

BİA MEDIA MONITORING 2010 / APRIL – MAY - JUNE

According to the Media Monitoring Report for April, May and June 2010 published by the BIA Media Monitoring Desk, a total of 249 people were tried in the scope of freedom of thought, **53** of them journalists. The report includes the cases and struggles of 471 people and is organized under the following headlines: "Murdered Journalists", "Attacks and Threats", "Arrests and Detentions", "Ongoing Detentions and Sentences of Journalists and Press Members", "Cases Related to Press Freedom and Freedom of Expression", "Corrections and Legal Redress", "Reactions to Censorship and Monopolization", "European Court of Human Rights" and "Penalties of the Radio and Television Supreme Council (RTÜK)".

Murdered Journalists

During the period of time covered by the report, **Cevdet Kılıçlar**, employee of the Human Rights and Freedoms (IHH) Humanitarian Aid Foundation press unit, lost his life in an attack by the Israeli military on the Mavi Marmara ship, which was on its way to deliver humanitarian aid to Gaza. **Metin Alataş**, employee of the Kurdish Azadiya Welat newspaper, was found hung on a tree in Adana (south-east Turkey).

Legal procedures and actions regarding journalists who were killed prior to the second quarter of 2010 are still continuing.

Agos joint plaintiff in "Cage Action Plan"

15 June. The Istanbul 12th High Criminal Court decided to accept the Armenian Agos newspaper as joint plaintiffs to the trial regarding the "Cage Action Plan". 33 defendants are tried on the grounds of the "Cage Action Plan" which supposedly targeted non-Muslim religious minorities in Turkey with the aim to overthrow the government of the ruling Justice and Development Party (AKP). The case was postponed to 14 July. The "Cage Action Plan" made the headlines after an initial article had been published in the nationwide Taraf newspaper on 19 November 2009. The plan depicted so-called "operations" such as the assassinations of Turkish-Armenian journalist **Hrant Dink**, founder and chief editor of the Agos weekly, priest **Andrea Santoro** and three employees of the **Zirve Publishing** Company.

"Tawhid-Salaam" trial related to journalist murders pending

9 June. The Ankara 11th High Criminal Court continued the trial against four members of the "Tawhid-Salaam Jerusalem Organization". The organization is held responsible for the killings of lawyer Bahriye Üçok, journalists Uğur Mumcu and Ahmet Taner Kışlalı and a number of other attacks. **Hüseyin Kılıç**, lawyer of defendant **Hasan Kılıç**, claimed to have found legal and actual connections between the case related to the membership of the illegal "Tawhid-Salaam Jerusalem Organization" and the trial regarding the "Hope Operation". He reiterated his request to merge both trials. Kılıç stated that he was going to prepare his final

plead after the decision about merging the cases would have been taken. The court board postponed the hearing in order to evaluate Kılıç's request. In the final submission of the prosecution, the Public Prosecutor demanded a prison sentence of 7 years and 6 months for defendant **Recep Aydın** under charges of "membership of an armed terrorist organization". Defendants **Mehmet Ali Tekin** and **Hasan Kılıç** are facing imprisonment of between 12 years and six months and 18 years and 9 months under charges of "possessing special managerial duties in an armed terrorist organization". The prosecution demanded an aggravated life sentence for defendant **Ekrem Baytap** for the "attempt to change the constitutional order by force" according to Article 146/1 of the former Turkish Criminal Law (TCK). Defendants **Abdulhamit Çelik**, **Fatih Aydın**, **Yusuf Karakuş** and **Mehmet Aydın** are facing imprisonment of between 6 years and 3 months and 12 years and 6 months under charges of "membership of an armed terror organization". The President Judge of the latest case opened against the outlawed organization, **Hasan Şatır**, announced that the arrest warrants issued for defendants Ahmet Cansız, Selahattin Eş and Ali Akbulut have been enforced. Şatır furthermore informed the parties that defendant **Aydın Koral** could not be arrested yet. According to the response of the Ministry of Justice General Directorate of Law and Foreign Relations, the defendant is wanted upon a red notice. The execution of the decision related to the arrest of Cansız, Eş and Akbulut as well as Koral's detention is expected. In the indictment prepared on 18 December 2008 it is stated that defendants Cansız, Eş and Akbulut, residing in Iran, are alleged executives of the "illegal Tawhid-Salaam Jerusalem Organization" and that defendant Koral, who lives in Switzerland, is an alleged member of the organization. The defendants face imprisonment of 22 years and 6 months.

Death and restrictions of freedom in the raid on the Mavi Marmara ship

Cevdet Kılıçlar was among the nine people killed during the attack of the Israeli Army on the "Mavi Marmara" vessel, one of the aid ships carrying tonnes of humanitarian help for Gaza, on 31 May. Kılıçlar was a member of the press staff of the Human Rights and Freedoms (İHH) Humanitarian Help Foundation, which organized the campaign. İHH President **Bülent Yıldırım** said that Kılıçlar was taking photographs when soldiers entering the ship from a helicopter shot Kılıçlar in his head. Taraf newspaper reported that Kılıçlar had been working for them as well and previously also for the Selam and Milli ('Salaam and National') newspaper. **Sabah** newspaper reporter **Mediha Olgun** was released after 72 hours. After her return to Turkey, she explained, "They seized our phones, our laptops and our cameras. They ordered us into a cabin one by one and they fully undressed us. They cut my shoes and searched the soles. They seized all of our back up materials, all of the pictures. They confiscated everything". About 50 journalists were on board of the ship. Nine people were killed in the incident. The government was criticized for not issuing a warning since necessary precaution had not been taken.

Investigation into death of Cihan Hayırsevener from Bandırma carried out "confidentially"

The investigation into the murder of **Cihan Hayırsevener**, publications director of the **Güney Marmara Yaşam** newspaper and Marmara TV official, is still continuing. The journalist died of blood loss after he had been shot by a person on Atatürk Avenue in the city of Bandırma in the province of Balıkesir on 18 December 2009. 29-year-old Serkan Erakkuş was arrested on 23 December in the town of Edincik. The Bandırma High Criminal Court took Erakkuş into

detention under charges of murder and brought the defendant to the Bandırma M Type Closed Prison. Defendants **Tolga Ö.** and **Ali T.** were arrested in the Balıkesir district of Burhaniye. The court decided to release them pending trial. The police stated to have confiscated the weapon used for the murder and furthermore confirmed upon eye-witnesses and footage of security camera that two cars had been used in the incident. The cars had been rented and were found in the districts of Susurluk and Bandırma respectively. There is no solid information regarding the investigation due to a decision of confidentiality. Newspaper owner **Ümit Babacan** and Balıkesir Journalists Association President **Ramazan Demir** stated that Hayırsever became the "victim of an organized criminal organization".

