



**REPUBLICAN PEOPLE'S PARTY**

# **REPORT ON IMPRISONED JOURNALISTS**



## **WORLD'S BIGGEST PRISON FOR JOURNALISTS: TURKEY**



**NURETTİN DEMİR**

**MEMBER OF PARLIAMENT (MUĞLA)**

**VELİ AĞBABA**

**MEMBER OF PARLIAMENT (MALATYA)**

**ÖZGÜR ÖZEL**

**MEMBER OF PARLIAMENT (MANİSA)**





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**PRISON EXAMINATION AND WATCH COMMISSION**

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# PREFACE

## IF THERE IS A FREE PRESS, THERE IS A FREE SOCIETY

Prime Minister Recep Tayyip Erdoğan, in a speech he made at the meeting of the extended provincial heads of his party on 16 January, 2013, once again brought up certain allegations repeatedly made by government officials against the imprisoned journalists.

Prime Minister Erdoğan, saying that “he wished to shed light on (the identity of) certain convicts to whom the PRP General Chairman Kemal Kılıçdaroğlu referred as journalists,” and went on to state the following:


“(I shall mention) only the convicts... I want the PRP members of parliament, who have shown a reaction against that well known MP, to realize what their General Chairman is defending and my citizens who hold the PRP dear in their hearts to know what and who they are following.

“The person called H.D. is supposedly a journalist. Do you know what she was convicted of? Membership in the MLKP terrorist organization; keeping firearms of different calibers in the cell house she stayed; forgery of official documents; placing an explosive in the Kadıköy marina; armed bank robbery. These are the offences... And, this person is a journalist... What kind of a journalist is she?

“Another person is: M.G. These are the offences which led to his conviction: membership in the DHKP-C; forgery of official documents, to murder and martyr a police officer and a watchman; armed assault on the police; to engage in gunfight with the police; to injure and to kill... There, you have another journalist... My friends, could this person be a journalist?

“These people are journalists according to the PRP General Chairman and his entourage as well as according to that organization...

“E.S. His offences: membership in the TKPML, TİKKO and PKK; armed assault on the teams of the security directorate, causing injury with firearms; collecting racketeering money on behalf of the organization.



“These are the journalists of the PRP General Chairman... The journalists his entourage presents... The journalists expressed by this organization... I suppose, my journalist brothers and sisters here have never known, do not know or accept such journalists”.

Let us now reply one by one to the allegations made against these convicted journalists, so that all can defend them without hesitation and in good conscience:

**1** The person mentioned by the Prime Minister as H.D. is Hatice Duman. According to the official document dated 5 August 2011 and sent by the Ministry of Justice to TGS, Hatice Duman is the “holder of a press card.” The allegation against her is to “form or to join an illegal armed organization.” This is similar to the allegation made against Mehmet Haberal, who is stated in the same official document “not to have a press card” and accused of “forming or leading an armed terrorist organization”. Or, like the allegations against Hüseyin Soner Yalçın, Ahmet Şık, or Nedim Şener, who are “holders of a press card” according to the same official document and accused of “membership in an armed terrorist organization”.

According to the tables in the appendix of the statement issued by the Ministry of Justice on 25 August 2011, in connection with the list of journalists in prison published by TGS (this statement and the tables have been removed from the Ministry’s internet site), the allegation made against Hatice Duman is “forming and joining an illegal armed organization (MLKP), attempting to change the constitutional order by force”.

As it can be seen, there are no allegations such as “possession of firearms of different calibers in the cell house where she stayed; forgery of official documents; placing an explosive in the Kadıköy marina, armed bank robbery”, that were advanced by the Prime Minister.

Hatice Duman, who was arrested on unfounded accusations at the time she was the Owner and Editor in Chief of Atılım newspaper, was sentenced to life imprisonment on the charge of “attempting to change the constitutional order by force”.

**2** The person mentioned by the Prime Minister as M.G. is Mustafa Gök. According to the official document sent by the Ministry of Justice to TGS, dated 5 August, 2011, the allegation against Mustafa Gök, who is stated “not to have a press card”, was “attempting to change the constitutional order by force”.

According to the table in the appendix of the press statement, of the Ministry of Justice, dated 25 August, 2011, the allegation against Mustafa Gök is “membership of an armed terrorist organization (DHKP-C)”.



There are no allegations of “forgery of official documents; murdering and martyring a police officer and a watchman; armed assault on the police; engaging in gunfight with the police; injuring and killing”, here as well, as the Prime Minister has stated.

Mustafa Gök, who was arrested during the time he was the Ankara Representative of the Labor and Justice Magazine, was sentenced to life imprisonment on the charge of “attempting to change the constitutional order by force”.

**3** The person mentioned by the Prime Minister as E.S. is Erdal Süsem. According to the official document sent by the Ministry of Justice to TGS, dated 5 August, 2011, the allegation against Erdal Süsem, who is stated “not to have a press card”, is “attempting to change the constitutional order by force”.

According to the table in the appendix of the press statement, of the Ministry of Justice, dated 25 August, 2011, the allegation against Erdal Süsem is “leading the TKP/ML TIKKO armed terrorist organization; killing a person with the gun he has forcibly taken from a police officer and engaging in a gunfight with the police”.


We had made public Erdal Süsem’s “open letter to the Ministry of Justice”, in connection with these allegations, on 10 January, 2012, in the press conference we had held in the parliament (TBMM), together with PRP Istanbul MP Melda Onur. You may read the reply given to the allegations of the Minister of Justice, Sadullah Ergin in detail, under the sections related to Erdal Süsem in this report.

However, we shall limit ourselves here to quoting a sentence from the end of Erdal Süsem’s letter while replying to the Prime Minister’s allegations mentioned above:

**“Why do you feel the need to falsify the truth and manipulate it?”**

Of course, we were assuming that we had refuted these allegations through Erdal Süsem’s pen in the beginning of 2012. Perhaps that is why the Prime Minister chose to bring up new allegations against Erdal Süsem, in his statement on 16 January, 2013, which did not exist before: “Being a member of TKPML TIKKO and PKK organizations; armed assault against the members of the security directorate, injury by firearms, racketeering on behalf of the organization”.

Erdal Süsem’s membership in the terrorist organizations has also been brought up by Deputy Prime Minister Bülent Arınç in the meeting of the TBMM Planning and Budget Commission on 12 November, 2012. The PRP MPs objected to these allegations; PRP MP Melda Onur’s statement “Excuse me, but one cannot be a member of three different terrorist organizations.



You are mistaken Deputy Prime Minister,” was recorded in the minutes of the meeting; however it fell on deaf ears.

While there is a caustic and serious problem of the freedom of press and expression in Turkey and a large number of journalists, writers, intellectuals, scientists, lawyers, trade unionists, mayors and students have been imprisoned solely because of their thoughts on the basis of the catalogue offence definitions in the Anti-Terror Law, why would anyone feel a need to create political polemics, to falsify numbers and to lie instead of making an effort to solve the problem? Perhaps, because there is no such will and intention to really solve the problem...


EU Minister Egemen Bağış, in an article titled “Turkey’s EU Perspective and the Media”, published in the Star newspaper on 4 February, 2013, has had the negligence to make a comparison between “coup periods” and “civil governments”. According to Bağış, who states in his article “Thank God, we have left those days behind”, 31 journalists have been imprisoned after the 12 September coup, a total of 4000 years of imprisonment were demanded for 400 journalists and 3 thousand 315 years of imprisonment was given.

In the new period for which the Minister thanks God, the number of journalists who were imprisoned and set free has already reached 120 since the beginning of 2009 and around 70 journalists are currently still in prison. There are tens of thousands of ongoing lawsuits and investigations against more than 500 journalists. Tens of journalists, for whom 500 years of imprisonment each and heavy life imprisonment is demanded, are currently under trial and in prison. Convicted journalists given life imprisonment are in prison.

The Ministry of Justice knows these numbers perfectly well, which have reached a level of embarrassment that cannot possibly be compared even with the coup periods. The Ministry of Justice has asked for statistical information pertaining to the investigation, trial, arrest and conviction cases of journalists from the courts of first instance through the Public Prosecution Offices, in June 2011. However, the compiled statistics have not been published anywhere.

Minister of Justice, Sadullah Ergin has stated in the “Conference of Freedom of Press and the Media in Turkey”, on 5 February, 2013, that:

“The reliability of these evaluations are rendered contentious since some of the convicted people in our prisons who want to establish a connection with journalistic identity have their freedoms restricted due to the serious offences they have committed, such as membership in an armed terrorist organization, kidnapping, possession of firearms and hazardous substances without a license; bombing and manslaughter. Among these people, there are those who have been convicted of disgraceful offences such as robbery, encroachment and forgery as well”.



Even the discussion of the issue of “freedom of expression and the media” with high level international participants at a conference in our country shows that, there is a problem which is so serious that, it cannot be disregarded through political polemics.

Moreover, the Ministry of Justice knows quite well that the journalists are put on trial and imprisoned due to criminal clauses defined as “crime of thought”, and not due to “judicial crimes” as stated in the misleading statements given to the public.


While the Ministry of Justice requested statistical information from the courts of first instance in June 2011, it also prepared a table where 22 criminal clauses that consist of crime of thought were listed in the appendix of the letter in question. According to the 22 criminal clauses listed in this table, the Ministry of Justice was not requesting information relating to the state of the journalists, who were put on trial due to judicial crimes, such as “manslaughter”, “kidnapping”, “possession of firearms and hazardous substances without a license”, “bombing”, “qualified robbery”, “robbery”, “fraud”, “encroachment”, “forgery”, or “sexual abuse of children” from the courts.

The Ministry of Justice requested information on the condition of journalists, who were put on trial and investigation due to criminal sentences under the scope of “crimes of thought”, such as “membership in a terrorist organization”, “propaganda of a terrorist organization”, “aiding and abetting a terrorist organization”, “encouraging the public to hatred and hostility”, “inciting to commit crimes”, “encouraging the public not to obey the laws”, “constitute, administer, be a member of, assist a criminal organization”, “insult the institutions and organs of the state”, “estrangle the public from military service”.

The former Minister of the Interior İdris Naim Şahin, in a statement on 26 December 2011, made a peculiar definition of terrorism as something found not in “arms”, but in “paintings, canvasses, poetry, articles, and books.” Naturally, such a definition of terrorism paves the way for imprisoning all journalists with “terrorist” allegations.

In fact, journalists and intellectuals are not imprisoned because they express their thought, or criticize the unjust practices of the administration in any country of the world, not even if they are run by dictators. There is without fail a crime fabricated for everyone and a terrorist organization fabricated for every criminal.

In Turkey, the Anti-Terrorism Law is rather a law against the “civilians” and the “society” and not against “terrorism”, or the “terrorists”. When considered in terms of the provisions of law, it is true that none of the imprisoned journalists were accused in connection with their professional activities. If we give credit to this claim, all the journalists in prison are either members of a terrorist organization, or leaders of a terrorist organization, or have aided and



abetted a terrorist organization, or although they are not members of a terrorist organization, have served the purpose of the organization and have made the propaganda of the terrorist organization...

However, all of the activities shown as evidence for these abstract accusations are “journalistic activities”... This is the reality the political power knows very well, but avoids admitting in order to mislead the public. The imprisoned journalists have not been caught in terrorist organizations’ camps, or in their action areas... They have all been taken into custody and arrested as a result of the operations carried out in their offices where they performed their professional activities, or in their homes where they continued their daily lives.

However, the so-called evidence of the allegations made against them are based on the journalists’ professional activities: the phone calls they have made with their news sources, classified or unclassified documents and information in their archives, news reports, comments or criticisms they have written, notes they have taken, interviews they have made with the leaders of terrorist organizations, published or unpublished books...

Justice has been so strained that it was claimed that our colleagues “attempted to wear down the government” with their news; by pointing out that the aim of terrorist organizations is to overthrow the government by arms, it was claimed that through the “erosion of the government” news they made, they “served the purpose of the terrorist organization”.


This is the basic structure behind all the criminal charges directed against the journalists in prison.

In order for Turkey to get rid of this shameful picture, the provisions of the Turkish Criminal Law listed in the table of the Ministry of Justice should be amended, Anti-Terrorism Law should be completely abolished, courts with special powers, or terrorism courts should be abrogated. Regulations which will allow judicial independence should be immediately realized.

This is the duty of the parliament.

While we as professional institutions demand freedom for the journalists, we also stand for a media which will respect the right of the public to learn the realities and the right to be informed.

Publishing, which breaches the rights of individuals, which is contrary to the principles of the profession, which aims at disinformation and manipulation, and which misleads the public cannot be considered within the scope of the freedom of press.



In this light, we see an immediate need for a special protection for journalists against both the State and the media bosses through union rights consolidated by both laws and collective agreements. On the basis of the freedom of the society and the development of democracy, it is mandatory that the journalists convey the realities to the public without feeling the restraint of censorship and self-censorship and act as a medium for the distribution and discussion of all kinds of thought, which do not contain a discourse of hate and call to violence.

For this reason, this is our slogan: "If there is a Free Press, there is Free Society".

In this report, you will find the stories of those journalists who have paid a price in the struggle for a free press and a free society.

In the hope that it will contribute to their freedom, we would like to thank everyone who has contributed.

**Ercan İpekçi**

**General Chairman of the Union of Journalists in Turkey**



## 1- INTRODUCTION

To be able to claim that a political regime is “democratic”, that particular regime should first and foremost have “freedom of expression”. At this point, the most significant provider of the processes such as the production, distribution and circulation of information in society is without doubt the “free press and the media”. The way to achieve this is a “freedom of press”, institutionalized and assured constitutionally, not hampered by, but one protected by laws.

*While 31 journalists were imprisoned during the 12 September 1980 coup, the number of imprisoned journalists in Turkey today shows that there is even a graver situation compared to the coup period*

Each anti-democratic intervention in the freedom of press, which is the guarantee freedom of expression and thought, is in fact

an intervention in the democratic rights of private individuals and it is among the fundamental duties of the State to create the necessary mechanisms to protect the individuals from such intervention.

When the issue is taken into consideration in terms of Turkey, the State which should be the protector of rights is in the position of the greatest infringer of these rights. Today, Turkey is a country where the greatest number of such infringements takes place in the freedom of the press in the world. However, in the 28th Article of our Constitution, it has been clearly underlined that “The press is free and it cannot be censored”. Despite this, as international institutions have identified, Turkey has become “the largest prison” for journalists in the world.

When this report, which set out the reality of imprisoned journalists in Turkey, was completed, 71 media professionals and four media workers were in prison in Turkey<sup>1</sup>. This number clearly shows that, there is even a graver situation in Turkey right now, in comparison to the 12 September, 1980 coup period, where 31 journalists were arrested.

In the course of the modern history of mankind, press and media institutions have always had the utmost importance for those who held political power. In simplest

<sup>1</sup> Although the number of imprisoned journalists was 71 in the last months of 2012 when this study was still under preparation, this number has changed in later months. It is difficult to reach updated information about the number. According to the latest information, Kamuran SUNBAT, Özlem AĞUŞ, Mehmet YEŞİLTEPE and Ömer Faruk ÇALIŞKAN, who were indicated in the Report's Appendix (1) have been released. Zeynep KURAY and Zeynep KURİŞ were also released later on. However, there are still other journalists who have been arrested as of the beginning of 2013 because of their journalistic activities. For his reason, in order to be able to keep the list updated, the issue is continuously kept under scrutiny.

terms, in the modern societies of our day the supervision of power by the citizens besides other supervision mechanisms is only possible through the freedom of press and information. When the issue is reconsidered in this context, it may be clearly understood why those who have first dispensed with the freedom of press in history have turned out to be dictators. Because, for those countries ruled with a dictatorial regime freedom of press constitutes the greatest risk for the continuity of their power.

In the light of all these observations, it should be noted that the Justice and Development Party (AKP) regime which has entered into an increasingly authoritarian trend in almost all walks of life, has initiated a policy of systematic interventions against the press and the media, in order to silence critical views and to prevent realities to be known and propagated; thus, the media has currently been taken under a virtual “dominance” by the government.

The Prime Minister, with his peculiar style and utterances, makes statements which are clearly designed to erode the reputation of journalists, and forces the media bosses to either warn their employees who write critical articles, or to fire them. In addition, the Prime Minister, who has no tolerance for criticism, has been filing a large number of lawsuits against media institutions and thus, putting an implicit and/or explicit pressure on these institutions. The observation made by the Reporters Without Borders Organization is in fact a summary of what is going on in the media in our country: “All these arrests, bugging and insulting discourses have reinitiated a ‘climate of threat in the media’”.

Committee to Protect Journalist’s (JPC) Research<sup>2</sup> titled “Turkey’s Freedom of Press Crisis” testifies that the greatest attack ever seen in recent history has been realized against the freedom of press in Turkey. Journalists accused of are being imprisoned, law suits are being opened against them on allegations of *degrading Turkishness* or *influencing the judicial process* and various oppressive tactics are being used to establish self-censorship in the press.

As it can be seen in the report of the Committee to Protect Journalists (JPC) dated December 2012, Turkey with 49 journalists imprisoned due journalistic activity is holding a greater number of journalists in prison as compared to Iran (45), China (32), or Eritrea (28). Moreover, there are 4 journalists imprisoned due to their activities in Saudi Arabia, which is ruled by a theocratic monarchy; 1 in Bahrain ruled by an absolute monarch; 1 in Yemen; 3 in India and 15 in Syria, which is called a dictatorship.

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2 Committee to Protect Journalists (2012), Turkey’s Freedom of Press Crisis: The Dark Days of Jailing Journalists and Criminalizing Dissent, United Book Press: New York



This situation is a bitter paradox for a government, which presents itself as a regional model for democracy and defines its country as an advanced democracy.

In Turkey, as the country with the highest number of imprisoned journalists, it may be stated that the method of imprisoning of journalists has been adopted in order to discipline the media.

*The journalists are detained on the basis of two different grounds. These are allegations related to terrorism and crimes committed against the State. Journalists of Kurdish origin are imprisoned on allegations related to terrorism and the others on the allegation that they have participated in conspiracies against the State.*

In fact, journalists are held in prison under two different pretexts. These are allegations related to terrorism and crimes committed against the State. Journalists of Kurdish origin are imprisoned on allegations related to terrorism and the others on the allegation that they have participated in conspiracies against the State.

The news or the columns of the journalists who have been imprisoned due to their journalistic activities are viewed as anti-government. Even in lawsuits solely related to their professional activities, the anti-terrorism laws are being used. **Expression of political views, which are found to be inappropriate by the government are treated as “acts of terrorism”.**

As it has been determined in the report of the International Journalists Without Borders organization RSF, published on 19 December, 2012, journalists are confronted with a common problem faced in all other lawsuits and they are kept under arrest for long periods of time while their indictments are being prepared, or while they are being tried at courts.

At this point, it has become critical to conduct a research about the imprisoned journalists, analyze the issue and prepare an informative report in order to have a clear understanding of the process.

## Scope

This report is based on information compiled from the visits made to the imprisoned journalists (between December 2012 – January 2013), face to face interviews with them and correspondence carried out with the imprisoned journalists about their situation. Some of the journalists mentioned in the report have been released during this process, or have been released by the court pending trial.

The list consisting of 71 names in Appendix (1) has been updated on 29 March 2013 and it has been determined that 67 journalists in the list are still in prison as of that date<sup>3</sup>.

The name list in Appendix (2) consists of journalists who have been taken into custody/arrested and released and released pending a trial.

## Purpose

The purpose of this report is to determine the reasons why journalists, who are the backbone of the society's right of information and laborers of free press, have been imprisoned and to demonstrate an injustice, of which we are convinced. On the other hand, this report aims at

*This report aims at contributing to the creation of sensitivity and awareness in socio-political terms for the journalists who have been imprisoned as adversaries and the struggle for freedom of expression and thought and freedom of press conducted in Turkey.*

contributing to the creation of sensitivity and awareness in socio-political terms for the journalists who have been imprisoned as adversaries and the struggle for freedom of expression and thought and freedom of press conducted in Turkey.

## Method

This report has been written on the basis of information acquired from the imprisoned journalists through the correspondence carried out with them with regard to their conditions, as well as face to face interviews with them. In the interviews held with the journalists during the visits to the prisons, information was received as to their

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<sup>3</sup> The names of 5 released journalists have been given in the list.

legal conditions and the conditions of the prisons. In addition, the reports of the Committee to Protect Journalists (JPC) and Reporters Without Borders (RSF) related to the issue have been analyzed. Within this framework, information has been separately presented in the appendix section of the report as to which prisons the journalists have been sent to, their current condition, the violation of rights they have experienced and their views on their cases or their indictments.



## 2- IMPRISONED JOURNALISTS: OBSERVATIONS AND FINDINGS

The continuous limitation or prevention of the freedom of expression and thought in a country is the greatest barrier against the realization of the missions assumed by definition by the institutions of press and broadcasting. In a country where the freedom of expression and thought cannot be protected by the constitution and the laws, journalists, writers and other media workers cannot carry on their professional activities and are under a great risk in terms of the usurpation of their individual rights, including the most basic one of them all, the right to life. The most explicit proof of this situation can be found in names such as Sabahattin Ali, Abdi İpekçi, Turan Dursun, Musa Anter, Metin Göktepe, Ahmet Taner Kışlalı, Çetin EMEÇ, Uğur MUMCU and Hrant Dink, who have all been brutally murdered.

We know that in Turkey, academicians, publishers, and journalists are prosecuted and suffer moral and material damage either due to expressing their thoughts, or due to simply acting as mediators for the expression of thoughts. Today, we are witnessing the prosecution as separatism of a view, which has been presented as a solution to one of the most important problems of the country; an investigation being initiated against the writer of a book which consists of the interviews he has held and the book being pulled off the shelves. We see a writer who is transmitting assessments which do not belong to him and even the administrators of the publishing house which has published this book, being punished. Not only expressing a view, but also acting as a medium for such expression receives the same treatment and publishers are held responsible for the dangerous effects of these views as much as the writers.

In Turkey, as of the beginning of 2012, 104 journalists and 35 distributors were in prison. In 2012, 63 of the imprisoned journalists and media workers have been released. However, since these numbers are not clear in the real sense and since arrests continued and new detention operations have been undertaken each day, this number constantly changes. Today, journalists are in prison due to their alleged affiliation with "the organization", under the Anti-Terrorism Law (ATL) and the Turkish Criminal Law (TCL).

About 70 % of the imprisoned journalists in Turkey consist of journalists of Kurdish origin, charged with "aiding the terrorist organization," by writing news about the views and activities of the Union of Communities in Kurdistan (KCK) and the Kurdistan Workers' Party (PKK). The remaining imprisoned journalists are in prison

due to allegations of participating in conspiracies against the government, or of being members of illegal leftist political movements. Detailed information about the imprisoned journalists has been presented below, in accordance with the indictments.

#### IMPRISONED JOURNALISTS (On 31 January 2013)

	MALE	FEMALE	TOTAL
<b>Convicted</b>	17	3	20
<b>Arrested</b>	33	18	51
<b>Total</b>	50	21	71

#### INCRIMINATED ORGANIZATION

#### NUMBER OF JOURNALISTS

KCK-PKK-DYG	<b>47</b>
DHKP-C	9
MLKP	4
Ergenekon	7
Resistance Movement	1
Revolutionary Headquarters	1
IBDA-C	1
Unknown organization <sup>4</sup>	1

The common evaluations with regard to the trials of the imprisoned journalists are as follows:

There is the allegation that all are affiliated to an "organization" under the Anti-Terrorism Law (ATL) and the Turkish Criminal Law (TCL).

It is clear that the trials are based on their journalistic activities.

Basic news gathering activities, sending workers to news, sharing information with colleagues are branded as terrorist activities.

<sup>4</sup> Miktat Algül hakkında silahlı terör örgütü kurmak ve yönetmek suçlaması vardır. Ancak herhangi bir ad belirtilmediği için bu şekilde bir ifade kullanılmıştır.

News relating to a press statement, a published interview are shown as evidence of participation in the activities of the terrorist organization.

In all of the lawsuits, the expression of certain thoughts and possession of certain books, newspapers and magazines constitute a crime.

It is among the common claims that the documents and computer print-outs presented as evidence do not belong to the journalists and that these are fabrications of the police.

It is considered that the most important reason for the imprisonment of the journalists is the statements of the secret witnesses.

Long trials and detention periods are a common issue for all journalists.

In addition to these common aspects, it is possible to separate the imprisoned journalists into two groups, in terms of their reasons of imprisonment:

- Journalists who are under trial based on the allegations of committing crimes against the State and who are imprisoned,
- Journalists under trial and imprisoned based on the allegations of being affiliated with KCK.





## 3- IMPRISONED JOURNALISTS

### 3.1 JOURNALISTS WHO ARE ON TRIAL AND IMPRISONED BASED ON THE ALLEGATION OF HAVING COMMITTED CRIMES AGAINST THE STATE

The imprisoned journalists have been imprisoned based on the allegations of participating in conspiracies against the government, or being members of illegal political groups. Lately, the allegation frequently advanced by the prosecutors is, *being affiliated with the Ergenekon gang, which is claimed to be a wide ranging conspiracy that aims at overthrowing the government through a military coup, though its existence has still not been proven by the courts.*

In “The Ergenekon Investigation/Case”, which began with the detention operation carried out following an investigation relating to hand grenades and explosives found in Istanbul’s Ümraniye District, in 2007, *the journalists were being accused of publishing news which would create a social chaos in order to prepare the ground for a coup.* In this context, journalists have been arrested with the allegation that they were affiliated with the Ergenekon gang, whose existence has still not been proven by the courts.

#### 3.1.1 Information on a Number of Detained and Sentenced Journalists and Findings Relating to the Reasons of Their Detainment<sup>5</sup>

##### Mustafa BALBAY

*It has been established that all of Balbay’s notes comprising an 8 year period, between 1998-2006, have been created in simultaneously within a total of 3.5 minutes.*

In the Ergenekon Investigation/Case, one of the journalists put on trial based on the allegations of “*overthrowing/attempting to overthrow the parliament and the Government by using coercion and violence*” and “*being a member of a terrorist organization*”

as well as “*acquiring secret documents*” is Cumhuriyet Newspaper Writer, PRP İzmir Parliamentarian, Mustafa Balbay. Mustafa Balbay, who was arrested on 6 March 2008

<sup>5</sup> Some of the names we have given in this list have been released during this process. The list in Appendix (1) is the most updated list. However, since the information received from the interviews held during their period of detainment is significant in terms of the allegations about them; they have not been removed from this section.

after a 31 hour process at the security directorate, the Prosecution Office and the court states that he has learned about most of the notes, which were claimed to be in his computer, from the media. Balbay, in his first statement from the prison through his lawyers, stated that: "These have been recreated by taking inspiration from my own notes".

After the publication of the indictment and the evidence folders, according to the expert report received from Boğaziçi University, Department of Computer Engineering, *it has been established that all of Balbay's notes comprising an 8 year period, between 1998-2006, have been created simultaneously within a*

*total of 3.5 minutes.* This fact showed that the notes were not original. In addition, a report prepared by TÜBİTAK was presented on 03.01.2012 to the 13th High Criminal Court, where the trial was being held. The report stated that: "Between the indicated dates (1 July, 2008-7 July,

2008), it definitely cannot be stated from the technical point of view that no change has been made". Although the report also indicates that the notes are not original, Balbay's imprisonment based on the charges of, *being a member of an armed terrorist organization, attempting to overthrow the government, giving encouragement to an armed revolt, acquiring, using and destroying documents related to the security of the State and acquiring classified information which cannot be made public,* still continues. Balbay, who defines the allegations directed at him and the trials as political, and regards this process as the main cycle of the attempt to cleanse and neutralize all structures in opposition to the current power.

Mustafa Balbay claims that the documents he has used in his books have been included in the indictment as *corpus delicti* as "possession of secret documents belonging to the state" and that, all allegations and the penalties requested for these allegations have been based on these so-called evidences. That is to say, heavy imprisonment for life is being requested for Mustafa Balbay for the allegation of "attempting to overthrow the government". Balbay *states that only journalism notes which were proven to have been created later, and the news and columns he has written have presented as evidence.* A second sentence for heavy imprisonment for life is also requested for the allegation that he has attempted to paralyze, besides the government, the Parliament as well. Another allegation against Balbay, who states that once again the notes created, the news and columns he has written have been presented as evidence, is "to incite the

*Mustafa Balbay:*

*"I am a Cumhuriyet Newspaper writer and I am being tried on the allegation that I am a member of the same organization which has bombed the newspaper office. Could there possibly be a heavier torture?"*

public to an armed revolt". Up to 20 years of imprisonment is requested for this crime; however, as not a single evidence has been put forward for this allegation, Balbay states that he has not been asked any questions pertaining to this issue.

