



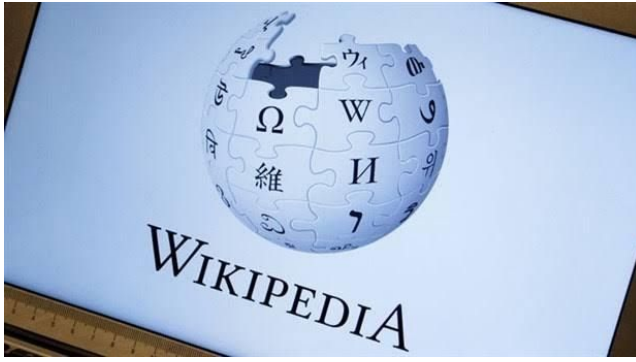
Think, think...

Freedom of Expression Weekly Bulletin

(Issue 3/20, 17 January 2020)

What happened last week?

- It was announced that Turkish National Intelligence Hakan Fidan and boards led by Syrian President's Special Security Adviser Ali Mamlouk gathered in Moscow. Afterwards, the Turkish Ministry of National Defense announced that Turkey and Russia agreed on a ceasefire in Idlib. However, the news on the start of the ceasefire and the end of it came simultaneously.
 - One of the parties in the gathering in Moscow for a ceasefire in Libya was Hafter and he left Russia before signing the ceasefire convention. The Guardian wrote that 2,000 Syrian warriors are heading to Libya to fight, through Turkey.
 - President Erdoğan threatened Hafter with *"giving him the lesson he deserves"* in case he doesn't stop the attacks in Libya. He further warned Syria to comply with the ceasefire in Idlib. *"We are determined to prevent initiatives to disrupt the ceasefire first-hand,"* Erdoğan stated.
 - Erdoğan spoke on interest rates, saying, *"We said it must go down, and it did, it still is."* Immediately afterwards, the Central Bank decreased the interest rates on politics for 75 more basis points, pulling it from 12 percent to 11.25 percent.
 - Interior Minister Süleyman Soylu targeted the screening of the theater play based on the book *"Devran"* written by Selahattin Demirtaş as well as artist Kadir İnanır, who went to see the play. *"You can't clean the blood in your hands through theater plays. You will not be able to divide this country,"* Soylu said. Another statement came from Erdoğan: *"They're watching a play based on a book written by a terrorist."*
 - An armed attack was organised at People's Democratic Party (HDP) Istanbul Provincial Building. The attacker took seven shots at the building; there were no casualties. *"The true responsible of this incident is the provocative speeches of many government authorities, from the President himself to the Interior Minister,"* HDP stated.
 - The access ban on Wikipedia was finally removed after almost three years. However, access bans against tens of thousands of websites are ongoing.
 - Erdoğan spoke on January 10, Working Journalists' Day. *"The existence of a pluralist, effective, unrestricted media is a prerequisite for a democratic and transparent society,"* Erdoğan stated. In the meantime, more than 90 journalists are in Turkish prisons...
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Wikipedia free after 2 years and 8 months

The access ban, which was brought against Wikipedia on April 29, 2017 due to "national security" was revoked 20 days after the freedom of expression decree issued by the Constitutional Court. With the ban, Turkey made history as one of the 3 countries in the world censoring the Internet encyclopedia.



HRW 2020 World Report

The Human Rights Watch (HRW) launched the 2020 World Report. In the report, Turkey was indicated to be experiencing serious erosion for the last four years on the supremacy of law and democracy. The report indicated that Kurds and LGBTI+s are being targeted, that more than 100 journalists are in prisons, those elected are being dismissed

and arrested, the government is keeping those criticising it in prisons, that the right to freedom of protest and meeting is being neglected and that incidents of torture and mistreatment are not being investigated.

The report further pointed out that with the increasing control and influence of the government on the Turkish judiciary, the courts are systematically accepting baseless charges and convicting journalists, politicians, activists and human rights advocates considered to be anti-government by the ruling power without convincing evidence. [Please click here](#) for the full report.

