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INFORMATION REPORT ON THE CASE FILES OF LOCAL JOURNALISTS PROVIDED WITH LEGAL SUPPORT BY AYHED

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"Legal Support, Application to Protection Mechanisms, and Strategic Litigation Program for Local Journalists' Access to Justice"

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This report has been prepared within the scope of the "Legal Support, Application to Protection Mechanisms, and Strategic Litigation Program for Local Journalists' Access to Justice," carried out by the Right to a Fair Trial Association and supported by the National Endowment for Democracy (NED). The responsibility for the content of this report lies entirely with the Association for Access to the Right to a Fair Trial.



GENERAL PURPOSE OF AYHED

The general purpose of AYHED is to create a more just, equitable, and rights-respecting society where all individuals, regardless of their background or socio-economic status, have equal access to justice and benefit from fundamental human rights. AYHED contributes to this change by promoting access to justice, advancing human rights, empowering individuals, protecting human rights defenders, mainstreaming gender equality, and strengthening the capacities of local human rights and legal organizations. It works towards ensuring democratic political participation, preventing discrimination, and implementing universal legal principles and norms.

AYHED was established to enhance and develop civil society activities, support individuals and organizations working in this field, conduct human rights initiatives related to law and fundamental freedoms, and carry out research, analysis, monitoring, reporting, and educational activities on access to justice, the right to seek remedies, and the right to a fair trial.

OUR MISSION

The mission of the Right to a Fair Trial Association (AYHED) is to promote fair trial standards and the protection of human rights by supporting bar associations, local journalists, and civil society actors through professional development, capacity building, advocacy, and legal interventions. AYHED aims to foster cooperation and joint advocacy among these actors, creating opportunities to strengthen fair trial standards and human rights protection.

OUR VISION

We envision a country where fair trial standards are not only upheld but also function as fundamental pillars of justice and human rights.

Our association is committed to creating an environment where every individual, regardless of their background or circumstances, can access fair and impartial legal processes. Through a multidimensional approach—including professional development, capacity building, legal intervention, collaboration, and sustainability—we strive to empower legal professionals, NGOs, journalists, and communities to advocate for fair trial standards and protect human rights with unwavering dedication.

By fostering a global advocacy network dedicated to accountability and access to justice, we aim to pave the way for a future where justice, equity, and respect for human dignity serve as the cornerstones of legal systems worldwide.

ABOUT THE PROGRAM

The "Legal Support, Application to Protection Mechanisms, and Strategic Litigation Program for Local Journalists' Access to Justice," supported by the National Endowment for Democracy (NED), is carried out by our association's expert legal professionals specializing in press and freedom of expression.

Objectives of the Program:

- Activating effective judicial and administrative remedies to protect journalists facing pressure and threats, ensuring access to national and international human rights protection mechanisms, and creating impactful awareness through strategic litigation to influence decision-makers and contribute to legal reforms.
- Raising awareness and mobilizing public opinion on press freedom and human rights advocacy by enabling lawyers and NGOs to lead campaigns, influence lawmakers and policymakers, and highlight the public's right to access information.
- Strengthening the dialogue between bar associations and civil society in nine provinces regarding legal support, monitoring, and intervention methods for violations and judicial pressure faced by local journalists. Additionally, facilitating the exchange of experiences among lawyers serving in bar associations' human rights commissions to establish sustainable working plans, press case monitoring mechanisms, and legal support committees.

INTRODUCTION

Press freedom is seen as one of the essential components of many rights in democratic regimes, particularly freedom of thought and expression, as well as the right to receive, give, and disseminate information. It holds critical importance for the functioning of a democratic society, the oversight and monitoring of public authorities, and the construction and preservation of a truth regime. In authoritarian regimes, one of the most important ways to secure and preserve power and legitimacy is through monopolies and control mechanisms over truth. This is because facts are among the greatest threats that can work against the authorities. In this regard, press freedom has historically existed not only as a matter of democracy but also as a matter of power.

The political regime in Turkey, however, does not comply with national and international standards regarding press freedom, particularly with respect to independent, opposition, or alternative journalistic practices. The regime has implemented a range of legal, administrative, and criminalizing policies against such journalism activities and often attempts to justify these policies in the eyes of the public with arguments related to security and counterterrorism.

