

Ahmet Şık's statement prepared for the hearing on December 25, 2017*

Journalist Ahmet Şık prepared the following text to present as his defense statement at the fifth hearing of the Cumhuriyet trial on December 25, 2017, but the judge stopped him after a few minutes, saying the statement is "political," and then expelled him from the courtroom for "disrupting order."

On November 23, 2017, in the beginning of the legal year, President of the Supreme Court of Appeal, İsmail Rüştü Cirit, stated some very striking facts. He declared that according to the 2016 criminal records, there are approximately 6 million 900 thousand suspects, within our country's population of 80 million. Cirit said, "This shows that in Turkey, when we compare to the total population, 8 in 100 people are suspects, which is quite high. There are initial level investigations being conducted on all of these suspects,"

Evaluation of these statistics, a country where 8% of its population is considered suspects, shows a very high ratio. But, we should correct Cirit's simplified calculations.

That is to say:

If we consider those within the 0-15 age group and those who cannot be held accountable by law due to mental disabilities, these make up 25% of the entire population. Another 10% is composed of those with various physical disabilities or who are bedridden and are physically unable to commit a crime.

When we discount those who fall into these categories, there are approximately 50 million people who can be held accountable for crimes.

If there are approximately 7 million suspects, as the President of the Supreme Court of Appeals declared, it means that 15% of the population are seen as suspects by the government. In other words, one in 7 people on the streets is a suspect.

Using these facts, we can portray the current situation in Turkey as follows:

Depending on majoritarianism as opposed to pluralism, the current government treats and views every citizen who does not agree with them as terrorists.

There is a judicial system, under the control of the current government, that transforms all suspicions of terrorism into outrageous charges.

There is the media which hides facts and consequently, are accomplices in ruining our common future.

There is a silent majority which remains in a web of silence as everything happens in front of their eyes because they are scared for their well-being or afraid that their comfortable lives will be disrupted.

Within this current situation, under a dictatorial regime which feeds off violence and is based on cruelty and oppression, naturally the only that thrives is evil.

It is not the type of evil that requires intelligence or talent. It is an ordinary evil due to being power hungry.

They are evil. They know that they are evil. And this makes them even more evil.

Those who have created this dark climate are trying to delay the consequences of confronting themselves and their malice by accusing those who will reveal their guilt.

The AKP's most effective and strongest weapon in creating this environment is undeniably its media. Media, through confiscations and buy offs, was constructed as the voice of the current government. However, they needed to bring the mainstream media groups over to their side since they themselves did not possess the skills to impact the public opinion.

The AKP rule designed majority of the media through the great help of its once ally and now most ferocious enemy, the Gulen Cemaat, to reach their common goals.

[Note: this is where the judge interrupted the statement; the rest was not read out in court.]

Although, now, seen as a conspiracy, the chain of trials and investigations of the Gulen Sect, played a key part in this design. The AKP covered up its complicity through its power and oppressive regime. Currently, by using the word "FETOist" (FETO (Fetullah Gulen Terrorist Organization)) people can be rendered ineffective; back then, the word that was used for similar reasons was "Ergenekonist." (following Ergenekon). Even if people were not arrested, the media was undermined and silenced through defamation.

The Sect's organized network within the police and judicial organizations, with the help and support of the ruling party, succeeded in silencing the "unwanted voices." The media owned by powerful holdings supporting the government were awarded with government bids and the others were penalized by tax penalties. Columnists, TV anchors, and managers, acting as commissioners of the ruling party were assigned to each of the media organizations.

The columnists and TV persons who wrote or spoke against the government were dismissed and it is still continuing.

If we express it with the words of the “puppet expert witness,” Ünal Aydemir:

“In this age, a media which has been used as a secret weapon of the psychological warfare and asymmetric war tactic as a means to enforce and manipulate, has been created. It has been employed to impact and guide the public opinion and confuse the minds of the undecided.

Political opponents were weakened and worn down by media manipulations in favor of the interest of the ruling government. Societal opposition has been criminalized and polarization of the public has been accelerated through tactics which could lead to chaos. A base for politics based on majoritarianism and which are off the books and against the constitution was prepared through questioning legitimate political means. The tool to accomplish their goals was the media. The ruling party, which was acting more like a gang only acting in its own interests, was moving along on the path paved by the media organizations.”

In summary, these statements from the report of the expert witness who was ordered with the goal of making “terrorists” out of us demonstrate the sad condition of the media supporting the current regime. It also explains the organizations you are seeking and the media groups who are accomplices to the crimes. And if we again state this in the words of your expert witness, “Covering the news by concealing the truth through manipulation to help interest groups in accomplishing their goals and objectives is not journalism.”

No one has the freedom to commit a crime. No one should. Journalists should not have it either. But, the alleged crimes are actually the regular activities as part of the job of a journalist. However, if journalists are deliberately producing fake news and concealing the truth, or in other words, if a journalist has devoted himself/herself to creating a perception dictated by the powerful, then, he/she can be accused of committing a crime. In fact, he/she must be accused. But the ones that are judging and punishing them should be the readers/watchers and professional journalism organizations.

In other words, opposite to what you have been claiming, journalism is not a crime. You also know very well that to criminalize journalists’ duties is in fact the panic of those guilty ones who are afraid of the truth. Ones who know they cannot seize the truth will lie and continue to commit crimes.

The accusations you have made against us consist of news and commentaries which were neither refuted nor brought up in any lawsuits when they were initially published. You are trying in vain to create terrorists from professional activities.

If we have to be tried, we should be tried for not representing the truths when we could. Luckily, our record of professional activities is not blemished. In fact, that is why we are here.

Cumhuriyet was one of the only media organizations who resisted the current rule and the media it created and who became the spokesperson of the truth. It is not surprising that it became a target and was decided to be eliminated.

Because we already had a thick criminal record according to the government who existed as a malicious organization. The hatred towards us grew due to the news stories that were published on the Charlie Hebdo attack which was an assault on freedom of the press and on the corruption, pillage and criminal activities during the Syrian civil war. We should be punished for these acts. They only needed "Allah's blessing." (Quoted by Erdogan referring to the coup attempt). This "blessing", was also realized when the July 15 coup attempt, which was a fight for power between two former accomplices, occurred.

Even the imperfect and immature democracy was suspended. Those who were digging the graves of the rule of law which barely existed, eagerly participated in burying it without any hesitation.

What we have been living through in the past months in prison and in these courts demonstrate that the current situation in this country, is a representation of a political assault. In other words, what we are experiencing is a representation of a play where we are pretending that rule of law exists in a country, where everything supposedly exists.

The records of the investigation is the evidence of the conspiracy of this political assault. This investigation file consists of examples of how rule of law is massacred and examples of members of the law bending the rules according to the individuals

Even though it is obvious that this is a conspiracy based on lies, they are insisting on keeping us in prison and trying us in court based on crimes which are not in fact crimes, evidences which are not real evidences, as forwarded against us the indictment. The marks that the media which has targeted the freedom of the press and has become the hitman for this assassination show how this conspiracy is set up.

I will explain all one by one. But first, let's discuss a document which shows that those involved in the conspiracy against Cumhuriyet are merely a few civil servants.

However, a reminder is appropriate here since it is relevant.

Several examples of "copy-paste" methods were used by the judges and prosecutors to make their decisions without conducting any investigations on the files were brought to light during many trials and investigations. The supposedly independent and impartial judges and prosecutors following directions mandated to them committed these crimes knowing they would not be held accountable. They are still continuing to do this. For now, I will just remind them of the situation the judges and prosecutors from the Sect are currently in.

