

# Think, think...



## Freedom of Expression Weekly Bulletin (Issue 42/19, 25 October 2019)

### What happened last week?

\*\*\* Hours before the end of the five-day ceasefire declared with the U.S., Putin and Erdoğan held a summit in Sochi, which resulted in a 10-clause consensus. The agreement paved the way for the Syrian army to return to the Turkish border. Russian soldiers were deployed in border regions to monitor the withdrawal of YPG forces, entering in Kobani as well. Turkey's addressee in the target region is now the Syrian regime and Russia.

\*\*\* Ministry of National Defense announced that the U.S. informed them on the completion of the withdrawal of YPG forces in the region, therefore “*no new action needs to be taken at this stage.*” Trump stated that he ordered for a removal of the sanctions against Turkey after the ceasefire as well as the consensus between Russia and Turkey.

\*\*\* 4 People's Democratic Party (HDP) mayors, including previously dismissed Diyarbakır Mayor Selçuk Mızraklı, were arrested. Trustees were assigned to Kayapınar, Bismil, Kocaköy districts of Diyarbakır and Van Erciş District Municipality.

\*\*\* 31 new summaries arrived in the Turkish Parliament, 30 of which are against 19 People's Democratic Party (HDP) MPs.

\*\*\* Central Bank decreased the political interest rates to 14 percent. After Erdoğan removing the Bank Chairman from duty and ordered a decrease, interest rates were decreased for a total of 1000 base points since July.

\*\*\* Replying to the Parliamentary question by Republican People's Party (CHP) MP Ömer Fethi Gürer, Vice President Fuat Oktay announced that 3,804 press cards were cancelled in the last five years.

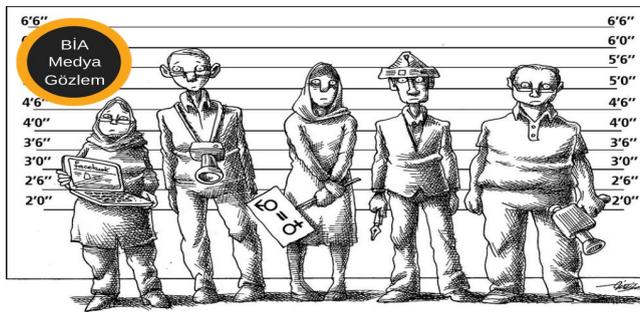
\*\*\* Recognised as an “effective domestic remedy” (!) by the European Court of Human Rights, the State of Emergency Applications Committee concluded 92 thousand applications so far and denied 83,900.



### Trustee operations

Diyarbakır Co-Mayor Adnan Selçuk Mızraklı, who was previously dismissed by the Interior Ministry and was replaced with a trustee, was arrested with allegations of “illegal organisation membership” and “making illegal organisation propaganda.” Kayapınar Co-Mayor Keziban Yılmaz, Kocaköy

Co-Mayor Rojda Nazlier and Erciş Co-Mayor Yıldız Çetin, who were detained together with Mızraklı and were replaced with trustees, were also arrested. Bismil Co-Mayor Orhan Ayaz was released with judicial measures. As Kayapınar Co-Mayor Keziban Yılmaz Bismil Co-Mayor Orhan Ayaz and Kocaköy Co-Mayor Rojda Nazlier were under detainment without testifying, the Interior Ministry dismissed them and assigned district governors to the municipalities as trustees. Thus, trustees were assigned against 12 municipalities under HDP administration since the elections on March 31st.



### **BIA launches 3-month media monitoring report**

Bianet launched its three-month media monitoring report. At least 13 journalists and media workers were detained in the July-August-September 2019 period. 212 journalists were prosecuted and 12 journalists were sentenced to imprisonment for longer than 48 years in

total. On the other hand, one of the journalists being prosecuted due to “insulting Erdoğan” was sentenced to 11 months and 20 days of imprisonment. During the Presidency of Erdoğan, Article 299 of the Turkish Criminal Code (TCK) constituted as basis for the convictions of at least 60 journalists with sentences of immediate imprisonment, deferred imprisonment or judicial fines. At least 577 news were banned to access with decrees issued by Criminal Judicatures of Peace in the three-month period. [Please click here](#) for the full report.



