

# Think, think...



## Freedom of Expression Weekly Bulletin

(Issue 31/19, 9 August 2019)

### What happened last week?

\*\*\* Turkey and the U.S. agreed on a “security zone” to be established in Northern Syria. An operations center will be established that will be shared between the two countries. The United States announced that they will prevent a one-sided intervention by Turkey. President Erdoğan replied to the announcement with the statement, *“We will use physical force when needed.”* *“The process here will start with the establishment of the operations center. What’s important here is for this step to be taken in Eastern Euphrates and now this is happening together with Americans.”*

\*\*\* In the statement made by the Syrian government at the beginning of the week, it was announced that operations in Idlib will start again after Ankara didn’t fulfill the responsibilities they have undertaken with the Sochi convention. It was further announced that the convention between the U.S. and Turkey was *“an open attack against the sovereignty and territorial integrity of Syria.”*

\*\*\* The required reserve ratio applied by the Central Bank on foreign currency bonds was increased by 100 basis points. This ratio was 11.3 percent in 2018 and today, after successively applied increase in the economy, it was raised to 14.6 percent. On the other hand, all general directors assigned in the period of former Central Bank Head Murat Çetinkaya were dismissed by the Central Bank Assembly.

\*\*\* With a new Presidential decree, the state treasury that is governed by his Minister son-in-law Berat Albayrak was allowed to partner with domestic or foreign companies. From now on, the state treasury will be able to partner with companies upon a Presidential decree. [Please click here for details.](#)

\*\*\* Despite the expected decrease, an increase of 16.65 percent was recorded in the inflation data, breaking the record in July. Contrary to what Erdoğan claimed, the increase in inflation continued despite interest rate discounts.

\*\*\* Ankara Criminal Judicature of Peace decided for 136 URLs to be banned to access upon the request of the Gendarmerie General Command. The URLs banned to access include those on Facebook, Instagram, Twitter and Youtube as well as news portals. **Details below...**

\*\*\* Ankara Bar Association filed a lawsuit at the State Council to abate the regulation that authorises the Radio and Television Supreme Council (RTÜK) with monitoring the internet. The RTÜK Chairman replied to the criticism with, *“Our Constitution obviously bans censorship. No person or institution can apply censorship.”* More than 245 thousand websites and 150 thousand URL are banned to access.

\*\*\* Businessman Osman Kavala, who is arrested within the Gezi Park Case, is deprived of his freedom for 647 days.

\*\*\* Six former Cumhuriyet Daily writers and executives are imprisoned for 105 days despite the announcement of Justice Minister Abdulhamit Gül, who stated that those receiving imprisonment sentences which are shorter than five years will have the possibility of appealing the verdict and that the Chief Public Prosecutor's Office of the Court of Cassation claimed the reversal of all convictions issued in the Cumhuriyet Case. 74 Bar Association Chairmen made a call to the Court of Cassation for a stay of execution of the sentences issued against the journalists.

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### Access ban against 136 URLs upon request of Gendarmerie General Command

Ankara Criminal Judicature of Peace decided for 136 URLs to be banned to access upon the request of the Gendarmerie General Command. One of the URLs involving in the decree is [bianet.org](http://bianet.org). Bianet organises news workshops to spread rights-focused news

reporting with the perspective of social gender and peace journalism; while recording violations of freedom of expression with male violence records and media monitoring reports. With the decree issued by the Judicature without showing any reason, at least 200 thousand news on Bianet, on air since November 2000, are banned to access. The ban lead to heavy reactions on both the national and the international platform. A call was made for the access ban to be [removed immediately, for independent press and freedom of expression to be respected](#). The access ban against Bianet was revealed to have been taken arbitrarily; whereas the censorship against 135 URLs continue.



### Lawsuit against Cumhuriyet reporter Seyhan Avşar

A lawsuit was filed against Cumhuriyet Daily reporter Seyhan Avşar due to the news, entitled, "Ex-con Sözcü Prosecutor." The indictment prepared against the journalist, who faces an imprisonment claim for up to three years due to "targeting a public officer who took part in the fight against terrorism,"

was accepted by Istanbul 20th Assize Court. The news, published on March 6th, stated that Prosecutor Asım Ekren, who prepared the first indictment of Sözcü Daily Case, has previously been convicted and sentenced to 10 months of imprisonment and penalty fine due to attempting to gain an unfair advantage from suspects in the file, "Major sexual abuse of child."



### **“Pride March” lawsuit against METU students**

A lawsuit was filed against 19 students, who participated in the 9th METU LGBTI+ Pride March organised on May 10, 2019 at Middle East Technical University (METU). In the indictment, accepted by Ankara 39th Assize Court, the students are charged with

“participating in illegal meeting and demonstrations.” The first hearing of the lawsuit will be held on November 12, 2019.



### **Access ban against posts on double salaries for Presidential Director for Communication**

Ankara 8th Criminal Court of Peace issued an “access ban” decree against the Twitter posts on the news claiming that Presidential Director for Communication Fahrettin Altun and his wife, Fatmanur Altun, receive double salaries. The Judicature banned the posts made by six

separate accounts due to *“the possibility that the institutional reputation of the Presidency may be damaged.”*



### **Four health personnel arrested in Şırnak due to “illegal organisation membership”**

Four health personnel, one of them medical doctor and three nurses, were detained with house raids in Cizre district of Şırnak. The health personnel were arrested by the court they were taken to due to “armed terrorist organisation

membership” due to having treated a 10-year-old during the curfew declared in 2015. Indicating that the arrests are of criminal quality in terms of the universal human rights legislation, Turkish Medical Association (TTB) stated, “Release all health personnel, who were arrested due to performing their professional responsibility, immediately.”