There are some of you who get mad when we tell them that these are bludgeons of the rulership where judgements made at these trials are not impartial and

independent. Let's prove that you have no right to get mad by a document found in the investigation files.

When decisions were made on who to arrest during the Cumhuriyet operation, the

Istanbul Chief Public Prosecutor appealed to the Istanbul 5th Criminal Court of Peace. They requested permits from the judge to search, seize, and to charge through directing various accusations. It was decided that Orhan Erinç, Akın Atalay, Önder Çelik, Turhan Günay, Bülent Yener, Günseli Özatalay, Bülent Utku, Aydın Engin, Murat Sabuncu, Hikmet Çetinkaya, Musa Kart, Mustafa Kemal Güngör, Hakan Karasinir, Güray Öz ve Can Dünder would be arrested. Judge Cevdet Özcan from the Istanbul 5th Criminal Court of Peace gave permission to this application given on October 30, 2016.

As you know, the operations began during the early hours of October 31, 2016. All of the suspects, except for Can Dünder ve Akın Atalay who were out of the country, were taken into custody. Ones who were not at home went to the office of the attorney general. During this time, the mainstream media reports that Members of the Board of Directors of Cumhuriyet Foundation, Nebil Özgentürk, Müslüm Özışık ve Eser Sevinç have been taken into custody.

That same day, our lawyers submit a petition which includes objections to the arrests to the 5th Criminal Court of Peace. An appeal was also submitted for Nebil Özgentürk, Eser Sevinç ve Müslüm Özışık whose names were reported in the media since it was not clear whether there was a decision for their arrests, since the files were disclosed to the ruling media and not available for our lawyers.

Judge Cevdet Özcan of the Istanbul 5th Criminal Court of Peace rejected the objections stating that there were no mistakes during the operations. Judge Cevdet Özcan of the 5th Criminal Court of Peace did not even notice that a mistake was made when Sevinç, Özgentürk and Özışık were arrested when their names did not exist on the warrant he provided.

Similar to previous Court of Peace, the 6th Criminal Court of Peace declined the appeal of release of the same three names who weren't detained at all.

Meanwhile, we must remind you that even though his name was not on the arrest warrant, Kadri Gursel was arrested in the afternoon of October 31, 2016.

[Slide-4 A-B/1-2-3-4-5-6-7-8]

Now, let's describe the conspiracy within the investigation documents:

If we believe your prosecutor Murat Imam, who himself is accused of being part of "FETÖ" and has accused us of being part of "FETÖ", the investigation began on

August 18, 2016. According to the ex officio investigation proceedings, “News and commentaries made by some media organizations alleged that Cumhuriyet was taken over by the PKK and FETÖ/PDY terrorist organizations and that the newspaper was working in their interests.”

[Slide-Minutes of ex officio investigation 5-A]

2 days before the July 15th coup attempt, on July 13, when columnist Aydın Engin’s column was titled “Peace in the world, well then what in the country?”, Prosecutor Inam found the missing piece. Because the ones who attempted the coup named themselves “Peace in the Country Council.” Apparently, these facts led to suspecting that the Cumhuriyet newspaper directors were had ties to the PKK and FETÖ terrorist organizations. And, apparently, this suspicion was sufficient for starting an investigation.

It is the Prosecutor Inam who surrendered himself first to the organization of a charlatan using religion as a means and then when the wind started blowing in the opposite direction to the other power that is making these statements. Prosecutor Inam, explains how Aydın Engin’s column’s title became evidence of his suspicions in the indictment as follows: “It has been deemed to be quite meaningful and gripping and cannot be viewed as a simple coincidence”, “the title of the column cannot be a coincidence...”

Namely, “meaningful”, “cannot be a coincidence,” there is nothing else that “calls attention.”

Actually, the only thing that can be said for this accusation and mindset is that the fact that a prosecutor who is ignorant of the law and ones like him are part of the judicial system and involved in this case is “meaningful.”

The fact that a judicial system which accepts the following statement, “I was fooled”, as a political self-criticism and does not investigate the “I also helped them a lot,” confession is the whip of the government, proves that this cannot be a “coincidence” in a “striking” way.

Eight of the news articles and commentaries in the international media which helped form the Prosecutor’s suspicions were in fact published before August 18, 2016.

The prosecutor mentions the PKK in the accusations against Cumhuriyet. But none of the 8 articles he used as the foundation for his case have any statements on the relationship between Cumhuriyet and the PKK. There are lots of lies pertaining to FETÖ. In fact, the prosecutor mentions these two organizations, the PKK and FETÖ, in all of his correspondences during the investigations. The arrests are based on these claims. However, when the indictment was provided, another terrorist

organization, DHKP-C, which had never been mentioned before was included. The only reason this organization was include in this conspiracy was based on a news story written by me. A news story based on a phone conversation with the members of DHKP-C who killed Mehmet Selim Kiraz.

I was arrested two months after this operation began on October 31, 2016, for advocating for DHKP-C in the form of propaganda. However, since I would not stay in prison for long based on this accusation, a few months later, I was added to the main lawsuit against Cumhuriyet by changing the type of the crime I was originally accused of. This way, with the addition of DHKP-C, which was not part of the original investigation, the “organization cocktail ” indictment was completed.

To blame all the suspects based on a story for which I was solely responsible is not the only unlawful action.

There is also the crime of unlawfully removing the decision on a previous dismissed case on the same news article. The guilty prosecutor is Fahrettin Kemal Yerli. We have already explained how this crime was committed in your court. However, your delegation working to make terrorists out of professional activities of journalists, turned a blind eye to this crime. So let’s ask: Do your prosecutors have the right to commit crimes? Who are the managers and organizations which provide this freedom? And you, who claim to be impartial and independent, will you take this claim that was illegally fabricated into consideration?

[Slide 6]

When we follow the footsteps of the conspirators, we understand how this conspiracy was brought to life step by step. The portrait that becomes apparent is as follows:

Cumhuriyet is a newspaper which employs journalists who have earned the hatred of the government and specifically Recep Tayyip Erdogan and were decided to be silenced and placed in prison for a long time. Alev Coşkun, a stakeholder in the internal affairs and power struggles within the newspaper, used this hatred towards her own benefit and ambitions. He sent an incriminating letter to the President’s Office on March 22, 2016 based on criminalizing the elections which determined the members of the board of directors with slander and baseless accusations.

[Slide-Letters by Alev Coşkun to be shown as slides]

Plans and documents began to be formed on “enemies” which were decided to be dismissed began after the July 15th coup attempt which was seen as “Allah’s

Blessing.” The letters by Alev Coskun on the board elections were used to build a case against Cumhuriyet.

During these conspiracy trials fake incriminating letters and emails (which were tactics frequently used by the Sect) were replaced by the “complaints” brought to BIMER (Prime Minister’s Communication Center). In fact, these “complaints” made to BIMER would be used to form a basis of the unlawful accusations against Cumhuriyet.

The first complaint sent on July 19, 2016 by a person who hid his/her name accused the Cumhuriyet Newspaper of supporting FETO (Fetullah Gulen Terrorist Organization):

“The Cumhuriyet Newspaper distorted the news related to the July 15th coup, made manipulative news by protecting FETO and its members, shamelessly excluding them from the coup attempt.”

