



Turkey:

Press freedom crisis

deepens amid earthquake

and national elections

JOINT INTERNATIONAL PRESS FREEDOM
MISSION TO TURKEY

(OCTOBER 2 – 5, 2023)

MISSION REPORT



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This report has been prepared by the International Press Institute (IPI) with contributions from partner organizations that participated in the press freedom mission to Turkey. Members of the mission included:

- » International Press Institute (IPI)
- » Committee to Protect Journalists (CPJ)
- » European Centre for Press and Media Freedom (ECPMF)
- » Osservatorio Balcani Caucaso Transeuropa (OBCT)
- » Reporters Without Borders (RSF)

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Introduction

The Mission

A coalition of five international media freedom and journalism organizations participated in an international mission to Turkey from October 2 to 5, 2023, to investigate threats to independent journalism across the country.

The mission included meetings with editors, journalists, local civil society groups, Constitutional Court officials, broadcast regulator Radio and Television Supreme Council (RTÜK) members and representatives of opposition political parties.

The mission requested meetings with the chair of RTÜK, the chair of the Parliamentary Committee on Digital Platforms, the chair of Parliamentary Human Rights Investigation Committee, the Presidency's Director of Communications and representatives of the governing political parties, the AKP and MHP, but these were not forthcoming.

Briefings were held with the European Union Delegation to Türkiye and the foreign diplomatic missions in Ankara.

The mission concluded with two press conferences held in Istanbul and in Diyarbakir, respectively.

This was the fifth successive international press freedom mission led by the International Press Institute (IPI) in Turkey, building on those organized in [September 2019](#), [October 2020](#), [October 2021](#) and [October 2022](#).

Mission Participants

The mission was convened by the International Press Institute (IPI), and comprised representatives from the following organizations: Committee to Protect Journalists (CPJ), European Centre for Press and Media Freedom (ECPMF), Osservatorio Balcani Caucaso Transeuropa (OBCT), and Reporters Without Borders (RSF).



Meetings

The mission held meetings with the following institutions and stakeholders:

- » Radio and Television Supreme Council (RTÜK)
- » Turkish Constitutional Court (TCC)
- » Delegation of the European Union to Türkiye
- » Foreign diplomatic missions in Turkey
- » MPs and representatives of the following political parties:
 - Republican People's Party (CHP), Democracy and Progress Party (DEVA), Labour Party (EMEP), Green Left Party (YSP)
- » Journalists, civil society, and journalism groups

Requests for meetings with the following institutions were left unanswered:

- » Minister of Interior: Ali Yerlikaya
- » Minister of Justice: Yılmaz Tunç
- » Presidency's Director of Communications: Fahrettin Altun
- » Radio and Television High Council (RTÜK), Chair: Ebubekir Şahin
- » Parliamentary Human Rights Investigation Committee, Chair: Derya Yanık
- » Parliamentary Committee on Digital Platforms, Chair: Hüseyin Yayman

Agenda

OCTOBER 2	OCTOBER 3	OCTOBER 4	OCTOBER 5
Delegation of the European Union to Türkiye	Association of Journalists (Gazeteciler Cemiyeti)	Trial monitoring in Istanbul: Merdan Yanardağ	Press Conference #1 in Istanbul
Radio and Television Supreme Council (RTÜK)	Meeting #2 with opposition political parties (CHP, DEVA)		Roundtable with civil society & journalism groups
Meeting #1 with opposition political parties (EMEP, YSP)	Turkish Constitutional Court (TCC)		Press Conference #2 in Diyarbakır hosted by Botan International
Foreign diplomatic missions in Ankara			

Overview of Key Developments

2023 was dominated by two key events: The devastating earthquakes in February, that hit the south east of the country across 11 provinces and resulted in **over 50.000 deaths** (including at least **30 journalists**) and another 100.000 injured, and secondly the Parliamentary and Presidential elections in May that saw the return of the AKP / MHP alliance to parliament and the re-election of President Erdogan. Both events tested journalism to the full and pitched government efforts to control the narrative against journalists' attempts to report and inform the public.

Within 48 hours of the earthquake the **government had blocked access to X (formerly Twitter)** claiming disinformation was being spread on the site and hindering the rescue effort. The government relented the following day after a public outcry, but not without demonstrating its readiness to act with ruthless speed to control and suppress sources of information. Within weeks, the broadcast regulator, RTÜK, had issued **fines against broadcasters for their critical coverage of the government's response** and for questioning the role of illegal constructions in contributing to the devastation.

