



Think, think...

Freedom of Expression Weekly Bulletin

(Issue 14/18, 6 April 2018)

What happened last week?

*** President Erdoğan visited the border post in Hatay in a military camouflage together with celebrities from the arts and sports fields. The President stated, *“artists and sports players can never be seen in the world if they are disconnected from their country and nation. There is a group of people in our country who are disconnected for a long time, but thank God, their numbers are decreasing in time.”* The President further recorded that Turkey is improving and progressing with *“military victories, unique works in arts, success in sports and its confident stance in diplomacy.”*

*** 1250 academics from 37 countries have supported students of Boğaziçi University, who were recently taken into custody. Erdoğan, on the other hand, continued to target the students; *“Each terrorist is a Mankurt*. Those who work against their country and nation are mankurts as well... These people disguise as students, attempt to prevent the commemoration of our martyrs,”* said the President. 10 of the students were arrested after being kept in custody for two weeks. **(Details below...)**

*** The foundation of Akkuyu Nuclear Power Plant was laid in Mersin with a ceremony. President Erdoğan and Russian President Putin attended the ceremony. Then a leaders summit was made between Turkey, Russia and Iran. The resolution of the summit emphasized the protection of territorial integrity of Syria with a political resolution. The text did not include PYD/YPG among the terrorist organizations list.

*** Government spokesman Bekir Bozdağ stated, *“The necessity to extend the State of Emergency is apparent.”* The State of Emergency had been extended for the sixth time on 19 January 2018. The Association for Human Rights and Solidarity for the Oppressed (MAZLUMDER) prepared a report on the rights violations during the State of Emergency, indicating the emergency decrees have paved the way for arbitrary applications.

*** Arrested journalist Mehmet Altan is still not released despite a decree of violation issued by the European Court of Human Rights 14 days ago. Altan’s lawyer Engin Cınmen stated that the Ministry of Justice still didn’t translate the ECtHR decree into Turkish and send it to the local court.

*** Operations against Özgürlükçü Demokrasi newspaper continued this week as well, after a trustee was assigned at the newspaper. 33 people were taken into custody within the investigation with a ‘confidentiality’ order on it. 20 printing house workers were arrested. **(Details below...)**

*** In the lawsuit filed against former writers and executives of Zaman newspaper, the Prosecutor’s Office claimed heavy life imprisonment against Ali Bulaç, Mümtazer Türköne and Şahin Alpay due to *“violating the Constitution.”*

*** Ministry of Interior Affairs announced 242 investigations opened due to social media posts within the one-week period between March 26th and April 2nd. **(Details below...)**

*** An arrest warrant and red notice were issued against Can Dündar, former Editor-In-Chief of Cumhuriyet Newspaper.

*** Four more academics were convicted due to 'making terrorist organization propaganda' by signing the notice, "We will not partake in this crime" launched by the Academics for Peace. **(Details below...)**

*** Annual inflation reached 10.23 percent by increasing 0.99 percent in March, exceeding expectations. The value loss of Turkish Lira continue against Dollar and Euros. Dollar currently has an all-time record value against the Turkish Lira.

*** Germany announced the applications of asylum from Turkey increased five times within the past two years; the accepted asylum requests were 8 percent in 2016 and currently it reached 42 percent.



10 Boğaziçi students arrested after Erdoğan's targeting

1250 academics from 37 countries have supported students of Boğaziçi University, who were recently taken into custody after being targeted by President Erdoğan. Seven of 17 students, who were sent to the court with the charge of "making illegal organization propaganda" were released with judicial control.

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In the transfer letter sent by the Prosecutor's Office to the Criminal Judicature of Peace on Duty, the students were alleged to have shown the Turkish Armed Forces (TSK) as an illegitimate force by protesting against the Turkish delight distribution for Afrin Operation with the slogan, "There is no delight in invasion, massacre." The Prosecutor's Office further claimed that the students attempt to make the government of the Republic of Turkey disreputable, create a public perception against the Afrin Operation and to create turmoil in society.



