

# Freedom of Expression and the Press Agenda

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# Table of Contents

<b>From the Editor</b>	<b>3</b>
<b>Freedom of Expression and Press Freedom in Turkey in the 2nd Quarter of 2024</b>	<b>5</b>
Pressure on Civil Society	
<b>Legal and Political Developments</b>	<b>10</b>
Constitutional Court Annuls Some Provisions of Law No. 7262	
Expectations of "Easing of Tensions in Politics" and Osman Kavala's Release	
The 9th Judicial Package and the "Agents of Influence" Draft Bill	
Newspapers Cease Publication Due to Canceled Subscriptions	
Press Card Regulation Amended	
<b>Judgments by the European Court and Turkish Higher Courts</b>	<b>14</b>
ECtHR Judgments	
Constitutional Court Judgments	
Court of Cassation Judgments	
<b>Judicial Violations</b>	<b>18</b>
Journalism Trials in Numbers: Cases, Sentences, Acquittals	
Detentions and Investigations	
Arrests and Releases	
Highlights from Trials	
<b>Attacks, Threats and Interventions against Journalists</b>	<b>49</b>
<b>Penalties by RTÜK and BİK</b>	<b>55</b>

# FROM THE EDITOR

As the Expression Interrupted platform, operating under the Punto24 Platform for Independent Journalism (P24) since 2017, we present the 10th of our quarterly *Freedom of Expression and the Press Agenda* reports. This is the second report of 2024, covering the months of April, May and June.

First launched in 2021, our Freedom of Expression and the Press Agenda reports aim to provide a comprehensive snapshot of the state of press freedom and freedom of expression in Turkey. Journalism trials continue to serve as the most prevalent tool of repression in Turkey targeting press freedom and freedom of expression. Our report contains detailed information as well as statistics about journalism trials that took place in the second quarter of the year. However, repression targeting press freedom and freedom of expression in Turkey is not limited to trials alone. In addition to the restrictive legislation, the actions and attitudes of state institutions and government representatives determine the overall legal and political context regarding press freedom and freedom of expression as well as the public's right to information. While judgments by the Constitutional Court and the European Court of Human Rights set the related case law, regulatory bodies such as the Radio and Television Supreme Council (RTÜK) and the Press Advertisement Agency (BİK) may put financial pressure on media outlets through penalties they impose, forcing the media to align its editorial stance with certain political criteria. On the other hand, police brutality and physical attacks by civilians targeting journalists have turned into a chronic issue that is also affecting the press freedom atmosphere in Turkey. All these topics are covered in detail in our report.

The information provided in this report is based on Expression Interrupted platform's extensive trial monitoring work as well as our media and open-source information tracking

efforts, which can be found in detail on our [website](#). On a related note, we would like to remind that the data provided in this report is limited to information gathered by the Expression Interrupted team and therefore cannot be expected to provide an exhaustive overview of all the relevant developments.

We present this report in the hope that it contributes to other valuable work carried out in this field, and more importantly to a much-needed progress in the enjoyment of the freedom of expression and the press in Turkey, in keeping with the Constitution of the Republic of Turkey and international human rights standards.

# FREEDOM OF EXPRESSION AND PRESS FREEDOM IN TURKEY IN THE SECOND QUARTER OF 2024

The second quarter of 2024 was a period of continued decline in freedom of expression and freedom of the press in Turkey. During the period covered by the report, the planned addition of a new criminal offense titled “agents of influence” to the Turkish Penal Code (TCK) under the 9th Judicial Package was a major topic of debate due to the threat it would pose to press freedom, academic freedom and freedom of expression in general.

At the very beginning of the period covered in this report, the Provincial Electoral Board’s decision to revoke the mandate of DEM Party candidate Abdullah Zeydan, who was elected Mayor of Van in the local elections held on 31 March 2024, and to give the post to AKP candidate Abdulahat Arvas, was protested in many cities, and many journalists covering the protests were subjected to violent police intervention, threats and detention. According to data compiled by Expression Interrupted, there were at least 34 incidents of violent police interventions, physical attacks, threats and targeting of journalists in the three-month period covered by the report.

In the second quarter of the year, impunity practices in favor of the perpetrators of threats and attacks against journalists continued to be among the problems frequently faced by journalists. During the reporting period, courts heard at least seven cases involving journalists as complainants due to violations they were subjected to. While two of these cases concluded with the attackers being sentenced, two defendants who were jailed for carrying out an armed attack against a journalist in Bursa were released by the court at their first hearing.

During the hearing held on 31 May in the retrial of public officials in the Hrant Dink murder case, the prosecutor presented their final opinion,

requesting life imprisonment for nine defendants on charges of “intentional murder” and “attempting to overthrow the Constitutional order” and acquittal for three defendants. The trial was adjourned until July. In the retrial of 12 other defendants -- five of whom are former law enforcement officials -- in the Hrant Dink murder case, the prosecutor presented their final opinion on 12 June and requested that the charge of “committing a crime on behalf of an organization” against the gunman Ogün Samast and the instigators be dropped due to statute of limitations. The case was adjourned until October.

The decrease observed throughout 2023 in the number of imprisoned journalists, a key indicator of judicial pressure on journalists, was interrupted by new arrests in the second quarter of 2024. The number of imprisoned journalists rose to 33 with the arrest of five journalists in April and May. During the reporting period, six journalists were released from prison. As of 30 June 2024, the number of imprisoned journalists in Turkey was 28.

However, the number of imprisoned journalists is not the only indicator of judicial pressure on the media in Turkey. In the period covered by the report, new cases were filed against journalists for their reporting, the books they wrote, interviews they participated in, or for their social media posts. According to Expression Interrupted data, seven new cases were filed against nine journalists and columnists in the three months covered in this report.

During the reporting period, at least 10 newly filed cases against journalists got underway. The case against journalist Furkan Karabay, who was arrested in December 2023 and released after 10 days, was among journalism trials that got underway in this period. Karabay, who is possibly facing more court cases than any other journalist in Turkey currently, appeared in courts for 11 different cases during the reporting period. He was sentenced in two of these cases and acquitted in one.

The fact that there was no significant decrease in the number of journalism trials during this reporting period compared to previous

years was another indicator of the lack of progress in the field of press freedom in Turkey.

***In the second quarter of 2024, 192 journalists stood trial in 101 cases. In 24 cases that concluded, 17 journalists were acquitted while 8 journalists were sentenced to a total of 25 years, 6 months and 15 days in prison and 5 journalists were ordered to pay a total of 62,500 TL in compensation. At least 7 new cases were filed against journalists; 20 journalists were detained and 5 journalists were jailed***

During the months of April, May and June 2024, 101 cases involving journalists as defendants were heard in courts of first instance. In these cases, 192 journalists and media workers, seven of whom were foreign nationals, appeared before courts. Twenty-four of the cases were concluded. In cases concluded, 17 journalists were acquitted; one compensation case was rejected; and one criminal case was dismissed by the court. In six of the concluded cases, 12 journalists were sentenced. Eight journalists were sentenced to a total of 25 years, 6 months and 15 days in prison and five journalists were ordered to pay a total of 62,500 TL in compensation. One of these 12 journalists was sentenced in both a criminal case and a compensation case.

During this period, at least 20 journalists were detained and at least 16 journalists were investigated.

In the second quarter of the year, journalists, especially in local media, continued to struggle with financial difficulties in addition to judicial pressure, police violence and threats. In this period, a total of nine newspapers in three provinces stopped printing as of 31 May 2024 as a result of the ban on newspaper purchases and subscriptions imposed on public institutions under public savings measures published in the Official Gazette.

In what can be described as a positive development regarding press freedom in this reporting period, the Court of Cassation overturned the sentence given to Sinan Aygül, the first journalist to be

sentenced on the charge of “publicly disseminating misleading information” under Article 217/A, which was added to the Turkish Penal Code in 2022. The Court held that Aygül should have been acquitted and that he had exercised his right to report as a journalist in its first ever judgment on the “disinformation” law. During the reporting period, journalists continued to be prosecuted on this charge and were subjected to new cases and investigations.

## Pressure on Civil Society

Cases targeting human rights defenders and civil society also continued during the second quarter of the year:

- The 12th hearing in the case against 46 people who were detained by the police during the 700th meeting of Saturday Mothers/People on in August 2018 on the charge of “participating in unlawful demonstrations and not dispersing despite warning” (Law No. 2911 on Meetings and Demonstrations Article 32/1) was held at the Istanbul 21<sup>st</sup> Criminal Court of First Instance on 5 April 2024. The court decided to send the file to the prosecutor’s office for the final opinion on the case in case the defendants are heard between the hearings and adjourned the trial until 13 September 2024.
- The case against Human Rights Association (İHD) Co-Chair and Human Rights Foundation of Turkey Founding Board Member Eren Keskin and İHD Commission Against Racism and Discrimination member Güllistan Yarkın under Article 301 of the Turkish Penal Code concluded during the reporting period. In their final opinion presented during the previous hearing, the prosecutor had requested that Keskin and Yarkın, accused over an Armenian genocide commemoration organized by İHD in 2021, be sentenced as charged. In the third and final hearing of the case held on 2 May 2024, Istanbul 51st Criminal Court of First Instance acquitted Keskin and Yarkın because the alleged act is not defined as a crime in the law.

- A lawsuit filed by the Ministry of National Defense against Turkish Medical Association (TTB) Central Committee President and rights defender Şebnem Korur Fincancı for her statements on the need to investigate the alleged use of chemical weapons by the Turkish Armed Forces (TSK) against PKK targets continued on 7 May 2024. Accepting letters of excuse submitted by the parties, the Ankara 2<sup>nd</sup> Civil Court adjourned the lawsuit until 4 July 2024.
- The retrial of Gezi Trial defendants Ayşe Mücella Yapıcı, Ali Hakan Altınay and Yiğit Ali Ekmekçi on the charge of “violating the Law on Meetings and Demonstrations,” ordered by the Court of Cassation, which overturned the 18-year imprisonment sentences they were given in 2022 on the charge of “aiding an attempt to overthrow the government,” continued during the reporting period. In the second hearing held on 22 May 2024, the Istanbul 13th High Criminal Court rejected the defense lawyers’ requests for immediate acquittal and adjourned the retrial until 9 October 2024.
- The third hearing of a case filed against 20 relatives of disappeared people who were detained during the 950th meeting of Saturday Mothers/People, was held on 7 June 2024 at the Istanbul 39th Criminal Court of First Instance. The defendants are charged with “violating the Law on Meetings and Demonstrations.” Ruling to hear the defendants who have yet to deliver their statements, the court rejected the requests for further investigation and immediate acquittal and adjourned the trial until 4 October 2024.
- In the fourth hearing of the closure case against the Migration Monitoring Association (GÖÇİZDER) held on 26 June 2024, Istanbul’s Bakırköy 15th Civil Court of First Instance decided to issue a writ to the Istanbul 26th High Criminal Court, which oversaw the case against the members and executives of the association, who were tried and acquitted on charges of “membership in a terrorist organization,” and to request the publications of the association included in reports by the Financial Crimes Investigation Board (MASAK), and adjourned the case until 11 October 2024.

# LEGAL AND POLITICAL DEVELOPMENTS

During the period covered by the report, the results of the local elections and expectations of easing of political tensions following the elections, and the government's plans to introduce a new criminal definition titled "agents of influence" as part of the 9th Judicial Package were among the most debated issues on the political and legal agenda.

