

Having promised that the first package of the Judicial Reform Strategy would end the five-year silence on reforms between Turkey and the European Union (EU), President and ruling Justice and Development Party (AKP) Chair Recep Tayyip Erdoğan and his government could convince no one in national or international rights circles as they have taken no credible step in establishing judicial independence.

Four [BİA Media Monitoring Reports](#) that we published throughout 2019 have shown that the legal pressures targeting the ones who struggle to inform the public are not limited to the Turkish Penal Code (TCK) and Anti-Terror Law (TMK). On the contrary, a new climate of suppression has been created through mechanisms that are too widespread to be covered up with "judicial reform package" such as press cards, Advertisement Institute ads, lawsuits of "denial" worthy of 50 thousand Turkish Lira (TRY) each, the Law on Capital Market (SPK) and the Law on Banking.

Imprisoned journalists

* Last year, 39 media representatives were sentenced to 222 years, 1 month in prison in total on charges of "membership of a terrorist organization" or "knowingly aiding a terrorist organization." Even the last three months of 2019 was a period when the judiciary penalized 25 journalists from the opposition media circles of every stripe, especially on charge of "aiding the organization." It was a period when the convictions escalated.

* In 2019, 33 journalists and media workers were sentenced to 63 years, 11 months in prison in total (15 years, 5 months deferred) as part of journalism or political cases and as per the TMK. 18 journalists were acquitted.

* 2019 was a year marked by various grave attacks against critical or incorrigible journalists such as house raids and forced exiles as well as arrest warrants with red notice if they were abroad and re-arrests following verdicts of release if they were behind bars. Those who thought that State of Emergency conditions were now something of the past and hoped that the Judicial Reform package, which was nothing more than an "eyewash", would deepen the negotiations with the EU were terribly mistaken.

Detention over 'Kurdish Question'

* Throughout 2019, at least 49 journalists or media representatives were taken into custody. 26 of these journalists were detained as part of "Kurdish Question"-related incidents.

Attacks against local journalists

* As the "People's Alliance" kept silent in the face of the wave of "settlement" following March 31 Local Elections, the local journalists critical of the ruling AKP and the Nationalist Movement Party (MHP) were targeted: The majority of our 26 colleagues attacked last year were local journalists cornered and battered by groups on the street.

'Insulting the President'

* In 2019, journalists were again put on trial and penalized as per the legislation on "insulting the President", which the government has not abolished despite the recommendation of the Venice Commission, the Constitutional Court has found legitimate and the government has introduced the "right of appeal at the Court of Cassation" just to sweeten the pill.

Until January 1, 2020, at least 61 journalists were given prison sentences, deferred prison sentences or judicial fines in the lawsuits filed as per the Article no. 299 of the TCK, which has been widely implemented for publications and broadcasts about President and ruling AKP Chair Recep Tayyip Erdoğan since August 2014, when he was elected President.

* Only in 2019, at least seven journalists were sentenced to 3 years, 2 months and 26 days in prison and judicial fines of 35 thousand Turkish Lira (TRY) in total. Four journalists were also acquitted in the same period. Journalists such as Ozan Kaplanoğlu from Contemporary Journalists' Association (ÇGD) Bursa Branch and Yavuz Selim Demirağ from daily Yeniçağ even served some time in prison in prosecutions over their statements and opinions about Erdoğan this year.

Penal Code and Anti-Terror Law were not enough, 'advertisement' threats take place

* Legal pressure against economy reporting and the advertising bans by the Press Advertising Agency (BİK) were the prominent new methods of oppression in 2019. Threats of "lawsuit for damages" by government circles and privileged financial circles harassed critical reporting.

* At the beginning of 2019, six journalists and three media outlets were facing to pay 1 million 901 thousand lira for non-pecuniary damages. The threat expanded toward the end of the year with nine journalists and one media outlet facing to pay 3 million 30 thousand lira for damages.

* While eight journalists were acquitted of "insult," three journalists were sentenced to 1 year and 1 month in prison and to pay 13,866 lira for compensation. Two journalists were sentenced to pay a total of 30 thousand lira.

* 33 journalists and media employees were sentenced to a total of 63 years and 11 months in prison (15 years and 5 months deferred) while 18 journalists were acquitted in political trials of trials they stood for journalism.

Constitutional Court: 191 lira of compensation for 43 people, including 21 journalists

* In 2019, the Constitutional Court sentenced the administration to pay a total of 191,592 lira for damages to 43 people, including 21 journalists.

* During the state of emergency, the Constitutional Court was indifferent about violations against the media. In the past year, it gave judgments on violence against journalists, access blocks on internet journalism, broadcast/publishing bans, and criminal cases and arrest of journalists.

ECtHR: 66,240 Euro of compensation for 14 people, including three journalists

The ECtHR sentenced Turkey to pay 66,024 Euro (410,672 lira) for compensation to 14 people, including journalists, who applied to the court claiming that their rights to freedom of expression were violated. The ECtHR decided that the right to freedom of expression of two executives from Özgür Gündem newspaper was not violated because they defended violence.

Censorship on Wikipedia and 586 news articles

* Officials turned a deaf ear to criticism and complaints from Europe, from the Council of Europe Commissioner for Human Rights and from Turkey. Wikipedia was closed throughout 2019 despite a Constitutional Court ruling (Wikipedia was opened to access on January 15, 2020).

* A total of 586 news articles and nine social media accounts were subjected to censorship and there were nine cases of accreditation discrimination. Two broadcast/publishing bans were issued and 20 books and five newspapers were subjected to censorship in this period.

RTÜK eyes TV channels: 4 million lira of fine

* The Radio and Television Supreme Council (RTÜK) issued 57 monetary fines and 24 program suspension fines to TV channels. Any action was not taken against radio outlets. The council issued a total of 4 million 90 thousand 999 lira of fines to TV channels.

190 journalists and media employees lost their jobs

In the past year, numerous "sharp-tongued" writers and journalists from both pro-government and critical circles. Contracts of at least 190 journalists and media employees were terminated because they are not "in line with the group's editorial approach."