



Think, think...

Freedom of Expression Weekly Bulletin

(Issue 13/20, 27 March 2020)

What happened last week?

- Casualties and infected cases continue to increase in the Covid-19 outbreak. According to the latest data announced by the Ministry of Health, the number of identified cases in Turkey on the 16th day reached 3,629 and the number of deaths 75. Turkish Medical Association (TTB) stated that the infected case numbers seem low because there are insufficient test kits. Health Minister Fahrettin Koca announced that “transparency” will be provided on the process management in the following days.
- A curfew was declared for those who are over 65 years of age within the fight against the Covid-19 outbreak. President Erdoğan announced the new decisions on the economy, saying, *“The world is going towards a period, in which nothing will ever be the same. We enter this new period with advantages and with a strong infrastructure.”*
- The law draft prepared by the Justice and Development Party (AKP) on the regulation of execution arrived in the Parliament. As the time served in prison was reduced to half of the initially sentenced penalty, charges related to “drugs” and “sexual abuse” were also included within the penalty abatement, even though they did not initially take place in the first draft of the AKP. Nevertheless, charges on terrorism and organized crimes are outside the scope of the draft... Hence, journalists, rights advocates, students and politicians will remain imprisoned due to their thoughts, social media posts and news they reported; despite the pandemic. Evaluation and commentary by Kocaeli MP and Grand National Assembly of Turkey (GNAT) Human Rights Committee member Ömer Faruk Gergerlioğlu is in our **video bulletin...**
- As Turkey continues to fight the pandemic, another clause added to an omnibus bill that passed the Parliament now requires all associations to declare their members to the government.
- The first tender for Canallstanbul project’s connecting highways is complete.
- The Ministry of the Interior appointed eight more trustees to the People's Democratic Party (HDP) municipalities. The number of seized HDP administrations since the local elections in March 2019 reached 40.
- At least eight journalists were detained or testified so far due to reporting news on the outbreak. Legal actions were taken against hundreds of social media users due to their posts on the Covid-19 outbreak. ***Details in the bulletin...***
- Another release decree was issued for Osman Kavala. However, Kavala is still imprisoned for 878 days. ***Details in the bulletin...***
- The investigation on the killing of Diyarbakır Bar Association Chairman Tahir Elçi was completed five years after his death. The indictment involves four defendants, three of them police officers, as suspects and claims that there was no camera overseeing the moment of Elçi being shot, that no crime scene investigation could be

made due to security reasons and that the bullet killing Elçi could not be found. Diyarbakır Bar Association Chairman Cihan Aydın reacted against the indictment and said, *“It seems that the truth will be covered once again and the true perpetrators will remain unpunished.”*



*[Please click here](#) to watch our weekly video programme, “**COGITO ERGO SUM**” in which we track developments on freedom of expression and thought in Turkey. “**COGITO ERGO SUM**” is on our [YouTube](#) channel every week...*



Detainment over news on death by Coronavirus

After reporting two deaths due to Coronavirus as diagnosed at Derince Research and Training Hospital on local SES Kocaeli Daily, the newspaper’s Editor-In-Chief Ismail Çiğil was handcuffed and detained with a house raid. After the newspaper writer Güngör Aslan went to the Security office and indicated that he has

the sole responsibility of the article, Çiğil was released but Aslan was detained. Aslan and the newspaper’s Managing Editor Ahmet Seminer were released after testifying.



Journalist summoned to testify due to news on Coronavirus

İz Daily reporter Tugay Can was summoned due to the news he reported with the headline: “Health workers’ Covid-19 test results positive in two different districts in Izmir.” *“I am confirming the information I receive, many times. I’m doing my profession for people’s right to information,”* Can said.



Coronavirus investigation against HDP MP Gergerlioğlu

Ankara Chief Public Prosecutor’s Office started an investigation against the People’s Democratic Party (HDP) Kocaeli MP Ömer Faruk Gergerlioğlu, after his social media post stating that there is a convict at Sincan Penitentiary Institute with a positive

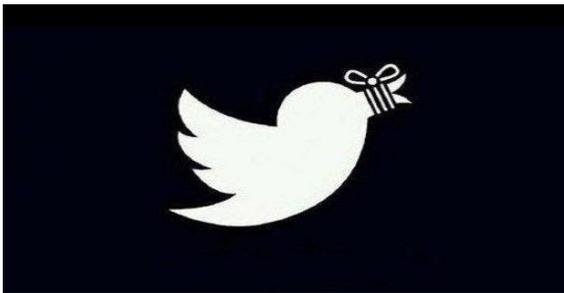
Coronavirus test. Gergerlioğlu was charged with, “inciting worry, fear and panic among people.”



Medical Chamber Chairman charged due to interview on Coronavirus

Van-Hakkari Medical Chamber Chairman Psychiatrist MD Özgür Deniz Değer was summoned to testify due to the interview he gave, evaluating authority statements on the Coronavirus outbreak, measures taken as well as the state of prisons, which are under great risk. Testifying at Van Security Directorate,

Değer is charged with “inciting fear and panic in the society.”



Social media operations

Ministry of the Interior Süleyman Soyulu announced that 2,551 social media accounts were identified and legal actions were taken against 449 social media users due to “propaganda,” “public incitement towards resentment and hatred” and “dragging the people towards fear and panic” in the

operations organized against social media posts in the last 10 days. The minister also targeted the Constitutional Court, which reversed the regulation authorizing the police with making online research and denouncing social media users to the Prosecutor’s Offices. *“The court’s libertarian decrees are trampling our motivation to fight,”* the Minister said.