Balbay, who has denied the accusations every time, has repeatedly stated in the columns he writes from the prison and in court hearings that, the seized notes and recorded dialogues are related to his journalistic activities. Mustafa Balbay defines the manner of the trials and the allegations against him as the heaviest of torture and asks the question: "I am a Cumhuriyet Newspaper writer and I am being tried on the allegation that I am a member of the same organization which has bombed the newspaper office. Could there possibly be a heavier torture?"

## Tuncay ÖZKAN

Another detained journalist is Tuncay Özkan who has been accused of similar offences: *"to overthrow/attempt to overthrow the Parliament and the Government by force) and violence", "being a member of a terrorist organization" and "acquiring secret documents"*. Özkan has been in prison since 23 September, 2008. Özkan identifies himself as the journalist to whom Prime Minister Erdoğan referred when he said: "The one who said that 'Erdoğan has 1 billion dollars' is now in prison as a suspect in the Ergenekon case". He claims that he is being held in prison to eliminate his dissenting stance and to be silenced through lies and false accusations. Özkan states that, when he asked the prosecutors what his crime was, he was told that "the suspect knows his own crime".

Özkan states that the reasons for his imprisonment are, reporting news about fraud related to the Prime Minister and 16 ministers in the cabinet; founding Kanal Türk TV and broadcasting dissident voices against the AKP policies to the public. In addition, Tuncay Özkan states that, he has also organized "Republic Demonstrations", which reflected the belief of the Turkish Nation in the republic and it is solely for these reasons and due to his being an opposition figure that he is kept in prison.

## Mehmet Deniz YILDIRIM

Mehmet Deniz Yıldırım has been imprisoned on the allegations that *he is a member of a terrorist organization, that he has breached the right of privacy and has disclosed state secrets*. There is also an allegation that he has received and broadcast the telephone conversation between Tayyip Erdoğan and the Prime Minister of TRNC of the time, Mehmet Ali Talat from "Ergenekon members". Yıldırım states that these

allegations pertain to activities which should be considered within the scope of the journalistic profession, and that even if these activities are crimes, they are within the scope of suspension under Law 6352; however, this aspect has not been taken into consideration by the court. According to Yıldırım, the government is charging the journalists with publishing news that would create social chaos, in order to create an environment favorable to a coup.

## ODATV Case

The allegation of broadcasting news which would result in social chaos in order to create a favorable atmosphere for a coup is significant in terms of Odatv

*Odatv case has become a symbol as the case which carried the issue of imprisoned journalists to the world agenda*

case as well. Odatv case has become a symbol as the case which carried the issue of imprisoned journalists to the world agenda. As a consequence of the detentions carried out within the context of the Ergenekon Investigation on 14 February and 3 March, 2011, 10 journalists were arrested by the court on the charge of "being a member of Ergenekon." . In the indictment, punishments were requested for the suspects Yalçın Küçük, Soner Yalçın, Barış Terkoğlu, Barış Pehlivan, Doğan Yurdakul, Müyesser Yıldız, Coşkun Musluk, Mehmet Sait Çakır, Ahmet Şık, Hanefi Avcı, Nedim Şener, Kaşif Kozinoğlu, Ahmet Mümtaz İdil and İklim Ayfer Kaleli on charges of "forming, leading, becoming members of, aiding armed organizations; inciting the public to hatred and hostility; acquiring classified documents relating to state security; acquiring classified documents which cannot be made public; breaching the right of privacy; recording personal documents and attempting to influence fair trial".

The trial started with 14 suspects. The charge was to write news, articles and books supportive of the Ergenekon organization. One of the suspects, Kaşif Kozanoğlu, a member of the National Intelligence Organization (MIT) died in prison, 10 days prior to the trial without a chance to defend himself. In this case, where the majority of the suspects are journalists, who were not associated with any kind of violent act, are accused of being members of and assisting a terrorist organization. In the Odatv

*In the Odatv indictment, which consists of 134 pages, the word "news" is seen 361 times; the word "book" is seen 280 times; the word "interview" is seen 26 times and the word "article" is seen 5 times.*

*Prime Minister Erdoğan has unreservedly stated that he finds Ahmet Şık's unpublished book, "The Army of the Imam," as dangerous as a bomb.*

indictment, which consists of 134 pages, the word "news" is seen 361 times; the word "book" seen 280 times; the word "interview" is seen 26 times and the word "article" is seen 5 times.

***This should be evaluated as a case where journalistic activities which criticize the government upset certain power centers.*** For instance, Ahmet Şık and Nedim Şener who remained imprisoned during the trial have spent 375 days in prison. Journalist Soner Yalçın, who was arrested on 18 February, 2011 was released after a 682 day imprisonment. At the moment, the only journalist who remains in prison in this case is Yalçın Küçük.

In this case, Ahmet Şık and Nedim Şener were charged with aiding the Ergenekon gang and it was alleged that Şık was writing a book with Şener's assistance that would help the Ergenekon conspiracy. Thus, Ahmet Şık found himself imprisoned because of a book which had not even been printed. The publication and distribution of the documents and drafts of the book titled "The Army of the Imam" was banned by the 12th High Criminal Court, on 23 March 2011. The Ministry of Internal Affairs notified bookstores and stationeries all around Turkey, on 29 March 2011 of this decision.

*In the light of the examples given up to this point, it would not be wrong to state that we are going through a period of intimidation, suppression and pressure in Turkey in terms of freedom of the press and freedom of thought and expression unknown in modern democracies.*

## Füsun ERDOĞAN

Füsun Erdoğan is the Chief Broadcasting Coordinator of Özgür Radio. She is also a member of the project consultancy committee of the Bianet Project as a representative of the local radio and television stations in the Marmara Region. Erdoğan was arrested on charges of using the radio station's estate to support MLKP (Marxist Leninist Communist Party). However, Erdoğan states that the computer print outs which, according to the indictment, allegedly document that she is a member of "the central committee, the financial officer and open areas official" of the MLKP, do not belong to her and are fabrications of the police. Füsun Erdoğan states that, in

another computer printout which she claims to have been fabricated by the police, there is a list consisting of the names of the members of the organization, however although her house and office were searched by force, no records were found.

## Hatice DUMAN

Hatice Duman, who was the Publisher and Editor in Chief of Atılım Newspaper in 1997-2000, states that she has been given life term imprisonment on the charges of being a member of the Marxist Leninist Communist Party (MLKP), making propaganda and “attempting to destroy the constitutional order by force”. Duman states that she is held in prison because of a police conspiracy although she is innocent.

*Hatice DUMAN:  
Although my husband stated in the court that he signed his statement under duress and torture, his new statement has not been taken into account by the court.*

Hatice Duman states that she has been imprisoned on the basis of the following allegations: standing watch in the act of placing a bomb in Kadıköy, on 31.01.2001; participating in the armed robbery of the Akbank Topçular Branch Office in the Eyüp district, on 24.01.2003; participating in the robbery of guns belonging to Aden Köse and Hakkı Köse, in the Maltepe district, on 17.03.2003. However, Duman states that none of these allegations are true and claims that her ex-husband signed his statement under duress, under the threat that she (Hatice Duman) and her husband’s mother would be raped. Although her ex-husband states that he signed his statement under duress and torture, his new statement has not been taken into account by the court.

## Bayram NAMAZ

Bayram Namaz, who was the columnist of Atılım Newspaper, is charged with possession of hazardous substances, possession of unlicensed firearms, forgery on official documents and attempting to destroy the constitutional order.

Namaz, denies these accusations. He states that he was arrested after torturous interrogations which caused him to receive a 15 day incapacity report and released 8 months later. He says that in February 1997, Journalist Asiye Zeybek was subjected to rape torture during her interrogation and he himself was tortured by being beaten up. Namaz states that he was acquitted in this trial, but was again taken under custody in

March 1999. His trade unionist friend Süleyman Yeter was killed by torture in custody while he himself was released. After all these events in custody, he states that none of the torturers received any punishment at all and claims that some even got promoted to the position of Deputy Director of Security. Namaz maintains that he has been placed under police surveillance since he has witnessed these two events. Namaz states that it is impossible for him to be a member of an illegal organization.

## **Mustafa GÖK**

Mustafa Gök, states that he is the Ankara Representative of the Bread and Justice Magazine, and that he was sentenced as a result of the activities he had taken part in and the news stories he had made. He says that he was sentenced to life term imprisonment on the charge of being a member of the Revolutionary People's Liberation Party (DHKP-C) and allegations of "attempting to change the constitutional order by force". Gök states that, they have been publishing a humor magazine called "Vız Gelir" in prison for the past 10 years and that each and every issues of the magazine was found objectionable, none was ever taken outside the prison and all the copies were destroyed.

## **Erol ZAVAR**

Erol Zavar, who is the Editor in Chief of Odak Magazine, states that he was sentenced to life term imprisonment with the charge of "attempting to change the constitutional order" in the Resistance Movement trial and the news stories he had made were presented as evidence. Zavar, who claims that he has been imprisoned due to his socialist identity and the articles he has written, states that lawsuits were opened for all issues of the Odak Magazine.

## **Erdal SÜSEM**

Erdal Süsem has been sentenced to life term imprisonment with the charge of being the leader of the Maoist Communist Party (MKP). He is the Editor of Eylül Prison Magazine. He states that besides news material such as books, cards and letters, news compilation activities such as telephone calls were also presented as evidence against him. According to Erdal Süsem, due to the repetition of the statement "The person whom you call a journalist has usurped a police officer's gun and has gone and shot someone with this gun" in all circumstances whether relevant or not, he has

been subjected to a conspiracy throughout many years. This conspiracy, he claims, has been appropriated by the competent authorities. He adds that, "the allegation that he usurped a police officer's gun" directed at him, has not been included among the allegations of the prosecution office, which has prepared the indictment after his arrest and the summary of proceedings prepared by the TEM division police who had taken him into custody on 21 March 2000.

He claims that there is a gun in question; however there is not a single evidence to prove that he is the one who usurped this gun and that the existing evidence is not against him, but on the contrary, in his favor. He also claims that the police officer whose gun has been usurped has absolutely no resemblance to the description he has given to the police station in the neighborhood, where the event took place.

Süsem states that, the police have put pressure on another person who has been taken into custody in connection with another organization and not the one he has been put on trial for. Police has told this person "You will give a statement that Erdal Süsem is the leader of TKP (ML) organization and has committed various acts". Süsem also states that "the police officer whose gun was usurped has also been put under pressure to state that it was I who usurped his gun". In addition, Süsem states that "When I was taken into custody about six months later and taken to the TEM Division, the police officer whose gun had been usurped was called in for identification. In the identification process, he stated that he does not know me and that I am not the person who usurped his gun. This is the incident you call, *He has usurped the police officer's gun*. The police record in my favor is in the files". Süsem also states that, although there was evidence in his favor, he was arrested by the court; however, he was not arrested in connection with the usurpation of the police officer's gun and manslaughter, but on charges of membership in the organization and collecting/receiving money on behalf of the organization and the indictment was prepared in this light. Erdal Süsem has related that:

*The person who has been referred to for the charge that I received money on behalf of the organization stated in the court that he does not know me and such a thing has not taken place. (...) Just when I was about to be released, the prosecutor was dismissed and a new prosecutor was appointed. The indictment was prepared once again and the famous life term imprisonment clause was raised to 146/1, on the allegation of "destroying the constitutional order by force". That is to say, the new prosecutor relying on the gun... requested that I should be prosecuted on the charge of manslaughter.*



*Süsem claims that there is a gun in question; however there is not a single evidence to prove that he is the one who usurped this gun and that the existing evidence is not against him, but on the contrary, in his favor. He also claims that the police officer whose gun has been usurped has absolutely no resemblance to the description he has given to the police station in the neighborhood, where the event took place.*

Süsem says that, there are no statements, finger prints, other DNA findings and witness statements in the prosecution/magistrate offices and court authorities proving that he has committed this act. He states that there is only a ballistic report relating to the gun, which has nothing to do with him. In addition, Süsem states that there is a written

statement of the slaughtered person's wife at the scene of the incident and states the following on the statement:

*In this statement, she states that the person who has shot her husband is: overweight, bulky/stout and tall. Whereas, I am of small build, 1.65cm tall and thin. Even this evidence, which is apparently in my favor, singlehandedly refutes the charge.*

Süsem also states that, despite all these evidences, the 12th High Criminal Court has sentenced him to "life term imprisonment", by mishandling the legal system under which it should act. (...) The Supreme Court has reversed the ruling of the court, on the ground that "the sentence given is not in harmony with the material evidence". Afterwards, "after being retried in the local court and consideration of the case, although the same sentence has been given in contradiction with the Supreme Court's grounds for the reversal of the ruling", he has been released after a long imprisonment of seven and a half years. The trial went on after Süsem's release. The ruling was once again reversed by the Supreme Court and the case was sent back to the local court. The local court persisted in its ruling. According to Süsem, the local court had to comply with the decision of the higher court. Süsem was once again detained and arrested on 1 February 2012 on the charge of being a member of another organization. Süsem has once again stated that besides news material such as books, cards and letters, news compilation activities such as telephone calls have been presented as evidence against him.

## Sami MENTEŞ

In the context of the DHKP-C operation carried out on 18 January, 2013, Sami Menteş from Yurt Newspaper, Yeliz Kılıç and Doğan Karataştan from Yürüyüş Magazine, Gamze Keşkek and Veysel Şahin from Tavır Magazine and Fatih Özgür Aydın from Artı İvme Magazine have been arrested.

Sami Menteş who is the “Youngest Arrested Journalist of the World” was arrested when he was 21 years and 4 days old. Sami Menteş, who celebrated his birthday under custody, states that during the interrogation he was asked questions about 8 press statements and among

*Sami MENTEŞ:*

*“I am waiting for someone to make an explanation. I am not a member of any organization. I am only a member of RPR Acıpayam District Organization as an organization”.*

these were the press statements titled YÖK (Higher Education Institute) Protest, the 16 March protest, Freedom for Berna and Ferhat Who Demand Free Education. Menteş who was arrested in connection with the March 2011 demonstration which he last participated, states that he was asked why the Popular Front and Youth Federation appeared on the posters. Menteş states that, he thinks about the reasons why he was arrested night and day, but cannot find a reason. He states that, “I am waiting for someone to make an explanation. I am not a member of any organization. I am only a member of the Acıpayam District of the PRP as an organization”.

## Miktat ALGÜL

Miktat Algül, who is not known which terrorist organization he is a member of, defines himself as a “patriotic, Kemalist journalist”. He claims that because of this he has been subjected to a conspiracy. He states that, due to his opposing stance against all F type doctrines and organizations and as a revolutionary who identifies himself with the Kemalist revolution process, this is what he cries out in all of his articles, news stories and the conferences to which he is invited . That is why there is an attempt to silence him. Algül says that he has been imprisoned to break his pen. According to him, because of the publication policy he pursues, he has been accused on the basis of evidence collected through slander, conspiracy and illegal methods as well as claims that are merely figments of the imagination. He states that, his journalistic activity has been placed before him as a crime and that all the other allegations have been made to disgrace him. Algül also states that, he has faced allegations of threats, plunder, and blackmail and in this context he has been accused through false witnesses that have been provided.

## Hikmet ÇİÇEK

*Hikmet Çiçek:*

*I am not being tried for the crime I was arrested for!*

*There is no arrest decision for me under the articles I am being tried!*

*I am the only person in this position legally among the arrested suspects. While my trial under custody is clearly contrary to the law, my request for release is constantly denied.*

Hikmet Çiçek, who has been a journalist for 25 years, was taken into custody and arrested on 25 March 2008. The oldest convicted journalist the Ergenekon case, Çiçek states in his letter dated 20 March 2013 that, he has spent the last 5 years of his life in prison and entered his 6th year his imprisonment.

Çiçek makes the following assessment about the latest trials:

*Just as when the "Balyoz case" is mentioned, one is reminded of thousands of false digital documents and when the "Odatv case" is mentioned, one is reminded of viruses sent from a distance, when Ergenekon is mentioned, the first thing that comes to mind are the secret witnesses. Ergenekon case has been based on the statements of secret witnesses.*

Çiçek, who recalls that the word "Muteber/Esteemed" in the old language means, respected, valued, prestigious, reputable, reliable and trustworthy, says that, "Ergenekon's secret witnesses are the most esteemed witnesses of the prosecutors and the court!" and draws attention to the statements of the 'esteemed' witnesses in the indictment:

- "Veli Küçük poisoned my dogs and cut my horse". (Secret witness 15).
- "The duty of assassinating Öcalan was given to me. I did not accept it, Yeşil took my place". (Secret witness Kıskaç).
- "They made me drink Cola and removed my tonsils". (Secret witness Akdeniz).
- The murder of Necip Hablemitoğlu was suggested by Sami Hoştan and Veli Küçük". (Secret witness C).
- Levent Ersöz and Cemil Bayık met on the Hezil stream". (Secret witness İlkadım).
- "They made me send a telegram so that the army would intervene". (Secret witness Kurşun).
- "I drugged Saddam Hüseyin's agent and took his bag". (Secret witness Aydos).
- "Muzaffer Tekin offered 500 thousand dollars to drop the bombs". (Secret witness 9).

- “We used to drink raki in the chief prosecutor’s room in prison”. (Secret witness Hisar).
- “I play dice, I play yanik and hang out in night club parties”. (Secret witness Poyraz).

Çiçek, who gives the examples above, emphasizes the point the secret witness statements have come by saying that these witnesses are “the esteemed witnesses of Ergenekon!” and adds:

*Hikmet Çiçek:  
Ergenekon’s secret witnesses are  
the most esteemed witnesses of the  
prosecutors and the court!”*

*Ergenekon suspects are being held in prison for years on the basis of the statements of these secret witnesses, which are not based on any evidence, fact, knowledge and observation. And again it is their statements which will form the basis for the final opinion on the substance of the case and a basis for the verdict!*

Çiçek states that “The secret witness practice made legal by the AKP regime does not exist anywhere else in the world as it is practiced in Turkey” and he will dwell on these statements reflected in the records of the trial in his soon to be published book titled “Secret Witnesses of Ergenekon” (Kaynak Publications).

Hikmet Çiçek states that the crime he was arrested for is “Acquiring secret documents of the State (Turkish Penal Code (TCK) 326/1)”, however he emphasizes that there is no request for punishment for this crime in the indictment and that there is no arrest decision under the article (membership of an armed organization, TCK 324/2) for which he is put on trial. Çiçek states that this point underlined by him is a clear breach of law that cannot be accepted in criminal justice. He states that, “Although I and my lawyers have repeatedly pointed this out in the court, my release has been denied”.

Çiçek, who states that Ergenekon case is not a case of law, adds that “this is a case of settling the accounts with the Republic”.

Çiçek says that the Ergenekon case has been opened to “oppress, intimidate and scare the society” and shares his thoughts on the trial process by saying “Here, justice is only a tool. Could we have an ounce of trust in such a court? We know this. The duty of this court will be to read a predetermined verdict to our faces”

*Hikmet Çiçek:  
“This case is not a case of law!”  
“The duty of this court will  
be to read a predetermined  
verdict to our faces”.*

## Şükrü SAK

Şükrü Sak, who is the former Editor in Chief of Akıncı Yol Magazine states that he has been sentenced on charges of being a member of the İBDA-C Organization. Şükrü Sak states the following as the charges made against him:

- Reading the organization's books
- Engaging in preparatory work for the monthly magazine called Yeni Nizam
- Being in possession Thinker Salih Mirzabeyoğlu's photographs
- Taking photographs in front of the State Security Court, calling out slogans and acquiring photographs
- Calling out slogans in front of the SSC
- Sending the magazine called Akıncı to the magazine's Germany Representative Mustafa Fişekçi
- Printing a court photograph on the cover of the magazine

He states that, in the allegations directed at him, his handwritten notes and the content of the Akıncı Yol magazine, which he was once the editor of, have been presented as evidence.

### Şükrü Sak, defends himself with this statement in his letter he has sent to Turkish Journalists Union General President Ercan İpekçi

"The Ministry of Justice has objected to TJS's report and has made statements, expressing that we are not 'journalists', but 'terrorists'.

I am a journalist. I am a graduate of Marmara University Press and Information Faculty (presently the Faculty of Communication) Radio-Television Department. For 20 years, (...), I have worked as a manager in the weekly Taraf magazine; as Chief Editor in Akıncı Yolu magazine; as Chief Editor in Aylık magazine, as Chief Editor in the weekly Baran magazine...

Thus, I have not been engaged in "terrorist activities" other than journalism. However, we all know about the 28 February process. Therefore, of course the court gave us a conviction due to "being a member of a terrorist organization". I have been convicted of "being a member of the illegal, fundamentalist armed terrorist organization İBDA-C".

(...) What is more interesting is that, this case which has been opened during the 28 February process, has been approved 13 years later by the High Court as people related to 28 February were arrested...

(...) Of course, while journalists were being imprisoned, nobody says "Well, this person is a journalist too. Put him in jail"; they cover it up in some way.

However, as it can be seen from the reasoning of the verdict as well, they have not been able to cover this up.

Is it a crime to "do preparatory work for publication" of a legal magazine?

What does "Reading books related to the organization" mean? Does it have a place, a definition in law, in regulations? (In fact, none of the books in question have been prohibited, withdrawn from the bookstores or taken to court. How come they are "organization books" then?)

What kind of a crime is sending a legal magazine to the official representative of the magazine? What does it have anything to do with terrorism?

What kind of a calamitous crime factor has been found in having in the possession of a writer, an intellectual's photograph?

A journalist's taking the photographs of the people who have come to watch the trials in the High Court, an act of 'journalism' or 'terrorism'?

In the reasoning of the verdict, facts which are the evidence of us being 'journalists' have been interpreted as evidence of our being 'member of the organization'. There is not anything else in the file.

### 3.2 JOURNALISTS PUT ON TRIAL IN ASSOCIATION WITH KCK AND CURRENTLY IMPRISONED<sup>6</sup>

A lot of journalists arrested in Turkey are in prison, due to charges related to Kurdistan Labor Party (PKK) and Union of Communities in Kurdistan (KCK). In addition, about seventy percent of the imprisoned journalists today consist of journalists of Kurdish origin and although their trial processes have not been completed yet, they are constantly being referred to as “terrorists”. In general terms, they are all being charged with making news about the views and activities of the PKK and KCK organizations and thus, aiding the organizations. The most extensive of these trials is related to the KCK operation.

Within the scope of the Koma Ciwaken Kurdistan-Union of Communities in Kurdistan/Turkish Assembly (KCK/TM); which is claimed to be an alternative state model, the first operation was carried out in 14 April 2009. In this case, during which thousands of people have been taken into custody, and hundreds of people among whom there are parliamentarians, human rights supporters, mayors, unionists, party administrators and academicians have been arrested until today, the largest operation against journalists has been carried out on 20 December 2011 in connection with the allegations concerning the KCK Press Council Committee. In a new KCK (Union of Communities in Kurdistan) operation carried out in Istanbul, raids were made to Etkin News Agency (ETHA), Dicle News Agency (DİHA) and Özgür Gündem. Furthermore, the houses of the journalists who worked in these press organizations were also raided.

As for those who allegedly engaged in activities on behalf of the “KCK Press Committee”, **the visits they have made to Iraq and statements of secret witnesses** were presented as evidence. The imprisoned journalists state that, *news making activities, sending workers to news, sharing information with their colleagues*, which are indispensable aspects of journalism, have been characterized as terrorist acts.

*The imprisoned journalists state that, news making activities, sending workers to news, sharing information with their colleagues, which are indispensable aspects of journalism, have been characterized as terrorist acts*

<sup>6</sup> Some of the names we have given in this list have been released. The charges made against the released journalists during the process have not been taken back. These journalists are pending trial. The list in Appendix (1) is the most updated list. However, since the information received from the interviews made during their period of detainment is significant in terms of the allegations about them; they have not been removed from this section.

### 3.2.1 Information on a Number of Arrested/Sentenced Journalists and Findings on the Reasons for their Arrest

#### Kenan KIRKAYA

Dicle News Agency (DİHA), Ankara Representative Kenan Kirkaya states that in his indictment he is charged with making propaganda in line with the purposes and objectives of the organization in all of his news stories. He has also stated that, there are also charges of having criticized in particular the government of the Turkish state, its prime minister, the judicial system and law enforcement agencies as well as the use of certain expressions and discourses in these criticisms which amount to insults. Thus, he is accused of attempting to create a public opinion concerning the employment of violence and suppression against the Kurdish population. Kirkaya states that, he is charged with practicing pseudo journalism in areas which have nothing to do with journalistic activities and in especially mined areas which is a terrorist crime. Furthermore, he claims that the prosecutor has told him that the news he made was more dangerous than the bullet of the terrorist.

*These journalists have often been labeled as “Terrorists disguised as journalists” in the indictments where interviews made as journalistic activities, transmitted news, follow up of a press statement and making news about it have been presented as evidence by the authorities as participation in the activities of the terrorist organization.*

The news made by Kenan Kirkaya, telephone conversations with his colleagues and his relationship with his news sources have been presented as a crime. The interview titled “What Kind of a Constitution” he made with the President of the Democratic Judges Association and Beypazarı judge Orhan Gazi Ertekin, the interview he has made with former Minister Salim Ersarioğlu on 28 February, interviews with politicians of Kurdish origin and 34 of his news summaries have been presented as evidence in the indictment.

#### Zuhal TEKİNER

Zuhal Tekiner who is the license holder of the Dicle News Agency (DİHA), claims that she is in custody due to allegations of making news in line with the purposes of the terrorist organization in her conversations with her colleagues, that there is only one news item in her file and that this is a piece on the “2010 1 May Taksim Celebration”.

Tekiner states that the following are the news stories which the prosecutor has characterized as “news comprising the propaganda of the terrorist organization acquired from open sources by the suspect” and which appear on DiHA’s Internet site:

1. Meeting of Hundreds of Thousands
2. The Rush to Taksim Continues
3. Carnations Were Left in Kazancı Incline For those who Have Lost Their Lives in 1977
4. This is Taksim, this the 1st of May
5. Istanbul started to come together for the 1st of May through 3 Branches

Tekiner states that, all the news made on the same day have been included in the indictment one after the other which leave no room for any other comment. According to Tekiner, the interesting part is that, although this news was published both on the internet site and distributed to all the subscribers, the court refuses to release her on the because of “suspicion of destroying evidence”.

According to Zuhale Tekiner, “the allegations are so baseless and lacking that, it is as if the saying ‘throw dirt so that some will stick’ perfectly describes our situation.” Saying, “When this is the case, one naturally asks why she is here.” Tekiner adds, “Being Kurdish and in opposition is the common point for all of us. If this is our crime, I will accept my penalty”.

## Pervin YERLİKAYA BABİR

Dicle News Agency (DiHA) company director Pervin Yerlikaya Babir states that, the allegations directed at herself and her colleagues are primarily about the institution they work in. Yerlikaya states that the entire indictment consists of official interviews and news and notes that, DiHA is a press and broadcasting institution which functions in accordance with

*Yerlikaya states that the indictment consists of official interviews and news and notes that, DiHA is a press and broadcasting institution which functions in accordance with all the official regulations in Turkey and that the prosecutor has made his intent quite clear during the interrogation by saying “the problem is your publishing line”.*

all the official regulations in Turkey and that **the prosecutor has made his intent quite clear during the interrogation by saying “the problem is your publishing**



**line**". She states that the allegations directed at her pertained to administration and accounting activities.

Yerlikaya states that they work on a subscription basis and they sell the news they make. The telephone conversations she has made with the bank to see if they have received payments, checking of the accounts and the official bank account abstract have been included in the indictment as crime elements.

## **Özlem AĞUŞ**

Özlem Ağuş, who has been arrested for being a member of an armed terrorist organization, states that she is face to face with the allegation that she has personally participated in the acts about which she has reported including statements to the press and that she has organized these events. Ağuş states that, due to these allegations, her journalistic activities have been overlooked. She adds that, she was detained in the context of an operation against the KCK on 6 March 2012 after the release of a special news item titled "I have been subjected to abuse by the army in Kürkçüler", relating to what had happened in Pozantı, and was arrested and imprisoned on 9 March 2012 along with the Pozantı victim T.T. with whom she has made a special interview.