The **election campaigns**, while largely free of major direct incidents against the media, were characterized by extreme levels of propaganda by both public media and the pro-government media that dominates public information and discourse. Opposition parties and their presidential candidate were denied equal access to TRT and were routinely denigrated by public media that has a legal duty to provide balance and equal access to all political parties at election time.

The days and weeks following the election saw incidents of violence against some journalists and the issuing of further **RTÜK fines against independent broadcasters for their election coverage**. The broadcaster HaberTürk stopped publishing political columns and the Editor-in-Chief of TELE 1, Merdan Yanardağ was arrested for 'spreading terrorist propaganda' after criticizing the solitary confinement of PKK leader Abdullah Öcalan.

Over the first 11 months of 2023, RTÜK imposed over 22 million TL (approximately 700.000 euros) of penalties on the following TV channels Halk TV, FOX, TELE 1, Habertürk, Flash Haber, KRT and TV5 according to IPI's monitoring, and **reports by MP Utku Çakırözer**.

The Disinformation law that was passed in October 2022 has seen over 30 journalists face action under the law including questioning by police, detention, legal charges and at least five arrests. While it was not used, as many feared it might be, as a blanket tool to silence the press during the election campaign, the authorities are nevertheless increasingly turning to the law as a new and repressive tool against independent journalism.

In November, the Turkish Constitutional Court (TCC) reviewed the constitutionality of the "disinformation offense" under Article 217/A of the law but, **despite widespread condemnation of the law** for breaching the constitutional guarantees for freedom of expression, rejected the call for its annulment.

The trials against Kurdish journalists charged with membership of a terror organization continued throughout 2023. While 16 journalists who had been held in pre-trial detention for up to one year were freed at the first hearings of two separate trials, the defendants still face jail terms of up to 15 years.

The first hearing of the lawsuit brought by daily newspaper Evrensel against the Press and Advertisement Agency (BİK) for revoking its right to publish official advertisements was held on November 28 at Istanbul 2nd Administrative Court. The court is expected to announce its decision in the second hearing.

As of December 1, 2023 there were 14 journalists behind bars according to IPI monitoring, down from 42 in October 2022.

Key Issues

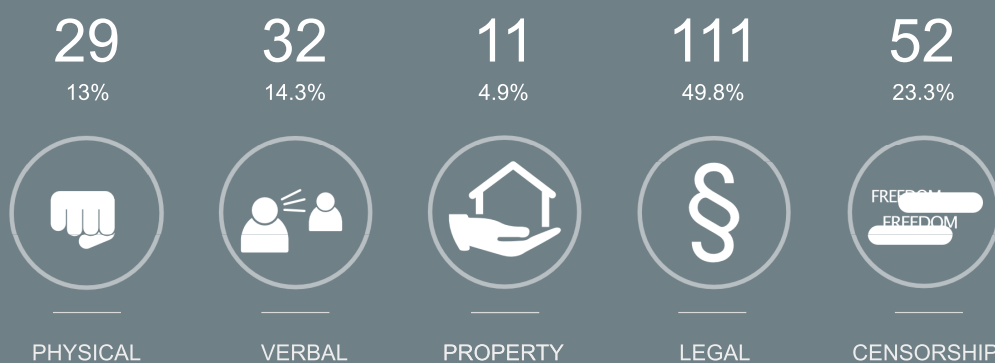
Press and Media Freedom Violations in Turkey

Journalists, media workers and outlets in Turkey have been subjected to various forms of press and media freedom violations and the most striking examples took place in the aftermath of devastating earthquakes in February 2023 as well as during the May 2023 elections.

Between the media freedom missions held in Turkey in October 12, 2022 and October 2, 2023, **at least 223 alerts** were reported on Mapping Media Freedom database (MapMF), with an impact on at least 304 journalists, media workers or outlets. This is not an exhaustive list as multiple journalists requested that the violations they suffered not be included in the database. Of the reported violations, 29 involved physical aggression, while almost half of the alerts were law-related violations including arrest, imprisonment, detention, and investigation.

The source of the violations in most cases were security officials and police (31%), followed by courts (30.5%), and then private individuals (13.5%), underlining the grave rule of law crisis in the country and its implications for media freedom.