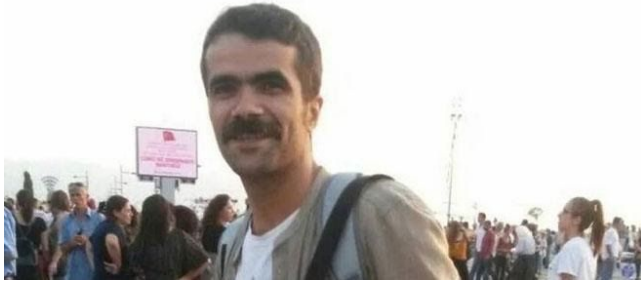


Lawsuit against Ahmet Atakan's mother

An indictment was prepared against the Emsal Atakan, the mother of Ahmet Atakan, who lost his life due to the police intervention against the protest organised in Hatay during the Gezi Park Protests, due to "public denigration of the military or security organisation of the state." The

charges imposed against Atakan are related to the social media post she made on the death anniversary of Dilek Doğan, who was shot dead by the police. *"I will be prosecuted because of calling murderers 'murderers'. It is so sad that a lawsuit is filed against me as my heart is*

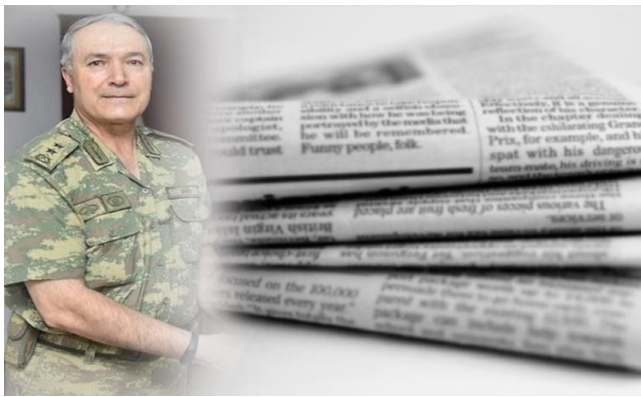
burning from pain,” Atakan stated. The first hearing of the case will be held on February 13th at Hatay Criminal Court of First Instance.



7.5-year imprisonment claim against arrested journalist İsmail Çoban

Mersin 7th Assize Court sentenced former Managing Editor of Azadiya Welat, Ismail Coban, to 7 years and six months of imprisonment due to “illegal organisation membership.” Until the day the newspaper was shut down with an

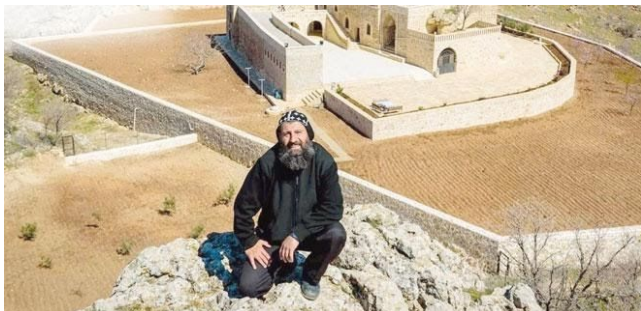
emergency decree on October 29, 2016, the newspaper was the only daily newspaper in Kurdish.



Prosecutor objects against acquittal verdict for seven journalists

Diyarbakır 9th Assize Court announced the reasoned decree on the verdict of acquittal issued for seven journalists, who shared news on the operations conducted by former Gendarmerie Deputy Commander Musa Çitil, currently being prosecuted on the killing of 13 villagers in Derik district of Mardin. The

court evaluated the news within the right to “information, criticism, commentary and freedom of expression;” whereas the Prosecutor has objected against the decree. The file was carried to the appeal court.



Arrested Assyrian Priest

Church of Saint Jacob of Nisibis Priest Sefer (Aho) Bileçen, who was detained on January 9 in Nusaybin district of Mardin, was arrested due to illegal organisation membership. Bileçen had a meeting with Urfa Bar Association Human Rights Center lawyers and stated

that two illegal organisation members have arrived in the Church and asked for food in 2018 and that he gave them food in accordance with his beliefs. Bileçen further stated that the District Gendarmerie Command is also informed about this incident, which happened in 2018, and that he told them the truth in the meeting they held with him two years ago, further adding that the only way to prevent this is to increase security measures in the region. The priest lives a secluded living in the Church and is not leaving the Church in accordance with his beliefs and philosophy. Bileçen was released after the objection against his arrest was accepted.



Lawsuit against T24 writer Mehmet Y. Yılmaz

The prosecution of t24.com.tr writer Mehmet Y. Yılmaz started at Istanbul 37th Criminal Court of First Instance with the allegation of insulting Binali Yıldırım with his article published in June with the headline, “Mr Binali, give me your secret, get my vote!” The court

decided for Yılmaz to be exempted from the hearings after receiving his defense statement and scheduled the next hearing for April 9.



Lawsuit against journalist Osman Akin

The first hearing of the lawsuit filed against Yeni Yaşam Daily’s Managing Editor Osman Akin due to two news articles published in the newspaper was held at Istanbul 24th Assize Court. The prosecution of the journalist, who is charged with “successively making

illegal organisation propaganda,” will continue on January 24.



