

2024-2025

JUDICIAL YEAR

JOURNALISM AND FREEDOM OF EXPRESSION CASES

TRIAL MONITORING REPORT

M_LSA

2024-2025 Judicial Year

Journalism and Freedom of Expression Cases

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2025

MEDYA VE HUKUK ÇALIŞMALARI DERNEĞİ (MLSA)

Media and Law Studies Association (MLSA)

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ABOUT MLSA

Media and Law Studies Association (MLSA) is a civil society organization that has been active in the field of freedom of expression since 2018. MLSA provides legal assistance to individuals whose freedom of expression has been violated—primarily journalists, media workers, and human rights defenders—and represents them in national and international legal proceedings.

Through regular submissions to international bodies, particularly the Council of Europe’s Committee of Ministers, MLSA carries out advocacy work and runs capacity-building programs for journalists, lawyers, and civil society organizations engaged in rights-based activities.

MLSA also monitors internet freedom and censorship in Turkey through its Free-Web platform and tracks developments in this field. In addition, through its civil society capacity-building program, the organization provides legal and institutional support to associations and foundations. The MLSA website offers a platform where independent journalists can publish their articles and promote their work.

Since 2018, MLSA has been running Turkey’s most extensive trial-monitoring program and regularly publishes reports. MLSA Trial Monitoring Program, which has tracked more than 3,000 hearings to date, serves as a resource for numerous media outlets and human rights organizations.

TURKEY'S MOST COMPREHENSIVE TRIAL MONITORING PROGRAM

This report presents the findings of MLSA's Trial Monitoring Program on freedom of expression and press-freedom cases observed between 1 September 2024 and 30 August 2025 (including a small number of hearings held during the judicial recess).

Freedom of expression—one of the cornerstones of a democratic society—has historically been targeted by governments, requiring constant efforts for its protection. Beyond serving as an archive and database, the trial-monitoring initiative aims to document, record, and follow up on actions by public authorities that violate freedom of expression so as to protect this right, raise public awareness through civil society, encourage legal reforms, and instill confidence and courage in both defendants and the wider public.

The data used in this report were collected through the "Hearing Monitoring Form," filled out by observers—most of whom are journalists—who have received trial-monitoring training. The form was developed using guidance and recommendations from bodies such as the Organization for Security and Co-operation in Europe (OSCE), Amnesty International, the International Commission of Jurists, and the Solicitors International Human Rights Group (SIHRG). The findings presented here result from an analysis of the data gathered through these forms.

The goal of this program is to monitor compliance with fair-trial standards guar-

anteed under international conventions—particularly the 1948 Universal Declaration of Human Rights, the 1950 European Convention on Human Rights (ECHR), and the 1966 International Covenant on Civil and Political Rights—which Turkey has ratified, and to document potential violations in trials concerning freedom of the press, freedom of assembly, and freedom of expression.

MLSA’s Trial Monitoring Program is the most comprehensive initiative in Turkey analyzing the extent to which judicial proceedings comply with fair-trial standards.

The program’s findings are submitted annually to the Council of Europe’s Committee of Ministers, which supervises the implementation of European Court of Human Rights (ECtHR) judgments. The Committee frequently cites MLSA Trial Monitoring Reports in its decisions regarding Turkey’s cases on journalism and freedom of expression.

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INTRODUCTION: A NEW ERA OF JUDICIAL HARASSMENT

MLSA’s “Freedom of Expression Trials Report” for the 2024–2025 judicial year shows that judicial pressure on freedom of expression and press freedom in Turkey has continued throughout the period. According to the report, 275 cases were monitored across Turkey between 1 September 2024 and 31 August 2025, involving 1,696 individuals on trial. More than half of all defendants were activists.

During this period, courts delivered judgments on the merits in 108 cases. Of these, 57% resulted in acquittal. However, in one out of every five cases, the court issued a conviction; in most such files, the sentences were deferred or subject to a suspension of the pronouncement of the verdict. In total, courts handed down 197 years and 2 months of imprisonment, along with 95,000 Turkish lira in judicial fines.

The report finds that freedom-of-expression prosecutions have become routine, with defendants most commonly facing charges of “terrorist propaganda,” “violating the Law on Meetings and Demonstrations (Law No. 2911),” or “insulting the President.”

Journalists and students remained key targets. In the 18% of cases involving journalists, news content, social media posts, and critical commentary were frequently treated as evidence of criminal activity. Students were mostly prosecuted for peaceful demonstrations on university campuses or in public spaces.

The geographical pattern of violations also remained unchanged: 84% of all observed cases were heard in the three major cities—Istanbul, Diyarbakır, and Ankara. Istanbul stood out for cases related to national media and social-media posts; Diyarbakır for prosecutions of human rights defenders, activists, and Kurdish media; and Ankara for cases targeting politicians and public officials.

Half of all prosecutions involved charges under counterterrorism legislation. “Membership in a terrorist organization” and “terrorist propaganda” together accounted for nearly one-third of all charges. Violations of the Law on Meetings and Demonstrations became the most frequently used legal tool against activists and students participating in peaceful protests.

The report emphasizes that courts continue to employ forms of “deterrence by prosecution,” issuing decisions that are not executed in practice but that keep defendants under the constant threat of ongoing judicial proceedings.

This year, we also examined complainants such as public institutions, governors, police officers, and members of the judiciary. The findings show that state officials are increasingly becoming parties to such cases, undermining the principle of impartial justice.

MLSA’s Trial Monitoring Program, now in its seventh year, once again reveals that freedom of expression and press freedom in Turkey continue to be curtailed through judicial means, with journalists, activists, and students forming the majority of those placed in the defendant’s chair.

GENERAL OVERVIEW OF THE TRIALS

This report was prepared on the basis of data collected by the Media and Law Studies Association (MLSA) on freedom of expression and press freedom trials monitored across Turkey between September 1, 2024, and August 31, 2025.

During this period, a total of 430 hearings were monitored within 275 trials, and 1,696 defendants were prosecuted.

Although these 1,696 defendants represent a wide range of professions and social roles, they can be clearly grouped into three main categories: activists, journalists, and students.

WHO WAS PROSECUTED?

Activists—who made up more than half of all defendants (52.1%)—were mostly prosecuted for participating in peaceful demonstrations, expressing opinions on social issues, or engaging in human-rights-based activities. These trials were generally associated with charges such as “violating the Law on Meetings and Demonstrations (No. 2911),” “disturbing public order,” or “terrorist propaganda.”

Journalists (18.1%) formed the second most frequently prosecuted group. In these trials, news content, social media posts, interviews, or critical commentary were often treated as criminal evidence. Prosecutions focused particularly on the charges of “insulting the President” (Article 299), “disinformation” (Article 217/A), and “terrorist propaganda” (Anti-Terror Law 7/2).

Students (15%) constituted another large group prosecuted for exercising their freedoms of expression and assembly. Trials targeting this group were mostly initiated due to peaceful protests on university campuses or in public spaces. Charges frequently brought against students included “organizing an unlawful assembly” and “failing to disperse despite a warning.”

Defendants	Number	Percentage (%)
Journalists	306	18,08
Activists	885	52,12
Students	254	14,96
Lawyer	92	5,42
Politicians	93	5,48
Artists	16	0,94
Academics	4	0,29
Writers	3	0,18
Others	43	2,53

In addition, lawyers (5.4%) and politicians (5.5%) appeared as defendants in freedom of expression-related trials. In trials against lawyers, statements made in defense of their clients or their social media posts were presented as evidence; politicians were targeted for their public statements.

Although in smaller proportions, artists (0.9%), academics (0.3%), and writers (0.2%) were also subjected to prosecution. In these trials, forms of expression—such as stage performances, writings, or academic statements—were often criminalized on the grounds of “terrorist propaganda” or “insulting the state.”

DISTRIBUTION OF TRIALS BY CITY

Freedom-of-expression and press-freedom cases continued to be concentrated in major cities. Of the 275 cases monitored, 83.8% were heard in just three cities: Istanbul (51.8%, 144 cases), Diyarbakır (17.3%, 48 cases), Ankara (14.7%, 41 cases)

These three cities remain the geographical centers of freedom-of-expression prosecutions.

