

# Think, think...

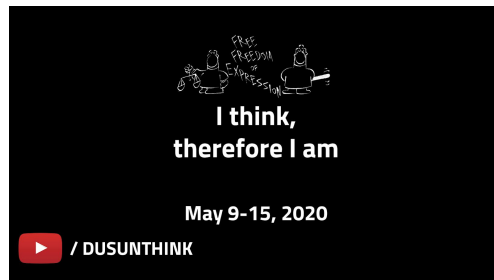


## Freedom of Expression Weekly Bulletin (Issue 20/20, 15 May 2020)

### What happened last week?

- Easing of measures in Turkey against the COVID-19 outbreak created worry around the scientific community. Shopping malls were reopened. Erdoğan announced the date of university entrance examinations, whereas the Turkish Football Federation (TFF) was left the initiative to decide whether soccer leagues will start or not. Local sources declare that there is significant increase in COVID-19 cases in many provinces, still.
- President Erdoğan repeated his claim that the fight against the outbreak is ongoing with success; this time indicating that the new post-pandemic world order must quickly be prepared for. Erdoğan further claimed that the foreign countries are preparing traps for the Turkish economy. Furthermore, the opposition was under Erdoğan's target, as usual. "We will not let any malicious powers run riot - from FETO to PKK, from the Armenian and Greek lobbies to gulf-based conflict targets," Erdoğan said, further ordering all assets of the Republican People's Party (CHP) at the Turkish İş Bank to quickly be transferred to the Treasury.
- "Open-ended" threats shared by pro-government names through social media and press are ongoing. After Sevda Noyan's claim that her family has "the means to kill 50 people at once, after the lists they've prepared" on the broadcast she attended on Ülke TV; a similar claim was shared on social media by Fatih Tezcan. An investigation was opened against Tezcan, but no legal action was taken against Noyan despite criminal complaints.
- There are claims that 44 convicts at Silivri Prison are infected with the Coronavirus. Silivri Prison is housing many journalists, activists and names of the opposition; therefore convict relatives and lawyers continue to speak up about their release claims.
- The government continues to fight elected local administrators, even on the days of the pandemic. Trustees were assigned to Iğdır, Siirt, Baykan, Kurtalan and Altınova municipalities; with all their elected mayors detained. 45 of the 65 People's Democratic Party (HDP) municipalities are stolen by trustees, in the 14 months after the last local elections...
- Discussions continue after Bar associations have reacted against the discriminatory statement of the Directorate of Religious Affairs, targeting LGBTIs. 51 Bar Associations have replied to the statement of Erdoğan, which was on new regulations prepared to intervene in elections of Bar Associations and other professional organizations, with a common declaration.

- “Impunity” policies ongoing for the unlawful acts of security forces are increasing rights violations by the security forces during curfews. A disabled child in Nusaybin, Mardin was beaten by the police recently.



*Our weekly video programme “[COGITO ERGO SUM](#)”, in which we report developments in Turkey on freedom of expression and thought, are on our [YouTube channel](#) every Friday and live on CanTV every Saturday at 22:00...*



### **ECHR decree on Osman Kavala finalizes**

The European Court of Human Rights (ECHR) had previously issued a decree of violation for businessman and rights advocate Osman Kavala. The application to transfer the ECHR decree to the ECHR Grand Chamber was denied. Thus, the ECHR decree that states Kavala’s arrest was due to political reasons and that he must urgently be released was finalized with the denial of the Turkish government’s objection. However, Kavala

is currently arrested within another investigation and has been deprived of his freedom for a total of 927 days, without break...



### **Reaction against Gerçek Hayat [Real Life] Magazine after targeting minorities**

Jewish, Greek and Armenian religious representatives reacted against Gerçek Hayat [Real Life] Magazine after it targeted the Turkish Chief Rabbi, Greek Patriarchate and former Armenian Patriarch by calling them “Branches of FETÖ.” In separate statements, necessary legal action was requested to be taken against the magazine’s discriminatory, provocative and hate-involving

speech. The statement of the Armenian Patriarchate indicated that only a few days ago, an attacker was influenced by similar hate speech and attempted to set Bakırköy Dzinunt Surp Asdvadzadzni Church on fire.



### **Reversal claim against acquittal decree in “Çarşı Case”**

Chief Public Prosecutor's Office of the Court of Cassation claimed for the acquittal decree issued for Beşiktaş fan group Çarşı members from the charges of "attempting to overthrow the government" and "establishing and managing a criminal organisation" on the events of the Gezi Park protests to be reversed. The reversal claim was based on, "The Presidency had the right to participate in the hearings, whereas the hearings proceeded and the case was concluded without the Presidency being informed of the proceeding." It was further claimed, "It was impossible for the Gezi Park protests to be realised outside of the hierarchy without having strong foreign or domestic support, without being backed by any armed terrorist organisation." The defendants were claimed to be further penalised due to participating in illegal meeting and demonstration as well.



### **HDP membership considered "crime"**

Kocaeli Chief Public Prosecutor's Office accepted membership in a legal political party, a criminal element, in the indictment prepared against the People's Democratic Party (HDP) Assembly member Bülent Uyguner. The indictment stated, "[Uyguner] has taken place with a high rank in

HDP Kocaeli structuring, that he was in a position to order provincial organisation executives and that he was identified to have organized activities such as demonstrations, protests, riots in accordance with orders from an illegal organisation." Uyguner was arrested in November 2019 and his prosecution has started due to "illegal organisation membership," "propaganda" and "public incitement towards resentment and hostility." As the claim for his release was denied, the next hearing was scheduled for July 9, 2020.