### **Investigation against Cizre Co-Mayor**

Three separate investigations were filed against Cizre Co-Mayor Mehmet Zırığ. Zırığ is charged with “making illegal organisation propaganda” and “insult” due to his social media posts on trustees; as well as with “violating the Law on Meetings and Demonstrations” due to participating in the protest against the operation in Syria.



### **Journalist Emre Orman arrested**

Journalist Emre Orman, who was detained due to his anti-war posts on social media, was arrested by the court he was taken to due to “making illegal organisation propaganda.”



## 1-year 3-month imprisonment against journalist Osman Akın

Former Editor-In-Chief of Yeni Yaşam Daily Osman Akın was sentenced to 1 year and three months of imprisonment in the lawsuit he was on trial due to the news published in the newspaper.

Istanbul 28th Assize Court deferred the announcement of the verdict issued against the journalist due to “making illegal organisation propaganda.”



## Journalist Safiye Alağaç acquitted

JinNews News Director Safiye Alağaç was acquitted of “making illegal organisation propaganda” in the lawsuit she was on trial at Diyarbakır 4th Assize Court due to the news published on the website of the agency.



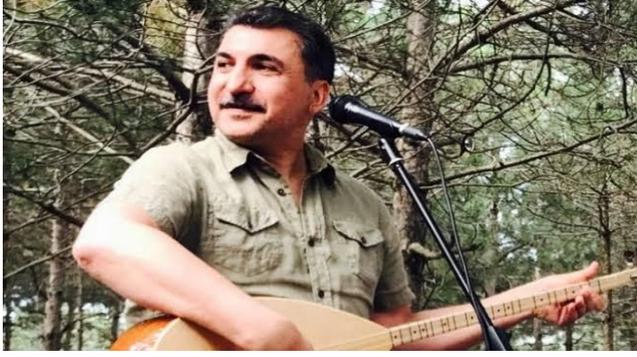
## Arrest due to “insulting Erdoğan” through social media post

Turkish citizen Rıfat B. was detained in Sultanhisar district of Aydın due to “insulting the President” and “making illegal organisation propaganda” through his social media posts. He was later arrested by the court he was taken to.



## Erdoğan makes criminal complaint against Le Point Magazine

President Erdoğan made a criminal complaint against Le Point magazine after its criticism against the Syrian operation in the cover of the issue on October 24th. The President claimed a lawsuit to be filed against the magazine due to “insulting the President.”



### **Lawsuit against artist Ferhat Tunç due to his social media posts**

The prosecution of artist Ferhat Tunç started at Büyükçekmece 16th Criminal Court of First Instance with the charge of “insulting Binali Yıldırım” through his social media posts in 2016. The court decided for the defense statement of Tunç to be obtained by rogatory and scheduled the next hearing for March 5, 2020 at

14:00.



### **Peace Academic Cenk Yiğiter acquitted of charges due to speech**

The lawsuit filed against “Peace Academic” Cenk Yiğiter, who was dismissed from Ankara University with a Statutory Decree, with the charge of “making illegal organisation propaganda” due to a speech he gave at Ankara Bar Association Human Rights Center, was

concluded with acquittal. The academic was on trial at Ankara 18th Assize Court due to his speech, in which he spoke about the human rights violations during curfews.



### **Ankara Governorate bans “Ecology Rally”**

The rally to be organised by ecological organisations with the slogan, “We say stop to the climate crisis and the ecological destruction” was banned by Ankara Governorate.



### **District governorate bans festival organised by municipality**

Mardin Derik District Governorate banned the “Olive Festival” to be organised by the municipality on October 25-27 based on the operation against Syria. “We are being prevented from serving the people,” said Derik

Co-Mayor Mülkiye Esmez on the prevention of the festival, which was organised with the slogans, “Olive tree is the tree of peace” and “we gather at the olive tree.”



