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Media Freedom Rapid Response (MFRR) partners call on Turkey to immediately stop the judicial harassment of Can Dündar and to drop all charges against him

The Media Freedom Rapid Response condemns the decision of the Istanbul 14th Heavy Penal Court on 17 September ruling that journalist Can Dündar, who lives in exile in Germany, will be considered a fugitive and have his entire property confiscated if he does not appear in Turkish court within 15 days. We believe that the prosecutions against Dündar are politically-motivated and form part of a campaign of harassment. We call for all charges against him to be dropped, an immediate reversal of this recent decision and an end to the judicial harassment of Dündar for his journalistic activities.

Dündar has been the victim of prolonged persecution by the Turkish authorities for the last five years. The current proceedings against him relate to a May 2015 report on an alleged weapons transfer to Syria on trucks operated by the National Intelligence Agency (MIT), published in daily *Cumhuriyet* and written by Dündar in his role as editor-in-chief. On 26 November 2015, together with *Cumhuriyet's* Ankara representative Erdem Gül, he was arrested on charges of acquiring documents related to state security, political and military espionage, disclosing classified documents and spreading propaganda on behalf of a terrorist organisation. Dündar and Gül were released from pre-trial detention following a Constitutional Court ruling on 25 February 2016. On 6 May 2016, Dündar was convicted of acquiring and disclosing classified documents related to the security of the state, for which he was handed down a prison sentence of five years and ten months. He remains free pending appeal and since June 2016 has lived in exile in Germany. The current retrial started before the Istanbul 14th Heavy Penal Court on 2 April 2019, after the Supreme Court of Cassation overturned the Regional Court of Appeal's verdict of a prison sentence for disclosing the state's confidential information in March 2019.

In addition, Dündar also faces arrest warrants in the case against the *Cumhuriyet* newspaper, in which the prosecutor is seeking up to fifteen years in prison on the charge of aiding a terrorist organisation without being its member; the Özgür Gündem solidarity trial, in which he faces up to three years in prison for making terrorist propaganda and publishing statements by terrorist organisations; and in the Gezi trial, in which he is accused of attempting to overthrow the government, for which he faces aggravated life imprisonment. Other instances of judicial harassment of Dündar include, recently, the June 2020 decision to ban access to the Germany-based online radio station Özgürüz ('We Are Free'), headed by Dündar.

The threat to confiscate Dündar's property is especially worrying as it could affect his family members still in Turkey, a tactic potentially deployed to persuade Dündar to return to the country, even with the ongoing risk of prosecution. The sustained campaign by the Turkish authorities against Dündar for his journalistic activities is emblematic of the crackdown on critical reporting and independent press in the country, and violates the country's international and domestic human rights obligations.

ARTICLE 19

European Centre for Press and Media Freedom (ECPMF)

European Federation of Journalists (EFJ)

Free Press Unlimited (FPU)

International Press Institute (IPI)

Osservatorio Balcani Caucaso Transeuropa (OBCT)

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