse of office or corruption. When they have been, sentences have been low (McDevitt 2016). It is not just Bosnians who have not been sentenced, however. More than 20 years after the UN Peacekeeping sex scandal, the UN has yet to bring the responsible to justice (Slanjankic 2016).

Kosovo

Background

As one of the first countries to be subject to comprehensive international peace- and state-building interventions, Kosovo is a unique case. Until its independence a little over a decade ago Kosovo was in large part an international protectorate administered from the UN Mission in Kosovo (UNMIK). After 2008 the EU Rule of Law Mission (EULEX) has been one of the most ambitious EU state- and peacebuilding missions in the de-facto state.

Yet, in spite of these massive investments by western powers, Kosovo has not evolved into an archetypical liberal state. Rather, Kosovo has been subject to state capture, and experiences high rates of corruption (Coelho 2015). In many ways, the failure to avoid state capture in Kosovo can be traced back to an emphasis on stability at the expense of good governance, which provided a series of opportunities for Kosovo's elites to capture state institutions and consolidate patronage networks (Coelho 2015). As international allies came to rely increasingly on these patronage networks for delivering stability in Kosovo, they have proven to be increasingly tolerant of corruption (Ahmeti 2018).

This status quo in Kosovo has failed to deliver for its people. Kosovo is among the regions in the world with the highest youth unemployment rates (52% in 2017 according to the Kosovo office of statistics[1]) and a mass-exodus to the EU. The state, moreover, continues to suffer from aid and remittance dependency (Coelho 2015). On a

number of occasions (and typically sparked by controversial deals such as land swaps) these challenges have erupted into civil unrest.

In the October 2019 snap elections, rule of law, corruption and the resulting socioeconomic issues were major topics of debate (Gadzo 2019). The new ruling coalition has promised transformative change to counter corruption (Fazliu 2019). However, it is likely to face significant resistance from corrupt networks as well as from Kosovo's northern neighbour, Serbia, which remains vehemently opposed to the new government's nationalistic platform (Fazliu 2019). The coaltion's main party Vetevendosje is believed to be less corrupt than the major former ruling parties in Kosovo (USAID 2017).

Main corruption challenges

As with other Western Balkan states, Kosovo has a CPI score of 37 and ranks 93 out of 180, internationally. On the Worldwide Governance Indicators, Kosovo scores -0.52 on the Control of Corruption Index (World Bank 2018).

Grand and political corruption

Patronage networks wield influence in most branches of government and across the state administration (USAID 2017). Through nepotism and favouritism in the public administration, the judiciary and law enforcement agencies have been partially staffed with supporters of the Kosovo Liberation Army and the Democratic Party of Kosovo (PDK). Other parties also have some influence in the various branches of government and the state apparatus but not to the same extent as the PDK (USAID 2017).

Patronage networks reach into the private sector where procurement and tendering processes are often rigged to favour clients or state resources (e.g. subsidies or investment capital), which are directed towards select business entities in the private or state-owned sector. In return, businesses often fund the campaigns of their politician-patrons. In

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[1] The sizeable informal economy reduces the rate of youth actually out of work to around 25%.

addition to trading favours with business entities, organised criminal organisations are also involved in favour-trading within patronage networks (USAID 2017). Much of the media is also believed to be part of these networks (Keil 2018).

Political corruption in Kosovo is rampant, but the ruling parties have been less capable of rigging elections in their favour than in some of the other countries covered in this profile. Traditionally, this has resulted in multiple peaceful transitions of power (USAID 2017) – in four national elections, Kosovo has elected four different governments.

Petty corruption is also a widespread issue in Kosovo. In 2015, 21.8% of citizens in Kosovo reported giving a bribe (SELDI 2016). Bribes typically come in the form of cash, gifts or favours (SELDI 2016). The criminal code of Kosovo covers most forms of bribes.

