

Think... think...



What happened in Turkey in July 2019



*** The meeting between Erdoğan and Trump at the G-20 summit decreased the level of tension for the S-400 crisis. President Erdoğan stated that Trump supported Turkey, both for S-400s and for F-35s. The Turkish Foreign Minister stated that suggestions coming from the United States on a “security zone” are not satisfactory. President Erdoğan stated that they are “decided” on a military operation

against eastern Euphrates.

*** Tensions continue after Turkey has increased the drilling activities for natural gas off the coast of Cyprus. The EU warned Turkey of “violating sovereignty” and sanctions. Russia launched the message, “We’re watching the developments with worry.” The U.S. called Turkish authorities to stop these operations. European Investment Bank announced that they will not give any credits to projects related with the Turkish government until the end of the year, within the frame of EU sanctions. Ankara announced that the Readmission Agreement with the EU was suspended.



*** The Central Bank in Turkey has a special legislation and a - debatably - independent status. Head of Central Bank, Murat Çetinkaya, was removed with a decision by President Erdoğan. Çetinkaya became the first Central Bank Head to be sacked (for in previous examples, those disagreeing with the government have been forced to resign). This removal revealed once again that Erdoğan’s decisions take place even above the law in this “Turkish-type” Presidential regime that gathers all powers of decision in one hand. [Please click here for details.](#)

*** The 11th Development Plan for 2019-2023 passed the Parliament. Goals in the new development plan were largely lowered, compared to the previous plan announced in 2013. The “omnibus bill”, predicting regulations in the economy, passed the Parliament. “Reserve funds” of the Central Bank will now be able to be used by the government. Central Bank decreased the interest rates from 24 to 19.75 percent in the first meeting held after the change in the administration made by Erdoğan. Erdoğan didn’t find the decrease sufficient and said, “*More of it must come.*”

*** The legislative session ended and the Parliament is now in recess. The Republican People's Party (CHP) presented a law draft so that a Monitoring Commission is established for Presidential Decrees. It was further indicated that with the Presidential system, 691 articles are being negotiated, 39 law drafts are enacted and Erdoğan by himself has enacted 1915 articles. The only method to receive information for MPs left is written Parliamentary questions after the Presidential system. However, replying rate of the Parliamentary questions decreased to five percent.

*** Former Minister Ali Babacan, known to be in preparation of a new party with 11th President Abdullah Gül, resigned from AKP, saying, "It is inevitable to start a new project for Turkey's today and tomorrow." President Erdoğan spoke on the resignation of Babacan, saying, "We were stabbed in the back." Accusing Babacan of dividing the Islamic community, Erdoğan openly targeted Gül for the first time as well.

*** Successive official statements were made on the deportation of refugees, who had to migrate to Turkey. Interior Minister Süleyman Soylu stated that 80 thousand refugees will be deported by this year. Istanbul Governorate announced that 12 thousand refugees, including 2630 Syrians, were transferred to deportation centers within 20 days.

*** The Constitutional Court decided on the individual applications made against the prosecutions of **Peace Academics**. Following the President's call for rectors and the judiciary on duty, lawsuits filed and sentences issued against the "Academics for Peace" are null and void.



The decision was made with 8 votes against 8. The decree of violation was issued due to the Constitutional Court Chief Judge Zühtü Arslan has used his vote on violation; for in case of an equality of votes, the Chief Judge gets two votes. Even this situation reveals how hard the decree of violence was issued in an application that is an obvious violation of freedom of expression.

*** Universities dismissing hundreds of signatory academics following the order of President Erdoğan regarding the Peace Petition of the Academics for Peace took action against the Constitutional Court (AYM) decree this time. Ağrı İbrahim Çeçen, İstanbul Aydın, Altınbaş and İstanbul Medeniyet University Rectorates sent a petition to the Dean's Offices to be transferred to department heads. The academics were asked to sign the petition sent, with the title, "Constitutional Court Cannot Legitimise Terrorism." İstanbul University Rectorate launched a similar statement, entitled, "On Peace Petition, the So-Called Manifesto," targeting the Academics for Peace.