6-year 3-month imprisonment against Nokta Magazine’s former News Director

Former News Director of Nokta Magazine, İsmail Evren was sentenced to 6 years and three months of imprisonment due to “armed terrorist organisation membership” after being arrested due to “FETÖ membership” on January 4, 2019. Istanbul 29th Assize

Court issued Evren’s release, considering the time the journalist spent under arrest.



HDP executive convicted due to anti-war posts

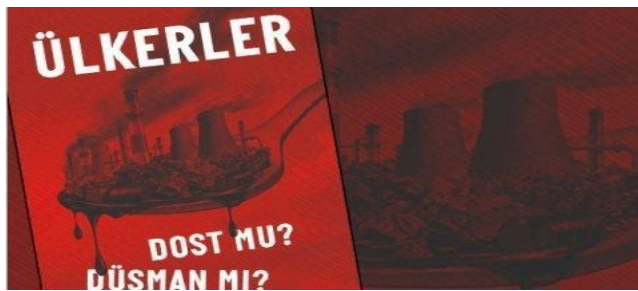
People’s Democratic Party (HDP) Iskenderun District Co-Chair Hülya Ateş, who was charged due to her social media posts reacting against the operation in Syria, was sentenced to 2 years and one month of imprisonment due to “public incitement towards resentment and

hostility.” Hatay 3rd Assize Court issued the release of Ateş, considering the time she spent under arrest.



Appeal court sentences acquitted journalist Hakan Gülseven

The verdict of acquittal issued against Red Magazine writer Hakan Gulseven, who was charged with "insulting" former Adana Mayor Huseyin Avni Cos, was reversed by the Court of Appeals. The journalist was sentenced to 1 year, 2 months and 7 days of imprisonment.



Book on Ülker Family banned before printing

The book, “Ülkers - Friends or Enemies” written by Ergün Poyraz and published by Toplumsal Kitap was banned by the court. Following the lawsuit filed by Yıldız Holding Executive Board Chairman Murat Ülket, the Civil Court of

First Instance issued a prudent decree of measures on the book, which is not yet published and whose editorial process is ongoing. According to the decree issued by the court, the book will be able to be published if the sections on the Ülker Group are removed.



Judicial fine against Melda Onur over social media post

Ankara 24th Criminal Court of First Instance sentenced journalist Melda Onur to 1000 TL judicial fine due to “insult” after her reaction on social media against the statement made by the Turkish Union of Chambers and Commodity Exchanges (TOBB) Chairman Rıfat Hisarcıklioğlu on March 8.



15-day protest and event ban in Dersim

Munzur University student Gülistan Doku is missing in Dersim for 12 days and the Governorate announced a 15-day protest and event ban across the province between January 16 and January 30. Targeting protests organised for Doku,

the Governorate claimed, “certain groups are targeting institutions and organisations with provocative actions and speech, using the incidents of security happening in the province.”



Acquittal verdict in lawsuit against trustee protest

The lawsuit filed against 11 people, including journalists Berfin Aslan and Mehmet Şahin, due to the protest organised in Istanbul against trustee operations on municipalities, was concluded. Istanbul 25th Criminal Court of First Instance issued the acquittal of the defendants, who were charged with “participating in illegal demonstration.”



Hate is freedom of expression, according to Prosecutor!

A verdict of non-prosecution was issued for Yeni Akit Daily, which targeted the Young LGBTI+ Association events with expressions like, “dishonourable faggots,” “grandchildren of the people of Lut,” “deviant homosexuals.” Küçükçekmece Chief Public Prosecutor’s Office evaluated the expressions within

“criticism.”



TRIALS OF FREEDOM OF EXPRESSION

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...

Court: Şırnak Assize Court

Verdict: The court scheduled the next hearing for March 25 in order to receive the statements of Cahide Encü and Sozdar Encü as well as for the deficiencies in the file to be completed.

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”...

Court: İstanbul 23rd Assize Court

Verdict: Announcing his opinion on the basis, the Prosecutor claimed for Keskin, Kızılkaya and Sancılı to be penalised due to “illegal organisation membership” and for Kaya and Erdoğan to be penalised due to “making illegal organisation propaganda.” The Prosecutor further claimed the acquittal of Alpay and Aykut, asking for the files of Koçali and Zarakolu, whose defense statements haven’t been received yet, to be separated. The next hearing was scheduled for February 14 at 10:00.

Rojhat Doğru Case

The lawsuit filed against former cameraman of Gelî Kurdistan TV Rojhat doğru due to “illegal organisation membership” and “making illegal organisation propaganda”...

Court: Diyarbakır 8th Assize Court

Verdict: Doğru indicated that he was following the Kobani incidents as a journalist and that he received an award for the visuals he recorded. The court decided for a CD of the visuals to be examined and for a report to be prepared, scheduling the next hearing for March 24 at 09:10.

