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Europe/Ex-USSR - Turkey

Kafkaesque justice

Judicial system presses on with absurd trial of Oda TV journalists

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This week's hearings in the Istanbul trial of investigative journalists **Ahmet Sik** and **Nedim Sener** and eight journalists employed by the *Oda TV* news website – **Soner Yalçın**, **Dogan Yurdakul**, **Baris Pehlivan**, **Baris Terkoglu**, **Muhammet Sait Cakir**, **Coskun Musluk**, **Yalçın Küçük** and **Müyesser Ugur** – have [confirmed that the prosecution has no case against them](#).

"By pressing on with this absurd prosecution and keeping the defendants in detention, the Turkish judicial system is just discrediting itself," Reporters Without Borders said.

After deliberating for two hours, the court decided unanimously last night not to release the ten journalists, who are accused of involvement in an allegedly wide-ranging anti-government conspiracy known as "Ergenekon."

They will therefore remain in detention at least until the next hearing, set for 23 January, when some of the *Oda TV* journalists will have been held [for nearly a year](#) in Silivri high security prison and Sik and Sener will have been held [for nearly 11 months](#).

More than 300 people including **Alper Turgut** of the Turkish Journalists Union (TGS) and Reporters Without Borders correspondent **Erol Önderoglu** awaited yesterday's ruling and demonstrated outside the court, located in Caglayan, in the European part of Istanbul.

"A [thorough overhaul](#) of both the anti-terrorism law (TMK) and the code of criminal procedure (CMK) is absolutely essential in order to end arbitrary detention," Önderoglu told the demonstrators. "But as well as these laws, the repressive judicial practices and culture we saw in operation today represent a major challenge in Turkey."

The court also rejected a request by Yalçın that it should abandon the case, and refused to take account of expert opinions from three universities in Istanbul and Ankara, which concluded that the computer files found at *Oda TV* headquarters that are the basis of the case against the news website came from computer malware from outside.

The court did however agree to ask the Scientific and Technological Research Council (TÜBİTAK), a government entity, to carry out analyses of the computers and hard disks in question. It also requested a medical report on one of the detained journalists, Yurdakul, who is in very poor health.

"The fact that imprisonment, which is supposed to be an exceptional measure, is in fact



treated as normal is very detrimental to our colleagues,” said **Orhan Erinc**, the spokesman of the coalition “Freedom for Journalists” (GÖP).

Sik and Sener testified during yesterday’s hearing, the eighth so far. A police officer, Hanefi Avci, also testified. The two journalists said they had absolutely nothing in common ideologically with the Ergenekon network and that the trial had all the hallmarks of an act of revenge by the police and judicial authorities, whom they have always criticized.

In his testimony, Sik said: “To understand that I could not support Ergenekon, you just have to read what I have written during my 20 years as a journalist. I am a socialist (...) The opinions reflected in [my draft book ‘The Imam’s Army,’](#) are clear (...) And that is why I am one of the defendants today.” “I am being targeted because [I pointed the finger at those who were responsible for Hrant Dink’s death,](#) Sener said.”

During this week’s previous hearings, three of the *Oda TV* journalists, Yalçin, Pehlivan and Terkoglu, accused the court of bias, claimed that they had been treated in a discriminatory manner, and accused the prosecutors of artificially singling out some of their sources of information.

“Why, of the 22,000 tapped phone conversations, did they ignore the ones I had with journalists and officials close the government?” Yalçin asked. Terkoglu pointed out that some of the *Oda TV* articles and commentaries that form part of the prosecution case had been published in secularist and conservative Turkish media.

Reporters Without Borders reiterates its call for the immediate and unconditional release of the detained journalists.

(Picture: Dogan Yurdakul, Ahmet Sik and Nedim Sener in Silivri prison)

27.12.2011 - Istanbul court resumes trial of 10 journalists accused in Ergenekon conspiracy

The trial of eight journalists who work for the [Oda TV](#) news website and investigative reporters **Ahmet Sik** and **Nedim Sener** resumed yesterday before an Istanbul court [after a five-week break](#) and continued today, proceeding as slowly as had been feared. They are accused of involvement in the “Ergenekon” anti-government conspiracy.

After yesterday’s hearing began at 11 a.m., two presenters normally employed by the state TV station *TRT* read out 58 of the 134 pages of the indictments. Little attempt was made to accommodate all the journalists, observers and human rights defenders who wanted to attend the hearing. “There are only 80 places inside, we cannot allow everyone to go in,” an official said.

As Resul Cakir, the judge who presided the first hearing on 22 November, has been promoted to Turkey’s highest court of appeal, he has been replaced by Mehmet Ekinici as presiding judge. Most of the [Oda TV](#) journalists had filed an unsuccessful request for Cakir to be removed from the case on the grounds that he was a plaintiff in an earlier case against them.

Reporters Without Borders calls on the Turkish authorities to release immediately all of the journalists, who have been held for the past 10 or 11 months.
