

## BİA MEDIA MONITORING 2012 / JANUARY – FEBRUARY - MARCH

100 journalists and 35 distributors welcomed the month of April in prison. All but one journalist are imprisoned for "connections with a terrorist organization" within the scope of the Anti-Terror Law (TMK) and the Turkish Penal Code (TCK). Sixty-six out of 100 imprisoned journalists, and all of the 35 imprisoned distributors are from the Kurdish media.

Journalists and distributors are being accused with "creating a media for the illegal organization." Ordinary journalism activities, such as "following news," "writing books," "criticizing the government," and "working for the Kurdish media" are being defined as offenses.

Among alleged offenses are "committing an offense on behalf of the group without being a member of that group" and/or "knowingly and willingly assisting a group although not being in the hierarchical structure of the group." Some journalists are on trial for setting up an armed or unarmed group, motivating and directing it, and/or being a member of it. The court has already delivered a verdict in some of these trials.

Only four journalists are being tried in penal suits brought directly because of their news reports, articles or books: Azadiya Welat newspaper's editors-in-chief Vedat Kurşun, Ruken Ergün and Ozan Kılınç, and Aram Publishing's owner and Hawar newspaper's executive Bedri Adanır.

Despite the fact that arrest is a precautionary measure, criteria such as "danger of absconding," "destruction, concealment, alteration of evidence" "influencing the witness," and "intense and strong suspicion of crime" together with the criteria that the accusations are within the scope of Article 100 of the Code of Criminal Procedure, continued to serve as grounds in the first three months of 2012.

### Journalist Murders / Trials

#### The Dink Murder

**18 demands for Dink:** In a petition submitted to the Office of the Chief Public Prosecutor on 22 March, the lawyers of Hrant Dink's family stated that the State Supervisory Council (DDK) report consists of new findings and evidence. They conveyed their 18 demands to the Office of the Attorney General. The lawyers demanded that the suspicious aspects of the Dink murder be investigated, that the perpetrators, determined as a result of this investigation and research be examined, their connection to the defendants be established, and that a civil law suit be brought against them.

**Samast's penalty became final:** The Supreme Court of Appeals, on 21 March, upheld a prison sentence of 22 years and 10 months handed out to Ogün Samast in the Hrant Dink murder trial. At the trial held at the İstanbul 2nd Juvenile High Criminal Court, Samast was sentenced to 22 years and 10 months in prison for 'felonious willful murder' (Article 82/1-a of TCK) and 'unauthorised possession of arms (Law No: 6136 on Firearms). Samast is expected

to serve two thirds of his prison sentence in line with the Law on Criminal Execution. Samast will remain in prison for another 10 years and 8 months.

**Dink family's objections were rejected:** The Dink family had objected to the verdict of non-prosecution about the two agents from the National Intelligence Organization (MİT), who allegedly had 'warned' Hrant Dink at the Istanbul Office of the Governor. The Sincan 1st High Criminal Court rejected the objection on 10 March. In the decision by Chief Justice Süleyman Savut and members Şenel Altınay and Jale Tetik, it was stated that the Ankara Office of the Chief Public Prosecutor has "reached a verdict of non-prosecution in its investigation about misconduct."

**Reasoned decision in Dink murder:** The reasoned decision of the Dink murder was announced on 23 February. Hrant Dink was murdered in front of the Agos newspaper in İstanbul's Şişli district on 19 January 2007. In the 216-page reasoned decision of the İstanbul 14th High Criminal Court, it was stated that, "It is not possible in penal law, to make a conviction merely by means of a logical interpretation, and without any evidence. Even if there is an organization, it has not been possible to determine where, when and with what purpose it was established. It has not been possible to determine around which principles and crimes the mutual willpower of those, establishing the organization, was joined together. Even if there is a structure that is still functional, it has not been possible to find out what actions it has been involved in after 19 January 2007."

**New trial by the Dink family against Cerrah and Güler:** The lawyers of the Dink family submitted a letter of application to the Office of the Vice Chief Public Prosecutor on 14 February. In the letter of application signed by Hrant Dink's wife Rakel Dink, brother Hosrof Dink and children Delal, Arat and Sera Dink, it is demanded that Muammer Güler, Celalettin Cerrah, Ramazan Akyürek, Engin Dinç, Muhittin Zenit, Ali Öz, Ergun Güngör, Ahmet İlhan Güler, Bülent Köksal, İbrahim Pala, İbrahim Şevki Eldivan, Volkan Altunbulak, Bahadır Özkan, Özcan Özkan, Reşat Altay, Faruk Sarı, Ercan Demir, Özkan Mumcu, Mehmet Ayhan, Metin Yıldız, Hüseyin Yılmaz, Gazi Günay, Hacı Ömer Ünalır and Önder Araz stand trial. In the letter of application, it was also stated that, "The officials of the Trabzon Provincial Paramilitary Police Command, which had the obligation to prevent the murder in line with its duties and position, together with the other officials of the Trabzon and İstanbul Police Headquarters and the Intelligence Department of the Security General Directorate, are all suspects." It was stated that the civil servants committed an offense including 'felonious homicide due to failure or negligence' (Article 83 of the TCK) and demanded that a civil law suit be brought against them.

**İğci was acquitted:** Coşkun İğci, who was one of the 19 defendants of the Hrant Dink murder trial, was acquitted on 13 February at the hearing at the İstanbul 14th High Criminal Court. He had been released pending the outcome of the trial.

**The Hrant Dink trial:** Hrant Dink was killed in the Şişli district of İstanbul on 19 January 2007 in front of the Agos newspaper. A verdict was given on 17 January, at the 25th hearing of the trial. While all defendants standing trial with terrorist organization charges were acquitted, Yasin Hayal was sentenced to life in prison in solitary confinement and with no possibility of parole, for 'soliciting another person to willfully commit a murder' (Articles 37, 38, 82/1 of the TCK). Separately, Hayal was sentenced to three months in prison for

threatening Orhan Pamuk and a year in prison for 'unauthorised possession of arms.' Erhan Tuncel, who was being charged with 'membership in an armed terrorist organization' and 'soliciting another person to commit a murder,' was acquitted. He was handed a prison sentence of 10 years and 6 months for the bombing of Mc Donald's, but was released. Osman Hayal was acquitted.

Salih Hacisalihoğlu was sentenced to two months and 15 days in prison for 'unauthorised possession of bullets.' Ersin Yolcu and Ahmet İskender were sentenced to 12 years and six months in prison each, for 'assisting in a felonious murder.' İskender was sentenced to a year in prison for 'unauthorised possession of arms.' The Supreme Court of Appeals will decide whether the judgment about Hacisalihoğlu, Yolcu and İskender will be implemented. No judgment was made about Yasin Hayal's uncle Coşkun İğci. Prosecutor Hikmet Usta is taking the court decision to the Supreme Court of Appeals.

### **The Hayirsevener Murder**

**"Cihan Hayirsevener" trial:** Güney Marmara'da Yaşam ('Life in Southern Marmara') newspaper's chief editor Cihan Hayirsevener was killed on 18 December 2009. The third hearing of the trial regarding the murder was heard before the İstanbul 10th Specially Authorised High Criminal Court on 28 February.

