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THE STATE OF FREEDOM OF THE PRESS IN TURKEY¹

Danielle Spar



Introduction

Freedom of expression in the media has been problematic in Turkey for almost a century. Less than two months after the 1923 inception of the Republic of Turkey, journalists who opposed the new government were arrested and brought before an Independence Tribunal. The 1931 Press Law allowed the Council of Ministers to suspend publications and shut down publishing houses that were considered oppositional to the government. The Press Law and several similar measures were designed to promote Turkish nationalism, one of the major tenets of the new official ideology of Turkey — Kemalism. (Çatalbaş, pp. 22–23) This fierce protection of the Turkish state and government remains prevalent in Turkish culture and legislation. Furthermore, power circles in Ankara

¹The author was very dependent on translated source material for much of the information presented in this article.

and the economic interests of media proprietors have often interfered with journalists' ability to freely express their opinions.

Although Turkey signed both the Council of Europe's Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and the International Covenant on Civil and Political Rights (ICCPR), many of its laws contradict the treaties' provisions, even when taking into account their restrictions. According to Article 10(1) of the ECHR, the right to freedom of expression includes the "freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers." Article 10(2) of the ECHR states:

The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of

national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary. (Council of Europe)

According to Article 19(2) of the ICCPR, the right to freedom of expression includes the “freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.” Article 19(3) continues:

It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) For respect of the rights or reputations of others; (b) For the protection of national security or of public order (*ordre public*), or of public health or morals. (UN Office of the High . . .)

While some progress has been made in Turkey in recent years in protecting freedom of expression (primarily motivated by the desire to join the European Union (EU)), additional reforms are still needed. International press freedom organization Reporters without Borders ranked Turkey 122nd of 175 countries in its 2009 press freedom index. (“RSF 2009 Report . . .”) The ranking was based on hundreds of journalists’ and media experts’ responses to a questionnaire that covered topics such as imprisonment of journalists, access to information, censorship, and self-censorship. (“Worldwide Press Freedom . . .”)

In this article, I first address the large role the media ownership structure plays in media production. Then, I review various cases and events in 2009 to highlight the reforms Turkey needs to make in order to meet Euro-American standards of freedom of expression. Finally, I present conclusions and recommendations for the future.

Ownership of the Media

The ownership structure of the media in Turkey severely restricts freedom of expression. An oligopolistic market has developed, where

very few people own the majority of the media. (Barkey) Because cross-ownership (owning multiple forms of media) is permitted, massive media conglomerates exist. Publishing is not a profitable business, so these media owners also have economic interests in other industries, ranging from electricity, steel, and construction to telecommunications, tourism, and transportation. (Baydar) The result is that media owners use their newspapers and television stations as tools to further their other economic interests. The owners directly and indirectly interfere with daily news and opinion production, including and removing content to advance their other businesses. Journalistic integrity is sacrificed at the expense of the owners’ economic and political agendas. (Baydar) Such a restrictive environment in the newsrooms leads one to question how free Turkish journalists truly are to express their own ideas.

2009: A Year in Review

Article 301: Insulting Turkey and Turkish Institutions

Article 301 of the Turkish Penal Code (TPC) makes publicly degrading Turkey, the Turkish government, or the Turkish military a punishable offense. A 2008 amendment to the Article requires the Minister of Justice to authorize all prosecutions under the Article.

In February 2009 former Minister of Justice Mehmet Ali Şahin permitted prosecutors to continue their case against Christian missionaries Hakan Taştan and Turan Topal under Article 301. (“Lawyer Calls Turkish . . .”) Şahin’s justification for his decision came from three men’s 2006 statement that the missionaries called Islam “primitive and fabricated” and claimed that Turks who practiced the religion were “barbarians.” (Associated Press) There does not appear to be any indication that the statements (even if made) might create an imminent risk of harm to the public, which would appropriately be subject to limitation under the ECHR and ICCPR “public order” exceptions.

Throughout the trial, the prosecution had trouble producing witnesses to support its case. Several witnesses testified that they did not even know the defendants. (“Lawyer Calls Turkish . . .”) The prosecution’s final three witnesses

failed to show up to either the October 2009 or the January 2010 trials, so the court adjourned and set the next hearing for May 2010. (“Baseless Case against Turkish . . .”) With almost no evidence, it is unclear to me why the former Minister of Justice permitted the case to continue. If the Ministry of Justice is to be granted sole discretion in judging the legitimacy of these cases, perhaps a certain quality of evidence (e.g., signed affidavits for such accusations) should be required in order for him to authorize prosecution.