MAIN TYPES OF ATTACKS



Source: mappingmediafreedom.org. The data comprises documented Mapping Media Freedom alerts between 12/10/2022 and 02/10/2023 for Turkey, based on the documentation status of 11/12/2023. One incident and thus alert alert can include multiple types of attacks (e.g. verbal and physical attack performed within the same incident affecting more than one journalist or media actor and being performed by more than one type of actor. Especially legal incidents where journalists or outlets receive multiple related or similar legal threats, are currently recorded as one alert.

 MEDIA FREEDOM
RAPID RESPONSE

During this period the most shocking incidents involved crowds of angry mobs turning on journalists [Rabia Çetin](#) and [Yağmur Kaya](#) in the aftermath of the earthquakes, following government officials' [targeting of journalists](#). There were reported at least [60 alerts](#) affecting 65 journalists or outlets related to the earthquakes. One of the most significant alerts was the 12-hour [blocking of X \(Twitter\)](#), which prevented circulation of news and hindered search and rescue efforts on the third day after the earthquakes.

The Disinformation Law resulted in at least [33 journalists](#) facing legal consequences (of which [18 alerts](#) were reported on MapMF), including the arrest of journalists [Sinan Aygül](#), [Ali İmat](#) and [İbrahim İmat](#).

During the election period and immediately following the May 2023 elections, [13 alerts](#) were reported, impacting 28 journalists or outlets, including two physical attacks that took place during the second round of the presidential vote on May 28, against journalists [Ömer Akın](#) and [Fatoş Erdoğan](#).

In this period there were [11 incidents](#) of journalists being injured by physical attacks, including during the gendarmerie intervention against [at least 14 journalists](#) at the Akbelen protest in the city of Muğla in July and [Sinan Aygül](#) being beaten by the Tatvan mayor's guards. In January, Voice of America correspondent [Yıldız Yazıcıoğlu](#), was also violently pushed by supporters of the far right Nationalist Movement Party (MHP) inside the parliament, and then harassed and threatened online.

Another troubling case was the torture and subsequent deporting of Iranian dissident journalist [Mohammad Bagher Moradi](#)'s by the Turkish intelligence service back to Iran despite having been granted asylum.

Kurdish Journalists: Punished Without Conviction

Nearly all of the journalists who had been imprisoned in Turkey in the last decade were charged with terrorism offenses. Terrorist organization membership and propaganda are the most common charges, however, journalists have also been convicted of leading a terrorist organization, making targets of those public officials who are tasked to combat terrorism or attempting to overthrow the constitutional order. Under the Turkish political climate, a politicized judiciary and vaguely worded antiterrorism laws, it is very easy to successfully prosecute and jail journalists who are just doing their job.

As a consequence, Turkey has had one of the worst records in the world for jailing journalists over the past decade, with over 160 in jail in the aftermath of the attempted coup of 2016. And while these numbers have fallen in the years since, the prosecution of journalists remains a key weapon to silence critics. Moreover, the use of long term pre-trial arrest and detention of journalists, ensuring punishment before conviction remains a key judicial strategy.

Long detention terms before formal charges, based on weak indictments followed by further detention until the first hearings and possible continued detention during the trial are systematically used against pro-Kurdish media over the past couple of years. Increasingly, long term detention is used for punishment without conviction.

The two separate mass arrests in Diyarbakır and Ankara in 2022 saw dozens of Kurdish journalists arrested and forced to spend many months behind bars before indictment and release after the first hearings of their trials. The nine arrested journalists in the Ankara case were [arrested](#) in October 2022, [indicted](#) in February 2023 and [released](#) in May 2023. Meanwhile, the 15 journalists in the Diyarbakır mass trial were arrested in June 2022, [indicted](#) in April 2023 and, after 13 months in detention, finally [released](#) on July 12, 2023.

In both cases no solid evidence has been presented to support the terrorism charges. Instead, evidence based on their employment, news articles and communication among each other and news sources, were misrepresented as acts in support of terrorism. The indictments are generally weak and sometimes lack the legal requirement of solid evidence of ties to the outlawed organization. However, none of this is important when the punishment comes before conviction.

