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TURKISH JOURNALISTS IN EXILE

Contribution to Special Rapporteur's thematic report
to be presented to the 56th session of the Human Rights Council

The present contribution is respectfully submitted by the *Journalists and Writers Foundation*¹ and the *International Journalists Association*² following the call for submissions from the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, to inform the Special Rapporteur's thematic report on journalists in exile, which will be presented to the 56th session of HRC in 2024.

This contribution provides information on undue restrictions, pressure, and persecution facing hundreds of Turkish journalists in exile, including physical and online threats and attacks, surveillance from Türkiye, arrest warrants, extradition requests, Interpol notices on bogus terrorism-related offenses, unlawful asset seizures, and restrictions of their freedom of movement.

Since the Gezi Park protests and corruption scandal in 2013³ and attempted coup in 2016, Turkish authorities have stepped-up efforts to suppress dissent and restrict human rights and fundamental freedoms, including freedom of opinion and expression; both in law and in practice. The government and its supporters use a variety of means to intimidate journalists, including criminal lawsuits, threats, and increasingly verbal and physical attacks.⁴

Following the July 2016 attempted coup, 149 media and broadcasting organizations were closed down, including 72 newspapers and magazines, 5 news agencies, 33 television and 39 radio stations. Between July 2016 and November 2021, at least 650 journalists were deprived of their liberty in Türkiye, with many of them already convicted.⁵

According to Dicle Fırat Journalists Association (DFG),⁶ a total of 280 journalists appeared in at least 821 hearings in Turkish courts throughout 2023. In addition, at least 26 journalists were detained, arrested and prosecuted in 2023 under a controversial “disinformation” law that was enacted in 2022.

¹ <https://jwf.org>

² <https://internationaljournalists.org>

³ Freedom House Report on Democracy in Crisis: Corruption, Media, and Power in Turkey, available at https://freedomhouse.org/sites/default/files/2020-02/SR_Corruption_Media_Power_Turkey_PDF.pdf

⁴ <https://pen-international.org/news/turkey-international-groups-condemn-attacks-against-journalists>.

⁵ The number of journalists deprived of liberty varies based on the different methods used to account for detained, arrested and imprisoned journalists. See here: <https://stockholmcf.org/updated-list/>

⁶ <https://www.dicelifiratgazeteciler.org/raporlar/dfg-2023-yili-gazetecilere-yonelik-hak-ihlalleri-raporu>

Until 2022 Türkiye was among the biggest jailers of journalists in the world, with the current number of journalists in prison estimated to be 63 (DFG)⁷ or 43 (RSF),⁸ depending on the source. According to Reporters Without Borders “*Not being among the top three jailers doesn’t mean that [Türkiye] doesn’t jail: One of the techniques of persecuting journalists in [...] Türkiye is actually to imprison them repeatedly.*”⁹

Under immense pressure and serious threats to their lives and well-being, journalists and workers from the last remaining free and independent media have increasingly resorted to self-censorship and forced to flee abroad. It is estimated that by November 2021, at least 167 journalists had fled Türkiye to escape persecution.¹⁰

1. Trends, challenges and problems

- a. What are the key trends, threats or challenges to freedom, independence, diversity and pluralism of media in exile, and to the freedom of expression and safety of journalists in exile

Turkish journalists in exile can reach millions of people because of their independent reporting, despite all the efforts by the government to censor them, including by blocking websites, content and social media accounts through court orders or targeted cyber-attacks. Working in exile enables them to remain credible sources of information about Türkiye, currently one of the most hostile countries for journalists. Journalists think that “[...] in the near future in Türkiye, news that makes headlines will be reported by journalists in exile, because only exiled journalists have the guarantee of not being arrested in the morning.”¹¹

Safety in exile however for Turkish journalists is far from guaranteed. Transnational repression against journalists¹² in exile includes repeated calls for their assassination, extensive surveillance and monitoring, physical assaults and threats of physical violence, arbitrary detention, enforced disappearances and illegal transfers, systematic online harassment and defamation campaigns, fabricated terrorism-related charges, trial in absentia on bogus charges, extradition demands on politically motivated allegations and threats to journalistic sources and networks that they rely on for their work. These threats also result in serious restrictions on the freedom of movement, including their ability to travel or communicate with sources in Türkiye or abroad.

