



Think, think...

Freedom of Expression Weekly Bulletin

(Issue 2/20, 10 January 2020)

What happened last week?

- The United States killed Iranian major general in the Islamic Revolutionary Guard Qassem Soleimani. As a retaliation, Iran attacked two U.S. bases in Iraq with rockets.
 - Turkey-Russia called the parties of the Libyan civil war for ceasefire ; General Haftar announced the refusal of the call. Erdoğan announced that military deployment has started from Turkey to Libya.
 - Erdoğan stated that the foreign operation abilities of the Turkish National Intelligence will be increased and that they are aiming for an intelligence structure conducting more covered activities.
 - Turkish Statistical Institute announced unemployment data for October 2019: The number of unemployed people increased for 608 thousand people compared to the same time last year, reaching 4 million 396 thousand people. The unemployment rate increased to 13.4% with an increase by 1.8 points.
 - A letter sent by Istanbul Provincial Health Directorate was revealed, which ordered health workers to dress “in accordance with good manners, customary practices and beliefs.”
 - Journalist prosecutions continued this week as well. Journalist Cevdet Akgün was imprisoned. 2 of 8 prosecuted journalists were convicted, one journalist was acquitted.
Details in the bulletin...
 - Turkish Journalists Association (TGC), Turkish Writers Union, PEN Turkey, Contemporary Journalists Association and Turkish Publishers’ Union made a common declaration for January 10, Working Journalists’ Day and indicated that new lawsuits are being filed against journalists every day and that more than 12 thousand journalists are currently unemployed.
 - The access ban on Wikipedia continues despite the violation decree issued by the Constitutional Court (AYM)...
 - The regulation on “security investigations” the Justice and Development Party (AKP) previously presented as part of an omnibus bill following the decree of annulment by the Constitutional Court (AYM) and later removed is being prepared once again.
 - According to the data shared by the Human Rights Foundation of Turkey, at least 381 officially identifiable curfews were declared in 11 provinces and at least 51 districts in the last five years.
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5-month imprisonment sentence against journalist Osman Akın

Yeni Yaşam Daily's former Managing Editor Osman Akın was sentenced to 5 months of imprisonment due to 'public denigration of the government of the Republic of Turkey and the state's military or security organisation.'

(Turkish Criminal Code Article 301) through the news published on March 1, 2019 with the headline, 'Tyranny Against Those Arrested in Afrin.'

Istanbul 2nd Criminal Court of First Instance deferred the announcement of the verdict.



Journalist Seyhan Avşar's prosecution starts with charges related to news

The first hearing of the lawsuit filed against Cumhuriyet Daily reporter Seyhan Avşar and Sözcü Daily's Managing Editor Necdet Önemli due to 'targeting a public officer taking part in the fight against terrorism' through the news published with the headline, 'Ex-con Sözcü Prosecutor,' was held at

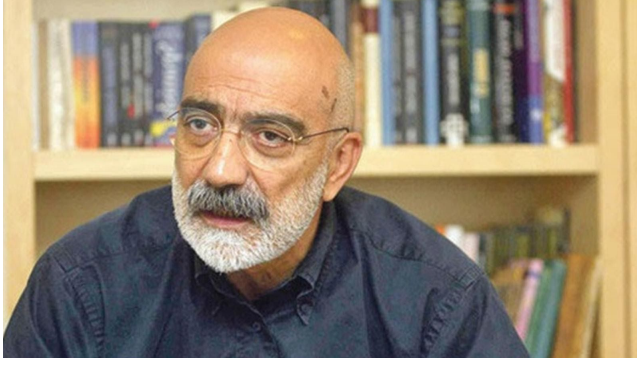
Istanbul 29th Assize Court. The court denied the claims of the defense lawyers for the abatement of the file and immediate acquittal, scheduling the next hearing for May 21st, at 14:00.



Journalist Barış Polat sentenced to 6-year 3-month imprisonment

Mezopotamya Agency reporter Barış Polat was sentenced to 6 years and three months of imprisonment in the lawsuit filed against him at Antep 7th Assize Court with the allegation of 'illegal organisation membership' after being detained and arrested while distributing Özgürlükçü Demokrasi Daily, which was shut down with an emergency decree.

The charges imposed against the journalist were based on the use of the word 'Heval', which means 'friend' in Kurdish, on a phone call with friends as well as the journalist's social media likes.



Altan's appeal claim denied after conviction due to article

The appeal claim of journalist Ahmet Altan, who was sentenced to a total of 5 years and 11 months of imprisonment due to “insulting the President” and “making illegal organisation propaganda” due to his article published on June 27, 2017 on haberdar.com with the headline, “Sweeping Over,” was denied by the 3rd

Criminal Chamber of Istanbul Regional Court. The conviction issued against Altan, on the other hand, due to “insulting Atatürk” through his article published in Taraf Daily on November 4, 2011 with the headline, “CHP” was reversed for acquittal.