Indeed, Turkey's press freedom situation has been frequently mentioned with serious concerns in both national and international reports. For example, in 2024, Reporters Without Borders (RSF) ranked Turkey 158th out of 180 countries in its World Press Freedom Index, and in Freedom House's "Press Freedom" report, Turkey was classified as a "Not Free Country." In the European Press Freedom Report published by the Council of Europe, titled "Confronting Political Pressure, Disinformation, and the Erosion of Media Independence," Turkey was listed as one of the countries where journalists face physical attacks, intimidation, detention, and systematic restrictions on press freedom. According to the Dicle Fırat Journalists Association's (DFG) "Report on Violations Against Journalists", 118 journalists were detained, 26 were arrested, 67 journalists were sentenced to a total of 149 years and 9 months in prison, 501 websites were shut down, and access to 5,260 news articles was blocked.

The related data points to a multi-dimensional pressure environment that prevents journalists from reporting freely in Turkey. A large portion of the media is kept under control through the creation of a "pool media," and opposition voices are confined to digital platforms. Laws regulating these spaces are also being introduced, and journalists trying to carry out their duties under these conditions face violations of their rights, such as censorship, self-censorship, threats, blackmail, arbitrary detention, and imprisonment. Additionally, challenges like working conditions, mobbing, economic pressures, and job dismissals create significant barriers for journalists to continue their professional activities.

The most significant legal basis for these pressures is the "Fight Against Disinformation" law, which came into effect in 2022 and regulated the offense of "publicly disseminating misleading information" under Article 217/A of the Turkish

Penal Code (TCK). This regulation, in particular, has been used as a mechanism of censorship against critical news, especially targeting journalists who report on controversial or opposing topics. This law has been transformed into a censorship mechanism targeting opposition journalists, leading to numerous investigations against them based on the news they report.

Local journalists and reporters, in particular, are among the most affected groups by these oppressive policies. They face not only pressure from the central government but also direct suppression from local actors. The focus of this report—compiled by AYHED with brief summaries of the legal cases for which we have provided legal support—is on local journalists and reporters. As demonstrated in this information report, they frequently become targets for their reporting on issues of public concern, such as corruption and profiteering, environmental policies and ecological destruction, local governments, and municipal activities.

Between 2024 and 2025, AYHED's legal assistance in judicial proceedings against local journalists and reporters has provided a clearer picture of the extent of the pressures on press freedom. This report, which evaluates the legal, administrative, and criminal cases of local journalists in 18 provinces, highlights that press freedom restrictions pose a threat not only to journalists but to society as a whole.

Thus, the struggle for press freedom is not just a fight for journalists, but a collective struggle for all of society. With this understanding, we emphasize our commitment to continuing to build networks of social and legal solidarity to protect press freedom.

Association for Access to the Right to a Fair Trial

THE INFORMATIONAL REPORT ON THE CASE FILES OF LOCAL JOURNALISTS WHO HAVE RECEIVED LEGAL SUPPORT FROM AYHED

THE ACCESS BAN IMPOSED ON KHK TV WAS LIFTED FIVE YEARS LATER WITH THE CONSTITUTIONAL COURT'S RULING OF A VIOLATION!

In 2019, a platform was established in Adana to raise the voices of approximately 140,000 individuals who were dismissed from public service through Decree Laws (KHK) without being investigated or prosecuted. The platform aimed to support their struggle for justice. The platform continued its activities with volunteer reporters in various provinces, and its first General Director was Prof. Asuman Haluk Savaş, who was also dismissed from her position through a KHK. The KHK TV YouTube Channel, which was managed by Prof. Savaş, faced an "Access Blocking Decision". This decision was taken to the Constitutional Court by AYHED, and after the Constitutional Court ruled that the decision was a violation of rights, the access block to the KHK TV YouTube Channel was lifted after five years.

A CONVICTION FOR INSULT WAS HANDED DOWN TO JOURNALIST ERHAN PALABIYIK, WHO WORKS IN HATAY, BASED ON THE NEWS REPORTS HE MADE!

