

Hearing of beaten journalists resumes

Trial Report: Özgür Gündem Newspaper Raid

PEN Norway observes the 10th hearing in the case of the police raid upon shuttered Kurdish newspaper

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The 10th hearing in the case of 22 defendants, 17 of them journalists, arrested in a police raid on the offices of shuttered newspaper Özgür Gündem in 2016 took place today at Istanbul's 5th Court of First Instance. The defendants are charged with 'insulting a public official' and 'obstructing the duties of a public official'.

The hearing began on time with lawyers for the defence Özcan Kılıç, Sercan Korkmaz, Cemal Polat and Hazal Pekşen present. The defendants did not participate in the hearing. PEN Norway was the only international observer with the trial also being monitored by MLSA (Media Law Studies Association) and P24 (Punto 24).

The Istanbul Prosecutor for the Republic gave his opinion regarding the accusations, demanding a prison sentence for the defendants of between 18 months and 8 years for 'obstructing the officers in their duties to arrest suspects', 'resisting arrest' and 'insulting public officers'.

Lawyer Özcan Kılıç requested that the CD of video footage of the raid be examined by an expert witness. "I was at the scene," said Kılıç, "and I was beaten too. This case is marred by untruths and illegalities. If you, as the judicial panel, were to watch the CD recording of events, you would see what really happened." He continued by stating that it was necessary to determine the nature of the obstruction and insult outlined by the Prosecutor from the visual on the CD recording.

The defence team requested further time to prepare their arguments against the Prosecutor's sentencing demands.

The trial was adjourned until 23 November, 2021.

Lawyer Kılıç: Prosecutor's opinion conflicts with the truth

Following the hearing, lawyer Özcan Kılıç gave his opinion on the hearing and was critical of the Prosecutor's opinion:

"The Prosecutor's opinion is entirely in conflict with the truth. The incident report completed by members of the security forces who beat our clients has been presented in its entirety to the judicial panel by the prosecution in the guise of the Prosecutor's opinion."

Background to the case:

Kurdish daily, Özgür Gündem was shuttered by a decision of Istanbul's 8th Criminal Court of Peace on 16 August 2016 on the charge of the newspaper having made 'propaganda for a terrorist organisation'. Following the decision, the Special Operations Police raided the newspaper's offices in Beyoğlu and the homes of its executive board.

A camera crew from IMC TV were filming a live interview at the paper's premises when the raid took place. Police forced the crew and reporter to stop live streaming by beating them. A total of 22 people in the building, 17 of whom were journalists at Özgür Gündem were beaten as they were taken into custody, handcuffed behind their backs. Their mobile telephones and electronic items such as laptops and computers were confiscated by the police. The journalists asserted that they were made to wait, in rear handcuffs for seven hours whilst members of the security forces racially abused them and threatened the female journalists with rape. The items that were confiscated by police five years ago still have not been returned to the journalists in question. It is claimed that a number of the mobile phones have gone missing.

The 22 defendants were held in custody at the time for three days before they were released and an indictment against them accusing them of 'insulting a public officer' and 'obstructing the duties of a public official' was prepared. The court case initially began on 9 February 2018.