Four 'Peace Academics' convicted

Four more academics were convicted due to charges of "terrorist organization propaganda" through signing the notice, "We will not partake in this crime" launched by the Academics for Peace.

In the hearings held at Istanbul 36th, 32nd and 14th High Criminal Courts, Prof. Dr. Zübeyde Füsün Üstel from Galatasaray University, retired Prof. Dr. Melda Tunçay from Marmara University and previously dismissed Prof. Dr. Tevfik Hakan Ongan and Assoc. Prof. Veli Polat from Istanbul University were sentenced to one year and three months of

imprisonment each. All sentences were deferred except the one against Üstel due to her lack of claim for the deferral of the announcement of her sentence and that she exhibited a “lack of remorse.”

Thus, seven of 185 scientists who stood trial so far in the proceedings against signatory academics since 5 December 2017 were convicted.



Legal proceedings made against 242 social media users in one week

Ministry of Interior Affairs announced investigations started against 242 people within the past week (26 March - 2 April 2018) due to their social media posts. According to the ministry statement, social

media users were charged with ‘making illegal organization propaganda,’ ‘insulting government authorities,’ ‘inciting people towards resentment, hatred and hostility’ and ‘attempting to disrupt the indivisible integrity of state.’ The data announced by the ministry states more than 1200 investigations opened related to social media operations within a one-month period.



41 journalists taken into custody, 83 journalists stand trial in March

Free Journalists Initiative (ÖGI) announced the report on right violations against press during March.

According to the data announced by the Initiative, 170 journalists were in Turkish prisons during March with

additional 41 taken into custody and two arrested during the one-month period. New lawsuits were filed against three journalists, and 83 journalists stood trial. 30 journalists were sentenced to a total of 178 years and four months of imprisonment. The website of one newspaper was banned to access by the Information and Communication Technologies Authority.

TV52 brought the corruption allegations regarding the Ordu Mayor and was sealed due to “deficiencies”; Özgürlükçü Demokrasi Newspaper and the newspaper’s printing house was confiscated and the only daily Kurdish newspaper in Turkey, Welat, had to end written publication as it used the same printing house.

Doğan Media Group, which incorporated Hürriyet and Posta Newspapers as well as Channel D and CNNTurk TV channels, was sold. The new owner has become Demirören

Holding, known with their close relations to the government. On the other hand, the draft authorizing the Radio and Television Supreme Council (RTÜK) to 'monitor' the Internet was enacted. Özgürlükçü Demokrasi Newspaper and the newspaper's printing house were seized, the only Kurdish daily newspaper, Welat, had to end paper printing since it used the same printing house. On the other hand, a local TV channel was sealed after covering the allegations of corruption related to the Ordu Mayor. Other important developments of the past week are as following:

'Özgürlükçü Demokrasi' operation: Afrin Operation coverage is reason for trustee assignment

The decision to assign a trustee for Özgürlükçü Demokrasi Newspaper and Gün Printing House was officialized nine days after the operation. The decision was indicated to be made by Istanbul 7th Criminal Judicature of Peace in accordance with the authority given to the court by the Statutory Decree No. 674. The newspaper and the printing house were charged with 'illegal organization membership' and 'making illegal organization propaganda.' The news covered on the newspaper related to the Afrin Operation were considered crime evidence; the printing house was charged due to printing Özgürlükçü Demokrasi newspaper as well as 112 books printed by them being withdrawn from shelves with lawsuits against the owners of the publications.

Eight of the printing house workers, who were taken into custody during the operation on March 28th, were arrested with the allegation of 'willfully and intentionally aiding an illegal organization without being members' and 12 were arrested with allegations of 'illegal organization membership and propaganda.' The newspaper's owner İhsan Yaşar and Managing Editor Ishak Yasul, who are currently in custody, were transferred to the court with claims of arrest due to 'illegal organization membership' and 'illegal organization propaganda.' As the bulletin was being prepared, the legal proceeding against the two names were ongoing. On the other hand, editors and other employees of the newspaper are still in custody. The number of custodies within the operation had reached 33 in total.

