

Think, think...



Freedom of Expression Weekly Newsletter (Issue 47/23 - December 1, 2023)

What happened last week?

- President Erdoğan said that Turkey's withdrawal from the Istanbul Convention, an international treaty against violence against women, has "not had the slightest negative impact". According to the data of the We Will Stop Femicide Platform, 367 women were murdered by men in Turkey in 2023.
- The trial of the case against 4 people, including 3 police officers, regarding the killing of Diyarbakır Bar Association President Tahir Elçi continued at Diyarbakır 10th Assize Court. The court rejected the demands of the Elçi family lawyers for a discovery at the place where Tahir Elçi was killed and re-examination of the CCTV footage and adjourned the hearing to March 6, 2024.
- A total of 11 more proceedings against 9 MPs were sent to the Grand National Assembly of Turkey with the demand to lift their immunity.
- According to Türk-İş data, the hunger limit for a family of four rose to 14,25 liras and the poverty line to 45,686 liras. The cost of living for a single worker rose to 18 thousand 239 liras per month.
- In Turkey, which is the fourth country with the highest number of content removal requests from search engine Google, government agencies and courts have requested the removal of 90,400 content in the last 10 years. Details...
- The budget of the Directorate of Religious Affairs was increased from 23.5 billion TL to 91.8 billion TL. The budget of the Presidency for 2024 is projected at 12.2 billion TL.



TTB Central Council members dismissed

The lawsuit filed for the dismissal of Turkish Medical Association (TTB) Central Council President Şebnem Korur Fincancı and Central Council members, who have been targeted by the government, was concluded. Ankara 31st Civil Court of First Instance ruled for the dismissal of the council members and for the TTB to hold a congress within a month.



Lawsuits filed against Emine Şenyaşar demanding justice

Emine Şenyaşar, whose husband and two sons were murdered by the bodyguards and relatives of AKP MP İbrahim Halil Yıldız and who demanded justice through a vigil in front of the Urfa Courthouse, appeared in court in two separate cases against her. The hearing of the

lawsuit filed against her at Şanlıurfa 4th Criminal Court of First Instance on the charge of "insult" upon Yıldız's complaint was adjourned to June 27; the hearing of the lawsuit filed against her at Şanlıurfa 5th Criminal Court of First Instance on the charge of "insulting the state" (Article 301 of the Turkish Penal Code) was adjourned to February 22.



Selçuk Mızraklı given the same sentence again

Diyarbakır Metropolitan Municipality Co-Mayor Selçuk Mızraklı, who was sentenced to 9 years, 4 months and 15 days in prison on charges of "membership in an illegal organization" and replaced by a trustee, was retried at Diyarbakır 9th Assize Court after the Court of Cassation reversed the verdict on the grounds that the right to defense was prevented

and the verdict was based on incomplete examination and findings.



Journalist Arı acquitted of charges over his report

The lawsuit filed against journalist İsmail Arı, who was charged with "insulting a public official" due to the news article published in BirGün newspaper with the headline "Varank's 'cousin' snatched the land with a sea view!" about the cousin of Minister of Industry and Technology Mustafa Varank winning the tender for a huge state-owned land with a sea view in

Bodrum, was concluded with acquittal at İstanbul 2nd Criminal Court of First Instance.



Woman activist on trial for "insulting Soylu" acquitted

The case against Didar Gül, a member of Purple Solidarity, who was charged with "insulting a public official" for saying "Minister of Interior Süleyman Soylu will also be prosecuted" in a press statement held to protest the sentence given to the defendant in the case

about Deniz Poyraz's death in the racist attack on HDP's Izmir provincial office, was concluded with acquittal at Izmir 27th Criminal Court of First Instance.



Journalist Zafer Arapkirli on trial

In the retrial of journalist Zafer Arapkirli, who was tried and acquitted on charges of "insult" for reacting to the theologian Nurettin Yıldız on social media, who said that "6-year-old children can get married", Istanbul 32nd Criminal Court of First Instance ruled that "there is no ground for imposing a penalty".



Case against massacre protests

In 2015, Istanbul 13th High Criminal Court acquitted 33 lawyers charged with "making illegal organization propaganda" and "violating the Law No. 2911 on Meetings and Demonstrations" for the protest against the October 10 Ankara Massacre at Istanbul Çağlayan Courthouse and the protest against the curfews and civilian deaths in Cizre at Taksim Tünel.



Former MP on trial for social media posts

The lawsuit filed against former HDP MP Kemal Bülbül, who was charged with "inciting people to hatred and hostility" and "making propaganda for an illegal organization" due to his social media posts about the military operation to Afrin in northern Syria in 2018, was concluded with acquittal at Ankara 15th Assize Court.



