

## **BİA MEDIA MONITORING 2013 / OCTOBER – NOVEMBER - DECEMBER**

59 journalists and 23 distributors entered the year of 2014 in prison. 56 of the journalists and all of the distributors are behind bars for being an “illegal” organization member according to charges defined in Turkey’s Anti-Terror Act and Turkish Penal Code. While two journalists are imprisoned after being detained due to charges related to Gezi Resistance, another journalist is kept in jail for “espionage” charges.

Out 59 journalists, 34 of them and all the 23 distributors represent the Kurdish media. Charged with the usual journalism activities such as “reporting news”, “dissident journalism against the government”, and “working at the Kurdish media”, journalists and distributors have been facing sentence terms for establishing “the media environment for the illegal organization.”

The following are also found among the attributed accusations: “committing a crime on behalf of the organization without being a member” and/or “helping intentionally the organization without getting involved in its hierarchical structure.” Some other journalists are on trial for the following allegations: “establishing an armed/non-armed organization”, “administrating or being a member of an organization” and there are some sentenced journalists.

### **Journalist Murders / Trials**

#### **The assassination of Hrant Dink**

**Hrant Dink murder went unpunished for 7 years:** Trabzon 1st High Criminal Court resumed the case of Ali Öz where the former army colonel and local gendarmerie commandant stood trial with no arrest order regarding negligence allegations on the murder of Hrant Dink, the editor-in-chief of Agos newspaper, on January 19, 2007. (December 26).

The court stated that it declined the merging of the Istanbul 14th High Criminal Court’s file with the main case. While the opinion of Ali Sürmeli, the lawyer of Öz, about the Supreme Court’s remittitur of the record was “they should insist on the previous sentence”, Hakan Bakırcıoğlu, the lawyer of Dink family, said “They should respect the remittitur.” The Supreme Court of Appeals had wanted the files held separately in Trabzon High Criminal Court and Trabzon 2nd Penal Court of Peace to run concurrently and sent the record back. Finally, Trabzon 1st High Criminal Court agreed on conforming the judgement and demanded the report on eight gendarme personnel and Öz’s conviction to 6-month prison sentence from Trabzon 2nd Penal Court of Peace to examine. As the report has not returned from the Supreme Court yet, the High Criminal Court shall wait for the judgement. If the judgement of Trabzon 2nd Penal Court of Peace arrived overturned, the two reports are going to be integrated. The case will continue on February 11, 2014.

The Dink family’s lawyer Fethiye Çetin opposed the consolidation of the files and said, “The Trabzon Police Force was directly complicit in the crime, participated directly in the murder

from 2004 up to now. What really got harmed in this case is the judicial system and society's trust in justice.”

**Arrest warrant for Ahmet İskender:** The court proceeded in the case regarding Agos newspaper editor-in-chief Hrant Dink's murder dated January 19, 2007 in Istanbul 14th High Criminal Court (December 3). The court, in the second hearing following The Supreme Court of Appeals' reversal decision issued an arrest warrant for defendant Ahmet İskender. The next hearing is on January 7.

Hitman Ogün Samast as well as Erhan Tuncel, Yasin Hayal and Ersin Yolcu are under arrest for being linked with the murder. “I don't know the name of this organization. This structure is using your court as a pawn in order to themselves eschew judgment,” Tuncel remarked.

Istanbul Police Commissioner Celalettin Cerrah said he made Dink's murderer Ogün Samast speak, but that Trabzon Police Chief Ramazan Akyürek deleted the recordings; he described the murder as “an operation conducted by Ramazan Akyürek's gang and the Trabzon gendarmerie.”

**Tuncel testified:** Convicted defendant and arrestee of the Hrant Dink case, Tuncel testified as a witness. It was claimed Tuncel told prosecutor Muammer Akkaş that he met then Trabzon employed specialized sergeant Satılmış Şahin who was in Istanbul on the day of the murder (November 29).

Some also reported that Tuncel gave police chief Ramazan Akyürek and Ali Fuat Yılmaz and intelligence employee Muhittin Zenit's names to the prosecutor and that he is in close relation with Zenit.

**Istanbul court rejected consolidation:** Istanbul 14th High Criminal Court replied negatively to Trabzon 1st High Criminal Court's proposition of the consolidation of the case file of then Trabzon Provincial Gendarmerie Command Colonel Ali Öz's trial and the Hrant Dink murder case reversed by The Supreme Court of Appeals on the basis that “there is no legal or factual link between the files”. (November 27).

**No peace for Hrant:** The Ombudsman Institution (KDK) led by Nihat Ömeroğlu suggested Hrant Dink, after receiving punishment for “insulting Turkishness” and incurring threats, was condemned “not because he was Armenian, but as the crime developed material and immaterial aspects”. (November 23)

**Murder still a state secret:** In the case where Ogün Samast, sentenced to 22 years 10 months for the Hrant Dink murder is tried for being an illegal organization's member, Istanbul 2nd Juvenile High Criminal Court will ask again whether the National Intelligence Organization (MİT) documents the Parliamentary Commission for Investigating Military Coups sent to the court are a state secret (November 5).

The court did not find adequate the commission's prior explanation, “MİT just marked the documents top secret, but did not declare anything about a state secret,” and did not give the related CDs to Dink attorneys. This time they will ask MİT directly. Lawyer Hakan Bakırcıoğlu said, “It seems MİT has not specified while transmitting the information that they

are a state secret. We request these CDs be given to us to illuminate the Dink murder in all its dimensions.” The trial will continue on February 7.

**Tuncel captured:** Erhan Tuncel, defendant of Hrant Dink murder case, have been detained at his villa in İstanbul’s Kumburgaz district 37 days after the arrest warrant of the İstanbul 14th Assize Court. (October 23). The court issued a writ on September 17th by stating that the accusations against the defendant may become more serious.

**If I was informed, Dink wouldn’t die:** “If I was informed by the police or gendarmerie, İstanbul Governor [in time of Dink’s murder] Muammer Güler would have took the required measures, and so Dink wouldn’t be killed,” said Hüseyin Yavuzdemir, the former Trabzon Governor. (October 10)

**Would Öz be tried in İstanbul?** Trabzon 1st Assize Court requested an opinion from İstanbul 14th Assize Court in order to consolidate the case of Trabzon Gendarmerie Commander [in that time] Colonel Ali Öz who has been tried due to his omission in Dink murder, and the main case in İstanbul. (October 3).

**The murder of Yaşar Parlak:** Nine years have passed since the murder of Yaşar Parlak, the owner of the Silvan Mücadele newspaper, but the offenders of the murder have not been captured yet. Ferhat Parlak, Parlak’s son who thought the murder is related to the “Memorandum” published during February 28, evoked that the murder in the yard of Silvan Selahaddin Eyyubi Mosque at August 18, 2004 was discussed as the execution of Hizbollah. Parlak requested the processing of his complaint that was filed two years ago about the Deputy Chief of the General Staff [in that time] General Çevik Bir and the editorial writer of Hürriyet Newspaper [in that time] Oktay Ekşi (November 18).

**The murder of Hayırsevener:** The case concerning the murder of Cihan Hayırsevener, the editor-in-chief of Yaşam newspaper in South Marmara region who was murdered on December 18, 2009, has been submitted to Supreme Court of Appeals (October 1).

On August 1, İstanbul 10th Special Duty Assize Court convicted top suspect İhsan Kuruoğlu to 17 years of prison for instigating the murder and 10 years for forming an armed crime organization and conspire to rig the bid by.

The gunman Serkan Erakkuş received life sentence, Att. Ferda Dünder who conveyed the shooting order received 7 years 6 months of imprisonment, Osman and İlbey Kuruoğlu from the Family Kuruoğlu and the journalist Engin Arıcan received 2 years 8 months of imprisonment respectively. Kerem Yılmaz, the driver, also received 11 years and 8 months of imprisonment, but he has been released on parole upon taking into account the time he already spent in prison within an international travel ban and judicial control measures.

**The bombing of Özgür Ülke:** The bombing of Özgür Ülke newspaper headquarters in İstanbul’s Kadırga district and Ankara on December 3, 1994 was commemorated in İstanbul’s Kadırga Square on its 19th anniversary. PM Tansu Çiller [in that time] has been never tried even though her brief regards to take precaution for the newspaper was disclosed (December 3).

**The murder of Musa Anter:** Diyarbakır 7th High Penal Court held the third hearing of the case concerning the murder of journalist, intellectual Musa Anter and wounding of Orhan Miroğlu. (December 2).

Suspects Mahmut Yıldırım (with alias “Green”), Abdülkadir Aygan (also known as Aziz Turan and currently being sought with an arrest warrant), Colonel Savaş Gevrekçi and Hamit Yıldırım (the only jailed suspect in the case) are standing trial for “pre-meditated murder” and “igniting public to rebellion and killing each other”, facing “aggravated” life sentence and up-to-20-years of respectively. During the hearing, Hamit Yıldırım stated they slandered him. Additionally, Yıldırım denied the allegations that he went to Mahmut Yıldırım’s apartment or having known Ayhan and Major Cem Ersever - the alleged founder of JITEM. Pointed out the insufficiency of the investigation, Tahir Elçi, Diyarbakır Bar Association Chairman, stated the following: “Obviously, the murder was planned. Simply a young ranger couldn’t have committed it. Nevertheless, there is only one arrested suspect.” The trial will continue on January 24.

### **Jailed Journalists**

59 journalists and 23 distributors welcomed the year of 2014 in prison. 56 of the journalists and all of the distributors are kept in jail for correlating with an “organization” as a part of Anti-Terror Act and Turkish Penal Code. This time of last year, 68 journalists and 27 distributors/media workers were imprisoned.

Out 59 jailed journalists, 34 are imprisoned for “Kurdistan Communities Association-Turkey” (KCK), “PKK” and “DYG”; 9 of them for “Revolutionist Community Salvation Party Side” (DHKP-C); 6 of them for “Ergenekon”; 4 of them for “Marxist Leninist Communist Party” (MLKP); 1 of them for “Resistance Movement” and another one is imprisoned for İBDA-C trials. The “illegal” organization of two journalists is yet to be known. Another two are kept in jail for raid related to the Gezi Resistance and one is jailed for “espionage” allegations.

Out 59 jailed journalists, 25 are convicted, 24 are still on trial. By December 31, as their criminal charges haven’t been published yet, another 10 are waiting for the date of trial without knowing clearly which allegations they are imprisoned with.

9 journalists from Dicle News Agency are kept in jail; one is a former employee, three of them are convict, five of them are on trial and one of them is awaiting for an indictment. 9 journalists from the newspaper Azadiya Welat are kept in jail; six are convict, one is a former officer and two journalists are still an on-going trial. Eight journalists from Özgür Gündem are imprisoned; three of them are former employees, all of them are on trial. Two journalists from Özgür Halk magazine are imprisoned; one of them is a convict, the other one is on trial.

**Ergenekon / convicted :** Hikmet Çiçek (Executive Editor at Ulusal Kanal), Mehmet Deniz Yıldırım (Editor-in-Chief at Aydınlık Magazine), Tuncay Özkan (Owner of Kanal Biz TV), Turan Özlü (Executive Editor at Ulusal Kanal, Merdan Yanardağ (Editor-in-Chief at Yurt Newspaper).

**Ergenekon/ List of convicted :** Prof. Dr. Yalçın Küçük (Contributing Writer at OdaTV).

**KCK – PKK – DYG / List of convicted:** Ali Konar (Azadiya Welat Elazığ representative – 7 years 6 months), Faysal Tunç (DİHA Şırnak reporter - 12 years, 6 months), Ferhat Çiftçi (Azadiya Welat Antep representative - 22 years, 8 months), Hamit Dilbahar/Duman (Azadiya Welat columnist-16 years), Kamuran Sunbat (DİHA Çukurova former reporter - 11 years, 11 months), Kenan Karavil (Radyo Dünya director - 19 years, 9 months), Murat İlhan (Azadiya Welat Diyarbakır reporter - 6 years, 3 months), Nuri Yeşil (Azadiya Welat Tunceli representative - 1 years, 7 months), Sevcan Atak (Özgür Halk magazine editor - 7 years, 6 months), Seyithan Akyüz (Azadiya Welat Adana representative - 22 years, 6 months), Şahabettin Demir (DİHA Van reporter - 4 years).

**KCK - PKK - DYG / On trial:** Abdullah Çetin (DİHA Siirt reporter), Ahmet Birsin (Gün TV director), Ayşe Oyman (Özgür Gündem editor), Cengiz Kapmaz (Özgür Gündem columnist), Dilek Demirel (Özgür Gündem former editor), Ertuğ Bozkurt (Fırat Dağıtım employee, reporter), Hasan Özgüneş (Azadiya Welat columnist), Hüseyin Deniz (Evensel reporter), Kenan Kırkaya (DİHA Ankara representative), Mazlum Özdemir (DİHA Diyarbakır reporter), Mehmet Emin Yıldırım (Azadiya Welat executive editor), Nahide Ermiş (Demokratik Modernite broadcast board member), Nevin Erdemir (Özgür Gündem Editor), Nurettin Fırat (Özgür Gündem columnist), Ramazan Pekgöz (DİHA Diyarbakır editor), Sebahattin Sürmeli (Özgür Halk magazine editor), Semiha Alankuş (DİHA Diyarbakır editor), Sibel Güler (Özgür Gündem former editor), Sultan Şaman (Heviya Jine editor), Tayyip Temel (Azadiya Welat former executive editor), Turabi Kişin (Özgür Gündem former editor), Yüksel Genç (Özgür Gündem columnist).

**KCK with no indictment:** Cüneyt Hacıoğlu (DİHA Uludere reporter)

**KCK-PKK-DYG / List of released:** Ömer Faruk Çalışkan (Özgür Halk magazine editor - 6 years, 3 months), Nilgün Yıldız (DİHA reporter)

**DHKP-C/List of convicted:** Mustafa Gök (Emek and Adalet magazine Ankara representative – life sentence).

**DHKP-C/On trial:** Deniz Kısmetli (Halkın Günlüğü newspaper İzmir representative), Gamze Keşkek (Tavır Magazine executive editor),

**DHKP-C / With no indictment:** Fatih Özgür Aydın (Artı İvme Magazine editor), Kaan Ünsal (Yürüyüş Magazine reporter), Mustafa Doğru (Yürüyüş Magazine owner and managing editor), Naciye Yavuz (Yürüyüş Magazine reporter), Veysel Şahin (Tavır magazine columnist, editorial consultant), Yeliz Kılıç (Yürüyüş Magazine reporter).

**DHKP-C/List of released:** Bahar Kurt (Tavır Magazine owner), Sami Menteş (Yurt Newspaper reporter), Musa Kurt (Yürüyüş Magazine reporter),

**MLKP / List of Convicted:** Füsun Erdoğan (Özgür Radyo executive coordinator – life sentence, 789 years 7 months in prison, 1.263,320 TL monetary fine); Bayram Namaz (Atılım magazine columnist- life sentence) Erdal Süsem (Eylül Hapishane magazine editor – life sentence) and Hatice Duman (Atılım Magazine owner and editor - life sentence).

Odak magazine editor Erol Zavar is sentenced to life from the “Resistance Movement” case. Mezitli FM executive editor Mikdat Algül received a 65-year prison sentence for being connected to an “illegal” organization; his file is in Turkey’s Supreme Court of Appeals. However, the court has not disclosed the name of the organization. Akıncı Yol magazine executive editor Şükrü Sak has been convicted since 21 months ago for “propagating” İBDA-C organization.

Yurt newspaper, Hatay local newspaper Asi and Syrian State Television Hatay reporter Hasan Kabakulak is awaiting his formal criminal charges in prison with the accusation of “acquiring the state’s confidential information for the purposes of political or military espionage.”

