

Reporters Without Borders

<http://www.rsf.org/turquie-courts-start-to-free-journalists-28-07-2012,43119.html>

Europe/Ex-USSR - Turkey

Freed on parole

Editor of Kurdish newspaper released after two years in custody

7 August 2012

The Diyarbakir criminal court today approved the release on parole of the journalist **Ozan Kilingç**, imprisoned since 22 July 2010 on charges of criminal propaganda.

The court granted a request by his lawyer under Law 6325, introduced on 5 July, which is intended to limit pre-trial detention.

Kilingç, the former owner and editor of the country's only Kurdish-language daily, *Azadiya Welat* (Independence Homeland), was sentenced in April 2011 to six years and nine months in prison after being found guilty of publishing propaganda in support of the outlawed Kurdistan Workers Party (PKK) and of committing a crime on behalf of the organization,

He was originally sentenced to 21 years in prison in February 2010 but this was reduced on appeal.

Court refuses to release three journalists under reform package

31 juillet 2012

An Istanbul court refused on 27 July to release three journalists who have been held for nearly three years as part of the investigation into the alleged clandestine ultranationalist network called Ergenekon.

They are **Mustafa Balbay**, a columnist for the secularist and nationalist newspaper *Cumhuriyet* (Republic), **Tuncay Özkan**, the owner of *Biz TV* (We TV) and **Mehmet Haberal**, owner of Ankara-based BTV.

They could have been released under the newly-introduced Law 6325, which is intended to limit pre-trial detention. More than 200 court hearings in their case have so far been held since their arrest.

27.07.2012 - Courts start to free journalists under reform package

Vedat Kursun, the former editor of the Kurdish-language daily *Azadiya Welat* (Free People), has finally been freed after three years and seven months in jail on a charge of propaganda on behalf of the outlawed Kurdistan People's Party (PKK). His release was ordered by a court in the eastern city of Diyarbakir on 23 July.

"We take note of this release," Reporters Without Borders said. "The rate at which journalists are being freed is still too slow and should be accelerated by the newly-adopted package of reforms," Reporters Without Borders said. "We call for the conditional release of all journalists held in connection with their work or because of alleged cooperation with banned organizations."

As a result of the Diyarbakir court's ruling, Kursun was freed from the Type E prison in Giresun where he had been held since 30 January 2009 and where he was serving a sentence of 16 and a half years in jail for articles about Kurdish issues and human rights violations in Kurdistan that were deemed to constitute pro-PKK propaganda.

He was released under Law 6325, adopted on 5 July, under which prosecutions of journalists accused of propaganda on behalf of terrorist organizations may be suspended or abandoned. This law also provides for the release of media personnel accused of belonging to or "collaborating" with outlawed organizations.

Around 90 journalists working for Kurdish, secularist or left-wing opposition media remain in jail pending an upcoming series of hearings. Some of them have already been tried and convicted but most have not.

Ragip Zarakolu's high profile trial

The trial of the famous journalist, publisher and human rights activist **Ragip Zarakolu** began on 13 July and continued until 21 July when, after two specially-invited Turkish TV presenters had finished reading the indictment (2,400 pages) in turn, the court adjourned until after the summer break.

Few journalists have so far been released since Law 6325 took effect. **Bedri Adanir**, the editor of the Kurdish-language periodical *Hawar* (Solution) and **Ozan Kiliç**, one of his journalists, are hoping that the possibility of their release will be examined in the coming days or weeks.

Local newspaper publisher convicted

A court in the southeastern city of Malatya sentenced local newspaper publisher **Haci Bogatekin** in absentia on 27 June to a year in prison on charges of relaying PKK propaganda and "praising a crime or a criminal" under article 215 of the criminal code over a January 2008 editorial in his newspaper, *Gerger Firat*, a weekly based in the nearby town of Gerger.

Headlined "Feto and Apo," the editorial contrasted the government's failure to combat the threat posed by Fethullah "Feto" Gülen's influential religious community, the target of much criticism by Turkey's secularists, with the government's repeated police and military offensives against the PKK armed separatists led Abdullah "Apo" Öcalan.

In another article shortly after the "Feto and Apo" one, Bogatekin reported that Gerger prosecutor Sadullah Ovacikli has ordered him to apologize for insulting Gülen. This resulted in his being immediately detained for 109 days on charges of insult, libel and trying to pervert the course of justice.

Bogatekin told Reporters Without Borders he would appeal against his conviction to Turkey's highest court.

Abandoned prosecution

Oda TV case

An Istanbul court ruled in mid-July that the prosecution of **Baris Terkoglu**, the editor of the *Oda TV* news website, should be abandoned. He had been held since 14 February 2011 for supposedly collaborating with Ergenekon, an alleged terrorist network made up of secularists and ultranationalists.

Terkoglu was accused of endangering intelligence officers, judges and prosecutors in charge of the Ergenekon investigation by publishing photos of them under the headline "These photos will cause a stir." They were shown fasting together during Ramadan. Prosecutors claimed that the photos could expose these senior officials to reprisals by terrorist groups. Terkoglu had been facing a possible three-year jail term under Article 6-1 of the Anti-Terrorism Law 3713.

The court did not wait for the *Oda TV* hearing scheduled for 19 July to release Terkoglu provisionally. However, three years will have to elapse before the case against him is closed for

good, and then only if he has not been arrested in the meantime on similar charges.

The prosecution of **Güray Öz**, the editor of the republican daily *Cumhuriyet*, who had helped circulate the photos taken by Terkoglu, has also been suspended. Although not detained, he had been investigated and was being prosecuted.

The other detained *Oda TV* journalists – **Soner Yalçın**, **Baris Pehlivan** and **Yalçın Küçük** – have not been amnestied but the possibility of their release could be examined at the next hearing, scheduled for mid-September.

Journalists freed

Yürüyüş – another part of the reform package

Halit Güdenoğlu, the editor of the far-left weekly *Yürüyüş* (March), and four of her journalists who like her had been held since 24 December 2010 – **Cihan Gün**, **Naciye Yavuz**, **Kaan Ünsal** and **Musa Kurt** – were released on 20 July under Law 6352, which instructs the police and judicial authorities to place suspects under judicial control rather than systematically detain them.

They were released at the behest of an Ankara court which said it had taken account of the “time spent in detention” and the “prosecution evidence.” The court also ordered prosecutors to prepare their indictment and to hand over recordings made during the investigation. The five newly-released journalists have been forbidden to leave the country.

Woman journalist freed after three months

Gülnaz Yıldırım Yıldız, the former editor of the far-left periodical *Yeni Evrede Mücadele Birliği* (Combat in the New Period), was released from Istanbul’s Bakırköy prison on 23 July. She had been held since 27 April, when the Court of Cassation upheld her sentence of three years and nine months in prison for propaganda on behalf for the Turkish Communist Party of Labour/ Leninist (TKEP/L).

Journalist freed one month before completing sentence

A court in the southeastern city of Adana released **Mehmet Karaaslan**, a reporter for the pro-Kurdish news agency *Diha*, from Birecik prison in the nearby city of Şanlıurfa under Law 6325 on 13 July, a month before he would have completed his sentence of six years and three months for alleged membership of the PKK. He was arrested during a demonstration on 19 April 2007 for allegedly shouting slogans in support of jailed PKK leader Abdullah Öcalan.