Journalist Erhan PALABIYIK was sued for allegedly committing the crime of "Insulting with a Voice, Written or Visual Message" based on his critical remarks and news-related posts about the President of the Kırıkhan Chamber of Commerce and Industry. The allegations included the prolonged delay in completing the construction of the Kırıkhan Chamber of Commerce and Industry service building, as well as a previous investigation and detention related to charges of FETÖ membership. In addition, he had criticized the membership of a businessman's association that was found to have FETÖ connections and was later shut down.

In the trial at the Kırıkhan 1st Criminal Court, despite the journalist's defense that his news served the public interest and was an essential part of his journalistic activities, and should be protected under the scope of freedom of expression and press freedom, the court ruled that the journalist was guilty of "Insulting with a Voice, Written or Visual Message". Consequently, the journalist was sentenced to conviction.



POLICE INTIMIDATION AGAINST JOURNALISTS TRACKING NEWS IN VAN !

Journalists Zelal TUNÇ KUMLI, Elfazi TORAL, and Berivan KUTLU were subjected to obstruction and mistreatment by law enforcement officers while covering the 1st September World Peace Day rally in Van as part of their journalistic activities. A criminal complaint was filed against the involved officers with the Van Chief Public Prosecutor's Office, accusing them of committing crimes including torture, mistreatment, and violations of work and freedom rights.

However, the Van Governorate stated that the officer involved in the incident had drawn his weapon to protect himself and his firearm, while other officers could not be identified. The authorities also claimed that the journalists' affiliated media outlets had made illegal pro-terrorist group posts and that the complaints were aimed at undermining the police force. Consequently, the Governorate decided that no investigation would be conducted.

In response, the Van Chief Public Prosecutor's Office upheld the decision not to investigate, citing the same reasoning. The decision was challenged, and after the appeal, the Erzurum Regional Administrative Court definitively rejected the objection. Following the final rejection, AYHED provided legal support, and the case was brought before the Constitutional Court.



JOURNALIST AHMET KANBAL FACES INVESTIGATION FOR ILLEGAL ORGANIZATION MEMBERSHIP BASED ON SECRET WITNESS TESTIMONY

Journalist Ahmet KANBAL was investigated by the Mardin Chief Public Prosecutor's Office on the grounds of his journalistic activities and statements from a secret witness, which led to accusations of being a member of a terrorist organization. A restriction order was imposed in this investigation, and the case was later transferred to the Şırnak Chief Public Prosecutor's Office due to lack of jurisdiction.

This situation is a significant indication that investigations against Kurdish and opposition journalists are often based on weak evidence, such as statements from secret witnesses. These types of investigations attempt to criminalize journalistic activities, thereby placing serious pressure on freedom of expression and press freedom.



IN OSMANIYE, KHK TV REPORTER AHMET ERKAN YIĞİTSÖZLÜ SENTENCED TO PRISON: "IF YOU USE SIGNAL APP AND HAVE A PATREON DONATION ACCOUNT, YOU COULD BE A MEMBER OF AN ORGANIZATION!"

KHK TV reporter Ahmet Erken YiğİTSÖZLÜ was sentenced to 6 years and 3 months in prison by the Osmaniye 2nd Heavy Penal Court on charges of "membership in a terrorist organization." The local court accepted his use of the Signal application, his Patreon donation account, his 2005 SGK registration with Cihan News Agency, and KHK TV video content as sufficient legal evidence for the charge.

However, using commonly used private messaging applications, having a platform account where global content creators receive financial support, working for a news agency that was officially and legally operating at the time, or contributing news content under the principles of freedom of thought and expression on a YouTube channel, are not legally sufficient or valid grounds to support such a serious accusation. These are arbitrary and subjective evaluations with no real evidentiary value.


As AYHED, we have observed that this judicial practice represents a clear example of how the law, which should be a protective mechanism for individuals, has turned into a tool for silencing opposing voices. It also shows how journalists who present a different journalistic practice are criminalized for carrying out their profession, sending a clear message of intimidation to the press through judicial means.



PRESS FREEDOM UNDER JUDICIAL PRESSURE!

On October 25, 2022, following the detention and arrest of a total of 11 journalists, including reporters from Mezopotamya News Agency and Jin News, in 7 cities centered in Ankara, the Ankara 4th Heavy Penal Court conducted a trial. In the final ruling on July 3, 2024, 8 journalists were sentenced to 6 years and 3 months in prison for the charge of membership in a terrorist organization, while 3 journalists were acquitted.