Weak institutional anti-corruption framework

Kosovo has a specialised anti-corruption agency which monitors and implements the country's anti-corruption efforts, including the strategic anti-corruption plans. However, the failure of the anti-corruption agency to fully cooperate with other institutions, such as the auditor general and prosecutors, for an anti-corruption mandate often creates inefficiency and lacks enforcement (McDevitt 2016).

In addition to weak institutional coordination, state capture in the judiciary has weakened capacity to investigate and prosecute cases. A 2019 report covering 520 court cases finds that Kosovo's courts' ability to resolve cases and impose sentences on corruption charges are inadequate. According to the report, issued by the Balkan Investigative Reporting Network (BIRN), the number of acquittals are rising at the expense of effective verdicts. In recent years, the courts have dropped 152 corruption allegations, while only 65 sentences have been handed out. Moreover, corrupt amassed wealth has not been confiscated in any case (Begisholli 2019). The lack of punishment is particularly evident at the top of the political system. In three years, Kosovo's court has not

punished a single senior civil servant or official, despite plenty of evidence of corruption (Council of Europe 2019). While generally backing up the claim that Kosovo has made inadequate headway in the rule of law, the most recent EC country report (2019b) acknowledges some incremental, but steady improvements. USAID (2017) likewise acknowledges significant improvements in Kosovo's public financial management.

Montenegro

Background

Since the narrowly won independence referendum in 2006, Montenegrin politics have been dominated by the veteran of the wars in Croatia and BiH and estranged former mentee of Slobodan Milosevic, Milo Đjukanović and his Democratic Party of Socialists (DPS). President Milo Đjukanović, Prime Minister Dusko Markovic and the government headed by the DPS (DPS) have taken an explicitly pro-NATO and pro-EU stance despite strong economic ties between Montenegro and Serbia and Russia. This geopolitical alignment has proven to be problematic for the country (Vurusic 2019). In October 2016, Montenegrin security officials averted a coup attempt involving Serbian, Russian and Montenegrin planners. Montenegrin courts sentenced 13 people, including two FSB (Russian intelligence) agents as well as high-ranking opposition members on charges of planning the coup (DW 2019). Regime critics argue that the coup may have been a false flag operation, meant to shore up fledgling support towards the Montenegrin government (Walker 2019).

In March 2019, an estimated 10,000 protesters marched through the capital, Podgorica, protesting against endemic corruption among the nation's leaders and calling for the resignation of Milo Đjukanović (Vurusic 2019). The protests followed a series of leaks by businessman, banker and insider in Đjukanović' patronage networks, Dusko Knezevic, confirming corrupt practices among the long-serving political elite of Montenegro. In one of the leaked videos, the former mayor of Podgorica, who is a member of DPS, receives an envelope with

US$100,000 from a chairman of a business conglomerate (Tomovic 2019). In another leaked video, an official of Montenegro's central bank is seen extracting a bribe from Knezevic (Tomovic 2019).

To add to the complexity of the situation, some are questioning the timing of these leaks and the protests. The Democratic Front (the anti-NATO, pro-Russian and pro-Serbian opposition party), has used the protests and the corruption allegations as a means to roll back the geopolitical alignment of Montenegro (Vurusic 2019).[2] Corruption has essentially become an instrument in a geopolitical game between Eastern and Western Powers. For the EU, in particular, this situation is deeply uncomfortable as Brussels is facing the choice between Đjukanović, who has been in power for three decades, and an opposition that is openly pro-Moscow (Vurusic 2019).

Main corruption challenges

The extent of corruption in Montenegro is similar to that of the other countries covered in this assessment. On the CPI, Montenegro is ranked 67 out of 180 with a score of 45. On the WGI's Control of Corruption Index, Montenegro has a score of 0.02. Both of these scores are only marginally better than for the other Western Balkan states when considering the margin of error.

The ruling party of Montenegro, the DPS, stands accused of corruption, electoral fraud, organised crime ties and for suppressing independent media. Critics often argue that Montenegro's Euro-Atlantic partners tolerate corruption due to the Montenegrin government's pro-western stance (Vurusic 2019).