Istanbul stands out for cases arising from national media coverage and social-media posts. Diyarbakır is marked by cases involving human rights defenders, activists, and Kurdish media. Ankara remains the center for prosecutions targeting politicians and public officials.

Other cities include İzmir (2.9%, 8 cases), Tunceli (2.2%, 6 cases), Batman (1.1%, 3 cases), and Mersin, Antalya, and Gaziantep (two cases each).

DISTRIBUTION OF TRIALS BY TYPE OF COURT

During the monitoring period, 51.1% of the trials were heard by Criminal Courts of First Instance, 46% by High Criminal Courts, and 2.9% by Civil Courts of First Instance.

This distribution indicates that prosecutions related to freedom of expression and press freedom are predominantly criminal in nature, meaning that violations of freedom of expression are largely carried out through criminal proceedings.

Criminal Courts of First Instance mainly heard cases involving “insult,” “violating Law No. 2911,” and “disinformation,” while High Criminal Courts predominantly oversaw cases involving charges of “membership in a terrorist organization” and “terrorist propaganda.”

CHARGES BROUGHT AGAINST DEFENDANTS

As in previous years, the charges brought against the 1,696 defendants during this monitoring period were concentrated primarily within counterterrorism legislation and the field of freedom of assembly and demonstration.

Among the most frequently brought charges, “membership in a terrorist organization or being a member of an armed terrorist organization” (31.5%) and “making terrorist propaganda” (18.2%) stood out.

These charges were most commonly directed at journalists, human rights defenders, and activists; news content, social media posts, association memberships, or participation in peaceful demonstrations were cited as the primary grounds for these accusations.

Thirteen percent of the trials were based on charges of violating the Law on Meetings and Demonstrations (No. 2911), and these trials particularly targeted activists, students, and civil society representatives participating in peaceful protests.

The charges of “insulting a public official or individuals” (10.8% of all trials) and “insulting the President” (8.3%) were prominent in cases involving journalists, politicians, and social media users.

Despite a Constitutional Court ruling, the offense of insulting the President continued to be used in freedom of expression trials. In 27 monitored cases (8.3%), defendants were charged with insulting the President.

The offenses of insult, insult through the press or broadcast media, and insult against a public official were also used during this period. In 35 monitored trials (10.8%), the charge of insult was brought against defendants.

ADVANCE PAYMENT PROCEDURE IN INSULT OFFENSES

With Law No. 7531, published in the Official Gazette on November 14, 2024 and known publicly as the ninth judicial package, a new regulation was introduced requiring the application of the advance payment procedure instead of the mediation procedure when the offense of insult is committed “through visual and auditory means” (Penal Code Article 125/2). The Constitutional Court, in its decision published in the Official Gazette on May 29, 2025, ruled that the advance payment mechanism must be applied for all forms of the insult offense.

Under the previous regulation, insult offenses were subject to mediation. The complainant, claiming to have been insulted, could close the file by receiving compensation from the suspect. Under the new regulation, within the scope of advance payment, the suspect will instead be able to obtain a non-prosecution decision by making a direct payment to the state. This amendment aims to prevent the mediation mechanism from becoming a source of revenue.

In 2022, criminal investigations and trials continued to be initiated during this judicial year under the offense of “Publicly Disseminating Misleading Information,” regulated under Article 217/A of the Turkish Penal Code and widely referred to by civil society as the “Censorship Law.” Article 217/A was used in 13 monitored trials (4%).

The law, criticized by the Venice Commission due to the vague definition of “false information,” was challenged before the Constitutional Court; however, the Court rejected the annulment application.

More than half of the trials monitored during the judicial year—52%—were based on terrorism-related offenses regulated under the Anti-Terror Law (TMK).

The most frequently applied terrorism charge was “membership in an armed terrorist organization,” seen in 102 trials (31.5%), followed by “making propaganda for an armed terrorist organization,” applied in 59 trials (18.2%). Additionally, in six trials (1.9%), the charge of “targeting individuals involved in counterterrorism efforts” was brought.

The charge of “membership in a terrorist organization,” which constituted more than half of all cases, has been criticized by the European Court of Human Rights (ECtHR) for being applied in a manner that restricts freedom of expression and the rights to assembly and demonstration. Furthermore, reports by both the United Nations (UN) and the Council of Europe criticize Turkey’s definition of terrorism for being overly broad and vague.

TRIALS CONCLUDED DURING THE MONITORING PERIOD AND SENTENCES IMPOSED

Of the 275 monitored trials, 108 were concluded within the same judicial year. The remaining trials will continue into the next judicial year.

More than half of these 108 trials (57%) resulted in acquittal. This rate indicates that, particularly in freedom of expression and press cases, courts ultimately assessed that the elements of the offense had not been fulfilled.

A significant portion of the acquittal decisions held that acts such as social media posts, news content, or participation in peaceful demonstrations could not be evaluated within the scope of criminal liability.

In contrast, in 22 trials (20%), courts issued convictions against the defendants.

Judgement	Number of. Cases	Perc. (%)
Acquittal	60	57
Conviction (including deferred announcements / HAGB)	22	21
Mixed decision (some acquitted / some convicted)	15	14
Dismissal / rejection / acceptance of case	9	8

A NEW ERA IN THE DEFERRED ANNOUNCEMENT OF THE VERDICT (HAGB)

In some of the trials that resulted in judgments, courts imposed prison sentences or judicial fines; in a significant number of cases, however, they applied the deferred announcement of the verdict (HAGB) or suspended the sentence.

Following the Constitutional Court’s ruling in the Atilla Yazar and Others judgment, which held that the HAGB mechanism violated the right to a fair trial, significant amendments were introduced

to the HAGB system under the 8th Judicial Package, published on March 12, 2024. Under the new regulation, which has been in effect since June 1, 2024, the procedure requiring defendants to state whether they wished to request HAGB was abolished, and the avenues of appeal (istinaf) and cassation (temyiz) were opened for HAGB decisions.

Under the HAGB system, when a sentence of less than two years is imposed, the judgment is not executed; if the defendant does not commit a new offense within five years, the decision is annulled. Under the previous system, prior to the Constitutional Court's annulment ruling, defendants were asked whether they wished to request HAGB before the verdict was delivered. If they consented to HAGB and the decision was deferred, they could only file an objection with the High Criminal Court. This court reviewed objections solely in terms of procedural and legal compliance.

It was not possible to seek review of HAGB decisions through appeal or cassation. Therefore, when defendants accepted the application of HAGB, they effectively had to waive their rights to appeal and cassation.

During this period, mixed rulings were issued in 15 trials (14%); in other words, within the same case file, some defendants were acquitted while others were convicted. These trials typically involved multi-defendant cases related to social events or joint actions, with courts conducting varying assessments of evidence.

The remaining 8 trials (10.1%) concluded with dismissals, rejections, or—in one case—acceptance of the claim. These files included cases dismissed due to the statute of limitations, civil cases in which compensation claims were rejected, and internal administrative cases involving bar associations or civil society organizations.

As a result, in the 2025 monitoring period, three out of four trials ended in acquittal or dismissal. However, in one out of every five trials, courts issued a conviction against the defendants.

TOTAL SENTENCES IMPOSED AND TYPES OF PENALTIES

In 22 of the 108 trials concluded during this monitoring period, courts issued criminal convictions against a total of 202 defendants. The sentences imposed in these cases amounted to a total of 197 years and 2 months of imprisonment and 95,000 TRY in judicial fines.

The vast majority of sentences were issued under the Anti-Terror Law (TMK) and under provisions of the Turkish Penal Code (TCK) related to freedom of expression (particularly TCK Articles 299, 301, 217/A, and 314).

Within this scope, the most common type of sentence was imprisonment; courts sentenced a total of 39 defendants to prison terms. A significant portion of the prison sentences ranged between 1 and 3 years, while sentences in four cases exceeded 5 years.

Judicial fines were most commonly seen in insult and disinformation cases.

In a total of 8 trials, courts imposed judicial fines totaling 95,000 TRY against the defendants. In some cases, prison sentences were converted into fines, while in others they were applied directly.

Additionally, in civil court cases heard during this period, courts ordered defendants to pay a total of 37,500 TRY in compensation.