**Gezi protests/Awaiting indictment:** Çetin Kirsiz, reporter at Özgür Gelecek newspaper, has been still jailed in Erzurum Prison since June 25, after being detained by the police who broke the door of Umut Publishing House during Gezi demonstrations in Erzincan city. The indictment of Kirsiz has not been declared yet.

Sami Tunca, the managing editor of Yeni Evrede Mücadele Birliği magazine who was arrested on September 17 in Tekirdağ, is waiting for his indictment in Tekirdağ No. 1 F-Prison.

**Gezi protests/Released:** İzzet Uysal (Özgür Gelecek).

### **Distributors - media workers**

22 of 23 distributors and employees have been jailed due to ‘KCK-PKK-DYG’ case and the remained one has been jailed due to ‘DHKP-C’ case. Five of the distributors are convicted, nine of them have been tried and four of them have been waited for their indictments, but juridical information about five of them cannot be reached.

**KCK-PKK-DYG/List of Convicted:** Cengiz Doğan (Fırat Dağıtım - Azadiya Welat newspaper, Nusaybin district employee - 3 years, 7 months), Mikail Çağrııcı (Azadiya Welat newspaper, Adana district distributor, life imprisonment), Sibel Mustafaoğlu (Fırat Dağıtım, Antep district employee - 21 years, 6 months), Veysi Arancak (Fırat Dağıtım, İstanbul district employee - 9 years, 8 months, 15 days), Salman Akpınar (Fırat Dağıtım employee- life imprisonment for two times and 7 years 8 months).

**KCK-PKK-DYG/On trial:** Ali Ertuğrul (Azadiya Welat, Şırnak district distributor), Davut Uçar (Özgür Gündem, sales and marketing executive), Haydar Tekin (Fırat Dağıtım, former employee), Nazdar Ecevit (Azadiya Welat, Şırnak district distributor), Ramazan Dinç (Özgür Halk, Diyarbakır district worker), Savaş Aslan (Azadiya Welat, Adana district distributor), Serdar Ay (Fırat Dağıtım, Diyarbakır district’s distributor), Şeyhmus Fidan (Fırat Dağıtım, İstanbul district employee), Ufuk Demir (Fırat Dağıtım, Iğdır district former employee).

**KCK-PKK-DYG /Awaiting indictment:** Mahmut Tatal (Azadiya Welat employee), Mikail Barut (Fırat Dağıtım former employee), Uygur Arslan(Fırat Dağıtım employee)

**KCK-PKK-DYG/List of released:** Dindare Temirhan (Özgür Halk magazine, Mardin district's employee - 2 years, 6 months), Selam Kahraman (Azadiya Welat, Adana district's distributor - 14 years, 3 months), Nizamettin Yılmaz ( Fırat Dağıtım, Derik district's employee), Yasemin Yılmaz (Fırat Dağıtım, Mazıdağı district's employee).

**DHKP-C /Awaiting indictment:** Doğan Karataştan from Yürüyüş Magazine.

\*The judicial information about Azadiya Welat employees Gökhan Gümüş, Hasan Pişkin, Sabri Acar, Fırat Dağıtım Batman district's employee Mevlüt Ayağ and Özgür Halk seller Hayri Bal couldn't be reached.

## Releases

**KCK release for Berktaş:** İstanbul 5th Assize Court released five defendants [translator Ayşe Berktaş (Hacimirzaoğlu) was among them] at the 67th trial of KCK Istanbul main case (December 20). The next trial will be held on January 30-31.

**Exemplary ruling from Constitutional Court:** Constitutional Court (AYM) ordered a payment of 8,200 liras as non-pecuniary damages to Firas Aslan and Hebat Aslan, the defendants who were jailed pending trial for 3 years 11 months 24 days and 4 years 1 month 16 days respectively, due to extend the period of their imprisonment without justification, hence 'infringe the rights of freedom and security' (December 15).

**Balbay released:** İstanbul 13th High Criminal Court ordered the release and a compensation of 5,000 liras [about 1,500 Euros] to Mustafa Balbay, CHP deputy and Cumhuriyet newspaper columnist, after Turkey's Constitutional Court ruling that "his long term of imprisonment violated his right to be elected". (December 10)

On August 5, the court sentenced Balbay to 34 years 8 months of prison within Ergenekon case in addition to issuing an international travel ban. Balbay was discharged from Sincan Prison after being imprisoned for 4 years 277 days.

**Uysal released:** İzmir 12th High Criminal Court released İzzet Uysal, a student from Dokuz Eylül University and the reporter of Özgür Gelecek magazine, and seven other defendants, on the second hearing of the case. He was taken under custody on June 23 for being involved in Gezi Protests and charged with 17 years of imprisonment for "participating an illegal rally", "being a member of an armed organization" and "resisting against the police". (December 3)

**Nilgün Yıldız released:** İstanbul 15th High Criminal Court released Nilgün Yıldız, reporter at DİHA based in Mardin, on the 8th hearing of the case. (Out 46 media workers, 20 were on trial for being involved in KCK press committee) with regard to the period she's been imprisoned and the current evidence. The case will last with 19 arrested suspects on January 13-17.

**Çalışkan released:** Ömer Çalışkan, managing editor of Özgür Halk magazine, had been kept in jail since July 19, 2008 and convicted to 6 years 3 months of prison sentence. Ömer Faruk

Çalışkan was discharged from Kandıra Prison six months ago. Çalışkan has another pending case in Istanbul 10th High Criminal Court with charges related to being a PKK member.

**Sami Menteş freed:** Istanbul 23rd High Criminal Court released Sami Menteş, a reporter at Yurt newspaper. (October 11) He had been standing trial for charges related to being a member of DHKP-C youth branch, and kept in Kandıra prison for nine months. While 4 more people were discharged, Gamze Keşkek, editor-in-chief of Tavır magazine, remained jailed. On February 25, 2014, the case will resume with 24 defendants, out of 13 are arrested.

**Bahar Kurt released:** Istanbul 23rd High Criminal Court released Bahar Kurt, owner of Tavır Magazine. (September 6) She was taken into custody during receiving the funeral of İbrahim Çuhadar. She had been arrested along with 10 people for perpetrating an attack to police station.

### Detentions

**Two detained:** Yusuf Durdu Emre, reporter at Aydınlık newspaper, was clapped with counter handcuffs while he was reporting from an anti-corruption demonstration in Taksim Square, Istanbul. With his equipment initially seized by the police, the reporter was released later on during the same night. Police also attempted to detain Şafak İnan, report-manager at Seç News Agency. He was detained with handcuffs, briefly captivated inside a detention bus, and then released. (December 28)

**Reporter faces battery, detention:** Emrah İlingi, reporter at ETHA News Agency, has been released after taken into custody while shooting a video of Istanbul Chamber of Medicines press statement in Taksim Gezi Park. (December 8)

His release has been effectuated after the deletion of his footage.

**Journalist detained:** Within their operations in İskenderun, Antakya and Samandağ, police detained 10 people including columnist in various İskenderun newspapers, Nesrin Rihani and members of the Antakya Ehl-i Beyt Culture and Solidarity Foundation Center (December 3). 5 of these including Rihani were released (December 6).

**Distributor detained:** Azadiye Welat newspaper distributor Ömer Baran was detained in Cizre while distributing newspapers for “conducting illegal organization propaganda,” (November 27). Police confiscated 100 copies of Azadiya Welat, 40 copies of Özgür Gündem and 70 of Demokratik Ulus newspapers along with Baran, taken to Cizre Police Headquarters.

**Hakan Albayrak detained:** Police detained Star newspaper columnist and Sancaktar magazine founder Hakan Albayrak due to one of his past columns in Atatürk Airport on his return from Tunisia to Istanbul (October 12). The journalist was released after seeing the on-call judge the next morning.

### Attacks, Threats and Impediments

**27 factual attacks, 12 verbal attacks or threats against journalists, media employees, a newspaper and two websites were reported between October-December 2013. Three newspapers received threats and 12 incidences of censorship took place.**

**Violence against 13 journalists:** At least 13 journalists watching protests in Taksim against corruption involving government members encountered police violence (December 28).

Police wounded with plastic bullets Radikal newspaper reporter Elif İnce and Etkin News Agency (ETHA) reporter Yıldız Tar from their hips, CNN International reporter Mohammet Jamhoom from his face, CNN International cameraman from his leg, freelance reporter Berna Şahin from her leg. In an argument about profiling, police reportedly squeezed IMC reporter Michelle Demishevich's throat and threatened her with death. Aydınlık newspaper reporter Yusuf Durdu Emre was beaten. A TOMA vehicle targeted ETHA reporter İsmnaz Ergün and a colleague. The cameras of journalists thrust upon the ground by pressurized water and wounded became unusable. Police kicked Vice News UK photo-reporter Deniz Agah and struck freelance journalist Savash Porgham with a truncheon. İHA photo-reporter İsmail Coşkun was attacked by the police when he got caught in the middle of demonstrators; his camera broke. Demonstrators beat AA reporter Rauf Maltaş on duty on Ziya Gökalp Avenue in Ankara upon mistaking him for an undercover police officer. The journalist filed a complaint in Çankaya Police Station after obtaining a medical report.

**Files opened on reporters during Gezi:** It was claimed that Ankara Police opened files on journalists during Gezi Park demonstrations (December 28).

The expression, "A DİHA reporter came on Milli Müdafaa Avenue and interviewed persons protesting the Ethem Sarısülük incident," came up on proceedings sent to Ankara Chief Prosecution Office. In addition, a TOMA's wounding Günlük Evrensel reporter Hasan Akbaş is filed under June 26. Former Police Association (Pol-Der) Chair Sıtkı Öner's interview on Halk TV went on the records as well.

**Threat to Yeni Şafak:** On the nights of December 19 and 23 where Graft Probe suspects stood trial, gunshots were heard in a close area to the headquarters of Yeni Şafak newspaper. The newspaper published with the headline "Yeni Şafak'a gözdağı" (Intimidation to Yeni Şafak) (December 25).

**Communication penalties to prisoners:** The prisoners in Muş E Type Closed Prison applied to the head office of Human Rights Association, informing several abuse of rights recently occurred due to the prison management's attitude. They stated that the management has imposed restriction on the rights of attending to the common chatting areas, keeping books and radio, and writing (December 25).

**Two reporters injured:** Songül Araç and Elçin Yıldırıl, reporters at Özgür Gelecek and Birgün respectively, have been injured due to police intervention while reporting from İstanbul Urban Gathering demonstration at Kadıköy Square. (December 22).

Araç has been hospitalized at Kadıköy Numune Hospital due to wounds in her face inflicted by rubber bullets. "Police targeted me directly due to take photos," she said. The reporter also stated that she would take legal action. Yıldırıl, on the other hand, was injured in his arm, and received a medical report from Haydarpaşa Numune Hospital.

**Turkish Airlines Censorship:** Turkish Airlines has decided not to include the newspapers proponent to Fethullah Gülen's congregation. From now on Zaman, Today's Zaman, Bugün

newspapers, and besides Ortadoğu newspaper close to MHP [Nationalist Movement Party] will not be keep on flights.

**Attack to news portal:** Yakındoğu Haber ([yakindoguhaber.com](http://yakindoguhaber.com)), a news website with an agenda of Middle East, has been hacked (December 20). The website has kept running after being out of service for a while.

**Journalists attacked:** A person attacked journalists who were reporting Turkey's corruption probe investigation where sons of three ministers and the governor of Istanbul-Fatih district have been detained. (December 17).

**Newspaper banner removed:** The banners of Özgür Gündem newspaper concerning its new publishing season with the slogan "Hekesin Gündem'i herkese Gündem" (The agenda of everyone, the agenda for everyone) was allegedly removed by plain-cloth policemen in Dersim province. (December 16).

**AA hadn't "censored":** Deputy Prime Minister Bülent Arınç claimed that Anatolian News Agency didn't censor PM Erdoğan's words "Road is civilization. Uncivilized people can not understand the value of the road. Even if there is a mosque in front the road, we would demolish that mosque and build it another place in order to blaze a trail". He said they were shortened due to character limitation on Twitter (December 13).

**Are Armenian studies blacklisted?** Agos newspaper claimed that Turkish Historical Society (Türk Tarih Kurumu) submitted a petition to universities via Higher Education Council (YÖK), demanding the list of master and PhD students who work on Armenian question as well as the title of their studies and their contact info (December 12).

**Arınç threatens Taraf newspaper:** Deputy Prime Minister Bülent Arınç targeted Taraf newspaper and its reporter Mehmet Baransu upon the publishing of the 2004-dated decision of MGK (National Security Council).

"It's not journalism, it is impertinence" (...) "You shouldn't talk big if you don't have enough courage. "If you would say 'I had done this on purpose and I take its consequences, it's journalism', you should take the responsibility of the relevant legal penalty. Even it won't be as much as Mustafa Balbay's imprisonment, however no one wants to take the risk of approx. 4.5-5 years of imprisonment, but the real bravery is this," Arınç said. (11 December).

**"Kurdistan" removed from bill:** Turkey's Parliament removed the word "Kurdistan" from the 2014 Budget Bill draft despite pro-Kurdish BDP deputies reactions. (December 10). Following the incident, a fight broke between deputies of pro-Kurdish BDP and Turkish nationalist MHP.

**Local newspaper windows broken:** Police intervention broke the windows of Yüksekova Newspaper, a local newspaper based in the southeastern district of Yüksekova. The incident took place as police intervened protestors who took the streets to react the killing of two people by police fire. (December 9)

Necip Capraz, founder of the newspaper, said the following: “Police has willingly and deliberately targeted Yüksekova Newspaper. Around 10 gas capsules were fired to the local business hall that we are located. Three of our friends were trapped inside and evicted by the help of firemen and gas masks.”

**Solidarity to Alankuş impeded:** During a discussion about Freedom expression at a “Media Law” panel organized by Izmir Economy University, the administration allegedly closed down the room projector to prevent students from sending solidarity tweets on Sevda Alankuş, former communications faculty dean who was recently fired from her post. (December 5)

**It wasn't censorship:** Concerning the exclusion of press representatives from Halk TV, Hayat TV, İMC TV, Sözcü, Aydınlık, BirGün, Sol, Yeni Çağ, Evrensel and Özgür Gündem to PM's press conference on Turkey's new reforms, Bülent Arınç, Turkey's Vice PM in charge of Press, said the following: “This not censorship, this is accreditation”. (December 2)

**Twitter Account Suspended:** Kurdish Journalist Amed Dicle's twitter account was suspended by twitter administration. (27 November)

Opening a new account, Dicle said the following: “I talked with Twitter and I am waiting for a response. They are excusing [the suspension] due to my tweets about the relations between Turkey and Al Qaeda one or two months ago. I'm still waiting for an answer.”

**Four detained, two attacked:** A group protested the Yeni Akit newspaper's ad that said “We could exist also without you” on the death anniversary of Atatürk - Turkey's first president. An uproar broke between protestors who chant slogans and journalists of Yeni Akit. Police detained news editor Kenan Kıran as well as Fahrettin Dede, Hüseyin Kulaoğlu and Mehmet Özmen. Writer Ali Karahasanoğlu claimed that he was kicked by the police. Kulaoğlu and Özmen was under attack.

**Kenan Kırkaya attacked:** Kenan Kırkaya, DİHA's Ankara representative who has been arrested within KCK case since December 20, 2011 in ‘Kandıra High Security Prison, was attacked in a prison transfer vehicle during his transfer to a hospital. (December 20)

The journalist was sent back to the prison without treatment because of short time. Journalists Union of Turkey (TGS) protested the incident.

