

BİA MEDIA MONITORING 2007 / ANNUAL REPORT

The summary of the Bia Media Monitoring Report 2007 report can be read [here](#).

The full report has been divided into subsections, entitled Attacks and Threats, Detentions and Arrests, Trials Concerning Freedom of Press and Expression, Corrections and Legal Redress, Censorship and Reactions to Monopolisation, European Court of Human Rights, and Implementations of RTÜK (the Radio and Television Supreme Council).

Attacks and Threats

The Turkish Journalists' Society (TGC) has condemned the fact that Lig TV's cameramen Ümit Kül and Ali Demir were exposed to police violence at a Fenerbahçe-Trabzonspor match at a stadium in Istanbul. Kül said in his statement to the prosecution: "At the end of the match, those going to the meeting walked towards the press entrance. The riot police came and said, "Do not stay here, go back." We went back a bit. They pushed us. When they pushed my cameraman colleague, I held his arm. One police officer came and started kicking from behind. They hit my camera. In order to protect my camera, I put out my foot. Our arms were held by two police officers each. They walked us around the stadium for half an hour, and while we were walking, they hit us. At the back of one stand, they sprayed pepper gas in my mouth."

The trial related to the "Hope Operation", which among others concerns the murders of journalists Ugur Mumcu and Ahmet Taner Kislali, of Prof. Dr. Muammer Aksoy and Assistant Prof. Dr. Bahriye Ücok, continued on 14 December. After the Supreme Court of Appeals overturned the court decision for a second time, the case was heard again by the Ankara 11th Heavy Penal Court. The defendants and their lawyers were given time to prepare their defense. Public Prosecutor Salim Demirci repeated the deliberations as they stood before the overturning of the decree. He demanded that Ekrem Baytap be sentenced to a life sentence with severe conditions for "attempting to force constitutional change", that Mehmet Ali Tekin and Hasan Kilic serve up to 18 years and 9 months in prison for "leading an armed terrorist organization with special duties", that Abdulhamit Celik, Fatih Aydin, Yusuf Karakus and Mehmet Aydin be sentenced to 12 years 6 months imprisonment for "membership in an armed terrorist organization". In addition, the prosecutor opposed the application of the Law on Resocialisation because "no congruent information on the positions and activities of the organization" was given.

On 10 December it emerged that the Ankara Police Department has assigned protection to Hürriyet journalist Bekir Coskun. The newspaper supplied Coskun with an armoured car whose windows cannot be opened. Coskun stated that the authorities had asked him to request protection. Although he did not ask for protection, he was assigned a police officer to guard him. Coskun said: "The police must have a reason. They did not tell me why. I receive threats every day. After the Prime Minister said "Go", there has been an increase in threats. Some newspapers publish pictures of me and my family and turn me into a public target."

Emrullah Özbey, owner of the local Mus Haber 49 newspaper in the east of Turkey, said that he had been threatened for alleging that a school rector who did not give contracts to the nephew of the AKP province chair without a public bid was forcibly transferred by the Mus Educational Authority. The journalist said that after his article entitled “Exile for teacher who did not give AKP nephew contracts” appeared in the Günlük Evrensel newspaper on 1 December 2007, he was threatened by Orhan Aşık, a friend of the AKP province chair, who came to his office. Asik is said to have said, “You are going to change that news. We are not like the Yilmazes (people who threatened Özbey before), we will shoot you. Mus is a small place...we will find you. What will you do then?” Özbey filed a criminal complaint. After giving a statement to prosecutor Halit Tunc and leaving the court building, he said that he was again threatened with death by Asik. Özbey filed another complaint, citing his lawyer Nurettin Tanis, with whom he had left the building, as a witness.

At a DTP meeting in Van on 17 November with the “Enough”, some protesters unfolded a poster of PKK leader Abdullah Öcalan. The police intervened. When protesters reacted with stones and sticks, two police officers and Kanal D reporter Ihsan Yıldız were injured. 25 people were arrested at the event.

On 9 November it was announced that the Trabzon Chief Public Prosecution had opened a trial against two gendarmerie officers (O.S. and V.S.) for “negligence” in the murder of Agos editor-in-chief Hrant Dink. The prosecution sent the files of the two officers to the Trabzon Criminal Court of Peace, arguing that although they had been informed of murder plans, they had not acted on the information. Erdal Dogan, a lawyer for the Dink family, said that V.S. had been called to the Istanbul 14th Heavy Penal Court in order to appear as a witness. However, when the joint attorneys asked for him to be questioned later, the request was granted.

On 7 November, Sabah newspaper’s sports reporter Deniz Derinsu and photo reporter Oguz Yörük were held up and attacked by some fans after a match between Fenerbahce and PSV in Kadiköy, Istanbul. The Turkish Journalists’ Society (TGC) condemned the knife attacks and said that “we believe that the perpetrators will receive their punishment.”

Mehmet Kara, the owner of the Istanbul Katilimci Maltepe newspaper, has become the target of the Martyr Mothers’ Solidarity and Mutual Aid Association for an article entitled “Is that acceptable?” In the article, which was published on 1 November 2007, Kara had condemned the attacks on DTP buildings and the looting of shops, saying: “The people cannot provide the participation in the ‘Meetings against Terrorism’ and ‘Republican Rallies’”. He added, “one cannot help but wonder why they do not target the US consulate or the (American) Incirlik Military Base.” Kara stated that before this article he had been threatened by a group of up to twenty people, who had stormed his office and told him to leave the district. On 28 November, so Kara, another group, accompanied by dozens of police officers, came to his office, threatened him and left a two-page statement.

On 5 November, Andreas Rompopoulos, a correspondent for the major Greek TV Channel Mega, correspondent of Greek daily newspaper Eleftheros Typos, and editor of the newspaper Hxo, which is published for the Greek minority in Turkey, was attacked by unidentified assailants. He suffered injuries to his head, hands and other parts of his body. None of the injuries were life-threatening. The European Federation of Journalists said that this attack is the latest in a series of attacks against journalists by nationalistic elements in Turkey. It condemned the attack and called for an immediate investigation. The journalists’ Union of the

Athens Daily Newspapers (JUADN) also called upon authorities' to immediately identify and arrest all persons responsible and deliver them to justice "in order to prevent similar incidents in the future." The attack was also condemned by the Turkish Journalists' Society (TGC) and the Contemporary Journalists' Association (CGD).

On 30 October, 20-year old Mert Sahin's trial for threatening journalist Necati Abay with death began. Abay, a publisher and spokesperson for the Platform of Solidarity with Imprisoned Journalists, had written an article entitled "Another journalist has been murdered, the 'Good Kids' killed Hrant Dink" on the eve of Hrant Dink's murder on 19 January. The Sultanahmet 8th Penal Court rejected demands that the defendant be tried for "using the intimidating power of real or putative criminal organizations in order to threaten" and "obstructing the freedom of belief, thought and opinion," arguing that the Sultanahmet Chief Public Prosecution had to decide on the charges. The court case will continue on 6 February 2008.

