



## Testimony before the House Foreign Affairs Committee's Europe, Eurasia, and Emerging Threats Subcommittee

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to the

United States House of Representatives Committee on Foreign Affairs  
öTurkey after the July Coup Attemptö<sup>ö</sup>  
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Chairman Rohrabacker, Ranking Member Meeks, and members of the subcommittee:

Thank you for the opportunity to testify on press freedom in Turkey in the aftermath of the failed coup attempt on the night of July 15. My name is Nina Ognianova, and I am the Europe and Central Asia Program coordinator of the Committee to Protect Journalists (CPJ), an independent, nonprofit organization dedicated to defending press freedom and the rights of journalists worldwide. It is an honor to speak with you today, and I appreciate the opportunity to address this committee on behalf of CPJ.

In my written testimony before this subcommittee, submitted on July 13, two days before the attempted coup in Turkey, I said that the Turkish government's crackdown on the media had reached an unprecedented intensity. But in the two months that have elapsed since then, Turkey's offensive against independent or critical media has gone into overdrive, with more than 100 journalists detained, more than 100 media outlets shuttered, hundreds of press workers stripped of their credentials, and many others forced into exile— all to the detriment of a public in need of independent news at a critical time.

In this testimony, I will highlight some of the most urgent press freedom issues in Turkey. I would like to caution the subcommittee that the numbers cited here are a snapshot only, taken at the time of writing. With conditions on the ground constantly evolving, I urge the subcommittee to regularly reference CPJ's [öTurkey Chronicleö](#) for brief daily updates on the latest attacks on press freedom in the country.

In this testimony, I will also provide recommendations to the U.S. government on how to assist Turkey's beleaguered journalists and to help improve conditions for media in Turkey. Unless otherwise specified, all data cited in this testimony is based on CPJ research.

## INTRODUCTION

On July 15, rogue military officers attempted to overthrow Turkey's elected government. Thousands of Turkish citizens took to the streets to defend the government; more than 200 people lost their lives. In this crucial moment, Turkey's usually fragmented, polarized society was united. The government of the ruling Justice and Development Party, or AKP, received overwhelming support from across the political spectrum. But instead of channeling that support to bridge differences, the government has been using the failed putsch to purge its opponents, mounting a sweeping onslaught against the critical media when Turkey most needs a plurality of voices.

The government immediately blamed the attempted coup on the Hizmet movement's followers of preacher Fethullah Gülen, whom the Turkish government accuses of leading a terrorist organization and "parallel state structure" in Turkey from his self-imposed exile in the United States. Gülen denied these accusations.

The crackdown on Gülenists— including on media perceived to have ties to the Hizmet movement— had been ongoing for months, but the coup attempt created a pretext for its acceleration. Within days after the attempted coup, the AKP announced a state of emergency that allowed it to govern by decree, overstepping judiciary and parliamentary scrutiny. Within a few weeks, the government had closed down more than 100 broadcasters, newspapers, magazines, publishers, and distribution companies; and it had detained more than 100 journalists. At least 30 news websites were censored by state regulators. Some journalists managed to escape to exile. Others' passports were cancelled to prevent their departure. Judges suspected of having ties to the Hizmet movement were purged and replaced with AKP loyalists. The prime minister's office revoked the press credentials of more than 600 journalists.

In mid-August, CPJ 2016 International Press Freedom Award recipient Can Dündar publicly resigned his editorship of the daily *Cumhuriyet* newspaper and said he would not return to Turkey while the state of emergency was in effect. Dündar, who has criticized both the AKP and its former ally, the Hizmet movement, in the past, argued that the government is exploiting the failed coup to eliminate all its opponents and to redesign the judiciary for its own purposes. Trusting such a judiciary, Dündar said, would be like laying one's head on the guillotine.<sup>6</sup>

## KEY PRESS FREEDOM ISSUES

### MASS DETENTION OF JOURNALISTS, REPORTS OF ABUSE IN CUSTODY

The scope of the purge has spread far beyond the requirements of the safety and security of the Turkish state. With all media outlets perceived to have ties to the movement already shuttered, and the list of journalists arrested for once having worked there growing by the day, the purge has moved on to individual journalists who have criticized the government and the Hizmet movement. The longstanding judicial and police harassment of Kurdish media has sharply intensified.