*** In the second hearing of the "Gezi Park Case," the release claim for Osman Kavala was denied once again. The prosecutor of the "Büyükkada Case" was changed. Despite the "right violation" verdict of the Constitutional Court (AYM), the acquittal claim for Deniz Yücel was denied. Selahattin Demirtaş will remain arrested in the case he is on



trial with a claim of imprisonment for up to 142 years. The prosecutor claimed a sentence of imprisonment for up to 17 years against Republican People's Party (CHP) Istanbul Provincial Chair Canan Kaftancıoğlu. **Assoc. Prof. Tuna Altınel** from the Academics for Peace, who was arrested for 81 days, was released in the first hearing of the lawsuit filed against him. Directors of documentary "Bakur/North", Çayan Demirel and Ertuğrul Mavioğlu were sentenced to 4 years and six months of imprisonment each due to "making terrorist organization propaganda." Batman 2nd Assize Court further imposed a travel ban against Demirel and Mavioğlu. Selahattin Demirtaş will remain arrested in the case he is on trial with a claim of imprisonment for up to 142 years. According to the data by the Academics for Peace Initiative, the total number of academics with convictions against them increased to 204. Separate lawsuits were filed against professional organisation members, democratic organisation representatives and rights advocates due to "making illegal organisation propaganda" after they have made criminal complaints against themselves as a civil disobedience act in Izmir to support the academics who signed the Peace Petition, after the lawsuits filed in Istanbul.

*** According to BIA Media Monitoring Report, **213 journalists and media workers were prosecuted in the second quarter of 2019**; 26 were convicted of charges like "illegal organisation membership," "aiding and abetting an illegal organisation," "making illegal organisation propaganda" and "insulting Erdoğan." [Please click here for details.](#)

*** Foundation for Political, Economic and Social Research (SETA) launched a report with the title, "International Media Outlets' Extensions in Turkey." The report accused international media organisations with making anti-government publications; targeting journalists working for such organisations. [Please click here for details.](#)



*** Previously shut-down Özgür Gündem Daily's Co-Editor-In-Chief Hüseyin Aykol was imprisoned for the execution of his 3-year 9-month imprisonment sentence. Human Rights

Foundation of Turkey (TIHV) Chair Prof. Dr. Şebnem Korur Fincancı, Reporters Without Borders (RSF) Turkey Representative Erol Önderoğlu and writer Ahmet Nesin were acquitted of charges due to participating in the "Substitute Editing-In-Chief Campaign" for Özgür Gündem Daily. The Court of Cassation reversed the heavy life imprisonment sentence against journalist-writers Ahmet Altan, Mehmet Altan and Nazlı Ilıcak in the "Coup Attempt Case." The court issued the acquittal of Mehmet Altan and for Ahmet Altan and Nazlı Ilıcak to not be convicted of "violating the Constitution," but of "aiding an illegal organisation." Release claims for Ahmet Altan and Nazlı Ilıcak were denied. Ahmet Altan and journalist-writer Işıl Özgentürk was on trial due to her column published on the January 13, 2019 issue of Cumhuriyet Daily with the title, "New-age scarved women." Özgentürk was sentenced to 1 year and six months of imprisonment due to "public denigration and incitement towards resentment and hostility." Istanbul 2nd Criminal Court of First Instance sentenced Yurt Daily reporter Cengiz Erdiñç to a deferred imprisonment sentence for ten months as well as a judicial fine of 16,600 TL with the allegation that he has "damaged the reputation of" Ziraat Bank in his news article, "Financial Black Holes," dated March 27, 2016. An investigation was opened against journalist Rıfat Doğan, who was tracking the

lawsuit on the train disaster in Çorlu. Doğan is charged due to taking a photograph in the hearing room.

*** **New files were added to those of insulting Erdoğan;** A summary was prepared against Republican People's Party (CHP) Chairman Kemal Kılıçdaroğlu due to his statements on the murder of journalist Jamal Kashooghi. 16th Criminal Chamber of the Court of Cassation approved the deferred 11-month 20-day imprisonment sentence issued against musician Zuhul Olcay due to "insulting" the President through interpreting the lyrics of a song she sang in a way that would relate them to Erdoğan. Losing his son in the "Ankara Massacre," Mustafa Doğan was sentenced to 10 months of imprisonment in the first hearing of the lawsuit filed against him due to "insulting the President." A lawsuit was filed against humourist Cihan Demirci due to "insulting the President" through his social media posts.