A total of 18 defendants, three of whom have been arrested pending the outcome of the trial, are being charged with organized crime. İhsan Kuruoğlu, who is allegedly the instigator of the murder, and who has been arrested pending the outcome of the trial, Serkan Erakkuş, who is being charged with murder, and driver Kerem Yılmaz, who is being accused with acting in conjunction with the gunman suspect, were all present at the hearing. The "anonymous witness," who has been on the agenda of the panel of judges since May 2011, was not present at the latest hearing. Chief justice İbrahim Balık ordered the Bandırma Police Station to have the anonymous witness ready at the next hearing. The next hearing was scheduled for 22 May.

Hayirsevener was killed on 18 December 2009 while walking on the street in Bandırma after publishing articles on the corruption in the public tenders of the municipality in October 2009.

In May 2011, the 5th Criminal Division of the Supreme Court of Appeals joined the trial being held on grounds of "establishing an organization to serve personal interests", "membership in an illegal organization" and "conspiring to rig the bids in a public tender" with the trial regarding the murder of the journalist.

In the trial that was joined by the 5th Criminal Division of the Supreme Court of Appeals with the 'conspiring to rig the bids in a public tender' trial, İlk Haber ('First News') newspaper's founder İhsan Kuruoğlu and publication adviser Engin Arıcan are among the 18 defendants being charged. Three of the defendants have been arrested pending the outcome of the trial.

### **Imprisoned Journalists**

100 journalists and 35 distributors welcomed the month of April in prison. All but one journalist are imprisoned for "connections with a terrorist organization" within the scope of the Anti-Terror Law (TMK) and the Turkish Penal Code (TCK).

*Please click for a table of imprisoned journalists.*

Only four journalists are being accused and tried in suits brought directly because of their news reports, articles or books: Azadiya Welat newspaper's editors-in-chief Vedat Kurşun, Ruken Ergün and Ozan Kılınç, and Aram Publishing's owner and Hawar newspaper's executive Bedri Adanır.

Sixty-six out of 100 journalists are in prison because of trials related to the 'Kurdistan Union of Communities-Turkey' (KCK), 'PKK' and 'DYG', five are in prison because of trials related to 'Ergenekon', six are in prison because of trials related to OdaTV, seven are in prison because of trials related to the 'Revolutionary People's Liberation Party-Front' (DHKP-C), five are in prison because of trials related to the 'Marxist Leninist Communist Party' (MLKP), and four are in prison because of trials related to the 'Revolutionary Camp.'

Twenty-four out of 100 journalists have been convicted and 28 are still on trial. Forty-eight are still awaiting the first hearing as of 31 March. They don't know what they are being accused of, since their bills of indictments have not yet been announced.

A total of 24 journalists of the Dicle News Agency are in prison; four have been convicted, two are on trial, and 18 journalists together with three former employees are awaiting the bill of indictment.

A total of 14 journalists from the Azadiya Welat newspaper are in prison; nine have been convicted, one is on trial, and four are awaiting the bill of indictment.

A total of 10 journalists from the Özgür Gündem ('Free Agenda') are in prison; nine are awaiting the bill of indictment, and one has been convicted.

Three journalists from the Özgür Halk ('Free People') magazine are in prison. Two are on trial, and one has been convicted.

Three journalists of the Demokratik Modernite ('Democratic Modernity') magazine are jailed pending the bill of indictment.

One journalist of the Gün ('Day') TV is on trial, one journalist from Radyo Dünya ('Radio World') has been convicted and is awaiting the bill of indictment in another trial. One journalist from the Birgün ('One Day') newspaper and the chief editor of Aram Publishing, have been convicted.

**Ergenekon/ Those on trial:** Hikmet Çiçek (executive editor of the Ulusal Kanal ('National Channel')), Mehmet Deniz Yıldırım (executive editor of the Aydınlık ('Light') magazine), Mehmet Haberal (Channel B owner), Mustafa Balbay (Cumhuriyet ('Republic') columnist/Republican Turkish Party (CHP) deputy), Tuncay Özkan (Channel Biz TV owner).

**OdaTV/ Those on trial:** Barış Pehlivan (Odatv Internet site's executive editor), Barış Terkoğlu (OdaTV Internet site's news director), Müyesser Uğur Yıldız (OdaTV writer), Soner Yalçın (OdaTV owner), Professor Dr. Yalçın Küçük (OdaTV writer).

**OdaTV/ Those awaiting the bill of indictment:** Turan Özlü (Ulusal Kanal's executive editor)

**Revolutionary Camp/Convictions:** Mehmet Yeşiltepe (Revolutionary Movement writer - 8 years and 9 months)

**Revolutionary Camp / Those on trial:** Hakan Soytemiz (Red/Enternasyonel's ('Red/International') writer) and Osman Baha Okar (Bilim ve Gelecek's ('Science and Future') editor)

**Revolutionary Camp / Those awaiting the bill of indictment:** Mehmet Güneş (Türkiye Gerçeği ('Turkey's Reality') magazine's writer)

**KCK - PKK - DYG/ Convictions:** Abdülcabbar Karabeğ (Azadiya Welat's Mersin representative - 7 years and 1 month), Ali Konar (Azadiya Welat's Elazığ representative - 7 years and 6 months), Bayram Parlak (Gündem Mersin's ('Agenda Mersin') representative - 6 years and 3 months), Faysal Tunç (DİHA's Şırnak reporter - 12 years and 6 months), Ferhat Çiftçi (Azadiya Welat's Antep representative, 22 years and 8 months), Hamit Dılbahar (Azadiya Welat's writer), Kenan Karavil (Radio Dünya's Manager - 6 years and 3 months), Mehmet Karaaslan (DİHA's Mersin reporter - 6 years and 3 months), M. Ferid Demirel (DİHA's reporter - 6 years and 3 months), Murat İlhan (Azadiya Welat's Diyarbakır reporter - 6 years and 3 months), Nuri Yeşil (Azadiya Welat's Tunceli representative - 1 year and 7 months), Ömer Faruk Çalışkan (Özgür Halk ('Free People') magazine's editor-in-chief - 6 years and 3 months), Rohat Ekmekçi (GÜN ('Day') TV radio presenter - 4 years and 2 months), Sevcan Atak (Özgür Halk magazine's editor - 7 years and 6 months), Seyithan Akyüz (Azadiya Welat's Adana representative - 10 years and 6 months), and Şahabettin Demir (DİHA's Van reporter - 4 years).

**KCK - PKK - DYG/Those on trial:** Ahmet Akyol (DİHA's Adana reporter), Ahmet Birsin (Gün TV's general manager), Hamdiye Çiftçi (DİHA's Hakkâri reporter), Sebahattin Sürmeli (Özgür Halk magazine's editor).

