

# Think, think...



## Freedom of Expression Weekly Newsletter (Issue 34/22- September 2, 2022)

### What happened last week?

- Asking for "patience" from the citizens as new price increases are announced every day, President Erdoğan repeated the claim that "The shelves of the markets in Europe are empty". Erdoğan further claimed that there is no unemployment in Turkey. "They say without shame that there is unemployment. What unemployment?" Erdoğan said.
- According to Turkish Labour Union data, in August, the "hunger limit" for a family of 4 was 6,889 TL, and the "poverty limit" was 22,442 TL.
- According to Turkish Statistical Institute data, the economy grew by 7.6% in the second quarter of the year. But the same data also revealed impoverished growth. The share of labor payments in national income decreased from 38% to 25% in the last two years.
- According to the data of the Istanbul Chamber of Commerce, the inflation in Istanbul was 99.91% in August.
- With the new disclosures made by criminal organization leader Sedat Peker, a new network of corruption, bribery and manipulation has emerged, ranging from deputies to bureaucrats, from the President's advisers to the "Palace". Peker also shared various WhatsApp chats, videos and documents as evidence.
- Speaking at the opening of the 2022-2023 Judicial Session, Erdoğan repeated his call for a new constitution, arguing that the European Court of Human Rights (ECtHR) decrees were 'political' rather than in accordance with justice. Erdoğan further heralded that the improvement in the justice system, which he still has not made with dozens of judicial packages and action plans, will be made in the coming period!
- According to Nationalist Movement Party (MHP) leader Bahçeli, the junior partner of the government, who said, "It is imperative that social media be monitored," limiting social media is a matter of life and death for "national unity and security".
- Interior Minister Süleyman Soylu continued his hate speech against LGBTQI+s this week as well. Soylu claimed that LGBTQI+s are an attack against the Turkish economy.
- The number of files at the Grand National Assembly of Turkey regarding the lifting of Parliamentary immunity of Parliament members reached 1,691. The highest number of immunity files against Parliament members in the history of the Parliament were prepared in the current period. Of all files, 1231 are against the Peoples' Democratic Party (HDP) members, 272 against the Republican People's Party (CHP) members and 77 against the Democratic Regions Party (DBP) members.
- Osman Kavala, who was sentenced to aggravated life imprisonment in the Gezi Park Case and has been arrested for 58 months, stated that they complained to the Council of Judges and Prosecutors (HSK) for the second time against the prosecutor who prepared the indictment, and stated that the accusation of espionage against them was pure fiction.

- The UK-based international news agency Reuters reported that, in its research examining the power and media relations in Turkey, they had access to screenshots showing that the officials affiliated to Erdoğan's head of communications, Fahrettin Altun, regularly send directives to news centers of press organizations regarding news about the government.
- The bones of Hakan Arslan, who lost his life in clashes during the curfew declared on December 2, 2015 in Diyarbakır's Sur district, were delivered to his father in a bag after 7 years. After the incidents, Diyarbakır Bar Association filed a criminal complaint, emphasizing that fundamental rights and freedoms such as respect for personal memory and the right to be buried were violated.
- Greek journalist Evangelos Areteos announced that he was deported from Turkey. Areteos said, "I cannot understand the decision of the Turkish authorities, it is something that deeply saddens me and makes me feel like an exile." Reporters Without Borders (RSF) Turkey Representative Erol Önderoğlu said: "The deportation of Areteos from Turkey, where he has lived for many years, sadly points to the threshold at which the authorities' intolerance of criticism has reached." The Committee for the Protection of Journalists (CPJ), which stated that the journalist was detained at the airport for about seven hours and was given a document stating that he could not enter Turkey due to the protection of "public order", also called on the Turkish authorities to allow the journalist to work freely and to ensure that political issues do not affect the admission of journalists in the country.
- Amnesty International has prepared a report on the situation of Afghans fleeing their country to the border of Iran and Turkey. The report accused Iranian and Turkish security forces of unlawfully sending Afghans back and using violence.



