

Think, think...



Freedom of Expression Weekly Newsletter (Issue 33/21 - August 27, 2021)

What happened last week?

- As thousands of Afghan citizens escaping from the Taliban attempt to go to Europe through Iran and Turkey, Erdoğan holds phone calls one after another, regarding Afghanistan. In Erdoğan's intense diplomatic traffic this week, there is the opinion that refugees became the subject of a new bargain.
- The Ministry of National Defense announced that the evacuation of Turkish Armed Forces elements from Afghanistan has begun. The Ministry announced that Turkey has shown its intention to continue to ensure the security of Hamid Karzai Airport, but due to the contacts and the current conditions, the decision to evacuate has been taken. However, according to Erdoğan's statement, this time the offer to operate the airport came from the Taliban. *"The talks will continue,"* said Erdogan.
- Speaking at the AKP Extended Meeting of Provincial Chairmen, Erdoğan pointed to the 2023 elections and said, *"We must first strengthen our unity, solidarity and brotherhood within ourselves."*
- President Erdoğan appointed a rector to Boğaziçi University, once again with a late night decree. The academics continue to turn their backs to the rectorate seat with the protests, which have been ongoing since January. This time, Naci İnci took the place of trustee rector Melih Bulu, as he was his vice and deputy rector. Boğaziçi University academics and students continue with their protests.
- 13 non-governmental organisations, including our initiative, reacted against the reply letter sent by the Ministry of Justice to the Constitutional Court regarding the arrests of Boğaziçi University students. *"We recognize the letter as dangerous and completely against the country's legal system,"* the organisations stated.
- The Chief Judge of the Court of Cassation Mehmet Akarca also made a statement regarding the "social media regulation" that the government kept on the agenda under the name of "fighting disinformation". Meeting with Erdoğan, Akarca said, *"There is definitely a need for a legal regulation regarding social media."*
- Member of the Turkish Medical Association Pandemic Working Group, Güçlü Yaman said that there was a serious manipulation of the data about the pandemic, that the number of deaths announced were almost half of the real number of deaths. The Minister of Health announced that there are no red provinces that express "high risk" in the Turkey Covid-19 Risk Map. A total of 91 million 747 thousand 545 vaccines have been administered as the first dose to 47 million 247 thousand 97 people, to 36 million 145 thousand 891 people as the second dose, and to 8 million 167 thousand 707 people as the third dose so far in Turkey. Turkey ranks 7th in the world in total doses of vaccination.
- The loss of life in the flood disaster in Kastamonu, Sinop and Bartın on August 11 increased to 82, while 16 people are still missing. With the President's Decision, the

disaster area was decided to be expropriated urgently. Chamber of Architects Ankara Branch criticized the decision to expropriate the vineyards, orchards and hazelnut orchards hastily: "*It is proof that no lesson has been learned from the flood disaster*".

- AKP MP Zeynep Gül Yılmaz insulted the police who stopped her car and asked for her ID. Mersin Governorate announced that legal action has been initiated against the police officers. The police officers were suspended.
- Alevi family houses were marked in Seyhan district of Adana. People's Democratic Party (HDP) MP Ali Kenanoğlu indicated that the attack was the 38th similar attack against the Alevis.
- PEN International [demanded](#) an abatement of the case against Kurdish author Meral Şimşek, who will stand trial on September 21 due to “illegal organisation membership” and “making illegal organisation propaganda”.




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 week...

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Lawsuit against women over participation in Feminist Night Walk



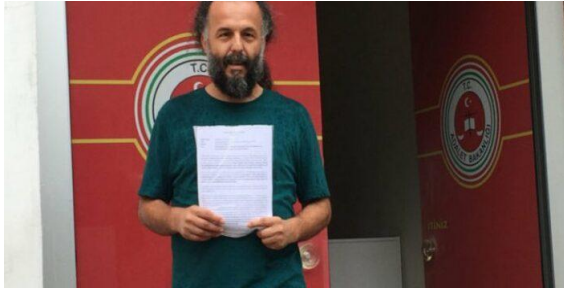
A photograph showing a group of people, mostly women, holding a large purple banner. The banner has the text 'feminist isyan her yerde' written on it in white and yellow. There are also smaller signs and posters attached to the banner. The people are standing in front of a building with a sign that says 'TAKSİM'.



Genco Erkal faces 4-year 8-month imprisonment claim

An indictment was prepared against stage actor Genco Erkal due to his social media posts. In case the indictment is accepted by Istanbul 16th Criminal Court of First Instance, Erkal will be prosecuted with an imprisonment claim against

him for up to 4 years and 8 months due to “insulting the President.” The master actor spoke on the matter and said, *“In case the indictment is accepted, I will defend not only myself but especially the most basic values of the Republic, as well as nature, democracy, human rights and freedom of expression at court. I thank them for giving me this opportunity.”*



Penalty against conscientious objector Şendoğan Yazıcı

Conscientious objector Şendoğan Yazıcı was sentenced to 60 months of imprisonment in two separate lawsuits filed against him due to “violating the Law on Military Service” through rejecting the service; as well as due to “alienating the people from military service”

and “denigrating the Republic of Turkey” through his social media posts. Artvin Borçka Criminal Court of First Instance turned the imprisonment sentence against Yazıcı into 20,940 TL in judicial fines. There are six more ongoing lawsuits against Yazıcı.