No result in Hrant Dink murder case after 3 years

31 May. The joint lawyers involved in the murder case of Turkish-Armenian journalist Hrant Dink demanded the Trabzon 2nd Magistrate Criminal Court one last time to merge the case in Trabzon with the murder case tried in Istanbul. In Trabzon, eight gendarmerie officers stand accused of negligence prior to the murder and face two-year prison sentences. The joint lawyers claim that the defendants, in particular Trabzon Gendarmerie Regiment Commander Colonel **Ali Öz** and Captain **Metin Yıldız**, "caused the murder by deliberately refraining from taking any action". The lawyers demanded their prosecution under Article 83 of the TCK. The court postponed the case to **28 July** upon the defence lawyers' request to allow additional time to prepare the defence speech. The Trabzon 2nd Magistrate Criminal Court had decided for lack of jurisdiction of the Trabzon High Criminal Court and subsequently of the Criminal Court of First Instance. Upon the appeal of the prosecution, the file came back to the Magistrate Court. Despite information obtained one year earlier on a planned attack against Agos newspaper founder Dink, **Ogün Samast** was able to come from Pelitli (Trabzon) to Istanbul and to kill Dink in front of his office in Şişli on 19 January 2007. The number of detained defendants of the murder case has gone down to three. Besides Samast, **Yasin Hayal** is detained for alleged incitement to murder as well as police informant **Erhan Tuncel**. Former Trabzon Gendarmerie Regiment Commander Colonel **Ali Öz**, intelligence branch officials Captain **Metin Yıldız**, military officers **Gazi Günay** and **Hüseyin Yılmaz**, Command Sergeant Major **Okan Şimşek**, Special Sergeants **Veysel Şahin**, Hacı Ömer Ünalır and **Önder Araz** are facing prison sentences of up to two years on the grounds of "negligence".

14 May. The Istanbul Public Chief Prosecution dismissed the request made by the joint attorneys of the Dink family to allocate one certain prosecutor to the investigation of the murder of the former chief editor of the Armenian Agos newspaper, **Hrant Dink**. Lawyer **Fethiye Çetin** submitted a petition to the Chief Prosecution on 28 April. The joint attorneys of the Dink family had requested to expand the investigation and to appoint a new prosecutor or one prosecutor from the group of prosecutors concerned with the file to carry out the investigation. The petition reads, "It is the unquestionable truth that the killing of Hrant Dink was an operation organized and realized in different stages by a professional organization". Yet, the officials on duty prior to the murder did not take precautions. These hints should be evaluated, the petition continued. The European Court of Human Rights (**ECHR**) has merged the five applications made in the context of the Hrant Dink murder into one case. Many aspects of the case have not been revealed yet. It is not even clear which public officials can be held responsible for the murder.

10 May. The group "Friends of Hrant" met in Beşiktaş before the 13th hearing of the murder case. Journalist **Bülent Aydın** said on behalf of the group, "It has been 3.5 years since Hrant was killed but our grief, our rage, our demands are still there. We, as the family of Hrant and the 'deep' family know the murderers and we are here to exclaim this, to ask questions. We will remain here until the end, until justice is found". Actress **Tülin Özen** stated that one day the perpetrators would be found, "We will see their faces bend to the ground. In the beginning we called this a 'case of honour'. Now it has been turned into a performance of shame. We took a note and we will not forget it. Still, we call the state to save their honour even though belated", Özen said.

The Dink family lawyers filed a criminal complaint against Istanbul Deputy Governor **Mustafa Güran** because he refused to hand them a copy of attachments of the report of the Prime Ministry Inspection Board regarding the murder. Joint attorney **Fethiye Çetin** said that they applied to the Istanbul Public Chief Prosecution for an investigation related to allegations of "misconduct in office" and that they requested to launch a trial.

14 April. Attachments of the trial related to the so-called "Cage Action Plan" were distributed to the lawyers on a DVD. The case was opened against **33 defendants, three of them detained**. The prosecutors concerned with the investigation arrested a number of people involved in the killing of Turkish-Armenian journalist Hrant Dink on 19 January 2007. However, they declared that they "have not been able make the investigation progress any further". The action plan mentioned the Hrant Dink murder, the killing of Catholic Priest **Andrea Santoro** from Saint Mary in Trabzon on 5 February 2006 and the massacre at the **Zirve Publishing House** in Malatya on 18 April 2007 as "operations".

13 April. The Istanbul Governorship Provincial Administration Board issued permission to an investigation regarding the assassination of Turkish Armenian journalist **Hrant Dink** into alleged flaws and neglect of five former officials of the Istanbul Police Directorate, as it was suggested in a preliminary report. The people under investigation are former Police Chief **İbrahim Pala**, Chief Inspectors **Volkan Altınbulak** and **İbrahim Şevki Eldivan** and police officers **Bahadır Tekin** and **Özcan Özkan**. The decision for the new investigation was taken on 12 March 2010 and approved by **Öznur Bolat**, President of the Provincial Administration Board, on 2 April. Istanbul Deputy Chief of Police of the time and current Chief of Police in Rize, a city on the eastern Black Sea coast, was excluded from the investigation as well as former Provincial Deputy Chief of Police and current Governor of Osmaniye (southern Turkey) **Celalettin Cerrah**, former deputy **Şammaz Demirtaş**, former Intelligence Branch Manager **Ahmet İlhan Güler** and former Deputy Branch Manager **Bülent Köksal**. Governor Cerrah was excluded for the following reasons: "He did not have the possibility to follow the entire procedures closely because of the intensity of his duty considering the difficulty of execution and since he was following the complex and various services in the city of Istanbul. He did not neglect his duties, make any mistake or conducted unlawful actions related to the subject of the investigation."

9 April. In the first hearing of the "Poyrazköy" case, the Istanbul 12th High Criminal Court dismissed the request made by Turkish-Armenian **Agos** newspaper and the Armenian Church to become joint plaintiffs since, according to the court, neither of the parties had suffered from direct damages. The court pointed at the so-called "Cage" case for joint plaintiffship instead. Agos newspaper lawyers **Fethiye Çetin** and **Ergin Cinmen** summed up the background of

the Cage Action Plan, reminding that a CD had been found among retired Naval Commander Bektaş's belongings which included an encrypted list of Agos newspaper subscribers. Çetin and Cinmen emphasized that the newspaper had received death threats ever since Turkish-Armenian journalist Hrant Dink, then chief editor of the weekly, had been killed in January 2007. The joint attorneys requested to accept the newspaper to the case as a joint plaintiff on behalf of **Aris Nalçı**.

