



**TÜRKİYE  
YAYINCILAR  
BİRLİĞİ**

**TURKISH PUBLISHERS ASSOCIATION**

**REPORT ON FREEDOM TO PUBLISH  
2022**

**REPORT ON FREEDOM TO PUBLISH (1 DECEMBER 2021 – 31 DECEMBER 2022)**

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TURKISH PUBLISHERS ASSOCIATION

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**TURKISH PUBLISHERS ASSOCIATION  
REPORT ON FREEDOM TO PUBLISH  
DECEMBER 1, 2021 – DECEMBER 31, 2022**

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## INTRODUCTION

Our publishing industry, which is one of the arteries feeding our cultural life, is faced with increasingly difficult problems every year. In addition to the increasing burden of economic conditions, our publishers are struggling with censorship which openly attacks the right to read and hinder their production, as well as practices that reach the degree of self-censorship.

Freedom of thought and expression are some of our most basic constitutional rights. The right to access culture and the freedom to publish are among the fundamental articles of the Universal Declaration of Human Rights adopted on December 10, 1948.

*Article 19:*

*“Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”<sup>1</sup>*

Today, unfortunately, the main problems that our publishing sector is struggling with are not only the obstacles to freedom of thought and expression, but also the bans, legal difficulties, and pressures on the freedom to publish.

Every year since 1995, Turkish Publishers Association has been giving awards to draw public attention to the obstacles to freedom of thought and expression as well as publishing the annual Report on Freedom to Publish. These reports include investigations and lawsuits against publishing houses, authors, translators, and printing presses due to the content of books; book confiscation and banning orders; de facto censorship of publications; obstructions in the preparation for publication, distribution, and promotion processes; prevention of access to publications, reading and writing in prisons, schools and universities; pressures on the press and the internet; amendments to laws on publishing; international reports, and decisions of the European Court of Human Rights (ECHR).

Turkish Publishers Association,

- Accepts that every reader has the right to read any book of their own choice and that every Publisher has the right to publish any book of their own choice.
- Defends the legal framework determined by the constitution and by the human rights conventions to which Turkey is a party and strives for its implementation.
- Opposes any kind of arbitrary obstacles and limitations to the freedom of thought and expression.

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<sup>1</sup> <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

We see that many of the unfortunate developments that were reported in our previous reports are seen during the period covered in this report:

- Attacks on books in book fairs
- Book bans in prisons
- Authors receiving sentences for their social media posts
- Book recall decisions
- Self-censorship practices by publishers
- Lynching campaigns organized on social media against books and publishers
- Books being counted as “evidence of crime”

The “obscene publication” decisions of the Board for the Protection of Minors from Obscene Publications have been once again on the agenda of the publishing industry in Turkey this year. During this period, the Board has declared 10 publications as “obscene publications”, 7 of them being declared “obscene” in a single decision.

The Ministry of Family and Social Services' update of the list of "child-friendly" books and the adoption of the "disinformation" law, known as the "censorship law", were among the most problematic developments during the period covered in this report.

The same period has also witnessed, although few in number, some positive developments, in the form decisions by the Constitutional Court in favor of the freedom of thought and expression.

In this period, Turkish Publishers Association started a campaign against censorship with the heading “Don’t Touch My Book”.<sup>2</sup>

In addition, our association's 2021 Freedom of Thought and Expression Awards were presented at a ceremony held at the Pera Museum on Tuesday, March 15, 2022. In the publishing house category, the award was given to Ithaki Publishing Group (Ithaki Publishing and Yabancı Publishing) for the books *Kalp Çarpıntısı – Cilt 1, 2, 3 (Heartstopper)* by the author Alice Oseman, that were published in Turkish by Yabancı Publishing and declared as obscene publications; in the author category, the award was given to author Gülşen İşeri for her book *Ateşin ve Sürgünün Gölgesinde KentSEL Dönüşüm* (Urban Transformation in the Shadow of Fire and Exile), first published in 2014, later prosecuted in 2017 based on a complaint to CIMER. The Bookstore Labor Award was given to Karahan Bookstore, which has been serving in Adana for 25 years, owned by Seyfi Karahan who believes that freedom of thought and expression is the most fundamental building mortar of the democratic social order while the special award was given to lawyer Mehmet Ümit Erdem, who brought a lawsuit "as a father of a girl, on behalf of his daughter" against the obscenity decisions for the books titled *Kız Çocuk Hakları Bildirgesi* (Declaration of the Rights of Girls) and *Erkek Çocuk Hakları Bildirgesi* (Declaration of the Rights of Boys), which were declared obscene by the Board for the Protection of Minors from Obscene Publications, and won the lawsuit and ensured that the books were removed from the obscene publications category.

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<sup>2</sup> <https://turkyaybir.org.tr/yasaklara-degil-kitaplara-ihtiyacimiz-var/>

## **DON'T TOUCH MY BOOK!**

We have made the call "Don't Touch My Book" against the censorship and book banning decisions that have become common recently.<sup>3</sup> As part of this call, interviews, panels and open lectern events titled "Where Are We in Freedom of Thought and Expression?", "Censorship and Self-Censorship in Children's Books", "Projections of Censorship on Our Social Life", "We Need Books, Not Bans" were held at the 39th International Istanbul Book Fair organized between December 3-11, 2022.

### **We Need Books, Not Bans!**

In our country, more and more books are taken away from readers, hidden and made inaccessible. Publishers, authors, translators, translators and printing houses are being investigated and prosecuted for the content of books. Decisions to confiscate, ban or bag books are increasing rapidly.

However, both books and those who work on them are important. A book is a universal product that enables the transmission of humanity's cultural heritage between generations and societies.

Access to books is the basis of access to cultures, differences, diversity and ideas. It is our right, protected by law, to access books on every subject we are curious about, interested in, and want to read.

From school to library, from bookstore to university, we should be able to access books wherever we look for them. No institution or person can take away our right to choose and read books. The fiction of writers, the visual expression of artists and the richness of language cannot be banned or interfered with.

A book is not an instrument of crime, reading a book does not harm anyone. We may not like a book, but this does not require us to ban or destroy it. We can simply exercise our right not to read it, not to recommend it, to ignore it.

Books are for all of us. Whether we are adults, children or young people, every person has the right to freely choose, acquire, read or not read books. The more people read books, the more they mature, grow stronger with emotions and dreams, and get closer to art and science.

We; readers, publishers, writers, translators, illustrators, editors, printers, papermakers, distributors, booksellers, copyright agencies, educators, librarians, second-hand booksellers, academics, media people... all love books.

As book lovers, we all stand together against the banning mentality and say:

**DON'T TOUCH MY BOOK!**

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<sup>3</sup> <https://turkyaybir.org.tr/kitabima-dokunma/>

## BANS

### **Lawsuit Against Republican People's Party (CHP) Leaflets Distributed in Zonguldak<sup>4</sup>**

The lawsuit filed against Zonguldak CHP central district executives for "insulting the President" for distributing brochures prepared by the CHP Headquarters about the rise in natural gas and electricity fares with the titles "One Man Inc. Natural Gas" and "One Man Inc. Electricity" began to be heard.

### **Acquittal of Journalist Caner Taşpınar<sup>5</sup>**

Journalist Caner Taşpınar had been sued for allegedly insulting former Speaker of the Grand National Assembly of Turkey (GNAT) İsmail Kahraman and Justice and Development Party (AKP) Ankara Representative Ali İhsan Arslan in his book *Damat: Fethullahçıların AKP'li Kayınpederleri* (The Son-in-Law: The AKP In-laws of the Fethullahists), published by Kırmızı Kedi Publishing in 2020. Prosecution demanded that the book be recalled and that Taşpınar be sentenced to a prison sentence from 10 months and 15 days to 6 years and 9 months on charges of insult and publicly committing insult. In 2022, Istanbul 11th Criminal Court of First Instance ruled that the legal elements of the crime did not exist and acquitted Taşpınar.