The individual trials of editors of the Mezopotamya News Agency including [Abdurrahman Gök](#), [Dicle Müftüoğlu](#) and [Sedat Yılmaz](#) in Diyarbakır have followed a similar pattern. While Gök (*who was in pre-trial detention since April 25*) was [released](#) during his trial's second hearing on December 5, [Müftüoğlu](#) (*also Co-Chair of Dicle Fırat Journalists' Association, in pre-trial detention since May 3*) was refused release at her first hearing on December 7. The court even declared that she will remain under arrest as the lawyers were presenting the defense. Yılmaz is to appear in court for the first time on December 14 since his arrest on May 3.

[Safiye Alagaş](#), another journalist who was jailed alongside the Diyarbakır group but tried separately, spent [a year of her life](#) behind bars and was released in her first hearing on June 15, 2023.

Disinformation Law

On October 13, 2022, Turkey's Parliament passed the so-called "[disinformation law](#)", despite fierce criticism from across civil society and the journalistic community. The [Parliamentary Assembly of the Council of Europe](#) (PACE) had notably urged the Turkish authorities not to enact the legislation, stating it would "cause irreparable harm to the exercise of freedom of speech".

The [new legislation](#) consisted of 40 articles amending several laws, including the Internet Law, the Press Law, and the Penal Code. It provided a framework for extensive censorship of online information and the criminalisation of journalism, which enabled the government to further subdue and control public debate in the lead up to Turkey's general elections in 2023.



Before the October 2022 amendments, Turkish legislation was already placing tight constraints on online platforms, mandating swift compliance with content takedown requests under the threat of substantial penalties. [Since the October 2022 changes](#), social media platforms (SMPs) risk advertising bans, hefty fines that could be as high as 3 percent of their global income, and significant reductions in their bandwidth, or ‘throttling’, if they do not follow government orders. Not adhering to even a single demand for content removal or user information can lead to up to 90 percent throttling of their services and a six-month ban on advertisements.

Since its introduction a year ago, the offense of “publicly disseminating misleading information” under Article 217/A, known as the “disinformation offense”, has been weaponized to silence dissent. The broad and vague language of Article 217/A has resulted in [at least 33 journalists confronting legal consequences](#) according to the Journalists’ Union of Turkey (TGS), indicating the article’s potential to stifle legitimate dialogue and critical thought under the guise of curbing “false information.” The knee-jerk [throttling of Twitter](#) in the days following the earthquake and threats issued to journalists for spreading ‘disinformation’ were the tip of the government censorship apparatus.

According to monitoring by IPI and TGS, and reporting by the [Association of Journalists](#), based on the disinformation law: More than 30 investigations were launched against journalists; eight journalists were faced with lawsuits; six journalists were detained and five journalists were arrested.

In December 2022, [Sinan Aygül](#) was the first journalist to be charged under the disinformation law for ‘openly disseminating information misleading the public’ following his reports on alleged sexual abuse involving local police officers. In February 2023, Aygül was convicted and sentenced to ten months in prison.

In November 2023, [Tolga Şardan](#) was arrested and also charged with disseminating misleading information after he wrote about an alleged National Intelligence Agency (MIT) report, commissioned by the President’s office on corruption in the judiciary.

On November 8, the Turkish Constitutional Court reviewed the constitutionality of the “disinformation offence”. [IPI and Media Freedom Rapid Response \(MFRR\) partner organizations reiterated their call](#) for the annulment of Article 217/A of the Turkish Penal Code and related legal amendments passed in October 2022 that undermine international standards on the right to freedom of expression and of the press. Although the review by the TCC presented a critical opportunity for Turkey to reestablish adherence to the principles of international human rights law and democratic values, the court rejected the annulment application by majority vote.

Press Cards

Journalists in Turkey rely on the official press card which is issued by the Presidency's Directorate of Communications for access to public institutions, organizations and press events. Journalists working for critical media are often deprived of the official press card, also referred as the 'Turquoise card', named after its colour.

BASIN PRESS
TÜRKİYE CUMHURİYETİ CUMHURBAŞKANLIĞI
İLETİŞİM BAŞKANLIĞI TARAFINDAN DÜZENLENMİŞTİR.

