

Think, think...



Freedom of Expression Weekly Newsletter (Issue 15/21 - April 16, 2021)

What happened last week?

- The Turkish Statistical Institute announced numbers on unemployment in February: The unemployment rate increased by 0.7 points and became 13.4 percent.
- 14 retired admirals, who were detained following the petition they launched on the debates regarding the Montreux Convention, were released on the condition of not leaving the province they reside in.
- Debates continue on the policies for the fight against the pandemic. The Council of Science gathered at the beginning of the week. Health Minister Fahrettin Koca put the responsibility of the failure of the government in its fight against the pandemic to 84 million citizens and “asked for patience.” The suggestions debated at the Council of Science and was transmitted to the cabinet are unknown; whereas the cabinet gathered the next day and ordered a “partial lockdown.” However, experts on the pandemic claim that the restrictions within the “partial lockdown” will have no effect...
- As the Erdoğan ruling claim that the biggest obstacle in front of a full lockdown is the “obligation” for the wheels of the economy to keep turning, the question of where the 128 billion dollars went, which would be enough for a full month’s lockdown in Turkey, continue to disturb the ruling power. Posters asking “Where is the 128 billion dollars?” were taken down from the billboards. Afterwards, they were attempted to be taken down from the Republican People’s Party (CHP) Provincial and district buildings with police raids.
- Tensions increase between Russia and Ukraine. The United States made a last minute decision to not send two war ships to the Black Sea. Many war ships belonging to the Russian Army were announced to have sailed to the Black Sea. Russia brought a travel ban against Turkey until June 1 based on the pandemic. The decision increased worries in the tourism sector, which allowed the highest flow of foreign currency inside Turkey.
- Erdoğan this time stated that his “crazy project” Canal Istanbul has nothing to do with the Montreux Convention. However, objections against the project are not limited to the convention and include effects on earthquakes, security, the traffic of the canal, demographic effects and potential environmental disasters as a few of the most important reasons in the list.
- Summaries prepared against 8 Republican People’s Party (CHP) MPs, including CHP leader Kılıçdaroğlu, and 2 People’s Democratic Party (HDP) MPs arrived in the Parliament.
- The Constitutional Court announced the reasoned decree for the denial of the indictment prepared by the Chief Public Prosecutor’s Office of the Court of Cassation for the shutdown of the People’s Democratic Party (HDP). The unanimous decree states many incoherences and negligence in the indictment. The decree is almost a

proof that the case of closure was attempted to be filed “hastily” and “following a political aim.”

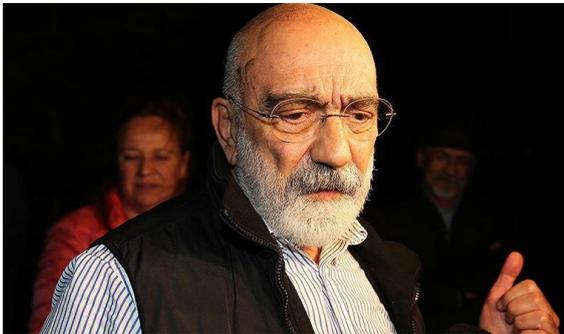


Our weekly video programme, “[COGITO ERGO SUM](#),” in which we track Turkey’s freedom of expression and thought agenda, is on our [YouTube channel](#) every Friday and on [CanTV](#) every Saturday at 22:00...

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



We continue to record violations of freedom of expression in the country together with the Human Rights Association (IHD) and the Human Rights Foundation of Turkey (TIHV) through monthly video conferences we organise. [Please click here](#) for our “[What’s Goin’ On - March 2021](#)” report...



Ahmet Altan released

16th Criminal Chamber of the Court of Cassation reversed the decree against journalist-writer Ahmet Altan, who was sentenced to 10 years and six months of imprisonment due to “aiding an illegal organisation and against journalist Nazlı Ilıcak, who was sentenced to 8 years and nine months of imprisonment due to the same charge. The

court issued a release decree for Altan, who has been arrested since September 2016.



