

Think, think...



Freedom of Expression Weekly Bulletin (Issue 45/19, November 15, 2019)

- The Trump-Erdoğan meeting was held on November 13, 2019 and lasted for 75 minutes. The parties made a common press declaration. [Please click for details.](#)
- The negotiation of U.S. law draft on “1915 Armenian Genocide” in the senate after it has passed the U.S. House of Representatives was blocked by Republican Senator Lindsay Graham. [Please click for details.](#)
- Pressure against the People’s Democratic Party (HDP) increase. The number of municipalities under trustee administration reached 20, three of which are metropolitan municipalities. On the other hand, many HDP mayors are being arrested with arbitrary reasons. 500 Special Operations team organised simultaneous raids against homes in Gaziantep in the early hours of November 14h. Many were detained. [Details in the bulletin.](#)
- Bar Associations in Istanbul, Ankara, Izmir, Bursa, Diyarbakır, Adana, Antalya, Aydın, Van and Şanlıurfa made a call for the Turkish Bar Associations Union (TBB) to have an Extraordinary General Assembly. TBB Administration denied the call. [Please click for details.](#)
- It was announced that legal actions have started against those criticising the expressions of Minister of Finance and Treasury Albayrak during the Military Labour World Meeting. The related section of Albayrak’s speech was announced by the Ministry as an explanation: “*Those attempting to create false perception against our economy and those creating false perceptions during terror operations are no different from one another...*” [Please click for details.](#)



Ahmet Altan imprisoned again

The objection made by Istanbul Chief Public Prosecutor’s Office for the release of writer Ahmet Altan after 1138 days under arrest was accepted by Istanbul 27th Assize Court. Ahmet Altan was detained and imprisoned once again.

[What had happened?](#)



PEN International and IFEX: Drop charges against Fikret Başkaya!

With 150 writers' organisations from 100 countries worldwide, PEN International protected Fikret Başkaya with a declaration launched today (November 12, 2019). Başkaya is on trial at Ankara 21st Assize Court, facing an imprisonment claim for up to five years due to making terrorist organisation propaganda through his article, entitled, "The real terror is government terror," which was published in November 2016.

It is possible that a final decree will be issued in the hearing on November 22nd. Therefore, PEN International Chairman of the Writers in Prison Committee Salil Tripathi underlines this point in the message: *"Once again, the Turkish authorities are using overbroad counter-terrorism laws to punish dissenting opinion. Fikret Başkaya's article cannot in any way be read as terrorism propaganda. As sham criminal proceedings are set to conclude, we call on the Turkish authorities to drop all charges against Başkaya. No one should be sent to prison for peacefully expressing their views."*

[Please click here](#) for the full declaration of PEN International.

International roof organisation for freedom of expression, Toronto-based IFEX (International Freedom of Expression Exchange) started a campaign for Fikret Başkaya. 23 press and freedom organisations participated in the campaign in 19 countries and 5 continents, sending a short message to Erdoğan and demanding for the charges of "terrorist organisation propaganda" to be dropped immediately as well as for the pressure against Başkaya to end.

[Please click here](#) for the original letter signed by 22 signatory organisations as well as Prof. Dr. Baskın Oran.



Investigation claim for post on "November 10"

Education and Science Workers' Union (Eğitim Bir-Sen) Mersin Secretary Ertuğrul Yıldız is being targeted for a social media post. In the written Parliamentary question posed by Republican People's Party (CHP) Mersin MP Ali Mahir Başarır, he claimed legal action to be taken against Yıldız, who is also working at the Provincial Directorate for National Education.

In his post on November 10, the anniversary of Atatürk's death, Ertuğrul Yıldız wrote, *"Today is a day that the axis shift reaches a level of Nirvana! I almost see that some posts of*

some of our friends would turn Iskilipli Atif Hoca and many other Islamic scholars in their graves... Pity, such a pity...”



‘Illegal organisation propaganda’ claim against banner

Four university students, who hung a banner on the outside of Demirören Shopping Mall in Taksim, Istanbul, were detained together with two others recording the protest. Lawyer Ezgi Önalın reported to BiaNet that the students were detained and charged with “making illegal organisation propaganda” and that they are awaiting a transfer to the courthouse today.