Journalist Arjin Dilek Öncel acquitted in first hearing

The prosecution of Mezopotamya Agency reporter Arjin Dilek Öncel, who was charged with ‘making illegal organisation propaganda’ due to a news article she shared on social media, started at Diyarbakır 11th Assize Court. The court board issued the acquittal of the journalist in the first hearing of the case.



Lawsuit against journalist Idris Sayılğan

The prosecution of journalist Idris Sayılğan started at Muş 2nd Assize Court within the lawsuit filed with the allegation of ‘making illegal organisation propaganda’ based on seven Facebook posts made between August 2015 and March 2016. The second hearing of the case will be held on March 25th.



Bia October-December 2019 Report

According to data by the Independent Communication Network (BIA), 251 journalists were prosecuted in the last three months of 2019 and 35 of them were sentenced to a total of 157 years and 4 months of imprisonment as well as

8,740 TL judicial fine. There were at least 61 journalists penalised in accordance with Turkish Criminal Code Article 299 during the Presidency of Erdoğan. [Please click here](#) for details.



Journalist Cevdet Akgün imprisoned

Managing editor of local newspaper ‘Halkın Sesi’ (‘People’s Voice’) in Zonguldak Cevdet Akgün, who was sentenced to five months of imprisonment due to the news published with the headline, ‘Bank Asya lawyer becomes judge without examination’, surrendered at Beycuma Prison for the execution of his sentence.



Lawsuit against anti-war posts by HDP District Co-Chair

A lawsuit was filed against the People’s Democratic Party (HDP) Iskenderun District Co-Chair Hülya Ateş, who was arrested in October due to expressing reactions against the military operation in Syria with posts on social media. The indictment, accepted by Hatay 3rd Assize Court, charges Ateş with “making illegal

organisation propaganda” and “public incitement towards resentment and hostility.” The first hearing of the lawsuit will be held on January 16th.



Lawyer Fuat Şengül released

The prosecution of Lawyers for Freedom Association Izmir member and lawyer Fuat Şengül, who was arrested in November within an investigation opened against him due to a meeting he had with a former client in Balıkesir, started at Balıkesir 3rd Assize Court. The court board issued the release of Şengül and scheduled the next hearing for April 15th.



Imprisonment sentence against former DBP Co-Chair

Democratic Regions Party (DBP) former Co-Chair Mehmet Aslan was sentenced to 1 year of imprisonment due to

“praising the crime and the criminal” and to 1 year and six months of imprisonment due to “public incitement towards resentment and hostility” on the first hearing of the lawsuit he was on trial due to a speech he gave. Şırnak 2nd Assize Court issued the decree without even listening to the defendant lawyer’s defense statement, not deferring the sentence.



Lawsuit against lawyer’s defense letter due to ‘insulting Erdoğan’

A lawsuit was filed against the lawyer of Republican People’s Party (CHP) leader Kemal Kılıçdaroğlu Celal Çelik, with the allegation of ‘insulting President Erdoğan’. The first hearing of Çelik, who was charged due to the defense letter he presented in the lawsuit of compensation filed against Kılıçdaroğlu at Ankara 6th

Civil Court of First Instance, will be held on February 24th at Istanbul Anatolian 6th Assize Court.



Judicial fine against Figen Yüksekdağ due to ‘insulting Erdoğan’

Former People’s Democratic Party (HDP) Co-Chair Figen Yüksekdağ was sentenced to 1740 TL judicial fine in the lawsuit she was on trial at Van 7th Criminal Court of First Instance due to ‘insulting the President’.



Appeal Court: Workers’ protest within freedom of expression

Penalties issued against six workers, who started a protest in front of Oyak Renault Factory in 2016 to support their fired friends, were reversed by the 2nd Criminal Chamber of Bursa Regional Court. The court of appeals stated, ‘Protest and demonstration are a prerequisite for freedom of expression

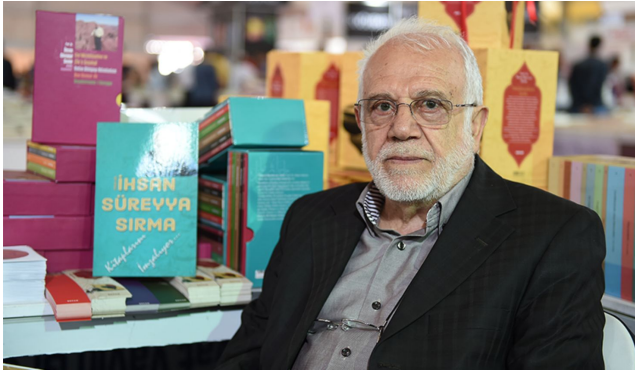
and thought.’