## **Zeynep KURİŞ**

Zeynep Kuriş states that, she has been arrested on the allegation that the news she made in accordance with her professional task was "unveiling the confidentiality of the state and the government". She states that, it was alleged that the news she has made and the places she has visited to make news is evidence of her being a member of KCK. She further states that, the point characterized as the confidentiality of the state is in fact the sexual abuse case, which she reported under the headline "Claims of Abuse in Pozantı Prison" on 24 February 2012. Kuriş adds that this is a serious case, which has already been exposed and well known by the public. She states that news which she made about this situation only to inform the public has been used as evidence against her.

## **Turabi KİŞİN**

Turabi Kişin, states that he has been arrested because the Özgür Gündem newspaper expresses various beliefs and views, from the Kurdish problem to the Alawites, and

because they are not part of the “partisan media” that supports the government. He states that the following points have been presented as evidence in his indictment:

Having telephone conversations with the readers of the Özgür Gündem Newspaper, on subjects such as the news, advertisements, and news photographs,

Having telephone conversations with the newspaper’s Editor in Chief and Ankara Representative Hüseyin Aykol,

Telephone and Internet correspondence with the Dicle News Agency and Fırat News Agency employees,

The speech he made while accepting the award given to the Azadiya Welat Newspaper on behalf of its directors at the Fegi Hüseyin Sağnıç Language Awards Ceremony organized by Istanbul Kurdish Institute, in 2008,

The speech he made for the imprisoned Editor in Chief of the newspaper, Vedat Kurşun.

### **Semiha ALANKUŞ**

Semiha Alankuş states that signing the press release for Nuray Mert and being a jury member in the “Musa Anter Press Martyrs and Journalism Competition”, which is being organized since 1993, are among the allegations in her indictment.

### **Ahmet BİRSİN**

Ahmet Birsin thinks that broadcasting in many languages and primarily in Kurdish in Gün TV has been a factor in the closing down of the station and then his being taken into custody. He contends that, through such allegations the Kurdish press has been subjected to illegal practices. Ahmet Birsin states that he has been held responsible in the indictment for national newspapers and broadcasting organizations, such as Azadiye Welat Newspaper, Özgür Gündem Newspaper, Güncel Newspaper, Özgür Halk Magazine, Tiraj Magazine, etc. He claims that the opposing Kurdish press has been targeted and terrorized through himself.

Ahmet Birsin states that, he has been accused of carrying out organizational activities in line with the press and broadcasting institution mentioned in the indictment and that he has been held responsible for the press and broadcasting institutions which

broadcast in connection with KCK/TM Turkey wide. In relation to these allegations, he states that his visit to Iraq and managing a bakery there were associated with having talks with the leaders of the organization during his stay. In 2004-2009, during which he worked in Azadiya Welat Newspaper and Gün TV, the payments he made in relation to these institutions (advertisements, paper, agency payments, etc.) have been claimed to be “sent to be used in organizational activities” as indicated in the indictment.

## Tayip TEMEL

Another imprisoned journalist is Azadiya Welat’s Editor in Chief, Tayip Temel. Temel is charged with being a member of the KCK Press Committee. He states that, the exchange of ideas between himself and the journalists and editors in the newspaper he worked in as Editor in Chief have been evaluated as “organizational instructions”. Temel, who states that his words to the DiHA journalists have been evaluated in the same manner, gives the following examples:

Another imprisoned journalist is Azadiya Welat’s Editor in Chief, Tayip Temel. Temel is charged with being a member of the KCK Press Committee. He states that, the exchange of ideas between himself and the reporters and editors in the newspaper he worked in as Editor in Chief have been evaluated as “organizational instructions”. Temel, who states that his words to the DiHA journalists have been evaluated in the same manner, gives the following examples for the allegations of the prosecutor:

- Giving about 30-40 Azadiya Welat newspapers to DTP Parliamentarian Emine Ayna to be distributed in the Parliament,
- Asking the question “What does Öcalan mean to you?” to the reporter, in the interviews made with the participants in the DBP Democracy Tents,
- Publishing information pertaining to the organization militants who have died,
- Giving the telephone number of DiHA in North Iraq to a person through e-mail,
- Attending the broadcast of Roj TV and arranging guests to be invited,
- Providing support for Azadiya Welat’s and DiHA’s financial sources, (Subscription)
- Giving instructions to the reporter about what the headline should be and which persons are to be writers,
- Giving the instruction that the demonstration in Nusaybin should be made news... etc.

## **Ferhat ARSLAN**

Ferhat Arslan states that he was questioned on the following subjects under custody:

- His attendance in KESK's press statement,
- Making İHD's press statement into news,
- Having a telephone conversation with İHD Mersin Division Head Ali Tanrıverdi about this subject,
- Going to the Mesopotamia Cultural Center Mersin Division and seeing A. Kadir Çat who makes Kurdish music,
- Making news out of the application of children who were taken into custody in Mersin, about "persuasion rooms",
- Making misleading news about the events which took place in Pozantı Children's Prison,
- His visit to the BDP Mersin Provincial building and making news about the "civilian Friday prayer".

In addition, Arslan states that he was asked whether he prepared news, besides DİHA, for an agency called ANF. He states that he was released after these questions; however he was arrested without any reason a week later.

## **Nurettin FIRAT**

Nurettin Fırat, who has made two documentary films on unidentified murders and killed journalists, states that he has books which depict the Kurdish problem and the Şemdinli event. Furthermore, he states that he has been writing two books on journalists killed and unidentified murders in Turkey and he thinks that is the reason why he was arrested. He states that he has been confronted with the allegation that he acted on behalf of the KCK Press Committee and the visits he has made to Iraq (about 15 times) and the statements of secret witnesses were presented as evidence. In the indictment, it is alleged that he has been writing "political and organizational articles" in Özgür Gündem Newspaper and that he has attended the KCK meetings, whose dates coincided with some of his visits to Iraq.

## Selahattin ASLAN

Selahattin Aslan, who worked as editor in the Democratic Modernity magazine, states that his finger prints found in the magazine office he worked in has been regarded as evidence and his use of Amed, which is the Kurdish name of Diyarbakır, as organization literature in the indictment.

## Sultan ŞAMAN

Another interesting claim is brought forward by Sultan Şaman. Şaman states that, children in Kurdish families usually have two names and that her family calls her "Adar"<sup>7</sup>. However, she states that the government has characterized this second name as her "code name".

## Ayşe OYMAN

Ayşe Oyman states that she has been active in the Kurdish press which she defines as a free press for the past 15 years. Oyman asks, "Has the job I have been performing for years just become organization membership and has the name given to me by my family, 'Newroz', just become a code name?" and adds "My name which I have not been able to use for years is a bleeding wound for me. Double names are common in Kurdish families. Since my brother's name 'Reber' is banned, he also has a double name, thus "a code name". Oyman states that even the second name given to her has been regarded a code name and adds "certain justifications are invented to criminalize journalistic activities".

## Çağdaş KAPLAN

One of the imprisoned journalists, Çağdaş Kaplan states that, in his indictment it is alleged that "a photograph depicting him as making a victory sign was taken under the *Kandil* signboard, in Konya's Kandil town and that in this manner his ties of affection with the organization has been established through this photograph. Çağdaş Kaplan states that moreover the telephone conversation during which 6 news items were broadcast live in Roj TV newscasts, 6 news stories he has made for DİHA and Mahir Çayan's book titled "Kurds' Obligatory Settlement" have been presented as evidence.

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<sup>7</sup> It means the budding of flowers in spring.

## Yüksel GENÇ

Yüksel Genç, who defines the allegations as “the reflection of a paranoid mentality”, states that the telephone conversations he has had with colleagues have been presented as evidence. Genç states that he has been under technical surveillance since 2007 and that the condolence wish of a magazine distributor for his deceased sister has been included in the indictment. Genç also states that, the greatest criminal evidence in the indictment is his statement to one of the writers in the newspaper that “There is bloody news because of the sacrificial lambs”.

He says that the statements of some foreign parliamentarians regarding peace in an international conference have been included in his own indictment and characterized as “organizational document”. Genç states that because they work in the Kurdish media, such things constitute a crime. He asks “Why are things which do not constitute a crime in Radikal, Milliyet and Yeni Şafak newspapers regarded as a crime for us?”

A journalist’s making news about the “Kurdish Problem” is regarded as sufficient for him to share the political objectives of the PKK organization. Furthermore, it causes a journalist to be depicted as a member of the PKK. To observe the events, making news out of a demonstration, making news relating to PKK, to criticize policies concerning the “Kurdish Problem” can be presented as evidence for detention and being taken into custody. **Especially certain news which the mainstream media can easily deal with and even turn into news stories can be a cause of imprisonment for journalists who work in news centers and broadcasting institutions, such as Etkin News Agency (ETHA), Dicle News Agency (DİHA) and Özgür Gündem.** This situation, as DİHA company director Pervin Yerlikaya points out, creates the perception that “we are imprisoned, because we make news of Kurdish origin and wish to openly voice what we know is true”.

## 4- HEALTH CONDITIONS OF THE IMPRISONED JOURNALISTS

It is inevitable that arrested and sentenced persons who are held in prison in a state of isolation from everything should face both physical and psychological health problems.

**When the current conditions of the prisons are added to these problems, serious circumstances arise which in a way inevitably create illness. The low quality of basic needs such as nutrition, shelter, and heating and the fact that these needs are not met at all from time to time causes illness, or the illness that already exist to further advance to an acute state, reaching a point of no return in terms of human health. Therefore, the health conditions of imprisoned journalists carry a particular significance next to other conditions in the prisons.** In this study, the journalists who have stated to have a health problem are as follows:

### HEALTH CONDITIONS OF IMPRISONED JOURNALISTS

Mustafa Gök: Wernicke Korsakoff patient, his hands shake.

Erol Zavar: Erol Zavar, who receives treatment for bladder cancer, also has a mass in his thyroid glands.

Sultan Şaman: She states that she has an extreme case of slipped waist, neck, coccyx and disc. She is an asthma patient and has had bladder surgery due to risk of cancer. She has "prostate" illness, which is seen one in a thousand. Since she has had gastric bleeding before, she adds that she has problems in her digestive system and cannot have the necessary nutrition under these conditions. Sultan Şaman states that she has a health problem that should immediately be treated.

Ahmet Birsin: Some of his illnesses have relapsed. Since his left foot is disabled, he states that he especially experiences problems during winter due to cold.

Turabi Kişin: He has had ulcerative colitis for 11 years. He states that it has a risk of transforming into cancer. Recently, a mass has been detected in his left kidney, which has been increasing in size and has reached a risky stage. He is waiting for a date to be given for surgery.

Ferhat Çiftçi: He is an anemia patient since birth. It is the "thalassemia" type of the illness. In case steady and healthy nutrition is not taken, the body does not produce bone marrow. He also has a slipped disc, bronchitis, arthritis and other illnesses.

Ferhat Arslan: He has an incapacity report of 55 % for his right arm. He is an asthma patient and has stomach ulcer. Recently, he has been having kidney problems. He is under medicine treatment. He has migraine.

Yüksel Genç: His foot is broken and cannot heal under these conditions. His broken foot got infected during custody and imprisonment and gangrene has started since he is kept outside hospital environment. He states that since he does not receive treatment, this is another kind of torture.

Füsun Erdoğan: She has had surgery due to a thyroid illness, on 13 November 2012. She has had Hepatitis B in 1996. She is a high blood pressure patient. She has cysts in both of her breasts. She has to have breast ultrasonography every 6 months and mammography once a year, since 2000.

Miklat Algül: He is a Hepatitis B, heart disease and high blood pressure patient. In addition, he states that he has depression and obsession illness and that this illness relapsed in prison.

Sevcan Atak: Atak has an advanced eye illness. He uses 8,5 prescription glasses.

Tayip Temel: Temel started a hunger strike in 12 September 2012. Due to the hunger strike which lasted for 68 days, he has problems such as visual impairment, memory loss, amnesia and tinnitus.

Ali Konar: He has health problems in his ears, eyes and lungs. He has consulted the administration due to the problems in his eyes. When he refused to be examined with his hands cuffed, he was sent back without being examined by a doctor.

Hatice Duman: She is a blood pressure patient.



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Nurettin Fırat: He has had surgery due to the varicose veins in his legs, on 8 August 2012. He has migraine as well.

Faysal Tunç: Tunç is an asthma patient and has varicose in his right leg.

Hüseyin Deniz: He does not have an illness, except for allergic rhinitis.

Bayram Namaz: He has stomach problems, onset of asthma and cervical disc hernia.

Ramazan Pekgöz: He has problems in his stomach and waist.

Erdal Süsem: Due to living for years on cement floors, he has freezing, cold and spasms in his fingers in all seasons.

Cengiz Kapmaz: He has a spinal disc hernia and cervical disc hernia.

Nevin Erdemir: She has spinal disc hernia, stomach ulcer and renal calculi.

Davut Uçar: He experiences vertigo and spinal disc hernia from time to time.

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## 5- CONCLUSION

Freedom of the press is a right protected by many countries' constitutions, by the United Nations and is included in the Universal Declaration of Human Rights. This is because free press is a highly significant aspect in terms of the protection and strengthening of the democratic system. The existence of freedom of press constitutes an important building block for the realization of a democratic social and political order yearning that is based on human rights.

*The ones who criticize the political power today, journalists who leave the paradigm determined by the power are attempted to be taken under discipline. Two methods have been adopted to realize this. The first method is to threaten the journalist, columnist to be fired and continuously address the media bosses in this light...The other adopted method is to arrest and imprison journalists, writers, publishers and press workers who cannot be taken under discipline on the allegation that they are members of organizations under Turkish Civil Code.*

The press is defined as "the fourth power". This definition is used within the frame of principle of separation of powers in democracies, where powers control each other. Because "each uncontrolled power is liable to be misused and abused". Control of power is possible through the press after the legislative power. Against the possibility that power becomes absolutized and

centralized, free press is the greatest assurance in the hands of the citizens. Free press is the citizens' greatest power in learning the current situation in a country, question it and put it under criticism.

Freedom of press cannot be separately evaluated from a country's social conditions and political and cultural environment. In all of the evaluations, a country's class and social structure and democratization level should be taken into consideration. Today, if Turkey has a world record in terms of the number of imprisoned journalists, this is the point where the problem should be analyzed.

Today, the ones who criticize the political power, journalists who leave the paradigm determined by the power are attempted to be taken under discipline. Two methods have been adopted to realize this. The first method is to threaten the journalists, columnists to be fired and continuously address the media bosses in this light.

Prime Minister Recep Tayyip Erdoğan makes such statements as “You pay his salary”, “How come you are keeping these people as columnists?” to the media bosses, in relation to the articles he does not like.

Prime Minister Erdoğan warns the media bosses in the following manner:

Everybody is free to express their ideas. Of course, tell your ideas, but these people are told by the ones who give them their pens “Sorry, my friend, we have no place for you in our shop. Because everyone places in the shop window what is worthy.

And as the most authorized person in the country, interferes directly with the freedom of expression and thought.

The other method adopted is to arrest and imprison journalists, writers, publishers and press workers who cannot be taken under discipline, on the allegation that they are members of organizations under the Anti-Terror Law.

The first thing done in this respect is to show the journalists as members of organizations and defame them. Former Minister of Interior Affairs, İdris Naim Şahin states that terrorism does not only involve armed militants, but “artists and poets also support terrorism by reflecting this on their canvasses or in their poems and may turn into the back yard of terrorism”. In the context of the process of defamation, this is one of the most serious statements coming from a figure of authority. Therefore, when the same interviews easily made by journalists belonging to mainstream media are made by journalists in the opposition press, this can be presented as evidence of organization membership<sup>8</sup>. In this manner, an attempt is made to create an environment of intimidation and fear on the press.

In this context, the only possible way to save Turkey from being **“the world’s biggest prison for journalists”** is to apply the principles of democracy for real. In order to be able to do this, conditions should be created according to which the political power will have to give up keeping journalists under pressure and these conditions should be placed under institutional guarantees. An in depth reform should be undertaken in the Anti-Terror Law which is the most basic foothold for the restriction of the freedom of press and all the restrictive clauses in the Turkish Criminal Code should be abrogated as a start.

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<sup>8</sup> For most imprisoned journalists, their visits to Northern Iraq are presented as the most important evidence in the indictments.

## APPENDIX 1: TABLE OF DETAINED AND CONVICTED JOURNALISTS<sup>9</sup>

	NAME SURNAME	PRESS ORGANIZATION	STATE	CASE TRIAL	PRISON
1	Abdullah Çetin	DİHA Siirt Reporter	Being tried	KCK/PKK/DYG	Diyarbakır D Type Prison / DİYARBAKIR
2	Ahmet Birsin	Gün TV General Broadcasting Coordinator	Being Tried	KCK/PKK/DYG	Diyarbakır D Type Prison / DİYARBAKIR
3	Ali Konar	Azadiya Welat Elaziğ Representative	Convicted	KCK/PKK/DYG	Adıyaman E Type Prison / ADIYAMAN
4	Ayşe Oyman	Özgür Gündem Editor	Being tried	KCK/PKK/DYG	Bakırköy L Type Women's Closed Prison / İSTANBUL
5	Bahar Kurt	Tavır Magazine Owner	No indictment	DHKP-C	Bakırköy L Type Women's Closed Prison / İSTANBUL
6	Bayram Namaz	Atılım Writer	Being tried	MLKP	Edirne F Type Prison / EDİRNE
7	Cengiz Doğan	Azadiya Welat	Convicted	KCK/PKK/DYG	Mardin E Type Prison / MARDİN
8	Cengiz Kapmaz	Özgür Gündem Writer	Being tried	KCK/PKK/DYG	Kandıra No 2 F Type Prison / KOCAELİ
9	Davut Uçar	Etik Agency Director	Being tried	KCK/PKK/DYG	Kandıra No 1 F Type Prison / KOCAELİ
10	Dilşah Ercan	Azadiya Welat	Convicted	KCK/PKK/DYG	Aliağa Şakran Prison / İZMİR
11	Doğan Karataştan	Yürüyüş Magazine	No indictment	DHKP-C	Tekirdağ No 1 F Type Prison
12	Dilek Demiral	Özgür Gündem Former Editor	Being tried	KCK/PKK/DYG	Bakırköy L Type Women's Closed Prison / İSTANBUL
13	Erdal Süsem	Eylül Prison Magazine Editor	Convicted	MLKP	Edirne F Type Prison / EDİRNE
14	Erol Zavar	Odak Magazine Editor in Chief	Convicted	Resistance Movement	Sincan No 1 F Type Prison / ANKARA
15	Ertuğ Bozkurt	DİHA Editor	Being tried	KCK/PKK/DYG	Kandıra No 1 F Type Prison / KOCAELİ
16	Fatih Özgür Aydın	Artı İvme Magazine	No indictment	DHKP-C	Edirne No 1 F Type Prison
17	Fatma Koçak	DİHA Editor in Chief	Being tried	KCK/PKK/DYG	Bakırköy L Type Women's Closed Prison / İSTANBUL

9 Hüküm giyen gazetecilerin de gazetecilik etkinliğinden cezaevinde olmalarından dolayı liste tutuklu ve hükümlü gazeteciler birleştirilerek oluşturulmuştur. Tutuklu ve hükümlülerin buldukları cezaevi, sürekli sevk ve transfer durumu olduğu için değişmiş olabilir.

Appendix 1: Table Of Detained And Convicted Journalists

18	Faysal Tunç	DİHA Şırnak Reporter	Convicted	KCK/PKK/DYG	Kalkandere L Type Closed Prison/ RİZE
19	Ferhat Arslan	DİHA Mersin Reporter	No indictment	KCK/PKK/DYG	Kürkçüler F Type Closed Prison/ADANA
20	Ferhat Çiftçi	Azadiya Welat G.Antep Representative	Convicted	KCK/PKK/DYG	Gaziantep H Type Prison/ GAZİANTEP
21	Fusun Erdoğan	Özgür Radyo General Broadcasting Coordinator	Being tried	MLKP	Gebze M Type Women's Closed Prison/KOCAELİ
22	Gamze Keşkek	Tavır Magazine	No indictment	DHKP-C	Bakırköy L Type Women's Closed Prison
23	Hamit Duman (Dilbıhar)	Azadiya Welat Writer	Convicted	KCK/PKK/DYG	Erzurum E Type Prison/ ERZURUM
24	Hasan Özgüneş	Azadiya Welat Writer	Being tried	KCK/PKK/DYG	Kandıra No 1 F Type Prison
25	Hatice Duman	Atılım Editor in Chief	Convicted	MLKP	Gebze M Type Women's Closed Prison/KOCAELİ
26	Hikmet Çiçek	Ulusal Channel	Being tried	Ergenekon	Silivri No 1 L Type Prison/ İSTANBUL
27	Hüseyin Deniz	Evrensel Reporter	Being tried	KCK/PKK/DYG	Kandıra No1 F Type Prison/ KOCAELİ
28	Kamuran Sunbat <sup>10</sup>	DİHA Çukurova Former Reporter	Convicted	KCK/PKK/DYG	Antep H Type Prison
29	Kenan Karavil	Radyo Dünya Coordinator	Convicted	KCK/PKK/DYG	Hacılar F Type Closed Prison / B-18 Ward / Hacılar-KIRIKKALE
30	Kenan Kırkaya	DİHA Ankara Representative	Being tried	KCK/PKK/DYG	Kandıra No 1 F Type Prison/ KOCAELİ
31	Mazlum Özdemir	DİHA Diyarbakır Reporter	Being tried	KCK/PKK/DYG	Kandıra No 1 F Type Prison/ KOCAELİ
32	Mehmet Deniz Yıldırım	Aydınlık Editor in Chief	Being tried	Ergenekon	Silivri No 1 L Type Prison/ İSTANBUL
33	Mehmet Emin Yıldırım	Azadiya Welat Editor in Chief	Being tried	KCK/PKK/DYG	Kandıra No 1 F Type Prison/ KOCAELİ
34	Mehmet Haberal	Kanal B Grant Holder	Being tried	Ergenekon	Silivri No 5 L Type Closed Prison/İSTANBUL
35	Mehmet Yeşiltepe <sup>11</sup>	Revolutionary Movement Writer	Convicted	Revolutionary Headquarters	Tekirdağ Open Prison/ TEKİRDAĞ
36	Miklat Algül	Mersin Mezitli FM/Ulus Newspaper	Being tried	organization not known	T Type Closed Prison A-16 / OSMANİYE
37	Murat İlhan	Azadiya Welat Diyarbakır Reporter	Convicted	KCK/PKK/DYG	Diyarbakır D Type Prison/ DİYARBAKIR
38	Musa Kurt	Yürüyüş Magazine Reporter	No indictment	DHKP-C	Tekirdağ No 2 F Type Prison/ TEKİRDAĞ
39	Mustafa Balbay	Cumhuriyet Ankara Representative	Being tried	Ergenekon	Silivri No 1 L Type Prison/ İSTANBUL

10 Released. The trial is still continuing.

11 Released. The trial is still continuing

40	Mustafa Gök	Emek ve Adalet (Labor and Justice) Magazine Ankara Representative	Convicted	DHKP-C	Sincan No 1 F Type Prison/ ANKARA
41	Nahide Ermiş	Demokratik Modernite Member of Publishing Board	Being tried	KCK/PKK/DYG	Bakırköy L Type Women's Closed Prison/ İSTANBUL
42	Nevin Erdemir	Özgür Gündem Editor	Being tried	KCK/PKK/DYG	Bakırköy L Type Women's Closed Prison/İSTANBUL
43	Nilgün Yıldız	DİHA Reporter Mardin	Being tried	KCK/PKK/DYG	Bakırköy L Type Women's Closed Prison/İSTANBUL
44	Nurettin Fırat	Özgür Gündem Writer	Being tried	KCK/PKK/DYG	Kandıra No 1 F Type Prison/ KOCAELİ
45	Nuri Yeşil	Azadiya Welad Tunceli Representative	Convicted	KCK/PKK/DYG	Elbistan E Type Prison/ KAHRAMANMARAŞ
46	Ömer Çelik	DİHA Reporter-İstanbul	Being tried	KCK/PKK/DYG	Kandıra No 2 F Type Prison/ KOCAELİ
47	Ömer Faruk Çalışkan <sup>12</sup>	Özgür Halk Editor in Chief	Convicted	KCK/PKK/DYG	Kandıra No 1 F Type Prison
48	Özlem Ağuş <sup>13</sup>	DİHA reporter	Being tried	KCK/PKK/DYG	Karataş Women's Closed Prison/ADANA
49	Ramazan Pekgöz	DİHA Editor Diyarbakır	Being tried	KCK/PKK/DYG	Kandıra No 2 F Type Prison/ KOCAELİ
50	Sadık Topaloğlu	DİHA Reporter-Urfa	Being tried	KCK/PKK/DYG	Kandıra No 2 F Type Prison/ KOCAELİ
51	Sadiye Eser	Evrensel Reporter	No indictment	KCK/PKK/DYG	Bakırköy Women's Closed Prison
52	Sami Menteş	Yurt newspaper reporter	No indictment	DHKP-C	Kandıra No 2 F Type Prison
53	Sebahattin Sumeli	Özgür Halk Magazine Editor	Convicted	KCK/PKK/DYG	Kandıra/Kocaeli No 1 F Type Prison
54	Selahattin Aslan	Demokratik Modernite Editor	Being tried	KCK/PKK/DYG	Kandıra No F Type Prison/ KOCAELİ
55	Semiha Alankuş	DİHA editor	Being tried	KCK/PKK/DYG	Bakırköy L Type Women's Closed Prison/İSTANBUL
56	Sevcan Atak	Özgür Halk Editor	Convicted	KCK/PKK/DYG	Aliağa Şakran Prison /İZMİR
57	Seyithan Akyüz	Azadiya Welad Adana Representative	Convicted	KCK/PKK/DYG	İskenderun M Type Closed Prison/HATAY
58	Sibel Güler	Özgür Gündem Former Editor	Being tried	KCK/PKK/DYG	Bakırköy L Type Women's Closed Prison/İSTANBUL
59	Sultan Şaman	Heviya Jine Editor	No indictment	KCK/PKK/DYG	Batman M Type Closed Prison/BATMAN
60	Şahabettin Demir	DİHA Van Reporter	Convicted	KCK/PKK/DYG	Giresun E Type Prison / D-3 Ward / GİRESUN

12 Released. The trial is still continuing

13 Released. The trial is still continuing

Appendix 1: Table Of Detained And Convicted Journalists

61	Şükrü Sak	Aydınlık Yol Magazine Editorial Director	Convicted	İBDA-C	Bolu F Type Prison / B2-66 Ward / BOLU
62	Tayip Temel	DİHA editor	Being tried	KCK/PKK/DYG	Diyarbakır D Type Prison/ DİYARBAKIR
63	Tuncay Özkan	Kanal Biz TV Owner	Being tried	Ergenekon	Silivri No 1 L Type Prison/ İSTANBUL
64	Turabi Kışın	Özgür Gündem Former Editor	Being tried	KCK/PKK/DYG	Kandıra No 1 F Type Prison/ KOCAELİ
65	Turhan Özlü	Ulusal Kanal General Broadcasting Coordinator	Being tried	Ergenekon	Silivri No 2 L Type Prison/ İSTANBUL
66	Veysel Şahin	Tavır Magazine	No indictment	DHKP-C	Tekirdağ No 1 F Type Prison
67	Yalçın Küçük	Oda TV Internet Writer	Being tried	Ergenekon	Silivri No 2 L Type Prison/ İSTANBUL
68	Yeliz Kılıç	Yürüyüş Magazine	No indictment	DHKP-C	Bakırköy L Type Women's Closed Prison
69	Yüksel Genç	Özgür Gündem Writer	Being tried	KCK/PKK/DYG	Bakırköy L Type Women's Closed Prison/İSTANBUL
70	Zeynep Kuray <sup>14</sup>	Birgün Newspaper Reporter	Being tried	KCK/PKK/DYG	Bakırköy L Type Women's Closed Prison/İSTANBUL
71	Zeynep Kuriş <sup>15</sup>	DİHA Mersin Reporter	No indictment	KCK/PKK/DYG	Karataş Women's Prison/ ADANA

14 Released. The trial is still continuing

15 Released. Charges against the released journalist during the process still continue. Their release has not caused the quashing of the charges. These journalists are still pending trial.



