



APRIL - MAY - JUNE 2024

bianet
BAĞIMSIZ İLETİŞİM AĞI

**BIA MEDIA
MONITORING**

BIA Media Monitoring

April–May–June
2024

Erol Önderođlu

"This report has been produced with the financial support of the
Consulate General of the Federal Republic of Germany in Istanbul.

The responsibility for the content lies with the IPS Communication Foundation, and the contents do
not reflect the views of the Consulate General of the Federal Republic of Germany in Istanbul."

APRIL - MAY - JUNE

2024

“Journalists are on the target and have no legal security anymore”

The judiciary is remaining passive in the face of threats directed at television commentators and other journalists, particularly from nationalist circles. Efforts to combat crimes against journalists are being hindered due to the judiciary's inactive stance.

Tomorrow is July 24, marked as the Struggle for Press Freedom day in Turkey. In the tenure of no previous administration in Turkey have the judiciary and law been so regrettably instrumentalized to block unfavorable agendas and discussions from reaching the public through methods such as online censorship, arbitrary lawsuits, and the detention of journalists.

Relying on ‘disinformation’ lawsuits filed against journalists during the earthquake and election periods, the government also aimed to target media organizations and journalists receiving international funds by including the vaguely defined ‘agents of influence’ regulation in the 9th Judicial Package. However, this initiative was halted for now due to the reactions from human rights organizations, opposition parties, and journalism organizations.

The BIA Media Monitoring Report covering the period from April to June points to a grim picture: nearly 200 journalists faced relentless judicial pressure and were brought to court over three months, while the Radio and Television Supreme Council (RTÜK), acting as the ‘government's stick,’ imposed fines amounting to 29,205,625 liras. Moreover, in an alarming atmosphere where the judiciary remains a spectator, the government partner MHP and its circles brazenly threatened investigative journalists who persistently followed up on the Sinan Ateş murder.

The chronic problems of pressure on journalists and the minimum level of legal security in Turkey also reflected in this year's **RSF World Press Freedom Index, which includes 180 countries. Ranked 158th, Turkey** owes its seven-place progress only to the deterioration in some other countries.

Violations of Freedom of Expression/Media in Three Months



Detentions

At least in the last three months **12 journalists** were detained.



Insulting the President

During the period from April to June, the names of at least **17 journalists** and cartoonists appeared in lawsuits based on the allegation of 'insulting the President.'

Access Bans



At least **2 thousand 970 news content** in the April - June period or connected social media Sharing has been blocked.

RTÜK fined media outlets ₺29 million

Radio station won ₺154,000 compensation in Constitutional Court ruling

Attacks



At least in the last three months, **11 journalists** were attacked. **6 journalists** were threatened.

Convictions



Six journalists were sentenced to a total of 18 years and 3 months in prison on charges of 'aiding a terrorist organization' and 'marking counterterrorism officials as a target for terror groups.'

Investigations

In the last three months, at least **24 journalists** have been accused of one or more criminal cases filed against them on the grounds of "insult", "insulting a public official" or "slander". appeared in court.

ECtHR ordered Turkey to pay €5 million in compensation

No topic escapes online censorship

Access blocked to 2 thousand 970 news, journalistic content or related social media posts

During the period from April to June, due to applications from government circles, members of the Ministry of Justice, and various entrepreneurs, the Penal Judgeships of Peace and the Union of Access Providers imposed access bans on at least 2,970 news articles, journalistic content, or related social media posts, citing 'personal rights.'

This censorship, which prevents the processing of topics such as tenders, corruption, favoritism, sexual abuse, organized crime, and violence, occurs opportunistically in an environment where the Constitutional Court, as of October 10, has suspended the enforcement of Article 9 of the Internet Law and expects the Grand National Assembly of Turkey (TBMM) to address this structural issue. The article titled '550 Million Liras of Credit from Halkbank to the Mafia' concerning Ayhan Bora Kaplan, an alleged criminal organization leader, penned by Timur Soykan and published by BirGün newspaper on June 5, was also subjected to an access ban.

**RTÜK: A threat to media pluralism
29 million liras in fines over three months**

The Radio and Television Supreme Council (RTÜK), the distributio of whose members reflect the parliamentary distribution of parties and whose chairperson, Ebubekir Şahin, regularly intervenes in broadcast content via social media, had Açık Radyo's license revoked, citing a guest's use of the term 'Armenian genocide' on air. Acc

Lawsuits and Sentences

**In the past three months,
nearly 200 journalists faced trial**



Six journalists were sentenced to a total of 18 years and 3 months in prison on charges of 'aiding a terrorist organization' and 'marking counterterrorism officials as a target for terror groups.'