Type of Dec.	No of Cases	Total	Notes
Imprisonment	22	197 yıl 2 ay	In most cases where penalties were imposed, prison sentences were handed down, while approximately half involved the application of HAGB or probation.
Judicial fines	8	95.000 TL	Insult, publicly disseminating misleading information to the public, and insulting the president are common in lawsuits.
Compensation (civil cases)	3	37.500 TL	Heard in cases concerning violation of personal rights and commercial reputation

When examining the sentencing decisions, it is evident that courts most frequently issued convictions under charges related to counterterrorism and organizational affiliation. The charges of “making terrorist propaganda” and “membership in a terrorist organization” accounted for 45% of all cases in which convictions were issued.

Sentences in these trials generally ranged between 1 year 3 months and 3 years 9 months.

In cases assessed under the scope of freedom of expression, the proportion of trials involving the charge of “insulting the President” (TCK 299) was 18%. In these trials, courts mostly suspended the prison sentences under HAGB or converted them into judicial fines.

Sentences issued under violations of the Law on Meetings and Demonstrations (No. 2911) accounted for 12% of the total.

These cases generally targeted activists, journalists, and students participating in peaceful protests.

Four trials concluded with convictions under TCK Article 217/A (publicly disseminating misleading information), which entered into force in 2022. These charges were mostly directed at journalists and social media users, while the sentences imposed remained under one year.

Additionally, courts issued convictions for the offenses of “insulting a public official” and TCK Article 301 (insulting the state). These types of cases accounted for 10% of all sentencing decisions.

Charge	Number of Conv.	Perc.	Notes
Terror propaganda, membership	10	45,5 %	Used extensively against journalists
Insulting the president	4	18,2	Most sentences deferred
Violating law on demonstrations	4	18,2	All cases stem from peaceful protest
Disseminating misleading information	3	13,6	Shorter sentences
Insulting a public official	2	9,1	Judicial fines or very short prison sentences

INCREASE IN ACQUITTAL DECISIONS

A notable increase was observed in acquittal rates compared to the previous year. In 2024, in a comparable number of concluded trials, the acquittal rate was 47.3%, whereas this year it rose to 56.6%.

This increase may indicate that courts have begun to act more cautiously in cases involving freedom of expression and press freedom. However, the nature of the sentences imposed demonstrates that judicial pressure on freedom of expression continues.

EVIDENCE USED IN FREEDOM OF EXPRESSION TRIALS

In the cases observed during this monitoring period, the evidence presented against defendants was largely based on activities falling within the scope of freedom of expression and freedom of the press.

Evidence	Num.	Perc.	Notes
News reports, news content, articles, newspapers, interviews, videos	112	%53	Journalistic activities, headlines, and media content were the most frequently used evidence.
Social media posts (tweets, posts, shares)	87	%41	Even single posts or retweets were submitted as evidence.
Press statements	107	%49	Particularly related to peaceful demonstrations and civil society activities.
Photographs / images	86	%40	Photos taken at demonstrations or during reporting were used as evidence of “propaganda” or
Witness and informant testimony (including secret witnesses)	75	%35	Especially in TMK cases, often abstract, uncorroborated, and contradictory statements.
Phone / digital materials	26	%12	Message logs, device analyses, email and digital file outputs.

A significant portion of the evidence in indictments consisted of news articles, social media posts, photographs, and press statements—none of which contained concrete criminal elements. In more than half of the examined case files (53%), defendants’ news coverage, opinion pieces, interviews, or newspaper content were presented as criminal evidence.

In cases against journalists, the subject of the news, its headline, or even the images used were treated as the basis for charges such as “terrorist propaganda,” “insulting state institutions,” or “disinformation.”

Similarly, in 41% of case files, defendants’ social media posts (tweets, posts, retweets, etc.) were considered evidence.

Posts containing a single word, a quotation, or even an emoji were counted as criminal content.

In some cases, journalists or human rights defenders were charged with “terrorist propaganda” simply for reposting content originally shared by another account.

Press statements and photographs were especially prominent in cases involving charges under Law No. 2911 on Meetings and Demonstrations. Posters held by participants, photographs taken at peaceful protests, or images captured on camera were collectively treated as evidence of a crime.

Another notable category of evidence consisted of witness statements and anonymous witness statements. In 35% of the cases observed, statements by witnesses or secret witnesses were used against defendants.

Most of these statements were abstract, lacking direct connection to the defendants’ actions, and often based on the accounts of other defendants in the same investigation file.

In some cases brought under counterterrorism legislation, statements by “confessor witnesses” were used as the sole basis for conviction.

Finally, digital materials (phones, computers, emails, storage devices) appeared as evidence in 26 case files. However, in most instances these materials did not contain any content directly constituting a criminal offense; instead, they consisted of professional documents, reporting notes, or personal communication records. This indicates that digital data was often included in indictments without sufficient examination.

The structure of evidence in the 2025 monitoring period remained largely consistent with previous years: the expression itself—such as producing news, posting online, or participating in a peaceful demonstration—was treated as evidence of a crime.

In cases initiated against social media posts, it was observed that the “virtual patrol” practice continued to be used despite being annulled by the Constitutional Court. Virtual patrol reports were used to open cases against social media users.

CONSTITUTIONAL COURT DECISION ON VIRTUAL PATROL

The “virtual patrol” practice—meaning the police’s monitoring of individuals’ social media accounts and taking action based on such monitoring—continued despite being annulled by a Constitutional Court ruling.

Although the Constitutional Court’s decision, issued in April 2020, annulled the practice, virtual patrol continued, and numerous cases were filed against social media users based on this method.

In its ruling dated 19.02.2020 (Case No. 2018/91 E., 2020/10 K.), the Constitutional Court held that the “virtual patrol” practice violated the right to the protection of personal data and annulled the provision.

Despite the decision’s publication in the Official Gazette on April 30, 2020 and its entry into force, law enforcement authorities have continued to implement virtual patrol practices.

TRIALS TARGETING JOURNALISTS

During this monitoring period, 306 journalists were prosecuted in 162 of the 275 trials. Thus, journalists accounted for 18% of the total 1,696 defendants. This ratio remained similar to that of 2024. As in previous years, journalists were prosecuted not only for charges such as “terrorist propaganda” or “insult,” but also under newer and broadly interpretable provisions such as “publicly disseminating misleading information” (TCK 217/A) and “targeting individuals involved in counterterrorism efforts” (TMK 6/1).

As in previous years, charges of membership in an armed terrorist organization were frequently brought against journalists; across all trials, this charge appeared in a total of 102 cases, and in more than half of these (56), only journalists were prosecuted. In 31 of these trials, journalists faced “membership” charges, while in 25 they were accused of “propaganda.”

Within the scope of the Medya Haber investigation, seven journalists—including Vedat Örüç, represented by MLSA—were detained on January 17 and subsequently charged with membership. Journalists Necla Demir received a sentence of two years and one month, and Eylem Babayigit was sentenced to one year, six months, and 22 days; Ahmet Güneş and Welat Ekin were acquitted, while trials against the remaining three journalists continue.

Additionally, under the HDK investigation conducted by the Istanbul Chief Public Prosecutor’s Office, journalists—including Elif Akgül and Yıldız Tar, both represented by MLSA, as well as journalists Ercüment Akdeniz and Erdal İmrek—were detained on February 18. Their phone conversations from 2012–2014, made during news coverage, were questioned; Akgül, Tar, Akdeniz, and İmrek were subsequently arrested. Trials based on membership charges continue against these journalists.

HTS RECORDS AND YEARS-OLD PHONE CALLS WERE USED AS EVIDENCE DESPITE CONSTITUTIONAL COURT RULINGS

In the majority of “membership” investigations this year, journalists’ HTS (cell tower signal) records and old phone conversations were submitted as evidence in indictments. In the HDK investigation, journalists Elif Akgül and Yıldız Tar saw phone calls they made 13 years ago presented as evidence of “membership”; the content consisted solely of HTS tower signals showing the places they were present during reporting and conversations with colleagues.

File examinations revealed that these records had been unlawfully retained years earlier, that they were supposed to have been destroyed in 2014, but the logs were secretly preserved and unlawfully added to new investigations 11 years later.

