

## **BİA MEDIA MONITORING 2014 / ONE YEAR OF THE JOURNALIST AND MEDIA**

The polarization of media and intolerance to different opinions in Turkey soared in the year of 2014 with the incidents of Local Elections on March 30, Presidential Elections on August 10, the resolution process with Kurds and operations against Fethullah Gülen Movement.

What the polarizations meant was to choosing between self-censorship or layoffs for journalists, and violation to right to information for readers.

The Justice and Development Party (AKP) government prioritized in 2014 its “security-oriented” policies to state of law and basic rights and freedoms despite all criticism.

Even though the right to keep news sources secret and confidentiality of private life caused Constitutional Court to end Twitter and YouTube bans, Turkey’s Telecommunication Authorities (TIB) and Spy Organization (MIT) ignored them due to law amendments.

Media organizations with “Kurdish”, “Left-wing”, “Secular”, “Pro-Gülen” tendencies were barred from covering events organized by the President’s Office, PM’s Office, ministries and municipalities through the means of accreditation.

PM/President Recep Tayyip Erdoğan’s verbal attacks targeted from a range of TV guest journalists to international media representatives, Twitter accounts of international NGOs.

Out of 180 countries, Turkey ranked #154 in RSF’s Press Freedom Index and labeled as “half-free” in terms of basic freedoms. The European Court of Human Rights (ECHR), on the other hand, convicted Turkey to pay 394,320 euros as damages.

Media Monitoring Report 2014 released by Independent Communication Network (BIA) provided significant insights on how press and communication freedoms have lost ground in Turkey.

22 journalists and 10 distributors entered the year of 2015 in prison.

21 out of 22 jailed journalists and all jailed publishers were jailed for reasons related to “illegal organizations” according to Turkish Penal Code (TCK) and Anti-Terror Act (TMK). Another journalist is jailed for “resisting the police”.

59 journalists and 23 distributors entered the year of 2014 in prison. 68 journalists and 27 distributors entered the year of 2013 in prison.

14 out of 22 jailed journalists and all jailed publishers were affiliated with the Kurdish media.

14 of the 22 journalists were tried and incarcerated for the lawsuits, “Group of Communities in Kurdistan-Turkey” (KCK), “PKK” and “DYG”; others are for the cases of “Marxist Leninist Communist Party” (MLKP)(1); “The Revolutionary People’s Liberation Party-Front” (DHKP-C)(1); “The Resistance Movement”(1), “Communist/Leninist Labor Party of Turkey” (TKEP/L)(1); İBDA/C (1) and the “Parallel State” (1). Another is in jail for having linkages with Ergenekon Organization Mersin Branch, Türk İntikam Birliği Teşkilatı and İç Örgüt.

Turkey’s 59 jailed journalists have been standing trial for the following cases: KCK, PKK and DYG (34), DHKP-C (9), Ergenekon (6), MLKP (4), İBDA-C (1), Direniş Hareket (1) and unknown organization case (2). While 2 journalists have been jailed due to sentences related to Gezi Resistance protests, another journalist is behind bars for “espionage”.

The current judicial situation of jailed journalists are as follows: convicted (25), pending trial (24) and awaiting first trial day due to incomplete indictment (10).

Out of 22 journalists who welcomed 2015 in prison, 18 were convicted, 3 with ongoing trial and 1 facing investigation.

Out of 59 journalists who welcomed 2014 in prison, 25 were convicted, 24 with ongoing trial and 10 were waiting for a trial day without an indictment.

Out of 68 journalists who welcomed 2013 in prison, 18 were convicted, 43 with ongoing trial and 7 were waiting for a trial day without an indictment.

### **10 journalists punished with Turkish Penal Code**

In 2014, 1 journalist was convicted to 16 years and 3 months of prison according to Turkey’s Anti-Terror Act (TMK) and 4 were charged with 268 years and 6 months of prison.

Around the same period, 10 journalists were convicted of “igniting hatred”, “blasphemy” and “defamation” according to Turkish Penal Code (TCK). They were ordered to serve a total of 3 years 5 months and 9 days of prison as well as a total of 14,280 liras.