Grand, political and petty corruption

The political economy of Montenegro has arguably developed kleptocratic tendencies. In 2010, with a net worth of €11.5 million, Milo Đjukanović was listed by the Independent as the world's 20th richest leader (Barlovac 2010). In 2015, Milo Đjukanović won the Organised Crime and

Corruption Reporting Project's Person of the Year award – an annual prize given to the year's most corrupt international leader or institution, earning Đjukanović a rank among Nicolas Maduro, Vladimir Putin, Ilham Aliyev and Danske Bank (OCCRP 2015). In addition, Montenegrin authorities have provided safe havens for high-ranking members of the Albanian, Serbian and Montenegrin Mafias (OCCRP 2015).

Montenegro's ruling patronage networks have been accused of collusion around the extensive privatisation process of public assets (Declich 2015). For instance, on many occasions, privatised state assets and firms have been obtained by regime insiders below market value. Following such privatisation schemes, these companies have been able to obtain more than €300 million of state resources such as subsidies and interest-free loans by circumventing due process (OCCRP 2015). In one case, the privatisation of a bank went to Đjukanović' own family. The bank was subsequently used to lend money to and launder money for organised criminals. The bank became insolvent at one point, but was bailed out by money made by sold state assets. Civil servants who protested (such as the central bank governor) were sacked and replaced by ones that were politically loyal (OCCRP 2015).

Privatisation programmes are currently intensifying in Montenegro to the extent where it has started to produce some grotesque contradictions. Indeed, under Montenegro's privatisation programmes, even private property has become something to be "privatised" and sold to the benefit of clients of the presidential patronage networks (Declich 2018). The coastlines of Montenegro is a case in point. Here, by changing property registration and dismantling municipalities' authority over Montenegro's coastline, the state of Montenegro has been able to sell coastlines to private individuals (Declich 2018). "Investors" often come from Azerbaijan, Russia and various Middle Eastern countries (OCCRP 2015). Montenegro opened its golden passport scheme in 2019, though in practice it has long given refuge to

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[2] Other opposition parties, including the SDP and the URA supported Montenegrin independence and NATO accession.

rich individuals on the run from the law in other countries.

Political corruption is problematic in Montenegro. While elections are generally considered somewhat free and fair, election observation missions during the 2018 presidential elections reported a number of issues. These included various surveillance methods used by DPS members (potentially as a form of voter suppression tactic) and some procedural mistakes (CEMI 2018). More seriously, however, was the failure of the Agency for the Prevention of Corruption to investigate alleged misappropriation of state funds for the purpose of re-electing the government (CEMI 2018). The media was also used in a concerted way in the interests of the incumbent government (CEMI 2018).

Lacking institutional resilience against state capture

Overall, the legislative and judiciary branches lack independence from the executive.

Seven years of accession negotiations have resulted in some reforms to the legal framework. New laws, however, have generally not produced the necessary results and some have even caused new corruption risks (Marovic 2019). For instance, according to the new access to information laws, public authorities can decide on a case-to-case basis, rather than on strict criteria, whether they deem a document relevant to the public or not (Marovic 2019).

Montenegro's institutional anti-corruption framework is also underpinned by systemic issues. The Agency for the Prevention of Corruption is regarded as inefficient and politically partisan (Marovic 2019). Similarly, the EC (2019e) notes that staffing procedures in public administration tend to be politicised and that strong political will is needed to address this issue. Such politicised institutions is a key enabler of a culture of apathy in public administration where "…public officials feel protected, comforted by the belief that they own the system" (Marovic 2019).

