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TEXTS ADOPTED

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**Freedom of expression in Turkey: Recent arrests of journalists, media executives and systematic pressure against media**

**European Parliament resolution of 15 January 2015 on freedom of expression in Turkey: Recent arrests of journalists, media executives and systematic pressure against media (2014/3011(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Turkey,
  - having regard to the conclusions of the General Affairs Council of 16 December 2014,
  - having regard to the statement of 15 December 2014 by the Council of Europe Commissioner for Human Rights,
  - having regard to the joint statement by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy and the Commissioner for European Neighbourhood Policy and Enlargement Negotiations of 14 December 2014,
  - having regard to the Turkey 2014 Progress Report of 8 October 2014,
  - having regard to the Commission's Indicative Strategy Paper for Turkey (2014-2020) of 26 August 2014,
  - having regard to the 1996 International Covenant on Civil and Political Rights, in particular Article 19 thereof,
  - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas on 14 December 2014 the Turkish police arrested journalists and media executives, including Ekrem Dumanlı, editor-in-chief of the Zaman newspaper, and Hidayet Karaca, general manager of the Samanyolu broadcasting group; whereas a warrant, issued by a judge in Istanbul, states that they were under criminal investigation for forming an organisation that had 'by pressure, intimidation and threats attempted to

seize state power' and that they had done so 'through lies, depriving people of their liberty and falsifying documents';

- B. whereas a number of those arrested in December 2014 have been released; whereas on 19 December 2014, an Istanbul court announced the release of Ekrem Dumanlı, subject to probation and a travel ban pending completion of a criminal investigation, but the continued detention of Hidayet Karaca, pending completion of the investigation; whereas on 31 December 2014 an Istanbul court rejected a prosecutor's objection to the release of Ekrem Dumanlı and seven other persons;
  - C. whereas the government's response to the allegations of corruption in December 2013 cast serious doubts on the independence and impartiality of the judiciary, and demonstrated an increasing intolerance of political opposition, public protest and critical media;
  - D. whereas Turkey already holds a very large number of jailed journalists and journalists awaiting trial, and the pressure against the media has increased over the past few years, including against owners and executives of media groups as well as online and social media platforms; whereas intimidating statements by politicians and proceedings launched against critical journalists, combined with the ownership structure of the media sector, have led to widespread self-censorship by media owners and journalists, as well as to dismissals of journalists; whereas the Turkish Government mostly charges journalists under the country's Anti-Terrorism Act (TMK) and the penal code articles related to 'terrorist organisations';
  - E. whereas on 6 January 2015 the Dutch correspondent Frederike Geerdink was arrested in Diyarbakir, interrogated by the police and released the same day after interference by the Dutch minister of foreign affairs, who was visiting Turkey at that time, and on 7 January 2015 another Dutch journalist, Mehmet Ülger, was arrested on departure at the airport in Istanbul, interrogated at a police station and released later that day;
  - F. whereas respect for the rule of law and fundamental rights, including freedom of expression, are at the core of EU values, to which Turkey is formally committed through its application for EU membership and related negotiations, and through its membership of the Council of Europe;
  - G. whereas the EU and its Member States have strongly criticised the arrests which took place on 14 December 2014, saying that they are 'incompatible with European values' and 'incompatible with the freedom of media'; whereas President Erdoğan has firmly rejected the EU's criticism;
1. Condemns the recent police raids and the detention of a number of journalists and media representatives in Turkey on 14 December 2014; stresses that these actions call into question respect for the rule of law and freedom of the media, which is a core principle of democracy;
  2. Recalls that a free and pluralistic press is an essential component of any democracy, as are due process, presumption of innocence and judicial independence; stresses, therefore, the need, as regards this latest round of arrests, in all cases (i) to provide ample and transparent information on the allegations against the defendants, (ii) to grant the defendants full access to the incriminating evidence and full defence rights, and (iii) to ensure the proper handling of the cases to establish the veracity of the accusations without

delay and beyond reasonable doubt; reminds the Turkish authorities that the utmost care must be taken when dealing with the media and journalists, as freedom of expression and freedom of the media remain central to the functioning of a democratic and open society;

3. Expresses its concern over backsliding in democratic reforms, and in particular the government's diminishing tolerance of public protest and critical media; notes, in this regard, that the arrests on 14 December 2014 fall into a deplorable pattern of increased pressure and restrictions on press and media outlets, including internet-based social media and fora; notes that website bans are of disproportionate scope in Turkey; deplores the number of journalists in pre-trial detention, effectively punishing them, and calls on Turkey's judicial authorities to review and address these cases as soon as possible;
4. Urges Turkey to work on reforms which should provide for adequate checks and balances fully guaranteeing freedom, including freedom of thought, of expression and of the media, democracy, equality, the rule of law and respect for human rights;
5. Underlines the importance of press freedom and respect for democratic values for the EU enlargement process; stresses that a number of provisions of the Turkish legal framework and their interpretation by members of the judiciary continue to hamper freedom of expression, including freedom of the media; recalls that freedom of expression and media pluralism are at the heart of European values and that an independent press is crucial to a democratic society, as it enables citizens to take an active part in collective decision-making processes on an informed basis and therefore strengthens democracy; urges the Government of Turkey, in this regard, to address media freedom as a matter of priority and provide an adequate legal framework guaranteeing pluralism in line with international standards; further calls for an end to pressure and intimidation against critical outlets and journalists;
6. Notes that the Action Plan for the Prevention of Violations of the European Convention on Human Rights does not envisage revision of all relevant provisions of the Anti-Terror Law or of the Criminal Code that have been used to limit freedom of expression; stresses the need to reform these laws as a matter of priority;
7. Stresses that, as was concluded by the Council on 16 December 2014, the Instrument for Pre-Accession Assistance (IPA II) for the period 2014-2020 sees the introduction of enhanced coherence between financial assistance and the overall progress made in the implementation of the pre-accession strategy, including full respect for fundamental rights and freedoms;
8. Calls for increased attention to be paid to independent media within the framework of the Instrument for Pre-Accession Assistance; underlines, furthermore, in this respect, the importance of also supporting civil society organisations (CSOs), since only a transparent and well functioning civil society can build trust and confidence among the different components of a lively and democratic society;
9. 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 and the Government and Parliament of Turkey.