

# Think, think...



## Freedom of Expression Weekly Newsletter (Issue 41/21 - October 22, 2021)

### What happened last week?

- Republican People's Party (CHP) leader Kemal Kılıçdaroğlu called out to those working in the bureaucracy and said, *"As of Monday, October 18th, the responsibility of all your support to the illegal demands of this order will begin to belong to you as well. You can't get away with this dirty work by saying 'I have complied with orders'."* Vice President Fuat Oktay [filed a criminal complaint](#) against Kılıçdaroğlu because of this statement.
- The Ministry of Interior [demanded](#) 250 thousand Euros of compensation from the heirs of the 5 people, who lost their lives in the car crashed by the dragon-type gendarmerie armored vehicle in Lice district of Diyarbakır on June 20, 2017. The deaths and injuries caused by armored vehicles driven by security officers continue. In Viranşehir, Urfa, a police armored vehicle wandering around the neighborhood struck a 5-year-old boy, [causing](#) serious injury.
- The Turkish embassies of 10 countries, including the USA, France and Germany, called for the implementation of the European Court of Human Rights (ECtHR) decree on Osman Kavala. The spokespersons of the Ministry of Justice, the Ministry of Interior and the palace reacted to the statement, alleging that "Turkey is a state of law and has independent courts" and ambassadors were summoned to the [Ministry of Foreign Affairs](#). In a statement days later, Erdoğan said, *"I told our Foreign Minister, we don't have the luxury to host them in our country."*
- There were criticisms about secularism, democracy and economy in the report 'Building the Future' prepared by the Turkish Industrialists' and Businessmen's Association (TÜSİAD). Justice and Development Party (AKP) Secretary General Fatih Şahin evaluated the criticisms as a "longing for tutelage".
- It is known that the dirty relations between politics-mafia-interest groups in Turkey also have a counterpart in Cyprus. Finally, the events accelerated with the arrest of Halil Falyalı, whose name came to the forefront again with the previous statements of criminal organisation leader Sedat Peker, and continues with the resignation of Turkish Republic of Northern Cyprus (KKTC) Prime Minister Ersan Saner. It was alleged that Halil Falya blackmailed many names with "sex tapes". After Sedat Peker declared, "Falyalı's archive is now in my hands", he published the first recording, allegedly belonging to Saner, on Twitter.
- The "declaration" that will extend the Turkish Armed Forces' operation authority outside the country's borders for two more years will be submitted to the Turkish Grand National Assembly in the coming days. Among the opposition parties, the İYİ Party announced that they would "say yes to the motion", while the main opposition

Republican People's Party (CHP) announced that they would "make their decisions after evaluating them at the Central Executive Council meeting".

- After the Central Bank cut the policy rate by 200 points, the US Dollar vs. Turkish Lira exchange rate broke a record and exceeded 9.60. For the first time, Euro vs. Turkish Lira rate exceeded 11 and Sterling vs. Turkish Lira rate [exceeded](#) 13.

### ***For the Memory Room Exhibition...***

*The reactions to the Memory Room exhibition, which was opened in Goat Bastion with the support of Diyarbakır Chamber of Commerce, have gone beyond the limits of freedom of expression and have turned into violence.*

*You may dislike, criticize, or criticize a work of art.  
But that never gives you the right to use violence to destroy it.*

*Could it be a reason to defame the content of an exhibition that Akşener sent a congratulatory message to the opening of the exhibition? If she celebrated an exhibition that explains the oppression that Diyarbakır has suffered, we should be happy. The rest is her problem.*

*Of course, we didn't just watch the videos, we talked to people we trust, who attended the night. No one has confirmed that a folk dance was performed on top of the coffins!*

*Apparently, there was an emotional reaction, which reacted to the point of producing rumors. The result: violence.*

*Our emotions may not always lead us in the right direction.  
Our mind should be our most reliable guide.*

### **The Initiative for Freedom of Expression**



*Our weekly video program, “[COGITO ERGO SUM](#),” in which we track Turkey's freedom of expression and thought agenda, is on our [YouTube channel](#) every week...*

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

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# NELER OLUYOR?

What's goin' on?

*We continue to record violations of freedom of expression in the country through monthly video conferences we organize together with the Human Rights Association and the Human Rights Foundation of Turkey. [Click here](#) for what happened in September.*



## **Access ban issuing judge's name among TUGVA list**

An access ban was issued against the news article regarding the allegations that the Turkey Youth Foundation (TUGVA) went to staffing within the state, on the grounds of “violation of personal rights.” It turned out that Osmaniye Criminal Judge of Peace, who issued the access ban against the news, was a judge from the foundation's staff.



