

# Think, think...



## Freedom of Expression Weekly Newsletter (Issue 27/22 - July 8, 2022)

### What happened last week?

- The gendarmerie opened fire against the minibus carrying immigrants in the Saray district of Van. Although the Van Governorate made a statement regarding the incident in which a 4-year-old child lost his life and 12 people were injured (three of whom seriously injured) and said that "the vehicle tried to escape and the gendarmerie targeted the wheels," eyewitnesses and representatives of non-governmental organizations report that the fire was opened against the entire vehicle.
- It was announced that 35 asylum seekers escaped from the temporary shelter center of the Migration Administration in Osmaniye. Immediately afterwards, images of a racist group going on a "manhunt" with sticks and cutting tools in their hands, appeared on social media and agencies.
- With the instruction sent to Istanbul and Izmir Metropolitan and District Municipalities, the Ministry of Interior imposed "the condition of obtaining permission from the Ministry of Foreign Affairs for meetings with foreign missions". The instruction was communicated after Istanbul Mayor Ekrem İmamoğlu made a statement to the Financial Times newspaper.
- The minimum wage was increased for the second time in the year for the first time in many years, and was announced as 5,500 TL with an increase of 29.3%. However, according to the data of the unions, the hunger limit is 6,391.17 TL.
- According to official data, inflation reached its highest level in 24 years in June, reaching 78.62% on an annual basis. According to the data of the Inflation Research Group (ENAG), formed by a group of academics, this rate is 175.55%... On the other hand, the depreciation of the Turkish Lira continues. According to Nureddin Nebati, the Minister of Treasury and Finance, "*the country's economy continues to grow,*" as the US Dollar exceeded the 17 TL level once again. President Erdoğan repeated the same promise this week and again asked for "patience"; "*Hopefully we will get inflation under control in February and March*".
- Working at Konya City Hospital, Dr. Ekrem Karakaya was murdered with an armed attack by a patient's relative. With the decision of the Turkish Medical Association (TTB), which stated that "*violence is increasing day by day, the government has neither given up on the language of violence that divides society, nor has it enacted an effective law on violence,*" health workers started a two-day strike. There are more than 80 cases of violence in healthcare in Turkey on average per day, and physicians continue to leave Turkey: TTB announced that 229 physicians in June and 1171 physicians in the last six months received certificates to leave the country.
- After the murder of lawyer Servet Bakırtaş in his office, bar associations decided not to attend hearings for 2 days, saying "*The defense is defending the defense*".
- COVID-19 cases in Turkey have increased 8 times since the beginning of June, according to official data. Experts emphasize the necessity of masks and the need to accelerate vaccinations.

- University graduation ceremonies continue to cause excitement to students and fear to administrators. Boğaziçi University Rectorate canceled the traditional graduation ceremony; Hacettepe University Faculty of Medicine Dean tried to take the honorary degree graduate down the podium after the student's words, "*administrators should stick to science, not politics*". The Middle East Technical University (METU) Rectorate also canceled the graduation ceremony traditionally held at Devrim Stadium every year "with fear of protest".
- The Monitoring Association for Equal Rights has published its report titled "The Quality of the Administrative Judiciary as an Effective Recourse for the Right to Meeting and Demonstration in Turkey". The data obtained in the report reveals that the judiciary, which does not make a right and freedom-oriented examination against prohibition decisions and has an approach that emphasizes the discretion of the administration, is not an effective remedy within the scope of violations of the right to assembly and demonstration.
- The Foundation for Social and Legal Studies published a report, evaluating the scope and risks created by the Law on the Prevention of the Financing of Weapons of Mass Destruction No. 7262, which has increased the pressure on the civil society that the government has targeted in recent years.
- The Press Advertisement Institute updated the "Ethical Principles of the Press", which was determined in 1994, after 28 years. Press organizations stated a broad censorship authority was issued with an arbitrary attitude and said, "*We reject the morality watchdog*". **Details in the newsletter.**
- According to the data compiled by bianet from monthly reports on the press and social media, men killed 32 women in June 2022. [Please click here](#) for details...
- According to the report of the Occupational Health and Safety Council, at least 842 workers lost their lives in the first six months of 2022 with work murders.



