

Think, think...

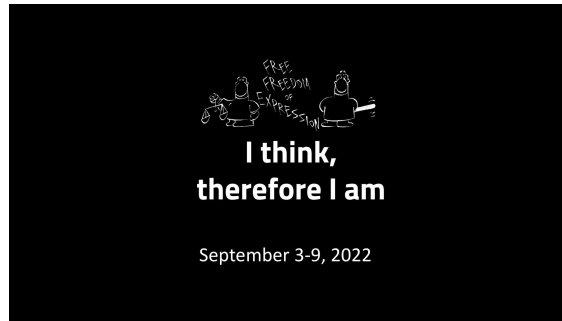


Freedom of Expression Weekly Newsletter (Issue 35/22 - September 9, 2022)

What happened last week?

- The Turkish Statistical Institute calculated the annual inflation as 80.21% and ENAG, which was formed by academics, calculated the same inflation as 181.37%. Despite the inflation data that reached the peak of the last 24 years, Minister of Treasury and Finance Nureddin Nebati said, *"We will witness the deceleration of inflation even further in the coming months. The inflation data announced for August also supports our projections. We will drive high inflation out of these lands, never to return."*
- Peoples' Democratic Party (HDP) Diyarbakır MP Semra Güzel, who was detained in Istanbul the previous day after her immunity was lifted, was arrested.
- It has been revealed that the General Directorate of Security has tagged 20 journalists, including Journalists' Union of Turkey (TGS) Chairman Gökhan Durmuş and Dicle Fırat Journalists' Association (DFG) Co-Chair Dicle Müftüoğlu. [Please click here](#) for details.
- Parliamentary Human Rights Investigation Commission Chairman Hakan Çavuşoğlu met with the United Nations (UN) Subcommittee on the Prevention of Torture. He claimed that there was no torture in Turkey despite the images of torture in prisons, police stations and on the streets.
- Istanbul 10th Criminal Judge of Peace Furkan Bilgehan Ertem, who issued the arrest decrees for businessperson Osman Kavala and journalist Sedef Kabaş, was appointed to Bitlis and promoted as the Chief Judge of the Assize Court. Ertem, who was promoted from lawyer to judge in 2018, was previously made a criminal judge of peace by the Council of Judges and Prosecutors (HSK) even though he did not meet the 4-year seniority requirement.
- Karaburun Public Prosecutor Muhammet Miraç Yılmaz and his wife Karaburun Criminal Court of First Instance judge Cansu Kurucu Yılmaz, were exiled to Siverek district of Şanlıurfa by a midnight decree after they issued a decree to send Nationalist Movement Party (MHP) Karaburun District Chairperson Erkan Özen to the court on duty after he allegedly battered the witness of the case, two other people and threatened the judge and the prosecutor of a case by raiding the courthouse during a trial in İzmir's Karaburun Courthouse with a request for his arrest.
- New ones are added to the festivals and concerts banned by the civil administration in Turkey every day. Culture and Tourism Minister Mehmet Nuri Ersoy said, *"We will spread our enthusiasm for culture and arts all over Turkey in waves."*
- The Venice Film Festival's 2022 Women in Cinema Award (WICA) was dedicated to Çiğdem Mater, who was imprisoned as part of the Gezi Park Case.
- Despite the pilot decree of the Constitutional Court stating that access blocks are a violation of freedom of the press, at least 1337 news articles have been censored by the Judicatures of Peace since January.

- Radio and Television Supreme Council (RTÜK) Chairman Ebubekir Şahin requested that the announcement of the anti-LGBTQI rally, containing homophobic hatred, be broadcast as a "public service" on television and radio.
 - Boğaziçi University Archive and Documentation Center building was evacuated by the decision of the university's trustee management. The head of the centre, Prof. Dr. Cengiz Kırılı was also dismissed from his position.
 - Opposing plans and practices that lead to unhealthy and irregular urbanization and known for her legal fight against rent and plunder-oriented policies, Chamber of Architects Ankara Branch President Tezcan Karakuş Candan was "resigned from civil service" by the Ministry of Interior and was dismissed from her position at Çankaya Municipality. [Please click here](#) for details.
 - A21-year-old Adem Kara, who allegedly "escaped" from the police in the Midyat district of Mardin, died as a result of the fire opened by the police. Mardin Governor Mahmut Demirtaş, who defended the murder of Ali Al Hemdan by the police as an "accident" when he was the Governor of Adana, made a similar statement regarding the murder of Kara; "The police officer has tripped," he said.
 - On the 255th day of his protest, a decision was made to defer the execution of Gökhan Yıldırım, who is on a death fast demanding fair trial. Yıldırım was released.
 - According to the data bianet has compiled from local and national newspapers, news websites and agencies; men killed at least 31 women and 7 children in August. [Please click here](#) for details.
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Our weekly video program "[COGITO ERGO SUM](#)", in which we follow the agenda of freedom of thought and expression, is on our [YouTube channel](#) every week...

