

Think, think...



Freedom of Expression Weekly Bulletin (Issue 26/20, 26 June 2020)

What happened last week?

- According to official records, the number of deaths due to the Coronavirus exceeded 5,000. The number of identified cases reached 200,000. As the normalization process is ongoing with the loosening of measures despite all warnings and objections, the number of new cases show no decrease. The Ministry of Health, on the other hand, brought a restriction against the criteria in order to decrease the number of tests. Therefore, the new stage of the fight against the outbreak is to decrease the number of identified cases by decreasing the number of applied tests...
- Bar Association Chairmen started a “Justice March” against the preparations of amendments in the Law of Legal Practice. The Bar Association Chairmen were stopped by the police at the entrance of Ankara, then managed to enter Ankara after a day of resistance. The Bar Association Chairmen protested Turkish Bar Associations Union Chairman Metin Feyzioğlu by turning their backs against him. On the other hand, details of the law draft that is expected to arrive at the Parliament were revealed. The regulation will pave the way for “multiple Bar Associations” to be established in Ankara, Istanbul and Izmir. Thus, the influence of oppositional Bar Associations will be decreased on both the elections of Turkish Bar Associations Union as well as on other decisions on Bar Associations. Human Rights Advocates Solidarity Network, which our Initiative is also a part of, made a declaration and indicated that Bar Associations is one of the most important actors in the protection of rights and freedoms, as well as principles of the state of law. The associations further demanded for all work that would damage Bar Associations’ freedom and independence to end. [Please click here for details.](#)
- Elazığ Karakoçan district, Sarıcan town Co-Mayors Bekir Polat and Canan Çağtekin from the People’s Democratic Party (HDP) were detained. The town hall was taken under military blockade and is now expecting a trustee. HDP executive Mehmet Sarı was also detained within the same investigation. Thus, the number of seized HDP Municipalities in the last 15 months since the local elections has reached 46.
- The law draft on security investigations before working at public positions, which was previously reversed by the Constitutional Court (AYM) due to a “violation of privacy and the presumption of innocence” was presented to the Parliament once again by the ruling party. The regulation on security investigations, which were initially brought into place during the State of Emergency, was brought up after the decree of reversal but was withdrawn following the reaction of the opposition.
- The Constitutional Court (AYM) decided for a lack of jurisdiction in the application on the Parliamentary immunities of People’s Democratic Party (HDP) MPs Leyla Güven and Musa Farisoğulları, based on AYM lacking authority on the matter.

- The Constitutional Court (AYM) decided to debate the objection made by the Republican People's Party (CHP) on the discriminatory regulation on penitentiary execution, which was enacted in April. It will be up to the AYM whether the scope of the law will be extended or not.
- Courthouses started their work after a break due to Coronavirus since March. This week, there was heavy prosecution of journalists. ***Details in the bulletin...***
- General Directorate of Population and Citizenship announced that the administrative measures against the passports of 28,075 people were removed.



*Our guest this week in the weekly video programme, in which we track the agenda of freedom of expression and thought in Turkey, is IFEX Network Engagement Coordinator Ryan Haughton... **“COGITO ERGO SUM”** is on our [YouTube Channel](#) every week...*

[Please click here](#) for all our video bulletins...



Police intervention against Bar Association Chairmen

Bar Associations have reacted against the ruling power's attempt to change the structure and election systems of Bar Associations. The march they have started on Friday for the reaction has reached Ankara. The police built barricades at the entrance of the city and didn't allow 58 Bar

Associations Chairmen and the lawyers to march. Bar Association Chairmen, on the other hand, protested the police prevention with a sit-in protest after being beaten. They were almost effectively detained under the police blockade and the barricade was opened on the second day of the protests, therefore the Bar Association Chairmen could enter Ankara.



First hearing of MIT Case held

Arrested OdaTV Editors-In-Chief Barış Pehlivan, OdaTV News Director Barış Terkoğlu, reporter Hülya Kılınc, Yeni Yaşam Daily Editor-In-Chief Ferhat Çelik, Yeni Yaşam Daily Editor-In-Chief Aydın Keser and Yeniçağ writer Murat Ağirel stood trial four months after being arrested due to

the news on the funeral of a Turkish National Intelligence Agency (MIT) officer, who died in Libya. In the first hearing at Istanbul 34th Assize Court, Barış Terkoğlu, Ferhat Çelik and Aydın Keser were released with judicial measures. Barış Pehlivan, Hülya Kılınç, Murat Ağirel and Eren Ekinci will remain arrested. The court further issued for the warrant against journalist Erk Acarer to remain. The next hearing was scheduled for September 9.



