

# PEN NORWAY

## *Interview:*

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*On 5 January 2024, woman journalist and reporter for PEN Norway, Seyhan Avşar announced on her X (Twitter) account that police officers had arrived at her front door to take her into custody. In the following days, it was reported that Avşar was released from custody but under police controls and with a ban on leaving the country. Whether an indictment will be written against Avşar, leading to formal prosecution, will be determined in the coming days.*

PEN Norway spoke to Seyhan as soon as we heard of her ordeal. This is what she said:

**Can you tell us what happened when the police arrived at your door on 5th January 2024?**

I wrote a news story about the former prosecutor and now Deputy Minister of Justice Akın Gürlek on January 5th. This news story was about a man called Urfi Çetinkaya, a drug lord imprisoned in Istanbul, and his henchmen's attempts to reach Gürlek and get their boss, Çetinkaya, released from prison. Following the publication of my news story, public officials at the Istanbul Courthouse informed me that Deputy Minister Gürlek had been putting pressure on them to take me into custody. When I came home that evening, there were 4 police officers at my door. I thought they had come to take me into custody because it was late and there were so many of them.

**We understand that you were summoned to give a statement but not formally arrested. Why do you think the police came to your door instead of the prosecutor simply sending you a summons? You stated on social media that the police officers were instructed by Gürlek, the Deputy Justice Minister himself. How did you come to that conclusion?**

I learned that he was putting pressure on them to take me to the police station. The police officers who came to the door said, "Sorry to bother you at this hour. But the orders came from the very top."

**Has this member of the judiciary formally complained about you or any of your colleagues before now?**

Yes. I know that Mr Gürlek has also filed complaints against other journalists and that there are lawsuits against our colleagues. Journalists Canan Coşkun and Barış Pehlivan have court cases against them and are defendants for reporting on a case that was



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presided by Akin Gürlek when he was a judge in the High Criminal Courts at the time.

**What were your feelings about the current investigation you're undergoing being initiated following a complaint from the Deputy Minister of Justice? And how do you feel now? Did that make you nervous? Has it influenced the way you conduct your profession?**

I'd be lying if I said it didn't make me nervous. I have a 2-year-old daughter to look after. My adversary in this matter, on the other hand, is a bureaucrat who issues orders to the judiciary. I worried about the consequences for my daughter in the event of my arrest. I was stressed, wondering who would look after her and how I'd manage without her.

**According to what has been publicly shared, we understand that you are being investigated in connection with your news article that was previously blocked after a court ruling. And what are the actual charges?**

A news story I wrote was blocked by the court. The charges against the story are insult, libel, violating the Disinformation Law and forgery of documents. But none of these charges are justified.

**What was it like for you when you were giving your statement?**

I asked if I could leave after giving my statement. But the prosecutor wouldn't let me go. He left the room and told me to wait. When I came out, there were dozens of policemen at the door. I immediately called my colleague Barış Terkoğlu who was waiting at the main gate. He said that there were policemen nearby and that this was not a good sign. To make matters worse, the deputy chief prosecutor arrived and met with the prosecutor who took my statement while I was waiting. But I have no idea about the content of their meeting.

**As far as we heard, you were referred to the court with a request police controls and subsequently released with a restriction on international travel. Will that restriction on international travel have an adverse impact your life and your professional activities?**

I was referred to the court with a request that I sign on at a police station once a week and I received an international travel ban. But I didn't appear before a judge. I was not allowed to present my defence. The judge made a decision on the file without seeing me. I had places to go and panels to attend to. To be honest, I am very upset by this ban. That's a huge obstacle in front of me to pursue my profession. I would also love to come to Norway and see you all.

**How will the legal process unfold from now on?**

I am awaiting the conclusion of the investigation process that is being conducted against me. Then my trial will begin. The politics of the country will determine what the judgment will be. If Gürlek, whom I reported on, becomes Turkey's Minister of Justice, it's only a matter of time before I'm sentenced and arrested. Frankly, I assume an indictment will be issued against me as I do not expect a decision of non-prosecution will be made for this file.