Lawsuit against women protesting femicides

Ankara 66th Criminal Court of First Instance acquitted 15 women who were beaten and detained during the protest organized in Ankara for 3 women who were murdered by men in 2021. Ankara 66th Criminal Court of First Instance acquitted the women on charges of "opposing the Law on Meetings and Demonstrations No. 2911" and "simple injury",

and sentenced defendants Buse Üçer and İlay Kadiroğlu on charges of "resisting to prevent the execution of duty".



Journalist Onur Öncü acquitted

Journalist Onur Öncü, who was on trial for allegedly filming the trial on Deniz Poyraz's death in the racist attack on HDP's Izmir provincial office, was acquitted in the first hearing held at Izmir 23rd Criminal Court of First Instance.



Police attack on November 25 protests

The police intervened the march organized for the International Day for the Elimination of Violence against Women on November 25, which was banned by Diyarbakır Governorate, and detained 3 people under beatings. The police also intervened the march in Şırnak and detained 21 people, including 3 journalists. The

police also prevented a march in Şişli district of Istanbul.



Detained union leaders

The gendarmerie intervened the press statement in front of the workplace in Urfa to protest the dismissal of a worker on the grounds that he was a union member and detained United Textile, Weaving and Leather Workers Union (BİRTEK-SEN) Chairman Mehmet Türkmen and union representatives Çayan Dursun and Mazlum Ayçiçek.



Police intervention against Israel protest

In Bursa's Gemlik district, 2 people were detained by the police during a demonstration in front of the Justice and Development Party (AKP) district building to protest the Israeli attacks on Gaza.



Protesting workers detained

6 of the Agrobay workers who were fired for being unionized and struggling for their rights were detained for holding a banner reading "Give us our rights".



Prohibitions on action

Van and Urfa governorates banned press statements, leaflet distribution and all kinds of protest actions and similar events.



Access bans

Sakarya Criminal Judicature of Peace imposed an access ban on 33 online content, including the news article published on our website about the closure of the investigation against Kırşehir Deputy Governor Alper Balcı for sexual harassment, insult and threats.

Yozgat Boğazlıyan Municipality, which was alleged to have sold the aid collected for earthquake victims to markets as an election investment, banned searches on Twitter and Facebook for "Boğazlıyan Municipality" and "Boğazlıyan Municipality earthquake aid". With the decision of Boğazlıyan Criminal Judgeship of Peace, news and social media posts on the subject and addresses showing the results of these searches were banned from access.

News about the 700 million TL loan given by the state bank Halkbank to a gang leader with the support of the Credit Guarantee Fund was banned from access by the Istanbul Anatolian 5th Criminal Judgeship of Peace.



TRIALS OF FREEDOM OF EXPRESSION

The lawsuit filed against Emine Şenyaşar, whose husband and two sons were murdered by the bodyguards and relatives of AKP MP İbrahim Halil Yıldız and who demanded justice with a vigil in front of Urfa Courthouse, due to "insult" upon Yıldız's complaint...

Court: Şanlıurfa 3rd Criminal Court of First Instance

Verdict: The prosecution demanded up to 2 years in prison for Şenyaşar. The next hearing will be held on December 20.

The lawsuit filed against Erdem Gül, former Ankara Representative of Cumhuriyet daily Erdem Gül, whose case file was separated in the retrial that started after the Court of Cassation's decision to overturn the verdict on the publication of images of MIT TIRs traveling to Syria...

Court: Istanbul 14th High Criminal Court

Verdict: The prosecutor argued that the news report on MIT trucks carrying weapons was "not a journalistic activity" and requested Gül to be sentenced for "aiding a terrorist organization". The next hearing will be held on February 28.

The lawsuit filed against seven members of the Organizing Committee of the newroz event

The lawsuit filed against the members and executives of Religious Scholars Assistance and