Asking “Where is the 128 Billion?” is insulting Erdoğan

Posters prepared by Republican People’s Party (CHP) provincial organisations with the writing, “Where is the 128 Billion Dollars?” on them were banned, first in Mudanya later in Söke and Kuşadası due to “insulting the President.” Posters hung on Republican People’s Party (CHP) district buildings in many

provinces, especially in Istanbul, were taken down by the police. As the banners hung by the Republican People’s Party (CHP) across the country were taken down with the order of the Prosecutor’s Office, another method was followed in Karaman. The Karaman Governorate issued a “poster ban” in the province within the measures against the Coronavirus and thus managed to take down the posters of the Republican People’s Party (CHP). In Amasya, the posters were taken down following the order of the Governorate due to the protection of “public order”.



203 students arrested; 152 students sentenced to 506-year imprisonment in four years

The Human Rights Foundation of Turkey (TIHV) Academy identified that 3,102 students have faced rights violations between the years 2015 and 2019 as they were using their rights to freedom of expression, meeting,

demonstration and organisation. According to the data compiled by the foundation, 2,077 students were detained due to the events they participated in and 203 of them were arrested. Those arrested were prosecuted due to “violating the Law on Meetings and Demonstrations,” “resisting to prevent duty,” “making illegal organisation propaganda,” “illegal organisation membership” and “insulting the President,” and 152 of them were sentenced to 506 years and one month of imprisonment in total. 720 students were wounded due to police violence and civil attacks. 23 students, on the other hand, were killed as they were attending meetings and demonstrations. [Please click here](#) for the full report...



Evrensel and BiaNet are “so-called publications” according to Prosecutor

The indictment prepared against journalist Cihan Ölmez, who was detained in October 2020 together with 151 others within the investigation conducted by Diyarbakır Chief Public Prosecutor’s Office, was accepted by Diyarbakır 5th Assize Court. The speeches Ölmez gave during the curfew in Cizre and him

sharing news entered the case file as criminal evidence. In the indictment prepared due to “making illegal organisation propaganda”, Bianet and Evrensel Daily were described as “press organisations making pro-terrorist organisation publications.”



Lawsuit against arrested journalist Mehmet Aslan

The indictment prepared against Mesopotamia Agency reporter Mehmet Aslan, who was arrested in January, due to “illegal organisation membership” and “reporting news that are provocative for the masses” was accepted by Istanbul 24th Assize Court. The case was based on the news Aslan has reported as well as his meetings with news sources; and the first

hearing of the lawsuit will be held on May 26.



12 students to stand trial on June 3

The indictment prepared due to “violation of the Law on Meetings and Demonstrations No. 2911” regarding Boğaziçi protests, was accepted by Istanbul 24th Criminal Court of First Instance. Eight students facing the indictment were detained due to supporting their friends, who were detained due to

carrying a rainbow flag during the protests at Boğaziçi University. The students will stand trial on June 3rd.



Journalist Ruşen Takva to stand trial

Journalist Ruşen Takva will stand trial on June 10 at Van 2nd Assize Court due to the press statement organised by the Democratic Regions Party (DBP) that he followed on January 8. A photograph depicting Takva with a camera in his hand during the demonstration intervened by the police, as well as his Twitter posts on

what happened that day, were considered evidence in the file. The journalist faces a claim of imprisonment from 9 years up to 18 years due to “organising and managing the demonstration.”



Investigation against those reacting against urban transformation

An investigation was started against residents of a neighborhood in Yeşilli district of Mardin, who reacted against the urban transformation project enacted by the Ministry of Environment and Urban Planning together with the Justice and Development Party (AKP) municipality. At least 10 citizens are charged with “insulting”

Mayor Hayrettin Demir and “violating the Law on Meetings and Demonstrations No. 2911”

within the investigation started due to the protest demonstration organised on April 6 and their social media posts.