BASIN KARTI
PRESS CARD

KİMLİK BİLGİLERİ / PERSONAL INFORMATION

ADI SOYADI / FULL NAME

T.C. KİMLİK NO / IDENTITY NO

GÖREVİ / TITLE

KURUMU / AFFILIATION

ANNE ADI / MOTHER'S NAME DOĞUM YERİ / PLACE OF BIRTH

BABA ADI / FATHER'S NAME DOĞUM TARİHİ / DATE OF BIRTH

KAN GRUBU / BLOOD TYPE

SON KULLANMA TARİHİ / EXPIRATION DATE

YETKİLİ İMZA
AUTHORIZED SIGNATURE
TÜRKİYE CUMHURİYETİ
CUMHURBAŞKANLIĞI
İLETİŞİM BAŞKANI
PROF. DR. FAHRETTİN ALTUN

NO:

ISSUED BY THE DIRECTORATE OF COMMUNICATIONS,
TURKISH PRESIDENCY

Applications from journalists with a track record of critical reporting are regularly denied without any specific reason. Ministries and other government offices often require press cards to include the journalist in social media groups set up by their press offices. Such groups provide vital access to the flow of information and exclusion from the group also means exclusion from the information.

The Presidential Office applies a separate and additional procedure to journalists for access, which goes beyond the press card's standard access.

The government has recently amended the law that applied to press card applications, broadening the eligibility to online outlets and redefining the term 'media professionals'. Although such expansion has been a positive approach, it has not eased the process of obtaining press cards and therefore to access official press events.

In covering critical events like natural disasters, elections or demonstrations, even the official press card can fail to protect the journalist from intense scrutiny of security forces. In Antakya and other provinces hit by the earthquakes, journalists with official press cards were unnecessarily held by security officials and prevented from reporting under the pretext of 'safeguarding their personal safety'. During the presidential elections, journalists were asked to apply for additional accreditations, never previously required.

IPI strongly promotes journalists' right to access information and urges the government to issue official press credentials to all journalists regardless of the political stance of media groups they are associated with. In democracies, press cards are issued by professional organizations dedicated to the media, not by governments which may exclude journalists for political reasons.

Visa Restrictions Against Independent Media

During the mission, problems concerning Schengen visas have been brought up by the journalists holding a Turkish passport when traveling to Europe. The complaints mainly focused on the issues concerning attending professional events and conferences, attending training programmes, traveling for news related work trips, and most significantly for journalists under threat that need to leave the country for security reasons.

The journalists complained of inconsistencies in the visa application processes, of being advised to apply for visa under "business" category, but then it being rejected because they had no business registration, required for business visas.

They complained that it can take up to six months to get an interview with the third party visa processing companies, and another two months wait after the application is submitted. This makes it almost impossible to attend work related events.

A case from 2022 concerns Syrian journalist [Hussam Hammoud](#), who had been living in Turkey as a refugee after his application for asylum was rejected by France and received death threats. Hammoud worked extensively on ISIS and terrorist activities in the region, in collaboration with English and French operating media.

The delegation also met multiple journalists who need to leave the country for safety reasons. In these emergency cases, appointments were issued at the earliest four months after they were admitted to a journalist residency programme. Then they would have to wait several more weeks for the visa processing. The long delays defeat the purpose of emergency relief programmes for journalists at risk.

These issues were raised with the EU Delegation to Türkiye and the foreign missions, who acknowledged the difficulties faced by journalists.

In October, the Media Freedom Rapid Response published its report "[Relocation of Journalists in Distress in the EU](#)" which explores the different emergency visa schemes available for journalists under threat.



Official Meetings

Turkish Constitutional Court (TCC): A Constitutional Court under Threat

This year, the delegation once again had the opportunity to discuss issues related to media freedom, freedom of expression and fair trial standards with the delegation of the Constitutional Court (TCC). While the Court continues to deliver important judgments, it is hampered by a lack of resources, a failure by lower courts to implement the TCC's rulings, and a failure by the Turkish Parliament to introduce legislation addressing systematic violations identified by the Court.

In discussing the Court's workload, Murat Şen, Secretary General of the TCC, explained that they receive annually more than 100.000 applications and, in order to remain effective, they have proceeded to merge cases behind one pilot case. The decision of "*Hamit Yakut*" (Article 220/6 of Turkish Criminal Code - committing a crime on behalf of an outlawed organization without being a member of this organization) combined hundreds of applications to accelerate the process. The Turkish Parliament was also given one year to come up with a new regulation on the issue.

Şen explained the decision of the TCC to annul the "[deferral of the sentence](#)" (HAGB) whereby judges can offer defendants, in exchange for a guilty plea, a suspended sentence that lasts for five years. Journalists defendants are often offered the HAGB, but this has now been ruled unconstitutional as it puts defendants in a vulnerable position, pressuring them to plead guilty and waive their right of appeal.