On 29 October it emerged that an objection to the Trabzon regional administrative court had been unsuccessful. The objection had been against the refusal of the Trabzon Governor's Office Province Administrative Board to allow the prosecution of seven police officers, who had been accused of negligence before and after the Hrant Dink murder. The court decreed that there would be no trial of Ramazan Akyürek, chief of the police intelligent department, Resat Altay, the former chief of police in Trabzon, police officers Engin Dinc, Faruk Sari, Ercan Demir, Özkan Mumcu and Mehmet Ayhan, as well as officer Muhittin Zenit, who, in a conversation with murder suspect Erhal Tuncel said about Hrant Dink, "if he has snuffed it, then he has snuffed it." Fethiye Cetin, lawyer of the Dink family, said that the possibilities for effective requests to the judiciary were continuously narrowing.

On 25 October, three French journalists, Guillaume Perrier, Estelle Vigoureux and Marc de Banville who had been detained during border pass into Northern Iraq were released after thirty hours. Perrier of the Le Monde newspaper was released "with an apology", after it was found that "he had nothing to do with the accusations." Vigoureux and Banville, working for the Capa Agency, who had been accused of "recording in a military area without permission", too were released a few hours later. The journalists had recorded and made interviews in Hakkari, Sirnak, and several other places and were heading to Northern Iraq by car when they were stopped at the Habur border gate at around 9 am on 24 October. They were detained upon refusing the officials' request to view their video recordings. When cameraman Banville refused to hand over his camera, he was treated violently. His glasses were broken and his camera was seized.

On 21 October, Zaman newspaper's Erzurum reporter Oguz Selim Karahan was attacked by police and private security officers when he went to the Erzurum Numune Hospital in order to cover a news story. He had been told that some people in hospital had been beaten by the police. When he was filming in the emergency department, he was hit with a truncheon, and the police sprayed pepper gas. He was surrounded by police and as a result of the beating, he had to be treated in another hospital.

On 14 October, it was reported that despite the demand of the Istanbul 14th Heavy Penal Court, Istanbul Governor Muammer Güler refused to identify the two intelligence officers who had been with vice governor Ergun Güngör and warned the journalist. In Güler's two-page reply to the court, sent on 27 September 2007, he said that the two people, alleged to

have “put Hrant Dink in his place”, warned the journalist of public reactions.

Emin Bal, reporter for the Dogan News Agency (DHA), had covered the funeral of a PKK militant in Beytüssebap. On 8 October, the Criminal Court of Peace ordered that his office be searched and recordings be confiscated in order to identify those shouting slogans supporting Abdullah Öcalan. The police raided Bal’s office and confiscated CDs. This event was the fifth violation of the protection of news sources encountered by Bal and other journalists in the district since July 2006.

On the night of 3 October, there was a tip-off about a bomb attack on the Gündem newspaper office in Taksim, Istanbul. The police went to the office, but found no one there. For security reasons, they waited in front of the building until morning. When Salih Sezgin, working for the administration of the newspaper, came to the office at 8.30 am, he did not let the police enter the building, arguing that they did not have a search warrant.

On 1 October, the second hearing in the Hrant Dink murder trial took place at the Istanbul 14th Heavy Penal Court. O.S., the suspected triggerman, said at the hearing: “Yasin Hayal forced me to do this. I was so frightened I did not know what happened, I shot Hrant Dink. When I was aware of my surroundings again, I was at my uncle’s place. I could not sleep that night. I regret it; I did not know that he had family. Had I known, I would not have shot him.” O.S. claimed that Tuncay Uzundal and Yasin Hayal had organized the murder and that he had attempted to stop it. He added that Hayal had given him two ecstasy tablets in order to give him courage, and that he had smoked marihuana and then taken the pills on the morning before the murder. The Dink family filed a complaint about the conversation between Muhittin Zenit and Tuncel. The trial of Halis Egemen, Yasar Cihan, Erhan Tuncel, Yasin Hayal, Zeynel Abidin Yavuz, Ersin Yolcu, Ahmet Iskender, Mustafa Öztürk, Tuncay Uzundal, Salih Hacisalihoglu, Alper Esirgemez, Irfan Özkan, Osman Alpay, Erbil Susaman, Numan Sisman, Senol Akduman, Veysel Toprak and Hayal’s brother-in-law Coskun Igci will continue on 11 February 2008.

The prosecution of two officers in relation to the pictures taken of Hrant Dink’s murder suspect O.S. and gendarmerie and police officers began on 28 September. Officers had taken photos of O.S. and officers with a Turkish flag in the tea room of the Samsun Anti-Terrorism Police Department. When the first hearing was not attended by Metin Balta, the acting director of the Anti-Terrorism branch, and police chief Ibrahim Firat, the hearing was postponed in order to take their statements and evaluate demands. Bahri Bayram Belen, a lawyer for the Dink family, demanded that the case against the two officers be combined with the main murder case at the Istanbul 14th Heavy Penal Court. In addition, Belen asked for the Dink family to be accepted as third-party plaintiffs.

It emerged that the killing of Kasim Ciftci, owner of the Hakkari Province Voice newspaper, in Van on 22 September was motivated by personal reasons rather than being related to his journalistic activities. A few days after the killing, A.B. and G.A., an engaged couple and said to be acquainted with the journalist, were arrested for the murder.

On 19 September, nationalist singer Ismail Türüt and composer Arif Sirin (also known as Ozan Arif) arrived at the Sultanahmet Law Court in order to make statements to Press Prosecutor Nurten Altinok. An investigation has been started into the song "Plan, Don't make a plan", composed by Sirin and sung by Türüt. It is said to include references to and praise of

the suspected murderers of journalist Hrant Dink. In addition, the song was put on the Internet website YouTube with a video clip about the murder.

Türüt and Sirin arrived with a 20-strong body guard. When they left the building again, Radikal reporter Serkan Ocak asked, "Are these people your body guard?" Ocak was pointed at and threatened by a guard, who said, "Be careful!" Journalist Ali Bayramoglu, who had written about the clip, has been threatened, and yesterday Türüt and Sirin's lawyer Ömer Yesilyurt chose the same tone in front of the law court: "The ink on Elif Safak's novel has not dried. I call on all columnists who are burying their heads in the sand when people say "Armenians were murdered". We will continue to say what we know. Everyone should know their limits."

On 20 September, Sirin threatened Yeni Safak journalist Ali Bayramoglu on Fox TV. Bayramoglu had been the first journalist to draw attention to the song and the clip on Youtube. Sirin said, "I am surprised at Ali Bayramoglu's attitude in this case. What is such a writer doing in such a climate? The community has to monitor this writer." Bayramoglu has been threatened before. On 4 July 2007 he wrote an article entitled "Our Life is in Danger", in which he emphasized the importance of solving Hrant Dink's murder. He then received an anonymous email which read, "If you continue writing like this, you will end like Hrant Dink." Bayramoglu took the note to the prosecution.

The lawyers of the Dink family have objected to the Trabzon Governor's Office refusing permission for the questioning of police officers suspected of negligence in the Dink murder. The lawyers based their argument on the report prepared by the investigators attached to the Ministry of the Interior and have demanded the investigation of Ramazan Akyürek, the president of the police intelligence branch, Resat Altay, the former Trabzon chief of police, as well as officers Engin Dinc, Faruk Sari, Ercan Demir, Özkan Mumcu, Muhittin Zenit and Mehmet Ayhan.

