

BİA MEDIA MONITORING 2012 / ANNUAL REPORT - 2

The year 2012 was a year full of violations of freedom of expression and fight against the violations. During the year, journalists, artists, rights activists, journalists' and rights organisations protested the trial and imprisonment of journalists, as well as all other obstructions against journalists, rights activists, publishers, writers and artists. They demanded freedom through their reports and statements. *

In their statements and reports, international, national and local organisations especially drew attention to the articles of the Anti-Terror Law (TMK) and the Turkish Penal Code (TCK), which hinder freedom of expression, as well as the long detention periods. The rapporteurs of the organisations followed the OdaTV, Ergenekon and KCK (Kurdistan Union of Communities-Turkey) trials throughout the year. **

The deputies of the Republican People's Party (CHP) and the Peace and Democracy Party (BDP) raised the issues of imprisoned journalists, long detention periods, and articles of TCK and TMK that are related with terrorism, through their parliamentary questions and speeches in the parliament.

Judicial Reforms

The 3rd Judicial Reform Package has abolished articles 250, 251 and 252 of the Law on Criminal Procedure (CMK), which were on Specially Authorised Courts (ÖYM) (2 July). With this Package, the execution of the prosecution or the finalised ruling of conviction in a criminal lawsuit may be postponed in the case of crimes committed until 31 December 2011 through the media or through the expression of opinion, if those crimes are punishable by a judicial fine or by no more than five years in prison.

The publication/broadcasting principles and common values of Doğan Yayın Holding were updated through the addition of articles on peace journalism, hate speech, reporting with a focus on women and children, not taking advantage of media visits as a way of advertising, prohibiting economy and stock exchange reporters from trading in the stock market and prohibiting journalists from being engaged in other commercial activities (10 December).

With the Law No: 6356 on Trade Unions and Collective Agreements, which went into effect on 27 November, the 28 lines of businesses were reduced to 20; individuals working in the field of Internet will, from now on, organise under the Communications line of business. DİSK Basın İş (The Confederation of Progressive Trade Unions of Turkey - Union of Press Workers of Turkey) demanded that news web sites are brought under the Journalism line of business (28 November).

The Council of Ministers rejected the Ministry of Justice's proposal to regulate the "violence criteria in terrorism crimes," the issue of "shielding public officers from being investigated," and the issue of "insulting Turkishness and the organs and institutions of the State," (Article 301 of the TCK), which the ECHR finds against freedom of thought in the draft 4th Judicial Reform Package (27 November).

The Law on Criminal Procedure, which includes provisions on legal defense in the native language, and the Parliamentary Bill on Amending the Law on the Execution of Sentences and Security Measures have been approved by the Human Rights Investigation Commission and been submitted to the General Assembly of the Parliament (15 November). The Justice Commission of the Turkish Grand National Assembly (TBMM) has adopted the proposal.

During the first meeting (6 December) of the science board established at the Social Security Institution (SGK) General Directorate Coordinator for Insurance Premiums with the aim of granting the right of professional wear-and-tear to journalists, the Turkish Journalists' Union (TGS) objected to the government's proposal to grant the right of professional wear-and-tear only to those journalists, who work on the field. A bill by CHP Deputy Head Umut Oran, which included provisions on granting the right of professional wear-and-tear to journalists, obligatory membership in trade unions, prohibition of media bosses from participating in public tenders, giving a legal status to the internet media, and payment to intern reporters, was rejected by the TBMM General Assembly through the votes of the deputies of the Justice and Development Party (AKP) (7 November).

Reports

"The 2012 Progress Report prepared by Turkey" was published (31 December). In the report, it was stated that the provision in the TMK that allowed judges and prosecutors to stop the publication of periodicals was abolished, and the work on the 4th Judicial Reform Package, which would further strengthen the freedom of expression and freedom of press was on-going.

The Journalists Without Borders (RSF), in its 2012 report, defined Turkey as the world's largest prison for journalists (17 December). According to the report, 72 journalists and four media employees are in prison. The report stated that, of the 72 imprisoned journalists, at least 42 are imprisoned for activities related with their profession. It also added that limited legal reforms remain inadequate to prevent the arrests of, raids against and prosecution of members of the media -which are all done in the name of fighting against terrorism.

The Parliamentary Internet Research Commission, in a report it submitted to the Parliament Speaker's Office, stated that access and Internet should be regulated as a fundamental right in the Constitution (17 December). It also proposed that a number of judges and prosecutors should be trained to become experts in the fields of information technology, electronic communications and cyber crimes, and that specialised courts in these fields should be established.

In the Freedom House's 2012 report, Turkey was listed among the 'Partly Free' countries (15 December). The report pointed out that journalist arrests and freedom of expressions violations are on the rise in recent years. It added that media is in the hands of large holdings and self-censorship is becoming widespread.