CONSTITUTIONAL COURT: JOURNALISTS' PHONE CALLS CANNOT BE TREATED AS CRIMINAL EVIDENCE

In its 2018 ruling in the case of İlker Deniz Yücel—represented by MLSA—the Constitutional Court emphasized that journalists must be able to speak with anyone as part of their professional duties, and held that detaining journalists on charges of terrorist membership solely based on HTS records and phone conversations violated their rights to personal liberty and freedom of expression.

THE NAZIM DAŞTAN AND CİHAN BİLGİN COMMEMORATION TRIAL

On December 21, 2024, journalists Hayri Tunç, Gülistan Dursun, Pınar Gayıp, Serpil Ünal, Can Papila, Muhammet Enes Sezgin, and Osman Akin were detained in Istanbul's Şişhane district for attempting to attend a commemorative gathering for journalists Nazım Daştan and Cihan Bilgin, who died in Syria. The next day, they were arrested along with two others.

The defendants were charged with “making terrorist propaganda” and “participating in an unlawful assembly and demonstration without weapons and failing to disperse despite warnings.”

The trial was held at the Istanbul 24th High Criminal Court.

In the hearing on October 2, 2025, the prosecutor requested convictions for all defendants in their final opinion. In their defenses, the journalists stated that the commemoration had been encircled by police before it even began, that no slogans were chanted, and that the ban decision had not been communicated to them.

They also emphasized that the journalists depicted in the photographs carried during the commemoration had no finalized convictions, and therefore such photographs could not be considered criminal evidence.

The court issued its verdict at the fifth hearing on November 4, 2025, acquitting all journalist defendants.

TERRORIST PROPAGANDA TRIALS BROUGHT AGAINST NEWS COVERAGE

The charge of “making terrorist propaganda” (TMK 7/2) was frequently based on the content of a journalist's reporting or the identity of their news source. Journalists faced accusations of armed terrorist organization propaganda in a total of 59 trials.

For example, Mezopotamya Agency reporter Beritan Canözer was detained in 2016 during coverage of a march on the grounds that she appeared “excited,” and was later sentenced to prison twice on charges of “making terrorist propaganda” based on her social media posts.

In this year's retrial, the previously suspended announcement of the verdict was issued; thus, the journalist was tried for the same act for a third time.

TERRORIST PROPAGANDA CASES BASED ON JOURNALISTS' REPORTS AND POSTS

Journalist Nevşin Mengü published an interview on December 13 with Salih Müslim, a member of the PYD Presidential Council, on her YouTube channel. After her lawyers warned her, Mengü removed the video; however, the Istanbul Chief Public Prosecutor's Office opened a trial against her on charges of "making terrorist propaganda." The indictment requested a prison sentence of up to seven years for Mengü.

Kazım Güleçyüz, Editor-in-Chief of the newspaper Yeni Asya, was arrested on October 23, 2024 on allegations of "terrorist propaganda" after publishing a condolence message following the death of Fetullah Gülen, leader of the Gülen community. In the first hearing on December 19, 2024, Güleçyüz was released; he ultimately received a sentence of one year and three months.

The case against journalist Merdan Yanardağ was a striking example of a comment made during a television program being removed from its context and turned into a criminal accusation. Yanardağ was charged with "terrorist propaganda" for criticizing the solitary confinement imposed on imprisoned PKK leader Abdullah Öcalan during a TV broadcast. His public statements throughout the trial were also described as "continuing the offense."

COVERAGE OF SOCIAL EVENTS AND TRIALS UNDER DEMONSTRATIONS LAW

This year, 46 journalists became defendants due directly to covering public demonstrations.

For example, Sonya Bayık was detained while covering an environmental protest in Hasankeyf and was charged with "violating Law No. 2911." The photographs she took were listed in the indictment as "propaganda material supporting the demonstration."

JOURNALISTS COVERING THE SARAÇHANE PROTESTS WERE ARRESTED, THEN RELEASED FOLLOWING THE MINISTER'S STATEMENT

Journalists who covered the Saraçhane protests on March 19 were detained the next day during a police intervention; on March 24, police raided the homes of at least eight journalists in Istanbul and İzmir. Seven journalists—including Yasin Akgül, Bülent Kılıç, and Zeynep Kuray, represented by MLSA—were taken to Vatan Police Headquarters. During questioning, police showed photographs from the protest day in which journalists' cameras were not visible.

The prosecutor initially requested judicial control measures but later on the same day requested arrest; journalists stated that they were held overnight in reverse handcuffs.

Seven journalists were arrested under Law No. 2911. After the Minister of Justice was asked about the matter and following MLSA's objection, the journalists were released on March 27.

An indictment was filed against the journalists on charges of violating Law No. 2911; the indictment argues that law enforcement "found no evidence that they were engaged in journalism." The trial continues.

TRIAL AGAINST JOURNALIST Umut TAŞTAN FOLLOWING THE GEZİ TRIAL PROTEST

Journalist Umut Taştan was beaten and detained while covering a protest statement issued following the verdicts in the Gezi Trial. Taştan, who noted that his press card was hanging around his neck, stated: “They said, ‘Come here, Umut,’ and detained me.”

Taştan is being tried alongside 50 others at the Istanbul 44th Criminal Court of First Instance on charges of “participating in an unlawful assembly and demonstration” and “resisting to prevent the performance of duty.”

In his defense, Taştan stated that he was solely performing journalism and requested acquittal. His lawyer emphasized that the expert report confirmed this.

The court postponed the trial to December 17, 2025 to address outstanding

DETAINMENT OF JOURNALIST COVERING STUDENT PROTEST

On May 13, T24 reporter Can Öztürk, who was covering a protest at Boğaziçi University against Nurettin Yıldız—known for advocating child marriage—was detained after being beaten during a police intervention, and his press card was broken. Ninety-six students were also detained during the intervention. Police threatened Öztürk by saying, “We will not let you share these photos.”

MLSA lawyers were kept waiting all night without being allowed into the police station. Although Öztürk stated in his testimony that he was performing journalism, the police requested his arrest, which was rejected. A travel ban was imposed on him, and an indictment was prepared on charges of “resisting a public official” and “failing to disperse.”

At the first hearing on October 13, the request for acquittal was rejected; the next hearing will take place on January 12, 2026.

TRIALS AGAINST REPORTING ON THE JUDICIARY

Another notable trend in 2025 was the prosecution of journalists for reporting on members of the judiciary. This year, six trials were opened directly due to reports and commentary concerning judicial officials.

In these files, journalists’ reporting was associated with charges such as “attempting to influence the judiciary,” “insult,” or “violating confidentiality.”

For example, journalist Furkan Karabay was detained for 11 days due to his article on Gerçek Gündem titled “Fight over bribery in the mafia trial appears in court records,” and was later released. He was acquitted of “targeting individuals involved in counterterrorism efforts” and “insulting a public official.”

Barış Pehlivan and **Ozan Alper Yurtoğlu** of Cumhuriyet newspaper were prosecuted on charges of “insulting the President” and “insulting a public official” for reporting on an alleged corruption incident involving members of the judiciary.

In May, journalist **Furkan Karabay** was detained again and placed under arrest for a video he recorded for a YouTube channel and for his social media posts. He faces charges of “insulting the President” (TCK 299) and “targeting individuals involved in counterterrorism efforts” (TMK 6/1). The indictment—accepted by the Istanbul 25th High Criminal Court—also includes the charge of “insulting a public official due to their duty” (TCK 125). The first hearing of the case will be held on December 2. Prosecutors are listed as “victims” in the indictment.

Halk TV executives and journalists **Barış Pehlivan**, **Suat Toktaş**, **Kürşad Oğuz**, **Seda Selek**, and **Serhan Asker** were prosecuted for “attempting to influence the judiciary” for reporting on a meeting with an expert witness involved in Istanbul Mayor Ekrem İmamoğlu’s trial. They were acquitted.

T24 columnist **Tolga Şardan** continues to stand trial at the Istanbul 2nd Criminal Court of First Instance for his article titled “MIT’s judicial report,” under accusations of “disseminating misleading information” and “insulting judicial bodies.”

Journalist **Alican Uludağ** was acquitted in the retrial related to his 2017 report on dismissals by the High Council of Judges and Prosecutors (HSYK).

