



# Think, think...

## Freedom of Expression Weekly Newsletter

(Issue 46/21 - November 26, 2021)

### What happened last week?

- Erdoğan described the depreciation of the Turkish lira and the rising inflation as an "economic liberation war". While Erdoğan continues to lead those who earn their living on the front in his "war", economic inequality in the country is growing. Erdoğan once again reiterated that he bases his economic policy on the equation of "worthless Turkish Lira, increasing exports and decreasing current account deficit". Economists say that this policy, which has been tried in the past, will not have positive results with high inflation. Erdoğan [also said](#) in his statement that "there will not be early elections"...
- The Crown Prince of the United Arab Emirates met with President Erdoğan. It was stated that important agreements were signed in 9 areas. The United Arab Emirates has [allocated](#) \$10 billion in funds under the agreements. Sources close to Erdoğan and the pro-government media had previously accused the United Arab Emirates of being the "financial power" behind the July 15 coup attempt. On the other hand, the increase in exchange rates resulted in an increase of more than 1 Turkish Lira in gasoline and diesel fuel; queues formed at gas stations.
- Interior Minister Süleyman Soylu, who was placed in the middle of the politics-mafia relationship network in Turkey by organized crime leader Sedat Peker, did not respond to the questions of Parliament members of the opposition regarding the allegations against him in the 2022 budget negotiations of the Interior Ministry at the Parliamentary Plan and Budget Committee. Soylu targeted the opposition and had quarrels with Parliament members. The budgets of the Interior Ministry and 5 institutions belonging to the ministry, such as the Gendarmerie General Command and the General Directorate of Security, have grown by 300 percent in the last seven years.
- In the [2021 Global Democracy Report](#) of the International Institute for Democracy and Election Support, Turkey was among the countries whose democracy declined the most in the last 10 years, along with Nicaragua, Serbia, Poland and Brazil. In the report, which described these countries as the beginning of the collapse in democracy, Turkey was defined as a hybrid regime. The term "hybrid regime" is used for countries with regular electoral fraud and where fair and free democracy is thwarted. In countries with this type of regime, suppression of opposition, governmental judiciary, harassment and oppression of the press freedom and freedom of expression are common.
- The joint call text for an "End of the pre-trial detention of children", signed by our initiative and 23 other organizations, was published. As of October 31, 2021, there are 1,347 children under arrest in Turkish prisons. The sentences of 566 convicted children are being executed outside the prison with permissions within the COVID-19. Detained children are either held in closed penitentiary institutes for

juveniles and youth or in the juvenile wards of closed penitentiary institutions for adults.

- The Turkish Medical Association launched a "White March" from Istanbul to Ankara for personal rights, better working conditions and the right to public health. Turkish Medical Association (TTB) Central Council President Dr Şebnem Korur Fincancı said, "We are marching to protect the white of our apron against the attacks against our profession, our labor and the darkness imposed on us." The march will end with the "White Forum" to be held in Ankara on November 27.
- The latest hearing of the lawsuit filed against police officer Fatih Karaca, who murdered 18-year-old Syrian Ali El Hemdan for allegedly neglecting his "stop" warning, was held in Adana. The prosecutor claimed a life imprisonment sentence against the police. Tugay Bek, the lawyer of the Hemdan family, said that the law enforcement and other public officials attempted to obfuscate the evidence as part of the investigation. Bek reminded that 403 people were killed between 2007 and 2020 on the grounds that they did not comply with the stop warning of the police.
- Women took to the streets in many cities for the November 25, Day for the Elimination of Violence Against Women. Taksim Square was once again surrounded by the police. The police attacked the women, who gathered at Tünel Square, with tear gas and rubber bullets. Women who wanted to march to protest violence against women in Antakya were prevented as well. The women were beaten by the police. Nevertheless, the protest and demonstration ban that has been going on for 5 years in Van could not prevent the march of Van Women's Platform.



*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 Friday...*

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### **Imprisonment sentence against journalist Nurcan Yalçın**

In the lawsuit filed against journalist Nurcan Yalçın on charges of "terrorist organization membership" and "making propaganda for a terrorist organization", the court sentenced her to 2 years and 1 month of imprisonment for "wilfully aiding an illegal organization without membership", as well as 1 year 6 months and 22 days of imprisonment for "making

propaganda for a terrorist organization".