Within a week of the announcement of the state of emergency, Turkish police detained at least 48 journalists and shuttered three news agencies, 16 television stations, 23 radio stations, 45 newspapers, 15 magazines, and 29 publishing houses and distribution companies by decree. The decree stipulated that, going forward, any cabinet member could order the closure of any media organization if he or she deemed it a threat to national security.<sup>7</sup>

The [state of emergency](#) gives security agencies broad rights to detain individuals for up to 30 days without access to a judge and with restricted access to a lawyer. These measures, along with Turkey's temporary suspension of its obligations under the European Convention on Human Rights, [according to the Council of](#)

[Europe Commissioner for Human Rights](#) Nils Muifnicks, have created conditions in which detainees are especially at risk of abuse.

Indeed, allegations of police abuse of journalists in custody surfaced almost immediately. On August 10, police beat four journalists detained near the scene of a bomb attack that day in the southeastern city of Diyarbakir: Hasan Akba , F, rat Topal, and Serpil Berk of the daily *Evrensel*, and freelance photographer Sertaç Kayar. Their lawyer said the journalists told him they were at a nearby café when the bomb went off, so they rushed to the scene, took photographs and video, and left. Police stopped them at a checkpoint, forced them out of their vehicle, made them kneel, and handcuffed them. The journalists said they waited for roughly an hour and a half in this position while the police hit them, swore at them, and threatened them, saying, öIf anyone lifts his head, shoot him in the head,ö and öIs this the press? You should shoot them.ö The four journalists were later released. The officers who beat them remain unpunished.

Similarly, several journalists detained by police on August 16 described after their release having been beaten and verbally abused in custody. Reporters with the pro-Kurdish daily newspaper *Özgür Gündem*, D HA news agency, and broadcaster IMC TV said officers öbeat all of us while our hands were bound behind our backs,ö according to *Özgür Gündem*'s Sinan Bal,k. Other journalists from the group described being öhit with the butt of a gun,ö and ösubjected to beatings and insults for 36 hours,ö being kneed in the face, and being öpushed down the stairs from the second floor.ö At least one of the journalistsö all of [whose extended personal accounts are available online](#) as part of CPJ's öTurkey Crackdown Chronicleöö said she lost consciousness due to the blows. Another journalist, IMC TV reporter Gülfem Karata recounted being threatened with rape, subjected to racist slurs, and being whipped with a chain. No police officer has faced criminal or disciplinary action.

#### **CANCELLATION OF PASSPORTS, RETALIATION AGAINST FAMILY MEMBERS**

CPJ is dismayed at the cancellation of a growing number of journalists' passports, in some instances without any prior notification to the holders. We are appalled that this punitive measure has been extended to family members of the accused.

On August 9, Istanbul's 14th Court of Serious Crimes ordered authorities to cancel the passports of six staff members of the embattled pro-Kurdish daily newspaper *Özgür Gündem*. Former editors-in-chief Eren Keskin and Hüseyin Aykol, former responsible news editor Reyhan Çapan, writers Ay e Berkay and Reyhan Hac,o lu, and lawyer Nuray Özdo an, who has also written for the newspaper, face terrorism charges because of the newspaper's coverage. They are now trapped in Turkey.

The incident took place three days after passport control officers at Istanbul's Atatürk airport briefly detained broadcast journalist Hayko Ba dat as he re-entered Turkey, and confiscated his passport without an explanation.

While the exact number of invalidated passports remains undetermined, dozens of journalists who have been put under investigation on unsubstantiated accusations of ties with coup plotters have been banned from travel. Others, who happened to be traveling when their passports were invalidated, have been unable to move freely.

On July 27, for instance, Sevgi Akarç me, former editor-in-chief of the shuttered English-language daily *Today's Zaman*, was taken off a plane traveling from Brussels to New York, where she was to begin a journalism fellowship at the City University of New York. Shortly after boarding, she said, airline personnel escorted her off the plane and explained to her that her Turkish passport had been cancelled. She was unable to make her planned U.S. trip.

Perhaps even more disturbing is a September 3 incident involving Dilek Dündar, the wife of prominent Turkish journalist and CPJ International Press Freedom Award recipient Can Dündar, who was prevented from traveling from Istanbul to Europe to visit her husband in exile. Security officers at Istanbul's Ataturk airport confiscated Dilek Dündar's passport without giving a reason. She has not been charged with any crime and, to her

knowledge, she is not under investigation. “The government has taken my wife hostage,” Can Dündar told CPJ after the incident. “This is an example of Turkey’s authoritarian rule – in our new judicial order, if one is put on trial, the whole family is on trial.”