"Radikal" journalist Türker Alkan wrote that he used to receive threats before 28 February 1997, a date commonly remembered as a "postmodern coup" in Turkey. He said that threats by email had resumed since the general elections of 22 July. Writing on 6 September, Alkan said: "After 22 July, angry and threatening communications have again shown themselves. In a recently received communication, someone claiming to be a police officer said that I was a 'traitor' and that s/he would 'shoot into my head twice.'" Alkan added, "Who knows, was that person really a police officer? But even if s/he was not, what do you think it means that someone with such a mentality has appropriated the role of police officer?"

Prime Minister Erdogan criticised "Hürriyet" columnist Bekir Coskun heavily for writing about Abdullah Gül, "He Will Not Be My President". In the Arena programme of Kanal D, which Erdogan attended on 20 August, he responded to the column by saying: "Unfortunately there are those who do not know propriety. Those who say such things should first give up their citizenship of the Turkish Republic." In his editorial comment, Oktay Eksi of the "Hürriyet" newspaper then replied: "The honourable Prime Minister has to be asked by someone: 'Are you kicking Bekir Coskun off your father's farm?'" Orhan Erinc, president of the Turkish Journalists' Society (TGC) evaluated the PM's comments as "unfortunate and misplaced". Prime Ministerial spokesperson Akif Beki replied that the Prime Minister had not criticised Coskun, but the attempts at making the issue [of the presidential elections] personal.

Reporter Ahmet Ün of the local “Kulp News” newspaper in Diyarbakir filed a criminal complaint in August, saying that he has been receiving death threats and insults from mayor Mahmut Zengin after criticising him for not solving a water problem which was causing illnesses.

The “Tunceli Emek” (Labour) newspaper, which had reported that a petrol tanker belonging to the state-run village services had emptied its petrol into the petrol station of former mayor Hasan Korkmaz, was subsequently visited by a man called Hasan Cakici on 3 August. He threatened newspaper employees. It has been said that after he was removed from the office with the help of others, Hasan Korkmaz’s brother came to the office and hurled threats.

Aris Nalci, the news editor of the weekly Turkish-Armenian “Agos” newspaper has said that although there has been a decrease in email threats, they do continue. High school student R.D. was arrested on 2 August for sending the newspaper a threatening email one day after editor-in-chief Hrant Dink’s murder. In his first statement R.D. said, “I sent that message in a moment of ignorance.” He was then sent to Bayrampasa prison in Istanbul.

The daily “Bölge” (Region) newspaper in Adana was attacked by a group for writing that those who “made efforts to ensure that no one voted for the CHP (Republican People’s Party) thus did not have the right to criticise the CHP”. Around 20 people came to the newspaper office to speak to editor-in-chief Nevzat Ucak. They reacted to an article published on 29 July, which said that “the gathering in front of the head office was a fiasco” and to an article criticising them as “The Children of Soros” on 30 July. The CHP opponents insulted newspaper employees and when they reacted, the intruders harrassed them further. Ucak said, “We wrote that those who had said ‘Do not vote for the CHP’ and who had hung up posters, put adverts in newspapers and had generally worked towards that goal, did not have the right to call for CHP chair Baykal’s resignation; they stormed our office.” The Cukurova Journalists’ Society condemned the attack with a statement.

Sinan Tekpetek, journalist and editor for the “Özgür Hayat” (Free Life) newspaper and the “yüzde 52 Öfke” (52 percent Anger) magazine, has stated that he was forcibly taken away by a police car in Taksim (central Istanbul) on the evening of 26 July, brought to a desolate place, continuously exposed to insults, death threats and violence, and then thrown out of the police car near Karaköy. The international Reporters Without Borders (RSF) reacted to the incident by saying: “It is not clear yet whether the journalist was exposed to violence because of his professional activities as a journalist or because of a court case related to his objection to police violence.” In a press statement which he read at the Istanbul branch of the Human Rights Association (IHD), Tekpetek said that he did not know the reason for the attack, but that it may either be the activities of the magazine or a court case opened against him after he had witnessed police violence in 2005. Tekpetek gave a statement to prosecutor Enver Dikilitas on 31 July, but there has been no development in finding the perpetrators.

On 13 July, the Professional News Camerapersons’ Association condemned the physical attack by AKP supporters on the news group of the Kanaltürk channel when filming an election campaign with 500 cycling children in Ankara. Cameras were broken and film cassettes confiscated. Reporter Duygu Kayacik and cameraman Müjdat Genc were targeted, too. In its statement, the association said: “We demand that those responsible for the attack on democracy and free publishing during the election campaign, one of the greatest gains of democracy, be brought to trial.”

On 13 July, lawyers of the Dink family appealed against the decision of the Samsun Public Prosecution to dismiss proceedings against police and gendarmerie officers who formed close relationships with Hrant Dink's murder suspect O.S. after his arrest.

In a press briefing on 3 July, one day after the first hearing in the Hrant Dink murder trial, lawyer Fethiye Cetin called for the trial of all the gendarmerie and police officers whose relations with the murder suspects have emerged, and who did not prevent the murder despite knowing about it. Cetin cited Article 83 of the Penal Code, which deals with "related crimes", and demanded that these officers be tried as part of the murder case.

In the Hrant Dink murder trial, joint attorneys appealed against the decision of the court to release four of the eighteen detained suspects, Salih Hacisalihoglu, Osman Alpay, Irfan Özkan and Veysel Toprak, from detention at the first hearing of the case on 2 July. In the appeal to the 9th Heavy Penal Court in Istanbul, it said: "Basic and critical issues which are needed to shed light on this case are to be found in the actions of the released suspects."

The international Reporters Without Borders (RSF) reacted to a report by the Police Department, which said that the murder of journalist Hrant Dink was organised by "a group based on friendship". RSF said, "This report is attempting to clear the security forces. The question that really needs to be answered is why the warnings of Erhan Tuncel were ignored. The police said that ties with Tuncel were cut in November 2006, but he said at the hearing, 'I told the police that an attack against Hrant Dink would be organised.'"

At the first hearing of the Hrant Dink murder trial at the Istanbul 14th Heavy Penal Court, the release of detained defendants Salih Hacisalihoglu, Osman Altay, Irfan Özkan and Veysel Toprak was decided. Defendant O.S., tried for being the suspected gunman, used his right to silence. Erhan Tuncel, tried for incitement to murder, said: "I served the state. I do not know why I am here." Defendant Yasin Hayal said: "Tuncel deceived us. He planned the murder. It was him who built the bomb that was thrown at Mc Donald's [in an earlier incident in Trabzon]." The first hearing lasted all day. All eighteen defendants were questioned and the demands of the defense and the joint attorneys were listened to. Requests of both sides to widen the investigation were accepted. The court case was to continue on 1 October.