In addition to establishing such a sentence that reverses grammatical rules, he proved himself to be the competitor to the prosecutors who manage this lawsuit with the accusations he directed. This complaint was added to the Cumhuriyet file on 14th November 2016.

[Slide-BIMER complaint 6-A-B-C]

The date of the second complaint made via BIMER is August 14, 2016. Our informant is not secret this time, he is called Turan Kılıç. Turan Kılıç, who sent his greeting and prayers to the respectable state elders and tried to prove that he was religious by saying “Amen” but committing the sin of blatantly lying. In the indictment, the following complaints, which were presented as accusations towards us, are listed:

“Cumhuriyet Newspaper makes a fuss over Turkey’s support of ISIS. And it was finding the Turkish Government responsible for this.”

The informant, who proves that he has the same point of view with the prosecutors, said that he got the “information” by reading from the press he followed. If he were Prosecutor Murat İnam, he would surely start the investigation with the following words: “in some articles and news in the media...” This thinking, which is not different from the prosecutor, is also revealed in the following sentences:

“The reason the newspaper was so clear was because the traitors who attempted the coup on July 15th, helped both ISIS and the Cumhuriyet Newspaper by supporting them with news, ... Cumhuriyet Newspaper published news and publications about HDP (People’s Democratic Party) justly, kindly and sincerely. ”

Fortunately, our informer is more merciful than the prosecutors who included the criminal charge of “showing terrorist organizations as charming!” in the indictment. He does not say “terrorist organization” but says HDP. This complaint is also merged with the main file by Prosecutor Murat İnam on 12th October 2016. We understand from the correspondence and documents that the informant deposed as the title of complainant on September 29, 2016.

Let’s see who is this person that the prosecutors have taken so seriously. The results of a simple internet search of our informant also gives us an idea about the address of the person who gave the order for the Cumhuriyet operation. Three of the likes at Turan Kılıç’s Facebook profile are:

- On the way of our Chief, target 2023.
- We are the grandsons of the Ottomans.
- President RTE (Initials of Recep Tayyip Erdogan).

*[Slide-BİMER /Turan Kılıç
6-D, 6-E, 6-F, 6-G, 6-H]*

It is obvious that our informant is an AKP member and a loyal “Chief fan”. The reason for this is not just the likes on Facebook. It is his own political preference of professional informant Turan Kılıç to be an AKP supporter. However, we have something to say about how seriously he must be taken as an informant.

We are also encountering Turan Kılıç’s name, among the messages sent to the corporate e-mail accounts of the AKP, which was published by Wikileaks. On the 13th and 21st of June 2015, two e-mails sent to the AKP’s information hotline, outlined the results of the 7th June 2015 elections and explained the reasons for the party’s loss of votes:

[Slides of e-mails]

Turan Kılıç blames HDP for pressuring the people who were voting, but only 24 votes were for HDP out of 285, in the polls where he was serving as a polling clerk. Number of the AKP votes was 177. Number of the CHP and MHP votes was 32. But Turan Kılıç thinks that the HDP pressured the voters. Even, he summarizes what they should do during the elections in the East and South East as follows: “The polls must be installed in safe places. An open vote system must be provided.”

Another e-mail by Turan Kılıç is headed “Loss of votes and Its reasons”. We can get a good idea of his mindset of this person who is taken seriously by the prescutors as an informant, in this email where he lists many reasons.

Turan Kılıç explains that the AKP has served more in cities such as Van and İzmir

where there is a low vote level for the AKP and this matter has been ridiculed by the voters there.

“As an AKP fan, these make me extremely upset. I need to give my piece of mind to these shameless and degenerate people. Okay, I do not support oppression, but I think the proverb “you get what you pay for” is very necessary here. They get the best service, but during the elections the opposition party gets the most of the votes. Is this ethical?”

From this point of view, let us also ask: “Is it ethical to consider such a person’s information, if he is not officially on the case?”

[Slide]

Pandora’s box has been opened and there is a complaint on the e-mail notification line of the Anti-Terrorism Department on 14th August 2016. This complaint, made by an informant whose identity is unknown, is about a video news broadcast on the Cumhuriyet internet newspaper.

The same day, a complaint about a news announcement shared by Cumhuriyet’s Twitter account was directed to the Chief of Cyber Crimes Department for further investigation. Let’s watch this video, titled “The jihadists are on the streets with guns.”

[Video of Jihadists on streets]

This is the case! So, let’s read what is in the report of the Cyber Crime Unit: “A Provocative post to support the treacherous coup attempt by FETO ...”

We do not know if any inquiries have been made about these warriors who have weapons and who have no authority to do this. But on January 13th 2017, this complaint was sent to the prosecutor for review and added to the main file.

[Slide 15-17]

A lawsuit was filed against the news published on the Cumhuriyet’s website, quoted from the newspaper, Yeni Özgür Politika. Adnan Yılmaz, one of the members of the Seferihisar judicial office, made a formal accusation application on the day after this

publication on 21 December 2015. This news was an excerpt from the interview with Murat Karayilan who is one of the leaders of the PKK, and it was published in some media outlets as well, besides Cumhuriyet, but we do not know if there is any investigation about them. Almost a year after the complaint, on 14th November 2016, an indictment was filed against Serdar Eroglu, head of the Cumhuriyet internet newspaper, on charges of “Praising the Terrorist Organization”. Just like the others, this became evidence in the main file of the Cumhuriyet investigation.

[Slide 18 Serdar Eroglu indictment]

Another complaint made through BIMER is about some of tweets I posted from my Twitter account. In accordance with the Anadolu News Agency Gaziantep Branch employee Kerem Kocalar’s complaint on November 28th 2015, they began the process on November 2016. Gaziantep Chief Public Prosecutor’s Office initiated the investigation on 17th November 2016 and prepared a summary of the proceedings based on the the 301st article, “publicly denigration of the state,” and asked for permission to begin the case from the Ministry of Justice.

[Slide 19-20]

Due to the same posts, I was also accused in the investigation and was arrested by prosecutor Fahrettin Kemal Yerli, for making propaganda of a terrorist organization. The prosecution merged the two cases when they were notified that there could not be a second investigation for the same crime.

[Slide 21]

These are the efforts, through BIMER or similar methods, to form a basis for the operation against Cumhuriyet and us. It is as if someone hit a button and all of these unfortunate and bad events came in succession. Should we call these all the evils that we had in succession like someone has hit the button just a coincidence or meaningful?

We were talking about how the conspiracy was mounted and staged, let’s continue.

In order to show consistency of the charges to be directed, the internet archive was searched at this stage. There were searched conducted to match articles to the accusations in the indictment. There was no need to struggle too much. The lies of hitman of the ruling media or the AKP flank guards who take the place of Sect with MHP’s supporters and those who welter in the nationalist battle, were brought together and called “evidence”.

[Slide 22-24]

Archives were also scanned for news published in Cumhuriyet or on its website. A similar method was used by the Sect Gang during the ODA TV investigations. After entering keywords such as “Fethullah Gulen, Ergenekon, Balyoz” etc. in the search section of the ODA TV internet site, they used the news that they saw as evidence.

This method was also applied on the Cumhuriyet website. No matter who the accusation is directed against or what the accusation is, specific names or words are searched to help find articles which could be used as evidence of guilt.

[Slide 25]

According to the press law, within four months of the statutory time limit, any inquiries /comments that have not been filed, were included as criminal evidence in the file. If these articles/comments contain a crime, why didn't your press prosecutors who came before Murat İnam take any action? Can they not be viewed as committing crimes of abuse/neglect of their duties?