## APPENDIX 2: JOURNALISTS WHO HAVE BEEN RELEASED AFTER DETENTION/ARREST AND WHOSE TRIALS ARE STILL IN PROGRESS

	NAME / BROADCASTING CORPORATION	STATUS
1	İlhan Selçuk, Cumhuriyet Newspaper Grant Holder, Journalist-Writer (died on 21 June 2010)	He was on trial without arrest in the Ergenekon case.
2	Vedat Yenerer, journalist	On trial without arrest in the Ergenekon case.
3	Güler Kömürcü, journalist	On trial without arrest in the 1st Ergenekon case.
4	Ferit İlsever, Ulusal Channel General Broadcasting Coordinator, journalist-writer	He was detained on 21 March 2008 and arrested on 24 March 2008. He was released on 29 August 2008 due to health issues. He is on trial without arrest in the 1st Ergenekon case.
5	Serhan Bolluk, Aydınlık Magazine Editor in Chief	He was detained on 21 March 2008 and arrested on 24 March 2008. He was released on 13 February 2009. He is on trial without arrest in the Ergenekon case.
6	Adnan Akfırat, Ulusal Channel Member of the Board of Directors, journalist-writer	He was detained on 21 March 2008 and arrested on 24 March 2008. He was released on 13 June 2009. He is on trial without arrest in the Ergenekon case.
7	Hayati Özcan, Ulusal Channel İzmir Representative	He was detained on 25 March 2008 and arrested on 29 March 2008. He was released on 28 August 2009 due to health issues. He is on trial without arrest in the Ergenekon case.
8	Ufuk Akkaya, Ulusal Channel, News Editor	He was detained on 8 November 2009 and arrested on 9 November 2009. He was released on 31 August 2010. He is on trial without arrest in the Ergenekon case.
9	Emcet Olcaytu, Aydınlık Magazine Writer	He was detained on 23 September 2008 and arrested on 26 September 2008. He was released from Silivri Prison on 11 November 2010. He is on trial without arrest in the 2nd Ergenekon case.
10	Nadiye Gürbüz, Demokrat Radyo General Broadcasting Coordinator	She was arrested on 7 February 2009. She was released on 17 September 2009 and is on trial without arrest.
11	Sonnur Sağlamer, Atılım Newspaper worker	Sağlamer is charged with being a member of the Illegal Marxist Leninist Communist Party (MLKP) and is on trial without arrest.

Appendix 2: Journalists Who Have Been Released After Detention/ Arrest And Whose Trials Are Still In Progress

	NAME / BROADCASTING CORPORATION	STATUS
12	Abdurrahman Gök, Dicle News Agency (DIHA) reporter	Gök was detained on 23 March 2009 while watching the Newroz celebrations in Siirt and was arrested on the charge of "making propaganda of an illegal organization". He was released on 24 November 2009 pending trial. Gök was given 10 months of imprisonment under the Anti-Terrorism Law's Article 7/2.
13	İsmail Yıldız, www.postager.com, internet site editor	He was detained while watching the events in Dolapdere, İstanbul. Yıldız, who was sent to Beyoğlu Court, was arrested on the grounds that he did not give a statement in the lawsuit on the raids the Adana police carried out against the Democratic Society Party (DTP) and various other institutions, on 15 August 2008. After he gave a statement about his organization in the context of the lawsuit opened in Adana, he was released from Metris Prison, where he was imprisoned for 2 days (5 January 2010).
14	Müge Molvalı, Yeniden Atılım Newspaper Former Editor in Chief	Müge Molvalı, who is a student of Mersin University Department of Philosophy, was arrested in September 2009, on the grounds that she was sentenced to a total of 5 months imprisonment in 4 lawsuits opened against her, due to the news published during her position as Editor in Chief in the Yeniden Atılım Newspaper, in September 2008. She served about 6 months in Bakırköy Women and Children's Detention Home. She was released on 20 January 2010.
15	Eda Ünalın, Kızıl Bayrak Magazine Ankara Reporter	She was detained on 11 August 2009 as a result of the raid carried out to her house. She was arrested on 14 August 2009. She was under arrest for a while in the Sincan Women's Closed Prison. She was released on 26 January 2010 in the first trial held in the 12th High Criminal Court. She is on trial without arrest on the charge of "making propaganda for an illegal organization".
16	Hacı Orman, Sanat ve Hayat (Art and Life) Magazine Editor in Chief	He was released on 29 January 2010.
17	İsminaz Ergün, Demokrat Radyo worker	Ergün was released on 29 January 2010 while in custody in the Sincan Women's Closed Prison.
18	Aylin Duruoğlu, Editorial Director of Vatan Newspaper's internet site www.gazetevatan.com	She is charged with being a member of "Revolutionary Headquarters". Between 7,5 and 15 years of imprisonment have been requested for membership in the organization. She was detained on 27 April 2009. With the verdict of İstanbul Night Duty 12th High Criminal court, she was arrested on 30 April 2009. She was taken to court on 23 February 2010 and was released after she made her first defense.
19	Hacı Boğatekin, Gerger Fırat Newspaper Owner	He was arrested due to his article titled "Feto and Apo", on 13 April 2008. After remaining under arrest for 4 months, he was released by the court pending a trial. He was charged with "insulting a public official" due to his claim that "the local authorities attempted to neutralize the newspaper he owned". He was sentenced to 2 years 2 months and 7 days of imprisonment. His sentence was not reduced or suspended. Kâhta Criminal Court of First Instance sentenced him to 5 years of imprisonment, due to his mentioning former Gerger prosecutor Sadullah Ovacıklı's close relationship with Fethullah Gülen, under TCK's 125th and 288th articles. (2 March 2010).

	NAME / BROADCASTING CORPORATION	STATUS
20	Şahin Baydağ, Azadiya Welat, newspaper distributor	After the searches conducted in his house, on 12 January 2010, he was detained and arrested on the allegation of "making propaganda for an illegal organization". He was under arrest in Mardin E Type Closed prison. He was released on 4 March 2010.
21	İsmail Eskin, Dicle News Agency (DİHA) Kocaeli reporter	He was arrested in 4 December 2009. The reason for his arrest was stated to be getting involved knowingly in the demonstration carried out in order to protest Abdullah Öcalan's conditions of arrest in Kocaeli's Topçular Neighborhood while filming the demonstrating and participating in activities which made the propaganda of the terrorist organization. After remaining under arrest in the Kandıra F Type Prison for 5 months, he was released in the first trial in İstanbul 9th High Criminal Court, on 18 May 2010.
22	Mehdi Tanrıkulu, Azadiya Welat Newspaper, Editor in Chief	The decision for his arrest was taken when he wanted to give his statement in Kurdish in a press case where he was on trial, in the Diyarbakır 4th High Criminal Court. (8 April 2010). The court released him 1,5 months later. (20 May 2010). He is on trial without arrest on the charge of "making the propaganda of the terrorist organization".
23	Çağdaş Küçükbattal, Atılım Newspaper reporter	They are being tried on the allegation that they participated in the destruction of the base station in İstanbul's Gazi neighborhood with the neighborhood residents, where they had gone to watch news. They remained under arrest in the Tekirdağ No 2 F Type Prison for 9 months. They were released in the second trial, on 29 May 2010, in the İstanbul 11th High Criminal Court. They are on trial without arrest.
24	Tuncay Mat, Atılım Newspaper Reporter	
25	Gençağa Karafazlı, Show TV, Rize representative of Birgün and Evrensel newspaper, journalist	He was detained with the allegation of "forming a criminal organization and being the leader of the organization", on 17 June 2009. He remained under arrest in the Rize Kalkandere L Type Closed Prison for 410 days. He appeared before the judge for the first time on 3 August 2010, in the Erzurum 2nd High Criminal Court and was released. He is on trial without arrest.
26	Şafak Gümüşsoy, Mücadele Birliği (Struggle Union) Magazine Former Editor in Chief	He found out during an identification search in Küçükyalı that, he was sentenced in absentia. Since his verdict was finalized and he had not paid the monetary penalty, this penalty was transformed into imprisonment. All the objections of his lawyers were rejected. He remained under arrest in the Amasra Closed Prison. He was released on 4 August 2010.
27	Metin Bulut, Yürüyüş Magazine Owner and Editor in Chief	After remaining under arrest in the Kandıra No 2 F Type Prison for a while, he was released on 19 October 2010.
28	Deniz Doğruer, Özgür Gençlik (Free Youth) Magazine worker	Doğruer was detained after a raid carried out to his house on 16 March 2010. He was arrested by the Erzurum 2nd High Criminal Court, on 19 March 2010. Parts of the fax letter he sent to his friends in İstanbul, on 29 April 2010, including the words "hello" and "goodbye" were crossed out by the Letter Reading Commission. Even those parts which Doğruer stated that he himself had crossed out were crossed out. The letter was faxed to the recipient in this manner. The only readable part in the fax was this note and the "seen" stamp of the prison. After remaining under arrest on the charge that he attended a commemoration for Hrant Dink for 6 months, he was released in the second trial held on 23 September 2010.

Appendix 2: Journalists Who Have Been Released After Detention/ Arrest And Whose Trials Are Still In Progress

	NAME / BROADCASTING CORPORATION	STATUS
29	Şeyhmus Bilgiç, Günlük and Azadiya Welat Newspaper Worker	He was detained on 7 December 2009. He was arrested on the allegation of "being a member of an illegal organization", on 11 December 2009. He was under arrest in the Adana Kürkçüler Prison. He was released on 22 October 2010.
30	Erdal Güler, Devrimci Demokrasi Newspaper Owner and Former Editor in Chief	He was detained on 26 December 2007, after which he was arrested. He was sentenced to 21 months of imprisonment by the Istanbul 11th High Criminal Court. In addition, he was given 60 thousand TL pecuniary penalty. He was expected to be released on 11 December 2009; however his imprisonment was extended due to other final verdicts in other trials. The Office of the Chief Public Prosecutor informed that Güler would be released on 6 September 2014, after thousands of TL pecuniary penalty was transformed into imprisonment. In this case, even if Erdal Güler would be released conditionally, it was expected that he would be released only on 1 November 2012. However, when a mistake made was realized, he was released on 28 October 2010 while he was serving his sentence in the Amasya E Type Prison. The journalist's release was carried out after it was realized that a mistake had been made in the judicial fine of 20 thousand TL, while Güler was convicted under the Anti-Terrorism Law's (TMK) 7/2 article, by the Istanbul 10th High Criminal Court. He was imprisoned with the allegation of promoting such organizations as the PKK and the Maoist Communist Party (MKP).
31	Serkan Demirel, DİHA, Elazığ reporter	He was detained during the raids carried out to the homes of YDGM members in Elazığ, Malatya and Tunceli. He was tried with the allegation of participating in BDP activities and propagandizing the terrorist organization, where he had gone to follow up news. During the trials, after remaining under arrest for 10 months, he was released. He was sentenced to 12 months of imprisonment. The court verdict was appealed and the file is still pending in the Supreme Court.

	NAME / BROADCASTING CORPORATION	STATUS
32	Abdulbesir Yapıcı, Azadiya Welat Newspaper Şanlıurfa Worker	A lawsuit was opened against him in the Izmir 8th High Criminal Court, on the allegation of “attempting to propagandize the terrorist organization”, as he had 177 Güncel and Azadiya Welat newspapers in possession during the Newroz demonstration organized in Aydın, in 2007. The trial ended in September 2008. In the court verdict, 177 Güncel and Azadiya Welat newspapers were presented as criminal evidence. The court regarded Abdulbesir Yapıcı’s apprehension without having distributed the newspapers as “criminal attempt” and his 1 year imprisonment was reduced to 6 months; however, execution of the punishment was not adjourned. In the justified verdict of the court, it was stated that “the personality, characteristics of the defendant and the fact that these types of crimes increased greatly in number were taken into consideration and in case the verdict is adjourned, our court has decided that the defendant will commit these crimes once again and that he should be penalized with the charge of attempting to propagandize the organization and this verdict cannot be adjourned”. He was arrested on the grounds that there was a final judgment of 6 months of imprisonment, given by the Izmir 8th High Criminal Court, on 24 January 2010. He served his imprisonment in the Şanlıurfa E Type Prison. He made an allegation on the grounds that he was battered by the soldiers, while he was being taken to prison. Meanwhile, the soldiers made an allegation on the grounds that he showed resistance while being taken to prison. A verdict of non-prosecution was given on Abdulbesir Yapıcı’s allegation and the allegation of the soldiers was put into process and a lawsuit was opened against him on the allegation of “showing resistance to commissioned officials”. In relation to this case, he was taken detained on 23 November 2010 and after he gave his statement to the Public Prosecutor, he was released on 24 November 2010, pending trial.
33	Gurbet Çakar, Rengê Hêviya Jinê Magazine (Kadının Umudunun Rengi), Former Managing Editor	In the context of an investigation initiated about certain articles in the latest issue of the only women’s magazine published both in Kurdish and Turkish, she was arrested by the Diyarbakır Public Prosecution Office, where she went to give his statement, on 20 March 2010, on the allegation of “propagandizing an illegal organization”. The Public Prosecutor of the Diyarbakır 6th High Criminal Court demanded up to 20 years of imprisonment for Gurbet Çakar, Managing Editor of a women’s magazine titled Rengê Hêviya Jinê, due to news, articles and photographs published in the magazine. The Prosecutor claimed that “... due to the 2nd and 4th issues of ...the magazine, an investigation was initiated on the same allegation against the journalist, however Çakar did not change the publishing policy of the magazine she was the managing editor of and acted as the publishing organ of the PKK and continued to propagandize the organization...” and demanded Çakar to be given a penalty. Gurbet Çakar, who remained under arrest in the Midyat Prison, was acquitted of the allegation of “being a member of the terrorist organization”, on 30 December 2010, in the trial held in the Diyarbakır 6th High Criminal court but she was sentenced to 10 months on the grounds of “propagandizing the terrorist organization”. The duration of her arrest was taken into consideration and she was released on 30 December 2010. There are two more imprisonment verdicts given previously to her on the allegation of “propagandizing the terrorist organization”. A total of three imprisonment verdicts are pending in the Supreme Court.

Appendix 2: Journalists Who Have Been Released After Detention/ Arrest And Whose Trials Are Still In Progress

	NAME / BROADCASTING CORPORATION	STATUS
34	Berivan Eker, Rengê Hêvîya Jinê Magazine (Kadının Umudunun Rengi), Managing Editor	Berivan Eker became the managing editor of the magazine after Gurbet Çakar. Due to the articles published in the magazine's June-July issue, lawsuits were opened on the allegation of "propagandizing the terrorist organization", twice under TMK's article 7/2 and once under TCK's article 314/2 with a request for imprisonment, in September 2010. On 4 December 2010, she was detained after she left her lawyer's office, where she had gone to have a pre-interview to give a statement. She was arrested on 5 December 2010 and was imprisoned in the Diyarbakır E Type Prison. The trial started on 7 December 2010, in the Diyarbakır 6th High Criminal Court. The prosecutor who presented his opinion on the grounds, requested up to 21 years of imprisonment for Berivan Eker, on the allegations of "making demonstration on behalf of the illegal organization, although she is not a member of the organization" and "propagandizing the illegal organization". She received a sentence of 2 years and 6 months of imprisonment on the charge of "propagandizing the organization" twice, in the trial held on 25 January 2011. The court reduced the sentence, taking into consideration her "good conduct" and gave a penalty from the lower limit. She was released on 25 January 2011, when the duration of her imprisonment was taken into consideration.
35	Hatice Özhan, DİHA Diyarbakır Reporter	She was detained on 17 February 2010, in Diyarbakır within the scope of the investigation initiated by the Ağrı Public Prosecution Office in reference to her and was taken to Ağrı. Due to the telephone conversation she made with DP General Center workers and her participation in Roj TV programs, she was arrested on 19 February 2010 on the charge of "propagandizing the organization". After serving imprisonment in the Ağrı Prison for a while, she was released.
36	Sabri Adanır, Gündem Newspaper Distributor	He was detained together with Faysal Tunç and Behdin Tunç, on the allegation of "aiding and abetting the illegal organization", on 5 April 2007 and was arrested. Sabri Adanır's file was separated from the others in order to determine his age. Sabri Adanır, after his trial during which he was kept in custody given a sentence of 6 years and 3 months imprisonment by the Diyarbakır High Criminal Court. (1 February 2010). The verdict was appealed and the file is still before the Supreme Court. After remaining under arrest for some time in the Diyarbakır D Type Prison, he was released.
37	Mahmut Tural, Gündem Newspaper Şanlıurfa Worker	On the grounds that there was a sentence in absentia for his arrest, in a trial held in the Diyarbakır 5th High Criminal Court, he was detained in Şanlıurfa, on 28 November 2007. He was arrested by the Şanlıurfa Criminal Court of Peace on duty. He was sent to the Diyarbakır D Type Prison and was released after some time of imprisonment.
38	Gülşen Bozan, Özgür Kadın (Free Woman) Magazine Worker	She was released after remaining under arrest for some time in the Bursa Closed Prison.
39	Özgür Aytulum, Demokratik Dönüşüm (Democratic Transformation) Magazine Editor in Chief	Within the scope of the operation organized against the Revolutionary Headquarters organization, Aytulum was detained on 21 September 2010. Aytulum was arrested on 25 September 2010. He was released a short time later.
40	Mahmut Gülecan, Özgür Halk (Free Public) Magazine Worker	He was detained on 17 July 2010, in Van. He was arrested on the allegation of "propagandizing the illegal organization", on 19 July 2010. He was under arrest in the Van F Type Prison. He was released on 7 January 2011.

	NAME / BROADCASTING CORPORATION	STATUS
41	Mehmet Şahap Demir, Azadiya Welat,	The final session of the trial of Azadiya Welat Newspaper workers Ali Çat, Abdulcabbar Karadağ and Mehmet Şahap Demir, who were arrested due to the activities they carried out in connection with the referendum relating to the amendment of the Constitution on 12 September 2010, in Mersin, was held in the Adana 8th High Criminal Court, on 12 April 2011. The court which heard the final defense of the defendants, gave Ali Çat and Abdulcabbar Karadağ a sentence of 7 years and 1 month of imprisonment each, on the allegation of "aiding and abetting the illegal organization" and "propagandizing the illegal organization". Mehmet Şahap Demir was given 10 months of imprisonment on the allegation of "propagandizing the illegal organization", the court, however, decided for his release taking into consideration his duration of arrest. (12 April 2011).
42	Necati Abay, Atılım Newspaper Writer	While he was working as journalist-writer in Atılım Newspaper, he was detained from his house in Istanbul/Kadıköy, on 13 April 2003, by Istanbul Security Directorate Anti-Terrorism Division. No criminal evidence was found in the search conducted in his house. After a 4 day detainment period, he was sent to İstanbul/Beşiktaş State Security Court (DGM) prosecution Office, on 17 April 2003 and transferred to coronary judgeship, with demand for arrest. He was released after he was interrogated. Upon the objection made the same day, he was arrested by DGM and sent to Tekirdağ F Type Prison. Since a confidentiality restriction was put on the file, Necati Abay was not informed about the charges. His indictment was prepared 5 months after he was arrested. In the indictment, he was alleged with "being the coordinator of the bombing acts", "being the coordinator of cell houses" in İstanbul, "being the leader of MLKP terrorist organization" and was demanded to be given heavy life term imprisonment. On 3 October 2003, his trial was held in DGM No. 4. The court decided on the release of Necati Abat on the condition of trial without arrest. On 4 May 2011, in the trial held in İstanbul 12th High Criminal Court, Necati Abay, publisher and spokesperson of Imprisoned Journalists Solidarity Platform was sentenced to 18 years and 9 months of imprisonment, on the allegation of being the leader of the MLKP organization. The court decision was finalized upon the approval of the Supreme Court. Necati Abay currently lives abroad.
43	İbrahim Çiçek, Atılım Newspaper, Editor in Chief	They are being tried in the MLKP case, in İstanbul 10th High Criminal Court. They were taken under custody in the operation called Gaye, carried out on 8 September 2006. They were arrested on 12 September 2006. The trial held in Beşiktaş 19th High Criminal Court, on 17 May 2011, was watched by the board of Freedom for Journalists Platform. In the trial held on 17 May 2011, İbrahim Çiçek and Ziya Ulusoy were released. However, arrest verdict was given on İbrahim Çiçek once again later on.
44	Ziya Ulusoy, Atılım Newspaper Writer	
45	Mustafa Kaplan, Journalist-Writer	He was arrested in the operation carried out within the scope of El Kaide structuring, on 22 January 2010. He was tried in court 11 months after his arrest. In the first trial, he was not released in consideration of existing evidence. In the trial held in Beşiktaş 14th High Criminal Court, on 20 May 2011, he was released on the condition of trial without arrest.

	NAME / BROADCASTING CORPORATION	STATUS
46	Suzan Zengin, İşçi-Köylü Newspaper Kartal Office Worker (died on 12 October 2011)	She was detained as a result of a raid carried out to her house, on 28 August 2009, early in the morning. She remained under arrest in Bakırköy Women's and Children's Detention House. She had a prolonged illness which should have been treated. Her complaint petitions related to the prolonged examination which needed to be done due to her health problems were not taken into consideration. Her indictment was announced on May 2010. After a period of 12 months of arrest, she was tried for the first time on 26 August 2010. Suzan Zengin, who stated that she is a journalist and translator, said that she does not know the 4 young people who are the other defendants of the case and that they do not know her either. She added "There are no witnesses and evidence which prove my affiliation either with this case or with these people as indicated in the indictment. It looks as if when the police and the prosecution Office were not able to find a connection between these people and the act, they have expressed that I am a member of an illegal organization. They have included the telephone calls I have made from the newspaper office, most of which were to syndicates which are news sources. These are the material which are tried to be the foundation of the allegation of illegal organization." Suzan Zengin stated that her health problems, such as osteoporosis and ulcer have advanced since their treatments were not done during the time she was arrested. Suzan Zengin, who rejects being a member of the illegal organization, demanded her release. The court objected the release demand. The trial held on 15 February 2011 was watched by the Freedom for Journalists Platform as well. Suzan Zengin's demand for release was once again rejected. She was released on 14 June 2011 on the condition of trial without arrest, in the case where she was tried with the allegation of "organization membership" in İstanbul 10th High Criminal Court. Suzan Zengin entered a coma after an operation she had after her release and died on 12 October 2011.
47	Ersin Çelik, DİHA, reporter	He was sentenced to 6 years and 3 months of imprisonment by Malatya 3rd High Criminal Court, with the allegation of being a member of Patriotic Youth Assembly (YDGM). (15 January 2010). Lawyer Hasan Doğan reminded the fact that, Ersin Çelik worked as a reporter in Şırnak and other cities, he has never been to Malatya during the time of the charge and a single person, who caused the initiation of a prosecution process stated "I know him. He is a DİHA reporter" about him. Lawyer Hasan Doğan also stated that, in the trial held on 2 June 2008, where the confrontation was done, the same person stated "I know him. He works in Dicle News Agency. He has no affiliation with the YDGM" and added "These statements do not create a disadvantageous stance, on the contrary, they are in favor of the defendant" and asked for Ersin Çelik's release. Çelik was sentenced to 6 years and 3 months of imprisonment. This verdict was approved by the Supreme Court as well. DİHA reporter Ersin Çelik, who was also being tried due to the news he made about the police officers who were alleged with being the offenders of Aydın Erdem, who lost his life during the events which took place on 4 April 2009, in Diyarbakır's Bağlar Province, was sentenced to 10 months of imprisonment on the grounds that he committed the crime of "making the identities of state officials who have participated in anti-terrorism process", by Diyarbakır 6th High Criminal Court. (12 May 2011). This verdict of the court was appealed and the file is in the Supreme Court. He was sent to Diyarbakır D Type Prison as convicted. He was released on 3 July 2011.



	NAME / BROADCASTING CORPORATION	STATUS
48	Fazıl Duygun, Yeni Nizam Magazine and Baran Magazine Writer	In the case where he was being tried on the grounds that he insulted Deputy Prime Minister Mesut Yılmaz under the previous TCK's 159th clause, he was sentenced to 18 months of imprisonment under the new TCK's 301st clause. On 19 January 2008, he was detained immediately after he stepped off the bus in Kahramanmaraş terminal, where he went for a personal matter, on the grounds that "a warrant has been issued for his arrest" and was arrested by the court he was sent to and placed in Maraş Prison. He was transferred to Kızılcahamam Prison later on, where he remained convicted. He was released on 2 August 2011. Since he was not able to pay the pecuniary fine of 1.300 TL given to him in another case, this fine was changed into 13 days of imprisonment. He submitted himself to justice on 24 August 2011 to serve his sentence to Niğde Closed Prison. He was released once again on 30 August 2011, when his sentence was executed as 5 days of imprisonment.
49	Emine Altınkaya, Dicle News Agency (DİHA), Reporter (Ankara)	He was arrested on 2 December 2010, with the allegation of being a member of an armed terrorist organization (PKK). He was sent to Ankara Women's Closed Prison. It was decided for his release in the trial held on 20 September 2011, in Ankara 12th High Criminal Court.
50	Hasan Coşar, Atılım Newspaper Writer	He was arrested on 29 March 2009, with the allegation of being a member of an armed terrorist organization (MLKP) and propagandizing for the organization and sent to Ankara Sincan No 1 F Type Prison. He was sentenced to 10 years and 10 months of imprisonment by Ankara 11th High Criminal Court. The verdict was reversed by the Supreme Court. On the trial held on 8 December 2011, he was released in consideration of "the characteristic and quality of the charge against him, the status of evidence in the file and the duration of his imprisonment".
51	Rohat Emekçi, Gün Radyo (Diyarbakır), Presenter	He was released from Mardin E Type Closed Prison, on 15 December 2011, where he was convicted from propagandizing for the terrorist organization (PKK).
52	Behdin Tunç, Dicle News Agency (DİHA), Şırnak Reporter	He was arrested with the allegation of being a member of the armed terrorist organization (PKK), on 5 April 2007. He was sentenced to 6 years and 3 months of imprisonment under TCK's 314/2 clause. He was released from Cizre K1 Type Closed Prison on January 2012, where he served as convicted.
53	Ali Buluş, Dicle News Agency (DİHA), Mersin Reporter	He was arrested with the allegation of being a member of the armed terrorist organization (PKK). He was sentenced to 6 years and 3 months of imprisonment under TCK 314/2. He was released from Karaman Ermenek M Type Prison in 2012, where he served as convicted.
54	Dilek Keskin, Atılım Newspaper, İstanbul Reporter	She was arrested with the allegation of being a member of the armed terrorist organization (PKK), on 15 January 2010. She was sentenced to 4 years and 2 months of imprisonment. She was released from Adana Karataş Women's Closed Prison, on 31 January 2012, where she served as a convict.

Appendix 2: Journalists Who Have Been Released After Detention/ Arrest And Whose Trials Are Still In Progress

	NAME / BROADCASTING CORPORATION	STATUS
55	Doğan Can Baran, Odak Magazine Columnist	He was detained within the scope of the THKP-C Resistance Movement operation, in 6 December 2011. He was arrested on 10 December, 2011 and released on 4 February 2012.
56	Eser Sevgül, Halkın Günlüğü Newspaper, Reporter (Diyarbakır)	Sevgül was arrested on 30 December 2011 after being detained, together with the students who were protesting the Uludere massacre in Dicle university. Sevgül was released in the court he appeared in, on 21 February 2012.
57	Doğan Yurdakul, Odatv, Writer	He was detained within the scope of the Odatv operation carried out on 4 March 2011, with the allegation of being a member of the armed terrorist organization (Ergenekon). He was arrested on 6 March 2011. His indictment was prepared on 26 August 2011. The first trial of the case opened in İstanbul 16th High Criminal Court was held on 22 November 2011. He remained under arrest in Silivri No 2 L Type Prison. He was released due to health problems on 22 February 2012 by the court, in the trial. He is to be tried without arrest.
58	Bayram Parlak, Gündem Newspaper, Mersin Representative	He was released from Karaisalı K1 Type Closed Prison on 8 March 2012, where he served as convicted on the allegation of being a member of the armed terrorist organization (PKK).
59	Ahmet ŞİK, Free Lance Journalist	They were detained within the scope of Odatv operation on 4 March 2011, with the allegation of being members of the armed terrorist organization (Ergenekon). They were arrested on 6 March 2011. Their indictment was prepared on 26 August 2011. The first trial of the case opened in İstanbul 16th High Criminal Court was held on 22 November 2011. They remained under arrest in Silivri No 2 L Type Prison. They were released by the court in the trial held on 12 March 2012. They are to be tried without arrest.
60	Nedim Şener, Milliyet Newspaper Reporter	
61	Sait Çakır, Odatv Columnist	
62	Coşkun Musluk, Odatv Writer	
63	Erdoğan Altan, Dicle News Agency (DİHA), Reporter (Batman)	They were arrested on 19 April 2011, with the allegation of being members of the armed terrorist organization (PKK). They were released on 27 March 2012, from Batman M Type Closed prison, where they remained under arrest. On the verdict trial held on 7 November 2012, in Diyarbakır 7th High Criminal Court, the prosecution carried out against them on the charge of "propagandizing the organization", was adjourned within the scope of 3rd Judicial Package. They were sentenced to 2 years and 1 month each, on the charge of "knowingly and willingly aiding the organization, although they are not a part of the hierarchical structure of the organization".
64	Kadir Kaya, Dicle News Agency (DİHA), Diyarbakır District Office Representative	
65	Ragıp Zarakolu. Evrensel Newspaper Columnist / Writer and Publisher	He was arrested on 1 November 2011, with the allegation of "being a member of the terrorist organization" in the first KCK case. He remained under arrest in Kocaeli Kandıra No 2 F Type Prison. He was released in the trial held in İstanbul 15th High Criminal Court, on 10 April 2012.