## Constitutional Court Annuls Some Provisions of Law No. 7262

The Constitutional Court's judgment regarding an application filed by the main opposition Republican People's Party (CHP) for the annulment of certain provisions of Law No. 7262 on the Prevention of Financing of Weapons of Mass Destruction [was published](#) in the Official Gazette on 3 April 2024. The high court completely annulled the provision on "suspension from duty and temporary suspension from activity" in Article 30/A of the Law on Associations and partially annulled Article 19. The annulled paragraph 5 of Article 19 included provisions on the inspection processes of associations conducted by the Civil Society Relations Directorates or the Ministry of Interior. You can read our [analysis](#) of the Constitutional Court's decision on our website.

## Expectations of "Easing of Tensions in Politics" and Osman Kavala's Release

During the reporting period, a lawyer representing jailed businessperson and civil society leader Osman Kavala, who was sentenced to aggravated life imprisonment on the charge of "attempting to overthrow the government" in the Gezi Trial in 2022, requested a retrial for her client. Kavala's lawyer Hilal Zengin stated in her petitions that the government system consisting of the Prime Minister and the Council of Ministers, named as "victims of the crime" in the indictment for the Gezi Trial, has been abolished with

the referendum in 2017. In April, Zengin's motions for Kavala's retrial were rejected by the Istanbul 13th and 14th high criminal courts. Kavala's lawyer then filed a petition with the Ministry of Justice in May, requesting that Kavala's conviction, upheld by the Court of Cassation in 2023, be overturned and the trial be renewed.

In the same period, following the local elections, a meeting took place between main opposition CHP Chairman Özgür Özel and President Recep Tayyip Erdoğan. According to media reports, Özel raised the issues of the non-implementation of European Court of Human Rights (ECtHR) and Constitutional Court judgments, Gezi Trial defendants and the government-appointed trustees replacing elected mayors. Following the meeting, Erdoğan stated that Turkey was entering "a period of easing of tensions in politics," which was widely discussed in political circles. At the time, several pro-government columnists also made critical comments on Osman Kavala's continued imprisonment. However, the Ministry of Justice rejected the application by Kavala's lawyer on 26 June 2024.

A new application was submitted to the ECtHR on behalf of Osman Kavala in January, and the Strasbourg court, having decided to prioritize the application, sent its questions to the Turkish government in March with a request for a response by mid-July. During the period covered by the report, no information was available in open sources about the government's response to the ECtHR.

## **The 9th Judicial Package and the "Agents of Influence" Draft Bill**

Immediately after the enactment of the government's 8th Judicial Package in March, Minister of Justice Yılmaz Tunç announced that some regulations that did not make it to the package would be submitted to the Parliament as part of the 9th Judicial Package and that preparations for the bill were underway. In early May, news that the government was planning to add a new criminal offense titled "agents of influence" to the Turkish Penal Code as part of the 9th Judicial Package came to the public agenda. The

draft text of the bill, as revealed by ANKA News Agency on 10 May, proposed a prison sentence of 3 to 7 years for those who “conduct or commission research on Turkish citizens or institutions and organizations or foreigners in Turkey in line with the strategic interests or instructions of a foreign state or organization against the security or domestic or foreign political interests of the state.” The draft bill has been criticized over concerns that it would lead to clear violations of press freedom and academic freedom. The contradictory statements from government officials on the scope of the judicial package have also added to the uncertainty and concerns. Although the government announced in late May that some articles of the regulation would be redrafted, following objections from the opposition and journalism organizations, the bill was removed from the 9th Judicial Package in June, although government representatives then claimed that such a regulation was “not included in the package from the beginning.”

You can find a legal assessment of the possible “agents of influence” regulation in this [guest article](#) published on our website. An [online panel](#) we hosted in June to discuss the same subject in more detail with the Vice President of the Association of Journalists Yusuf Kanlı, journalist and political scientist Sezin Öney and lawyer M. Gökhan Tekşen is available on our YouTube channel.

## Newspapers Cease Publication Due to Canceled Subscriptions

Under the public spendings cuts introduced in a presidential circular published in the Official Gazette in May, public institutions and organizations were banned from purchasing daily newspapers and subscribing to periodical publications. According to media reports on 6 June, a total of nine local newspapers, including five in Ankara, three in Bartın and one in Izmir, stopped printing as of 31 May. In Ankara, the newspapers *Zafer*, *Güçlü Anadolu*, *Ticari Hayat*, *24 Saat* and *Anadolu* were printed for the last time on 31 May 2024. *Yeni Çeşme* newspaper, published in Çeşme district of Izmir, announced in its last issue published on 29 May 2024 that it ceased publication due to financial reasons.

## Press Card Regulation Amended

The Regulation Amending the Press Card Regulation entered into [force](#) after being published in the Official Gazette on 6 June 2024.

According to the new Regulation, the 18 years of professional service required for a permanent press card will take into account a maximum of 24 months of the total period of time during which a freelance press card is held.

Under the amendments, employees of the state-run Anadolu Agency and Turkish Radio-Television Corporation (TRT) who do not work in news production will no longer be issued press cards. Job titles eligible for press cards at Anadolu Agency were listed as follows: Chairman and members of the board of directors, general manager, deputy general manager and editor-in-chief, news directors reporting to the editor-in-chief or deputy general manager, directors reporting to the deputy general manager, coordinators, news coordinators, consultants, broadcasting consultants, news directors, news planning directors, managers, assistant news directors, assistant consultants and assistant managers, regional directors and regional news directors, chief reporters, chief photojournalists, chief cameramen, chief graphic designers, chief editors and chief publishers, senior reporters, senior photojournalists, senior cameramen, senior graphic designers, senior editors and senior publishers, reporters, photojournalists, cameramen, graphic designers, editors and publishers, assistant reporters, assistant photojournalists, assistant cameramen, assistant graphic designers, assistant editors and assistant publishers.

In Article 24 of the Regulation, the definition "newspapers published at fifteen-day intervals and magazines published at intervals of more than fifteen days" were amended as "news and photo agencies," and the term "private radio" in the title and content of Article 26 was amended as "radio." "Photographer" has been added to job titles eligible for press cards in radio and television sectors.

# JUDGMENTS BY THE EUROPEAN COURT AND TURKISH HIGHER COURTS

## ECtHR Judgments

### ***Unimplemented Judgments: Osman Kavala and Selahattin Demirtaş Cases***

The European Court of Human Rights judgments finding multiple violations in the cases of jailed businessperson and civil society leader Osman Kavala and jailed former Co-Chair of the Peoples' Democratic Party (HDP) Selahattin Demirtaş were not implemented by the end of the second quarter of 2024. The Committee of Ministers of the Council of Europe, which supervises the implementation of ECtHR judgments, took up these cases once again at its meeting held during the period covered by the report.

In [decisions](#) adopted at the Committee's meeting held between 11-13 June 2024, the Ministers' deputies recalled the ECtHR's two judgments on the Kavala case, in 2019 and 2022, and noted that Turkey remained in serious breach of its obligations under the Convention and the principles of the rule of law until Kavala is released. The deputies called on the Turkish authorities to consider all possible options to ensure Kavala's immediate release, and called for Kavala's applications before the Constitutional Court, the first of which was filed two years ago, to be decided promptly and taking full account of Turkey's obligations under the Convention. The Committee also once again called on Turkish authorities to pursue technical dialogue with the Secretariat with a view to taking the necessary measures to ensure independence of the judiciary, in particular by securing the structural independence of the Council of Judges and Prosecutors (HSK) from the executive; and decided to continue their supervision of the general measures at their meeting in September.

In their [decisions](#) regarding the Selahattin Demirtaş group of cases, the Committee of Ministers requested detailed information from Turkish authorities on the outcome of the proceedings with respect to all of the applicants in the present cases, including Demirtaş and Figen Yüksekdağ. The Committee reiterated its call for the pending applications of Demirtaş and Yüksekdağ before the Constitutional Court to be examined and decided without further delay and with full regard to the ECtHR's findings in its relevant judgments and urged the Turkish authorities to ensure the immediate release of all applicants by considering alternative measures to detention. The deputies decided to resume their review of individual measures at their next meeting in September.

Following a fact-finding visit to Ankara and Istanbul on 11-14 June, Parliamentary Assembly of the Council of Europe (PACE) co-rapporteur Stefan Schennach once again called on the Turkish authorities to implement the judgments of the ECtHR and to continue their high-level dialogue with the Council of Europe.

## ***New Judgments***

**ECtHR rules arrest of 314 people violated Article 5/1:** In a new judgment issued during the reporting period, the European Court of Human Rights held that the arrest and pre-trial detention of 314 people in the aftermath of the 15 July 2016 coup attempt on suspicion of “membership of the ‘Fetullahist Terrorist Organization’ (FETÖ)” violated Article 5/1 of the European Convention on Human Rights. Applications of former TRT executive Ali Ahmet Böken, former TRT employee Özden Kınık, and Professor Vedat Demir, who was dismissed from Istanbul University’s Faculty of Communications under a statutory decree, were among the 314 applications joined by the Strasbourg court due to similar subject matter.

The Court held that the arrest of the applicants had violated Article 5/1 of the Convention due to lack of reasonable suspicion that they had committed an offense at the time of their initial pre-trial

detention and ordered Turkey to pay each of the applicants 5,000 euros in non-pecuniary damages and costs and expenses within three months.

The Court's *Duymaz and Others v. Turkey* judgment, dated 4 June 2024, was notified in writing on 25 June.

## Constitutional Court Judgments

During the period covered by this report, the Constitutional Court ruled on at least one individual application filed on behalf of journalists/columnists. A judgment the high court rendered in January was also published in the Official Gazette during this period:

- The Constitutional Court ruled that journalist Sultan Eylem Keleş's application against the decision to defer the announcement of the sentence (HAGB) in her trial on charges of "insulting the President" violated her right to a fair trial. Keleş, who stood trial on account of two social media posts, was sentenced to 1 year, 2 months and 17 days of imprisonment on 10 March 2022 by the Izmir 2nd Criminal Court of First Instance, which deferred the journalist's sentence. On 30 April 2024, the Constitutional Court ruled that the deferral of the announcement of sentence decisions violated the right to a fair trial, safeguarded in Article 36 of the Constitution.
- The Constitutional Court's judgment dated 11 January 2024 on the application *İyi Haber Yayın Organizasyon Ticaret AŞ and others* was published in the Official Gazette on 17 April 2024. The Court ruled that the applicants' freedom of expression and freedom of the press were violated as the structural problem leading to the violations found in the applicants' previous complaints continued due to a failure on the part of the Radio and Television Supreme Council (RTÜK) to organize a "ranking tender" to allocate radio frequencies for terrestrial radio broadcasts in an equitable manner. The Court ruled to send the judgment to RTÜK for the elimination of the violation.

## Court of Cassation Judgments

According to media reports dated 10 May 2024, the Court of Cassation has overturned the 10-month prison sentence given in February 2023 to journalist Sinan Aygül by the Tatvan Criminal Court of First Instance on the charge of “publicly disseminating misleading information.” Aygül's appeal was rejected by the 2nd Criminal Chamber of the Van Regional Court of Justice in May 2023. The 8th Criminal Chamber of the Court of Cassation unanimously decided to overturn the Van Regional Court of Justice ruling. In its reversal judgment, the Court of Cassation held that Sinan Aygül should have been acquitted and pointed out that he exercised his right to report as a journalist. The judgment was significant for being the first ever reversal decision by the Court of Cassation concerning a prison sentence issued under Article 217/A, which was added to the Turkish Penal Code in October 2022.