Imprisonment sentence against journalist Hasan Cemal due to 'illegal organization propaganda'

Journalist Hasan Cemal had stood trial due to his article series, "*Withdrawal Diary*" published on a website on 15 May 2013 and was acquitted; following the appeal court reversing the verdict of acquittal, he stood trial once again. Cemal was sentenced to a year, six months and twenty two days of imprisonment this time. Convicting Cemal of 'making illegal organization propaganda,' Istanbul 24th High Criminal Court decided for the sentence execution to be served for three months and twenty two days in jail, considering another sentence of imprisonment for one year and three months issued previously against the journalist due to the same charge at Istanbul 22nd High Criminal Court. The sentence was deferred.

Imprisonment sentence against journalist after mocking tone in column title

Journalist Yeliz Koray, who was on trial due to her column discussing the July 15 Coup Attempt, was sentenced to one year and three months of imprisonment. The sentence was deferred. Kocaeli 2nd Criminal Court of Peace convicted the journalist of 'inciting people to resentment and hostility' due to her column published on a website in July.

Lawsuit against journalist following interview with attacked Afrika newspaper

A lawsuit was filed against journalist Ahmet Kanbal at Izmir 2nd High Criminal Court after interviewing Afrika Newspaper's Editor-In-Chief Şener Levent. Afrika Newspaper was previously targeted by President Erdoğan due to a headline published on the newspaper regarding the Afrin Operation. Kanbal has prepared a news article on the Cyprus-based newspaper after it was attacked following the statements of Erdoğan. The news article, entitled, "*Afrika Newspaper Editor-In-Chief Şener: Conquest for them, Occupation for me*" was shared on the social media as well. The journalist was charged with 'making illegal organization propaganda' with a claim of imprisonment for up to nine years.

Only Kurdish daily newspaper in Turkey ends paper printing

Özgürlükçü Demokrasi Newspaper and the newspaper's printing house Gün Printing was recently raided by the police. The only Kurdish daily newspaper in Turkey, Welat, can not be printed for two days as it used the same printing house.

No other printing houses accepted to print the newspaper following the raid at Gün Printing. Welat administration decided to duplicate copies of the newspaper via photocopying it and organized an announcement at Turkish Journalists Union (TGS) Diyarbakır Representative to state the end of the newspaper's paper printing due to threats against printing houses. The newspaper's owner Zeynel Abidin Bulut stated that the threat extends from the distributors to the newspaper's subscribers. "*We will continue our publication in our mother tongue, which we will never give up on, more efficiently and extensively on the Internet,*" said Bulut.

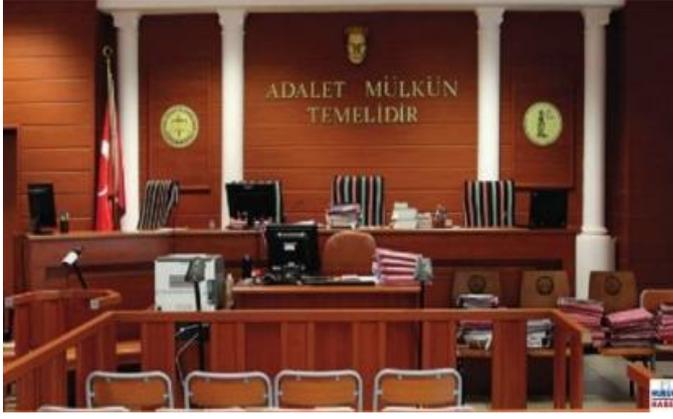


Actress Füsun Demirel: "I only want my job back"

Actress and translator Füsun Demirel reacted against producers and directors who wouldn't work with her for the past three years. The actress has acted in 60 movies and 20 TV series so far with 12 national awards in her name. Demirel wrote on Instagram: "*I only want my job for the past three years... Is there no more*

courageous directors?..."

Demirel had been targeted in 2016 after her statement, "I would like to play the mother of a guerilla" and was removed from the cast of the TV series she was acting in. She later stated, "*It is a citizenship duty to say 'No' against the increasing injustice and unlawfulness in recent years,*" before the Presidential referendum on 16 April 2017.