### **JOURNALISTS AND ‘STATE SECRETS’**

A number of recent prosecutions of high-profile investigative journalists illustrate the failure of Turkish authorities to respect the role media play in a democracy. Instead of accepting, even reluctantly, that the press will cover stories of national and international interest and importance, Turkish prosecutors have relied on overbroad laws to treat such coverage as treason.

Most recently, on September 2, Istanbul’s 13th Court for Serious Crimes began hearing the case of four prominent journalists from the defunct daily *Taraf* on charges relating to an elaborate alleged conspiracy, codenamed “Balyoz” (Sledgehammer).

Ahmet Altan, Yasemin Çongar, Yıldız Oğur, and Mehmet Baransu are charged in connection with the case. Baransu was a columnist at *Taraf* in 2010, when the daily published a series of articles alleging that Turkish military officers were planning to bomb mosques in the country and to shoot down a Turkish warplane in order to spark conflict with Greece and destabilize the then newly elected Justice and Development Party (AKP) government. Baransu also co-authored a book with Tuncay Opçin, who is also on trial in the case, which was published in 2012 and outlined several alleged military conspiracies.

In 2010, when the AKP and the Hizmet movement were in a tacit alliance against the military and security services’ role in politics, *Taraf* was lauded as the publication that broke the Sledgehammer story. But in today’s environment, the journalists are being sued for divulging state secrets because of that same story. The independence and professionalism of the proceedings against the journalists has been marred by an indictment that contains portions obviously copied and pasted from another case, that of former *Cumhuriyet* editor Can Dündar. So sloppy have prosecutors been in preparing the *Taraf* indictment that they failed to remove Dündar’s name from the pasted text: The indictment refers to him as the defendant though he is not a defendant in this case, according to [multiple reports](#). The *Taraf* trial is scheduled to resume in late November.

In perhaps the most well-known case of recent months, Dündar and Erdem Güll, *Cumhuriyet*’s Ankara bureau chief, were tried and convicted of revealing state secrets that could harm the security of the state, and sentenced to seven years in prison (reduced to five years and 10 months), and six years in prison (reduced to five years), respectively. The charges stem from a May 2015 *Cumhuriyet* report that alleged Turkey’s intelligence service sought to send weapons to rebel groups in Syria under the guise of humanitarian aid. The report was embarrassing to the government, and President Recep Tayyip Erdogan publicly pledged that he would punish Dündar for what he considered an act of treason. On May 29, 2015, the same day *Cumhuriyet* published the story, Erdogan said he had filed a criminal complaint against the daily. “The only thing that matters to them is casting a shadow on Turkey’s image,” Erdogan said in a June 1, 2015, broadcast on the state broadcaster. “I suppose the person who wrote this as an exclusive report will pay a heavy price for this... I will not let him go.” By November of that year, Dündar and Güll were imprisoned. They spent 92 days in jail before the Turkey’s highest court ordered them released pending trial. Prosecutors initially lodged treason charges against them, but abruptly dropped those charges days before the trial began. They are currently free, pending appeal, though Dündar has gone into exile.

Erdogan’s high-pitched rhetoric against Dündar may have put the journalist in physical danger. On May 6, a man shot at the editor twice as he spoke with reporters during a break in his trial. “Traitor!” the assailant shouted, before pulling the trigger. Dündar was not hurt, but a television journalist at the scene was injured by a stray bullet.

“We do not know who the attacker is, but we know who made us into a target,” Dündar said afterwards.

## **PRO-KURDISH MEDIA PERSECUTED, SHUT DOWN**

If there is one specific journalistic community in Turkey that has for years been targeted with punitive actions by the government, both before and after the coup attempt, it is the pro-Kurdish press. Reporters with such pro-Kurdish media outlets as the Dicle News Agency (D HA), the all-female Jin News Agency (J NHA), the daily *Özgür Gündem*, the Kurdish-language daily *Azadiya Welat*, or the television station IMC TV have consistently been detained, imprisoned, and hit with multiple trumped-up criminal charges. Their employers' websites have been blocked, their licenses revoked, and their print runs have been confiscated. One editor [died](#) of injuries sustained while covering a military incursion into a predominantly ethnic-Kurdish town.

Before the purge of pro-Hizmet movement media began, it was the Kurdish outlets that had been the most frequently prosecuted under Turkey's overly broad laws anti-terrorism legislation, which has been interpreted to criminalize a wide range of news coverage as aiding and abetting groups Turkey has classed as terrorists.

