

BİA MEDIA MONITORING 2011 / ANNUAL REPORT

One hundred and four journalists and 30 distributors/members of the media were imprisoned as we entered the year 2012. In 2010, there were a total of 30 journalists in prison.

The year 2011 was a year of mass journalist arrests. The Turkish Penal Code (TCK) and the Anti-Terror Law (TMK) were applied jointly in these arrests. All the arrested journalists were accused with having "connections with a terrorist organization," be it "armed or not." This led to a mentality that applied "politics" rather than "law," and did away with the right to a fair trial and the principle of legality in crime.

One hundred and four journalists and 30 distributors/members of the media were initially "arrested" for "membership in an armed group" through journalism. Some of them are on trial for "committing an offense on behalf of the group without being a member of that group," and/or "knowingly and willingly assisting a group although not being in the hierarchical structure of the group." Some are on trial for setting up an armed or unarmed group, motivating and directing it, and/or being a member of it. The court has delivered a judgment in some of these trials.

Journalists were presented as "terrorists" through supplemental claims such as following-up news, covering news, writing books, opposing the government through journalism, and working for the Kurdish media.

In the trials, only six journalists are directly being accused for and charged with their news reports, articles or books: **Vedat Kurşun, Ruken Ergün and Ozan Kılınc, editors-in-chief of the Azadiya Welat newspaper, Erdoğan Altan, Batman representative of Dicle News Agency (DİHA), Diyarbakır representative Kadri Kaya, and Bedri Adanır, owner of the Aram Publishing and an executive of the Hawar newspaper.**

Despite the fact that arrest is a precautionary measure and can be replaced with judiciary control provisions, criteria such as "danger of absconding," "destruction, concealment, alteration of evidence," "influencing the witnesses," and "intense and strong suspicion of crime" were applied as ordinary and routine practices. These served as grounds for the arrest of journalist and to keep them under arrest for months or even years.

All journalists except one, and all distributors are currently in prison for "connections with a terrorist organization" under the Anti-Terror Law (TMK) and Turkish Penal Code (TCK). Sixty-four of the 104 journalists and all 30 distributors are from the Kurdish media.

Journalist murders / trials

Hrant Dink Trial: Hrant Dink was killed in the Şişli district of İstanbul on 19 January 2007, in front of the Agos newspaper. The 23rd hearing of the trial was held in the İstanbul 14th High Criminal Court on 26 December. During the last hearing, Dink's lawyers continued to present their 205-page opinion on the matter. Yasin Hayal and Erhan Tuncel, who were being charged with 'membership in a terrorist organization and assisting a terrorist

organization' (article 1 and 7/1 of TMK), 'membership in an armed group' (article 314/2 of TCK) and 'wilful murder' (article 82/1 of TCK) were present at the hearing. Hayal and Tuncel had been arrested pending the outcome of the trial.

The telephone records obtained from the Telecommunications Communication Presidency (TİB) of all the telephone calls in the region where the Dink murder was committed, have not yet been examined. The telephone records had been sent to the court on 5 December 2011. The prosecutor stated that the TİB records have been examined by the anti-terror branch teams and himself, and added that no records were found to be related to the 19 defendants.

Ogün Samast's file was separated because he was under the age of 18 at the time of the crime. He stood trial at the 2nd Juvenile High Criminal Court for the murder of Agos newspaper's editor-in-chief Hrant Dink. During the hearing on 25 July, Ogün Samast was sentenced to 21 years and 6 months in prison for 'felonious wilful murder' under article 82/1-a of the TCK, and one year and 4 months in prison for the 'unauthorised possession of arms' under Law No: 6136 on Firearms. He was also handed down a fine of 600 Turkish Lira (about 255 euros) under the same Law.

If the decision is upheld, Samast, who has been under arrest for four years now, is expected to serve two thirds of his prison sentence. In other words, he will serve 10 years and 8 months in prison.

Cihan Hayırsevener trial: Güney Marmara'da Yaşam ('Life in Southern Marmara') newspaper's chief editor Cihan Hayırsevener was killed on 18 December 2009. The third hearing of the trial regarding the murder was heard before the İstanbul Special Authority 10th High Criminal Court on 18 October. A total of 12 people are facing charges, including İhsan Kuruoğlu, the founder of İlk Haber (First News) Newspaper and editorial consultant Engin Arıcan. The file is being considered within the framework of organised crime. Bandırma's former district governor Salih Keser attended the hearing as a witness.

Judge Ömer Diken ordered that the secret witness is present at the next hearing. The lawyers' request for the release of Kuruoğlu and his driver Kerem Yılmaz, who is being accused of acting in conjunction with the gunman suspect, was rejected. Another request for the lifting of the preliminary injunction with asset freeze for defendant İlbey Kuruoğlu, who has been released pending the outcome of the trial, was also rejected.

The next hearing is on 28 February 2012. In the trial, which started on 15 October 2010, the İstanbul 10th High Criminal Court acknowledged the fact that journalist Cihan Hayırsevener was killed by an organised criminal group, but gave a decision of non-jurisdiction, saying that the action should be evaluated individually. The file had been sent to Supreme Court of Appeals.

The Supreme Court of Appeals decided that the Hayırsevener murder trial should be handled by the İstanbul 10th İstanbul (Authorised by Article 250 of the Turkish Code of Criminal Procedures) High Criminal Court. During the second hearing of the case evaluated under the framework of organised crime, on 26 May 2011, the İstanbul 10th Special Authority İstanbul High Criminal Court had taken the depositions of the 24 witnesses.

Criminal complaint by Uğur Mumcu's family: The family of Uğur Mumcu filed a criminal complaint on 24 January 2011, against the officials, who are accused of neglect in the investigation and prosecution of the murder's chief offenders and instigators. On 11 May, it was decided, "there are no grounds for prosecution.

In its decision, the Chief Public Prosecutor's Office stated that three separate criminal cases had been brought against the suspects of the assassination, that there is an arrest warrant for all suspects, a red notice has been issued for the arrest of some suspects, and that efforts to arrest the suspects are continuing within the scope of the cases opened at the Ankara 11th High Criminal Court.

Imprisoned journalists

One hundred and four journalists and 30 distributors were imprisoned as we entered the year 2012. All journalist are imprisoned for connections with a "group" under the framework of the Anti-Terror Law (TMK) and the Turkish Penal Code (TCK).

[Click](#) for a table of imprisoned journalists.

Out of 104 journalists, 60 are in prison because of trials related to the 'Kurdistan Union of Communities -Turkey' (KCK), 'PKK' and 'DYG', 16 because of trials related to 'Ergenekon', 8 because of trials related to the 'Revolutionary People's Liberation Party -Front (DHKP-C), 6 because of trials related to the 'Marxist Leninist Communist Party' (MLKP), and 3 because of trials related to the 'Revolutionary Camp.'