A busload of journalists who were following Prime Minister Recep Tayyip Erdogan to a party rally in Nigde on 26 June, claim that they were stopped by prime ministerial bodyguards, who held a gun to the bus driver's head and stopped the bus from following the prime minister's vehicle. Journalists Yalcin Bayer (Hurriyet newspaper), Hadi Ozisik (Star newspaper) and Sedat Simsek (Bugun newspaper) were witnesses of the threats. The Prime Ministerial Press Centre rejected their accounts and said that the journalists had ignored warnings and were acting threateningly themselves.

Omer Perperik, founder and columnist of the local Ekspres newspaper in Mudanya (a district of Bursa, western Turkey), was punched by Mudanya mayor Erol Demirhisar at a municipality meeting. The Mudanya Journalists' Association condemned the attack.

In May, Dogan News Agency head clerk Ahmet Ertan was trying to film a wedding convoy in Edremit (a district of Balıkesir, western Turkey). Erhan claims that police stopped him from filming, insulted him in a police vehicle, and forced him to delete recordings. The Balıkesir Journalists' Society has condemned the incident as a "blow to the freedom of speech".

Mehmet Eser, licence holder of Bingöl's local Ab-i-Hayat newspaper, and editor Faysal Sonakalan, are suing the regional director of education Mehmet Ali Hansu for threatening them at his office. They say the threats stem for their article on a local primary school which is not earthquake proof. Bingöl, in the east of Turkey, has witnessed the deaths of many children in earthquakes.

Many journalists observing the trade unions' 1 May rally in Taksim, Istanbul, claim they were targeted by police although they were obviously journalists. Alper Turgut, Vedat Arik, Aynur Colak and Berat Guncikan of the Cumhuriyet newspaper were injured or affected by tear gas. Bulent Ergun of the Vatan newspaper was attacked and threatened with arrest. Demet Bilge Ergun, Timur Soyka, Umay Aktas, and Ismail Saymaz of the Radikal newspaper and Ihsan Yildiz of television channel Kanal D were also attacked. A camera of Su TV was broken.

In Izmir, the office of local newspaper Yeni Asir was attacked and damaged by football hooligans (supporting Goztepe football club) on 17 April. One person was later arrested.

Yuksel Mert, a TV presenter at the local Akdeniz TV station in Adana (southern Turkey), and his guest, Zeki Kizilkaya, editor of the regional Cukurova Merhaba newspaper, were attacked by three people after they discussed corruption in a programme aired on 14 April. The three attackers, said to be involved in corruption, were later arrested for the attack.

Dogan Sönmez, reporter for the Venus radio station in Manavgat, Antalya (southern Turkey), was attacked by an unknown person who came to the station on 11 April. An investigation is underway.

Turkan Pampal, reporter for the 4 Temmuz newspaper in Karamursel (district of Kocaeli, western Turkey), claims that she has been threatened by leaders and members of the ruling Justice and Development Party's (AKP) youth branch after criticising the government's health policy. She has had no reply to her complaint to the prosecution, and water supplies to her home have been cut. Furthermore, a cafe owned by the newspaper's owner, Salih Kandir, has been visited by fiscal inspectors every day since the threats.

On 6 April, the Day of Murdered Journalists, the president of the Turkish Journalists' Society (TGC) Orhan Erinc made a statement at the grave of Serbesti journalist Hasan Fehmi, the first journalist to be killed in Turkey, in 1909. Erinc said that like other journalists' associations they were calling on not only the perpetrators but also the planners of Hrant Dink's murder to be brought to justice. Erinc called on the government and the relevant ministries to take urgent steps to safeguard the lives of journalists, pointing out that there had been an increase in threats received by journalists expressing their opinions and thoughts.

Journalists working for the Diyarbakir branch of Kürdistan TV, which is based in Northern Iraq's Kurdish region, have complained that their work facilities are limited in a random manner, and that they are being pressured and threatened. At the end of March, the channel's Diyarbakir representative Mehmet Eren said that the channel had carried out the legal procedures for their Diyarbakir branch in 2006, but that they were being obstructed: "Most of the time, they do not allow us to enter events, and if they do, we are subjected to long identity checks. Most of our news items relate to the Kurdish issue. When we prepare them, we are met with different obstructions and condescension.

The Turkish Revenge Brigade (TIT), which gave rise to the attack on Akin Birdal, president fo the Human Rights Association (IHD) in 1998, sent Özgür (Free) Radio a threatening email on 27 March. The message threatened those working at the station with death and said, “Stop your separatist broadcasts. We are watching you. We know who lives where. We warn you for the last time.” The radio station took the threats to court. Ever since the murder of Agos editor-in-chief Hrant Dink, there has been an increase in death threats against activists. Other people who have been threatened include academics Prof. Dr. Baskin Oran, Prof. Dr. Ibrahim Kaboglu, human rights activist Eren Keskin, Publisher Necati Abay and singer Ferhat Tunc. Erhan Tuncel, a police informant accused of having planned the Hrant Dink murder, is said to have warned the Trabzon police about Yasin Hayal and the planned Dink murder not 4, but 17 times. This development was reported in the press on 23 March. In addition, the report by the investigators attached to the Ministry of the Interior have demanded that Istanbul Chief of Police be served a reprobation.

The Sırnak Beytüssebap Prosecution issued a search and confiscation warrant for the police to search the office of DHA reporter Emin Bal on 21 March in order to confiscate materials from the Newroz celebrations organized by the pro-Kurdish Democratic Society Party (DTP). The warrant was justified with the fact that people had shouted slogans in support of the PKK at the celebrations.

At a Newroz celebration organized at the Mimar Sinan Open Air Theatre by the DTP, DHA reporter Fatih Karcali and NTV reporter Hamza Gül, who were filming from the stage, were injured slightly when spectators threw stones at them. The reporters received ambulatory care.

Bahri Belen and Fethiye Cetin, lawyers for the Hrant Dink, who was murdered on 19 January, demanded on 15 March that the investigations of the Istanbul prosecution and those carried out outside of Istanbul should be joined. In a statement the lawyers said that there was a terrorist organization behind the murder and that its aim was to change the democratic structure of the country. The lawyers further demanded that those public officers who had displayed gross negligence, abuse of position or the covering up of the crime be investigated under Article 250 of the Turkish Penal Code.

The Haber X (News X) website, which had been disabled by hackers, returned to normal publication on 8 March. Representatives of the site said that they had wasted a month. Because the hackers damaged the data base and the software, the site was forced to publish on a single page for some time.

On 7 March, Ibrahim Tig, owner and editor of the daily regional Bölge News in Zonguldak’s Devrek district, filed a complaint against the wife of Aytekin Sur, head physician of the Devrek State Hospital, claiming that she attacked him. It is said that she attacked him because the newspaper reported the doctor’s transferal to another hospital.

On 6 March it was realised that the broadcasting cables for ASR, Radio Tek, Radio Life and Mert Radio, all stations in Adiyaman, had been cut. The sabotage caused a two-day broadcasting cut and damage to some equipment. The Adiyaman gendarmerie started an investigation. The president of the Southeastern Anatolia Project (GAP) Journalists’s Society, Zeynel Abidin Kiymaz visited the Adiyaman prosecution on 14 March and demanded that light be shed on the sabotage. Burak Cansel, writer for the Adiyaman Olay newspaper and

programmer for the Tempo Radio accused the leading personalities of the city of having ignored the event.

