

# Think, think...



## Freedom of Expression Weekly Newsletter (Issue 49/23 - December 15, 2023)

### What happened last week?

- The draft text of the 8th Judicial Package, prepared by the Ministry of Justice and sent to the Presidency for consideration, includes the amendment of 105 articles in 22 different laws. Article 187 of the Civil Code, which was annulled by the Constitutional Court on the grounds that it violated the principle of equality, has been revised in a manner inconsistent with the annulment decision. In the justification, it was argued that women's use of their maiden surnames "may harm the integrity of the family, which is the foundation of Turkish society".
  - The number of proceedings sent to the Parliament for the lifting of immunities reached 733. 512 of the proceedings are against HEDEP MPs.
  - Syrian human rights activist Ahmed Katie, who was detained by three alleged intelligence officers in Istanbul on the evening of November 27 and had not been heard from for 15 days, was arrested by the court.
  - Bolu Mayor Tanju Özcan, known for his anti-refugee hate speech, had the signboard of Bolu Afghanistan Youth Social, Cultural and Solidarity Association removed. On the other hand, CHP decided to nominate Özcan again in the local elections.
  - Reporters Without Borders (RSF) published its balance sheet for 2023. In the balance sheet, it was stated that 43 journalists in Turkey will be imprisoned in 2023. It was emphasized that the method of repression in Turkey is based on the continuous arrest and release of journalists throughout the year and that intimidation arrests are widely used.
  - The Committee of Ministers of the Council of Europe has asked the Turkish authorities to share all information on the number of access blocking orders and the number of websites blocked in the last three years. The Committee gave Turkey until December 2024 to do so.
  - Commenting on the PISA 2022 test results, in which Turkey ranked 39th among 81 countries and 32nd among 37 OECD countries, below the OECD average in the "reading comprehension" section and 10 points behind the 2018 results, Minister of National Education Yusuf Tekin said, "The report shows that Turkey is one of the few countries that have shown improvement in most areas over more than 10 years."
  - Turkey was classified as a "very low performer" on the Climate Change Performance Index, dropping nine places to 56th place.
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Verilerle  
2023 Yılında  
Türkiye'de  
İnsan Hakları İhlalleri



## Human Rights Violations in Turkey in 2023 with Data

The Human Rights Association (İHD) and the Human Rights Foundation of Turkey (TIHV) made a joint statement on the occasion of December 10, Human Rights Day and stated that rights violations have reached an alarming level in 2023. Sharing Human Rights Violations in Turkey in 2023, the rights

organizations found that at least 396 people were subjected to torture and other ill-treatment in official detention places. At least 197 peaceful meetings and demonstrations were intervened by law enforcement officers and 43 events were prevented. At least 3,679 people, including 58 children, were detained during peaceful protests and subjected to torture and ill-treatment. 20 of those detained were arrested. All protests and events were banned 94 times in 24 provinces and 11 districts by the local administration. 84 journalists were detained and 19 journalists were arrested throughout the year. 85 lawsuits filed against 225 press workers continued to be heard. Access to 3,446 content and 362 websites was blocked. 1,731 people, including 4 children, were detained and 457 people were arrested for their social media posts. 8 books were banned and 2 children's books were restricted. 28 artists were put on trial in lawsuits filed against them. At least 24 people, including 12 journalists, were detained on charges of "disinformation" added to the penal code with the Censorship Law. At least 11 people, including 9 journalists, were investigated. At least 7 people were prosecuted. 1 person was sentenced to 10 months in prison. In addition, at least 33 people were prosecuted for allegedly insulting Erdoğan. For the same reason, 5 people were detained and 3 people including 1 child were arrested.



### Lawsuit against Bakur documentary

Çayan Demirel and Ertuğrul Mavioglu, who were sentenced to 4 years and 6 months in prison for "making propaganda for a terrorist organization" for the documentary "Bakûr" (North), which they directed, were sentenced to 1 year and 13 months in prison each in the retrial at Batman 2nd High Criminal Court after the Court of Appeal's reversal.



### Journalist Sibel Hürtaş on trial

In 2020, journalist Sibel Hürtaş, who was prevented from following the demonstration of bar association presidents in the garden of the Parliament to protest the Multiple Bar Association Law and was detained after being beaten, was sentenced to 8 months and 10 days in prison for "resisting to prevent the execution of her duty". Ankara 37th Criminal Court of

First Instance converted the prison sentence into a judicial fine of 10 thousand TL.