### **Request for Book Recall Based on Complaint**

Ersin Eroğlu, who wrote the book *Gölge Ordu - SADAT'ın Sır Perdesi Aralanıyor* (Shadow Army - SADAT's Mystery Unraveling) together with journalist Caner Taşpınar, stated that there was an initiative for the recall of his book at the request of Nevzat Tarhan, former partner of SADAT. Istanbul Anatolian Chief Public Prosecutor's Office launched an investigation into the book following a complaint. Eroğlu stated that Kırmızı Kedi, the publisher of the book, refused to accept the notice sent and police went to the publishing house. In November 2022, CHP Chairperson Kemal Kılıçdaroğlu met with Ersin Eroğlu and Caner Taşpınar at the GNAT and advised them to continue their research on SADAT.<sup>6</sup>

### **Ban on the Quran Translation**

The High Council of Religious Affairs of the Directorate of Religious Affairs has requested "to stop the printing, and distribution, and recall and destruction of the copies obtained" for the book titled *Allah'ın Tek Dini İslam'a Son Davet Kur'an Akıcı Anlam Türkçesi ve Öğretici Güncel Yorumu İle* (The Last Call to Islam, the Only Religion of Allah, The Qur'an with Fluent Turkish Meaning and Instructive Current Interpretation), written by Prof. Gazi Özdemir and published by Şira Publications, an imprint of Sirius Publishing, because it was "deemed objectionable in terms of the fundamental characteristics of Islam". Istanbul 5th Criminal Court of Peace issued a decision "to ban the printing, publication, and sales of the book, and the recall and confiscation of the existing copies".<sup>7,8</sup> Rightholders appealed the decision.<sup>9</sup>

<sup>4</sup> <https://www.cumhuriyet.com.tr/turkiye/tek-adam-as-davasi-basladi-1903354>

<sup>5</sup> <https://www.odatv4.com/guncel/caner-taspinar-in-toplatilmasi-istenen-damat-adli-kitabi-icin-karar-verildi--229787>

<sup>6</sup> <https://www.gazeteduvar.com.tr/kilicdaroglu-sadat-kitabinin-yazarlariyla-gorustu-arkasini-birakmayin-haber-1588481>

<sup>7</sup> <https://www.cumhuriyet.com.tr/turkiye/diyanet-isleri-baskanligi-kuran-meali-yasaklatti-1941641>

<sup>8</sup> <https://t24.com.tr/haber/diyanet-prof-dr-gazi-ozdemir-in-kuran-mealini-yasaklatti,1037521>

<sup>9</sup> <https://www.youtube.com/watch?v=v6DoyJdWmAg>

### **Book Recall Decision**

In July 2022, the Istanbul Security Branch Directorate ordered the confiscation of Ceylan Publishing's books *Kadın Devrimi* (Women's Revolution) and *Suruç'ta Kalanların Dilinden Kobane'ye Gitmek* (Going to Kobane in the Words of Those Who Remained in Suruç). Ceylan Publishing stated in a written statement that this decision was made one day before July 20, the anniversary of the Suruç Massacre.<sup>10</sup>

### **Decision to Recall and Destroy Book**

The printing, distribution and sale of Peoples' Democratic Party (HDP) former Co-Chair Figen Yüksekdağ's book *Yıkılacak Duvarlar* (Walls Will Be Destroyed) was banned on the grounds of "doing illegal organization propaganda". The publisher of the book, Ceylan Publishing, stated in a written statement that they are determined to continue to bring their books to the readers in all circumstances.<sup>11</sup>

### **Complaint from Readers**

Pulitzer Prize-winning author Alice Walker's world-renowned book *The Color Purple*, which depicts racism and inequality, has been removed from public libraries due to "complaint from readers". The Ministry of Culture and Tourism did not make a statement.<sup>12</sup>

### **Books as "Evidence of Crime"**

During raids on the houses of Mezopotamya Agency journalists who were detained in October 2022 as part of an investigation by the Ankara Chief Public Prosecutor's Office, some books were confiscated by the Ankara Police as "evidence of crime". The books were returned by the Prosecutor's Office on the grounds that "no crime and criminal elements were found in them".<sup>13</sup>

### **"Illegal Organization Handbook"**

During the detention of Turkish Medical Association President Şebnem Korur Fincancı on charges of "terrorist propaganda", a book found in her home was described as an "illegal organization handbook". It was revealed that the book *Dağın Ardına Bakmak* (Looking Behind the Mountain), written by Bejan Matur and published by Timaş Publishing in 2011, was promoted on TRT1's "Politik Açılım" program with the participation of the author.<sup>14</sup> The book was removed from online sales at D&R and Idefix.<sup>15</sup> HDP Representative Dr. Ömer Faruk Gergerlioğlu stated that the book was found in the Parliament Library.<sup>16</sup>

<sup>10</sup> <https://bianet.org/bianet/yasam/264984-ceylan-yayinlari-nin-iki-kitabina-toplatma-karari>

<sup>11</sup> <https://bianet.org/bianet/ifade-ozgurlugu/266875-figen-yuksekdag-in-kitabina-toplatma-ve-imha-karari>

<sup>12</sup> <https://www.cumhuriyet.com.tr/kultur-sanat/kultur-ve-turizm-bakanligindan-pulitzerli-alice-walkera-skandal-sansur-1956177>

<sup>13</sup> <https://www.gazeteduvar.com.tr/gazetecilerin-suc-delili-sayilan-kitaplari-iade-edildi-haber-1588203>

<sup>14</sup> <https://www.gazeteduvar.com.tr/orgutsel-materyalin-tanitimi-trtde-satisi-drda-yapilmis-haber-1586590>

<sup>15</sup> <https://www.gazeteduvar.com.tr/dr-ve-idefix-ttb-baskani-fincancinin-kitapliginda-bulunan-kitabi-sitesinden-kaldirdi-haber-1587411>

<sup>16</sup> <https://m.bianet.org/bianet/ifade-ozgurlugu/269322-d-r-ve-idefix-fincanci-nin-kitapligindaki-kitabi-sitelerinden-kaldirdi>



### **“Understood Better When the Whole Book is Read”**

Writer and health worker Nehir Aydın Gökduman's children's book, which she wrote 10 years ago, was criticized for containing negative statements against doctors because in the book an elderly patient says to a doctor, "You are an unsympathetic man!". Author Gökduman said of her book, "It is a book that may seem to have overstepped its bounds with the last paragraph, but the book is better understood when the whole thing is read".<sup>17</sup>

### **Exiled Because of a Book in the Drawer**

A lawyer working at the Turkish State Railways (TSR) was reported to the police for having HDP former co-chair Selahattin Demirtaş's book *Leylan* in his drawer. Officials from the Anti-Terror Branch interviewed the lawyer reader. No action was taken as there was no court decision on *Leylan*. The lawyer reader filed a complaint. However, he was exiled from İzmir to Malatya as part of an administrative investigation by TSR.<sup>18</sup>

### **LGBT and “Genderless Child”**

The drawing of a "genderless child" in the children's book *Duvarın Arkasında Ne Var* (What's Behind the Wall?) published by Timaş Publishing Group drew the reaction of the conservative community and was claimed to be doing LGBT propaganda. Yeni Şafak Newspaper writer Ersin Çelik wrote, "How could Timaş surrender to LGBT? Or how could it be tricked?".<sup>19, 20</sup> In response, Timaş Publishing House issued a statement saying, "our attitude on the issue of sexlessness and our publishing line is clear... we would like to declare that as a publishing house, we do not approve of the personal opinion of the illustrator, and we would like to share with our readers that the book does not have the subject or emphasis on sexlessness".<sup>21</sup>

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<sup>17</sup> <https://www.gazeteduvar.com.tr/tepki-ceken-cocuk-kitabi-doktor-dusmanligi-asilaniyor-haber-1572798>

<sup>18</sup> <https://www.birgun.net/haber/tcdd-de-selahattin-demirtas-surgunu-cekmesinde-leylan-kitabi-oldugu-icin-sikayet-edildi-412866>

<sup>19</sup> <https://www.odatv4.com/medya/muhafazakar-camia-bunu-tartisiyor-timas-lgbt-ye-teslim-oldu-248970>

<sup>20</sup> <https://twitter.com/ersinceliq/status/1564301065935273985?s=20&t=zZgwScDsAau8TsGr7TwDEQ>

<sup>21</sup> <https://twitter.com/ersinceliq/status/1564563333499523072?s=20&t=zZgwScDsAau8TsGr7TwDEQ>

## SELF-CENSORSHIP

### Rainbow Image

The news that İş Bank Culture Publishing has faded the rainbow image in a translated children's book has appeared in the press and on social media. In photographs shared by some readers on social media, comparing the English and Turkish editions of the book, it was seen that the rainbow appeared on the relevant page in the first Turkish edition, but was rendered almost invisible in the later edition. No statement was issued by the publishing house.<sup>22</sup>

### The Phrase "Armenian Genocide"

According to a post by academic Onur İnal on his social media account, Koç University Press, which was going to publish the Turkish edition of *Seeds of Power: Explorations in Ottoman Environmental History*, which İnal co-authored with Yavuz Köse, first requested the censorship of the phrase "Armenian Genocide" in the Turkish edition, and upon the rejection of the request, canceled the publishing of the book.<sup>23</sup>

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<sup>22</sup> <https://kayiprihtim.com/haberler/edebiyat/is-bankasi-kultur-yayinlari-gokkusagi-sansuru-iddia/>  
<https://twitter.com/Darkwebhaber/status/1540606222319091712?t=wu2ebOFmKzqJAm4DCREoug&s=08>  
<https://twitter.com/basaarkaya/status/1540598836091125761>

<sup>23</sup> <https://www.gazeteduvar.com.tr/koc-universitesi-yayinlarindan-ermeni-soykirimi-sansuru-haber-1549713>

## ATTACKS ON BOOKS

### Attack on Book Stand<sup>24</sup>

It was reported in the press that during the book fair organized by Safranbolu Municipality at Leyla Dizdar Cultural Center, some groups attacked a book stand on the grounds that it was selling books by Selahattin Demirtaş. It was reported that a publishing house official was beaten in the ensuing brawl.