The Committee to Protect Journalists (CPJ), in its annual report that covers 27 countries, reduced the number of imprisoned journalists in Turkey to 49 (18 December). In the "Turkey's Press Freedom Crisis" CPJ published on 22 October, it stated that a total of 76 journalists are imprisoned, 61 of which are under arrest directly because of their professions.

The Report drew attention to the oppressive laws, mainly the TCK and the TMK, and the government's tough stance towards the media.

The TBMM Internet and Information Technology Commission, in its cyber security draft report, proposed a National Internet Network Monitoring System to prevent attacks against the services provided via the Internet by public and private institutions. The report also stated that legal arrangements must be prepared in the field of cyber security and that the security of critical infrastructure systems, that may pose a danger to social order, should be enhanced. The media reports about the draft report highlighted that the draft may pose a threat with regard the individual rights and freedoms.

The Google Transparency Report's section on Turkey (13 November) was as follows: Turkey, through 501 applications, requested that 2074 items are removed. Among main reasons were: pornography, criticism of official authorities and defamation. As a result of Turkey's requests to Google for the removal of contents, the Turkish Internet users' access to 63% of YouTube videos was restricted. The Telecommunications Communications Directorate of the Information Technologies and Communications Board, filed an application requesting that blogs are removed on grounds that they contain discussions over the independence of minorities and reveal information regarding the politicians' private lives. However, Google did not remove the content. Turkey requested data regarding 120 users, but Google did not respond to this request either.

The European Commission, in its 2012 Progress Report on Turkey, stated that the increasing incidence of violations of freedom of expression raise serious concerns and that the freedom of the media continues to be further restricted in practice (10 October). The report added that the applications of the "Terrorism Articles" 6 and 7 of the Anti-Terror Law in combination with Articles 220 and 314 of the Turkish Penal Code lead to abuses of freedom of expression.

The Council of Europe Parliamentary Assembly's report on The State of Media Freedom in Europe, criticized the state of media in Turkey (2 October). In the report, it was stated that the Assembly is shocked by the high number of journalists imprisoned, detained or prosecuted in Turkey. It added that the 3rd Judicial Reform Package proves inadequate in journalist trials, and underlines that Article 301 has to be abolished. The report stated that Articles 285-288 of the TCK and Article 6 of the TMK constitute violations of the media freedom.

Reactions

The Press Council warned Vatan newspaper's writer Reha Muhtar because of his articles that targeted a doctor and a patient published on 9 and 11 November (27 December).

The Turkish Journalists Association (TGC) stated that the fact that the Oda TV hearings at the Çağlayan Court House are held at a small room is hindering the journalists' right to have access to news and harms the principle to hold open hearings (27 December).

The Turkish Publishers Association (TYB), the Writers Union of Turkey (TYS), TGC, Turkish PEN Centre and Literary Translators Society drew attention to banned publications in their meeting (18 December). The organisations stated that the police headquarters had applied for the continuation of the bans on 67 books and 16 magazines.

The Habervaktimdenberiyiz initiative started a petition against Habervaktim, which published photographs of Hilal Kaplan in a church and launched a defamation campaign against him. (17 December).

Ezgi Başaran, Can Dündar, Sedat Ergin, Mehveş Evin, Banu Güven, Nuray Mert, Özgür Mumcu, Ahmet Hakan, Nazlı Ilıcak, Soli Özel, Mehmet Tezkan and Yıldırım Türker published a joint statement condemning Taraf newspaper's writer Mehmet Baransu and started a petition against him. On 17 December, Baransu had tweeted a message that targeted journalist Aslı Aydıntaşbaş, without giving her name. The Press Council called on Baransu to apologise (18 December).

The Press Council, the National Committee of International Press Institute, TGS and CPJ denounced the arrest of Evrensel newspaper's writer Sadiye Eser (19 December).

The Contemporary Journalists' Association (ÇGD) condemned the media institutions that do not pay their employees' salaries on time (4 December).

The Turkish Journalists' Federation (TGF) denounced the fact that the images of an operation in the Ovacık District of Tunceli on 16 November by the security forces against the Maoist Communist Party and the People's Liberation Army (MKP/HKO) militants were only made available to the semi-official Anatolia News Agency (29 November). TGF stated that this was aimed at having the news published one-sidedly and from the state's point of view.

Court reporters reacted against the fact that their meetings with the prosecutors were recorded. They left a document on the table of the public prosecutor bearing the text of Article 28 of the Constitution, which defines the duty of journalists (26 November). İGC and TGC stated that the incident was aimed at controlling the activities of 'obtaining and publishing information' (23 November).

The Alternative Information Technology Association evaluated the first year of the "Secure Internet service" project by Turkey's Information Technologies and Communications Authority (BTK) (22 November). In its statement, the Association said that the secure Internet service is a central filtering system by the state. It added that the annulment suit brought to cancel the service is currently continuing at the Council of State.