Parliamentary summary due to march for Ahmet Atakan

A Parliamentary summary was prepared against People's Democratic Party (HDP) Adana MP Tülay Hatimoğulları due to the march organized after the funeral of Ahmet Atakan, who lost his life in Hatay during the Gezi Park protests. The MP was charged with 'organizing, managing illegal meetings and demonstrations and

participating in corresponding movements'.



İhsan S. Sirma removed from book fair schedule

Prof. Dr. İhsan S. Sirma was removed from the programme of Giresun Book Fair organised by Giresun Municipality, due to the "balances" in the province. Publisher of Sirma's books, Beyan Publishing, and others announced that they will protest the decision and not participate in the fair. Giresun Mayorship

was won by the AKP in the elections on March 31st with at least one vote of difference.



Constitutional Court issues freedom of expression decree

The Constitutional Court (AYM) has decided that the freedom of expression of former Halk TV Editor-In-Chief Şaban Sevinç was violated. Sevinç had been convicted due to 'insulting a public officer' after calling former AKP Samsun MP and Minister of Youth and Sports

Akif Çağatay Kılıç a 'court joker'.



Protest ban in Van continues in 2020

Van Governorate extended the protest and event ban, which was declared on November 21, 2016 due to 'security reasons' following the coup attempt, for 15 more days. The basis is the same: 'providing national security', 'protection of public order and safety'...



TRIALS OF FREEDOM OF EXPRESSION

Selahattin Demirtaş Case

The lawsuit filed against former People's Democratic Party (HDP) Co-Chair Selahattin Demirtaş due to "terrorist organisation management," "making terrorist organisation propaganda," "violating the Law on Meetings and Demonstrations," "public incitement towards resentment and hostility," "public provocation to disobey the law," "provocation to commit crimes" and "praising the crime and the criminal"...

Court: Ankara 19th Assize Court

Verdict: The next hearing of the case was scheduled for May 27 and 28 in two sessions.

Barış Polat Case

The lawsuit filed against Mezopotamya Agency reporter Barış Polat, who is charged with "illegal organisation membership" due to his social media posts as well as old issues of Özgürlükçü Demokrasi Daily found in his home...

Court: Gaziantep 7th Assize Court

Verdict: The journalist was sentenced to 6 years and three months of imprisonment.

Mehmet Aslan Case

The lawsuit filed against former Democratic Regions Party (DBP) Co-Chair Mehmet Aslan due to 'praising the crime and the criminal' and 'public incitement against resentment and hostility' through a speech he gave...

Court: Şırnak 2nd Assize Court

Verdict: The court issued 2 years and six months of imprisonment against Aslan in the first hearing, without even receiving the defense statements of the defendant lawyers.

Case Against Kurdish Song

The lawsuit filed against 12 university students, four of them arrested, who are charged with "illegal organisation membership" due to singing in Kurdish during the Newroz Celebrations they participated in last year in Antalya...

Court: Antalya 10th Assize Court

Verdict: Details on the verdict were not reached as the bulletin was being prepared.

Osman Akın Case

The lawsuit filed against former Managing Editor of Yeni Yaşam Daily, Osman Akın due to "denigrating the government" in accordance with Article 301 of the Turkish Criminal Code due to the news with the headline, "Tyranny against those arrested in Afrin"...

Court: Istanbul 2nd Criminal Court of First Instance

Verdict: The court sentenced the journalist to 5 months of imprisonment and deferred the announcement of the verdict.

Figen Yüksekdağ Case

The lawsuit filed against former People's Democratic Party (HDP) Co-Chair Figen Yüksekdağ due to 'insulting the President'...

Court: Van 7th Criminal Court of First Instance

Verdict: Yüksekdağ was sentenced to 1,740 TL judicial fine.

Arjin Dilek Öncel Case

The lawsuit filed against Mezopotamya Agency reporter Arjin Dilek Öncel, who was charged with 'making illegal organisation propaganda' through a news article she shared on social media...

Court: Diyarbakır 11th Assize Court

Verdict: The journalist was acquitted in the first hearing.

İdris Sayılğan Case

The lawsuit filed against journalist İdris Sayılğan with the allegation of 'making illegal organisation propaganda' through his social media posts...

Court: Muş 2nd Assize Court

Verdict: The second hearing was scheduled for March 25th.

