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STATEMENT BY AMBASSADOR TACAN İLDEM
PERMANENT REPRESENTATIVE OF TURKEY
IN RESPONSE TO THE REPRESENTATIVE ON FREEDOM OF THE MEDIA
(933rd Meeting of the Permanent Council, 29 November 2012)

Thank you Mr. Chairperson.

I would like to join the previous speakers in warmly welcoming the Representative on Freedom of the Media, Ms Dunja Mijatovic, back to the Permanent Council and in thanking her for the comprehensive regular report that she has shared with us today.

Turkey highly appreciates the work done by the Representative and supports her in the fulfillment of her mandate. We believe that this is one of the areas where the OSCE has an added value and does cutting-edge work when compared to other international institutions. The contents of the Representative's report's will be examined with due attention by the Turkish authorities.

Once again, the Representative's report has highlighted not only the positive developments but also the various challenges facing the participating States in their entirety in the area of freedom of expression and of the media. We attach importance to maintaining a constructive dialogue with the Office of the Representative. We invite all participating States to foster such cooperation with the Representative and to make use of her experience and expertise in tackling the problems relating to freedom of the media, from which none of us are immune.

For our part, we welcome the attention which the Representative pays to Turkey and wish to continue our dialogue with herself and her Office. In March this year we supported and hosted her Office's Master Class on Broadcasting Regulation, and we will similarly be hosting a Master Class in Online Media Regulation this December in Istanbul, to which the Representative kindly drew attention in her report.

Mr. Chairperson,

At this point I would also like to comment on the persons referred in the Representative's report as "journalists in prison in Turkey". I would like to underline, as I have several times before, that the imprisonment sentences and ongoing lawsuits are based on crimes unrelated to journalist status or to journalistic activities. Allow me in this context to give some examples

of the offenses which have led to convictions in these cases: forgery, armed robbery, murder of a police officer, bombing, organizing terrorist activities, membership of a terrorist organization, transmitting decisions and instructions of a terrorist organization to members of the organization on the Internet and implementing them, kidnapping, using fake police identification, possessing dangerous substances and using them against security forces. Clearly these convictions have nothing to do with journalism. It goes without saying that journalists are not granted criminal immunity in Turkey, as is the case in the entire OSCE region.

Let me take this opportunity to stress the great importance Turkey places on freedom of expression as well as freedom of the media, which are safeguarded by our Constitution, other relevant legislation and international conventions. It is no coincidence that this year we are among the co-sponsors of the draft declaration on Fundamental Freedoms in the Digital Age. We are also of the opinion, however, that a balance must necessarily be struck between legitimate security concerns and freedom of expression, online as well as offline. It must be kept in mind that social media and the Internet are not only used to disseminate harmless ideas or to plan and organize peaceful activities. Unfortunately, they are also employed for malicious ends, including incitement to hate and planning and actual realization of violent acts, also by terrorist organizations.

Mr. Chairperson,

I have listened carefully to the statement made on behalf of the European Union in response to the Representative's presentation. I could not help but notice that references were made to Internet access regulations in Turkey in the EU statement, whereas the issue was not mentioned at all in Ms. Mijatovic's report. Her report did, however, allude to certain shortfalls in various EU Member States insofar as media freedom is concerned. That the EU saw fit to highlight Turkey whilst ignoring the shortcomings of its own members has once again puzzled me. For such statements to be credible, they have to reflect the situation on the ground without following an arbitrary approach of being selective.

In concluding, we wish Representative Mijatovic and her able team every success in their valuable endeavors across the OSCE area.

Thank you.