## **Mesopotamia Cultural Center's 30th Anniversary concert banned**

The 30th Anniversary concert organised by the Mesopotamia Cultural Center at Bostancı Show Center was banned by the Kadıköy District Governorate. The concert has been planned for about two months, and a permission was previously obtained from the Istanbul Governorate for the concert.



## **Imprisonment sentence against artist Hozan Canê**

Publicly known as Hozan Canê, Kurdish artist Saide İnanç was sentenced to 3 years, 1 month and 15 days in prison on the grounds of “aiding an illegal organisation” at Edirne 3rd Assize Court based on her music videos and social media posts.



### **ECtHR rules “sentence due to insulting President” rights violation**

The European Court of Human Rights (ECtHR) ruled that the freedom of expression of Vedat Şorli, who was sentenced to 11 months and 20 days in prison due to insulting the President through his Facebook posts in 2014, was violated. The court further demanded that Article 299 of the Turkish Criminal Code (TCK) on the penalisation due to insulting the President be amended in accordance with the European Convention on Human Rights (ECHR) and the European Court of Human Rights (ECtHR) precedents on freedom of expression. Şorli had remained under arrest for 2 months due to the images he shared in 2014 and 2016, and his 11-month imprisonment sentence has later been deferred for 5 years.

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### **Actress Berna Laçın: “They summoned me to testify because I said cherries are expensive”**

Actress Berna Laçın, who was previously targeted for her oppositional posts, announced that she was summoned to testify because she said "cherries are expensive" on social media.

In her post, Laçın also referred to a poem by Orhan Veli and wrote, *"They summoned me to testify again because I said cherries are expensive; what's it to you if I didn't buy cherries? It's not someone who is known, that my statement would cause a lack of pocket money. In short, what did Orhan Veli say, 'We live, free; The air is free, the cloud is free; freedom for the price of the head, slavery is free."*



### **Impunity danger in Suphiye Yakut Case**

The prosecution was paused in the lawsuit filed against police officer Savaş G., who injured Suphiye Yakut with the armored vehicle he was driving in 2018 in Dargeçit district of Mardin, causing her to become disabled, on the charge of "injury by negligence". Although it was stated in the expert report that Savaş G. was "completely flawed" and "performed a careless maneuvering", the court judge was changed,

and then the prosecutor, who claimed the penalisation of the police officer, "re-examined the file and decided that the trial was subject to administrative permission". Dargeçit District Governor did not allow the prosecution of the defendant police officer.



### Access ban against three news articles on Evrensel

Upon the application of Burdur Gendarmerie Command, Burdur Criminal Court of Peace issued an access ban against three content, including an article written by Evrensel Daily's Editor-in-Chief Fatih Polat on the book "Wounded Clover". Another access ban was issued against a news article published in the newspaper on the funeral of 12 YPG members, who lost their lives in the conflict with ISIS, and the destruction of the PKK cemetery.

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### Journalists acquitted of charges related to tracking trustee protests in Mardin

The final hearing of the lawsuit filed against eight people, including journalists Ahmet Kanbal, Mehmet Şah Oruç, Jinnews reporter Rojda Aydın, Nurcan Yalçın and Halime Parlak on the charge of "violating the Law on Meetings and Demonstrations No. 2911" was held at October 20 at Mardin 1st Criminal Court of First Instance. The court issued a decree of acquittal for all defendants.

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### Lawsuit filed over press statement not held

A lawsuit was filed against 30 Anti-Nuclear Platform members, who wanted to hold a press statement on the Akkuyu Nuclear Plant but faced the prevention of security forces, therefore couldn't hold the statement.



### Censorship against Hamlet TV series poster

The poster of TV series Hamlet, which will be broadcasted on Gain channel with the starring performances of Erdal Beşikçioğlu and Elit İşcan, was censored. Elit İşcan was half naked in the original poster, and her naked parts were covered.



### **Memory room exhibition protested**

Artist Ahmet Güneştekin's "Memory Room" exhibition, which premiered on October 16 in Diyarbakır's historical Goat Bastion, was protested. Protesters, who said, "Amed, don't sleep, protect your memory," threw one of the coffins on display from the walls.



### **Imprisonment sentence against journalist Vedat Örüç**

Journalist Vedat Örüç was sentenced to 1 year 6 months and 22 days in prison on the charge of "making terrorist organisation propaganda". The court deferred the announcement of the verdict.