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



Case against news on citizens thrown off helicopter

A lawsuit was filed against Mesopotamia Agency owner Ferhat Çelik and Jiyan TV owner Idris Yayla. Mesopotamia Agency has previously announced that the prosecutor ordering the detainment of two citizens, who were tortured and were thrown off a helicopter

in Çatak district of Van was the same prosecutor as the one ordering the detainment of the journalists, who revealed the incident. The news in question was also shared by Jiyan TV. The journalists were charged with "targeting those who took part in the fight against

terrorism” and the first hearing of the case will be held on November 22 at the Van 2nd Assize Court.



Lawsuit against March 8 demonstration in Urfa

The first hearing of the lawsuit filed against 20 people, including 18 women, who were detained as a result of the police intervention against the March 8 International Women's Day march held in Urfa in 2017, was held at the Urfa 2nd Criminal Court of First Instance. Two of the defendants, who were accused of

"violating the Law on Meetings and Demonstrations No. 2911" on the grounds that the Governorate had previously imposed a protest ban, are also charged with "insulting a public official in a chain of ways". The next hearing will be held on February 16.



DFG August report

Dicle Fırat Journalists Association (DFG) published its report recording the violations of rights against journalists in August. According to the data of the association, 5 journalists were detained in one month, 2 of them were arrested. Investigations were launched against 4 journalists and lawsuits were filed against 4

journalists. 5 journalists were exposed to ill-treatment and 8 journalists were threatened. 5 journalists were prevented as they were following news information. 4 news websites were shut down in August and access to 114 news websites was also blocked. In addition, it was recorded that the Radio and Television Supreme Council (RTÜK) imposed fines against 5 broadcasts, suspended broadcasts of 3 media organizations, and banned 22 broadcasts.



Investigation against Can Dündar on “insulting Erdoğan”

The Istanbul Chief Public Prosecutor's Office launched an investigation against journalist Can Dündar on charges of "insulting the President" and "insulting the state". As part of the investigation, the journalist was charged for his statements on YouTube on August 31.

Dündar shared the revelations of mafia leader

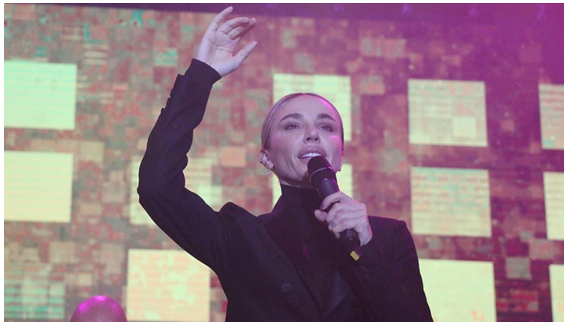
Sedat Peker together with the drawings in LeMan magazine, which had the title, “Turkey is looking for its Prosecutor”. In his live broadcast, Dündar had said, “Don’t wait in vain: That brave prosecutor will not come.”



Indictment against Bar Association over reacting against homophobia

The İzmir Karşıyaka Chief Public Prosecutor's Office prepared an indictment against the İzmir Bar Association, which reacted to the homophobic expressions used by Director of Religious Affairs Ali Erbaş in his Friday

sermon on April 24, 2020, with a statement titled "Despite the hate, long live life". The Prosecutor's Office requested that İzmir Bar Association President Özkan Yücel and 10 members of the board of directors be tried at the İzmir Assize Court on charges of "publicly insulting religious values".



