



## RESOLUTION ON TURKEY

The free expression environment in Turkey has drastically deteriorated since the coup attempt on 15 July 2016. The Turkish authorities have pursued an unprecedented crackdown against perceived critics and opponents. Counter-terrorism legislation and the prolonged state of emergency are being used to severely restrict fundamental rights and freedoms, stifle criticism and limit the diversity of views and opinions available in the public sphere.<sup>1</sup>

Independent mainstream media have been virtually silenced. Since July 2016, over 185 media outlets and 25 publishing houses have closed down. There are now at least 170 journalists, writers and media workers in prison<sup>2</sup>, making Turkey the biggest jailer of journalists in the world. Never in the near-100 year history of PEN have we recorded so many writers in prison in one country at one time. Most have limited access to books, pen and paper and cannot receive letters.<sup>3</sup>

The Turkish authorities continue to prosecute non-violent political activists, human rights defenders, academics and journalists. Publishing houses, newspapers, libraries, and the office of Kurdish PEN has been targeted.

The crackdown on Kurdish language and culture has intensified, resulting in the closure of most pro-Kurdish and Kurdish language media outlets, the destruction of several local cultural monuments and the banning of gatherings dedicated to Kurdish culture, art and literature. The forced replacement of elected local officials in the south east has also deprived millions of voters of their elected representatives in parliament and local government.

Mounting pressure on civil society organisations has had a detrimental effect on freedom of expression, whether on individuals or society as a whole. Over 1300 NGOs have been closed since the attempted coup. On 11 November 2016, the activities of some 370 NGOs were arbitrarily suspended, over half of them Kurdish organisations, including the Kurdish Writer's Union.

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<sup>1</sup> Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression on his mission to Turkey, A/HRC/35/22/Add.3, 7 June 2017: <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session35/Pages/ListReports.aspx>

<sup>2</sup> PEN International, Turkey: List of journalists detained & charged before and after coup attempt, 11 May 2017: [www.pen-international.org/newsitems/turkey-list-of-journalists-detained-charged-before-and-after-coup-attempt/](http://www.pen-international.org/newsitems/turkey-list-of-journalists-detained-charged-before-and-after-coup-attempt/)

<sup>3</sup> PEN International, Turkey: UN Human Rights Council should address continuous deterioration of freedom of expression and other human rights, 15 May 2017: [www.pen-international.org/newsitems/turkey-un-human-rights-council-should-address-continuous-deterioration-of-freedom-of-expression-and-other-human-rights/](http://www.pen-international.org/newsitems/turkey-un-human-rights-council-should-address-continuous-deterioration-of-freedom-of-expression-and-other-human-rights/)

Books continue to be banned and confiscated arbitrarily. On 24 April 2017, police stormed the Van book fair in Eastern Turkey, arresting the representative of publisher Aram Yayınevi and confiscating some 180 books without a court order. As of March 2017, over 125,000 websites had been blocked.<sup>4</sup>

An estimated 150,000 civil servants<sup>5</sup> including tens of thousands of teachers and more than 5,000 academics<sup>6</sup> have lost their jobs, with devastating effect. Under the state of emergency, those dismissed from their position are subject to a lifetime ban from seeking employment as civil servants and face a range of social and professional hurdles. Among the thousands of academics dismissed are around 400 who signed a January 2016 peace petition.<sup>7</sup> Two among them, Semih Ozakca and Nuriye Gulmen, are being held in pre-trial detention owing to their hunger strike. They have now been on hunger strike for at least 195 days and their lives are at risk.

There have been numerous arrests due to online expression, such as tweets, re-tweets or blogs. Wikipedia has been banned. Thousands of Turkish citizens have been detained or dismissed from their jobs for downloading an encrypted messaging app. Digital security trainers have themselves been detained, criminalising digital privacy and security.

The crackdown on dissenting opinions is nothing less than an egregious violation of the right to freedom of expression, as enumerated in Article 19 of the International Covenant on Civil and Political Rights, and Article 10 of the European Convention on Human Rights, to which Turkey is a state party. Writers and others in Turkey are being stripped of their mediums of expression – books, letters, positions and organizational frameworks, and further penalized for any sort of dissent. Although Turkey has the right to curtail freedom of expression for reasons of national security, such limits must be prescribed by law, necessary, proportionate, and reasonable compared to the threats faced. The breadth and vagueness of the emergency decrees render them incompatible with this three-part test and the sheer numbers of the individuals and groups affected by the crackdown clearly demonstrate that the measures taken have been grossly overbroad.

**In light of this situation, the Assembly of Delegates of PEN International calls on the Turkish authorities to:**

- Lift the state of emergency immediately;
- Release all those held in prison for peacefully exercising their rights to freedom of opinion and expression immediately and unconditionally;
- End prosecutions and detention of journalists and other writers based solely on the content of their writing;
- Ensure the prompt presentation of charges and the right to defense;
- Permit the reopening and independent operation of closed media outlets (including online publications) and halt executive interference with independent news

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<sup>4</sup> <https://www.nytimes.com/2017/06/10/world/europe/turkey-wikipedia-ban-recep-tayyip-erdogan.html>

<sup>5</sup> See <https://uk.reuters.com/article/uk-turkey-security/turkey-purges-hundreds-of-civil-servants-in-latest-decrees-idUKKCN1B50FQ>

<sup>6</sup> See <http://www.bbc.com/turkce/haberler-turkiye-40567898>.

<sup>7</sup> Office of the United Nations High Commissioner for Human Rights, Report on the human rights situation in South-East Turkey, 10 March 2017: [www.ohchr.org/Documents/Countries/TR/OHCHR\\_South-East\\_TurkeyReport\\_10March2017.pdf](http://www.ohchr.org/Documents/Countries/TR/OHCHR_South-East_TurkeyReport_10March2017.pdf)

organisations, including in relation to editorial decisions, dismissals of journalists and editors, pressure and intimidation against critical news outlets and journalists;

- End the far-reaching crackdown on freedom of expression that is continuously escalating since the coup attempt of July 2016;
- Review the Anti-Terror Law so as to ensure that counter-terrorism measures are compatible with Article 19(3) of the International Covenant on Civil and Political Rights;
- End the policy of arbitrarily banning books, and raiding publishing houses and bookstores to remove them;
- Protect the rights of Turkish people to express themselves freely online and use encrypted tools, where necessary, to protect their privacy.