

BİA MEDIA MONITORING 2014 / JULY – AUGUST - SEPTEMBER

19 journalist entered the month of October in prison in Turkey. On the other hand, 21 journalists faced violence.

Regarding the secrecy of private life and press freedom, Turkey has been left unassured due to a law allowing Intelligence Authorities (MIT) to make inspections and collect data without a court order, and an omnibus bill allowing Telecommunication Authorities (TIB) to suspend websites in 4 hours and collect internet traffic data.

Unlawful phone tapings, impunity to police violence during Gezi Resistance, Erdoğan's verbal attacks and file complaints on the media after becoming president, and media moguls' interventions once more underline the urgent need for the state of law in Turkey.

According to BIA July-September 2014 Media Monitoring Report, 19 journalist entered the month of October in prison in Turkey. 21 reporters, 1 local newspaper building, 2 internet sites have been attacked; police raided the headquarters of 2 websites. For the past 3 months, 35 journalists were laid off or forced to quit posts; Enver Aysever's popular debate show has been discontinued by CNN Türk.

The role of Constitutional Court has become more significant after rulings that ended Twitter and YouTube censorships: While Bekir Coşkun and Hacı Boğatekin filed individual complaints on their convictions, scholars Kerem Altıparmak and Yaman Akdeniz as well as Republican People's Party (CHP) brought the law on Telecommunication Authorities (TİB) to the Constitutional Court.

Out of 271 cases in 2013, Justice Ministry approved 46 prosecution request under Turkish Penal Code Article 301. In 2014, the ministry approved 79 out of 373 case requests.

Highlights from media monitoring

BİA Survey Report presents the July-August-September period with the headlines, “murdered journalists”, “incarcerated journalists”, “detentions”, “attacks, threats and bans”, “investigations, opened-ongoing lawsuits, verdicts”, “insults, personal rights and indemnity cases”, “interdictions, closures, withdrawals”, “Reporting”, “ECHR” and “RTÜK”.

12 of 19 imprisoned from Kurdish media

19 journalists and 16 distributors entered October 2014 in prison. 12 of the journalists and all distributors are from the Kurdish media; they are behind bars for ties with “illegal organizations” as covered by the Anti-Terror Law (TMK) and the Turkish Penal Code (TCK). 66 journalists and 27 distributors were behind bars last year at the same time.

12 of the 19 journalists is incarcerated for the lawsuits, “Group of Communities in Kurdistan-Turkey” (KCK), “PKK” and “DYG”; others are for the cases of “Marxist Leninist Communist

Party” (MLKP)(2); “The Revolutionary People’s Liberation Party-Front” (DHKP-C)(1); “The Resistance Movement”(1), “Communist/Leninist Labor Party of Turkey” (TKEP/L)(1). Another is in jail for having linkages with Ergenekon Organization Mersin Branch, Türk İntikam Birliği Teşkilatı and İç Örgüt. One journalist is jailed for “espionage” charges. 15 of 19 journalists are sentenced and the lawsuits of 4 are ongoing.

TMK threat: 157 years, TCK threat: 44 years

In the period of July-September 2014, 5 journalists faced combined prison sentence of 157 years and 6 months according to TMK. 5 other journalist faced 44 years of prison according TCK.

Özgür Gündem newspaper’s responsible editor Reyhan Çapan and weekly Demokratik Ulus newspaper’s responsible editor Arafat Dayan were ordered to stand trial related to 18 complaints according to TMK Articles 6/2 or 7/2. Journalist-writer Temel Demirer has been charged with prison for “terrorism propoganda” after commemorating THKP/C leader Mahir Çayan. For the past 3 months, various prosecutors issued 12 prosecutions into deputies including pro-Kurdish People’s Democratic Party (HDP).

21 reporters assaulted, 8 detained

In the past 3 months, 21 reporters, 1 local newspaper building, 2 internet sites have been attacked; police raided the headquarters of 2 websites. 4 journalists have been verbally attacked; 3 journalists including Aydın Engin and Murat Belge as well as 2 newspapers have been threatened. 8 active-duty reporters have been detained. Around the same period last year where the ramifications of Gezi Resistance still lingered, 48 reporters were assaulted and 11 detained.

Erdoğan punishments

In the past 3 months, 2 newspaper columnists have been ordered to pay a combined 8,740 lira fine [around 2,700 euros] for charges related to violating the privacy rights of state officials. Last year around the same period, 2 journalists have been ordered to sentenced to a combined 11 months and 20 days of prison and 2,100 lira fine [around 650 euros].

In the period of July-September 2014, 5 individuals including 1 journalists have been convicted of insulting Turkey’s newly-elected president Erdoğan, ordered to a combined prison term of 11 months and 20 days as well as a delayed fine of 28,260 liras [around 9,000 euros]. Around the same period last year, two journalist were convicted to 11 months and 20 days of prison as well as a 5,000 lira fine [around 1,500 euros].

Accreditation and broadcasting bans

The accreditation policies of the president and government excluded a faction of the media – no matter secular, religious, Kurdish or minorities – from covering public debates.

The broadcasting bans continued to be the reality of Turkey with the media bans on the detention of truck affiliated with Turkey’s Intelligence Agency (MIT) as well as 49 hostage in

Turkish Consulate in Mosul. Cumhuriyet, Taraf and Birgün newspapers faced correction pressures.

Closures, seizures!

In this period, 5 news websites and their news content as well as 1 movie and 1 concert were banned. 2 general media bans were continued. 2 communication bans were issued in prisons.

For instance, TİB has restricted the website issuu.com, a court banned Sendika.org's article on AKP's policies in Van province. Facebook closed down the pages of İMC TV and Solidarity Platform With Jailed Journalists. Musa Anter's grandson has been fined for having "w" in his name. Vimeo removed a video uploaded by Meral Candan that depicted Erdoğan's behaviors towards women.

The accreditation discrimination was once more observed in AKP's 1st Extraordinary Congress as well as the at press conference where Erdoğan's presidential candidacy was declared. A movie entitle "Yeryüzü Aşkın Yüzü Oluncaya Dek" has been removed from Turkey's Golden Organge (Altın Portakal) Festival, musician Erkan Oğur's concert has been canceled, and complaints have been reported that İMC TV, Hayat TV and Halk TV were banned in some prisons.

ECHR issues 30K euro fine

In the same period, the European Court of Human Rights (ECHR) found Turkey guilty of Convention Article 10 on freedom of expression and not making a fair tribunal on two cases, ordering the Turkish state to pay two journalists a combined fine of 30,000 euros as pecuniary and non-pecuniary damages.

Around the same period last year, the court issued a combined 17,911 euros damages related to conscientious objector, belief freedoms and freedom of expression.

RTÜK: 22 fines to TVs

Turkey's Higher Board of Radio and Television (RTÜK) issued 17 warnings, 22 fines on TV and 2 warnings and 1 fine to radios in the period of July-September 2014. The combined fines were 1,909,743 liras [around 600,000 euros].

Fines to election coverages

Turkey's Higher Election Board (YSK), on the other hand, issued fines to 23 programs of TV Channels (A Haber, Halk TV, TRT Türk) have been suspended for reason associated with influencing presidential election results.

In addition to that, complaints have been made on 360, AHaber, ATV, Habertürk, Kanal 24, Kanal7, NTV, TGRT News, TRT1, TRT-1, TRT News and TRT Avaz. (EÖ/BM).