The Turkish Sports Writers' Association (TSYD), denounced BEYAZ TV's reporter. The reporter, when his interview request was rejected by referee Fırat Aydınus after a football game, went and asked his apartment building manager whether the referee was paying his monthly apartment expense fees and how his relationship with his wife were (21 November).

The CPJ team, including Kati Marton and Jean-Paul Marthoz, revealed the "Turkey's Press Freedom Crisis" report during a press conference in Istanbul and evaluated their meetings with government officials in Ankara (8 November). The Freedom for Journalists Platform (GÖP), on the 5 November Stand Up for Journalism Day, walked from Tünel to Taksim. The Platform stated that Specially Authorised Courts are still functioning under a different name and that the imprisoned journalists are being used to threaten the free journalists and publishers.

The Platform of the League of Struggle, made a statement at the İstanbul branch of the Human Rights Association (İHD) after the Yeni Evrede Mücadele Birliği ('Struggle Unity in the New Phase') and Zafere Kadar Genç Yoldaş ('Until Victory Young Comrade') magazines were confiscated by the Antep 1st Criminal Court of Peace (23 October).

The Press Council decided to issue a warning against the Vatan newspaper, which on 15 September, published a headline story titled, "Our writer Serhat Ulueren comments on Fenerbahçe Chairman Aziz Yıldırım's statements on NTV Spor ('Sports') : Aziz Yıldırım Is Not Telling the Truth" (23 October).

The Press Council and GÖP evaluated CPJ's Turkey Report (23 October). The organisations stated that the report demonstrates that the problems related with freedom of press and freedom of expression in Turkey are being recognised in the international arena. They called on the political leadership to put an end to the pressures on the media with regards to the freedom of opinion and freedom of expression.

The RSF stated that the 3rd Judicial Reform Package would be inadequate in solving the problem of imprisoned journalists in Turkey (17 October).

The Press Council established a commission to determine the responses of imprisoned journalists to the Silivri L-Tipi Closed Prison Investigation Draft Report prepared by the TBMM Human Rights Investigation Commission (19 October). The members of the commission will be sending their report to the deputies, and the Ministry of Justice General Directorate of Prisons and Detention Houses.

The Lambdaistanbul LGBT Solidarity Association, İstanbul LGBT Solidarity Association, Turkish Socialist Anew Foundation (SYK) and the Socialist Feminist Collective (SFK), protested the news report published by the Habertürk newspaper on 11 October, titled 'Shocking photographs of Women PKK members.' The protest took place in front of the Habertürk newspaper (18 October).

The Liberal Democratic Party left a black wreath in front of the Vatan Newspaper because the newspaper has decided to no longer publish the articles of journalist Can Ataklı and a number of other journalists (13 October).

The Freedom to Tuncay Özkan Initiative protested the TBMM Human Rights Investigation Commission, which allegedly wrote in its Silivri Prison report, that the prisoners' only problem is water and acoustics. The protest took place in front of the TBMM (13 October). The Initiative met with journalists, writers and academicians in Ankara on 6 October.

The families of the imprisoned journalists visited BDP, CHP and AKP groups at the TBMM (11 October). The families and lawyers of nine journalists handed the group deputy chairmen the 800-page bill of indictment of the KCK Media Trial, and a document consisting of a legal assessment of the case.

The Turkish Actors' Union, the Turkish Professional Union of Actors and the Turkish Cinema Workers' Union condemned Sabah newspaper's writer Sevilay Yükselir for attacking İlyas

Salman's personal rights in her article titled, 'Sorry but what honour does İlyas Salman have?' (11 October).

The IPI Turkish Committee's Head Kadri Gürsel, who was invited to the World Forum for Democracy organised in France on 5-11 October, drew attention to the imprisoned journalists and the pressure that the media is under in Turkey.

The ÇGD, TGC, TGF, Antalya Journalists' Union (AGC), Turkish Sports Writers' Association (TSYD), the Press Council and the Association of Turkish Photojournalists denounced Turkish Golf Federation's Head Ahmet Ağaoğlu for attacking reporter Cihat Ünal of Zaman newspaper and Cihan News Agency (10 October).

The World Association of Newspapers and News Publishers (WAN-IFRA) and the World Editors Forum wrote a letter to Prime Minister Erdoğan about the KCK case, in which journalists are standing trial (5 October). The organisations stated that they see this case as the government's way of intimidating the media and silencing criticisms.

The TRT employees, Haber-Sen (The Media, Communication and Postal Employees Union), Türk Haber-Sen (Union of Public Employees in Communications, Paper Press and Publishing Branch of Turkey) and Birlik Haber-Sen (Union of Allied Post Office and Communication Employees of Turkey) objected to the possibility of giving the TRT İstanbul Radio's Harbiye building to the United Nations (UN) (4 October). Separately, KESK Haber-Sen (The Confederation of Public Workers' Unions - Media Communication and Postal Employees Union) held a press conference on the subject in Ankara on 12 October.