# JUDICIAL VIOLATIONS

## Journalism Trials in Numbers: Cases, Sentences, Acquittals

A total of 101 cases involving journalists as defendants were heard by courts of first instance in the second quarter of 2024. A total of 192 journalists, seven of whom were foreign nationals, stood trial in these cases. Twenty-four of the cases were concluded. In six of the concluded cases, 12 journalists were sentenced. In four of these cases, eight journalists were handed down a combined prison sentence of 25 years, 6 months and 15 days, while in two of the concluded cases five journalists were ordered to pay a total of 62,500 TL in non-pecuniary damages. One of these 12 journalists was sentenced in both a criminal case and a compensation case in the same period. In 17 of the concluded cases, 17 journalists were acquitted. One compensation case was dismissed by the court, while one criminal case was dismissed after a retrial.

In the same period, at least three cases were decided by regional courts of justice, which serve as appellate courts. In these cases, two prison sentences of 1 year and 8 months and two judicial fines worth 120 TL given to two journalists were overturned; the trial court's judgment in a compensation case ordering one columnist to pay the plaintiff non-pecuniary damages was vacated; two prison sentences of 1 year and 13 months given to a journalist and a filmmaker in their retrial were upheld.

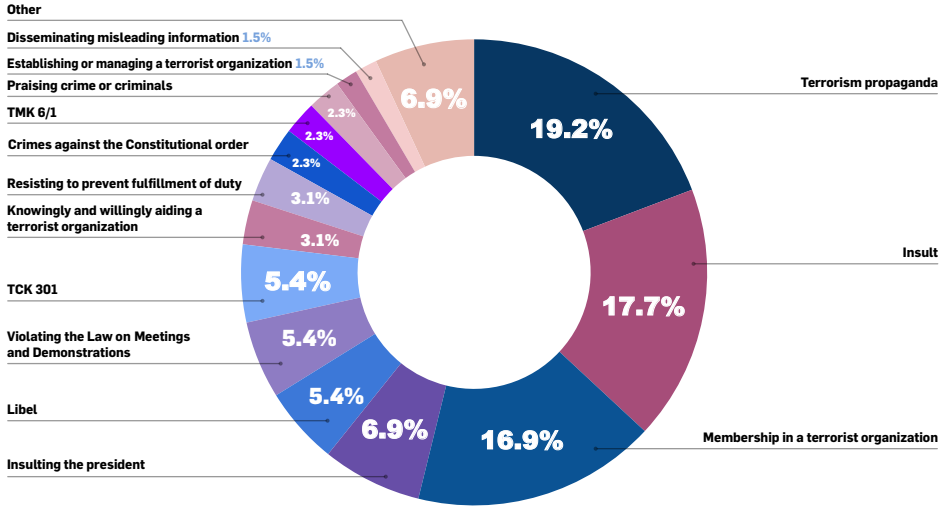
Journalists mostly faced "terrorism propaganda," "insult" and "membership in a terrorist organization" charges in cases heard by courts of first instance during the second quarter of the year. According to data obtained from trial monitoring work carried out by the Expression Interrupted team, journalists and media workers on trial in this period faced a total of 25 different charges. The most common charge was "making propaganda for a terrorist organization" under Article 7/2 of the Anti-Terror Law (TMK), which was used in 25 different cases. The second most common charge was "insult" (Article 125 of the TCK), which was used in 23 separate cases. The third most common charge was "membership

in an armed terrorist organization" (TCK 314/2), which was used in 22 separate cases.

Journalists were charged with "insulting the president" (TCK 299) in nine separate cases in this period, while "libel" (TCK 267), "denigrating the Turkish Nation, the State of the Republic of Turkey, the institutions and organs of the State" (TCK 301) and "violating Law No. 2911 on Meetings and Demonstrations" were used in seven cases each. The charges of "knowingly and willingly aiding a terrorist organization without being a member" (TCK 220/7) and "resisting [law enforcement] to prevent the fulfillment of duty" (TCK 265) were used in four cases each. The charges of "marking public officials assigned with the fight against terrorism as targets" (TMK 6/1) and "praising crime and criminals" (TCK 215) were used in three cases each, while "establishing or managing an armed terrorist organization" (TCK 314/1) and "publicly disseminating misleading information" (TCK 217/A) were used in two cases each.

The charges of "attempting to overthrow the Parliament" (TCK 311/1), "attempting to overthrow the government" (TCK 312/1), "attempting to overthrow the constitutional order" (309/1), "violating the Law on the Prevention of the Financing of Terrorism," "partially or completely destroying or damaging documents relating to the security, or domestic or foreign political interests of the State, or falsifying, stealing by deception or making use of these documents outside their assigned place" (TCK 326), "obtaining information that should remain confidential for reasons relating to the security or domestic or foreign political interests of the State" (TCK 327), "disclosing information that should remain confidential for reasons relating to the security or domestic or foreign political interests of the State" (TCK 329), "incitement to commit a crime" (TCK 214), "printing and publishing statements of a terrorist organization" (TMK 6/2), "dissuading the public from military service" (TCK 318), "entering forbidden military zones" (TCK 332) and "publicly insulting the memory of a person" (TCK 130) were each used in one case.

## Charges most commonly used in journalism trials



In the second quarter of 2024, seven new cases were filed against nine journalists and columnists.

During this period, courts of first instance heard at least seven cases involving journalists as complainants (Sibel Yüklér, Yaman Kaya, Azim Deniz, Tuncay Özdamar, Şirin Payzın, Yavuz Selim Demirağ, Ardıl Batmaz). Two of these cases were concluded.

Monthly statistics on cases against journalists are as follows:<sup>[1]</sup>

### APRIL 2024

In April, a total of 109 journalists stood trial in 35 separate cases. While four of the cases were concluded, 31 were postponed to future dates. In three of the four concluded cases, three journalists (Rojin Akın, Hacı Boğatekin, Nimet Ölmez) were acquitted, while the file against one journalist (Emrah Erdoğan) was split. In one of the concluded cases, the court decided to dismiss the charge against

<sup>1</sup> Discrepancies between quarterly and monthly figures may stem from such factors as a journalist being tried in more than one case, more than one journalist being tried in a single case or there being several hearings of one case during the three-month period covered by the report.

one journalist (Mehmet Salih Turan) after a retrial. According to Expression Interrupted data, no sentences were issued in journalism trials that concluded in April.

In April, three new cases were filed against two journalists and a newspaper and its columnist (Asuman Aranca, İsmail Arı, Cumhuriyet/Müjdat Gezen).

<b>April 2024</b>	
Number of journalists on trial	109
Number of trials	35
Number of concluded trials	4
Number of trials resulting in sentencing	-
Number of trials resulting in acquittal	3
Number of dismissed cases	1
Number of newly filed cases	3

***The following judgments were rendered in the four trials that concluded in April:***

**3 April:** In the trial of journalists Rojin Akin and Emrah Erdoğan on charges of “membership in a terrorist organization” on account of their news coverage in Rojava in northern Syria in 2015, the Istanbul 23rd High Criminal Court acquitted Akin and split the file against Erdoğan, whose statement could not be taken during the prosecution phase. The court also decided to issue a new arrest warrant for Erdoğan.

**4 April:** Journalist Hacı Boğatekin was acquitted in his retrial ordered by the Constitutional Court, which ruled in October 2022 that the prison sentence issued to the journalist on account of his editorial published in January 2008 in the Gerger Fırat newspaper had violated his freedom of expression and press freedom. Boğatekin had been sentenced to 1 year and 6 months in prison on the charge of “terrorism propaganda” in the case filed over his article in 2008.

Upon the Court of Cassation reversing this judgment in 2012, he was sentenced to 1 year in prison on the charge of “praising crime and criminals.” After this judgment too was overturned by the Court of Cassation the same year, the trial court ruled to defer the prosecution. However, when the journalist was sentenced in another case on the charge of “insult,” the deferred prosecution resumed, and Boğatekin was acquitted in 2018. His acquittal was overturned by the Court of Cassation the same year, upon which the Adıyaman 1st High Criminal Court held a retrial and sentenced the journalist to 1 year in prison on the charge of “praising crime and criminals” in 2019. This sentence was upheld by the Court of Cassation. Reviewing Boğatekin’s application in October 2022, the Constitutional Court concluded that the reasoning in the trial court’s judgment was not relevant and sufficient and ordered a retrial.

**24 April:** Concluding the retrial of journalist Mehmet Salih Turan on the charge of “terrorism propaganda” over 11 social media posts he shared between July 2016 and November 2017, the Istanbul 32nd High Criminal Court dismissed the case and removed the deferred sentence on grounds that Turan did not commit a new crime during the five-year probation period. The retrial started after the Constitutional Court annulled the provision in the Criminal Procedure Code (CMK) that regulated the practice of deferral of sentences.

**24 April:** In the second hearing of the case against journalist Nimet Ölmez on charges of “insulting a public official” the Hakkari 1st Criminal Court of First Instance ruled in line with the prosecutor’s opinion and acquitted Ölmez. The case was launched upon a complaint by AKP Hakkari Provincial Chair Zeydin Kaya over a social media post the journalist shared based on claims by journalist Timur Soykan on a television program.

### ***Appellate court judgments:***

- The sentences given in 2023 to journalists Doğan Ergün and İzel Sezer, the former and current chief editors of the news portal İleri Haber, on the charge of “unlawfully disclosing the data obtained by

recording non-public conversations between persons through the press" (TCK 133/3), were overturned by the 17th Criminal Chamber of the Istanbul Regional Court of Justice. The case had been launched upon a complaint by President Erdoğan's former lawyer Mustafa Doğan İnal. The appellate court held that the trial court had failed to evaluate whether the content subject to accusation was relevant, newsworthy and of public interest. In its judgment dated 26 April 2024, the Chamber also upheld Ergün and Sezer's acquittals of "insult" and "libel" charges in the same case. The case file was sent to the Istanbul 33rd Criminal Court of First Instance for re-examination. Sezer and Ergün were handed down prison sentences of 1 year and 8 months and additional judicial fines of 120 TL for reporting on social media posts which claimed that İnal had been involved in bribery negotiations.

- According to media reports published on 25 April 2024, the Gaziantep Regional Court of Justice has upheld the prison sentences of 1 year and 13 months given to filmmaker Çayan Demirel and journalist Ertuğrul Mavioğlu on charges of "terrorism propaganda" in their retrial over the documentary feature they co-directed, *Bakur (North)*. Demirel and Mavioğlu's retrial, oversseen by the Batman 2nd High Criminal Court, concluded on 14 December 2023.

