

Think, think...

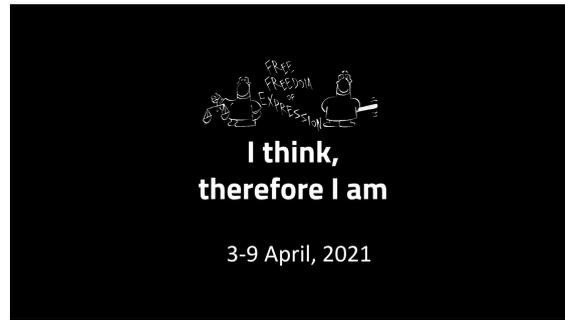


Freedom of Expression Weekly Newsletter (Issue 14/21 - April 9, 2021)

What happened last week?

- The number of daily deaths due to the pandemic in Turkey reached 200, according to official records. The Directorate of Religious Affairs announced that a tarawih prayer will not be held in mosques throughout Ramadan. Doctors continue to repeat that the hospital capacities are full.
- 10 retired admirals were detained due to the petition that was signed by 104 retired admirals. The public opinion was divided into two on whether the petition was “freedom of expression,” or a “call for coup.” Hürriyet and Sabah Daily published a list of relatives of the signatory generals, who are Republican People’s Party (CHP) members. Erdoğan described the CHP as the complicit of the petition, in his group meeting.
- EU Council Chairman Charles Michel and Committee Chair Ursula von der Leyen visited Turkey following the invitation of President Recep Tayyip Erdoğan. No details were given about the meeting. However, in the section of the meeting that was open to the press, Erdoğan and Michel sat down in the two armchairs and Leyen had to stand up, which sparked the debates on the “place of women in Turkey.”
- The Ministry of Finance and Treasury decree on the freezing of 377 people within the “Law on the Prevention of Financing Terrorism” was [published in the Official Gazette...](#)
- The “Security Investigation and Archive Research [Law Draft](#)” that was denied last week at the Parliament with votes of the opposition, was brought to the agenda of the General Assembly once again by the Parliamentary Chairmanship. The regulation, that was revoked twice by the Constitutional Court due to being against the Constitution, passed the Parliament. It is expected to be taken to the Constitutional Court once again.
- 14 new summaries were presented to the Parliament against 11 Parliament members with claims for their Parliamentary immunities to be taken off. 13 of the summaries were prepared against People’s Democratic Party (HDP) members and one of them was prepared against Democratic Regions Party (DBP) Co-Chair Saliha Aydeniz.
- Frequently criticising China’s assimilation and oppressive policies in the Uyghur independent region, Good Party Chair Meral Akşener and Ankara Mayor Mansur Yavaş were threatened by the Chinese Embassy in Ankara. The ruling power only called the Ambassador to the Foreign Ministry; and the Justice and Development Party (AKP) continues to remain silent on the issue of Uyghur Turks...
- After the fully crowded Justice and Development Party (AKP) congresses and the normalisation period that started at the beginning of March and named “gradual” but was in fact uncontrolled, the COVID-19 pandemic in Turkey went completely out of control. Record numbers were seen in active cases, daily cases and the number of daily deaths. The number of daily cases are around 60 thousand now, according to official data.

- According to official records, the inflation increased by 1.08 percent in March, becoming 16.19 percent annually. Thus, the annual inflation rate continued to be at its highest level since August.
- The Constitutional Court annulled the 4th clause of Article 2 as well as Article 38 of the Statutory Decree No. 668 issued within the State of Emergency on July 27, 2016, that allowed many press-media organisations to be shut down. The decree had been enacted as Law No. 6755 after having been presented to the Grand National Assembly of Turkey. The court indicated that the expressions, “coherence and the relation of belonging” involved in the decree are subjective and general expressions for the administration to decide upon, deciding that the shutdowns must be made through judicial decrees.



Our weekly video programme, “[COGITO ERGO SUM](#),” in which we track Turkey’s freedom of expression and thought agenda, is on our [YouTube channel](#) every Friday and on [CanTV](#) every Saturday at 22:00...

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



Gergerlioğlu in prison

Losing his seat at the Parliament after the finalised imprisonment sentence against him, People’s Democratic Party (HDP) Kocaeli Parliament Member Ömer Faruk Gergerlioğlu was beaten by the police and was detained, being dragged on the floor at his home in Ankara in order to be taken to prison.

Gergerlioğlu was imprisoned at Sincan Type-F High Security Prison..



