

What happened in May 2020?

In Ankara and surrounding provinces in the period of May 2020, there was a decrease in intervention, detention, investigation, especially prosecution in terms of freedom of expression as well as the right of meeting and demonstration. On the other hand, social media investigations, criminal complaints, and summaries against MPs continued. In addition, as in the previous period, COVID-19 measures demonstrated more clearly the importance of issues like access to information and transparency, which are extremely necessary in terms of freedom of expression.

In Diyarbakır and surrounding provinces in May 2020, appointments of trustees continued. Mayors were detained, some were arrested. Pressure, detainment/arrest practices against Non-Governmental Organizations have increased. Press releases, demonstrations and marches were not permitted. The police force has applied severe physical intervention. There was an increase in investigations and judicial proceedings based on media/social media.

In Izmir and surrounding provinces, when social work paused due to the measures against the outbreak, police interventions naturally decreased. 2 press statements and one journalist were prevented with a total of ten detainments in total. Two people were arrested, one person was dismissed from profession and one person was sentenced to house imprisonment.

CHRONOLOGY

1. Administrative Bans & Police Interventions

01: Ankara The police detained four people following a May 1 celebration in Tuzluçayır neighborhood of Mamak district.

01: Ankara Special Security forces intervened against students hanging a May 1 banner at the Middle East Technical University.

01: Istanbul 48 people, including Confederation of Progressive Trade Unions of Turkey (DISK) members were battered and detained on the International Unity and Struggle Day in Taksim, Kadıköy, Şişli. Some of those detained were issued administrative fines due to “violating the curfew” and “disobedience to police orders” in accordance with provisions of the Law of Misdemeanor.

01: Izmir The police intervened against a press statement and detained five people.

01: Mersin The May 1 convoy, created by cleaning workers, was stopped by the police and Confederation of Progressive Trade Unions of Turkey (DISK) flags on the vehicles were lowered.

01: Zonguldak The police raided the home of a student, who hung a May 1 banner on the window of his flat.

04: Ankara The police intervened in the press statements of public workers, who had been protesting for 1273 days on Yüksel Street in Ankara in order to return to their jobs after they were dismissed with Statutory Decrees.

08: İstanbul The police, who intervened in the commemoration of İbrahim Gökçek after he died due to his indefinite hunger strike, used tear gas and plastic bullets and detained 43 people using violence.

08: İstanbul The guards working in Arnavutköy shot one person in the foot following an argument during an identity check and one person was detained.

12 : Bursa The gendarmerie intervened the villagers who took action to prevent the cutting of trees by the mining company operating in Kirazlıyayla village of Yenişehir district.

13 : Ankara The commemoration organized for the anniversary of the deaths of 301 miners in Soma was intervened by the police due to “lack of Governorate permission.” The police detained 14 people, using physical violence.

14 : Ankara The police, who intervened in the protest carried out by health workers in front of Hacettepe University Hospital, detained health worker Mahmut Konuk, who is also a victim of dismissals with Statutory Decrees. Konuk was wearing an apron that said, “*I want my job back,*” but the police detained him, saying, “*He can’t be here, he isn’t an employee of Hacettepe.*”

15: Iğdır Citizens were intervened by the police with tear gas during their march towards the Municipal building in order to protest the appointment of trustees. Deputy Mayor Halis Güney was beaten during the intervention.

15: İstanbul The police intervened against the protest against International Homophobia, Biphobia and Transphobia. Two people were detained.

15: Manisa ?? The police seized photo and video cameras of journalists. HDP Turgutlu İlçe engellendi. Polisler gazetecilerin fotoğraf makinası ve video kameralarına el koydu.

15: Siirt After the appointment of trustees at the Central, Kurtalan and Baykan municipalities that belonged to the People’s Democratic Party (HDP), Siirt Co-Mayors Peymandara Turhan and Berivan Helen Işık; employees Eşref Tekin, Gülçin Köneş, Resul Kaçar (who never received his electoral license), Beşir Aksu, Kurtalan Co-Mayors Esmer Baran and Baran Akgül; Baykan Co-Mayors Ramazan Sarsılmaz and Özden Gülmez were detained. The police didn’t let the co-mayors and party members make a press statement after their release; due to “protest bans.”

