

Think, think...



Freedom of Expression Weekly Bulletin (Issue 44/19, 8 November 2019)

What happened last week?

*** 13 people died and 20 were injured in the attack made in a marketplace with a bomb car in Tell Abyad district center on November 2nd, Saturday. Turkey held PYD responsible of this attack, which was 5 km away from its borders inside a region Turkey declared as its own. PYD, on the other hand, claims that Turkey has organised this for propaganda. ([Please click for details](#))

*** On the other hand, Kılıçdaroğlu defended the support of the Republican People's Party (CHP) for the operation. The party leader said that Turkey is providing great service in the region and that the locals would be deprived of such services if the operation didn't happen.

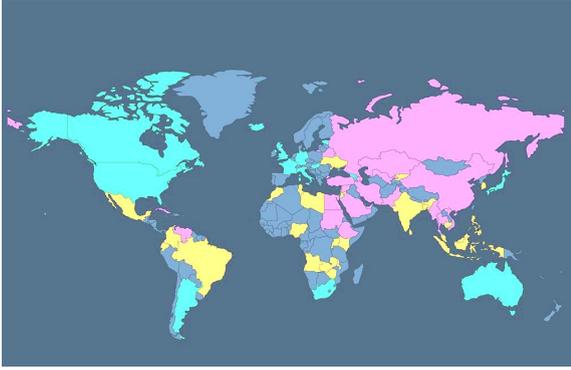
*** The United States officially applied to withdraw from the Paris Agreement. The country will officially be withdrawn from the agreement next year, the next day after the Presidential elections on November 4, 2020. The Paris Agreement aimed at limiting the global level of warming for 1.5 degrees. The conference organised in Chile on this matter was cancelled due to domestic turmoil. Greta Thunberg took off with a sailboat in order not to use a plane and she had to redirect her route towards Spain. ([Please click for details](#))

*** Turkish Statistical Institute (TÜİK) did what minister Albayrak promised. The annual inflation was announced 8.55% as predicted by the minister, but economists are suspicious about the data. The question, "How does the inflation fall as prices increase?" is still unanswered. ([Please click for details](#))

*** The number of municipalities under trustee administration increased to 16 with Mardin Kızıltepe and Van İpekyolu Co-Mayors were forced to resign. In simultaneous raids against many addresses in Istanbul, many People's Democratic Party (HDP) members were detained, including People's Democratic Congress (HDK) Co-Spokesperson Sedat Şenoğlu. It drew great public reaction that three previously arrested mayors were kept handcuffed in a closed vehicle for 10 hours to be taken somewhere else. ([Details in the bulletin](#))

*** Istanbul Occupational Health and Safety Assembly (ISIG) announced the October work murders report. According to the report, at least 155 people have lost their lives in October and at least 1477 within the first ten months of the year. These work murders are recorded as "Occupational Accident" even though they happened due to the lack of simple and cheap precautions, such as falling from a height and being electrocuted. ([Please click for details](#))

*** 44 people in Istanbul and later 40 more in Tekirdağ were taken to the emergency unit after having been poisoned by the spinach they ate. Minister of Health Fahrettin Koca announced that the total number of incidents was 196 but there is no danger of life, and that the poisoning was due to the wild herbs that got mixed inside the spinach. However, this explanation didn't satisfy many scientists. The strongest probability looks like the water and thus the spinach were polluted with chemical waste. ([Please click for details](#))



Freedom House Internet Freedom Report

Thought organisation Freedom House launched its “Freedom on the Net 2019” report. Turkey was categorised within countries whose Internet is not free, with only 37 points out of 100.

The report assessed 65 countries in terms of Internet freedom between June 2018 and May 2019 and states, “[The Internet] was once a freeing technology. Today it has become a channel for monitoring and election manipulation.”



Ahmet Altan and Nazlı Ilıcak released

The final decree was issued in the media structuring of the Gülen Community. Mehmet Altan was released; Ahmet Altan and Nazlı Ilıcak were released with judicial measures. Ilıcak and Ahmet Altan were released the same night.

Istanbul 26th Assize Court had sentenced six defendants, including Ahmet Altan, Mehmet Altan and Nazlı Ilıcak to heavy life imprisonment with the allegation of “attempting to overthrow the order predicted by the Constitution of the Republic of Turkey through the use of force and violence.” This decree was approved by the appeal court, however, the 16th Criminal Chamber of the Council of State reversed the decree. The Constitutional Court further issued, in the application of Mehmet Altan, that “personal freedom and safety was violated.”



Cases of Academics for Peace

The Constitutional Court had issued that the “freedom of expression” of the Peace Academics was violated. After this decree, 484 of 822 Peace Academics, who were on trial in different courts, were acquitted.

