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## UPR Pre-session on Turkey

*The situation of Freedom of Expression*

**Andrew Finkel**

P24 (Platform for Independent Journalism)

Geneva, 12 December 2019

# Protect journalism and individual journalists

From:

- Intimidation
- Overtly politicised judicial pressure
- Arbitrary arrests
- Travel bans
- Civil deaths

## Case of Ahmet Altan

- A former editor in chief, novelist and essay writer
- Initially, sentenced to life imprisonment without parole
- For : Television interviews he gave  
Columns he wrote
- Freed and rearrested in an unlawful procedure

## Other actors paying a price for exercising FoE

- **Academics**

E.g. Academics for Peace

- **Artists and culture professionals**

E.g. painter Zehra Doğan

- **Social Media Users**

- **Civil Society Activists**

E.g. Osman Kavala (Gezi Park trial)

# Ambiguity of Anti-Terror Legislation

Changes in:

- Article 7(2) of the Anti-Terrorism Act
- Article 220(8) of the TPC

to focus only on cases of intentional incitement to terrorist acts,

reforming provisions on membership in a terrorist organisation

E.g. Prison sentence for the directors of *Bakur* documentary

# Anti-defamation Legislation

## Article 299 TPC: Insulting the President

- 12,893 cases filed between 2010- 2017
- 12,305 cases were filed during Erdoğan's presidential term.
- 20,539 investigations and 6,033 criminal cases in 2017

## Recommendations from P24, ARTICLE19, IPI, RSF, IFEX, ECPMF, PEN International, English PEN and Freemuse

- Align counter-terrorism laws with international and European human rights standards.
- End the arbitrary arrest and detention of journalists, human rights defenders, academics; immediately release those in detention; bring the anti-terror legislation in line with international standards.
- Guarantee freedom of expression and information online.

## Recommendations from P24 and Freemuse

- Do not apply anti-terror laws against creative works that do not propagate violence. Public officials should desist from statements which turn artists into targets for harassment, intimidation and attack.
- Abolish discretionary powers by non-elected officials under Law no. 2911 and Provincial Administration Law No. 5442 to curtail peaceful meetings and art events.



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Thank you for your attention