

# Think, think...



## Freedom of Expression Weekly Newsletter (Issue 36/21 - September 17, 2021)

### What happened last week?

- While the government continued the day in the spirit of "the epidemic is over", the Middle East Technical University Rectorate [cancelled](#) the graduation ceremony, where new graduates are presented with creative banners every year, based on the "pandemic".
- In our first report, in which we followed the implementation process of the Human Rights Action Plan (IHEP), we tried to reveal the path (!) taken as of June 2021, and we shared our guide on the monitoring method [in our first report](#). In our second report, in which we discuss the months of July and August together, we first discuss the actions of the administration, which were shared with the public within the IHEP practices, and then we [discuss](#) the last two months from the perspective of civil society.
- Less than a month since the end of the massive wildfires, [it has been revealed](#) that 7 mines, hotels and Wind Power Plant projects to be constructed in forest areas in different districts of Muğla have been given either an 'Environmental Impact Assessment (EIA) Not Required' or an 'Environmental Impact Assessment (EIA) Positive' report.
- Middle East Technical University faculty members Sibel Bekiroğlu and Mehmet Mutlu were detained along with many others in the police operation at the beginning of the week. The academics, who were also signatories of the Peace Petition, were released by the court on the condition of judicial measures, after 4 days under detention.
- 78 bar associations [reacted](#) with a joint statement after the judge of the 9th High Criminal Court of Diyarbakır, where the Free Women's Movement (TJA) Spokesperson Ayşe Gökkan was tried, forcibly removed the Diyarbakır Bar Association President Nahit Eren and his accompanying lawyers from the hall. The judge is asked to be removed from office.
- The daughter of former Prime Ministry rapporteur Hüseyin Galip Küçüközyiğit, who was reported to have been kidnapped and who has not been heard from for 9 months, being dismissed from service with a Statutory Decree, announced that she was informed that her father was being held in prison. All applications made by daughter Nursena Küçüközyiğit regarding her fathers fate were either left unanswered, or it was stated that there was no information. There hasn't been any news from Yusuf Bilge Tunç, who is in a similar situation, for 25 months.
- With the opening of universities, thousands of students faced the problem of accommodation. The increase in rental flat prices across the country, especially in Istanbul and Izmir, deprives both students and tenants of their "right to shelter". The

inadequacy of public dormitories, the increasing cost of living and dormitory prices are the current [problems](#) of students studying away from their families.

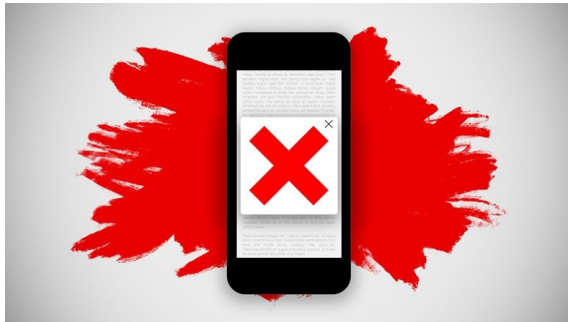
- The Committee of Ministers of the Council of Europe, which is responsible for overseeing the implementation of the decisions of the European Court of Human Rights (ECtHR), did not initiate the “violation procedure” as required by the previous statement in the Osman Kavala case. The announcement will be made in December on the start of the procedure. Although Turkey did not have a request regarding the Selahattin Demirtaş case, Turkey was [allowed time](#) until September 30 to prepare an action plan.



*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...*

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

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



## **Access ban against content on Freedom of Expression Association website**

The news on the website of the Freedom of Expression Association about the evacuation of the Titanic Deluxe Bodrum hotel, which was claimed to have been built on the forest land in Bodrum Güvercinlik in 2007, due to the forest fire in July 2021 was banned to access. Furthermore, the news reported by

Turkish Workers Party Parliament Member and journalist Ahmet Şık, in which he announced the access ban against the 7 tweets of his, in which he brought forward allegations about the President’s former lawyer, Mustafa Doğan İnal, due to violation of personal rights.



members and many supporters gathered in front of the Adana Security Directorate. The police intervened in the group waiting in front of the police station.