On 5 March, the Beytüssebap Chief Public Prosecutor Ahmet Bicer issued a warrant to confiscate visual material and news items from DHA reporter Emin Bal's office. The prosecution was investigating whether "propaganda of an illegal organization had been spread" at a panel organised in the municipality building on 6 March. The panel was organized by the DTP, and three lawyers from the Sirnak Bar Association had been invited as speakers. The Southeastern Journalists' Society said that Bal had been forced to hand over his tapes.

Two persons had attacked the office of the Özgür (Free) Kocaeli newspaper in Izmir in early February, objecting to the way the news of a murder had been covered. A night watchman, Mehmet Sümer, was stabbed. On 25 February, they attacked the office again and stabbed an employee, Yücel Sinan. Sinan was stabbed in the back and had to undergo an operation, but then recovered. İsmet Cigit, the owner of the newspaper, expressed his anger at the two attacks, saying: "These are two more examples of the excessive yobbish behaviour, of the disregard for the law, and of the derision with which the state is treated."

On 11 February, the Contemporary Journalists' Association (CGD) announced that infamous mafia leader Alaattin Cakici had threatened the association's former member of the management board, Can Dündar. Dündar is the producer of the "Why?" programme on NTV. Cakici is in prison and from there sent Dündar a threatening letter after former Foreign Intelligence Branch Head Nuri Gündes spoke approvingly of the mafia leader on Dündar's programme. The CGD condemned the attack, and Dündar was given protection.

On the night of 8 February, a laptop and the hard drives of the other computers were stolen from the Istanbul office of the Ankara News Agency (ANKA). The Beyoglu Police Chief Tugrul Pek who examined the site said that it did not look like a simple robbery. Anka's Istanbul representative Lütfiye Pekcan said that the robbery may be a result of the debate on revealing sources after Bülent Orakoglu and Ceyhan Mumcu wrote about Erhan Tuncel, suspect in the Hrant Dink murder.

On 6 February, NTV cameramen Ibrahim Atesoglu and Mahmut Bozarslan, Sabah newspaper reporter Hüseyin Kacar and Star newspaper reporter Veysi Ipek are said to have been beaten by the security personel of the Diyarbakir Dicle University Medical Faculty Hospital. The reporters were trying to cover the condition of a survivor of a collapsing building but were obstructed by the hospital security personel.

On 29 January, the ww.aktifhaber.com news website was attacked by hackers who deleted the mainpage and then wrote "None of you are Armenian, you are all O.S." referring to the murder suspect in the Hrant Dink case and writing his name in full. The website managers applied to the prosecution. The hackers used the names CodeCryer&Aspava.

Aziz Özer, owner of the North Culture Art and Literature Magazine and the Call for a New World newspaper received a death threat by email on 24 January. Özer, who is appealing to the European Court of Human Rights against his conviction under Article 301, said: "These threats show us clearly that we have to take them seriously and deal with them."

Necati Abay, spokesperson for the Platform for Solidarity with Imprisoned Journalists (TGDP), wrote an article entitled “The ‘Good Guys’ killed Hrant Dink” on the day that Dink was murdered. He announced that he was sent an email containing death threats on 22 January. He filed a complaint and was allocated protection by the police. However, the journalist said that this was no solution and rejected the guard.

On 19 January, Hrant Dink, editor-in-chief of the weekly Agos newspaper was shot dead in front of his office in Istanbul. Many national and international journalists’ associations condemned his murder. Joost Lagendij, co-chair of the delegation to the EU–Turkey Joint Parliamentary Committee, said: “Dink was a person with a political dimension who struggled for the freedom of expression; he played an important role in furthering discussion on the genocide in Turkey.” Ollie Rehn, EU Commissioner for Enlargement, said he was “shocked and saddened by the brutal attack.” Günter Verheugen, vice president of the European Commission, said: “I condemn the act, but I congratulate Turkey on its stand against the attack.”

A Molotov cocktail was thrown into the central office of the twice-weekly “Peninsula’s Voice” in Mugla’s Datca district in the south-west of Turkey. Ali Geremeli, owner of the newspaper and reporter for the Anadolu Agency (AA) said that the Molotov cocktail was thrown at the area where the papers for the newspaper issues were being kept: “In the fire, the computer cables were damaged. We have no problem with anyone. I don’t understand why this happened.”

Detentions and Arrests

Erdal Güler, responsible manager of the Devrimci (Revolutionary) Demokrasi newspaper, who had been taken into custody after a five-month prison sentence and fines were confirmed, was arrested on 26 December.

On 22 December, Lig TV cameramen Ümit Kül and Ali Demir were exposed to police violence after a football match between Fenerbahce and Trabzonspor. The two reporters were taken into custody. When they were released they filed a complaint against the police. The police also filed a criminal complaint against Kül and Demir for resisting against the police.

Fusun Erdogan, the general broadcast coordinator of “Özgür Radyo” (Free Radio), who had been arrested together with 22 other people in an operation targeting members of the Marxist Leninist Communist Party (MLKP) on 12 September 2006, is to appear at the Istanbul 10th Heavy Penal Court on 26 October for the first time. Others accused of relations with the organisation are Atilim newspaper editor Ibrahim Cicek, who is being held in an F-type prison in Tekirdag, and Atilim publishing coordinator Sedat Senoglu, being held in an F-type prison in Edirne, former Atilim editor Ziya Ulusoy and Atilim journalist Bayram Namaz. In the 292-page indictment prepared by Public Prosecutor Ali Cengiz Haciosmanoglu, prison sentences ranging from 10.5 to 45 years are being demanded. Some of the defendants have been charged with “trying to change the constitutional order by force.”

On 25 October, three French journalists, Guillaume Perrier, Estelle Vigoureux and Marc de Banville who had been detained during border pass into Northern Iraq were released after thirty hours. Perrier of the Le Monde newspaper was released "with an apology", after it was found that "he had nothing to do with the accusations." Vigoureux and Banville, working for

the Capa Agency, who had been accused of "recording in a military area without permission", too were released a few hours later. The journalists had recorded and made interviews in Hakkari, Sırnak, and several other places and were heading to Northern Iraq by car when they were stopped at the Habur border gate at around 9 am on 24 October. They were detained upon refusing the officials' request to view their video recordings. When cameraman Banville refused to hand over his camera, he was treated violently. His glasses were broken and his camera was seized.

Yüksekova News reporter Ömer Oguz, IHA reporters Nevzat Tas and Kerim Kantarcioglu, and Yeni Safak reporter Müslüm Bayburs were briefly detained on 22 October after attempting to film the military movements on the border between Turkey and Iraq. They were taken into custody after filming a military convoy and held for two hours at a police station attached to the Yüksekova District Gendarmerie Command. After an identity check they were released.