### ***Charges faced by journalists on trial:***

Journalists stood trial on a total of 13 different charges in April. The most common charges were "membership in an armed terrorist organization" and "terrorism propaganda." Both charges were used in eight cases each. Journalists were charged with "insult" in seven cases in April. In five of these cases, journalists were charged with "insulting a public official." The fourth most common charge was "insulting the president," which was used in four separate cases. These were followed by "libel" and "violating the Law No. 2911 on Meetings and Demonstrations," which were used in three cases each. The charges of "knowingly and willingly aiding a terrorist organization without being a member," "praising crime and criminals" and "denigrating the Turkish Nation, the State of the Republic of

Turkey, the institutions and organs of the State” were each used in two separate cases. The charges of “establishing or managing an armed terrorist organization,” “partially or completely destroying or damaging documents relating to the security, or domestic or foreign political interests of the State, or falsifying, stealing by deception or making use of these documents outside their assigned place,” “obtaining information that should remain confidential for reasons relating to the security or domestic or foreign political interests of the State” and “disclosing information that should remain confidential for reasons relating to the security or domestic or foreign political interests of the State” were used in one case each. Three compensation cases filed against journalists were also heard in April.

***Three new cases were filed against two journalists and a newspaper and its columnist in April:***

- T24 reporter Asuman Aranca was indicted by the Istanbul Chief Public Prosecutor's Office on charges of “violating the confidentiality of an investigation” (TCK 285) for reporting about the expert report submitted to the court in the Sinan Ateş murder trial. The Istanbul 2nd Criminal Court of First Instance, which accepted the indictment against Aranca, set 15 October 2024 as the date for the first hearing.
- The ruling Justice and Development Party (AKP) filed a lawsuit against Cumhuriyet newspaper and veteran stage and screen actor Müjdat Gezen, who writes a column in the newspaper, seeking 50,000 TL in compensation over Gezen’s article published on 12 March 2024.
- BirGün newspaper reported on 24 April 2024 that its reporter small Arı was charged with “libel” and “insult” in a new case filed upon a complaint by Nationalist Movement Party (MHP) Mersin MP Levent Uysal. Three articles by Arı, published in the newspaper on 19 January, 15 February and 11 March 2024, and the journalist's guest appearance on a program that aired on Artı TV are held as evidence for the accusations. The first hearing will be held at the Istanbul 2nd Criminal Court of First Instance on 24 September 2024.

## MAY 2024

In May, courts of first instance heard 41 cases against 71 journalists.

While 11 of the cases were concluded, 30 were postponed to future dates. A total of eight journalists and media workers (Furkan Karabay, Mizgin Fendik, Zehra Doğan, İdris Yılmaz, Barış Terkoğlu, Akif Beki, Ferit Aslan, Sedef Kabaş) were acquitted in seven of the cases. In two of the three cases that resulted in convictions, six journalists (Barış Terkoğlu, Hicran Urun, Mehmet Ali Çelebi, Reyhan Hacıoğlu, İshak Yasul, İhsan Yaşar) were sentenced to a total of 18 years and 3 months in prison, while in one compensation case, four journalists (Ahmet Altan, Yasemin Çongar, Mehmet Baransu, Yıldray Oğur) were ordered to pay a total of 50,000 TL in non-pecuniary damages. One compensation case against one journalist (Hayri Demir) was dismissed by the court and another compensation case against another journalist (Furkan Karabay) was rejected on procedural grounds due to lack of jurisdiction.

In May, three new cases were filed against five journalists (Esra Solin Dal, Erdoğan Alayumat, Mehmet Aslan, Sinan Aygül, Bahadır Özgür).

<b>May 2024</b>	
Number of journalists on trial	71
Number of trials	41
Number of concluded trials	11
Number of trials resulting in sentencing	3
Number of trials resulting in acquittal	8
Number of dismissed cases	2
Number of newly filed cases	3

***The following judgments were rendered in the 11 trials that concluded in May:***

**2 May:** Journalist Barış Terkoğlu was handed down a prison sentence of 2 years on the charge of “marking public officials assigned with the

fight against terrorism as targets” by the Istanbul 13<sup>th</sup> High Criminal Court. The case had been launched upon a complaint by Deputy Justice Minister Akın Gürlek, a former high criminal court judge at the Istanbul Courthouse, on account of two articles Terkoğlu published on Odatv news portal and Cumhuriyet newspaper in October 2020.

**8 May:** Ruling on a lawsuit filed by Ret. General Çetin Doğan against former Taraf journalists Ahmet Altan, Yasemin Çongar, Mehmet Baransu and Yıldırım Oğur and the legal entity of the newspaper over their January 2010 coverage of the “Balyoz” (sledgehammer) coup plan, Istanbul’s Anadolu 9th Civil Court of First Instance ordered the journalists to pay Doğan a total of 50,000 TL in compensation for five articles published in the newspaper. The case had previously been rejected by the court. The Constitutional Court ordered a retrial in February 2019.

**9 May:** Journalist Furkan Karabay was acquitted of “insulting a public official” in a case launched upon a complaint by Istanbul Judicial Commission President Bekir Altun over a social media post by Karabay. The Istanbul 51st Criminal Court of First Instance initially ruled on the case in accordance with the simple trial procedure and acquitted Karabay on 18 March 2024. Upon Altun’s objection, the case was reopened for a public hearing.

**9 May:** The second hearing of a lawsuit filed against journalist Hayri Demir by Maltepe University Rector Prof. Edibe Sözen over his report published in Gazete Pencere news portal in April 2023 and headlined “AKP’nin ‘propaganda grubu’nun yöneticisi rektör çıktı” (Rector turns out to be AKP’s ‘propaganda group’ admin) was held at the Istanbul 8th Civil Court of First Instance. The court dismissed the lawsuit.

**9 May:** Concluding the retrial of former employees of the now-defunct Özgürlükçü Demokrasi newspaper, the Istanbul 23rd High Criminal Court sentenced former editors Hicran Urun, Mehmet Ali Çelebi and Reyhan Hacıoğlu, managing editor İshak Yasul and publisher İhsan Yaşar, while splitting the file against personnel officer Pınar Tarlak

and acquitting newspaper distributor Mizgin Fendik. The court sentenced Çelebi to 3 years and 9 months, Hacıoğlu, Yaşar, Yasul and Urun to 3 years, 1 month and 15 days in prison each. The court lifted the judicial control measures imposed on the journalists.

**9 May:** Journalist and artist Zehra Doğan, a former editor and reporter for the Jin News Agency, which was closed under a statutory decree, was acquitted of “terrorism propaganda” in her retrial ordered by the 3rd Criminal Chamber of the Court of Cassation, which overturned Doğan’s conviction in October 2023. In the initial trial overseen by the Mardin 2nd High Criminal Court, Doğan was sentenced to 2 years, 9 months and 22 days in prison in March 2017. She was arrested in June 2017 after her conviction was finalized by a regional court of appeal. She was released on 24 February 2019 upon completing her sentence.

**14 May:** Journalist İdris Yılmaz was acquitted in his retrial overseen by the Ankara 6th Criminal Court of First Instance on the grounds that the alleged act was not defined as a crime in the law, in line with the prosecutor’s opinion. A judicial fine of 6,000 TL Yılmaz was given in 2017 on the charge of “insult” based on his 2016 reporting on former Erciş Mayor Fatih Çiftçi was overturned by the 4th Criminal Chamber of the Court of Cassation on 25 December 2023.

**17 May:** Journalist Barış Terkoğlu was acquitted of “insult” charges in the fourth hearing of the case filed upon a complaint by Süheyb Öğüt, in line with the prosecutor’s final opinion. Terkoğlu was on trial over his remarks in an interview with BirGün newspaper.

**21 May:** Journalist Akif Beki was acquitted of “insult” charges in the second hearing of a case filed upon a complaint by preacher Ahmet Mahmut Ünlü, popularly known as “Cübbeli Ahmet Hoca,” in line with the prosecutor’s final opinion.

**21 May:** Medyascope Diyarbakır Correspondent Ferit Aslan was acquitted in the first hearing of his trial on “publicly disseminating misleading information” charges, overseen by the Mardin 2nd

Criminal Court of First Instance. Aslan was on trial for reporting about a judge who raided a school with the police after his wife, who was a teacher at that school, had an argument with her students, and had the students taken into custody three days later.

**30 May:** Journalist Sedef Kabaş announced on her social media account that she was acquitted of “insulting the president” charge in a new case overseen by the Ankara 50th Criminal Court of First Instance. Kabaş was accused over a political cartoon she had shared on social media two years ago.

### ***Appellate court judgments:***

- The sentence imposed by the Izmir 4th Civil Court of First Instance in a compensation case filed by Hakan Dursun Cengiz against Namık Çınar, a columnist for the now-defunct Taraf newspaper, was overturned by the 4th Civil Chamber of the Izmir Regional Court of Justice. In its unanimous judgment dated 7 May 2024, the appellate court vacated the ruling by the Izmir 4th Civil Court of First Instance, which ordered Çınar to pay compensation in a lawsuit filed over an article he penned on 8 March 2010.

### ***At least four court cases involving journalists as complainants were heard by courts of first instance in May. An indictment was also issued against an assailant who injured a journalist in an armed attack:***

- On 7 May 2024, the Ankara 24<sup>th</sup> High Criminal Court started to hear the compensation case filed by journalist Sibel Yüklük against her unlawful detention, the restrictions she had been imposed through judicial control measures, and her computer and phone being confiscated for sharing on social media the news about the relocations of a public prosecutor who issued the indictment against 18 journalists in Diyarbakır, and the prosecutor’s spouse, who was a judge on the court panel that heard the case against the journalists. The case was adjourned to a later date.

- The trial of two jailed defendants who carried out an armed attack against Başka Gazete Editor-in-Chief Yaman Kaya in Bursa in November 2023 while he was driving in his car began at the Bursa 6th High Criminal Court on 8 May 2024. Based on the prosecutor's opinion, the court released defendants Sedat M. and Zülküf B. considering the state of evidence in the file and adjourned the trial until 2 October 2024.
- According to media reports dated 13 May 2024, the case filed against seven members of MHP's youth wing Ülkü Ocakları (Grey Wolves) who raided Deniz Postası TV station in Kayseri in April 2022 and attacked journalist and editor-in-chief Azim Deniz and a program guest was concluded. The Kayseri 1st High Criminal Court sentenced each of the seven defendants to 11 years and 4 months in prison for "intentional injury," "violation of the inviolability of the workplace by using force or threat," "damage to property," "deprivation of liberty by force or threat" and "preventing the exercise of freedom of belief, thought and opinion."
- The first hearing of the compensation case filed by Tuncay Özdamar, an editor for the German public broadcaster WDR, for being unlawfully detained at Ankara's Esenboğa Airport in 2023 and held in custody for 14 hours, was held at the Istanbul 15th High Criminal Court on 23 May 2024. The court adjourned the case to 20 September 2024 for the submission of requested documents in the file.
- Media reported on 29 May 2024 that an assailant who wounded journalist Azim Deniz by gunshot as he left his house in Kayseri on 5 February 2024, Adem T., was released by a magistrate for "not posing flight risk" after the Kayseri Chief Public Prosecutor's Office issued an indictment against the assailant on charges of "attempted intentional homicide" and "purchasing, possessing or carrying unlicensed firearms and bullets." Adem T., who was captured in Yozgat after the attack, said in his statement that he shot Deniz because of a news report about him in 2023.