**KCK - PKK - DYG/Those awaiting the bill of indictment:** Abdullah Çetin (DİHA's Siirt reporter), Abdülmenaf Düzençi (Yüksekova Gündem News site's owner), Aydın Yıldız (DİHA's Mersin reporter), Ayşe Oyman (Özgür Gündem's editor), Aziz Tekin (Azadiya Welat's Mardin representative), Cengiz Kapmaz (Özgür Gündem's writer), Çağdaş Kaplan (DİHA's reporter), Çağdaş Ulus (Vatan ('Motherland') newspaper's reporter), Dilek Demirel (Özgür Gündem's former editor), Ertuğ Bozkurt (Fırat Distribution's employee, reporter), Fatma Koçak (DİHA's editor-in-chief), Feyyaz Deniz (DİHA's Ankara reporter), Gülsen Aslan (DİHA's reporter), Hasan Özgüneş (Azadiya Welat's writer), Hüseyin Deniz (Evrensel's reporter), İsmail Yıldız (DİHA's former employee, Dersim newspaper's editor-in-chief), Kazım Şeker (Özgür Gündem's editor), Kenan Kırkaya (DİHA's Ankara representative), Mazlum Özdemir (DİHA's Diyarbakır reporter), Mazlum Sezer (DİHA's former reporter), Mehmet Emin Yıldırım (Azadiya Welat's general manager), Murat Aydın (DİHA's reporter), Murat Çiftçi (DİHA's reporter), Müge Tuzcu (former Evrensel reporter), Nahide Ermiş (member of the Demokratik Modernite ('Democratic Modernity') editorial board), Nevin

Erdemir (Özgür Gündem's editor), Nilgün Yıldız (DİHA's Mardin reporter), Nurettin Fırat (Özgür Gündem's writer), Oktay Candemir (DİHA's former reporter), Ömer Çelik (DİHA's reporter), Ömer Çiftçi (Demokratik Modernite's owner), Özlem Ağuş (DİHA's reporter), Ragıp Zarakolu (Belge Publishing's owner, Özgür Gündem's writer), Ramazan Pekgöz (DİHA's Diyarbakır editor), Sadık Topaloğlu (DİHA's reporter), Selahattin Aslan (Demokratik Modernite's editor), Semiha Alankuş (DİHA's Diyarbakır editor), Sibel Güler (Özgür Gündem's former editor), Sinan Aygöl (DİHA's Bitlis reporter), Songül Karatagna (Özgür Gündem's writer), Sultan Şaman (Heviya Jine's editor), Tayyip Temel (Azadiya Welat's former general manager), Turabi Kişin (Özgür Gündem's former editor), Yüksel Genç (Özgür Gündem's writer), Zeynep Kuray (Birgün's reporter), Ziya Çiçekçi (Özgür Gündem's owner, editor-in-chief), Zuhal Tekiner (DİHA's owner)

**DHKP-C/Convictions:** Mustafa Gök (Emek ve Adalet ('Labour and Justice') magazine's Ankara representative)

**DHKP-C/Those on trial:** Cihan Gün (Yürüyüş ('March') magazine's reporter), Fatih Özgür Aydın (Mühendislik, Mimarlık ve Planlamada + İvme ('+Acceleration in Engineering, Architecture and Planning') Magazine's editor-in-chief), Halit Güdenoğlu (Kamu Emekçileri ('Public Servants') magazine's owner), Kaan Ünsal (Yürüyüş magazine's reporter), Musa Kurt (Kamu Emekçileri magazine's editor-in-chief), Naciye Yavuz (Yürüyüş magazine's reporter).

**MLKP/Convictions:** Erdal Süsem (Eylül Hapishane ('September Prison') magazine's editor - life imprisonment) and Hatice Duman (Atılım ('Leap') Magazine's owner and editor-in-chief - life imprisonment).

**MLKP/Those on trial:** Sedat Şenoğlu (Atılım Newspaper's publishing coordinator), Bayram Namaz (Atılım magazine's writer), Füsun Erdoğan (Özgür ('Free') Radio's general editorial coordinator).

Odak magazine's editor-in-chief Erol Zavar has been sentenced to life in prison in the trial on the 'Direniş Hareketi' ('Resistance Movement'). Mezitli FM's general manager Mikdat Algöl is standing trial for 'connections with a terrorist organization.' But the organization's name is not mentioned. Özgür Gündem's editor Serdar Engin was sentenced to 9 months in prison for saying "Sayın" (Esteemed) Öcalan, on grounds of 'praising the offense and the offender' under Article 215 of the Turkish Penal Code.

### **Distributors and employees**

Thirty-five distributors and employees were in prison as of 31 March. Nine of the arrested distributors and employees within the framework of KCK-PKK-DYG trials have been convicted, nine are standing trial, and 13 are awaiting the bill of indictment. Four are standing trial without a bill of indictment. There is no access to information regarding the convicts.

*Click for a table of distributors and employees.*

**KCK-PKK-DYG/Convictions:** Ali Bilen (Özgür Halk's distributor - 8 years and 8 months), Ali Çat (Fırat Distribution-Azadiya Welat's Mersin distributor - 7 years and 1 month), Cengiz Doğan (Fırat Distribution - Azadiya Welat's Nusaybin employee - 3 years and 7 months),



Dilşah Ercan (Azadiya Welat's Mersin distributor - 8 years and 9 months), Dindare Temirhan (Özgür Halk magazine's Mardin employee - 2 years and 6 months), İhsan Sinmiş (Azadiya Welat's distributor - 6 years and 3 months), Mikail Çağrııcı (Azadiya Welat's Adana distributor, life imprisonment), Selim Kahraman (Azadiya Welat's Adana distributor - 14 years and 3 months), Sibel Mustafaoğlu (Fırat Distribution's Antep employee - 21 years and 6 months).

**KCK-PKK-DYG/Those on trial:** Ali Ertuğrul (Azadiya Welat's Şırnak distributor), Hakan İraz (Günlük's ('Daily') distributor), Nazdar Ecevit (Azadiya Welat's Şırnak distributor), Ramazan Dinç (Özgür Halk's Diyarbakır employee), Salman Akpınar (Fırat Distribution's employee), Savaş Aslan (Azadiya Welat's Adana distributor), Serdar Ay (Fırat Distribution's Diyarbakır distributor), Ufuk Demir (Fırat Distribution's former employee in Iğdır), Zahide Parım (Fırat Distribution's former employee in Iğdır)

**KCK-PKK-DYG/ Those awaiting the bill of indictment:** Abdülbesir Yapıcı (Azadiya Welat's employee), Cihat Ablay (Demokratik Modernite's employee), Çiğdem Aslan (Fırat Distribution's accountant), Davut Uçar (Özgür Gündem's sales and marketing executive), Haydar Tekin (Fırat Distribution's former employee), İrfan Bilgiç (Fırat Distribution's former employee), Mahmut Tural (Azadiya Welat's employee), Pervin Yerlikaya (DİHA's İstanbul employee), Saffet Orman (Demokratik Modernite's Van employee), Şafak Çelen (Azadiya Welat's employee), Şahin Baydağı (Azadiya Welat's Kızıltepe former distributor), Şeyhmus Fidan (Fırat Distribution's İstanbul employee), Veysi Arancak (Fırat Distribution's İstanbul employee).

## Releases

**Emekçi was released:** It was learnt that Gün TV's radio presenter Rohat Emekçi was released on 15 December.

**Altan and Kaya were released:** Dicle News Agency's (DİHA) Batman representative Erdoğan Altan and Diyarbakır representative Kadri Kaya were released on 28 March at the hearing before the Diyarbakır 7th High Criminal Court. The court took into account the time they have remained under arrest.

**Kırmızıgül was released:** University student Cihan Kırmızıgül, who is being charged with 'membership in a terrorist organization' (Article 314/2 of the TCK) on grounds of wearing a 'puşi' (Translator's note: a traditional headwear), was released on 23 March, at the eighth hearing of the trial before the 14th High Criminal Court. He had been under arrest for the last 25 months.

