



press in arrest

MAY REPORT

In Turkey, in the month of May, debates on the freedom of press turned around the penalties imposed by Radio and Television Supreme Council (RTÜK) and Press Advertisement Agency (BİK), more than the criminal prosecution of journalists.

In April, Cumhuriyet Newspaper had published a news story on how Fahrettin Altun, Communication Director of the Turkish Presidency, rented a plot of land from General Directorate of Foundations for 10 years at 258 TL per month, carried out landscaping on the plot and Istanbul Metropolitan Municipality demolished these structures for being illegal. The repercussions of this news story continued in May.

Pro-government media outlets monitored the houses of journalists working for media outlets critical of the government.

The photos of certain journalists' houses were published in newspapers, and the house of Fatih Portakal, FOX TV's prime-time news anchor, was monitored by drone.

Portakal shared the incident on his social media account as follows: "They flew a drone over my house. Yeni Asır and DHA commit a crime by spying on my estate from the air. Even Anadolu Agency came along. They published my home address, and targeted my wife and other members of the household. If anything happens to them, I will hold you responsible. I have filed a complaint with the police for defamation of character."

On the other hand, RTÜK and BİK imposed penalties of broadcast suspension and heavy administrative fines on print and visual media outlets. President of RTÜK went so far as to threaten prime time news anchors with the words, "I am warning you. Normally, according to the law, he is not allowed to make such a comment. We generally do not impose sanctions in these incidents, so as not to deter other anchors doing their job properly from making comments. But if this continues, we will take a new decision, as this is not allowed by law".

As the prosecution of journalists was de facto postponed in May due to the coronavirus outbreak, these penalties imposed by RTÜK and BİK topped the agenda. However, having become the government's instrument of oppression, the judiciary continued to prosecute journalists relentlessly.

- ✚ At least 9 journalists were detained or summoned to testify; investigations were launched and/or criminal complaints were filed against them,

- ✚ 2 new lawsuits were brought against 8 journalists,

The court accepted the indictment against Oda TV managing editor **Barış Terkoğlu**, Oda TV editor-in-chief **Barış Pehlivan**, reporter **Hülya Kılınc**, Yeni Yaşam newspaper's editor-in-chief **Ferhat Çelik**, Yeni Yaşam managing editor **Aydın Keser** and Yeniçağ columnist **Murat Ağirel**, who have been detained for about 3 months. The indictment was extended to include **Erk Acarer**, a columnist for BirGün newspaper, who lives abroad.

- ✚ A journalist sending money to a friend in prison was arrested for "membership of an armed terror organization"; a journalist arrested during the pandemic was released at the first hearing of his trial.

- ✚ Although hearings were suspended due to the outbreak in May, at least 37 journalists were prosecuted in 21 lawsuits across 8 cities, facing prison sentences totaling "3 counts of aggravated life imprisonment and at least 146 years 3 months 15 days to 399 years 8 months 15 days of imprisonment".

Details of the report:

IN THE MONTH OF MAY,

At least 9 journalists were detained or summoned to testify; investigations were launched and/or criminal complaints were filed against them:

- ✚ On May Day, the police cracked down on a group of protesters trying to march to Taksim Square in Istanbul. Önsöz TV reporter Sena Şat who was covering the rally and crackdown was taken under custody. Şat was released after being imposed an administrative fine.
- ✚ An investigation was launched against journalist Rağıp Zarakolu for his article titled “Makus kaderden kaçış yok” (“No escape from ill fate”) published on Artı Gerçek web site and Evrensel newspaper. In the article, Zarakolu compared the executed Prime Minister Adnan Menderes with President and AKP leader Tayyip Erdoğan. Upon a criminal complaint filed by President Recep Tayyip Erdoğan and his Communication Director Fahrettin Altun, İstanbul Public Prosecutor's Office initiated an investigation on allegations of “targeting the constitutional order with coup threats”.
- ✚ Under the scope of the investigation about Zarakolu, Evrensel's Editor-in-Chief Fatih Polat and Managing Editor Görkem Kınacı were summoned to testify.
- ✚ An investigation was initiated against journalist Ferhat Akgün, for entering the pandemic hospital Tekirdağ State Hospital without permission, on charges of “violating the privacy of a workplace”. The journalist was taken under custody, and placed in house arrest until “the completion of the investigation”.
- ✚ An investigation was brought against the newspaper Saray, which published a story revealing that an investigation was initiated against Saray Municipality in Tekirdağ for a social media post commemorating Deniz Gezmiş, Yusuf Aslan and Hüseyin İnan on the anniversary of their execution on May 6th, 1972. Journalist Alper Karahan was summoned to testify under this investigation.
- ✚ Journalist Hakan Gülseven was taken under custody on allegations of “inciting to commit crime and praising the offense and offender”, as part of a police investigation against an alleged social media movement called 'İsimsizler' (The Nameless). Gülseven was taken under custody in Balıkesir's Ayvalık district on May 17th and released on May 19th. As the prosecutor objected to his release, he was detained again on May 21st and then released on judicial control.
- ✚ Journalist Rojhat Doğru was taken under custody in Diyarbakır on charges of “membership of an armed terror organization”.
- ✚ In Bursa's Yenişehir district, Kirazlıyayla neighborhood, a mining company plans to build a tailings dam. The locals staged a protest to stop the building of the tailings dam, and the journalist Yusuf Kayışoğlu recording the protest on camera was taken under custody.