Out of 104 journalists, 27 are convicted, and 34 are still on trial. Forty-three are still awaiting the first hearing. They don't know what they are being accused with since their bills of indictment have not yet been announced.

A total of 26 journalists of the Dicle News Agency are in prison; five are convicted, six are on trial, and 15 journalists are awaiting the bill of indictment.

A total of 12 journalists from the Azadiya Welat newspaper are in prison; eight are convicted, one is on trial, and three are awaiting the bill of indictment.

A total of 11 journalists from Özgür Gündem ('Free Agenda') are in prison; nine are awaiting the bill of indictment, and two are convicted. Three of the former editors are also awaiting the bill of indictment.

Three journalists from the Özgür Halk ('Free People') magazine are in prison. Two are on trial, and one is convicted. Two journalists of the Demokratik Modernite ('Democratic Modernity') magazine are jailed pending the bill of indictment.

One journalist of Gün ('Day') TV is on trial, one journalist from Radio Dünya ('World') is convicted and is awaiting the bill of indictment in another trial. One journalist from Birgün ('One Day') newspaper and the head of Etik ('Ethics') Agency are awaiting the bill of indictment. The chief editor of Aram Publishing is convicted.

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

OdaTV/ Those on trial: Ahmet Şık (Haber Vesaire ('News and All')), Barış Pehlivan (Odatv Internet site's executive editor), Barış Terkoğlu (OdaTV Internet site's news director), Coşkun Musluk (OdaTV writer), Doğan Yurdakul (OdaTV writer), Muammer Sait Çakır (OdaTV writer), Müyesser Uğur Yıldız (OdaTV writer), Nedim Şener (Milliyet ('Nationality') newspaper's journalist and Posta ('Post') newspaper's columnist), Soner Yalçın (OdaTV owner), Prof. Dr. Yalçın Küçük and Hanefi Avcı. The bills of indictment were announced on 26 August. They are all being held at the Silivri Prison.

[Click for a table about OdaTV.](#)

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

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

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

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

KCK - PKK - DYG/Those on trial: Ahmet Akyol (DİHA Adana reporter), Ahmet Birsin (Gün TV's general manager), Hamdiye Çiftçi (DİHA Hakkâri reporter), Ruken Ergün (Azadiya Welat's former owner and editor-in-chief), Sebahattin Sürmeli (Özgür Halk magazine's editor).

KCK - PKK - DYG/Those awaiting the bill of indictment: Abdullah Çetin (DİHA Siirt reporter), Aydın Yıldız (DİHA Mersin reporter), Ayşe Oyman (Özgür Gündem's editor), Cengiz Kapmaz (Özgür Gündem's writer), Çağdaş Kaplan (DİHA reporter), Çağdaş Ulus

(Vatan ('Motherland') newspaper's reporter), Davut Uçar (Etik Agency Director), Dilek Demirel (Özgür Gündem's former editor), Ertuğ Bozkurt (Fırat Distribution's employee, reporter), Fatma Koçak (DİHA editor-in-chief), Feyyaz Deniz (DİHA Ankara reporter), Hasan Özgüneş (Azadiya Welat writer), Hüseyin Deniz (Evrensel reporter), İsmail Yıldız (DİHA former employee, Dersim newspaper's editor-in-chief), Kazım Şeker (Özgür Gündem's editor), Kenan Kırkaya (DİHA Ankara representative), Mazlum Özdemir (DİHA Diyarbakır reporter), Mehmet Emin Yıldırım (Azadiya Welat's general manager), Murat Aydın (DİHA reporter), Nahide Ermiş, (member of the Demokratik Modernite ('Democratic Modernity') editorial board), Nevin Erdemir (Özgür Gündem's editor), Nilgün Yıldız (DİHA Mardin reporter), Nurettin Fırat (Özgür Gündem's writer), Oktay Candemir (DİHA former reporter), Ömer Çelik (Birgün ('One Day') and DİHA reporter), Ömer Çiftçi (Demokratik Modernite's owner), Pervin Yerlikaya (DİHA İstanbul reporter), Ragıp Zarakolu (Belge Publishing's owner, Özgür Gündem's writer), Ramazan Pekgöz (DİHA Diyarbakır editor), Sadık Topaloğlu (DİHA reporter), Semiha Alankuş (DİHA Diyarbakır editor) Sibel Güler (Özgür Gündem's former editor), Sinan Aygül (DİHA Bitlis reporter), Songül Karatagna (Özgür Gündem's writer), Tayyip Temel (Azadiya Welat's former general manager), Yüksel Genç (Özgür Gündem's writer), Zeynep Kuray (Birgün reporter), Ziya Çiçekçi (Özgür Gündem's owner, editor-in-chief), Zuhul Tekiner (DİHA owner)

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

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

MLKP/Convictions: Erdal Süsem (Eylül Hapishane (September Prison) magazine's editor - life imprisonment) and Hatice Duman (Atılım ('Leap' Magazine's owner and editor-in-chief - life imprisonment), Dilek Keskin (Atılım Magazine's İstanbul reporter - 4 years 2 months).

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

Odak magazine's editor-in-chief **Erol Zavar** has been sentenced to life in prison in the trial on the Direniş Hareketi ('Resistance Movement'). Mezitli FM's general manager **Mikdat Algül** is standing trial for connections with a group. But the group's name is not mentioned. Özgür Gündem's editor **Serdar Engin** was sentenced to 9 months in prison for saying "Sayın" (Esteemed) Öcalan on grounds of 'praising the offense and the offender' under TCK 215. Odak magazine's writer **Doğan Can Baran** is under arrest for membership in an armed terrorist organization and making propaganda in connection with a terrorist organization. He is awaiting the bill of indictment. The name of the organization is not known. Devrimci Hareket's ('Revolutionary Movement') employee Mehmet Yeşiltepe has been convicted in the THKP-C Dev Yol trial.

Thirty distributors and employees were in prison in 2011. Nine of the arrested distributors and employees in the KCK-PKK-DYG trials are convicted, nine are standing trial and nine are awaiting the bill of indictment. Three distributors are standing trial without a bill of indictment. There is no access to information regarding the convicts.

[Click](#) for a table of distributors and employees.

KCK-PKK-DYG/Convictions: Ali Bilen (Özgür Halk's distributor - 8 years and 8 months), Ali Çat (Fırat Distribution-Azadiya Welat's Mersin distributor - 7 years and 1 month), Cengiz Doğan (Fırat Distribution - Azadiya Welat's Nusaybin employee - 3 years and 7 months), Dilşah Ercan (Azadiya Welat's Mersin distributor - 8 years and 9 months), Dindare Temirhan (Özgür Halk magazine's Mardin employee - 2 years and 6 months) İhsan Sinmiş (Azadiya Welat's distributor - 6 years and 3 months), Mikail Çağrıncı (Azadiya Welat's Adana distributor, life imprisonment), Selim Kahraman (Azadiya Welat's Adana distributor - 14 years and 3 months), Sibel Mustafaoğlu (Fırat Distribution's Antep employee - 21 years and 6 months).