Passports of Turkish journalists in exile are unlawfully reported to Interpol as lost or stolen, and an unknown number of them are probably subject to Interpol notices and diffusions. Journalists in exile are routinely added to Türkiye’s “Most Wanted” terrorist list, followed by restrictions of financial resources and denial [or threat to deny] of access to financial and banking systems or

⁷ <https://www.turkishminute.com/2023/11/04/63-journalist-are-imprisoned-turkey-report/>

⁸ Reporters Without Borders, *Round-up of Journalists Killed, Detained, Held Hostage and Missing in 2023*, p. 18. Available at https://rsf.org/sites/default/files/medias/file/2023/12/Round-up_2023_EN.pdf

⁹ *Ibid.*

¹⁰ <https://stockholmcf.org/updated-list/>

¹¹ <https://www.turkishminute.com/2023/10/23/interview-adem-yavuz-arслан-exiled-journalists-are-hope-of-turkish-people/>

¹² <https://www.state.gov/briefings-foreign-press-centers/transnational-repression-against-journalists>

other platforms¹³ in host countries. Efforts by the Turkish government to silence journalists also entail constant intimidation and harassment of journalists' family members in Türkiye.

Efforts by the Turkish government to silence journalists in exile are not limited to direct threats and transnational repression, but often also form part of diplomatic negotiations with countries where the Turkish government can exert any form of political or other pressure. During deliberations at the Turkish Parliament,¹⁴ Turkish Deputy Foreign Minister Burak Akçapar inadvertently revealed that during discussions with the Swedish delegation on Sweden's protocol of accession to NATO, one of key demands by Türkiye for Sweden's NATO bid was the closure of "Nordic Monitor", an online newspaper administered by Turkish journalists in exile.

In the case of Finland and now mostly Sweden¹⁵, Türkiye is trying to secure the extradition of journalists at risk not pursuant to applicable international law but rather based on extradition lists and political agreements, tied to Sweden's [and previously Finland's] NATO accession bid.¹⁶

b. To what extent have these trends, threats and challenges emerged, or have been aggravated, because of the policies and practices of digital and social media platforms?

Pro-government trolling was initially allegedly carried out by youth branches of the ruling AK Party.¹⁷ By September 2013 however efforts professionally advanced, as the ruling AK Party recruited 6,000 people to a new social media team, known as the New Türkiye Digital Office.¹⁸

Following the attempted coup of July 2016 trolls intensified campaigns to intimidate journalists online, hacking social media accounts, threatening physical and sexual abuse, and orchestrating "virtual lynch mobs" of pro-government voices to silence criticism. Immediately following the attempted coup, the International Press Institute (IPI) found evidence of at least 20 cases where journalists were hacked and had their Twitter direct messages exposed for the world to see. Following the attempted coup journalists are no longer just attacked for being critical of the government, they are labelled as terrorists, threatened with libel and arrested.

Digital and social media platforms have also facilitated death threats against exiled journalists. On July 11, 2021, for example a pro-government social media account "Jitemkurt"¹⁹ published a list of 21 Turkish journalists in Europe and North America whom they plan to assassinate.²⁰

¹³ Platforms such as Amazon, Uber, Etsy etc.

¹⁴ Turkish Parliament's Foreign Affairs Committee meeting of October 25, 2023, <https://nordicmonitor.com/2023/11/turkey-demands-sweden-silence-journalists-shut-down-news-outlet-to-secure-nato-bid-approval/>

¹⁵ Swedish Supreme Court rejects Turkey's extradition request for exiled journalist Levent Kenez <https://www.turkishminute.com/2021/12/23/edish-supreme-court-rejects-turkeys-extradition-request-for-exiled-journalist/>

¹⁶ Sweden blocks extradition of journalist [in exile Bulent Kenes] sought by Erdogan, available at <https://www.france24.com/en/live-news/20221219-sweden-blocks-extradition-of-journalist-sought-by-erdogan>

¹⁷ <https://www.al-monitor.com/originals/2015/09/turkey-elections-akp-mulls-dumping-social-media-trolls.html>

¹⁸ <https://www.hurriyetdailynews.com/ruling-akp-hires-thousands-for-new-social-media-campaign-54479>

¹⁹ The name refers to a group linked to the notorious gendarmerie intelligence unit JITEM, linked to the disappearance and execution of Kurdish activists, politicians and businesspeople throughout the 1980s and 1990s. Its existence was denied for years, but later officially acknowledged by prime ministers Ecevit and Yılmaz.