North Macedonia

Background

The 2015-17 political crisis in North Macedonia, reached its peak in April to July of 2016 when large-scale protests erupted into what was later dubbed the Colourful Revolution (BBC 2016). The protests followed the decision to halt the investigation into massive government corruption under the leadership of Nikola Gruevski (Stojadinovic 2019). A year before the investigation was halted, thousands of recorded phone calls were published, exposing wide-ranging corruption within the government. According to the tapes leaked by opposition leader (and now prime minister) Zoran Zaev, the former government of North Macedonia was involved in the creation of hundreds of thousands of fake IDs (meant to manipulate elections), massive vote buying schemes and wiretapping of thousands of Macedonians (BBC 2016).

Eventually, the Colourful Revolution resulted in EU-brokered elections. VMRO-DPMNE, the then ruling party of Nikola Gruevski, continued to be the largest party in North Macedonia but had to transfer power to an opposition coalition. Nikola Gruevski has now fled Macedonia, where he faces corruption charges, and is being protected by the Hungarian government (Marusic 2018).

These developments have the potential to be the beginning of a shift in North Macedonia. Gruevski's party, the Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity (VMRO-DPMNE) has captured key institutions throughout North Macedonia (Keil 2018). Indeed, it is likely that Gruevski's allies and clients may resist, but the removal of power of one of the most corrupt strongmen in the Western Balkans has been seen as a moment of opportunity to move ahead with measures to counter corruption. As outlined below, the government of North Macedonia has shown some degree of political will to address corruption issues (EC 2019c).

The recent decision of the European Council to not start formal accession negotiations with North Macedonia have prompted worries among

international analysts (see for example ICG 2019a) that diplomatic relations with the EU and the support for the government overall could weaken in Macedonia. In the wake of the European Council's decision, Prime Minister Zaev has announced that he intends to implement snap elections (Reuters 2019).

Main corruption challenges

North Macedonia's troubles with corruption are far from over, however. On the CPI, the country scores 37 and the country gets a rank of 93 globally. North Macedonia scores -0.36 on the World Bank's (2018) Control of Corruption Index.

DG NEAR's country report for 2019 identifies a number of improvements in the country, most importantly in the restoration of the system of checks and balances, strengthened capacities in the judiciary and greater efforts to counter organised crime. Alongside these positive measures, North Macedonia's attempts to counter corruption has improved. The State Commission for Prevention of Corruption, the chief anti-corruption body in Macedonia, and the special public prosecutor have been willing and able to investigate and prosecute corrupt officials, including some high-ranking individuals (EC/DG NEAR 2019c). Furthermore, the EU analysis commends steps to increase the space for – and consultation with – civil society organisations and protect the right of expression, including for the media (EC 2019c). In general, therefore, the EU's language on North Macedonia appears more positive than for any other country assessed in this report.

The fact that North Macedonia has stepped up its measures to counter corruption means that several corruption cases are now coming to the fore, truly exposing the scale and extent of corruption in the former government.

By no means do these positive developments mean that North Macedonia is completed its attempts to counter corruption. In January 2019, the special prosecutor published evidence that Nikola Gruevski, along with other high-ranking VMRO-DPMNE members, were involved in extortion and

money laundering schemes to finance their own wealth and political campaigns (Jovanovska 2019). The special prosecutor froze 69 VMRO-DPMNE-owned properties, including the lavish building known as the White Palace that were financed by means that are in direct conflict with North Macedonian law (Jovanovska 2019). Nikola Gruevski, who has sought amnesty in Hungary, is directly implicated in this as well as four other corruption cases.

A high-profile case codenamed Empire is currently ongoing against 13 people, including the former intelligence chief (who happened to be the cousin of Gruevski) and the owner of potentially Macedonia's largest holding company. The Empire case concerns multiple offences, including money laundering, abuse of office and collusion in election manipulation (including in the aforementioned wiretapping scandal) (Council of Europe 2019b). In another case, the former minister interior was found guilty of abuse of power, involving a case where she bought a luxury vehicle as minister in a rigged tendering procedure (Radio Free Europe 2018). The former minister of transportation and communication has been arrested and charged with embezzlement and election fraud (Marusic 2018).

