

Think, think...



Freedom of Expression Weekly Newsletter (Issue 51/23 - December 29, 2023)

What happened last week?

- The justification of the Constitutional Court's (AYM) ruling on the second application of detained deputy Can Atalay on the violation of his rights has been published. "The 3rd Criminal Chamber of the Court of Cassation has made a decision that does not exist in Turkish law: 'not to comply with the Constitutional Court's decision'," the reasoned decision reads, adding that Atalay was "arbitrarily deprived of his freedom". On the other hand, Atalay was again not released; the Istanbul 13th High Criminal Court sent the Constitutional Court's second violation decision to the 3rd Criminal Chamber of the Court of Cassation, just like the first one.
 - The Ministry of National Defense (MSB) announced that 12 soldiers were killed in a clash during the "Claw-Kilit" operation in Iraqi Kurdistan Regional Government (KRG). Meanwhile, Turkey launched airstrikes in northern and eastern Syria, hitting infrastructure, industrial facilities and public administration structures. President Erdoğan targeted the opposition over the deaths of soldiers and made local election propaganda.
 - MHP leader Bahçeli, the junior partner of the ruling party, targeted CHP Chairman Özgür Özel, the DEM Party and Constitutional Court President Zühtü Arslan. Saying that the CHP is a security threat, Bahçeli demanded that the DEM Party deputies' salaries and the party's treasury aid be cut. Bahçeli also demanded the resolution of pending immunity files, the restructuring or closure of the Constitutional Court and the redrawing of the boundaries of parliamentary immunity.
 - The protocol on Sweden's accession to NATO was accepted by the Turkish Grand National Assembly Foreign Affairs Committee and referred to the General Assembly.
 - The minimum wage was announced as 17,2 thousand 2 Turkish Liras for next year, an increase of 49 percent. According to the data of the United Public-Is Confederation, the hunger limit for a family of four rose to 16,483 liras in December, while the poverty limit was 46,837 liras.
 - September 12-era torturer Esat Oktay Yıldırım's name was given to a primary school in Izmir's Buca district, causing reactions.
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Access to Ekşi Sözlük blocked once again

Ekşi Sözlük, which was censored 5 times in the period following the February 6 earthquakes due to the content shared by users, was banned once again on the grounds of "protection of national security and public order". The site, which was banned from access by the Ankara 7th Criminal Judgeship of Peace, was censored

for the second time in the last two weeks. On the other hand, Ankara Chief Public Prosecutor's Office announced that an investigation was initiated against the posts on Ekşi Sözlük regarding the soldiers who lost their lives in the operations in Iraq and northern Syria on the charges of "public incitement to hatred and hostility" and "denigrating the state" (Article 301 of the Turkish Penal Code).



Case against earthquake protest

A lawsuit was filed against 77 people, including the executives and members of the SOL Party and BirGün newspaper reporter Asena Tunca, who were detained during the protest organized in Istanbul in March following the Kahramanmaraş earthquake, due to "violating Law No. 2911 on Meetings and

Demonstrations". The first hearing will be held on April 19 at Istanbul Anatolian 14th Criminal Court of First Instance.



Lawsuit against journalist Evrim Kepenek

A lawsuit was filed against journalist Evrim Kepenek for sharing the information that the gendarmerie confiscated aid collected in Pazarcık, Maraş after the earthquake, on the charge of "publicly disseminating misleading information", which was added to the penal code with the censorship law. The journalist's first hearing will be held on September 23rd at Istanbul 13th Criminal Court of First Instance.



Journalist Mehmet Yetim on trial

The case against journalist Mehmet Yetim, who was charged with "publicly disseminating misleading information" for sharing the allegation that the DEVA Party's election vehicle was attacked in Şanlıurfa during the May 14 general elections, ended in acquittal in the first hearing at Şanlıurfa 1st Criminal Court of First Instance.



The case against journalist Nimet Ölmez

A lawsuit was filed at Hakkari 1st Criminal Court of First Instance against journalist Nimet Ölmez, who was charged with "insult" for her social media post about Justice and Development Party (AKP) Hakkari Provincial Chair Zeydin Kaya.



The lawsuit filed against artist Ali Baran

A lawsuit was filed against artist Ali Baran, who was accused of "insulting the President" for commenting on a cartoon in the "Spiegel" newspaper on social media. The first hearing will be held on February 1 at Istanbul 7th Criminal Court of First Instance.



Journalist investigated for calling police officers who beat him "torturers"

Journalist Sibel Hürtaş, who was beaten and detained while covering the protest of bar association presidents against the "multiple bar association system" in front of the Parliament and was convicted in the trial, is being investigated for calling the police officers "torturers" in her defense at the hearing.



