

Human Rights Council: Submitting an NGO written statement

NGOs in consultative status with ECOSOC (General, Special or Roster status) may submit written statements to the Human Rights Council (HRC).

The written statement is formatted and issued, unedited, in the language(s) received from the submitting NGO. English, Spanish and French versions can be published at this time.

In order for your statement to be published before the session, the deadline for submission is exactly two weeks prior to the start of a session. See the deadline on the web site. All submissions are final.

Please fill out **this** FORM and CHECKLIST to submit your statement and send it to the address indicated below. Your information goes after each arrow.

1. Please indicate the contact information for the representative submitting this statement (i.e. name, mobile, email) here: ➡ **Ulrich Delius, 0049-16095671403, asien@gfbv.de**
2. Indicate the Agenda item number (1-10) of statement, including the segment *: (Interactive Dialogue, ID; General Debate, GD; or Panel): ➡ Item # 3 Segment: WG on arbitrary detention
- 3.a) If this is an individual statement, indicate your organization's name as in the ECOSOC NGO database and indicate its consultative status in brackets (i.e. General, Special, or Roster). ➡ **Society for Threatened Peoples (Special Consultative Status)**

or,

- 3.b) If this is a joint statement, list the main sponsor first, and then the co-sponsoring ECOSOC NGOs as they appear in the ECOSOC database and status (in brackets): Group all General NGOs first, group the Special second and group the Roster third. ➡
4. Indicate here any non-ECOSOC NGO(s) supporting this statement (they will appear as a footnote to the statement title): ➡
5. Indicate the exact TITLE for this statement here: ➡ **Freedom of the Press in Turkey**

Please make sure that:

- This statement is in MS WORD document format (Font Times New Roman 10; no bold; no underline; no italics).
- Check word count: (Go to Tools, Word count, # of words) Indicate the length of text (excluding footnotes/endnotes) here: ➡ 728
 - NGOs in general consultative status are allowed 2,000 words
 - NGOs in special consultative status and on the roster are allowed 1,500 words
- Please use the Spell/grammar check on your text. (Go to Tools, Spelling & Grammar)
- If in doubt about Member States' names and correct UN terminology when referring to certain territories, use UNTERM database: <http://unterm.un.org/>
- Different language versions of one statement should be sent in the same email, but using **a separate form** for each.
- Email this document to: hrcngo@ohchr.org

* See the HRC Practical Guide for participants, page 9, which refers to segments in the session

PLEASE PASTE THE FINAL TEXT BELOW:



According to sources of the Society for Threatened Peoples, 104 journalists are currently in Turkish prisons. They have been accused of trying to overthrow the state and of supporting and spreading propaganda for the PKK and other terrorist organizations. These accusations of state-endangering agitation are being used by the government in Ankara to silence critical journalists. And the justice system is complying. The trials are often held by special courts and do not uphold western standards of justice. For example prisoners are often kept in pre-trial custody for long periods of time, without any progression on their trials. Often neither family members nor lawyers obtain information about the accusations, nor are they given access to the files. In some cases the actual crime is vaguely outlined by state appointed judges in order to bolster the case against the journalists. State lawyers indicating a lack of evidence against the journalists have been replaced several times by lawyers willing to hold trial according to the state's bidding. To say the justice system is autonomous would be an outright lie. For this transgression Turkey has been criticized internationally and brought to trial by the European Court for Human Rights.

Beginning with the end of the military dictatorship in 1983, so many journalists have not been in Turkish prisons like they are today. Turkey ranked 154, behind Iraq and China, on the 2012 ratings list for freedom of the press published by „Reports without Borders“. The organization also revealed Turkey to be the country with the most incarcerated journalists and bloggers worldwide.

Anti-Terror Legislation

Persecution of journalists in Turkey began in earnest with the passing of the Anti-Terror Law of 2005. Articles 6 and 7 criminalize the printing or reporting of propaganda in the name of terrorist organizations. The wording leaves much room for interpretation, especially since the term propaganda goes undefined. The law also foresees the handling of terrorism trials by special courts. The law has been the subject of international criticism and debate, leading the Ankara government to revise the law. In July 2012, the new reforms came into effect with little improvement. Journalists continue to be tried in special courts.

The Case of Pinar Selek

"In 2006 the anti-Terror law was changed. By law, those guilty of propaganda for a terrorist organization can now be sentenced as though they were members of the terror organization. And what is propaganda? To name one example, leading an interview with a member of an illegal organization is propaganda." said Ekrem Güzeldere, a political scientist with the Europäische Stiftungs-Initiative, a research institution with offices in Istanbul. As was the case with sociologist Pinar Selek, who in 1998 was accused having conducted sociological research on PKK-fighters. Since the arrest the trial has perpetuated, despite lack of evidence. Despite three acquittals the sociologist and writer, who today lives in France, was given a life sentence in January 2013. An epitomic case of the arbitrary Turkish justice.

The restrictive legislation in Turkey spreads an atmosphere of fear among journalists and leads many to censure themselves. And because many Turkish media outlets are under corporate control dependent on state funding, the journalists' hands are tied. If they publish critical reports, they must fear for their jobs.

Verdict: Membership or Propaganda for "Terrorist" Organizations

The most frequent reasoning for a journalist's arrest in Turkey is the suspected membership or propaganda for one of the following organizations: Ergenekon, Koma Civakên Kurdistan (Union of the Kurdistan Community), PKK ("Working Party Kurdistan", Partiya Karkerên Kurdistan), DHKP-C ("Revolutionary Freedom of the People Front"), Devrimci Karagah ("Revolutionary Headquarters") und MLKP (Marxist Leninist Communist Party). That most of these organizations and parties are Kurdish is not surprising given that the Turkish state and Kurdish activists have for years engaged in a sometimes armed conflict. Journalists are not the only targets. The Turkish state uses an array of methods to stop other schools of thought from reaching the public sphere. In 2012, 6,000 people, mostly Kurds, were arrested for their suspected membership in terrorist organizations, including mayors, community government members, lawyers, civil rights activists.

Society for Threatened Peoples calls on the Human Rights Council to urge the government of Turkey to:

- Free the 104 journalists,
- End censorship,
- Establish transparency of juristic processes and trials,
- Reform the anti-terror law that functions as a Damocles sword over the heads of journalists in Turkey.