In the reasoned judgment, the court stated that Mezopotamya News Agency and Jin News were operating under the umbrella of the KCK Press Committee. The court further argued that, in this context, the news articles produced by these agencies could not be accepted as falling within the scope of press and freedom of expression and instead were deemed to be within the realm of justifying terrorist actions.



IN İZMİR, AN INVESTIGATION WAS INITIATED AGAINST CİHAN BAŞAKÇIOĞLU, A REPORTER FOR GAZETE DUVAR, ON CHARGES OF MEMBERSHIP IN AN İLLEGAL ORGANIZATION. HOWEVER, 8 MONTHS LATER, A NON-PROSECUTION DECISION WAS MADE REGARDİNG THE CASE.

Gazete Duvar muhabiri Cihan BAŞAKÇIOĞLU İzmir Cumhuriyet Başsavcılığınca “ Yasadışı Cihan Başakçioğlu, a reporter for Gazete Duvar, was detained on February 13, 2024, as part of an investigation initiated by the İzmir Chief Public Prosecutor's Office on charges of membership in a terrorist organization. His digital materials were confiscated, and after a 3-day detention period, he was released under judicial control, with conditions to report twice a week and a travel ban imposed. A restriction order was also placed on the investigation file.

In the case for which AYHED provided legal support, the prosecutor's office, on October 3, 2024, concluded that the evidence related to the accused's activities was connected to his journalistic work, and that the contacts he had were entirely based on his journalistic endeavors. The prosecutor's office, after reviewing the indictment, wiretapping records, search and seizure reports, financial analysis, HTS (communication data), travel records, and other documents, determined that there was insufficient evidence to open a public case for the charge of membership in an armed terrorist organization. Therefore, based on Article 172-173 of the Criminal Procedure Code (CMK), a decision of non-prosecution was issued.



IN BATMAN, THERE HAS BEEN NO RESPONSE FROM THE COMMUNICATIONS DIRECTORATE REGARDİNG THE APPLICATION FOR THE YELLOW PRESS CARD

Uğur Kapıcı, a journalist working in Batman, applied for a press card from the Ministry of Communication, but has not yet received a response from the administration.

The process of issuing press cards, as stipulated by the Press Card Regulation, involves granting the card to journalists who meet certain criteria. However, the regulation also includes numerous restrictive and limiting provisions. Additionally, since the press card is issued by the Presidency's Communications Directorate, rather than by independent and autonomous press associations, the obstacles encountered in this process strengthen the perception that the press card is being used as a political tool under the control of the government. This also makes it more challenging to continue journalism as an independent and impartial profession.



IN ADIYAMAN, A CRIMINAL INVESTIGATION HAS BEEN LAUNCHED AGAINST JOURNALIST AHMET KANBAL UNDER TCK 217/A REGARDING THE EARTHQUAKE.

Journalist Ahmet Kanbal is under investigation by the Mardin Chief Public Prosecutor's Office for allegedly committing the crime of Spreading False Information Publicly under Article 217/A of the Turkish Penal Code (TCK). This investigation was initiated due to his social media post where he stated, "There is no work being done in Adiyaman, people are trapped under rubble. There is no electricity, and no networks except for one GSM network. People trapped under the rubble are asking for help via messages to their loved ones." Following this, his statement was taken, and the file was later transferred to Adiyaman due to a decision of lack of jurisdiction.


However, President Erdoğan's public statements, in which he apologized to the people of Adiyaman for the lack of adequate efforts during the disaster, and the widespread media coverage of this, have demonstrated that there was no false information in Kanbal's newsworthy post.

Despite these developments, the investigation against Ahmet Kanbal is still ongoing, and the process remains unresolved due to the prosecutor's decision of lack of jurisdiction.



THE LAWSUIT FILED AGAINST JOURNALIST MUSA AŞKARA IN GAZİANTEP HAS NOW EXCEEDED 10 YEARS!

The case filed in 2009 regarding journalist Musa Aşkar is still ongoing at the Gaziantep 3rd High Criminal Court since 2014.