**Kurt was released:** Tavr ('Attitude') magazine's owner Bahar Kurt is being charged with membership in the 'Revolutionary People's Liberation Party -Front (DHKP-C),' (Article 314/2 of the TCK) before the Specially Authorised İstanbul 16th High Criminal Court. She was released at the second hearing on 20 March. Kurt had been detained on 10 May during the operation at Okmeydanı, along with the members of Grup Yorum, and had been arrested on 13 May. The hearing was postponed to 26 April.

**Şık, Şener, Musluk and Çakır were released:** Defendants Ahmet Şık, Nedim Şener, Coşkun Musluk and M. Sait Çakır, who had all been arrested pending the outcome of the OdaTV trial at the Specially Authorised İstanbul 16. High Criminal Court, were released on 12 March. The court cited the "possibility of a change in the classification of offense and the time that has been served under arrest."

**Coşar was released:** Atılım newspaper's writer Hasan Coşar is being charged with 'membership in MLKP' (Article 314/2 of the TCK) and 'making propaganda on behalf of the organization' (Article 7/2 of the TMK). The trial was held on 8 March. The Ankara 11th High Criminal Court, on 8 March 2010, had handed out a 10 year prison sentence. The Supreme Court of Appeals overruled the decision and Coşar was released on 8 December. In the latest hearing, the opinion was given. In the opinion, it was demanded that Coşar is punished for 'membership in a terrorist organization.' The hearing was postponed to 10 May.

**Doğan Yurdakul was released:** The Specially Authorised İstanbul 16th High Criminal Court, on 22 February, released OdaTV defendant journalist Doğan Yurdakul, who had been arrested pending the outcome of the trial, citing his health problems.

**Baran was released:** ODAK magazine's writer Doğan Can Baran was detained on 22 November in a police operation and was arrested on 25 November by a court. He was released on 4 February. Baran's case had been sent to the Specially Authorised Public Prosecutor's Office in İstanbul. Baran's lawyer had objected to the file on 2 February. The lawyers of the 11 people arrested along with Baran, had demanded that the confidentiality decision on the file be lifted, a decision of non-jurisdiction be given, and that the arrested defendants be released. The objection was taken into consideration and the arrested defendants were released.

**Keskin was released:** Atılım newspaper's reporter Dilek Keskin was released on 31 January. Keskin had been arrested after the 6 year and three months prison sentence handed out to her by the Adana 8th High Criminal Court on 15 January 2010 for 'membership in MLKP' (Article 314/2 of the TCK) had become definite. Keskin's petition was accepted and she was released early, six months before the end of her sentence because she is under the age of 18.

**Tunç was released:** DİHA Şırnak reporter Behdin Tunç was released in January because he had served his prison sentence of 6 years and three months.

### **Attacks, threats and obstructions**

**Attack on the CNN team:** After the 'Match-Fixing Case' on 31 March, Fenerbahçe fans attacked CNN Türk sports reporter, who was talking about the court decision in front of the courthouse in a live broadcast. CNN Türk sports reporters Ertem Şener and Emre Tilev, who wanted to broadcast the decision as soon as possible, were attacked with coins and fireworks by the Fenerbahçe fans.

**Statement from Yorum:** Grup Yorum, in a written statement on 30 March, said that their imprisoned group member Seçkin Aydoğan, who is being held at the Tekirdağ No: 1 F-Type Prison, has been attacked along with two other convicts. In the statement, the group held the director of the prison, other officials and guardians responsible from the incident.



**110 thousand sites have been banned:** The Information Technologies and Communications Authority (BTK) announced on 27 March that it had received 500 thousand complaints regarding certain contents on the Internet. It stated that 110 thousand contents have been removed. It underlined that 60 per cent of the bans were due to obscenity, 20 per cent were due to offenses against Atatürk, and 20 per cent due to other reasons.

**IHD's site was hacked:** The Web site of the Human Rights Association's (İHD) General Headquarters (<http://www.ihd.org.tr>) was hacked on 21 March. İHD stated that this attack was due to the announcement titled "Newroz Piroz Be!" published on the web site on the same day, and added that the hackers had threatened the association saying "we may suddenly come for you one night."

**Paramilitary police threatened Sağ's video clip:** Singer Pınar Sağ and director Kazım Öz stated on 19 March that the paramilitary police has threatened the Uludere villagers, who took part in a video clip about the Uludere Massacre, with launching an investigation against them. Sağ had recorded a video clip at the Roboski (Ortasu) village of Uludere to her song "İraksamalar" ('Divergences') in the "Mavi Düş" ('Blue Dream') album, to draw attention to the 34 people who had been killed in the Uludere bombardment on 28 December.

**Court considered threat as criticism:** The İstanbul 12th Criminal Court of First Instance, on 5 March, acquitted İstanbul head Mustafa Kayatuzu of Alperen Ocakları (Islamist/Nationalist Hearth). On 11 July 2009, Alperen Ocakları had protested the fact that wine was being served during pianist İdil Biret's concert at the Topkapı Palace. Its members had burned down the concert posters at the entrance. The Court considered Kayatuzu's words, "We saw traitors, who entered through this door holding wine bottles. I am not saying 'Come to your senses.' We will tear that head of yours off your body," as freedom of criticism.

**Çay identified media organizations as target:** Pozantı Mayor Mustafa Çay, identified Evrensel, Özgür Gündem and Dicle News Agency, which published news reports about the Pozantı Prison on 3 March as targets by saying, "These are the media organs of the PKK terrorist organization." Evrensel newspaper's general manager İhsan Çaralan said they would sue Çay.

**Torture of arrested journalist:** Lawyer Hüseyin Ersöz of Vatan newspaper's reporter Çağdaş Ulus, who has been arrested within the scope of the KCK investigation, said that the guards ordered Ulus to clean the toilets on 23 February. According to the lawyer, Ulus began experiencing trembling and numbness on the right side of his body while in prison. He was not taken to the infirmary for a long time and the prison doctor kept changing his medication. Ersöz Kartal stated that they would be filing a criminal complaint with the Office of the Chief Public Prosecutor.

**Attacks against Zaman offices:** The Cologne and Paris offices of the Zaman newspaper were attacked on 15 February. The masked assailants, who entered the France office of Zaman, threatened the employees and heavily damaged the building with stones and sticks. The 'Fırat Revenge Brigade,' which is close to the PKK, assumed responsibility for the attack staged on the 13th anniversary of Abdullah Öcalan's arrest. A Molotov bomb was hurled at the Cologne office of Zaman on the same night.

**Anonymous hacked BTK:** On 14 February, the Anonymous group hacked the systems of The Information Technologies and Communications Authority (BTK) systems. BTK claims that it protects the users from the dangers of the Internet. The critical personal data found on BTK's database were published over the Internet. Among the personal data published on the Internet were critical information such as names, e-mail addresses, home addresses, Turkish identity card numbers, mobile telephone numbers and passwords.

**Özgür Gelecek filed a criminal complaint:** The employees of the Özgür Gelecek ('Free Future') newspaper stated that a single bullet in a white envelope was left at the entrance of the Kartal bureau of the newspaper on 21 January. They filed a criminal complaint on 25 January.