#### Press Statement Regarding Safranbolu Book Fair 21.12.2021

It is alarming and very sad that writer Haldun Açıksözlü's stand at Safranbolu Book Fair was broken into by a group of people and he was beaten for selling Selahattin Demirtaş's books. The news coverage of December 17, 2021 reports that, after the brawl at Safranbolu Book Fair, which opened at Leyla Dizdar Cultural Center on December 17, 2021, Mayor Elif Köse made a declaration and called on everyone to use common sense, and that Selahattin Demirtaş's books were removed from the stand.

Book fairs are special places where people can meet new books and their favorite authors and feel the joy of reading in their heart; in this respect, they serve not only a commercial but also a cultural function. We invite the institutions and organizations organizing the Safranbolu Book Fair and all other book fairs to act more meticulously and responsibly in respect to freedom of expression, to refrain from prohibitive attitudes that harm the principle of democratic society, and we wish an end to physical attacks on books and authors.

Respectfully,  
Turkish Publishers Association

### Book Recall Decision

In July 2022, during the Munzur Book Days organized in cooperation with Dersim Municipality and Publishers Cooperative, Dipnot Publishing's book *İsyandan İnşaya Kürdistan Özgürlük Hareketi* (Kurdistan Freedom Movement from Rebellion to Construction) and Tekin Publishing's *Bir Başka Kandil* (Another Kandil) were confiscated by the police on the grounds of a "recall order". Dipnot Publishing stated that their own book continues to be sold in bookstores and that a recall order from 2017, which they were never notified about, was cited as the reason. Publishers Cooperative Chairman Elif Akkaya was called to testify at night.<sup>25</sup>

<sup>24</sup> <https://twitter.com/haciksozlu/status/1472904542383742976>  
<https://artigercek.com/guncel/safranbolu-da-ulkuculer-demirtas-kitaplari-satiliyor-diye-kitap-standlarina-190674h>

<https://www.haberturk.com/karabuk-haberleri/93111598-safranbolu-belediyesi-tarafindan-acilan-birinci-kitap-fuarinda-selahattin-demirtas>

<sup>25</sup> <https://susma24.com/munzur-kitap-gunlerinde-iki-kitaba-el-konuldu/>

## BOOKS IN PRISONS

With the daily increase in the number of prisons, detainees and convicts, the violation of prisoners' rights through the banning of periodical and non-periodical publications and blocking access to them in prisons continues to increase.

### Obscene Book in Prison

Former HDP Co-Chair Selahattin Demirtaş's book *Efsun*, which was sent to Mustafa Taştan, a convict in Bolu Type F High Security Closed Prison, was found "obscene" by the Prison Directorate's Education Board and was not given to Taştan on the grounds that it could "threaten the security of the institution". Taştan objected to the decision.<sup>26</sup>

### Censorship in Prison: Bolu<sup>27</sup>

The book titled *Firari Yazılar* (Fugitive Writings), which consists of interviews of 38 imprisoned writers and poets, was not given to Erol Zavar, one of the authors of the book, in Bolu Type F Prison on the grounds that it would "threaten the security of the institution". It was stated that the book, which is accessible in other prisons, sold in bookstores and contains letters from prisons stamped "seen", was not approved by the Education Commission.

### Censorship in Prison: Van<sup>28</sup>

In a letter to a newspaper, Talat Şanlı, a prisoner in Van High Security Prison, shared the information that Gökçer Tahinciğlu's book *Kiraz Ağacı* (The Cherry Tree) was not allowed into the prison on the grounds of containing "terrorist organization propaganda".

### Random Prison Policies<sup>29</sup>

In the statement made by the Women's and Gender Studies Commission and Prison Commission of the Istanbul Branch of the Association of Contemporary Lawyers, following interviews with prisoners, it was stated that in Bakırköy Women's Prison there are policies such as "limiting access to only 7 books in 2 months, the obligation to bring these books by the visitors in the first week of every 2 months, and not giving the books if they are not brought on time" and "not giving magazines that are not listed at the Press Advertisement Agency".

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<sup>26</sup> <https://www.gazeteduvar.com.tr/efsuna-cezaevinde-mustehcen-yasagi-haber-1548804>

<sup>27</sup> <https://bianet.org/1/131/256822-bolu-cezaevinde-yasakli-diger-hapishanelerde-serbest>  
<https://www.dusun-think.net/haberler/cezaevi-yonetimi-firari-yazilar-kitabini-yasakladi/>

<sup>28</sup> <https://www.gazeteduvar.com.tr/gokcer-tahincioglunun-kiraz-agaci-kitabina-cezaevinde-orgut-propagandasi-sansuru-haber-1557556>

<https://www.evrensel.net/haber/457563/gokcer-tahincioglunun-kiraz-agaci-kitabina-cezaevinde-orgut-propagandasi-sansuru>

<sup>29</sup> <https://susma24.com/chd-bakirkoy-kadin-hapishanesinde-keyfi-uygulamalar-son-bulmalidir/>

<https://twitter.com/ChdHapishane/status/1505157599540531212?cxt=HHwWmMC-uZa3suMpAAAA>

### **Censorship in Prison: Kocaeli<sup>30</sup>**

Author Adil Okay sent his black-and-white photography book titled *Konuşan Fotoğraflar* (Talking Photos), published in 2008, to Necip Baysal, a prisoner in Kocaeli 2nd Type F Prison, on the grounds that three photographs in the book were found "obscene". Prisoner Necip Baysal appealed to the Execution Judgeship and the Judgeship decided that Baysal's objection was justified for two photographs, while the third photograph should be painted over and the book be "given to the person concerned".

### **A Favorable Ruling by the Constitutional Court<sup>31</sup>**

In 2018, the Prison Disciplinary Board of Kırıkkale Keskin Type T Prison had decided not to send the letter that Mesut Tekkoyun, who was imprisoned there on charges of "membership to a terrorist organization", had written to his wife and to destroy it on the grounds that excerpts from a book quoted in the letter were "insulting to institution officials", and Tekkoyun had been sentenced to reprimand. The Constitutional Court ruled "unanimously that the claim of violation of freedom of expression is admissible" and ruled "by a majority vote that the freedom of expression guaranteed under Article 26 of the Constitution has been violated", and "the applicant should be awarded 5,000 TL net non-pecuniary damages".<sup>32</sup>

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<sup>30</sup> <https://susma24.com/fotografardan-olusan-kitap-cezaevine-alinmadi/>

<https://www.evrensel.net/haber/459215/fotografa-mustehcen-denildi-kitaba-sansur-uygulandi>

<sup>31</sup> <https://www.gazeteduvar.com.tr/aym-tutuklu-mektubuna-disiplin-cezasi-ifade-ozgurlugu-ihlali-haber-1593611>

<sup>32</sup> <https://www.resmigazete.gov.tr/eskiler/2022/12/20221214-9.pdf>

## OBSTACLES TO WRITERS

### Writer Sentenced for Social Media Posts

The lawsuit against writer Yavuz Ekinci, who was on trial for "doing illegal organization propaganda" due to his social media posts about Kobane between 2013 and 2014, was concluded. The writer was sentenced to 1 year, 6 months and 22 days in prison and the sentence was deferred. Writer Yavuz Ekinci stated in his defense that it was not him who was on trial, but freedom of thought and expression.<sup>33, 34</sup>