TBMM rejected "effective" investigation into political murders

6 April. The Turkish Grand National Assembly (**TBMM**) dismissed the proposal presented by the Mersin deputy of the Republican People's Party (**CHP**), **Ali Rıza Öztürk**, to establish a Parliamentary Research Commission in order to investigate political murders. The ruling Justice and Development Party (**AKP**) rejected the proposal by majority vote despite its support from the parliamentary groups of the CHP, the Peace and Democracy Party (**BDP**), the Democratic Left Party (**DSP**) and certain independent deputies. On 8 April, Dr **Canan Kaftanoğlu**, spokesperson of the Social Memory Platform and daughter-in-law of TRT reporter Ümit Kaftanoğlu who was murdered in 1980, criticized the dismissal of the proposal in a live program on NTV television. She said that the AKP parliamentary group "found the time of the parliamentary research commission insufficient and its authority limited". Kaftanoğlu stated that they rejected the commission because they knew that it would not be able to yield any results under these circumstances. "Even if this is the case, it is again the Parliament's duty to change that", she said.

Suspicious "suicide" of Azadiya Welat employee Alataş

3 April. 34-year-old **Metin Alataş**, an employee of the Kurdish Azadiya Welat daily newspaper, was found dead in the Hadırlı district of Adana in the predominantly Kurdish region of south-eastern Turkey on 3 April. Diplomacy service editor **Hakkı Boltan stated**: "There are contradictory aspects in our opinion. It will be clear soon. In times when our employees are encountering such intense pressure, we think there is still the possibility that Alataş was killed by illegal forces or that he was forced to commit suicide". A dubious letter was allegedly found close to Alataş reading "To friends and family..." and not being continued afterwards. "Why should a person that came this far despite major economic difficulty end his life like that? We think that the prosecutor has got no information such as a letter or a message", Boltan suspected. The body was identified by the father, Bekir Alataş, and the prosecutor investigated an investigation. The preliminary autopsy report stated strangulation as the reason of death and confirmed that there were no signs of physical force. Newspaper lawyer Özkan attended the investigation and confirmed that no signs of beating could be seen. Alataş had been subject of an assault four months earlier. Five unidentified people in plainclothes approached him in a car with an Adana number plate (01 SD 443) when the journalist distributed newspaper copies in front of the Peace and Democracy Party (**BDP**) building on 22 December 2009. Alataş was beaten and had to undergo medical treatment in hospital. Alataş filed a criminal complaint at the Adana Public Prosecution and claimed that he was constantly followed. However, no action was taken. Alataş's father said that his son did not have any problems and stated that he was killed. **Sevahir Bayındır**, BDP deputy of Şırnak, brought the issue to parliament on 7 April.

16 June. The owner of the local **Türkbeleni** newspaper published in the Manavgat district of Antalya (Mediterranean coast), **Mehmet Ali Ünal**, was shot at in front of his office. Ünal was not injured in the attack which was recorded by the newspaper's security cameras. It can be seen how Ünal bends down quickly and retreats into the office. An unidentified person shot at Ünal from in front of the neighbouring Black Sea People's Association Tea Garden. When the triggerman failed to hit Ünal, he got into a car in which another people was waiting and escaped from the scene. The police found six empty bullet casings at the scene of crime. One of the bullets apparently hit the newspaper building. Ünal claimed to believe that the attack stemmed from the news published in the paper and said that he could not be intimidated by the attack. "We will always carry on with telling the documented truth. I feel pity for the attackers. They are miserable people".

14 June. The concessionaire of the local GAP Gündemi newspaper, **Veysel Polat**, was attacked in Şanlıurfa, a province in south-east Turkey on the border to Syria. Polat is also the President of the Şanlıurfa Journalists Association. He had just left office and was on his way to the car park in the basement of the Ahmet Bahçivan office building when he was attacked at the entrance to the car park. Journalist Polat is the deputy provincial chair of the ruling Justice and Development Party (**AKP**) at the same time. He suffered injuries in his face in the attack. His brother, **Ahmet Polat**, who was close to the scene of the assault, took the journalist to the Şanlıurfa Training and Research Hospital. The reason for the attack is not clear yet. The president of the Turkish Journalists Association (**TGC**), **Orhan Erinç**, condemned the attack on Polat, who is also the association's representative for Şanlıurfa. "We condemn this attack against our colleague which was carried out with brute force. We wish him a speedy recovery". AKP Provincial Chair, lawyer **Ahmet Düşünür**, stated, "We are very sad about this attack against our organization. We condemn the perpetrators. We want to emphasize that nobody will reach anything by using high-handed, brute force".

25 May. Dicle News Agency (**DİHA**) reporter **Ömer Çelik** was assaulted in the Istanbul district of Şişli by a group of people. The attackers called themselves *üklücü* ('idealists') in reference to the "Grey Wolves", an ultra-nationalist and neo fascist youth organization of the Nationalist Movement Party (MHP). Çelik, student at the Marmara University Faculty of Communication, was brought to the emergency room of the Etfal Hospital after the incident. He underwent medical treatment in the brain surgeon ward and the orthopaedic ward. Çelik has got two cracks in his skull and his left arm is broken in three places below the elbow. He was given stitches to his head. His arm has been encased in plaster. The journalist had recently reported about escalating violence against Kurdish students in several cities. Çelik was discharged from hospital the following morning. However, the risk of a trauma remained imminent for 24 hours. As reported by DİHA on 26 May, the attackers were recorded by security cameras how they approached the journalist with clubs in their hand. According to the footage, the aggressors waved with their hands and arms when they left the scene after the attack. Çelik said he was able to identify the attackers and filed a criminal complaint.

22 May.. A suspicious package left in front of the **Doğan Media Centre** in Istanbul on 22 May turned out to contain a time bomb. The Doğan building accommodates offices of the nationwide newspapers **Dünya**, **Radikal** and **Milliyet**. The bomb was disarmed by specialists. The package was noticed by civilians and the security staff of the newspaper, whereupon the

police was informed. A police team from the local Bağcılar Provincial Police Directory investigated the package and confirmed that it contained a time bomb. The police recognized that it was a mechanism assembled with several cables and called the bomb squad to the scene. The police took broad security measures in the region and temporarily closed the area to traffic and pedestrians. The bomb squad placed a fuse into the package and brought the bomb to a controlled explosion. Cables, explosives and the detonator mechanism were left from the package. An investigation was initiated into the footage of public monitoring cameras (MOSEBE) in the region.