During the period from April to June, the names of at least **17 journalists** and cartoonists appeared in lawsuits based on the allegation of 'insulting the President.'



In the past three months, at least **12 journalists** were detained while attempting to cover the May Day events and protests in Van city following the local elections.



24 journalists have appeared in court on charges of 'insult,' 'insulting a public official,' or 'slander' in one or more criminal cases.



Six journalists face 2.15 million liras in compensation lawsuits

Seven acquittals, six convictions in three months

From April to June, seven journalists—**Elif Akgül** and **Zehra Doğan** for 'terrorist propaganda,' **Canan Rojin Akin** and **Sezgin Kartal** for 'being a member of a terrorist organization,' **Ferit Aslan** for 'spreading misleading information,' **Mizgin Fendik** for 'aiding a terrorist organization,' and **Hacı Boğatekin** for 'praising a crime'—were acquitted in their trials. However, six journalists were sentenced to a total of 18 years and 3 months in prison on charges of 'aiding a terrorist organization' and 'marking counterterrorism officials as a target for terror groups.'

17 journalists facing 'insulting the president' charges, 76 convictions in 10 years

During the period from April to June, the names of at least 17 journalists and cartoonists (**Furkan Karabay**, **İhsan Çaralan**, **İnan Kızılkaya**, **Sedef Kabaş**, **Barış Pehlivan**, **Ozan Alper Yurtoğlu**, **Julien Serignac**, **Gerard Biard**, **Laurent Sourisseau**, 'Alice,' **Rüstem Batum**, **Ramazan Yurttapan**, **Haydar Ergül**, **Ahmet Sever**, **Deniz Yücel**, **Hayko Bağdat**, **Erk Acarer**) appeared in lawsuits based on the allegation of 'insulting the President.' In these cases, a total of 74 years and 8 months of imprisonment was sought.

Although no acquittal or conviction was recorded in these trials during this three-month period, Article 299 of the Turkish Penal Code, which pertains to 'insulting the President,' has paved the way for over 250 journalists to be prosecuted during President Erdoğan's 10-year tenure, with at least 76 being sentenced to imprisonment or fines.

'Arrest and release' and 'judicial control' for journalists

Turkey, listed alongside Iran by RSF as one of the 'countries with the fastest journalist arrest cycles,' continues its habit of frequently arresting and then releasing journalists.

In the past three months

Mezopotamya Agency (MA) reporters **Mehmet Aslan** and **Esra Solin Dal**, along with Yeni Özgür Politika reporter **Erdoğan Alayumat**, were arrested on charges of 'being a member of a terrorist organization' and released about a month later. İzmir journalist **Süleyman Gençel** and PİRHA reporter **Diren Keser**, who were arrested in the first three months of 2024, remain imprisoned, while **İdris Özyol** in Antalya and TRT war correspondent **Elif Akkuş** have been released.

Conversely, the practice of 'judicial control' instead of imprisonment has created a concerning trend that encircles journalism in terms of freedom of travel and free expression.

● Twelve detentions during May Day and local elections

Security forces and authorities view media representatives in the field as actors legitimizing social protests they declare 'illegal.' Security forces, unwilling to have their responses to crowds witnessed, exhibit a harsh stance towards media representatives, violating the public's right to be informed. In the past three months, at least **12 journalists** were detained while attempting to cover the May Day events and protests in Van city following the local elections.

● 24 journalists charged with 'insult;' 12 by same lawyer

In the last three months, at least 24 journalists have appeared in court on charges of 'insult,' 'insulting a public official,' or 'slander' in one or more criminal cases.

Journalist **Furkan Karabay** was tried based on complaints by Mustafa Doğan İnal, President Erdoğan's former lawyer, who was responsible for the prosecution of at least 12 journalists highlighting corruption allegations. Karabay was sentenced to 1 year and 15 days in prison for 'slander.'

Journalists **Barış Terkoğlu** and **Akif Beki** were acquitted in their respective cases filed by columnist Hilal Kaplan's ex-husband Süheyb Öğüt and a cleric known as Cübbeli Ahmet Hoca. The trial against BirGün newspaper reporter İsmail Arı, filed by MHP Mersin MP Levent Uysal, has yet to commence.