#### **Another investigation against Emine Şenyaşar**

Another investigation was launched against Emine Şenyaşar, who lost her husband and two sons as a result of the attack by the bodyguard and relatives of Justice and Development Party (AKP) Parliament member İbrahim Halil Yıldız on June 14, 2018 in the Suruç district of

Urfa, and has been holding a "Justice Watch" in front of the Urfa Courthouse for 541 days. In the investigation launched against her, Şenyaşar is accused of "insulting" Yıldız on the grounds of the words she used during the 529th day of the vigil. Ten of the investigations launched against the Şenyaşar family were opened with allegations of "insult", 6 of them "violating the Law No. 2911", 2 of them "resisting to prevent duty" and 2 of them for "insulting Turkish state institutions and bodies". During this period, 4 of the investigations initiated against Emine Şenyaşar turned into lawsuits.



#### **Investigation against Celal Şengör over "insulting religious values"**

An investigation was launched against Prof. Celal Şengör, who stated that prophets such as Abraham and Moses did not actually exist, on the allegation of "insulting religious values."

Şengör has said, “They are all fairy tales. It is not known that a man named İbrahim lived... All these people did not even exist. All of these are actually what’s called those three holy books... No, but this important Syrian religious tradition is a sub-branch derived from the Mesopotamian religious tradition. What we call the Abrahamic religions today - Judaism, Christianity, then Islam - in Judaism, they call Moses the prophet. History never knew such a man. No such name. There is a famous exodus from Egypt in the book of the Jews. But in fact, there is no such thing.” It was learned that the prosecutor who conducted the investigation was Türkşad Kunthan Uçuk, who has also previously led artist Gülşen to arrest for "public incitement to hatred and enmity".



### **Tradesman detained over press statement**

A tradesman named Oktay Avcu, who wanted to make a press statement by wearing a vest with the words, "This is an Erdoğan robbery", was detained in Mersin. Avcu wanted to protest the repayment calculation of 116 thousand liras for the 44 thousand lira loan he took from the PTT Bank. The police stopped Avcu before he came to the front of the PTT building where he

would make a press statement, and confiscated his vest and press statement texts. Avcu had previously declared that the government went bankrupt due to wrong economic policies and the economic crisis, and was detained while trying to hang banners criticizing the President in his workplace, and a lawsuit has been filed against him for 'insulting the President'.



### **Lawsuit against journalists over following news**

A lawsuit was filed against Jinnews reporter Rozerin Gültekin and Mesopotamia Agency reporter Ergin Çağlar, who were detained while following the Gemlik March against the isolation against Abdullah Öcalan in Bursa, on charges of "organizing, directing and participating in illegal meetings and

demonstrations marches No. 2911". Çağlar's first hearing was on December 6 at the Bursa 29th Criminal Court of First Instance; Gültekin's first hearing will be held at İzmir Seferihisar Criminal Court of First Instance on October 25.



### **Lawsuit against “Enes Kara” protest**

A lawsuit was filed against 83 people, including Yeni Yaşam Daily reporter Yadigar Aygün and Yeni Demokrat Daily reporter Tuba Apaydın, who were detained in the protest action held in Taksim on January 14, 2022 for university student Enes Kara, who ended his life due to the pressures he experienced in the community dormitory. The case was filed at the

Istanbul 25th Criminal Court of First Instance.





### **Saturday Mothers detained**

The police intervened in the press statement of the Istanbul Branch of the Saturday Mothers and Human Rights Association (IHD) Commission Against Disappearances in Altınşehir Cemetery for the August 30, International Day of Enforced Disappearances. 14 people, including relatives of the disappeared, were detained.



### **Gülşen released on house arrest, faces 3-year imprisonment**

Singer Gülşen, who was arrested on charges of "public incitement to hatred, enmity and denigration" by being targeted because of the words she said while joking with her friend on stage, was released with a verdict of "house arrest". An indictment was prepared against

Gülşen, with a demand for a prison sentence of up to 3 years.