**Faculty deans file faculty members, students:** Research and Teaching Freedom in Turkey Global Working Group (GIT Turkey) and Eğitim-Sen Istanbul University Branch objected against YÖK's Academic Freedom Declaration released on 6 November. (November 19)

They claimed that “deans monitored and filed the activities of students and faculties on Facebook and Twitter.

**Writer closed his Twitter Account:** İbrahim Öztürk, columnist at Zaman Newspaper, had to close down his twitter account after the following tweet: “Even the prophet's direction was mistaken, son. It was Jerusalem first, then it became Mecca. There is one thing that doesn't change in this world, it is plain flattery and worship to power.” (November 19).

Later on, Öztürk claimed that the message didn't belong to him.

**AKP deputy also complains on censorship:** “For the past 10 years, I appeared on TV two or three times a week, but now it has been cut like a knife since three months. I heard that there was an order related to that. I am disappointed and upset,” AKP's Kütahya Deputy Idris Bal said. (November 16)

Bal also claimed that he was barred from attending a conference in the UK and one AKP official allegedly called him to stop all the communications.

**Attack on Gencel:** Four people who showed up in journalist Süleyman Gençel's office in İzmir attacked him (November 11). The assailants ran away from the crime scene without a trace.

**“Advice” for the media:** Following Prime Minister Erdoğan and Vice-Prime Minister Arınç's discrepancy over the comments of Erdoğan's consultants about the supervision of mixed-sex housing, Erdoğan allegedly called and advised the media to take Arınç's words lightly (November 10).

**Prison for knifing of Baykam and Kurtulmuş:** Istanbul 1st High Criminal Court sentenced defendant Mehmet Çeliker to 25 years in prison for assaulting painter Bedri Baykam and his assistant Tuba Kurtulmuş with a knife in front of Akatlar Culture Center on April 18, 2011 with premeditated murder charges. (November 11).

**Stadium slogan censored:** Fenerbahçe fans shouted the slogan, “We are Mustafa Kemal's soldiers,” in the Galatasaray-Fenerbahçe soccer match. The broadcasting institution lowered the volume on the 34th minute of the match as fans shouted slogan, “Taksim everywhere, resistance everywhere,” (November 10).

**Metiner targeted Ilıcak:** AKP Adıyaman Deputy Mehmet Metiner targeted journalist Nazlı Ilıcak for saying, “I voted for the AK Party too and now I'm ashamed,” on a television program and replied: “If she really is ashamed of the Prime Minister and of the [AKP], she should push away the column and the opportunities she obtained through Mr. Prime Minister and through close ties with him.” “I do not owe this success to anyone,” responded Ilıcak (November 7).

**Obstacles to journalist lifted:** Interior Minister declared that the difficulties NRC Handelsblad newspaper representative Bram Vermeulen encountered arose from a misunderstanding (November 1). Vermeulen's travel restrictions were lifted. Prime Ministry Directorate General of Press and Information informed the journalist that his new press card was ready.

**Attack against Sözcü newspaper team:** Sözcü newspaper reporter Eda Sönmez and her cameraman claimed to be attacked by security officials while trying to film the power outage-related stop in Marmaray's service (October 31). One security officer took the team wanting to go to Üsküdar to Kazlıçeşme instead.

**Book found objectionable:** The relatives of 14 prisoners in Sincan Type F Prison No. 1 in Ankara sent them the book *Class Grudge to Call All Agonies to Account*, the sales of which is not restricted in bookstores. The Prison Education Board introduced a ban upon noticing quotes from *Yürüyüş* magazine on some pages of the book, even though there was no decision to recall or ban it. Upon this objection, the Sincan Judge of Execution's Office concluded for the book to be torn to pieces and given to prisoners with the forbidden part taken out (October 31).

**Press barred at Marmaray:** Security officials prevented journalists from entering rail transport vehicle Marmaray's Üsküdar station in Istanbul following the malfunction at the site (October 30). "We have orders. There's no more filming at stations," the officials told news teams.

**Tekerek assaulted:** Police assaulted Taraf newspaper reporter Tuğba Tekerek as she was photographing detainments of demonstrators trying to recite the "Student Oath" in Beyoğlu Tünel, and threatened her with detainment (October 29). "So what if I beat you? It's not your call. Are you a lawyer?" the police told the journalist.

**Journalist deported:** Authorities detained weekly Özgür Gelecek newspaper reporter Sven Kaêuler in Sabiha Gökçen Airport and deported him. Police told Kaêuler while boarding him on the plane that he was "barred from entering the country indefinitely". (October 28).

**Attack to the march:** A group attacked CHP members marching from Gültepe to Kağıthane districts for the 90th anniversary of Turkey's Republic Day. The attack left 3 demonstrators and journalist Özcan Ercan injured. (October 27).

**Dutch journalist blacklisted?** It is claimed that Bram Vermeulen, NRC Handelsblad's Turkey correspondent from Holland, was blacklisted by the authorities. It was also added that his residence permit and press card would not be renewed from January 1, 2014 (October 23).

**Hard to be a journalist:** Shouting "do not shoot", police walked up to Birgün newspaper reporter Ulaş Gürşat while he was watching a protest organized for supporting ODTÜ in Taksim Square. (October 22)

The reporter was trying to shoot a riot police vehicle where screams were allegedly coming. Following the incident, police pushed the reporter, causing him to fall down onto İstiklal Avenue. On Mis Street, police asked to see the photos he had taken and swore him when he did not show the photos. Police also assaulted him and tried to grab his machine.

**Today's Zaman under pressure:** Bülent Keleş, editor-in-chief at Today's Zaman newspaper, wrote that they became a target of the pro-AKP media and the supporters of the government because they published the critical news in the newspapers Washington Post and Jewish Press about the MİT counselor Hakan Fidan objectively (October 20).

"Today's Zaman and I, myself were accused of being a part, a collaborator, a subcontractor of an international conspiracy started against Turkey, the government and a MİT counselor, and we were even accused of 'treason felony'," said Keneş.

**Grup Yorum concert banned:** The concert of protest band “Grup Yorum” was canceled in Harbiye Amphitheater as it could turn into a “provocation” (October 12). Police attacked with cannon water to those who attempted to make a counter press statement. After the incident, Grup Yorum members performed in Galatasaray Square.

**Journalists attacked while shooting videos:** The journalists watching the incident in which a person killed his mother and sister, were attacked and battered in Diyarbakır, Bağlar (October 12). The cameras of some journalists were broken in the attack.

**DİHA reporter faces police threat and harassment:** Police approached DİHA reporter Piroze Orhan in Diyarbakır and allegedly said the following: “I know at which news outlet you are working. Go for now. I know what I will do next time.” (October 8).

Stating the police had followed her till her office and threatened her, Orhan applied to both İHD Diyarbakır Agency and Diyarbakır Prosecutor’s Office. Prosecutor’s Office asked Yenişehir District Police Department the street surveillance camera recordings.

**Beki criticized Gören’s T-shirt:** On the TV program Karşıt Görüş in CNN Türk, journalist Akif Beki targeted director Şerif Gören for his speech at Golden Orange Film Festival and the Çarşı [the best known supporter group of BJK] T-shirt he wore ( October 7). “What you do is banal. Just make movies,” said Beki.

**Journalists threatened in Rize:** AKP Youth branches members threatened the reporters of Daily Evrensel newspaper, Hayat TV, İMC, Nabız TV and Nabız newspaper. The group also attempted to prevent a press statement by Zekî Akgül, MHP’s provincial chairman of Rize. (October 4)

**Governor threatens İsmail Saymaz:** Eskişehir Governor Güngör Azim Tuna threatened the reporter of Radikal İsmail Saymaz by sending an e-mail at 4 am in the morning due to his article about Ali İsmail Kormaz, a Gezi Resistance protestor killed during the Demonstrations in Eskişehir (October 2).

First, the governor said the following: “I didn’t write the email but I support its point”. Two days later on, he said: “It was a private message against falsified news.” Saymaz filed a complaint against the governor at both Ministry of Internal Affairs and prosecutor’s office. “I will start an investigation immediately, it is unacceptable,” said Interior Minister Muammer Güler.

**Gökçek threatens Yurt newspaper:** Reminding that the owner of the Yurt newspaper and CHP (Republican People's Party) Member of Parliament Durdu Özbolat applied for Çankaya district president candidate, Ankara Metropolitan Mayor Melih Gökçek said the following on TGRT Haber Channel: “He [Özbolat] thought that he had a parliamentary immunity, but I could clear his immunity. That would be end of his deputyship, then I ask for him.” (October 1).

**Police warning to tribune in Ankara:** Ankara police warned soccer fans of Gençlerbirliği team. Talking with the tribune leader Mehmet Celasun, they allegedly said the following:

“We don’t want to hear political ovations in tribunals. If these ovations would go on, we will take different precautions.” (October 1).

Celasun commented on the talk as “out of routine”. As a response to similar caution, Kemal Ulusoy from Karakızıl tribunal group stated the following: “Do not interlope and intervene to tribunals. If there would be any problem we would solve in ourselves.”

**“Overt threat” according to superior court:** Ankara 10th Assize Court revoked the decision of Ankara 12th Penal Court that considered the statement of the defendant, who threatened Agos newspaper writer Baskın Oran via TİT (Turkish Revenge Brigade) signed messages and insulted Armenian people, as freedom of expression.

The superior court was convinced that the file cannot be closed based upon 3rd Judicial Package and these words are not the expressions of thoughts and opinions, instead a clear threat (October 1).

### **Prosecutions, Accepted / Ongoing Lawsuits, Verdicts**

**Various courts sentenced two life imprisonments and 1690 years 4 months imprisonment and fined 2,526,640 liras with regards to the articles related “terror” of TCK (Turkish Penal Code), and TMK (Anti-Terror Act) on 13 people including 4 journalists.**

**TMK (Anti-Terror Act) pressure on Kurdish press:** After the legislation of 4th Judicial Package in April, the editor of Özgür Gündem Reyhan Çapan has been sued with regards to the article 7/2 of TMK which penalized the “propaganda” act by 3 years of imprisonment. The charges were grounded on his article entitled “Sonuç alma zamanı” dated August 17, 2013, the declaration of KCK Executive Committee Co-Chair Cemil Bayık on the anniversary of the first armed attack of PKK at August 15, 1984 and the accompanying photo of PKK flag. Çapan will be tried on January 28 at İstanbul 22th Assize Court. Not publishing a disclaimer about Sabah newspaper on Özgür Gündem newspaper costed 50,000 liras for the Özgür Gündem newspaper executives. İstanbul 2nd Penal Court found the newspaper guilty on November 28 based upon the Article 18/1 of Press Law. Also, İstanbul 38th Criminal Court fined with 3,000 liras on November 6 for not publishing the disclaimer on the website of the newspaper.

İstanbul 23rd High Criminal Court sentenced the owner and the editor of the Demokratik Ulus weekly newspaper Arafat Dayan to 4 years 2 months imprisonment with regards to the same article due to news and contents published in the newspaper dated September 25 – October 2 2012, October 14 2012, October 2-9 2012, October 30—November 2012 and October 16-21 2012.

İstanbul 22nd and 23rd High Criminal Courts had sentenced Dayan to 12 years 1 month behind bars in 2012 on the charge of “allowing terrorist organizations’ declarations,” or “engaging in terrorist organization propaganda.” Dayan will stand trial for his two press files in İstanbul 22nd High Criminal Court on January 28, and for three other files in 23rd High Criminal Court on February 11.

**Tuzcuoğlu's case:** Diyarbakır 6th Penal Court continued former Evrensel newspaper reporter and columnist Müge Tuzcuoğlu's case on December 26. Prosecution filed the case against 27 defendants, 7 of which are now under arrest, after the KCK operation on March 8, 2012 directed at BDP Diyarbakır Politics Academy. Tuzcuoğlu was also arrested in the operation and released on September 25, 2012.

**Lorraine Klein made Gezi defendant:** İstanbul Prosecutor's Office launched a case against 255 people, 7 being foreigners, detained for participating in Gezi protests, requesting a prison sentence between 8 months and 14 years 4 months (December 25).

Defendants including French journalism student Lorraine Klein will start to face trial in İstanbul 55th Assize Court in May. The first hearing will last five days. The defendants will speak in groups and face charges of, "opposing the gatherings and demonstrations law, obstruction to duty, unlawful assumption of public duty and damaging public property, unlawful utilization of private uniforms, favoring criminals, damaging places of worship through pollution, and thievery."

**International media cited in indictment:** Antalya Prosecutor's Office, in its formal indictment against five defendants for participating in the Gezi protests accused CNN, BBC, The Economist, Al Jazeera and Reuters along with other international media organs with distorting the developments (December 23).

**İstanbul 2nd KCK case:** İstanbul 16th High Criminal Court held the 9th hearing of the KCK Trial of 50 defendants, 46 of which are lawyers (December 19).

Journalist Cengiz Kapmaz also stands trial for "running an illegal armed organization" (TCK 314/1) facing prison up to 22.5 years. Four lawyers were released in the latest hearing while 11 defendants remained arrested. The next hearing is on April 8, 2014.

**Çiftçi's case:** The case of DİHA reporter Hamdiye Çiftçi arrested in KCK operations in Hakkari nears a verdict in Van 3rd High Criminal Court. The trial continued on November 19. The prosecutor demands 6 years 3 months incarceration for Çiftçi for "being the member of an illegal organization" (TCK 314/2). Çiftçi had been released on her fourth hearing on April 10, 2012.

**Three journalists Adana KCK defendants:** Adana 10th High Criminal Court proceeded in the joined cases of DİHA reporters Zeynep Kuriş and Ahmet Akyol, KCK Case defendants without arrest (December 18). The 6th hearing of the case of 54 defendants will take place on March 12, 2014.

**Trial against Ağuş:** Adana 10th High Criminal Court handled the fifth hearing in the case of 54 people including DİHA reporter Özlem Ağuş detained on February 14, 2012 in Mersin and pending trial without arrest (December 18). The court proceeded to receive the defendants' defenses. The prosecution demands up to 23 years in prison for Ağuş for "committing crime in the name of an illegal organization without being its member," (TCK 220/6), "illegal organization propaganda," (TMK 7/2) and "opposing Gatherings and Demonstrations Law." The next hearing is on March 12.

**Tekirdağ Prosecutor's Office to deal with Taraf's complaint:** İstanbul Prosecutor's Office submitted the complaint of Taraf Newspaper and Mehmet Baransu against PM to Tekirdağ Prosecutor's Office. The case concerned alleged "libel, insult and judicial intervention" concerning his "treason" accusation.

**Anonymous witness heard in Eser's case:** İstanbul 23rd High Criminal Court heard the anonymous witness 'Hasan' via teleconference. The KCK Case concerns 32 defendants including the reporter of Günlük Evrensel newspaper Sadiye Eser pending a trial and two of them arrested. (December 12).

Asked for identifying the defendants for the second hearing, "Hasan" could only identify Hüseyin Eser and Hüseyin Akdoğan. He stated that he was informed the relevant identities while he was in police station. "I have nothing to say, I don't want to answer the question," the anonymous witness said upon the question of the attorneys in order to repeat his statement. The imprisonment demand for discipline against the anonymous witness was refused. Eser was released on September 11th. The next hearing will be held on April 22.

**All defendants released in OdaTV Case:** İstanbul 16th High Criminal Court released the two remained prisoners Hanefi Avcı, a retired police officer, and Prof. Dr. Yalçın Küçük in the 20th hearing of the OdaTV case in which 13 defendants including journalists were tried. The next hearing will be on April 1st. While Avcı has received 15 years 2 months 15 days of imprisonment due to Devrimci Karargah Case, Küçük has received 22 years 6 months of imprisonment due to Ergenekon Case. Avcı and Küçük couldn't get out from prison due to be jailed for these files. These files are submitted to Supreme Court of Appeals.