### **Lawsuit against journalist Velat Öztekin due to “insulting President”**

A lawsuit was filed against Velat Öztekin, former reporter of Kurdish newspaper Azadiya Welat, which was previously shut down with a statutory decree, on the charge of "insulting the

President" for two cartoons, one of which was made by Carlos Latuff, on his social media account. The journalist will stand trial at the Diyarbakır 7th Criminal Court of First Instance on January 27.



### **Lawsuit against Gökhan Biçici over “insulting President”**

The first hearing of the lawsuit filed against dokuz8HABER’s Editor-In-Chief Gökhan Biçici due to “insulting the President” through the news article, "The reaction of the hacker group Anonymous to Erdoğan with the

example of Berkin Elvan" was held at the Istanbul 8th Criminal Court of First Instance. The court adjourned the case to March 11.



### **70 detained in economic crisis protests in Istanbul**

70 of the citizens protesting the economic crisis were detained in Istanbul. Evrensel Daily’s Kocaeli Representative Gözde Meydan, who was detained while trying to follow the protests

in Derince district of Kocaeli, was released. Governorates in Istanbul and Tunceli banned all demonstrations in both provinces for 15 days, citing the epidemic.



### **Lawsuit against those supporting “Boğaziçi Protests” in Izmir**

In the lawsuit filed against seven people at the Izmir 27th Criminal Court of First Instance on charges of “violating the Law on Meetings and Demonstrations”, “resisting to prevent duty” and “insulting a public official because of his

duty”, the court revoked the judicial measures of all defendants and adjourned the case to January 13, 2022.



### **51 students stand trial over protests at Boğaziçi University**

The first hearing of the lawsuit filed against 51 students, who were detained inside the campus and were released with judicial measures after the protest of Boğaziçi students against the trustee rector, was held at the Istanbul 49th

Criminal Court of First Instance. The court board gave up on removing the members of the press from the hearing room after the reactions and objections. Those taking place in the file as “complainants” stated that they were not "complaining". The case was adjourned to November 29.



### **Boğaziçi University students suspended from school**

New penalties have been added on top of the sentences issued against students, who participated in the protest organised on October 4 against the appointed rector of Boğaziçi University, Naci İnci. Upon İnci's request, the Disciplinary Committee of Boğaziçi University Faculty of Arts and Sciences suspended six

students from school for one week. Due to the protests that took place on October 4, two Boğaziçi University students, who were arrested upon İnci's complaint, have been in prison for more than 50 days, and 12 students are on trial under judicial measures and travel bans against them, with 13 students having been suspended...





### **Lawsuit against social media posts on Deniz Gezmiş**

A lawsuit was filed against Atatürkist Thought Association Samsun Branch President Işık Özkefeli and United Public-Labour Union Samsun Representative Onur Gündüz, who made posts on social media on the anniversary of the execution of Deniz Gezmiş, one of the

1968 Generation's revolutionary youth leaders. The first hearing of the lawsuit filed on the charge of "making propaganda for a terrorist organization" will be held at the Samsun 2nd Assize Court on December 2.



### **Shopkeeper detained over saying 'This is Kurdistan'**

Shopkeeper Hacı Tunç was detained after saying, "This is Kurdistan," to Turkey Change Party Chairman Mustafa Sarıgül during his visit to Van. Tunç was taken to the Anti-Terror Branch of the Provincial Security Directorate. The shopkeeper told Sarıgül, "The more language, the more happiness. Eastern culture

is different. Let's not forget the East. A friend of ours said, "This is Kurdistan" in Siirt. A thousand, two thousand years ago, it was Kurdistan here. It will still be Kurdistan. Let's not object to this. It is God who created us. Allah knows Kurdish, Turkish, Arabic and English." During the visit of İYİ Party Chair Meral Akşener in Siirt during the previous weeks, shopkeeper Cemil Taşkesen had also used the phrase, "The place you are in now is Kurdistan," and was detained for this reason.



### **Artist Genco Erkal stands trial**

The first hearing of the lawsuit filed against artist Genco Erkal was held on the charge of "insulting the President". The court adjourned the hearing to March 11, 2022 due to the inadequacy of the courtroom.



euros for non-pecuniary damages.