Istanbul 37th Assize Court, on the other hand, didn't recognise the Constitutional Court decree. The court denied the request of retrial by academic S.U., who was sentenced to imprisonment for 1 year and three months due to “making terrorist organisation propaganda.”

The reason? “In order for the retrial to be renewed, an appropriate decree is needed. However, the decree clearly states the deferment of the announcement of the verdict, therefore this decision can not be recognised as a final verdict.”

What is the meaning of a deferment of the announcement of the verdict?

The court tells the defendant that “I am convicting and sentencing you” in front of the entire audience. However, later the court says, “I am deferring the announcement of this verdict. If you commit this crime again within such-and-such years, I'll show you!”

You would bump into such ridiculous walls if you invent methods mocking human logic, instead of the “postponement of sentence” described in the law. There, resolve this now!

The Initiative for Freedom of Expression



Petition distribution under kettling

November 3, Sunday: Another scene mocking human intelligence. People's Democratic Party (HDP) members, including MPs Garo Paylan, İmam Taşçier, Zeynel Özen, Erol Katırcioğlu and Ali Kenanoğlu gathered in front of Human Rights Association (IHD) Istanbul Branch and

wanted to walk towards Istiklal Street. However, the party members' way was blocked in the street entrance by the police. Police commanders indicated that they will not allow mass petition distribution and that only the Parliament members are allowed to distribute petitions, dispersing HDP members with their shields in the meantime. The Parliament Members then walked across the street under kettling and distributed petitions - to whom?



3 mayors travel for 10 hours with handcuffs

A trustee was assigned at Mardin Kızıltepe Municipality as well. People's Democratic Party (HDP) member Mayor Nilüfer Elik Yılmaz, who was elected by the people with a predominant difference in votes, was replaced with the district governor as a "deputy" (?!). Thus, the number of municipalities lost but later taken forcefully by the Justice and Development Party (AKP) reached 15.

On the other hand, co-mayors transferred to Kayseri from Diyarbakır were put in different cells in a ring vehicle and were forced to travel for 10 hours with handcuffs, without pause.



15-year imprisonment claim against Selçuk Mızraklı

A lawsuit was filed against dismissed elected Diyarbakır Mayor Adnan Selçuk Mızraklı at Diyarbakır 11th Assize Court due to "armed terrorist organisation membership." The indictment was primarily based on "secret witness" statements. The Prosecutor's Office claimed an imprisonment sentence against Mızraklı from 7 years and six months up to 15 years.



New dimension in access bans

With the system planned to be established in 2020 aimed at “monitoring domestic tourism,” cell phone operators will inform the government on which city and hotel the citizens are in.

The system is called the “Domestic tourism monitoring system” and will be established by the Ministry of Culture in 2020. The aim? To reveal the local tourist profile and touristic activities in regions with the data received using the technology of GSM operators. We wonder if that is all?



Book ban in prison

Minister of Justice Abdülhamit Gül developed an interesting basis for arbitrary and random book bans in prisons: “To prevent further endangering the fire in case the books are used to set the room on fire.”

In his Parliamentary question, Republican People’s Party (CHP) Istanbul MP Sezgin Tanrikulu asked Minister of Justice Abdülhamit Gül how many books were restricted in wards. Answering the question, Gül stated that prisons are allowed all periodicals and prints, which are not previously withdrawn from shelves; whereas publications involving news, writings, photographs and comments which are explicit or which endanger the safety of institution are not allowed. “However, especially in crowded penitentiary institutes, publications may be restricted with aims such as the prevention of chaos or endangering the fire through the use of books and documents in cases of rooms set on fire.”

So there is no restriction, but there is...



Hello mother... Good day...

Grup Yorum is a music band determined towards making music in line with their beliefs and opinions, therefore the band never escaped pressure (because the moment the pressure is loose, the concerts are attended by thousands) and the band members are changing constantly. Because the members are either arrested or are being searched.

Bahar Kurt, Ali Aracı, İbrahim Gökçek, Helin Bölek and Barış Yüksel are on an indefinite and irreversible hunger strike in Silivro Prison since June.

Zuhal Yüksel, mother of Barış Yüksel, demanded her son to be released immediately, saying, *"I don't even know what he is charged with, for there is no indictment against him."*

In all letters sent to her by her son from prison, all lines were crossed off, only the words "Hello" and "Good day" were left.

TRIALS OF FREEDOM OF EXPRESSION

Coup Attempt Media Case

Decrees of conviction issued in the coup attempt media case filed against 6 defendants with 5 of them arrested including journalists Ahmet Altan, Mehmet Altan and Nazlı Ilıcak due to “attempting to overthrow the Constitutional order” was previously reversed by the Court of Cassation. The case is thus being retried.

