

# Think, think...



## Freedom of Expression Weekly Newsletter (Issue 37/20 - September 11, 2020)

### What happened last week?

- Numbers on the COVID-19 pandemic in Turkey continue to worsen. Besides the controversy on whether the data announced by the Ministry of Health reflect the truth, even official records reveal that Turkey is close to the numbers in May. Daily numbers of mortality were above 50 all week. Capital city Ankara is called “Wuhan”. Even though new rules were enacted on standing passengers in public transportation, experts indicate that heavier measures are needed in the fight against the current numbers...
- The Ministry of the Interior dismissed 43 District Governors and Deputy Governors from duty. The action is expressed to have happened as a result of FETÖ investigations... [Please click here](#) for details.
- Turkish Statistical Institute has announced the unemployment rate for June as 13.4%. Dismissals from work are still banned due to the pandemic, and the experts claim that the real unemployment rate is much higher than what was announced.
- Tensions between Greece and Turkey in the Mediterranean is becoming a deepening crisis. The high tensions lead to past issues being brought up between Turkey and Greece. French President Macron called the EU to “adopt a stricter attitude against Erdoğan.” Ankara replied to Macron’s statement and indicated that France is still acting with the mentality of colonialism.”
- The currency exchange rate between the US Dollar and the Turkish Lira broke another record and exceeded the level of 7.47. Central Bank’s net international reserve regressed to 18.6 billion dollars with a decrease of 4.6 billion dollars by September 4, compared to the previous week. Thus, the reserve went to its lowest level since the middle of 2004.
- Access bans are ongoing with full speed. The censorship lead to such dimensions that even news that are not made can be banned now, based on the protection of “national security” and “public order” or “violation of privacy” and “violation of personal rights”... ***Details in the bulletin...***
- Council of Europe Committee of Ministers evaluated the execution of European Court of Human Rights Decrees and called Ankara to “release Osman Kavala immediately.” The Committee indicated that even though Turkish authorities claim that Kavala is arrested within another investigation since March 9, 2020; the ongoing arrest of Kavala constitutes a strong indication that the violations identified by the European Court of Human Rights in December are ongoing.
- Four years have passed since journalist-writer Ahmet Altan was detained and was imprisoned. He was released twice in this period; whereas Altan was rearrested and is deprived of his freedom for 4 years behind bars... The 70-year-old journalist still awaits a decree from the Court of Appeals and the Court of Cassation. The objections

and applications of release made by his lawyer remain without conclusion... On the other hand, his file is still at the European Court of Human Rights...

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### **Decree in lawsuit on “exposing MIT officer”**



A decree was issued in the lawsuit filed against journalists and ODATV executives Barış Pehlivan, Barış Terkoğlu, reporter Hülya Kılınç, Yeni Yaşam Daily workers Ferhat Çelik and Aydın Keser, Yeni Çağ Daily writer Murat Ağirel, journalist Erk Acarer and Akhisar Municipality worker Eren Ekinci; who reported the news on the

death of a Turkish National Intelligence officer in Libya after his funeral in Akhisar, Manisa.

Istanbul 34th Assize Court issued the acquittal of Barış Terkoğlu and Eren Ekinci of all charges; whereas Barış Pehlivan and Hülya Kılınç were sentenced to 3 years and nine months of imprisonment each due to “exposure of intelligence information and documentation”; Ferhat Çelik, Aydın Keser and Murat Ağirel were sentenced to 4 years and eight months of imprisonment each due to the same charge. Barış Pehlivan, Hülya Kılınç and Murat Ağirel were released; and the file of fugitive defendant journalist Erk Acarer was separated.



### **Lawsuit against kidnapped HDP Party Assembly member**

A lawsuit was filed against People’s Democratic Party (HDP) Party Assembly (PM) member Hatice Büşra Kuyun, who had been kidnapped and threatened on May 4th in Van by people who introduced themselves as police officers, based on the statement she made on the incident. No action

was taken on the incident so far, whereas Kuyun will stand trial at Van 7th Criminal Court of First Instance with the allegation of “public incitement towards resentment and hostility.”