**Spying accusation against Kabakulak:** Hasan Kabakulak, Hatay district's reporter of Syrian State Television and Yurt newspaper and the employee of Asi local newspaper, has been jailed in Adana Kürkçüler Prison since April 10. The journalist is facing a prosecution for "spying" allegations on behalf of Syrian government and involving in the incident of kidnapping attorney Musa Ahmad Emhan. Kabakulak was asked the following question during the interrogation: "Why did you speak with those Syrian nationals and alleged Syrian Spymasters Hilal Esat and Miraç Kural?" Kabakulak was arrested due to the doubt of "providing the secrets of the state for political or military spying" (TCK 328/1). His attorney Turgay Bek applied to Adana Bar Association in order to demand a complaint to Higher Council of Judges and Prosecutors (HSYK) against Prosecutor Özcan Şişman who has investigated the case. Bek has accused the prosecutor for "abusing his power by releasing on its own motion Mehmet Ömer Bereket, the suspect who was tried with heavy life sentence. (December 14)

**KCK İstanbul Main Case:** Presenting his defense in the 9th hearing of KCK İstanbul Main Case on December 13, Ömer Gölge, İstanbul Democratic City Council member, was warned by the chief judge Ali Alçık upon his words "KCK operations are aimed for political genocide".

Previously, İstanbul 5th Assize Court released 8 of 97 arrested defendants on November 22. Kurdish politicians made their defenses during the hearing which was held on November 7-22. While Prof. Büşra Ersanlı has been accused of "being member of an illegal organization" (TCK 314/1) and "propaganda of an illegal organization", the owner of Belge Publishing

Ragıp Zarakolu has been accused of “even not being a member of illegal organization, knowingly and willfully help it”. 15-225 years of imprisonment and 7.5-15 years of imprisonment have been demanded for Erşanlı and Zarakolu respectively.

Hasan Ozgunes, journalist of Azadiya Welat, has been arrested for “leading an illegal organization” (TCK314\1) and “making its propaganda” (TMK 7\2); RED magazine reporter Hakan Soytemiz, and Özgür Gündem editor Kazım Seker are pending trial for "being member of the organization”. (TCK 314\2) On December 20, 5 defendants including interpreter Ayşe Berktaş were released on the 10th hearing.

**Nolle Prosequi to Taraf:** Istanbul Anatolian High Criminal Court's Press Prosecutor Sıddık Ilgar issued a nolle prosequi for MIT's complaint against Taraf newspaper's Ankara correspondent Huseyin Ozkaya's article entitled "Spy Crisis with Germany." (10 December) Reporter was charged with “provoking Germany's Chancellor Angela Merkel to declare war against Turkey” and requested prison sentence to 26 years.

**KCK Press Court Case:** Istanbul 15th High Criminal Court released DIHA Mardin correspondent Nilgün Yıldız, considering her “detention term and status of evidence”. (6 December) 46 media workers, 20 arrested, are facing trial for “taking part in KCK's media committee”.

Awaiting the capture of two suspects, prosecutors also filed a complaint against non-jailed defendants Sultan Güneş Ünsal and Zeynep Ceren Kuray, saying that they exceeded their limits of defense. The court, on the other hand, dismissed the request, saying that it was irrelevant. No release order was issued prior to the last hearing on November 1. On September 27, Fırat Distribution Company employee İrfan Bilgiç and DIHA Editor Fatma Koçak were released. The case will continue between January 13 and 17 with 15 defendants.

**Lawsuit to Türkiye newspaper:** A lawsuit has been launched against Türkiye newspaper reporter Arzu Yıldız for her article entitled "Iran insects inside AKP" dated on September 17, 2013. (6 December) Yıldız is accused of “neglecting the confidentiality of an investigation”.

"Until this time I wrote a lot of articles about cases that had a confidentiality order. Why are they only suing this one?" she said. The aforementioned article claimed that two women infiltrated inside PM's office and placed bugs to gather information for Iran's intelligence units.

**Batman KCK Court Case:** Diyarbakır 5th High Criminal Court listened to the witness Numan Yeşilmen on the eighth hearing of Batman KCK's case where 40 defendants, including 14 arrested with Heviya Jine editor Sultan Şaman and Azadiya Welat distributor Şafak Çelen, are standing trial. (December 5)

Yeşilmen claimed that she was offered to become a spy during her detention on January 10, 2012. She added that she was shown photos of roughly 100 people - who were later on detained within KCK raids. The court rejected release requests due to "crime's character" and “suspicion of runaway”. On October 15, 2012, Aslan and Çelen were released pending a trial. Suspects are charged with "being an organization leader" (TCK 314\1) The next hearing is set to February 18.

**Third Handcuffs to Taraf:** Prime Minister's Officer, National Intelligence Agency (MİT) and National Security Council (MGK) filed a complaint against Taraf newspaper and Mehmet Baransu for their reporting on MGK's decisions on August 25, 2004 to prevent Fethullah Gülen's community. (December 5)

Prosecution claims he committed a crime by publishing on news items dated November 28 and 30, 2013 information-documents about government security that need to remain secret. MİT on the other hand showed as grounds the news item dated December 2, 2013 where Baransu published documentation of profiling after the MGK verdict, while the Prime Ministry accused Baransu with "slandering the Prime Ministry Undersecretary" in his same piece.

MİT also lodged a complaint against Ankara reporter Hüseyin Özkaya for "provoking a war against the state" and "slander," and asked for up to 26 years in prison. Özkaya asserted on news items dated August 5 and 6, 2013 that government officials had taken an Iranian to court for a petty crime in order to get him out of Germany where he was a Red Notice suspect due to the claim that he sent nuclear material over Turkey into Iran. Özkaya also faces up to 12 years in prison for his news item arguing PYD leader Salih Müslim met with two MİT officials. Taraf published the headline, "You cannot silence [us/them/him]" on December 6.

**Complaint against photoshoot in courtroom:** Ankara 6th High Criminal Court filed an indictment against people who photographed the sleeping prosecutor and court member during the hearing for Ethem Sarısülük's murder (December 5). The indictment, filed after the photographs appeared in the press with comments, "Justice is sleeping," expressed that the photographs had been taken despite warnings.

**Phone-tapping on trial:** Prof. Dr. Ergin Cinmen, attorney of Mehmet Altan whom MİT wiretapped reporting a false ID to the court, filed a case against the judges who made the wiretapping decision (4 December). Judges Metin Özçelik, Yakup Hakan Günay and Oktay Açar submitted petitions to the The Supreme Court of Appeals 4th Judicial Chamber for the rejection of the case in their name.

**KCK Kurtalan Case:** Diyarbakır 5th High Criminal Court continued the trial of 27 defendants including DİHA Siirt reporter Abdullah Çetin in the KCK Kurtalan case (December 3). The case where 8 defendants are under arrest will continue on February 4.

**Acquittal for Facebook messages:** Bursa 4th Assize Court acquitted Sevilay Çetinkaya tried for Facebook posts during Gezi protests in the first hearing (November 29).

"Did you participate in the protests? Don't you know it's a crime? If you don't reply, we'll send you directly to court," police told Çetinkaya at the station, after which she stood trial for "arranging, managing and participating in illegal demonstrations."

**Case against Ulusal Kanal for Gezi:** İstanbul Prosecutor's Office launched a case against Ulusal Kanal TV Channel and channel executive manager Naci Eriş for "provoking the public to commit crimes," during Gezi protests (November 14). İstanbul 2nd Assize Court will handle the case.

**Freedom for the slogan:** Antalya 5th High Criminal Court tried 8 people commemorating THKP/C leader Mahir Çayan and nine of his friends killed in 1972 with “terrorist organization propaganda,” finally classifying the act as freedom of expression and acquitting the defendants (November 14).

**Two cases for Habertrak attack:** Tekirdağ 2nd Assize Court is handling the trial of two people for the March 27 dated attack on Tekirdağ’s Habertrak newspaper owner Cenap Kürümoğlu on the street by two masked assailants armed with sticks (November 14). The court is waiting on a report from the Institute of forensic medicine. Tekirdağ 1st Juvenile Court will resume the trial with two juvenile defendants on February 5.

The journalist was assaulted upon the news that criticized the increase of illegal paid car-parks in the city.

**No release for Kismetli:** İzmir 2nd Assize Court did not release the reporter of Halkın Günü newspaper Deniz Kismetli and 12 arrested defendants in the hearing of the case against Unions of Democratic Rights (Demokratik Haklar Federasyonu). (November 13).

The chairman of DHF İzmir branch Şenol Akyıldız made the first defense and commemorated the protestors who lost their lives in Gezi Resistance. He reiterated that they had no relation with MKP and TKPML organizations. Trial after 11 months, the case of 22 defendants will be continue on January 9, 2014.

**Coş faces investigation:** Interior Minister Muammer Güler declared that he launched an investigation about Adana Governor Hüseyin Avni Coş upon his words “take the pimp who said God damn you here” at his protestors on December 10 mourning ceremony. While one protestor submitted a statement; nine protestors were fined 186 liras with regards to Law of Misdemeanor.

**Intervention to art:** Police intervened to an art exhibition called “Any Intervention?” - a show about Gezi Resistance and included art pieces of 66 artists at 23rd İstanbul Art Fair - saying that exhibiting a libelous art piece insulted PM Erdogan (November 10).

Büyükçekmece Chief Public Prosecutor’s Office launched an investigation upon a complaint on art piece of Nova Kozmikova, a work that criticized the Middle East policy and the double highway projects of the AKP government. Artists protested the intervention by covering the art pieces with black bags.

**Yürüyüş magazine DHKP-C case:** Ankara 11th High Criminal Court continued to judge the owner of Ozan Publishing and five journalists from Yürüyüş magazine (November 7). 11th hearing of the case with 16 defendants (3 of them arrested) will be held on January 30. While the prosecutor demanded 22 years of imprisonment for each defendant due to “being member of DHKP-C” (TCK 314/2), he demanded relieving the claim “propaganda of an illegal organization” within the scope of 3rd Judicial Reform Package.

Arresting on December 24, 2010, the reporters of Yürüyüş magazine Cihan Gün, Naciye Yavuz, Kaan Ünsal and the owner of the Kamu Emekçileri magazine Halit Güdenoğlu, the

editor Musa Kurt were released on the trial on July 20, 2012, and the owner of Ozan Publishing Necla Can was released on January 21, 2012 as well.

**Appeal to Devrimci Karargah case:** The prosecutor of İstanbul 9th High Criminal Court filed an appeal regarding the release ruling for Vatan newspaper Internet-editor Aylin Duruoğlu on July 19 and the ruling of 3 years 1 month 15 days of imprisonment for Mehmet Güneş. The prosecutor demanded an imprisonment for Duruoğlu and Güneş like the other 15 defendants for being a member of an illegal organization.

**DHKP-C case in Aydın:** The trial of Fatih Özgür Aydın, editor of Mühendislik Mimarlık ve Planlamada Artı İvme magazine, was held at İstanbul 16th High Criminal Court (November 5). The court granted an extension of time to the defense party in order to provide opinion as to the accusations. Aydın has been tried due to “being member of an illegal organization” (TCK 314/2), “praising the offense and the offender” (TCK 215), “resisting in order to prevent performing a duty” (TCK 265) and violation of “Law on Gathering and Demonstrations”. He has been demanded 53.5 years of imprisonment. The trial will be held on January 21.

**Life imprisonment to 3 journalists in MLKP case:** İstanbul 10th High Criminal Court ordered life imprisonment to Füsun Erdoğan, former coordinator at Özgür Radyo and a writer at bianet under arrest since September 2006. On the 21st hearing of MLKP [Marxist-Leninist Communist Party] case, the court also sentenced Bayram Namaz, writer at Atılım newspaper and İbrahim Çiçek, ex publishing-coordinator at Atılım newspaper, for “being a leader of an illegal organization.” (November 4).

The case filled its 7th year with 26 defendants and nine of whom are under arrest. Sedat Şenoğlu, the coordinator-in-chief at Atılım newspaper, was also sentenced to 7-year, 6-month imprisonment. The accused sentenced to life imprisonment in the case named “Purpose” were also sentenced to 789 years, 7 months and compensated for 1,263,320 TL on charges of “violating Law No. 6136 on Firearms ” including all 155 plots of the “organization”, “stocking dangerous substances illegally”, “forgery on legal documents.”, “injuring on purpose”, “ putting security on risk deliberately” and “ damaging the property.”

**Lawsuit against Şansal:** Fashion stylist Barbaros Şansal was sued for “exposing a crime” when he said the following on Halk TV: “There are policemen in front of my door, I guess they will take me into custody”, “my connection is also lost” in the process of Gezi. (November 3). The Prosecution stated there is not enough evidence about Şansal’s case.

**Mayor faces investigation:** Abdullah Demirbaş, the mayor of Sur, faced a investigation for permitting Kurdish letters X,W,Q on billboard, a situation that was banned before (November 2). The municipality offered a %50 discount to those who had multilingual billboards.

**Italian photographer made suspect:** İstanbul 9th Assize Court began to judge 20 accused including Italian Photographer Mattia Cacciatori taken into custody during Gezi protests (November 1).

An up-to 7-year imprisonment is waited for the accused on charges of “violating Law on Public Gatherings and Demonstrations” and “resisting against the police.” The case will continue in February 11, 2014.

**Demand for Soysal's acquittal:** Supreme Court of Appeals demanded the approval of Ayşe Rengin Soysal's acquittal. She was convicted of "defamation" as she wrote an article entitled "Hitler used to listen Wagner, as well" in Taraf newspaper upon Fazıl Say's saying "I am ashamed of arabesque horribleness." (November 1).

**TMK sentence for Aslan:** Diyarbakır 7th High Criminal Court ordered a 10-month imprisonment for Ferit Aslan, the reporter at Diyarbakır of Doğan News Agency (DHA) for charges related to sharing the court's verdict sentencing 16-year-old K.A for being a member of an illegal organization. While the aforementioned article was on radikal.com.tr and he convicted of targeting the court board to the a terror organization by publishing their names (October 30).

**Ferhat Tunç sued:** Malatya 3rd High Criminal Court ordered artist Ferhat Tunç to stand trial for "making propagandas for an illegal organization" in his speech on June 29, 2012 during 12th Culture and Nature festival of Munzur. Tunç testified in Büyükçekmece (October 30).

**Lawsuit against "Yeni Akit":** Istanbul 4th High Criminal Court has admitted the involvement of the institution of Kaos GL in the lawsuit filed against Yeni Akit newspaper on the grounds that Yeni Akit has insulted a group of people in its article (violating TCK 216). Entitled "The Perverts Infiltrated Into Schools", the aforementioned article referred to LGBT individuals.

**BDP's district director received prison sentence:** Erzurum 2nd High Criminal Court sentenced Bahar Yıldız, BDP's district director of Kağızman, to 4 years and 6 months imprisonment for making the propaganda of PKK in a press statement she made. (25 October). Yıldız said that she would appeal to the ruling and also added "All the impositions given to us are political."

**Acquittal for Emek demonstration:** İstanbul 31st Assize Court acquitted Emek Cinema demolition protestors Özgür İpek, Mehmet Ferit Aka, Hazar Berk and Film Critics Association of Turkey (SİYAD) member Berke Göl - intellectuals tried for "resisting the police" (October 24).