21 May. Private security officials interfered when journalist **Murat Altunöz** covered a boycott organized by the Mustafa Kemal University Students Association (**MKÖDER**) in the university's canteen. Altunöz is the reporter for the Dicle News Agency (**DİHA**) for the province of Hatay on the eastern tip of the Mediterranean Sea. He was stopped by the security when he shot a movie of the boycott in the university in Antakya (Hatay). Altunöz was forced to leave the campus. People in civil apparel, introducing themselves as gendarmerie officers, asked the reporter to hand them his camera. When Altunöz refused to let go of his camera, he was made to enter a vehicle with a civil plate. In the car, Altunöz was threatened, "We warned you before. Why are you making news for DİHA? You will have to face bad things". Afterwards, the people in the car let him go.

19 May. The Turkish Sports Writers Association (**TSYD**) announced that supporters of the Turkish football club Fenerbahçe attacked the sports press with their sorrow and anger expressed after the team had lost the last match of the 2009/2010 season against Trabzonspor. "By attacking sports press employees in their annoyance and anger, the Fenerbahçe supporters also tainted the memory of deceased İslam Çupı. As the TSYD steering board we wish our friends who were attacked a speedy recovery and we condemn the attackers".

17 May. Dicle News Agency (**DİHA**) reporter **Pınar Ural** was assaulted in a contracted public bus of the Istanbul Metropolitan Municipality. Ural had covered a students' action on the Maslak Campus of the Istanbul Technical University (**İTÜ**). The İTÜ students had protested against executions in Iran. The aggressor tried to push Ural off the bus by giving her a few violent pushes. The attacker and his companions accused journalist Ural of being a "traitor to the fatherland".

4 May. Unknown suspects defiled the "Three Saplings" Memorial installed in commemoration of **Deniz Gezmiş, Yusuf Aslan** and **Hüseyin İnan** who were executed in the Nilüfer district of Bursa in 1972. The memorial was to be inaugurated soon. Sculptor **Eşber Karayalçın** designed the metal monument as "three figures inside a peace symbol". It was installed in the Gençlik Park and damaged by cuts and scratches and spray paint. The Bursa Branch of the Contemporary Journalists Association (**ÇGD**) condemned the attack in a written statement and called all its members to attend the inauguration ceremony to express their respect. Eye witnesses reported three to four people aged between 20-25 years old who damaged the abstract sculpture with paint and sharp items. **Mustafa Bozbey**, mayor of the Nilüfer municipality, filed a criminal complaint against the suspects.

2 May. In the course of a press conference made after a number of casualties in recent operations of the Turkish Armed Forces (**TSK**), Chief of General Staff, General **İlker Başbuğ**, made the following announcement: "To say it frankly, one part of the press in

Turkey is even worse than the press during the armistice in the War of Independence. Even the press during the armistice was not that treacherous." The harshest reaction to Başbuğ's words came from **Taraf** newspaper, saying in the subheading, "The real traitor is the one who leaves children to die". Taraf newspaper argued that General Başbuğ called the press that voices criticism a 'traitor'. "We ask Gen. Başbuğ who does not know what he is saying..." The daily addressed five questions to the Chief of General Staff. ÇGD President **Ahmet Abakay** declared that he found Başbuğ's criticism of the press "wrong and very dangerous". Abakay said, "This is not only a grave announcement, it is also very dangerous. This kind of talk can be very provocative in such a sensitive environment where bodies are laid to rest. In societies like ours where lynch attempts became a prevailing part of culture, some people may foster the idea of attacking other people or institutions on the grounds of this announcement". The Turkish Journalists Association (**TGC**) found Başbuğ's words "disturbing". Press Council President Ekşi commented, "Even if a section of media representatives is not accepted, they are part of freedom of speech".

29 April. A threatening letter signed by **Zeki Özhan** sent to the Istanbul Branch of the Human Rights Foundation was addressed to lawyer Eren Keskin. It read, "If you support the Armenians, you will not be able to get out of Taksim again. Be aware that I am not bluffing. I will send a crowd after you". The letter was stamped as "READ" before it was sent by the Steering Board of the Kartal H Type Closed Prison. The letter starts like this: "Hello, do you recognize me?" This is the second letter sent by Özhan. He had previously sent a letter in 2007 which was approved by the Letter Control Commission of the Ümraniye Prison. The Ümraniye Chief Prosecution had launched an investigation which has still not been completed. Keskin's lawyer **Fatma Karakaş Doğan** filed another criminal complaint against Özhan and the people to be held responsible in the Kartal H Type Prison on 12 May.

Arrests and Detentions

The Turkish G9 Journalists Platform demanded to complement the Constitution by the following sentences: "The press is free and shall not be censored. Laws embodying restrictions of press freedom shall not be enforced". The press organization furthermore requested the amendment of 27 articles of the Turkish Criminal Law (**TCK**) and the release of all journalists in detention. The G9 Platform emphasized that besides 27 articles of the TCK, also the TMY, articles of the Constitution and the Press Law all contain provisions that harm freedom of expression. According to the platform, there are still more than 700 prosecutions and compensation claims related to journalists. Most of these files are based on article 285 of the TCK on "violating the secrecy of an investigation", article 288 regarding the "attempt at affecting a fair judicial process" and article 7 of the TMY on "spreading propaganda for a terrorist organization". Members of the G9 Platform are the Journalists Union of Turkey (TGS), the Turkish Journalists' Society (TGC), the Contemporary Journalists' Association (ÇGD), the Parliament Correspondents Association (PMD), the Photo Journalists Association (FMD), the Economy Reporters Association (EMD), the Diplomacy Reporters Association (DMD), the Association of Professional News Cameramen (PHKD), the Turkish Representation of the Association of European Journalists (AEJ) and the Media and Communication Workers Union (Haber-Sen).

29 June. In the second hearing of the case against the "Revolutionary Headquarters" organization, the Istanbul 9th High Criminal Court released **Melek Seven** pending trial.

Seven, production director in the television sector, was arrested and detained on 27 April 2009 in the scope of the case. The court also decided for the release of Gökhan Aydın. In the first hearing of the "Revolutionary Headquarters" case on 23 February, ten defendants were released pending trial after ten months in detention, among them journalist **Aylin Duruoğlu**. In the course of a police operation against the terror organization carried out on 27 April 2009, a police officer, a bystander and alleged terrorist **Orhan Yılmazkaya**, member of the **Revolutionary Headquarters Organisation**, were killed. The trial will be continued on 7 December.