### Criminal Investigation of Doctoral Dissertation

The Interuniversity Board in Turkey had declined to give equivalence to academic Dr. Mehmet Baki Deniz's doctoral dissertation in sociology in 2021, which he had completed in the United States in 2019, for being "provocative" and "containing harsh language". The dissertation titled "Who Rules Turkey between 1980 and 2008? Capital Power and the Rise of Authoritarian Populism" was re-evaluated at Marmara University, and it was revealed that due to the "authoritarianization" argument in the dissertation, it was demanded to be investigated for crimes such as "insulting the president, terrorism" etc."<sup>35, 36</sup>

### Assault on Writer

Writer Ergün Poyraz was assaulted in front of his house in Kuşadası, Aydın. Poyraz stated that he was attacked because he had filed petitions about corruption in the municipality. As a result of police operations, 6 people, including the owner of a construction company, were detained.<sup>37</sup>

### Censorship of Writer on TV

Writer and poet Ercan Y. Yılmaz, after being a guest on the literature program "Mecaz" on TRT2, announced that the channel had removed the parts of the program in which he was present. No official statement was made by the channel. The writer stated that he may have been censored for supporting the Gezi Resistance, being Kurdish and supporting the Academics for Peace.<sup>38</sup>

### "Suspicious" Book

In June 2022, during an operation against the Migration Monitoring Association, writer Selim Temo's book *Kürt Şiiri Antolojisi* (Kurdish Poetry Anthology) was confiscated as "suspicious".<sup>39</sup> The book was first published in 2007 by Agora Kitaplığı. Thus, 15 years after it was first published, the book was taken "into custody" in the author's words.

<sup>33</sup> <https://www.gazeteduvar.com.tr/yazar-yavuz-ekinciye-1-yil-6-ay-ceza-haber-1558742>

<sup>34</sup> <https://www.edebiyathaber.net/yazar-yavuz-ekinciye-1-yil-6-ay-ceza/>

<sup>35</sup> <https://susma24.com/doktora-denkligi-reddedilen-akademisyene-yargilama-talebi/>

<sup>36</sup> <https://www.sozcu.com.tr/2022/egitim/sakincali-akademisyen-6998339/>

<sup>37</sup> [https://www.ntv.com.tr/turkiye/saldiriya-ugrayan-yazar-ergun-poyrazbelediyeledi-yolsuzluklari-hatirlattim-aksam-da-bu-olay-oldu,WUgSNRTutEWbqDH-OD\\_S5Q](https://www.ntv.com.tr/turkiye/saldiriya-ugrayan-yazar-ergun-poyrazbelediyeledi-yolsuzluklari-hatirlattim-aksam-da-bu-olay-oldu,WUgSNRTutEWbqDH-OD_S5Q)

<sup>38</sup> <https://susma24.com/yazar-ercan-y-yilmaza-trt2den-sansur/>

<sup>39</sup> <https://www.gazeteduvar.com.tr/selim-temo-paralel-kurdoloji-olusturulmak-isteniyo-haber-1568775>

## OBSCENE PUBLICATIONS

The Board for the Protection of Minors from Obscene Publications, originally instituted based on the Law for the Protection of Minors from Obscene Publications, no. 1117 in 1927, was reinstated based on the Statutory Decree no. 703, article 38, published on July 2, 2018, under the newly established Ministry of Labor, Social Policies and Family (with the uniting of the Ministry of Family and Social Policies and the Ministry of Labor and Social Security by the same Statutory Decree). In 2021, with the re-establishment of the Ministry of Labor and Social Security, the ministry was renamed the Ministry of Family and Social Services.<sup>40</sup>

With its new structure, the Board has declared a total of 36 books as "obscene publications" between July 2018 and the end of December 2022. In the period covered by this report, 10 books were declared "obscene publications" by the Board.

The Board's practice of censorship through these "ex officio" decisions continues to create an extremely negative situation for our cultural diversity.

### **Censorship Approved**

In 2020, the Board for the Protection of Minors from Obscene Publications had decided that author Buket Uzuner's literary work *Ayın En Çıplak Günü* (The Nakedest Day of the Month), which was first published in 1986 and had been published in multiple editions by different publishers, was "likely to have detrimental influence on the morals of minors under the age of 18". The lawsuit filed against the Ministry of Family and Social Services for the annulment of the decision was concluded and the Board's decision was upheld by the 10th Administrative Case Chamber of the Ankara Regional Administrative Court.

### ***Is it Forbidden to Dream?*<sup>41</sup>**

The children's book titled *Şipşak Hikâyeler - 1 Hayal Kurmak Yasak Mı?* (Quick Stories 1 – Is it Forbidden to Dream?) published by TUDEM Publishing Group was declared obscene by the Board for the Protection of Minors from Obscene Publications, following an investigation by the Press Crimes Investigation Bureau of the Izmir Chief Public Prosecutor's Office following a complaint, with the unanimous decision that it is "likely to have detrimental and obscene influence on the morals of minors under the age of 18" published in the Official Gazette dated December 10, 2021.<sup>42</sup> The publishing house was not notified before the decision was published in the Official Gazette. The book was removed from sale by the publishing house.

<sup>40</sup> <https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=703&MevzuatTur=4&MevzuatTertip=5>

<sup>41</sup> <https://www.a3haber.com/2021/12/10/savcilik-8-14-yas-grubu-icin-yazilan-kitabi-muzir-nesriyat-saydi/>

<sup>42</sup> <https://www.resmigazete.gov.tr/ilanlar/eskiilanlar/2021/12/20211210-4-9.pdf>

### **“Obscene” Çürük Vişne<sup>43</sup>**

The book titled *Çürük Vişne III Viran*, the third book in the *Çürük Vişne* (Rotten Cherry) series published by Epsilon Publishing, was declared “obscene publication” by the Board for the Protection of Minors from Obscene Publications in the Official Gazette dated March 21, 2022, with the unanimous decision that “some of the writings in the book are likely to have detrimental influence on the morals of minors under the age of 18”.<sup>44</sup> The publishing house received the notification of the decision after the announcement in the Official Gazette.

### **Obscene Book out of the Chief Public Prosecutor’s Investigation File**

The Board for the Protection of Minors from Obscene Publications examined the book *Geçti Gitti* (Gone By), written by Atila Önder and published by Karan Ofset in Niğde, which was sent as an attachment to the investigation file no. 2022/1446 of the Niğde Chief Public Prosecutor’s Office, and decided that “some of the expressions and depictions in the book are likely to have detrimental and obscene influence on the morals of minors under the age of 18” and the book was declared obscene.<sup>45, 46</sup>

### **Çıtır Çıtır Felsefe<sup>47</sup>**

The 7 books of the *Çıtır Çıtır Felsefe* (Crispy Philosophy) series published by Günışığı Kitaplığı were declared obscene by the Board for the Protection of Minors from Obscene Publications on June 24, 2022. Only a few days before the decision, as a result of the unjust reactions and lynching campaign<sup>48</sup> against two of the books in the series on social media, the sale of these two books was ended on some platforms, including the Istanbul Bookstore owned by the Istanbul Metropolitan Municipality.<sup>49</sup> Following the social media reactions, the Board ex officio examined all the books of the series and declared all 7 books in the series, titled *Oğlanlar ve Kızlar* (Boys and Girls), *Aşk ve Dostluk* (Love and Friendship), *İyi ve Kötü* (Good and Evil), *Küçükler ve Büyükler* (The Youth and the Adults), *Beden ve Akıl* (Body and Mind), *Diktatörlük ve Demokrasi* (Dictatorship and Democracy), *Cesaret ve Korku* (Courage and Fear) to be obscene.<sup>50</sup> Günışığı Kitaplığı filed 7 separate lawsuits against the ministry for these 7 books (the lawsuits are ongoing as of January 2023, when this report was prepared). The publishing house withdrew its books from sale due to its decision not to sell them in bags.