The mission delegation also asked the TCC to provide a pilot case relating to Article 299 of the Penal Code, because of the numerous legal proceedings brought against hundreds of members of the profession for “insulting the President”. The TCC members said this was also their intention. According to RSF, [at least 74 journalists have been convicted since August 2014](#), when Recep Tayyip Erdogan was elected President. The delegation regrets that the TCC did not raise the unconstitutionality of this measure during the standards verification phase, following its application in June 2005.

Responding to questions about the access bans or restrictions of contents on online media, (the “Keskin Kalem Yayıncılık and Others” case) the TCC delegation stated that they sent the file to the Parliament upon the pilot decision issued in January 2022. No regulation was made to solve the problem within the one-year period set by the TCC. They said that it was necessary to give time to the new parliament elected in May 2023 to take up the issue. In this context, TCC just restarted processing similar applications and will issue a ruling in the near future.

During the meeting, it was also emphasized that the solution to the problems of freedom of expression also depends on political will.

The TCC spokesperson added that the application from the main opposition Republican People’s Party (CHP) for the annulment of the “disinformation” amendment (article 29 of the October 2022 Disinformation law), might be deliberated by the court soon. Shortly after the mission, on November 8, the [TCC discussed the request for the annulment of the article](#) and rejected the application by majority vote on November 8.

The TCC recalled its [pilot ruling on August 10, 2022](#), concerning the ethical parameters that allowed the Press Advertising Agency (BİK) to deprive newspapers of public announcements, based on 14 individual applications from four different newspapers. TCC had ruled that the penalties imposed by BİK constituted a violation of freedom of the press and expression which was followed by [a statement from BİK](#) that it had suspended issuing penalties for ethical breaches until the Turkish Parliament amends the relevant Press Ethics Code (Article 49 of Law 195).

In response to criticism of the TCC’s slowness in dealing with urgent applications from imprisoned journalists, the TCC stated that it would not be a substitute for a court of appeal.

The delegation was also told that the TCC organized round tables in five different regions with the participation of judges and prosecutors, to address recurring problems in terms of judicial decision-making.

Radio and Television Supreme Council (RTÜK): A Wedge Against Freedom of Expression

Throughout 2023, RTÜK has continued to punish independent broadcasters for their critical coverage issuing new fines on an almost monthly basis and imposing over 22 million TL (approximately 700.000 euros) of penalties on the following TV channels Halk TV, FOX, TELE 1, Habertürk, Flash Haber, KRT and TV5.

RTÜK council member elections (October 10, 2023): The Supreme Council consists of [nine members](#) elected by the Turkish Parliament based on each party's MP count (currently, five members from AKP, two members from CHP, and one member from MHP and YSP each), serving six-year terms. An election was held by MPs in October to determine one member from the AKP, CHP and YSP quotas. Ebubekir Şahin, nominated from the AK Party quota, İlhan Taşçı, nominated from the CHP quota, and Necdet İpekyüz, nominated from the YSP quota, were [elected as the new RTÜK members](#). While Şahin and Taşçı became members for the second time and İpekyüz became a member for the first time.

RTÜK Chair elections (October 18, 2023): Ebubekir Şahin was re-elected as Chair upon being nominated for the second time by President Erdoğan.

The mission met with the RTÜK members nominated by the main opposition party CHP, İlhan Taşçı and Tuncay Keser, and raised concerns over RTÜK's decisions to fine and suspend certain channels and programs. The delegation underlined that practices that may affect both mainstream and online media, such as [the revocation of existing channel licenses](#), pose a serious threat to freedom of media and freedom of expression in Turkey.

RTÜK Member İlhan Taşçı emphasized that during his 6 years in the office, none of the alleged breaches of the broadcast law that were brought before the board for discussion were found to have committed "no violation", and that a majority of votes decided whether there had been a broadcast violation. He stated that RTÜK uses the loopholes in the law very well and that general preference is to interpret open-ended statements in the law, such as "national values and general morality", against the broadcaster.

Taşçı added that, based on his experiences, RTÜK's strategy is not to shut down channels (immediately), but rather to repeatedly issue fines and maintain the threat of economic pain or eventual closure hanging, like the sword of Damocles, over channels it deems close to the opposition.