²⁰ <https://www.turkishminute.com/2021/07/14/progovernment-social-media-account-publishes-a-hit-list-of-exiled-turkish-journalists/>

- c. Please highlight the gender dimensions of the trends and their consequences for the equality and safety of women and gender non-conforming individuals.

In January 2024, Mesopotamia Women Journalists Association (MKG) released a report focusing on the violations against women journalists during 2023. According to the report, 168 women journalists stood trial in 2023 in Türkiye. Thirty-two (32) female journalists faced new investigations due to their professional activities and investigations targeting 13 journalists turned into trials. Thirty-seven (37) female journalists were detained and five (5) arrested, eight (8) convicted, and at least ten (10) remain under custody.²¹

Journalists interviewed by the JWF for the purpose of drafting this submission agree that the Turkish government does not “discriminate” in persecuting journalists based on gender. They however also underline the fact that female journalists, those based in Türkiye or in exile, suffer the most, with trolls using hundreds of accounts to brand them with demeaning words. During Gezi Park protests in 2013, women journalists were harassed and targeted in abhorrent ways, receiving among other constant death and rape threats. This pattern unfortunately continued after the July 2016 attempted coup, with women journalists subject to scores of threats through social and other media, which often consist of sexual slurs, threats of rape, other sexual violence, and aggressive gender-based defamation campaigns.

- d. Please provide concrete examples, including legal or other transnational restrictions by States on journalism and journalists, red-flagging to Interpol, communications blocking, surveillance, funding restrictions, harassment, stigmatization and vilification, obstacles or restrictions on movement, access to information and reporting. This is not an exhaustive list, and please feel free to provide other examples of challenges and threats to journalism in exile.

Disinformation law of Türkiye adopted in October 2022,²² consist of 40 articles amending several laws, including the Internet, Press Law, and the Criminal Code. The law provides additional grounds for extensive censorship of online information and criminalization of journalism, which enables further persecution of exiled journalists. Over 30 journalists have faced action under this new law, including questioning by police, detention, legal charges and at least five arrests.²³ In November 2023, the Turkish Constitutional Court (TCC) reviewed the constitutionality of the “disinformation offense” but despite widespread condemnation of the law which is contrary to constitutional guarantees for freedom of expression, it rejected the call for its annulment.²⁴

²¹ <https://www.turkishminute.com/2024/01/06/168-female-journalist-stood-trial-turkey-2023-report/>

²² For more se: <https://www.hrw.org/news/2022/10/14/turkey-dangerous-dystopian-new-legal-amendments>

²³ “Turkey: Press Freedom Crisis Deepens Amid Earthquake and National Elections,” the report was prepared by the Committee to Protect Journalists (CPJ), the International Press Institute (IPI), Reporters Without Borders (RSF), the European Centre for Press and Media Freedom (ECPMF) and Osservatorio Balcani e Caucaso Transeuropa (OBCT).

²⁴ <https://apnews.com/article/turkey-court-upholds-disinformation-law-media-b644131870183eb213822b11b38bb3bf>

In 2017, journalists Cem Küçük and Fuat Uğur, staunch supporters of the Turkish government, named journalists Ekrem Dumanlı, Emre Uslu, Abdullah Bozkurt, Abdülhamit Bilici, and İhsan Yılmaz in exile as the first exiled journalists to be assassinated.²⁵

On July 12, 2018, journalist Yusuf Inan was arbitrarily detained at his farm in Mykolayiv, Ukraine, by Security Service (SBU) officers, including three masked officers. The next day a lower court in Mykolayiv improperly ruled for the extradition of Inan. While Inan's lawyer was preparing an appeal and his application for asylum in Ukraine, he learned from the media that Inan had been already illegally transferred to Türkiye on July 12, 2018.²⁶ Around the same time, journalist Yunus Erdoğan in Ukraine was forced into hiding for eight months, as he had been threatened many times with death.²⁷ His vehicle was vandalized four times in front of his house and the windows were broken²⁸, but the Ukrainian police subsequently closed the investigation.