A NEW INVESTIGATION UNDER TCK 217/A HAS BEEN LAUNCHED AGAINST JOURNALIST AHMET KANBAL IN MARDİN, RELATED TO HIS COVERAGE OF A TRUSTEE ISSUE.

Journalist Ahmet Kanbal was investigated by the Mardin Chief Public Prosecutor's Office regarding his social media post on June 3, 2024, titled "A few observations and suggestions on the policies of the appointed administrators (Kayyım), their goals, and methods of struggle," under the accusation of committing the crime of "Disseminating False Information" according to Article 217/A of the Turkish Penal Code.

In the investigation where AYHED provided legal support, on December 16, 2024, the Prosecutor's Office decided that Kanbal did not act with the intent to create public fear, anxiety, or panic, but rather exercised his right to report as a journalist. The decision stated that there was no criminal intent and no sufficient evidence to open a public case, and therefore, the essential elements of the alleged crime were not present. Consequently, the decision was made to "Not Pursue Prosecution."



A MORAL COMPENSATION LAWSUIT FILED BY AN INDIVIDUAL MENTIONED IN THE BOOK "KARTAL İMAM HATİPLİLER" WRITTEN BY JOURNALIST HAYRİ DEMİR.

A lawsuit for moral damages has been filed by the plaintiff against Kırmızı Kedi Yayıncılık (Kırmızı Kedi Mağazaları Paz. Dağıtım Tic. A.Ş.), which is engaged in publishing activities, and the authors Serdar Akinan and Hayri Demir for their book titled "Kartal İmam Hatipliler" due to certain expressions about the plaintiff in the book and some information used in an interview with the authors regarding the book, published on the ODA TV news website. The plaintiff claims that their personality rights and privacy have been unfairly violated.

However, in the article, the plaintiff's name only appears in the list of people mentioned in the book, and aside from the mention of the name, there is no additional information, such as the school attended, nor any insult or attack on the plaintiff's personality rights. Despite this, the legal proceedings for the case are still ongoing.



INVESTIGATION INTO AN ENVIRONMENTAL NEWS REPORT IN ERZİNCAN: NOT BLOCKING THE STONE QUARRY, BUT THE JOURNALIST!

Journalist Duygu KIT was reported to the authorities by the Erzincan Governorship on April 17, 2024, for allegedly committing the crimes of "Disseminating Misleading Information" under Article 217/A of the Turkish Penal Code (TCK) and "Defamation" under Article 267 of the TCK, in relation to her news article titled "Köylülerden Köyün Dibindeki Taş Ocağına Tepki" published on the halktv.com.tr website. She was subsequently questioned in connection with these charges.

In the article, a member of the Ergen Köyü Kalkınma ve Dayanışma Derneği, Ö.A, who expressed their opinions regarding the planned quarry project, was also investigated. Additionally, the Environmental Impact Assessment (EIA) report stating that the quarry does not require an Environmental Impact Assessment ("Çed Gerekli Değildir") was challenged in the Administrative Court for cancellation.

On March 4, 2025, the Erzincan Chief Public Prosecutor's Office, in the case where we, as AYHED, provided legal support, decided that the lawsuit for the annulment of the Çed Gerekli Değildir report was accepted, and that the alleged crime of "Disseminating Misleading Information" did not occur. Furthermore, the prosecutor found that the journalist's observations and information shared in the form of a critical message and commentary were within the boundaries of press freedom and did not constitute a crime. Therefore, the decision was made that no prosecution would be pursued. Regarding the charge of defamation, it was determined that such a crime could not be committed against legal entities, and thus the case was closed, with no prosecution being initiated for either of the alleged crimes.



JOURNALIST MİR ALİ KOÇER İS UNAWARE OF THE INVESTIGATION OPENED AGAINST HİM İN DİYARBAKIR

A criminal investigation has been initiated by the Diyarbakır Chief Public Prosecutor's Office against journalist Mir Ali KOÇER, and the investigation has been ongoing for two years. During this period, the journalist has not been questioned, and a restriction order placed on the case file continues to be in effect.

Despite requests made to the prosecutor's office to lift the restriction order and prevent further delays in the investigation, no response has been provided to the petitions submitted thus far.



