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Europe/Ex-USSR - Turkey

All-powerful police

Reform package would leave police even freer to harass journalists

17 February 2015

Turkey's parliament today begins its first reading of an "internal security" reform package that will considerably strengthen the powers of the police, especially as regards their handling of demonstrations.

[Türkçe / Read in Turkish](#)

The [bill](#) constitutes an alarming threat to freedom of information and journalists, who are already constantly exposed to arbitrary police behaviour.

Drafted by the justice ministry, [the package of amendments](#) was submitted to parliament at the end of November, after Turkey underwent the [most violent rioting](#) of the past 30 years.

While the reforms above all [make it easier for the police to crack down on "illegal" demonstrations](#), journalists covering such demonstrations will be more exposed to arbitrary arrest and searches, because court control of the police will be reduced to the minimum.

"Freedom of information is threatened by this bill, which reduces judicial control of the police even further," said Johann Bihr, the head of the Reporters Without Borders Eastern Europe and Central Asia desk.

"Journalists are already permanently exposed to police abuses that should be prevented and penalized, not encouraged. We urge Turkey's parliamentarians to either reject or thoroughly overhaul this reform package, which further undermines the foundations of the rule of law."

Search and arrest without court permission

If the bill is passed as it stands, police officers will be allowed "in emergencies" to conduct searches of places, persons or vehicles on nothing more than a verbal order from a superior that must subsequently be confirmed in writing. It is only after the event – within a 48-hour deadline – that a judge would have to endorse the order.

Arbitrary searches of news organizations and journalists' homes, which are already common, would inevitably be facilitated, at the expense of the confidentiality of journalists' sources.

The police would not need a court order to hold someone for 24 hours in the event of an illegal demonstration, or for 48 hours in the event of a "grave public order threat." As journalists are already often detained while covering demonstrations, just as demonstrators are, their exposure to arbitrary police actions is likely to increase.

Similarly journalists would be also at risk from a proposed provision that would allow the police to "ensure the protection of persons who endanger their own safety or the safety of others, by removing them from the place of the events."

Even less control over phone taps

"In emergencies," the national police chief and national intelligence chief would have 48 instead of 24 hours to get a judge to endorse their phone tap orders. And like the police, the gendarmerie

would also be able to order phone taps without a prior court order.

The reform package has been [widely criticized](#) by civil society, the [Council of Europe](#), other international organizations and Turkey's opposition parties, which managed to delay its examination by parliament twice.

The bill also facilitates police use of firearms, provides for jail terms for protesters who brandish certain signs or slogans or cover their faces, and grants extensive powers to provincial governors in emergencies, including the power to order investigations.

As President Recep Tayyip Erdogan and his former allies in the Gülen Movement continue their battle to the death, the government has been steadily tightening its grip on the state apparatus and reinforcing its repressive arsenal.

Turkey is ranked 149th out of 180 countries in the [2015 Reporters Without Borders press freedom index](#).

(Photo: Adem Altan / AFP)

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