The protesters wanted to draw attention to “the increasing economic problems and the silence of media.”



Van İpekyolu Co-Mayors arrested

Van İpekyolu Co-Mayors Şehzade Kurt and Azim Yacan, who were replaced with trustees on November 8, 2019, were arrested. Kurt and Yacan were transferred to the courthouse on Monday and were arrested due to “terrorist organisation membership and propaganda.” The Co-Mayors were sent to prison.



Number of municipalities under trustee administration reaches 20

Diyarbakır Governorate announced People’s Democratic Party (HDP) members Yenişehir Co-Mayor Belgin Diken and Hazro Co-Mayor Ahmet Çevik were dismissed due to the investigations opened and lawsuits filed against them. The Governorate further stated that district governors were assigned as deputy mayors to replace them.

People's Democratic Party (HDP) members Şırnak İdil Co-Mayor Songül Erden and Tunceli Mazgirt district's Akpazar Co-Mayor Orhan Çelebi were also replaced with district governors as trustees based on the same reasons.

With the latest dismissals, the number of HDP municipalities under trustee administration reached 20. 3 metropolitan municipalities, 1 provincial municipality, 15 district municipalities and 1 town mayorship of HDP are under trustee administration.



Four HDP district Co-Mayors detained

Mardin Derik Co-Mayor Mülkiye Esmez, Mardin Savur Co-Mayor Gülistan Öncü, Mardin Mazıdağı Co-Mayor Nalan Özaydın and Şanlıurfa Suruç Co-Mayor Hatice Çevik were detained due to ongoing “terror investigations” against them.



HDP Gaziantep Provincial Organisation members and executives detained

Many people, including People's Democratic Party (HDP) Gaziantep Provincial Co-Chair Müslim Kılıç, were detained on November 14th. In the operation conducted in the early hours of the morning, HDP Provincial and District Organisation buildings were searched as well.



Lawsuits of “insulting Erdoğan”: Kılıçdaroğlu to pay compensation

Ankara 15th Civil Court of First Instance decided that Republican People's Party (CHP) Chairman Kemal Kılıçdaroğlu has “insulted President Erdoğan” during his speech in the party

group meeting on July 17, 2018. Kılıçdarođlu was sentenced to pay 50 thousand TL moral compensation.

You may find the speech given by Kılıçdarođlu in the CHP Group meeting here (Sorry, only in Turkish):

<https://www.chp.org.tr/haberler/chp-genel-baskani-kemal-kilicdaroglu-tbmm-chp-grup-toplantisinda-konustu>



New investigation against DISK Chair

An investigation was opened against Confederation of Progressive Trade Unions of Turkey (DISK) Chair Arzu erkezođlu, who was previously prosecuted due to “public incitement towards resentment and hostility” due to a speech she gave in a panel she participated 3.5 years ago in Sapanca. The investigation against erkezođlu was opened due to “insulting the President” this time, based on the same speech. erkezođlu found out about the new investigation during the hearing she attended on October 14th.



Acquittal for “Cow Prayer”

Charged in accordance with Article 216/3 of the Turkish Criminal Code (TCK) due to playing the Imam in the Traditional Cow Festival 2016, Mehmet Can Tan was acquitted in the case he was on trial at Ankara 17th Criminal Court of First Instance. The “Cow Festival” celebrated for 80 years was also banned in 2017. Here’s how the prosecution started:

<https://www.dusun-think.net/haberler/mulkiyenin-inek-duasinin-yargilanmasina-baslandi/>



Journalist Fatih Polat acquitted

The prosecution of Evrensel Daily's Editor-In-Chief Fatih Polat at Bakırköy 31st Criminal Court of First Instance due to "insulting the President" was concluded with acquittal. Polat published the news originally written by journalist Craig Shaw with the title, "Secret Offshore Agreement of the Erdoğan Family" in his column on May 28, 2017 and asked, "*What do the correspondents say to these allegations on the Erdoğan family?*"



Interim decree in prosecution of Kibriye Evren: Release verdict

In the eighth hearing of the lawsuit filed against JinNews reporter Kibriye Evren due to "illegal organisation membership" and "making illegal organisation propaganda," Evren was released. Diyarbakır 5th Assize Court issued Evren's release with judicial measures, considering the time she spent under arrest. A lawsuit had been filed against Evren due to "terrorist organisation membership" and "making illegal organisation propaganda" through her article, entitled, "The Real Terror is Government Terror." The article was published on the website of Özgür Üniversite ["Free University"] on November 7, 2016 and Evren faces an imprisonment claim for up to 20 years within the related lawsuit. The third hearing of the case will be held at Ankara 21st Assize Court.