	NAME / BROADCASTING CORPORATION	STATUS
66	Hamdiye Çiftçi, Dicle News Agency (DİHA), Reporter (Hakkâri)	Çiftçi was arrested on 14 June 2010, with the allegation of being a member of an armed terrorist organization (KCK – Union of Communities in Kurdistan). She was released on 20 April 2012, from Bitlis E Type Prison where she remained under arrest.
67	Mazlum Sezer, Dicle News Agency (DİHA), Former Reporter	He was released on 26 April 2012.
68	Osman Baha Okar, Bilim ve Gelecek (Science and Future) Magazine Editor	He was arrested on 25 September 2010, on the allegation of being a member of an armed terrorist organization (Revolutionary Headquarters). He was released from Tekirdağ No 1 F Type Prison, on 30 April 2012. He is to be tried without arrest.
69	Feyyaz Deniz, Dicle News Agency (DİHA), Reporter (Ankara)	He was detained on 1 June 2011 as a result of a raid carried out in his house, with the allegation of being a member of an organization (DYG) and was arrested on 3 June, 2011. He remained under arrest in Bolu Prison. On 15 May 2012, he was decided to be released in the trial held in Ankara 11th High Criminal Court.
70	Mehmet Karaaslan, Dicle News Agency (DİHA), Mersin Reporter	He was arrested on the allegation of being a member of an armed terrorist organization (PKK) and propagandizing the terrorist organization. He was sentenced to 6 years and 3 months under TCK's 314/2 clause. He was released in 2012, from Karaman Ermenek M Type Prison, where he served as convicted.
71	Deniz Kılıç, Azadiya Welat (Freedom of the Country), Batman Representative	He was arrested on 4 April 2011, on the allegation of propagandizing a terrorist organization (PKK). He was sentenced to 2 years and 1 month of imprisonment. He was released from Batman M Type Prison in 2012, where he served as convicted.
72	Barış Açık, İşçi-Köylü Newspaper, Owner and Editor in Chief	He was arrested on the allegations of propagandizing a terrorist organization; showing those who participated in the anti-terrorism struggle as targets, on 29 March 2009. He was sentenced to 7 years and 7 months of imprisonment and 78 thousand TL pecuniary fine. He was released from Kocaeli No 2 F Type Prison in 2012, where he served as convicted.
73	İhsan Sinmiş, Azadiya Welat (Freedom of the Country) Newspaper Worker and Distributor	He was arrested on the allegation of being a member of an armed terrorist organization (PKK), on 15 October 2009. He was released from Adana F Type Prison in 2012, where he served as convicted.
74	Murat İlhan, Azadiya Welat (Freedom of the Country) Newspaper, Worker and Distributor	He was released from Diyarbakır D Type Prison in 2012, where he served his sentence as convicted on the allegation of propagandizing a terrorist organization (PKK).
75	Serdar Engin, Özgür Gündem Newspaper Editor	He was sentenced to 9 months of imprisonment for his expression "Honorable Öcalan". He was sent to Silivri Prison in 2011 and was released in 2012.

Appendix 2: Journalists Who Have Been Released After Detention/ Arrest And Whose Trials Are Still In Progress

	NAME / BROADCASTING CORPORATION	STATUS
76	M. Ferid Demirel, Dicle News Agency (DiHA), Reporter	The dates of his arrest and release are unknown.
77	Ruken Ergün, Azadiya Welat Newspaper Former Grant Holder and Editor in Chief	Ergün was arrested in 2011, on the allegation of being a member of a terrorist organization. She remained under arrest in Adana Karataş Women's Closed Prison. She was released in June 2012.
78	Müeyesser Yıldız, Odatv, Journalist	Yıldız was detained within the scope of Odatv operation carried out on 4 March 2011, with the allegation of being a member of an armed terrorist organization (Ergenekon). Yıldız was arrested on 6 March 2011. Yıldız's indictment was prepared on 26 August 2011. The first trial of the case opened in İstanbul 16th High Criminal Court was held on 22 November 2011. Yıldız remained under arrest in Silivri No 8 L Type Prison. Yıldız was released in the trial held on 18 June 2012 by court on the condition of trial without arrest.
79	Abdülmenaf Düzenci, Yüksekova Gündem Internet Site Owner	He was arrested within the scope of KCK operation on February 2011. He was released on 9 July 2012 within the scope of the 3rd Judicial Package.
80	Aydın Yıldız, Dicle News Agency (DiHA), Reporter (Mersin)	He was arrested within the scope of KCK operation on 1 October 2011. He remained under arrest in Gaziantep H Type Closed Prison. He was released in the trial held on 13 July 2012, in Adana 7th High Criminal Court, within the scope of the 3rd Judicial Package.
81	Kazım Şeker, Özgür Gündem Newspaper Editor	He was arrested on 8 October 2011, with the allegation of being a member of an organization (KCK). He remained under arrest in Kocaeli Kandıra No 2 F Type Prison and was released on 13 July 2012. He is being tried in the KCK İstanbul case, which has 205 defendants.
82	Halit Güdenoğlu, Yürüyüş Magazine Owner and Editor in Chief	They were arrested on 28 December 2010, with the allegation of being members of an armed terrorist organization (DHKP-C). Naciye Yavuz was sent to Ankara Women's Closed Prison and the other defendants were sent to Ankara no 1 F Type Prison. They were released in the trial held on 20 July 2012, within the scope of the 3rd Judicial Package. Kusa Kurt was rearrested on 18 September 2012. Kaan Ünsal was rearrested on 14 March 2013 under the scope of the DHKP-C operation.
83	Cihan Gün, Yürüyüş Magazine and Ozan Publishing Worker	
84	Naciye Yavuz, Yürüyüş Magazine Reporter (İstanbul)	
85	Musa Kurt, Kamu Emekçileri Cephesi (Public Laborers Front) Magazine Editor in Chief	
86	Kaan Ünsal, Yürüyüş Magazine Worker	
87	Vedat Kurşun, Azadiya Welat (Freedom of the Country) Newspaper Editor in Chief	He was arrested with the allegation of propagandizing the organization or its goals (PKK) and sent to Diyarbakır D Type Prison. He was sentenced to 166 years and 6 months of imprisonment. The verdict was reversed by the Supreme Court. The court corrected the imprisonment as 10 years. In addition, there are two other case files, for which he was sentenced to 2 years and 4,5 years of imprisonment. He was released on 26 July 2012, under the 3rd Judicial Package.

	NAME / BROADCASTING CORPORATION	STATUS
88	Ozan Kılınç, Azadiya Welat (Freedom of the Country) Newspaper Editor in Chief	He was arrested on 22 July 2010, with the allegation of propagandizing the terrorist organization and sent to Diyarbakır D Type Prison. He was released on 6 August 2012, within the scope of the 3rd Judicial Package. (It was understood during his imprisonment that he was made a member of AKP (JDP) ).
89	Aziz Tekin, Azadiya Welat (Freedom of the Country), Mardin Representative	He was detained within the scope of the operation held in Mardin's Kızıltepe Province, together with 11 more people. 8 of the people who were taken under custody including Aziz Tekin were arrested on 28 January 2012, on the grounds that they encouraged giving petitions to the prosecution office within the scope of the "I am denouncing myself" campaign of BDP. He was kept under arrest in Mardin E Type Closed Prison. On 9 August 2012, he was released in the trial held in Diyarbakır 4th High Criminal Court, under the scope of the 3rd Judicial Package.
90	Hıdır Gürz, Halkın Günlüğü Newspaper, Editor in Chief	He was arrested in February 2011, on the allegation that he is a member of an armed terrorist organization (DHKP-C). He remained under arrest in Gaziantep H Type Closed Prison. He was released on 22 August 2012, under the scope of the 3rd Judicial Package.
91	Sedat Şenoğlu, Atılım Newspaper, Editor in Chief	He was arrested on 12 September 2006, with the allegations of having hazardous substances without permit in possession or passing these in other hands; attempting to destroy the Constitutional order; buying, carrying or having firearms and ammunition without license in possession; forgery of official documents (MLKP). He remained under arrest in Edirne F Type Prison. His trial held on 17 May 2011 was watched by the Freedom for Journalists Platform as well. He was released in the trial held on 6 September 2012.
92	Çağdaş Ulus, Vatan Newspaper Reporter (Istanbul) Vatan Daily Correspondent	He was detained on 20 December 2011, within the scope of KCK operation. He was arrested by the court he appeared in on 24 December 2011. He was released by court "on the consideration of the possibility of the change in the classification of the offence".
93	Barış Pehlivan, Odatv, General Broadcasting Coordinator	They were detained on 14 February 2011, within the scope of Odatv Operation, with the allegation of being members of an armed terrorist organization (Ergenekon). They were arrested on 18 February 2011. Their indictment was prepared on 26 August 2011. The first trial of the case opened in İstanbul 16th High Criminal Court was held on 22 November 2011. They were kept under arrest in Silivri No 1 L Type Prison. They were released by court, in the trial held on 14 September 2012. They are to be tried without arrest.
94	Barış Terkoğlu, Odatv, News Director	
95	Murat Aydın, Dicle News Agency (DİHA), Reporter (Muş)	He was arrested on 22 October 2011. He was released in the trial held in Van 3rd High Criminal Court, on 18 September 2012.
96	Hakan Soytemiz, RED Magazine Writer	He was arrested on 25 September 2010, with the allegation of aiding and harboring the member of an illegal organization (Revolutionary Headquarters). He was kept under arrest in Silivri No 4 L Type Closed Prison. He was released from the Revolutionary Headquarters case in the trial held in İstanbul 9th High Criminal Court, on 7 August 2012, within the scope of the 3rd Judicial Package. However, due to another imprisonment sentence, he remained in prison. He was released on 24 September 2012.

Appendix 2: Journalists Who Have Been Released After Detention/ Arrest And Whose Trials Are Still In Progress

	NAME / BROADCASTING CORPORATION	STATUS
97	Müge Tuzcu, Evrensel Newspaper Former Reporter, Anthropologist and Writer	She was detained from her house, on 8 March 2012, within the scope of the KCK operation. She was arrested on 9 March 2012. She was kept under arrest in Diyarbakır Prison. She was released in the trial held in Diyarbakır 6th High Criminal Court, on 25 September 2012.
98	Songül Karatagna, Özgür Gündem Newspaper Proof Reader	She was arrested on 8 October 2011 and sent to Bakırköy L Type Women's Prison. Her release date is unknown.
99	Mehmet Güneş, Türkiye Gerçeği (Turkish Reality) Magazine Columnist	He was detained within the scope of Revolutionary Headquarters operation on 6 December 2011. He was arrested on 10 December 2011. His release date is unknown.
100	Murat Çiftçi, Dicle News Agency (DİHA) Reporter, Şanlıurfa	He was arrested on 24 January 2012, with the allegation of "attempting to influence fair trial in the prosecutor's office, where he went to give a statement about news he made and sent to Şanlıurfa E Type Prison. His release date is unknown.
101	Gülşen Aslan	She was arrested on 20 February 2012. She was kept under arrest in Sincan Prison and released on 15 October 2012.
102	Abdulcebbar Karabeğ, Azadiya Welat (Freedom of the Country) Newspaper, Mersin Representative	He was arrested on 26 September 2010 and sent to Mersin E Type Prison. His trial ended on 12 April 2011, in Adana 8th High Criminal Court. He was sentenced to 7 years and 1 month of imprisonment. He was released on 2 November 2012.
103	Ali Çat, Azadiya Welat (Freedom of the Country) Newspaper, Mersin Worker	He was arrested on 26 September 2010, with the allegation of forming or leading a terrorist organization (PKK) and sent to Mersin E Type Prison. His trial ended on 12 April 2011, in Adana 8th High Criminal Court. He was sentenced to 7 years and 1 month of imprisonment. He was released on 2 November 2012.
104	Sinan Aygül, Dicle News Agency (DİHA), Reporter (Bitlis)	He was arrested on 23 January 2011, with the allegation of being a member of an armed terrorist organization (PKK) and sent to Muş E Type Closed Prison. He was released on 6 November 2012. He was sentenced to 10 years of imprisonment with the charge of "organization membership". His file is in the Supreme Court. (It was understood later on that he was made a member of AKP (JDP) ).
105	Ahmet Akyol, Dicle News Agency (DİHA), Reporter (Adana)	He was arrested on 9 May 2011, with the allegation of being a member of an armed terrorist organization and sent to Adana-Ceyhan M Type Closed Prison. He was released on 6 November 2012.
106	Mehmet Karabaş, Batman Post Writer	After being detained with DİHA reporters Kadri Kaya and Erdoğan Altan, he was released. Within the frame of the "arrest warrant" issued for him later on, he was caught in İstanbul and sent to Metris Prison. (23 May 2011). HE was transferred later on from Metris Prison to Batman M Type Closed Prison. He was released in 2012. The prosecution carried out on the charge of "propagandizing an organization" in the summary judgment on 7 November 2012, was adjourned within the scope of the 3rd Judicial Package. He was sentenced to 2 years and 1 month of imprisonment with the charge of "knowingly and willingly aiding the organization, although he is a not a part of the hierarchical structure of the organization".

	NAME / BROADCASTING CORPORATION	STATUS
107	Oktay Candemir, Dicle News Agency (DİHA), Former Worker	He was detained on 20 December 2011, within the scope of KCK operation. He was arrested on 24 December 2011 by the court he appeared in. He was released in the trial held on 16 November 2012.
108	Bedri Adanır, Aram Publications Owner, Editor in Chief of Hawar Newspaper, which is published in Kurdish	He was arrested on 12 January 2010, with the allegation of being a member of an armed terrorist organization (PKK) and sent to Diyarbakır D Type Prison. In the trial held on 27 November 2012, in Diyarbakır 6th High Criminal Court, he was sentenced to 6 years and 3 months of imprisonment, with the charge of "knowingly and willingly aiding the organization, although he is not a part of the hierarchical structure of the organization". However, he was released in consideration of the duration of his imprisonment and the duration of being under arrest. The trial was watched by TGS (Turkish Journalists Union) General Director Ercan İpekçi and European Journalists Federation (EFI) Member of Board of Directors, Patrick Kamenka as well.
109	Mehmet Yeşiltepe, Devrimci Hareket (Revolutionary Movement) Magazine Worker	He was arrested with the allegation of forming an armed organization or joining such an organization (Revolutionary Headquarters) and sent to Tekirdağ No 1 F Type Prison. He was released in December 2012, since there was less than 6 months to the completion of his imprisonment as a convict.
110	Soner Yalçın, Odatv Owner/ Journalist	He was detained on 14 February 2011, within the scope of Odatv operation. He was arrested on 18 February 2011. His indictment was prepared on 26 August 2011. He was alleged with being a member of an armed terrorist organization (Ergenekon); alteration of documents related to the security of the state; using these outside of their purpose; acquiring these with deception and stealing them. The first trial of the case which was opened in İstanbul 16th High Criminal Court was held on 22 November 2011. He was kept under arrest in Silivri No 1 L Type Prison. He was released on 27 December 2012, in the trial held in İstanbul 16th High Criminal Court.
111	Çağdaş Kaplan, Dicle News Agency (DİHA), Reporter (İstanbul)	He was detained on 20 December 2011 within the scope of KCK operation. HE was arrested by the court he appeared in on 24 December 2011. He was released in 8 February 2013, in the trial held in İstanbul 15th High Criminal Court (Silivri Campus).
112	İsmail Yıldız , Dicle News Agency (DİHA), Former Worker (İstanbul)	He was detained on 20 December 2011, within the scope of KCK operation. He was arrested by the court he appeared in, in 24 December 2011. He was released in 8 February 2013, in the trial held in İstanbul 15th High Criminal Court (Silivri Campus).
113	Ömer Çiftçi, Demokratik Modernite (Democratic Modernity) Magazine Grant Holder	He was detained on 20 December 2011, within the scope of KCK operation. He was arrested on 24 December 2011 by the court he appeared in. He was released on 8 February 2013, in the trial held in İstanbul 15th High Criminal Court (Silivri Campus).

Appendix 2: Journalists Who Have Been Released After Detention/ Arrest And Whose Trials Are Still In Progress

	NAME / BROADCASTING CORPORATION	STATUS
114	Pervin Yerlikaya, Dicle News Agency (DiHA), Reporter (İstanbul)	She was detained on 20 December 2011, within the scope of KCK operation. She was arrested by the court she appeared in on 24 December 2011. She was released on 8 February 2013, in the trial held in İstanbul 15th High Criminal Court (Silivri Campus).
115	Ziya Çiçekçi, Özgür Gündem Newspaper Grant Holder and Managing Editor	He was detained on 20 December 2011, within the scope of KCK operation. He was arrested on 24 December 2011 by the court he appeared in. He was released on 8 February 2013, in the trial held in İstanbul 15th High Criminal Court (Silivri Campus).
116	Zuhal Tekiner , Dicle News Agency (DiHA), Grant Holder (İstanbul)	She was detained on 20 December 2011, within the scope of KCK operation. She was arrested by the court she appeared in on 24 December 2011. She was released on 8 February 2013, in the trial held in İstanbul 15th High Criminal Court (Silivri Campus).
117	Özlem Ağuş, Dicle News Agency (DiHA), Reporter	She was arrested in March 2012, within the scope of KCK operation, after making news about children who were subject to torture in Pozantı Prison. She was released in the trial held on 25 February 2013.



## **APPENDIX 3: THE REPLIES OF SOME ARRESTED AND CONVICTED JOURNALISTS TO THE ALLEGATIONS MADE AGAINST THEM IN THE LETTERS THEY HAVE SENT**

### **LETTER 1**

**NAME SURNAME:** Abdullah Çetin

**(D Type Closed Prison / DİYARBAKIR- (Arrested) of KCK membership)**

**PERSONAL INFORMATION:** Born in 1978, 35 years old. University drop-out.

**MEDIA INSTITUTION HE WORKS IN:** He has worked in Dicle News Agency (DİHA), Kurtalan Municipality Press and Public Relations Unit. He also served as Siirt Reporter and municipality worker.

**PREVIOUS CONVICTIONS:** He served imprisonment in 2001 for 7 months in Siirt E Type Closed Prison.

**CONVICTION DATE AND DURATION:** He has been convicted for 13 months, since 16 December 2011, in Diyarbakır D Type Prison. 22,5 years of imprisonment is demanded.

**REASONS FOR ARREST (INDICTMENT):** Abdullah Çetin states that he is being tried due to allegations such as the news he followed, "being a KCK Press Council Member", "being a KCK City Congress Member". Çetin states that only one telephone conversation he had with one person from the list of 27 names has been detected (Kurtalan Municipal Council Member) and that, this person is both a colleague and a close friend. In addition, he states that he has been stamped for every conversation he had in the indictment, through expressions such as "KCK Press Council Member", "KCK Press Committee Member", "KCK City Council Official", "KCK Youth Official", "KCK Siirt/Kurtalan Official" and similar expressions. He says that he is also being tried on

the allegation of participating in and organizing 20 demonstrations besides the telephone calls. He states that the demonstrations he participated in were the demonstrations he made into news.

**The demonstrations and press statements he participated in are respectively as follows:**

- 8 March World Laborer Women's Day
- BDP's press statement for 8 March World Laborer Women's Day
- Press statement related to Halepçe Massacre
- Newroz Holiday celebrated with the permission of the governorship
- BDP's press statement
- BDP's press statement on 2nd Period Congressman Sevahir Bayındır
- BDP's boycott demonstration
- BDP's press statement on 9 people who lost their lives by stepping on mines in Hakkari's Geçimli Village
- Youth festival organized by Siirt Municipality
- Observation of the funerals
- Opening of Berfin Women's Solidarity Center by Siirt Municipality
- Press conference of the families on the opening of the mass grave in Kasaplar Creek (Newala Kasaba)
- Press statement of BDP Siirt Provincial Directorate
- March and press statement for the opening of the mass grave in Kasaplar Creek (Newala Kasaba), attended by known artists, writers and journalists
- Opening of the "Democratic Peace" tent set up in the yard of the Siirt Municipality
  - Press statement of Siirt Democratic Platform
    - BDP Kurtalan Organization's press statement
    - Observing the civil Friday prayers (salaat)

Abdullah Çetin states that the security directorate gave place to these expressions in the evaluations: "It has been determined that illegal slogans in favor of the organization have been called during the demonstration by the participants and Abdullah Çetin's participation in this demonstration and his giving place to news titled "8 march celebrations continue" on the demonstration organized in the internet site www.gundemonline.net, which broadcasted in favor of the organization the same day. Again, in the same internet site, news titled "Newroz Joy in 15 Centers" has been given place to. He also states that, there are allegations of him reporting the propaganda of the organization as "news" in accordance with the instructions of PKK/KCK organization and prepared in accordance with the instructions of KCK.

**ARTICLES TAKEN AS EVIDENCE IN THE SEARCHES:** He states that, a wedding celebration CD, the letter he has sent to convicted BDP Şırnak Congressman Faysal Sarıyıldız's wife, defense Abdullah Öcalan has presented to AİHM, Kurdish Grammar book, M. Uzun's book titled *Light Like Love, Dark Like Death*, some issues of Özgür Gündem and his news were seized.

**ILLNESS:** He does not have a serious illness.

**ABUSE OF RIGHT IN PRISON:** He has not mentioned any violation of rights.

## **LETTER 2**

**NAME SURNAME:** Ahmet Birsin

**(D Type Closed Prison Kayapınar/DİYARBAKIR-** arrested with the allegation of being a KCK leader)

**PERSONAL INFORMATION:** Born in 1968, in Diyarbakır. *(No information about his education)*

**MEDIA INSTITUTION HE WORKS IN:** Gün TV General Broadcasting Coordinator

**PREVIOUS ARREST:** He was arrested in the beginning of November 1993, on the allegation of being a member of the organization. He was released on 19 March 2003. Due to the newspaper archives being reported as organizational material sent to Diyarbakır towards the end of 2003, he was detained while working in the administrative and central distribution unit of "Azadiya Welat" Newspaper and then released.

**DATE OF ARREST AND DURATION:** He was detained in the operation carried out on 4 April 2009.

**REASONS FOR ARREST - (INDICTMENT):** Ahmet Birsin states that, broadcasting in many languages and primarily in Kurdish in the Gün TV has been a factor in the closing down of the station and then his detainment. He contends that, through such allegations the Kurdish press has been subjected to illegal practices. Ahmet Birsin states that, he has been held responsible for national newspapers and broadcasting organizations, such as Azadiye Welat Newspaper, Özgür Gündem Newspaper, Güncel Newspaper, Özgür Halk Magazine, Tiraj Magazine, etc, as stated in his indictment. He claims that through him the dissenting Kurdish press has been targeted and terrorized. He states that when he was arrested in 2009, a confidentiality restriction has been put on his file and this has remained in effect until the approval of the indictment, which was prepared in June 2010. He adds that, this restriction is applied only in the case of suspects and

defendants. Ahmet Birsin states that, he has been accused of carrying out organizational activities in line with the press and broadcasting institution mentioned in the indictment and that he has been held responsible for the press and broadcasting institutions which broadcast in connection with KCK/TM Turkey wide. In relation to these allegations, he states that his visit to Iraq and managing a bakery there were interpreted as having talks with the leaders of the organization during his stay. In 2004-2009, during which he worked in the Azadiya Welat Newspaper and Gün TV, the payments he made in relation to these institutions (advertisements, paper, agency payments, etc.) have been claimed to be “transfers made to be used in organizational activities” as indicated in the indictment. In the searches conducted in the television station, many organizational documents, music, photographic documents have been found. (Interview notes with Abdullah Öcalan, his statements and photographs, etc.) He states that, the statement “Those who organize the activities of the organization are punished as organization leaders as well” found in Article 711th of Law No. 3713 was used to charge him.

**ARTICLES TAKEN AS EVIDENCE IN THE SEARCHES:** Digital data found in his office and in his car and his correspondence and archives relating to Gün TV have been seized and he has not been permitted to take copies. Ahmet Birsin claims that new evidence was produced by inter-mingling the official and civil correspondence of the institution with these digital data and that these were added to the indictment. He adds that certain press articles in the file which have nothing to do with the case have been attributed to him.

**ILLNESS:** Some of his illnesses have relapsed. Since he has a handicap in his left leg, he states that he experiences difficulties in particular during the winter months.

**ABUSE OF RIGHT IN PRISON:** He has received disciplinary punishment for going on a hunger strike. His access to publications and magazines has been blocked. He has lost his mother on 2 November 2012 and he has not been permitted to attend her funeral.

### **LETTER 3**

**NAME SURNAME:** Nurettin Firat

**(No 1 F Type Closed Prison- B3 Ward, Kandıra / KOCAELİ-** arrested on the allegation of being a member of KCK)

**PERSONAL INFORMATION:** 30 years old, graduate of Istanbul University, Faculty of Communication, Department of Journalism

**MEDIA INSTITUTION HE WORKS IN:** Editor and columnist in the Özgür Gündem Newspaper

**DATE OF ARREST AND DURATION:** Under arrest since December 2011. (His next court trial in on 4-8 February)

**REASONS FOR ARREST - (INDICTMENT):** It is alleged that he organizes activities on behalf of the KCK press committee. He states that, his visits to Iraq (about 15 times) and the statements of secret witnesses have been presented as evidence of this. In the indictment, it is alleged that he has been writing "political and organizational articles" in the Özgür Gündem Newspaper and that he attended the KCK meetings, whose dates coincided with some of his visits to Iraq. He believes that he has been arrested because of two books he has been writing on killed journalists and unidentified murders in Turkey and his books which depict the Kurdish problem and the Şemdinli incident. In addition, he has two documentary films on unidentified murders and killed journalists, which have been broadcasted.

**ILLNESS:** He had surgery due to varicose veins in his legs, on 8 august 2012.

**ABUSE OF RIGHT IN PRISON:** He has not mentioned any abuse of right in prison.

#### **LETTER 4**

**NAME SURNAME:** Semiha Alankuş

**(L Type Closed Prison Bakırköy /ISTANBUL – Arrested with the allegation of being a leader of the PKK/ KCK organizations)**

**PERSONAL INFORMATION:** Born on 1.1.1966, in Kars. Graduate of Ankara University, Faculty of Language, History and Geography

**MEDIA INSTITUTION SHE WORKS IN:** Dicle News Agency- Translator and editor in the translation service from Turkish to Kurdish in the Diyarbakır office

**DATE OF ARREST AND DURATION:** He has been under arrest since 24 December 2011. Up to 15-22,5 years of imprisonment is being requested for him.

**PREVIOUS ARREST:** He has served 10 years of imprisonment with the charge of being a member of the organization, in 1992-2002.

**REASONS FOR ARREST (INDICTMENT):** Signing the press release for Nuray Mert and being a jury member in the “Musa Anter Press Martyrs and Journalism Competition” which is being organized since 1993, are among the allegations in her indictment. In addition, there are allegations of her visiting Iraq, in 2009 and participating in the PKK conference at that date. Semiha Alankuş states that, although the date of her entry to Turkey from Iraq is indicated in her passport with a seal, in the indictment it is shown as if she has not entered Turkey at all. It is indicated that, she looks as if she has been to Iraq again after that date and underlines the discrepancy in this situation. Her request to defend herself and give her statement in Kurdish has been rejected due to Kurdish being an unknown and incomprehensible language. She thinks that, working in the Kurdish press constitutes the greatest crime.