28 June. The Istanbul 13th High Criminal Court started the prosecution of **Deniz Yıldırım**, official of the weekly Aydınlik magazine, and **Ufuk Akkaya** from the National Channel. The journalists were taken to court for the first time after eight months of detention. Yıldırım and Akkaya were detained on 9 November 2009 because they had reported about illegally recorded telephone conversations between Prime Minister **Recep Tayyip Erdoğan** and the former President of Northern Cyprus, **Mehmet Ali Talat**, in 2004. The homes and offices of both defendants were searched on 19 October 2009; 20 days later they were taken in detention. They were accused of "membership of the Ergenekon terror organization and engaging in activities on behalf of the organization". Ergenekon prosecutor **Zekeriya Öz** had requested to detain both journalists under charges of "disclosing pictures and audio material of private life", "recording non-public conversations" and "illegally obtaining or publishing personal data". Yıldırım and Akkaya stated in the hearing that they made the news because it was relevant for the public interest. They put forward that they had been detained upon the directive of the Prime Ministry. "We followed the daily coverage of the wiretapping of members of the Supreme Court and generals published in the papers, supportive newspapers and TV channels in particular. Has any investigation been launched into one of those?" the defendants argued.

16 June. A trial was opened at the Istanbul 10th High Criminal Court against **Ferhat Tüzer** and **Berna Yılmaz**, two of the three young people who displayed a banner saying "We want free education, and we will get it" during the speech of PM Erdoğan at the "Romani meeting" in Istanbul on 14 March 2010. The banner was signed by the "Youth Federation". Apparently, the Party and Revolutionary Front for the Liberation of the Turkish People (DHKP-C) had initiated several actions entitled "Get out, America, this is our country, Dev-Genç [Revolutionary Youth]" starting from 30 September. In the course of these actions, the "Youth Associations Federation" had voiced their demand for "lifting education fees, remove the contribution margin and provide education free of charge". According to the indictment, Tüzer, Yılmaz and un-detained defendant **Utku Aykar** are facing prison sentences of between six and 15 years each under charges of "membership of an illegal organization" and "spreading propaganda for a terror organization".

15 June. **Ferhat Tüzer** and **Berna Yılmaz**, two of the three young people who displayed a banner reading "We want free education, and we will get it" during the "Romani meeting" were taken into detention, the third person, **Utku Aykar**, was released. The meeting on 14 March was also attended by Prime Minister Erdoğan. A trial was opened against the three young people. They face prison sentences of between six and 15 years on the grounds of "membership of a terror organization" and "spreading propaganda for an illegal organization". Detained defendants Tüzer and Yılmaz and un-detained defendant Aykar will be tried at the Istanbul 10th High Criminal Court under charges of "membership of the Party and

Revolutionary Front for the Liberation of the Turkish People (DHKP-C)" and "spreading propaganda for an illegal organization". The indictment says that Berna Yılmaz participated in more than ten protest actions such as demonstrations against NATO and the World Bank and supporting the resistance of the Tekel workers. The People's Law Office demanded to release the young people from detention immediately. The Law Office explained that both the police and the prosecutor assessed the banner as a "crime", the legal "Youth Associations Federation" was evaluated as an "illegal organization" and the slogan about free education was seen as a "slogan of an illegal organization". The Law Office furthermore emphasized that the court approved of all points.

11 June. It turned out that **Hamdiye Çiftçi**, DIHA news agency reporter for Hakkari (south-eastern Turkey), and ten other people were detained by a decision of the Van 3rd High Criminal Court on the grounds of alleged connections to the "Structures of the Democratic Confederation of Kurdistan/Turkish Parliament (KCK/YM)".

10 June. The Diyarbakır 5th High Criminal Court dismissed the request for the release of **Gurbet Çakar**, editorial manager of the **Rengê Hevîya Jinê** women magazine. Çakar was detained in March under charges of "making propaganda for the PKK via the media". The trial will be continued on **1 July**. Çakar's lawyer, **Servet Özen**, told **bianet** that a total of five cases have been filed with the magazine. Özen explained that the cases were opened on the grounds of calling imprisoned PKK leader **Abdullah Öcalan** "leader of the Kurdish people" and for publishing photographs of Öcalan and PKK militants. Özen is going to file appeals to these decisions. She stated that her client Çakar is furthermore tried for "membership of an illegal organization and committing a crime on behalf of the organization".

8 June. Conscientious objector **Enver Aydemir** was eventually discharged from military service upon an "incapability report" issued by a military hospital after three years of torture, repression and punishments. Aydemir refused to serve in the military for religious reasons. He was released from the Eskişehir Military Prison (north-western Anatolia). Aydemir commented that it was not him who was incapable but the legal system not recognizing the right to conscientious objection. After he had refused to wear an army uniform, charges of disobeying orders were pressed against him and he was kept in prison for another month.

29 May. Atılım newspaper reporters **Tuncay Mat** and **Çağdaş Küçükbatall** were released pending trial after nine months in detention. Both journalists stand trial for allegedly participating in the demolition of a base station in the Gazi district on the European side of Istanbul. In the second hearing, the Istanbul 11th High Criminal Court decided for the journalists' release after Mat and Küçükbatall had claimed that they followed the incident as journalists and that their prosecution was a breach of law. A total of eleven defendants are on trial, five of them are detained. The case was postponed to **24 September**. Mat and Küçükbatall were detained since 11 September 2009. The defendants stand accused of participating in the destruction of the base station as part of organized activities related to the Marxist Leninist Communist Party (MLKP). The indictment demands to prosecute Küçükbatall and Mat over allegations of "reinforcing coercion, violence or threat in the course of the incident", "membership of an armed organization", "damaging public property" and "opposing the Law on Meetings and Demonstrations". The journalists stated for their defence that they followed the incidents as journalists.

24 May. More than 120 people were taken into custody in the course of recent operations carried out by the police and the gendarmerie in the provinces of Tunceli, Elazığ, Malatya, Şanlıurfa and Batman in south-eastern Turkey, Sakarya in the north-west and Aydın and Denizli in western Anatolia. Apparently, the operations targeted the Democratic Confederation of Kurdistan (**KCK**), the umbrella organisation that includes the militant Kurdistan Workers' Party (**PKK**). DIHA reporter **Serkan Demirel** from Elazığ and Azadiya Welat Elazığ representative **Ali Konar** were among the people arrested. Konar was detained upon a referring demand after the interrogation by the prosecutor; Demirel was released. DIHA reporter **Çağdaş Kaplan** who had been arrested together with another 19 people was released by the Istanbul Beşiktaş Public Prosecution on the same day.