Prosecution of journalist Ender İmrek starts

The first hearing of the lawsuit filed against Evrensel Daily columnist Ender İmrek due to “insult” through his column on the Hermes purse of Emine Erdoğan, which had the headline, “*The Hermes purse was sparkling...*” was held at Bakırköy 2nd Criminal Court of First Instance. The journalist was charged with “insult” due to

criticising the expensive purse of Erdoğan. His prosecution will continue on October 8.



Lawsuit against journalist Kanbal due to ‘insulting Soylu’

A lawsuit was filed against Mezopotamya Agency (MA) reporter Ahmet Kanbal due to a social media post he shared after Interior Minister Süleyman Soylu announced his resignation on April 12. The indictment against Kanbal was prepared with the allegation of ‘insulting a public officer because of his duty’ due to his post that

said, “*The rats are the first to leave a sinking ship... It’s a universal saying... When the rats leave, the ship sinks.*” The indictment was accepted by Mardin 1st Criminal Court of First Instance.



Journalist Sabiha Temizkan stood trial in first hearing

The first hearing of the lawsuit filed against journalist Sabiha Temizkan due to “making terrorist organization propaganda” through a Twitter post in 2014 was held at Istanbul 35th Assize Court. The journalist didn’t attend the hearing with a health excuse; whereas her lawyer Zelal Pelin Doğan indicated that her client will be

ready for the next hearing to present her defense statement. The next hearing was scheduled for September 22.



Appeal court denies application of Kaftancıoğlu

The objection made by the Republican People's Party (CHP) Istanbul Provincial Chair Canan Kaftancıoğlu against the 9-year 8-month 20-day imprisonment sentence issued against her due to her social media posts was denied by the 2nd Criminal Chamber of Istanbul Regional Court.

The file was carried to the Court of Cassation.



Journalist sentenced to imprisonment due to "insulting Erdoğan" after sharing cartoon on social media

The first hearing of the lawsuit filed against journalist Özgür Paksoy due to "insulting the President" through sharing a cartoon drawn by Brazilian cartoonist Carlos Latuff depicting assassinated Diyarbakır Bar Association Chairman Tahir Elçi on social media was held at Idil

Criminal Court of First Instance. The journalist was sentenced to 11 months and 20 days of imprisonment and the announcement of the verdict was deferred.

Sayın Genel Başkan,

Ülkemiz çok zor günlerden geçiyor, insanlarımız çaresizlik içinde. Demokrasilerde, sorunlarına çözüm arayan halk, dilek ve taleplerini, gösteri ve toplanma dahil tüm yasal haklarını kullanarak, öncelikle iktidar partilerine iletir. İktidar partilerinin yetersiz ve/veya kayıtsız kaldığı durumlarda, güveneceği bir muhalefet arar.

Demokrasinin lafta kaldığı, tek adam diktasının yerleştiği Türkiye'de, iktidardaki AKP-MHP koalisyonu çözümü getirmek bir yana, sorunların kaynağı durumundadır. Sadece kendisini destekleyen bir kesimi "millet" olarak tanıyıp, diğer vatandaşları "düşman cephe"ye yerleştirerek, halkı birbirine düşürerek iktidarlarını korumaya çalışmaktadır.

Bu durumun değişmesi, ülkenin normalleşmesi ve demokratikleşmesi için muhalefet partilerine her zaman olduğundan daha büyük sorumluluk düştüğünü vurgulayarak, kendisini muhalefette konumlandıran tüm parti liderleri ve yöneticilerine [sesleniyoruz](#).

Letter for opposition leaders: "We expect courage from you for democracy"

Seven non-governmental organizations, including our Initiative, sent a letter to oppositional leaders and said, *"You can't protect the country, nor democracy by remaining silent against the demonizing and vanishing politics the ruling coalition is conducting against the People's*

Democratic Party (HDP), and by leaving HDP outside of alliances... We expect a courage that puts the interests of the entire country and people before the interests of the party."



Imprisonment sentence against social media post criticising lynch attempt against Kılıçdaroğlu

Republican People's Party (CHP) Bahçelievler district former Chairman Hüseyin Özkahraman was sentenced to imprisonment due to 'insulting a public officer' after he shared the article of CHP leader Kemal Kılıçdaroğlu on the lynch attempt

he faced at the soldier funeral he attended in Ankara on social media. The lawsuit was filed

by Süleyman Soylu and Özkahraman was sentenced to 1 year and 2 days of imprisonment, whereas the sentence was deferred.