**ARTICLES TAKEN AS EVIDENCE IN THE SEARCHES:** Some magazines and books were seized in the search conducted in her house.

**ILLNESS:** She does not have a serious illness. She complains about the soldier not leaving the room while she was to be examined and about her dispatch to the hospital, which was delayed for months.

**ABUSE OF RIGHT IN PRISON:** She has not mentioned any abuse of right in prison.



## **LETTER 5**

**NAME SURNAME:** Turabi Kışın

**(No 1 R Type Prison / KOCAELİ-** Arrested on the allegation of being a leader of an organization)

**PERSONAL INFORMATION:** Born in 1965. High school graduate

**MEDIA INSTITUTION HE WORKS IN:** Editor of the Forum pages in the Özgür Gündem Newspaper

**DATE OF ARREST AND DURATION:** He was arrested on 30 December 2011. Up to 18 - 22,5 years of imprisonment have been requested for him.

**PREVIOUS ARREST:** He was imprisoned for 10 years between 1995-2005, on the charge of being a member of the organization.

**REASONS FOR ARREST (INDICTMENT):** Turabi KİŞİN states that, having telephone conversations with the readers of the Özgür Gündem Newspaper, on subjects such as news, advertisements, news photographs; having telephone conversations with the newspaper's Editor in Chief and Ankara Representative Hüseyin Aykol; telephone and internet correspondence with the Dicle News Agency and the Fırat News Agency workers have been evaluated as evidence in his indictment. He states that, entering the Federated Kurdistan area in 2007 from the Habur border gate with the purpose of making news has been shown as having held a meeting with PKK high level officials. The speech he made where he spoke about Vedat Kurşun the editor of the newspaper, who was in prison, while accepting the Azadiya Welat Newspaper's award on behalf of the directors, in the Fegi Hüseyin Sağniç Award Ceremony organized by the Istanbul Kurdish Institute, in 2008, and has also been presented as evidence against him. His articles titled "Those Who Sit In That Chair" and "They did not understand us even when we spoke in Turkish," dated 2011 and published in the Özgür Gündem Newspaper have been included as crime elements as well. Turabi Kışın also states that, Abdullah Öcalan's interview notes which he had in his possession and his

speech in LABOUR Party's (EMEP) forum on 22.10.2011, where he expressed the view that the "Kurds have been subjected to a constitutional conspiracy in history" have been presented among the evidence. Turabi KIŞİN thinks that he has been arrested because the Özgür Gündem newspaper expresses a wide range of beliefs and views extending from the Kurdish problem to the Alawites and since they are not part of the media that backs the government.

**ILLNESS:** He has had ulcerative colitis for 11 years. He states that it has a risk of transforming into cancer. Recently, a mass has been detected in his left kidney, which has been increasing in size and has reached a risky stage. He is waiting for a date to be given for surgery.

**ABUSE OF RIGHT IN PRISON:** He has not mentioned any abuse of right in prison. He states that it was humiliating to have been examined totally naked the first day he was brought to prison. When he refused to take his clothes off, 6-7 wardens attacked him under the watch of the head warden and took his clothes off by force. He was not allowed to see his family and friends for a month due to this incident. He states that, he cannot go on hunger strike due to health problems; however a disciplinary lawsuit has been opened since he signed the petition stating that he supports hunger strikes. He wants to watch television broadcasts which are in line with his beliefs and views; however he states that they are being compelled to watch nationalistic, racist and communitarian channels.

## **LETTER 6**

**NAME SURNAME:** Tayip Temel

**(D Type Closed Prison / DİYARBAKIR-** Under arrest with the allegation of being a leader of an organization)

**PERSONAL INFORMATION:** Born in 1982, in Hakkari. High school graduate. (While he was receiving education in the Van Yüzüncü Yıl University, Department of Sociology, he was arrested due to his petition stating "I want to have an education in my mother tongue"; he was released 7 months later; however he did not wish to continue his education there).

**MEDIA INSTITUTION HE WORKS IN:** He started working as a reporter in 2002, in the Dicle News Agency. He worked as Editor in Chief in the Azadiya Welat Newspaper in 2006-2010.

**DATE OF ARREST AND DURATION:** He was arrested on 8 October 2011. Up to 14 - 22 years of imprisonment is requested.

**PREVIOUS ARREST:** While he was receiving education in the Van Yüzüncü Yıl University, Department of Sociology, he was arrested due to his petition stating "I want to have an education in my mother tongue"; he was released 7 months later, however he did not wish to continue his education there.

**REASONS FOR ARREST - (INDICTMENT):** Temel is charged with being a member of the KCK Press Committee. He states that, the exchange of ideas between himself and the journalists and editors in the newspaper he worked for as Editor in Chief have been evaluated as "organizational instructions". Temel, who states that his words to the DİHA journalists have been evaluated in the same manner, gives the following examples for the prosecutor's statements which have been evaluated as criminal evidence:

- Giving about 30-40 Azadiya Welat newspapers to DTP Parliamentarian Emine Ayna to be distributed in the Parliament,
- Asking the question "What does Öcalan mean to you?" to the reporter, in the interviews made with the

participants in the DBP Democracy Tents,

- Publishing information relating to the dead organization militants,
- Giving the telephone number of DİHA in North Iraq to a person through e-mail,
- Attending the broadcast of Roj TV and arranging guests to be invited,
- Providing support for Azadiya Welat's and DİHA's financial sources, (Subscription)
- Giving instructions to the reporter about what the headline should be and which persons are to be writers,
- Giving the instruction that the incident in Nusaybin is to be made news... etc.

Tayip Temel states that, he has not been able to defend himself, since his request to defend himself in his mother tongue has been rejected. He states that, during his employment in the Azadiya Welat Newspaper, lawsuits have been opened against him with the charge of "propagandizing the organization" and that he has received messages and telephone calls of insult due to the news of that period concerning the "deep state". Tayip Temel criticizes the fact that, these insult mails and telephone calls have not been included in the indictment, while other mails and telephone calls have. He thinks that he has been arrested because he criticized the policy of the state against the Kurdish people.

**ILLNESS:** Temel started a hunger strike on 12 September 2012. Due to the hunger strike which lasted for 68 days, he has problems such as visual impairment, memory loss, amnesia and tinnitus.

**ABUSE OF RIGHT IN PRISON:** He states that the basic breach of right is not being able to send writings in Kurdish outside the prison.

## **LETTER 7**

**NAME SURNAME:** Sultan Şaman

**(F Type Women's Closed Prison-Sincan/ ANKARA-** She has been arrested on the allegation of being a leader of the organization)

**PERSONAL INFORMATION:** 35 years old. Born in Şırnak. Junior high school graduate.

**MEDIA INSTITUTION SHE WORKS IN:** Editor of Heviye Jine Magazine

**DATE OF ARREST AND DURATION:** She was arrested on 4 February 2012 (she has been under arrest for about 11 months)

**PREVIOUS ARREST:** She was arrested in 2004 and was imprisoned for 4 years and 8 months. (She has sent her file to AİHM (the European Court of Human Rights). Turkey lost the case against her and was sentenced to pay damages. The contents of the file are with her lawyer).

**REASONS FOR ARREST - (INDICTMENT):** Şaman states that, the children in Kurdish families usually have two names and that her family calls her "Adar". (It means budding of flowers in the spring). However, she states that the government has shown this second name as her "code name". At the time of her arrest in her family house in Nusaybin, she states that the special operation team members have pushed around her old mother with rifle butts; the special team members have threatened to kill her and insulted her all the way from Nusaybin to Batman. She states that her conversations have been 'bugged' and she is on trial due to her criticism of Abdullah Öcalan's treatment. She states that, her statement which has been listened to in Kurdish has been mistranslated in the indictment and her question "Why is Kurdish not spoken?" has been included as an element of crime.

**ILLNESS:** She states that she has an extreme case of slipped waist, neck, coccyx and disc. She is an asthma patient and has had bladder surgery due to risk of cancer. She has "prostate" illness, which is seen one in a thousand. Since she has had gastric

bleeding before, she adds that she has problems in her digestive system and cannot have the necessary nutrition under these conditions. Sultan Şaman states that she has a health problem that should be immediately treated.

**ABUSE OF RIGHT IN PRISON:** Her request to be taken to Diyarbakır due to her health problems has been rejected. She has travelled without food and water for 19 hours, in handcuff rings. She states that the 'rings' are savagery and requests a research to be conducted on this issue. She complains of the fact that she could not defend herself at the trial in her mother tongue. She narrates another breach of right in the following manner: While she was being taken to the hospital, she has stated that she could not stay in the ring for a long time since she has asthma; however she experienced the attack of the officer in charge. They have injured her finger and she got a health report and filed a complaint. However, an investigation was initiated against her and her right to meet visitors was taken from her for 2 months.

Coming back from the trial, when her female friends objected to being examined naked, their clothes were forcibly taken off by the wardens and they were forced to walk naked to their cells in front of the cameras. The women walked to their cells, calling the slogan "Human honor will vanquish torture". She states that this incident was recorded by the cameras.

She has received punishment in the Batman Prison when she informed Batman parliamentarian Ayla Akat of the abuse and rape of a 17 year old convict through a fax message and asked her to investigate this incident.

## **LETTER 8**

**NAME SURNAME:** Ferhat Arslan

**(F Type Prison- Kürkçüler / ADANA-** Under arrest with the allegation of being a member of the organization)

**PERSONAL INFORMATION:** Born in 1982, in Batman. Quit high school. (In 2008, he has completed his photography exhibition called "The Colors of Mesopotamia" and has received an award. He had exhibitions in festivals. He made a documentary, called "Living Witness", on a grandfather called Mehmet Esen, who took part in WWI. However, he was arrested before he had a chance to organize a gala. Ferhat Arslan states that, the documentary of a grandfather named Abdullah Coşkun, who had his military service in "Dersim Massacre" and lost all his family members in this "massacre", was left uncompleted. The documentary cassettes have been seized).

**MEDIA INSTITUTION HE WORKS IN:** He worked as a photo journalist and news reporter in DİHA.

**DATE OF ARREST AND DURATION:** He was arrested on 5 October 2012.

**REASONS FOR ARREST - (INDICTMENT) :** Ferhat Arslan states that the following questions were asked to him about the issue under detainment: his attendance in KESK's press statement; making İHD's press statement into news; having a telephone conversation with İHD Mersin Division Head Ali Tanrıverdi about this subject; going to Mesopotamia Cultural Center Mersin Division and seeing A. Kadir Çat who makes Kurdish music; making news out of the application of children who were taken under custody in Mersin, about "persuasion rooms"; making news out of the events which took place in the Pozantı Children's Prison and misleading the public and going to BDP Mersin Provincial building and making news out of "civilian Friday prayer". In addition, Arslan states that he was asked whether he made news for an agency called ANF. He states that he was released after these questions; however he was arrested without a reason a week later. Ferhat Arslan states that, his persistence in making news about children who are victims of TMK is among the reasons of his arrest.

**ILLNESS:** He has an incapacity report of 55 % for his right arm. He is an asthma patient and has stomach ulcer. Recently, he has been having kidney problems. He is under medicine treatment. He has migraine.

**ABUSE OF RIGHT IN PRISON:** He has been under psychological pressure. While under the surveillance of a female police officer, they tried to keep the door of the toilet open. He showed a reaction to this. He protested these practices by not eating for two days. When he was first arrested, he was examined naked. When he was taken to the hospital with the complaint of a toothache, his tooth was extracted while he was handcuffed.

The letter he wrote to the Committee for the Protection of Journalists (CPJ) Turkey Committee Head Kati Marton and Brussels Consultant Jean Paul Marthoz was sent with a delay of 15 days, with the decision of the court.



## **LETTER 9**

**NAME SURNAME:** Hatice Duman

**(Women's Closed Prison Gebze / KOCAELI-** Convicted with the charge of being a member of the organization)

**PERSONAL INFORMATION:** 38 years old. University graduate (*Birth place not indicated*)

**MEDIA INSTITUTION SHE WORKS IN:** She worked as grant holder and editor in chief in the Atılım Newspaper in 1997-2000.

**DATE OF ARREST AND DURATION:** She was arrested on 13 April 2003. She has been in prison for 9 years and 9 months. On 4 May 2012, her sentence was converted into life term imprisonment.

**REASONS FOR ARREST - (INDICTMENT) :** Hatice Duman states that she has been arrested with the allegations of standing guard in the act of placing a bomb in Kadıköy, on 31.01.2001; participating in the armed robbery of the Akbank Topçular Branch Office in Eyüp district, on 24.01.2003; participating in the robbery of guns, which belonged to Aden Köse and Hakkı Köse, in Maltepe district, on 17.03.2003. She claims that her ex-husband signed his statement under duress, under the threat that she (Hatice Duman) and her husband's mother would be raped. Her husband stated that he signed his statement under duress and under torture in the court.

**ILLNESS:** Blood pressure patient.

**ABUSE OF RIGHT IN PRISON:** Hatice Duman states that, "Not speaking, not eating, singing, or calling out to a friend may be given disciplinary penalty. During detainment, she was kept awake for 4 days and continuously interrogated; she has been threatened with rape and has been put under psychological torture. She also states that, she has been subjected to the torture of being examined naked and when she objected to this, a lawsuit was filed, with the allegation that she battered the officials, but that she was acquitted.

She states that, she experienced ABUSE OF RIGHT IN PRISON in terms of health and her treatment was prevented when a soldier entered the examination room. She has not been able to have ultrasonography for two years for a health problem.

Her mail is given to her very late and sometimes it gets lost. She complains that her right to communicate is forestalled.

Lastly, she was given the penalty of being deprived of communication tools partially for one month, when she supported the hunger strike initiated by the convicts of PKK and PAJK.

## **LETTER 10**

**NAME SURNAME:** Hüseyin Deniz

(No 1 F Type Prison- İzmit- / KOCAELİ- Arrested with the allegation of being a member of KCK/PKK Organizations)

**PERSONAL INFORMATION:** 46 years old, university graduate.

**MEDIA INSTITUTION HE WORKS IN:** He worked as a reporter-writer in the Özgür Gündem Newspaper and affiliated press institutions until 2006 and the Evrensel Newspaper until 2008. He worked as a reporter on behalf of the Evrensel Newspaper in Berlin, in 2010-2011.

**DATE OF ARREST AND DURATION:** He was arrested on 24.12.2011. (Duration of imprisonment not indicated)

**REASONS FOR ARREST - (INDICTMENT):** He is charged with being a member of the KCK Press Committee. Hüseyin Deniz states that, his visits abroad have been presented as criminal evidence. He is charged with being a leader of the organization. He claims that, he was arrested since he is a journalist, who advocates the resolution of the Kurdish problem.

**ILLNESS:** He does not have an illness, except for allergic rhinitis.

**ABUSE OF RIGHT IN PRISON:** He has not mentioned any abuse of right in prison.

### **LETTER 11**

**NAME SURNAME:** Faysal Tunç

**(L Type Closed Prison- A2-5- Kalkandere / RİZE-** Convicted with the charge of being a member of the organization)

**PERSONAL INFORMATION:** Born in 1982, in Siirt.

**MEDIA INSTITUTION HE WORKS IN:** He worked in the Özgür Gündem and the Azadiye Welat Newspapers. He worked as Özgür Gündem's Siirt Representative in 2004-2005. He also made news for DİHA, while he was working in Özgür Gündem, in 2005. He became DİHA Şırnak reporter, in 2007.

**DATE OF ARREST AND DURATION:** He has been imprisoned since 2007. He has 3 more years of imprisonment sentence.

**PREVIOUS ARREST:** He was arrested in February 2006. He was released on 22 December 2006.

**REASONS FOR ARREST - (INDICTMENT) :** *(He has not indicated the charges in his indictment clearly in his letter)* He states that being a dissenting journalist of Kurdish origin has been a factor in his arrest. In addition, his endeavor to help a woman who wanted to go to Hakkari and whom he did not know (he states that the woman was a pawn of the police) has been presented as criminal evidence. He states that, he was arrested due to the statement of the woman who made the allegation that he was a member of the organization. ("The woman said that, she 'guessed' that I would take her to the mountains". He claims that the word 'guess' has been sufficient for his arrest). He also underlines that the prosecutor acted with prejudice against him.

**ILLNESS:** Asthma patient. He has varicose in his right leg.

**ABUSE OF RIGHT IN PRISON:** He wanted to be given a shalwar since he has varicose in his right leg. However,

he complains that he was not given a shalwar, because it was not written in the regulations that "shalwar can be given". He wants his 200 pages of draft novel written by hand to be given back to him. His novel had only one draft and it is being kept in the Cizre judiciary custodial. The books he wants to read are not given to him on the grounds that they may contain suspicious content. He states that, he is prevented from accessing historical and related sources to write a book.

## **LETTER 12**

**NAME SURNAME:** Yüksel Genç

**(Bakırköy L Type Women's Closed Prison/ İstanbul – Arrested on the allegation of being a leader of the KCK Press Committee)**

**PERSONAL INFORMATION:** 39 years old, university graduate (birth place not indicated.)

**MEDIA INSTITUTION HE WORKS IN:** Özgür Gündem Newspaper writer.

**DATE OF ARREST AND DURATION:** Under arrest since 20 December 2011. (Imprisonment up to 15 - 22,5 years)

**PREVIOUS ARREST:** She has received an imprisonment sentence in 1999, on the charge of being a member of PKK. She was imprisoned for 5 years.

**REASONS FOR ARREST - (INDICTMENT):** Yüksel Genç, who defines the allegations as “the reflection of a paranoid mentality”, states that the telephone conversations she has had with colleagues have been presented as evidence. Genç states that she has been under technical surveillance since 2007 and that the condolence wish of a magazine distributor for her deceased sister has been included in the indictment. Genç also states that, the greatest criminal evidence in the indictment is her statement to one of the writers in the magazine that “There is bloody news because of the sacrificial lambs”, during Eid Al-adha. She states that the statements of some foreign parliamentarians in an international conference have been included in her indictment and evaluated as “organizational document”. Genç states that these constitute a crime, because they work in the Kurdish media. She asks “Why do things relating to Radikal, Milliyet and Yeni Şafak newspapers not constitute a crime and others do?” In addition, she states that her visits abroad have been included among the evidence in the indictment. She states that, she has been arrested due to drawing attention to the danger in the Kurdish policy.

**ILLNESS:** Her foot is broken and cannot heal under these conditions. Her broken foot got infected during custody and imprisonment and gangrene has started since she is kept outside hospital environment. She states that since she does not receive treatment, this is another kind of torture.

**ABUSE OF RIGHT IN PRISON:** She states that, she cannot access books and pens and that they have to be content with whatever the canteen brings. She states that she does not have the right to use a computer and that, they do not have the chance to talk to each other.

### **LETTER 13**

**NAME SURNAME:** Füsun Erdoğan (She states that she is not using her husband's last name on her own will.)

**(Women's Closed Prison A-8- Gebze / KOCAELİ – Arrested on the charge of being a member of the MLKP organization's central committee)**

**PERSONAL INFORMATION:** 53 years old. She was in fact born in 1962, however she raised her age by two years in order to be able to work and go to school. Quit university. (Quit two universities, one being a sports academy and other being the Rotterdam Erasmus University – Department of Political Sciences).

**MEDIA INSTITUTION SHE WORKS IN:** She worked as General Broadcasting Coordinator in Özgür Radyo. In addition, she participated in the project consultancy committee representing the local radios and televisions in the Marmara Region, within the scope of the Bianet project.

**DATE OF ARREST AND DURATION:** She was arrested on 12 September 2006. She has a heavy life term imprisonment sentence.

**PREVIOUS ARREST:** She was arrested in April 1996 and was released with the so-called 'Rahşan Pardon'.

**REASONS FOR ARREST - (INDICTMENT):** Erdoğan states that computer printouts which purportedly document that she is "a member of the central committee, the financial officer and open areas official" in the indictment, do not belong to her and are fabrications of the police. She is being tried with İbrahim Çiçek in the same case, who is Atılım Newspaper Editor in Chief. She states that, her husband has no connection with the person with the code name Hacı Çiçek mentioned in the indictment. Füsun Erdoğan states that, a computer printout which consists of news and commentary on the demonstrations carried out in different cities, in 2005, have been used as evidence in the allegations of her being a member of the MLKP organization. Another printout which Füsun Erdoğan claims to have been fabricated by the police is



a list of the names of organization members. Although her house and office was searched by force, no records have been found.

**ILLNESS:** She has had surgery due to a thyroid illness, on 13 November 2012. She has had Hepatitis B in 1996. She is a high blood pressure patient. She has cysts in both of her breasts. She has to have breast ultrasonography every 6 months and mammography once a year, since 2000. She complains about convicts being taken to the forensic medicine by ring to long distances and their being kept in the ring for long durations. She wants an area where the convicts can wait in forensic medicine.

**ABUSE OF RIGHT IN PRISON:** She complains about the visitation rights given to married couples being unjust. She states that, she has narrated all the breaches related to the issue, in her article series titled "Listen to the realities of prisons from us as well". She states that, she included her own experiences and the evaluations she made from the letters received from other prisons. (She suggests these to be read). She has obtained a report stating that she was subjected to physical and psychological torture under detainment in 1996 and the chief police commissioner, commissioners and police officers who were said to torture her have been brought to trial for this reason. They were sentenced to 1 year and 2 months of imprisonment, and 3 months and 15 days ban from civil service. Since her file entered the prescription period in the Supreme Court, she applied to AİHM and AİHM sentenced Turkey to pay a compensation of 10 thousand euros to Füsun Erdoğan and her husband each, in 2009.

Her request to have the right to talk to her husband for 10 hours has been rejected. She again applied to AİHM. Her right to speak to other female convicts tried in the PKK case has been terminated without reason. Her request to be in the same prison with her husband and to have access to a computer has also been rejected.

#### **LETTER 14**

**NAME SURNAME:** Şükrü Sak

**(B F Type Prison / BOLU-** Convicted on the charge of being a member of the organization)

**PERSONAL INFORMATION:** 46 years old. Graduate of Marmara University, Press and Information Graduate School

**DATE OF ARREST AND DURATION:** Convicted since 20 April 2012. He has been sentenced to 7 years and 6 months of imprisonment. (He has been arrested before. He was shot in the leg during the operation carried out in the prison by the soldiers).

**REASONS FOR ARREST – (INDICTMENT):** Convicted on the charge of being a member of İBDA-C Organization. Şükrü Sak states that the following allegations have been directed against him:

Reading the organization's books,

- Engaging in preparatory work for the monthly magazine called Yeni Nizam,
- Having in possession Thinker Salih Mirzabeyoğlu's photographs,
- Taking photographs in front of the State Security Court, calling out slogans and seizure of the photographs,
- Call out slogans in front of the SSC,
- Sending the magazine called Akıncı to the magazine's Germany Representative Mustafa Fişekçi,
- Putting a court photograph on the cover of the magazine,

**ILLNESS:** He has mentioned no illness.

**ABUSE OF RIGHT IN PRISON:** He has not mentioned any abuse of right in prison.

## **LETTER 15**

**NAME SURNAME:** Miktat Algül

**(Kürkçüler F Type Closed Prison/ Adana-** arrested on the allegation of being a member of an unknown organization)

**PERSONAL INFORMATION:** Born in 1968. University graduate.

**MEDIA INSTITUTION HE WORKS IN:** General broadcasting coordinator of Mezitli FM, Ulus newspaper grant holder and editor in chief; Gülgeng Newspaper grant holder and editor in chief.

**DATE OF ARREST AND DURATION:** Imprisoned since 17 May 2010.

### **REASONS FOR ARREST - (INDICTMENT):**

Miktat Algül defines himself as a “patriotic, Kemalist journalist” and claims that, he has been subjected to a conspiracy because of this. He states that, due to his opposing stance against all F type disciplines and organizations; being a revolutionist who has the Kemalist revolution process in heart, because he cries these out in all of his articles, news and conferences he is invited to there is an attempt to silence him. And he has been imprisoned to break his pen. He has been accused, because of the publication policy he follows, on the basis of evidence collected through conspiracies and illegal methods, and he claims that these are merely figments of imagination. He states that, his journalistic activity has been placed in front of him as a crime and that the rest of the allegations have been made to disgrace him. He also states that, he has been accused of such allegations as threats, plunder, blackmail and he has been charged through false witnesses.

**ILLNESS:** He is a Hepatitis B, heart disease and high blood pressure patient. In addition, he states that he has depression and obsession illness and that this illness relapsed in prison.

**ABUSE OF RIGHT IN PRISON:** He has not received any disciplinary penalties, however he states that he is an Alawite; that he has made a request in this connection which has been rejected. Therefore, he has opened a lawsuit against the Directorate of Religious Affairs.

## **LETTER 16**

**NAME SURNAME:** Seyithan Akyüz

**M Type Closed Prison- HATAY-** Convicted with the charge of being a member of the organization)

**PERSONAL INFORMATION:** Born in 1981 in Mardin. He states that he was literate before his imprisonment; however he is receiving education now through the open education high school.

**DATE OF ARREST AND DURATION:** He was arrested on 12 December 2009. He was sentenced to 12 years of imprisonment on the charge of being a member of the organization.

**REASONS FOR ARREST - (INDICTMENT):** Seyithan Akyüz states that he was working in the Azadiye Welat Newspaper as the Çukurova Representative. He was doing Kurdish-Turkish translations. He also had responsibilities in the printing house.

He has been arrested twice due to calling out slogans in Newroz, in İzmir and with the allegation that he has participated in the HEC Protest and 1 May activities where he has caused rampage. He was sentenced to 1 year of imprisonment in one of the charges and 5,5 years in the other. He has served the imprisonment of both cases. Therefore, this is the third imprisonment of Seyithan Akyüz.

**In his indictment,** it is indicated that in Seyithan Akyüz's conversation record, he has celebrated 27 of November as a feast, which is the founding date of the terrorist organization.

It is stated that a large number of magazines, books, letters, photographs and datebooks related to the organization have been seized. It is underlined that, due to Seyithan Akyüz's physical surveillance, his association with the other organization members has been established in the photographs. It is stated that, he has sent e-mails whose content relate to the organization. It is

also stated that, Seyithan Akyüz has been identified as having participated in pirate demonstration carried out on behalf of the terrorist organization, from the conversations he has had. Four records, which show the pictures of organization members have been found in the memory card of his cell phone.

**ILLNESS:** Not indicated in his letter.

**ABUSE OF RIGHT IN PRISON:** He states that he cannot use his legal rights. He has not attended any activities in prison, such as having conversations, sports and the library. He states that he has been transferred to a place far from his family contrary to his request. He has applied to the Ministry of Justice for a transfer; however he has not received a reply.

He was slapped by a police officer when he said “The plastic handcuffs are too tight”. He states that, he has applied to Parliamentary Human Rights Commission, City Human Rights Commission Board, Chief Public Prosecutor’s Office and many public institutions, in terms of the abuse of right in prison he has experienced.

### **LETTER 17**

**NAME SURNAME:** Kenan Karavil

**(F Type Closed Prison-KIRIKKALE / Arrested on the charge of being a member of the organization)**

**PERSONAL INFORMATION:** Born in 1981, in Mardin...

**DATE OF ARREST AND DURATION:** He states that he has been imprisoned for 3 years. He was sentenced to 13 years and 6 months.

**REASONS FOR ARREST - (INDICTMENT):** He started working in the Azadiya Welat Newspaper in 1997 and became its Mersin Representative in 1998. He was arrested in 1999 and was sentenced to 12 years. He was released in 2005. He started working in Radyo Dünya in Adana, in 2007. He worked as the general broadcasting coordinator until 2009. He states that the flash disc presented among the criminal evidence does not belong to him. Kenan Karavil states in his letter that, his radio programs have also been presented as evidence. He has a total of 4 files, two of which are about doing propaganda and two of which are about being a member of the organization, in the Supreme Court. In his letter, he states that "One may be a member of an organization countless times, imperceptibly" during the AKP regime.

In his indictment, it is stated that there are organization and propaganda related telephone conversation records and conversations where he praised Apo and PKK. It is indicated that, Kenan Karavil attended the opening of the party election office and participated in the pirate demonstration afterwards. It is also indicated that, he has written e-mails, in which he praised the organization. It is underlined that, he has participated in legal and illegal marches and press statements.