### **Private sector teachers detained over demanding rights**

The police did not allow the members of the Private Sector Teachers' Union to make a statement in Ankara about the right to a base salary and their basic demands. The police intervened against the group with tear gas; 9 people were detained. The Minister of National Education called the harsh intervention of the police "manipulation" to the teachers who

protested for their rights. The Interior Minister targeted a teacher who had been detained. This time, Erdoğan called the teachers, who protested for their rights, "looters".



### **10 detained during "Justice Watch"**

Relatives of detainees, who came together in Mecidiyeköy for the "Justice Watch" protest held every week in Istanbul to draw attention to the situation of the ill prisoners, were prevented by the police. 10 people were detained.



### **ETHA reporter detained**

Etkin News Agency (ETHA) reporter Elif Bayburt was detained before the press conference organized by the Socialist Party of the Oppressed (ESP), within the scope of a lawsuit filed against her with the charge of "violating the Law No. 2911" for a protest she participated in in 2021.



### **Peace mothers detained on September 1**

Peace Mothers and their relatives made a statement in front of the Dolmabahçe Palace in Beşiktaş, where the Dolmabahçe Convention was read during the dialogue process in 2015, on the occasion of September 1, World Peace Day. The police demanded that the mothers who called for peace leave the area, citing that

it is banned to make a statement. The police, who took those who came to make a statement under blockade; detained 3 Peace Mothers.



### **Police intervention against Halk TV reporter**

Halk TV reporter Erdiñç Yılmaz and cameraman Murat Kibar, who were present to report in the Tokatköy District of Beykoz district of Istanbul, where the demolition of houses within the scope of urban transformation and the police blockade continued despite a court decree against it,

were prevented from filming by the Justice and Development Party (AKP) municipality. The two journalists were beaten and removed from the area. Citizens who did not want to leave their homes were also detained.



### **Police threatens journalists with gun**

The journalists who followed the marching crowd after the September 1, World Peace Day rally held by the Peoples' Democratic Party (HDP) in Van were beaten by the police. A plainclothes policeman threatened Mesopotamia Agency (MA) reporter Berivan Kutlu and JINNEWS reporter Zelal Tunç with death. Pulling a gun, the police threatened the

journalists, "I will shoot you, no one will be able to find you".





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### **Ilkay Akkaya concerts anned in Adana and Mardin**

The concert by artist Ilkay Akkaya, which was planned to be held in Ceyhan district of Adana on August 30 during the "Victory Day" events of the municipality, was banned by the Ceyhan District Governorate on the grounds of "protection of public order and security". Another ban against the artist, who was targeted by the pro-government Yeni Şafak

Daily, came from Mardin. The Mardin Governorate used the claim that "there is someone in the organizing team who carries out activities that praise a terrorist organization" as an excuse for the ban.



### **Protest bans in Mardin and Hakkari**

The Mardin and Hakkari Governorates banned all kinds of protests and demonstrations, press statements and distribution of leaflets for 15 days as of September 1. In both provinces, the bans have been maintained for more than 3 years without interruption, with the decrees announced by the governorship for various

periods. The reasons for the ban are always the same; "protection of the integrity of the state, national security..."



### **Access blocks of the week**

- The video of Justice and Development Party (AKP) Erzurum Parliament Member Zehra Taşkesenlioğlu, who was mentioned in the bribery allegations published by criminal organization leader Sedat Peker, and the related news, were blocked from access by the Ankara 1st Criminal Judicature of Peace on the

grounds of violation of personal rights. Dozens of news stories about Taşkesenlioğlu had

previously been censored by the Ankara Gölbaşı Criminal Judicature of Peace with the decrees issued on August 19, 25 and 26.

- Access to the content on website Ekşi Sözlük, titled ,“Note written by Tansu Çiller in the Anıtkabir Special Notebook” was blocked from access with a decree issued by the Istanbul 10th Criminal Judicature of Peace. The content in question included a newspaper clipping of the news that emphasized the typos in the article written by former Prime Minister Tansu Çiller in the Anıtkabir’s Special Notebook. “Violation of personal rights” was presented as the reason for the ban decision.