### **Lawsuit due to album cover**

Ferhat Tunç using pictures of Deniz Gezmiş, Mahir Çayan and İbrahim Kaypakkaya on the cover of his album, “Anthems and Laments”, in which he compiled his past work, became a matter of prosecution. The new investigation file against the artist, who faced many lawsuits in different provinces with similar charges, was accepted by Istanbul 37th Assize Court and was merged with

another file he was on trial within.



### **Lawsuit against journalist due to “insulting Erdoğan”**

The prosecution of the lawsuit filed against İleri Haber’s former Editor-In-Chief Onur Emre Yağan due to “insulting the President” through four Twitter posts made by the news website’s official account in the years 2014 and 2015 started at Istanbul Anatolian 53rd Criminal Court of First Instance. The second hearing of the case was

scheduled for October 22.



### **Journalist detained due to humorous post on “ancestor series”**

Journalist Oktay Can Demir was detained in Van after his humorous Twitter post on TRT’s announcement that “another ancestral series to be added” to its catalogue. The journalist was detained due to “insulting the memory of an individual” and was released on the condition of

judicial measures and travel ban.



### **Another investigation against journalist Boğatekin**

Another investigation was started against Gerger Fırat Daily News Director Özgür Boğatekin, who posted on social media on the attack against seasonal farm worker Kurds in Sakarya. The journalist is charged with “public incitement towards resentment and hostility,” as the

perpetrators of the attack have been released.



### **Detainment in protest against Statutory Decrees**

Cemal Yıldırım had started a march from Istanbul to Ankara in order to draw attentions to the claims of “re-employment” by thousands after having been dismissed from work with Statutory Decrees within the State of Emergency. Yıldırım’s press statement at his destination, Sakarya Street, was

banned by the police. Yıldırım and people next to him were detained. Yıldırım was prevented from his march, both on the marching route, as well as in previous demonstrations, many times, and has been detained.





### **Governorate ban against September 12 exhibition**

September 12 Shame Museum exhibition, organized in collaboration with Izmir Metropolitan Municipality and Revolutionist 1978 Generation Federation was not permitted by the Governorate. The federation made a statement on the ban, saying, “Our events within the September 12

Shame Museum on the 40th Anniversary of September 12 were postponed by the Governorate and the bureaucracy oppressed by the Governorate as a result of the interventions they made against the format of the exhibition.”



### **Doku family detained**

Munzur University student Gulistan Doku had disappeared 247 days ago in Dersim/Tunceli. In order to find her and for the investigation on the matter to be conducted effectively, her mother Bedriye Doku and sister Aygül Doku wanted to start a sit-in protest and then were detained.



### **Police intervention against statement by Furkan Volunteers**

Furkan Volunteers were acquitted in the lawsuit they were on trial in Kozan district of Adana due to the demonstration they attended. The press statement organized after the hearing of the five acquitted defendants was intervened by the police with tear gas.



### **Detainment due to insulting Erdoğan**

Tourism worker M.S. was detained in Bodrum due to “insulting Erdoğan” through a social media post. After his interrogation by a judge, he was released on the conditions of judicial measures and travel ban.



### **Access ban against news on child abuse perpetrator sect leader**

The news on OdaTV regarding child abuse perpetrator Uşşaki sect leader Fatih Nurullah was banned from access. Sakarya Akyazı Criminal Judicature of Peace banned access from the news

article with the headline, “Nationally famous sect leader arrested due to child abuse” due to “violating privacy.” The court further issued a publication ban against all URLs to be published related to the same topic. Thus, the news that are “to be made” on the same matter were banned from access already.

### 'Emine Erdoğan'ın çantası' ve 'Bilal'e anlatır gibi anlatmak' mahkeme kararıyla yasak

*Ekşi Sözlük'te açılan başlıklardan altısı İstanbul Anadolu 8. Sulh Ceza Hakimliği tarafından engellendi.*

HABER MERKEZİ - 05.11.2020 18:04



### Access ban

Istanbul Anatolian 8th Criminal Judicature of Peace issued an access ban against the thread, “Bilal’s mother’s purse” on Ekşi Sözlük as well as against the news on previous access bans issued on the subject.



### Medical Association report banned as well

Manisa 2nd Criminal Judicature of Peace banned access from the report prepared by the Turkish Medical Association following their observations at Manisa Organized Industrial Region as well as at Vestel Factory on the pandemic, as well as from the news made on the report.