## ECHR rules rights violation decree for 427 lawyers

The European Court of Human Rights (ECtHR) ruled that the freedom and rights to security of 427 judges and prosecutors, who were dismissed with Statutory Decrees after July 15, were violated. According to the decree, each lawyer will be paid 5 thousand



## Journalist Acar released

Mesopotamia Agency reporter Emrullah Acar, who was detained in Urfa on November 19 on the allegation of "terrorist organisation membership" as part of an investigation conducted by the Malatya Chief Public Prosecutor's Office, was released by the court on the condition of judicial measures.



## Security Directorate takes legal action against 271 social media accounts

The Cyber Crimes Department of the Security General Directorate took legal action against 271 social media accounts with the allegation of "calling the public to the streets to incite hatred and hostility through the use of force and violence".



## Access ban against news on construction company imposing lien on IBB

120 news URLs related to MET-GÜN Construction and its owner Metin Güneş, who imposed a lien on the accounts of the Istanbul Metropolitan Municipality due to the debts remaining from the period when the Istanbul Metropolitan Municipality was governed by the Justice and Development Party (AKP),

were banned from access on the grounds of violation of personal rights.



### **New summaries against HDP MPs arrive at Parliament**

16 immunity summaries prepared against Parliament members, including Peoples' Democratic Party (HDP) Co-Chair Pervin Buldan and Democratic Regions Party (DBP) Co-Chair Saliha Aydeniz, were presented to the Presidency of the Grand National Assembly of

Turkey.



### **AYM rules rights violation decree on penalty against student over sharing news**

The Constitutional Court (AYM) decided that the right to education of Yıldız Technical University student Ahmet Batur, who was suspended from school for allegedly "harming the honor and dignity of higher education institution personnel" for sharing a news story

containing allegations about the university administration, was violated. The court further issued 5 thousand Turkish Liras of non-pecuniary damages to be paid to Batur. TL also decided to pay non-pecuniary damages.



### **Constitutional Court rules rights violation in penalty against "Call for Turkcell"**

The Constitutional Court ruled that the conviction of Ceyhun Tunç's on the charge of "unfair competition" for the phrase, "Dad, don't send me to E., end your relationship with T., don't support rapes," which he shared on social media, was a "violation of freedom of expression." The social media post was

referring to the sponsorship agreement between Turkcell and Ensar Foundation.



### **Constitutional Court rules rights violation in penalty against news coverage**

The Constitutional Court ruled that the conviction of journalist Arifhan Mehmet Kızılyalı on the charge of "slander" for his news article, titled, "Minister Gifts VIP Pool to his Wife" regarding Justice and Development Party (AKP) Parliament Member and former



Minister of Environment and Urbanisation İdris Güllüce, is a violation of freedom of expression and press freedom.



### **Lawsuit against Boğaziçi protests**

The prosecution of 36 students, who face charges due to protesting the appointed rector of Boğaziçi University, Melih Bulu, started at Istanbul Anatolian 48th Criminal Court of First Instance. The case was adjourned to March 2.



### **Journalist Fatih Gönül acquitted**

Journalist Fatih Gönül was acquitted of “armed terrorist organisation membership” and “making propaganda for a terrorist organisation” in the lawsuit filed against him.



### **Journalists acquitted, Prosecutor appeals**

Journalists Dilgeş Ruvanas and Kadri Esen, who were detained in February 2016 while following the news in Şırnak İdil and were prosecuted on charges of "terrorist organization membership" in Şırnak 1st Assize Court, were acquitted. The Prosecutor's Office appealed

against the decision. The file of journalist Ferzan Çotak, who was tried within the same case, has been separated.