- **Six journalists face 2.15 million liras in compensation lawsuits**

Between April and June, five journalists and columnists (**Bariş Pehlivan, Hazal Ocak, Furkan Karabay, Ceren Sözeri, and Müjdat Gezen**) faced compensation lawsuits totaling 2.15 million liras filed by President Erdoğan's son Bilal Erdoğan, Erdoğan's son-in-law Berat Albayrak, Turkuvaz Media Group Vice Chairman Serhat Albayrak, İstanbul Justice Commission Chairman Bekir Altun, Erdoğan's former lawyer Mustafa Doğan İnal, Antalya Deputy Chief Prosecutor Yakup Ali Kahveci, and CHP Maltepe Mayor Ali Kılıç.

- **Investigative journalism targeted by MHP**

In the past three months, at least 11 journalists and one media outlet (İslahiye's Sesi newspaper) were attacked; six, including four investigative journalists, were threatened. Nine journalist attacks occurred during the election period and under the responsibility of security forces.

After losing power in the 2023 General Elections, the MHP and its circles, who also faced losses in the 2024 Local Elections, particularly target the coverage of the Sinan Ateş murder and its investigation, focusing on investigative journalists **Murat Ağirel, Barış Pehlivan, Timur Soykan** and **Barış Terkoğlu**. Ağirel reported that masked individuals recorded videos in front of his house at night, entered his garage, and loaded items into their vehicles, even rummaging through the surrounding trash bins.

● Harsh sentences for Demirağ's attackers an exception

The nine-year prison sentences given to the six attackers who severely beat Yeniçağ newspaper columnist **Yavuz Selim Demirağ** outside his house in Ankara on May 10, 2019, were achieved through the persistent efforts of the journalist and his lawyer. This case stands as one of the most significant victories in recent years. However, this case is an exception in the general climate of impunity: the judiciary remains passive, especially toward threats from political circles like the Nationalist Movement Party (MHP) against TV commentators and other journalists.

In some cases of violence, it is not the police officers who are responsible for violence but journalists like former AFP Agency correspondent **Bülent Kılıç**, who are prosecuted on charges such as 'resisting the police.'

The fight against crimes targeting journalists is hampered by the judiciary's passive stance: Adem T., who carried out an armed attack on **Azim Deniz**, the owner of Deniz Postası newspaper and Anadolu TV in Kayseri, injuring him, was released after four months of detention because 'there was no risk of flight.' Former Halk TV host **Şirin Payzın** also filed a 50,000 liras compensation lawsuit against Zafer Party leader Ümit Özdağ for verbal assault.

In the case of the assassination of investigative journalist **Uğur Mumcu** in a bomb attack in Ankara on January 24, 1993, the Mumcu family and their lawyers continue to pursue justice. Their demands include hearing the testimony of the former Interior Minister and then-Police Chief Mehmet Ağar and investigating the records of suspects in public institutions, which the court and the state have failed to address for 31 years.

● Compensation from the Constitutional Court to Bizim FM

The Constitutional Court ruled that the freedom of press and expression of Bizim FM Radio Company was violated because RTÜK had not held a tender for 30 years, preventing the station from obtaining a license. The court awarded the station 154,094 liras in compensation, including expenses. The Constitutional Court also found that the right to a fair trial was violated in the case of journalist **Sultan Eylem Keleş**, who was given a suspended sentence for 'insulting the President' based on her social media posts. During this period, the process of appealing lower court decisions to the Constitutional Court continued with the case of **Diren Keser**, a detained PİRHA Agency Mersin reporter.

● ECtHR verdict in Ahmet Böken Case

The European Court of Human Rights (ECtHR), in its ruling on 'Duymaz and Others,' found the arrest of TRT News and Sports Department Deputy Director **Ahmet Böken** to be 'unreasonable' and ordered Turkey to pay 5,000 euros in compensation.

● 'Public Savings' package concerns in local media

No journalists or media workers were identified as having been dismissed due to editorial disputes or forced to leave their jobs due to disagreements over editorial lines during the period from April to June. However, the 'Public Savings and Efficiency Package,' which came into force on May 7 and prohibits the public sector from placing official advertisements, subscribing to newspapers, or purchasing newspapers, has caused significant concern in the local media regarding revenue and unemployment.

The Independent Communication Network (BiA)

has been monitoring and reporting on violations of freedom of expression since 2001 with the aim of encouraging media to adopt journalism that prioritizes the public good and is politically and ethically responsible. BiA also aims to hold a mirror to the administrators of the media and society regarding their practices, and assist local media in defending their rights against practices that limit freedom of expression.

You can access past BiA Media Monitoring Reports and their Kurdish and English translations [here](#).

obianet
BAĞIMSIZ İLETİŞİM AĞI



IPS İLETİŞİM VAKFI