### Writer Hasan Basri Aydın detained

Writer Hasan Basri Aydın, who resides outside of Turkey but came back to homeland due to his health issues, was detained due to a warrant issued against him in an old file he was on trial due to “insulting Cemil Çiçek.” The 90-year-old writer was arrested in the court he was taken to. As he was entering Silivri Prison, the file was handed to the Prosecutor’s Office and he was

released at the last minute.



### Access ban against news on BirGün

Istanbul Küçükçekmece 1st Criminal Judicature of Peace brought an access ban against the news published on BirGün Daily regarding the food tender of Bahçelievler Municipality being given to the company of Justice and Development Party (AKP) member Süleyman Memişoğlu with the headline, “Food tender always won by AKP

members.”



## TRIALS OF FREEDOM OF EXPRESSION

### **Case against HDP Kocaeli members**

The lawsuit filed against 27 people, including People's Democratic Party (HDP) Kocaeli Provincial and District Chairs, due to participating in protests on hunger strikes in prisons, giving speeches to television channels and greeting the families coming from outside the province to visit their relatives in prisons in Gebze and Kandira...

**Court:** Kocaeli 2nd Assize Court

**Verdict:** Claims of release made by six defendants were denied. The next hearing of the case will be held on November 4.

### **Ferhat Tunç Case**

The lawsuit filed against artist Ferhat Tunç, who is charged with "illegal organization membership" and "propaganda" due to Democratic Society Congress activities and social media posts...

**Court:** Diyarbakır 5th Assize Court

**Verdict:** The case was postponed to February 25, 2021 in order to wait for the execution of the warrant against the artist, who resides abroad.

### **Case Against News on Berat Albayrak**

The lawsuit filed against BirGün Daily's former Managing Editor Uğur Koç, its website's former Managing Editor Mustafa Kömüş and the newspaper owner İbrahim Aydın due to "insulting a public officer because of his duty" through the news article published in the newspaper and on the website on June 22, 2019 with the title, "Berat Albayrak-Özge Ulusoy thread removed on Ekşi Sözlük"...

**Court:** Istanbul 2nd Criminal Court of First Instance

**Verdict:** The next hearing was scheduled for November 19.

### **Case Against Turkish National Intelligence Agency News**

The lawsuit filed against 8 defendants, including 7 journalists (3 of them arrested) due to "violating the Law on the Turkish National Intelligence Agency" through the news on the funeral of a Turkish National Intelligence Agency officer, who died in Libya...

**Court:** Istanbul 34th Assize Court

**Verdict:** Journalists Barış Pehlivan and Hülya Kılınç were sentenced to 3 years and nine months; Ferhat Çelik, Aydın Keser and Murat Ağirel were sentenced to 4 years and eight months of imprisonment. Journalist Barış Terkoğlu and Akhisar Municipality worker Eren Ekinci were released. The file of journalist Erk Acarer, who resides abroad, was separated.

### **Engin Korkmaz Case**

The lawsuit filed against Contemporary Journalists Association (ÇGD) Mediterranean Branch Chairman and Antalya Körfez Daily Managing Editor Engin Korkmaz due to "insulting the President" through a social media post...

**Court:** Antalya 19th Criminal Court of First Instance

**Verdict:** The prosecution of the journalist will continue on January 15, 2021.

### **Özgür Gündem Main Case**

The lawsuit filed against Özgür Gündem Daily Editor-In-Chief Zana Bilir Kaya, Managing Editor İnan Kızılkaya, Owner Kemal Sancılı and writer Eren Keskin due to "disrupting the unity and the territorial integrity of the state," "illegal organization membership" and "propaganda" after their

files were separated from the main case file, in which previously shut-down Özgür Gündem Daily writers and editorial advisory board members were on trial...

**Court:** Istanbul 23rd Assize Court

**Verdict:** The next hearing was scheduled for December 24.

**Pınar Gayip and Semiha Şahin Case**

The lawsuit filed against Etkin News Agency (ETHA) editor Semiha Şahin, reporter Pınar Gayip and four others due to “illegal organization membership” and “propaganda”...