A VERDICT OF ACQUITTAL WAS GIVEN IN THE DEFAMATION LAWSUIT FILED AGAINST JOURNALIST MURAT GÜREŞ IN GAZİANTEP, AFTER A STATEMENT HE MADE IN A NEWS REPORT LED TO A COMPLAINT FROM THE PLAINTIFF!

A lawsuit was filed against journalist Murat Güreş on June 6, 2022, for allegedly committing the crime of "Defamation" under Article 125 of the Turkish Penal Code (TCK) due to the expressions he used in a news post on his Twitter account, "muratgres27," regarding an academic. This lawsuit was filed following a complaint by the individual.

The expressions used by the journalist were related to allegations that the complainant had obtained a professorship through fraudulent documents, a subject that had already gained public attention through discussions in the media. The allegations were connected to a disciplinary investigation carried out by the university, which resulted in the complainant receiving a disciplinary penalty.

In the case supported by AYHED, the local court ruled on January 6, 2025, that the expressions used in the news article were not of such a nature as to insult the complainant's honor, dignity, and reputation, but rather were considered rude and disrespectful in tone. Consequently, the journalist was acquitted, as the legal elements for the crime of defamation were not present.

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THE FORMER MAYOR OF ŞAHİNBİY MÜNİCİPİLİTİ IN GAZİANTEP FILED A LAWSUIT FOR DAMAGES AGAINST JOURNALİST BÜLENT ÖNER!

In 2021, journalist Bülent ÖNER filed a criminal complaint regarding Şahinbey Municipality in Gaziantep, specifically addressing the municipality's zoning practices and some illegal activities related to the mayor. He also appealed the decision of no prosecution issued for his complaint. The reason for the no prosecution decision was that the allegations fell under the jurisdiction of administrative courts and civil courts.

However, in 2022, the mayor filed a civil lawsuit for moral compensation against the journalist, claiming that ÖNER's criminal complaint and appeal were made with the intent to slander and defame him. The mayor argued that the accusations were exaggerated and intentionally spread in order to damage his reputation, accusing ÖNER of being involved in slander and character assassination.

The Gaziantep 9th Civil Court ruled to dismiss the lawsuit, citing that the moral damage element had not been proven and did not materialize.



IN OSMANIYE, JOURNALIST MUSTAFA DÜZENLİ WAS SENTENCED FOR INSULTING THE PRESIDENT, RECEP TAYYİP ERDOĞAN, DUE TO HIS COMMENT: "ONE PEPPER, ONE TOMATO, ONE EGGPLANT, THANK YOU MR. ERDOĞAN."

Journalist Mustafa DÜZENLİ was investigated for allegedly committing the crime of "Insulting the President" due to a comment he made on his Facebook account. Subsequently, a case was opened against him at Osmaniye 3rd Criminal Court.

After the trial, the local court concluded that the journalist's comment under the post about President Erdoğan's May Day message ("We have increased the minimum wage by 50%, we are standing by our citizens...")—in which he wrote, "one pepper, one tomato, one eggplant, thank you Mr. Erdoğan"—was aimed at insulting and belittling the President. The court found that the phrase "Tek Yürek Erdoğan" (which echoes the lyrics of the song "One Nation, One Flag, One Homeland, One State") was altered with the intent to target and degrade the President. As a result, Mustafa DÜZENLİ was sentenced to 11 months and 20 days in prison for the crime of "Insulting the President".



IN VAN, JOURNALIST RUŞEN MURAT TAKVA IS UNDER INVESTIGATION UNDER ARTICLE 301 OF THE TURKISH PENAL CODE FOR HIS POST STATING, "TURKEY IS NOT A RULE OF LAW"

On August 30, 2024, journalist Murat TAKVA made a post on the social media platform X stating, "There is no crime, but they take you from your home in the middle of the night without informing anyone, and drop you back in the middle of another night. Turkey is not a rule of law!" This led to an investigation under Article 301 of the Turkish Penal Code, which addresses the crime of "Insulting the Turkish Nation, the Turkish Republic, the Grand National Assembly of Turkey, the Government of the Republic of Turkey, and the Judicial Organ of the State."

The Van Chief Public Prosecutor's Office initiated an investigation, and on December 10, 2024, it requested permission to proceed with the investigation from the General Directorate of Criminal Affairs of the Ministry of Justice. However, there has been no response to the request yet.