Journalist and producer detained after following investigation on death of Rabia Naz Vatan

Journalist Canan Coşkun and documentary producer Kazım Kızıl were detained in Eynesil, Giresun in order to follow the investigation on the death of Rabia Naz Vatan, together with

the GNAT research committee. Coşkun was indicated to have been detained following the complaint of the spouse of Mürsel Küçükakal, one of the witnesses in the case. Küçükakal had previously changed his statement during the investigation phase. Father Şaban Vatan has been detained besides Coşkun and Kızıl as well, and was released on October 15th.



DÜŞÜNCE SUÇU DURUŞMALARI

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...

COURT: Diyarbakır 5th Assize Court

VERDICT: Kibriye Evren was released with judicial measures and travel ban in the eighth hearing of the case after 13 months under arrest. The next hearing was scheduled for March 10, 2020.

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.

COURT: İstanbul 25th Assize Court

VERDICT: After the Constitutional Court decree on a violation of freedom of expression of the Peace Academics on July 26th after convictions of the academics due to “armed terrorist organisation propaganda,” the 25th Assize Court issued a verdict of acquittal for signatories of the petition, “We Will Not Partake In This Crime” without an open hearing.

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.

COURT: Istanbul 17th Assize Court

VERDICT: The court decided for the file to be sent to the hearing prosecutor for the preparation of his opinion after the arrival of the Forensic Medicine report and the statements of both parties. The next hearing was scheduled for February 5, 2020.

Mehmet Tüm Case

The lawsuit filed against former Republican People’s Party (CHP) MP Mehmet Tüm with the charge of “insulting Devlet Bahçeli and Interior Minister Suleyman Soylu”.

COURT: Balıkesir 1st Criminal Court of First Instance

VERDICT: The next hearing was scheduled for December 16, 2019.

Füsun Çeliker – BAK Civil Disobedience Case

The lawsuit filed against Füsun 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.

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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.

COURT: İstanbul 28th Assize Court

VERDICT: The next hearing was scheduled for January 28, 2020 at 10:50.

HEARINGS NEXT WEEK

Gülser Yıldırım Case

The lawsuit filed against former Mardin MP Gülser Yıldırım due to "making illegal organisation propaganda" with the allegation of chanting a slogan while leaving the Assembly Committee meeting with the agenda of revocation of Parliamentary immunity.

DATE: November 18, 2019; Ankara 1st Assize Court

Tuna Altinel Case

The lawsuit filed against Peace Academic Tuna Altinel, who was arrested on May 10th and was released in the first hearing on July 30th, due to "illegal organisation membership" based on making simultaneous translations during a conference organised in France in February 2019 on the incidents happening during curfews.

DATE: November 19, 2019; Balıkesir 2nd Assize Court

Özgür Gündem Case

The lawsuit filed against Özgür Gündem Daily, which was previously shut down with a Statutory Decree issued within the State of Emergency, with defendants including Eren Keskin, Hüseyin Aykol, Reyhan Çapan and Hasan Başak...

DATE: November 21, 2019; İstanbul 14th Assize Court

Cumhuriyet Daily Case

The lawsuit will be retried after the reversal of convictions issued by 16th Criminal Chamber of the Court of Cassation for Cumhuriyet Daily writers and workers.

DATE: November 21, 2019 at 13:30; İstanbul 14th Assize Court

Fikret Başkaya Case

The lawsuit filed against Turkey and Middle East Forum Foundation Founder and Chairman, writer Fikret Başkaya due to "making illegal organisation propaganda" through

his article, entitled, “The Real Terror Is Government Terror” published on the website of Özgür Üniversite [“Free University”] on November 7, 2016.
DATE: November 22, 2019 at 09:30; Ankara 21st Assize Court