TGF Head Atilla Sertel wrote an open letter to Prime Minister Erdoğan, who had said, "It is our response to teach that media its place" in the face of criticisms about his accreditation policy (3 October). Sertel said that the term 'to teach its place' constitutes a threat and an order to ministers, judges, and bureaucracy to oppress the journalists, who oppose the government's policies. The TGS also condemned Erdoğan's statement.

The GÖP, the Press Council, IPI and its subsidiary The South East Europe Media Organisation (SEEMO) criticised the fact that seven newspapers could not get accreditations to cover AKP's general assembly (2 October).

The Federation of Internet Media and Informatics criticized 20 newspapers, TVs, Internet sites and news portals for deciding to not allow the use of their content even by providing a reference (1 October). The Federation stated that once it is published, any news report/article/photograph becomes public property and it is appropriate to quote or use it as long as the reference to the source is provided.

Official Inquiries to Parliament

CHP İstanbul Deputy Umut Oran submitted a parliamentary question to Prime Minister Recep Tayyip Erdoğan regarding the allegations that an investigation was launched against six public officers working at the Ankara Revenue Office for sharing the contents of a humour magazine over the Internet (31 December).

CHP İstanbul Deputy Sezgin Tanrıku asked Prime Minister Erodoğan about the allegations that those who criticise him, the Council of Ministers or AKP on the social media are detained by the security forces and are suppressed (7 December).

Deputy Prime Minister Bülent Arınç responded to CHP İstanbul Deputy Umut Oran's parliamentary question regarding the journalists, who have been fired and Prime Minister's complaint to newspaper bosses about their columnists (12 November). Arınç stated that the government has nothing to do with the hiring and firing of journalists and added that the prime minister feels sorry about the journalists, who have been fired.

Member of the European Parliament Patrick le Hyaric submitted a parliamentary question to the European Commission about Soner Yalçın (10 November). Hyaric asked questions such as; "Are observers going to be sent to the OdaTV trial on 16 November?" and "What kinds of measures are being considered to convince the Turkish authorities to amend their laws to guarantee media freedom and the freedom of expression, and especially their arrangements in the area of specially authorized courts?"

CHP Deputy Kadir Gökmen Öğüt's question to Deputy Prime Minister Bülent Arınç regarding the movement to set up their own cadre in AA, was replied (27 October). In the reply signed by AA General Director Kemal Öztürk, it was stated that a total of 201 employees have left the agency since 3 August 2011 and that 115 new employees have been hired. Questions on how much from the state budget is allocated to AA and the criteria for the agency's membership fees were not answered.

CHP İstanbul Deputy Umut Oran asked Justice Minister Sadullah Ergin about why the prison administrations are keeping certain books from the prisoners and convicts based on past confiscation decisions (8 October).

CHP Yalova Deputy Muharrem İnce asked Deputy Prime Minister Bülent Arınç in writing about the allegations that the TRT İstanbul Radio would be given to the UN (3 October).

Solidarity

The "10 Years of Freedom of Expression" prepared based on the complete works of the bianet Media Monitoring and Freedom of Expression Report, was published (27 December). The "10 Years of Freedom of Expression" prepared by Gülsüm Depeli and Emek Çaylı, is about the environment created or attempts to create an environment, through hindering journalism, speeches, writing - in short, every form of expression and the struggle and story of those, who objected to this environment during the period 2001-2011.

The TGS published a new year's message to its imprisoned colleagues. The ÇGD sent new year's cards to the imprisoned journalists (31 December). Free Journalists launched a solidarity letters campaign over the Internet for the imprisoned journalists (14 December).

The RSF, in a campaign it organised for imprisoned journalists called on the whole world to contribute to the fund allocated for the journalists (27 December). It was stated that the organisation is aiding around 300 families per year in a bid to support the families of imprisoned journalists.

The Press Institute Association (IPI Turkish National Committee) and the Press Council expressed their contentment over the release of journalist Soner Yalçın and stated that they hope that the legal arrangements regarding the imprisoned journalists will be finalised as soon as possible (27 December).

Free Journalists announced that they are in support of the BirGün newspaper, against which Prime Minister Erdoğan brought a libel suit. Prime Minister Erdoğan is demanding 100 thousand Turkish Liras (about 42,000 euros) in damages (21 December).

The International Publishers Association (IPA), on 11 December and 1 October before the İstanbul KCK trial, urged Turkish authorities to drop all charges against arrested translator-publisher Deniz Zarakolu and publisher Ragıp Zarakolu, who is currently standing trial. The association also called on the Turkish authorities to immediately release Deniz Zarakolu.