Barış Terkoğlu continues to stand trial on charges of “defamation” for three articles he wrote concerning the case in which İmamoğlu was called an “idiot”; the trial was postponed to December 11, 2025.

In the case opened against T24 columnist **Asuman Aranca** for allegedly violating the confidentiality of an investigation, based on her reporting of the expert report regarding the killing of former Ülkü Ocakları Chairman Sinan Ateş, Aranca was sentenced to 10 months in prison. In its opinion, the prosecution argued that the way the article was written did not serve the public interest and that publishing the content of the expert report exceeded the limits of press freedom and the right to report news.

The case against journalist **Ali Duran Topuz** had similar characteristics. Topuz was prosecuted under TMK 6/1 (“targeting individuals involved in counterterrorism efforts”) because he mentioned the name of a prosecutor in a 2022 article on journalist arrests in Diyarbakır. The indictment argued that merely mentioning the prosecutor’s name, title, and workplace “increased the risk of being targeted by an organization,” and therefore constituted a crime.

DISSEMINATION OF MISLEADING INFORMATION, INSULTING THE STATE

Cases filed under Article 217/A of the Penal Code — the offense widely referred to as the “censorship law” for “publicly disseminating misleading information” — continued to target journalists this year. In eight cases involving journalists during this reporting period, the charge of “spreading misleading information” was included.

Criticism of public institutions after the earthquakes or reporting on health policies were treated as grounds for accusing journalists of “spreading misleading information.”

For example, Bianet editor Evrim Kepenek was prosecuted for “publicly disseminating misleading information” because of a news report stating that the gendarmerie had seized aid collected in Maraş Pazarcık after the February 6 earthquakes. Kepenek was acquitted at the February 24 hearing.

T24 columnist Tolga Şardan continues to stand trial before the Istanbul 2nd Criminal Court of First Instance on charges of “spreading misleading information” and “insulting judicial authorities” over his article titled “MIT’s Judiciary Report.”

Another of the eight cases involves the report alleging that “the prosecutor who dismantled the newborn trafficking ring was removed from duty.” Based on this reporting, Halktv.com.tr Managing Editor Dinçer Gökçe, Gazetepencere.com Managing Editor Nilay Can, journalist Veysi Dünder, and lawyer İrem Çiçek were all charged with “publicly disseminating misleading information” due to their news coverage or related social media posts.

INVESTIGATION UNDER THE CENSORSHIP LAW FOR REPORT ON “ABUSE ALLEGATIONS IN CONVERSION THERAPY”

An investigation was launched against T24.com.tr reporter Can Öztürk under the charge of “publicly disseminating misleading information,” following a complaint by Istanbul Medeniyet University faculty member Prof. Dr. Ahmet Akın. The investigation was based on Öztürk’s March 7, 2025 article, which covered allegations of abuse against children during what was described as “conversion therapy” conducted by Prof. Akın.

CHARGES BROUGHT AGAINST ACTIVISTS

Among the total of 275 trials, 47 included activists who were targeted for joining demonstrations, human rights advocacy activities or social media.

The most common charges in these files were as follows:

Charges	Number
Violation of the Law on Meetings and Demonstrations (Law No. 2911)	28
Insulting the President	3
Membership in a terrorist organization	2
Inciting the public to hatred and hostility	2
Disseminating misleading information (TCK 217/A)	2
Insulting the Turkish State (TCK 301)	5
Other charges	5

During this monitoring period, charges brought against activists—similar to the previous year—centered around the right to peaceful assembly and demonstration.

The vast majority of the cases involving activists were based on alleged violations of the Law on Meetings and Demonstrations (Law No. 2911).

These charges frequently stemmed from peaceful acts such as press statements, marches, and social media posts.

Indictments commonly relied on evidence such as “participation in a meeting, march, or press statement,” “MOBESE (CCTV) footage,” and “incident reports.” In some files, prosecutors sought punishment solely on the basis of “failing to disperse despite a warning” or “sitting down and waiting.” No case file contained concrete evidence of violence or damage to public property.

Among the trials against activists, cases related to the LGBTQ+ Pride March, the March 19 protests, the March 8 women’s marches, and environmental and local resistance movements stood out.

In all such cases, indictments were framed around political slogans or symbols; for example, the rainbow flag was listed as criminal evidence in the “Pride March” case, while a banner reading “justice” was used as evidence in the March 19 protest files.

Some activists were charged under Law No. 2911 and simultaneously faced additional accusations such as insulting the President or disseminating misleading information (TCK 217/A).

This reflected a pattern of targeting individuals—particularly those criticizing public policies or sharing news—through social media.

CASES AGAINST LGBTQ+ ACTIVISTS

Two LGBTQ+ activists, Hivda Selen and Sinem Çelebi, were tried in detention this year in the 23rd Istanbul Pride March case. Although the rate of arrests increased slightly compared to the previous year, judicial control measures (such as signature requirements and travel bans) were applied extensively.

In the case concluded this year concerning 10 activists detained during the 2024 Eskişehir LGBTQ+ Pride March, each was sentenced to five months in prison for “participating in an unlawful march” and “failing to disperse despite warnings.”

LGBTQ+ rights defender Enes Hocaogulları was arrested on August 5 upon his return from delivering a speech at the Council of Europe, on the charge of “publicly disseminating misleading information.” Hocaogulları was released at the first hearing of his trial.

ACQUITTAL OF LGBTQ+ ACTIVIST MOZALAR

LGBTQ+ activist İris Mozalar was acquitted in the trial where she was charged with “publicly inciting hatred and hostility” based on her social media posts criticizing racist attacks against refugees in Kayseri. Mozalar was detained on July 10 after posting about attacks on Syrian-owned shops and vehicles following an accusation of abuse in Kayseri on June 30, and was arrested the next day before being released on July 12.

At the third hearing held at the Istanbul 61st Criminal Court of First Instance, Mozalar’s lawyers argued that the indictment failed to specify what constituted an “imminent and clear danger,” and stressed that while individuals who burned homes and vehicles during racist attacks were not arrested, their client was detained—constituting a violation of rights.

The court ruled that the posts in question fell within the scope of freedom of expression and acquitted Mozalar.

ACQUITTAL IN THE CASE AGAINST JOURNALIST DETAINED COVERING PRIDE

Photojournalist Bülent Kılıç—represented by MLSA—was detained in 2022 while covering the Istanbul LGBTQ+ Pride March after police pressed his neck to the ground. The indictment accused Kılıç of “resisting a public official.” His trial concluded this year. At the final hearing on January 16, 2025, the court acquitted Bülent Kılıç.

The individual complaint MLSA filed with the Constitutional Court challenging the non-prosecution decision for the police officers who pressed on Kılıç’s neck and broke his camera is still pending review.

This year, during the 23rd Istanbul LGBTQ+ Pride March in Beşiktaş, journalists—including photojournalist Cansu Yıldırım, represented by MLSA—and lawyers monitoring rights violations—including KAOS GL Refugee Rights Program Coordinator, lawyer Hayriye Kara—were detained alongside activists.

Two activists were arrested, and travel bans were imposed on the others. A total of 53 individuals were charged with “failing to disperse despite a warning.”

At the first hearing on August 8, neither the defendants nor their lawyers were permitted to enter the courtroom, except for the two detained activists and two individuals under judicial control.

As riot police surrounded the courtroom, the court ordered the release of the detained activists and lifted the judicial control measures for all defendants.

TRIALS RELATED TO 19 MARCH PROTESTS

In 2025, numerous case files were opened against students, activists, and journalists covering the social protests that erupted after the arrest of Istanbul Metropolitan Mayor Ekrem İmamoğlu. According to the data, 11 trials falling under this theme were monitored, with a total of 342 defendants prosecuted in these cases. Additionally, trials not directly related to the March 19 protests—but connected to cases brought against Ekrem İmamoğlu himself or media coverage of those cases—were also included in this category.

Activists were prominently represented among the defendants. They constituted 70.5% of all defendants (241 people). Students followed with 90 defendants (26.3%). Journalists accounted for 9 defendants (2.6%), while politicians appeared in only two cases (0.6%).

This distribution demonstrates that the March 19 process trials primarily targeted the sphere of public protest and civic participation.