[Slide 26-38]

The twitter tweets made by each of us were reviewed. Without even being sorted, without understanding of what we tried to explain, criminal evidence was created,

In the next step, the people employed in the ruling media from the hitman group, were put into action. They were ordered to write commentaries and articles which overlapped with causes of guilt which could be placed in the indictment and also published stories on TV.

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For a report that will form the most important basis of the conspiracy and the backbone of the indictment, there was an “expert” whose skills were known to your

prosecutors. This so-called expert named Unal Aldemir, who was employed by the prosecutor to violate the law, has received training in informatics. In journalistic trial, he performed news text analysis. If we state this in a more clear way, the lies which were ordered was signed by a so-called expert.

[Slide 40-41]

The so-called report, like the indictment, narrowed the journalism borders and set them back again, starting with a journalistic recipe in line with the spirit of the time. It ordered that many fundamental principles, such as the fact that the matter to be discussed had a bearing on the news, the public benefit, the duty of the press to conduct an audit on behalf of the public, were to be ignored. In the report, the new frontier of journalism in Turkey, is based on not reporting on the crimes of the AKP, it's leader and related interests and power elites or on any news damaging the interests of the AKP power. Did you make any news which revealed the truth? According to the prosecutor, who led accusations from the report of the so called expert, this was not journalism, it was manipulation.

We do not know whether this report belongs to a counselor, a government commissioner, or a pro-government mediator. It may be one of the troll account owners who show up in the virtual world. The posts on Twitter accounts strengthens this ambiguity. It would be appropriate to say that your prosecutors, who rely on the so called expert's report, are not so different than him.

[Slide 42]

Your prosecutors' choice of experts is really weird. Your prosecutors, who chose a person who has an informatics background for the media report containing the news analysis, this time preferred a person, who claimed to be a transportation and logistics specialist, for the digital inspection report. The name behind this strangeness is Fahrettin Kemal Yerli. Three months after my arrest, the prosecutor Yerli indicted the decision to confiscate my mobile phone, and he commissioned Bulent Tosun to make a digital review.

[Slide – Görevlendirme yazısı]

Bülent Tosun explains his expertise after his registration of the birth certificate on "Expert Oath and Documents Delivery Minute" dated 15th March 2017:

“Transportation, logistics specialist. He works as an English and German interpreter .”

Bülent Tosun also describes himself as a “Forensic Expert” on his personal social media accounts. He explained that he creates solutions for all kinds of transportation and logistics issues via air, land, sea, railway, and storage. Bülent Tosun’s undergraduate education is in economics, and the fact that he was chosen to conduct cell phone screening, I guess, seems not only strange to us.

[Slide 43]

The need for a “witness” to replicate the lies of the so-called expert, the so-called report, is also selected from employed hitmen. Latif Erdoğan and Huseyin Gulerce who are transferred to the AKP from the Sect, and Cem Kucuk fulfilled the orders. As the President of the Court, those you do not attribute these people as “gossip mongers”, became the witnesses of your prosecutors. The indictment is formed with the lies of these witnesses, “you have not given legal value to what they say.”

I have explained one by one, how these three liar witnesses’ rubbish were placed in your indictment. I will not read the long text and take your time here to tell you how your prosecutors have placed baseless accusations of liar witnesses in the indictment. I will also give you a copy of this text that I have shown here as a slide.

[Slide 44-57]

Your prosecutors either believe in lies or trust their false witnesses too much. If that was not the case, they wouldn’t try to arrest the courier of our newspaper Yavuz Yakiskan. Most likely, your false witnesses are told to testify according to a foretold scenario. We have no doubt that this is the case.

Huseyin Gulerce and Latif Erdogan testify that the Gulenists made payments to our newspaper, and the “courier” could have been used to transfer the money, according to what they asked to tell. Then, our newspaper’s only courier Yavuz Yakiskan’s name is identified, and the so-called investigation starts.

[Slide 58-59]

First proof that there is a predetermined scenario and the witnesses testify according to that scenario, is the correspondence related with Yavuz Yakiskan in the file. This correspondence, dated March 13, 2016, bears the signature of the chief prosecutor Irfan Fidan, the deputy chief prosecutor back then. This correspondence is also a part of another investigation on Cumhuriyet (2016/9898) as well as the main case. Yavuz Yakiskan's name appears along with other eight Cumhuriyet employees and was remarked as courier for the newspaper. And the court asked to determine the mobile telephone numbers of eight Cumhuriyet employees and Mustafa Yildiz (alleged Istanbul Imam of FETO) from the Istanbul Counterterrorism Department.

[Slide 60]

We don't know why Mustafa Yildiz, who is alleged as the FETO provincial Imam, is investigated together with the Cumhuriyet staff. However, prosecutor Irfan Fidan must be sure that he is somehow linked with Cumhuriyet staff as he is proceeding with the investigation like that. Yavuz Yakiskan is one of our co-workers who has been working as a courier for many years. All other people mentioned in the correspondence are Cumhuriyet's executive staff. We don't know why Yavuz's name is among the names to be investigated, and we learn that he is investigated when he was taken into custody.

I don't think it is just only meaningful for us that our friend Yavuz Yakiskan's accusations are based on phone calls made by his son using a phone registered under Yavuz's name. And, these phone calls are made with a Mustafa Yildiz, who only coincidentally has the same name with the aforementioned alleged FETO Imam.

Let's keep going.

Based on the documents in the main case files, there hasn't been any action taken on Yavuz Yakiskan for the first 8 months. Because the second document that mentions Yavuz's name is dated November 28, 2016. Istanbul Counter Terrorism Department responds to Irfan Fidan's request one month after the Cumhuriyet investigation was started; they identified the mobile and landline phone numbers of the requested individuals.

[Slide 61]

After this point your prosecutor Murat Inam, who is now a FETO suspect, takes the stage. One more person testified after Latif Erdogan (December 7, 2016) and Huseyin Gulerce (December 20, 2016) claimed that the Sect might have sent money

with a courier. And, Cumhuriyet staff Aykut Kucukkaya testified as a witness on January 4, 2017.

Next day, on January 5, 2017, Murat Inam sent a request to Istanbul Counter Terrorism Department. He mentions that Yavuz Yakiskan's name appears in witness' statements, and requests all phone numbers registered on his name. He also requests investigation of any potential links with terrorist organizations, as well as usage of applications such as Bylock, Kakao, Eagle.

The witness statement that mentions Yavuz Yakiskan's name belongs to Aykut Kucukkaya, who is a Cumhuriyet employee. Here is that part from his statement: "I know that he runs some errands at the newspaper. But I don't know any of his other businesses. I don't know anything about the financial stuff. I know that he works for Cumhuriyet for at least 10 years".

From this sentences, we understand that Yavuz Yakiskan's name is mentioned in Aykut Kucukkaya's statement upon a question posed by the prosecutor Yasemin Baba. Looking at the answers, it seems like she asked "Who is the courier of Cumhuriyet?" or "What is the role of Yavuz Yakiskan at the newspaper?". We can say that the question was directing the respondent to mention Yavuz's name. This is what your prosecutor Murat Inam refers to as "Yavuz Yakiskan's name is mentioned" in witness statements.

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According to the documents included in the investigation files, Yavuz Yakiskan's name is mentioned 8 more times in documents dated between January 11, 2017 and February 20, 2017. The correspondence that reveals how Yavuz Yakiskan's accusation was made possible based on a scenario is as follows.