**Musa Kurt defendant without arrest:** İstanbul 23rd High Criminal Court continued the trial of Yürüyüş magazine reporter Musa Kurt for "being the member of an illegal organization". Arrested for filming the police while watching people taking bombed attack perpetrator İbrahim Çuhadar's funeral in front of the Institute of Forensic Science and released from arrest on July 5, Kurt will stand trial again on February 11.

**Lawsuits against TMMOB after Gezi:** Mehmet Soğancı - Gezi Park protests' forerunner Taksim Solidarity Platform's founder and organizer TMMOB Administrative Body President - faces a total of 12 years in prison in the cases against him (October 22). Soğancı is accused of attending protests related to TEKEL [Turkey's former alcohol and tobacco monopoly, sold in 2008 to British American Tobacco and charged now with taxing and distribution of all tobacco and alcohol in Turkey], the new public health insurance [genel sağlık sigortası] policy, and the Public Servants' Syndicates Law. Soğancı said he does not take the cases personally, but that they have been filed against TMMOB for their oppositional stance.

**Say sentenced for “mob speak”:** İstanbul 19th Peace Court, in their decision dated September 20 sentencing pianist Fazıl Say to 10 months deferred for “explicitly insulting religious values” (TCK 216/3) allegedly wrote that Say composed his tweets in “mob speak” (October 21). “The messages are written in mob speak, far from literary standards, and meant directly as affronts,” the justification stated.

**Gezi investigation for 15 TRT personnel:** TRT filed an investigation into 15 of its personnel who tweeted about Gezi Park protests on the basis that, “Those getting their paychecks out of the nation’s taxes have responsibilities towards public regulations.” RTÜK did not hand out disciplinary punishment for specialist Halil İbrahim Uslu but only issued him a written warning for tweeting, “That’s a shame ROJ TV and Nuche TV are closed. How is Halk TV going to broadcast together with PKK’s media organs now,” (October 18).

**No releases in joined KCK cases:** Diyarbakır 6th High Criminal Court did not release any of the defendants in the 59th hearing’s 16th session of the KCK main case where DİHA editor Tayyip Temel and Diyarbakır Gün TV executive Ahmet Birsin are among the defendants (October 11).

Although the prosecutor asked for the release of Besime Gonca, Esmâ Güler, Dilayet Taşdemir and Leyla Deniz, the court did not make any release decisions. The case trying 175 defendants including parliamentary representatives, mayors and rights advocates with 97 of them under arrest will continue on January 13. Temel is charged with “administration of an illegal organization” (TCK 314/1) and “illegal organization propaganda” (TMK 7/2).

**Tunca awaits case:** Yeni Evrede Mücadele Birliği Magazine executive editor Sami Tunca, detained in a house raid in Tekirdağ on September 17 and arrested after being brought to İstanbul, awaits his formal indictment in Tekirdağ F Type Prison No. 1. Tunca was sent to prison on grounds such as, “being linked with TKEP/L organization, participating in protest in Sarıgazi, throwing petrol bombs and stones, suspicion of fleeing the country.” Tunca wrote in a letter to his readers on October 5 that, “I participated in the protests as a journalist and a socialist.” Adding that he was told of a prison sentence of 11 years 6 months awaiting him from another case, Tunca said, “I think I will be in prison a long time.”

**Hacıoğlu waits for indictment:** Cüneyt Hacıoğlu, the reporter of DİHA in Uludere district who has been detained after a police raid on August 31, is still waiting for his indictment. The journalist may be accused of “being member of an illegal organization.

**Çapraz and Düzeci are defendants:** Van 4th High Criminal Court will resume the trial of 30 defendants including the owner of Hakkari Yüksekova Haber newspaper Necip Çapraz and the owner of Yüksekovagündem website Abdulmenaf Düzeci within KCK Hakkari Case. The trial will continue on January 24.

The court will resume to receive the statements of the defendants on October 25. Çapraz and Düzeci have been tried for “being member of an illegal organization” (TCK 314/2). While Düzeci was released on July 9, Çapraz was detained on March 22, 2011 and released after four days.

**Ergenekon case:** 26 media workers sentenced by Istanbul 13th Assize Court on August 5 are awaiting their appeal request from Supreme Court of Appeals. Previously, Ulusal Kanal editor-in-chief Adnan Türkkan decided to not return from Germany to Turkey after an arrest warrant was issued on him.

The court sentenced Tuncay Özkan to 15 years of imprisonment in addition to life imprisonment, the authors of Cumhuriyet newspaper Mustafa Balbay and Erol Manisalı to 34 years 8 months and 9 years 8 months of imprisonment respectively, editor-in-chief of Yurt newspaper Merdan Yanardağ to 10 years 6 months of imprisonment, grant holder of Kanal B Mehmet Haberal to 12 years 6 months of imprisonment, editor-in-chief of Aydınlık newspaper Mehmet Deniz Yıldırım to 16 years 10 months of imprisonment, employee of Aydınlık newspaper Ruhsar Şenoğlu to 8 years 1 month of imprisonment, editor Özlem Konur Usta to 6 years 3 months of imprisonment, managing editor Mehmet Bozkurt to 9 years 3 months of imprisonment, its writers Hikmet Çiçek, Mehmet Sabuncu, Adnan Akfırat and Emcet Olcaytu to 21 years 6 months, 7 years 6 months, 19 years and 9 years 3 months of imprisonment respectively, news director of Kanaltürk Adnan Bulut to 6 years 3 months of imprisonment, author of OdaTV Yalçın Küçük to 22 years 6 months of imprisonment, editor-in-chief of Tercüman newspaper Ufuk Mehmet Büyükçelebi to 7 years 6 months of imprisonment, Güler Kömür to 7 years 6 months of imprisonment, Fatma Sibel Gürcihan to 6 years of imprisonment, Muhammet Murat Avar to 5 years 4 months of imprisonment, Ünal İnanç to 19 years of imprisonment, Vedat Yenerer to 7 years 6 months of imprisonment, former coordinators of Ulusal Kanal Ferid İlsever, Serhan Bolluk, Turhan Özlü to 15 years, 7 years 6 months and 9 years of imprisonment respectively, its news director Ufuk Akkaya to 8 years 2 months of imprisonment, İzmir representative Hayati Özcan to 10 years 11 months of imprisonment. Caner Taşpınar was released.

### **Cases of Kurdish Politicians**

**Summary of proceedings:** During October-December 2013, 3 summary of proceedings in total were prepared by various prosecutor's offices regarding the deputies of Peace and Democracy Party (BDP) and other independent deputies.

The deputies who were issued summary of proceedings were Ayla Akat Ata (2) and Gültan Kışanak (1).

The accusations against BDP Co-Chair Gültan Kışanak in summary of proceedings are “praising the offense and the offender” (TCK 215/1), “provocation in order to create hate and hostility between people” (TCK 216/1), “provocation in order to violate laws” (TCK 217/1), “provocation in order to commit an offense” (TCK 214/1) and “propaganda of an illegal organization” (Anti-terror Law 7/2).

The both accusations on Ayla Akat Ata were related with violation to No. 2911 Law on Gathering and Demonstrations.

**Deferred sentences for Devecioğlu and 21 BDP members:** Bursa 6th High Criminal Court sentenced Ayşegül Devecioğlu, writer and Peace and Democracy Party (BDP) constitutional committee and advisory council member, to 23-year imprisonment for “making PKK propaganda” and “assembling and conducting a gathering illegally”. (December 30). The

court will subject Devocioğlu to 5-year supervision. If the writer receives imprisonment within the period, the sentence judgment will be put into process.

Devocioğlu and 21 BDP members were sued for assembling and conducting an illegal gathering and a protest march, joining their actions and making propagandas in favor of the terrorist organization; as a consequence of participating Newroz celebrations in 2012, Yalova. The court sentenced İhsan Coşkun, BDP provincial chairman of Yalova, to 1-year and 3-month imprisonment for “assembling a gathering and making a protest illegally.” Coşkun will be supervised for 2 years. Siban Eminoğulları, Nadire Baran, Berivan Ayrıl, Ayhan Polat, Ömer Polat, Kaptan Alpyürük and Hasan Güneş’s 10-month prison sentences for “making organization propagandas” were reprieved. The other BDP members having joined the celebrations were acquitted.

**No release for 5 BDP members:** Diyarbakır 5th High Criminal Court rejected the release demand of BDP deputies İbrahim Ayhan, Gülser Yıldırım, Kemal Aktaş, Selma Irmak and Faysal Sarıyıldız who were under arrest within KCK [Group of Communities in Kurdistan] case. (Decemer 16). The application was made on December 12, after the local court released Mustafa Balbay, the accused of Ergenekon case and CHP deputy, in the light of Turkish Constitutional Court’s judgment.

**Tuğluk’s sentences reprieved, revoked:** Diyarbakır 4th High Criminal Court removed the 14-year and 7-month imprisonment of Aysel Tuğluk, independent deputy of Van and Democratic Society Congress (DTK) chairperson. She was accused of the speech she made during 2005-2010 period (November 5).

After Supreme Court of Appeals removed the penalties, the local court negotiated and decided on “dropping the case for “making propagandas in favor of the terrorist organization” according to TCK [Turkish Penal Code] law no. 5237 for involving favorable verdicts. The court decided on reprieving the case about the nine speeches from which she was sued for “making propagandas”. The court did not sentenced her for “committing crimes for organization without being a member” according to the 4th judicial reform package.

### **Defamation, personal rights and compensation cases**

**A journalist was sentenced to a 1 year 2 months and 17-days of prison and penalized deferred juridical supervision in October-December 2013. Criticized on the grounds of getting his promotion for being a tormenter, Sedat Selim Ay, Vice Police Commissioner responsible for counter terrorism, sued Evrensel, T24, Marksist.org and ETHA Ajans. Being accused of unsolved murders, retired colonel Hasan Atilla Uğur sued Reyhan Çapan and Eren Keskin from the newspaper Özgür Gündem. Ankara metropolitan municipality mayor Melih Gökçek sued Nihat Behram, the writer at soL.**

**Penalty for the word “Creature”:** Eskişehir 5th Penal Court of Peace fined 740 Turkish Liras [about 250 thousand euros] to İnci Uyan for writing on a website, [imzamkampanyasi.com](http://imzamkampanyasi.com) about Turgay Balaban the following: “I call this kind of creatures as humans and I am ashamed of this. These animal enemies needs punishment.” She was fined for insult. (December 31).

**“Small-minded case” rejected:** Ankara 5th Assize Court rejected Foreign Affairs Minister Ahmet Davutoğlu’s request to file a case against CHP Spokesman Haluk Koç for calling him, "Small-minded and troubled on the point of honor" (December 30).

**Municipal MP fined, journalist incarcerated:** Tekirdağ Şarköy Assize Court sentenced CHP Municipal Parliamentary Member Ali Bayraktar, who threatened Şarköy’ün Sesi newspaper editor Yakup Önal saying, “This ruffian will write anything just because he has a pen in his hand, but one day that pen will prick him someplace else,” to a legal monetary fine of 1,740 TL in exchange for 87 days in prison (December 27). The same court had sentenced the journalist who criticized Bayraktar for using violence against his spouse to 1 year 2 months 17 days in prison and legal monitoring for insult (December 18). The court will try CHP Tekirdağ Şarköy Municipal Parliamentary Member Hidayet Kaçar from another case for beating and threatening Önal on February 12. The employees of a conveyance company will stand trial for another attack case on February 13.

**Cases against Çapan and Keskin:** İstanbul 2nd Assize Court began the trial of Özgür Gündem newspaper publisher Reyhan Çapan and executive editor Lawyer Eren Keskin upon the complaint of retired Colonel Hasan Atilla Uğur (November 19).

The case was filed when the statements of victims’ loved ones in the unsolved murders in Mardin Kızıltepe in 1995 were found to be “insults”. The case will continue on February 20.

**Comment receives sentence:** Ankara 13th Assize Court sentenced T.K. to a legal monetary fine of 1,740 liras on the claim of insulting Fethullah Gülen over the Internet (November 26). The sentence was given for the comment “I think this is the antichrist in question,” to the news article criticizing Gülen titled, “Women are the things that encircle hell. What do you think the idea of abortion rests on?” on OdaTV’s website.

**Supreme Court of Appeals teaches a lesson:** Supreme Court of Appeals 4th Legal Office lifted the compensation penalty that Karlıova Assize Court gave journalists Nevzat Bingöl and Nazlı Bingök for news items, “There’s mayor and there’s mayor,” and “Eşref Yonsuz: we distributed the rotten potatoes to the peasants,” published in Karlıova newspaper three years ago (December 10).

“The piece, taken as a whole, is of a quality that a democratic society can count as legitimate. This remains in the realm of freedom of expression as it contains civil monitoring,” the decision read.

**Gökçek sues soL:** Ankara Metropolitan Mayor Melih Gökçek filed a case for non-pecuniary damages against writer Nihat Behram for using the expression, “Gökçek, champion of corruption” in his piece in soL newspaper dated October 27, 2013 (November 29).

**Freedom for Kurdistan and Öcalan:** İstanbul Anatolian 35th Peace Court acquitted H.A. who sent a friend the SMS message, “If there is to be a homeland, let it be Kurdistan. If there is to be a flag, let it be kesk ü soru zer [“yellow-red-green”]. If there is to be a president, let it be Abdullah Öcalan. Let us sacrifice our lives for the sake of Kurdistan. And let whoever doesn’t send this message to all Kurds be dubbed a coward. Be serok jiyan nabe [“There’s no life without a leader”]. Patriotic Youth” (November 29).

**Penalty for BDP official:** Diyarbakır 4th Peace Court sentenced Zübeyde Zümrüt to 1 year in prison for insulting former Diyarbakır Governor Mustafa Toprak during her time as BDP Diyarbakır Provincial Chair. (November 27).

It was claimed that Zümrüt said the following on June 11, 2001 after discussing with the police due to prevent her petition: “Is your governor insane, how he can prohibit an activity!” The sentence was converted to 7,800 liras fine and reprieved for five years within the scope of probation law.

**Hakan files a lawsuit:** Hürriyet newspaper columnist Ahmet Hakan claimed 50,000 liras as non-pecuniary damages due to libelous tweets of singer Nihat Doğan about his position during February 28 (November 24).

**Investigation to Boğatekin:** Acting upon the complaints of Adıyaman Governor Mahmut Demiştaş and District Governor Ömer Bilgin, Adıyaman Prosecution’s Office launched an investigation against the owner of Gerger Fırat newspaper Hacı Boğatekin due to an article dated October 25, 2013 and November 5, 2013 that criticized the removal of the prefabricated toilets of the primary school in Gerger’s Bodin district.

**Saymaz faces investigation:** Prosecutors launched an investigation against the reporter of Radikal newspaper reporter Ismail Saymaz for insulting, slandering and influencing the person in charge of jurisdiction upon his critical words about the former leader of Grand Unity Party (BBP) Muhsin Yazıcıoğlu and the defendant of Ergenekon case Semih Tufan Gülaltay on two television programs. The journalist submitted his statement to the prosecutor’s office on November 22.

**Topbaş’s case rejected:** Bakırköy 8th Civil Court rejected Istanbul Metropolitan Mayor Kadir Topbaş’s claim of 40,000 liras for damages filed against Birgün newspaper journalists Halil Özen and İbrahim Çeşmecioğlu due to the news headlined “The farm of Topbaş is on stream bad and illegal” (November 22).

**Egg acquits:** Ankara 7th Assize Court acquitted eleven students who were tried due to protest Chief of Parliamentary Constitution Committee Burhan Kuzu by throwing eggs during a conference (November 21).

**Case against Coşkun:** Selçuk Özdağ, Deputy Chief of AKP Social Affairs and Manisa province deputy, filed a claim against the author of Cumhuriyet newspaper Bekir Coşkun due to his allegedly insulting article against deputies with the title “Painted Stairs” on September 4, 2013 (November 17).