PROPAGANDA SENTENCE IN THE BASEL CASE

Bekir Aslan—known on social media as “Basel”—was sentenced to 1 year and 6 months in prison on charges of “terrorist propaganda” for three posts on X: a photo of a “DEV-GENZ” banner, a Grup Yorum song, and the phrase “We are fighting a people’s war.”

Aslan, who was arrested on April 11, was released after 77 days at his first hearing. His lawyer argued that the posts were made in the atmosphere of a protest, that “DEV-GENZ” was a reference to Generation Z, and that sharing Grup Yorum content could not be considered propaganda. However, the court ruled that the posts “presented the organization’s methods as legitimate.”

CASE AGAINST TV AND STAGE AND 20 OTHERS FOR BOYCOTT POSTS

Actor Cem Yiğit Üzümoğlu and 20 others face demands of up to 7 years and 6 months in prison based on posts supporting boycott calls made after İmamoğlu’s arrest. Üzümoğlu was detained in April and released with a travel ban. Defendants include well-known figures such as Deniz Bulutsuz, Zeynep Ocak, Şenay Ağgez, Sertaç Doğanay, and Tunahan Mert Topuz.

Speaking outside the courthouse, Üzümoğlu emphasized that they had exercised their rights to protest and freedom of expression.

TRIALS TARGETING STUDENTS

In eight trials monitored during this period, at least 254 students were prosecuted for their participation in demonstrations—including protests held after the arrest of Istanbul Metropolitan Mayor Ekrem İmamoğlu on March 19.

In six of these cases, students faced the charge of violating Law No. 2911, while in two cases they were charged with insulting the President.

THE MARCH 19 PROTEST TRIAL OF METU STUDENTS

In the case heard before the Ankara 30th Criminal Court of First Instance, seven students were prosecuted for “violating the Law on Meetings and Demonstrations.” All defendants were detained through police intervention. The indictment contained no evidence other than “crime scene footage” and “detention reports.”

ESILA AYIK AND THE STUDENTS ARRESTED FOR EXERCISING THE RIGHT TO PROTEST

Student Esila Ayık was arrested on April 8, 2025 in Kadıköy during a solidarity event, due to holding a sign reading “Dictator Erdoğan.” She was charged with “insulting the President.”

Ayık remained in detention for 36 days and was released at her first hearing before the Istanbul Anatolian 77th Criminal Court of First Instance.

In her defense, she stated:

“I am a photography student; I went there to take photos. A masked person handed me the sign, and it remained in my hand for five minutes. Prison conditions are not suitable for my illness.”

Ayık’s lawyer, Göksun Canberk Uluğ, stated that her client had been rushed to the emergency room multiple times due to heart and kidney conditions. Despite the prosecutor’s request for continued detention, the court ordered her release.

TRIALS AGAINST LAWYERS

During the monitoring period, 92 lawyers were prosecuted in 27 trials. In 19 of these trials, they were charged with membership in a terrorist organization. Other charges included “terrorist propaganda” and “insulting the President.”

One of the most striking cases brought under the offense of “terrorist propaganda” targeting the legal profession was the trial against the Istanbul Bar Association. After the death of journalists Nazım Daştan and Cihan Bilgin—who were killed during an attack in northern Syria while covering news—the Istanbul Bar Association Board of Directors issued a statement in December 2024. A criminal investigation was then launched against the Board on charges of “making propaganda for an armed terrorist organization,” and a case was opened. Separately, another case was filed requesting that the Board be removed from office.

Immediately after the propaganda case, the Istanbul Chief Public Prosecutor’s Office prepared an indictment requesting the removal of the Istanbul Bar Association Board of Directors and the holding of new elections. At the second hearing on March 21, held at the Istanbul 2nd Civil Court of First Instance, the court ruled to remove the bar leadership from office. An appeal was filed against the decision, which is currently under review at the Istanbul Regional Court of Appeals.

In the propaganda case, the members of the Istanbul Bar Association Board of Directors face up to five years in prison. The first hearing was held on September 9–10, 2025. The next hearing is scheduled for January 5, 2026.

LAWYER FIRAT EPÖZDEMİR DETAINED ON A PLANE AND ARRESTED

Istanbul Bar Association Board Member Fırat Epözdemir was detained on a plane on January 23 as he returned from an advocacy visit to the Council of Europe in Strasbourg organized by MLSA. Epözdemir was arrested on charges of membership in a terrorist organization and was released on May 29 with a travel ban after his hearing.

PRETRIAL DETENTION

In the 2025 monitoring period, 66 people were prosecuted while in pretrial detention across 275 trials.

This represents a 560% increase compared to the 10 detained defendants recorded the previous year.

Pretrial detention was most common in cases opened under counterterrorism legislation, including charges of membership in a terrorist organization, terrorist propaganda, and insulting the President. A new trend was the detention of large numbers of people in cases involving violations of Law No. 2911, which contributed significantly to the overall increase.

During this period, 13 journalists were tried while detained: Eylem Babayiğit, Ercüment Akdeniz, Kaj Joakim Medin, Mehmet Baransu, Mehmet Üçar, Öznur Değer, Suat Toktaş, Reyhan Hacıoğlu, Rahime Karvar, Necla Demir, Velat Ekin, Züleyha Müldür, and Vedat Örüç were all detained at various times. Many journalists were also arrested before their hearings even began.

For example, journalist Furkan Karabay, who faced charges in three separate cases, remained in pretrial detention since May in a case whose hearings had not yet started. Similarly, among the three journalists detained under the HDK investigation, Yıldız Tar and Elif Akgül were released before their first hearings. Journalist Mehmet Kamış remains detained in another case.

As of now, 27 journalists and media workers are in prison for their journalistic activities, 12 of whom were arrested in 2025—including Fatih Altaylı, Merdan Yanardağ, and Furkan Karabay.

Case	Defendant	Detained defendants	Is the person arrested for this case?
Case against Prof. Dr. Cenap Ekinci, tried for “terrorist propaganda” due to X posts	Academic	Cenap Ekinci	Yes
Case opened against 23 people who attended the Suruç Massacre commemoration	Activist	Birkan Polat	Yes
Case of lawyer Nazan Betül Kozağaçlı on “membership in a terrorist organization”	Lawyer	Nazan Betül Vangölü Kozağaçlı	Yes
Case of lawyer Dilek Ekmekçi on “membership in a terrorist organization”	Lawyer	Dilek Ekmekçi	Yes
Case of human rights defender Nimet Tanrıkulu on “membership in a terrorist organization”	Activist	Nimet Tanrıkulu	Yes
Case of TIP member student Bekir Aslan, prosecuted due to social media posts	Activist, Student	Bekir Aslan	Yes
Case of journalist Rahime Karvar on “membership in a terrorist organization”	Journalist	Rahime Karvar	Yes
Case of Ahmet Saymadi, detained in the HDK operation, on “membership in a terrorist organization”	Activist, Politician	Ahmet Saymadi	Yes

Case of lawyer Fırat Epözdemir after his Council of Europe visit, on “membership in a terrorist organization”	Lawyer	Fırat Epözdemir	Yes
Case against Halk TV executives and journalists regarding the “expert meeting” report	Journalist	Suat Toktaş	Yes
Case of academic Çiğdem Bayraktar Ör on “insulting the President”	Journalist, Academic	Çiğdem Bayraktar Ör	Yes
Case of journalist Ercüment Akdeniz in the HDK operation on “membership in a terrorist organization”	Journalist	Ercüment Akdeniz	Yes
Case of journalist Mehmet Üçar on “membership in a terrorist organization,” opened on the basis of his reporting and royalties	Journalist	Mehmet Üçar	Yes
Case of Swedish journalist Joakim Medin on “insulting the President”	Journalist	Kaj Joakim Medin	Yes
Case of JINNEWS News Director Öznur Değer on “terrorist propaganda”	Journalist	Öznur Değer	Yes
Case of journalist Eylem Babayiğit on “membership in a terrorist organization”	Journalist	Eylem Babayiğit	Yes
Case of activist Enes Hocaogulları	Activist	Enes Hocaogulları	Yes
Case of journalist Necla Demir on “membership in a terrorist organization”	Journalist	Necla Demir	Yes
Case of journalist Velat Ekin on “membership in a terrorist organization”	Journalist	Velat Ekin	Yes
Case of journalist Vedat Örüç on “membership in a terrorist organization”	Journalist	Vedat Örüç	Yes
Case of artist Pınar Aydınlar, detained in the HDK operation, on “membership in a terrorist organization”	Artist	Pınar Aydınlar	Yes
Case of those detained in the 23rd Istanbul LGBTI+ Pride March	Journalist, Activist,	Hivda Selen, Sinem Çelebi	Yes
Case against ETHA reporter Züleyha Müldür and two others on “membership in a terrorist organization”	Journalist, Activist, Politician	Züleyha Müldür and two others	Yes
Mass case opened over posts about the trustee appointment to the CHP Istanbul Provincial Directorate	Journalist, Activist, Student, Lawyer, Academic	Abdullah Esin, Nur Betül Aras, Ömer Faruk Mangaltepe, Emrah Gürsunar	Yes
Case against student Esila Ayık and her friends	Student	Esila Ayık, Efe Erdoğan, Arda Öğüşlü	Yes
Case of 7 people detained at the Saraçhane protest on the 100th day of Ekrem İmamoğlu’s detention	Activist, Student	7 students	Yes
Case of 35 people detained at the Saraçhane protest	Journalist, Activist,	13 activists	Yes
Mass case opened after İBB protests on the charge of “unlawful meeting”	Activist, Student	14 people	Yes