Following the Board’s decision, Turkish Publishers Association made a press statement:

<sup>43</sup> <https://www.gazeteduvar.com.tr/curuk-visne-viran-kitabi-muzir-ilan-edildi-haber-1557433>

<sup>44</sup> <https://www.resmigazete.gov.tr/ilanlar/eskiilanlar/2022/03/20220321-4-5.pdf>

<sup>45</sup> <https://www.enformasyonturk.com/haber/-gecti-gitti-kitabi-zararli->

<sup>46</sup> <https://www.resmigazete.gov.tr/ilanlar/eskiilanlar/2022/03/20220328-4-2.pdf>

<sup>47</sup> <https://m.bianet.org/bianet/kitap/263924-muzir-kurulu-yayinciya-da-yazari-da-muhatap-gormuyor>

<https://www.gazeteduvar.com.tr/citir-citir-felsefe-serisindeki-7-kitaba-sansur-haber-1570742>

<sup>48</sup> <https://www.gazeteduvar.com.tr/gunisigi-kitapligindan-hedef-gosterilen-kitaplari-hakkinda-aciklama-gercek-disi-yalan-haberler-haber-1570567>

<sup>49</sup> <https://t24.com.tr/haber/ibb-ye-bagli-istanbul-kitapcisi-sosyal-medyada-tepki-toplayan-cocuk-kitaplarinin-satisinin-durdurulduğunu-acikladi,1041629>

<sup>50</sup> <https://www.resmigazete.gov.tr/ilanlar/eskiilanlar/2022/06/20220624-4-3.pdf>



**Press Statement Regarding Lynching Campaigns Against Books and Publishers  
June 22, 2022**

For some time now, there has been a lynching campaign against books, authors, and publishers on social media. We are disturbed that our publishing sector, which is an important component of our cultural world, has been dragged into this campaign and targeted. Moreover, we are concerned that the decision to stop the sale of books will normalize the lynch culture. We reiterate once again that we have always defended freedom of thought, expression, and publishing.

As we have stated many times before, unjustified reactions and attacks on books, authors and publishing houses on social media create an extremely negative situation for our country and our cultural diversity.

Two books in the *Çıtır Çıtır Felsefe* series (Love and Friendship, The Youth and the Adults), written by French author Brigitte Labbé and published in Turkish by Günışığı Kitaplığı, which makes children think about life events at a young age and tells them how they can protect themselves by drawing their attention to possible dangers in a simple and concrete way, have received reactions on social media on the grounds that they contain pedophilia. As a result, some e-commerce sites and bookstores have stopped selling the books.

The fact that books, especially books for children and young people, are unfairly criticized by people who are not competent, based on rote memorization, without having read the books in question, without having proper knowledge of the content of the books, without trying to understand what is being said, is misleading in itself. Equally problematic are approaches that stop the sale of books or remove them from shelves based solely on social media reactions, without first conducting any independent evaluation of the books, leaving the necessary research for later. Such tendencies cause material and moral damage to the cultural diversity of our country, to good quality books for the development of children and young people, and to the authors and publishers who produce them.

Understanding what one reads within a context with its complexity, being able to transfer and evaluate what one understands, and being able to say and produce new words on it are only possible through a quality and continuing reading culture. The basic condition for future generations to be born into an advanced reading culture and to grow up as individuals with a reading culture is the existence of a high-quality publishing sector.

We are following these and similar developments in our country, which contradict the freedom to publish, with concern, and we call on the public and the authorities to be prudent in order to put an end to such practices as soon as possible.

Respectfully,  
Turkish Publishers Association

## Books that have been declared obscene\* by the Board for the Protection of Minors from Obscene Publications

\*According to Article 4 of the Law No. 1117 for the Protection of Minors from Obscene Publications, books deemed "obscene" must be marked as "harmful to minors". These books may only be sold to persons over the age of 18 in a sealed, nontransparent envelope or bag, may not be openly displayed in shops or other places, may not be brought into schools, and may not even be given free of charge to persons under the age of 18.<sup>51</sup>

	CATEGORY	BOOK TITLE	PUBLISHER	AUTHOR	TRANSLATOR	ILLUSTRATOR	Date Declared Obscene
1	Child and Youth	Şipşak Hikâyeler-1 Hayal Kurmak Yasak mı?	TUDEM	Bernard Friot	Tuvana Gülcan	-	10.12.2021
2	-	Çürük Vişne III Viran	Epsilon	Emine Tavuz	-	-	21.03.2022
3	-	Geçti Gitti	Karan Ofset (Niğde-2021)	Atila Önder	-	-	28.03.2022
4	Child and Youth	Aşk ve Dostluk (Çıtır Çıtır Felsefe series)	Günüşiği Kitaplığı	Brigitte Labbé	Azade Aslan	Jacques Azam	24.06.2022
5	Child and Youth	Beden ve Akıl (Çıtır Çıtır Felsefe series)	Günüşiği Kitaplığı	Brigitte Labbé	Azade Aslan	Jacques Azam	24.06.2022
6	Child and Youth	Cesaret ve Korku (Çıtır Çıtır Felsefe series)	Günüşiği Kitaplığı	Brigitte Labbé	Azade Aslan	Jacques Azam	24.06.2022
7	Child and Youth	Diktatörlük ve Demokrasi (Çıtır Çıtır Felsefe series)	Günüşiği Kitaplığı	Brigitte Labbé	Azade Aslan	Jacques Azam	24.06.2022
8	Child and Youth	İyi ve Kötü (Çıtır Çıtır Felsefe series)	Günüşiği Kitaplığı	Brigitte Labbé	Azade Aslan	Jacques Azam	24.06.2022
9	Child and Youth	Küçükler ve Büyükler (Çıtır Çıtır Felsefe series)	Günüşiği Kitaplığı	Brigitte Labbé	Azade Aslan	Jacques Azam	24.06.2022
10	Child and Youth	Oğlanlar ve Kızlar (Çıtır Çıtır Felsefe series)	Günüşiği Kitaplığı	Brigitte Labbé	Azade Aslan	Jacques Azam	24.06.2022

<sup>51</sup> <https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=1117&MevzuatTur=1&MevzuatTertip=3>

### **Netflix Series out of Obscene Books**

The book series *Heartstopper* by Alice Oseman, which was published in Turkish by Yabancı Publications and was declared as obscene by the Board for the Protection of Minors from Obscene Publications in 2021,<sup>52, 53</sup> was adapted into a Netflix series.<sup>54</sup> The age limit of the series, which started to be broadcast on Netflix Turkey at the same time with the rest of the world, was raised from +13 to +18 and a warning was added to the series: "This series is adapted from the book *Heartstopper*, which was deemed unsuitable for minors by the Board of Obscene Publications of the Ministry of Family and Social Services of the Republic of Turkey".<sup>55</sup> At the time when the book was declared obscene, author Alice Oseman posted about the issue on Instagram and sent her love to her readers in Turkey.<sup>56</sup>

### **Cartoon at the Obscenity Board**

The lawsuit filed against cartoonist Zehra Ömeroğlu, who was accused of "obscenity" for a cartoon published in the humor magazine LeMan in November 2020, continues. In the October 2022 hearing of the lawsuit, which was not filed against the magazine but only against the illustrator Ömeroğlu, the Court requested the Board for the Protection of Minors from Obscene Publications to prepare a report on the cartoon. The next hearing will be held on February 9, 2023.<sup>57</sup>

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<sup>52</sup> <https://www.resmigazete.gov.tr/ilanlar/eskiilanlar/2021/09/20210908-4-2.pdf>

<sup>53</sup> <https://www.resmigazete.gov.tr/ilanlar/eskiilanlar/2021/11/20211110-4-2.pdf>

<sup>54</sup> <https://www.edebiyathaber.net/netflix-icin-diziye-uyarlanan-kalp-carpintisinin-kadrosu-aciklandi/>

<sup>55</sup> <https://susma24.com/netflix-turkiye-kalp-carpintisina-18-yas-siniri-getirdi/>

<sup>56</sup> <https://fasikul.altyazi.net/pano/netflix-turkiyeden-heartstoppera-18-yas-siniri/>

<sup>57</sup> <https://www.diken.com.tr/karikature-dava-mahkeme-leman-cizerinin-karikaturunu-muzir-nesriyat-kuruluna-soracak/>

## “CHILD-FRIENDLY” CONTENT

### **The List of the Ministry of Family and Social Services**

The Ministry of Family and Social Services announced in August 2022 that the list of "child-friendly books" / "safe books" previously prepared for children was updated by expanding the scope of the list from 0-6 age group to 0-18 age group. Derya Yanık, Minister of Family and Social Services, said in a statement that the Ministry believes that the books they "meticulously" examined will contribute to the development of children and young people. According to the information on the Ministry's website, Minister Yanık stated that the books on the list are screened according to criteria such as "whether they are contrary to universal moral rules and national and spiritual values, whether they use hostile narratives and visuals that promote racism, whether they contain violence, whether they show violence as a solution, whether there is obscenity and sexual abuse, whether they encourage behavioral models such as stealing, lying, using bad language, etc."<sup>58</sup> It was emphasized that the list continues to be updated. The list can be accessed on the ministry's website.<sup>59</sup> The Writers' Union of Turkey has reacted to the ministry's list, saying that it is "discriminatory and censorious".<sup>60</sup> This list creates the perception that books outside the list are not child-friendly and harmful to children, and it interferes with readers' right to freely choose books.