## March by metal workers banned in Eskişehir; 32 detainments

Metal-Labour Union members working at Entil Industry, Hapalki Casting and Tarkon Machinery within Zeytinoğlu Group attempted to march from Eskişehir towards Ankara after not having been paid for four months. The police intervened the workers, 32 people were detained.



## Dört Eski Bakanın Soruşturma Komisyonu Haberlerine de Yayın Yasağı

Suik Cezası Hükümeti, eski bakanlar Çağlayan, Güler, Bağış ve Bayraktar'ın mahrumiyet kararları zataz gormesin diye ifade verecekleri TBMM Soruşturma Komisyonu'na dair haberlere yayın yasağı getirdi.

Ankara - BİA Haber Merkezi  
26 Kasım 2014, Çarşamba 10:49



Ankara 7. Suik Cezası Hükümeti, eski bakanlar Zafer Çağlayan, Muammer Güler, Egemen Bağış ve Eroğan Bayraktar hakkında ruşvet iddiaları iddiasıyla kurulan Soruşturma Komisyonu'na ilişkin haberlerde ilgili TBMM Başkanı Cemil Çiçek'in başyuruluşuyla yayın yasağı getirdi.

## Constitutional Court issues violation verdict in applications on media blackouts

The Constitutional Court (AYM) issued a verdict of rights violation against media blackouts brought for the Parliamentary investigation on corruption allegations against four former ministers, the December 17-25 corruption investigation,

National Intelligence Agency (MIT) trucks carrying ammunition to Syria and the occupation of the Turkish Consulate in Mosul.



## TRIALS OF FREEDOM OF EXPRESSION

### Journalist Uğur Yılmaz Case

The sixth hearing of the lawsuit filed against journalist Uğur Yılmaz was held on October 22nd with charges of “illegal organisation membership” and “propaganda” due to his social media posts as well as the press statements and marches he followed for news during the time he was working at Bitlis Municipality Press Unit.

**COURT:** Bitlis 2nd Assize Court

**VERDICT:** Presenting his opinion on the basis, the Prosecutor claimed conviction due to propaganda and membership. The next hearing will be held on November 5, 2019.

### Osman Akın Case

The second hearing of the lawsuit filed against Yeni Yaşam Daily's Managing Editor Osman Akın was held on October 22nd with the charge of “making successive illegal organisation propaganda” due to the news published on the newspaper related to hunger strikes.

**COURT:** Istanbul 28th Assize Court

**VERDICT:** The journalist was sentenced to 1 year and three months of imprisonment. The announcement of the verdict was deferred.

**KCK Press Case**

The seventeenth hearing of the KCK Press Case was held on October 22nd with 46 journalists on trial due to “terrorist organisation membership” and “making terrorist organisation propaganda.”

**COURT:** Istanbul 3rd Assize Court

**VERDICT:** The next hearing of the case will be held on February 25, 2020 at 10:30.

**Safiye Alağaç Case**

The summary judgment of the lawsuit filed against JinNews News Director Safiye Alağaç with the allegation of “making illegal organisation propaganda” through the news published on the agency was held on October 22nd.

**COURT:** Diyarbakır 4th Assize Court

**VERDICT:** The journalist was acquitted.

**Hayri Demir Case**

The second hearing of the lawsuit filed against journalist Hayri Demir was held on October 23rd with charges of “terrorist organisation membership” and “making terrorist organisation propaganda” due to the news he reported on Northern Syria in 2016.

**COURT:** Ankara 15th Assize Court

**VERDICT:** The journalist presented his defense against the charges imposed against him and indicated that his professional activities are being prosecuted. “This lawsuit is a conspiracy against me,” said the journalist. The court decided for the memory card previously presented as evidence in the file to be handed back to Demir and scheduled the next hearing for January 23, 2020 at 11:00.