Gülşen to stand trial on October 21

Singer Gülşen has been arrested on charges of "public incitement to hatred and enmity, and denigration" after being targeted because of her statements about the religious vocational high school students as she was joking with a friend on stage during her concert, and was released with a "house arrest" verdict. The indictment prepared against her was accepted by the

Istanbul 11th Criminal Court of First Instance. The first hearing of the case will be held on October 21.



Investigation against journalist over reporting on illegal tender

An investigation has been launched against journalist Oktay Candemir, who reported on the illegal car rental tender of Van Metropolitan Municipality worth 2.5 million TL. The journalist was charged with "slander" and "insult" in the investigation launched upon the

complaint of Çetin Can, a former Justice and Development Party (AKP) executive, who took the tender with the method that could only be activated in case of natural disasters, epidemics and wars - according to the Public Procurement Law.



First hearing in lawsuit against cartoon

The first hearing of the lawsuit filed against lawyer Efkân Bolaç, who shared cartoonist Carlos Latuff's drawings of the Soma Massacre and Berkin Elvan on his social media account, was held at the Istanbul 52nd Criminal Court of First Instance on charges of "insulting the President". The court denied the request for

immediate acquittal and adjourned the hearing to January 24.



Lawsuit against students over protesting detainments

The first hearing of the lawsuit filed against 52 students, who were detained at the Çağlayan Courthouse after they gathered there for their friends detained on the grounds of carrying a rainbow flag at Boğaziçi University, was held at the Istanbul 17th Criminal Court of First

Instance. The trial of the students will continue on January 13.



Imprisonment sentence against journalists

Mesopotamia Agency reporters and journalists Sadiye Eser and Sadık Topaloğlu were sentenced to 6 years and 3 months in prison each by the Istanbul 22nd Assize Court on charges of "terrorist organization membership" based on their journalistic activities, travels abroad, and their news notes being presented as "criminal evidence".



Journalist Onur Öncü acquitted

Journalist Onur Öncü was acquitted in the lawsuit filed against him on the charge of "insulting" Interior Minister Süleyman Soylu, which was held at the Küçükçekmece 22nd Criminal Court of First Instance with a simple trial procedure. The journalist had been charged

based on the video posted on the YouTube channel of the ozguruz.org news portal in 2021 with the title, "There is an Interior Minister who wants to be the Hortum Süleyman of the country!"



Figen Yüksekdağ's book to be pulled off shelves

The publication and distribution of "Walls To Be Destroyed" ["Yıkılacak Duvarlar"], the poetry book of the Peoples' Democratic Party (HDP)'s former imprisoned Co-Chair Figen Yüksekdağ, published by Ceylan Publishing, was banned on the grounds of "making

propaganda for a terrorist organization". Antalya 6th Criminal Court of Peace has ruled the book to be pulled off shelves and for the copies that were confiscated to be destroyed.



Rice Festival was canceled.

Aleyna Tilki concert cancelled

Previously targeted by Turkish Religious Organizations and Foundations Officials' Union Çorum Branch President Ismail Şanar for being an "LGBTQI supporter" and "not conforming to the morals of society," Aleyna Tilki's concert in Çorum that was organized by Osmancık Municipality within the Pirlanta



Intervention against protest by prisoner relatives

The police intervened against the "Justice Watch" protest on its 24th week as well, in which relatives of ill prisoners gathered at Istanbul Kartal Square. Citing the Governorate's ban against protests, the police prevented the journalists from taking images and battered them. Nearly 20 people were

detained, including Etkin News Agency (ETHA) reporter Elif Bayburt.



Investigation against social media post criticizing festival ban

An investigation was launched against Republican People's Party (CHP) Deputy Chair Zeynep Altıok upon the complaint of Eskişehir Governor Erol Ayyıldız, after she reacted on social media against the cancellation of Anadolu Fest by Eskişehir Governorate.



Investigation against physicians over participating in strike

The Muğla Medical Chamber announced that a disciplinary investigation was initiated by the Provincial Directorate of Health against 400 physicians, midwives and nurses, who participated in the strikes organized in March, June and July to demand safe and humane

working conditions.



Workers detained as protesting for rights

Workers protesting in front of the Emlak Konut Real Estate Investment Trust in order to receive compensation and the money for their overtime wages and at least 15 managers of the Dev Yapı-İş Union were beaten and detained. Journalist Zeynep Kuray, who followed the protest, was forcibly removed from the area with the police intervention and was prevented

from reporting news.