**Court:** Istanbul 23rd Assize Court

**Verdict:** The next hearing was scheduled for December 22.

**Ferhat Tunç Case**

The lawsuit filed against artist Ferhat Tunç due to “making terrorist organization propaganda” through his social media posts on the Afrin Operation...

**Court:** Istanbul 37th Assize Court

**Verdict:** Ferhat Tunç using pictures of Deniz Gezmiş, Mahir Çayan and İbrahim Kaypakkaya on the cover of his album, “Anthems and Laments”, in which he compiled his past work, became a matter of prosecution. The file of the prosecution was merged with the case file and the next hearing was scheduled for December 29.

**Yılmaz Çelik Case**

The lawsuit filed against artist Yılmaz Çelik due to “making illegal organization propaganda” after he was arrested following the concert he gave in the evening of December 8th and was released with judicial measures in the first hearing...

**Court:** Tunceli 2nd Assize Court

**Verdict:** The travel ban against Çelik was revoked and the next hearing was scheduled for November 12.

**Onur Emre Yağan Case**

The lawsuit filed against İleri Haber’s former Editor-In-Chief Onur Emre Yağan due to the allegation of “insulting the President” through four social media posts made from the official Twitter account of the news website in the years 2014 and 2015...

**Court:** Istanbul Anatolian 53rd Criminal Court of First Instance

**Verdict:** The second hearing of the lawsuit will be held on October 22.

**HEARINGS NEXT WEEK**

**Ahmet Sever Case**

The lawsuit filed against former Chief Press Consultant of 11th President of Republic Abdullah Gül, Ahmet Sever, due to “insulting the President” and “insulting a public officer” due to his book...

**September 15, Tuesday at Istanbul 2nd Criminal Court of First Instance**

**Ferhat Tunç Case**

The lawsuit filed against artist Ferhat Tunç due to “insulting the President” through ten tweets he posted in 2016...

**September 15, Tuesday at Istanbul Büyükçekmece 14th Criminal Court of First Instance**

**Gezi Park Case**

The lawsuit filed against seven people, including journalist Can Dündar, after their files were separated from the main case file of the Gezi Park protests, due to “attempting to overthrow the government and to prevent from performing duty”...

**September 15, Tuesday at Istanbul 30th Assize Court**

**Hakan Dirik and Erk Acarer Case**

The lawsuit filed against Cumhuriyet Daily Izmir reporter Hakan Dirik and BirGün Daily reporter Erk Acarer due to “slander” after they reported the allegation, “Turkey transports sarin gas for ISIS,” brought on agenda by CHP MPs...

**September 15, Tuesday at Istanbul 2nd Criminal Court of First Instance**

**Van TV Case**

The lawsuit filed against 8 Van TV workers, six of them journalists, due to “making illegal organization propaganda” through certain expressions used in eight primetime news and open session shows on various dates... (Van TV was previously shut down during the State of Emergency)

**September 15, Tuesday at Van 4th Assize Court**

**Hrant Dink Assassination Case**

The lawsuit filed against public officers on the assassination of Agos Daily Editor-In-Chief Hrant Dink...

**September 16, Wednesday at Istanbul 14th Assize Court**

**İdris Sayılğan Case**

The lawsuit filed against journalist İdris Sayılğan due to “making illegal organization propaganda” through the news he shared on social media...

**September 16, Wednesday at Muş 2nd Assize Court**

**"Berkin Elvan News" Case**

The lawsuit filed against journalists Canan Coşkun, Ali Açar and Can Uğur due to “targeting those taking part in the fight against terrorism” through the news published on Cumhuriyet and BirGün Daily on the investigation regarding the death of 15-year-old Berkin Elvan during the Gezi Park protests...

**September 17, Thursday at Istanbul 34th Assize Court**

**Hayri Demir Case**

The lawsuit filed against journalist Hayri Demir due to “terrorist organization membership” and “making illegal organization propaganda” through the news he reported in Northern Syria as well as the visuals he recorded...

**September 17, Thursday at Istanbul 15th Assize Court**

**Arafat Dayan Case**

The lawsuit filed against Demokratik Ulus Daily’s Managing Editor and Owner Arafat Dayan due to “making illegal organization propaganda” through news articles and columns in various issues of the newspaper published between the years 2012 and 2014...

**September 17, Thursday at Istanbul 2nd Assize Court**