**Cenk Yiğiter Case**

The summary judgment of the lawsuit filed against “Peace Academic” Cenk Yiğiter, who was previously dismissed from Ankara University with a Statutory Decree within the State of Emergency, was held on October 23rd with the charge of “making illegal organisation propaganda” through the speech he gave at Ankara Bar Association’s Human Rights Center on human rights violations during curfews.

**COURT:** Ankara 18th Assize Court

**VERDICT:** The academic was acquitted.

**Mehmet Baransu - Şevki Çoban Case**

The next hearing of the lawsuit filed against former Taraf Daily reporter Mehmet Baransu and Managing Editor Murat Şevki Çoban was held on October 24th due to the news published in the newspaper with the title, “The Decision to End Gülen Was Made at State Security Council in 2004.”

**COURT:** İstanbul Anatolian 10th Assize Court

**VERDICT:** The court accepted the claim of the Prosecutor for extra time to prepare an opinion and scheduled the next hearing for December 4, 2019.

**Ferhat Tunç Case**

The first hearing of the lawsuit against artist Ferhat Tunç, who is charged with “insulting Binali Yıldırım” through his social media posts in 2016, was held on October 24th.

**COURT:** İstanbul Büyükçekmece 16th Criminal Court of First Instance

**VERDICT:** The court decided for the defense statement of the artist, who lives abroad, to be received with rogatory and scheduled the next hearing for April 14, 2020 at 10:50.

**Müyesser Yıldız Case**

The second hearing of the lawsuit filed against OdaTV Ankara News Director Müyesser Yıldız was held on October 24th due to slander through covering the news on the secret witness statements against former Chief of General Staff Hulusi Akar.

**COURT:** Ankara 35th Criminal Court of First Instance

**VERDICT:** The court turned the charge from slander to insult and gave extra time for the preparation of the defense statement. The court denied the claim for the secret witness in question to be listened to and scheduled the next hearing for March 5, 2020 at 14:00.

**Peace Academics Cases**

More Peace Academics were acquitted in hearings this week. Academics for Peace Initiative announced that 486 academics were acquitted so far and 17 of them were previously convicted academics.

**HEARINGS NEXT WEEK****Sözcü Daily Case**

The lawsuit filed against Burak Abay, Gökmen Ulu, Mediha Olgun and Yonca Yücekaleli due to “establishing and managing a terrorist organisation,” “making terrorist organisation propaganda” and “committing crimes on behalf of an illegal organisation without being a member.”

**DATE:** 28.10.2019 at 10:00; Istanbul 37th Assize Court

**Ahmet Altan Case**

The lawsuit filed against journalist and writer Ahmet Altan due to “not publishing a correction or reply” on the article he wrote for Taraf DAily on January 4, 2010 with the title, “Death as an Order of the Father.”

**DATE:** 30.10.2019 at 13:30; Istanbul Anatolian 10th Criminal Court of First Instance

**Can Dündar Case**

The lawsuit filed against former Editor-In-Chief of Cumhuriyet Daily, Can Dündar due to “obtaining confidential information for espionage” on publishing visuals of the trucks belonging to the Turkish National Intelligence Agency, which were going to Syria.

**DATE:** 31.10.2019 at 11:00; Istanbul 14th Assize Court

**Ali Sönmez Kayar Case**

The lawsuit filed against ETHA reporter Ali Sönmez Kaya and 9 others due to “illegal organisation membership.”

**DATE:** 31.10.2019 at 10:00; Istanbul 32nd Assize Court

**Cem Şimşek Case**

The lawsuit filed against Evrensel Daily’s former Managing Editor Cem Şimşek due to “insulting Erdoğan” through the news with the headline, “German cartoonists drew Erdoğan so bad.”

**DATE:** 31.10.2019 at 11:00; Bakırköy 27th Criminal Court of First Instance

**Mümtazer Türköne Case**

The lawsuit filed against previously shut-down Zaman Daily columnist and academic Mümtazer Türköne due to “insulting the President” through a column he wrote in 2014.

**DATE:** 31.10.2019 at 11:20; Bakırköy 2nd Criminal Court of First Instance