<p>celebrated in Diyarbakır in 2021 on the allegation of "violating Law No. 2911".</p> <p>Court: Diyarbakır 5th Criminal Court of First Instance</p> <p>Verdict: The next hearing will be held on March 13.</p>	<p>Solidarity Association (DİAYDER) for giving sermons and sermons in Kurdish on charges of "illegal organization membership" and "aiding an illegal organization"...</p> <p>Court: Istanbul 14th High Criminal Court</p> <p>Verdict: The next hearing will be held on December 21.</p>
<p>The lawsuit filed against former Halk TV Editor-in-Chief Suat Toktaş and journalist Barış Pehlivan for "insulting a public official" due to their news reports on Hamit Kocabey, a former member of the Council of Judges and Prosecutors (HSK) who allegedly resigned on the instruction of MHP leader Bahçeli....</p> <p>Court: Ankara 19th Criminal Court of First Instance</p> <p>Verdict: The case was consolidated with the case filed against Pehlivan at Ankara 19th Criminal Court of First Instance on the grounds of the same article. The prosecution demanded acquittal for Toktaş. The hearing was adjourned to December 21.</p>	<p>The lawsuit filed against Ramazan Yurttapan, Managing Editor of the magazine, Pakrat Estukyan, Agos newspaper Armenian pages Editor Pakrat Estukyan, lawyer Emran Emekçi, Mehmet Nimet Sevim and Cihan Doğan on charges of "making propaganda for a terrorist organization" based on articles in the 36th issue of Demokratik Modernite magazine...</p> <p>Court: Istanbul 30th High Criminal Court</p> <p>Verdict: The next hearing will be held on February 2.</p>
<p>The lawsuit filed against 7 students due to "inciting public hatred and hostility" on the grounds of the Kaaba image and LGBTI+ flags in an exhibition organized as part of the protests against the trustee rector appointed to Boğaziçi University...</p> <p>Court: Istanbul 21st Criminal Court of First Instance</p> <p>Verdict: The next hearing will be held on April 26.</p>	

HEARINGS NEXT WEEK

<p>The lawsuit filed against journalist Abdurrahman Gök, who was accused of "illegal organization membership" and "making illegal organization propaganda" through his news reports and journalistic activities and the payment of social security premiums from Mezopotamya Agency...</p> <p>Tuesday, December 5, Diyarbakır 5th High Criminal Court</p>	<p>The lawsuit filed against documentary director Sibel Tekin due to "illegal organization membership" after she was reported and arrested while shooting for her documentary "Life Starting in Darkness" about the permanent daylight saving time...</p> <p>Tuesday, December 5, Ankara 26th High Criminal Court</p>
<p>The lawsuit filed against journalist-writer Ahmet Altan, who was accused of "insulting" Yalçınkaya, the then Chief Public Prosecutor of the Court of Cassation, on the grounds of his column titled "Preparing for a coup or shutting down Kemalism" published in Taraf newspaper in 2008...</p>	<p>On March 15, 2022, Cumhuriyet newspaper published a news article titled "Criminal complaint against Gaziantep Governorship: Corruption and bribery network revealed" published in Cumhuriyet newspaper on March 2022. The lawsuit filed against reporter Nagihan Yılkin and the newspaper's then Editor-in-Chief</p>

<p>Tuesday, December 5, Istanbul Anatolia 2nd Criminal Court of First Instance</p>	<p>Mustafa Büyüksipahi for "insulting a public official"...</p> <p>Tuesday, December 5, Istanbul 2nd Criminal Court of First Instance</p>
<p>The lawsuit filed against journalist İsmail Saymaz, who wrote about the allegations against the wife of Murat Bircan, the judge who signed the conviction decisions in the Gezi Trial, due to "insult" and "targeting people involved in the fight against terrorism"...</p> <p>Tuesday, December 5, Istanbul 24th High Criminal Court</p>	<p>The lawsuit filed against former Yeni Yaşam newspaper Managing Editor Osman Akın and columnist Veysi Sarısözen due to "making illegal organization propaganda"...</p> <p>Tuesday, December 5, Istanbul 13th High Criminal Court</p>
<p>The lawsuit filed against 46 university students and journalists Yağmur Kaya, Nebiye Arı and Hilal Işık, who were beaten and detained after the Governorate banned the protest they wanted to stage in Ankara to draw attention to the housing problem, on charges of "violating Law No. 2911 on Meetings and Demonstrations"...</p> <p>December 6, Wednesday, Ankara 15th Criminal Court of First Instance</p>	<p>The lawsuit filed against Editor-in-Chief Julin Serignac, Editor-in-Chief Gerard Biard, Editor-in-Chief Laurent Sourisseau, Editor-in-Chief Laurent Sourisseau and cartoonist Alice Petit for "insulting the President" over the October 28, 2020 issue of the French satirical magazine Charlie Hebdo featuring a cartoon of President Erdoğan...</p> <p>Thursday, December 7, Ankara 2nd Criminal Court of First Instance</p>
<p>The lawsuit filed against Dicle Müftüoğlu, Co-Chair of Dicle Fırat Journalists Association (DFG), who was arrested due to her journalistic activities, on charges of "illegal organization membership"...</p> <p>Thursday, December 7, Diyarbakır 5th High Criminal Court</p>	<p>The lawsuit filed against journalist Beritan Canözer, who was charged with "illegal organization membership" by citing her news reports and journalistic activities as "criminal evidence"...</p> <p>Friday, December 8, Diyarbakır 10th High Criminal Court</p>

All news of the week is available at dusun-think.net;
You can also access the pdf format of the bulletin at dusun-think.net/bultenler.