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

KCK-PKK-DYG/Those awaiting the bill of indictment: Cihat Ablay (Demokratik Modernite's employee), Çiğdem Aslan (Fırat Distribution's distributor), Haydar Tekin (Fırat Distribution's former employee), İrfan Bilgiç (Fırat Distribution's former employee), Saffet Orman (Demokratik Modernite's Van employee), Selahattin Aslan (Demokratik Modernite's employee), Şeyhmus Fidan (Fırat Distribution's İstanbul employee), Veysi Arancak (Fırat Distribution's İstanbul employee)

12 distributors-employees from Azadiya Welat are in prison as a result of KCK-PKK-DYG trials. Six are convicted and three are standing trial. It is not known under the framework of which trials Gökhan Gümüş, Hasan Pişkin and Sabri Acar have been arrested, or if they have been convicted or not.

4 distributors-employees from the Özgür Halk magazine are in prison under the framework of trials on KCK-PKK-DYG. Two have been convicted and one is standing trial. It is not known under the framework of which trial Hayri Bal has been arrested, or whether he has been convicted or not.

3 distributors-employees from the Demokratik Modernite magazine are awaiting the bill of indictment under the framework of KCK-PKK-DYG trials.

6 Fırat Distribution employees are imprisoned under the framework of trials related to KCK-PKK-DYG. One has been convicted, two are standing trial, and three are awaiting the bill of

indictment. Two former employees are standing trial under the framework of KCK-PKK-DYG trials. Two are awaiting the bill of indictment.

Evictions

DIHA Mersin representative Ali Buluş, who was convicted of 'membership in an armed terrorist organization (PKK)' and Azadiya Welat's Batman representative Deniz Kılıç, who was convicted of 'making propaganda in favour of a terrorist organization,' who were both in prison during the previous reporting period, were released on 28-31 December, after having served their time in prison.

Devrim Yolunda İşçi Köylü ('Labourer Villager on the Road to Revolution') newspaper's editor-in-chief Barış Açıkel was released on 12 December, pending the outcome of the trial.

Atılım newspaper's writer Hasan Coşar was released on 8 December. He is standing trial for 'membership in terrorist organization MLKP' and 'making propaganda in favour of the organization' under article 7/2 of TMK.

Azadiya Welat's Adana distributor Hasan Şeker, Urfa distributor Mahmut Tural, Adana distributor Mustafa Çiftçi and distributor Şahin Baydağı were all released in 2011.

University students Berna Yılmaz and Ferhat Tuzer, who were arrested pending the outcome of the trial for holding up a banner that read, 'We Want Free Education' during the prime minister's speech on 14 March 2010, were released at the hearing on 6 October at the İstanbul 10th High Criminal Court.

Attacks, threats and obstructions

During 2011, journalists were faced with 33 cases of attacks, threats and assaults.

Özgür Gündem was raided: During the 'Kurdistan Union of Communities (KCK)' operations in various provinces of Turkey on 22 November, some 100 people were detained. During the operation, the İstanbul bureau of the Özgür Gündem newspaper was raided. Özgür Gündem's writer Lawyer Ayşe Batumlu and journalist Cengiz Kapmaz were detained. Demokratik Modernite and Dipnot's bureaus were searched on the same date.

Assault on Evrensel reporter: According to a 2 November report in Evrensel ('Universal') newspaper, İstanbul University student Dilek Yağlı, who was a volunteering reporter for the newspaper, was assaulted by the police. She was prevented from covering the protest that she was following. According to the report, Yağlı was battered as she was filming the police intervention at the protest. Yağlı stated that the Beyazıt Security Chief pointed her as a target.

Inquiries, New/On-going Trials, Decisions

Odatv case: The fifth hearing of the trial, being held within the scope of the Ergenekon operation was heard on 30 December at the İstanbul 16th High Criminal Court. There are 13 defendants on trial, 11 of whom have been jailed pending the outcome of the trial.

Ahmet Şık, Barış Pehlivan, Barış Terkoğlu, Coşkun Musluk, Doğan Yurdakul, Hanefi Avcı, Muhammet Sait Çakır, Müyesser Uğur, Nedim Şener, Soner Yalçın and Yalçın Küçük have been jailed pending the outcome of the trial. Ahmet Mümtaz İdil and İklim Ayfer Kaleli have been released pending the outcome of the trial. Defendants Ahmet Şık, Nedim Şener and Hanifi Avcı are standing trial for charges of 'membership in an organization by knowingly and willingly assisting the organization, although not being in the hierarchical structure of the organization,' (TCK 314/2) and all the other defendants except Yalçın Küçük are standing trial for 'membership in an organization' (TCK 314/2). Yalçın Küçük is standing trial for 'forming an organised group' (TCK 314/1). According to the bill of indictment, it is demanded that the penalties handed to all the defendants be increased by one half under article 5 of the Anti-Terror Law.

On the second and third hearings of the trial on 26-27 December, the 134-page bill of indictment prepared by İstanbul Public Prosecutor Cihan Kansız was read out. The bill of indictment was accepted on 9 September. During the first hearing on 22 November, Soner Yalçın, Doğan Yurdakul, Barış Terkoğlu, Barış Pehlivan, Muhammet Sait Çakır and Coşkun Musluk had demanded that presiding judge Resul Çakır is withdrawn from the case. This was rejected by the 17th High Criminal Court on 5 December. When Çakır was elected a member of the Supreme Court of Appeals on 22 December, he was replaced by judge Mehmet Ekinci of the İstanbul 11th High Criminal Court. During the latest hearing, the depositions of Soner Yalçın and Yalçın Küçük were taken. Defendant Kaşif Kozinoğlu, who had been arrested pending the outcome of the trial, lost his life on 12 November.

Şık and Şener face up to 15 years in prison. Soner Yalçın faces up to 36,5 years in prison. Yalçın Küçük, who is being accused with commanding an organised group, faces up to 43 years in prison. The rest of the defendants face up to 23 years in prison. According to the bill of indictment, some of the charges against the defendants are, assisting an organised criminal group (TCK 220), openly inciting hatred and enmity (TCK 216), obtaining documents related with state security (TCK 327), obtaining confidential documents (TCK 334), violating the secrecy of private life (TCK 134) and attempting to influence a fair trial (TCK 288).

Turabi Kişin was detained: Özgür Gündem newspaper's former editor Turabi Kişin was detained on 30 December at the Ankara Esenboğa Airport. It was stated that Kişin was detained under the framework of the KCK operations and brought to the Istanbul Police Headquarters.

Halkın Günlüğü ('People's Journal') newspaper's reporter under detention: Halkın Günlüğü Newspaper's Diyarbakır reporter Eser Sevgül was detained on 30 December at a protest by Dicle University students. They were protesting the events in Şırnak.