### **Erdoğan cases**

Only for charges related to insulting the president Erdoğan, 2 journalists were ordered to a total suspended jail sentence of 11 months 20 days as well as a fine of 7,000 liras. On the other, 61 individuals were ordered to a total jail sentence of 32 years 2 months 15 days as well as a fine of 332,660 liras for the same charges.

In 2013, 11 individuals including 8 journalists were ordered to a total jail sentence of 3 years 7 months 7 days as well as a fine of 59,700 liras for the same charges.

In 2014, on the other hand, 20 journalists and 2 caricaturists were faced with 18 penalties or fines for damages. Apart from that 167 individuals faced 46 prosecutions for charges related to insulting PM/President Erdoğan.

In 2014, 142 journalists, 2 newspapers, 1 newspaper printing house, 6 internet websites, 1 Twitter account were attacked. 23 verbal attacks or threats were held against journalists and media. 72 media representatives were detained.

In 2013, 186 journalists, 1 media outlet and 2 internet sites have been subject to attacks. 15 verbal attacks or threat were reported. During Gezi protests between May 27 and September 30, 2013, police assaulted 153 journalists and 39 journalists.

In 2012, 46 attacks have been reported to media workers through physical, verbal or social media means. On the other hand, 1 concert, panels were banned and raids occurred in 4 newspapers and 3 news agencies.

In 2011, journalists faced 33 cases of assault, threat or battery. 31 journalists were detained.

### **Layoffs**

In 2014, 339 journalists, columnists and media workers were laid off or forced to quit there jobs in Turkey. Among the factors to reach these outcome included Erdoğan's intervention to the mainstream media, the government's attempt to make an editorial design and media moguls' determination of new roadmaps.

In 2013, 106 journalists, writers and media workers were laid off and 37 forced to quit their jobs.

### **ECHR: 135,612 euros for damages**

In 2014, the European Court of Human Rights (ECHR) convicted Turkey to pay 394,320 liras (135,612 euros) as damages for charges related to violating freedom of expression and right to fair trial. The complaints were brought to the court's agenda by the complaints of 9 journalists and 1 media organization.

In 2013, ECHR found Turkey guilty in 40 cases (2 by journalists, 27 by individuals, 11 by publishing outlets), ordering Turkey to pay 198,935 euros for damages.

bianet's 4 media monitoring reports released in 2014 revealed the progress that Turkey made in terms of press freedom and freedom of expression.

Just like in 2013, ECHR also issued 24 verdicts on Turkey. On the other hand, only 47 verdicts were issued for rest of the countries of Council of Europe. It also turned out that 50 percent of these verdicts were also related to Turkey. Since 1954, 248 verdicts have been issued on Turkey related to the violation of freedom of expression, needlessly mention that majority of the verdicts convicted Turkey.

## **Censorship increased, parliamentary digest skyrocketed!**

In 2014, 30 internet websites or content, 17 journalists, 2 newspapers, 3 Facebook pages, 3 films, 2 banners, 1 painting exhibition, 1 piano piece, 1 concert, 1 book have been censored. A total of 7 media bans, 4 accreditation discriminations and prison communication bans were issued.

In 2013, 12 internet websites, 6 films, 5 Facebook pages, 3 newspapers, 1 postcard, 1 concert, 1 music videos have been censored.

For various charges, prosecutors have issued 129 parliamentary motions against Kurdish deputies affiliated with Peace and Democracy Party (BDP), Peoples' Democratic Party (HDP) and independent. In 2013, the toll was 43.

## **RTÜK fines on the rise**

In 2014, Turkey's Higher Board of Radio and Television (RTÜK) issued 78 warnings, 254 monetary fines on TVs and 12 warnings and 7 monetary fines to radios.

In 2013, RTÜK issued 324 warnings, 1,208 monetary fines on TVs and 124 warnings and 92 monetary fines to radios. (EÖ/BM)