Case of former Zaman newspaper executives Mehmet Kamış and Ali Çolak on “attempting to overthrow the constitutional order”	Journalist	Mehmet Kamış	No
Case against HDP politicians on charges of “insult” and “resisting a public official”	Politician	Figen Yüksekdağ	No
Taraf newspaper case: Ahmet Altan, Yasemin Çongar, Yıldırım Oğur, Mehmet Baransu retried	Journalist, Writer	Mehmet Baransu	No
Compensation lawsuit of 250,000 TL filed by Bilal Erdoğan against Furkan Karabay	Journalist	Furkan Karabay	No
Case against journalists who covered the 2019 Kadıköy trustee protest	Journalist, Activist,	Vedat Örüç	No
Case against Ekrem İmamoğlu on “attempting to influence an expert witness”	Politician	Ekrem İmamoğlu	No
Case concerning Furkan Karabay’s Esenyurt post	Journalist	Furkan Karabay	No
Case opened against the organizing committee of the 2019 Newroz demonstration	Activist, Politician, Lawyer	Mehmet Bakır, Zelay Bilgin	No
Case with 32 defendants regarding the HDP statement in Hasankeyf	Journalist, Writer	Osman Demir, Nurullah Özğün, Hamza Ağırman	No

JUDICIAL CONTROL MEASURES

Judicial control measures — a broad category that includes travel bans and mandatory signature requirements — were frequently used in investigations and trials related to freedom of expression. Although the Code of Criminal Procedure defines these measures as alternatives to pretrial detention and requires the same conditions needed for detention to apply, the most commonly imposed judicial control measures this year were bans on foreign travel, periodic check-ins at the nearest police station to sign in, and orders not to leave one’s residence.

Many suspects who had been held in pretrial detention during the investigation phase were released once an indictment was filed — but only after judicial control measures were imposed on them. In the case of journalist Vedat Örüç, who was released at his first hearing, the court imposed a travel ban. Journalist Yıldız Tar was released on May 30 through a preliminary procedural order (tensip zaptı), but a travel ban and a requirement to report to the police once a month to sign in were imposed immediately afterward. Journalist Elif Akgül, who was released on June 2, was also freed under a travel ban.

Throughout the year, particularly in cases against journalists, lawyers, and activists, travel bans under Article 109(a) of the Code of Criminal Procedure became an automatic measure. In many cases, this ban was combined with a regular signature requirement

under Article 109(b), effectively restricting defendants' freedom of movement as well as their ability to carry out their professional work.

In some cases — such as that of journalist Rahime Karvar — these two measures were supplemented with an order not to leave one's residential area and with electronic monitoring (Article 109(k)).

RELEASED IN JUNE, PLACED ON ELECTRONIC MONITORING IN JULY

Journalist Rahime Karvar was taken into custody and arrested on January 17 as part of an Istanbul-based investigation on allegations of “membership in a terrorist organization.” At her first hearing in June before the Istanbul 24th High Criminal Court, Karvar was released under judicial control, specifically a travel ban preventing her from leaving the country. The second hearing in her case was held on July 17.

According to the official court minutes, in addition to extending the existing travel ban, the court imposed two new judicial control measures: an electronic ankle monitor accompanied by a ban on leaving the province, and a requirement to report twice a month to sign in.

The court justified these new restrictions on the grounds that Rahime Karvar did not appear at the hearing.

In total, more than one type of judicial control measure was imposed simultaneously in eight cases. This demonstrates that the emphasis in these prosecutions is not on “non-punishment,” but on a system of “pre-sentence supervision.”

Another striking development was a small number of isolated decisions lifting travel bans in certain cases. For example, the Istanbul 20th Criminal Court of First Instance lifted the ban for six defendants, making an exceptional ruling. Aside from such rare instances, travel bans were almost never lifted and in most cases remained in place until the end of the trial.

Overall, judicial control practices in 2025 became more severe, with measures such as mandatory signatures and electronic monitoring emerging as new trends. These restrictions effectively created conditions equivalent to de facto detention in terms of freedom of expression and the right to travel.

Journalist İsmail Saymaz was taken into custody on the morning of March 19 during a raid on his home as part of the Gezi Park investigation. After two days in police custody, prosecutors referred him to the Criminal Judgeship of Peace with a request for judicial control in the form of house arrest. On March 21, 2025, the court imposed a judicial control order requiring him not to leave his home. After 56 days of house arrest, the restriction was lifted on May 16, 2025, and replaced with a travel ban and a mandatory signature requirement.

TRAVEL BANS ARE NOW ROUTINE

One of the developments observed during the monitoring period was the widespread use of judicial control measures in the form of international travel bans.

CONSTITUTIONAL COURT: TRAVEL BAN ON HRD NURCAN KAYA VIOLATED FREEDOM OF EXPRESSION

In a landmark ruling on MLSA's application, the Constitutional Court held that a travel ban violates freedom of expression and freedom of the press.

In 2024, the Court issued its decision on MLSA's individual application challenging the judicial control measure imposed on journalist and human rights lawyer Nurcan Kaya — a ban on foreign travel issued as part of an investigation into her social media posts. The Constitutional Court found that judicial control measures imposed on journalists can violate freedom of expression and freedom of the press.

In this precedent-setting judgment, which applies to many similar applications, the Court held that such judicial control measures have a chilling effect not only on the applicant, Nurcan Kaya, but also on all journalists and anyone expressing opinions on matters of public interest. Because these measures create a deterrent impact on the broader public discourse, the Court concluded that freedom of expression and freedom of the press were violated.

In another similar application filed by MLSA, the Constitutional Court also found that judicial control measures imposed on civil society workers violated the right to privacy and respect for family life.

While 28 of the 275 trials monitored this period involved pretrial detention orders, judicial control measures were imposed in 46 trials.

In the 2024 monitoring period, the pretrial detention rate was recorded as 4.5%, while judicial control measures stood at 13.5%.

This year, the pretrial detention rate increased to 13%, and judicial control measures rose to 17%.

Measure imposed	Number	Pct.
Pre-trial detention	28	%10
Judicial measures (all types)	46	%16,7

COMPLAINANTS

During this reporting period, the complainants in a significant portion of the 275 monitored trials clearly reflected the political nature of the judicial proceedings.

In total:

- 71% of cases were initiated by **public institutions or public officials**
- 19% were based on **individual complaints**
- 10% were filed by **legal entities** (companies, foundations, media groups, etc.)

Compared to last year, there was a 9% increase in the number of cases in which public institutions were complainants. Much of this increase came from cases involving “offenses against public order” and “insulting the President.”

PUBLIC INSTITUTIONS AND OFFICIALS AS COMPLAINANTS

The highest proportion of complainants this period consisted of public institutions such as the Presidency, Ministry of Interior, General Directorate of Security, and university administrations.

In prosecutions involving charges such as “insulting the President,” “insulting a public official due to their duty,” “insulting the State,” and “resisting police,” the complainant was directly a public official.