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...

Court: Istanbul Anatolian 37th Criminal Court of First Instance

Verdict: The court decided for Yılmaz, whose defense statement was received, to be exempted from the hearings and scheduled the next hearing for April 9 at 11:30.

Osman Akın Case

The first hearing of the lawsuit filed against Yeni Yaşam Daily’s Managing Editor Osman Akın due to “making illegal organisation propaganda” through three news articles published in the newspaper on May 21 and 22...

Court: İstanbul 24th Assize Court

Verdict: The Prosecutor claimed that the journalist has made “illegal organisation propaganda” and claimed his penalisation in the first hearing. The court scheduled the next hearing for January 24 at 09:00 for the defense statements against the Prosecutor opinion to be prepared.

Seyhan Avşar Case

The lawsuit filed against Cumhuriyet Daily reporter Seyhan Avşar due to “insulting a public officer” related to the news she reported on the allegations that verdicts of non-prosecution are issued for money in critical cases at Istanbul Courthouse...

Court: İstanbul 2nd Criminal Court of First Instance

Verdict: The court abated the case due to the 4-month time limitation period being exhausted in accordance with the Press Law.

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”...

Court: Istanbul 2nd Criminal Court of First Instance

Verdict: The court abated the case due to the 4-month time limitation period being exhausted in accordance with the Press Law.

Melda Onur Case

The lawsuit filed against journalist Melda Onur due to “insult” after her reaction on social media against the statement made by the Turkish Union of Chambers and Commodity Exchanges (TOBB) Chairman Rıfat Hisarcıklıođlu on March 8...

Court: Ankara 24th Criminal Court of First Instance

Verdict: Onur was sentenced to 1000 TL judicial fine.

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...

Court: Istanbul Anatolian 25th Criminal Court of First Instance

Verdict: The court issued the acquittal of the defendants.

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”...

Court: Van 5th Assize Court

Verdict: The hearing was cancelled due to the excused absence of the lawyer. The next hearing was scheduled for May 7 at 09:00.

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)...

Court: Diyarbakır 5th Assize Court

Verdict: The court accepted the excuse for the absence of Tunç in the hearing and scheduled the next hearing for March 26 at 13:50.

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...

Court: Hatay 3rd Assize Court

Verdict: Ateş was acquitted from the charge of “making illegal organisation propaganda” but was sentenced to 2 years and one month of imprisonment with the allegation of “public incitement towards resentment and hostility.” The court issued for the release of Ateş, considering the time she spent under arrest.

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...

Court: Istanbul 3rd Criminal Court of First Instance

Verdict: The court denied the claim for the immediate acquittal of the defendants. The defense statements of the defendants were received and they were exempted from the next hearings. The next hearing was scheduled for May 8 at 10:00.

HEARINGS NEXT WEEK

Gülser Yıldırım Case

The lawsuit filed against former People's Democratic Party (HDP) Mardin MP Gülser Yıldırım, who is arrested within the file in remand, due to 8 Parliamentary summaries prepared against her based on the speeches she gave between the years 2012 and 2016...

Date: January 22; Mardin 3rd Assize Court

Kazım Güleçyüz and Halil İbrahim Özdabak Case

The lawsuit filed against Yeni Asya Daily's Editor-In-Chief Kazım Güleçyüz and the newspaper cartoonist Halil İbrahim Özdabak due to "successively making terrorist organisation propaganda"...

Date: January 23; İstanbul 29th Assize Court

Kenan Kırkaya Case

The lawsuit filed against journalist Kenan Kırkaya due to "making illegal organisation propaganda" through the news he shared on social media...

Date: January 23; Ankara 32nd Assize Court

Hayri Demir Case

The lawsuit filed against journalist Hayri Demir due to "terrorist organisation membership" and "making terrorist organisation propaganda" through the news he reported in Northern Syria in 2016...

Date: January 23 at 11:00; Ankara 15th Assize Court

Hazal Ocak and Alev Coşkun Case

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

Date: January 23 at 14:25; İstanbul Anatolian 14th Civil Court of First Instance

Tuna Altınel Case

The lawsuit filed against Peace Academic Tuna Altınel due to "illegal organisation membership" through making simultaneous translations at a conference organized in February in France, related to the incidents happened in the time of curfews...

Date: January 24; Balıkesir 2nd Assize Court

Osman Akın Case

The lawsuit filed against Yeni Yaşam Daily's Managing Editor Osman Akın due to "making illegal organisation propaganda" through the news published in the newspaper...

Date: January 24 at 09:00; İstanbul 24th Assize Court