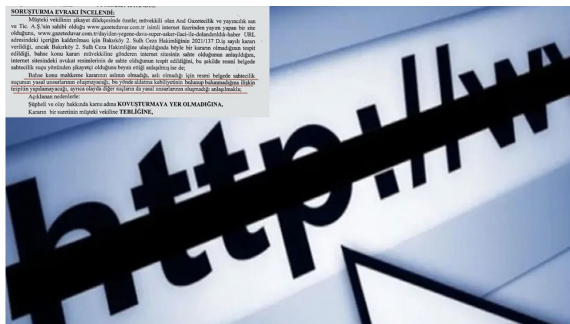
## Violence allegation against Furkan Foundation members

It was claimed that three members of the Furkan Foundation, who went to Adana Security Directorate to testify as part of an investigation carried out by the Adana Chief Public Prosecutor's Office, were detained and exposed to violence. Upon the spreading of the torture allegations, Furkan Foundation



## Pride Eskişehir: "Pressure, police and lawsuits won't intimidate us"

Pride Eskişehir announced that an investigation has been launched against those who participated in the Eskişehir Pride March held on June 30, 2021. The committee stated that the people under investigation were threatened with being expelled from the dormitory and were called to testify to the disciplinary committee of their school. The organisation called the victims to contact them for solidarity and legal support.



## Fake "access ban decree" sent to news websites: Prosecutor issues nol-pros

It turned out that the access ban decrees issued for certain news articles, which were arranged to seem like they had been issued by Bakırköy 2nd Criminal Judicature of Peace in July and September and were issued to Diken and Gazete Duvar, were fake. In the criminal complaint made against those who have

prepared the related documents, the Prosecutor's Office issued a verdict of non-prosecution.

## Journalist Mahmut Oral acquitted



Turkish Journalists Association Diyarbakır representative and journalist Mahmut Oral, who was tried on the charge of "terrorist organization membership", was acquitted in



the first hearing of the lawsuit filed against him at the Diyarbakır 4th High Criminal Court.



## Physician banned from public service due to social media posts

Physician Larin Kayataş, who is employed at Taksim Training and Research Hospital, was "banned from public service" after three investigations on the grounds that her behavior in general was "incompatible with general morality". The physician announced that she was interrogated during the investigations, with questions like, "Are you a transsexual woman?", "Why did you participate in the

March 8 demonstrations?", "What do you mean with your tweet, in which you wrote, 'When the election is here, vote for the Republican People's Party and move along'?' as well as other questions about her private life.



## ECtHR issues decree in Tuncer Bakırhan's application

The European Court of Human Rights (ECtHR) application of Siirt Mayor Tuncer Bakırhan, who was arrested on the charges of "armed terrorist organization membership" and "making propaganda for a terrorist organization" and was replaced with a trustee, was concluded. Turkey will pay 13 thousand euros in compensation to Bakırhan, who was

sentenced to 10 years and 18 months in prison and was released in October 2019. The court ruled that the politician's "right to freedom of thought and expression, and the right to freedom and security" had been violated.



## Access ban against news on gang leader Sabri Çelebi

With the decree issued by the Istanbul 3rd Criminal Judicature of Peace, access to a large number of news stories about Sabri Çelebi, who faces an investigation due to "forming a gang and detaining foreign women by force for prostitution", has been banned. Another access ban decree was issued earlier on Halk TV's

news that Çelebi was in Dubai, after coming into the agenda by attacking the demonstrators with a machete during the Gezi Park protests.



### Folk dance investigation

Batman Chief Public Prosecutor's Office launched an investigation against 13 people, who danced a folk dance to Şiwan Perver's song "Serhildan Jiyane" (to live is to revolt), which was played from the stage during the People's Democratic Party (HDP) rally on August 14. Those facing an investigation are charged with "making illegal organisation

propaganda" and were summoned to the Batman Anti-Terror Unit to testify. The Prosecutor's Office argued that the song "contains a number of organisational expressions." ileri sürdü.



