



Plenary sitting

B8-1172/2016

24.10.2016

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 123(2) of the Rules of Procedure

on the situation of journalists in Turkey
(2016/2935(RSP))

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on behalf of the Verts/ALE Group

**European Parliament resolution on the situation of journalists in Turkey
(2016/2935(RSP))**

The European Parliament,

- having regard to the statement by the President of the European Parliament after his visit to Turkey of 1 September 2016,
 - having regard to its resolution of 14 April 2016 on the 2015 report on Turkey¹,
 - having regard to the statement of 16 July 2016 by the President of the European Council the President of the European Commission and the EU High Representative on behalf of the EU Member States present at the ASEM Summit on the situation in Turkey,
 - having regard to the European Council conclusions of 18 July 2016,
 - having regard to the statements by Vice-President / High Representative Federica Mogherini and Commissioner Johannes Hahn on Turkey, in particular those of 21 July 2016 and 21 August 2016,
 - having regard to the statement of 15 September 2016 by Vice-President / High Representative Federica Mogherini on the occasion of the International Day of Democracy,
 - having regard to the meeting of representatives of the EU Delegation to Turkey and of EU Member States with human rights defenders on 23 September 2016 in the framework of the EU Local Strategy for Human Rights Defenders,
 - having regard to the recommendations contained in the Opinion on Articles 216, 299, 301 and 314 of the Penal Code of Turkey, adopted by the Venice Commission at its 106th plenary session (Venice, 11-12 March 2016),
 - having regard to the International Covenant on Civil and Political Rights (ICCPR),
 - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas after the failed coup attempt of 15 July 2016, the Turkish Government imposed a state of emergency, which has been extended until the end of the year;
- B. whereas restrictions on the media and pressure on journalists were already considerable before the failed coup, in particular since 2009 when the press had started covering corruption allegations against the Erdogan government and the president's inner circle, regarding inter alia media ownership, financial pressure, the blocking of websites, broadcasting bans on terrorist events, criminal defamation, the closure of critical media and extensive use of anti-terror legislation against journalists;

¹ Texts adopted, P8_TA(2016)0133.

- C. whereas, however, since 15 July 2016 the authorities' crackdown on media workers and outlets has intensified dramatically, in most cases based on allegations of links to the Hizmet movement inspired by the religious philosopher Fethullah Gülen, which the government has declared a terrorist organisation (Fethullah Terrorist Organisation – FETÖ) and which it blames for the coup;
- D. whereas in the meantime virtually any media outlet that does not take a pro-government media line is affected, including independent, opposition and minority (especially Kurdish) media; whereas even the Kurdish-language children's channel has been closed down following allegations of incitement to terrorism, and the pressure from the Turkish authorities even extends to Turkish and Kurdish media abroad; whereas in an overwhelming number of cases the charges are based on allegations that are at best circumstantial and at worst a pretext to prevent legitimate opposition and dissent;
- E. whereas according to reports by Reporters Without Borders (RSF), during the first six weeks of the state of emergency, over 100 media outlets were closed down, leaving over 2 300 journalists and media workers without jobs; whereas at least 89 journalists have been arrested, bringing to 121 the total number of media workers detained on official charges believed to be related to the exercise of their right to freedom of expression;
- F. whereas to these numbers should be added countless other journalists who are currently in detention in police holding cells or have been detained and released without charge during the state of emergency, and those for whom detention warrants have been issued but who have not yet been arrested; whereas journalists have been arrested for long periods without charge and without access to legal counsel, and whereas allegations of torture and ill-treatment are rampant;
- G. whereas thousands of people in Turkey now face travel restrictions, many having had their passports confiscated, including many family members of those who are the subject of 'anti-terrorism measures';
- H. whereas news about additional harassments and arrests continues to arrive every day, and the repression has reached a point where independent print and broadcasting media in Turkey have ceased to exist;
- I. whereas to date numerous questions remain unresolved as to the exact course of events on 15 July, and in thousands of cases of Turkish citizens under investigation no evidence has been submitted establishing any link to the failed coup attempt;
- J. whereas imposing a state of emergency for a limited time after an attempted coup d'état can be justified in order to safeguard democratic institutions, restore stability and security in the country and bring the authors of the coup to justice;
- K. whereas, however, the restrictions imposed in Turkey go far beyond those permissible under international human rights law, and represent a flagrant misuse of the emergency laws, notably the extension of the period for which an individual may be detained without charge to 30 days and of the period beyond which a detainee must have access to a lawyer to five days, and the right of the administration to shut down any media organisation, to stop and search people without judicial authorisation and to confiscate

passports of anyone under investigation;

- L. whereas Turkey now ranks 151st out of 180 countries in RSF's 2016 World Press Freedom Index and is on a downward trend;
 - M. whereas the situation of the media in Turkey is symptomatic of the great purges that have been taking place in all sectors of society, with some 100 000 police, soldiers, judges and civil servants sacked or suspended, dozens of universities and schools closed down, businesses disowned and their owners arrested, and members of parliament having had their immunity lifted;
1. Reiterates its condemnation of the attempted coup, offers its condolences to the victims and expresses its full support for democratic institutions in Turkey;
 2. Calls for the immediate and unconditional release of all the journalists, media workers and other persons concerned regarding whom no evidence can be produced of terrorist activities or involvement in crime;
 3. Reminds Turkey the same basic standards should apply to EU candidate countries as to EU Member States, in particular respect for the rule of law and human rights, including the right to a fair trial, and urges the Turkish authorities to return to the principle of presumption of innocence;
 4. Underlines that derogations from certain international human rights commitments are only admissible in emergencies that threaten the life of the nation and that, according to Article 19(3) of the ICCPR, restriction of freedom of expression must be proportionate and strictly necessary in the circumstances;
 5. Condemns the abrupt closure of almost all independent radio stations, TV channels and newspapers, and voices alarm at the systematic manner in which the authorities are eliminating media pluralism in Turkey; calls for the reopening of the media outlets closed on trumped up charges;
 6. Expresses its deep concerns about arbitrary decisions taken by the judicial and executive authorities against journalists and many others professionals, which have led to large-scale expulsions from public institutions and detentions, as well as violations of human rights, including alleged cases of torture and maltreatment, problems with access to lawyers, and the absence of legal remedies;
 7. Demands that investigations relating to the alleged involvement in the attempted coup be carried out according to due process, impartially and on the basis of convincing evidence and not solely the fact of having links with the Hizmet/Gülen movement;
 8. Underlines that, without an independent and impartial judiciary, the functioning of the rule of law in the country is compromised; calls, as a matter of urgency, for the implementation of the Venice Commission recommendations of March 2016 and the reform of the anti-terrorism legislation;
 9. Calls on the parliament and all components of the democratic institutions of the country to play their constitutional role;

10. Calls on the European External Action Service (EEAS) and the Member States to continue monitoring the practical implications of the state of emergency closely and to send as many monitors as possible to the trials of journalists and other cases of suspected violation of the right to freedom of expression under Articles 324 and 220 of the Penal Code;
11. Calls on the Council of Europe to launch an inquiry into the state of emergency in Turkey in order to ascertain the extent to which restrictions on rights are required by the exigencies of the situation;
12. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments of the Member States and the Government and Parliament of Turkey.