141 of 217 investigations against CHP MPs due to “insulting Erdoğan”

Republican People’s Party (CHP) Group Deputy Chairman Özgür Özel announced that the total number of summaries against the CHP MPs reached 217 together with the summaries presented to the Parliament this week. According to the data shared by Özel, 141 of the 217 investigation summaries were prepared against 95

CHP MPs with the allegation of “insulting the President“. Özel indicated that the other summaries were prepared with the allegations of “violating meetings and demonstrations“ or “insulting a public officer.“ *“Summaries publicly announced to have been prepared upon the orders of Communications Director Fahrettin Altun, who receives triple salary, have reached GNAT Chairmanship,“* Özel stated.



‘Exiled judge Yücesoy’ investigation

Judge of the “insulting the President“ case file at Istanbul 73th Criminal Court of First Instance in 2015, Ali Haydar Yücesoy had responded to the Ministry of Justice demand on the information on the current stage of prosecution with “a judicial explanation on the basis and reason for the demand.“ Following that, Yücesoy had faced an investigation. However, 2nd Criminal Chamber of

the Council of Judges and Prosecutors (HSK) issued a verdict of non-prosecution for the judge.



Access bans

Istanbul Anatolian 8th Criminal Judicature of Peace banned access to the content on 6 different Ekşi Sözlük titles. Topics, “*Emine Erdoğan’s purse*“ and “*Explaining it as if you explain it to Bilal*“ are among the banned content.

İşçinin maaşını ödemedi ama AKP toplantısına yüzbinlerce lira ödedi

Samsun Büyükşehir Belediyesi’nin AKP’nin Karadeniz Bölge Toplantısı’nın giderlerini ödediği ortaya çıktı. 357 bin 500 lira harcanan üç günlük toplantının organizasyonu için açılan ihale, tekliflere kapatılıp belediyenin şirketine verildi.



Access ban against news on Samsun Municipality

Samsun 3rd Criminal Judicature of Peace brought an access ban against Habersol’s news on Samsun Metropolitan Municipality with the headline, “*They didn’t pay workers’ salaries but*

paid hundreds of thousands of Liras for AKP meeting.”

Mesal saati dışında çalışmayı reddeden öğretmene gözaltı

06.11.2018 - 17:04 Güncelleme: 06.11.2018 - 17:04



Turgutlu Criminal Judicature of Peace brings access ban against 46 news articles

Turgutlu Criminal Judicature of Peace brought access bans against 46 different news articles on the detainment of a teacher on November 5, 2018 after he refused to work outside of working hours in Manisa, as well as on the protests after this incident.



45-day ad ban against Evrensel Daily

The Press Ad Institute penalized Evrensel Daily with 45 days of ad ban due to the article, “*There is no escape from ill-fate*“ written by Ragıp Zarakolu. Zarakolu’s article had been targeted, initially by the palace bureaucracy, then by the judiciary.



Protest ban in Van extended once again

The protest and event ban that is ongoing for 1300 days in Van was extended for another 15 days by the Governorate. The statement made by Van Governorate announced all protests and demonstrations were banned across the province until July 6, 2020.



TRIALS OF FREEDOM OF EXPRESSION

Rıfat Doğan Case

The lawsuit filed against Artı Gerçek reporter Rıfat Doğan with the allegation of taking a photo in the hearing room on July 3, 2019 during the hearing in the lawsuit filed on the train disaster in Çorlu...

Court: Tekirdağ Çorlu 4th Criminal Court of First Instance

Verdict: The next hearing was scheduled for December 8, 2020.

Case Against News on Turkish National Intelligence Agency Officer

The lawsuit filed against eight people, six of whom are arrested, due to “violating the Law on Turkish National Intelligence” and “disclosing confidential information and documents” through the news on the Turkish National Intelligence Agency officer, who died in Libya...

Court: Istanbul 34th Assize Court

Verdict: After the 12-hour hearing, arrested journalists Aydın Keser, Ferhat Çelik and Barış Terkoğlu were released. Journalists Barış Pehlivan, Hülya Kılınç and Murat Ağirel will remain arrested. The court decided for the warrant against journalist Erk Acarer to remain. The second hearing of the case will be held on September 9, 2020.