The Taştan and Topal case draws attention to a major issue in Turkey: how to reconcile freedom of religion with the Kemalist tenet of secularism. Turkish Republic founder Mustafa Kemal Atatürk believed that religion was responsible for preventing the modernization of the Ottoman Empire. Therefore, restriction of public religious expression and state control of religion were seen as necessary to protect secularism. Historically, when the military has perceived political parties as threats to secularism, it has tried to remove them from office; as recently as 1997, the military exerted pressure on the Refah (Welfare) Party until it resigned. (United States Commission . . . , p. 203)

One of the most controversial laws is a ban on wearing Islamic religious headscarves in government offices and public schools. In February 2008 the 1982 constitution was amended to lift the ban. However, later in 2008 the Constitutional Court repealed the amendments that lifted the ban, claiming that the allowance of headscarves violated secularism and was thus unconstitutional. (United States Commission . . . , p. 204) There has been much debate over whether this measure is too severe a limit on freedom of religion.

In 2009 the United States Commission on International Freedom decided to put Turkey on its Watch List. The Commission found that certain policies made it extremely difficult, if not impossible, for non-Muslim communities to own and maintain houses of worship, to train religious clergy, and to offer religious education. (p. 202) The Commission noted that Turkish nationalists see such communities as a threat to Turkey’s national identity and integrity. (pp. 206–207) Taştan and Topal’s trial seems to confirm this view. I believe that greater efforts are needed to protect the rights of missionar-

ies and religious minorities, and that the government must try to achieve a greater balance between religious freedom and secularism.

In 2009 writer Temel Demirer was prosecuted under Article 301 for his speech in Ankara at a protest of the murder of Turkish-Armenian journalist Hrant Dink, who had also been convicted under the Article. Dink was murdered in 2007 by a nationalist who claimed that he shot Dink because he insulted the country. At the protest, Demirer said:

There is genocide in our history and its name is the Armenian genocide. Hrant showed this fact with his own life. I commit a crime and invite all to do the same. Those who don’t commit [a] crime against this killer government will share the guilt of Dink’s killers. We should commit a crime in order to prevent what happened to those Armenians in the past not to happen to Kurds today. (“Some of the 301 . . .”)

In 2008 former Minister of Justice Şahin authorized the prosecution to continue, stating, “This is not a freedom of expression. It exactly falls [under] a crime of insulting [the] Turkish nation under the Article 301 of the Turkish Penal Code.” (“Some of the 301 . . .”) Demirer’s lawyers appealed to an administrative court to have Şahin’s authorization revoked. The criminal court waited to continue Demirer’s trial until the administrative court made its decision. Demirer was facing up to two years imprisonment. (Önderoğlu, “Writer Demirer Awaiting Court’s . . .”)

Şahin’s sentiments reflect Turkey’s continuing concerns over the events of 1915, when over one million Armenian people were massacred. The Turkish government refuses to acknowledge that genocide occurred, and it continues to prosecute those who adopt this view. In addition to Dink and Demirer, Nobel laureate Orhan Pamuk was prosecuted under Article 301 for saying that “30,000 Kurds and one million Armenians were killed on this soil.” Although Şahin did not authorize this prosecution and the criminal case was later dropped, Pamuk still faces compensation claims; six plaintiffs insisted that his statement attacked their personal value of the nation. (Önderoğlu, “Supreme Court Allows . . .”) Again, Turkey’s fierce protection of nationalism has come into conflict with people’s freedom of expression.

According to the third section of Article 301, “The expression of an opinion for the purpose of criticism does not constitute an offence.” (European Union, 2008, p. 15) Because Demirer’s speech and other people’s comments about the events of 1915 are expressions of opinion, they would not seem to violate the Article. Furthermore, Şahin already seems to have found Demirer guilty, with his public statement “I won’t let anyone call my state a murderer.” (Demirer, as quoted in Altıntaş) According to critic Erol Önderoğlu, Şahin’s statement breaches both Article 277, by “influencing those performing a judicial duty,” and Article 288, which prohibits interference with the judicial process. (Önderoğlu, as quoted in Altıntaş) I think that public figures, such as the Minister of Justice, should be more selective in what they say in public, so as to keep the judicial process impartial.