20 May. The 4th High Criminal Court of Diyarbakır (south-eastern Anatolia) released **Mehdi Tanrikulu**, editorial manager of the Kurdish **Azadiya Welat** newspaper, pending trial. Tanrikulu was detained on 8 April because he had insisted on presenting his defence in Kurdish. Journalist Tanrikulu stands trial on the grounds of "spreading propaganda for an illegal organization" based on an article published in the Kurdish daily on 23 January 2010. In his article, Tanrikulu had described imprisoned leader of the militant Kurdistan Workers' Party (**PKK**), **Adullah Öcalan**, as the "Leader of the Kurdish People". Moreover, he referred to the PKK as the "Kurdish Freedom Movement". The editorial manager is facing prison sentences of more than 40 years in total due to other cases opened against him by reason of articles and news published in the Kurdish daily.

18 May. The Istanbul 9th High Criminal Court released Dicle News Agency reporter **İsmail Eskin** pending trial in his first hearing after five months in detention. Eskin had been arrested when he was covering a demonstration against conditions of detention for imprisoned **Abdullah Öcalan**, leader of the militant Kurdistan Workers' Party (**PKK**). Eskin, third year student of the journalism department at Kocaeli University, covered the protest action in the Topçular district of Kocaeli on 29 November. The student was arrested at his home on 1 December claiming that he deliberately joined the incident and that he allegedly joined activities related to propaganda for a terrorist organization. The 1st Magistrate Criminal Court of Kocaeli (east of Istanbul) detained Eskin on 4 December 2009 and he was taken to the Kandıra Prison. His trial will be continued on 30 September.

13 May. Journalist **Vedat Kurşun**, former editorial manager of the Kurdish Azadiya Welat newspaper, was charged with "membership of the PKK organization" and "spreading propaganda for an illegal organization" by the 5th High Criminal Court of Diyarbakır (south-eastern Turkey). Kurşun received a prison sentence of 166 years and six months. With this decision, the court followed the demands expressed in the final submission of the prosecutor. In the hearing on 13 May, the court decreed to sentence Kurşun to 12 years and eight months, the upper limit for charges of "membership of an organization". He furthermore received a 103-count sentence according to article 7/2 of the Anti-Terror Law (**TMY**) on propaganda for an illegal organization.

6 May. The Diyarbakır 6th High Criminal Court dismissed the request to release **Bedri Adanır**, owner of **Aram Publishing** and editorial manager of the Kurdish **Hawar** newspaper. Prosecutor **Adem Özcan** demanded prison sentence of up to 50 years for Adanır. He stands accused of "membership of the PKK", the militant Kurdistan Workers' Party, and "spreading propaganda for an illegal organization" on the grounds of several articles published in the

Hawar newspaper and three books including a title on defence speeches of PKK leader Abdullah Öcalan. Adanır was arrested on 5 January when he entered Turkey from Iraq at the Habur check point in Silopi in the province of Şırnak (south-eastern Anatolia). Since then, Adanır has been detained in the Diyarbakır D Type Prison.

Arrest of Azadiya Welat editorial manager

8 April. The 4th High Criminal Court of Diyarbakır in the predominantly Kurdish region of south-eastern Turkey arrested **Mehdi Tanrıkulu**, editor of the Azadiya Welat newspaper publishing in Kurdish, because he insisted on making his defence in Kurdish regarding a press case pending against him. Journalist Tanrıkulu stands accused of "spreading propaganda for an illegal organization" based on an article published in the Kurdish daily on 23 January 2010. In his article, Tanrıkulu had described imprisoned leader of the militant Kurdistan Workers' Party (PKK) **Adullah Öcalan** as the "Leader of the Kurdish People". Moreover, he referred to the PKK as the "Kurdish Freedom Movement". The prosecutor demanded a two-count prison sentence for Tanrıkulu of a total of two to ten years according to article 7/2 of the Anti-Terror Law (TMY) (law no. 3713) on propaganda for illegal organizations. The former editorial manager of the newspaper, **Vedat Kurşun**, had been sentenced to imprisonment of three years.

24 April. The Court of Appeals approved the conviction of DIHA news agency employees **Ali Buluş** and **Mehmet Karaaslan** under charges of "membership of an illegal organization". Both convicts were arrested on 19 April 2007 and taken to the Mersin E Type Prison.

1 April. DIHA reporter **Remzi Çoşkun** was beaten and arrested by the police in the course of operations directed at the militant PKK organization when he arrived at his home in the evening. DIHA stated that the police did not keep a record of the arrest. Çoşkun was apparently told, "You are our guest. We will release you in the morning". He was released in the morning on 2 April.

7 March. The Rize Provincial Chair of the Freedom and Solidarity Party (ÖDP), Yaşar Aydın, former Republican People's Party (CHP) Rize Provincial Chairs Saltuk Deniz and Erol Koyuncu and the representatives of several democratic NGOs demanded the release of **Gençağa Karafazlı**, the Rize representative of Birgün newspaper and Show TV. He has been in detention for almost one year. Karafazlı was taken into custody in June 2009 in the course of an operation and was then arrested under allegations of "establishing and directing an organization for organized crime". His lawyer, Remzi Kazmaz, demanded to put an end to this "illegal" application and release his client from the Kalkandere L Type Prison. "My client is a victim. He is detained and a case against him has not been opened yet".

Ongoing Detentions and Sentences of Journalists and Press Members

DIHA reporters Behdin Tunç and Faysal Tunç. The Court of Appeals 9th Circuit approved the 6 years and three months prison sentences imposed to DIHA reporters **Behdin Tunç** and **Faysal Tunç**. The journalists were detained three years earlier and the Diyarbakır 5th High Criminal Court found both of them guilty of "assisting and providing shelter for the PKK organization". The decision was communicated on 17 February. The journalists were

arrested and detained on 5 April 2007 and are still kept in the Diyarbakır D Type Prison. DİHA reporter for the south-eastern province of Şırnak, **Haydar Haykır**, was taken into custody in the district of Çizre (Şırnak) on 8 January 2008. He was arrested and taken to the Batman H Type Prison four days later on 12 January. However, it has not been confirmed yet whether these detentions are related to "journalistic activities".