Investigation against journalist Can Ataklı

Istanbul Chief Public Prosecutor's Office launched an investigation against journalist Can Ataklı for "inciting or insulting the public to hatred and hostility" after he criticized the father of a soldier killed in cross-border operations for his remarks targeting Selahattin Demirtaş and Osman Kavala.



Journalist Furkan Karabay detained

Furkan Karabay, editor of the Gerçek Gündem news website, was taken into custody due to a news report on allegations recorded in the trial transcript of a lawsuit filed against the organized crime syndicate known as the "Sarals". The journalist was charged with

"targeting a person who took part in the fight against terrorism" and was referred to the court with a request for arrest as the news bulletin was being prepared for publication.



Rapper Şehinşah detained

Singer Ufuk Yıkılmaz, known as Şehinşah, was detained on charges of "insulting the President" for his song "Mr. Turk".



Prohibitions on action

In Bingöl and Siirt, governorates banned all press statements, demonstrations and events for 6 days each.



Intervention against a demonstration in support of Palestine

The police prevented the press statement organized by political parties and civil society organizations in Izmir with the slogan "End the occupation in Palestine", 21 people were detained.



RTÜK fines

The Radio and Television Supreme Council (RTÜK) fined Tele 1 channel for "praising the criminal" for discussing Yılmaz Güney in a program and Halk TV for "violating national and moral values" for discussing LGBT+ people in a program. The Supreme Council also imposed administrative fines and two program suspensions on FOX TV for

"violating the national and moral values of the society" due to a TV series targeted by pro-government media outlets and communities. In addition, Fox TV was sanctioned for its coverage of the Somali President's son hitting courier Yunus Emre Göçer, causing his death, and the former Ankaragücü president Faruk Koca attacking referee Halil Umut Meler; SZC TV was sanctioned for its coverage of a TÜİK employee's remarks that they received bonuses and promotions for underestimating unemployment; and KRT was sanctioned for criticizing the Minister of Labor, who said "there is no extreme poverty", and the Minister of Health, who said that doctors who go abroad do so for "money". In 2023, RTÜK imposed a total of 76 sanctions on TV channels and digital platforms, targeting TELE 1, Halk TV, KRT, FOX TV and Flash Haber, which are known for their opposition broadcasts. In 2023, the heaviest sanction was imposed on TELE 1, which was blacked out for 7 days. The highest number of program suspensions was imposed on Halk TV, which was penalized a total of 15 times for 3 different programs.



TRIALS OF FREEDOM OF EXPRESSION

<p>The lawsuit filed against Mehmet Göçekli, Editor-in-Chief and Concessionaire of the news portal, who was charged with "making illegal organization propaganda" based on his social media posts and news published on the website Demokrat Haber...</p> <p>Court: Istanbul 27th High Criminal Court Verdict: The next hearing will be held on April 16.</p>	<p>Cihan Kolivar, President of the Bread Producers' Union, said "Bread is the staple food of stupid societies. Since our society is saturated with bread, such rulers have been in charge for 20 years." The lawsuit filed against him due to "insulting the President", "publicly insulting a section of the public" and "publicly insulting the Turkish nation"...</p> <p>Court: Istanbul 17th Criminal Court of First Instance Verdict: The next hearing will be held on April 17.</p>
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HEARINGS NEXT WEEK

<p>The lawsuit filed against Hüseyin Aykol, Zana Kaya, Editor-in-Chief İnan Kızılkaya and Kurdish politician Hatip Dicle for "insulting the state" (Article 301 of the Turkish Penal Code)...</p> <p>Thursday, January 4, Istanbul 2nd Criminal Court of First Instance</p>	<p>The lawsuit filed against Ramazan Yurttapan, Managing Editor of Demokratik Modernite magazine, and editor Haydar Ergül, who were charged with "insulting the President" for the article titled "Neo-Ottomanism is the Most Corrupt Form of the Turkish State"...</p> <p>Thursday, January 4, Istanbul 2nd Criminal Court of First Instance</p>
<p>The lawsuit filed against journalist Ziya Çiçekçi, accused of "making illegal organization propaganda" based on posts made on Yeni Özgür Politika newspaper's social media account...</p> <p>Friday, January 5, Istanbul 33rd High Criminal Court</p>	<p>The lawsuit filed against artist Ferhat Tunç due to "making illegal organization propaganda" through his social media posts...</p> <p>Friday, January 5, Istanbul 37th High Criminal Court</p>

All news of the week is available at dusun-think.net;
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