### **Inquiries, New/On-going Trials, Decisions**

**One-year prison sentence demand for a caricature:** Bahadır Baruter is standing trial for a caricature published in the Penguin magazine on 10 February 2011, which had the writing "There is no Allah, religion is a lie." The trial continued on 29 March. A decision of non-jurisdiction was given at the hearing before the İstanbul 16th Criminal Court of First Instance. The case was sent to the İstanbul 2nd Criminal Court of First Instance. The demand to bring Baruter to court by force was lifted. Baruter is being charged with 'insulting the religious values embraced by part of the people' (Article 216/3 of the TCK). The date of the next hearing at the 2nd Criminal Court of First Instance has not yet been communicated.

**"Roj TV" case:** DİHA's Batman representative Erdoğan Altan and Diyarbakır representative Kadri Kaya were released on 28 March at the hearing before the Diyarbakır 7th High Criminal Court, which took into account the time they served under arrest. The next hearing was scheduled for 14 May. Altan and Kaya's demand to give their defense statements in Kurdish had been rejected in the fifth hearing on 6 February. On the fourth hearing on 11 January, the Office of the Attorney General gave its opinion. Altan and Kaya are standing trial for the reports they sent to Roj TV and Denge Mezopotamya ('Balance Mesopotamia') Radio. They are being charged with 'membership in a terrorist organization' (Article 314/2 of the TCK) and 'making propaganda on behalf of a terrorist organization, (Article 7/2 of the TMK) based on the article that those who "knowingly and willingly assisting a group although not being in the hierarchical structure of the group will be punished as a member of a terrorist organization" (Article 220/ 7 and 314/3 of the TCK).

**Mahsum Korkmaz interview:** Batman Postası ('Batman Post') newspaper's owner Mustafa Kemal Çelik, Mahsum Korkmaz's brother Fehmi Korkmaz and sister Maşallah Dağ are standing trial because of an interview about Mahsum Korkmaz's life conducted with his family. The last hearing was held on 28 March. The hearing before the Batman 2nd Criminal Court of First Instance was postponed to 1 June, to listen to the testimony of the defendants, who were not present. The defendants are being charged with "praising the offense and the offender" through the media (Articles 215/1, 218/1 of the TCK).

**Criminal complaint by Dündar:** Uğur Dündar filed a criminal complaint with the İstanbul Office of the Chief Public Prosecutor on 27 March against Yeni Asır writer Hüseyin Kocabıyık and gazetepusula.net's editor-in-chief Cihat İncesu. He accused Dündar Kocabıyık of blackmail and threat, saying that Kocabıyık, during the programme called Dinamit

('Dynamite') on Beyaz TV and the interview on Pusula ('Compass') newspaper stated that he is involved in activities aimed at overthrowing the government.

**Avcı received punishment:** Arrested Chief of Police Hanefi Avcı was convicted on 27 March because of his book named, "Simons in the Golden Horn: State Yesterday, Congregation Today." In the hearing heard before the Ankara 2nd Criminal Court of First Instance, Avcı was sentenced to a year in prison for slandering Osman Hilmi Özdil, who is mentioned in the book, and to three months and 15 days in prison for 'insulting' him. The court commuted the three months and 15 days prison sentence to a monetary fine of 2 thousand and 100 lira (about 950 euros). However the judgment regarding these offenses was not yet revealed.

**"Genocide" trial under 301:** Writer Temel Demirer is standing trial for saying "There was an Armenian Genocide in this country" in a speech he gave in front of the Human Rights Monument on the Yüksel Avenue on 20 January 2007 to protest the murder of Hrant Dink. The trial continued on 28 March. Demirer is being charged with 'inciting hatred and enmity' (Article 216 of the TCK) and 'publicly denigrating the Republic of Turkey' (Article 301 of the TCK). The trial began in January 2008 on the criminal complaint by the Ankara Police Security Branch Directorate. The hearing was postponed to 26 June since the court did not receive the file.

**Laz Marks trial continued:** A lawsuit was brought against theatre actor Haldun Açığsözlü on November 2010 at the Tunceli Criminal Court of Peace for his political play 'Laz Marks.' A hearing was heard on 27 March. Açığsözlü faces up to two years in prison for 'praising the offense and the offender' (Article 215 of the TCK) because of the sentences: "Is this not our history?", "Which resistance's history was written by Gezmiş, Çayan, Kaypakaya?", "Isn't the fire lit by the oppressed in the Diyarbakır prisons in the 1980s still burning?" that were found in the play. He is also faced with a professional ban of three months to three years under article 53 of TCK. The hearing was postponed to 10 April because the deposition of the witness police officers was not yet available.

**Investigation against Köse:** With the application of the Pembe Hayat ('Pink Life') LGBTT Solidarity Association, the İstanbul Office of the Chief Public Prosecutor, on 27 March, launched an investigation against Erol Köse, who continuously disseminates hatred over Twitter. The investigation was launched on grounds of 'inciting hatred and enmity' (Article 216 of the TCK).

**Genç Umut members were detained:** The members of the Genç Umut ('Young Hope') group, who are all high school students, were detained on 26 March as they were trying to distribute the magazine they had published to the high school students in front of the school. The police detained the students in front of the Çankaya Dikmen High School, saying 'you are terrorists.' They were later released at the police station.

**"Atatürk" case against Altan:** Ferdi Turul and Bulut Başaran brought a case against Taraf newspaper's general manager Ahmet Altan. The trial continued on 22 March. At the fourth hearing before the Kadıköy 2nd Criminal Court of First Instance, extra time was given for the defense statement. The trial was scheduled to continue on 14 June. In the case brought against him on 28 December 2010, Altan is being charged under 'Offenses Committed Against

Atatürk' (5816 article s. k. 1.) for his article titled "CHP" (Republican Turkish Party) published on 4 November 2010.

**Investigation against Şık:** On 19 March, an investigation was opened against Ahmet Şık, who had been released during the 12 March hearing of the OdaTV trial, for the things he said about the judges and prosecutors as he left the Silivri Prison. He is being accused of threatening the prosecutors, judges and police officers. In the investigation, the Specially Authorised İstanbul Office of the Chief Public Prosecutor gave a decision of non-jurisdiction and sent the investigation file to the Silivri Office of the Chief Public Prosecutor.

**From funeral to membership in a terrorist organization:** A total of 27 defendants are standing trial for attending the funeral of writer Kutsiye Bozoklar, who died in 2009. The trial continued on 15 March. During the last hearing before the Ankara 12th High Criminal Court, the panel of judges acquitted the 27 defendants for charges of 'membership in a terrorist organization' (Article 314/2 of the TCK) and convicted 25 defendants for 'making propaganda on behalf of the organization' (Article 7/2 of the TMK). The defendants, including Sanat ve Hayat ('Art and Life') magazine's manager Hacı Orman, Demokrat ('Democrat') Radio's employee İsmi naz Ergün and Dayanışma ('Solidarity') newspaper's employee Emin Orhan, were handed out prison sentences from 1 year and 15 days to 10 months. The case is now with the Supreme Court of Appeals. The defendants had been released in 2010 pending the outcome of the trial.

**Abay's case is with the Supreme Court of Appeals:** The case of Spokesman Necati Abay of the Platform for Solidarity with Arrested Journalists (TGDP) was sent to the 9th Circuit of the Supreme Court of Appeals on 15 March. Abay had been arrested on 13 April 2003 for 'membership in MLKP' and 'management of a terrorist organization' (Article 220/5 of the TCK). He was released six months later. Abay's trial, which began on 3 October 2003, was finalized on 4 May 2011. In the last hearing at the İstanbul 12th High Criminal Court, Abay was sentenced to 18 years and 9 months in prison.