The results of the presidential elections in May have been regarded by many as a victory (albeit very narrow) of the pro-European direction that the ruling social democratic coalition has taken the country in (Smith 2019). However, turnout for the recent elections were low and the VMRO-DPMNE proves to be still capable of challenging the government. This has, in large part, to do with nationalistic anger over North Macedonia's recent name change (Smith 2019).

Serbia

Background

Following the landslide victory of Aleksandar Vučić and the Progressive Party in 2014, Serbia has repeatedly announced its intentions to accelerate its economic and political reforms. However, rather than a breakthrough in its accession negotiations,

Serbia has witnessed an increasing domination of the Serbian Progressive Party in most levels and branches of government and deteriorating the rule of law (Freedom House 2019).

The government of Serbia seems mostly preoccupied with meeting formal accession criteria while ignoring more foundational transformations in the area of rule of law and anti-corruption. An overall strategic approach is absent and support to the relevant bodies is insufficient (prEUgovor 2019). In addition, the government has politicised public bodies and taken increasingly repressive policies towards opposition movements and individuals (prEUgovor 2019).

Large-scale protests began in January 2019 and happened on a weekly basis throughout spring. The protests manifested a strong aversion among Serbia's middle classes against President Aleksandar Vučić's style of leadership and widespread nepotism and corruption among Serbia's top politicians (Washington Post 2019; DW 2019b). The protests were sparked after a violent attack on an opposition politician, allegedly ordered by someone close to Vučić (Washington Post 2019; DW 2019b). It is one example of how Serbia's style of leadership has become reliant on a climate of fear and intimidation (see Washington Post 2019). Protesters also widely express concerns over rigged elections, state capture in the judiciary and collusion between political and business elites (see for instance Vice News 2019).

Main corruption challenges

Serbia ranks 87 out of 180 on the CPI and has a score of 39. On the WGI's Control of Corruption indicator, Serbia scores -0.37. In recent a survey, 57% of Serbians think that corruption is widespread in society (USAID 2018). The vast majority of respondents in the same survey do not report corruption (USAID 2018).

Over the last couple of years, Vučić has amassed increasing powers and is now the top patron of a network that has established a firm grip on Serbia's institutions and stretches into the private sector and the media (Keil 2018).

Public procurement has a tendency to happen without genuine and fair competition (the Belgrade Waterfront being a case in point). Alliances between private clients and political patrons often pre-determine who will win tenders. Moreover, the appointment of managers and directors in multiple SOEs appears to be mainly politically motivated (Transparency International Serbia 2016).

Signs of widespread political corruption has become more frequent as the political and civil liberties of many Serb citizens have eroded (Freedom House 2019). The Beograd local elections in 2018 were marred by a series of irregularities including undue pressure on voters, threats against election observers and mismanagement of public funds in favour of Vučić's Serbian Progressive Party (SNS) candidates (Freedom House 2019). During the 2017 presidential elections, employees at SOEs and in the government were pressured into voting for the SNS, both through bribery and through intimidation (Freedom House 2019). The ruling party also exerted pressure on public employees to show up at government rallies (prEUgovor 2019)

Limited institutional and societal resilience against state capture

The judiciary does not work completely independently of executive pressure and has been subject to state capture. While judges and prosecutors are not permitted to have official political affiliations, in practice there have been a number of cases where staffing decisions have been influenced by politicians, notably when it comes to leading functions such as prosecutors and court presidents (McDevitt 2016; Cvijic et al. 2018). Moreover, many judicial bodies have yet to obtain financial autonomy (Cvijic et al. 2018). As a result, judges and prosecutors are often influenced by politicians abusing their power (Cvijic et al. 2018). Prosecution services, therefore, do not always investigate cases that could be linked to certain branches of government, and often decide cases based on political considerations (Cvijic et al 2018). DG NEAR points out in its 2019 country report that politicians still have opportunities to influence the courts and that the EU recommendations to

address this issue have yet to be implemented in Serbia (EC 2019d). In general, the independence of the judiciary is frequently violated (Freedom House 2019) and cases of high-profile politicians being convicted for corruption remain very rare.