In its 2009 Progress Report on Turkey’s efforts to meet the criteria for acceptance into the EU, the European Commission determined that the 2008 amendments to Article 301 significantly reduced the number of prosecutions of Article violations that restrict freedom of expression. Of the cases that were already in progress at the time the amendments were promulgated, the Ministry of Justice only allowed eight percent to continue. Of the prosecutions that were initiated after the amendments were promulgated, the Ministry of Justice allowed three percent to continue. The Commission seemed to think that these improvements were sufficient. (European Union, 2009, p. 17)

Offenses against Public Order

Article 215: Praise of Crimes and Offenders

In 2008 an investigation was launched against the newspaper *Demokrat İskenderun* for publishing a press release in which a district chair of the Democratic Society Party, Mahmut Aydınç, labeled imprisoned Kurdistan Workers’ Party (PKK) leader Abdullah Öcalan as “respectable.” Both Aydınç and editor-in-chief Ersen Korkmaz were accused of violating Article 215, which prohibits praise of crimes and criminals. (“Investigation Launched against Calling . . .”) The trial continued throughout

2009. In 2010 Aydınç was fined TL 1,500 for the violation, while Korkmaz was acquitted. (Önderoğlu, “DTP Member Sentenced . . .”) Similarly, in 2009 bookstore owner Seferi Yılmaz was convicted of violating Article 215 and was sentenced to a year in prison for referring to Öcalan as the “Kurdish people’s hero.” (Önderoğlu, “Semdinli Victim Faces . . .”)

In 2009 writer Temel Demirer was sentenced to five months² in prison for violating Article 215 in a speech he made at a culture festival. In his speech he discussed his respect for a member of the Maoist Communist Party (MKP). According to the police report, 74 parts of the three-page speech could not be deciphered, i.e., the transcriber could not understand several parts of the speech. (Önderoğlu, “BIA’s Second Quarterly . . .”) It is curious why a court would accept such a document as sufficient evidence to convict someone.

Article 215 directly violates international standards of freedom of expression. First, the Article is aimed squarely at expression of ideas and is not limited in any way to the aforementioned exceptions of the ECHR or the ICCPR. Secondly, the Article seems to assume judicial infallibility, because once the courts decide that someone is a criminal, it effectively becomes illegal to protest the conviction. Someone claiming that a convict was wrongly convicted could be prosecuted under Article 215 for praising the alleged criminal. Preventing people from expressing positive opinions about criminals is simply antithetical to freedom of expression because it proscribes nothing more than *expression*.

Article 216: Inciting Hatred or Denigration

Article 216 prohibits the incitement of hatred or denigration. In 2009 Turkish-French writer Nedim Gürsel was prosecuted for violating Article 216 in his novel *Daughters of Allah*, which recounts the beginning of Islam. After a citizen accused the book of using inappropriate language against the Prophet Muhammad, his wives, and the Koran (Arsu), an official committee for religious affairs reported that the book was beyond the scope of freedom of expres-

²Some reports say six months.

sion. (“‘Daughters of Allah’ . . .”) Gürsel faced imprisonment if convicted, but he was acquitted in June 2009. The courts determined that because the novel is set in the past, it did not immediately threaten public order or incite violence. (“Author Nedim Gürsel . . .”)

In 2009 Kuzey Publications owner Erol Karaaslan was prosecuted under Article 216 for publishing a Turkish translation of Richard Dawkins’ *The God Delusion*. This was Karaaslan’s second trial under the Article for the book; he was acquitted in a 2008 trial. The book was accused of insulting Judaism, Allah, and the prophets. Karaaslan faced a maximum of four years imprisonment (Önderoğlu, “Istanbul Prosecutor: ‘Drop . . .”), but was acquitted in July 2009. (Öğ) The case seems to be in direct violation of Article 14(7) of the ICCPR, which states:

No one should be liable to be tried or punished again for an offence for which he has already been finally convicted or acquitted in accordance with the law and penal procedure of each country. (Council of Europe)