District governorate bans Çağdaş Fest

Çağdaş Fest [Contemporary Fest], which was planned to be held in Muğla between September 7-11, was canceled by the Fethiye District Governorate on the grounds that the organization did not obtain the necessary permission from the Ministry of Environment, Urbanization and Climate Change and that the

event was not deemed appropriate in terms of security and environment. Stating that the ban decision was only announced one day before the event, organizer Çağdaş Adıgüzel stated that all necessary permissions were obtained.



Access blocks of the week

- The Istanbul Anatolian 4th Criminal Judicature of Peace imposed an access block against the news by Cumhuriyet Daily columnist Barış Terkoğlu regarding the bribery allegations in the State Railways tenders with the headlines, “Documented High Speed Train bribery! Siemens takes corruption to court to receive payment from Kolin,” “High speed bribery percentage” and “Now it’s your turn”.
- The Diyarbakır 3rd Criminal Judicature of Peace censored the website of Etkin News Agency on the grounds of “protection of national security and public order”.
- Access blocks continue against news on the allegations of criminal organization leader Sedat Peker. The news made on Peker’s tweets about Borsa Istanbul and the Capital Markets Board (SPK) and those mentioning Serhat Albayrak, as well as the news made on Peker’s tweets about Hasan Yeşildağ and his brothers known with their close relations with Erdoğan, were blocked from access with a decree issued by the Istanbul Küçükçekmece 1st Criminal Judicature of Peace.
- The Afyonkarahisar 1st Criminal Judicature of Peace imposed an access block on the news published by Afyon Post on August 31, 2022 with the headline, “Here's how the people’s 10 million TL was wasted”.

- The Istanbul Anatolian 4th Criminal Judicature of Peace imposed an access block on the news published in November 2020, when the 'Don't Be Silent' Platform announced the access block imposed on the news about TV100 channel boss Necat Gülseven and Media Group President Murat Kelkitlioğlu being charged with 'threat, looting and blackmail'.



Constitutional Court decree on freedom of expression

The Constitutional Court ruled that the penalty fine imposed against the Union of Chambers of Turkish Engineers and Architects after its decisions taken in both the general assembly and the advisory board regarding the Constitutional referendum in which the Presidential System was voted, and which said, "it will subordinate the Parliament and the

executive power to the initiative of a single person authority and will institutionalize the dictatorship" was a violation of freedom of expression.



ECtHR: It is not a crime to celebrate Abdullah Öcalan's birthday

In the application of Fehime Ete, who was sentenced to 10 months in prison, to the European Court of Human Rights (ECtHR) on charges of "making propaganda for a terrorist organization" and "praising the crime and the criminal" for celebrating the birthday of PKK Leader Abdullah Öcalan, the ECtHR ruled that

Turkey had violated Ete's right to freedom of expression. The ECtHR decided for Turkey to pay 2 thousand Euros for non-pecuniary damages and 1500 Euros for litigation expenses.



TRIALS OF FREEDOM OF EXPRESSION

Fatin Kanat Case

The lawsuit filed against Human Rights Association (IHD) Ankara Co-Chair Fatin Kanat on the charge of "making propaganda for a terrorist organisation"...

Court: Ankara 25th Assize Court

Verdict: The third hearing of the case will be held on October 19.

Abdullah Kaya Case

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...

Court: Ağrı 2nd Assize Court

Verdict: The next hearing was scheduled for November 15.

<p><u>Contemporary Lawyers Association Case</u></p> <p>The lawsuit filed against 22 lawyers, 4 of whom arrested including Contemporary Lawyers Association (ÇHD) Chairman Selçuk Kozagaçlı, on the charge of “terrorist organisation membership or managing a terrorist organisation”...</p> <p>Court: Istanbul 18th Assize Court</p> <p>Verdict: The court decided for the three lawyers to remain arrested and adjourned the hearing to November 7.</p>	<p><u>Leyla Güven Davası</u></p> <p>The lawsuit filed against Democratic Society Congress (DTK) Co-Chair Leyla Güven on the charge of “making propaganda for a terrorist organisation” based on her social media posts and the speeches she gave at the events she attended...</p> <p>Court: Diyarbakır 9th Assize Court</p> <p>Verdict: The Prosecutor’s Office requested for Güven to be sentenced to a total of 43 years, 1 month and 15 days of imprisonment. The hearing was adjourned to October 17.</p>
<p><u>Mehmet Emin Kurnaz Case</u></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>Court: Istanbul 2nd Criminal Court of First Instance</p> <p>Verdict: The hearing was adjourned to October 20.</p>	<p><u>Case Against Lawyers</u></p> <p>The lawsuit filed against 44 lawyers, who were detained during the press statement organized at Istanbul Courthouse during the Gezi Park Protests, on the charge of “violating the Law on Meetings and Demonstrations No. 2911”...</p> <p>Court: Istanbul 52nd Criminal Court of First Instance</p> <p>Verdict: The hearing was adjourned to March 21.</p>