Of the 195 cases falling under this category:

- 62 cases (22.5%) were filed personally or institutionally by **President Recep Tayyip Erdoğan**
- 18 cases involved complaints by **police officers or police chiefs** — some of these were cases where police officers who used force during protests themselves appeared as complainants
- 11 cases involved complaints by **university administrators or rectors**
- 6 cases involved complaints by the **Ministry of Interior or provincial governorates**
- 3 cases involved the **Presidency’s Directorate of Communications**
- 2 cases were filed individually by **Deputy Police Chiefs or branch managers**

Notable examples:

Silvan Case: In the case related to the 2015 Silvan visit by HDP MPs, the complainants included President Erdoğan, then-Prime Minister Ahmet Davutoğlu, Interior Minister Efkan Ala, and Silvan District Deputy Police Chief Osman Gündüz.

This case is a rare example where individual and institutional complainant status appeared in the same file.

“White Flag Case”: A case against journalist Adnan Vural was opened upon the

Public Prosecutor's Office's ex officio application. There was no specific complainant, but the charge was brought on behalf of state authority.

“Boğaziçi University Cases”: In the cases where journalist Melisa Gülbaş and Barış Pehlivan were defendants, the complainants were Boğaziçi University Rector Naci İnci and faculty member Mehmet Turan.

These cases are examples of university administrations resorting to legal action against criticism.

Cases where police officers were complainants:

A total of 27 cases were filed in which police officers who used force during protests or press statements appeared as complainants.

One example is the Bülent Kılıç case: The photojournalist—who was detained with a police officer's knee on his neck while covering the 19th Istanbul Pride March—was prosecuted based on complaints by two police officers for “insult” and “resisting police.”

Similarly, in the **21st Feminist Night March**, former Istanbul Security Branch Chief Hanifi Zengin was the complainant.

In the Antalya G20 protest, the BİMEKS demonstration, and the Ankara Suruç commemoration files, police officers appeared collectively as complainants.

INDIVIDUAL COMPLAINANTS

During this period, 53 cases were opened based on individual complaints.

These complaints largely involved allegations of:

- insult
- unlawful sharing of personal data
- defamation
- violation of privacy

Examples:

- In journalist **Baransel Ağca's** case, the complainant was former AKP MP Tolga Ağar. Ağca was prosecuted for posts related to the Yeldana Kaharman case in which Ağar's name appeared.
- Journalist İsmail Arı is a defendant in a “defamation” case filed by MHP MP Levent Uysal and his wife.
- Journalist Perihan Kaya was prosecuted following a complaint by former Tatvan Mayor Mehmet Emin Geylani, whom she accused of ordering her assault.
- Journalist Onur Öncü was prosecuted for “insult” based on a complaint by Milat newspaper representative Özlem Doğan.

Most of these individual-complaint cases were filed by:

- ruling party representatives
- public officials
- or media figures close to them

LEGAL ENTITIES AND INSTITUTIONAL COMPLAINANTS

A total of 26 cases were filed based on complaints by institutions or legal entities.

Prominent actors included:

- Turkuvaz Media Group Vice Chair Serhat Albayrak
- Presidency's Directorate of Communications
- MEMUR-SEN
- Turkish States Martyr Families Foundation
- Several public sector unions

Notable examples:

- **Serhat Albayrak** appeared as complainant in at least three cases this period.
- These cases involved charges of “defamation” and “insult” based on news coverage in Evrensel, Yeni Yaşam, and Gerçek Gündem.
- MEMUR-SEN and the Turkish States Martyr Families Foundation were co-complainants in the case against Can Ataklı.

CHANGING COMPLAINANT PROFILE

The most notable shift compared to last year was the increased weight of public institutions among complainants.

In 2024, one in four cases was opened due to an individual complaint.

In 2025, this figure dropped to one in five.

At the same time, cases filed in previous years continued to be heard.

During this period, complainants such as the President, ministers, high-level public officials, rectors, and media owners—particularly those aligned with the government—became more prominent.

Overall, the data shows that the judicial process is shifting increasingly from a complaint-driven mechanism to one initiated by political or administrative authorities.

FINDINGS ON VIOLATIONS OF THE RIGHT TO A FAIR TRIAL

Number of hearings observed and hearing start times

During this reporting period, between September 1, 2024 and August 30, 2025, a total of 430 hearings were held across 22 cities and 45 different courts in connection with 275 trials nationwide.

MLSA observers found that:

- In 58% of courts, at least one hearing was postponed
- Only 14% of hearings concluded with a verdict
- The remaining hearings involved interim rulings such as combining/separating case files or other procedural steps

During this period, the average duration of hearings ranged from 20 to 35 minutes, and it was observed that even in mass trials with large numbers of defendants, hearings were still notably short.

In one-third of the hearings observed (31%), observers were not allowed into the courtroom on the grounds that the courtroom was at full capacity or allegedly for security reasons.

In some courts, only individuals with a press card or bar association ID were permitted entry.

In Ankara, Diyarbakır, Mersin, and Istanbul, armed police and gendarmerie entry into the courtroom was widespread; in some courts, doors were kept open throughout the hearing and security personnel monitored observers' notes.

Most frequently recorded issues by observers:

Prosecutors remaining in the courtroom during closed deliberations (especially in Istanbul 24th High Criminal Court and Diyarbakır 5th High Criminal Court)

Changes in the panel of judges announced on the day of the hearing

Defendants being unable to present a defense due to physical or technical barriers

Defense requests to call witnesses denied (82% of cases)

In some courts, interpreters were not provided, and defendants wishing to make a defense in Kurdish were instructed to "speak in the official language"

In heavy criminal courts, judges displayed intrusive behavior, and prosecutors were observed using their cell phones during defense statements

Trends in trial procedures

Most common interim decisions:

- Completion of missing documents | 37%
- Sending the file to the prosecutor for an opinion on the merits | 24%
- Waiting for witness statements | 15%
- Letters rogatory (hearing witnesses/defendants in other provinces) | 9%

In addition, compared to the previous year, the use of closed deliberations increased in 2025.

- 28% of courts held closed deliberations
- In one-third of these, prosecutors remained inside the courtroom
- This marks a sharp increase from last year's 16% rate

In some mass trials, decisions to combine or separate case files were not in the defendants' favor, particularly in cases involving allegations of "membership in an organization," causing significant delays.

In 55% of hearings, judicial control measures for defendants not in detention (mostly travel bans and signature requirements) were continued.

NOTABLE EXAMPLES FROM OBSERVER NOTES

Diyarbakır 5th High Criminal Court: When the panel left the courtroom for deliberation, observers were removed but the prosecutor remained seated and effectively participated in the deliberation.

Istanbul 24th High Criminal Court: The prosecutor repeatedly told the defense lawyer "shorten it, there's no time," and observers were prevented from taking notes.

Van 2nd High Criminal Court (Reyhan Hacıoğlu case):

After the release ruling, when observers chanted "journalism is not a crime," security personnel attempted to intervene in the official court transcript.

Mardin 2nd High Criminal Court: In journalist Öznur Değer's hearing, despite her allegations of being assaulted, the presiding judge took no action, simply stating, "Do not go into that topic."

Istanbul 13th High Criminal Court: Defense requests to hear witnesses were rejected without being entered into the record.

Tatvan 1st Criminal Court of First Instance (Perihan Kaya hearing):

The judge demanded that observers place their cell phones on the table before the hearing.

Çağlayan Courthouse incident: Zafer Party Deputy Chair Mehmet Ali Şehircioğlu physically grabbed T24 reporter Can Öztürk by the arm and removed him from the courtroom. He scolded Öztürk for taking notes, saying, "You're not watching the hearing. Men your grandfather's age are standing while you sit. Get out of the courtroom."

Overall conclusion from hearing observations

These examples clearly show the general trend noted by observers throughout the year:

Even though trial proceedings are formally open, in practice they have increasingly become closed, restricted, and resistant to monitoring.

Hearing observations indicate that compared to last year, access for observers has been further restricted, hearing durations have shortened, and judicial control measures have expanded.

As a result, although courts formally maintain the principle of “open trial,” the judicial practice observed during this period demonstrates a decline in transparency, independence, and defense rights.



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