**Case of Ahmet Şık:** Silivri 2nd Assize Court has ordered journalist Ahmet Şık to stand trial due to the words he said while being released from Silivri prison on March 12. The court issued a written ruling on the fifth hearing trial on September 19 in order to take the statement of complainants. Şık has been on trial on up to 7 years of imprisonment demand due to ‘threat’ (TCK 106/2d) and ‘insult to public officers’ (TCK 125/1, 3a, 4). The case indictment also portrays 39 prosecutors and judges as victim. The next hearing will be on January 28.

**Gökçek faces defamation charges:** Ankara Metropolitan Mayor Melih Gökçek has been indicted for allegedly insult to CHP Tunceli deputy Hüseyin Aygün with a demand of 2 years 2 months of imprisonment (November 15).

**Coş files a complaint against Uykusuz:** Adana Governor Hüseyin Avni Coş filed a complaint against weekly humor magazine Uykusuz due to its cover entitled “Governor the Star Performer” (Assolist Vali). It turned out that Coş has filed complaints against 89 people, those who likened him to the comedy character “Şuayyip” on social networking sites, since February 2013 and the penalty against 40 of them has been appealed to Supreme Court of Appeals (November 15).

**Women on trial:** Neslihan Uyanık and Nebiye Merttürk have been ordered to stand trial for charges related to throwing egg against Ankara Metropolitan Mayor Melih Gökçek after his comments about abortion. (14 November)

Two women are facing for 4 years and 4 months for “assault”, “defamation” and “threat”

**AKP deputy “just” warned:** AKP Group Discipline Commission issued a warning on Zeyid Aslan, Tokat Deputy of AK Party for saying “If I took the picture of your crutches and published it, I would be immoral, right?” after he was photographed sleeping in the parliament courtyard.

**Complaint filed on Akit:** Ömer Çengel, a CHP provincial administrator, filed a complaint against made criminal complaint against Sancaktar Group and Yeni Akit newspaper after they published an ad saying “We would be here, if you weren’t” - a message referring to Mustafa Kemal Atatürk on his death anniversary. (November 10)

**Kaplan convicted of defamation:** Ayvalık 2th Assize Court convicted Ahmet Kaplan, a regional correspondent of Star newspaper for defamation charges, ordering him to pay 5,000 liras to Ayvalık State Hospital’s Nurse and SES’s Balıkesir Department Manager Birsen Seyhan due to his article entitled “Ideological Blindness”. (November 1)

**No lawsuit to Birgün:** Istanbul Prosecutor’s Office issued a nolle prosequi ruling for the case where BirGün newspaper journalists Zeynep Kuray and Onur Erem were complaint due to their article “Catch My Boy”. (October 30)

**Nolle Prosequi to Complaint:** Istanbul Press Prosecutor Nevin Özkan issued a “nolle prosequi” ruling for Osman Yıldırım’s complaints on several media outlets. Yıldırım served as secret witness and defendant at Ergenekon case. (October 30)

**Müjdat Gezen convicted:** Ankara 21th Assize Court convicted Müjdat Gezen to pay a sum of 60,000 liras to 15 AKP members including Deputy PM Bekir Bozdağ and Sports Minister Suat Kılıç for saying the following on a TV show on February 1, 2011: “AKP’s votes increased to 50 percent. According to Aziz Nesin’s measures, this rate should increase to rise 60 percent”. (October 22)

**FoE double standards from the court:** Antalya 10th Peace Court ruled that expressions “AKP’s fascist polices with bloody hands”, “murderer and torturer police”, “AKP’s fascist

police with bloody hands” were within the limits of expression freedom in the case where Akman Şimşek from KESK and Freedoms Association member Müslüm Dulkadir were tried. (October 14)

**Series of complaints from police Ay:** Istanbul 48th Assize Court opened the case where Etkin News Agency (ETHA) is charged with humiliating via broadcasting Sedat Selim Ay, Istanbul’s Vice Police Commissioner in charge of counterterrorism (October 8). On the other hand, the MERNİS file of Ay had been erased by the request of MIT - Turkey’s intelligence agency. The case will continue on January 15, 2014. Ay’s other complaints on T24, Marksist.org and Evrensel still continue.

**Tweet to Gökçek punished:** Ankara Peace Court convicted Izmir Metropolitan Municipality worker Kıvanç Yorulmaz of defamation. Yorulmaz was accused due to the following tweet on a twitter page entitled “You are shameless, Gökçek”: “If so many people are saying that, they must have a reason.” (October 2) While the penalty was commuted to a fine which was postponed within judicial control measures. Gökçek, on the other hand, have been criticized for telling a user whether she “had so many abortions”.

**Two investigations into Yurt reporter:** İzmir Prosecutor’s Office launched a preliminary investigation into Yurt newspaper İzmir reporter Ahmet Çınar for his tweet, “Dictators don’t resign, they are overthrown, say political scientists. Then he shall be overthrown. Period.” Çınar was asked in his deposition in Alsancak Police Station who he meant by “dictator.” Çınar responded, “I meant Assad. Is there another dictator in the region!” (October 1). Manisa Prosecutor’s Office is in the process of conducting another investigation into Çınar who followed Gezi protests in Manisa for Law No. 2911 on Public Gatherings and Demonstrations

**S.S. Ay sues T24, Evrensel and Marksist.org:** İstanbul 12th Assize Court is handling İstanbul Vice Police Commissioner in charge of Fighting Terror Sedat Selim Ay’s lawsuit against Evrensel newspaper, T24 news site and Marksist.org for “insulting a public official.” The trial, which started on September 13, will continue on January 30.

T24 executive editor Metin Kıvanç Yener, editorial director Ahmet Doğan Akın, Marksist.org editorial director Ozan Tekin denied the claims in the hearing on September 13. Evrensel executive editor Fatih Polat was not able to attend the hearing.

### **The PM distress**

**A newspaper (Birgün) was convicted with 10,000 lira monetary fine for insulting and attacking personal rights of Prime Minister Recep Tayyip Erdoğan; complaints requesting penalty or fines were filed against 3 journalists.**

**Prime Minister once again plaintiff:** Prime Minister Erdoğan filed a criminal complaint against Today's Zaman columnist Mahir Zeynalov for the messages he shared on Twitter (December 31).

It was claimed that Zeynalov's messages, "contain heavy insults and swears to provoke the public to hatred and enmity, and constitute an attack to Erdoğan's honor, repute, and personal rights." The complaint was based on articles 125 and 216 of the TCK.

**Not a crime to burn photographs:** Ankara 12th Peace Court acquitted 10 people who burned a US flag with Prime Minister Erdoğan's photo on it in May 1st celebrations, the court declared the demonstration had the aim of criticism (December 30).

**Taraf turns Erdoğan to prosecution:** Taraf newspaper and Mehmet Baransu filed a criminal complaint against Prime Minister Erdoğan who accused the newspaper with "treason," for "slander," "insult," and "attempt to influence legal proceedings," (December 11). In addition, a case was filed against Erdoğan requesting 50,000 liras for non-pecuniary damages.

The grounds were "the action being conducted as criticism regarding the Justice and Development Party's (AKP) policies, especially of joint policies with the US."

**Case against Facebook post:** Anatolian Chief Public Prosecution prepared an indictment against Selçuk Metcan claimed to have insulted Prime Minister Erdoğan in his Facebook posts during Gezi demonstrations, requesting a prison sentence between 4 months and 2 years 8 months (December 16).

**Penalty for insulting the Prime Minister:** Yarkın Atay, a resident in Bandırma, Balıkesir and member of Youth Union of Turkey (TGB), was sentenced to 7,800 liras monetary penalty for insulting the Prime Minister through social networking sites during Gezi demonstrations (December 11).

Upon the deferment of the announcement of the verdict, Atay will be on probation for five years. Being sentenced due to saying "The PM is a bad person, and liar", Atay stated that he will file an appeal in a higher court.

**Birgün newspaper fined:** Ankara 21st Assize Court ordered Birgün newspaper to 10,000 liras for publishing a photo of PM depicting him with black tape on his eyes and a slogan that said "Güven, Mavioğlu, Mert, Şık, Temelkuran, Türker". (December 10).

PM Erdoğan demanded 10,000 liras as non-pecuniary damages by claiming that it is an attack to his personal rights.

**Erdoğan filed complaint against Taraf:** PM Erdoğan sued Taraf newspaper Emre Uslu columnist for 50,000 liras as a non-pecuniary damage for his article entitled "Close them entirely" dated on November 21 - an article that criticized the transformation of private teaching institutions to private schools. (December 1).

Erdoğan claimed that his personal rights had been attacked an attack due to the phrases such as "Coyote, corrupted person, liar, betrayer, acting differently in frontage and backstage". However, Taraf republished the article of Emre Uslu with the headline "Congregations contrary to the government are blacklisted" on December 2, 2013.

**Case against Barbaros Şansal:** PM Erdoğan filed complaint against designer Barbaros Şansal to Istanbul 9th Civil Court with 2 years 3 months of imprisonment demand, claiming that Şansal defined him as “tailor-boy” on Twitter (December 29).

Şansal stated that the relevant twitter account was not created by him, so he doesn't use the relevant account.

**Case rejected:** Ankara 12th Assize Court rejected the complaint on CHP Tunceli Deputy Hüseyin Aygün for twitting “You are the top terrorist in Turkey” about PM Erdoğan on June 2 (November 26). PM was asking 50,000 liras as non-pecuniary damages.

**Sentenced due to insulting Erdoğan:** Konya 7th Penal Court sentenced Osman Garip, a student of Anadolu University Open Education Faculty, to 1 year 15 days of imprisonment for charges related to insulting PM Erdoğan on his Facebook account during Gezi Resistance (November 15). The student stated that he didn't share this words and he would appeal to a higher court.

**Acquittal of Emrah Serbes:** Istanbul 18th Peace Court acquitted at the first hearing Emrah Serbes, an author who was tried for mocking PM Erdoğan and Interior Minister Muammer Güler by saying “Recop Tazyik Gazdoğan” and “neckless” respectively during a TV program at SKY360 channel on the evening of May Day (November 7).

Accused of insulting Istanbul Governor Hüseyin Avni Mutlu as well, Serbes said the following while leaving the courthouse: “Actually this lawsuit should not have been brought.” The prosecutor charged him with 12 years of imprisonment with regards to the violation of TCK Article 125/a and “insulting public officer” claims.

**Acquittal of “Light Bulb Tayyip”:** Giresun 2nd Peace Court acquitted the three executives of Halkevi association who were tried for “insulting PM” with the slogan “Light Bulb Tayyip” (November 1).

**Acquittal of 12 children for “Light Bulb Tayyip”:** Bursa 1st Juvenile Court acquitted 12 children who were tried for shouting the slogan “Light Bulb Tayyip” during a demonstration against Turkey’s university entrance exam. The verdict concluded that the aforementioned slogans “did not act intentionally in order to insult a public officer” (October 11).

While Bursa 3rd Peace Court continued the cases of 5 defendants who are above 18, Giresun 1st Peace Court sentenced seven high school students to 235 days imprisonment on the charge of “insulting PM” with the same slogan. The sentences, on the other hand, were commuted into fines between 4,700 and 9,400 liras.

**Deputy facing 50,000 lira fine:** Hüseyin Aygün, CHP deputy of Tunceli, is standing trial for calling PM “a terrorist” on Twitter on March 20, 2013. He is facing a fine of 50,000 liras as non-pecuniary damages. (October 1).

After condemning the attacks to AKP Headquarters Office and Justice Ministry, Aygün wrote the following: “Isn’t it terrorism while you arresting about 40 lawyers, 7,000 Kurdish politician-citizens, hundreds of KESK [The Confederation of Public Workers’

Union] members, using gas on everyone from a 90-year-old mother to a baby, plucking the ear of a Grup Yorum member, swearing at a cemevi calling it a cultural center, trying to teach religion to millions of alevi by force, firing the journalist. The major terrorist in Turkey is you!”

### **Censorship Council (Muzır Kurulu) Rulings**

**Sancı and Yerguz not acquitted:** Istanbul 2nd Assize Court postponed the trial of İrfan Sancı and İsmail Yerguz from Sel Publishing House for “obscenity” charges according to the newly updates TCK article 6352.

Istanbul 2nd Assize Court previously resisted Supreme Court of Appeals 14th Penal Chamber’s acquitting of Guillaume Apollinaire’s “Exploits of a Young Don Juan”, a translation made by Sel Publishing House. (December 17)

Sancı defended himself on trial, saying that allegations on “child abuse” didn’t represent the truth and stated the book is a fiction novel which had been written 106 years ago. He said there was no child around. Sancı stated they were dissatisfied with the decision. “We were not acquitted and the process of trial and unjust treatment for us still continue,” said Sancı.

In fact, the court demanded the Turkish translation of an ECHR verdict on “Rahmi Aktaş” case where another book was prosecuted in Turkey for similar reasons. Court of Appeals 14th Penal Chamber dismissed the acquittal and paved the way for sentencing the writer and the translator to 6-year to 10-year imprisonment according to TCK 226/2.

### **Prohibitions, Closures, Recalls**

**Between the period of October-December 2013, 6 internet site bans, 3 Twitter and Facebook page bans and 3 accreditation bans were issued. Journalists were barred from entering police departments; two academicians were censored; reporters were not allowed to cover the opening of Marmaray subway line; one newspaper poster was removed, a Dutch reporter’s entrance to Turkey was strained; a municipality official was expelled because of a banner in Kurdish; a concert was cancelled; the expression “Kurdistan” by PM became “Kurdish Area” on TRT; the judge-police coalition coordinately wiretaps the phones of journalists.**

**Police authority ban suspended:** Istanbul 4th Administrative Court suspended the execution of police decree related to the entrance ban of journalists to police stations across Turkey. (December 31) The case was launched by Journalist Association of Turkey (TGC) on December 25.

The ruling also demanded the police authorities to explain for the reason of the entrance ban and its basis in legal procedures - a task ordered to be completed in 7 days.

**Ktunnel.com banned:** Prominent Proxy site Ktunnel.com was blocked a short while ago for Internet service provider TNet subscribers (December 12). It was divulged that TİB applied a “protective precaution” for TNet’s subscribers based on Batman 2nd Peace Court’s

decision number 2013/1346 on November 8, 2013 following the technical examination and legal evaluation of the site prompted by Law No. 5651 article 8/1-5.

**No access to Dailymotion:** Adana 9th Peace Court banned access to video sharing site Dailymotion. (November 27) Access was denied upon the execution of the courts verdict dated November 8. The decision was made when a media institution owning the right of broadcasting certain content asked for its removal and won the case.

**Criticism for CHP:** Sözcü newspaper criticized CHP's not inviting anyone from the newspaper to party leader Kemal Kılıçdaroğlu's US visit. "CHP preferred less popular newspapers for its US trip and excluded Sözcü, which sells 350,000 copies a day. This anti-democratic attitude did not suit CHP, which talks of 'freedom of the press' at every opportunity," the newspaper wrote. (November 27)

**MHP member expelled:** Fethiye Mayor Behçet Saatçı was expelled from the Nationalist Movement Party (MHP) for featuring Turkish and Kurdish messages in the billboards celebrating the Eid [Muslim religious holiday] (November 26).

**No accreditation for certain media outlets:** Some media institutions such as STV, Zaman newspaper, Kanaltürk TV, Bugün TV, CNNTürk and Cihan News Agency were not invited to sit in on the meeting headed by National Education Minister Nabi Avcı regarding the closure of cram schools [dershane] (November 26).