16: Adana The police didn't let the press statement organized in Adana to protest the detainment of mayors and appointment of trustees to municipalities of the People's Democratic Party (HDP), based on measures against the COVID-19 outbreak.

17: Istanbul Taylan Kulaçoğlu and Red Magazine's Editor-In-Chief Hakan Gülseven were detained due to making illegal organization propaganda after they were targeted by SABAH Daily.

19: Istanbul A motorcycle courier in Kadıköy was exposed to physical and verbal violence by the police. The police officer was suspended from profession.

20: Ankara The police intervened against the press statement made in front of the People's Democratic Party (HDP) Ankara Provincial building to protest trustee appointments and detained nine people, including HDP executives and former MPs, using violence. The next day, the statement organized to protest the intervention on the previous day was intervened as well, again with violence.

20: Antalya The police intervened against the group wanting to organize a protest in Zeytinköy neighborhood of Muratpaşa district due to the difficulty they have in accessing food products, as the neighborhood is under quarantine for 14 days within the measures against the COVID-19 outbreak.

22: Diyarbakır The police detained 13 people, including Rosa Women's Association Chair and executives as well as the People's Democratic Party (HDP) executives, during house raids. Rosa Women's Association building was raided. The door was broken in, the building was searched and all record documents were seized.

24: Istanbul Three people were exposed to physical violence by the police due to violating the curfew in Zeytinburnu. They were detained with reverse handcuffs.

25: Edirne The police used tear gas against those drinking alcohol in Keşan district during the curfew. The police used tear gas against those reacting against this application as well, opened fire in the air and detained one person with violence.

25: Istanbul Nursel Tanrıverdi, who was continuing her protest for 166 weeks after she was dismissed from profession with a Statutory Decree, was detained with physical violence by the police.

25: Tekirdağ One person, who was sitting in front of his house in Çorlu district, was exposed to physical violence by the police with the allegation that he has violated the curfew. The police further prevented the arrival of an ambulance for Satı Gültaş, who fainted during the incident.

27: Istanbul The Saturday Mothers left carnations at the Galatasaray Square, which became the symbol of their protest, on the 25th Anniversary of their fight for their missing relatives.

28: Izmir The press statement organized by the People’s Democratic Party (HDp) Izmir Women’s Committee for the 25th Anniversary of the Saturday Mothers was not permitted due to ‘security reasons.’

31: Istanbul One person sitting in front of his house in Eyüp district was exposed to physical violence by the police with the allegation that he violated the curfew.

2. Investigations, Arrests and Prosecutions

01: Adana Labour Party (EMEP) Yüreğir District Chairman Ferit Kilis was detained and arrested on May 1, 2020 due to his social media posts. Kilis was released on May 13 after the objection against his arrest.

05: Ankara Ministry of the Interior announced that 7,127 social media accounts were examined, 496 people were detained and 10 of them were arrested across Turkey related to posts on the COVID-19 outbreak.

06: Kars 2nd Assize Court accepted the indictment prepared against Kurdish politician Mahmut Alınak with a claim of life imprisonment.

11: Izmir A judge was suspended from profession for three months after he didn’t penalise allegations of “making illegal organization propaganda on social media” after the complaint of “trolls” in Karşıyaka district.

15: Izmir An investigation was opened against another judge with the same reason.

15: Muş Korkut district’s Altınova Co-Mayor Casım Budak was detained and arrested after a trustee was appointed to replace him.

16: Balıkesir 2 people were detained and one person was arrested in Ayvalık district due to making illegal organization propaganda on social media.

17: Antalya Photographer Fırat Erez was arrested due to “denigrating religious values through social media posts.”

18: Van An investigation was started against the People’s Democratic Party (HDP) Assembly member Hatice Büşra Kuyun due to “public incitement towards resentment and hostility” after she indicated that she was taken to the side and was threatened by individuals introducing themselves as police officers in İpekyolu district.

21: Aydın An investigation was opened against one person due to criticising the Governor on social media.

22: Bartın An investigation was opened against the Community Houses Chairwoman Yonca Alemdar and Education and Science Workers' Union (Eđitim-Sen) Bartın Chairman Sedat Bora due to their social media posts on İbrahim Kaypakkaya.

22: İzmir Former Republican People's Party (CHP) Provincial Deputy Chair Banu Özdemir was arrested after she posted the music broadcast from a mosque on social media. Özdemir was released a week later.