### **Child-Friendly Content Workshop**

The Content for Children Association<sup>61</sup> organized a workshop in November 2022. The workshop was attended by representatives of the publishing industry, officials from the Board for the Protection of Minors from Obscene Publications, the Board of Education, the Radio and Television Supreme Council, psychologists, and academics. As Turkish Publishers Association, we shared our wish that the outcome of the Workshop does not lead to censorship or self-censorship.<sup>62</sup>

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<sup>58</sup> <https://www.aile.gov.tr/chgm/haberler/bakanliktan-cocuk-ve-genc-dostu-kitap-listesi/#:~:text=Listedeki%20kitaplar%20aras%C4%B1nda%20Lewis%20Carrol,40%20Hadis%2040%20%C3%87izgi%2C%20Sevim>

<sup>59</sup> <https://www.aile.gov.tr/chgm/sayfalar/cocuk-dostu-kitap-listesi/>

<sup>60</sup> <https://m.bianet.org/bianet/kitap/266796-tys-den-cocuk-dostu-kitap-listesine-tepki-ayrimci-ve-dusmanlastirici>

<sup>61</sup> <https://www.cocukinicerik.com/>

<sup>62</sup> [https://www.cocukinicerik.com/Content/userfiles/file/calistay\\_rapor-L.pdf](https://www.cocukinicerik.com/Content/userfiles/file/calistay_rapor-L.pdf)

## FAVORABLE COURT DECISIONS

### ***Genç Bir Don Juan'ın Maceraları***

The acquittal verdict of the Istanbul 2nd Criminal Court of First Instance in the lawsuit against Guillaume Apollinaire's book *Genç Bir Don Juan'ın Maceraları* (The Adventures of a Young Don Juan), published in Turkish by Sel Publishing in 2009, had been overturned by the 14th Criminal Chamber of the Court of Cassation in 2013. As a result of the individual application made to the Constitutional Court by Sel Publishing, the Constitutional Court unanimously ruled in 2022 that "the claim of violation of freedom of expression is admissible", that "the freedom of expression guaranteed under Article 26 of the Constitution has been violated", and that the applicant be paid the costs of the proceedings consisting of legal fees and attorney's fees and non-pecuniary damages.<sup>63</sup> Our association issued a press statement on the subject.

### **Precedent Setting Decision by the Constitutional Court**

**August 17, 2022**

Through our reports, our annual Freedom of Thought and Expression Awards and our press statements, we emphasize the importance of the freedom to publish and state that prohibitive decisions cause great harm to this freedom, to cultural life and thus to the progress of social life, and lead to self-censorship.

As reported in the press yesterday (16.08.2022), as a result of the individual application made by Sel Publishing to the Constitutional Court (CC), the CC unanimously ruled that "the claim of violation of freedom of expression is admissible", that "the freedom of expression guaranteed under Article 26 of the Constitution has been violated", and that the applicant be paid the costs of the proceedings consisting of legal fees and attorney's fees and non-pecuniary damages. The Constitutional Court's decision was published in the Official Gazette: <https://www.resmigazete.gov.tr/eskiler/2022/08/20220816-10.pdf>. CC's ruling is a very important step in the direction of the progress of freedom to publish in our country.

We express our support for the Constitutional Court's decision and reiterate our wish for more positive developments regarding freedom of expression in our country in the future.

Sincerely,  
Turkish Publishers Association

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<sup>63</sup> <https://www.gazeteduvar.com.tr/aym-genc-bir-don-juanin-maceralarinin-yayincisi-hakkinda-karari-bozdu-haber-1577666>

### **Political Cartoons**

The Constitutional Court annulled the decision banning the mailing of cartoons criticizing the President, the Minister of Interior, and the Speaker of the Grand National Assembly out of prison; ruled that the freedom of expression guaranteed under Article 26 of the Constitution was violated and that the applicant should be paid non-pecuniary damages. In its decision, the Constitutional Court stated<sup>64</sup> that "in the specific case, the cartoons were in the nature of criticism of politicians, they were evaluations of the political environment, they expressed thoughts criticizing the way the country was governed" and that "the cartoons that the application concerns are accepted to be political criticism and should be tolerated more in the name of democratic pluralism".<sup>65</sup>

### **Ruling on Freedom of Expression on Social Media<sup>66</sup>**

The Constitutional Court annulled the disciplinary punishment of a government employee who was disciplined by the government institution he worked for in 2017, for making criticism on social media, and evaluated the social media post as "freedom of expression" and ruled that the disciplinary punishment violated the freedom of expression guaranteed under Article 26 of the Constitution.

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<sup>64</sup> <https://www.resmigazete.gov.tr/eskiler/2022/11/20221116-9.pdf>

<sup>65</sup> <https://www.birgun.net/haber/aym-cezaevinden-iktidari-elestiren-karikaturlerin-gonderilmesi-ifade-ozgurlugu-410179>

<sup>66</sup> <https://www.donanimhaber.com/aym-kamuyu-elestiren-paylasima-ifade-ozgurlugu-dedi--155944>

## FREEDOM OF THE PRESS

In the area of freedom of the press, one of the areas most affected by the regression in freedom of thought and expression in Turkey, rights violations against journalists, obstructions to news reporting and pressures on media organizations continue to take place.

According to data from the Journalists' Union of Turkey, 43 journalists and media workers were in prison in Turkey in 2022.<sup>67</sup> (In January 2023, when this report was prepared, the number rose to 44).<sup>68</sup>

According to the monthly press freedom report for December 2022 released by CHP Representative Utku Çakırözer, "documentary director Sibel Tekin was arrested on terrorism charges for filming a police vehicle; journalists Hayri Demir and Özgür Boğatekin were given prison sentences; journalists Hakan Tosun and Mehmet Zeki were detained while doing news coverage; Çetin Desde, Fatih Yaşlı, İsmail Cengiz Mumcu were detained on the grounds of complaints and investigations against them."<sup>69</sup>

### Arrest for Harrassment News

Journalist Sinan Aygül was arrested on charges of "inciting the public to hatred and hostility" for sharing information on social media about the harassment and abuse of a child in Bitlis.<sup>70</sup> Aygül was released a few days later.<sup>71</sup>

### A Joint Statement on Peace

In February 2022, our Association, together with the Turkish Journalists' Association, the Writers' Union of Turkey, the PEN Writers' Association, and the Istanbul Representative Office of the Contemporary Journalists' Association, issued a joint statement on peace and peace journalism. The statement called for peaceful and ethical coverage of Russia's invasion of Ukraine, reminded the press of its supervisory role in ensuring social peace, and emphasized that "journalists and writers have a historical responsibility to be on the side of peace".<sup>72</sup>

<sup>67</sup> <https://www.birgun.net/haber/kutlayacak-gun-birakmadilar-417016>

<sup>68</sup> <https://tgs.org.tr/cezaevindeki-gazeteciler/>

<sup>69</sup> <https://www.evrensel.net/haber/478628/cakirozer-2022nin-son-ayinda-da-gazetecinin-kaderi-hapis-dayak-dava-tehdit>

<sup>70</sup> <https://www.gazeteduvar.com.tr/gazeteci-sinan-aygul-tutuklandi-haber-1593608>

<sup>71</sup> <https://www.birgun.net/haber/gazeteci-sinan-aygul-tahliye-edildi-414770>

<sup>72</sup> <https://www.tgc.org.tr/aciklamalar/3230-tgc,-tys,-t%C3%BCrkyaybi%CC%87r,-pen-t%C3%BCrki%CC%87ye,-%C3%A7gd-i%CC%87stanbul-temsisi%CC%87lci%CC%87li%CC%87C4%9Fi%CC%87-%E2%80%9Cgazetecileri-ve-yazarlar%C4%B1-bar%C4%B1%C5%9Fa-sahip-%C3%A7C4%B1kmaya-%C3%A7a%C4%9F%C4%B1r%C4%B1yoruz%E2%80%9D.html>

### **“Press Ethics Principles”**

The General Assembly of the Press Advertisement Agency was held in May 2022. The Press Ethics Principles were revised. The addition of a section titled "Respect for national and social values", which is abstract and open to different interpretations, drew reaction. The Association of Journalists emphasized that BİK has no such evaluation duties, other than the duty to distribute advertisements to the print media. Many other professional press organizations also reacted to the regulations.<sup>73</sup>

### **Child Abuse**

Journalist Timur Soykan, who reported on child abuse linked to the Ismailağa sect, was targeted on social media with the hashtag #TimurSoykanTutuklansın (Timur Soykan should be arrested). Misvak magazine also demanded Timur Soykan's arrest on its social media account.<sup>74</sup>

### **Reporters Without Borders**

Turkey ranked 149th out of 180 countries in the 2022 *World Press Freedom Index* published by Reporters Without Borders since 2013.<sup>75</sup> The report describes Turkey's rule as "hyper-presidential", accompanied by a denial of press freedom and interference in the judiciary. It is stated that judges who occasionally "stand up to pressure" in the judiciary acquit journalists of charges such as "insulting the president", "membership of a terrorist organization" and "propaganda", and that decisions of judicial control are more common than arrests. RSF's report also includes the murder of GÜNGÖR Arslan, the editor-in-chief of *Kocaeli Ses* newspaper, on February 19, 2022.