In January 2021, a top advisor of Turkish President Recep Tayyip Erdoğan threatened journalist Abdullah Bozkurt with death.²⁹ The same journalist was on September 24, 2020,³⁰ subject to a physical attack in Sweden where he has been granted protection. In March 2022, Ahmet Dönmez, another journalist in exile was attacked by two men in Stockholm in front of his 6-year-old daughter.³¹

In July 2021, for the first time the German federal government made a statement³² about the so-called "execution lists" containing the names of Turkish journalists in Germany. In its response to a parliamentary question, the government responded that, "*There are currently signs that there are different lists containing the names of people who are assumed to be critical of the Turkish government.*" The federal government stated that it did not have a concrete list and that the investigation on the issue was deepened.³³

In 2022, the pro-government Sabah Daily published secretly taken photos of exiled journalists, including Abdullah Bozkurt and Cevheri Güven, revealing their home addresses on its front page. Both exiled journalists expose the Turkish government's relations with radical and extremist groups, unlawful activities of the Turkish intelligence service and government corruption.³⁴ On October 19, 2022, Sabah Daily targeted Bülent Keneş, an academic and former editor-in-chief of the now-closed Today's Zaman newspaper. The Committee to Protect Journalists noted that

²⁵ In addition, the AKP deputy listed the names of journalists to be targeted: Ekrem Dumanlı, Adem Yavuz Arslan, Celil Sağır, Bülent Keneş, Abdülhamit Bilici, Erhan Başyurt, Emre Uslu, Akın İpek and Can Dündar.
<https://www.turkishminute.com/2017/12/22/video-pro-kurdish-mp-says-he-received-intel-on-plans-to-kill-turkish-dissidents-in-europe/>

²⁶ Please see: <https://www.kyivpost.com/ukraine-politics/ukrainian-wife-of-extradited-erdogans-critic-says-he-was-sent-to-turkey-illegally.html>

²⁷ <https://europeanjournalists.org/blog/2018/07/23/ukraine-turkish-journalist-under-threat/>

²⁸ https://m.facebook.com/story.php?story_fbid=2611129085851960&id=100008646815838

²⁹ <https://www.meforum.org/61949/erdogan-henchman-targets-mef-writing-fellow>

³⁰ <https://cpi.org/2020/09/exiled-turkish-journalist-abdullah-bozkurt-attacked-in-stockholm/>

³¹ <https://www.turkishminute.com/2022/03/19/ital-turkish-journalist-living-in-exile-in-sweden-brutally-attacked/>

³² German Undersecretary of Internal Affairs Helmut Teichmann

³³ <https://www.dw.com/tr/alman-h%C3%BCK%C3%BCmetinden-infaz-listeleriyle-ilgili-ilk-a%C3%A7%C4%B1klama/a-58653132>

³⁴ <https://internationaljournalists.org/pro-erdogan-daily-targets-yet-another-journalist-in-exile-reveals-his-home-address/>

reports published by Türkiye’s pro-government media outlets that shared the locations of Turkish journalists living in exile are “unethical and irresponsible” and “could lead to serious harm.”³⁵

As part of its widening crackdown against exiled dissidents, the Turkish Interior Ministry regularly updates its “Terrorist Wanted List”, a database that identifies alleged terrorists. The updated list of December 30, 2022³⁶ contained world-renowned academics, human rights defenders, former civil servants, and individuals from all walks of life, offering considerable rewards for their capture. The list also included at least 15 Turkish journalists living in exile, including Can Dündar, Bülent Keneş, Abdullah Bozkurt, Ahmet Dönmez, Cevheri Güven, Tarik Toros, Adem Yavuz Arslan, Said Sefa, Arzu Yıldız, Levent Kenez, Hasan Cücük, Sevgi Akarçesme, Erhan Başyurt, Bülent Korucu and Abdülhamit Bilici.³⁷

Out of thirty-four (34) exiled journalists that were interviewed, four of them reported being subject to Interpol red notices. It is very difficult however to establish the existence of Interpol notices or diffusions at a time when none of them had inquired with Interpol or attempted (because of fear) to travel beyond EU borders, their host countries, or cross any international border. The Turkish government also uses bilateral extradition treaties or European Convention on Extradition to demand forcible return of exiled Turkish journalists. A number of cases were recorded in the US³⁸ and Europe³⁹ where host governments simply refused to hand over Turkish journalists.