İsmail Avan was acquitted: Halkın Günlüğü Newspaper's reporter İsmail Avan is being tried by the İstanbul 11th High Criminal Court for charges of 'knowingly and willingly assisting an armed terrorist organization.' The trial continued on 29 December. Avan had been released pending the outcome of the trial. Avan, who was standing trial under article 314/3 of TCK and for charges of 'knowingly and willingly assisting an armed terrorist organization under article 220/7 of TCK and therefore membership in a terrorist organization (TCK 314/2) was acquitted during the last hearing.

"Genocide" trial under 301: Writer Temel Demirer is standing trial for saying "There was an Armenian genocide in this country" on 20 January 2007 in a speech he delivered in front of the Human Rights Monument on the Yüksel Avenue in protest of the murder of Hrant Dink. The trial continued on 28 December. The hearing on 20 January 2008 at the Ankara 2nd Criminal Court of First Instance was postponed to 28 Mart 2012 due to the fact that no response was received from the higher court. Demirer has been standing trial since January 2008 on the criminal complaint by the Ankara Police Security Branch Directorate, for 'inciting hatred and enmity' (TCK 216) and 'publicly denigrating the Republic of Turkey' (TCK 301).

Acquittal for interview with Karayılan: Ertuğrul Mavioğlu and Radikal newspaper's managing director Hasan Kılıç were acquitted in the trial related to an interview with Murat Karayılan. The trial had begun in March 2011 at the Beşiktaş 11th High Criminal Court and was finalised at the fifth hearing on 28 December. Mavioğlu and Kılıç were being charged with "making propaganda in connection with a terrorist organization" under (TMK 7/2) and (TMK 6/2) because of the interview published on 28-30 October 2010.

Double detention for Öner: Azadiya Welat newspaper's owner Menderes Öner was detained on 28 December in Ankara under the scope of the 'Kurdistan Union of Communities' (KCK) operations directed at the media with the decision of the İstanbul Special Authority 9th High Criminal Court. Öner was taken to Istanbul and released on 30 December after being questioned. Öner was also detained on 15 December and released on the same day after testifying.

"Roj TV" bill of indictment: Dicle News Agency's (DİHA) Batman representative Erdoğan Altan, Diyarbakır representative Kadri Kaya and Batman Postası ('Batman Post') writer Mehmet Karabaş are standing trial for the reports they also sent to Roj TV and Denge Mezopotamya ('Balance Mesopotamia') Radio.

All three defendants are being charged with "membership in a terrorist organization" under (TCK 314/2) and "making propaganda in connection with a terrorist organization" under (TMK 7/2) in the trial at the Diyarbakır 7th High Criminal Court.

Karabaş has been released pending the outcome of the trial. Altan and Kaya each face up to 20 years in prison.

The trial began in November and the third hearing was held on 26 December. Altan and Kaya's request to submit their defense statements in Kurdish was rejected. The next hearing will be held on 11 January 2012.

Is it not a crime anymore to say "Sayın" (Esteemed) Öcalan"?: On 23 December, the 8th Criminal Division of the Supreme Court of Appeals, upheld the decision of a Tunceli court to acquit journalist Esra Çiftçi, who referred to Öcalan with the honorific word 'sayın' (esteemed). The Criminal Division, in the past, had considered calling Öcalan 'sayın' 'attributing leadership to and glorifying the person committing offenses on behalf of an illegal organization, and praising the offense and the offender.' However, with the new decision, the Criminal Division, considered such expressions within the framework of 'one's social status' and 'Article 10 of the European Convention on Human Rights'. The court, in its reasoning,

stated that the fact that the 'Defendant has referred to Abdullah Öcalan, whose criminality is established, as 'sayın' does not constitute a crime under the current rules of positive law.

From funeral to membership in an organization: Twenty-seven people, including Sanat ve Hayat (Art and Life') magazine's manager Hacı Orman, Demokrat ('Democrat') Radio's employee İsmınaz Ergün and Dayanışma ('Solidarity') newspaper's employee Emin Orhan are standing trial since 2010 for 'membership in MLKP' (TCK 314) and 'making propaganda in connection with the organization' (TMK 7/2). They have been released pending the outcome of the trial.

The trial that was opened for reasons of attending the funeral of writer Kusiye Bozoklar, who died in 2009, continued on 22 December. The latest hearing was held at the Ankara 12th High Criminal Court. The panel of judges will continue the proceeding on 15 March 2012 to have time to revise the file.

Mass detention for journalists: Forty-eight people have been detained within the framework of 'Kurdistan Union of Communities (KCK) operations, which began in 20 December in the provinces of İstanbul, Ankara, İzmir, Adana, Mersin, Diyarbakır, Urfa and Van with an order by the İstanbul Specially Authorised Office of the Chief Public Prosecutor.

The headquarters and bureaus of Dicle News Agency, Özgür Gündem newspaper, Etik Agency, Demokratik Modernite magazine, Fırat Basın Yayın Distribution, and Gün Printing House were raided during the operations.

The homes of Etkin News Agency's (ETHA) editor Arzu Demir and Birgün reporter Zeynep Kuray were also raided.

Evrım Kepenek, Hamza Sürmeli, Mustafa Özer, Celal Kaya, Lütfiye Özcan, Mustafa Özer and Murat Eroğlu were released by the office of the attorney general on 23 December.

Six journalists, Özgür Gündem's employee Eylem Sürmeli, ETHA editors Arzu Demir and Enis Yalçın, Sultan Güneş Ünsal from DİHA (English service editor), Sevinç Tuncelli (former employee), former Fırat Distribution employee Şerafettin Sürmeli were also released by the court pending the outcome of the trial.

The 35 journalists arrested: BirGün reporter Zeynep Kuray, Vatan reporter Çağdaş Ulus, Etik Agency's director Davut Uçar, Azadiya Welat's manager Mehmet Emin Yıldırım; Ziya Çiçekçi (owner and editor-in-chief), Nurettin Fırat (writer), Yüksel Genç (writer), Nevin Erdemir (editor), Ayşe Oyman (editor), Hüseyin Deniz (former employee), Dilek Demiral (former employee), Sibel Güler (former editor) from Özgür Gündem; Zuhale Tekiner (owner), Fatma Koçak (editor-in-chief), Ramazan Pekgöz (editor/ Diyarbakır), Mazlum Özdemir (reporter/Diyarbakır), Kenan Kırkaya (Ankara Representative), Sadık Topaloğlu (reporter/Urfa), Semiha Alankuş (editor/ Diyarbakır), Çağdaş Kaplan (reporter/İstanbul), İsmail Yıldız (former employee- İstanbul, Dersim newspaper editor-in-chief), Ömer Çelik (reporter/İstanbul), Nilgün Yıldız (reporter/Mardin), Pervin Yerlikaya (İstanbul), Oktay Candemir (former employee) from DİHA; Ömer Çiftçi (owner), Nahide Ermiş (editorial board member), Saffet Orman (Van employee), Selahattin Aslan (employee), Cihat Ablay (employee) from Özgür Halk ve Demokratik Modernite Magazine; Ertuğ Bozkurt, Çiğdem

Aslan, Haydar Tekin (former employee), İrfan Bilgiç (former employee), Şeyhmus Fidan (İstanbul employee) from Fırat Distribution.