**Altan applies to Constitutional Court:** Columnist Mehmet Altan, unable to file lawsuits against MİT authorities due to a confidential regulation authorizing wiretapping with the suspect's code name, used his right for individual application to the Constitutional Court (November 23).

**PM's word:** BDP Co-chair Selahattin Demirtaş remarked on the PM's use of the word "Kurdistan" in his Diyarbakır visit: "The Kurdish politicians here that say 'Kurdistan' continue to face trial," (November 22).

**AKP member on way to expulsion:** AK Party Kütahya MP İdris Bal was sent to the disciplinary council for expulsion from AKP for criticizing one of the PM's policies about prep schools (November 21). Bal resigned on November without awaiting the decision.

**Penalty for Samyeli:** Turkish Statistical Institute (TÜİK) fined TV presenter Defne Samyeli 923 liras when she refused to let the institution commission an employee in her house to oversee the income and expenditures for one month and produce statistical figures, on grounds such as inconvenience and right to privacy. Samyeli stated she would pay the fine and take the issue to court (November 21).

**Intelligence coordinated with judges:** PM Erdoğan didn't let to file an investigation on members of National Intelligence Organization (MİT), who wiretapped by receiving verdicts through fake names the former editorial director of Taraf newspaper Ahmet Altan, former vice editorial director Yasemin Çongar, editorial coordinator Markar Eseyan, the authors Amberin Zaman and Mehmet Baransu, and the author of Star newspaper Prof. Mehmet Altan during 2008-2009. "We performed wiretapping of journalists by using fake names

coordinately with judges,” MİT Undersecretary Hakan Fidan stated in his statement sent to the prosecutor’s office (November 21). Head of 1st Department of Supreme Council of Judges and Prosecutors (HSYK) İbrahim Okur mentioned that sometimes they feel uneasy about such demands of intelligence organization, but they act in tolerant manner.

**TRT didn’t like the word “Kurdistan”:** TRT changed the words of PM Erdoğan during his Diyarbakır visit including “We are also saluting our friends in İraqi Kurdistan”, to “Northern İraq Kurdish Region” (November 16).

**Dersim still a taboo:** Attending the TV program “Hayata Dokunmak Lazım” on Show TV channel, Zeyini Çelik (120) from Dersim province told how they survived from Dersim Massacre upon the question of her secret of long life. But the speech of Zeyini grandma in Zazaki was exposed to censorship, while her grandson was translating her speech (November 15).

**New censorship from Facebook:** Facebook closed the pages of Özgür Gündem newspaper and Ötekilerin Postası within the scope of censorship practices increased during Gezi Resistance. (November 1)

**FEMEN censored on Facebook:** Facebook sent a warning message to those who shared the news of FEMEN Turkey and notified the removal of their posts due to “Violation to the standards of the community”. (October 31).

**Facebook closes BDP page:** Facebook closed the page of Peace and Democracy Party (BDP) İstanbul Provincial Organization. BDP İstanbul Provincial Organization protested Facebook by declaring that it's an intervention to their rights to publish (October 30).

**Confidentiality order for Reyhanlı:** İstanbul Prosecutor’s Office (in charge of terrorist incidents) called E.P, a journalist who allegedly provided the documents related Reyhanlı bombing attack to soldier Utku Kalı, to testify. Upon the request of prosecutor, İstanbul 3rd Judge’s Office ruled confidentially on the case “including top-secret documents” (October 25).

**Yıldırım requests broadcasting ban:** Releasing in Ergenekon case after being both anonymous witness and the defendant, Osman Yıldırım filed a complaint to Bakırköy Prosecutor's Office and requested a broadcasting ban order concerning the news on him.

**Is Dutch journalist blacklisted?:** The representative of Dutch state television NOS and NRC Handelsblad newspaper Bram Vermeulen declared that he was waited by the police without any reason at the airport or border gates each time whenever he entered Turkey, and he couldn’t receive any response to his application for the new type of press card which is given to all international press representatives (October 23).

**Various websites censored:** Anatolian News Agency, Sabah, Yeni Şafak and Zaman newspapers didn’t give place to the words of PM Erdoğan “If it’s required, we would demolish mosque”, which was said in AKP Parliamentary Group Meeting regarding the road construction projects.

**State auditing board commissioners censored:** While a political crisis regarding the “audit” occurred last year due to not delivering State Audit Office reports to the Parliament, the censorship crisis is on the agenda this year as well. The commissioned auditors in State Audit Office have claimed that proceedings regarding public bodies issued by them were exposed to censorship by summarizing the reports in few pages.

**İMC TV in prison:** Bingöl M Type Close Prison and Semi Close Prison banned İMC TV, a TV network that was available previously. (14 October)

**Propaganda accusations in prison:** Antalya Persecutor’s Office launched an investigation against Gülçin Bulut and Yurdagül Gümüş for “making propoganda of an illegal organization through books”. Arrested within People’s Front case, they were arrested 20 November 2012. Their advocated claimed that the aforementioned books were inspected several times. (October 12)

**Municipality bans Group Yorum concert:** Istanbul Metropolitan Municipality canceled Group Yorum’s concert which was scheduled in Harbiye Cemil Topuzlu Amphitheater. (October 11) Bahar Kurt from İdil Culter Center claimed that the concert was canceled for reason associated with “separatist activities”.

**Censorship from Fenerbahçe TV:** Fenerbahçe TV censored former Fenerbahçe administrator Ömer Çavuşoğlu’s words “Fenerbahçe fans, don’t vote AKP, teach a lesson” during a program called F1B.

**Council condemns intervention:** Press Council Chairperson Pınar Türeñç found Vice PM Bülent Arınç’s reaction on the discussion between mixed gender apartment “unacceptable”. “The prime minister tries to align newspapers. If that’s right, then advisors should write their name on staff lists,” she added. (November 11)

**MHP mayor faces expulsion:** MHP Fethiye Mayor Behçet Saatçi who gave the message “one nation, one country, one language and one flag” with using billboards in both of Turkish and Kurdish in Fethiye, was sent to his party’s disciplinary council for expulsion. (October 10)

**RTÜK tweet from actress:** Demet Evgar who played in the TV series “1 Man and 1 Woman” about the relationship between an unmarried couple, reacted against RTÜK from her twitter account after RTÜK cut several part of the serial because of “obscene jokes.” (October 7) “I wish you can watch our sketch without the censorship. I can’t watch now! Thanks to RTÜK,” Evgar wrote on twitter.

## Journalism

**Media criticized by the media:** Journalists and Authors Foundation released a statement on the ongoing corruption probe investigation. “Within the corruption probe investigation, the government and the pro-government media started to obscure the investigation by emphasizing on concepts like ‘justice junta’, ‘parallel government’, ‘autonomous structure’, ‘espionage’, ‘agents’ and several abstract accusations,” the statement said. (December 31)

**“Send the 2M liras”:** According to a file on corruption probe investigation, a pro-government newspaper owner asked Halkbank GM Süleyman Aslan for 2,000,000 liras to pay his employees’ wages. (December 28)

**Çağlayan’s words don’t appear on certain cites:** Economy Minister Zafer Çağlayan’s words didn’t appear on certain media outlets including Akşam, Sabah and Star. (December 25)

“The majority of construction plans were drafted by PM. He must resign, so that the people can have relief,” he said. Anatolian News Agency also censored this statement which appeared on NTV.

**“Fake document” quarrel:** After Sabah newspaper claimed the documents published in Taraf newspaper were fake, the latter responded with punned subheading “Every Sabah lies” [also meaning “It lies every morning”] on December 11, 2013. Taraf wrote that the documents Sabah published as original MİT documents were an investigation request into MİT employees tapping Taraf writer Baransu.

**Criticism from Zaman:** “We watched in astonishment how ‘conservative seeming’ newspapers easily published false news,” wrote Zaman newspaper columnist Veysel Ayhan on AKP supporter media in his column titled “The cram school debate and conservative media” (December 2).

**Confession about bottles in mosque:** Zaman newspaper news section editor İbrahim Doğan claimed over Twitter that the beer cans found during the Gezi demonstrations in Bezmi Alem Valide Sultan Mosque in Dolmabahçe had been placed there after-the-fact (December 1).

**Sabah overlooks MGK verdict:** While Taraf newspaper revealed a MGK decision dated 2004 prescribing precautions against the Gülen movement and Zaman newspaper announced it, the decision was not featured in Sabah newspaper (November 30).

**TRT on duty for AKP:** State television TRT’s news channel TRT Haber live broadcasted AKP spokesman Hüseyin Çelik’s declarations for 2,298 minutes (38 hours 18 minutes), but CHP spokesman Haluk Koç’s declarations for 962 minutes (16 hours 2 minutes) in the period between August 2012 and August 2013 (November 29).

Deputy Prime Minister Bülent Arınç in response to CHP’s Haluk Koç’s parliamentary question expressed that channels try to live broadcast party spokesmen’s newsworthy declarations depending on the broadcast stream.

**Yeni Akit lashes at Zaman:** Yeni Akit columnist Hasan Karakaya claimed Zaman newspaper received a statement on the cram school debates from actor Müjdat Gezen (November 24). Zaman described the claim as “foul”. The newspapers clashed on the topic of the closure of prep schools as well.

**Zaman’s letter to the PM:** Zaman newspaper editorial director Ekrem Dumanlı sent a letter to PM Erdoğan with whom there had been a particular disagreement on the topic of cram schools; “see the picture properly; it can be misleading when chattering friends and

applauding colleagues, moving away from righteousness, cheer on and bless each of your acts,” Dumanlı wrote (November 24).

**Gülen Community replies to Sabah:** After Sabah newspaper used the headline, “Black propaganda for cram schools” about Zaman newspaper’s news, Today’s Zaman editorial director Bülent Keneş responded with tweet, “It is noteworthy for newspapers which have become the hotbed of lies and black propaganda to blame Zaman at all unaccountable times” (November 15).

**Oblivious to the tension:** Pro-government newspapers Star, Sabah and Yeni Şafak attempted to conceal the tension that arose between PM Erdoğan and Deputy PM Bülent Arınç on the topic of the inspection of mixed-sex student housing. On November 13, 2013 Star opted for headline “We are brothers in the same cause, don’t expect discord,” Sabah for, “We won’t play into those lying in ambush,” and Yeni Şafak for, “Conclusion to the debate.”

**Sönmez criticizes his newspaper:** Yurt newspaper columnist Mustafa Sönmez, in his piece titled, “Wearying nonsense: Give Oil, Take Kurdistan” criticized his own newspaper, Aydınlık and Sözcü newspapers and the approaches nationalist politics have been defending for years (November 19).

**Vice admiral inquired his interview:** Resigning due to spying and Balyoz case in İzmir, Navy Fleet Commander Admiral Nusret Güner protested Hürriyet newspaper due to not publishing his interview gave on October 25, by posting a tweet on mid November.

**Demonstration outside Fox TV:** The workers fired due to affiliating with Leather and Shoe Worker’s Union (Deri İş) while working at Punto Deri Company in Istanbul’s Zeytinburnu district held a demonstration outside Fox TV against the channel's indifference. (November 7)

**Aggressive headline from Sözcü:** Sözcü newspaper criticized PM’s words on mixed gender student apartments with a headline “What would you do...Don’t itch, don’t be itched- Those Indians went to the moon, our Tayyip is thinking about his promiscuous values”. (November 6)

**Gezi demonstrators had caused the breakage:** Türkiye newspaper (Dated November 3, 2013) accused Gezi demonstrators of lifting the emergency handle in Marmaray rail tunnel, and thus leading to the failures. “Don’t you feel ashamed of bastardizing the journalism profession that much?,” Head of Media School in Bilgi University Aslı Tunç tweeted.

**Columnist criticizes her own newspaper:** Türkiye newspaper columnist Ceren Kenar criticized the news of Türkiye newspaper dated November 3 “Gezi sabotage to Marmaray” with the following tweet: “It is not fair to make such assertive news without any proof.”

**Star newspaper finds the defendant before police:** The police was able to find Erhan Tuncel, the defendant who was searched by police for 38 days regarding the Hrant Dink murder. The newspaper released an interview headlined “I would reveal my relations” on October 23, 2013.

**NTV didn't broadcast CHP live:** NTV broadcasted the declaration of AKP Group Deputy Chairman Nurettin Canikli upon his visit to CHP regarding the re-establishment of the constitution; however when CHP representatives commented on this visit, NTV stopped the live broadcasting.

**Quarrel of Sabah and Today's Zaman newspapers:** In her article headlined "If you don't have a national approach, indeed you are a betrayer", Sabah newspaper columnist Sevilay Yükselir targeted Today's Zaman and Congregation's newspapers fractured on MIT and Hakan Fidan issues (October 22).

**Social media allegedly a gathering-place for illegal organizations:** Milat newspaper requested opinion from author Celal Tahir on Twitter. The newspaper released the interview with the headline "Social Media, Gathering-Place for Illegal Organizations" (October 21).

**Star newspaper targets Financial Times:** Star newspaper accused Financial Times UK (FT) of running a smear campaign due to the news regarding the possible financial issues of Turkey, and its effects on 3rd airport project in Istanbul and nuclear plant project (October 19). Star previously claimed that FT sabotaged Olympic 2020 Candidacy and the peace process in Turkey. "The attitude of FT UK turned into a sickly manner," the newspaper wrote.

**A taste of freedom of expression:** "The democrats, leftists and liberals can experience the taste of the freedom of expression for the first time," Star newspaper columnist Mustafa Karaalioglu wrote. (October 17)

**Lack of editorial principles in Sabah newspaper:** "Even though I have been the ombudsman of Sabah newspaper for 9 years, frankly I don't know the editorial principles of the newspaper!," journalist Yavuz Baydar wrote on T24 website (October 15).

**Sabah criticized Hürriyet:** Sabah newspaper accused Hürriyet, the newspaper that made news on dismissal of the presenter of "Veliht" TV program Gözde Kansu. Sabah claimed that since Kanal D, a channel belongs to Doğan Group like Hürriyet newspaper, has failed in getting rating, it thrown mud at them.

Signed by "Hürriyet World", the response to Sabah newspaper said the following: "Hürriyet newspaper held its duty to inform the public. We would like to announce here that we won't be involved in any conflict if this is intended to break out a media war."

**Habertürk ran towards democracy:** After the announcing of "democratization" package, Habertürk newspaper had the following headline on October 8, 2013: "We run towards democracy"

**Uzan speaks to Taraf newspaper:** Cem Uzan, the former owner of Star newspaper, had settled down in France after TMSF [the Savings Deposit Insurance Fund of Turkey] confiscated all his property in 2003-2004. "Prosecutors can ask me. I am ready to tell all I know about February 28 and other coups," he said. (October 7) Uzan spoke to Taraf newspaper about the civil branch of February 28 post-modern coup and the role of media in the coups.

**Star newspaper captions Özkök:** Star newspaper featured from its headline an article entitled “Forgiving February 28 coup is a betrayal” on October 7, 2013. Claiming that Hürriyet newspaper former editor-in-chief Ertuğrul Özkök is one of the names having taken part in the civil branch of the post modern coup, Star also published a photo of the journalist.

**Özkök angry at publications about February 28:** Ertuğrul Özkök, Hürriyet newspaper former editor-in-chief, wrote the following on his article on October 2, 2013 about February 28 case: “There is no indictment but the revolutionary prosecutors of the media have already written their indictments.” Özkök is criticized for pro-military captioning against the ‘Refahyol’ government at the time he was an editor.

