

Executive Summary

When a small group of environmental campaigners began a sit-in in Gezi Park, Istanbul, last May, few could have predicted that their protest against the construction of a shopping mall would escalate into an unprecedented demonstration against the state. The authoritarian manner in which the ruling party enforced its plans for the park – from the lack of public consultation to the draconian tactics of the police – triggered a nationwide response. By the end of July, according to official government estimates, 3,545,000 people across 80 of Turkey's 81 provinces had taken to the streets in solidarity with the Gezi Park protesters.

The protests encapsulated the tension between the conservative mainstream and a wide variety of disenfranchised groups in Turkey in the battle over public space, the struggle of minority groups to express their identities and the resistance to the growing authoritarianism of the democratically elected Justice and Development Party (AKP). The excessive use of police force, as well as widespread media censorship and reprisals against journalists and users of social media, starkly illustrated the shortcomings of Turkish democracy in its lack of pluralism and disregard for fundamental rights and freedoms.

In this report, PEN assesses the violations of the right to freedom of expression and to freedom of assembly during the Gezi Park protests. PEN has a long history of supporting writers at risk and campaigning for the protection of freedom of speech in Turkey. The intense and exceptional nature of the protests, the response of the authorities and the media, and the lack of an overarching official inquiry into police violence offer a unique opportunity to examine the threats to freedom of expression and the need for reform.

Our research identifies a number of areas that the government of Turkey must urgently address:

- **A culture of intimidation against dissident writers, journalists and artists**, including the practice of targeting individual journalists by senior government officials in speeches and on social media; the bringing of defamation cases against those engaging in legitimate political criticism; the judicial harassment of caricaturists and other artists engaging in social and political commentary through their art; the use of threats against investigative journalists by politicians unhappy with their reporting; and phone calls from government politicians to news outlets questioning them about the level and nature of the coverage being given to opposition parties.
- **Self-censorship and lack of independence within the mainstream media**, highlighted by the media blackout during the early days of the protests and the scores of journalists (85 according to the Journalists Union of Turkey) who lost their jobs throughout. The concentration of media ownership within the hands of a small number of holding companies vying for public tenders has played a part in this, exerting a detrimental influence on the editorial independence of many Turkish media outlets. The activities and perceived lack of independence of public bodies such as the Insurance Savings and Deposit Fund (TMSF) and Turkey's broadcast regulator RTÜK are also in need of review.

- **The narrowing scope for freedom of expression online**, with particular emphasis on the regime of online censorship introduced as part of the new internet law under the guise of protecting the personality and privacy rights of Turkish citizens; the judicial harassment of social media users; and the chilling effect that these are intended to have on freedom of expression on the internet.
- **Attacks on journalists reporting on protests in the field**, denying them their journalistic right to report on fundamentally newsworthy events; 153 journalists were reportedly attacked during Gezi, with notable examples mentioned in the report.
- **Violations of the right to freedom of assembly**, often justified through the blanket application of time and location restrictions and the use of small groups of protesters engaging in unlawful activity as grounds for deeming entire protests unlawful. The indiscriminate and excessive use of tear gas and excessive force during the protests led to countless injuries and in several instances to loss of life.

At its best, the Gezi Park protests involved the peaceful coming together of myriad opposition groups in a creative public forum. A culture of protest and dissent has been established amongst a previously politically disenfranchised younger generation. The emergence of social media and its enormous impact as a vehicle of news and commentary has also done much to challenge the traditional print and broadcast media's self-censorship, but is now threatened by a controversial internet law.

PEN calls on all political actors in Turkey to work towards a revised framework that respects the rights of protesters and journalists during peaceful demonstrations, including more robust protection for freedom of expression both in the law and in the regulation of the media. In light of this, PEN calls on the government of Turkey to:

- Initiate a comprehensive review of the use of excessive force by security forces during the protests;
- Revise law enforcement officials' code of conduct so that journalists' right to safely report during protests is fully respected in future;
- Bring an end to the judicial harassment of writers, journalists and artists engaging in legitimate criticism of senior government figures;
- Cease all investigations into individuals for the peaceful exercise of their right to freedom of expression online;
- Overturn the regime of online censorship and surveillance initiated by the new Internet Law;
- Take steps to end the culture of intimidation and self-censorship paralysing the mainstream media in Turkey;
- Make necessary reforms to public bodies like TMSF and RTÜK in order to safeguard the independence and health of the media sector.

The Gezi Park Protests: the impact on freedom of expression in Turkey is available [here](#).