### ***Charges faced by journalists on trial:***

In May, 42 hearings were held in 41 cases against journalists. A total of 18 different charges were faced by journalists in these cases. The most common charges in journalism trials in May were “terrorism propaganda” and “insult,” which were used in 11 cases each. In six out of 11 “insult” cases, journalists were charged with “insulting a public official.” The third most common charge was “membership in an armed terrorist organization,” which was used in six cases. Journalists were charged with “resisting [law enforcement] to prevent the fulfillment of their duties” in four cases in May. The charges of “knowingly and willingly aiding a terrorist organization without being a member,” “denigrating the Turkish Nation, the State of the Republic of Turkey, the institutions and organs of the State,” “marking public officials assigned with the fight against terrorism as targets,” “violating the Law No. 2911 on Meetings and Demonstrations” and “insulting the president” were used in two cases each. The charges of “attempting to overthrow the Parliament,” “attempting to overthrow the government” and “attempting to overthrow the constitutional order,” listed under the section “Crimes Against the Constitutional Order” in the Turkish Penal Code, were used in one case while “libel,” “incitement to commit a crime,” “praising crime and criminals,” “publicly disseminating misleading information,” “dissuading the people from military service” and “printing and publishing statements of terrorist organizations” were each also used in one case. Six compensation cases filed against journalists were also heard in May.

### ***Three new cases were filed against five journalists in May:***

- Journalists Esra Solin Dal, Erdoğan Alayumat and Mehmet Aslan, who were arrested on 26 April 2024, were charged with “membership in a terrorist organization” (TCK 314) in the indictment issued by the Istanbul Chief Public Prosecutor’s Office. The indictment, accepted by the Istanbul 25<sup>th</sup> High

Criminal Court on 8 May, cited the journalists' news reports and conversations with news sources as evidence of the crime. The first hearing of the case will be held on 15 October 2024.

- A new case was filed against Bitlis Journalists' Association President and Bitlis News Editor-in-Chief Sinan Aygöl for allegedly "threatening" the local mayor's two security guards who attacked him on 17 June 2023. In the indictment issued by the Tatvan Chief Public Prosecutor's Office, Aygöl's brother Ahmet Aygöl was also charged with "threat" (TCK 106) and "insult" (TCK 125). The Tatvan 1st Criminal Court of First Instance accepted the indictment on 15 May 2024. The first hearing of the case will be held on 18 September 2024.
- A case was filed against journalist Bahadır Özgür on charges of "denigrating the Turkish nation, the state of the Republic of Turkey, the institutions and organs of the state" (TCK 301) based on a speech at the Mudanya Book Fair on 2 October 2022. The indictment issued by Mudanya Chief Public Prosecutor's Office was accepted by the Mudanya 1st Criminal Court of First Instance. Özgür's speech was about a book titled "Duvar: Sedat Peker'in İtiraf, İfşa ve İddiaları" (The Wall: Confessions, Disclosures and Allegations by Sedat Peker), of which he is a co-author.

## JUNE 2024

In June, 36 cases against 47 journalists were heard. While 26 of the cases were postponed to future dates, nine of them were concluded. In six of these cases, a total of six journalists (Sinan Aygöl, Haydar Ergöl, Sezgin Kartal, Onur Öncü, Elif Akgöl, Zeynep Durgut) were acquitted. In two cases that resulted in conviction, two journalists (Hamdiye Çiftçi Öksüz, Furkan Karabay) were sentenced to a total of 7 years, 3 months and 15 days in prison, while in one compensation case, one journalist (Furkan Karabay) was ordered to pay the plaintiff 12,500 TL in damages.

A new case was filed against one journalist (Timur Soykan).

<b>June2024</b>	
Number of journalists on trial	47
Number of trials	36
Number of concluded trials	9
Number of trials resulting in sentencing	3
Number of trials resulting in acquittal	6
Number of dismissed cases	-
Number of newly filed cases	1

***The following judgments were rendered in the nine cases that concluded in June:***

**5 June:** Sinan Aygül, editor-in-chief of Bitlis News and chairman of the Bitlis Journalists' Association, who was on trial for allegedly "insulting" one of the two bodyguards of the mayor of Tatvan after they brutally attacked him last summer, was acquitted in the second hearing of his trial held by Tatvan 1st Criminal Court of First Instance. In January, concluding the case in accordance with the "simple trial procedure," the court had sentenced Aygül to 2 months and 5 days in prison for "insult." Aygül's lawyers objected to the judgment and demanded that the court hold public hearings.

**5 June:** Hamdiye Çiftçi Öksüz, a former reporter for the now-defunct Dicle News Agency (DİHA), was sentenced to 6 years and 3 months in prison on the charge of "membership in a terrorist organization" by the Hakkâri 1st High Criminal Court in the 61st and final hearing of the case against 14 defendants. Mehmet Sıddık Akış, who was elected mayor of Hakkâri in the 31 March local elections, was also among defendants sentenced by the court.

**6 June:** Journalist Furkan Karabay was sentenced to 1 year and 15 days in prison on the charge of "libel" in the third hearing of a case launched upon a complaint by President Erdoğan's former lawyer Mustafa Doğan İnal. Karabay was on trial for his news

article published on the news portal Gerçek Gündem on 19 April 2023. The Istanbul 2nd Criminal Court of First Instance ruled that “since the defendant was sentenced for the offense of ‘libel,’ which carries a heavier penalty, there is no need to render a judgment for the offense of ‘insult.’”

**7 June:** The second and final hearing of a compensation case filed against journalist Furkan Karabay by Istanbul Judicial Commission President Bekir Altun was held at the Anadolu 27th Civil Court of First Instance. The court partially accepted Altun's claim, who demanded 50,000 TL in non-pecuniary damages, and ordered Karabay to pay the plaintiff 12,500 TL in damages.

**13 June:** In the 23rd hearing of the “KCK Academy” case in which 16 defendants, including Demokratik Modernite magazine editor Haydar Ergül, were charged with “membership in a terrorist organization,” the Istanbul 22nd High Criminal Court acquitted 13 people, including Ergül. The court sentenced one defendant to 6 years and 3 months in prison while splitting the case against two defendants.

**25 June:** Karşı Mahalle reporter Sezgin Kartal was acquitted of “membership in a terrorist organization” charge at the sixth hearing of his trial, overseen by the Istanbul 22nd High Criminal Court, on grounds that the crime was not proven to have been committed by the defendant.

**26 June:** Journalist Onur Öncü was acquitted of “publicly insulting the memory of a person” in his trial overseen by the Ankara 7th Criminal Court of First Instance over his social media post about the death of Taner Ay, who was mentioned in crime boss Sedat Peker's revelations.

**27 June:** Journalist Elif Akgül was acquitted of the charge of “terrorism propaganda” in the second hearing of her trial over two social media posts she shared in 2018 and 2022 on grounds that the legal elements of the crime were not present.

**27 June:** Mezopotamya Agency (MA) reporter Zeynep Durgut and 17 other defendants were acquitted in the second hearing of their trial on charges of “violating the Law No. 2911 on Meetings and Demonstrations” in line with the prosecutor’s final opinion. The Şırnak Criminal Court of First Instance also acquitted the other 17 defendants for whom the prosecutor had demanded punishment. Durgut was violently detained by the police along with demonstrators as she was covering a press statement on the occasion of the International Day for the Elimination of Violence against Women.

***In June, three cases filed upon complaints by journalists were also heard. Separately, a Regional Administrative Court reversed a decision by a Governor’s Office not authorizing an investigation against police officers who used violence against journalists:***

- A 50,000 TL compensation case journalist Şirin Payzın filed against Zafer Party Chairman Ümit Özdağ for targeting her on social media began at a civil court in Istanbul on 3 June 2024. Upon the request of Payzın’s lawyer, the court sent the file to an expert and adjourned the case to 24 October 2024. Özdağ wrote the following about Payzın on social media: “Şirin Payzın has always been on the side of the enemies of Turkey. She has tried to justify the enemies of the Turkish people against the Turkish people. She worked like a volunteer propagandist of the PKK. Now she is trying to justify the handing over of the Turkish homeland to Syrians.”
- Seven people who attacked journalist Yavuz Selim Demirağ in front of his house in May 2019 were sentenced to 9 years in prison each by the Ankara 36th High Criminal Court at the sixth hearing of their trial, held on 11 June 2024. In the final opinion, the prosecutor had requested sentencing for defendants Ali Adanur, Adem Çoban, Orhan Çoban, Adem Yavuz, Emrah Yavuz, Necmettin İnan and Furkan Çelik for “intentional injury” and “threat.” Demirağ’s lawyer Erhan Tokatlı told the court: “The fact that the defendants have no relation or enmity with Yavuz Selim Demirağ brings to mind that a planned crime had been committed. The defendants’ claim that the

incident was caused by an argument in traffic does not match the footage. When we look at the actions of each defendant individually, we see that they acted extremely professionally and were organized." The lawyer stated that the crime committed by the defendants was not "injury" but "attempted murder" and that they should be punished for this crime. After the closing statements, the court unanimously sentenced the defendants to 9 years imprisonment each for "intentional injury" and "threat."

- The trial of Elazığ Mayor Şahin Şerifoğulları's security guard police officer Ö.F.T. on charges of "intentional injury" for assaulting journalist Ardıl Batmaz in 2022 continued at the Elazığ 5th Criminal Court of First Instance on 27 June 2024. In the previous hearing, Batmaz's lawyers had demanded that the mayor be added to the case as a defendant in line with the new expert report and that the identity of the person shown as "person 5" in the report be investigated. The court rejected the request to include Şerifoğulları as a defendant and decided to investigate the identity of "person 5." According to media reports, the identity of the person in the expert report has been determined. The person was identified as businessman Hasan Celal Kaya in Elazığ Police Department's report submitted to the court.
- According to media reports dated 3 June 2024, the Istanbul Regional Administrative Court has quashed a decision by the Istanbul Governor's Office, which refused to authorize an investigation against the police officers who used violence against journalists Ozan Acidere, Emre Orman, Yasin Akgül and Fatoş Erdoğan as they were covering a commemoration organized in Kadıköy on 20 July 2021 for the victims of the 2015 Suruç bombing. Ruling that "criminal investigations into acts of beating, violence, torture and ill-treatment are not subject to administrative permission" under the relevant articles of the Law No. 4483 on the Prosecution of Civil Servants and Other Public Officials, the Court ordered the file to be sent to the Istanbul's Anadolu Chief Public Prosecutor's Office.

### ***Charges faced by journalists on trial:***

In June, 36 separate trials were held in which 47 journalists stood trial as defendants. In these cases, journalists faced 16 different charges. The two most common charges against journalists were “membership in an armed terrorist organization” and “terrorism propaganda,” which were both used in nine cases. They were followed by “insult” charges in six separate cases. In two of these six cases, journalists were charged with “insulting a public official.” The charge of “violating the Law No. 2911 on Meetings and Demonstrations” was used in four cases, while the charges of “insulting the president,” “libel” and “denigrating the Turkish Nation, the State of the Republic of Turkey, the institutions and organs of the State” were used in three cases each. The charges of “establishing or managing an armed terrorist organization,” “knowingly and willingly aiding a terrorist organization without being a member,” “marking public officials assigned with the fight against terrorism as targets,” “resisting [law enforcement] to prevent the fulfillment of duty,” “insulting the memory of a person,” “publicly disseminating misleading information,” “incitement to commit a crime,” “entering military restricted areas” and “opposing the Law on the Prevention of the Financing of Terrorism” were each used in one case. Separately, three compensation cases filed against journalists were heard in June.