Of course, they found nothing. However, Yavuz Yakiskan was taken into custody on April 5, 2017 based on the claim that he contacted the so-called FETO's provincial imam Mustafa Yildiz several times through the phone. If the truth was not revealed, Yavuz would have been arrested based on this lie. However, the truth eventually reveals one way or the other, and this disrupted the scenario.

Surprisingly, the so-called FETO imam was just a friend of Yavuz's son who was using the phone line registered under his father also coincidentally called Mustafa Yildiz. This basic truth was revealed upon our attorney's close attention, although it could have been found out just with simple investigation. However, Yavuz is still referred to as a suspect.

By the way, those "simple investigations" were actually conducted. Lines registered under Yavuz Yakiskan and Mustafa Yildiz's names were determined and the results of this investigation was included in the case files.

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In other words, although both Yavuz Yakiskan's and the namesake of the so-called imam Mustafa Yildiz's phone lines were determined, this information was kept as a secret as Yavuz was taken into custody.

[Slide 71-74]

There were no obstacles to stage the plot targeting Cumhuriyet and us. The order to start the process was given on October 31, 2016. Government-backed media takes the lead in "public justification" of this plot, which nobody were convinced. Including the prosecution stage, every stage of the operation against Cumhuriyet was performed at the media courts. I will explain those when it is time, but first let me go back to October 31, 2016.

Accusations that were first in the summary of proceedings, then appear in the indictment were published for the first time by a Twitter account named "tazemazi". It was as if the users of this account acted on behalf of the expertise or the prosecutors. Confidentiality order that limits the right of defence for the accused and their attorneys was not available by the users of this social media account and the government-backed media.

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Accusations directed by this social media account was covered the next day in Hilal Kaplan's column in Sabah Newspaper, as if these were her personal opinions.

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One could have explained the appearance of a social media troll's disinformation on Hilal Kaplan's column as a coincidence. However, the fact that this "tazemazi" Twitter account that spreads the disinformation is managed by Hilal Kaplan's husband Suheyb Ogut, rules out this option. Also, Suheyb Ogut manages numerous troll accounts and websites publishing similar sort of information with the financial support from the Presidential Palace's son-in-law Berat Albayrak. 23 separate troll

accounts that were activated in between September 27, 2015 and September 20, 2016, are directed by “Global Relations Association” which is known as “Bogazici Global Relations Center”. The source of this information is the Bogazici Global Relations Foundation (founded by an academic called Idris Kardas in September 2015) and the troll accounts is Berat Albayrak’s emails leaked by the Redhack. An email Suheyb Ogut sent to Berat Albayrak on September 6, 2015, includes the draft bylaw, foundation document and recommendations for the board of directors for this organization founded to direct troll accounts to spread disinformation. Hilal Kaplan is also among those recommended for this foundation’s board of directors, together with her husband Ogut.

Under these circumstances, it is not a coincidence that a troll account’s claims appear in Hilal Kaplan’s column but it is rather a sense of mission. We should also add that the annual budget of this foundation directing the troll accounts is 1,724,000 TL, which is financed by the taxpayer’s money, as Suheyp Ogut’s email to Albayrak dated September 6, 2015 revealed.

[Slide 98-105]

Government-backed media spreads the lies that were initially published by the Twitter trolls who are again financed by the government-backed media.

[Slide 106-109]

Justice is allowing the articles they pre-ordered or leaking the information and documents in the files. Afterwards, they are using these news articles as evidence. Just like a boomerang.

However, the most meaningful part is the government’s prosecutors leaking these documents, which is deemed as “confidential” to a state-owned news agency

[Slide 110]

To lead a case using leaked documents came across again when my arrest on December 29, 2016 and my friend, Emre İper’s arrest, on April 6, 2017.

[Slide 111-112]

In fact, the prosecutor in charge of my case, Fahrettin Kemal Yerli, even asked questions based on the leaked documents which appeared as a news story.

[Slide 113-114]

Do not get upset that I am blaming your prosecutors for leaking documents. I will give you another example.

The decision notebook of the Cumhuriyet's Board of Directors of Cumhuriyet Foundation was given to the attorney general, Yasemin Baba by our lawyers on November 17, 2016.

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This news story, which was deemed confidential to the suspects and their lawyers yet open to the pro-governmental, on this document, could be found on the Aksam newspaper on November 19, 2016.

[Slide 116-117]

Our lawyer's plea for a trial on this issue was rejected. In mafia terminology, this is called as the "Omerta Rule."

[Slide 118-120]

In the so-called confidential investigation, the information was published every day in various media outlets, the conversations with persons desired to be witnesses in the case also took place in the pro-governmental media. In fact, sentences which never took place in the conversation were included in the news. The conversation which was published in Sabah newspaper on November 7, 2016 carrying the signature of Isa Tatlıcan is the most striking.

This interview is evidence of the great abyss between the media employees and your prosecutor, Murat Inam, and their job's professional ethical principles, in this conspiracy against Cumhuriyet.

Another person whose opinion was sought was Ceyhan Mumcu, known for his hatred of the editorial and administrative management of Cumhuriyet. Mumcu was made a witness shortly after the publication of the interview because certain parts of his words.

One of these was titled, "Can Dunder knew of the Coup." Another statement of Mumcu was based on accusation that "a high level administrator at Cumhuriyet was "bringing in loads of money to Cumhuriyet." His claim was, "We must investigate the source of this money.

Since he lived in Ankara, Ceyhan Mumcu's statement was taken based on instructions, where 11 questions were sent by your prosecutor Murat Inam. The 9th question is on the loads of money brought to Cumhuriyet, as I mentioned before. Even though in the conversation no names are mentioned, Murat Inam's question is as follows: "What is your information and evidence on the explanations you provided in the media on the money brought by Akin Atalay's in a suitcase when Cumhuriyet was facing financial problems."

Unfortunately, the shallow cunningness portrayed by Murat Inam in adding Akin Atalay's name to the questions is not the only problem here. Ceyhan Mumcu stated "I do not have substantiated evidence" when asked about Can Dunder's information about the coup and "I do not have such a declaration" when asked about the money issue.

In other words, Ceyhan Mumcu stated he did not use the expression which led him to be a witness in the case and that journalist Tatlican lied.

Your prosecutors, who include the refuted interview in the files, used our news articles that were not disputed nor prosecuted to accuse us. I will leave it up to you to decide what to say about this pitiful situation.

[Slide 121-125]

There is a simple truth that comes out from these hearings. This case is a trial against those who are trying to reveal the criminal records of the ruling government.

But according to your claim, journalism is not on court. However I tried to explain how a conspiracy is being staged and is the proof that we are here because of our journalism activities.

This operation is a conspiracy conducted by members of the judicial system that are controlled by a gang who has taken over the government and their accomplices in the media to cover up the truth.

It is a crime committed against the truth, the freedom of thought and freedom of expression, destroying the freedom of the press. It also reveals the fact that journalism is being politically limited and used for the benefits of a political gang.

They are trying to make examples out of us to make the public hostage to fear and this totally lacks dignity and is unjust.

It completely lacks any respect as they are trying to completely eliminate freedom of the press.

It is clear what they are trying to do with this operation:

They are trying to capture and make submissives of those that expose their crimes and those who are not of them. Their main aim is to eliminate democracy, basic rights and freedoms to continue their criminal regime.

This country's, this public's memory is a deep hole composed of things they do not want to remember, the malice they witness, yet pretend not to see, facts they are afraid to face.