**ILLNESS:** Not indicated in his letter.

**ABUSE OF RIGHT IN PRISON:** He states that all the letters they have written about their condition have been

seized. Kenan Karavil claims that “Therefore, if I write a reply concerning your questions about ABUSE OF RIGHT IN PRISON, this letter will not be sent to you”. He has applied to Enforcement Judgeship, 2nd High Criminal Court for his disciplinary penalty, however has not received a reply. He states that, he was told that they would be given permission to defend themselves in their mother tongue, if they paid 100 TL.

When he refused this, his disciplinary penalty was approved. He also states that, since his family lives far away, they will not be able to come to see him due to their financial problems.

### **LETTER 18**

**NAME SURNAME:** Bayram Namaz

**(F Type Closed Prison - EDİRNE /** Convicted on the charge of being a leader of the organization)

**PERSONAL INFORMATION:** Born in 1970, in Ağrı. Graduate of Trakya University, Department of Electronics.

**DATE OF ARREST AND DURATION:** 12 September 2006. (Heavy life term imprisonment)

**REASONS FOR ARREST - (INDICTMENT):** He has worked in Atılım Newspaper. After the torturous interrogations which caused him to get an incapacity report for 15 days in November 1995, he states that he was arrested and released 8 months later. He states that, in February 1997, journalist Asiye Zeybek was subjected to rape torture under interrogation and he himself has been subjected to torture by being beaten up. They have filed a criminal complaint about the torturers. He has been acquitted in that case as well. He was detained in March 1999 once again and his unionist friend Süleyman Yeter was killed under torture. Bayram Namaz was released. After the events experienced during this detainment, he states that the torturers were not given any punishment; on the contrary, the people involved in the tortures were promoted to Deputy Police Commissioner positions. He states that he has been under surveillance, since he witnessed these two events.

He has been arrested three times in the past.

**ILLNESS:** He has stomach problems, onset of asthma and cervical disc hernia.

**BREACHES OF RIGHTS:** He claims that releases are delayed despite the fact that the imprisonment sentences are over. He states that conversation rights are insufficient and that, they are not permitted to talk to each other during



open visit weeks. He also states that, there are breaches of rights, such as letter-book-publication barriers; food and warm water problem, high prices in the canteen; the handcuffs not being removed in the hospital; delay of Kurdish letters to their owners; denial of some television channels and book exchange being prohibited, etc.

When he was first brought to prison, he has been physically assaulted in the vehicle. He has been assaulted during the naked examination as well. He was undressed by his trousers being torn off. His request to seek the restitution of his rights has been rejected.

Due to hunger strikes, he was given a disciplinary penalty and has received two months of prohibition to attend activities and sports. He states that, he has no access to a computer and cannot listen to the type of music he wants.

### **LETTER 19**

**NAME SURNAME:** Ali Konar

**(E Type Closed Prison- ADIYAMAN /** Convicted on the charge of being a member of the organization)

**PERSONAL INFORMATION:** Born in 1972. Elementary school graduate.

**DATE OF ARREST AND DURATION:** 24 May 2010. (He has been in Adiyaman for 7,5 years and 2 months.)

**REASONS FOR ARREST - (INDICTMENT):** He states that the reason why he was arrested is to be a representative of the Azadiya Welat Newspaper and to make news.

**ILLNESS:** He has health problems in his ears, eyes and lungs. He has consulted the administration due to the problems in his eyes. When he refused to be examined with his hands cuffed, he was sent back without being examined by a doctor.

**ABUSE OF RIGHT IN PRISON:** He claims that the prisoners are not allowed to do sports, not given a common area and not allowed to use their rights pertaining to communication in the Malatya Prison. He has been subject to psychological pressure during detainment. He has been given disciplinary penalties due to hunger strikes in the Malatya Prison. He states that he is being constantly kept away from his family.

## **LETTER 20**

**NAME SURNAME:** Sabri Acar

**(Adiyaman Prison-** convicted on the charge of being a member of the organization)

**PERSONAL INFORMATION:** Born in 1984.

**DATE OF ARREST AND DURATION:** 26 June 2011 (12,5 years).

**REASONS FOR ARREST - (INDICTMENT):** He states that working in the Azadiya Welat and Özgür Gündem Newspapers and making news are among the reasons for his arrest. Another reason is attending Newroz and participation in the press statement without the permission of the district governor. He states that, speaking in Turkish with a Turkish friend has been shown as a crime element, on the grounds that he was doing propaganda in Kurdish. (He claims that these allegations directed against him are frivolous). He has been arrested in 2008 and was released 40 days later. Sabri Acar states in his letter that, he is ashamed of being a citizen of the Republic of Turkey and he does not believe in the legal system

**ILLNESS:** He does not have a serious illness.

**ABUSE OF RIGHT IN PRISON:** Before he was sent to the Adiyaman Prison, he claims that he was not permitted to use his rights such as, doing sports, using a common area and communication in the Malatya Prison. He has been given disciplinary penalties due to hunger strikes in the Malatya Prison.

### **LETTER 21**

**NAME SURNAME:** Dilşah Ercan

**(Şakran Women's Closed Prison-İZMİR/** Convicted on the charge of PKK Organization membership)

**PERSONAL INFORMATION:** High school graduate.

**DATE OF ARREST AND DURATION:** She has been in prison for 2,5 years.

**REASONS FOR ARREST - (INDICTMENT):** She states that her being a reporter in the Azadiya Welat Newspaper is among reasons for her arrest. She has been convicted on charges of propagandizing the organization, attending marches and demonstrations and violation of law. She states that, all of her technical belongings (film camera, camera) have been included in her file and evaluated as criminal evidence. She states that her backpack has also been presented as criminal evidence as well as the news she has made.

**ILLNESS:** She has not mentioned any illness.

**ABUSE OF RIGHT IN PRISON:** She states that she has mentioned the Aabuse of right in prison she has experienced in her letter.

## **LETTER 22**

**NAME SURNAME:** Sevcan Atak

**(Şakran Women's Closed Prison-İZMİR/** Convicted on the charge of being a member of PKK organization)

**PERSONAL INFORMATION:** 24 years old. Quit high school when she was a sophomore.

**DATE OF ARREST AND DURATION:** She has been in prison for 2 years and 6 months. (A precise date has not been mentioned)(7 years and 6 months).

**REASONS FOR ARREST - (INDICTMENT):** She states that she worked as a "free public editor" in Ömer Publishing. She states that she has been detained when she was about to make news relating to a woman, who had been sexually abused by her family and boy-friend, on 18 June, who came to the Diyarbakır office. She states that she has taken the woman asking for help to İHD. She states that the police claimed that she would be taking the woman to the mountains.

**ILLNESS:** She has an advanced problem in her eyes. She uses 8,5 prescription glasses.

**ABUSE OF RIGHT IN PRISON:** She has not mentioned any Aabuse of right in prison.

### **LETTER 23**

**NAME SURNAME:** Mustafa Gök

**(Sincan No 1 F Type Prison/ Ankara;** Convicted on the charge of being a member of DHKPC organization)

**PERSONAL INFORMATION:** Born in 1966. Quit high school.

**DATE OF ARREST AND DURATION:** He has been in prison since February 2004. (Life term imprisonment). He has been arrested in 1993 and released in October 2001.

**REASONS FOR ARREST - (INDICTMENT):** He states that he was sentenced due to the demonstrations he participated in and the news he made.

**ILLNESS:** Wernicke Korsakoff patient, his hands shake.

**ABUSE OF RIGHT IN PRISON:** He states that he was tortured in 1993. This incident has not been narrated in detail. He states that they have been publishing a humor magazine called Viz Gelir for the past ten years. He states that all the issues of the magazine have been found to be objectionable, therefore were not let outside the prison and destroyed. He adds that books and magazines have been prohibited. Lastly, he was not given the book titled History of Kurdistan.

## **LETTER 24**

**NAME SURNAME:** Erol Zavar

**(Sincan No 1 F Type Prison/ Ankara;** Convicted on the charge of being a member of the organization Resistance Movement)

**PERSONAL INFORMATION:** 43 years old. High school graduate.

**DATE OF ARREST AND DURATION:** He has been in prison since January 2001. (Life term imprisonment).

**REASONS FOR ARREST - (INDICTMENT):** He has worked in Odak Magazine. He states that the news he made was presented as criminal evidence.

**ILLNESS:** Bladder cancer, nodule in his lungs, thyroid.

**ABUSE OF RIGHT IN PRISON:** He claims that he experienced over 100 abuse of right in prison. He has filed lawsuits, however these have been rejected. He complains that Sunni Muslim TV channels are all that can be watched. He has received a 'letter penalty'. He also complains about the prohibition of mint sale (*he is probably talking about the sale of mint in the canteen?*)... He states "They used to sell it".

He states that he has been tortured with his family while he was detained. His sister's foot was broken.

## **LETTER 25**

**NAME SURNAME:** Kenan Kirkaya

**(Kandıra No 1 F Type Prison Kocaeli – Arrested on the charge of being a member of KCK)**

**PERSONAL INFORMATION:** Born in 1979. High school graduate.

**MEDIA INSTITUTION HE WORKS IN:** The Dicle News Agency (DİHA), Ankara representative

**PREVIOUS ARREST:** He has been arrested twice.

**DATE OF ARREST AND DURATION:** He has been detained and arrested, on the allegation of being a leader of the KCK press committee, since 20 December 2011. 25 years of imprisonment is requested for him.

**REASONS FOR ARREST – (INDICTMENT):** The news he has made and the connection of the telephone conversations he has had with his colleagues to news sources have been presented as criminal evidence. The trials he had appeared in and was acquitted have been listed as well as the books (30 books, including Molière's work the *Miser's* translation to Kurdish by Beşikçi), and notes in his house and a DVD containing the infancy period of his daughter, etc. have been presented as criminal evidence.

His interview titled "What Kind of a Constitution" he made with the Democratic Judges Association President and Beypazarı judge Orhan Gazi Ertekin; the 28 February interview he has made with former Minister Salim Ersarioğlu, interviews with politicians of Kurdish origin and 34 news summaries have been presented as evidence in the indictment.

In the indictment the prosecutor states that in all of the news articles propaganda is made in line with the purposes and objectives of the organization, that there are criticisms directed against, in particular, the government of the Turkish state, its prime minister, its judicial system and law enforcement



agencies; that there are insulting expressions and discourses in these criticisms attempting thus to create a public opinion that the state is practicing violence and suppression against the Kurdish population, and practicing pseudo journalism in areas which have nothing to do with journalistic activity, especially in mined areas which constitutes a terrorist crime.

Kenan Kirkaya, who states the operation carried out against them is an 'image operation' and claims that the prosecutor told him that: "The news you make is more dangerous than the bullet fired by the terrorist."

**ILLNESS:** He has no serious illness.

**ABUSE OF RIGHT IN PRISON:** He has been given disciplinary penalties. When he was first brought to the prison, he objected to being examined naked (he did not resist). He states that he was able to contain himself and told the judge that, "There were times during which Femen members were detained and tried in Turkey. You are punishing both those who take their clothes off and those do not. You are putting clothes on the ones who are taking their clothes off and taking the clothes off the ones who are already clothed".

**LETTER 26**

**NAME SURNAME:** Çağdaş Kaplan<sup>16</sup>

**(Kandıra No 2 F Type Prison/ Kocaeli – Arrested on the charge of being a member of the KCK press committee)**

**PERSONAL INFORMATION:** Born in 1988. University student

**MEDIA INSTITUTION HE WORKS IN:** Dicle News Agency (DİHA), worked as its Istanbul reporter.

**PREVIOUS ARREST:** He has not been arrested before.

**DATE OF ARREST AND DURATION:** He has been under arrest since 24 December 2011.

**REASONS FOR ARREST - (INDICTMENT):** Such things as the telephone conversation during which 6 news items were broadcasted live on Roj TV newscasts, 6 news stories he has prepared for DİHA and Mahir Çayan's book titled "Kurds' Obligatory Residence" have been presented as evidence.

**ILLNESS:** He does not have any illnesses.

**ABUSE OF RIGHT IN PRISON:** Not having access to books, etc.

16 Released. The trial is still continuing

## **LETTER 27**

**NAME SURNAME:** Zuhal Tekiner<sup>17</sup>

(İstanbul Bakırköy L Type Women's Closed Prison/ Convicted on the charge of being a member of the Istanbul KCK press committee and organization)

**PERSONAL INFORMATION:** Born in 1981.

**MEDIA INSTITUTION SHE WORKS IN:** Dicle News Agency (DİHA), Grant holder.

**PREVIOUS ARREST:** She has been arrested in 1998, served 6 months of imprisonment and released.

**DATE OF ARREST AND DURATION:** She has been under arrest since 24 December 2011.

**REASONS FOR ARREST - (INDICTMENT):** Dicle News Agency (DİHA) Grant Holder Zuhal Tekiner, claims that she has been convicted of allegations of making news in favor of the terrorist organization in the conversations she had with her colleagues, that there is only one news item in her file and this is the "2010 1 May Taksim Celebration" news. Tekiner states that the following are the news, defined by the prosecutor as "news consisting of the propaganda of the terrorist organization acquired from open sources by the suspect", which are in DİHA's internet site:

- Meeting of Hundreds of Thousands,
- The Rush to Taksim Continues,
- Carnations Have Been Left in Kazancı Incline For Those Who Have Lost Their Lives in 1977,
- This is Taksim, this the 1st of May,
- Istanbul started coming together for the 1st of May from 3 Branches.

<sup>17</sup> Released. The trial is still continuing

Tekiner states that, the news made on the same day have been included in the indictment one after the other and that this leaves no room for any other comment. According to Tekiner, the interesting part is that, although this news was published both on the internet and sent to all the subscribers, the court refuses to release her on the allegation of “suspicion of destroying evidence”.

According to Zuhale Tekiner, “the allegations are so baseless and lacking that, it is almost as if the folk saying ‘throw dirt so that some will stick’ has been coined for us”. “When this is the case, a person naturally asks why she is here,” states Tekiner and adds “All of our common point is to be Kurdish and dissidents. If this is our crime, I will accept my penalty”.

**ILLNESS:** She has no illnesses.

**ABUSE OF RIGHT IN PRISON:** She has received a disciplinary penalty relating to communication.

## **LETTER 28**

**NAME SURNAME:** Zeynep Kuriş<sup>18</sup>

(Karataş Women's Closed Prison B-1 ward/ Adana – Arrested on the charge of being a member of KCK)

**PERSONAL INFORMATION:** Born in 1988. Quit university.

**MEDIA INSTITUTION SHE WORKS IN:** Dicle News Agency (DİHA), Mersin Reporter

**PREVIOUS ARREST:** She has been arrested twice in the past.

**DATE OF ARREST AND DURATION:** She has been under arrest since November 2012.

**REASONS FOR ARREST - (INDICTMENT):** There is a confidentiality restriction on her file.

According to Zeynep Kuriş, she has been arrested on the allegation that the news she made in accordance with her professional duty was “unveiling the confidentiality of the state and the government”. She states that, it was alleged that the news she has made and the places she has visited to make news is evidence of her being a member of KCK. She further states that, the point defined as the confidentiality of the state is in fact the sexual abuse case, which she reported under the headline “Claims of Abuse in Pozantı Prison” on 24 February 2012. Kuriş adds that this is a serious case, which has already been exposed and is now well known by the public.

**ILLNESS:** She does not have any illnesses.

**ABUSE OF RIGHT IN PRISON:** She has received no disciplinary penalties so far.

18 Released. The trial is still continuing

### **LETTER 29**

**NAME SURNAME:** Özlem Ağuş<sup>19</sup>

(Karataş Women's Closed Prison B-3 Ward/ Adana – Arrested on the charge of being a member of KCK)

**PERSONAL INFORMATION:** Quit university.

**MEDIA INSTITUTION SHE WORKS IN:** Dicle News Agency (DİHA), Adana reporter

**PREVIOUS ARREST:** She has been arrested twice in the past.

**DATE OF ARREST AND DURATION:** She was arrested on 9 March.

**REASONS FOR ARREST - (INDICTMENT):** Özlem Ağuş states that she has been detained within the scope of a KCK operation on 6 March 2012 following the release of a special news item titled "I have been subjected to abuse by the police in Pozantı and by the army in Kürkçüler", and has been arrested and imprisoned on 9 March 2012 along with the Pozantı victim T.T. with whom she had made a special interview. Özlem Ağuş, who has been arrested on the charge of being a member of the armed terrorist organization, states that she is confronted now with the allegation that she has personally participated in the acts and press statements about which she has reported and that she has organized them. She claims that these allegations have been made to eliminate her journalistic activities.

**ILLNESS:** She does not have any illnesses.

**ABUSE OF RIGHT IN PRISON:** She has been given a 7 day disciplinary penalty. Although she has been under arrest for 10 months, she has only seen her family who lives in Adana a few times because of her disciplinary penalties..

<sup>19</sup> Released. The trial is still continuing

### **LETTER 30**

**NAME SURNAME:** Pervin Yerlikaya Babir<sup>20</sup>

(Istanbul Bakırköy L Type Women's Closed Prison/Istanbul, Arrested on the charge of being a member of the KCK press committee and the organization)

**PERSONAL INFORMATION:** Born in 1983.

**MEDIA INSTITUTION SHE WORKS IN:** Dicle News Agency (DİHA), company director.

**DATE OF ARREST AND DURATION:** She has been under arrest since 20 December 2011. Up to 7.5 - 15 years of imprisonment is requested for her.

**REASONS FOR ARREST - (INDICTMENT):** Pervin Yerlikaya Babir states that the allegations against her were made over administrative and accounting activities. She adds that they work on a subscription basis and they sell the news they make. The telephone conversations she had with the bank to see if they had received payments, checking of the accounts and the official bank account abstract have all been included in the indictment as criminal elements.

Pervin Yerlikaya Babir states that the allegations directed at her and her colleagues are primarily about the institution they work in. Yerlikaya states that the entire indictment consists of official interviews and news, and notes that DİHA is a press and broadcasting institution which functions in accordance with all the official regulations in Turkey and that the prosecutor has made his intent quite clear during the interrogation by saying "the problem is your publishing line". She states that the allegations against pertained to administrative and accounting activities.

**ILLNESS:** She does not have any illnesses.

**ABUSE OF RIGHT IN PRISON:** She has received a 'prohibition penalty' from activities and events. She states that she has to wait for days to go to the medical room in case of a sickness and that in case of their transfer to an outside hospital, they are being sent in a closed ring, in a handcuffed manner. She also says that their right to have common conversations with others is being hampered.

<sup>20</sup> Released. The trial is still continuing

### **LETTER 31**

**NAME SURNAME:** Ramazan Pekgöz

(Kandıra No 2 F Type Prison/ Kocaeli- Arrested on the charge of being a leader of KCK/PKK organization)

**PERSONAL INFORMATION:** Born in 1978. University student.

**MEDIA INSTITUTION SHE WORKS IN:** Dicle News Agency (DİHA), editor.

**DATE OF ARREST AND DURATION:** She has been under arrest since 24 December 2011. Up to 15-22,5 years of imprisonment is requested.

**REASONS FOR ARREST - (INDICTMENT):** "The relationships which are defined as 'organizational' are in fact the usual relations between an editor and a writer, or an editor and the caricaturist, and an editor and the news source. These are the most natural and routine relationships a newspaper has. If we are to define it as an organization, we may call it "a news organization"; organization of news is also one of the basic duties of a newspaper. It is our occupation that is being tried through us".

13 telephone conversations he had with his colleagues, publishers and writers, unionists and newspaper employees, etc. have been evaluated as top level organizational activity. Not only the news he made, but also news about him have been presented as criminal evidence. During the time he worked as the news director (2009) in the Günlük Newspaper, the news titled "Kandil Impressions", which he co-prepared with Filiz Koçali, also a news director, has also been presented as evidence. Pekgöz states that, they have been tried in relation to this news and have been acquitted and claims that, all the routine activities of the newspaper, (agenda, headlines, changes and publishing meetings) which operates through the reports and notes written behind the desk have been criminalized and presented as criminal evidence.

**ILLNESS:** He has problems in his stomach and waist.

**ABUSE OF RIGHT IN PRISON:** He has received a penalty of prohibition from activities for 1 month, due to the last hunger strike.



### **LETTER 32**

**NAME SURNAME:** Mehmet Emin Yıldırım

(Kandıra No 1 F Type Prison/Kocaeli – Arrested on the charge of being a leader of KCK/PKK)

**PERSONAL INFORMATION:** Born in 1973, high school graduate, quit university.

**MEDIA INSTITUTION HE WORKS IN:** Azadiya Welat Newspaper, Editor in Chief

**DATE OF ARREST AND DURATION:** He has been in prison since 24 December 2011, 15 years of imprisonment is requested for him.

**REASONS FOR ARREST - (INDICTMENT):** Yıldırım states that he has been arrested due to his thoughts and claims that his activities in the newspaper have been put forward as criminal evidence. Mehmet Emin Yıldırım states that, he cannot evaluate the allegations but as a comedy and that even the toothpaste and toothbrush he has sent to the former editor in chief Vedat Kurşun have been presented as evidence. He claims that the allegations have been made to keep them in prison.

**ILLNESS:** He does not have any illnesses.

**ABUSE OF RIGHT IN PRISON:** He has not received any disciplinary penalties.

### **LETTER 33**

**NAME AND SURNAME:** Ziya Çiçekli<sup>21</sup>

**(Kandıra No 2 F Type Prison/Kocaeli – Arrested on the charge of being a member of the PKK organization)**

**PERSONAL INFORMATION:** Born in 1974, university student.

**MEDIA INSTITUTION HE WORKS IN:** Grant holder in Özgür Gündem Newspaper; he also worked as editor in chief.

**PREVIOUS ARREST:** He has remained in custody for 4 months.

**DATE OF ARREST AND DURATION:** He has been in prison since 24 December 2011. Up to 20 years of imprisonment is requested for him.

**REASONS FOR ARREST - (INDICTMENT):** He claims that the allegations made against him in the last trial are based, as evidence, on a few letters found in his house (they do not have a political context), a poem he wrote in Turkish, his participation in the 1 May and Newroz celebrations and the statement of a secret witness he does not know.

**ILLNESS:** He does not have any illnesses.

**ABUSE OF RIGHT IN PRISON:** He has received a penalty of prohibition from participating in activities for 1 month due to the hunger strikes.

21 Released. The trial is still continuing

### **LETTER 34**

**NAME SURNAME:** Cengiz Kapmaz

**(Kandıra No 2 F Type Prison/Kocaeli – Arrested on the charge of being a member of the PKK organization and the KCK press committee)**

**PERSONAL INFORMATION:** Born in 1973. University graduate.

**MEDIA INSTITUTION HE WORKS IN:** Özgür Gündem Newspaper columnist, Demokratik Modernite member of publishing board-editor.

**DATE OF ARREST AND DURATION:** He has been in prison since 26 November 2011. Up to 22 years of imprisonment is requested.

#### **REASONS FOR ARREST - (INDICTMENT):**

It is alleged, Kapmaz states, that he has met Turkish intellectuals and influenced them in favor of Öcalan and the organization, and characterizes this as an insult to Turkey's intellectual mind. He also states that all journalistic activities have been evaluated as criminal evidence and news which reflected the evaluations Öcalan made in prison have been included as criminal evidence in the indictment. He claims that his book titled "Öcalan's Imralı Days" has been presented as the greatest criminal evidence in the case. He states that his contacts with the news sources and data which do not belong to him have been attributed to him. These and all the other evidence are fabricated allegations.

**ILLNESS:** He has a spinal disc hernia and cervical disc hernia.

**ABUSE OF RIGHT IN PRISON:** He has not experienced any abuse of right in prison.

### **LETTER 35**

**NAME SURNAME:** Sadık Topaloğlu

**(Kandıra No 2 F Type Prison/Kocaeli – Arrested on the charge of being a member of the KCK press committee and the PKK organization)**

**PERSONAL INFORMATION:** Born in 1986. University student.

**MEDIA INSTITUTION HE WORKS IN:** DİHA, reporter.

**DATE OF ARREST AND DURATION:** He has been in prison since 20 December 2011.

#### **REASONS FOR ARREST - (INDICTMENT):**

Sadık Topaloğlu states that a journalist has to think ten times before making news to inform the public in a country where the press is not free. He claims that the allegations against him related to the news and the meetings he had with news sources.

He also states that the call he received from the Air Labor Union during which he was told that a press statement was being made in Taksim; the call he received from the news director who dictated him a news item; his remark to a friend who called him that he needs to write news; sharing news with a colleague calling from the Doğan News Agency; following the KESK demonstration and transmitting this as news to TV channels, have been presented as criminal evidence.

**ILLNESS:** Not indicated.

**ABUSE OF RIGHT IN PRISON:** Not indicated.

### **LETTER 36**

**NAME SURNAME:** Fatma Koçak

(İstanbul Bakırköy L Type Women's Closed Prison/İstanbul; arrested on the charge of being a member of the KCK press committee and the organization)

**PERSONAL INFORMATION:** Born in 1975, high school.

**MEDIA INSTITUTION SHE WORKS IN:** DİHA, editor in chief, editor.

**DATE OF ARREST AND DURATION:** She has been in custody since 24 December 2011. Up to 7,5 -15 years of imprisonment is requested for her.

#### **REASONS FOR ARREST - (INDICTMENT):**

She states that conversations with news content which she has had with reporters and news sources, and news she has made on the Kurdish problem, violence against women and controversies over democratic autonomy have been presented as criminal evidence. She states that some of the news she has made are as follows:

- Women suicides in Batman,
- Discussions of democratic autonomy,
- State of sexual violence against Kurdish women in the area.

**ILLNESS:** She has no illnesses.

**ABUSE OF RIGHT IN PRISON:** She has been given prohibition in terms of visits and correspondence for 1 month due to hunger strikes.

**LETTER 37**

**NAME SURNAME:** Sadiye Eser

(İstanbul Bakırköy L Type Women's Closed Prison/ arrested)

**PERSONAL INFORMATION:** Born in 1990, high school.

**MEDIA INSTITUTION SHE WORKS IN:** Hayat TV and Evrensel Newspaper, reporter.

**DATE OF ARREST AND DURATION:** She has been in custody since 13 December 2012.

**REASONS FOR ARREST - (INDICTMENT):** The indictment has not been narrated.

Sadiye Eser states that she is in prison due to being a member of BDP. She claims that she has been arrested because of following the demonstration and press statements of BDP as a journalist. She states that she has attended the demonstrations of many unions and parties as a journalist, however only BDP's demonstrations have been separated from the others and included in her file.

**ILLNESS:** She has no illnesses.

**ABUSE OF RIGHT IN PRISON:** Not indicated.

**LETTER 38**

**NAME SURNAME:** Murat İlhan

(D Type Closed Prison H-8/Diyarbakır; arrested on the charge of aiding and abetting KCK/PKK organizations)

**PERSONAL INFORMATION:** Born in 1985, quit university.

**MEDIA INSTITUTION HE WORKS IN:** Azadiya Welat Newspaper reporter; Area manager in the Fırat Distribution Company.

**PREVIOUS ARREST:** He remained in prison for 2,5 years.

**DATE OF ARREST AND DURATION:** He has been in prison since 2 March 2010; he has been sentenced to 6 years and 3 months of imprisonment.

**REASONS FOR ARREST (INDICTMENT):** İlhan, who states that he was convicted due to press activities, claims that secret and open witnesses who have been found as a result of a police conspiracy have given their statements under threats from the police.

**ILLNESS:** He has no illnesses.

**ABUSE OF RIGHT IN PRISON:** Not indicated.

### **LETTER 39**

**NAME SURNAME:** Ertuğ Bozkurt

**(Kandıra No 1 F Type Prison/Kocaeli – arrested on the charge of being a leader of the KCK press committee and the PKK organization)**

**PERSONAL INFORMATION:** Born in 1985; university graduate and post graduate student.

**MEDIA INSTITUTION HE WORKS IN:** DİHA, editor

**DATE OF ARREST AND DURATION:** He has been in prison since 24 December 2011. **REASONS FOR ARREST - (INDICTMENT):** Ertuğ Bozkurt states that although he is being tried as a leader, only news activities have been included in the indictment. Bozkurt notes that news transmissions he has made within the framework of the '5N 1K' TV program have been presented every day in the news bulletins in the media, including the media that supports AKP. He claims that there is nothing in his news except for journalistic activities and no expression based on violence, or encouraging violence can be found in them.