Rule of law issues in Serbia extend into most law enforcement subsectors. The police, for instance, has become highly politicised and often exerts pressures on political opponents (Cvijic et al. 2018). The police is also known to spread damaging misinformation targeted at individuals and organisations (Cvijic et al. 2018). In some cases, law enforcement agencies are prevented from carrying out their mandates for arbitrary reasons such as cases being "politically sensitive" (Cvijic et al. 2018).

Serbia has adopted a number of changes to its anti-corruption laws, including the Law on the Anti-corruption Agency of May 2019. These laws have marginally increased the mandate of Serbia's anti-corruption agency (ACA), which is responsible for some preventive activities (Velisavljevic 2019).

However, many important issues to be addressed to ensure the independence of the ACA. Appointment procedures are still not guaranteed to be free from political interference (Velisavljevic 2019). The last director of the ACA was an ally of Vučić, even donating to the SNS party (Rudic 2018). The effect was clear in 2018 when investigations into the finance minister of Serbia, who was involved in a money laundering scandal, were dropped (Freedom House 2019). In addition to staffing issues, Serbia's overall anti-corruption efforts are marred by the absence of an overarching strategic framework and the lack of political will (PreEUgovor 2019).

Serbia has an asset disclosure law and an access to information law. They are frequently violated (Freedom House 2019).

Under Vučić's leadership, there have been a number of restrictions on free media. Tactics are used to apply pressure to critical media outlets, including inspection visits, denial of official interviews, lack of state advertisement revenue and

so on. Another method is to apply economic pressure on media groups and then come to their rescue through "public" funds controlled by politically allied individuals (Reporters Without Borders 2017). The state has also been known to block critical newspapers in arbitrary ways over issues such "unpaid income taxes", with a key issue being the arbitrariness with which some media outlets are exempted from paying taxes while others are not. These strategies have resulted in a highly concentrated and government-friendly media landscape (Reporters Without Borders 2017). Government-controlled media has been used to discredit and label opposition parties and critical elements of civil society as traitors (prEUgovor 2019).

While the Serbian leadership mostly co-opts media in these ways, it has not shied away from violence to silence critical journalism. In 2018, there were over 100 cases of physical pressure against journalists (Freedom House 2019). One prominent case is that of Milan Jovanovic, a Serbian investigative journalist looking into corruption, whose house was destroyed. Jovanovic has also survived three assassination attempts (Committee to Protect Journalists 2018)

In addition to such crackdowns on the independent media, there has been a surge in assassinations in recent years by organised criminal groups, some with links to Montenegro. In 2018 alone, 19 individuals, including lawyers, were killed in feuds between rival criminal clans. Since 2012, there have been 124 such killings of which the vast majority remain unsolved (Rujevic 2018). Of particular concern is the fact that corrupt networks in the judiciary, law enforcement and in politics are thought to be protecting elements in the criminal underworld (Rujevic 2018).

The links between organised crime, football ultra-supporters and politics is another significant dimension of corruption in Serbia as politicians and organised criminals use hooligans for various purposes in exchange for providing them legal protection (Windelspecht 2017). Some of these groups have served political and ultra-nationalist purposes, acting as militias during the Balkan wars

and continue to do so for high-ranking politicians in Serbia and Montenegro (where many criminals networks are based) (Windelspecht 2017).

Turkey

Background

Recent years have seen a rapid downward trend in the indexes and indicators covering Turkey. In both the Corruption Perceptions Index and Freedom House 2018 (and 2019) reports Turkey is highlighted as one of the world's largest decliners.

Following the averted coup in 2016, president Recep Tayyip Erdoğan and the Justice and Development Party (AKP), alongside their Nationalist Movement Party (MHP) supporters, have strengthened their hold over Turkey's institutions. The state of emergency introduced after the coup has given Erdoğan and the AKP the opportunity to consolidate their grip on state institutions (Freedom House 2019b).