With the cleansing of Turkey's media landscape of outlets perceived as sympathetic to Gülen almost complete, the anti-press campaign is moving to eradicating pro-Kurdish publications.

One recent example stands out: On August 16, Istanbul's Eighth Court of Penal Peace ordered the country's oldest pro-Kurdish newspaper, *Özgür Gündem*, to temporarily stop publishing. The court did not say for how long. According to an ostensible copy of the [court order](#) published on Twitter by the volunteer journalist collective [140journos](#), prosecutors accused the daily of producing propaganda for the Kurdistan Workers' Party (PKK), which the Turkish government classes as a terrorist organization. The court order also accused the paper of incitement to insurrection and publishing articles that threaten the security and territorial integrity of the state. Police raided the newspaper's offices and detained at least [17 of the daily's journalists](#). Four other journalists with the news outlets D HA and IMC TV were also detained for covering the raid on *Özgür Gündem*'s newsroom. All but two of the detained journalists were released without charge, but they reported being beaten, threatened, and verbally assaulted in custody. A third *Özgür Gündem* journalist - a columnist and a member of the publishing board, was additionally arrested. She, too, [complained of mistreatment in prison](#).

When the socialist weekly *Atılım* subsequently ran special daily editions produced by *Özgür Gündem* journalists under the shuttered daily's logo, an Istanbul court immediately ordered all future such special editions confiscated from newsstands.

As with pro-Hizmet movement media, which the government accuses of aiding a terrorist organization, pro-Kurdish media are also labeled as supporting terrorist groups --- in this case, the PKK. In both cases, the Turkish government fails to make the distinction between criminal activity and covering a banned group or criticizing government policies. Journalism that the government does not welcome is prosecuted as terrorism.

## **CONCLUSION AND RECOMMENDATIONS**

There is much that remains unclear about the July 15 coup attempt in Turkey. It is unknown who the masterminds were, how the operation was organized, how deep and wide the conspiracy ran, and how the plotters managed to keep it a secret. Instead of embracing press freedom and allowing Turkish journalists to do what they do best - investigating and uncovering the truth about this conspiracy - the government is making journalists pay the price for mutinous military officers' unlawful actions. Turkey is burying the truth deeper by eradicating the country's independent and opposition media, imprisoning or forcing the journalists who ask tough questions out of the country, often discarding even the pretense of due process, rule of law, or transparency.

Turkey's domestic purge of its media has international repercussions. Credible, independent media reports are vital to the world's understanding of Turkey's handling of the Syrian refugee crisis, or the battle against the Islamic State group.

While it is important to condemn the coup attempt of July 15, we strongly urge Turkey's international partners, specifically the United States, to condemn the continuing purge of opposition and independent media that has followed the attempted coup.

Public, unequivocal statements condemning the crackdown on the press and calling for its immediate reversal are especially important now as fear and self-censorship take hold in the face of a staggering arrest campaign. We urge congressional leaders to stress the crucial role that pluralistic media play in times of crises in their meetings with Turkish officials, and to urge other U.S. officials to stand up for Turkey's beleaguered journalists both publicly and privately as well.

The United States should allow Turkish journalists caught in the post-coup purge to travel to the United States. CPJ International Press Freedom Awardee Can Dündar hopes to travel to New York to receive his award on November 22. The United States should not honor Turkish arrest warrants for journalists, should encourage other countries not to honor those warrants, and should treat journalists' travel documents as valid, even if Turkey has cancelled them.

We urge Congress to consider imprisoned Turkish journalists as prisoners of conscience, including the more than 100 journalists detained in the aftermath of the failed putsch.

We urge Congress to advise Turkish lawmakers and officials on reforming counterterrorism legislation to protect the press and to scrap Article 299 of the Penal Code, which criminalizes insulting the president. Congress should further call on Turkey to allow the press to cover fighting between the military and ethnic-Kurdish youth in the country's southeast, and to cease prosecuting journalists on anti-state charges.

In Turkey on August 24, [U.S. Vice President Joe Biden said](#) that Turkey has no greater friend than the United States of America. Good friends can still offer plainspoken advice and frank criticism. A Turkish plunge into naked authoritarianism risks destabilizing Turkey, a vital U.S. ally. Putting an end to the ever-broadening crackdown on independent news media is a vital step toward stopping and reversing that plunge before it is too late.

Thank you for providing CPJ with the opportunity to address this important matter.