HEARINGS NEXT WEEK

<p><u>Case Against Yüksekova News Portal</u></p> <p>The second hearing of the lawsuit filed against Yüksekova News Portal owner Erkan Çapraz and Editorial Coordinator Ömer Oğuz on the charge of “making propaganda for a terrorist organization”...</p> <p>September 13, Tuesday at Hakkari 1st Assize Court</p>	<p><u>Case Against G20 Protest</u></p> <p>The lawsuit filed against 17 people, including journalists Eylem Sonbahar, Sema Karakurt and Metin Cihan, who were detained during the protest against the G20 Summit organized in Antalya in 2015, on the charge of “resisting to prevent duty”...</p> <p>September 13, Tuesday at Antalya 25th Criminal Court of First Instance</p>
<p><u>Ilyas Salman Case</u></p> <p>The lawsuit filed against actor Ilyas Salman on the charge of “insulting the state” due to a video he shared on social media...</p> <p>September 13, Tuesday at Istanbul Anatolian 54th Criminal Court of First Instance</p>	<p><u>Sultan Eylem Keleş Case</u></p> <p>The lawsuit filed against journalist Sultan Eylem Keleş, who was prevented by the police and was detained as she was following a protest organized in Istanbul in 2020, on charges of “resisting to prevent duty” and “insult”...</p> <p>September 13, Tuesday at Istanbul 56th Criminal Court of First Instance</p>

<p><u>ETHA Reporters Case</u></p> <p>The lawsuit filed against Etkin News Agency (ETHA) editor Semiha Şahin, reporter Pınar Gayıp and four others on charges of “terrorist organisation membership” and “making propaganda for a terrorist organisation”...</p> <p>September 14, Wednesday at Istanbul 23rd Assize Court</p>	<p><u>Case Against Chamber of Architects</u></p> <p>The lawsuit filed against Chamber of Architects Ankara Branch Chair Tezcan Karakuş Candan and six former Executive Board members on the charge of “making propaganda for a terrorist organisation” for awarding Jin TV in 2021...</p> <p>September 15, Thursday at Ankara 25th Assize Court</p>
<p><u>Ramazan Akoğlu Case</u></p> <p>The lawsuit filed against former DIHA reporter Ramazan Akoğlu on the grounds of following the news about the road blocking incident in Diyarbakır in 2014...</p> <p>September 15, Thursday at Diyarbakır 4th Assize Court</p>	<p><u>Özgürlükçü Demokrasi Case</u></p> <p>The retrial of journalists İhsan Yaşar, İshak Yasul, Mehmet Ali Çelebi, Mizgin Fendik, Pınar Tarlak, Reyhan Hacıoğlu and Hicran Urun as part of the “Özgürlükçü Demokrasi Daily Case”...</p> <p>September 15, Thursday at Istanbul 23rd Assize Court</p>
<p><u>Rojda Oğuz Case</u></p> <p>The lawsuit filed against 55 people, including journalist Rojda Oğuz, on charges of “terrorist organisation membership” and “making propaganda for a terrorist organisation” based on the press statements and protests they participated in as well as their social media posts...</p> <p>September 16, Friday at Van 4th Assize Court</p>	<p><u>SaBıKa Holding Leaflet Case</u></p> <p>The lawsuit filed against 10 Republican People’s Party (CHP) members on charges of “insulting the President” and “insulting a public official” on the grounds of distributing a leaflet titled, “SaBıKa Holding”...</p> <p>September 16, Friday at Istanbul 2nd Criminal Court of First Instance</p>