## TRIALS OF FREEDOM OF EXPRESSION

<p><b><u>KCK Press Case</u></b></p> <p>The KCK Press Case with 46 journalists and media workers as defendants, charged with “terrorist organisation membership” since 2012...</p> <p><b>Court:</b> Istanbul 3rd Assize Court</p> <p><b>Verdict:</b> The case was adjourned to February 22.</p>	<p><b><u>Video-protester/documentary-maker Oktay İnce Case</u></b></p> <p>The lawsuit filed against video-protester and documentary-maker Oktay Ince on the charge of “insulting the President” in accordance with Article 299 of the Turkish Criminal Code...</p> <p><b>Court:</b> Izmir Kemalpaşa 1st Criminal Court of First Instance</p> <p><b>Verdict:</b> The court accepted the defense's request for additional time and adjourned the case to November 30.</p>
<p><b><u>Özgür Gündem Case</u></b></p> <p>The prosecution of 22 journalists, who were detained in the raid against Özgür Gündem Daily on allegations of "resisting to prevent duty" and "insulting"...</p> <p><b>Court:</b> Istanbul 5th Criminal Court of First Instance</p> <p><b>Verdict:</b> The case was adjourned to December 21.</p>	<p><b><u>KOU Students Case</u></b></p> <p>The case against 17 people, who were detained during the press release of Kocaeli University Student Solidarity to support the Boğaziçi University resistance...</p> <p><b>Court:</b> Kocaeli 5th Criminal Court of First Instance</p> <p><b>Verdict:</b> The case was adjourned.</p>
<p><b><u>Case Against Vice News Reporters</u></b></p> <p>The lawsuit filed against Vice News reporters Jake Hanrahan, Philip Pendlebury, Mohammed Ismael Rasool on charges of "violating the Law on the Prevention of the Financing of Terrorism", "wilfully aiding and abetting an armed terrorist organisation through membership", and "making propaganda for a terrorist organization"...</p> <p><b>Court:</b> Diyarbakır 8th Assize Court</p> <p><b>Verdict:</b> The court decided to wait for the response of the Turkish Ministry of Justice's letter to the UK, asking the statements of the journalists be taken by rogatory and adjourned the case to February 24.</p>	<p><b><u>Saturday Mothers Case</u></b></p> <p>The lawsuit filed against the Saturday Mothers on the charge of “violating the Law on Meetings and Demonstrations”...</p> <p><b>Court:</b> Istanbul 21st Criminal Court of First Instance</p> <p><b>Verdict:</b> The court denied the claim of recusation and all other requests. The court further issued warrants against some defendants, who were not present in the hearing, to be brought to the court by force, and adjourned the case to March 23, 2022.</p>

<p style="text-align: center;"><b><u>Deniz Yücel Case</u></b></p> <p>The lawsuit filed against journalist Deniz Yücel on charges of “publicly denigrating the Turkish Nation, the State of the Republic of Turkey” and “insulting the President”...</p> <p><b>Court:</b> Istanbul 2nd Criminal Court of First Instance</p> <p><b>Verdict:</b> The court decided to write a letter of rogatory to receive the statement of Yücel and adjourned the case to April 12, 2022.</p>	<p style="text-align: center;"><b><u>Kadıköy Boğaziçi Support Case</u></b></p> <p>The lawsuit filed against 23 people, who participated in the protest organised in Kadıköy on February 2 in support of the Boğaziçi University resistance, on charges of "violating the Law on Meetings and Demonstrations No. 2911" and “resisting to prevent duty”...</p> <p><b>Court:</b> Istanbul Anatolian 38th Criminal Court of First Instance</p> <p><b>Verdict:</b> The court issued for the judicial measures against the defendants to remain and adjourned the case to February 25,</p>
<p style="text-align: center;"><b><u>Gezi Park Case</u></b></p> <p>The lawsuit filed against 35 people, including arrested businessman and rights advocate Osman Kavala, Taksim Solidarity members and Beşiktaş Çarşı fan group members on charges related to the Gezi Park protests...</p> <p><b>Court:</b> Istanbul 13th Assize Court</p> <p><b>Verdict:</b> Kavala declared that he would no longer attend the hearings by stating that "there is no possibility of a fair trial." He was once again not released. The next hearing was scheduled for January 17.</p>	<p style="text-align: center;"><b><u>Istanbul Convention Protest Case</u></b></p> <p>The lawsuit filed against 33 women, who were detained during the protest against the withdrawal from the Istanbul Convention organised by the Ankara Women's Platform on August 12, 2020, on the charge of "violating the Law on Meetings and Demonstrations No. 2911”...</p> <p><b>Court:</b> Ankara 28th Criminal Court of First Instance</p> <p><b>Verdict:</b> The case was adjourned to March 23, 2022.</p>