Ertuğ Bozkurt states that 40 news transmissions made by connecting to media organs, relating to festivals, fires, press statements, STK, congress activities and functions of political parties, and 15 news items published in various newspapers and the telephone conversations he has made with the news sources in order to be able to report this news has been presented as evidence defaming the activities of the government.

**ILLNESS:** He has no illnesses.

**ABUSE OF RIGHT IN PRISON:** Not indicated.



#### **LETTER 40**

**NAME SURNAME:** Nevin Erdemir

(İstanbul Bakırköy L Type Women's Closed Prison/İstanbul; arrested on the charge of being a member of **KCK** press committee and the organization)

**PERSONAL INFORMATION:** Born in 1976, high school.

**MEDIA INSTITUTION SHE WORKS IN:** Özgür Gündem Newspaper editor.

**PREVIOUS ARREST:** She has been in custody in 2004, for 3 months.

**DATE OF ARREST AND DURATION:** She has been in prison since 20 December 2011.

#### **REASONS FOR ARREST - (INDICTMENT):**

Nevin Erdemir states that the allegations made against her consist of attending the press statement held in İstanbul Journalists Association, to condemn the raids carried out against the Özgür Gündem Newspaper and the news and interviews she has made. Erdemir states that there is no concrete evidence, except for the news and articles she has written, and claims that the most basic reason for their arrest is that they are dissenting journalist and journalists who are after realities and most importantly, they have been exposing the ABUSE OF RIGHT IN PRISON, unidentified murders and the reality of war which has been going on for years in Turkey.

**ILLNESS:** She has spinal disc hernia, stomach ulcer and renal calculi.

**ABUSE OF RIGHT IN PRISON:** Things sent by her family have been lost.

#### **LETTER 41**

**NAME SURNAME:** Nilgün Yıldız

(İstanbul Bakırköy L Type Women's Closed Prison/İstanbul, arrested on the charge of being a member of the KCK press committee and the organization)

**PERSONAL INFORMATION:** High school graduate.

**MEDIA INSTITUTION SHE WORKS IN:** DİHA reporter.

**DATE OF ARREST AND DURATION:** She has been in custody since 24 December 2011.

#### **REASONS FOR ARREST - (INDICTMENT):**

She states that the allegations made against her are based on the evidence of 11 news stories she has made. She states that she is being tried because she is a worker of the free press. She says that she has filmed in Nusaybin the chasing of children by the police up to the mined area and has shared this with other colleagues in the press and that they have been targeted due to their sensitivity towards such news.

**ILLNESS:** She has no illnesses.

**ABUSE OF RIGHT IN PRISON:** She has received prohibition to attend common visitation, participating in sports and open visitation for 2 months.

## **LETTER 42**

**NAME SURNAME:** Davut Uçar

**(No 1 F Type High Security Penal Institution/Kocaeli – Arrested on the charge of being a leader of the KCK organization)**

**PERSONAL INFORMATION:** 42 years old. Graduate of İstanbul University, Department of Economics.

**MEDIA INSTITUTION HE WORKS IN:** He works in the advertising agency of a private company.

**DATE OF ARREST AND DURATION:** He was arrested on 24.12.2011. Up to 15-22,5 years of imprisonment is requested for him.

**REASONS FOR ARREST - (INDICTMENT):** He is being charged with being a leader of the organization. Because of his advertising job, meeting DPD members who are presently in custody, his meetings with the newspaper's marketing department, visits made abroad due to familial issues have been evaluated within the scope of organizational activities. His telephone records, records of his visits abroad, secret witness statements and documents fabricated by the police are presented as criminal evidence.

**ILLNESS:** He experiences vertigo and spinal disc hernia from time to time.

**ABUSE OF RIGHT IN PRISON:** He has received a disciplinary penalty due to hunger strikes. He states that "I have not experienced a special ABUSE OF RIGHT IN PRISON in prison; but I am in prison due to my thoughts and ethnic identity".

### **LETTER 43**

**NAME SURNAME:** Ömer Çelik

**(Kandıra No 2 F Type Prison/Kocaeli;** Arrested as a member of the KCK organization)

**PERSONAL INFORMATION:** 31 years old. Graduate of Marmara University, Department of Journalism.

**MEDIA INSTITUTION HE WORKS IN:** Dicle News Agency (DİHA), works as a reporter.

**DATE OF ARREST AND DURATION:** He has been in custody since 20 December 2011.

**REASONS OF ARREST - (INDICTMENT):** "I have been arrested with the allegation of being a member of the organization. The allegation covers all professional activities: 6 published news; 17 telephone calls I have made with my news contacts, in relation to the news in question; a passport which I do not own and an entry-exit abroad with this passport. In addition to these, there is only the "secret witness" statement, where I am stated to be working in the press institution I am affiliated with.

**ILLNESS:** He has no illnesses.

**ABUSE OF RIGHT IN PRISON:** Ömer Çelik narrates the breach of right in his own words as follows: "I have been subjected to naked examination when I was first brought to prison. Due to supporting the hunger strike by participating in it, I have received prohibition from attending all activities for 1 month. Prohibition of publications such as books, magazines, etc. is another abuse of right in prison we are exposed to".

#### **LETTER 44**

**NAME SURNAME:** Ömer Faruk Çalışkan<sup>22</sup>

**(Kandıra No 1 F Type Prison/Kocaeli-** Arrested on the charge of being a member of the PKK organization)

**PERSONAL INFORMATION:** Born in Gaziantep in 1985, 28 years old.

**MEDIA INSTITUTION HE WORKS IN:** Grant holder of Özgür Halk (Free Public) Magazine and editor in chief.

**DATE OF ARREST AND DURATION:** He has been in custody since 15 July 2008.

#### **REASONS FOR ARREST - (INDICTMENT):**

Up to 100 years of imprisonment was requested for him on the allegations of propagandizing for the organization in the Özgür Halk Magazine's June-July 2008 issue; being a member of the organization and publishing the announcements of the organization by preparing publications on behalf of the organization, etc. However, with the 3rd Judicial Package taking effect, he has been imprisoned to 3 years and 3 months of imprisonment, with the charge of propagandizing for the organization, without being given a chance to defend himself. His file is still in the Supreme Court.

**ILLNESS:** Due to the hunger strike, which lasted for 68 days, he has a serious case of amnesia, stomach and intestinal problems, shaking of the hands and feet and problems of balance. In addition, he has lost almost all his sight in his right eye.

**ABUSE OF RIGHT IN PRISON:** He mentions various ABUSE OF RIGHT IN PRISON, which have started with the process of his detainment and still continue in the prison where he remains. Right after he was detained, he states that he has been tortured for nearly 8 hours near the dam located between Van and Başkale and continued to be subjected to 4 days of more torture in

22 Released. The trial is still continuing

The Van Directorate of Security TEM Division, where he was taken later on. He lists the abuse of right in prison he experienced in prison as follows: naked examinations, social activities which should be 10 hours but limited to 2 hours, frequent seizure of letters, faxes and publications in an arbitrary manner. He states that, he has received a disciplinary penalty, prohibiting him from using his right to communicate for 2 months, due to the hunger strike he participated in.

Çalışkan narrates the day he was subjected to discrimination, on his visit to the Faculty of Medicine for an eye examination as follows: "The doctor has outside medical ethics and only because I am a convict who is Kurdish and a member of PKK wanted to examine me without taking my handcuffs off; however, I did not accept this and refused to be examined and went back to prison."

#### **LETTER 45**

**NAME SURNAME:** Mazlum Özdemir

**(Kandira No 1 F Type Prison/Kocaeli – Arrested on the charge of being a leader of the KCK press committee)**

**PERSONAL INFORMATION:** 34 years old, currently a university student

**MEDIA INSTITUTION HE WORKS IN:** Dicle News Agency (DİHA), editor

**DATE OF ARREST AND DURATION:** He has been in custody since 20.12.2012.

**REASONS FOR ARREST - (INDICTMENT):** It has been alleged that Özdemir attended the KCK Press Council meetings abroad, in 2003 and 2009. Özdemir states that, two of the dates in question coinciding with the visits he made abroad due to his profession and secret witness statements have been taken as the basis for this allegation. However, he states that even the secret witnesses who did attend these meetings have stated that he did not participate.

He states that the rest of the allegation consists of the news and the conversations he has had with his colleagues in relation to these news. "In the indictment, the only crime I have committed is the institutions I have worked in and the news I have made. According to the indictment, DİHA is an agency of the organization and I am the journalist who has made news about the agenda the organization wishes to convey through the agency, or according to the indictment 'a terrorist disguised as a journalist'".

**ILLNESS:** Not indicated.

**ABUSE OF RIGHT IN PRISON:** Facing naked examination when he was brought to the prison; not being able to access a computer he has been requesting for months, in order to transfer the book he has written to the computer environment.

#### **LETTER 46**

**NAME SURNAME:** Sabahattin Aslan

**(No 2 F Type Prison Kandıra/KOCAELİ – Arrested on the charge of being a member of KCK)**

**PERSONAL INFORMATION:** Born in 1980.

**MEDIA INSTITUTION HE WORKS IN:** Editor in the Demokratik Modernite Magazine. In addition, he also dealt with the magazine's publication-distribution and organization.

**PREVIOUS ARREST:** He has been in custody for 4 years.

**DATE OF ARREST AND DURATION:** He has been in prison since 21 12 2012.

**REASONS FOR ARREST - (INDICTMENT):** Aslan states that the allegations in the indictment consists of telephone conversations he has had with the editor in chief, Grant holder, and members of the general publishing board of the magazine, Office representatives and citizens who wished to subscribe to the magazine. In addition to professional telephone calls and his business visits abroad have been presented as criminal evidence. He states that fictional narrations have been concocted in relation to his visits abroad, in 2003-2007; what is more, the dates of his visits and entrance-exit to foreign countries which appear on his passport and on official documents have been falsified on purpose in order to illegalize them.

Selahattin Aslan, who works as editor in the Demokratik Modernite Magazine, underlines that when nothing came out of his fingerprints found in the magazine office and his telephone call records, his use of the name Amed, which is the Kurdish name of Diyarbakır, has been evaluated as organization literature. He states that, there are no concrete or material evidence, or a different finding-document-statement in relation to the allegations made against him, and that these are completely "evidence created on the basis of speculation".

**ILLNESS:** Not indicated.

**ABUSE OF RIGHT IN PRISON:** He has been exposed to naked examination when he was brought to the prison and an investigation has been opened against him due to his participation in the hunger strike.



#### **LETTER 47**

**NAME SURNAME:** Ferhat Çiftçi

(H Type Closed Prison/**Gaziantep**- Convicted in the PKK trial)

**PERSONAL INFORMATION:** Born in 1973, in Viranşehir. High school graduate.

**MEDIA INSTITUTION HE WORKS IN:** Azadiya Welat

**DATE OF ARREST AND DURATION:** He has been in custody since 16.02.2011. He has been sentenced to 21 years and 8 months of imprisonment.

**REASONS FOR ARREST - (INDICTMENT):** Ferhat Çiftçi states that, the allegations made against him consist of having explosive substances in his possession; committing crimes on behalf of the organization; propagandizing for the organization and resisting to the police. He adds that, since he has requested to defend himself in his mother tongue, he has not been able to defend himself during the trial and was given a 21 years and 8 months of imprisonment sentence.

Çiftçi states that, he has absolutely no relation with explosive substances what so ever and that he has been threatened by the police during the press activities he carried out in Gaziantep. He was told by the police: "Do not do this, do something else. We can ignore you, even if you sell drugs. Otherwise, we will somehow catch you". He states that a seventeen year old kid was beaten up and intimidated to give a false statement against him and the teenager appeared in court and changed his statement when he felt guilty; however, the court did not take this statement into consideration".

Ferhat Çiftçi thinks that one of the reasons for his arrest was preparing to "undertake research and make news on the basis of hearsay about the purported presence of a mass grave in Gaziantep".

**ILLNESS:** He is an anemia patient since birth. It is the "thalassemia" type of the illness. In case steady and

healthy nutrition is not taken, the body does not produce bone marrow. He also has a slipped disc, bronchitis, arthritis and other illnesses.

**ABUSE OF RIGHT IN PRISON:** He has received over 15 disciplinary penalties. He has taken a decision not to go to the hospital, since the doctors have an ideological approach towards them due to the signals and warnings they receive. He says that the food is bad and the products sold in the canteen are expensive, despite the fact that they are of low quality. He states that, his right to communicate is prevented. The packages sent to them are either arbitrarily seized, or given to them very late. He has no right to participate in sports at all. He also states that, although there is an X-ray machine which the families pass through during their visits, they are subjected to “detailed searches”. He adds that, in a discussion he made with the senior manager of the prison, the manager told him that “For me, rapists are better people than you political people”. He was beaten by the warden when he objected.

#### **LETTER 48**

**NAME SURNAME:** Sibel Güler

**(Bakırköy Women's Prison/İstanbul – Arrested on the charge of being a KCK press committee member)**

**PERSONAL INFORMATION:** 35 years old. Graduate of Yıldız Technical University, Department of Electronic Engineering

**MEDIA INSTITUTION SHE WORKS IN:** She worked as editor in chief of Ülkede Özgür Gündem Newspaper (Free Agenda in the Country) in. After receiving her post-graduate degree abroad, she worked as sales manager of a translation bureau and "free-lance" translator of a magazine called Dipnot.

**DATE OF ARREST AND DURATION:** She has been in custody since 2011. Up to 7,5-15 years of imprisonment is requested for her.

**REASONS FOR ARREST - (INDICTMENT):** It is being alleged that she is a member of the KCK press committee; that she attended the press statements of the organization; that she made news under the instructions of the organization and worked in newspapers affiliated with the organization's press committee.

Sibel Güler states that she has been in custody with groundless allegations for 1 year and that, two people who were confessors in 2003 and 2004 claimed that she went to the organization's camps on Kandil in September 2001 and received military and political training for 7 months. However, she also states that, no action has been taken in connection with these allegations for 8 years. According to Güler, these allegations are fabrications of the police, because she was in Istanbul in October 2001 and under detainment within the scope of Anti-Terrorism and this fact is established in the official records of the state.

She states that, according to the indictment of the prosecutor's office, she works in the Demokratik

Modernite Magazine, however she has never worked in this magazine and that this magazine began its publication life when she was in England.

Again, in the indictment, it is alleged that she attended the press conference on Kandil, on 6-14 May 2003; however, she came back from Germany to Turkey on 5 May 2003 and this is evident in her passport.

**ILLNESS:** Not indicated.

**ABUSE OF RIGHT IN PRISON:** Not indicated.

#### **LETTER 49**

**NAME SURNAME:** Ayşe Oyman

**(Bakırköy Women's Prison/Istanbul, Arrested on the charge of being a member of the KCK/PKK organizations)**

**PERSONAL INFORMATION:** Born in 1978, in Cizre. Graduate of vocational high school, quit university.

**MEDIA INSTITUTION SHE WORKS IN:** She previously worked as news manager and editor in the Özgür Gündem Newspaper. She had been working for 1.5 months in a television channel affiliated with Katılım-Medya.

**PREVIOUS ARREST:** She was imprisoned for 6 months.

**DATE OF ARREST AND DURATION:** She has been in custody since 20 December 2011. Up to 7,5-15 years of imprisonment is requested for her.

#### **REASONS FOR ARREST - (INDICTMENT):**

Ayşe Oyman states that she is being charged with being a member of the KCK-PKK organizations and that it is being alleged that, she carries out activities on behalf of the press committee in the news agency and Özgür Gündem Newspaper; that she attended YRD (called KCK press meeting or organization) meeting; that she used Newroz code name, met with the ANG (Firat News Agency) representative; that she took care to make news which maintained that the Turkish State followed a policy of elimination and denial towards the Kurds; however, when the indictment is closely analyzed, there no concrete evidence and "these are allegations formulated to criminalize journalistic activities".

Oyman states that she has been active in the Kurdish press which she defines as a free press for the past 15 years. Oyman asks "Has the job I have been performing for years just become organizational membership and has the name given to me by my family, 'Newroz', become a new code name?" and adds "My name

which I have not been able to use for years is a bleeding wound for me. Double names are common in Kurdish families. Since my brother's name 'Reber' is banned, he also has a double name, thus "a code name".

**ILLNESS:** Not indicated.

**ABUSE OF RIGHT IN PRISON:** She has received 1 month of prohibition of visitation right due to the hunger strike. An investigation about whose outcome she has no information has been opened due to her condemnation of the Roboski Massacre. Since the statements she gave to the execution judge were in Kurdish, these were recorded as "incomprehensible language" and that she has been discriminated due to her identity.

**LETTER 50**

**NAME SURNAME:** Mehmet Deniz Yıldırım

**(Silivri No 1 L Type Prison / Istanbul-** Arrested on the charge of being a member of the Ergenekon terrorist organization)

**PERSONAL INFORMATION:** Born in 1979. University graduate.

**MEDIA INSTITUTION HE WORKS IN:** Aydınlık Magazine former editor in chief.

**DATE OF ARREST AND DURATION:** He has been in prison since 09 November 2009.

**REASONS FOR ARREST - (INDICTMENT):** Mehmet Deniz Yıldırım, who has been imprisoned on the allegations of being a member of the terrorist organization, breaching the right of privacy and disclosing state secrets, states that there is also the claim that t he has received and broadcasted the telephone conversation between Tayyip Erdoğan and the Prime Minister of TRNC of the time, Mehmet Ali Talat, from the "Ergenekon members". Yıldırım states that, these allegations are in fact activities within the scope of journalism and even if these activities are crimes, they are within the scope of suspension under the Law No. 6352; however, this aspect has not been taken into consideration by the court.

**ILLNESS:** He has no serious illness.

**ABUSE OF RIGHT IN PRISON:** He has not been given his right to converse.

### **LETTER 51**

**NAME SURNAME:** Erdal Süsem

**( Edirne F Type Prison/Edirne-** Convicted on the charge of being a member of MLKP- life term imprisonment)

**PERSONAL INFORMATION:** Born in 1980.

**MEDIA INSTITUTION HE WORKS IN:** Eylül Magazine editor.

**DATE OF ARREST AND DURATION:** He has been in prison since 1 March 2010.

**REASONS FOR ARREST - (INDICTMENT):** Erdal Süsem states that, due to the repetition of the statement “The person you call a journalist has usurped a police officer’s gun and has gone and shot someone with this gun” in all circumstances whether relevant or not, he has been subjected to a conspiracy throughout many years. This conspiracy, he claims, has been appropriated by the competent authorities. He adds that “the allegation that he usurped a police officer’s gun” directed at him, has not been included among the allegations of the prosecution office, which has prepared the indictment after his arrest and the summary of the proceedings prepared by the TEM division police who had taken him into custody on 21 March 2000.

He claims that there is a gun in question; however there is not a single evidence to prove that he is the one who usurped this gun and that the existing evidence is not against him, but on the contrary, in his favor. He also claims that the police officer whose gun has been usurped has absolutely no resemblance to the description he has given to the police station in the neighborhood, where the event took place. Süsem states that the police has put pressure on another person who has been taken into custody in connection with another organization and not the one he has been put on trial for. Police has told this person: “You will give a statement that Erdal Süsem is the leader of TKP (ML) organization and has committed various acts”. Süsem



also states that “the police officer whose gun has been usurped has also been put under pressure into stating that it was I who usurped his gun”. In addition, Süsem states that “When I was taken into custody about six months later and taken to the TEM Division, the police officer whose gun has been usurped was called in for identification. In the identification process, he stated that he does not know me and that I am not the person who usurped his gun.

(...)

This is the incident you call, “He has usurped the police officer’s gun”. The police record in my favor is in the files. Süsem also states that although there was evidence in his favor, he was arrested by the court; however, he was not arrested in connection with the usurpation of the police officer’s gun and manslaughter, but on charges of membership in the organization and collecting/receiving money on behalf of the organization and the indictment was prepared in this light. Erdal Süsem has related that, “the person who has been referred to for the charge that I received money on behalf of the organization stated in the court that he does not know me and such a thing has not taken place (...)

Just when I was about to be released, the prosecutor was dismissed and a new prosecutor was appointed. The indictment was prepared once again and the famous life term imprisonment clause has been raised to 146/1, on the allegation of “destroying the constitutional order by force”. That is to say, the new prosecutor relying on the gun... requested that I should be prosecuted on the charge of manslaughter.” Süsem states that, there are no statements, finger prints, other DNA findings and witness statements in the prosecution/magistrate offices and court authorities proving that he has committed this act. He states that there is only a ballistic report relating to the gun, which has nothing to do with him.

In addition, Süsem states that there is a written statement of the slaughtered person’s wife at the scene of the incident and states the following on the statement: “In this statement, she states that the person who has shot her husband is: overweight, bulky/stout and tall. Whereas, I am of small build,

1.65cm tall and thin. Even this evidence which is apparently in my favor alone refutes the charge." Despite this, Süsem states that the 12<sup>th</sup> High Criminal Court has sentenced him to life term imprisonment by mishandling the legal system under which it should act. (...)

Süsem states that, the Supreme Court has reversed the case, on the ground that "the sentence given is not in harmony with the material evidence". Afterwards, "after being retried in the local court and consideration of the case, although the same sentence has been given in contradiction with the Supreme Court's grounds for the reversal of the ruling sentence grounds", he has been released after a long imprisonment of seven and a half years.

The trial went on after Süsem's release. The ruling was once again reversed by the Supreme Court and the case was sent back to the local court. The local court persisted in its ruling. According to Süsem, the local court had to comply with the decision of the higher court. Süsem was once again detained and arrested on 1 February 2012 on the charge of being a member of another organization. Süsem has once again stated that besides news material such as books, cards and letters, news compilation activities such as telephone calls have been presented as evidence against him.

**ILLNESS:** Due to living for years on cement floors, he has freezing, cold and spasms in his fingers in all seasons.

**ABUSE OF RIGHT IN PRISON:** He states that enjoyment of human rights and social activities depend on the arbitrary behaviour of the administration and good behaviour on disciplinary penalties. Publications with no collection decision are prohibited.

## **LETTER 52**

**NAME SURNAME:** Mustafa Balbay

**(Silivri No 1 L Type Prison / İstanbul-** Arrested on the charge of being a member of **the** Ergenekon terrorist organization)

**PERSONAL INFORMATION:** Born in 1960. University graduate.

**MEDIA INSTITUTION HE WORKS IN:** Cumhuriyet Newspaper; columnist, member of the publishing board.

**DATE OF ARREST AND DURATION:** He has been in prison since 06. 03. 2009.

**REASONS FOR ARREST- (INDICTMENT):** According to Mustafa Balbay, the allegations and the trial are political. They are the main loop in the attempt to cleanse and neutralize all structures which are opposing the current power.

Balbay states in the columns he has written from prison and in the trials that the seized notes and recorded conversations are related to journalistic activities. He states that the fabricated notes, the meetings he has had as a journalist, the news and columns he has written have been presented as evidence.

Mustafa Balbay, who defines the trial method and the allegations made as the heaviest kind of torture, asks "I am being tried for being a member of an organization whose members have bombed my newspaper. Is there any heavier torture than this?"

**ILLNESS:** He has no serious illness.

**ABUSE OF RIGHT IN PRISON:** Balbay states that he has been kept in isolation and alienated and when he complains about this, he is told that this is in conformity with the regulations. Balbay states that they have been put under isolation due to the case they are being tried and adds "Although very rarely, when there is a play, or show being staged in prison, all the arrested and convicted prisoners watch it together. They do not take us. When we ask the reason why, we are being told 'it is for your own security'. So, they are isolating us for our own security".

### **LETTER 53**

**NAME SURNAME:** A. Tuncay Özkan

**(Silivri No 1 L Type Prison / İstanbul-** Arrested on the charge of being a member of **the** Ergenekon terrorist organization)

**PERSONAL INFORMATION:** Born in 1966. University graduate.

**MEDIA INSTITUTION HE WORKS IN:** Channel Biz TV. He is a program producer, and commentator and founder of the channel.

**DATE OF ARREST AND DURATION:** He has been in prison since 23. 09. 2008.

#### **REASONS FOR ARREST - (INDICTMENT):**

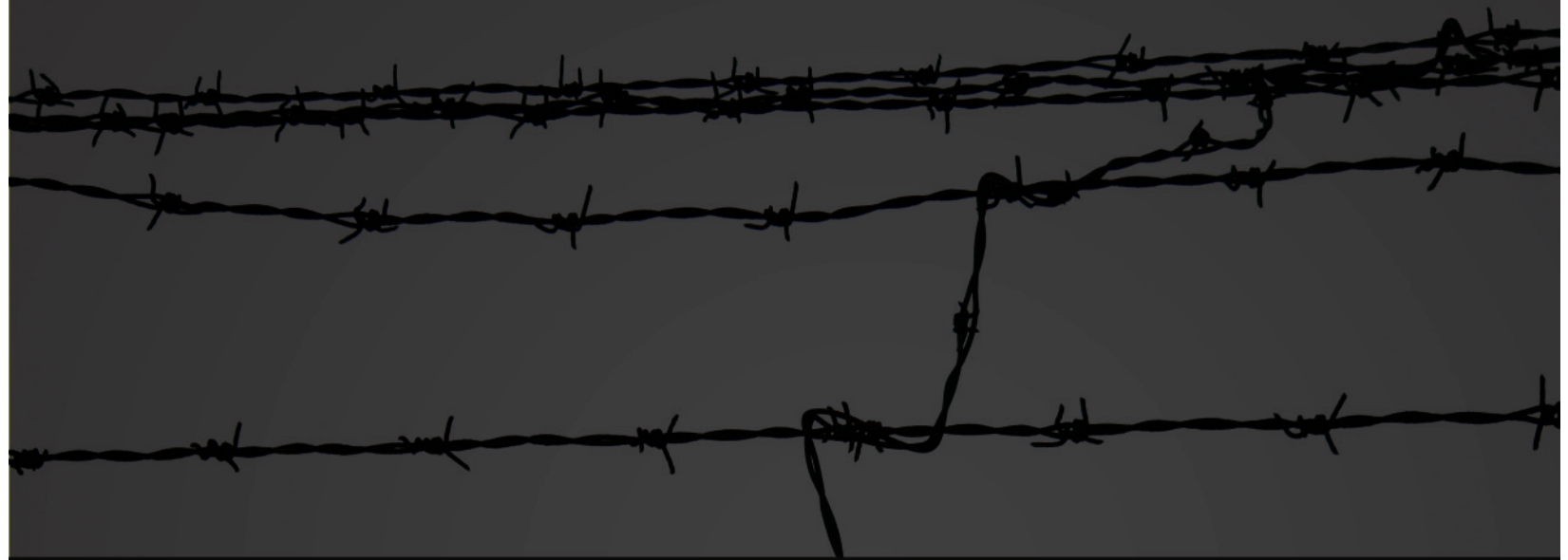
Another detained journalist who has been accused of trying to “overthrow/ attempt to overthrow the TBMM and the Government by force and violence” and “being a member of the terrorist organization” and “acquiring secret documents” is Tuncay Özkan. Özkan has been in prison since 23 September, 2008. Özkan who states that he is the journalist to whom Prime Minister Erdoğan referred as ‘He said ‘Erdoğan has 1 billion dollars’ and now he is in prison as a suspect in the Ergenekon case’, claims that he is being imprisoned to eliminate his dissenting stance and to be silenced through lies and false accusations.. Özkan states that, when he asked the prosecutors what his crime was, he was told that “the suspect knows his own crime”. Özkan states that the reasons for his imprisonment are, reporting news about fraud related to the Prime Minister and 16 ministers in the cabinet; founding Kanal Türk TV and broadcasting opposing voices against the AKP policies to the public. In addition, Tuncay Özkan states that, he has organized “Republic Demonstrations”, which reflected the belief of the Turkish Nations in the republic and it is solely for these reasons and due to his being an opposition figure that he is kept in prison.

**ILLNESS:** He has no serious illness.

**ABUSE OF RIGHT IN PRISON:** Özkan states that he has been isolated for 517 days; sewage water leaks into his cell and he wakes up four times a day in human excrement. He states that he has complained about all the contradictions in the prison separately; however, the Ministry of Justice rejects every single one of them by taking shelter under lies. He also adds that, he has been investigated twice for growing mint flowers.







**REPUBLICAN PEOPLE'S PARTY**  
**REPORT ON IMPRISONED JOURNALISTS**