Imprisonment for owner of the Printing House: Berdan Printing House's owner Sadık Daşdöğen was arrested and sent to the Metris Prison on 16 December. In 2005, Berdan Printing House had printed Gülseren Aksu's book named 'Memories of Abdullah Öcalan - Feast of the Sun'. In the trial opened on 27 October 2010, the İstanbul Special Authority 14th High Criminal Court, acquitted Abdülrezzak Güngör, the owner of Çetin Publishing House, that published the book, and sentenced Daşdöğen to a year in prison for 'making propaganda in connection with the terrorist organization' (TMK 7/2). Daşdöğen could not appeal the decision since he thought the charges had been dropped. His sentence was suspended upon his request after finding out about the decision.

Ferhat Tunç trials: Two lawsuits and seven different inquiries were brought against singer Ferhat Tunç for the speeches he made when he was running to become a Dersim member of parliament from the Labour, Democracy and Freedom Block in the 12 June General Elections. Tunç is being charged with saying "Guerrilla" and "Sayın Öcalan" (Esteemed Öcalan) and therefore, 'praising the offense and the offender (TCK 215) in the Tunceli Criminal Court of Peace. In another trial at the Nazimiye Criminal Court of Peace, Tunç is being charged with using the word "martyr" under the same article. He is also subject to seven different inquiries for speeches he made in Dersim and its surroundings.

For giving interviews to ROJ TV: Lawyer Şiar Rişvanoğlu is being charged in the Adana 6th High Criminal Court court for the things he said on ROJ TV on 1-3 May 2010. The panel of judges rejected the request to decipher the interview. Rişvanoğlu will present his defense as to the accusations on 10 February 2012. The proceeding continues under the scope of 'making propaganda in connection with the terrorist organization' (TMK 7/2). Rişvanoğlu is faced with 4,5-21,5 years in prison.

Newroz trial: Lawyer Şiar Rişvanoğlu is standing trial for violating articles 12 and 23 of Law No: 2911 and 'holding an illegal meeting and demonstration' during the 2010 Adana Newroz celebrations. The third hearing of the trial, which began in 30 June, was heard on 13 December. Rişvanoğlu testified during the hearing. The trial was postponed to 8 March 2012 to listen to the testimony of the government commissioner, who was on duty on the day of the incident.

A one-year prison sentence came out of the 'box': Birgün newspaper reporter İlkem Ezgi Aşam, is standing trial for 'identifying officials on anti-terrorist duties as targets for the terrorist organization' (TMK 6) at a Beşiktaş High Criminal Court. On 13 December, she was sentenced to a year in prison. Aşam was standing trial for the informative box in her news story titled, 'Religious Community's General at Mutki Excavations' published on 24 January.

Mehmet Güneş was arrested: Türkiye Gerçeği ('Turkey's Reality') magazine's writer Mehmet Güneş was detained on 6 December during the Revolutionary Camp operation and was arrested on 10 December by the Beşiktaş Special Authority High Criminal Court for charges of 'membership in an organization.'

Neşe Düzel was acquitted: Taraf newspaper's journalist Neşe Düzel and managing director Adnan Demir were standing trial for two of Düzel's interviews titled 'Monday Conversations.' On 9 December. On the sixth hearing of the trial, Düzel and Demir were acquitted by the İstanbul 11th High Criminal Court. Düzel and Demir were being charged with 'printing or publishing declarations of terrorist organizations' (TMK 6) because of the interviews with PKK's Europe spokesperson Zübeyir Aydar and former Democracy Party (DEP) parliamentarian Remzi Kartal. Their trial had begun on 11 November 2010. They were faced with up to three years in prison.

Hopa trial: Sendika.org writer and Latinbilgi editor Soner Torlak was released on 9 December. Torlak is being accused for participating in a march held in protest of the murder of Metin Lokumcu in Hopa on 31 May 2011. He is standing trial at the Ankara 11th High Criminal Court along with 27 others, 22 of whom were arrested pending the outcome of the trial. The trial will continue on 13 March.

Coşar was released: Atılım newspaper's writer Hasan Coşar was released on 8 December. Coşar was arrested on 29 March 2009 for 'membership in MLKP' and 'making propaganda in connection with the terrorist organization' (TMK 7/2). The 10-year prison sentence handed out by the Ankara 11th High Criminal Court on 8 March 2010 was overturned by the High Court of Appeals. The next hearing is scheduled for 8 March 2012.

Aydınlık owner was detained: Within the framework of the Ergenekon investigation, Aydınlık newspaper's owner Mehmet Sabuncu was detained on 6 December. He was released on 8 December after testifying to Specially Authorised İstanbul Public Prosecutor Cihan Kansız.

Laz Marks trial continues: A lawsuit was brought against theatre actor Haldun Açıksözlü on November 2010 at the Tunceli Criminal Court of Peace for his political play 'Laz Marks.' A hearing was held on 6 December. Açıksözlü faces up to two years in prison for 'praising the offense and the offender' (TCK 215) because of the sentences: "Is this not our history?", "Which resistance's history was written by Gezmiş, Çayan, Kaypakaya?", "Is the fire lit by the oppressed in the Diyarbakır prisons in the 1980s not still burning?" that were found in the play. He is also faced with a professional ban of three months to three years under article 53 of TCK. Açıksözlü, who had previously made his deposition, did not attend the hearing. The next hearing is scheduled for 24 January 2012.

İllallah trial: On the third hearing of the trial related to the 2010 agenda of Metis 'İllallah' (I've had enough) on 30 November, the director of the publishing house, Semih Sökmen made his deposition. The trial was opened on 26 November 2010 on charges of 'denigrating religious values' according to Article 216/3 of the Turkish Criminal Law (TCK). The agenda's editors Müge Sökmen, Özge Çelik, Tuncay Birkan, Özde Duygu Gürkan, Emine Bora and Eylem Can are also standing trial along with Semih Sökmen. The trial will continue on 29 February 2012.

Arrest warrant for musician Oraner: The first hearing of the lawsuit brought against musician Çetin Oraner for "making terrorist propaganda" was held on 30 November at the Diyarbakır 7th High Criminal Court. The hearing was postponed because Oraner and his

lawyer did not attend. The court decided that Oraner should be arrested to take his deposition. The next hearing is scheduled for 6 February 2012.

Investigation against Sağ and Group Munzur: on 29 November, an inquiry was brought against singer Pınar Sağ, who attended the Munzur Nature Festival in Dersim in 2010. The inquiry was brought against Sağ for 'making propaganda in connection with the terrorist organization' (TMK 7/2) by singing a folk song called 'Ali Haydar.' Group Munzur members also face an inquiry for 'making terrorist propaganda' because of the speeches they gave during the festival.