**Excerpt from PEN Norway's December 2023 article by Lawyer Ş. Ceren Uysal on Deputy Minister Gürlek's targeting of women journalists, this time of Canan Coşkun:**

*Coşkun's trial (which took many months) was initiated with a criminal complaint issued by Akin Gürlek, who was a judge at the time and is currently the Deputy Minister of Justice and a natural member of the Council of Judges and Prosecutors (HSK). As a result, an indictment was issued against Coşkun on 12 April 2022. It was the same judge who had previously sentenced Coşkun to 2 years and 3 months of imprisonment. While Coşkun was acquitted at the end of this trial, she was not the first nor the last journalist to face charges for the same offense with comparable criminal complaints. (...)*

*For a journalist, it is evident that facing repeated trials for the same offense can have profoundly corrosive effects. When we asked Coşkun about the impact of these trials on her, she stated that she has long felt ensnared in a spiral of trials:*

*"One trial follows the next. Lately, the number of court cases around the allegation of "targeting state officials" has increased so much that our colleagues and I find ourselves exchanging acquittals and reasoned judgements. Nevertheless, the prosecutors continue to seek punishment. Recently, journalist Ayça Söylemez was put on trial for reporting about the sentence given against me by former judge Akin Gürlek. All the journalists Gürlek issued criminal complaints about have been acquitted so far. Söylemez submitted all the relevant judgements to the court, but the prosecutor continued to ask for a sentence."*

**Lawyer Ş. Ceren Uysal writes in her article 'Turkey's journalists in the firing line for 'targeting officials' of December 2023:**

While there are more instances to consider, even the limited number of examples given here demonstrates that journalists in Turkey are discouraged from writing on certain subjects, from sharing factual information with the public, and that the aim of the trials has been to keep such information behind closed doors. The criminal legislation in Turkey resembles a minefield for journalists. Hanging over the journalists, that sword of judicial threat naturally affects all aspects of social life. Journalism as a profession is directly related to the public's right to be informed, and the pressure and judicial harassment in this field has consequences for a wider society. It is also concerning that in most cases analysed in this article, judges or prosecutors were the ones advocating for the penalisation of expressions safeguarded by both the Constitution of Turkey and the European Convention on Human Rights. Although it is often ignored in the judicial practice in Turkey, the international codes of professional principles oblige both the prosecutors and judges to protect human rights.

[\(PEN-Norway -Journalists-CU-Eng.pdf \(norskpen.no\)\)](#)

**Why do you work as a journalist? How long have you been a court reporter? What does freedom of expression mean to you?**

I wanted to be a journalist since I was a child. Finding the truth, defending the rights of the people, doing something for the public interest, and most importantly, connecting with the people was what I wanted to do most in my life. That's why I practise this profession. Freedom of expression means one's freedom to openly share opinions, whether they are correct or not, without any reluctance. We may not like these opinions, they may sound wrong to us, but it is important to respect them.

**What is your message to your colleague journalists in other countries, worldwide? Do you have any requests of them, for example, to demonstrate stronger solidarity or to support you in some other way?**

Especially in Middle Eastern societies, regimes find it easier to attempt to break journalists. People who perform proper journalism are being forced to face serious legal consequences in their line of work. Through resistance and solidarity we will overcome these challenges. Solidarity, making more noise and dissent are our only way out of this.

**My plea to all my colleagues, both in Turkey and internationally would be: Stand by me and every single journalist colleague who is facing difficulty and hardship. We owe them this much.**

*This is not the first time Seyhan Avşar has been judicially harassed for doing her job. In 2021 PEN Norway published this report into the indictment against Avşar for allegedly insulting public officers following two of her news reports published in March 2019. Read it here: [Microsoft Word - PEN-Norway-Turkey-Indictment-Project\\_Avşar\\_30-sept-2021\\_ENG.docx \(norskpen.no\)](#)*

*PEN Norway interviewed her in 2022 following death threats for her reporting. Read it here: [Seyhan Avsar INTERVIEW DESIGNED ENGLISH\[90\] \(norskpen.no\)](#)*