Faruk Arhan  
@FarukArhan

Memlekette çok ciddi bir provokasyon hazırlığı var. Pelikancılar 3 gündür devrede, Konya katliamından sonra vites yükselttiler.

AKP kan kaybediyor. Yeni bir 7 Haziran-1 Kasım dönemi start almış olabilir.

Herkes çok dikkatli olmalı.

ÖÖ 10:20 · 31 Tem 2021 · Twitter for Android

### Investigation against journalist Arhan's social media posts

Journalist Faruk Arhan announced that he was summoned to testify within the scope of the investigation launched by the Gaziantep Chief Public Prosecutor's Office on the charge of "inciting the people towards hatred and hostility" (in accordance with Article 216 of

the Turkish Criminal Code) due to his social media posts. The posts subject to the investigation stated: *"There is a very serious preparation for provocation in the country. Pelikanists have been active for the last 3 days, and they stepped up after the Konya massacre. The Justice and Development Party (AKP) is losing blood. A new June 7-November 1 period may have started. Everyone should be very careful."* and *"Journalists in the country can only ask questions to People's Democratic Party (HDP) members."*



### Pucca faces 1-year imprisonment due to social media posts

Social media influencer Selen Pınar Işık (publicly known with alias *Pucca*) faces an imprisonment claim from 6 months up to 1 year due to "openly denigrating a part of the society based on social class, religion, sect, gender, regional differences". The Prosecutor is claiming for Işık to be convicted due to her

tweet, dated July 9, 2020, in which she said. "I watched so many series with homosexuals in

them, I finished movie after movie, but no! I still don't like the despicable, characterless gender called man...”



### **Night raid against DEDAŞ protest**

The police intervened against the residents of Lice Yenişehir District, who were protesting against electricity distribution company DEDAŞ's attempt to move the current meters to the electricity poles. Lice Police detained many protesting citizens by raiding their homes at night. Eight people were previously

detained during the quarrel that occurred in the neighborhood on September 11th.



### **Nol-pros in investigation against journalist Boğatekin**

A decree of non-prosecution was issued in the investigation opened against Fırat Gerger Daily's Managing Editor Özgür Boğatekin due to “public incitement towards resentment and hostility” through a social media post on the “Meram Massacre.” Boğatekin's post, which

was subject to investigation by the Adıyaman Gerger Prosecutor's Office, was as following: “The attackers, who attacked the Kurdish family in Konya the other day and were arrested and sent to prison, attacked the same family again on the day they were released. In the attack that took place, 7 people from the same family were brutally murdered. The same unscrupulous murderers set fire to the house and escaped the area. We all know that the government could not provide the security and protection of the Kurdish family, which was attacked twice in a week, provided protection for such murderers who carried out the attack for years. Shame on you.”



### **Investigation against lawyer over “April 24” statement**

An investigation was started against Human Rights Association Adana Chairman and attorney Yakup Ataş due to “public incitement towards resentment and hostility” through his statements during the press meeting organised at the association building on April 24 as well



as his expression, “the Armenian Genocide.”



## DÜŞÜNCE SUÇU DURUŞMALARI

### **Corlu Train Disaster Victim Relatives Case**

The lawsuit filed against 7 people, including 3 lawyers, due to “violating the Law on Meetings and Demonstrations No. 2911” due to the justice watch protest organised in front of the Constitutional Court (AYM) by families, who lost their relatives in the train accident in Çorlu district of Tekirdağ, which caused the deaths of 25 people, including 7 children...

**Court:** Ankara 50th Criminal Court of First Instance

**Verdict:** The next hearing was scheduled for February 2, 2022.

### **Ayşe Gökkan Case (Arrested)**

The lawsuit filed against Free Women’s Movement (TJA) Term Spokesperson Ayşe Gökkan due to double “illegal organisation membership” and “making illegal organisation propaganda”...