### **Committee To Protect Journalists**

According to a report by the Committee to Protect Journalists, 363 journalists were imprisoned worldwide as of December 1, 2022. This number represents a 20% increase compared to 2021, and the countries with the highest number of imprisoned journalists in 2022 are Iran, China, Myanmar, Türkiye, and Belarus.

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<sup>73</sup> <https://www.cumhuriyet.com.tr/turkiye/akp-iktidari-sansuru-geciremedi-28-yil-aradan-sonra-basin-ahlak-esaslarini-guncelledi-1955451>

<sup>74</sup> <https://www.cumhuriyet.com.tr/turkiye/gerici-misvak-ve-troller-istismari-ortaya-cikaran-timur-soykani-hedef-gosterdi-2010182>

<sup>75</sup> <https://rsf.org/en/classement/2022/europe-central-asia>



## INTERNET FREEDOM

According to Freedom House, which evaluates Internet freedom in 70 countries around the world, Türkiye was described as "not free" in terms of Internet freedom in 2022. In the scoring, where 0 points mean the most restricted and 100 points mean the freest country, Türkiye was "not free" with 34 points in 2021, while it dropped to 32 points in 2022.<sup>76</sup>

### Pilot Decision by the Constitutional Court

As a result of individual applications against access blocking orders for 129 URL addresses, the Constitutional Court issued a "pilot" decision on the current access blocking practices and ruled to amend Article 9 of the Law on the Regulation of Publications on the Internet regarding access blocking. Among the criteria in the decision were that access blocking should be a last resort and that alternative sanctions should be determined.<sup>77</sup>

### Access Blocked to Tens of News Articles

President Recep Tayyip Erdoğan's former lawyer Mustafa Doğan İnal requested an access ban on 130 news articles about him in July 2022 and 48 news articles about him in August 2022 on the grounds that his personal rights were violated, and the court accepted the request. Access to 130 news articles was blocked; moreover, even the news article on the *Bianet* online news site which reported this access blocking was also blocked from access.<sup>78, 79</sup>

### Access Blocked to Cartoons

In August 2022, 10 news articles, including cartoons about President Recep Tayyip Erdoğan were blocked from access on the *Diken* online news website, on the grounds of "violating personal rights" and it was ordered to delete these news articles.<sup>80</sup>

### Access Blocked to News about Access Blocking

After the Freedom of Expression Association published a news article about the Paramount Hotel, which came to the agenda with Sedat Peker's allegations, access to this news article was blocked. The Association's announcement on its website that the news story had been blocked was also blocked.<sup>81</sup>

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<sup>76</sup> <https://freedomhouse.org/country/turkey/freedom-net/2022>

<sup>77</sup> <https://susma24.com/aym-erisim-engeli-kararlarina-dair-kanunda-degisiklige-hukmetti/>

<sup>78</sup> <https://m.bianet.org/bianet/ifade-ozgurlugu/265167-erdogan-in-eski-avukati-istedi-130-habere-erisim-engellendi>

<sup>79</sup> <https://bianet.org/bianet/ifade-ozgurlugu/265918-yine-erdogan-in-eski-avukati-48-habere-erisim-engeli>

<sup>80</sup> <https://susma24.com/brezilyali-cizer-latuffun-karikaturlerine-erisim-engeli/>

<sup>81</sup> <https://www.evrensel.net/haber/475489/habere-erisim-engeli-duyurusuna-da-erisim-engeli-getirildi>

### **Censorship Law**

The bill, known as the "censorship law", prepared allegedly for "combating disinformation", became law in October 2022. Article 29 of the law added the offense of "publicly disseminating misleading information" and a prison sentence to the Turkish Penal Code; Internet news websites were included in the category of periodicals.<sup>82</sup> The law was published in the Official Gazette on October 18, 2022.<sup>83</sup> CHP applied to the Constitutional Court for the annulment of the law. After completing its first review, the Constitutional Court decided to discuss the law on its merits.<sup>84</sup>

### **Reaction to Appearance of Book on Netflix**

The first episode of the Taiwan-China co-produced series "Shards of Her" on Netflix featured the book *Seher* written by former HDP co-chair Selahattin Demirtaş. This drew reactions by the pro-government press and media outlets as "support for terrorism".<sup>85</sup>

### **Intervention to Social Media Post**

The US rejected the arrest warrant issued against Derya Büyükuncu, a former Turkish national swimmer living in the USA, for his social media posts about President Erdoğan contracting Covid-19. The US described his social media posts as freedom of expression.<sup>86</sup>

### **Warning to Subtitle Translators**

A translation company working for Disney+ Turkey has sent a letter to translators of subtitles for upcoming productions on the platform asking them to notify their coordinators of any productions that "contain potentially sensitive issues". These included "criticism of Islam and Muslims", "portrayal of the President as a dictator", "LGBTQIA content" and "issues related to Turkish politics in general".<sup>87</sup>

### **Severe Reaction to Book Recommendation**

Youtube content creator and author Sena Nur Işık faced threatening reactions on social media after her video "LGBT Themed Book Recommendations" on her Youtube channel where she makes book recommendations.<sup>88</sup> Işık's subsequent posts about "colorful post-its and coffee" also received threatening reactions.<sup>89</sup>

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<sup>82</sup> <https://www.gazeteduvar.com.tr/sansur-yasasi-meclisten-gecti-haber-1584800>

<sup>83</sup> <https://www.resmigazete.gov.tr/eskiler/2022/10/20221018-1.htm>

<sup>84</sup> <https://www.gazeteduvar.com.tr/anayasa-mahkemesinden-sansur-yasasi-karari-haber-1586542>

<sup>85</sup> <https://artigercek.com/kultur-sanat/tayvan-cin-ortak-yapimi-dizi-demirtasin-seher-kitabina-yer-verdi-228402h>

<sup>86</sup> <https://www.gazeteduvar.com.tr/abd-turkiyenin-derya-buyukuncu-talebini-reddetti-ifade-ozgurlugu-haber-1560245>

<sup>87</sup> <https://susma24.com/disney-turkiyeden-altyazi-cevirmenlerine-uyari-metni/>

<sup>88</sup> <https://onedio.com/haber/lgbt-temali-kitaplar-oneren-basortulu-sema-nur-a-gelen-tehdit-mesajlarini-okuyunca-kaniniz-donacak-1085552>

<sup>89</sup> <https://onedio.com/haber/renkli-post-it-ve-kahve-paylasan-sena-nur-isik-a-gonderilen-akil-tutulmasi-yasatan-mesajlar-1085954>

### **Bandwidth Throttling**

In November 2022, following the bombing in Taksim, Istanbul, a broadcasting ban was imposed by the Ministry of Culture and Tourism, followed by bandwidth throttling on social media platforms by the Information and Communication Technologies Authority.<sup>90</sup> In addition, 25 social media users were reported to the authorities by the police for their "provocative" posts. Prof. Yaman Akdeniz from the Freedom of Expression Association stated that it is unacceptable to arbitrarily prevent the public from obtaining news and information through State of Emergency-style practices such as bandwidth throttling.<sup>91</sup>

### **Access Blocked to Barış Terkoğlu's Article**

In his article from November 7, 2022, journalist Barış Terkoğlu claimed that a judge had been advised to issue a ruling that would ban Ekrem İmamoğlu, the Mayor of Istanbul Metropolitan Municipality, from politics. Access to this article and related news articles was blocked upon the judge's application.<sup>92</sup>