Although the courts succeeded in protecting Gürsel and Karaaslan, I find it problematic that both were brought to court in the first place. First, prosecution for writing a fictitious work that occurred several centuries ago (and therefore which cannot be seen as directly inciting violence) seems to directly restrict free expression. Furthermore, insulting or criticizing another’s religion should not be grounds for prosecution (unless done in a circumstance that presents a clear and present danger of immediate violence), for it inherently restricts freedom of expression. As with Taştan and Topal, the aforementioned Christian missionaries, Turkish prosecutors seem to be far too sensitive to religious issues as a result of their determination to protect Turkish secularism. In the 2009 Progress Report, the European Commission referred to the public order articles as restricting freedom of expression. (European Union, 2009, p. 18)

Internet Law

YouTube

Despite the 2008 Progress Report’s specific reference to the Turkish court decisions to

ban the file-sharing website YouTube, the fourth court order in two years to block access to the website was issued in November 2008. The court determined that certain content on the site was disrespectful towards Atatürk. (“Turkey: Another Blocking . . .”) Article 8 of Law 5651 on the Prevention of Crimes in the Computer Domain allows courts and the telecommunications authority (TİB) to block websites “when there is sufficient evidence of the improper aspect of content.” (“Bill Censoring Online . . .”) The law’s definition of improper content includes violations of Law No. 5816, a 1951 law that prohibits insults to the memory of Atatürk. (“RSF 2009 Report . . .”)

Several public figures, both in Turkey and abroad, have expressed opposition to the ban. In 2008 Richard Howitt, vice president of the European Parliament’s Human Rights Subcommittee, met in Ankara with Minister of Justice Şahin to try to convince him to lift the website ban for the sake of freedom of speech. Howitt claimed that Turkey is “putting itself in the same bracket as some of the world’s pariah states” and warned that failure to lift the bans would be detrimental to Turkey’s bid for EU accession. (“Turkey: Another Blocking . . .”) Additionally, Turkish President Abdullah Gül of the Justice and Development Party (AKP) publicly announced that he did not want Turkey to be one of the countries to ban the site. Other senior party members also claimed to disapprove of the ban, insisting that it was embarrassing to Turkey. Nevertheless, the government did not make any effort to overturn the ban. (Berlinski)

Professor Mustafa Akgül of Bilkent University and website manager Füsün Sarp Nebil have suggested that the ban unfairly punishes users who publish or watch the rest of the content on YouTube. Akgül has noted that, although there are almost 40,000 videos about Atatürk on the site, there are also over 100,000 videos about Istanbul. Similarly, Nebil has equated the YouTube ban to “burning the entire library because of one book.” (Nebil, as quoted in Maden) In my own opinion, it is impossible to see how Law 5816 can even be fit within the ECHR and ICCPR exceptions to freedom of expression.

The YouTube ban does not appear to be particularly effective; even Prime Minister Recep

Tayyip Erdoğan has admitted that he still uses YouTube and has stated that others can, as well. (Berlinski) According to Alexa Internet, which ranks websites according to a combination of their average daily visitors and page views, YouTube is the fifth most popular website in Turkey. (“Top Sites in Turkey”) Because so many users have figured out how to use proxy servers to access the site, there has been little protest from the general public against the ban. In addition to indifference about the issue, people may be afraid of appearing to support content that allegedly insults Atatürk. For these reasons, the ban was not addressed during municipal elections in April 2009. (Berlinski) I find this unfortunate because, while many have circumvented the ban, it is difficult to say how many more were denied access to this source of information because they did not know how to violate the ban or were afraid to violate it.

Bloggers have been the most active protesters of the ban. Blogger group SansureSansur has designed online banners in attempts to raise awareness about the ban. Selim Yoruk, the founder of the organization, is frustrated that Turkish people seem to think there is no issue because they can still access the website, but he believes that censorship of the Internet and the media should still gain attention. In one protest, a few hundred Turkish bloggers posted the message “This site is blocked because the author himself chose to do it” on their websites. (Berlinski)

Other Websites

According to the official TİB statistics, in May 2009 some 2,601 websites were blocked in Turkey under Law No. 5651. Courts also blocked 197 other websites for reasons other than Law No. 5651 provisions, but the TİB did not provide further information about these court decisions. After May, the TİB decided to no longer publish the blocking statistics, a discouraging decision in and of itself since transparency is at the heart of a democratic state. (“At Least 6000 Websites . . .”)