**Court:** Diyarbakır 9th Assize Court

**Verdict:** Gökkan remains under arrest and the next hearing was scheduled for October 20.

### **Ali Ekber Barmağıc Case**

The lawsuit filed against environmental activist and Munzur Environment, Culture and Solidarity Association Chairman Ali Ekber Barmağıc due to “making illegal organisation propaganda” through his social media posts and the publications found in his home...

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

**Verdict:** The Prosecutor claimed for Barmağıc to be sentenced due to “armed terrorist organisation membership”, for him to be arrested upon the decree and for the judicial measures against him to remain until the final hearing. The final hearing was scheduled for October 19.

### **Buse Söğütlü Case**

The lawsuit filed against Gazete Yolculuk news website reporter Buse Söğütlü üdue to “targeting those tracking part in the battle against terrorism” through a Twitter post on March 18, 2019 regarding the judge of the court responsible for the Contemporary Journalists Association (ÇHD) Case...

**Court:** Istanbul 23rd Assize Court

**Verdict:** The Prosecutor’s indictment was scrutinized without any changes on it. The next hearing was scheduled for January 27, 2022.

### **Ferhat Tunç Case**

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

**Court:** Istanbul Büyükçekmece 14th Criminal Court of First Instance

**Verdict:** The court revoked 2 warrants issued against Tunç in 2019 and 2020, issuing a new warrant against Tunç and scheduling the next hearing for January 25, 2022.

**Roza Metina Case**

The lawsuit filed against journalist Roza Metina due to “illegal organisation membership” through her activities at the Democratic Society congress, Kurdish Writers Association membership and her possession of banned publications in her home...

**Court:** Diyarbakır 5th Assize Court

**Verdict:** The Prosecutor claimed an imprisonment sentence for up to 15 years against the journalist. The next hearing was scheduled for October 12.

**Adil Demirci Case**

The lawsuit filed against Etkin News Agency (ETHA) reporter Adil Demirci and 22 others, including Socialist Party of the Oppressed (ESP) and the Federation of Socialist Youth Association members, due to “making terrorist organisation propaganda” and “illegal organisation membership”...

**Court:** Istanbul 25th Assize Court

**Verdict:** The next hearing was scheduled for April 8, 2022 and the defendants will be subject to judicial measures until then.

**Lawyer Selçuk Kozağaçlı Case (Arrested)**

The lawsuit filed against Contemporary Lawyers Association (ÇHD) Chairman and lawyer Selçuk Kozağaçlı due to “terrorist organisation membership”...

**Court:** Istanbul 18th Assize Court

**Verdict:** The court decided for lawyer Barkın Timtik and lawyer Selçuk Kozağaçlı to remain under arrest and scheduled the next hearing for November 17.

**Meşale Tolu Case**

The lawsuit filed against 18 people, including Etkin News Agency reporter and translator Meşale Tolu, due to “illegal organisation membership” and “making illegal organisation propaganda”...

**Court:** Istanbul 29th Assize Court

**Verdict:** The Prosecutor claimed for Tolu and 13 others to be acquitted. The next hearing was scheduled for December 24.

## HEARINGS NEXT WEEK

**KCK Main Case**

The lawsuit filed against 36 Kurdish politicians, including People’s Democratic Party (HDP) MPs Tayip Temel and Pero Dündar, after the decree issued for them in the KCK Main Case was reversed by the Court of Cassation...

**September 21, Tuesday at Diyarbakır 2nd 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...

**September 22, Wednesday at Istanbul Büyükçekmece 14th Criminal Court of First Instance**



**Cengiz Candar Case**

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

**September 23, Thursday at Istanbul 30th Criminal Court of First Instance**

**Beyza Kural Case**

The lawsuit filed against police officers K. A., N. D. and Y. Ş. due to “violating the freedom of labour and work” in accordance with Articles 117/1 and 119/1-e of the Turkish Criminal Code after preventing journalist Beyza Kural from performing her profession...

**September 24, Friday at Istanbul 3rd Criminal Court of First Instance**

*You may find all news of the week on [www.dusun-think.net](http://www.dusun-think.net); and the pdf format of the newsletter on [www.dusun-think.net/bultenler](http://www.dusun-think.net/bultenler).*