On 26 September, Idris Akboga, the editor of the Özgür Halk (Free People) magazine, was arrested when he went to the Istanbul 11th Heavy Penal Court to give a statement regarding the September issue of the magazine. He was then taken to Bayrampasa prison in İstanbul, but is now in a F-type prison in Tekirdag. He stands accused of "praising a crime and a criminal", "printing and publishing texts of a terrorist organisation", "committing a crime through helping the members of an illegal organisation or spreading propaganda". Erdinc Bolcal and Fethullah Erkan, the owner and responsible manager of the magazine respectively, were arrested when they went to give statements on 23 October. Accused of "spreading PKK propaganda", they were sent to the Edirne F-type prison.

Mehmet Cevizci, reporter for the Dicle News Agency, who was taking part in a news workshop organised by Press Now and the IPS Communications Foundation, was arrested by gendarmerie coming to his room at the Mavi Göl hotel at 5am. He was released at around 2pm after giving a statement. Cevizci said that he had been arrested at a protest against "criminal gangs and prostitution", which ended in disturbances after a banner saying "Amed [the Kurdish name for Diyarbakir] is honour, protect your honour" was opened. The police had been looking for Cevizci since then.

Four people who had been in detention for more than 10 months after the "Gaye" operation targeting the Marxist Leninist Communist Party (MLKP) in 21 September 2006 were released on 7 August. One of them is Emin Orhan, the editor of the "Dayanisma" (Solidarity) newspaper. The case, in which 32 people, nine of them still in detention, are being tried for "membership in an organisation", will continue on 6 December. The Istanbul 9th Heavy Penal Court decided to continue the detentions of Yusuf Demir, Yunus Aydemir, Erdal Demirhan, Ali Haydar Keles and Günes Senyüz.

Issues of the weekly "Coban Atesi" (Shepherd's Fire) newspaper in Gaziantep were collected and confiscated after an article in the issue of 3 August 2007 said, "Antep is an industrial city in Northern Kurdistan." A week later, Yasin Yetisgen, owner and editor of the newspaper, was arrested when he went to the Gaziantep 1st Peace Court of First Instance to give a statement regarding the notification of the confiscation. The newspaper's publishing board said in a statement: "Our newspaper, which supports real freedom of expression, will continue its struggle against all kind of legal, administrative and political decisions and practices which

mean an attack on the freedoms of thought and expression.” The board also protested against the “precautionary arrest” of Yetisgen. Yetisgen was released after three weeks in detention. There has been an arrest warrant issued for writer Hursit Kasikkirmaz of the same newspaper.

Durmus Sahin, a student of the Ankara Gazi University Education Faculty, was arrested on 11 July when he refused to shake hands with Minister for Health Recep Akdag. Sahin had said, “I do not shake hands with those in government who do not provide services to the citizens”. After five days detention, he was brought before the Olur Criminal Court of Peace. There Sahin said, “Although I did not want to shake hands, the minister persisted in wanting to shake my hands. Because I did not give my hand, he sent me to prison.” Sahin was released from detention but will be tried. A prison sentence from six months to two years is being demanded.

Sinan Kara, the owner of the “Datca News” newspaper was arrested when preparing a book about the city of Batman and its environs. He was arrested on 3 February under the charge of “insulting through the press”. He was released on 3 July, after spending more than four months in an M-type prison in Batman, and then 20 days in a prison in Mugla.

Sait Bayram and Firat Avcı, the news editor and reporter of Diyarbakir-based “Söz TV and Newspaper” were arrested after claiming that judge Mehmet Yücel Kurtoglu was transferred because he had been taking bribes. The two reporters were released a month later, on 20 July. They had been sent to Diyarbakir’s Closed Prison under the charge of “insulting through the press”. The relevant article had been published on 18 June 2007. The court case will continue on 31 October.

Adem Özköse, a long-time foreign correspondent for the Vakit newspaper who then worked for the Gerçek Hayat (Real Life) magazine, was taken into custody by officers from the Terrorism branch on 26 June. Hülya Sekerci, president of the Özgür-Der association said that many Muslims had been taken into custody in Bursa under suspicion of relations with al-Qaeda. Fourteen of them were arrested. Özköse was later released.

At the trial of 16 people accused of membership in the MLKP organisation, ten were released pending trial on 13 April. Among those in court for the first time and possible up for release from detention in seven months time were Istanbul’s Özgür (Free) Radio news director Halil Dinc and radio employee Sinan Gerçek.

After reporting allegations of prostitution, beatings and insults from the police, Mustafa Koyuncu, responsible editor of the Emirdag newspaper in Afyonkarahisar was detained in prison for a week. 44 police officers have filed a complaint against him, and a six-year prison sentence and compensation claims of 440,000 YTL have been demanded. On 12 March 2007, Koyuncu had published an article entitled “Should we enter the EU like that? They abuse their authority.” He was arrested for “insulting via the press”, and was released after a week under the condition of printing a refutation.

Hacı Orman, editor of the Art and Life magazine and chair of the managing board of the BEKSAV culture centre, was taken into custody by the Istanbul Anti-Terrorism Branch on 31 January. Many institutions protested against this “illegal detention”. Orman was later released.

Memik Horuz, editor-in-chief of the İsci Köylü (Worker Peasant) magazine had been arrested in 2001, accused of being a member of the TKP/ML TİKKO (Turkish Communist Party/ Marxist Leninist Turkish Workers' and Peasants' Liberation Army). After spending five and a half years in an F-type prison in Bolu, he was released on 30 January. Horuz said that despite the promises given to lawyer Behic Asci when he went on hunger-strike to protest against conditions in F-type prisons, there had been no permission for meeting in groups at Bolu prison.

Trials and Investigations Concerned with Freedom of Press and Expression

The Gaziantep 1st Criminal Court of Peace ordered the confiscation of the 32nd issue of the local "Coban Atesi" (Shepherd's Fire) newspaper after journalist Berkant Coskun wrote an article entitled "Mother, Don't Send Me to the Army". Coskun lives abroad, but the owner of the newspaper, Yasin Yetisgen, stands accused of "alienating the public from military service" (Article 318 of the Penal Code) and is also charged with breaching Law No 5816 on Crimes against Atatürk. The prosecution is demanding seven and a half years imprisonment for Yetisgen. The trial will begin on 9 May 2008. The journalist had written: "Unfortunately Turkey has been the arena of dirty wars throughout its history, starting from Mustafa Kemal [Atatürk] giving the order for the Dersim massacre..." and "If today's Kurdish movement is called terrorist, that means that the movement started by Mustafa Kemal is no different. The only difference is that Mustafa Kemal was not arrested."

The Ankara Chief Public Prosecution has sent a report to the Ministry of Justice, requesting the lifting of the immunity of DTP's Mardin MP Ahmet Türk for "denigrating the state's armed forces." Ahmet Türk had reacted to the exclusion of his party's MPs from the military reception on 30 August, Victory Day, by saying: "'It has become clear who is really being 'separatist', a word which they use continuously [to blame others]." Should Türk's immunity be lifted and a case be brought, he could face a prison sentence of up to two years.