During the Economic Development Foundation's visit to the European Commission, Jean Christophe Filori, the Head of the Turkey unit in DG Enlargement, made statements regarding press freedom in Turkey (6 December). Filori highlighted that the TMK is leading to self-censorship in the media and that the TCK includes articles that are open to the interpretation of the judges.

TGS head Ercan İpekçi and EJP official Patrick Kamenka attended the final hearing of Aram Publishing's owner and Hawar newspaper's editor-in-chief Bedri Adanır's trial at the Diyarbakır 6th High Criminal Court (27 November).

Redhack launched a petition campaign over the social media regarding the hearing of the Redhack Case at the Ankara 13th High Criminal Court (26 November).

bianet's article series, "Murdered Journalists and Impunity" started (19 November). Over 20 days, the stories of 20 murdered journalists were told by their families, friends and lawyers.

The Press Council, CHP Deputies İlhan Cihaner, Melda Onur, Veli Ağbaba, Provincial Head Oğuz Kaan Salıcı, lawyer Eşber Yağmurdereli, journalists Uğur Dündar and Ayşe Arman and PEN's President John Ralston Saul attended the 16 November hearing of the OdaTV trial at the İstanbul 16th High Criminal Court. Letters written to the imprisoned journalists were attached to the tree made of wood that was brought in front of the Court House ahead of the hearing.

The Worldwide Association for Writers PEN was in Turkey on 15 November PEN's Day of the Imprisoned Writer, to draw attention to the writers, journalists, publishers and translators, who are standing trial in Turkey. The PEN team held meetings with President Abdullah Gül, European Union Minister Egemen Bağış and a number of rights organisations. The team stated that the biggest obstacle in front of freedom of expression is the wide and ambiguous use of the TMK. Ragıp Zarakolu, chair of IPA's Freedom to Publish Committee, stated that a total of 13 writers and translators in Turkey are in prison on charges of "terrorism"

During the conference organised by the Swedish Union of Journalists (SJF) in Stockholm on 12-14 November, the European Federation of Journalists (EFJ) stated that press freedom and

freedom of expression in Turkey are under intense pressure. EFJ called on the Swedish journalists to be in solidarity with their imprisoned colleagues in Turkey.

The European Parliament's Monitoring Committee on Media Freedom in Turkey, the IPI Turkish National Committee, Press Council and BDP Deputies Mülkiye Birtane and Pervin Buldan followed the KCK media case on 12 November at the İstanbul 15th High Criminal Court in Silivri.

The journalist defendants of trials such as Ergenekon, OdaTV and KCK, in which journalists are being tried, called on the public to support them in the KCK trial over the internet site of Free Journalists, which went online on 12 November.

The Dicle News Agency's (DİHA) employees protested the arrest of journalists Zeynep Kuriş, Ali Buluş and Ferhat Arslan in Diyarbakır at the South East Journalists Union (6 November, 8 October).

The EFJ announced that nine out of the 683 prisoners, who are on a hunger strike, are journalists (Tayip Temel, Fatma Koçak, Ayşe Oyman, Pervin Yerlikaya, Faysal Tuuç, Selahattin Aslan, Mehmet Emin Yıldırım, Şahabettin Demir, Ömer Faruk Çalışkan) (4 November). The TGS applied to the Ministry of Justice and requested to see the imprisoned journalists, who were on a hunger strike (2 November). TGS Head Ercan İpekçi said, "We Don't Want to Write News Reports About Death," on the hunger strikes (1 November). The Free Journalists went on a one-day hunger strike saying "We Don't Want to Write News Reports About Death," to draw attention to the hunger strikes (1 November).

The İHH Humanitarian Relief Foundation held a press conference about the journalists, Al Hurra cameraman Cüneyt Ünal and reporter Başar Fehmi Kadumi, who have been arrested in Syria (10 October). The Turkish Association of News Cameramen gathered in front of the Syrian Consulate on Tuesdays, to express solidarity with the two journalists. The Press Council sent a letter to Syrian President Beşar Esad asking him to release the journalists before the Islamic holiday of Eid al-Adha (23 October). The TGC wrote a letter to Lakhdar Brahimi, the Special Representative of the UN Secretary-General for Syria, about the journalists (23 October).

Intellectuals, artists and actors, art-lovers handed their support to pianist Fazıl Say ahead of his 18 October hearing at the Ses Theatre in Beyoğlu, with the "Our Voice is With You" event (16 October). The Alawite-Bektashi Federation and the TKP called on everyone to attend the hearing. The German Left Party Federal Parliamentary Group wrote to Prime Minister Erdoğan regarding the Say trial and followed the hearing.

The Press Council thanked President Abdullah Gül, who spoke at the opening of the new legislative year, for his words in support of the freedom of expression (3 October). Gül, during his speech, had stated that no one should be imprisoned for expressing his/her opinions through the media.