COURT: Istanbul 26th Assize Court

VERDICT: The court issued the acquittal of Mehmet Altan. The court issued the releases of Nazlı Ilıcak and Ahmet Altan with judicial control based on the time they spent in prison. Ilıcak was previously sentenced to 8 years and 9 month of imprisonment and Altan to 10 years and six months of imprisonment by the court, both due to “willfully aiding and abetting an illegal organisation without being a member.”

Özgür Gündem Journalists Case

The lawsuit filed against 22 journalists, who were detained during the police raid against Özgür Gündem Daily after the newspaper was shut down with a Statutory Decree.

COURT: Istanbul 5th Criminal Court of First Instance

VERDICT: The next hearing was scheduled for February 25, 2020.

Ferhat Parlak Case

The lawsuit filed against Silvan Mücadele Daily owner and journalist Ferhat Parlak due to “terrorist organisation membership.”

COURT: Diyarbakır 11th Assize Court

VERDICT: The court decided for the judicial measure to remain due to the incomplete witness and secret witness statements as well as based on the lower and upper limit of the predicted penalty, scheduling the next hearing for February 17, 2020.

Atakan Sönmez Case

The lawsuit filed against former Cumhuriyet Daily Online News Director Atakan Sönmez due to “making successive terrorist organisation propaganda” through the news published on the website of the newspaper on the military operation against Afrin.

COURT: Istanbul 13th Assize Court

VERDICT: The court sentenced Sönmez to 10 months of imprisonment due to “coverage of news on illegal organisation statements without making illegal organisation propaganda.” The court did not defer the announcement of the verdict but postponed the sentence with 10 months of probation.

Adnan Bilen Case

The lawsuit filed against journalist Adnan Bilen due to “insulting the President” through his social media posts.

COURT: Van 4th Assize Court

VERDICT: In the summary judgment, the court sentenced journalist Adnan Bilen to 11 months and 20 days of imprisonment and turned this sentence into 7 thousand TL judicial fine.

Mehmet Cakmakçı Case

The lawsuit filed against journalist Mehmet Çakmakçı due to “illegal organisation membership” with his meetings with news resources as well as photographs he took while following news presented as criminal evidence.

COURT: Diyarbakır 10th Assize Court

VERDICT: The court decided to wait for the examination report on digital materials and scheduled the next hearing for March 11, 2020.

Hearings Next Week

JinNews – Kibriye Evren Case

The lawsuit filed against journalist Kibriye Evren, who was detained and arrested on October 9, 2018 during house raids, with an imprisonment claim from 8.5 up to 20 years due to the charge of “illegal organisation membership” and “making illegal organisation propaganda” based on secret witness statements, social media posts and her travel records as criminal evidence...

DATE: November 12, 2019; Diyarbakır 5th Assize Court

Nevzat Onaran – BAK Civil Disobedience Case

The lawsuit filed against Nevzat Onaran as one of the intellectuals making a press statement in front of Istanbul Çağlayan Courthouse as well as a criminal complaint against themselves at the Prosecutor’s Office as an act of civil disobedience, stating that they sign under the petition, “We Will Not Partake In This Crime” by the Academics for Peace Initiative in order to support the academics prosecuted for signing the petition.

DATE: November 12, 2019 at 09:35; Istanbul 25th Assize Court

Berkin Elvan Case

The lawsuit filed on the killing of Berkin Elvan, who was shot in the head by the police with a tear gas shell during the Gezi Park protests in Okmeydanı, Istanbul on June 16, 2013. Remaining in the intensive care unit for 269 days, Elvan had lost his life.

DATE: November 13, 2019 at 10:00; Istanbul 17th Assize Court

Mehmet Tüm Case

The lawsuit filed against former Republican People’s Party (CHP) MP Mehmet Tüm with the charge of “insulting Erdoğan” due to the speech he gave at the district congress of his party in 2017.

DATE: November 13, 2019 at 10:40; Bandırma 1st Criminal Court of First Instance

Fusun Çeliker – BAK Civil Disobedience Case

The lawsuit filed against Fusun Çeliker as one of the intellectuals making a press statement in front of Istanbul Çağlayan Courthouse as well as a criminal complaint against themselves at the Prosecutor’s Office as an act of civil disobedience, stating that they sign under the petition, “We Will Not Partake In This Crime” by the Academics for Peace Initiative in order to support the academics prosecuted for signing the petition.

DATE: November 14, 2019 at 09:35; Istanbul 25th Assize Court

TV10 Workers Case

The lawsuit filed against TV10 cameraman Kemal Demir and worker Kemal Karagöz due to “aiding and abetting an illegal organisation” after the channel was shut down with an emergency decree.

DATE: November 14, 2019 at 10:45; Istanbul 28th Assize Court