- The Ankara 1st Criminal Judicature of Peace imposed a blockade on the article titled "Economist Erdoğan" by Kısa Dalga writer Sedat Bozkurt, upon the application of President Erdoğan's Executive Assistant Hasan Doğan. In the article in question, it was stated that Erdoğan made decisions on the economy on his own without consulting anyone, and it was stated that Doğan warned those who would meet Erdoğan not to express their opinions that the President would not like.

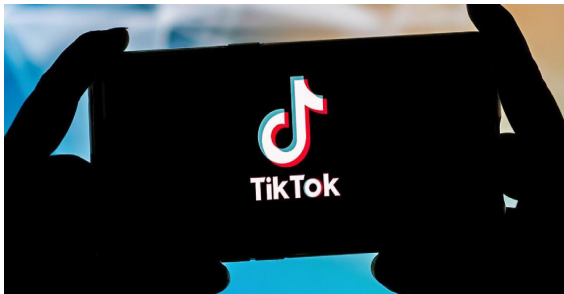
- Social media platform Twitter has started to inform users of the decision to block access to 130 accounts taken in 2020 at the request of the Presidency. "No action has been taken, but we may have to take action in the future," said the email Twitter sent to users. In May 2020, the Ankara 3rd Criminal Judicature of Peace ruled that 130 Twitter accounts be blocked from access, citing the "protection of national security and public order".



### **Twitter’s transparency report**

Twitter has released its transparency report for the period July-December 2021, showing content removal requests from governments. According to the report, Turkey ranked fourth after Japan, Russia and South Korea among the countries with the highest number of legal "content removal" requests by official authorities. In the said period, Turkey requested

4,284 separate content removal requests against 8,496 accounts. It was further stated that 540 tweets and 62 accounts were blocked from access. Compared to the first half of 2021, there was a 24% increase in removal requests from Turkey and a double increase in the number of tweets and accounts blocked. On the other hand, after India, Turkey is the second country with the highest number of requests to block journalists from Twitter.



### **Turkey has world’s highest TikTok account closure requests**

TikTok has released its report, revealing content removal requests for the period from July to December of 2021. According to the report, Turkey is the country with the highest number of account closure requests in the world, also ranking second in terms of content

removal requests. According to the report, as a result of the requests received from Turkey, 170 content was removed, and with this data, Turkey became the third country in the world that removed the most content.



### **Constitutional Court decrees**

- The Constitutional Court found it unconstitutional to prevent the Confederation of Public Workers' Unions from making a press statement on the collective bargaining agreement in Ankara on August 3, 2015, on the grounds that it did not obtain permission and

was outside the scope of demonstrations determined by the Governorate. Emphasizing that "everyone has the right to organize unarmed and peaceful meetings and demonstrations without prior permission" in the Constitution, the Supreme Court ruled that police intervention violated the prohibition of torture and the right to hold meetings and demonstrations.

- The Constitutional Court has ruled that the administrative fine given to teacher Ramazan Sümer on the charge of "acting against order" within the Governorate's protest ban after he participated in the press statement to protest the sexual harassment incident in the state hospital in Ergani district of Diyarbakır on June 30, 2017, was a violation of the right to organize peaceful meetings and demonstrations.

- The Constitutional Court rules that the disciplinary penalty issued against Konya Selçuk University Lecturer Dr. Hasan Mor was a violation of freedom of expression and issued 13,500 TL to be paid to him in compensation. Dr. Mor had been penalised for allegedly engaging in political issues in lectures, speaking against state officials, using humiliating statements about the President and his wife, and slandering on social media.

- The Constitutional Court has ruled that the disciplinary penalty issued against the university student after hanging a poster about Ali İsmail Korkmaz, who was beaten to death during the Gezi Park protests, was a 'violation of freedom of expression'.