The 'We Demand Justice Initiative' requested an appointment with Prime Minister Recep Tayyip Erdoğan to request a new legal procedure about the Dink murder and a fair trial. (2 October).

Within the framework of TGF's monthly visit program to imprisoned journalists, a team of 12 journalists visited Mustafa Balbay, Soner Yalçın, Tuncay Özkan, Deniz Yıldırım, Hikmet Çiçek and Turhan Özlü at the Silivri Prison ahead of the 12 December hearing of the Ergenekon Trial.

The Press Council met with imprisoned journalists Mustafa Balbay, Tuncay Özkan, Soner Yalçın, Mehmet Deniz Yıldırım, Turhan Özlü at the Silivri Prison and assessed the prison conditions (3 December).

The TGC visited journalist Tayyip Temel at the hospital after the hunger strikes were over (18 November). The visit to Ayşe Oyman and Fatma Koçak scheduled for 20 November, was cancelled by the Ministry of Justice on grounds that the arrested journalists were in hospital.

A delegation of journalists brought together by the İzmir Journalists' Association (İGC) visited journalists Mustafa Balbay, Tuncay Özkan, Deniz Yıldırım, Soner Yalçın and Hikmet Çiçek at the Silivri Prison (14 November).

A delegation of journalists brought together by TGF, visited imprisoned journalists Mustafa Balbay, Tuncay Özkan, Deniz Yıldırım and Soner Yalçın at the Silivri Prison (23 October).

TGC members visited imprisoned journalists Tuncay Özkan, Soner Yalçın and Mustafa Balbay at the Silivri Prison and handed their support to the journalists (17 October).

The Press Council followed the KCK hearing in Silivri and visited the imprisoned journalists Tuncay Özkan, Soner Yalçın and Mustafa Balbay at the Silivri Prison (5 October).

Meetings - conferences

The TGC and the Konrad Adenauer Stiftung (KAS) jointly organised a seminar on "The Status of Journalism and Journalists in the Face of Developing Technology" (24 December).

The World Conference on International Telecommunications was organised in Dubai (17 December). The conference discussed a regulation proposed by the International Telecommunications Union supported by countries like Russia and China. An International Telecommunications Regulation (ITR) was prepared at the end of the conference. The regulation signed by 89 countries including Turkey, was not signed by any European Union member state.

The TGC, IPI Turkey, TGS and GÖP, organised a meeting about the problems of imprisoned journalists. The organisations met with the relatives of journalists (5 December). Journalists coming from America, Germany, Austria, New Zealand, Nigeria and India also supported the meeting.

The Friedrich-Ebert-Stiftung, Umut ('Hope') Foundation, bianet and the European Federation of Journalists organised a conference on "Media freedom and freedom of expression in Turkey: current developments " (24 November). Media representatives in Turkey, and OSCE

Representative on Freedom of the Media Dunja Mijatovic, ECHR Judge Işıl Karakaş, and European Federation of Journalists President Arne Konig attended the conference.

The Turkish Economic and Social Studies Foundation (TESEV) and the Friedrich Ebert Stiftung Association's Turkish Representation organized a conference titled 'Media in the Claws of Market, Power and Ownership: Freedom of the Press in Turkey' (23 November).

Statements by the Government

* In Turkey, freedom is not in such a poor condition as those writing reports from abroad believe or think. But there are areas in which it is restricted. One needs to look at the Anti-Terror law. One needs to look at the realities of Turkey. Those issues should also be investigated. However no journalist, no matter how many, should be imprisoned for carrying out journalism. His/her freedom should not be hindered. Are some journalists imprisoned because of their journalism activities or because they have committed crimes prohibited by law? One needs to conduct a legal assessment impartially and objectively. And that is what we tried to do. (Deputy Prime Minister Bülent Arınç, Ankara'nın Nabzı ('Ankara's Pulse') Programme, 16 December)

* An organisation, which goes by the name 'Committee to Protect Journalists,' first said that there are 76 imprisoned journalists in our country. Then, it must have made use of our explanations, and revised this number was 46. This issue is important even if that number was 4 or 6. But this could give us an idea on the extent that such reports reflect the reality. The numbers are not important for us. We are saddened by the imprisonment of even one journalist because of what he/she has written or because of his/her journalism activities.' (Deputy Prime Minister Bülent Arınç, Looking for Media and Communications in the New Century Conference, 15 December)