Fight of defense

Preparing a report for April 5, Lawyers’ Day, the Diyarbakır Bar Association indicated that 78 investigations and lawsuits were filed in total against 69 Bar Association member lawyers, including Bar Association executives, in 2020. [Please click here](#) for the full report.



Penalty against theologian Sait Çamlıca

Theologian Sait Çamlıca was sentenced to 1300 TL judicial fine due to insulting Ahmet Memduh Ünlü with the words, “tartuffer impostors” after he referred to a prayer on his book in order to get protected from the pandemic.



Lawsuit against journalist Oktay Candemir

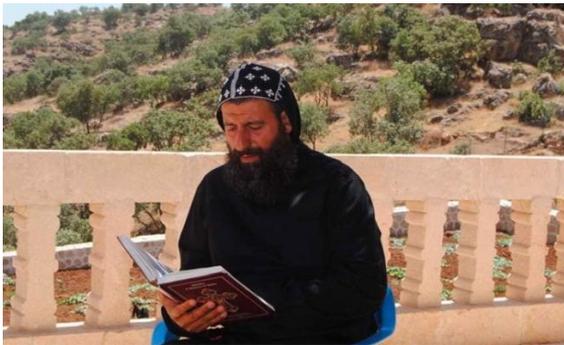
A new lawsuit was filed against journalist Oktay Candemir due to “making illegal organisation propaganda.” The first hearing of the lawsuit will be held on June 17 at Van 5th Assize Court. The journalist is charged with 4 Facebook posts made in the years 2014 and 2015 as well as the slogans in the news video he recorded 16 years ago.



Lawsuit against journalist Melis Alphan

The first hearing of the lawsuit filed against journalist Melis Alphan due to “making terrorist organisation propaganda” through sharing a photo on Instagram six years ago with a message celebrating the Newroz, was held at Istanbul 32nd Assize Court. The Prosecutor announced his opinion on the basis and claimed

for the journalist to be penalised. The next hearing was scheduled for May 21.



Decree in Priest Bileçen Case

Mardin 4th Assize Court sentenced St. Jacob’s Church Nisibis Priest Sefer (Aho) Bileçen to 2 years and 1 month of imprisonment due to “aiding an illegal organisation”. Assyrian Priest Bileçen was arrested on January 10 and was released four days later after the objection of his lawyer. The Priest did not deny the claims that he gave food to the illegal organisation

members arriving at the church in 2018, but he said he didn’t do these for “aid” but this is what his religion required him to do.



Investigation against Kocaeli University students

An investigation was started against 17 people, who were detained in the statement made in Kocaeli to support Boğaziçi University students and academics protesting the appointed rector Melih Bulu, with the allegation of “violating the Law on Meetings and Demonstrations No. 2911.” On the other hand, Kocaeli University Rectorate started a

disciplinary investigation against the students, who participated in the protest.



Amnesty International 2020 report launched

Amnesty International has launched its yearly global human rights report. The report pointed out the rights violations happening in the world during the pandemic. In the Turkey region of the report, it was indicated that Turkey’s most urgent need is judicial independence. “The

judicial power neglected the principles of fair trial and the civil procedure; continuing to use the vaguely-described anti-terror law to penalise activities that were protected through international principles of human rights,” the report has stated. [Please click here](#) for the full report.



6-year imprisonment sentence against Şevin Alaca

The prosecution of Kars Co-Mayor Şevin Alaca continued at Kars 2nd Assize Court due to “illegal organization membership” after having been detained, replaced with a trustee and was arrested on October 8, 2020. The charges imposed against Alaca were based on the Co-Mayorship system in the municipality,

the events and protests she participated in, as well as the “Sister Family Campaign” the municipality had started within the pandemic being considered as a “crime.” The court sentenced Şevin Alaca to 6 years, 10 months and 5 days of imprisonment due to illegal organisation membership and issued her release, considering the time she remained under arrest.



Raid due to news on police officers after woman’s death over previous raid

An investigation was started against Ümit Özçelik, the son of 70-year-old Edibe Özçelik, who lost her life after having an attack during

the police raid in Tekebaşı Neighborhood in Samandağ district of Hatay. The investigation was based on the news reported in the media on the lack of permission for investigation against the police officers, who were on duty in the raid that caused Özçelik's death.