İşçi-Köylü newspaper employee Suzan Zengin. İşçi-Köylü (Worker-Peasant) newspaper employee **Suzan Zengin** will have been detained for a whole year in the Bakırköy (Istanbul) Women and Children Prison when she is going to appear at court for the first time on 26 August. Zengin was taken into custody by the Istanbul police on 28 August 2009 and was taken to the Anti-Terror Branch together with three other people who had been arrested at their homes in Kartal (Anatolian side of Istanbul) at the same time. Zengin and the other three people were taken to the courthouse in Beşiktaş (European side of Istanbul) and detained the same evening under charges of "membership to an illegal organization". When leaving the courthouse, Zengin shouted the slogan "**A revolutionist cannot be silenced by pressure**". She was taken to the Bakırköy prison whereas the other three defendants were brought to the Metris Prison. The Worker-Peasant newspaper suspects a "conspiracy" behind the events. The newspaper stated that Zengin has worked as a journalist for the revolutionary-socialist press in the district of Kartal for years for the revolutionary-socialist press. In a letter sent from prison Zengin said, "I will be in detention for almost nine months as the result of a complot when this letter reaches you. [...] This is the result of an advance punishment without being questioned".

Özgür Radio publication director Füsun Erdoğan. The Istanbul 10th High Criminal Court continued its hearing in the trial against 24 defendants accused of membership in or leadership of the illegal Marxist Leninist Communist Party (MLKP) on 26 March. Those detained include **Füsun Erdoğan**, the broadcasting coordinator of the Istanbul **Özgür Radyo** ("Free Radio") station, and editor of the **Atılım** newspaper, **İbrahim Çiçek**. 16 defendants are in detention. The case will be continued on **29 July**. In the 9th hearing on 26 March, Nurullah Karaoğlan, deputy chief of the Aydın Anti-Terror Branch who was involved in an operation on a house in the Aydın Nazilli Ocaklı Village, and police officers Cemal Arsaln and Faik Şaşmaz from the Istanbul Anti-Terror Branch were heard. Elif Almakça was released pending trial after three and a half years in detention. Karaoğlan stated that he received a fax concerning an extensive operation carried out by the Istanbul police and that this operation was fully directed from Istanbul. He said that they entered the house allegedly belonging to Naci Güner in the evening together with a team from Istanbul. Naci Güner was stopped in his car and taken into custody. The special team, entering the house before them, had arrested 5-6 people by the time they arrived at home, Karaoğlan said.

DİHA reporter Hatice Özhan. DİHA reporter **Hatice Özhan** was detained on 19 February. Özhan had been taken into custody in Diyarbakır and brought to the prison in Ağrı (north-eastern Turkey) in the context of an investigation launched by the Ağrı Public Prosecution. The journalist is detained in the Ağrı prison because of alleged "propaganda for an illegal organization". The allegations are based on phone conversations with employees of the BDP Headquarters and on her attendance of a program of the Kurdish television station ROJ TV.

Adana Radio Dünya publication director Kenan Karavil, Azadiya Welat newspaper Adana representative Seyithan Akyüz, Gün TV publication director Ahmet

Birsin. Dünya Radio broadcasting director **Kenan Karavil** and **Seyithan Akyüz**, Adana correspondent of the Kurdish daily *Azadiya Welat*, are detained in the Adana Kürkçüler Prison since 10 December 2009 on the grounds of alleged connections to a terrorist organization. **Gün TV** broadcasting director **Ahmet Birsin** is in prison since 14 April under similar allegations. Birsin, Karavil and Akyüz have not been taken before a court since they were detained. Their lawyers can neither inspect the file nor the evidence because of a decision for secrecy. The Adana 8th High Criminal Court prepared an indictment on Birsin after 14 months. The Diyarbakır Chief Prosecutor announced that the operation was aimed against "eight members of the PKK as the Turkish Co-ordination Unit". The operation was supposedly based on the results of a one-year technical follow-up.

Former Azadiya Welat newspaper Chief Editor Vedat Kurşun. Vedat Kurşun has been imprisoned since 30 January 2009 in the scope of trials under charges of "spreading propaganda for an illegal organization". The charges stem from news items related to the Kurdish question and the illegal PKK organization. Kurşun was arrested in the Atatürk Airport in Istanbul and taken to the Diyarbakır D Type prison. Kurşun stands accused of "assisting the PKK organization by spreading their propaganda and handling stolen goods" and of "praising crime and a criminal" based on news items in several issues of the Kurdish daily.

Cumhuriyet newspaper Ankara correspondent Mustafa Balbay. The Ankara correspondent of Cumhuriyet newspaper, **Mustafa Balbay**, has been detained in the Silivri Prison (Istanbul) since 6 March 2009 because of alleged connections to the "Ergenekon terror organization". Balbay is facing a two-count aggravated life sentence of between 16 and 80 years under charges of "attempted change of the constitutional order by armed force". In the hearing on 16 April at the Istanbul 13th High Criminal Court, he said, "This life-long ban from my profession is my first punishment in my position. I am not the Ankara correspondent of Cumhuriyet newspaper any longer". He reminded the fact that the evaluation of digital data as evidence was connected to the provisions of the Criminal Procedure Law. He said that the digital data known as the "Diaries of Balbay" were not to be evaluated as evidence. Balbay stated that the indictment included bits and pieces of interviews he made with the former Naval Forces Commander, deceased Admiral Güven Erkaya, the 10th President of the Republic, Ahmet Necdet Sezer, the 9th President Süleyman Demirel and other people. "My notes from eight years were specifically put together, ordered in a certain sequence and brought into the shape of a diary. These notes had been altered before you got them", Balbay argued. He said that the notes are less than one percent of the interviews he made and that he just asked questions to his sources. He furthermore put forward that only four of those interviews were made face to face, the others were held together with a delegation or in the persons' offices. Balbay emphasized that he fulfilled his duty towards the society as a journalist. "You are prosecuting me for a two-count aggravated life sentence. I say I am a journalist. If these articles of the law do not apply to us, are we the children of a different law? If conscientious conviction does not apply to us, are we the children of another god?" Balbay questioned. On 30 June, Balbay has been detained in the Silivri prison for 482 days.

Journalist Tuncay Özkan. Tuncay Özkan, detained defendant in the scope of the First Ergenekon indictment, also faces a two-count aggravated life sentence under charges of "Membership of the Ergenekon organization, abolishing or preventing the National Assembly and the government from fulfilling its duty and supplying classified documents". In the

hearing on 16 April, Özkan reminded that the indictment included sections on his private life and that İlhan Selçuk won his case opened for the same reason. "They severely harmed us and the Turkish justice. They damaged the law. If they apologize, I will not open a case on my part. The defendants here want to hear an apology from the prosecution officials", Özkan argued. Aydınlık magazine writer **Emcet Olcayto** is among the detained defendants tried at the Istanbul 13th High Criminal Court under charges of "membership of an illegal organization". The trial started on 20 July 2009.