* The CPJ, which published a report referring to 76 people in October, revised that number yesterday and reduced it to 49. What changed since October to make them reduce the number to 49? The statements of the Ministry of Justice have been shared in relevant platforms and thus the list of 76 people was yesterday reduced to 49. This list of 49 people will further be reduced. Among those 49 people, are bank robbers, murderers, those who killed police officers, those who killed guards, kidnappers, robbers... The trials of seven defendants have been finalised. Their convictions have become definite. They have nothing to do with journalism. Some of these are crimes committed by the organisation that harbours the murderer who martyriszes the police. Please let's not support them with the aim of increasing the number of journalists. Let's work together to solve the problems of those, who may be in prison due to their journalism activities. We may come up with wise solutions for those, who are imprisoned because of journalism. But please don't bring those, who have committed robbery or murder bearing arms before this platform, before Turkey, calling them journalists. (Justice Minister Sadullah Ergin, TBMM General Assembly, 12 December)

* What is wrong is the name Muhteşem Yüzyıl ('Magnificent Century'). If it was called 'Magnificent Love' and if the focus had been on the love between Hürrem and Kanuni, we would not have felt the difference between the assertion and the product. Because of the name 'Magnificent Century,' people expected to see a period in history, other things like the Siege of Vienna, the Siege of Szigetvar. However, in the end, this is fiction, a film. (Culture and

Tourism Minister Ertuğrul Günay, Canan Barlas ile Gündem ('Agenda with Canan Barlas') programme, 10 December)

* Our history is being reflected in such a way as if it was all about wars, conspiracies and the Seraglio. But nobody is talking about, or wants to talk about the pen and the book that shaped our history, that marked our history and shaped the future of our civilisation. No matter how those, who are not one of us tell our history, we have to truly know our own history, our own civilisation, understand it correctly, and to shape the future by taking inspiration from that history... We have to raise our children, our youth, our young generations with such an understanding, such a self-confidence, with such an awareness of our history and civilisation. If our youth reads and understands our history in a correct way, if our youth gets to know ancestors in a correct way, then, believe me, no one would be able to stand in the way of our youth, no one would be able to compete with this youth. (Prime Minister Recep Tayyip Erdoğan, Turkish Innovation Week activities, 6 December)

* Some individuals, who are working at some newspapers with the capacity of journalists, are making propaganda on behalf of the terrorist organisation. They are promoting terrorism. Apart from them, the number of those, who have been convicted because of journalism activities, is not even 2 or 3. I don't remember anyone being found guilty for writing a column or a book... People like Nedim Şener, Ahmet Şık and Soner Yalçın, who we know are journalists, have remained under arrest for a long time, but then two of them have been released, and one is still imprisoned. If we think about 100 people with regards to this issue, at least 20 of them have stood trial for petty crimes. If we view all of them as journalists, the number seems high, but I cannot say that all are imprisoned because of journalism activities... We can interpret the propaganda issue as promotion of arms and violence. The freedom of expression is the product of all freedoms. Nothing should restrain it. But it may be classified in certain ways. If the speech, notice or activity is of a character that could encourage the organisation to use arms and violence, they may be punished for making propaganda. (Deputy Prime Minister Bülent Arınç, meeting with the International Press Institute (IPI) delegation, 6 December)

* Excuse me. But we live in a world of 7 billion. We know very well what our duty is. We can go to any place, take interest in any place our ancestors have been on horseback. But I believe they think our ancestors are like it is shown in the 'Muhteşem Yüzyıl' documentary. We don't have such ancestors. We know of no such Kanuni. We know of no such Sultan Süleyman. He spent 30 years of his life on horseback. He did not live in the palace as it is shown in those series. You have to know this, understand this well. And I denounce the directors of those series and the owners of that television before my people. And although we have warned the relevant people regarding this issue, I expect the judiciary to give the necessary decision. There can be no such understanding. The necessary lesson demanded by the people, the necessary response demanded by the people should be given by the legal system for toying with this nation's values. (Prime Minister Recep Tayyip Erdoğan, opening ceremony of the Kütahya Zafer ('Kütahya Victory') Airport, 25 November)

* Some media organisations are keeping the hunger strikes on the agenda without asking any questions. The hunger strike gets its oxygen from this media. How can you show the terrorist organisation the affection you did not show the heroes, who became martyrs in Pervari. (Prime Minister Recep Tayyip Erdoğan, AKP Group Meeting, 13 November)

*The charges against them are related with the suspicion or allegations that they were involved in inappropriate activities, other than journalism. Therefore we are spending a lot of effort to render the Republic of Turkey a State of law. (Deputy Prime Minister Ali Babacan, after the Council of Ministers meeting, 23 October)

*We are completely disappointed by especially the part on political criteria of the Progress Report. Because our people is the sole authority that is entitled to give a report card to our government, our nation, our country. For us, the progress reports serve as a mirror we hold to see ourselves. However, this year, we see that the broken mirror of the EU has produced a progress report that is far from serving as a guide for us. The report focuses too much on isolated events and reaches dangerous conclusions through those isolated events. (EU Minister and Chief Negotiator Egemen Bağış, commenting on EU's Progress Report, 10 October)

*I don't. This is our responsibility. Do I have to? Where does this come from? You will insult us every day in every way, you will write anything, say anything, lie. And despite of all these, we will invite you. No, we are not going to sell a Turkish bagel for 25 kurush. Those, who attack us in the printed and visual media, were present in that hall that day. The hall was full of them. But we restricted only 3-5 of them. Why are they disturbed by this? Nobody will say anything when they use words, expressions that literally stone Turkey's Prime Minister to death, when they describe every step we take in the most inappropriate heroic expressions. But when a party, which has been going through this, takes a certain stance related with its congress, then immediately it is accused. (Prime Minister Recep Tayyip Erdoğan, TBMM AKP Group speech, 2 October)

And from a Lawyer...