As of January 2010, approximately 3,700 websites were estimated to be banned by Turkish authorities. (Heinrich) Over 60 websites including a Turkish dictionary, that of a teachers’ trade union, and a website by British biol-

ogist Richard Dawkins were blocked after religious leader and creationist Adnan Oktar filed lawsuits against them. (“Turkey: Another Blocking . . .”) Other blocked websites have included video-sharing website DailyMotion, social networking site MySpace, blogging tool WordPress, web-hosting service GeoCities, Google Groups, the *Vatan* newspaper website, and blog-storage-service website Blogger. (Önderoğlu, “BIA’s Media Monitoring . . .”)

The lack of transparency in censorship procedures makes it extremely difficult for website owners to appeal court decisions. For instance, the blocking notices do not include the courts’ justification for their decisions, and it is difficult for the owners to obtain access to the rulings. Therefore, website owners cannot prepare informed cases for their appeals. The TİB’s decision to not publish its official blocking statistics after May 2009 further decreased transparency. Unsurprisingly, the European Commission was still concerned about the high volume of website bans in its 2009 report. (European Union, 2009, p. 18)

Ankara Power Circles: The Doğan Tax Cases

In 2009 there were two tax cases against Doğan Media Group (DMG), the largest media company in Turkey. In February the conglomerate was fined \$500 million by the Finance Ministry. In September the revenue authority imposed a fine of \$2.5 billion (“Doğan Notified of . . .”), an amount close to the company’s net worth. (“A Clear Assault . . .”) According to a statement filed with the Istanbul Stock Exchange, back taxes comprised 39 percent of the fine, penalties comprised 43.5 percent, and interest comprised 17.5 percent. The taxes were on share transfers between DMG companies; DMG argues that such transfers are tax-exempt. (“Doğan Notified of . . .”)

The fines, which could potentially put the company out of business, have been seen as restrictions of press freedom, particularly because the media group is known to oppose the government regime in power at the time the taxes were levied. (“A Clear Assault . . .”) Senior politicians have also encouraged Turks to boycott media outlets owned by the Doğan conglomerate, further suggesting that the gov-

ernment was creating a hostile environment for an independent press. (European Union, 2009, p. 18)

In an interview with the *Wall Street Journal* in October 2009, Prime Minister Erdoğan said, “In the U.S., too, there are people who have had problems with evading taxes. Al Capone comes to mind.” (Champion) By comparing Doğan with Capone, the infamous gangster who was convicted of tax evasion, Erdoğan implied that the taxes were a way to punish the company for another matter.

Discrimination against Kurdish Journalists

The European Commission’s 2009 Progress Report applauded President Gül for contributing “to a positive atmosphere as regards the Kurdish issue,” referring to the treatment of the Kurdish minority. It also pointed out that improvements have been made in recent years, as the issue is now openly debated in the media. (European Union, 2009, pp. 8, 18) However, Kurdish journalists are still being unfairly targeted and prosecuted in Turkey.

In 2009 the courts suspended Kurdish newspapers *Günlük* and *Özgür* under Anti-Terror Law. Article 7 prohibits propaganda that supports the PKK, a Kurdish terrorist group. Members of *Günlük*’s staff, including the owner, editors, and a columnist, were also prosecuted and faced imprisonment for publishing articles and photos of the organization. (“Government Urged to Include . . .”)

Vedat Kurşun, former editor-in-chief of the Kurdish newspaper *Azadiya Welat*, was detained from January 2009 until February 2010 for publishing articles about the PKK. The journalist faced 105 charges of publishing PKK propaganda and of being a member of the PKK, and he faced 525 years imprisonment. In February 2010 Kurşun’s successor, Ozan Kilinc, was sentenced to over 21 years in prison for violating the Anti-Terror Law by publishing articles on the PKK in twelve issues of *Azadiya Welat*. (Önderoğlu, “Kurdish Journalist Faces . . .”) Despite the European Union’s assessment, I believe that social reforms are necessary to provide equal treatment to Kurdish journalists.