## ECHR

**In October-December 2013 period, ECHR sentenced Turkey to pay a sum of 113,885 euros for pecuniary and non-pecuniary damages to 24 defendants and 2 broadcasting corporations on charges associated with violating the European Convention on Human Rights Article 10 that regulates the freedom of expression, and having not applied fair trial on the files.**

**ECHR sentences deadly raid:** ECHR sentenced Turkey to pay a compensation of 30,765 euros to the application of Merve Yavuz and İbrahim Yaylalı for the killing of 17 people by security forces for allegedly being a member of Maoist Communist Party (MKP) organization (December 17).

ECHR also convicted Turkey of violating the right of expression and did not apply fair trial.

**Rejection from ECHR:** Cumhuriyet Kılıçoğlu, the owner of Siirt Mücadele newspaper, was sentenced on two separate cases for “defamation” charges when he criticized university circles. He stated he was discouraged after the rejection of ECHR on July 5 for his application. The journalist criticized the local courts for not protecting their profession. “If I had won, I would have requested ECHR to compensate not the government but the ones made me sentenced,” he said. (December 12)

**Bülent Kaya wins in ECHR:** Bülent Kaya sued Turkey to ECHR. On October 22, ECHR sentenced Turkey to pay a compensation valuing 5,360 euros. He was on a trial for a speech he made during an action in which slogans were shouted for PKK leader Abdullah Öcalan, for “praising the guilty and crime”. In 2008, Turkey had imposed a fine instead of imprisonment to Kaya according to the TCK Article 215. ECHR found the imposing fine contrary to the freedom of expression.

**ECHR sides with Dicle:** ECHR judged politician Mehmet Hatip Dicle's trial and conviction for his written piece criticizing the government for the Dersim massacre as violation of freedom of expression and decided for Turkey to pay 4,500 euros compensation including court expenses (October 15). Dicle had described the Kurds in the region as "victims of assimilation policy and genocide.”

**ECHR Conviction for Penalty to Cumhuriyet:** ECHR judged the lawsuit President Abdullah Gül filed against Cumhuriyet newspaper in 2007 and the provisional injunction on

the newspaper as a violation of freedom of expression. Turkey was sentenced to paying newspaper director-in-charge Güray Tekin Öz, publishing company Yeni Gün Haber Ajansı Basın ve Yayıncılık A.Ş. and the Cumhuriyet Foundation a total of 7,500 euros for non-pecuniary and 5,100 euros in pecuniary damages.

**“Sayın” sentence from ECHR:** ECHR opined that the conviction of 19 people who reported themselves with a petition to Halfeti Prosecution on July 18, 2008 saying, “If it is a crime to call Abdullah Öcalan “Sayın” [form of address meaning “esteemed”], we call him that too,” is against unlawful. Turkey will pay a total of 60,660 euros in compensation. (October 1).

## News from RTÜK

**RTÜK gave Star TV a warning due to dancing accompanied by oriental dance music and the call to prayer in the film, “Charlie’s Angels”... The TV presenter AK Party Vice Chairman Hüseyin Çelik warned about her outfit, lost her job, but the channel, ATV did not receive a penalty. RTÜK classified the line, “We’ll move on from dinner to dessert,” and a woman’s running her husband’s hands on her body in TV series “Umutsuz Ev Kadınları” [Desperate Housewives] as sexual content and charged Fox TV. 24 television channels were fined 4.9M liras for featuring images of smoking in 2003; 1.25M liras were given to Halk TV and Ulusal Kanal. Ömer Tuğrul İnançer’s words, “It’s indecent for pregnant women to go outside” on the program “Ramazan Sevinci” [Ramadan Joy] on TRT were seen as “freedom of expression.”**

**Cigarette fines for dissidents:** RTÜK fined 24 television channels a total of 4.9M liras in fines for featuring images of cigarettes and tobacco products in 2013. Just Halk TV and Ulusal Kanal were charged 1.25M liras of this sum (December 29).

Halk TV received a fine of 879,156 liras, Ulusal Kanal 366,315 liras, Olay TV 2,197,890 liras. 12 program of Halk Tv’s, 5 of Ulusal Kanal and 30 of Olay TV were penalized.

**TV fined for malediction:** RTÜK, fined Show TV 120,000 liras for singer Bülent Ersoy’s words to technical team staff running the playback recording behind the camera, "We waited for the playback, but the pea brains inside couldn’t run it. God damn you," (December 25).

**No penalty to Halk TV:** RTÜK did not deem it necessary to penalize Halk TV for Syria President Bashar al-Assad’s words in his interview with the channel, "The Erdoğan government is responsible for the blood of tens of thousands of Syrians." (December 25).

**Criticism for TRT:** Deputy PM Bülent Arınç denounced TRT’s long broadcasting of AKP mayoral candidates and said that they had made an intervention (December 12).

The four opponent members of RTÜK (Radio and Television Supreme Council) demanded a sanction concerning the TV channels broadcasted the speech of PM on mayor candidates for two hours. (November 27).

**Commissioned both in RTÜK and TRT:** RTÜK assigned Hikmet İnce, a board member of TRT, as a vice president for RTÜK, an institution in charge of auditing TRT broadcast (November 27). Designation led a concern regarding an objective audit.

**Fine to Fox TV:** RTÜK evaluated the word “We will take deserts after meal” and the woman who touch his husband's body in one of the scene of TV series "Desperate Housewives" (local version) as a sexual content. Considered it harmful for the psychological development of children and youths, RTÜK fined 115,000 liras to Fox TV.

**RTÜK scrutinizes Alçı's words:** RTÜK member Ali Öztunç brought journalist Nagehan Alçı's words “Gezi is an Alevi revolt” on CNN Türk's "Dört Bir Taraf" debate show to be discussed at the regular board meeting. (December 2 ).

**Fox TV fined:** RTÜK issued a monetary fine to Fox TV for its show “Umutsuz Ev Kadınları” - Turkish version of “Desperate Housewives” - where a 17 year old is depicted to having a relationship with an adult woman. The board found the content (December 1).

**No penalty to ATV:** RTÜK dismissed a penalty investigation on ATV after AKP Deputy Chair Hüseyin Çelik's on TV show presenter Gözde Kansu. “She wore such a dress that it can't be accepted. We don't interfere anyone's clothing but this is extreme,” he said. (November 28) After Çelik's words, however, Kansu was laid off.

**E2 channel fine ratified:** Ankara 9th Administrational Court dismissed a motion submitted by E2 channel on the RTÜK penalty ruling. (November 24) The penalty concerned a bedroom scene in Desperate Housewives on the ground that it was inappropriate and aired in an hour during children could see it according to RTÜK code Article 4 Paragraph Z.

**Alçı and Kütahyalı fined:** RTÜK issued a penalty on KanalD's “Bırakın Konuşalım” show as Nagehan Alçı shared a story on S.G., a woman who has been sexually harassed by a university professor.

Another penalty was issued on Beyaz TV's “Derin Futbol” show as Rasim Ozan Kütahyalı pronounced “content with defamation”. (November 23)

RTÜK ordered the former program to pay a fine of 1 percent of its commercial income for “infringing the axiom of innocence and accusation”. The latter also receive the same penalty for Kütahyalı's word “humiliating”.

**TRT complaint to Arınç:** RTÜK issued a warning on TRT Müzik for its show “Müziğin tutkusu” aired on June 29 where singer said the following to a tele-guest: “Thank God, we are doing something. We are like a vibrator, dude.” RTÜK also sent a letter to Vice PM Bülent Arınç, responsible minister of the channel. (November 21).

**Beyaz TV fined:** RTÜK issued a fine of Beyaz TV for broadcasting the messages between national soccer team coach Fatih Terim and Galatasaray Sports Club President Ünal Aysal when Terim was leaving the team. (November 21) The channel will pay the 1 percent of its monthly commercial income.

**Double standard?** Bugun newspaper columnist Tarık Toros criticized RTÜK regarding its discriminating politics over two different TV channels. He also claimed that while RTÜK issued a fine to Kanaltürk, it didn't punish TV24. (November 21)

**Ulusal Kanal fined:** RTÜK fined Ulusal Kanal TV network on the grounds that it didn't remain impartial by disregarding a statement of governor's office while covering the death of Ahmet Atakan in Hatay province during Gezi Resistance. (November 18)

Two RTÜK members, on the other hand, put a clause on the ruling. RTÜK also made the following statement the day after: "Sanction was imposed on the channel as it broadcasted unverified information as if certain."

**7 closures for medicine promotion:** RTÜK closed 7 TV Channels for broadcasting unethical medicine promotion. The incident came into surface when Health Minister Mehmet Müezzinoğlu responded a parliamentary inquiry by CHP Deputy Namık Havutça. (November 15)

**TV Channels receive "Gezi" warning:** Despite an expert saying that "no defamation exists, no penalty is needed", RTÜK issued a warning to Kanal A and Kanal T for the following expressions they broadcasted: "Migros [a grocery market chain in Turkey] distributed food during the Gezi protests. Rumors spread that even Rahmi Koç might be detained by the police. Plain cloth police are so immoral that they can devastate anyone". (November 4)

**No Sanction to TRT:** RTÜK considered Ömer Tuğrul İnançer's words "It is not decent for women to go out while pregnant" on TRT's "Ramazan Sevinci" show on July 23 within the limits of freedom of expression. (October 31) After the show, more than 5,000 complaints were submitted to RTÜK. The ruling was annexed by RTÜK members Süleyman Demirkan, Ali Öztunç and Ahmet Yıldırım.

**RTÜK rejects Gülen's complaint:** RTÜK dismissed the complaint of Fethullah Gülen, a submission made due to the comments on Ulusal Kanal of Hasan Basri Özbey, Vice Chairman of Labor Party (İşçi Partisi). (October 26) RTÜK ruled that the words were within the limits of freedom of expression.

**RTÜK penalties:** Vice PM Bülent Arınç responded a parliamentary inquiry by MHP deputy Alim Işık. (October 13) According to that, RTÜK imposed a fine 70,124,000 liras to TV channels since 2003. However they could receive only 12M liras from them. The highest fine was imposed to Kanal D and Show TV. RTÜK imposed a fine of 14,739,000 liras to Kanal D.

**Star TV warned for "dance":** RTÜK delivered a warning to Star TV for broadcasting a part of "Charlie's Angels" where actors danced with oriental figures during call for prayer. (October 6) "If this neglect will repeat, a fine will imposed," RTÜK said.

**Penalty to STV for scene of cutting head:** RTÜK imposed a fine 110,000 liras to STV for depicting the cutting the heads of Patrona Halil and Acem Shah's sister Firdevs in "Osmanlı'da Derin Devlet" TV series. RTÜK interpreted this part is horrendous. (October 6)

**Complaint report from RTÜK:** RTÜK released a report saying that they have received a total of 5,570 complaints in August which were distributed as follows: 2,072 complaints via RTÜK's Connection Center, 3,445 via website, 53 via email.

According to the report, most complaints were submitted in the following programs: ads (30 percent), sport (24 percent) and news bulletins (14 percent).

In July, only 30 of complaints were related to Ömer Tuğrul's words on TRT about pregnant women.

In the months of June, July and August, the highest complaints on sports were submitted to "Beyaz Football" show on Beyaz TV. While most complaints on news were submitted to Halk TV, Ulusal TV and TRT, Pis Yedili turned out to be the TV series with most complaints.

**Olay TV's 879,000 TL "cigarette" penalty:** RTÜK fined regional broadcaster Olay TV a total of 879,156 TL for featuring non-pixelated images of cigarettes in 12 films they aired.

### **RTÜK Penalties**

**RTÜK gave television institutions 31 warnings, 24 fines and radio institutions 1 warning and 5 fines for their news and program broadcasts in the period between October-December 2013.**

**(The study was based on 11 meetings RTÜK held between October 2 and December 11, 2013).**

RTÜK gave out 'seven warnings about protective symbols, seven fines; one fine for violating "the moral development of youth"; three warnings for "injuring Turkish", four fines; two warnings for articles related to "tobacco and tobacco products", six fines; four warnings for violating "human dignity and the right to privacy, eight fines; two warnings for the "presentation of news" and three fines; one warning for violating the "presumption of innocence"; twelve warnings for violating national-inner values, one fine; one warning related to "alcoholic drinks" and one fine.

**Protective symbol:** RTÜK gave seven warnings (Karadeniz TV, National Geographic, EM TV, Kanal TV, Kanal Çay, Kardelen TV and Mercek TV) and 1,513,974 TL in monetary fines (Star TV-1,142,070 liras; Star TV-148,525 liras; Fox TV-115,115 liras; Show TV-93,689 liras; Show Türk-11,886 liras; Best FM-1,502 liras and 1,187 liras) for the violation of the principles, "Radio and television service providers cannot air programs with content potentially harmful to the physical, mental or moral development of children and youth during time slots where these might be listening or watching and without protective symbols..." and, "Media service providers inform viewers in aural or written form on their program service contents using the protective symbols system."

**The moral development of youth:** Star TV was fined 186.824 TL for contravening the principle, "Violent, sexual and other such content that could damage the mental or moral development of children and youth cannot be aired during protected hours," in Law No. 6112 Article 8, Clause 2.

**The use of Turkish:** RTÜK gave 3 warnings (TRT Müzik, 67 TV and radyo Mastika) and 124.548 liras in fines (Show TV-120.834 liras; Best FM-1.340 liras; Radyo Seymen-1.187 liras (2)) for the violation of regulation, "They are obliged to ensure that Turkish is used

without breaking its rules or properties, in a right, good, and understandable manner; the base, crude and slang use of language cannot be allowed,” found in Law 6112.

**Tobacco and tobacco products:** RTÜK gave out four fines of 439,578 liras total (CNN Türk (2) and NTV Spor (2), NATIONAL GEOGRAPHIC CHANNEL (1), Kanaltürk TV of 73.263 TL each) and two warnings (Karadeniz TV and 67 TV) for the violation of the provision, “The use of addictive substances such as alcohol, tobacco products and drugs ... cannot be of a promotive manner,” in Law No. 6112 Article 8, Clause 1, Subclause (h) and of the provision, “Tobacco products are not used or portrayed in programs, films, series, music videos, commercials or advertising clips on television,” in Law No. 4207 on the Prevention of the Harms of Tobacco Products Article 3, Clause 6.

**Confidentiality of human dignity, private life:** According to Law 6112 Article 8 on “confidentiality of human dignity and private life, 4 warnings (Kanal T, KTV, Meltem TV, TV Net) have been made and the channels have been ordered to pay a sum of 622,101 liras (Kanal D, 332,736 liras and 205,927 liras; Habertürk, 24,008 liras; Ulusal Kanal, 11,886 liras (2); Beyaz TV, 11,886 liras (2); Flash TV, 11,886 liras).

**Presentation of news and accuracy:** According to Law 6112 Article 8 Clause (ş) on “impartiality, accuracy and reliability principals”, two warnings (Show TV, Show Türk) have been issued.

According to Law 6112 Article 8 Clause (ı) on “the usage of unnatural and highly sensitive background music”, a sum of 35,658 lira fines have been issued. (Halk TV (11,886 liras (2) ve Ulusal Kanal)

**Presumption of innocence:** RTÜK issued a warning on Kanal D for violating Law 6112 Article 8 Clause (i) on the presumption of innocence on the presentation of news.

**National-moral values:** RTÜK issued 12 fines on 3 channels (Rumeli TV (11) ve Star TV and Kanal T) with a sum of 11,886 liras for violating Law 6112 Article 8 Clause (f) on “the national-moral values of the society and preservation of family”.

**Alcoholic brewages:** RTÜK issued a fine (5,000 liras) to Köroğlu TV and a warning to Güneydoğu TV for violating Law 4250 on Alcoholic Brewages which imposed that “no content of alcoholic brewages can be used in TV series, movies and music videos on TV”.  
(END)