If the conspirators have confidence in these deep memory holes, they are mistaken. Because everyone who took place in this operation, will be judged in front of the law, I am sure. And some of their crimes do not have statute of limitation.

The conspirators committed crimes against humanity and the truth. My only wish is that they are not tried in the courts similar to that of we have now. I hope they will find themselves in front of a truly just and impartial and independent court where the law is above all else.

No one should doubt that we will do our best to make sure that these conspirators are tried justly.

Because, as contrary to those who believe in the law of revenge, we would like to have fair and impartial justice even for our enemies.

Now lets talk about the facts why you put me in the target, arrested and why you are still keeping me in the prison.

I have said this many times before; I knew I was going to be arrested in 2015, I got the news before and I was threatened. You do not have to be a genius to guess this. Because I was continuing to do what I know best, which is my profession.

Practicing journalism focused on human rights has always been a core principle in Turkey, where there has never had a strong connection to democracy, and instead a long list of offenses against basic rights and freedoms. I personally penned many articles during times when the state turned into a criminal organization, during times of torture, disappearances, executions, and the evacuations and burnings of villages.

I have written stories that revealed the government's use of self-granted powers to settle personal interests and profit under the auspices of the "war on terrorism". I did this because I believed it was the duty and responsibility of journalists to uncover the truths covered by the powerful ruling elites. I still believe this. This is why I have always been one of those journalists who were threatened and targeted. I have been on trials many times just like I am now. My accusers have always been state institutions and powers. I have never been convicted because I have always been a journalist who rely on the truth, and the motives of my accusers have always been revealed.

What the many painful stories I have witnessed and reported, have taught me is never to believe what the state or the powerful say on the subject of basic rights and freedoms or their infringement. Within this context of lies, I have always tried to find out what hasn't been said looking at what has been publicized and believed that the proper way to conduct this profession is doing it with skepticism. In an undemocratic country without an impartial and independent judiciary like Turkey, it is my duty and responsibility to speak out when the powerful governments are trying to present their lies as reality.

On the other hand, I have never been a person who takes his mind and belief in justice, hostage to revenge, unlike you. Like the people who submitted to one of the sides during the war for power between the two gangs, I have not chosen to take sides. I continued to stress that AKP and the Gulen Sect should be tried together for the crimes they committed together. Therefore, I have not been one of the hatchet men who is regarded as a journalist only in the eyes of the government. And, I shall never be. So, it is not surprising that I am standing here before you.

In anti democratic countries, what scares the ruling elite most is the truth coming to light, resulting in equalizing the playing field. Therefore, they do not want the truth to be mentioned and be heard. They maintain the secrecy of their shady activities under the cover of governmental secrets. In other words, what is called governmental secrets are the polluted waters under the cover of law. The responsibility to find who are swimming in those waters falls on the journalists.

In addition to pillage and corruption, the period during which AKP polluted the waters most during its governance, was the activities that they performed according to the role given to them by imperialism during the civil war in Syria. The reason why I was threatened by death or by imprisonment was some news pieces I wrote on this subject in the newspaper Cumhuriyet. Let us recall some of these news pieces about the shady cooperation between MIT (Milli Istihbarat Teskilati= Turkish National Intelligence Agency) and the jihadist groups that participated in the Syrian civil war;

- February 9, 2015: “We were going to take the arms to MIT.” Slide 126
- February 13, 2015: “Gunfire support to the jihadis” Slide 127
- February 14, 2015: “Secret on TIR revealed” Slide 128
- February 15, 2015: “Turkish border is a smuggler base” Slide 129
- June 4, 2015: “The day the state collapsed” Slide 130
- June 5, 2015: “ The transport of jihadis by MIT” Slide 131
- June 20, 2015: “ISIS is in Turkey, God protect you” Slide 132

[Slide 133-135]

After the start of the publication of these news pieces, a person who works at MIT called me on the phone. He was saying that I was “in the parallel bloc” and also that “I belonged to the Gulen Sect”, as is also mentioned in your indictment. During this phone call that happened in February of 2015, he also mentioned that I would be imprisoned and be punished for these crimes. I just laughed at such outrageous accusations. But it will be beneficial to recall the dialogue which is important to show how deep the government is in trouble and the type of people it is cooperating with:

I said to the MIT employee on the phone: “First look at what you yourselves are doing. The smartasses you were dealing with are selling the arms and ammunition you sent them to other jihadist groups.” Here is his reply: “We know. We determined who they are. We ended the cooperation.” Is it this simple?

After this phone call, threats started through the social media. What started this was a newspaper named “Vahdet”. It is required at this point to elaborate somewhat more on this newspaper which undertook the role of being the hitmen man of MIT.

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It seemed that the publisher of Vahdet was Yener Donmez, who was the representative of the newspaper Akit in Ankara. The questions from where he found the funding to publish a newspaper, how he afforded the daily operating costs have no answers. But Vahdet’s publication stopped on September 1, 2016. Let me also add that Yener Donmez, who pointed me as a target, was later arrested for being a member of the FETO Sect, was using Bylock, and participated in some conspiracies. The threats, which were apparently led and administered from the same headquarters, started coming after Donmez pointed me as a target.

While the threats were continuing to come in, a policeman, who said he was from Public Security Branch Office, called me to say that he is going to deliver a notification. I invited the policeman to the newspaper and we met with him in my attorneys Bulent Utku and Tora Pekin’s office. He told us that Police Intelligence Bureau has received intelligence that I will be assassinated and therefore, they will

provide security detail for me. When asked about the source of the threat, he said it was “Mihrac Ural group”.

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I told him that lately I have been frequently threatened, and that I thought that this is not done by the Mihrac Ural group but directly by way of MIT’s finger pointing. I did not accept the offer for a guard.

Previously, I had talked to Mihrac Ural on the phone concerning some news. I called him and told him that the police told me that he would assassinate me and conveyed him the conversation I had had with that policeman. Naturally, his response was a chuckle. I wrote an article about this conversation and the other details on the subject and posted it on Twitter.

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Here, I have to remind you of the publication of a false news piece that appeared on the front page of the newspaper Yeni Safak just before this trial started, stating that I wrote an article on the orders of Mihrac Ural who was planning to have me murdered.

These were not the only crimes I was accused of. I was also asking questions about certain aspects of the coup attempt on July 15th, that were tried to be kept in the dark, and struggling to get answers to my questions.

If we are to sum up:

- I was reporting on the murky cooperations that the National Intelligence Agency (MIT) forged with some jihadist groups.
- Someone from the MIT, an institution whose traces I found in each and every shady situation, called me to threaten and accuse me of being part of the “parallel structure”.
- I was finger pointed and slandered with the lie of operating for the “parallel structure” by the newspaper Vahdet, where a hitman who was to be arrested for being part of the FETO organization in the wake of July 15 was working at the time.
- I started receiving a surge of threats from the same headquarters after the publication of this news piece.
- The Police Headquarters decided to give me a security detail.
- We made an official complaint after these threats, but unsurprisingly obtained no result whatsoever.

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As you may very well know, the fact that we are being held hostage has nothing to do with what is stated in the indictment in front of you. This indictment is full of lies by people who know that they will not be able to hide the truth forever. The crimes of those very people who are currently directing the accusations towards us are in the indictment itself. The reason why the notion of justice has been trampled upon by the members of the judiciary under the orders of the government in the last 14 months is clear; it is because they are trying to patch over and close up every opening through which the light of truth may seep in. Unfortunately, this operation to slaughter journalism has been undertaken by the media itself. To put this in the words of your expert witness, "they are practicing journalism in line with the vested interests of a political gang with which they are in complicity, by concealing the truth through lies and manipulations."