**Criminal complaint by TGS against AA:** Turkish Journalists' Union (TGS) made a criminal complaint against the Anatolia News Agency officials on 14 March at the Ankara Office of the Chief Public Prosecutor citing pressure by the officials on the AA members. AA General Manager Kemal Öztürk, Deputy General Manager Ebubekir Şahin and Domestic News Director Fatih Ferhat Sürmeli are being accused under 'freedom of work and labour' (Article 117 of the TCK) and 'violation of syndical rights' (Article 118 of the TCK 118).

**Hopa trial:** The trial against Sendika.org writer and Latinbilgi editor Soner Torlak continued on 13 March. Torlak has been released pending the outcome of the trial. Torlak is standing trial at the Ankara 11th High Criminal Court for participating in a march held in protest of the murder of Metin Lokumcu in Hopa on 31 May 2011. During the last hearing, the demands of the lawyers were heard since the officials from the police force, who should have been present as plaintiffs, were not present in the courtroom. The lawyers submitted to the court a CD, which includes recordings of police violence. The lawyers' demands of acquittal, decision of non-jurisdiction and the return of books submitted as evidence, were all rejected. The next hearing was scheduled for 19 June.

**OdaTV trial:** Journalists Nedim Şener and Ahmet Şık, and OdaTV writers Coşkun Musluk and Sait Çakır were released on 12 March in the OdaTV trial at the İstanbul 16th High Criminal Court. During the 11th hearing, the court decided to release the defendants taking into consideration the possibility of a change in the classification of offense and the time that has been served under arrest. The next hearing was scheduled for 18 June.

During the OdaTV trial hearings on 3, 4, 5, 23 and 27 January, the defendants gave their defense statements. A total of 13 people are standing trial. Six defendants (Barış Pehlivan, Barış Terkoğlu, Hanefi Avcı, Müyesser Uğur, Soner Yalçın and Yalçın Küçük) have arrested pending the outcome of the trial. Seven defendants (Ahmet Şık, Nedim Çener, Coşkun Musluk, Sait Çiftçi, Ahmet Mümtaz İdil, Doğan Yurdakul and İklim Ayfer Kaleli Bayraktar) have been released pending the outcome of the trial.

Yalçın Küçük is being charged with 'forming an organized group' (Article 314/1 of the TCK) in the OdaTV trial, while all other defendants are being charged with 'membership in a terrorist organization' (Article 314/2 of the TCK).

**Newroz trial:** Lawyer Şiar Rişvanoğlu is standing trial for violating Articles 12 and 23 of the Law No: 2911 on Meetings and Demonstrations, by 'holding an illegal meeting and demonstration' during the 2010 Newroz celebrations in Adana. The fourth hearing of the trial was on 8 March. During the hearing, the Adana 3rd Criminal Court of First Instance listened to government commissioner Hüseyin Gün, who was present at the Newroz celebrations, as a witness. The witness stated that the defendants in the organization committee had been warned a couple of times regarding illegal slogans and banners. The trial began on 30 June. The next hearing was scheduled for 26 April.

**Çiftçi was detained:** On 8 March, journalist-writer Esra Çiftçi was detained at the Atatürk Airport within the scope of the Kurdistan Union of Communities (KCK) operation. Çiftçi was released after testifying at the Police Headquarters on Vatan Avenue. It was learned that Çiftçi was detained because of a trial that had previously been brought against her in which she did not testify and that she was released after testifying.

**Ferhat Tunç trials:** On 13 March, the Nazimiye Criminal Court of Peace handed out a fine of 500 Turkish liras (about 230 euros) to Ferhat Tunç, who ran in the general elections to become a Tunceli member of parliament from the Labour, Democracy and Freedom Bloc, and who is a member of the People's Democratic Congress (HDK) General Assembly. Tunç was standing trial for using the word "Martyr" in the speeches he gave as he was running for parliament at the 12 June general elections. He was being charged with 'praising the offense and the offender' (Article 215 of the TCK).

Tunç was acquitted in another trial on 17 January by the Tunceli Criminal Court of Peace. Tunç was being charged with 'praising the offense and the offender,' (Article 215 of the TCK) for saying "Guerrilla" and "Sayın Öcalan" ('Esteemed Öcalan') in the run-up to the elections on TV8.

The Malatya Office of the Attorney General launched an investigation against Tunç on 8 March. Tunç is being accused with 'making propaganda on behalf of the terrorist organization' because of his speech in Tunceli on 1 May 2011.



**Tuzcu was arrested:** Sociologist, writer and former Evrensel reporter Müge Tuzcu was detained in Diyarbakır on 8 March, within the scope of the KCK operation by the Diyarbakır Specially Authorised Office of the Chief Public Prosecutor. She was arrested on 10 March for 'membership in a terrorist organization' (Article 314/2 of the TCK). Tuzcu is at the Diyarbakır E-Type Closed Prison.

**Those who prepared the Pozantı news report were detained:** On 6 March, the DİHA Adana office was raided on the decision of the Adana 8th High Criminal Court. Reporters Ali Buluş and Özlem Ağuş, who uncovered the sexual abuse of children in the Pozantı Prison, and Fırat Distribution employee Ferit Köylüoğlu, were detained. Buluş and Köylüoğlu were released on 10 March following their testimony at the Office of the Attorney General. Ağuş was arrested for allegations of 'membership in a terrorist organization' (Article 314/2 of the TCK) and 'making propaganda on behalf of a terrorist organization' (Article 7/2 of the TMK).

**One year prison sentence despite the error in the official report:** The Supreme Court of Appeals, on 2 March, upheld the one-year prison sentence handed out to Halil İmrek, a Member of the Board of Directors of the Labour Party (EMEP) for 'making propaganda on behalf of a terrorist organization' (Article 7/2 of the TMK). It was alleged that the prison sentence handed out to İmrek for his speeches in 2006 at the Adana and Osmaniye Newroz demonstrations were based on erroneous police reports. At the demonstration, İmrek had told the story of Ironsmith Kawa, who stood up to the cruel ruler, which is the story that the Newroz legend is based on. In the official reports, 'Ironsmith Kawa' was recorded as 'Ironsmith bucket' and 'Cruel Dehak' was recorded as 'Cruel DEHAP.' Despite the insistence of the lawyers, the court rejected the request to have the recording of the speech be deciphered by objective experts and have the sentence postponed.

**İllallah trial:** In the fourth hearing of the trial about 2010 Metis diary İllallah, the İstanbul 16th Criminal Court of First Instance gave a decision of non-jurisdiction. The case was sent to the İstanbul 2nd Criminal Court of First Instance. The İllallah trial was opened on 26 November 2010 for 'insulting religious values' (Article 216/3 of the TCK). Along with Semih Sökmen, the editors of the dairy Müge Sökmen, Özge Çelik, Tuncay Birkan, Özde Duygu Gürkan, Emine Bora and Eylem Can are standing trial.

**Penalty for leaving carnations:** The members of the Committee for the Commemoration of the Massacre are standing trial for violating Law No: 2911 on Meetings and Demonstrations. The trial began on 12 February. They were handed out a monetary fine of 169 Turkish liras (about 77 euros) within the scope of the 'Law of Misdemeanour' because they made a press statement in front of the Madımak Hotel and left carnations ahead of the 17 January hearing of their trial.