### HEARINGS NEXT WEEK

<p style="text-align: center;"><b><u>Case Against Boğaziçi Protests</u></b></p> <p>The lawsuit filed against 51 students, who were detained on campus and released with judicial measures after the protest organized by Boğaziçi students against the trustee rector on February 1, on charges of "violating the Law No. 2911" and "depriving one of their liberty"...</p> <p><b>November 29, Monday at Istanbul 49th Criminal Court of First Instance</b></p>	<p style="text-align: center;"><b><u>Journalist Deniz Yücel Case</u></b></p> <p>The lawsuit filed against Die Welt reporter Deniz Yücel on the charge of “insulting a public official” based on a tweet he shared on February 20, 2019 regarding the “Gezi Park Indictment”...</p> <p><b>November 30, Tuesday at Istanbul 24th Criminal Court of First Instance</b></p>
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<p><b><u>Hakan Mazman Case</u></b></p> <p>The lawsuit filed against lawyer Hakan Mazman on the charge of “insulting the President” due to his social media posts...</p> <p><b>November 30, Tuesday at Iskenderun 2nd Criminal Court of First Instance</b></p>	<p><b><u>Reyhan Çapan Case</u></b></p> <p>The lawsuit filed against Reyhan Çapan, former Editor-in-Chief of Özgür Gündem, on charges of "propagandizing for an organization through the press" and "printing or publishing the statements of terrorist organizations", by combining 18 separate indictments against her...</p> <p><b>November 30, Tuesday at Istanbul 2nd Assize Court</b></p>
<p><b><u>Video-protester/documentary-maker Oktay İnce Case</u></b></p> <p>The lawsuit filed against video-protester and documentary-maker Oktay İnce on the charge of “insulting the President” in accordance with Article 299 of the Turkish Criminal Code...</p> <p><b>November 30, Tuesday at İzmir Kemalpaşa 1st Criminal Court of First Instance</b></p>	<p><b><u>Aziz Oruç, Ersin Çaksu Case</u></b></p> <p>The lawsuit filed against Aziz Oruç, Ersin Çaksu on charges of "publicly insulting the Turkish Nation, the State of the Republic of Turkey, the Grand National Assembly of Turkey, the government of the Republic of Turkey and the judicial organs of the state, the military or security organization of the state"...</p> <p><b>November 30, Tuesday at Istanbul 2nd Criminal Court of First Instance</b></p>
<p><b><u>Case Against “Bosphorus Leakage” News</u></b></p> <p>The lawsuit filed against Cumhuriyet Daily reporter Hazal Ocak, Editor-in-Chief Olcay Büyüктаş, Editor-in-Chief İpek Özbey and photo-journalist Vedat Arık on charges of “targeting those who took part in the fight against terrorism” and “violation of privacy” upon the complaint of Presidential Communications Director Fahrettin Altun due to the news article, titled "There is Leakage in the Bosphorus"...</p> <p><b>December 1, Wednesday at Istanbul 25th Assize Court</b></p>	<p><b><u>Case Against Social Media Post on Deniz Gezmiş</u></b></p> <p>The lawsuit filed against Atatürkist Thought Association Samsun Branch President Işık Özkefeli and United Public-Labour Samsun Representative Onur Gündüz on the allegation of "propagandizing for a terrorist organization" on the anniversary of the execution of Deniz Gezmiş, one of the 68th generation revolutionary youth leaders...</p> <p><b>December 2, Thursday at Samsun 2nd Assize Court</b></p>
<p><b><u>Newspaper Distributors Case</u></b></p> <p>The lawsuit filed against newspaper distributors Mikail Tunçdemir and Ferhat Duman on the charge of "willfully aiding a terrorist organization" and "propagandizing for a terrorist organization"...</p> <p><b>December 2, Thursday at Van 5th Assize Court</b></p>	<p><b><u>MEBYA-DER Case</u></b></p> <p>The lawsuit filed against 18 members and directors of the Association for Assistance and Solidarity with the Bereaved in the Cradle of Civilizations (MEBYA-DER) on the charge of "terrorist organization membership"...</p> <p><b>December 3, Friday at Van 3rd Assize Court</b></p>

*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).*