Outlook for the Future: Conclusions and Recommendations

From October 2008 until September 2009, 11 percent of the applications to the European Court of Human Rights against Turkey were about freedom of expression. Turkey continues to make some progress, as a large number of sensitive topics have been discussed in Turkish media. However, the legal system is still in need of significant reform. The number of prosecutions and convictions due to broad interpretations of unnecessary laws is too high to ignore. Legislation, political pressures on the media, and legal uncertainty continue to restrict freedom of the press and expression to an unacceptable degree, as various laws seem to conflict with the standards set by the ECHR and ICCPR. (European Union, 2009, pp. 14, 19)

The European Commission found the 2008 amendments to Article 301 to be sufficient because the Minister of Justice denied permission to continue prosecution for so many cases. However, the amendments do not seem to have had an effect on the prosecutors, whose requests to file lawsuits under the article have not diminished. They continue to indict those who criticize public figures and institutions or historical events. Although former Minister of Justice Şahin and Minister of Justice Sadullah Ergin have denied a large number of requests to authorize prosecution since the amendments were passed, as long as the Article still exists future ministers may decide to grant permission to prosecute still more cases. (“ARTICLE 19 Concerned . . .”) The Article’s very presence in the TPC is enough to have a chilling effect on statements that might be seen as violations.

Moreover, Article 301’s vague and often contradictory wording is too difficult for courts to interpret consistently. In a 2002 European Court of Human Rights case, the Court ruled that a Polish law violated Article 10 of the ECHR because it “was not formulated with sufficient precision to enable the applicant to regulate his conduct.” (*Gawęda v. Poland*, no. 26229/95) Because Article 301 does not distinguish between a comment that “degrades” Turkey and one that merely “criticizes” it, the Article also seems to be in violation of Article 10 of the ECHR. Unless the courts adopt a standard for the Article that only statements that are prov-

ably false can degrade Turkey or its institutions, any distinction will necessarily have an unacceptable subjective element to it.

Law 5816 (prohibiting insults to Atatürk), Article 301 (prohibiting insults to Turkey and Turkish institutions), and Article 215 (prohibiting praise of crimes and criminals) seem to violate international law, as they fail to meet the criteria for exceptions to freedom of expression laid out in the ECHR and the ICCPR. The Articles are not necessary for a democratic society; nor do they protect the rights of others, national security, or public order. They therefore must be amended or abolished in order for Turkey to truly guarantee freedom of expression.

Article 216 is also problematic. The Islamic religious authority claimed that “[*Daughters of Allah*] uses insulting, disrespectful and offensive language against God, prophets, divine religions, principles of religion, religious books and prayers. This cannot be seen [to be] in the scope of freedom of thought or criticism.” (Hamza Aktan, as quoted in Dişli) However, neither the ECHR nor the ICCPR allows for exceptions on the basis of insults to religion. Therefore, such claims should not be considered by the courts. Either amendments to Article 216 or changes in the application of the law are necessary to avoid prosecution for criticisms of religion; such prosecution would necessarily frustrate free discourse about religious topics.

Website bans are another serious restriction on free speech in Turkey. Such policies limit citizens’ right to freedom of expression by

discouraging them from posting potentially controversial material, and such policies also limit the right of the citizenry to access opposing points of view. The nontransparent censorship procedures also raise doubts about the quality and accountability of the rulemaking process. Internet laws should be revised to ensure that only harmful content, such as child pornography or truly dangerous content (e.g., instructions for assembling a bomb), be blocked.

Additionally, Turkish prosecutors and courts must stop discriminating against Kurdish newspapers and journalists. The newspaper bans and prosecutions against journalists for merely discussing the activities of the PKK are clear violations of freedom of expression. Repression of Kurdish thought should no longer be tolerated in Turkey.

Turkey must also make significant legislative reforms in order to meet the international standards of freedom of expression to eventually be considered for accession to the EU. Judicial reforms are also necessary, for consistent applications of the laws are essential to protect journalists. Furthermore, separation of media conglomerates’ personal interests from the news they produce is important to promote free expression of opinions and news.

Finally, the country is in need of an attitudinal shift in the government. Imposing a fine large enough to put a media company out of business undermines freedom of expression. Power circles in Ankara must recognize that freedom to criticize the government is a necessary component of democracy.

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