Devrimci Demokrasi newspaper writer Erdal Güler. The release of detained journalist **Erdal Güler** was delayed to 6 September 2014. The owner and editor-in-chief of the Devrimci Demokrasi (Revolutionary Democracy) newspaper is imprisoned under charges of praising publications about illegal organizations such as the PKK or the Maoist Communist Party (**MKP**). Güler was arrested on 26 December 2007 and taken to the Amasya Prison in northern Turkey. His release was expected for December 2009. A certificate indicating the "date of expiration" of the sentence, which was given to Güler's lawyer Ümit Sisligün by the Kocaeli Prosecutor's Office, shows that the editor's release is not scheduled for the near future. The Prosecutor's Office stated that a fine of several thousand lira issued against Güler was changed to a prison sentence and, as such, a new release date of 6 September 2014 was set. Güler could be released on probation by 1 November 2012. Güler has been charged, mainly under the Anti-Terror Law, with "praising crime and criminals" related to a message, entitled "We commemorate Mahir Çayan and his comrades with respect", published in the April 2005 issue of the "**Özgür Düşün**" magazine, of which he is the editor. Another case was opened against Güler on the grounds of a commemoration of İbrahim Kaypakkaya in the 1-16 May issue of the "Halk için Devrimci Demokrasi" (Revolutionary Democracy for the people).

Cases related to Press Freedom and Freedom of Expression

Ferhat Tunç at court on 28 July

1 July. The case of Kurdish Alevi singer **Ferhat Tunç** because of a speech made at the 1st Eruh-Çirav Nature and Culture Arts Festival (south-eastern Anatolia) will start on **28 July**. The World Freedom Music forum awarded Tunç with the 2010 World Freedom Music award of the Freemuse organization. In his speech Tunç had referred to the Eruh raid on 15 August 1984 when the PKK started its armed attacks. He said, "After 25 years you are opening a new window to peace and brotherhood from Eruh. I am just as excited as you are to turn this march, which you started on the expense of your lives and your blood, towards peace". Undetained defendant Tunç is tried under article 7/2 of the Anti-Terrorism Law (**TMY**) (propaganda for an illegal organization). Additionally, the artist stands accused of "committing a crime on behalf of an organization without being a member of the organization" according to article 220/6 of the Turkish Criminal Law (**TCK**). Tunç will be tried at the Diyarbakır 4th High Criminal Court. He faces imprisonment of up to 15 years.

Turkish Folk Music artist **Pınar Sağ** and local artist **Mehmet Özcan** face imprisonment of two years as well because they allegedly praised İbrahim Kaypakkaya, founder of the Communist Party of Turkey/Marxist Leninist (**TKP/ML**)-**TİKKO** organization. Sağ was ordered to the Şişli (Istanbul) Courthouse to give her statement. She stands trial on the grounds of her announcement in a meeting in Tunceli before the local elections on 29 March

2009. She said, "To the comrades of Kaypakkaya, who always stood upright against the fascist government".

Sociologist Beşikçi at court again

30 June. The Istanbul Public Chief Prosecutor opened a trial against sociologist **İsmail Beşikçi** under charges of "spreading propaganda for the PKK", the outlawed Kurdistan Workers Party. The charges are based on an article Beşikçi wrote for the **Contemporary Law and Society** magazine, the publication of the Istanbul Branch of the Contemporary Lawyers Association (**ÇHD**). Beşikçi and also the editorial manager of the magazine, **Zeycan Balcı Şimşek**, are each facing prison sentences of up to 7.5 years because of the article entitled "The right of nations to self determination and the Kurds". The trial against Beşikçi and Şimşek will start on 28 July at the Istanbul 11th High Criminal Court. Istanbul Public Prosecutor **Hakan Karaali** pressed charges against Beşikçi on the grounds of the following statement: "The Kurds pay the price for a 200-year struggle for freedom and for a free fatherland. [...] Syria, Iran and Turkey govern the Kurds with oppression and cruelty. [...] The states that jointly kept the Kurds under oppression could always unite politics, ideology, military force and diplomatic power against the Kurds. This joint governance did not render law and justice. To the contrary, it obviously crushed and offended a sense of law and justice. The resistance against this oppression and cruelty appears to be a legitimate right. [...]" The indictment was prepared on 11 May. In the 1990s, sociologist Beşikçi was facing imprisonment of more than 100 years for articles about the Kurdish question published in the *Özgür Gündem* newspaper and for books published by Yurt Publishing.

10 months for singer Cevdet Bağca

29 June. Singer **Cevdet Bağca** was sentenced to imprisonment of ten months by the Diyarbakır 5th High Criminal Court for saying "Do not forget Kazım Koyuncu, Ahmet Kaya, Ozan Serhat and Delila. Do not forget Uğur Kaymaz" in a concert performed in the south-eastern city of Siirt. Bağca had delivered a brief speech at a concert in Siirt on 29 September 2009. The opinions he voiced were recorded by the police as "sympathizing for an illegal organization and spreading propaganda about a member of the organization". Bağca's speech was evaluated as "propaganda for an illegal organization". According to the official police report, Bağca praised Kazım Koyuncu and Ahmet Kaya, two persons who allegedly sympathized with the PKK/KONGRA-GEL organization (the militant Kurdistan Workers Party) and spread propaganda for the terror organization. It was furthermore claimed in the report that he praised Ozan Serhat and Delila, supposed PKK/KONGRA-GEL members who were killed in operations in rural areas. Bağca allegedly praised both people who were killed in conflicts between armed members of the organization and the armed forces, the police report continued. By doing so, Bağca "spread propaganda for an illegal organization", the report determined. The police report furthermore called singers Kazım Koyuncu and Ahmet Kaya sympathizers of the PKK. Koyuncu is a musician from the Laz region on the eastern Black Sea Coast. Kaya became subject of a lynch attack after he had said "I will produce a Kurdish song and I know that there are people brave enough to publish it". He went to Paris later on where he passed away. Numerous music festivals in the Black Sea region were organized in the name of Koyuncu as well as a festival on 3 July by the Republican People's Party (**CHP**) in the Karabağlar District Municipality in Izmir. The description of Koyuncu as a "sympathizer of the PKK" was reason for harsh reactions against the police report. The report

furthermore referred to Ozan Serhat and Delila not as artists but as "members of an illegal organization". Twelve year-old Uğur Kaymaz, who had also been mentioned by Bağca in his speech, was killed together with his father on 21 November 2004 in the province of Mardin