IN ADIYAMAN, JOURNALIST MAHMUT ALTINTAŞ FACED CHARGES OF "RESISTING TO PREVENT THE PERFORMANCE OF OFFICIAL DUTIES" AND "ATTEMPTING TO DAMAGE PUBLIC PROPERTY" WHILE DEFENDING HIMSELF AGAINST POLICE MISTREATMENT!

Journalist Mahmut ALTINTAŞ was subjected to ill-treatment by the police while being brought to the Adiyaman courthouse on January 27, 2024, as part of an investigation into the alleged offense of "Making Propaganda for a Terrorist Organization." In response to the mistreatment, he tried to defend himself, which led to charges of "Attempting to Damage Public Property" and "Resisting Law Enforcement." As a result, a trial was initiated against him at the Adiyaman 4th Criminal Court of First Instance.

On February 21, 2025, during the verdict hearing, the court acquitted the journalist of the charge of "Attempting to Damage Public Property", citing the lack of concrete evidence that the act was carried out with the intent to damage public property. However, the court found that during the altercation on the day of the incident, the journalist's actions, which were considered to be in self-defense, were instead evaluated as an attempt to harm police officers who were trying to calm him down. As a result, the journalist was convicted of "Resisting Law Enforcement" and was sentenced to 5 months in prison.



IN ADIYAMAN, THE POSTS MADE BY JOURNALIST MAHMUT ALTINTAŞ IN THE FORM OF NEWS CONTENT WERE CONSIDERED AS ORGANIZATION PROPAGANDA!

The Adiyaman Provincial Directorate of Police's Cyber Crime Division initiated an investigation under the Open Source Research Activities, based on news-related posts made by journalist Mahmut Altıntaş on his social media account. He was charged with "Making Propaganda for a Terrorist Organization" in connection with the posts, which led to a trial at the Adiyaman 2nd High Criminal Court.

In the indictment, it was stated that the journalist's posts related to the PKK and PYD organizations, which discussed current political developments, were considered as propaganda for these organizations. Specifically, it was emphasized that the posts depicted members of the organizations armed and wearing the organization's symbols, insignias, and uniforms. These posts were deemed to promote or glorify the use of force, violence, or threats by the organizations, potentially encouraging others to resort to such methods. Furthermore, since the posts were made multiple times, the court applied the provisions related to "repeated crimes" as part of the charges.

During the trial, the defense argued that these posts were part of journalistic activities and should fall under the scope of press and freedom of expression. However, the local court, after evaluating the case, concluded that the crime charged against the journalist was established. As a result, the court sentenced Mahmut Altıntaş to 1 year, 6 months, and 22 days in prison.



A VERDICT OF ACQUITTAL HAS BEEN ISSUED FOR JOURNALIST MEHMET ÖZGÜR CEBE, THE DİYARBAKIR REPRESENTATIVE OF SÖZCÜ NEWSPAPER, IN THE CASE FILED AS A RESULT OF HIS REPORT ON THE MUNICIPALITY!

Journalist Mehmet Özgür CEBE, serving as the representative of Sözcü Newspaper in Diyarbakır, faced a defamation lawsuit due to an article he published on the newspaper's website on March 30, 2024, regarding corruption allegations related to Bağlar Municipality. The lawsuit was filed following a complaint from the individual mentioned in the news.

In the trial held at the Diyarbakır 23rd Criminal Court, the court ruled on January 6, 2025, that the content of the news did not contain any statements that would defame or harm the honor, reputation, or dignity of the complainant. The court considered that the article described a real estate transaction and changes in zoning regulations, which were part of the public interest and involved the former mayor's daughter in a business transaction. The ruling concluded that the article fell within the scope of freedom of expression and did not constitute defamation.

Thus, the court acquitted the journalist, Mehmet Özgür CEBE, stating that no defamatory statement was present in the news article.



FORMER GAZİANTEP MP FILED A COMPLAINT AGAINST JOURNALIST MUSTAFA DİKEN DUE TO THE STATEMENT HE MADE ABOUT HIM!