25: Kayseri One person was detained due to his social media posts.

27: Ankara The next hearing of the prosecution of former People's Democratic Party (HDP) Co-Chair Selahattin Demirtaş was postponed to October 27, 2020 due to measures within the COVID-19 outbreak.

27: İzmir One person was detained due to insulting Erdoğan on social media and was released on the conditions of judicial measures and house imprisonment.

29: Batman People's Democratic Party (HDP) Provincial building was raided by the police; Co-Chairs Ömer Kulpu and Fatma Ablay were detained. All digital material found in the building were seized.

29: Batman The police intervened against the press statement organized by the Confederation of Public Employees' Unions (KESK) Branches Platform in front of the Family, Labor and Social Services Directorate as a reaction against the exile of three health workers. 8 people were battered and detained.

31: Tekirdađ An investigation was opened against Saray Daily, which reported the social media post of Saray Mayorship on the execution of Deniz Gezmiş, Yusuf Aslan and Hüseyin İnan.

3. Other Applications

05: Ankara Presidential Communications Director Fahrettin Altun made a criminal complaint against Artı Gerçek and Evrensel Daily as well as writer Ragıp Zarakolu due to the article he wrote for Artı Gerçek website with the headline, "There is no escape from ill fate."

05: İzmir The letter handed in by a convict in Ödemiş district wasn't accepted by the prison administration.

07: Ankara Radio and Television Supreme Council (RTÜK) sentenced Halk TV Channel with five broadcast blackouts and administrative fines for five times, due to the expressions of the

Republican People's Party (CHP) Istanbul Provincial Chair Canan Kaftancıoğlu as she was the guest of the show "I have a word ["Sözüm Var"]" on the channel.

07: Ankara Radio and Television Supreme Council (RTÜK) issued an administrative fine against HaberTürk TV due to the expressions used in the show "Face-to-Face ["Teke Tek"] as İYİ Party Chair Meral Akşener was a guest in the show.

07: Ankara Ankara Governorate banned the commemoration organized by the Confederation of Progressive Trade Unions of Turkey (DISK), Confederation of Public Employees' Unions (KESK), Union of Chambers of Turkish Engineers and Architects (TMMOB) and the Turkish Medical Chamber, who wanted to commemorate workers who died in the Soma Mine Massacre. The ban was based on the measures taken against the COVID-19 outbreak.

15: İzmir WhatsApp conversations of young Kaldıraç Magazine readers were tracked, their families were called and the young readers were threatened.

15: Iğdır People's Democratic Party (HDP) member Mayor Yaşar Akkuş was dismissed from duty and Governor Enver Ünlü was appointed as trustee to replace Akkuş.

15: Siirt People's Democratic Party (HDP) member Mayor Berivan Helen Işık was dismissed and Governor Ali Fuat Atik was appointed as trustee to replace her.

15: Siirt People's Democratic Party (HDP) member Başkan Mayor Ramazan Sarsılmaz was dismissed and District Governor Mehmet Tunç was appointed as trustee to replace him.

15: Siirt People's Democratic Party (HDP) member Kurtalan Mayor Baran Akgül was dismissed and District Governor İhsan Emre was appointed as trustee to replace him.

15: Muş Korkut district's Altınova Mayor Casim Budak was dismissed and District Governor Hasan Sadebiyik was appointed as Deputy Mayor as a trustee.

17: İzmir 17 workers, including 12 on-duty cleaning workers at Gaziemir Municipality, were fined due to violating the curfew through the convoy they created on May 1st.

21: Ankara Radio and Television Supreme Council (RTÜK) sentenced Halk TV to 129,405 TL administrative fine in total due to five different shows (Media Neighborhood [2 separate broadcasts], Good Morning Turkey, Present-Time Politics and News Desk with Şule Aydın).

21: Ankara 31 summaries prepared against 19 Parliament members of the People's Democratic Party (HDP) and the Democratic Regions Party (DBP) were presented to the parliament with claims to take off their Parliamentary immunities.

27: Şırnak The door of People's Democratic Party (HDP) Cizre District Organization building was set on fire by an unidentified person late at night. Şırnak Security Directorate announced

that a defendant was arrested on May 30.