### **Arrested journalist Sedat Yılmaz released at first hearing**

The first hearing of the lawsuit filed against Mezopotamya Agency (MA) editor Sedat Yılmaz, who has been detained since May 3, World Press Freedom Day, due to his journalistic activities, was held at Diyarbakır 4th Assize Court. After 230 days of imprisonment, the court ruled for the release of

the journalist and adjourned the hearing to February 29.



### **Attacked journalist sued for "insulting the attackers"**

Journalist Sinan Aygöl, who was attacked by Tatvan Mayor Mehmet Emin Geylani's bodyguards, one of whom was a police officer, after his corruption reports, was charged with insulting the attackers. The journalist will be tried at Tatvan (Bitlis) 1st Criminal Court of First Instance.



### **Lawsuit against journalist Elif Akgül**

A lawsuit was filed against journalist Elif Akgül due to "chained illegal organization propaganda" through her social media posts. The indictment demands imprisonment of up to 13 years and 6 months for her posts on the cross-border operation launched in 2018 against Afrin and Etkin News Agency's October 18, 2022 report on the use of chemical

weapons by the Turkish Armed Forces in Northern Iraq.



### **Lawsuit against the protest for the miners who lost their lives**

Ankara 65th Criminal Court of First Instance started to hear the case against 26 people who were beaten and detained during a demonstration in front of the Miners' Monument in Ankara to commemorate 41 workers who lost their lives in the mining disaster in Amasra, on charges of "violating Law No. 2911 on Meetings and

Demonstrations". The second hearing of the trial will be held on April 16.



### **Case against Sevde Ünal, detained during March 8 demonstration**

The first hearing of the lawsuit filed against Sevde Ünal, a member of Purple Solidarity, who was detained after the March 8 International Women's Day march in Izmir, due to "insulting the President", was held at Izmir 10th Criminal Court of First Instance. Ünal and her lawyers attended the hearing. Ünal's trial

will continue on April 10.



### **Journalist Ahmet Kanbal acquitted**

On May 14, the case against journalist Ahmet Kanbal, who was charged with "publicly disseminating misleading information" for his social media post about a missing ballot box during the vote counting process in Mardin in the May 14 elections, was concluded with an acquittal at Mardin 1st Criminal Court of First Instance.



### **Journalists Soykan and İlknur acquitted**

The lawsuit filed against journalists Timur Soykan and Miyase İlknur for "insulting" journalists Timur Soykan and Miyase İlknur, who evaluated the allegations against Hasan Yeşiladağ, a businessman known to be close to Erdoğan and whose name is associated with criminal organizations, in the program "Kayda

Geçsin" broadcast on Halk TV on June 28, 2022, was concluded with an acquittal at Istanbul Anadolu 32nd Criminal Court of First Instance.



### **Access to Ekşi Sözlük blocked again**

The latest address of Ekşi Sözlük, which was censored on February 21 after being targeted as part of the government's restrictions on media outlets criticizing the government's negligence in the February 6 earthquakes, was also blocked by the Ankara 6th Criminal Judicature of Peace on the grounds of "protection of national security and public order."



## Özak Tekstil workers attacked by gendarmerie

The gendarmerie intervened in the protest of Özak Tekstil workers in Urfa, who have been resisting since November 27 against the pressure to change unions and dismissals, and detained 92 people, including executives of the United Textile, Weaving and Leather Workers' Union (BİRTEK-SEN).



## Investigation against students protesting food hike

The Rectorate of Ege University opened an administrative investigation against 18 university students who protested against the food hike, claiming that they "committed acts of disturbing the peace".



## TRIALS OF FREEDOM OF EXPRESSION

The retrial of Ayşegül Doğan, the Program Coordinator of İMC TV and the host of the "Gündem Müzakere" program, who was convicted on charges of "illegal organization membership" in the case she was tried for her interviews with the executives of the Democratic Society Congress (DTK) and the events she participated in as part of her journalistic activities, after the Court of Appeal's reversal decision...

**Court:** Diyarbakır 9th Assize Court

**Verdict:** It was decided to suspend the trial of Doğan, who was elected as an MP, and to lift the judicial control measure.

The lawsuit filed against 24 people, including JinNews reporter Öznur Değer, who were detained during the "We Can't Make ends meet" protest organized by Ankara Labor and Democracy Forces in 2021, due to "violating the Law on Meetings and Demonstrations No. 2911"...