### **Reversal claim against imprisonment sentence issued against Demirtaş**

Chief Public Prosecutor's Office of the Court of Cassation claimed for the reversal of the 4-year 8-month imprisonment sentence issued against former People's Democratic Party (HDP) Co-Chair Selahattin Demirtaş due to "making terrorist organisation propaganda" through the speech he gave at the Newroz celebration event

organized in Istanbul in 2013. It was expressed that the related speech must be considered within freedom of expression and thought; indicating that his "right to defense was unlawfully restricted" through the examination of the speech not having been made by unbiased experts and that Demirtaş wasn't given additional time for his last defense.



### **Court of Cassation issues 17 approval, 6 reversal decrees**

In the proceeding, publicly known as "FETÖ Media Structuring Case", the 16th Criminal Chamber of the Court of Cassation has reached a final decision. The decree of "terrorist

organisation membership” previously issued by the local court against six defendants, including singer Atilla Taş, was reversed due to lack of sufficient evidence; whereas the decrees previously issued against 17 defendants were approved. Yaman Akdeniz, who is also the lawyer of Atilla Taş, announced on social media that they weren’t informed of the court decree from the National Judiciary Informatics System (UYAP) but from Yeni Şafak Daily.



### Mahmut Alınak released

Writer, politician and activist Mahmut Alınak was released in the first hearing held at Kars 2nd Assize Court after three months under arrest with a claim of life imprisonment. The Prosecutor’s Office claimed for Alınak to be arrested again.



Ayşe Sarısu Pehlivan  
@aysesp

Türküler kimseye zarar vermez. #ibrahimgokcekyasamalidir

ÖÖ 11:40 · 3 May 2020 · Twitter for Android

63 Retweetler 405 Beğeniler

689

63

405



### Investigation against judge over social media post: “Folk songs do not hurt anyone.”

An investigation was started against Union of Judges Chair Ayşe Sarısu Pehlivan due to “making terrorist organisation propaganda” through her social media post, claiming for İbrahim Gökçek to live. “Folk songs do not hurt

anyone,” Pehlivan had written in the related social media post.



### Investigation against judge Orhan Gazi Ertekin due to posts on Gökçek

Council of Judges and Prosecutors (HSK) started an investigation against judge Orhan Gazi Ertekin due to his social media posts on Grup Yorum member İbrahim Gökçek. Pro-government Takvim Daily reported Ertekin’s social media post with the headline, “Not a judge - a terror

sympathiser!”



### Investigation against post on Deniz Gezmiş

Tekirdağ Saray district municipality’s social media manager was summoned to testify after the post that commemorated 1968 generation revolutionist youth leaders Deniz Gezmiş, Yusuf Aslan and Hüseyin İnan on the anniversary of their execution.





### **57 thousand TL penalty against nature watchers on Ida Mountains**

Çanakkale Governorate penalised environmentalists standing watch against the gold mine project on the Ida Mountains with 57,240 TL administrative fine in total. The fine was based on the Law of Misdemeanor, due to “disrupting social order, general morality, general health, environment and the economical order.”



### **“Soma Massacre” commemoration prevented**

Ankara Governorate didn't allow for a representative commemoration in front of the Miners' Monument on the anniversary of the disaster in Soma, where 301 mine workers have lost their lives. Confederation of Progressive Trade Unions of Turkey (DISK) Ankara Regional Representative Tayfun Görgün asked, “*It's convenient for mines to be working during this*

*period but it isn't convenient for us, 25 people, to commemorate those having lost their lives in Soma?*”



### **Villagers detained over reacting against deforestation**

Villagers were detained after they wanted to prevent the deforestation for the mine to be constructed in Kirazlıyayla village of Bursa. Pathways towards the village were blocked by security forces and entrance in the village was prevented. Journalist Yusuf Kayışoğlu was

detained due to recording videos during the gendarmerie intervention.



### **Evrensel Daily executives testify**

Evrensel Daily's Editor-In-Chief Fatih Polat and Managing Editor Görkem Kınacı testified within the “coup” investigation started against the article written by Ragıp Zarakolu. The article was simultaneously published on Artı Gerçek and Evrensel Daily with the headline, “*There is no running from ill fate.*”



## Municipality harassment against local press in Zonguldak

Local newspapers publishing critical content against Justice and Development Party (AKP) municipalities in Zonguldak were checked for “licenses” by the local police. The newspapers had reported the news that the AKP-member Kozlu Mayor had employed his nephews among the municipal staff. After the publications, AKP Zonguldak MP Hamdi Uçar had stated, “We’d

*break their pens...*”



## Police: “Silence this woman...”

During the press statement of United Transport Workers’ Union (BTS) Diyarbakır Branch on the cases of exile in the field of railroad, the police intervened in the speech of Confederation of Public Employees’ Unions (KESK) Central Executive Board member Gülistan Atasoy. After Atasoy had mentioned that the Diyarbakır

municipal trustee had previously chaired AKP meetings, the police commander told the other participants, “*Silence this woman, so she doesn’t go out of context.*”



## Press Ad Institute penalises Evrensel once again

Press Ad Institute (BIK) penalised Evrensel Daily with 5-day ad ban due to the article written by Ihsan Çaralan and published on the newspaper’s February 24, 2020 issue with the headline, “Would a government pledge martyrdom to its

citizens?”



## Embargo against Berna Laçın

After being targeted with various investigations against Berna Laçın due to her statements, Turkuvaz Media announced that commercials in which Berna Laçın acts will no longer be broadcasted on any organisation within their body.



## **TRIALS OF FREEDOM OF EXPRESSION**

- All hearings were postponed in courthouses across the country within the measures against the COVID-19 outbreak. Therefore, there will be no hearings held next week.