Taşçı said that RTÜK was in need of reform to meet today's needs since it was established 28 years ago. Central to any reform would be the depoliticization of the board to make it truly independent by ensuring that no political parties, nor their representatives, sat on the board.

Regarding the principle of equal broadcasting during the election period, Taşçı said that before the AKP government, every party had equal coverage on TRT. During the last presidential election campaign in May, Erdoğan received 48 hours of airtime on TRT while Kılıçdaroğlu received only 32 minutes.

When asked how RTÜK can be more effectively used as a mechanism by citizens, the council members answered that the mobilization on social media over discontent with certain broadcasting issues should be reflected in CİMER (*Presidency's Communication Center, an official communication platform set up in 2015 to facilitate Turkish citizens rights' to petition and information; its predecessor was BİMER, Prime Minister's Communication Center set up in 2006*).

Finally, the members stressed that while the fining process should proceed in the form of administrative fine - financial fine - program suspension - broadcast suspension and finally broadcast blackout - the process is often expedited, with Halk TV and Tele1 having been subjected to the heaviest fines and measures in the last 2 years.

Summary and Conclusions

Turkey's press freedom crisis has deepened further in the last year. Journalists face steep **harassment** and **intimidation** for their work, including **arbitrary imprisonment** and **prosecution**. Those responsible for attacks and threats against the press enjoy alarming levels of **impunity**.

This year's parliamentary and presidential elections have brought no relief for press freedom. On the contrary, pressure continues to mount on critical journalists ahead of next year's municipal vote, including mayoral elections in Istanbul and Ankara. And the tragic February 2023 earthquakes laid bare efforts by authorities to control news and information, with **local media** being **particularly targeted**.

Last year, the AKP head of the Human Rights Investigation Commission of the Turkish Parliament assured our delegation that the **disinformation law** would not be used to punish journalists. But in the past year, **at least 33 journalists confronted legal consequences** (with five arrested) on the basis of the disinformation law, mainly in relation to coverage of the earthquake.

Physical safety remains an issue of grave concern. In meetings with journalists, the delegation heard alarming examples of threats to reporters' safety with authorities in some cases turning a blind eye, failing to uphold their duty to conduct an effective investigation and provide safety measures. The **normalization and proliferation of violence** against journalists, coupled with a sense of impunity, are increasingly embedded in the societal mindset. Meanwhile, politicians, government authorities, and the courts continue to equate critical journalism with "terrorist propaganda", disinformation, or a threat to national security, further increasing journalists' **physical and legal vulnerability**.

Journalists targeted with **legal harassment** continue to face egregious violations of rule of law guarantees. The **systematic use of pretrial detention** for journalists has now become the norm, effectively resulting in **punishment without conviction**. Recent cases have seen Kurdish reporters jailed for over a year pending trial following mass arrests.

The journalists met during the mission underlined the **need for a cohesive platform** and **stronger solidarity** within the journalistic community, owing to the distance professional organizations maintain from one another. They shared that instances of violence against journalists often come to light only through tweets, leaving journalists isolated and unsupported, and that a cohesive platform was needed to address systemic issues.

The granting of official **press cards** remains arbitrary – and their power is limited in the face of information control. Independent journalists fortunate to receive such cards reported that they were in some cases prevented by authorities from reporting in the earthquake zone despite providing their credentials.

The Constitutional Court continues to issue important rulings in support of press freedom. However, it is hampered by a lack of resources, a failure by lower courts to implement the Court's rulings, and a failure by the Turkish Parliament to introduce legislation addressing systematic violations identified by the Court. It has now also failed to annul the Disinformation law.

Amid the continued crackdown by the Turkish authorities, the delegation noted with concern **a pattern of visa denials**, delays, and arduous procedures for Turkey journalists applying for visas to Europe. This trend undermines the ability of Turkey's journalists to build and sustain links to their peers abroad. The delegation calls on European governments and the EU to maintain **firm and active support for Turkey's free press**. In addition to strong and clear public support for independent journalists, this must include ensuring that journalists' applications for visas for professional purposes are fast tracked.

Local elections are due to take place in Turkey in March 2024. The **free flow of independent news and information** is an essential condition to any democratic election. We call on the government of Turkey to guarantee that journalists are able to do their work **free of intimidation and harassment** in particular during the election period.