The Government of Türkiye also makes constant efforts to prevent access for exiled journalists to the United Nations human rights infrastructure. To prevent exiled journalists for example from speaking at a side event on the margins of the 40th session of the HRC in Geneva in 2019, Türkiye’s Ministry of Foreign Affairs claimed that journalists in exile scheduled to address the event were dangerous terrorists. Türkiye’s pro-government media ran stories claiming that the United Nations had allowed “terrorist propaganda” despite Türkiye’s efforts.⁴⁰

3. Recommendations and good practices

- a. [What recommendations do you think the Special Rapporteur should make to governments, companies, the media and civil society to address or mitigate the detrimental impact?](#)

The Special Rapporteur should recommend to the authorities, including the Turkish judiciary to:

- Immediately end the persecution, prosecution, and attacks against exiled journalists.

³⁵ <https://www.turkishminute.com/2022/10/27/dia-publishing-locations-of-turkish-journalists-in-exile-can-lead-to-serious-harm-cpj/>

³⁶ <https://www.teroraranlar.pol.tr/taranlar>

³⁷ <https://cpj.org/2023/01/turkey-adds-journalist-can-dundar-to-list-of-wanted-terrorists-at-least-14-other-journalists-also-listed/>

³⁸ <https://nordicmonitor.com/2021/10/us-is-not-convicted-of-turkeys-extradition-request-of-a-critical-journalist-asked-for-evidence/>

³⁹ <https://www.theguardian.com/world/2022/dec/19/swedish-court-blocks-extradition-journalist-turkey-nato-bulent-kenes>

⁴⁰ <https://www.turkishminute.com/2019/03/06/turkey-tries-to-prevent-exiled-journalists-from-speaking-at-un-human-rights-council/>

- Review and repeal and/or consider the constitutionality of the Article 299 of Criminal Code providing for the prosecution of journalists for “insulting the President”.⁴¹
- Review and repeal the disinformation law passed in October 2022.

In addition to journalists in exile, many other journalists in Türkiye remain at imminent risk. The Special Rapporteur should recommend hosting countries to consider expediting visa processing for journalists at risk in Türkiye under existing or additional emergency relief programmes. The Special Rapporteur should also urge governments of host countries to take all legal, administrative, and practical measures necessary to ensure a free and safe environment for Turkish journalists in exile. These measures can include designation of specialized police officers, establishment of direct telephone lines, where appropriate and necessary, or strengthening sanctions against perpetrators, who are mostly Turkish pro-government proxies living in the same countries.

The Journalists and Writers Foundation (JWF) and the International Journalists Association (IJA) call on international media companies and organizations to prioritize professional support for Turkish journalists in exile, including through existing programmes for journalists at risk. Non-governmental organizations can also assist exiled journalists in immigration matters with pro bono legal assistance, and attract public attention through seminars, meetings, and professional awards.

- b. Please provide welcome examples of good practice by Governments, companies, the media sector, civil society and other stakeholders.

The establishment of submitting organizations, (the JWF⁴² and the IJA⁴³) founded by exiled journalists in the United States and Germany respectively, is a good example of organizations assisting journalists to work in solidarity and cover events in their home countries, where the media is under government control and access to independent sources is limited.

⁴¹ According to RSF, at least 74 journalists have been convicted for “insulting the President” since August 2014, when Recep Tayyip Erdogan was elected President.

⁴² The Journalists and Writers Foundation (JWF), a US-based persecuted journalism organization in exile, was forced to leave Turkey due to severe pressure, suppression, and attacks in Turkey. Permanent Mission of Turkey to the UN revoked JWF’s ECOSOC general consultative status in 2017 to silence exiled journalists’ voices at the United Nations. Despite the pressure by the Turkish Mission, the JWF successfully restored its association with the UN DGC in 2019.

⁴³ International Journalists Association (IJA) is an international Germany-based professional solidarity association formed by gathered journalists reside abroad Turkey. <https://internationaljournalists.org/aboutus/>