4. Comments and Suggestions

Ankara:

As the arbitrary bans issued by public authorities and applied by the police against press statements, marches and demonstrations constitute a significant part of this month's violations, human rights organizations and activists need to tackle this arbitrariness more effectively within existing methods of judicial remedies. On the other hand, it would be beneficial to conduct studies on the legislative power in order to change the existing legislation, which allows this arbitrariness. In this context, material needs to be prepared for any publication that would inform the public about this issue. Especially the violations that took place through the Radio and Television Supreme Council (RTÜK) this month reveal the need for a focus on the structure of institutions in a democratic system.

Izmir:

It has become the ruling power's usual behavior to closely track everyone's social media posts and open investigations against them. "Trolls" are in the frontline of this, they target people and "whatever is necessary" is being done. 1 judge was suspended from profession for three months because of not doing this, and an investigation was opened against another judge who also didn't.

With the same method, journalists Taylan Kulaçođlu and Hakan Gülseven were detained and released. Next day, Taylan Kulaçođlu was detained and arrested again. Why was he released? Why were they arrested? These arrests are completely arbitrary and they follow an order.

On the other hand, the police closely tracked certain young people's WhatsApp conversations and scared families. After the police were warned that what they have been doing is illegal, the police stated that nothing can be done against them and that they wouldn't have the power to do so. This is a clear expression of unlawfulness.

The arbitrary application of administrative fines is another dimension of unlawfulness. An example for this is that municipal workers were fined due to violating the curfew before May 1st, even though they were excused.

Diyarbakır:

Appointment of trustees to municipalities under the People's Democratic Party (HDP) administration by the Ministry of the Interior has become a tradition that is ongoing for four years now. As there is no tradition of a "democratic opposition" in Turkey to speak up against these applications, the responsibility of rights organizations and NGOs become heavier.

Regular detainment of Kurdish politicians, arrests and indictments claiming life imprisonments should not only be evaluated as the current policies of the government. This is related to the

government's genetic codes and the reactions to be shown by rights organizations must be done with the consideration of this fact.

The increasing pressure against NGOs leads to worries by an important part of society, making them not feel safe.

Banning meetings, demonstrations and marches and violent interventions have become a routine. It is important to be in contact with the legislative power and to establish effective channels with the public opinion.

Human Rights Foundation of Turkey (TIHV):

As the regional reports indicate in detail, the prominent notion in May was the increase in police violence. This violence shows itself in a more intense and clear way during the use of the right to meeting and demonstration, which is our focus of concern.

According to the findings of the Human Rights Foundation of Turkey (TIHV) Documentation Center, the police force has intervened protests and demonstrations like press meetings, commemorations, protests organized within the right to meeting and demonstration for 91 times using physical violence. Four people were injured and 187 people were detained during these interventions.

The police force intervened against 363 peaceful protests and demonstrations organized between the dates January 1, 2020 and June 1, 2020 (in the first five month of the year), using physical violence. 754 people were detained and 16 people were injured during these interventions. When we compare the number of police interventions in May with the number of police interventions for the first five months of the year, we can see that the interventions in May constitute 25% of all interventions recorded. In other words, the findings in May are 25% more than the monthly average.

On the other hand, activities within the freedom of organization in the same time period were intervened by the police force five times with physical violence and five people were detained. Therefore, the number of activities intervened by the police force using physical violence in the first five months of the year became 368 and the number of people detained during these interventions became 759.

Besides the coldness of numbers, we are facing a worrying technique of governing a nation. This violence applied by police forces is beyond the legally-allowed authority to use proportionate force and goes beyond the rules described by the law and human rights norms. This violence also shows an increasing trend and is becoming systematic; is protected by the armor of immunity, being ignored by political authorities and even being encouraged by them.

I would like to express a fact we frequently emphasize: Citizens using their right to peaceful meetings are simultaneously using their right to freedom of expression. Therefore, these kinds of interventions by the police force using physical violence is of the quality to remove both rights at the same time. Therefore, these interventions remove something that is an indispensable condition of a democratic society. Besides, as the police force is violating the rights to personal safety, torture ban and the freedom of organization, these interventions are

of the quality of multiplex and complex violations.

Investigations in May against press-media organizations, broadcast and media blackouts, administrative fines and other pressure against the press have increased even further.

Lastly, I would like to remind the authorities that governments have a negative responsibility to not intervene in peaceful meetings and demonstrations; with a positive responsibility to take necessary measures so that peaceful meetings and demonstrations can be organized.