On 6 November, the Supreme Court of Appeals overturned the sentencing of trade unionist Mehmet Hanifi Bekmezci, arguing that his utterances were "heavy criticism" and did not represent a crime. On 29 September 2005, when president of the educational trade union Egitim-Sen in Tunceli, Bekmezci had made a statement concerning the murder of Hasan Sahin in Tunceli, as well as the murder of taxi driver Hasan Akdag by a police officer. He claimed that the police started random arrests after the events and obstructed press statements relating to these murders: "On the command of the General Staff, civilian fascist powers were mobilised and the planned lynching attempts and attacks in several parts of our country are still fresh in our memory." Bekmezci was then sentenced by the Tunceli Criminal Court of Peace, which cited Article 301 and sentenced him to five months in prison, later converted to a legal fine. Bekmezci's lawyer Baris Yildirim appealed, citing decisions by the European Court of Human Rights. The Supreme Court of Appeals then overruled the local court's sentence.

The Supreme Court of Appeal's 9th Penal Chamber overturned lawyer and human rights activist Eren Keskin's punishment of 6,000 YTL on the grounds of procedure. Keskin had been convicted of "insulting the symbolic personality of the armed forces" after speaking of sexual torture perpetrated by the state in a speech made in Germany in 2002. Because Eren

had not been given the right to additional defense, the decision has been overturned. Keskin has faced many trials under Article 301.

A trial against stand up comedian Murat Bağlı for expressions used during his show, and against Edip Polat and Eren Keskin for the talks they gave at a panel entitled “Solutions to the Kurdish issue from yesterday to today” continued on 19 December. They have been charged with “inciting hatred and hostility”. The case, which is being heard at the Diyarbakir Penal Court, was postponed to 13 March 2008.

The trial of writer Osman Tiftikci, author of "The evolution of the army from Ottoman times until now", and Sirri Ozturk of Sorun Publications is to continue on 31 January 2008. They are being tried for "denigrating the army" (Article 301). Tiftikci lives abroad, and an arrest warrant has been issued. The trial was initiated by a complaint filed by the General Staff.

Sait Bayram and Firat Avcı , news editor and journalist of " Söz " TV and newspaper respectively, were arrested in Diyarbakir on 18 June and released on 20 July. They had published an article claiming that judge Mehmet Yücel of Diyarbakir's first criminal court of peace had been transferred because he had accepted bribes. On 18 June 2007, the two journalists had published an article entitled "He has been transferred to Diyarbakir for taking bribes". They had been arrested for "insulting local authorities in print". The journalists were kept in prison until their first hearing. They are now being tried by a penal court in Diyarbakir. Editor-in-chief Ömer Büyüktimur said at the time of their arrest, "We are saddened, we made news and we stand behind our news." The next hearing will be on 28 February 2008.

Singer Ferhat Tunc's latest trial was opened for an article on Leyla Zana, which he wrote for the "Yeniden Özgür Gündem" newspaper on 19 January 2004. The trial has been going on for four years. Article 301 of the Turkish Penal Code has been applied to charge the singer with "insulting and deriding the court" in the article entitled "A Revolutionary Leyla and a Song". In the article, Tunc wrote about the denial of release for Zana and the other DEP MPs. He said that he was not surprised by this decision, arguing that the result had been predictable, and that the trial was not legal but political. Ever since, Tunc, as well as Mehmet Colak, the responsible editor who lives abroad, have been on trial at the Beyoğlu 2nd Penal Court in Istanbul. At the latest hearing on Wednesday, 12 December, the trial was postponed until 8 May 2008. An international organisation named Freemuse, dedicated to the freedom of expression in the music sector, has started a campaign to support Ferhat Tunc. As part of the campaign, the organisation has sent letters to Prime Minister Erdogan and former Minister of Justice Cemil Cicek, asking for the trial to be dropped.

On 13 December, the Tunceli Criminal Court of Peace acquitted DTP province chair Murat Polat of any crime under Article 301. Polat had said in a press release on 20 October 2007, “The provocations organized by civilian fascists, manipulated by the police, and supported by the bourgeois media aim at creating conflict between peoples. The police, who is using lynching as a kind of weapon, can even threaten revolutionary protesters against unfair detentions with lynching.” The court decreed that the statement represented “heavy criticism” but no denigration of the police force. Two years imprisonment had been demanded in the case.

The trials of Irfan Ucar, journalist for the Ülkede Özgür Gündem newspaper, and Umur Hozatli, film director, both on trial under Article 301, continued on 12 December; the hearing will continue on 22 May 2008 at the Beyoglu 2nd Penal Court. Ucar is on trial for criticizing the punishment the Aram Publishers received for publishing a book on missing journalist Nazim Babaoglu called "They say you are missing." His article was entitled "Number 301" and was published on 13 December 2005. Hozatli is on trial for an article entitled "Lorin – The Good Father at Work" which was published on 16 September 2006. In the article Hozatli criticized the bomb attack in a park in Diyarbakir which also led to the death of children.

The court case against Emrullah Özbey, owner of the mus Haber 49 newspaper, continued on 11 December. He is on trial for writing that the Mus acting Director of Education, Yaviz Icyer organized his own transfer. Icyer is demanding 10,000 YTL compensation for the article entitled "This is neither a diet nor pickled cabbage" which appeared on 5 January 2005. The court has demanded that there be an administrative investigation of Icyer. The case will continue on 24 January. The writer is also on trial before the Mus Penal Court for the same article.

On 10 December, the prosecutor of the Izmir 8th Penal Court demanded four and a half years imprisonment for Prof. Dr. Atilla Yayla, arguing that he had violated Law No. 5816 on Crimes committed against Atatürk. On 18 November 2006, Yayla participated in a panel discussion along with Ali Bulac, a journalist with the "Zaman" daily newspaper, and Zekeriye Akcam, an MP with the ruling Justice and Development Party (AKP). The event was organised by the AKP's Izmir City Youth Group. The discussion topic was "social reflections on the EU process". The newspaper "Yeni Asir" later declared Yayla to be a "traitor", and focusing on two sentences he used. The first was his referral to Atatürk as "this man" (a transcription of the voice recordings of the meeting later proved that he did not use that phrase); the other was that he said that "'Kemalism' was reactionary". (Mustafa Kemal, known as "Atatürk" or "Father Turk", founded the modern Turkish Republic.) The prosecutor argued that the utterances went beyond academic explanations and contained insults to the memory of Atatürk. The next hearing of the case is on 28 January 2008.

On 10 December, a case against Ismail Besikci, Ferzende Kaya and Mehmet Ali Izmir was dropped by the court. Sociologist Ismail Besikci had written an article entitled "We did not talk, we were suppressed" for the December 2005 issue of the "Popüler Kültür Esmer" ("Popular Kulture Dark"), a pro-Kurdish magazine published in Turkish and Kurdish. Besikci as well as magazine owner Ferzende Kaya and editor Mehmet Ali Izmir were then charged under Article 216 of the Turkish Penal Code, i.e. "inciting hatred and hostility". Sentences of 4 years and six months each were being demanded. Ironically, the case was dropped on Human Rights Day yesterday (10 December) because a case was not opened within the stipulated 2 months from the date when the issue of the magazine was delivered to the prosecution. The court case had been initiated by a criminal complaint by the General Staff.