*** **Istanbul Pride March was not permitted this year as well.** The police took Taksim Square under blockade with riot vehicles and barricades before the press statement on Istanbul Pride March, which was banned by the Governorate. The participants gathered at Mis Street and read the press statement on the banned Pride March. After the statement, the police attacked the protesters with tear gas and shields. The screening of documentary, "Gitmek" ["Going"], on Suruç massacre with 33 people losing their lives, was banned in Istanbul. Şişli District Governorate banned the screening with the allegation that the documentary, directed by Mustafa Emin Büyükcoşkun, makes "terrorist organization propaganda." Banning events like demonstrations, marches, rallies and sit-in protests for "security," Van Governorate **extended the ban for another 15 days**. Protests are banned for already 980 in the province. The first protest and demonstration ban was issued in Van on November 21, 2016 within the State of Emergency issued after the coup attempt. The Governorate extends the ban since then, sometimes with periods of one month and sometimes 15 days. An indictment was prepared against seven Contemporary Lawyers Association (ÇHD) lawyers, protesting in Beşiktaş last February to point out the situation of their arrested colleagues, with charges of "resisting to prevent duty" and "not dispersing despite warning after unarmed participation in illegal meeting and demonstration." Tunceli Governorate banned the screening of documentary, "Saturday Mothers" as well as the LGBTI+ Concept Workshop to be held within the 19th Munzur Culture and Nature Festival. The ban was based on "national security," "public order" and the "protection of general health and morality."



*** By the end of 2018, **245.825 websites were banned to access** in Turkey. 54.903 of those websites were banned to access within the year 2018. **For details:** [EngelliWeb 2018](http://EngelliWeb.2018). The website geziyisavunuyoruz.org, opened to inform the public on the Gezi Park Case, was banned to access with a decree issued by Ankara 3rd Criminal Judicature

of Peace. Another access ban was made against the “mezopotamyajansi21.com” URL of Mezopotamya Agency after successive access bans. Ankara 1st Criminal Judicature of Peace issued the access ban against the agency’s website. The Constitutional Court (AYM) denied 15 different applications made by academics Yaman Akdeniz and Kerem Altıparmak within freedom of expression on access bans. The application involved 615 contents, including Twitter accounts banned to access due to “national security and public order” as well as news websites. AYM claimed that those making the application are not the victims. Akdeniz indicated that with the AYM decree, all access bans brought by the Information and Telecommunication Authority (TIB) and Gölbaşı Criminal Court of Peace following the claim of the Prime Ministry are effectively approved; therefore they will carry the case to the European Court of Human Rights (ECHR).

*** **The State of Emergency Applications Monitoring Commission** announced that 61 percent of applications were concluded. 71,900 applications were denied; 6000 applications were accepted. Evaluations of 48,300 applications continue.

*** According to data by the Human Rights Foundation of Turkey (TIHV), at least 369 **curfews** were declared within the last four years, affecting 1 million 809 thousand people in at least 11 provinces and 51 districts.

*** Turkey has become the country with the **most number of convictions at the European Court of Human Rights (ECHR)** related to a violation of freedom of expression and thought with 40 convictions in 2018 only. Furthermore, Turkey received convictions on the violation of the right to meeting and demonstration in 11 files. Turkey violated at least one article of the European Convention on Human Rights (ECHR) in a total of 140 files last year; becoming the second most convicted country after Russia. Turkey has the most number of convictions in the history of ECHR (1959-2018) with 3,128 decrees of violation.



*** The Constitutional Court (AYM) announced the statistics on individual applications between the dates June 23, 2012 and June 30, 2019. **223,330 applications were made at the court in total**, 21,665 of which were made within the first six months of this year. 186,701 of those applications were concluded. “At least one right violation” was issued in 7,835 applications, 691 concluded in 2019. 53 percent of the decrees of

violation (within 4,250 applications) were issued against the right to a fair trial; five percent (440 applications) were issued against the right to freedom of expression. Furthermore, 104 discrimination bans, 55 organisation freedom, 37 right to meeting and demonstration, 159 mistreatment ban violation decrees were issued. Constitutional Court Chief Judge Zühtü Arslan made a statement last week and indicated that the number of individual applications continue to increase and that some legal amendments are now inevitable. “*The purpose of individual application is not to evaluate each and every rights violation in the country separately, but to make decisions to eliminate the source of those rights violations,*” Arslan stated.

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