1 journalist was arrested, 1 journalist was placed in house arrest ‘under the scope of a police investigation’:

- ✚ Journalist **Rojhat Doğru** was detained on charges of sending money twice to his friend in prison, and arrested on charges of "membership of an armed terrorist organization".

- ✚ An investigation was initiated against journalist Ferhat Akgün, for entering the pandemic hospital Tekirdağ State Hospital without permission, on charges of “violating the privacy of a workplace”. The journalist was taken under custody, and placed in house arrest until “the completion of the investigation”.

One detained journalist was released:

- ✚ Journalist **Hakan Aygün** had been arrested on April 4th, 2020, for his social media post titled 'Oh, those who believe in IBAN' criticizing the announcement of IBAN numbers for the presidential donation campaign against the coronavirus. Facing charges of "inciting the population to hatred and enmity, or humiliating the population" and "insult", he was released from prison in the first hearing.

2 lawsuits filed were against 8 journalists:

- ✚ Journalists Barış Terkoğlu, Barış Pehlivan, Hülya Kılınc, Murat Ağırel, Ferhat Çelik and Aydın Keser had been arrested for news stories on the funeral of a National Intelligence Organization (MİT) officer killed in Turkey's military operations in Libya. The indictment drafted against them and Erk Acarer, a columnist living abroad, has been accepted by 34. High Criminal Court, and a lawsuit was launched. The seven journalists will stand trial for ‘disclosing information which has to remain secret for state's security and domestic or international political interests’ and ‘violating the Law on National Intelligence Organization’, facing 8 to 19 years in prison. The first hearing will take place on Wednesday, June 24th.
- ✚ A lawsuit was brought against journalist Can Ataklı for criticizing a teacher for wearing a headscarf in a lesson on the Educational Information Network (EBA) TV, established by the Ministry of National Education to provide distance education during the coronavirus pandemic. Ataklı is charged with “explicitly humiliating a section of the population through discrimination based on social class, race, religion, sect, gender or region” and faces 9 months to 1 year 6 months in prison. The trial will begin on October 7th, 2020 at İstanbul 22. Criminal Court of First Instance.

37 journalists were prosecuted in 21 lawsuits in 8 cities, facing a total of 3 counts of aggravated life imprisonment and 146 years 3 months 15 days to 399 years 8 months 15 days in prison:

Uğur Güç, Ferhat Parlak, Hakan Aygün, Selman Keleş, Arif Aslan, Gülsün Altan, Kadir Cesur, Koçali Özipek, Nahide Aslan, Serdar Altan, Sibel Eres, Uğur Koç, Mustafa Kömüş, Fercan Yalınkılıç, Kerim Karakaya, Merdan Yanardağ, Mustafa Sönmez, Orhan Kalkan, Sedef Kabaş, Necla Demir, İdris Sayılğan, Ahmet Sever (3 trials), Hüseyin Aykol, Reyhan Çapan, Eren Keskin, Abdullah Kaya, Hakan Dirik, Erk Acarer, Pınar Gayıp, Semiha Şahin, Zana Bilir Kaya, İnan Kızılkaya, Eren Keskin, Çınar Ayser, Can Dündar, Seyhan Avşar, Necdet Önemli, Melike Aydın.

All hearings, except the hearing of the detained journalist Hakan Aygün, **were postponed** due to coronavirus pandemic.

This report has been written by Press in Arrest editor Yeşim Yavuzer.