### **Lawsuit against journalists canan Coşkun and Barış Pehlivan**

Judge Akın Gürlek became the Deputy Minister of Justice after making a name for himself with his incomppliance with Constitutional Court decrees as well as the prison sentences issued against academics, journalists, opposition politicians and rights defenders. Gürlek filed a criminal complaint against journalists Canan Coşkun and Barış Pehlivan for their coverage of the DIAYDER indictment. A lawsuit was filed against the journalists with the allegation that they "disclosed and targeted those taking part in the fight against terrorism". The first hearing will be held on October 27 at the Istanbul 34th Assize Court.



### **Attack against Assoc. Dr. Koray Başar**

Former Turkish Psychiatric Association Chairman Assoc. Dr. Koray Başar was attacked after having been targeted in the media and social media due to his anti-discrimination work and his identity as a rights defender. The

two attackers, who battered Başar in front of his house, threatened him to stop working and advocating for LGBTQI+ individuals. The Turkish Medical Association, the Health and Social Service Workers' Union (SES) and the Turkish Psychiatric Association protested the attack by making a joint statement. In the statement, it was emphasized that Başar was exposed to a planned attack by an organized group due to the studies he carried out with his responsibility as a physician and scientist. It was stated, *“No matter how many threats and attacks we are under, we will be at work. We will not compromise on our scientific attitude, values and our identity as physicians.”*



### **Lawsuit against groom and guests after wedding**

The prosecutor found "terrorist organisation membership" at the wedding held on June 12 in Istanbul's Esenyurt district; a lawsuit was filed against the groom and 13 other people due to Kurdish songs sung with a shawl in yellow, red and green colours. The first hearing of the case

will be held at the Istanbul 28th Assize Court on September 21. 10 people, who were arrested together with the groom after the wedding, were charged with "terrorist organization membership" and "making propaganda for a terrorist organization." All three musicians performing at the wedding are also charged with "making propaganda for a terrorist organization".



### **Media blackout against news on physician's murder in hospital**

Konya 5th Criminal Court of Peace imposed a media blackout on the news about the murder of Cardiology Specialist Ekrem Karakaya as a result of an armed attack in Konya City Hospital on the grounds of "national security and public order". In other words, instead of

the murder of a doctor in the hospital, the reporting of the incident became a "national security" issue! At the request of the prosecutor's office, the same judiciary also imposed a "confidentiality order" on the investigation. Thus, the parties and their lawyers will not be able to examine the contents of the file and take samples from the documents.



### **DFG June 2022 rights violations against journalists report launched**

According to the June report of the Dicle Fırat Journalists Association on rights violations against journalists; 35 journalists were detained, 16 of them were arrested. In the one-month period, 27 journalists faced investigations, 5 journalists were prosecuted,

and 16 journalists were convicted in the resulting lawsuits. According to the data of the association, 4 media blackouts were issued in June, and access to 12 news was blocked. You can find the full report at [diclefiratgazeteciler.org](http://diclefiratgazeteciler.org). [Please click here](#) for the full report.



## RTÜK penalties

The Radio and Television Supreme Council (RTÜK) penalized Halk TV once again due to broadcasting the statement of Republican People's Party (CHP) Chairman Kemal Kılıçdaroğlu within the news on the penalty of the council against KRT TV, Halk TV, TELE 1

and Flash TV after they broadcasted the statements of Kılıçdaroğlu on money transactions made to the U.S. through the Ensar Foundation and TÜRGEV. The channel was also fined and suspended three times for the expression "Mister" used for Abdullah Öcalan in the program used by show guest Peoples' Democratic Party (HDP) Parliament member Mehmet Tiryaki. On the other hand, TELE 1 channel was fined for criticizing the Radio and Television Supreme Council (RTÜK).



## RTÜK penalty against Mabel Matiz' music video

The music video of artist Mabel Matiz for his new song, titled "Karakol" ["Police Station"] was targeted with discourses such as "it encourages LGBTQI+ activities", "an LGBTQI+ music video was shot" and then it was banned by the Radio and Television Supreme Council (RTÜK). RTÜK member

İlhan Taşçı said that the board called all music channels, pressured them not to broadcast the clip, "showing them a stick under a cloak". The musician, who has been targeted many times before for his open support for LGBTQI+ rights, published a statement after the ban with the title, "I am crying but with joy"; and stated, "I sincerely thank you for embracing Karakol so beautifully and sincerely. We have many more stories to tell. Everything about people and life has found a place in my songs and music so far; and will continue to do so. Let us insist and continue to express all the states of love and humanity, holding hands. Everything passes, life and songs remain..."