The purge against alleged Gülenists has resulted in a staggering 150,000 dismissals and 96,885 arrests according to Turkey Purge (2019), a civil society organisation that monitors the impact of the purge. Of these 150,000, more than 6,000 academics and 4,463 judges have been dismissed. The purge is widely regarded as an opportunity for the AKP to staff the public administration and all branches of government with supporters. Most recently, in the autumn of 2019, the central bank was taken over by Erdoğan supporters (Pierini 2019). In addition to dismissals and arrests, Turkey has shut 189 media outlets and arrested 319 journalists as of the first quarter of 2019 (Turkey Purge 2019). Turkey is now the largest imprisoner of journalists in the world and was ranked 157 out 180 countries (where 1 is Norway and 180 is North Korea) in terms of media freedom (Reporters Without Borders 2019).

The constitutional referendum of 2017 abolished Turkey's parliamentary system and converted the country into a presidential system. This did not completely cement Erdoğan's claim to power, as evidenced by the 2019 Istanbul mayoral elections,

but in general there seems to be a grudging acceptance of the new Turkish status quo, with the notable exception of the Democratic People's Party (HDP) and a few other socio-political opposition groups. As Selim Koru, an analyst for the Eurasia Group put it in a tweet "… the CHP trembled a bit while bending the knee".

In addition to the rapid erosion of civil liberties, the state of conflict in the southeast is a cause for concern. Since the decision of the Turkish state to abandon the reconciliation process in July 2019 and break the ceasefire with the Kurdistan Workers Party (PKK) the conflict has resulted in at least 4,739 combat-related deaths (ICG 2019a). This number excludes the combat-related deaths in southern Iraqi Kurdistan and West Syrian Kurdistan where most of the fighting is happening. The situation in southeast Turkey, and other parts of Kurdistan where Turkish armed forces or proxy forces are present appears to become increasingly self-perpetuating (Mandıracı 2019). Turkey stands accused of engaging in systematic war crimes, including indiscriminate bombings, chemical warfare, routine executions of non-combatants and kidnappings, with an "…utterly callous disregard for civilian lives" (Amnesty International 2019). Genocide Watch, an independent watchdog working on genocide prevention, warns that Turkey's plans for a "security zone" resembles the "preparation stage" for genocide (Genocide Watch 2019).

Erdoğan has moved Turkey into a more or less permanent state of exception, revoking the most basic principles of rule of law (Pierini 2019). The Islamo-nationalist (i.e. AKP-MHP) networks that have captured the state have shown a disregard for rules-bound governance, invoking vague security interests to stir nationalist fervour and create legitimacy (Pierini 2019; Çandar 2019). Indeed, anti-terrorism legislation, giving extensive discretionary powers, is a frequent means to dismantle the right to assembly for opponents (Transparency International 2016).

Main corruption challenges

Turkey has a CPI score of 41 out of 100 and ranks 78 out 180 countries in terms of perceived

corruption. On the Worldwide Governance Indicators, Turkey has a Control of Corruption score of -0.34. While these numbers are similar to the Western Balkan countries assessed in this report, Turkey has seen the largest backslide on corruption (see e.g. EC 2019e).

Lacking resilience to withstand state capture

The political changes that followed the 2016 coup has made it "all but impossible" for citizens to undertake any form of democratic oversight (Freedom House 2019b). The 2019 Council of Europe's Group of States against Corruption (GRECO) states that Turkey's compliance with the Council of Europe's standards is "unsatisfactory". Turkey has addressed only few of the recommendations set forward by the Council of Europe and has made "no tangible progress" on preventing corruption among legislators and in the judiciary. In particular, progress in terms of party financing rules is absent. GRECO (2019) notes that the political direction of Turkey largely explains these issues. The European Union, too, has noted the lack of progress in Turkey. In the latest country report, the Commission notes that crucial parts of the institutional anti-corruption framework has been dismantled, that present laws on issues such as procurement remain "incompatible" with EU standards. The EC (2019e) believes the absence of an overall strategy and institutional infrastructure to prevent and counter corruption to be a problem of political will.