### **SES Diyarbakır Co-Chair Recep Oruç dismissed**

Union for Health and Social Service Labourers (SES) Diyarbakır Co-Chair and Psychologist Recep Oruç, who was acquitted in the lawsuit filed against him due to “making illegal organisation propaganda” after being detained and dismissed due to a press statement against the military operation in Afrin,

was dismissed while awaiting his re-employment. The dismissal was made with the authority and approval of Health Minister Fahrettin Koca in accordance with the Statutory Decree No. 375.



### **ATV targets protesters of deforestation on Ida Mountains**

Pro-government ATV channel targeted the protests against the deforestation on Ida Mountains for mining gold, calling it the “Great Provocation.” The broadcast was made under the title, “Is there really a serious natural disaster, or is the matter something else?” The channel targeted Fox TV, Cumhuriyet and Sözcü Daily

reporting the deforestation as well as nature activists, MPs and Çanakkale Municipal Assembly members fighting to stop the deforestation.



### **HDP MPs beaten and detained while marching for Hasankeyf**

The press statement to be held by the People’s Democratic Party (HDP) MPs, Batman Co-Mayors and HDP Youth Assembly members in ancient city Hasankeyf, which will soon remain under water due to the Ilisu Dam, was banned. The protesters then wanted to march from Hasankeyf to Batman and were prevented by the Gendarmerie. 15 HDP MPs were beaten, insulted and detained.



municipality didn't want me to give the concert.”

### **Concert of Selçuk Balcı cancelled in Malatya**

The concert to be given by musician Selçuk Balcı within Malatya Celebrations organized by Malatya Metropolitan Municipality on August 24-30, 2019 was cancelled. Balcı indicated that the organisers were “pressured by the protocol” and stated, “They have seen my posts on Twitter; the MPs and



### **Confidentiality ban against file of Vedat Ekinci upon death with soldier bullet**

A confidentiality and broadcast ban was brought on the file of 14-year-old Vedat Ekinci, who died due to the fire opened by the soldiers after he crossed the border on August 1st, Thursday in Derecik district of Hakkari.



### **Ministry demands penalty, Court of Cassation denies: Expressing “Coup attempt was staged” is not a crime**

An individual, who stated that the July 15 Coup Attempt was “a staged attempt planned by President Tayyip Erdoğan,” was acquitted. The Ministry of Justice carried the file to the Court of Cassation with the claim to reverse the acquittal decree for the advantage of the law due

to the expressions constituting the “crime of propaganda.” The Court of Cassation denied the claim of the Ministry and approved the decree of acquittal, indicating that the expression was indeed criticism. The Court further pointed out that the defendant has no act or speech that revealed a relationship or sympathy with an illegal organisation and that the expression does not legitimise or praises violence.



### **Education and Science Workers' Union reacts against YÖK: "We will expose campaign you started against the law"**

The Education and Science Workers' Union (Eğitim-Sen) reacted against universities and the Council of Higher Education (YÖK), which started petition campaigns against the Constitutional Court issuing a verdict of rights violation

against the lawsuits on the academics signing the peace petition. The union indicated that the university administrations continue to ignore the Constitutional Court decree and the Constitution, presenting peace petition signatory academics as "guilty." *"University administrations join this hate campaign one after another, following an order expressed to have been sent by the Council of Higher Education (YÖK). It must be known that those who support this hate campaign or possess this attitude are openly committing crimes,"* the union stated.



### **First acquittal for "Peace Petition" after Constitutional Court decree**

After the Constitutional Court (AYM) decree on the violation of freedom of expression for the "Academics for Peace," Izmir 13th Assize Court issued a verdict of acquittal for Ahmet Kardam, who signed the peace petition to support the academics. Evaluating the case on the file without holding a hearing, the court referred to the rights violation decree of

the AYM in its reasoned decision.



### **"Conquest of Universities"**

Political authorities, who saw free thought in Turkey as an obstacle, had frequent conflicts with scientists. As higher education policies were shaped under an authoritarian perspective, there were lots of bans, eliminations and penalties. These policies were institutionalised with the YÖK regime on September 12th and continued with those coming into power forgetting (!) their

former promises. Today, pressures against universities reached a dimension that even exceeds

coup periods. [Please click here](#) for a summary of how “universities were conquered” and a step-by-step story of how we came to today.



## TRIALS OF FREEDOM OF EXPRESSION

**WHO:** Suruç Massacre Case

**CASE:** The eleventh hearing of the lawsuit filed on the massacre in Suruç district of Urfa, where 33 people died and 104 people were heavily injured with a bomb attack of ISIS, was held on August 7th at Urfa 5th Assize Court.

**VERDICT:** The Security Directorate has sent visuals on, before and after the explosion with five hours missing from the record. Despite the court order, the Security didn't send the missing records. The next hearing will be held on November 1, 2019.

(\*) There are no developments next week in the cases we're tracking due to the judicial recess.