## "Dargeçit JITEM Case" concludes with impunity

The lawsuit filed against 18 people, including former Mardin Gendarmerie Commando Battalion Commander Hurşit İmren, Dargeçit District Gendarmerie Commander Mehmet Tire, Dargeçit Central Gendarmerie Station Commander Mahmut Yılmaz, regarding the

disappearance of 7 civilians, including three children, under custody, together with Specialized Sergeant Bilal Batır, in Dargeçit district of Mardin between October 1995 and March 1996, resulted in impunity. The Adıyaman 1st Assize Court "couldn't find any evidence"(!) and issued a verdict of acquittal.



### **Press Ad Institute updates “ethical principles”**

The Press Ad Institute changed the ‘General Assembly Decree on the Ethical Principles of the Press’, dated November 18, 1994. Now, along with the newspapers that publish official advertisements, the websites and social media accounts of these newspapers are also obliged to comply with the Press Ethics Principles. The principle of “No broadcasts can be made to praise the crime and the criminal, incite the people to hatred or enmity”, which was not included in the old text, has been added to the new text. In addition, the principles, "No broadcasts can be made to destroy the family structure, which is the foundation of society, and against the protection of the family" and "No broadcasts can be made to weaken the common national and moral values of Turkish society" were added in the new text. The principle, “No broadcasts can be made to encourage terrorism” was extended to “Information and visuals about terrorist organizations, their members and events cannot be included in a way that would legitimize these organizations”.



### **Journalists’ statement for arrested colleagues prevented**

detained.

The press statement organised by the Dicle Fırat Journalists Association and Mesopotamia Women Journalists Platform to release 16 colleagues arrested on July 16 in Ankara Ulus was prevented by the police. After the police intervention, journalists Deniz Nazlım, Sibel Yüklér and Yıldız Tar were beaten and



### **Investigation against HDP congress**

that "propaganda was made for a terrorist organisation” with the slogans chanted at the congress. 14 people were detained as part of the investigation.

Ankara Chief Public Prosecutor's Office launched an investigation into the 5th Ordinary Grand Congress held by the Peoples' Democratic Party (HDP) in Ankara with the slogan "We have the solution". In the statement made by the Prosecutor's office, it was claimed



### **Intervention against Pride Parades in Ankara and Eskişehir**

The police attacked the Ankara 2nd Pride Parade to be held in Kuğulu Park after the Governorate’s ban decree; 46 LGBTQI+ activists were beaten and detained. The police attacked the Pride Parade in Eskişehir, citing

the ban issued by the Governorate. 10 LGBTQI+ activists were detained.



### **Police violence against health workers marching for murdered colleagues**

The police prevented the health workers, who protested the murder of Cardiology Specialist Ekrem Karakaya in Konya City Hospital, from gathering in front of the Istanbul Medical Faculty in Çapa and from walking in front of the Provincial Health Directorate, and a

barricade was set up in front of the mass. A police officer fainted during the brawl while the police were intervening the health workers with tear gas. Doctors who were exposed to police violence gave first aid to the police officer.



### **Lawsuit against Sur Co-Mayor**

The prosecution of Diyarbakır Sur District Co-Mayor Filiz Buluttekin, who was dismissed and replaced by a trustee and was one of the 11 people arrested as part of the operation against women of non-governmental organizations and union leaders in Diyarbakır last March, started at the Diyarbakır 4th Assize Court. The next

hearing of Buluttekin, who is charged with "terrorist organization membership", will be held on September 29.



### **Protest ban in Hakkari**

The Hakkari Governorate issued another protest ban. All kinds of protests and events such as demonstrations, marches, concerts, theaters throughout the city were banned for 15 days until July 17. The reasons are always the same; "protection of national security and

public order", "prevention of the spread of the COVID-19 pandemic".



### **Journalist Ali Ergün Demirhan acquitted**

The lawsuit filed against journalist Ali Ergün Demirhan, who was accused of "insulting the President" due to his social media post in which he criticized Turkey's policy on Syria, resulted in acquittal at the Istanbul 55th Criminal Court of First Instance.