### **30-year imprisonment against former TJA Spokesperson Ayşe Gökkan**

Free Women's Movement (TJA) Term Spokesperson Ayşe Gökkan, who was on trial on the charges of "illegal organisation membership" and "managing an illegal organisation," was sentenced to 30 years in prison on the charges of "illegal organisation membership," "making illegal organisation

propaganda" and "committing a crime on behalf of an illegal organisation without membership."



### **Journalist to pay Kurdish translator fee in court**

Azadiya Welat Daily's former Managing Editor İsmail Çoban had previously been sentenced to 4 years and six months in prison in the lawsuit filed against him. The court further recorded the defense statement made by Çoban in Kurdish in the hearing as an "unknown language" and made Çoban pay the translation fee.



## Penalty against trade union members considered rights violation

The Constitutional Court decided that the penalisation of former Education and Science Workers' Union (Eğitim-Sen) Secretary General Sakine Esen Yılmaz and Mersin Branch Executive Board member Mahir Engin Çelik due to their distribution of leaflets to call people for

the 2012 Mersin Newroz celebration was a “violation of the right to meeting and demonstration”. The 3-year and 4-month imprisonment sentence issued by the local court against Çelik and Yılmaz on the charge of “violating the Law on Meetings and Demonstrations” had been upheld by the Court of Cassation as well. The trade union members will receive 15 thousand TL compensation.



**Bahadır Telci**  
@purplebixi

## Twitch streamer Bahadır Telci summoned to testify over insulting Erdoğan

Bahadır Telci, a streamer on the live streaming platform Twitch, announced on social media that he was summoned to testify with the allegation of “insulting the President”.

Ya çıktı yine tipine bak hele meymenet yok suratta ya pü allah belanı versin senin

14:17 · 14 May 21 saatinde · [Twitter Web App](#)

3.852 Tepkiler ❤️ 3.852



## MEBYA-DER indictment accepted

The indictment prepared against 18 members and executives of the Association for Assistance and Solidarity with the Bereaved in the Cradle of Civilizations (MEBYA-DER), who were detained in house raids in Van on May 19 and released under judicial control, with the allegation of “terrorist organisation membership” was

accepted at Van 2nd Assize Court. The first hearing of the case, which predicts a sentence of imprisonment against the association members from 7 and a half years up to 15 years, will be held on December 3.



## Acquittal claim in Umut Bookstore Case

In the 14th hearing of the retrial of defendant sergeants Ali Kaya and Özcan İldeniz together with confessor Veysel Ateş regarding the bomb attack organised against Umut Bookstore in Şemdinli district of Mardin on November 9,

2015, the Prosecutor claimed the three defendants' acquittal due to "lack of evidence."



### **Gerçek Gündem reporter Fırat Fıstık summoned to testify over news related to Naci İnci**

Gerçek Gündem reporter Fırat Fıstık was summoned to testify within an investigation opened against him by the Istanbul Chief Public Prosecutor's Office due to the news he reported on Naci İnci.



### **Constitutional Court issues no violation in application of Fikri Sağlar**

The Constitutional Court (AYM) unanimously decided that the decree of compensation issued against Fikri Sağlar, who criticised the fact that Maraş Massacre defendant Ökkeş Şendiller was invited to a December 2009 session of the workshop series publicly known as the "Alevi Initiative" with the expressions, "will those who

have Alevi blood on their hands explain how they massacred them?" was "not a violation of freedom of expression." Six court members, including Chief Judge Zühtü Arslan, did not agree with the decree. Among the justifications of the decree, attention was drawn to the fact that "acquittal due to lack of evidence in a criminal trial does not need to be taken as a basis for public opinion" and that "both Sağlar and Şendiller being politicians must also be taken into account".



### **5-month 18-day imprisonment against Pucca over 'insulting men'**

Writer Selen Pınar Işık, publicly known as 'Pucca', was sentenced to 5 months and 18 days in prison for writing on social media, "I've watched so many TV series with gay relationships in them, I've finished movie after movie! I still don't like the vile, characterless

gender called men..."



## TRIALS OF FREEDOM OF EXPRESSION

### **Taraf Daily Case**

The lawsuit filed against previously shut-down Taraf Daily reporter Mehmet Baransu and executives Ahmet Altan, Yasemin Çongar, Yıldray Oğur and Tuncay Opçin on the charges of “making illegal organisation propaganda” and “providing and disclosing information that should remain confidential regarding the security and political interests of the state”...

**Court:** Istanbul 13th Assize Court

**Verdict:** The claim for recusation was denied. Mehmet Baransu will remain under arrest. The case was adjourned to November 12.