Police raids in Diyarbakır

Many women activists were detained in the police operation organised in Diyarbakır; Rosa Women's Association was raided once again after having been raided in May 2020. Those detained include Free Women's Movement activists, Jin News reporter Beritan Canözer, as well as Democratic Regions Party members and

executives. Journalist Canözer was taken to the court with a claim of arrest and she was released with judicial measures. Six women were arrested and nine women were released with judicial measures, including journalist Canözer. One woman was sentenced to house imprisonment and eight women are still under custody.



Imprisonment against DBP press office worker

Democratic Regions Party press office worker Ismail Bardakçı was sentenced to 6 years and three months of imprisonment in the lawsuit filed against him at Diyarbakır 11th Assize Court due to "illegal organisation membership." The criminal evidence against

press office worker Bardakçı included the protests and funerals he attended.



Politician summoned to testify over asking question to mayor

Future Party Eyyubiye District Chairman Mahmut Demir testified at the security office after posting a tweet, that asked Şanlıurfa Mayor Zeynel Abidin Beyazgül whether his son has taken a 10-million-dollar energy loan from the government.



Four Iranian refugees to be deported

Iranian refugees Esmail Fattahi, Leili Faraji, Zeinab Sahafî were detained on March 20 due to participating in the protest against the withdrawal from the Istanbul Convention, which was organised in Denizli, and holding banners during the protest. The deportation process of the Iranian refugees as well as Mohammad Pourakbari Kermani started, even

though he did not participate in the protest.



Investigation against Kızıltepe Newroz Organisation Committee

An investigation was started against the Newroz Organisation Committee due to the slogans chanted in the Newroz celebration organised on March 21 in Kızıltepe. Seven organisation committee members are charged with “violating the Law on Meetings and

Demonstrations No. 2911” within the investigation.



Migros workers detained once again

Storage, Port and Marine Workers’ Union (DGD-SEN) member Migros storage unit workers had been fired from work due to being members of professional unions, and they have been fighting for their rights. The police intervened against the statement made in front of Executive Board Chairman Tuncay Özilhan

once again. The workers were detained with heavy intervention by the police similarly two times before as well.



Access bans against three JinNews websites

Diyarbakır 1st Criminal Judicature of Peace issued access bans against three different websites of JinNews agency based on the protection of national security and public order. The agency’s websites were banned three times on December 22, 2020 previously in one day

and has been censored 20 times since September 2017, when the agency began its work.



11-month imprisonment against FKF Chairman due to insulting President

Idea Clubs Federation (FKF) Chairman Şevket Çavuşoğlu was sentenced to 11 months and 20 days of imprisonment in the lawsuit filed against him due to insulting the President. In the statement made by the Federation, it was said, “We have never refrained from telling the

truth and defending who is right against the ruling power and we never will!”



TRIALS OF FREEDOM OF EXPRESSION

"Yüksel Protest" Case

The lawsuit filed against “Yüksel Street Protesters” who organised a demonstration on Yüksel Street in Ankara for re-employment and got arrested in August 2020 after having been dismissed from public service through Statutory Decrees issued within the State of Emergency...

Court: Ankara 28th Assize Court

Verdict: Among the six protesters prosecuted within the file, arrested Nazan Bozkurt was released and other protesters Alev Şahin and Mehmet Dersulu will remain arrested. The next hearing was scheduled for June 4.

Case Against Roboski Commemoration

The lawsuit filed against the relatives of 34 citizens, who lost their lives in the massacre, due to “illegal organisation membership” through the commemoration organised on December 28, 2015 in the village for the 4th anniversary of the Roboski Massacre...

Court: Şırnak 2nd Assize Court

Verdict: The court scheduled the next hearing for July 14 for the deficiencies in the file to be eliminated.

Ferhat Tunç Case

The lawsuit filed against artist Ferhat Tunç due to “making illegal organisation propaganda” through his social media posts...

Court: Istanbul 37th Assize Court

Verdict: The court issued for the warrant against Tunç to remain and scheduled the next hearing for October 8.

Şiar Rişvanoğlu Case

The lawsuit filed against lawyer Şiar Rişvanoğlu due to “denigration of the Turkish nation, the government of the Republic of Turkey, the Grand National Assembly of Turkey, the ruling power as well as the judicial bodies of the state” through the speech she gave during the 30th General Assembly of the Adana Bar Association organised in 2018...

Court: Adana 9th Assize Court

Verdict: The court issued the acquittal of Rişvanoğlu.