Release decree for Kavala

A release decree was issued for Osman Kavala, who is arrested within the investigation on the coup attempt with the charge of “attempting to overthrow the Constitutional order.” It was found out that the Criminal Judicature of Peace on Duty issued the release decree for Kavala due to his two-year arrest period being fulfilled

in regards to this charge. Kavala had been arrested due to this charge immediately after the acquittal decree issued for him in the “Gezi Park Case.” The businessman and human rights advocate is in prison for 874 days.



Artist Yılmaz Çelik released in first hearing

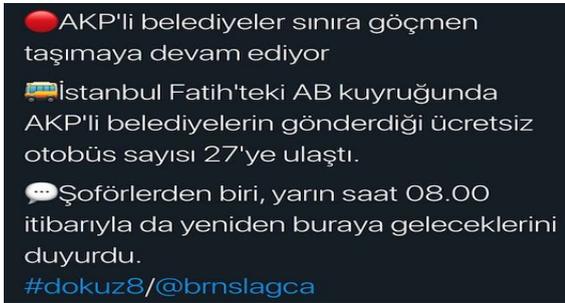
The first hearing of artist Yılmaz Çelik, who was detained after the concert he gave in Dersim on December 8 and was arrested with the allegation of “making illegal organisation

propaganda” and “illegal organisation membership” due to his social media posts, was held at Tunceli 2nd Assize Court. Çelik was released with judicial measures and a travel ban. The second hearing of the case was scheduled for May 14.



Arrested journalists Sadiye Eser and Sadık Topaloğlu released in first hearing

The first hearing of the lawsuit filed against journalists Sadiye Eser and Sadık Topaloğlu, who were arrested last December with the allegation of “illegal organisation membership” based on secret witness statements, was held at Istanbul 22nd Assize Court. The court issued the release of the two journalists after their arrest based on the previous lawsuits filed against them as well as their travels abroad, scheduling the next hearing for October 15.



Investigation against reporter Baransel Ağca

Edirne Public Prosecutor’s Office started an investigation against Dokuz8haber reporter Baransel Ağca due to “denigrating governmental institutions” through his social media posts during the “refugee transfer towards the Greek border.”



Investigation against post by Enver Aysever

Istanbul Chief Public Prosecutor’s Office started an investigation against journalist Enver Aysever due to “denigrating religious values adopted by a part of society” through a cartoon he shared on social media.



Another access ban against OdaTV

The website of OdaTV news portal was banned from access for the seventh time after the arrest of its two executives and one reporter due to the news on the death of a Turkish National Intelligence officer in Libya. The news portal continues its activity on the url odatv4.com.



Censorship against book by Buket Uzuner

The book by writer Buket Uzuner, entitled, “The Most Naked Day of the Month” [“Aynın En Çıplak Günü”] written and published in 1986, was declared “obscene publication” by

the Council to Protect Children from Obscene Publications of the Ministry of Family, Labour and Social Services. Uzuner commented on the declaration and stated, “Books don’t make people immoral. Morality is only damaged with rapists, thieves and murderers taking advantage of impunity.”

“Civil society in difficult times...”

Satranç, Saklambaç ve Inat
Zor Zamanlarda Sivil Toplum

Anadolu Kültür has launched the report, “Chess, Hide-and-Seek and Determination,” written by Özlem Kaya and Pınar Öğünç. The report examines the danger and difficulties faced by the Turkish civil society since 2015, making a specific evaluation for Diyarbakır as

well. [Please click here](#) for the full report.



Imprisonment sentences against 33 Mersin University students

The lawsuit filed against 40 people, who protested the commemoration for Nihal Atsız, organized five years ago at Mersin University, was concluded. Mersin 2nd Assize Court sentenced 33 students to imprisonment varying from 5 months up to 6 years and eight months

due to “violating the Law on Meetings and Demonstrations No.2911,” “damaging public property,” “participating in meetings and demonstrations that turned into terrorist organisation propaganda,” “illegal organisation membership” and “making illegal organisation propaganda.” Seven students were acquitted.



47 NGOs make joint call for prisoners

47 non-governmental organisations, including the Initiative for Freedom of Expression, made a common call for all arrests and convicts who have health issues, children or are over the age 65 to be released and for measures to be taken in prisons and penitentiary institutes against Covid-19. The declaration demands all those

who were arrested with political and arbitrary reasons to be urgently released as well. [Please click here](#) for the full declaration and the list of signatories:



MHP Group support attack against attorney

Former Yeni Çağ Daily writer and attorney İsrail Kumbasar was beaten once again after being attacked in 2004. After the incident, social media posts were made with the hashtag, #ülküocaklarıhesabınısorar

[#greywolvesaskforaccount]. Nationalist Movement Party (MHP) Deputy Chairman Erkan Akçay also supported the attack, sharing a photo of Kumbasar. Kumbasar has been on target due to his expressions against MHP Chairman Bahçeli.



TRIALS OF FREEDOM OF EXPRESSION

- All hearings across the country were postponed except “urgent matters” within measures against Covid-19. Therefore, no hearings will be held next week.