### ***In June, one new lawsuit was filed against a journalist:***

- Journalist Timur Soykan announced in his article published in BirGün on 11 June 2024 that the jailed New Zealand drug lord Duax Ngakuru, whose name is mentioned in Soykan’s book “Baron İstilası,” has filed a 350,000 TL compensation case against him and his publisher Kırmızı Kedi. Ngakuru’s lawyer also requested for the book to be banned in their petition. Soykan noted that the request to ban the book was rejected by the court, but the lawsuit was accepted.

## Detentions and Investigations

At least 20 journalists were detained in the second quarter of the year (Medine Mamedođlu, Ferhat Sezgin, Dilan ŐimŐek, Műzeyyen Yűce, Sema Korkmaz, Zilan Azad, YeŐim Dokur, Esra Solin Dal, Enes Sezgin, Saliha Aras, YeŐim Alıcı, Beste Argat Balcı, Őirin ErmiŐ, Erdoğan Alayumat, Mehmet Aslan, Dođan Kaynak, Ekim Veyisođlu, Nurcan Yalçın, Derya Us, Seda Őanlıer).

- Following the 31 March local elections, the Van Electoral Board's decision to give the mandate to AKP candidate Abdulahat Arvas instead of DEM Party candidate Abdullah Zeydan, who won the election, sparked protests in many cities. Journalist **Medine Mamedođlu** announced on social media on 3 April that she was beaten and detained with reverse handcuffs while covering a protest march by lawyers in Van. Mamedođlu also stated that she was targeted on social media for reporting on rights violations during the protests.
- Police intervened a protest in Esenyurt district of Istanbul and detained MA reporter **Ferhat Sezgin**, Pir News Agency (PIRHA) reporter **Dilan ŐimŐek**, Artı Gerçek reporter **Műzeyyen Yűce** and Yeni YaŐam newspaper reporter **Sema Korkmaz**. Sezgin's nose was broken and his camera was damaged during the police intervention. The journalists were taken to the Istanbul Police Department and their detention was extended by one day on 4 April. On 5 April, ŐimŐek and Yűce were brought to the courthouse and released after their statements at the prosecutor's office. Sezgin and Korkmaz, on the other hand, were released with a travel ban by the magistrate to which they were referred for arrest.
- Journalists **Zilan Azad** and **YeŐim Dokur** were detained along with the activists while they were covering a demonstration organized by the Kadınlar Birlikte Gűclű (Women are Strong Together) platform in Kadıkűy district of Istanbul against police violence targeting demonstrators during the Van protests. Azad and Dokur were released on 5 April.

- On 23 April 2024, MA reporter **Esra Solin Dal**, Yeni Yaşam newspaper employees **Enes Sezgin** and **Saliha Aras**, journalists **Yeşim Alıcı**, **Beste Argat Balcı**, **Şirin Ermiş** and **Erdoğan Alayumat**, MA reporter **Mehmet Aslan**, and former MA reporter **Doğan Kaynak** were taken into custody in police raids on their homes in Istanbul, Ankara and Şanlıurfa provinces. On 26 April, all nine journalists were brought to the courthouses, where their statements were taken by public prosecutors. Dal, Alayumat and Aslan were jailed pending trial on charges of "membership in a terrorist organization" by the magistrates they were referred to while Kaynak, Sezgin, Aras, Alıcı, Balcı and Ermiş were released after giving their statements to the prosecutor.
- Siyasi Haber reporter **Ekim Veyisoğlu** was detained after covering the beating and detention of a refugee woman by police officers at Mecidiyeköy metro station in Istanbul on 28 April. On 29 April, Veyisoğlu was brought to the courthouse and after giving his statement to the prosecutor's office he was referred to a magistrate for arrest on charges of "resisting [law enforcement] to prevent the fulfillment of duty" and "violating the privacy of personal life." The journalist was released under judicial control measures by the Istanbul 8th Criminal Judgeship of Peace.
- Journalists **Nurcan Yalçın** and **Derya Us** were detained during police raids on their homes in Diyarbakır on 6 May 2024. Yalçın and Us were interrogated by the prosecutor's office at Diyarbakır Courthouse and released under judicial control measures on 7 May by the Criminal Judgeship of Peace on Duty. The journalists were detained as part of an investigation launched in 2021 on suspicion of "membership in a terrorist organization" and "violating the Law on the Prevention of the Financing of Terrorism."
- Sweden-based journalist **Seda Şanlıer** was detained by the police during passport control at Istanbul's Sabiha Gökçen Airport on 25 June 2024. The reason for her detention was not disclosed. She was released by the prosecutor's office at noon on 26 June.

In the second quarter of 2024, at least 16 journalists were investigated (İsmail Saymaz, Duygu Kıt, Oktay Candemir, Esra Solin Dal, Enes Sezgin, Saliha Aras, Yeşim Alıcı, Beste Argat Balcı, Şirin Ermiş, Erdoğan Alayumat, Mehmet Aslan, Doğan Kaynak, Alican Uludağ, Aziz Oruç, İsmail Arı, Kayhan Ayhan). In ongoing investigations against seven journalists, the prosecutors dismissed the charges.

**5 April:** The Istanbul Chief Public Prosecutor's Office launched an investigation against journalist **İsmail Saymaz** on suspicion of "publicly disseminating misleading information" and "inciting the public to hatred and enmity" for a social media post he shared on 3 April 2024. Saymaz announced the investigation against him on his social media account.

**17 April:** Journalist **Duygu Kıt** gave her statement as part an investigation initiated by the Erzincan Chief Public Prosecutor's Office on suspicion of "publicly disseminating misleading information" and "libel" over her article published on Gazete Duvar on 6 March 2024 about a limestone quarry reportedly planned to be built near a skiing center in Ergan district in Erzincan. The investigation was launched upon a complaint by the Erzincan Governor's Office.

**19 April:** Journalist **Oktay Candemir** went to the police station with his lawyer to give his statement as part of an investigation launched against him on suspicion of "insulting a public official" upon a complaint by Abdulhat Arvas, AKP's candidate for Van in local elections on 31 March, who filed a complaint against the journalist over expressions in one of his articles.

**23 April:** Journalists **Esra Solin Dal, Enes Sezgin, Saliha Aras, Yeşim Alıcı, Beste Argat Balcı, Şirin Ermiş, Erdoğan Alayumat, Mehmet Aslan** and **Doğan Kaynak** were detained in police raids carried out in three provinces as part of a criminal investigation initiated by the Istanbul Chief Public Prosecutor's Office. Dal, Alayumat and Aslan were taken to the courthouse on April 26 for statement procedures and were jailed pending trial on charges of

“membership in a terrorist organization.” Sezgin, Aras, Alici, Balci, Ermiş and Kaynak were released after giving their statements to the prosecutor’s office.

**24 May:** DW Türkçe reporter **Alican Uludağ** was investigated following a complaint filed by Serdar Öktem, a jailed defendant in the case about the murder of Sinan Ateş, the former head of the MHP’s Grey Wolves. Announcing the investigation on his social media account, Uludağ said that he was called in to give his statement at the police station.

**30 May:** Journalist **Aziz Oruç** gave his statement at the police station as part of an investigation launched on suspicion of “insult.” Oruç stated that the complaint filed against him was based on several social media posts shared by Mezopotamya News Agency (MA) in 2022, when he was jailed in Diyarbakır Prison.

**12 June:** Istanbul’s Bakırköy Chief Public Prosecutor’s Office launched an investigation against BirGün newspaper reporter **İsmail Arı** for his book “Menzil’in Kasası.” The complaint filed by businessperson Kamil İnce, who is mentioned in a chapter of the book, demanded that the book be confiscated and destroyed.

**14 June:** BirGün newspaper editor **Kayhan Ayhan** announced on social media that he was summoned to the prosecutor’s office to give his statement as part of an investigation launched against him by Istanbul’s Anadolu Chief Public Prosecutor’s Office Press Crimes Investigation Bureau. Ayhan said he did not know what he was accused of.

### ***Decisions not to prosecute:***

**1 April:** The Istanbul Chief Public Prosecutor’s Office decided not to prosecute Artı TV news presenter **Şükran Ekinci** in an investigation launched on suspicion of “publicly disseminating misleading information” over her social media post about miners who were trapped in a gold mine in Erzincan in February. The public prosecutor concluded that “there was no evidence that her post was capable of disrupting public peace” and that the legal elements of the crime did not occur.

**26 April:** An investigation launched against journalist **Zeynep Kuray** on suspicion of “publicly disseminating misleading information” over her social media posts and reporting about the intervention against environmentalists in Akbelen Forest in Milas was dismissed by the Public Prosecutor’s Office, which stated that “statements that are disturbing, unpleasant, shocking, but that do not contain violence and incitement to violence are also within the scope of freedom of expression.”

**2 May:** Istanbul’s Küçükçekmece Chief Public Prosecutor’s Office decided not to prosecute journalist **Oktay Candemir** in an investigation launched over an article he wrote, concluding that Candemir’s article was within the scope of press freedom and freedom of expression and the elements of the alleged offense did not occur.

**17 May:** Journalist **Ayşenur Arslan** announced on her social media account that a decision of non-prosecution was made regarding a complaint filed against her by former İyi (Good) Party Chairperson Meral Akşener over an article by Arslan, published on Halk TV’s website.

**30 May:** The Ankara Chief Public Prosecutor’s Office dismissed an investigation it launched against journalist **Alican Uludağ** on suspicion of “obtaining and disclosing confidential information related to the security of the state” over a report the journalist penned in February 2022. In his article that was also blocked for access, Uludağ had reported on ISIS’s money transfers through Turkey based on information in a report prepared by the Financial Crimes Investigation Board (MASAK), which filed the complaint against the journalist.

**13 June:** The Diyarbakır Chief Public Prosecutor’s Office dismissed the investigation launched against journalist **Aziz Oruç** on account of news content shared in 2022 on MA’s Facebook account, concluding that the journalist, who was in prison at the time, did not commit the alleged offense.

**14 June:** According to media reports on 14 June, an investigation launched against journalist **Gökhan Özbek** on suspicion of “publicly disseminating misleading information” over his coverage of a police brutality incident in Diyarbakır during Newroz celebrations has been dismissed.



## Arrests and Releases

At the beginning of the three-month period covered in this report, there were 29 journalists behind bars in Turkey according to the list of [Journalists in prison](#), compiled by the Expression Interrupted platform based on information obtained from trial monitoring work and open source research. During the reporting period, the

number of imprisoned journalists reached 33 with new arrests. Six journalists -- including five who were arrested in this period -- were released during the same quarter. The updated list shows that there are 28 journalists in prison in Turkey as of 30 June 2024.

### ***Five journalists were arrested in the second quarter of 2024:***

**26 April:** MA reporters **Esra Solin Dal**, **Mehmet Aslan** and journalist **Erdoğan Alayumat**, who were among nine journalists detained in police raids on 23 April 2024 as part of an investigation initiated by the Istanbul Chief Public Prosecutor's Office, were jailed pending trial on charges of "membership in a terrorist organization."

**2 May:** Former TRT reporter **Elif Akkuş** was arrested at the courthouse where she had gone to give her statement with her lawyer as part of an investigation launched over an inspection report prepared by the TRT. In the indictment issued four days after her imprisonment pending trial, Akkuş was charged with "embezzlement" (TCK 247/2) based on the allegations in the TRT Inspection Board report for her expenses while covering the wars in Libya and Syria.