**10 years in prison for singing:** The Erzurum 2nd High Criminal Court sentenced Kurdish singer Hemê Heci to 10 months in prison on 21 February, for 'making propaganda on behalf of a terrorist organization' (Article 7/2 of TMK) because of the songs he sang and the speech he gave at the 2010 Newroz activities in Kars. Heci stated that he does not accept the accusations and added that they would appeal the decision.

**Concert trial against the Mayor:** On 16 February, the Pertek Office of the Attorney General launched an investigation against Pertek Mayor Kenan Çetin because of the slogans chanted



and the banners opened at the Grup Yorum concert at the Tunceli Atatürk Stadium on 10 June 2011. Çetin faces up to two years in prison for 'praising the offense and the offender' (Article 215 of the TCK). Çetin stated that a permission for investigation is needed from the Ministry of Interior in such cases because he is a Mayor, and criticized the fact that this permission was not sought.

**Savda was arrested:** Conscientious Objector Halil Savda was arrested for charges of 'discouraging people from enlisting in armed forces' (Article 318 of the TCK) by saying "Don't join the army" in front of the Israeli Consulate in İstanbul on 24 February 2006. Savda was sentenced to six months in prison under Article 318 of the TCK. The decision was finalized and is at the Supreme Court of Appeals. He is also standing two other trials.

**'I Cannot Sleep With the Waxing Moon' trial:** Taraf newspaper's writer Orhan Miroğlu is standing trial for his article titled 'I Cannot Sleep With the Waxing Moon' published on 2 December 2009. The trial continued on 23 February. In the seventh hearing before the Kadıköy 2nd Criminal Court of First Instance, it was decided that the file is examined for the deliverance of the judgment. The next hearing was scheduled for 3 May. In the trial that was opened on 1 February 2010, Miroğlu is being charged with 'Inciting hatred and enmity and humiliating (Article 216 of the TCK).

**No releases in the MLKP trial:** There were no releases on the 23 February hearing of the MLKP trial, which has been continuing for the last six years. Özgür Radio broadcasting coordinator Füsün Erdoğan, Atılım newspaper's general publication coordinator Sedat Şenoğlu, Atılım newspaper's writer Bayram Namaz are among the 24 defendants of the MLKP trial. Twelve defendants have been arrested pending the outcome of the trial. In the last hearing heard before the İstanbul Beşiktaş 12th High Criminal Court, the defense statements were taken. Atılım newspaper's publication coordinator İbrahim Çiçek, Ali Hıdır Polat, Ziya Ulusoy and Uğur Kayacı had been released in a previous hearing. The defendants are being charged with 'membership in MLKP.' They were arrested within the scope of the 'Gaye' operations carried out in a number of provinces in September 2006. The next hearing was scheduled for 29 May.

**Temel's trial began:** Azadiya Welat newspaper's former general manager Tayyip Temel was arrested on 8 October 2011. During the first hearing at the Diyarbakır 7th High Criminal Court on 22 February, a radio-TV presenter was called in to read the bill of indictment. Temel is being charged with 'managing a terrorist organization' (Article 314/1 of the TCK) and 'making propaganda on behalf of a terrorist organization' (Article 7/2 of the TMK). The next hearing was scheduled for 30 April.

**Trial against news report on association:** Journalist Murat Altunöz from Antakya is standing trial for writing two news reports about the Democratic Culture and Arts Association. He is being charged with 'membership in a terrorist organization' (Article 314/2 of the TCK) and 'making propaganda on behalf of a terrorist organization' (Article 7/2 of the TMK). The trial continued on 21 February. In the last hearing at the Adana Specially Authorised 6th High Criminal Court, an arrest warrant for Altunöz was issued and the hearing was postponed to 30 April to complete the missing documents. Altunöz faces 5 to 10 years in prison under Article 314/2 of the TCK and 1 to 5 years in prison under Article 7/2 of the TMK.

**Halkın Günlüğü ('People's Journal') newspaper's reporter was released:** Halkın Günlüğü newspaper's Diyarbakır reporter Eser Sevgül was released on 21 February. Sevgül was detained on 30 December during a protest by the students of the Dicle University. They were protesting the events in Şırnak. He was arrested on 2 January.

**Aslan was arrested:** DİHA's Batman reporter Gülsen Aslan was detained in Batman on 4 February, within the scope of KCK operations and then released. She was arrested on 21 February at the police station she was summoned to receive her belongings seized during the operation. She was sent to the Batman M Type Closed Prison.

**Demand of 50 years in prison:** The trial of Bedri Adanır, the owner of Aram Publishing and the editor-in-chief of Hawar newspaper, continued on 23 February. During the last hearing, the public prosecutor read his opinion as to the merits. Defense statements were scheduled to be made during the hearing on 26 April. Adanır is being charged with 'membership in PKK' (Article 314/2 of the TCK) and 'making propaganda on behalf of a terrorist organization' (Article 7/2 of the TMK) at the Diyarbakır 6th High Criminal Court, because of news reports and articles published in four issues of the Hawar newspaper. He faces 15 to 45 years in prison. Adanır was detained and arrested on 5 January.

**Kozan and Yazar were detained:** On 18 February, police intervened in the march organized by the Branches Platform of the Confederation of Trade Unions of Public Employees (KESK) in Mersin to demand the release of members, who were recently arrested. A total of 30 people were detained including Evrensel newspaper's reporters Hasret Gültekin Kozan and Özhan Yazar. Kozan and Yazar were released by the Office of the Attorney General on 19 February.

**Allegations of terrorism for protest:** A trial was opened against the Gergerliler Association on 15 February for placing a black wreath in front of the Posta newspaper. They were protesting what the newspaper's writer Candaş Tolga Işık had written. On 27 January 2011, Işık wrote that, 'The reason of incest in the South East are the satellite dishes.' At the trial being held at the İstanbul 12th High Criminal Court, Association's Head Ahmet Mancak, members of the board of directors Bayram Sav, Emin Kılınc, İsmail Sucu and Mevlüt Karataş face up to five years in prison for 'making propaganda on behalf of a terrorist organization' (Article 7/2 of the TMK). Posta newspaper had removed the article from its Internet site because of the negative reactions.

**The case against Dağlar, Taşçı and Saymaz was dropped:** Hürriyet reporter Ali Dağlar is standing trial for his book named, 'Name of Operation: Ağa 01', journalist İlhan Taşçı is standing trial for his book named 'Justice in a Gown' and Radikal reporter İsmail Saymaz is standing trial for his book named 'Postmodern Jihad.' During the hearing on 14 February before the İstanbul 2nd Criminal Court of First Instance, the lawyers of the defendants stated that the case is the second case opened on the same subject matter and demanded that it is dropped. The hearing was postponed to 8 May for a decision to be made regarding this objection. Another case had been brought against the defendants because of the same books at the İstanbul 10th Specially Authorised High Criminal Court, on grounds that they are identifying Erzurum Public Prosecutor Osman Şanal as a target for terrorist organizations (Article 6/1 of the TMK). The case was dropped in line with Article 26 of the Media Law.

**Yıldız was detained:** Former DİHA and Etkin News Agency (ETHA) employee Banu Yıldız was detained on 14 February within the scope of KCK investigation, in front of the İhlas News Agency (İHA) where she had gone to apply for a job. Yıldız was released on 17 February.