Police prevention against protests by health workers in Istanbul and Diyarbakır

As the daily number of cases exceeded 60 thousand in the COVID-19 pandemic, health workers went on the streets all across the country with the call, “We don’t give up on our right to life, stop the deaths.” The press statement organised by professional health

organisations in front of Istanbul Provincial Health Directorate was banned and the police intervened against the health workers. In Diyarbakır, the protest organised by Amed Health Platform was prevented by the police.



Lawsuit against lawyer Neslihan Ceylan

A lawsuit was filed against Ankara Bar Association lawyer Neslihan Ceylan at Ankara 45th Criminal Court of First Instance due to “insulting a public officer.” In his tweet subject to the lawsuit, Ceylan has shared the announcement of Republican People’s Party (CHP) Group Deputy Chairman Özgür Özel on Fahrettin Altun receiving five salaries every

month, with the comment, “Eat all you can, I hope the rights of millions of poor people will choke you.”



“Criminal elements” to be searched on lawyer Bolaç’s phone

A lawsuit was filed against lawyer Efkân Bolaç due to his social media post to celebrate May 19 three years ago, depicting photos of Mustafa Kemal Atatürk and Mahir Çayan. The Prosecutor conducting the investigation ordered for Bolaç’s phone to be seized and examined and to disclose other posts that could be subject to different charges. Lawyer Bolaç expressed

that this order “attempts to move from the suspect to evidence,” in contrast to the rules of criminal law.



10-year 6-month imprisonment against HDP Diyarbakır Provincial Co-Chair

People’s Democratic Party (HDP) Diyarbakır Provincial Co-Chair Hülya Alökmen was sentenced to 10 years and six months of imprisonment due to “illegal organisation

membership.” Diyarbakır 9th Assize Court issued a warrant against Alökmen, who was accused of being a Democratic Society Congress (DTK) delegate due to the protests and demonstrations organised by the Health and Social Services Labourers’ Union (SES) Diyarbakır Branch in 2012 as he was the Branch Co-Chair.



Summary against MP Ahmet Şık due to protests at Boğaziçi University

Ankara Chief Public Prosecutor’s Office prepared a summary against independent Parliament member Ahmet Şık due to his statements during the protests at Boğaziçi University and claimed for his Parliamentary immunity to be taken off. The Chief Public Prosecutor’s Office claimed that Şık has called

people to “go on the streets” during the protests at Boğaziçi University and that this was a “public incitement to commit a crime.”



Double censorship against Mesopotamia Agency in one day

Diyarbakır 4th Criminal Judicature of Peace issued an access ban against the website of Mesopotamia Agency, “mezopotamyaajansi29.com”, which was banned from access 28 times so far. After the ban decree, the agency’s next website, mezopotamyaajansi30.com was censored on

the same day by Diyarbakır 5th Criminal Judicature of Peace.



Migros workers detained once again

Migros Gebze storage unit workers, who were first suspended without payment and then dismissed with Code 29 after they organised in a union, were detained as they wanted to hold a press statement on the 100th day of their resistance in front of company owner Tuncay Özilhan’s mansion.



PTT workers detained

On the 107th day of Turkish Post workers’ resistance, who were dismissed with Code 29 after their union membership and activities, the police intervened against the protest they wanted to hold in front of the Social Security Institute Istanbul Provincial Directorate building; eight workers were detained.



Four protester women detained

4 women, who wanted to protest Turkey's withdrawal from the Istanbul Convention, were beaten and detained in front of the Presidential Communications Office in Konak district of Izmir.



Protest ban in Kocaeli and Denizli

All meetings, demonstrations and press statements were banned in Kocaeli and Denizli by the governorates for a month due to the COVID-19 pandemic. The ban will continue until May 13 in Denizli and until May 17 in Kocaeli; which includes May 1 events as well.