This operation, backed by political powers, has been conducted by members of the judiciary who follow orders rather than the rule of the law, and by the media who obeys a political gang. The lies that are attempted to be placed in this piece of scrap called the indictment as evidence were dictated to these 'media hitmen' weeks before the operation itself. The charges, which morphed into official lies, were popularized on the social media first, and then on the internet sites of the mafia media, their newspapers and television stations. We've demonstrated this clearly through appropriate examples.

When the trials commenced, we saw that not only the conjuring of consent, but the adjudication of this conspiracy itself was to be done upon media platforms acting as pseudo courts.

In the trials that started in July, prior to and during each hearing a gang composed of people masquerading as judges and prosecutors leaked the documents and information, spun out of lies, to the media acting as their hitmen. Even the indictment itself was handed over to these hitmen before it was presented to you.

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On July 19th, a few days before the trial started on July 24th, the Yeni Safak newspaper was the source of fabrication. The records of my phone calls, which are not even in the investigation files, were on newspaper headlines with a lie to accompany. I was being accused of taking orders from a person whom the police department had previously warned me would assassinate me, even offering me protection.

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We were to first learn your prosecutor's advisory opinion on the 28th of July from the internet site of the Sabah newspaper. You publicly declared that the document carrying the name and signature of your prosecutor, Hasan Bolukbasi, was fake; but didn't feel the need to investigate the gang behind this fake document.

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We found out about your so-called evidence from Sabah's internet site once more, before it was uploaded onto the UYAP system during the hearing held on September 11th.

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In the same manner, we heard the decision you were to give on September 25th from the internet site of the Star newspaper while the hearing was still going on.

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What these examples, which may also be interpreted as something of a synchronization problem, signified was quite explicit: the people giving your instructions did not even care to hide it.

During the hearing on October 31st, the personal correspondence belonging to Osman Kavala, taken from his phone records, appeared in your court even before his interrogation; Mr. Kavala also found himself in jail by a similar conspiracy. But this information had previously appeared on the internet site of the Sabah newspaper yet again.

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You have been telling us continuously since the beginning, that you are not putting journalism on trial. We try to force ourselves to believe you for once. But then we remember the questions you are directing at us. If we leave the ones about the

claims of irregularities during the elections of the foundation aside, it's all: "Why did you print this news piece?" "Why did you use this photograph?" "Why did you put this heading on your article?" "Why did you print this article on the front page?" "Who hired you?" "What is the duty of the editorial consultant?"

These are the questions you ask.

You, who are trying to prove the existence of an illegal organization based on what we put on social media, on our news reports and photographs, on our articles, on the headings, and even the page layout of the newspaper, closed your ears to our requests for you to investigate the illegal organization within the very courthouse you are serving in. You already know who is leaking the information, who is dictating the false news to you as a directive, as much as we do. Actually, this is exactly why you ignored our requests; namely, because you cannot investigate this gang composed of your colleagues, some of whom occupy higher ranks and posts.

However, you know better than I do that law exists to prevent the abuse of power. That is why law is more powerful than politics and government. This is what should be the case.

When that is not the case, the people who occupy such higher ranks and posts without having the necessary competence hold on to injustice with all their might. They turn a blind eye to lawlessness. They become accomplices to the system based on lawlessness. Since they are the ones who best understand the meaning of the state of lawlessness, they continue to commit crimes in order not to lose their positions. This is what some of your colleagues are doing.

You had witnesses specially selected so as to justify the lies in the indictment. You, yourself, as the presiding judge, mentioned that some of these witnesses considered respectable/reliable by the public prosecutors, were not so in your opinion. I will return to this a little later. At this point, I want to remind you that none of the statements made in the courtroom by persons whose testimonies were included in the indictment by public prosecutors of yours while trying to prove us to be "terrorists" actually validated the accusations brought against us. Even employees who had talked indiscreetly about the internal matters of our newspaper in the offices of public prosecutors mentioned that particular portions of their statements had been cropped out, used out of context and distorted, explaining how the prosecution had hence abused its power.

The person laying bare the true nature of the court ended up being Sukran Soner. She mentioned that she had spent a large portion of her professional life in the courts of juntas, and that your court was no different from them. In her statement that she presented to the court in Silivri, she said, "The previous set-up trials orchestrated by the Gulen Sect were the First Silivri Trials. The present one is now the Second Silivri Trial", thus revealing that although the conspirators are different, the conspiracy is, in fact, the same.

We also watched the performances of two witnesses, who were deemed to be respectable/reliable by your court. Alev Coskun, who claimed to be a keen follower

of Ataturk, emerged as a discontent, perfidious informant, acting as an accomplice to the sworn enemies of the values championed by Ataturk for the sole reason of obtaining a post.

We came to know Alev Coskun not only as an informant but also as a witness desperately trying to offer up the Cumhuriyet newspaper to the (Presidential) Palace to be dealt with it at will. In this framework, your true intentions, as well as those of the prosecutors insisting on our confinement, were revealed. This trial is simply a dramatic circus, designed to force Cumhuriyet to become a pro-government paper.

Then there was Riza Zelyut, who returned the award given to him by the Gulen Sect when he realized that it was a center of evil. In spite of this awakening, after the instruction of his employer he wrote an article that sang praises to Fethullah Gulen and his Sect, just around the time of the conspiracy trials in 2012. If you were to ask him, he is the best ever columnist in Turkey. Yet his one and only fault is that he writes upon instruction from above.

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Dogan Satmis appeared as your last minute witness.

During the conversation heartily snatched at as evidence by your prosecutors, Satmis replied to the question “Who was your favorite boss?”, with the answer: “Sedat Simavi, because he used to give us gift baskets with gold in them on New Year’s Eve.” He was the editorial consultant at Cumhuriyet during the time in which some of the news pieces cited in your indictment as incriminating material were published. Kadri Gursel, on the other hand, was kept in captivity for being the editorial consultant for 34 days only, even though he had nothing to do with the news pieces in question here, which also do not, in any case, contain criminal elements of any sort. Murat Sabuncu, who did not bear any responsibility or authority, said “All the responsibility is mine” with respect to those news reports and articles, and has now completed 14 months in captivity.

Yet Dogan Satmis, who “loves the boss that gives gifts of gold”, and says that he could ignore the truth because “there is no news worth dying for or being in prison for”, became your witness. We were not surprised.

Because evil is like water. It always finds the lowest level and flows down there. It is not a coincidence that evil is able to organize so easily in a country containing a lot of people with some kind of emptiness, open space or cracks in their personalities.

Based on his professional experience, attorney Bülent Utku explained in detail why the indictment has nothing to do with law. By individually citing the accusations, he

demonstrated clearly how the prosecutors had disregarded the law in order to conform to the instructions they had received.

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Attorney Akin Atalay sent each bit of slander whizzing into the trash bin of history, where they belonged. He proved that hitmen labeled as expert witnesses were as bad at telling lies as the prosecutors themselves.

We heard you, the presiding judge, say things like “I agree that the indictment has problems” and “we also think that the complaints about the expert witnesses are justified.” The statements “We will call in some of the witnesses, but of course not the likes of Gülerce. Rumors and hearsay do not have any judicial value,” also belong to you.