### **Access block against news on district governor**

The Niğde Criminal Judicature of Peace has imposed an access block on the news published on the sendika.org website about the allegation that Ahmet Arık, who continues his duty as the Deputy Governor of Niğde, sexually assaulted a woman while he was serving as the district

governor in the Kadirli district of Osmaniye.



### **Constitutional Court finds “no evidence” in murder case of civilians during curfew**

The Constitutional Court decided that there was no violation of rights in the application regarding those who lost their lives during the curfews in Cizre. The curfew declared on December 14, 2015 in Cizre, Şırnak, lasted for 79 days and 11 neighborhoods of the district with a population of 131 thousand were

completely closed to entrances and exits. In the meantime, Cudi, Nur, Sur and Yafes neighborhoods were hit by artillery shells. According to the reports of human rights organizations, 288 people lost their lives throughout the province, while many injured people lost their lives because they could not be taken to the hospital and the ambulance did not go where they were due to the curfew. 177 of those died were killed on February 7, 2016 in the basements of the houses they took shelter in. In the prepared reports, there was information that the people who died in the basements were first killed with firearms and then burned.



## **TRIALS OF FREEDOM OF EXPRESSION**

### **Case Against Boğaziçi Protests**

The lawsuit filed against 52 Boğaziçi University students on charges of “violating the Law on Meetings and Demonstrations No. 2911” and “depriving one of their freedom”...

**Court:** Istanbul 49th Criminal Court of First Instance

**Verdict:** The university worker took part in the file as “victim” and stated, “I wasn’t a complainant but my name was written. Nobody deprived us of our freedom in any way.” The next hearing was scheduled for December 12.

### **Case Against Union Executives**

The lawsuit filed against the Health and Social Services Workers’ Union (SES) Co-Chair and 8 union executives on charges of “terrorist organisation membership” and “making propaganda for a terrorist organisation”...

**Court:** Ankara 22nd Assize Court

**Verdict:** The tribunal denied the request for release of former union Co-Chair Gönül Erden, who has been arrested within the case since September. The tribunal further issued the arrest of SES Co-Chair Selma Atabey. The next hearing was scheduled for October 3.

<p style="text-align: center;"><b><u>Nurcan Yalçın Case</u></b></p> <p>The lawsuit filed against journalist Nurcan Yalçın on charge of “wilfully aiding and abetting a terrorist organisation” due to the interviews she made during the curfews in Sur district of Diyarbakır...</p> <p><b>Court:</b> Diyarbakır 5th Assize Court  <b>Verdict:</b> The Prosecutor’s Office claimed that the journalist has conducted the interviews “in order to provide moral support to a terrorist organisation” and requested an imprisonment sentence for up to 15 years. The next hearing was scheduled for September 22.</p>	<p style="text-align: center;"><b><u>Sırrı Süreyya Önder Case</u></b></p> <p>The lawsuit filed against former Peoples’ Democratic Party (HDP) MP Sırrı Süreyya Önder on the charge of “denigrating the state” (in accordance with Article 301 of the Turkish Criminal Code) due to his speech during the protest on the arrest of HDP MPs as well as his expressions during a testimony within an investigation launched against him...</p> <p><b>Court:</b> Diyarbakır 4th Criminal Court of First Instance  <b>Verdict:</b> In the opinion on the basis of the file, the Prosecutor’s Office requested for the penalisation of Önder. The next hearing was scheduled for September 21.</p>
<p style="text-align: center;"><b><u>Case Against Banner</u></b></p> <p>The lawsuit filed against 4 Peoples’ Democratic Party (HDP) members, including Van Provincial Co-Chair and İpekyolu District Co-Chair on the charge of “public incitement to hatred and enmity” due to the banner hung on the Van İpekyolu district building of the HDP in order to reprimand the massacre of seven people from the same family in Konya with a racist attack...</p> <p><b>Court:</b> Van 4th Criminal Court of First Instance  <b>Verdict:</b> Presenting the opinion on the basis of the file, the Prosecutor requested the penalisation of the defendants. The next hearing was scheduled for December 27.</p>	

### **HEARINGS NEXT WEEK**

\* There are no hearings for the cases we are following next week due to the judicial recess.