TRIALS OF FREEDOM OF EXPRESSION

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...

Court: Istanbul Anatolian 26th Criminal Court of First Instance

Verdict: The next hearing was scheduled for May 5.

Lawsuit against Zaman Daily Writers

The re-prosecution of columnists Şahin Alpay, Ali Bulaç, Mümtazer Türköne, who were convicted of “illegal organisation membership” and acquitted editor Mehmet Özdemir after the reversal decree of the Court of Cassation against the decrees issued in the lawsuit filed against 11 previously shut-down Zaman Daily writers and workers...

Court: Istanbul 13th Assize Court

Verdict: The court decided to abide by the reversal decree of the Court of Cassation and scheduled the next hearing for September 9.

KCK Main Case (Retrial)

The retrial of the lawsuit filed against 36 people, including former Azadiya Welat Daily Editor-In-chief and People’s Democratic Party (HDP) Co-Deputy Chairman and Van MP Tayip Temel as well as People’s Democratic Party (HDP) Mardin MP Pero Dünder, following the reversal decree of the Court of Cassation after they were convicted in the KCK Main Case...

Court: Diyarbakır 2nd Assize Court

Verdict: The court allowed time for the next hearing for the MPs to testify. No interim decree was issued on the claim for the stay of prosecution against the Parliament Members and the next hearing was scheduled for September 21.

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”...

Court: Genger (Adıyaman) Criminal Court of First Instance

Verdict: The journalist was acquitted.

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...

Court: Istanbul 23rd Assize Court

Verdict: The next hearing was scheduled for September 14. The court wanted Söğütlü to make an additional defense on “insulting a public officer” which did not take place in the initial indictment.

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...

Court: Edirne 8th Criminal Court of First Instance

Verdict: The journalists were acquitted

Arafat Dayan Case

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

Court: Istanbul 2nd Assize Court

Verdict: As the defendant lawyers presented an excuse, the hearing was held through the examination of the file and the next hearing was scheduled for a later date.

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”...

Court: Bakırköy 27th Criminal Court of First Instance

Verdict: The court allowed additional time for Şimşek and his lawyer to prepare a defense statement against the Prosecutor opinion, scheduling the next hearing for July 8.

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...

Court: Istanbul 30th Criminal Court of First Instance

Verdict: The court revoked the warrant issued to receive the statement of Çandar. The statement of Çandar was decided to be received from abroad through a rogatory. The next hearing was scheduled for September 23.

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”...

Court: Istanbul 23rd Assize Court

Verdict: The next hearing was scheduled for July 14.

HEARINGS NEXT WEEK

Özgür Boğatekin Case

The lawsuit filed against journalist Özgür Boğatekin due to “insult” through the news article published in Gerger Fırat Daily with the headline, “Chairman Defending Harassment” on the incident of sexual harassment at a religious vocational high school in Adıyaman...

April 20, Tuesday at Adıyaman 3rd Criminal Court of First Instance

TV 10 Workers Case

The lawsuit filed against previously shut-down TV10 cameraman Kemal Demir and worker Kemal Karagöz due to “illegal organisation membership”...

April 20, Tuesday at Istanbul 28th Assize Court

İnci Aydın Case

The lawsuit filed against Yeni Yaşam Daily’s Managing Editor İnci Aydın due to “making illegal organisation propaganda” through an article published in Yeni Yaşam Daily’s July 17, 2020 issue with the headline, “Is a New Attack on the Way?”...

April 20, Tuesday at Istanbul 26th Assize Court

Özgür Gündem Case

The lawsuit filed against 22 people, including 17 journalists, who were beaten and detained during the police raid organised against previously shut-down Özgür Gündem Daily building on August 16, 2016 due to “insulting a public officer” and “preventing a public officer from performing their duty”...

April 22, Thursday at Istanbul 5th Criminal Court of First Instance