A short time ago we showed you how these testimonies you refer to as “rumor and hearsay” were used in the indictments, and how they constituted large portions of the bill of charges. You are not only continuing to try us based on an indictment that is built upon these lies, but you are also still keeping us in jail on this kind of grounds.

If, as you have said, you do not consider these hearsay testimonies to have any judicial value, it is obvious that you need to end this trial with an acquittal and put an end to this injustice.

You mentioned but one name, yet we know who you mean when you say those speaking gossip only. Hüseyin Gülerce and Latif Erdogan, who served as administrators in the Gülen Sect, now called an illegal organization, for 25 and 40 years consecutively. Another one is Cem Kucuk, who praised Gülen during the “era of bliss”, (the period of cooperation between the Gülen Congregation and the government).

You are concluding that the statements of these witnesses, who were accepted to be credible by your colleagues who happen to have or don't have their signatures on the indictment and investigation documents, are merely hearsay and have no judicial value. You are right.

The statements made by those who do not have dignity, honor and self-respect do not have not only judicial value, but any value at all. Because, as Sevgi Soysal says “Lumpens are the filth of the system.” And when the system itself turns into the filth, only those who feed from the same garbage dump pay attention to what those lumpens say.

These lumpens who position themselves according to their owners are now accusing us of being “terrorists” and “traitors.” If we were, however, to hear

flattering words from them, it would only be then that we would truly doubt ourselves.

I leave to you to find an explanation for the contradiction in having included in the indictment all the hearsay testimonies in which you were unable to see any judicial value and your insistence on using them to implicate us.

With your preliminary proceedings report you accepted this indictment, which contains testimonies based on rumors, biased expert witnesses, and, in your words, is problematic. We also gleaned from your statement "It is strongly suspected that the evidences to be collected will be incriminating," in the same preliminary proceedings report that you considered the hearsay testimonies factual and had already presumed us to be guilty.

For we were among those who rejected the tyranny of crime rather than those who surrendered to fear or acted out of their own interest.

Our objection is to be forced to close our eyes, ears and mouths to all the evils, injustices, inequalities and unfairness that are being perpetuated; and to accept the system of plunder and pillage with undisputed obedience. Opposing what is wrong is not an evidence of our guilt, but a confirmation of our humanity. And this is the cause of the hatred towards us.

To be brave surely does not mean having no fear at all, but instead to be able to speak up and raise your objection whilst knowing full well what you stand to lose. For cowards do not live. They only survive. Let me take this opportunity to say that the silent majority will bear the onus of answering the question of what it feels like to remain silent and not object while all of this horror is playing out in plain daylight before their very eyes when merely witnessing evil is enough to stain the soul.

During the hearings in July, a dialogue took place between you, the presiding judge, and me about not knowing each other. Now looking back in the wake of the performance of this court in terms of slaughtering the law, I can say that I was wrong. I am acquainted with you and all the members of your court including the prosecutor.

You were present at the OdaTv trials that were initiated as the result of a plot by the Gülen Sect, charging me with being involved in the Ergenekon movement. In that instance your name was Mehmet Ekinçi, the prosecutor's name Cihan Kansız, and the other judges Hikmet Sen and Seyfettin Mermerci.

The judiciary of the Sect would massacre the notion of law by bringing unfounded charges against people and then toying with the carcass that was once law in trials that were simply shows to put on an 'appearance of justice'. Today's judiciary is doing exactly the same. Thanks to you, I have gained yet another experience that demonstrates what happens when the scales of justice balancing impartiality, independence, conscience and logic break down.

You have become the accomplice of a political operation that was a clear set-up. You have kept persons you knew to be innocent in jail using evidence that was not judicially acceptable and charges that were not real offences.

You either obeyed directions or had political motives. Both alternatives lead us to the same conclusion. There is no rule of law here! And so we can have no justice.

For no justice can come from the collusion of interests of those in power and their minions.

For attempting to use the judiciary as a means for revenge by rendering the law a tool of hatred is what dictators do.

For under dictatorships where the only justice that exists is that of power and the powerful, courtrooms become black holes swallowing up justice itself.

And because of all these, this trial is evidence that justice cannot be obtained through the legal process.

You continued this court case, which had crumbled apart from the very first hearing, by insisting on unlawfulness, and appeared before us with the same justifications each and every time.

You must know that those who continuously repeat the lies of others not only amplify them, but also internalize them until that big, walloping lie ceases to be somebody else's and comes to belong to the one who is repeating it. It becomes their "reality". Or they become the prisoner of that falsehood and turn into a liar.

Although it was obvious from the onset that this political operation was a set-up based on lies, your prosecutor repeated the same requests from day one. In turn, your panel repeated decisions in line with these requests. And so, you fell captive to a lie.

It is for this reason that I have nothing to request from you.

My statement is a response in advance to the concluding remarks and demands, which I know are to be made by your prosecutor, and to the verdict of your panel – the contents of which have already been decided in some other place way before, and which I also already know.

It is also yet again an accusation.

Each and every one of our lawyers have explained the unlawful acts that have taken place since the commencement of this rigged show on the 31st of October 2016, with their belief in the rule of law for which I have great respect.

They explained the laws, the related sections of the constitution and the decisions of the constitutional court and the court of appeals. They talked about the European Convention on Human Rights, other international conventions and the decisions of the European Court of Human Rights. They laid out all the breaches of law that have been committed with your complicity.

Surely, law may be discussed with those who are not lawyers or legal experts.

But there is no point in engaging in a legal discussion with those who have allowed their personal interests to trump the rule of law.

The verdict that you will announce has no importance for me.

Because, if we are to put it in the terms used by the presiding judge of this court in describing the testimonies of some of the false witnesses, the verdict that you will be announcing 'has no judicial value'. Just like the lies of the prosecutors who submit themselves to whomever is in power and the fabrications of the puppets you call expert witnesses...

We, who have stood upright and with a clear conscience before you since the very first day, as journalists strongly adhering to the ethical principles of our profession have been absolved by history. Yet it is impossible to say that history will pass a favorable judgement on you.

I have no doubt that you will sentence each of us to penalties predetermined somewhere else entirely. But you should know that carrying out directives under the wings of a hierarchical chain will never be able to exonerate you from your responsibilities.

In my opinion, the only truth in your preliminary proceedings report that may be considered an indication of your upcoming verdict is the conclusion that we "would continue committing similar crimes in the event of being released."

You are once again right to be concerned.

Because, whatever you do, we will hesitate neither in our search for the truth, nor, once we find it, in handing it back to its rightful owner, the people.

For we are journalists.

We are the journalists whose paths are illuminated by Uğur Mumcu, who was never afraid to lay bare the dark secrets of the government's loci of power.

We are the followers of Musa Anter, who toiled to have the language of peace prevail over that of conflict in this country.

We are the brothers and sisters of Hrant Dink, who was trying to build a bridge of brotherhood between peoples even when he was living with the restlessness of a dove.

We are the comrades of Metin Göktepe, who struggled so that justice, equality and freedom would take root in this land.

Because we are journalists who believe that our profession should be performed as it deserves; unflinching, upright, and unwavering from what is right and truthful in both behavior and character.

Because of this, we will continue telling the truth even if you murder us as you have done in the past or imprison us as you are doing now.

Because journalism is not a crime despite what the owners of totalitarian regimes, their judiciaries and collaborators may say.

**This statement was translated by the Group of Solidarity for Freedom of Ahmet Şık.*