Acquittal for visiting the ANF web site: Journalist Recep Okuyucu was acquitted during the first hearing on 25 November at the Diyarbakır 6th High Criminal Court. He was standing trial for entering the web site of Fırat News Agency (ANF). Police had determined that Okuyucu visited the ANF web site during an investigation at the Batman Duruş ('Stance') Newspaper for the unauthorised use of the news of İhlas News Agency. A lawsuit was brought against the journalist for 'making propaganda in connection with the terrorist organization' (TMK 7/2). Okuyucu was faced with up to five years in prison.

A one-day detention: Evrensel newspaper's news Director Muzaffer Özkurt was detained on 23 November and released a day after. Özkurt was detained during an identity check by the police in Taksim, because there was an arrest warrant against him due to a fine handed to him at the time he was the editor-in-chief. Özkurt was released after paying the fine.

Odak writer was arrested: Odak ('Focus') magazine's writer Doğan Can Baran was detained during the simultaneous operations in Kocaeli in 22 November. He was questioned at the Anti-Terror Branch. He was arrested on 24 November for 'membership in an armed organisation,' and 'praising the offense and the offender.'

Kapmaz was arrested: Özgür Gündem writers journalist Cengiz Kapmaz and lawyer Ayşe Batumlu were detained on 22 November during the 'Kurdistan Union of Communities' (KCK) simultaneous operations held in 16 provinces. Kapmaz was arrested on 26 November while Batumlu was released.

Trial against Ekşisözlük writer: Mechanical engineer Ahmet M.S. is standing trial at the Istanbul Criminal Court of Peace for 'publicly belittling religious values' (TCK 216/3) because of a comment published in Ekşisözlük on 10 August 2010 titled 'religion nonsense.' A complaint was filed against Ahmet M.S. claiming that he is insulting those, who believe in Islam. He is facing up to one and a half years in prison. The bill of indictment is dated 17 November.

Demand for 50 years in prison: The trial of Bedri Adanır, the owner of Aram Publishing and the editor-in-chief of Hawar newspaper, continued at the Diyarbakır 6th High Criminal Court on 17 November. The prosecutor, who has recently been appointed to the case, reiterated his opinion as to the accusations during the last hearing. Adanır is being charged with 'membership in PKK (TCK 314/2) and 'making propaganda in connection with the terrorist organization' (TMK 7/2) because of news reports and articles published in four issues of the Hawar newspaper. He was detained and arrested on 5 January. He is faced with 50 years in prison. The next hearing is scheduled for 23 February 2012.

No releases in the Revolutionary Camp trial: Journalists Osman Baha Okar and Hakan Soytemiz were not released during the 17 November hearing of the Revolutionary Camp trial held at the İstanbul 9th High Criminal Court. The next hearing is scheduled for 6 February 2012.

Bilim ve Gelecek magazine's editor Okar is being charged with 'membership in a terrorist organisation' (TCK 314/2). Writer Soytemiz of the Red and Enternasyonel magazines is also being charged with 'membership in a terrorist organization' (TCK 314/2) under the scope of the Revolutionary Camp trial.

Aydın's DHKP-C trial: Mühendislik Mimarlık ve Planlamada +İvme magazine's editor-in-chief Fatih Özgür Aydın is being charged with membership in DHKP-C at the İstanbul 16th High Criminal Court. Aydın's deposition was taken during the first hearing on 15 November. The next hearing is scheduled for 19 January. Aydın is being charged with 'membership in a terrorist organization' (TCK 314/2), 'making propaganda in connection with the terrorist organization' (TMK 7/2), 'praising the offense and the offender' (TCK 215), 'preventing a public officer from performing a duty' (TCK 265) and violating Law No: 2911 on Meetings and Demonstrations. Aydın is faced with a total of 53,5 years in prison together with article 5 of the Anti-Terror Law, which provides for a penalty increase.

Investigation for saying "Atatürk was a dictator": An investigation was opened against Nagihan Alçı on 3 November, who said Atatürk was a 'Dictator' during the 'Dört Bir Taraf' programme on the private CNN Türk Channel. It will be clear whether a trial will be opened following the investigation, which was opened for violating the 'Law on the Protection of Atatürk.'

Trial for 'Welcome': Singer Yılmaz Dünen is standing trial for saying 'Welcome to the capital city of hearts' to the Peace Group that had come from the Mahmur and Kandil camps to Turkey. The last hearing was on 1 November. He is charged with 'making propaganda in connection with the terrorist organization' under (TMK 7/2) at the Diyarbakır 6th High Criminal Court. He is faced with 20 years in prison. The singer, during the first hearing on 18 July, had reminded the court that the prosecutors and judges who had arrived at the Habur Border Gate to question the Peace Group had also said 'welcome' to the group. He said this was also covered by the media.

Yürüyüş magazine DHKP-C trial: The bill of indictments for six journalists arrested on 24 December 2010 were announced in November. Cihan Gün (Yürüyüş reporter), Halit Güdenoğlu (owner of Kamu Emekçileri magazine), Kaan Ünsal (Yürüyüş reporter), Musa Kurt (editor-in-chief of the Kamu Emekçileri magazine), Naciye Yavuz (Yürüyüş reporter) and Necla Can (Yürüyüş magazine reporter) are arrested pending the outcome of the trial. The first hearing will be on 20 January at the Ankara 11th High Criminal Court. The six journalists are being charged with DHKP-C membership under the scope of 'membership in a terrorist organization.'

Case against distributor Sayan: Azadiya Welat and Özgür Gündem's employee Sinan Sayan was detained and then released in Van on 1 June, as he was distributing the Demokratik Toplum newspaper. A trial was brought against him on 5 September at the Van 3rd High Criminal Court. The first hearing was held on 29 October. The bill of indictment prepared by

Van Specially Authorised Public Prosecutor Halil Yılar demands that Sayan is punished for 'assisting a terrorist organization' (TCK 220).

Ragıp Zarakolu and Büşra Ersanlı were arrested: Publisher and writer Ragıp Zarakolu and Prof. Dr. Büşra Ersanlı were among the 50 people detained within the framework of the 'Kurdistan Union of Communities (KCK) operations on 28-29 October lead by the İstanbul Office of the Chief Public Prosecutor. Forty-four people including Zarakolu and Ersanlı were arrested on 1 November for 'membership in a terrorist organization'.

Mahsum Korkmaz interview: Batman Postası newspaper's owner Mustafa Kemal Çelik, Mahsum Korkmaz's brother Fehmi Korkmaz and sister Maşallah Dağ are standing trial because of an interview about Mahsum Korkmaz's life conducted with his family. The last hearing of the trial was held on 27 October. The court gave a decision of non-jurisdiction in the trial, which has been continuing since 2010 at the Batman 2nd Criminal Court of Peace. The decision was grounded on the fact that the 2nd Criminal Court of First Instance has jurisdiction over offenses committed through the media. The defendants are standing trial for "praising the offense and the offender" through the media under articles 215/1 and 218/1 of the Turkish Penal Code (TCK). The hearings will be held before the Batman 2nd Criminal Court of First Instance after the decision of non-jurisdiction becomes final.