A court case against Osman Baydemir, mayor of Greater Diyarbakir, continued on 6 December. Baydemir stands accused of "inciting dangerous hatred and hostility" under Article 216 after saying in an interview with Tempo magazine that "Turks and Kurds cannot live together." Defense lawyer Özcan Intas has argued that the words of Baydemir and DTP Siirt province chair Murat Avci were mixed up and asked for correction. The court granted this demand.

Ali Rıza Vural, accused of “violating the secrecy of an investigation” was to appear in court, the Bağcılar 2nd Penal Court in Istanbul, on 6 December 2007, but his hearing has been postponed to an unknown date as the Bağcılar court is closing. The next hearing will be at the Bakırköy court.

The Bağcılar 2nd Penal Court has decreed lack of jurisdiction in the case against journalist Abdurrahman Dilipak and has sent the file to Bakırköy’s 2nd Penal Court. Dilipak wrote an article entitled “My country is something else”, published in the Akit newspaper on 27 April 2001. In the article, he discussed the effects of the military coups and warnings on the country’s economy and peace. Dilipak has already been acquitted, together with responsible editor Mehmet Özmen, for two articles entitled “That was going to happen” and “Where do we stand on 28 February?” Dilipak has a previous conviction for “insulting the President.”

On 5 December the trial against publisher Rapip Zarakolu of Belge Publications continued. Ragip Zarakolu, owner of Belge Publications, has been on trial for two years for publishing the Turkish translations of Prof. Dr. Dora Sakayan’s “Accounts of an Armenian Doctor: Garabet Haceryan’s Izmir Diary” and George Jerjian’s “The Truth Will Set Us Free”. Zarakolu has been charged with “insulting and ridiculing the state and the Republic” and “insulting the memory of Atatürk”, with 7.5 years imprisonment being demanded. While Zarakolu has been acquitted in the trial concerning Sakayan’s book, the translator Atilla Tuygan is still being tried. At the last hearing at the Istanbul 2nd Penal Court, a letter of support by Jerjian was presented to the court. In the letter, which Jerjian sent from London on 1 June 2007, it said: “I grew up in a family which was protected by a Turk, and it was thus unthinkable for our family to have any bad intentions or thoughts towards Turks.” He added that he wrote the book himself using information from Dr. Vahakn Dadrian, Dr. Taner Akcam and journalist Stephen Kinzer. “I used their data to develop a new understanding of history between Turks and Armenians.” The next hearing of the case is on 31 January 2008.

On 4 December, journalist and writer Perihan Magden was handed a suspended prison sentence of one year and two months by the Istanbul 2nd Penal Court. An article published in the weekly Aktüel magazine on 7 February led to her trial under Article 125 of the Penal Code, for “those ascribing a concrete action or fact of a nature which can injure someone’s honour and respectability, or those fabricating facts or swearing”. Magden was thus tried for insulting district governor (Kaymakam) Aytac Akgül, then the Kaymakam of Yüksekova, in the southeastern province of Hakkari. Magden wrote an article entitled “The (Arrogant) Woman is the Wolf, the Fox, the Turkey of Women: She Eats and Finishes”, in which she described what people told her of Kaymakam Akgül when she visited the area.

On 4 December the trial of lawyer Erdal Dogan began. Dogan, a joint plaintiff in the Hrant Dink murder case, is on trial for his comments on lawyer Fuat Turgut, defense lawyer for murder suspect Yasin Hayal. When the Dink murder trial began on 2 July, Turgut said to the murdered journalist’s family, “How many Armenians there are here!”, following which the two lawyers argued. Now Dogan is on trial for remarks he made in the Aksam newspaper on 9 April 2007. In the article, entitled “The Big Brothers Use the Law Well”, Dogan said: “What should be on trial is the targeting and threatening of Hrant Dink and the obstruction of a just trial; when a murder suspect works as a lawyer, that is when there is nothing left to say legally.” Based on these words, Fuat Turgut filed a criminal complaint against Dogan. A trial, in which 5,000 YTL compensation are demanded, was opened at Sarıyer 2nd Criminal Court

of Peace. Dogan's lawyer Ercan Kanar argues that the court is not authorised to hear the case and that the Beyoglu Criminal Court of Peace should be in charge. The case was adjourned until 5 February 2008 in order to await a decision on who has jurisdiction.

On 4 December, the Ankara 4th Criminal Court of Peace acquitted Serpil Köksal, Murat Dünsen and Ibrahim Kizartici of "putting the public off military service". Köksal was present at the hearing, and the other two defendants were represented by lawyer Suna Coskun. The reason for their trial had been a press statement which Köksal read at support gathering for conscientious objector Halil Savda in Ankara on 8 April, and banners saying "Don't Become a Soldier" which Dünsen and Kizartici are said to have carried. The trial had begun on 20 September. The fact that the defendants were acquitted means that there is no chance of applying to the UN Human Rights Committee or the European Court of Human Rights (ECHR) on the issue of conscientious objection. Köksal's lawyer Senem Doganoglu told bianet that an application to send Article 318 to the Constitutional Court has been rejected in court.

The director of Özgür Radio **Fusun Erdoğan** and the four representatives of the daily Atılım, who were arrested last year, are accused of "MLKP membership".

Censorship is everywhere; whole world is talking about the banning of You Tube

The court punished **Haftaya Bakış**, Yedinci Gün, **Yaşamda Demokrasi** and **Toplumsal Demokrasi** publications by stopping their publication six times for allegation of "PKK propaganda". The access to **Indymedia-İstanbul** site was banned by the decision of the Military Court. The same ban was applied to the global video sharing site **youtube.com** for having videos that insulted Atatürk, the founder of the Turkish Republic.

RTÜK, the Radio and Television Supreme Council, reprimanded Star TV for the words of the famous singer **Bülent Ersoy**, who said "If I had given birth to a child, I would not send him to dying", implying that she was against military conflict. **Ümit Kardaş**, the retired military judge known for his critiques of what happens to be on public agenda, was not allowed in Fenerbahçe Officers Club. On TRT-1, the main official television channel, the previously announced program titled **Abhazya Republic** was not allowed. The members of the pro-Kurdish Democratic Society Party (DTP) who made statements in **Kurdish** are on trial for the infringement of the law regulating political parties.

Publication bans; an increase in the amount of fines in ECHR

İstanbul 11th High Criminal Court declared publication ban regarding the **BOTAŞ** operation. Likewise, the Gendarmerie Military Court declared publication ban for the court case of the eight soldiers who were arrested after their release by PKK, which had taken them as hostages after the **Dağlica** engagement with the Turkish forces. The publication ban of last year about the Ergenekon Operation was reminded to the media. Gerger public prosecutor Sadullah Ocaklı implemented a temporary injunction for the news in the internet sites of **gergerim.com** and **bianet.org**.

The European Court of Human Rights convicted Turkey for violating the freedom of expression and the right to fair hearing and sentenced her to paying compensation of **36**

thousand 150 YTL (21 thousand euro) in cases opened by **ten** people. Last year the amount paid for the same period was **18 thousand YTL**.

A few good news

The court convicted **Zafer Filiz** for sending racist and threatening messages to the e-mail address of weekly newspaper Agos twelve days after the Dink murder and **Mert Şahin** for threatening to kill **Necati Abay** for his comment about the Dink murder. (EÖ/TB)