**Kuriş and Ağuş were detained:** DİHA reporters Zeynep Kuriş and Özlem Ağuş, who were covering the funeral of Murat Şakar, who was killed in a clash in Batman, were detained on 14 February. Kuriş and Ağuş were released on 17 February. They were scheduled to testify before the Mersin Office of the Attorney General on 20 February.

**Investigation against Salihoğlu:** On 16 February, an investigation was opened against Deputy Head Sevim Salihoğlu of the Human Rights Association (İHD) by the Preparation Office of the Rize Kalkandere Office of the Chief Public Prosecutor. Salihoğlu is being accused with insulting the correction officers mentioned in the 'Rize-Kalkandere L Type Closed Prison Research and Investigation Report' published by the İHD Headquarters on 12 August 2010. Salihoğlu testified before the Ankara Police Headquarters on 2 March. The Office of the Attorney General has not sent any information regarding whether the investigation has evolved into a trial.

**Mikailoğulları, Arslan, Şahin and Özer were detained:** During the KCK operations on 13 February, DİHA's Diyarbakır reporter İsmet Mikailoğulları, DİHA's former employee, scriptwriter and director Mizgin Müjde Arslan, director of photography Özay Şahin and photographer Mehmet Özer were detained. Mikailoğulları, Arslan, Şahin and Özer were released after being questioned on 16 February at the Office of the Attorney General at the İstanbul Court House.

**Mazlum Sezer was arrested:** DİHA's former reporter Mazlum Sezer was one of the 41 people detained in Adana on 11 February. Mazlum Sezer was arrested on 13 February for 'committing a crime on behalf of the terrorist organization' (Article 220 of TCK) and 'making propaganda on behalf of a terrorist organization' (Article 7/2 of the TMK).

**For giving interviews to ROJ TV:** Lawyer Şiar Rişvanoğlu is standing trial at the Adana 6th High Criminal Court for the things he said on ROJ TV on 1-3 May 2010. His trial continued on 10 February. The next hearing was scheduled for 17 May. Rişvanoğlu faces up to 4,5 to 21,5 years in prison for 'making propaganda on behalf of the terrorist organization' (Article 7/2 of the TMK).

**Everyone is born as a baby trial:** Conscientious objector Enver Aydemir's father Ahmet Aydemir, lawyer Davut Erkan and conscientious objector Halil Savda, who went to Enver Aydemir's hearing to support him, are standing trial. Their trial was held on 9 February. A judge on duty presided the hearing at the Eskişehir 4th Criminal Court of Peace as the judge of the trial had been appointed to another court. No decision was made on the file. The next hearing was scheduled for 19 April. The defendants are being charged with 'discouraging people from enlisting in armed forces' (Article 318 of the TCK) by chanting slogans like "Everyone is born as a baby" and "Release Enver Aydemir."

The trial about conscientious objector Halil Savda's article about the retired homicide desk superintendent Ahmet Ateşli, titled, "Ağar: Allegations and More," published on an Internet

site, was held on the same day. The hearing at the Beyoğlu 3rd Criminal Court of Peace was postponed to 19 April because the judge was not present. Savda is being charged with 'insulting' (Article 125 of the TCK) Ateşli.

**Criminal complaint about @allah (cc) on Twitter:** TV producer and presenter Serdar Tuncer filed a criminal complaint on 7 February about Twitter user @allah (cc) and its some 200 thousand followers. Tuncer claimed that user @allah (cc) and its followers are ridiculing Islam and the other divine religions and insulting believers. In the criminal complaint, it is demanded that the aforementioned user and its followers are punished under Article 216/3 of the TCK, which is on 'insulting religious values.'

**Total and Yapıcı were arrested:** Azadiya Welat newspaper's employees Mahmut Total and Abdulbesir Yapıcı were detained in Urfa on 7 February, within the scope of KCK operations. Total and Yapıcı were arrested on 8 February.

**No releases in the Revolutionary Camp trial:** Journalists Osman Baha Okar and Hakan Soytemiz were not released during the 6 February hearing of the Revolutionary Camp trial. During the last hearing, the İstanbul 9th High Criminal Court rejected all demands for the release of the arrested defendants on grounds that the accusations are among the catalogue crimes in Article 100/3 of the Code of Criminal Procedure (CMK) and the strong existence of suspicion of crime. The next hearing was scheduled for 30 April.

**Aslan was released, Şaman and Çelen were arrested:** On 4 February, in the Batman-centred KCK operations, a total of 41 people, including DİHA reporter Gülsen Aslan, Heviya Jinê magazine's editor Sultan Şaman and Azadiya Welat newspaper's employee Şafak Çelen were detained. Aslan was released on 7 February pending the outcome of the trial. Şaman and Çelen were arrested.

**Akdağ, Duvaklı and Beşer case:** Berdan Akdağ, Melik Duvaklı and Hayri Beşer are standing trial for the news report titled, 'JITEM is behind the teachers' massacre in Pınardere in 1994' published in the Zaman newspaper on 13 November 2010. The trial continued on 2 February. During the hearing at the Bakırköy 2nd Criminal Court of First Instance, a writ was drawn up to the prison asking that plaintiff Colonel Hasan Atilla Uğur, who has been arrested pending the outcome of the Ergenekon trial, is made ready. The hearing was postponed to 18 April. The defendants are being charged with 'slander through a publication (Article 267 of the TCK).

**Şahin Baydağı was arrested:** Azadiya Welat newspaper's former Kızıltepe distributor Şahin Baydağı, who was detained in the Dağlıoğlu neighbourhood of the Seyhan district of Adana on 28 January, was arrested. Baydağı was arrested when the punishment handed out to him on grounds of membership in a terrorist organization was upheld by the Supreme Court of Appeals. He was sent to the Kürkcüler F-Type Prison.

**Aziz Tekin was arrested:** Azadiya Welat newspaper's Mardin representative Aziz Tekin was detained on 28 January in Kızıltepe within the scope of the KCK operations directed at Kurdish politicians of the Peace and Democracy Party (BDP). He was arrested on the same day.

**Damage to property:** Hacı Boğatekin from the Gerger Fırat Newspaper had brought a case against İlhan Karatekin in 2009 saying that Karatekin had attacked him as he was covering a story in the Gerger district of Adıyaman. The trial continued on 25 January. Boğatekin did not attend the hearing. The trial was postponed to 9 May. In the trial at the Gerger Criminal Court of First Instance, Karatekin is being charged with 'damage to property' (Article 151/1 of the TCK).

**Çiftçi was arrested:** DİHA reporter Murat Çiftçi was arrested on 24 January because of a news report on Gülistan Encü, the key name in the Urfa KCK file. Çiftçi was made to testify within the scope of the investigation launched by the Diyarbakır Office of the Chief Public Prosecutor on allegations of 'influencing a fair trial' (Article 288 of the TCK) and 'membership in a terrorist organization' (Article 314/2 of the TCK). Çiftçi was released after testifying. He was sent to the Urfa E-Type Prison after Diyarbakır Public Prosecutor changed his verdict. Çiftçi had been detained within the scope of operations carried out in 17 provinces on the order of the İstanbul 10th High Criminal Court on 13 January. He was released on 17 January after testifying before the court.

**Criminal complaint by "terrorist journalists":** DİHA reporter Evrim Kepenek and ETHA editor Arzu Demir, who were detained within the scope of the KCK operations on 20 December,