**Court:** Ankara 18th Criminal Court of First Instance

**Verdict:** The next hearing will be held on March 27.

In 2017, the lawsuit filed against former German Green Party MP Memet Kılıç, who was charged with "insulting the President" for an interview he gave to ABC newspaper....

**Court:** Ankara 36th Criminal Court of First Instance

The lawsuit filed against 7 university students, who were beaten and detained during a protest organized in Ankara in 2021 to draw attention to the housing problem, on charges of "opposing the Law on Meetings and Demonstrations No. 2911" and "resisting to prevent the execution of duty"...

<p><b>Verdict:</b> The next hearing will be held on February 21.</p>	<p><b>Court:</b> Ankara 37th Criminal Court of First Instance</p> <p><b>Verdict:</b> The next hearing will be held on May 7.</p>
<p>The lawsuit filed against 32 people, who were beaten and detained during a protest organized in Ankara in solidarity with Boğaziçi University students detained during the trustee rector protest, due to "violating the Law on Meetings and Demonstrations No. 2911" and "resisting to prevent the execution of duty"...</p> <p><b>Court:</b> Ankara 71st Criminal Court of First Instance</p> <p><b>Verdict:</b> The next hearing will be held on April 4.</p>	

### HEARINGS NEXT WEEK

<p>The lawsuit filed against Dicle News Agency (DIHA) reporter Şerife Oruç due to "illegal organization membership"...</p> <p><b>Tuesday, December 19, Batman 2nd Assize Court</b></p>	<p>The lawsuit filed against Democratic Modernity magazine editor Haydar Ergül and 18 Kurdish politicians due to "terrorist organization membership"...</p> <p><b>Tuesday, December 19, Istanbul 22nd High Criminal Court</b></p>
<p>The lawsuit filed against Abdullah Kaya, Ağrı correspondent of the shut-down Dicle News Agency (DIHA), due to "illegal organization membership" and "propaganda" on the grounds of his journalistic activities and social media posts...</p> <p><b>Tuesday, December 19, Ağrı 2nd High Criminal Court</b></p>	<p>The lawsuit filed in 2015 against journalist Rüstem Batum, who was charged with "publicly denigrating the military and security organization of the state" (Article 302 of the Turkish Penal Code) based on his speech in a program on İMC TV...</p> <p><b>Tuesday, December 19, Istanbul 43rd Criminal Court of First Instance</b></p>
<p>The lawsuit filed against artist Ferhat Tunç, who was accused of "insulting" then Prime Minister Binali Yıldırım for his social media posts in 2016...</p> <p><b>December 20, Wednesday, Büyükçekmece (Istanbul) 16th Criminal Court of First Instance</b></p>	<p>The lawsuit filed against 100 people, including journalist Zilan Azad, who were detained during the demonstration organized in Kadıköy, Istanbul on September 1, World Peace Day in 2022, due to "violating the Law No. 2911 on Meetings and Demonstrations"...</p> <p><b>Wednesday, December 20, Istanbul Anadolu 17th Criminal Court of First Instance</b></p>
<p>After the February 6 earthquake, the lawsuit filed against journalist Hasan Sivri for "publicly disseminating misleading information to the public" after he shared the footage he took in Antakya on his social media account with the expressions "Let them take note, these are the ones we took note of with evidence"...</p>	<p>The lawsuit filed against former Halk TV Editor-in-Chief Suat Toktaş, who was charged with "insulting a public official" due to news reports on Hamit Kocabay, a former member of the Council of Judges and Prosecutors (HSK) who allegedly resigned upon the instruction of MHP leader Devlet Bahçeli....</p>

**Thursday, December 21, Ankara 33rd  
Criminal Court of First Instance**

**Thursday, December 21, Ankara 39th  
Criminal Court of First Instance**

The lawsuit filed against then Bar Association President Cihan Aydın and 10 board members due to "insulting the state" (Article 301 of the Turkish Penal Code) on the grounds of the April 24 Armenian Genocide statement made by the Diyarbakır Bar Association in 2020.

**Friday, December 22, Diyarbakır 9th High Criminal Court**

**All news of the week is available at [dusun-think.net](http://dusun-think.net);  
You can also access the pdf format of the bulletin at [dusun-think.net/bultenler](http://dusun-think.net/bultenler).**