**6 May:** Journalist **Hakan Gülseven** was arrested and sent to prison upon a prison sentence of 1 year and 8 months he had been given on the charge of "unlawfully obtaining or disseminating personal data" was upheld and finalized by the 3rd Criminal Chamber of the Trabzon Regional Court of Justice. Gülseven was arrested because of a previously suspended prison sentence on the same charge, given for openly publishing the name of 14-year-old Berkin Elvan when he was the managing editor of Yurt newspaper.

### ***At least six journalists were released from prison during the second quarter of the year:***

**5 April:** Former Dicle News Agency (DİHA) reporter **Murat Verim**, who was sent to prison in January 2023 after his prison sentence was upheld by the Court of Cassation, was released from Edirne F Type

Closed Prison. Verim was sentenced to 3 years in prison in 2016 on charges of “committing a crime on behalf of a terrorist organization” (TCK 220/6).

**21 May:** Journalists **Esra Solin Dal**, **Erdoğan Alayumat** and **Mehmet Aslan**, who were arrested on 26 April 2024 after being detained as part of an investigation, were released pending trial by the Istanbul 25th High Criminal Court, which accepted the indictment against the journalists.

**13 June:** Journalist **Hakan Gülseven**, who was arrested in May after a prison sentence he was given was upheld, was released on probation. Gülseven announced his release on his social media account.

**28 June:** Former TRT correspondent **Elif Akkuş**, who was arrested on 2 May, was released by the Ankara 34th High Criminal Court at the end of her hearing.

## Highlights from Trials

Some of the significant developments in cases that were heard by courts of first instance during the period covered by the report were as follows:

### *Prosecutor seeks sentencing for MA and JinNews employees:*

The fifth hearing of the case against MA Managing Editor Diren Yurtsever, MA reporters Berivan Altan, Selman Güzelyüz, Hakan Yalçın, Emrullah Acar, Ceylan Şahinli and Zemo Ağgöz, JinNews reporters Habibe Eren and Öznur Değer, former MA intern Mehmet Günhan and journalist Deniz Nazlım, who were arrested on 29 October 2022 and released pending trial on 16 May 2023, was held at the Ankara 4th High Criminal Court on 25 April 2024.

Presenting their final opinion, the prosecutor asked the court to sentence the journalists on the charge of “membership in a terrorist organization.” The prosecutor claimed that the journalists’ interviews with HDP and DEM Party representatives were conducted under “instructions” and used the term “so-called news”

for the journalists' work. The court adjourned the trial to 3 July for the final defense statements.

***Trial of 3 journalists who were violently detained postponed:*** The second hearing of the case against journalists Deniz Nazlım, Yıldız Tar and Sibel Yüklér on the charge of "violating the Law on Meetings and Demonstrations" was held on 25 April 2024 at the Ankara 71st Criminal Court of First Instance. All three journalists were violently detained when they wanted to participate in a protest in Ankara against the arrest of Kurdish journalists in Diyarbakır.

DİSK Basın-İş President Turgut Dedeoğlu, journalist Hüseyin Aykol and journalist Eren Güven from Pirha news agency, whom the court heard as witnesses, described the police brutality against the journalists and stated that the police made no warning before detaining them. The court decided to ask the Ankara Police Department to send to the court all footage of the incident and adjourned the case until 19 September 2024.

***Two more defendants added to trial of journalists in Diyarbakır:***

The fourth hearing of the case against journalists who were arrested in Diyarbakır in June 2022 on the charge of "membership in a terrorist organization" for allegedly producing content for some TV channels broadcasting abroad was held on 9 May 2024 at Diyarbakır 4th High Criminal Court.

The case files against director Berivan Karatorak and cameraman Mehmet Servet Yiğen, whose indictments were prepared between the hearings, were merged with the ongoing case, bringing the number of journalists and media workers on trial to 20. One of the witnesses heard at the hearing said that his statement to the police did not belong to him and that he signed the statement without reading it. Another witness who attended the hearing via the judicial video-conferencing network claimed that he knew all but three of the journalists present at the hearing, that these journalists worked at Pel Production Company and that this company was affiliated with the organization. The court ordered the return of the confiscated

digital/electronic equipment of the journalists and requested the search and seizure reports of the police searches conducted at the production companies and adjourned the trial to 19 November 2024.

**TMK 6/1 case against Furkan Karabay begins:** Journalist Furkan Karabay appeared before the Istanbul 24th High Criminal Court on 16 May 2024 for the first hearing of his trial on charges of “marking public officials assigned with the fight against terrorism as targets” and “insulting a public official.” The accusations stem from a news article published on Gerçek Gündem on 27 December 2023. Karabay was jailed pending trial as part of the investigation on 29 December 2023 and remained in prison for 10 days before being released in January.

During the hearing, the presiding judge asked Karabay about his major at university, and upon Karabay responding that he studied journalism, the judge asked the journalist whether he had a press card. Upon Karabay stating that he did not have a press card, the presiding judge said: “How can you be a journalist if you don’t have a press card? Just as you cannot be a lawyer without a bar association card, a journalist cannot be a journalist without a press card. You are claiming to be a journalist.” At the end of the hearing, the court decided to send the file to the prosecutor’s office for the preparation of the final opinion and adjourned the trial to 2 July.

**Final opinion presented in retrial of “FETÖ media” case:** The 10th hearing of the retrial of journalists Ahmet Memiş, Ali Akkuş, Cemal Azmi Kalyoncu, Gökçe Fırat Çulhaoğlu, Ünal Tanık, Yakup Çetin and Yetkin Yıldız, whose convictions were overturned by the Court of Cassation, was held on 25 April 2024 at Istanbul 25th High Criminal Court.

Reiterating the final opinion presented on 20 April 2024, the prosecutor demanded that Yakup Çetin, Yetkin Yıldız and Ünal Tanık be sentenced for “membership in a terrorist organization” and Ahmet Memiş, Ali Akkuş, Cemal Azmi Kalyoncu and Gökçe Fırat Çulhaoğlu be sentenced for “knowingly and willingly aiding

a terrorist organization without being a member.” The trial was adjourned until 24 September 2024.

***Journalist Akyüz could not attend hearing due to house arrest:*** The retrial of MA reporter Delal Akyüz on charges of “knowingly and willingly aiding a terrorist organization without being a member” was held on 7 May 2024 at the Izmir 20th High Criminal Court. Akyüz could not attend the hearing as he was under house arrest as part of another investigation. The trial was adjourned to 5 November 2024.

***Prosecutor in Hrant Dink murder case requests dismissal of charge against gunman and instigators:*** The ninth hearing of the retrial of 12 defendants in the Hrant Dink murder case, including five former police officers, on charges of “attempting to overthrow the constitutional order,” “membership in a terrorist organization” and “committing crimes on behalf of a terrorist organization” was held on 12 June 2024 at the Istanbul 14th High Criminal Court.

Presenting his final opinion, the prosecutor requested that the charges of “committing a crime on behalf of an organization” against the instigators Ahmet İskender, Erhan Tuncel, Yasin Hayal, Tuncay Uzundal, Zeynel Abidin Yavuz, Ersin Yolçu and the gunman Ogün Samast be dropped due to statute of limitations. The prosecutor requested that Adem Sağlam, an officer with the Trabzon anti-terror police at the time of Dink’s murder, be acquitted of “attempting to overthrow the constitutional order,” “intentional murder through negligence” and “intentional murder” and be sentenced for “membership in a terrorist organization.” The prosecutor asked the court to sentence former police chiefs Ali Fuat Yılmaz and Ramazan Akyürek for “attempting to overthrow the constitutional order.” The trial was adjourned until 16 October 2024.

***New secret witness added to case against Abdurrahman Gök:*** The third hearing of the trial of MA editor Abdurrahman Gök on charges of “membership in a terrorist organization” and “terrorism propaganda” was held on 11 June 2024 at Diyarbakır 5th High Criminal Court.

During the hearing, it was revealed that the statements of the secret witness with the code name “CV23TY45UP78,” who had previously testified against 16 journalists in the Diyarbakır-based investigation, were included in the file. The secret witness did not mention Gök in his statements about the 16 journalists, but in his statements taken by Tokat 2nd High Criminal Court on 28 November 2023, the witness claimed that “Gök told him that he was carrying out press activities on behalf of the organization.” The court accepted the request to hear the secret witness and adjourned the trial to 22 October 2024.

***Prosecutor requests sentencing for journalist Dicle Müftüoğlu:***

The fourth hearing of the trial of Dicle Müftüoğlu, co-chair of Dicle Fırat Journalists Association (DFG) and MA editor, on charges of “membership in a terrorist organization” and “establishing or managing a terrorist organization” was held on 13 June 2024 at the Diyarbakır 5th High Criminal Court.

Presenting their final opinion, the prosecutor asked the court to sentence Müftüoğlu on the charge of “membership in a terrorist organization.” The court ordered the continuation of the travel ban imposed on Müftüoğlu and adjourned the trial to 24 October 2024.

***Two cases against Furkan Karabay merged:*** The second hearing of a case in which journalist Furkan Karabay is charged with “insult” and “libel” upon a complaint by President Erdoğan’s son Bilal Erdoğan was held on 25 June 2024 at the Istanbul 47th Criminal Court of First Instance. Upon the request of the prosecutor, the court decided to merge the case with another case filed against Karabay on the same charges upon a complaint by President Erdoğan’s former lawyer Mustafa Doğan İnal and overseen by the Istanbul 5th Criminal Court of First Instance.

The accusations in both cases stem from a social media post Karabay shared on 2 November 2023 about Istanbul Anadolu Chief Public Prosecutor İsmail Uçar’s petition to the Council of Judges and Prosecutors (HSK), claiming that access blocking and release orders were issued in exchange for money at the Anadolu Courthouse.

# ATTACKS, THREATS AND INTERVENTIONS AGAINST JOURNALISTS

In the second quarter of 2024, journalists were subjected to numerous police interventions, attacks, threats and obstructions. Most of the violent police interventions took place during protests against the decision of the Provincial Electoral Board to revoke the mandate of Abdullah Zeydan of the DEM Party, who had been elected mayor of Van in the March 31 local elections, and to give the post to AKP candidate Abdulahat Arvas. According to data compiled by Expression Interrupted using information available in open sources, at least 34 incidents of attacks, violent police intervention, obstruction, threats or targeting of journalists were recorded in April, May and June 2024:

- On 31 March 2024, Gazete Duvar Van Correspondent **Kadir Cesur** was hit by two rubber bullets on his knee and his leg as he was covering the police intervention against DEM Party supporters celebrating the election results in Van.
- Journalist **Kadir Cesur** was once again hit by a rubber bullet fired by the police while he was covering the protests in Van against the decision to revoke the mandate of Abdullah Zeydan.
- Journalist **Medine Mamedođlu** announced on her X account on 3 April that she was detained while following the protest march by lawyers in Van, and that she was handcuffed behind her back and beaten. Mamedođlu also stated that she was attacked on social media for reporting on rights violations during the protests.
- KRT reporter **Umut Tařtan** was hit by a rubber bullet while covering the protests in Van and many other journalists were exposed to tear gas and water cannons.