Grand and political corruption

Ruling AKP members have a long history of engaging in acts of corruption for self-enrichment. Perhaps the most famous case is the Oil-for-Gas scheme in which 52 AKP members were implicated in a corruption scandal involving the direct trading of gold for gas and oil with Iran (Orucoglu 2015). The events also contributed to the evolving hostilities between Erdoğan and his former ally Fethullah Gülen.

There are good reasons to believe that high-ranking AKP and MHP politicians are still involved in grand corruption, but the climate of fear imposed

by authorities makes it difficult to expose corruption at the top (Freedom House 2019b). For instance, an investigative journalist who looked into former prime minister Binali Yıldırım's tax evasion was convicted of "defamation" (Freedom House 2019b). However, it is believed that high-ranking AKP members regularly use their power to ensure large contracts go to AKP-linked firms (GAN 2018). The current regime has embodied certain kleptocratic tendencies, and the Erdoğans have engaged in a series of under-the-table deals for their own wealth. These include Erdoğan's son-in-law, Berat Albayrak's oil-trading with the Islamic State (Gramer 2016) and the family's dealings with an Azeri shipping billionaire, which has given them control of a large oil tanker (Shaw 2017). Recep's links in Turkish football is also extensive, and public money has poured into Turkish football clubs in ways that have blurred the lines between football, politics and businesses (see e.g. TIFO Football 2019)

The purge that followed the 2016 coup has given the state billions of lira in seized assets belonging to Gülenists and other regime critical forces. Most of these assets have been given to allies of the government, many of whom own businesses (Freedom House 2018). This has had a direct effect on grand corruption.

Erdoğan's patronage networks have captured the judiciary and have proven capable of the complete weaponisation of the law. For instance, former Gezi park protesters were given life sentences without any evidence of their crimes (Pierini 2019). Some of the most serious cases involve the imprisonment of HDP-politicians, such as Selahattin Demirtaş, on baseless terrorism charges (Freedom House 2019).

Political corruption is endemic and systemic in Turkey. In principle, voters are free to choose their favoured candidate, but state resources are generally used to give AKP an electoral advantage (Freedom House 2019b). The most blatant violations of democratic norms typically happen after elections, however, when results are annulled or reversed. The majority of violations are targeted against Kurds and other minorities. Kurdish politicians and political offices are regularly subject

to violent attacks (Freedom House 2019), and thousands of rank-and-file party members have been arrested (Farooq 2019b).

Moreover, the Turkish state imprisons Kurdish politicians or candidates on terrorism charges (Farooq 2019b). In November 2019, the Turkish state dismissed 15 HDP mayors and all Kurds from the southeast, citing terrorism investigations against them (Bianet 2019). Between 2016 and 2018, 94 mayors in Kurdish municipalities were replaced by AKP trustees, citing terrorism charges (Freedom House 2019). In addition, 11 Kurdish MPs have been fired from parliament over issues such as absenteeism (due to imprisonment) and terrorism or for "insulting a public employee" (Freedom House 2019b). There are no exact guidelines on how to judge terrorism support in Turkey: definitions of terrorism support and terrorist membership "... ebbs and flows" (Farooq 2019).

While the HDP bear the brunt of such allegations, they are not alone. Recently, ethnically Turkish politicians have started worrying that the tactics that have been used against Kurdish politicians may be directed against them too (Farooq 2019). Recently, a Turkish mayor from the CHP was replaced and in 2016 one ethnically Turkish MP, Eren Erdem (CHP), was arrested after leaks allegedly exposed links and collusion between high-ranking Turkish officials and ISIS. Erdem was convicted on charges of terrorism on unproven claims that he is a member of the "Fethullah [Gülen] Terrorist Organisation" (Hürriyet 2019).

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Partner agencies

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