Hazal Ocak and Alev Coşkun Case

The lawsuit of compensation filed by pro-government businessman Mehmet Cengiz against Cumhuriyet Daily owner Alev Coşkun and reporter Hazal Ocak due to the news article published in the newspaper with the headline, "Luxury Annex Overseeing the Bosphorus"...

Court: Istanbul Anatolian 14th Civil Court of First Instance

Verdict: The next hearing was scheduled for January 23 at 14:25.

Case Against News on Pastor Brunson

The lawsuit filed against journalists Alican Uludağ and Duygu Güvenç due to "denigrating the government" in accordance with Article 301 of the Turkish Criminal Code in relation to the news they reported for Cumhuriyet Daily on Pastor Brunson...

Court: Istanbul 2nd Criminal Court of First Instance

Verdict: The next hearing was scheduled for April 16 at 11:00.

Seyhan Avşar Case

The lawsuit filed against Cumhuriyet Daily reporter Seyhan Avşar due to "targeting a public officer taking part in the fight against terrorism" through the news article with the headline, "Ex-Con Sözcü Prosecutor"...

Court: Istanbul 29th Assize Court

Verdict: The court denied the claims of lawyers for the abatement of the case and immediate acquittal, scheduling the next hearing for May 21 at 14:00.

HEARINGS NEXT WEEK

Case Against Roboski Commemoration

The lawsuit filed against the relatives of 34 citizens, who lost their lives in Roboski Massacre, due to “illegal organisation membership” based on the commemoration organised in the village on December 28, 2015 for the fourth anniversary of the massacre...

Date: January 13; Şırnak Assize Court

Özgür Gündem Main Case

The lawsuit filed against previously shut-down Özgür Gündem Daily writers and executives Filiz Koçali, Aslı Erdoğan, Necmiye Alpay, Eren Keskin, Ragıp Zarakolu, Zana Kaya, İnan Kızılkaya, Kemal Sancılı and Bilge Aykut with the charges of “disrupting the unity and the territorial integrity of the state” and “illegal organisation membership”...

Date: January 13 at 10:00; İstanbul 23rd Assize Court

Mehmet Y. Yılmaz Case

The first hearing of the lawsuit filed against T24 writer Mehmet Y. Yılmaz, who is charged with “insulting a public officer” due to his articles, asking the source of increase in the wealth of AKP Istanbul Mayor candidate Binali Yıldırım and his children...

Date: January 13 at 10:55; Istanbul Anatolian 37th Criminal Court of First Instance

Can Dündar and Abbas Yalçın Case

The lawsuit filed against former Cumhuriyet Daily Editor-In-Chief Can Dündar and former Managing Editor Abbas Yalçın due to “insulting the President” with the news article published in the newspaper in 2015 with the headline: “Bayık: We’ll Leave War If Operations End”...

Date: January 16 at 13:30; Istanbul 2nd Criminal Court of First Instance

Case Against HDP Kadıköy Youth Assembly Protest

The lawsuit filed against 11 people, including Mezopotamya Agency reporter Berfin Aslan and Özgür Gelecek Daily reporter Perihan Erkılınç, due to “participating in illegal meeting and demonstration” after being detained during the press meeting held by the People’s Democratic Party (HDP) Kadıköy Youth Assembly on August 3, 2019...

Date: January 16, Istanbul Anatolian 25th Criminal Court of First Instance

Journalists Selman Keleş and Arif Aslan Case

The lawsuit filed against previously shut-down Dicle News Agency reporter Selman Keleş and journalist Arif Aslan due to “illegal organisation membership”...

Date: January 16, Van 5th Assize Court

Artist Ferhat Tunç - Propaganda Case

The lawsuit filed against artist Ferhat Tunç due to “illegal organisation membership” and “making illegal organisation propaganda” through participating in panels and events organised within the Democratic Society Congress (DTK) and the People’s Democratic Congress (HDK)...

Date: January 16, Diyarbakır 5th Assize Court

Hülya Ateş Case

The first hearing of the lawsuit filed against People’s Democratic Party (HDP) Iskenderun District Co-Chair Hülya Ateş due to “making illegal organisation propaganda” and “public incitement towards resentment and hostility” through social media posts reacting against the military operation in Syria...

Date: January 16, Hatay 3rd Assize Court

Case Against Economy News on Bloomberg

The lawsuit filed against Bloomberg reporters Kerim Karakaya and Fercan Yalınkılıç, who are charged with the allegation of “damaging the economy” with the news they reported on the value loss in the Turkish Lira, as well as 38 others who shared the news article on Twitter, including journalists and economists...

Date: January 17 at 10:00, Istanbul 3rd Criminal Court of First Instance