- Journalist **Ruşen Takva** was targeted by a water cannon while reporting live on the protests in Van. Takva also announced that he was subjected to threats and insults on social media due to his journalistic activities.
- In Van, journalist **Oktay Candemir** was subjected to physical violence by the police who confiscated his cell phone and forcibly deleted his photos while he was trying to cover the protests.
- Rudaw cameraman **Muhammed Şakir**, who was following a news report in Van, was hit by a gas canister fired by the police.
- Journalist **Mimar Kaya**, publisher of the news website Colemerg Haber based in Hakkâri, stated that he was threatened by the relatives of Zeydin Kaya, the provincial chairman of AKP, before the protests. Kaya, who was also threatened with death on the night of the protests, said that he took shelter in a building and that he was not safe.
- JinNews reporter **Rabia Önver**, who was covering the police intervention against the protests in Yüksekova, was hit by a rubber bullet fired by the police.
- Siirt-based **Ne News Agency** announced that **two of its reporters** covering the protests in the city were hospitalized due to tear gas fired by the police during the intervention.
- Police intervened the protest in Esenyurt district of Istanbul and detained MA reporter **Ferhat Sezgin**, PIRHA reporter **Dilan Şimşek**, Artı Gerçek reporter **Müzeyyen Yüce** and Yeni Yaşam reporter **Sema Korkmaz**. Sezgin's nose was broken and his camera was damaged during the police intervention.
- Journalists **Zilan Azad** and **Yeşim Dokur** were detained along with at least 33 others while covering a protest organized by the Kadınlar Birlikte Güçlü (KBG) platform in Kadıköy district of Istanbul against police violence targeting civilians during the Van protests

- **Mezopotamya News Agency (MA)** and **JinNews** reporters covering the protests in Batman were reportedly deliberately sprayed with water cannons while filming.
- The equipments of journalists **Ersin Özgül**, **Nazlıcan Nujin Yıldız** and **Berkcan Zengin** were damaged as they were covering the police intervention against the Izmir Labor and Democracy Forces who wanted to hold a protest march after making a press statement on 2 April to protest the Van Electoral Board's decision.
- Sözcü TV news presenter **Ece Üner** received a death threat on social media after a post she shared about the electoral board decision to revoke the mandate of the elected mayor in Van.
- According to media reports on 3 April, following the local elections in Siverek district of Şanlıurfa, some social media accounts posted threats against **members of the press working in the district**. Criminal complaints were filed against the accounts.
- The office of **İslahiye'nin Sesi**, a local newspaper published in Gaziantep, was targeted in an armed attack on 10 April 2024. The attack was carried out by two men wearing helmets who came to the newspaper's office on a motorcycle at night. Six of the bullets they shot hit the newspaper office.
- **Abdullah Bilgiç**, the editor-in-chief of İslahiye'nin Sesi newspaper, announced that he was attacked on 8 April by a supporter of Yeniden Refah Party candidate. Bilgiç filed a criminal complaint at the District Police after the attack.
- According to media reports on 20 April, **Paula Papureanu**, a local journalist in Yalova, was beaten by three women and a man while she was taking photographs to report on illegal parking. Papureanu was taken to hospital where she was found to have cuts on her throat, a fractured skull and bruises and contusions on various parts of her body from the beatings.

- İhlas News Agency (İHA) reporter **Abdullah Bozkurt** was attacked in front of an entertainment venue in Bursa's Nilüfer district on 28 April. Bozkurt, who was beaten by security guards of an entertainment venue while gathering information about a news story, was hospitalized.
- Journalist **Metin Cihan** announced on social media on 30 April that the Ensar Foundation had threatened to take him and some media organizations to court.
- Human Rights Association (İHD) Co-Chair Eren Keskin announced in a social media post on 30 April that imprisoned journalist **Esra Solin Dal** was subjected to strip searches at the police department and Bakırköy Women's Closed Prison. Dal's lawyer filed a criminal complaint with the Bakırköy Chief Public Prosecutor's Office, which decided not to prosecute in June.
- Journalists **Fatoş Erdoğan** and **Umut Taştan** were injured during police intervention while covering May Day demonstrations in Istanbul on 1 May. Taştan was wounded in the foot, while Erdoğan was hit by a rubber bullet.
- On 6 May, Demirören News Agency (DHA) reporter **Rojda Altıntaş** announced on her social media account that she had been subjected to pressure by Revna Demirören, the wife of DHA's boss Yıldırım Demirören, regarding her coverage of the incident in which writer Eylem Tok's 17-year-old son caused the death of a person in an accident.
- On 29 May, according to media reports, during the trial of former banker Seçil Erzan, Denizbank's lawyer attacked **a journalist** following the hearing and seized her phone. The journalist went to the police station inside the courthouse and filed a complaint against the lawyer.
- Anadolu Web TV Concessionaire **Yasin İpek** was attacked in Van on the evening of 2 June for his posts about VanSpor. İpek, who was punched and threatened, filed a complaint against the attacker after the incident.

- On 3 June, journalists covering the protests against the arrest of DEM Party's Hakkâri Mayor Mehmet Sıddık Akış and the appointment of a trustee were subjected to police violence. Journalist **Newroz Seydiođlu** reportedly fainted during the police intervention and was hospitalized.
- On 4 June, journalist **Hakan Aslan**, who was covering the protests in Hakkâri, was taken into a detention vehicle and his camera footage was forcibly deleted by the police. Aslan was released after his footage was deleted.
- Journalist **Timur Soykan**'s news article headlined "Halkbank'tan mafyaya 550 milyon TL kredi" (Halkbank loans TL 550 million to the mafia), published in BirGün newspaper on 5 June, was blocked for access and removed on the same day by the Istanbul Anadolu 9th Criminal Judgeship of Peace upon Halkbank's request. On 6 June, Soykan announced that RTÜK officials had contacted TV channels to prevent further coverage of the claims in his report. RTÜK Chairman Ebubekir Şahin, who is also a member of Halkbank's Board of Directors, released a statement on social media on the same day, calling Soykan's report "untrue" and accusing Soykan of intentionally aiming to defame him, the bank and RTÜK.
- Journalist and video-activist **Kazım Kızıl** announced that he was threatened by a company employee and a group of 10 people accompanying him on 5 June while trying to film a fire that broke out in containers housing workers at Hatay Gülderren TOKİ housing construction site.
- On 6 June, the police intervened in the protest of the residents of the Akasya neighborhood in Hatay, who do not want a reserve area in the Akasya neighborhood, and prevented Gazete Duvar reporter **Burcu Özkaya Günaydın** from covering the protest.
- In written statements on 12 June, MHP Deputy Chairmen Semih Yalçın and Feti Yıldız targeted the television channels **Halk TV**, **TV 100** and **Sözcü TV** and journalists **Barış Yarkadaş**, **Bahar**

**Feyzan, Ali Kemal Erdem, Osman Sert, Abdülkadir Selvi, Gözde Şeker and İbrahim Kahveci.**

- In a statement on social media on 18 June, RTÜK President Ebubekir Şahin targeted **Medyascope** for its news piece headlined “6 LGBTI+ movies-series you can watch during the holiday.” Şahin wrote: “It is not that we do not see the perverted campaigns systematically carried out by some Western-funded media outlets to disintegrate our family institution and depersonalize our youth. Our monitoring experts are working even during holidays. We are keeping an eye on them.”
- On 21 June, Türkgün newspaper, known for its close ties to the MHP, published a front-page news article with the headline “Halk TV’nin avanak hafiyeliği” (Halk TV’s simpleton sleuthing) and targeted journalists **Barış Pehlivan, Barış Terkoğlu, Murat Ağırel** and **Timur Soykan**. Murat Ağırel, one of the targeted journalists, said on Halk TV that there were strangers in front of his house, his home was being recorded on video by strangers and that he was receiving threats.

# RTÜK AND BİK PENALTIES

The Radio and Television Supreme Council (RTÜK) and the Press Advertising Agency (BİK) continued in this reporting period to serve as tools of political pressure on dissident media through impartial decisions.

## RTÜK Penalties

In the run-up to the local elections in March, İlhan Taşcı and Tuncay Keser, members of the Radio and Television Supreme Council elected from main opposition CHP quota, requested an investigation into the broadcasts of TRT on the grounds that candidates of the ruling AKP and its allies were given more screen time in broadcasts during the pre-election period.

According to news reports dated 4 April 2024, RTÜK decided to investigate TRT Haber's pre-election and election day broadcasts. On 31 March, TRT Haber had broadcast commercials featuring President Recep Tayyip Erdoğan, AKP's candidate for Istanbul Metropolitan Municipality Murat Kurum, AKP's candidate for Izmir Metropolitan Municipality Hamza Dağ and AKP's candidate for Kepez Municipality Hakan Tütüncü. On the same day, TRT Haber also promoted the book "Türkiye Yüzyılı Vizyonuyla Belediyecilik," prepared by the Directorate of Communication, for which Erdoğan wrote the foreword.

However, as of the time of drafting of this report, no information on the outcome of RTÜK's investigation into TRT Haber broadcasts had been made public.

In the second quarter of 2024, RTÜK continued to target pro-opposition broadcasters in the penalties it issued:

- On 3 May 2024, RTÜK imposed an administrative fine of 2 percent of the channel's ad revenues (8,894,614 TL) on Now TV (formerly Fox TV) on grounds that the news item headlined "Lobster in AK

Parti Group" in the channel's prime time news program "Selçuk Tepeli ile Now Ana Haber" broadcast on 17 April 2024 violated the principle of "Broadcasting services cannot violate the principle of respect for human dignity and privacy of personal life, and cannot contain defamatory, humiliating or slanderous expressions beyond the limits of criticism" in Article 8 of Law No. 6112.

- At the same meeting, RTÜK imposed another administrative fine of 2 percent (6,420,925 TL) on the same broadcaster on the grounds that a news item containing allegations about the Deputy Minister of Justice Ramazan Can, broadcast on 3 January 2024 during the evening news show "Selçuk Tepeli ile Fox Ana Haber," violated the principle "Broadcasting services cannot violate the principle of respect for human dignity and privacy of personal life, and cannot contain defamatory, humiliating or slanderous statements that humiliate, degrade or slander individuals or organizations beyond the limits of criticism."
- On 3 May 2024, RTÜK imposed an administrative fine of 2 percent (135,860 TL) on Tele 1 on the grounds that the expressions used about politicians Tansu Çiller and Mehmet Ağar in the program "Türkiye'nin Gündemi" broadcast on 24 February 2024 violated Article 8 of Law No. 6112, which states that "broadcasting services cannot contain humiliating, degrading or slanderous expressions beyond the limits of criticism."
- On 22 May 2024, RTÜK imposed an administrative fine of 5 percent (189,283 TL) and an additional five-time program suspension penalty on Açık Radyo on the grounds that program guests used the expression "Armenian genocide commemoration" during an episode of the program "Açık Gazete" broadcast on 24 April 2024. RTÜK decided that the expressions violated Article 8 of Law No. 6112, which states that "Broadcasting services cannot incite the public to hatred

and hostility or create feelings of hatred in the society by making distinctions based on race, language, religion, gender, class, region and sect.”

## **BIK Penalties**

Evrensel newspaper's right to publish public advertisements was permanently revoked by the Press Advertisement Agency in 2022. The newspaper's appeal against the decision was rejected by a regional administrative court in the previous reporting period. The public advertisement embargo imposed on Yeni Asya newspaper entered its fifth year in 2024. In the second quarter of the year, these two newspapers continued to be barred from publishing public advertisements and announcements.

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