Ender İmrek Case

The lawsuit filed against Evrensel Daily columnist Ender İmrek due to “insult” through his column, entitled, “*The Hermes bag was sparkling...*” in which he wrote about Emine Erdoğan’s Hermes bag...

Court: Istanbul Bakırköy 2nd Criminal Court of First Instance

Verdict: The second hearing of the lawsuit was scheduled for October 8, 2020.

Deniz Yücel Case

The lawsuit filed against Die Welt Turkey reporter Deniz Yücel due to “making illegal organisation propaganda” and “public incitement towards resentment and hostility” through the interviews he made with PKK executives...

Court: Istanbul 32nd Assize Court

Verdict: In the hearing, the court decided for the file to be re-evaluated and scheduled the next hearing for July 16, 2020.

Case Against Social Media Posts on Afrin Operation

The lawsuit filed against 12 people, including journalists Sibel Hürtaş and Hayri Demir, due to “public incitement towards resentment and hostility,” “making illegal organisation propaganda” and “denigrating military forces” through their social media posts on the Afrin Operation...

Court: Ankara 15th Assize Court

Verdict: The court decided to wait for the permission asked from the Ministry of Justice for Demir to be prosecuted in accordance with Article 301 of the Turkish Criminal Code (TCK) and issued for the travel ban against the journalists to remain. The next hearing was scheduled for November 25, 2020.

Sabiha Temizkan Case

The lawsuit filed against journalist Sabiha Temizkan due to “public incitement towards resentment and hostility” through a Twitter post, in which she wrote, “*ISIS wins Mahmur camp*”...

Court: Istanbul 35th Assize Court

Verdict: Temizkan couldn’t attend the hearing due to health excuses and the next hearing was scheduled for September 22, 2020.

RedHack Case

The lawsuit filed against six journalists due to “illegal organisation membership,” “disrupting Information and Technology system” and “making illegal organisation propaganda” through the news they reported on the emails of Berat Albayrak, which were initially leaked by RedHack...

Court: Istanbul 29th Assize Court

Verdict: Journalists wanting to watch the hearing weren't allowed in the hearing room due to the Coronavirus. The court decided for the travel ban against the journalists to remain and scheduled the next hearing for December 15, 2020.

HEARINGS NEXT WEEK

Case Against BirGün Daily Executives

The lawsuit filed against former BirGün Daily executives İbrahim Aydın, Barış İnce, Can Uğur and Bülent Yılmaz due to “aiding FETÖ without membership” through the news published in the newspaper on the posts of the Twitter account “Fuat Avni” between the years 2014-2016...

June 30, Tuesday, at 11:15; Istanbul 32nd Assize Court

Ferhat Tunç Case

The lawsuit filed against artist Ferhat Tunç due to “public incitement towards resentment and hostility” through his social media posts...

July 1, Wednesday, at 09:00; Büyükçekmece (Istanbul) 4th Criminal Court of First Instance

KCK Press Case

The lawsuit filed against 46 journalists due to “terrorist organization membership” and “making terrorist organization propaganda”...

July 2, Thursday, at 10:00; Istanbul 3rd Assize Court

Doğan Akın Case

The lawsuit filed against T24 Editor-In-Chief Doğan Akın due to “aiding and abetting an illegal organization without membership” through the news published on t24.com.tr between March 2014 - April 2016 on the tweets of Twitter account “Fuat Avni”...

July 2, Thursday, at 10:00; Istanbul 25th Assize Court

Şebnem Korur Fincancı Case

The lawsuit filed against the Human Rights Foundation of Turkey (TIHV) Chair Prof. Dr. Şebnem Korur Fincancı with the allegation that she has insulted Recep Tayyip Erdoğan as he was the Prime Minister, through a tweet she posted during the Gezi Park protests...

July 2, Thursday, at 09:30; Istanbul Anatolian 42nd Criminal Court of First Instance

Case Against News on Pastor Brunson

The lawsuit filed against journalists Alican Uludağ and Duygu Güvenç due to “denigrating judicial bodies of the government” through the news published on Cumhuriyet Daily with the headlines, “Is it the judiciary or the government who detains and releases” and “*As the hostage diplomacy falls*” on the release of U.S. pastor Brunson in 2018...

July 2, Thursday, at 10:40; Istanbul 2nd Criminal Court of First Instance

Büyükada Case

The lawsuit filed against 11 rights advocates due to “aiding an illegal organization” through

participating in the meeting organized in Büyükada, Istanbul with the title, “protection and digital rights of human rights advocates”...

July 3, Friday; Istanbul 35th Assize Court