### **Case Against Las Tesis Demonstration**

The lawsuit filed against 24 women on the charges of “violating Article 301 of the Turkish Criminal Code” and “violating the Law on Meetings and Demonstrations No. 2911” due to the demonstration organised in Izmir on December 15, 2019 within the Las Tesis demonstrations, which started in Chile to protest violence against women and later spread throughout the world...

**Court:** Izmir 7th Criminal Court of First Instance

**Verdict:** The final hearing of the case was scheduled for March 31.

### **Ali Ekber Barmağıc Case**

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

**Court:** Tekirdağ 2nd Assize Court.

**Verdict:** Information could not be obtained about the hearing.

### **Hayko Bağdat Case**

The lawsuit filed against journalist Hayko Bağdat on the charges of “insulting the President” and “public incitement towards resentment and hostility”...

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

**Verdict:** Information could not be obtained about the hearing.

### **Ferhat Tunç Case**

The lawsuit filed against artist Ferhat Tunç on the charge of “insulting a public official” due to his social media posts in 2016 on then-Prime Minister Binali Yıldırım...

**Court:** Büyükçekmece 16th Criminal Court of First Instance

**Verdict:** The court decided to issue a warrant against Ferhat Tunç and adjourned the case to March 17.

### **Rüstem Batum Case**

The lawsuit filed against journalist Rüstem Batum on the charge of “insulting the President”...

**Court:** Istanbul 41st Criminal Court of First Instance

**Verdict:** Information could not be obtained about the hearing.

**Case Against News on Torture**

The lawsuit filed against journalists Adnan Bilen, Cemil Uğur, Şehriban Abi, Nazan Sala and Zeynep Durgut on the charges of “illegal organisation membership” and “making illegal organisation propaganda” due to reporting the news of two citizens in Van being heavily injured after torture and one losing their life...

**Court:** Van 5th Assize Court

**Verdict:** The final hearing was scheduled for January 6.

## HEARINGS NEXT WEEK

**Ramazan Akoğlu Case**

The lawsuit filed against former Dicle News Agency (DIHA) reporter Ramazan Akoğul due to following the news on the road blockage demonstration performed in Diyarbakır in 2014...

**October 26, Tuesday at Diyarbakır 4th Assize Court**

**Osman Akın - Veysi Sarısözen Case**

The lawsuit filed against Yeni Yaşam Daily's former Managing Editor Osman Akın and columnist Veysi Sarısözen on the charge of “making illegal organisation propaganda”...

**October 26, Tuesday at Istanbul 13th Assize Court**

**Nimet Tanrıkulu Case**

The lawsuit filed against Nimet Tanrıkulu on the charge of “illegal organisation membership” with the allegations of conducting activities as the Democratic Society Congress (DTK) Person and Institution Delegate, participating in related meetings and being the DTK Marmara Responsible...

**October 26, Tuesday at Diyarbakır 8th Assize Court**

**Media-"FETO" membership Case (Retrial)**

The retrial of Ahmet Memiş, Ali Akkuş, Atilla Taş, Cemal Azmi Kalyoncu, Gökçe Fırat Çulhaoğlu, Ünal Tanık, Yakup Çetin and Yetkin Yıldız on the charges of “aiding an illegal organisation,” “insulting the President” and “publicly denigrating the institutions and bodies of the state”...

**October 26, Tuesday at Istanbul 25th Assize Court**

**Caner Taşpınar Case**

The lawsuit filed against OdaTV editor Caner Taşpınar due to “insulting” former GNAT Chairman İsmail Kahraman and AKP MP Ali İhsan Arslan through his book, “The Son-In-Law: AKP-member father-in-laws of Fethullah supporters”...

**October 27, Wednesday at Istanbul 11th Criminal Court of First Instance**

**Akkuyu Nuclear Plant Case**

The lawsuit filed against 17 people due to the statement made by the People's Democratic Party (HDP) in March on the Akkuyu Nuclear Plant in Mersin...

**October 28, Thursday at Gülnar Criminal Court of First Instance**

**Turgut Öker Case**

The lawsuit filed against Confederation of European Alevi Unions Founding Chairman Turgut Öker due to his speech during the protest rally organised in Germany against President Tayyip Erdoğan in 2015...

**October 28, Thursday at Istanbul Anatolian 10th Criminal Court of First Instance**

**TV10 Workers Case**

The lawsuit filed against previously shut-down TV10 cameraman Kemal Demir and worker Kemal Karagöz on the charge of “illegal organisation membership”...

**October 28, Thursday at Istanbul 28th Assize Court**

*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).*