### **Access Blocked to Online Book Sales Platforms**

Access to the online book sales platforms Nadir Kitap and Kitantik was blocked by court order.<sup>93, 94</sup> Both platforms announced on their social media accounts that they were not informed about the reason for the blocking. Later, it was announced that the decision had been taken "by mistake", that the decision to remove a book from sale due to copyright issues had mistakenly covered the entire website, and that the access block was lifted after the mistake was noticed.<sup>95</sup> Cyber law expert Prof. Yaman Akdeniz stated that there was no accidental blocking, that the decision was taken upon the request of the Ministry of Justice, and that the decision to violate personal rights based on the claim of copyright infringement cannot be accidental.<sup>96</sup> Our association made a press statement on the issue.<sup>97</sup>

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<sup>90</sup> <https://www.gazeteduvar.com.tr/patlama-sonrasi-btk-bant-daraltma-uygulamasi-yapti-haber-1589096>

<sup>91</sup> <https://www.gazeteduvar.com.tr/prof-akdeniz-bant-daraltmanin-yasal-dayanagi-yok-sansurdur-haber-1589216>

<sup>92</sup> <https://susma24.com/baris-terkoglu-yazi-erisim-engeli/>

<sup>93</sup> <https://ifade.org.tr/engelliweb/nadir-kitap-ve-kitantik-erisime-engellendi/>

<sup>94</sup> <https://www.gazeteduvar.com.tr/nadir-kitap-ve-kitantike-mahkeme-karariyla-erisim-engeli-haber-1591638>

<sup>95</sup> <https://www.gazeteduvar.com.tr/nadir-kitap-ve-kitantikin-erisim-engeli-kaldirildi-karar-sehven-alinmis-haber-1591719>

<sup>96</sup> <https://twitter.com/cyberrights/status/1598205261541703680?s=20&t=o8ymBGMLu-LHH4NghQcaGA>

<sup>97</sup> <https://turkyaybir.org.tr/erisim-engeli-hakkinda-basin-aciklamamiz/>

**Press Statement Regarding Access Blocking  
December 1, 2022**

Yesterday (November 30, 2022), we shared our call "Don't Touch My Book" against the recent censorship and bans imposed on books. Today (December 1, 2022), it is reported in the media that two major online second-hand book sale platforms have been blocked by court order as of yesterday.

Instead of addressing only the specific publications subject to the complaint in the court decision, completely blocking access to two major online book sales platforms, where hundreds of booksellers sell millions of books for the benefit of readers, creates an extremely negative condition for our book sector, which is already struggling with increasing sectoral problems and censorship practices, and deprives all second-hand booksellers of our country and many publishers and bookstores who sell on these platforms from a very important point of access and source of income.

Such obstacles to books, bookstores, publishers, and authors cause both cultural and commercial damage and interfere with readers' right to read.

Freedoms of expression, publishing and reading are among the determining factors of a democratic society; these freedoms should be protected. We hope that such decisions, which have restrictive consequences, will come to an end.

Sincerely,  
Turkish Publishers Association

## INTERNATIONAL DEVELOPMENTS

### IPA Freedom to Publish Committee and the Prix Voltaire

The International Publishers Association (IPA) Freedom to Publish Committee, of which the Turkish Publishers Association is a member, monitors, and advocates for the freedom to publish agenda worldwide. The Turkish Publishers Association has been participating in this committee for many years through elections.<sup>98</sup>

Every year since 2005, the IPA Freedom to Publish Committee has awarded the IPA Prix Voltaire in honor of freedom to publish, an indispensable component of freedom of expression, to individuals, institutions or groups who do not hesitate to disseminate controversial and sensitive ideas despite threats and pressure.<sup>99</sup>

In 2022, the IPA Prix Voltaire was awarded to the Thai publishing house Same Sky. Same Sky Publishing House was founded in Bangkok in 2022 by three former student activists and has published numerous academic journals and books in the social sciences and humanities, mostly from a critical perspective. The Editor-in-Chief of the publishing house has endured persecution by state officials who tried to prosecute him for sedition. This year's Prix Voltaire Ceremony took place in November at the 33rd International Publishers Congress in Jakarta, Indonesia.

Previous winners of the Prix Voltaire include Lebanese publisher Dar Al-Jadeed (2021); Vietnamese publishing house Liberal (2020); Egyptian publisher Khaled Lotfy (2019); Swedish publisher Gui Minhai who publishes in Hong Kong (2018); Turkish publisher Turhan Günay and Evrensel Publishing; Saudi Arabian blogger Raif Badawi (2016); and Belarusian publisher Ihar Lohvinau (2014). Previous winners of the Special Prize include Bangladeshi publisher Faisal Arefin Dipan (2018), journalist Hrant Dink (2007) and publisher İrfan Sancı (2010) from Turkey.

### World Expression Forum – WEXFO

The World Expression Forum - WEXFO was established in Norway in 2022. This new organization, which aims for a position similar to that of the World Economic Forum in the field of freedom of expression and publishing, held its first conference on 30-31 May 2022. During the conference, panels and interviews were held with participants from different countries. The next conference will be held in Norway in May 2023. The WEXFO Board of Directors includes IPA Secretary General José Borghino and Anne Bergman, Director of the Federation of European Publishers (FEP).<sup>100</sup>

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<sup>98</sup> <https://www.internationalpublishers.org/our-work/freedom-to-publish/ipa-freedom-to-publish-manifesto>

<sup>99</sup> <https://www.internationalpublishers.org/our-work/freedom-to-publish/ipa-freedom-to-publish-prize>

<sup>100</sup> <https://wexfo.no/the-board/>

### **Attack on Salman Rushdie**

World-renowned author Salman Rushdie was stabbed on stage at a conference in New York in August 2022. Salman Rushdie had been threatened for many years because of his book *The Satanic Verses*. Rushdie lost the sight in one eye and the use of one hand due to the attack.<sup>101</sup>

### **Ragıp Zarakolu**

In connection with Sweden and Finland's NATO membership, Minister of Justice Bekir Bozdağ announced that Turkey will request the extradition of certain individuals from both countries.<sup>102</sup> Following the inclusion of writer and publisher Ragıp Zarakolu among the persons to be extradited from Sweden, the IPA issued a statement. In the statement, Kristenn Einarsson, Chair of the IPA Freedom to Publish Committee, said that Ragıp Zarakolu, winner of the 2018 IPA Prix Voltaire, has been a publisher dedicated to freedom to publish for many years and that they expect Sweden to protect his freedom.<sup>103</sup> The Frankfurt Book Fair and the German Publishers Association have also issued a similar statement, saying that such an extradition would be irresponsible.<sup>104</sup>

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<sup>101</sup> <https://gazeteoksijen.com/dunya/salman-rushdie-bir-gozunu-kaybetti-bir-elini-de-kullanamiyor-163667>

<sup>102</sup> <https://bianet.org/bianet/siyaset/263935-ragip-zarakolu-degisen-bir-sey-olmayacak-burada-kararlari-hukumet-degil-mahkemeler-veriyor>

<sup>103</sup> <https://www.internationalpublishers.org/copyright-news-blog/1229-turkish-swedish-nato-compromise-must-not-sacrifice-exiled-turkish-publisher>

<sup>104</sup> <https://publishingperspectives.com/2022/07/frankfurt-and-borsenverein-join-calls-to-protect-ragip-zarakolu-and-other-exiles/>

## CONCLUSION

Restrictions on freedom of expression, a fundamental human right, continued to increase in this reporting period. These restrictions and the "obscene publications" decisions by the Board for the Protection of Minors from Obscene Publications in a climate of fear has caused self-censorship to become widespread among publishers and authors.

Unfair criticism and severe reactions against authors and content on social media and press-media outlets, which sometimes turned into lynching campaigns, have had a direct and acute impact on the attitudes of various public and private institutions and organizations towards books.

Covering the period between December 1, 2021, and December 31, 2022, this report reveals that while there have been some important positive developments in the freedom to publish, the problems we addressed in previous years persist and new problems have been added to them.

A particularly prominent problem during this reporting period was the significant increase in censorship and bans in all areas of culture and arts. Canceling of concerts, film screenings, theater shows; female singers "deemed inappropriate" because of their attire, restrictions on the Kurdish language, investigations over the names given to song lists on online platforms, etc., show that freedom of expression is increasingly restricted in many of its vital areas.