* I have been personally following the cases of Mr Prime Minister for the last 8 months. We have brought less than 15 lawsuits during this period. You will not find any lawsuits brought against expressions that do not exceed the limit of criticism. There are some 700 trials, if I am not mistaken. And most of these lawsuits are against ordinary people using the social media. We do not bring lawsuits against citizens walking on the street. The offices of the attorney generals take action themselves on expressions that constitute insult. Mr Prime Minister is the plaintiff in only 30 of such cases. Most of them are either politicians or senior public officers. The numbers demonstrate that Mr Prime Minister has opened a very low number of lawsuits. We have mostly sued CHP Leader Kemal Kılıçdaroğlu and we have won compensation. We have brought 25 lawsuits against Kılıçdaroğlu. Mr Prime Minister withdrew 10 cases. We won 7 cases. Two or three cases were rejected. Other trials are on-going. Kılıçdaroğlu brought 9 lawsuits against us, but all of them have been rejected. We have also brought lawsuits against MHP leader Devlet Bahçeli. But not as many as we brought against Kılıçdaroğlu. We won the largest amount of compensation in a single case against Diyarbakır Metropolitan Municipality's Mayor Osman Baydemir. We won 30 thousand Turkish liras (about 12,500 euros) in compensation.

I would like to especially highlight that the compensation cases we brought against the media have served as aversive. There has been a considerable change in the tone of columnists, especially compared with the years 2003 - 2004. The writers and commentators are keeping their criticism at a tolerable level. The articles and comments that constitute insult are at a

minimum level.... (Prime Minister Recep Tayyip Erdoğan's lawyer Ali Özkaya, Akşam newspaper interview, 23 October)

Controversial layoffs / resignations

Taraf newspaper's general manager Ahmet Altan, his assistant Yasemin Çongar and Neşe Düzel resigned (14 December). There were reports in the media that Taraf newspaper had finalised its mission, that the newspaper has financial problems and that there is pressure from the government. Altan did not make a statement regarding the issue.

Reporter Cahit Yüce, who was working at the intelligence department of Vatan newspaper, was laid off and announced on Twitter that he had parted ways with the newspaper (30 November). Yüce, in response to his colleagues, who said "The bloodletting in Vatan will continue," stated; "Bleeding is normal at a place where there are bloodless people."

Taraf newspaper's writer Barbaros Altuğ resigned because his article was not published (17 November). Altuğ wrote on Twitter that the newspaper's management had asked him to change his article in which he was criticising Tuna Kiremitçi, Pelin Batu and Nazlı Ilıcak and to delete the parts on Ilıcak. He said this was why he would not be writing in Taraf from then on.

Journalist Nail Güreli resigned from Milliyet newspaper (22 October). Güreli stated that those, who know the structure of the media, would guess the reason of his resignation.

Teodora Doni, whose articles were taken out of the Yeni Şafak newspaper as of 24 September without any explanation, began a hunger strike on 28 October. Doni ended the hunger strike on 17 December. (EG/BA/EA)

** In the world, the United States of America (USA) State Department, European Commissioner for Human Rights Thomas Hammarberg, European Commission, The Council of Europe Parliamentary Assembly, The World Organisation Against Torture (OMCT), Freedom House, Google, Human Rights Watch (HRW), Reporters Without Borders (RSF), Twitter, Amnesty International (UAÖ), International Press Institute (IPI), The Committee to Protect Journalists (CPJ), Worldwide Human Rights Movement (FDIH), PEN International (PEN); Alternative Information Technology Association, Contemporary Lawyers Association (ÇHD), Human Rights Association (İHD), Human Rights Joint Platform (İHOP), Solidarity Association for the Oppressed (MAZLUMDER), The Turkish Economic and Social Studies Foundation (TESEV), Turkish Journalists Association (TGC), Turkish Journalists' Federation (TGF), Turkish Publishers' Association (TYB).*

*** TGC, TGF, Turkish Journalists' Union (TGS), Freedom for Journalists Platform (GÖP), Solidarity Platform with the Arrested Journalists (TGDP), The Writers' Union of Turkey (TYS), The Contemporary Journalists' Association (ÇGD) and İHD.*