Investigation against Berkin Elvan’s parents due to ‘insulting President’

An investigation was opened against the parents of 16-year-old Berkin Elvan, who died after being shot by the police with a tear gas shell during the Gezi Park protests, due to “insulting the President.” The investigation started against the parents were based on the expressions used by mother Gülsüm Elvan and

father Sami Elvan during the press statement organised in front of the courthouse after the hearing on their child’s death, which was held on December 9, 2020. In their statement at the time, the parents had referred to the announcement of President Erdoğan regarding the Gezi Park protests, who said, “They are asking who gave the order to the police? I did!”



Erdoğan files 38,581st lawsuit due to ‘insulting President’

According to the report prepared by the Republican People’s Party (CHP) Deputy Chair Gülizar Biçer Karaca on lawsuits of “insulting the President”, a total of 1816 lawsuits on insulting the President were filed during 5 Presidential periods, from Kenan Evren to

Abdullah Gül. However, during Erdoğan’s Presidency, this number has reached 38,581. The number of total defendants increased by 2052 percent and 19.5 times during the first four years of Erdoğan’s Presidency when compared to the previous Presidency. 2,775 people were convicted of “insulting the President” in 2018, 4,291 people in 2019 and 2,655 people in 2020.



Human Rights Association launches regional report

Alt ses E: The Human Rights Association announced the “[Eastern and Southeastern Anatolian Regions of Turkey 2021 Human Rights Violations Report for the First Six Months](#).” The report indicated that human rights violations have intensified and demanded the attacks with racist, discriminative and hate

speech to be investigated. The report reminded that meetings and demonstrations continue to be banned, indefinitely in some provinces and with regular monthly extensions in others. In the first six months of 2021, 33 protest and demonstration bans were announced by Governorates, 12 protests were intervened and 16 events were banned. Investigations were opened and lawsuits were filed against 116 people, including university students and politicians, based on political reasons. As a result of such prosecutions, 80 people were penalised.



Lawsuit against author Yavuz Ekinci

A lawsuit was filed against author Yavuz Ekinci due to his social media posts on Newroz celebrations as well as his statement that supported Kobani. The first hearing of the case was scheduled for September 9 at Istanbul 34th Assize Court.



Investigation against journalist Ahmet Kanbal

An investigation was opened against Mesopotamia Agency reporter Ahmet Kanbal due to “targeting those taking part in the battle against terrorism” through a news article he reported with the headline, “16-year-old detained 30 times in 3 years, mother beaten”.



Protest and demonstration ban in Mardin

The Mardin Governorate declared a protest and demonstration ban between August 20 and September 3 due to the protection of national security, public order as well as due to the Coronavirus pandemic. All press statements to be held in the aforementioned period were bound to permission by the local administration.



District governorate bans vaccine campaign

Mardin Kızıltepe District Governorate did not allow the distribution of leaflets, which were prepared by the Medical Chamber and the Health and Social Services Labourers Union in Turkish, Kurdish and Arabic within the vaccination information campaign, based on the Governorate ban against protests. Mardin is one of the provinces with the lowest rate of COVID-19 vaccination in Turkey.



Investigation against convicts over Kurdish song

An investigation was started against nine women, including Democratic Society Congress (DTK) Co-Chair Leyla Güven, People's Democratic Party (HDP) Diyarbakır Provincial Co-Chair Hülya Alökmen Uyanık and Socialist Party of the Oppressed (ESP) Deputy Chair Fethiye Ok Çiçek, due to singing in Kurdis as they were arrested at Elazığ

Prison. The investigation letter had remarks such as, “dancing in an indecipherable language,” “singing anthems in an indecipherable language.”



Constitutional Court decrees

The Constitutional Court decided that it was a violation of freedom of expression and press freedom to sentence journalist Halit Basık, who was a columnist for Hatay's local newspaper Onuncu Köy Daily, to 2 years and 5 months of imprisonment due to “insult” through two separate news articles he reported in 2013. The Constitutional Court issued for Basık to be

prosecuted again and for compensation to be paid to him.



Lawsuit against journalist Derya Okatan

Journalist Derya Okatan was prosecuted on the grounds of news of the Afrin operation shared on the social media accounts of Aktif News Agency (ETHA), of which she was the editor-in-chief at that time, in 2018. The first hearing of the journalist, who has been charged

with "successively making illegal organisation propaganda", will be held at the Ankara 4th Assize Court on October 13.



Nol-pros for Prosecutor, lawsuit against doctor

A decision of non-prosecution was given in the investigation opened against the prosecutor Mehmet Bülbül, who detained the doctor Kemal Gökhan Günel, who did not examine him because he did not have an appointment at Osmaniye State Hospital, on charges of "injuring" and "threatening". A lawsuit was filed against the doctor, who was threatened

with exile by the Prosecutor, on the charge of "publicly insulting a public official due to his duty". The indictment was accepted by the Osmaniye 7th Criminal Court of First Instance.



TRIALS OF FREEDOM OF EXPRESSION

- There were no hearings due to the judicial recess period.