10 months of imprisonment for a press statement: Gökçe Otlı, the head of the Ankara Branch of the Human Rights Association and seven others were sentenced to 10 months in prison because of a press statement by the Socialist Party of the Oppressed in 2006. According to the decision of the 9th Criminal Division of the Supreme Court of Appeals on 26 October, the defendants were punished for 'making propaganda in connection with the terrorist organization' (TMK 7/2).

Murat Aydın was arrested: On 22 October 2011, DİHA reporter Murat Aydın was detained in the Varto district of Muş within the framework of KCK operations. He was arrested by the Van High Criminal Court.

Legal Procedure against 'I cannot sleep with the waxing moon': Taraf newspaper's writer Orhan Miroğlu is standing trial at the Kadıköy 2nd Criminal Court of First Instance for his article titled 'I cannot sleep with the waxing moon' published on 2 December 2009. During the last hearing on 20 October, the court gave some additional time for Miroğlu to prepare his defense statement and postponed the hearing to 23 February. Miroğlu is being charged with 'Inciting hatred and enmity and humiliating' (TCK 216).

No releases in the MLKP trial: There were no releases on the 13 October hearing of the MLKP trial, which has been continuing for the last six years. Özgür Radio broadcasting coordinator Füsün Erdoğan is among the defendants. During the last hearing at the İstanbul Beşiktaş 12th High Criminal Court, the defense statements were taken. Atılım newspaper's publication coordinator İbrahim Çiçek, Ali Hıdır Polat, Ziya Ulusoy and Uğur Kayacı were released during the previous hearing. The defendants are being charged with membership in MLKP and are standing trial within the framework of the 'Gaye' operations carried out in a number of provinces in September 2006. The next hearing is scheduled for 13 February 2012.

Punishment for Kurdish folk songs: Raziye Kızıl President of the Komela Jinen Dengbej (KJD) Women Dengbejler House, was sentenced to a year in prison on 10 October by the Van 3rd High Criminal Court. Kızıl had sang two folk songs, 'Megrî / Don't cry' and 'Lo Lawo' on 7 February 2010 at the Dengbêjler Council at the Tatvan Municipality Culture Centre. She was charged with 'membership in a terrorist organization' (TMK 7/2). It was said that the songs in question were about two students named Mahsun and Mustafa, who were killed in the intervention of the soldiers during the Amara march in 2009. It was added that the word 'Amara' was translated as 'Gabar,' and the name 'Mahsun' was translated as 'Mesut,' and that these two were represented as 'terrorists killed in Gabar.' Kızıl's objection that there is a mistake in translation was not accepted.

Both the one who spoke, and the one who translated are convicted: The trial against those standing trial for their speeches ahead of the International Women's Day in İzmir on 8 March 2007 was brought to a conclusion on 6 October. The İzmir 10th High Criminal Court sentenced SDP İzmir provincial head Semra Uzunok and Hediye Tekin, who translated the speech into Kurdish, to a year in prison each for 'praising the offense and the offender' (TCK 215). It sentenced Nazime Ceren to a year and six months in prison. The defendants were standing trial for 'praising PKK and PKK leader Abdullah Öcalan.'

Zarakolu, Berktaş, Şeker, Temel and Yıldız have been arrested: Academicians Deniz Zarakolu, Ayşe Berktaş and Özgür Gündem's editor Kazım Şeker were detained on 4 October, within the framework of the 'Kurdistan Union of Communities (KCK) operations in the provinces of İstanbul, Diyarbakır, Antep, Ankara, Batman, Derik and Kurtalan. They were arrested on 7 October. Azadiya Welat newspaper's former editor-in-chief Tayyip Temel was detained in Diyarbakır on 3 October and was arrested on 8 October. DİHA Mersin reporter Aydın Yıldız was among those detained on 1 October in the operations carried out in Antep.

Şiar Rişvanoğlu investigation: On 3 October, an investigation was opened against lawyer Şiar Rişvanoğlu by the Adana Office of the Chief Public Prosecutor because of an article titled 'What is Being Bombed is the Democratic Autonomy' published in the September issue of the Gerçek newspaper (monthly periodical). Rişvanoğlu is the owner and the editor-in-chief of the newspaper. He is being accused with 'making propaganda in connection with a terrorist organization.' The Adana Office of the Chief Public Prosecutor, on 7 November 2011 gave a verdict of non-prosecution.

10 months in prison for chanting slogans at a concert: In October, the 9th Division of the Supreme Court of Appeals upheld the punishment handed out to three youngsters, who chanted slogans at the Group Yorum concert in 2007 in the Hozat district of Dersim. Mesut Geyik, Emrah Sarıtaş and Sinan Yıldırım have been sentenced to 10 months in prison for 'making propaganda in connection with DHKP-C' (TMK 7/2).

One year prison sentence for a caricature: Bahadır Baruter is facing a year in prison for a caricature published in the Penguen magazine on 10 February 2011, which had the writing "There is no Allah, religion is a lie" on a mosque column. Baruter is being accused of 'insulting the religious values embraced by part of the people' (TCK 216/3). Turkish Religious Affairs and Foundation Members' Union and a number of citizens had filed a complaint against Baruter. During the first hearing on 29 September, it was decided that Baruter is brought to court by compulsion and that the complainants should be included in the

trial. Baruter's lawyer Tora Pekin expects the court to decide for lack of jurisdiction based on article 27/2 of the Press Law and to transfer the trial to the Istanbul 2nd Criminal Court of First Instance. The second hearing is scheduled for 29 March 2012.

Trial against news report on association: Journalist Murat Altunöz from Antakya is standing trial for writing two news reports about the Democratic Culture and Arts Association within the framework of the operation against the association. He is being charged with 'membership in a terrorist organization' (TCK 314) and 'making propaganda in connection with the terrorist organization' (TMK 7/2). The trial began on 15 September in the Adana Specially Authorised 6th High Criminal Court. Altunöz faces 5-10 years in prison under article 314/2 of TCK and 1-5 years in prison under article 7/2 of TMK.

Özgür Halk and Demokratik Modernite: Özgür Halk and Demokratik Modernite magazine's editor-in-chief Deniz Köken is standing trial for 'making propaganda in connection with the terrorist organization' (TMK 7/2) at the Diyarbakır 6th High Criminal Court. The case was opened on 8 September. The bill of indictment is based on an article published in pages 73-82 of the second issue of the magazine in June because it used as a source the 'Democratic Civilization Manifesto on Liberal Sociology and Solution Models for Democratization Problems of Civilization in Turkey and the Kurdish Question' by Abdullah Öcalan.