Emin Çölaşan Case

The retrial of the lawsuit filed against Sözcü Daily writer Emin Çölaşan due to “insulting the President” after the reversal decree of the Court of Cassation of the 11-month 20-day imprisonment sentence issued against him...

Court: Küçükçekmece 2nd Criminal Court of First Instance

Verdict: The court issued the acquittal of Çölaşan.

Selda Manduz Case

The lawsuit filed against journalist Selda Manduz, who was detained in the operation conducted against the People’s Democratic Party (HDP) and the Kars Municipality in October, due to “illegal organisation membership”...

Court: Kars 2nd Assize Court

Verdict: The court issued the acquittal of the journalist.

Contemporary Lawyers Association Case

The retrial of the lawsuit filed against Contemporary Lawyers Association member lawyers after the Court of Cassation reversed the conviction of Contemporary Lawyers Association Chairman Selçuk Kozağaçlı and Contemporary Lawyers Association member lawyer Barkın Timtik...

Court: Istanbul 18th Assize Court

Verdict: The court issued for the two lawyers to remain arrested and scheduled the next hearing for September 15.

SGDF Students Case

The lawsuit filed against Federation of Socialist Youth Associations (SGDF) member university students Okan Danacı, Yücel Yavuz and Devrim Taylan Eryılmaz due to “illegal organisation membership” based on their association activities and the protests they participated in...

Court: Ankara 27th Assize Court

Verdict: The court issued for the release of Yavuz and Eryılmaz and for Danacı to remain arrested, scheduling the next hearing for June 25.

Selahattin Demirtaş Case

The lawsuit filed against former People’s Democratic Party (HDP) Co-Chair Selahattin Demirtaş due to “insulting” former Ankara Chief Public Prosecutor Yüksel Kocaman and “targeting those taking part in the fight against terrorism”...

Court: Ankara 25th Assize Court

Verdict: The next hearing was scheduled for May 7.

HEARINGS NEXT WEEK

Mustafa Sönmez Case

The lawsuit filed against economist-writer Mustafa Sönmez due to “insulting the President” through three Twitter posts he made in 2015 and 2016...

April 13, Tuesday at Istanbul Anatolian 26th Criminal Court of First Instance

Özgür Boğatekin Case

The lawsuit filed against journalist Özgür Boğatekin ten years ago due to the news published with the headline, “Torture Allegation at Gendarmerie”...

April 14, Wednesday at Adıyaman Gerger Criminal Court of First Instance

Buse Söğütlü Case

The lawsuit filed against Gazete Yolculuk website reporter Buse Söğütlü due to “targeting those taking part in the fight against terrorism” through a Twitter post she made on March 18, 2019 about the judge of the court responsible of the Contemporary Lawyers Association Case...

April 14, Wednesday at Istanbul 23rd Assize Court

Naci Kaya and İdris Sayılğan Case

The lawsuit filed against journalists Naci Kaya and İdris Sayılğan due to “unpermitted trespassing in forbidden military zone” after they were detained as they were tracking the situation of refugees, who were directed to Edirne Pazarkule border gate...

April 14, Wednesday at Edirne 8th Criminal Court of First Instance

Kenan Kırkaya Case

The lawsuit filed against journalist Kenan Kırkaya and 8 others due to “illegal organisation membership” through moderating the show, “Glance into Ankara” on Belgium-based Med Nuce TV Channel...

April 14, Wednesday at Ankara 14th Assize Court

Arafat Dayan Case

The lawsuit filed against former Managing Editor of Demokratik Ulus Daily, Arafat Dayan due to “making illegal organisation propaganda”...

April 14, Wednesday at Istanbul 2nd Assize Court

Cem Şimşek Case

The lawsuit filed against former Evrensel Daily’s Managing Editor Cem Şimşek due to “insulting the President” through the news published in the newspaper with the headline, “German cartoonists drew Erdoğan so bad”...

April 15, Thursday at Bakırköy 27th Criminal Court of First Instance

Cengiz Çandar Case

The lawsuit filed against journalist Cengiz Çandar due to “praising the crime and the criminal” through a Twitter post he made from his personal account on May 30, 2017...

April 15, Thursday at Istanbul 30th Criminal Court of First Instance

Semiha Şahin and Pınar Gayip Case

The lawsuit filed against ETHA editor Semiha Şahin, reporter Pınar Gayip and four others due to “illegal organisation membership” and “making illegal organisation propaganda”...

April 15, Thursday at Istanbul 23rd Assize Court