In Gaziantep, journalist Mustafa DİKEN faced a lawsuit for "insulting through a voice, written, or visual message" due to a statement he made on his personal social media account regarding a member of parliament working in Gaziantep. This case was initiated following a complaint filed by the parliamentarian, and the case is being heard in the Gaziantep 19th Criminal Court.

While the press must refrain from exceeding boundaries that protect the reputation of others, it also has an obligation to convey news and opinions on matters of public interest, including political issues. Moreover, the public has the right to access such information. However, it has become increasingly evident that when politicians file complaints, these quickly transform into legal cases against journalists, despite their higher obligation to tolerate criticism and expressions compared to ordinary citizens. This trend shows that such actions may have a chilling effect on the press, deterring journalists from exercising their rights to express and inform.



A COMPENSATION LAWSUIT HAS BEEN FILED AGAINST JOURNALIST ALI TAŞ IN ANTALYA REGARDING THE "NOT A SCHOOL, BUT A HOLDING" NEWS ARTICLE!

In Antalya, journalist Ali TAŞ faced a lawsuit for moral damages due to a news article titled "Okul Değil Holding" published in 2024 on the internet news site he owns, "Gazete Grafiti". The lawsuit was filed by the school principal, claiming that their personal rights were unlawfully attacked.

The news article, which also sparked reactions from school parents and drew public attention, falls under the scope of journalistic activities and should be evaluated as such. However, the individuals mentioned in the article perceived it as an attack on their personal rights and turned it into the subject of a compensation lawsuit. This case highlights another dimension of the legal challenges journalists face while carrying out their professional duties.



AN INVESTIGATION HAS BEEN LAUNCHED AGAINST THE AGENCY THAT REPORTED ON THE PARLIAMENTARY QUESTION!

In Mardin, the "Dara Aile Çay Bahçesi", known locally as "Ahmet Kaya Çay Bahçesi", has been operating for 20 years. Despite having 29 years left on its contract, the Mardin Provincial Directorate of Environment, Urbanization, and Climate Change unilaterally terminated the agreement and transferred it to the Directorate. This situation led to an inquiry in the Turkish Parliament through a question proposal submitted by the Mardin Member of Parliament.

Following the publication of the news regarding the proposal by the HabereGüven agency, which operates in Adana, a criminal investigation was launched by the Mardin Chief Public Prosecutor's Office for various alleged offenses, including defamation, insult, and disseminating misleading information.

As part of the legal support provided by AYHED, the imprint holder of HabereGüven Agency was summoned and questioned in Adana on 07.02.2025.

Similar investigations have been initiated against other media outlets and journalists who reported on the same question proposal, and these processes are still ongoing.



A CRIMINAL INVESTIGATION HAS BEEN LAUNCHED AGAINST JOURNALIST AHMET KANBAL UNDER TCK 217/A AND TCK 267 DUE TO HIS REPORT ON THE AKP-RUN MIDYAT MUNICIPALITY!

Journalist Ahmet KANBAL is under investigation by the Midyat Chief Public Prosecutor's Office based on his journalistic activities. The investigation is centered around his article titled "60 Million TL Fraud in AKP-led Midyat Municipality." The journalist is accused of committing the offense of "Disseminating Misleading Information Publicly" under Article 217/A of the Turkish Penal Code (TCK). As part of the investigation, the journalist has been questioned.

In his defense, the journalist stated that the content of the news was based on accurate information and sources, serving the public interest, and should be considered under the framework of freedom of the press as part of the right to information. The investigation is still ongoing.

It is essential to note that journalists are expected to share publicly available truths, and not necessarily the "absolute truth." This is why any report that appears to be based on the facts, however controversial, can sometimes be categorized under TCK Article 217 and 267 for investigation, which indicates that the freedom of the press is being interpreted in a very restrictive manner.

Conclusion:

From February 2024 to February 2025, a total of 25 legal cases involving journalists were monitored, providing legal support to 28 journalists. These journalists were subject to 33 different trials.

Various legal support mechanisms were activated on both local and national levels, strengthening the journalists' defense in terms of their right to a fair trial and freedom of expression.

As evidenced by the findings, the majority of accusations against journalists were related to defamation, insult, dissemination of misleading information, and membership in a terrorist organization. This highlights that journalistic activities themselves are increasingly seen as criminal acts, posing serious threats to press freedom.



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