20 years of imprisonment and monetary fine for Irmak: In 2011, the owner and managing director of Yeni Yorum ('New Comment') and Demokratik Toplum newspapers Saadet Irmak was sentenced to a total of 18 years, 10 months and three days in prison and was handed a fine of 28 thousand 340 Turkish lira (about 12 thousand euros) in 12 trials that she was standing. Irmak is still standing 13 other trials.

Trials against Kurdish politicians

Demand to lift the parliamentary immunity of Demirtaş: The Diyarbakır Office of the Chief Public Prosecutor prepared a summary of proceedings on 12 December for the lifting of the parliamentary immunity of BDP co-chairman and Hakkari member of parliament Selahattin Demirtaş because of his words, 'we send our regards to the peace doves, who entered through Habur and who were imprisoned in Midyat,' during a protest in the Midyat district of Mardin.

Aysel Tuğluk trials: Aysel Tuğluk is faced with a total of 70 years in prison for speeches she delivered in a number of events in Diyarbakır between 2005 and 2009 and 12 statements to the press. The trial was held on 13 December in the Diyarbakır 4th High Criminal Court. She was given time for her defense statement on the latest hearing. The next hearing is scheduled for 7 February 2012.

The last hearing of the trial against Tuğluk because of her speeches at the First Congress of the closed-down DTP, her Nevruz speech in Van and her press statement at the headquarters of the closed-down DTP on 2 March 2007, was heard on 1 November. Nobody attended the hearing at the Ankara 11th High Criminal Court. Tuğluk was being charged with 'praising the offense and the offender in line with the objectives of terrorist organization PKK.' Chief Justice Dündar Örsdemir stated that the writ to the Presidency of the Turkish Grand National

Assembly (TBMM) on whether Tuğluk had been elected a member of parliament has been answered. He said that in the answer, it was stated that "Tuğluk had been elected a member of parliament in the 12 June 2011 General Elections, but has not yet submitted the necessary document to the Turkish Grand National Assembly, has not completed her registration procedure and has not taken her oath stipulated by article 81 of the Constitution." The court, on the request of Public Prosecutor Hakan Yüksel, decided that another writ should be sent to the Turkish Grand National Assembly asking whether Tuğluk is a member of parliament.

Ahmet Türk trial: Ahmet Türk's trial at the Diyarbakır 4th High Criminal Court continued on 1 December. Türk faces up to 45 years in prison for seven different speeches in the provinces of Diyarbakır, Batman, Siirt, Mardin and ROJ TV between the years 2006 and 2009 under TMK 7 and TCK 314. Türk's hearing is scheduled for 8 March 2012.

Ahmet Türk will be brought to court by compulsion: The Erzurum 2nd High Criminal Court decided on 16 November that Ahmet Türk should be brought to court by compulsion. Türk is standing trial for 'making propaganda in connection with the terrorist organization' (TMK 7/2) and 'praising the offense and the offender' (TCK 215). During the last hearing, Public Prosecutor Sadık Bayındır demanded that Türk is summoned once again to take his deposition. Türk's lawyers argued that the trial cannot continue since the defendant has been elected a member of parliament.

Case against Baydemir: The Diyarbakır 7th High Criminal Court accepted the bill of indictment about Diyarbakır Metropolitan Municipality Mayor Osman Baydemir on 8 November. Baydemir faces up to 28 years in prison for 'committing an offense on behalf of a terrorist organization without being a member of that group' (TCK 314/2), violating the 'Law 2911 on Meetings and Demonstrations' and 'making propaganda in connection with the terrorist organization' TMK 7/2 three times.

33 years imprisonment for Elçi: Diyarbakır member of parliament and KADEP leader Şerafettin Elçi is faced with 33 years in prison. The trial was opened on 18 October. Elçi is being accused with referring to PKK as "Liberation Movement" and to members of PKK as "Guerrilla" and "Martyr" and participating in the march organised in Diyarbakır in the name of the deceased guerrillas. Elçi is being charged with 'making terrorist propaganda' four times, violating 'Law 2911 on Meetings and Demonstrations' and 'committing an offense on behalf of a terrorist organization without being a member of that organization.'

Trial against Zana and Tuğluk: The Specially Authorised 7th High Criminal Court accepted the bill of indictments for BDP members of parliament Leyla Zana and Aysel Tuğluk on 12 October. Zana is being accused with attending the funerals of the killed PKK members and 'making terrorist propaganda' in her speeches before the election. Zana is faced with up to 45 years in prison for 'making terrorist propaganda' four times, violating 'Law No: 2911 on Meetings and Demonstrations' twice and 'committing an offense on behalf of a terrorist organization without being a member of that organization' twice.

Aysel Tuğluk is standing trial for attending the funerals of PKK members, a meeting she held on 5 May 2011 and a speech he delivered on 8 March 2011 International Women's Day and her statements on 11 September 2011. Tuğluk is faced with up to 33 years in prison for 'making terrorist propaganda' four times, violating 'Law No: 2911 on Meetings and

Demonstrations' once and 'committing an offense on behalf of a terrorist organization without being a member of that organization' once.

Investigation against Baydemir: Diyarbakır Office of the Chief Public Prosecutor opened an investigation against Diyarbakır Metropolitan Municipality Mayor Osman Baydemir from the BDP because of his statements during the visit of German Green Party co-chairman Claudia Roth. He is being accused of 'making propaganda in connection with the terrorist organization' (TMK 7/2).

TCK 285 and 288: Thousands of trials?

Pelek and Dolu trial: Akşam newspaper's editor-in-chief Mustafa Dolu and the newspaper's former editor Semra Pelek are standing trial for a news report titled 'Question to Fırtına on Aydın Doğan, Rahmi Koç and Akçakoca' published on 5 January 2010. The trial continued at the Bakırköy 2nd Criminal Court of First Instance on 13 December. Pelek ve Dolu are faced with 1,5 to 6 years in prison for 'violating the secrecy of the investigation' (TCK 285) and 6 months to 2 years in prison for 'attempting to influence a fair trial' (TCK 288). The lawyers of the defendants were given some time for their defense statements. The trial has been postponed to 28 February.

She wanted to intervene in the trial, now she is standing trial: Lawyer Güray Dağ is standing trial for charges of 'influencing a fair trial' (TCK 288) by reason of her statements on NTV about the Festus Okey trial. The first hearing was heard on 7 December. During the hearing at the 12th Criminal Court of First Instance, Dağ's lawyers reminded the fact that a permission is needed from the Ministry of Justice to be able to sue lawyers. A decision regarding the permission is expected at the hearing scheduled for 3 April 2012.

Two acquittals and a fine for Şener: Journalist Nedim Şener was acquitted on 7 December. He was being tried for a news report titled, 'Interesting Diagram from the Police Headquarters' published in the Milliyet newspaper on 9 February 2009. Şener was being charged with 'violating the secrecy of an investigation' (TCK 285) at the trial which began on 14 October in the Bakırköy 2nd Criminal Court of F