### **Nol-pros in investigation against journalist Öznur Değer**

The investigation launched by the Mardin Chief Public Prosecutor's Office against JinNews reporter Öznur Değer on the grounds of her social media posts with the allegation of "making propaganda for a terrorist organization" resulted in non-prosecution. As part of the investigation, the journalist was

charged with the photos she took at the Democratic Regions Party (DBP) congress as well as at the Newroz celebrations in Van's Erciş district.



### **Prevention against music band over "lawsuit of insulting Erdoğan"**

Balıkesir Burhaniye District Governorate did not allow two members of the Community Houses Music Ensemble to take the stage at the concert held on the occasion of the September 1, World Peace Day, on the grounds that there



was a lawsuit against them for "insulting Erdoğan".



### **District Governorate bans alcohol sale at festival**

Bursa Nilüfer District Governorate has banned the sale of alcohol and "camping for overnight stays" at the Nilüfer Music Festival, which will be held for the sixth time this year.



### **TRIALS OF FREEDOM OF EXPRESSION**

#### **Lawsuit against 3 Rights Advocates**

The lawsuit filed against three women's rights advocates, who were among those detained during the protest organized in Izmir on February 3, 2021 regarding the trustee appointment to Boğaziçi University, on the charge of "insulting the President"...

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

**Verdict:** The next hearing was scheduled for October 7.

### **HEARINGS NEXT WEEK**

<p><b><u>Fatin Kanat Case</u></b></p> <p>The lawsuit filed against Human Rights Association (IHD) Ankara Co-Chair Fatin Kanat on the charge of "making propaganda for a terrorist organisation"...</p> <p><b>September 6, Tuesday at Ankara 25th Assize Court</b></p>	<p><b><u>Efkan Bolaç Case</u></b></p> <p>The lawsuit filed against attorney Efkan Bolan on the charge of "insulting the President" for sharing a cartoon by Carlos Latuff...</p> <p><b>September 6, Tuesday at Istanbul 52nd Criminal Court of First Instance</b></p>
<p><b><u>Abdullah Kaya Case</u></b></p> <p>The lawsuit filed against previously shut-down Dicle News Agency (DIHA) Ağrı reporter Abdullah Kaya on charges of "terrorist organisation membership" and "propaganda" due to his journalistic activities and social media posts...</p> <p><b>September 6, Tuesday at Ağrı 2nd Assize Court</b></p>	<p><b><u>Contemporary Lawyers Association Case</u></b></p> <p>The lawsuit filed against 22 lawyers, 4 of whom arrested including Contemporary Lawyers Association (ÇHD) Chairman Selçuk Kozağaçlı, on the charge of "terrorist organisation membership or managing a terrorist organisation"...</p> <p><b>September 7, Wednesday at Istanbul 18th Assize Court</b></p>

<p><b><u>Rafet Fahri Semizoğlu Case</u></b></p> <p>The lawsuit filed against Human Rights Association (IHD) Balıkesir Co-Chair Rafet Fahri Semizoğlu on the charge of “providing financial aid to a terrorist organisation”...</p> <p><b>September 8, Thursday at Balıkesir 2nd Assize Court</b></p>	<p><b><u>MA Reporters Case</u></b></p> <p>The lawsuit filed against Mesopotamia Agency reporters Sadiye Eser and Sadık Topaloğlu on the charge of “terrorist organisation membership”...</p> <p><b>September 8, Thursday at Istanbul 22nd Assize Court</b></p>
<p><b><u>Mehmet Emin Kurnaz Case</u></b></p> <p>The lawsuit filed against BirGün Daily’s politics editor Mehmet Emin Kurnaz on charges of “insulting the President” and “insulting a public official”...</p> <p><b>September 8, Thursday at Istanbul 2nd Criminal Court of First Instance</b></p>	<p><b><u>Ziya Çiçekçi Case</u></b></p> <p>The lawsuit filed against journalist Ziya Çiçekçi on the charge of “making propaganda for a terrorist organisation” due to the posts made by the social media account of Yeni Özgür Politika Daily...</p> <p><b>September 9, Friday at Istanbul 33rd Assize Court</b></p>