Acquittal for disobedient civilians

Three people have performed a civil disobedience protest by partaking in the “crimes” of Erol Önderoğlu, Şebnem Korur Fincancı and Ahmet Nesin following their arrests due to the “Substitute Editing-In-Chief” campaign for Özgür Gündem Newspaper. The lawsuit against the disobedient civilians was concluded. Istanbul 13th High Criminal Court decided for the acquittal of the right advocates from ‘making illegal organization propaganda.’ Disobedient civilian Şanar Yurdatapan announced that he will appeal for the change of the verdict.



Governorate bans protests against nuclear power plant

Mersin Governorate banned all protests and events to be organized in the province for one day to prevent possible protests against the Akkuyu Nuclear Power Plant, on the day of ceremony to lay the foundation for the plant. Entrance of groups coming to protest against the plant into Büyükeceli Neighborhood, where the plant will be built, was also banned with a governorate decision. Anti-Nuclear Platform (NKP) members, attempting to march to the location, were prevented by the police.

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OHAL RAPORU

MAZLUMDER İstanbul Şubesi
OHAL Dönemi Hak İhlalleri Raporu



MAZLUMDER launches State of Emergency report

‘worrisome developments.’

The Association for Human Rights and Solidarity for the Oppressed (MAZLUMDER) Istanbul Branch launched a report on the rights violations experienced during the State of Emergency, indicating

The report pointed out arbitrary applications and regulations against some basic rights, which were considered untouchable even in the most extraordinary circumstances, allowed with emergency decrees during the State of Emergency declared following the coup attempt. It was indicated that the basic principles of law were “wounded” during this period and that this situation has created victimhood that are extremely difficult, perhaps even impossible to compensate.

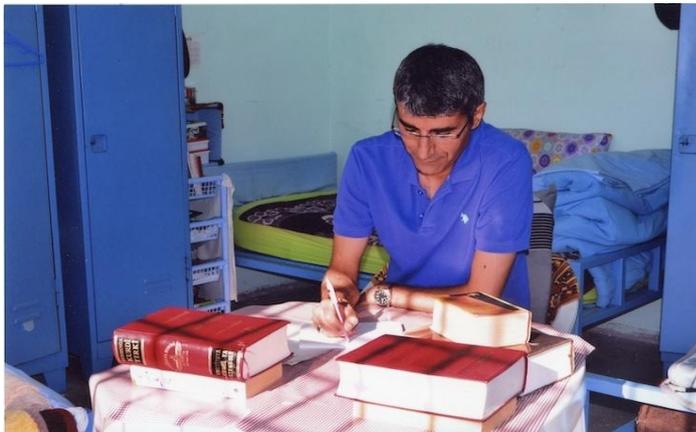
The association stated, *“The Constitutional Court must at least monitor the Statutory Decrees within the State of Emergency in regards to basic rights and freedoms, annulling regulations which cause human rights violations,”* demanding for the fight against the coup to be conducted within the limits of law, for the State of Emergency to end as soon as possible as it created serious rights violations with potential to create more, and for applications damaging untouchable rights to be avoided. For the full report; <https://goo.gl/QvgTBZ>



Turkey pays 11.6 million Euros compensation after not applying more than 1500 ECtHR decrees

Council of Europe announced Russia and Turkey being the top countries in the non-application of European Court of Human Rights (ECtHR) decrees in 2017. Russia is ranked first in the list, followed by Turkey with more than 1500 decrees not applied yet. Russia has also been the country paying the highest amount of compensation last year with 14 million 600 thousand Euros. Turkey has been the third country paying the highest compensation with 11 million 600 thousand Euros, following Italy.

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Sentence against Çomak approved after 24 years under arrest

The life imprisonment sentence of poet İlhan Çomak, who was on trial for 24 years after being arrested in 1994 due to “separatism”, was approved by the 16th Penal Department of the Court of Appeals.

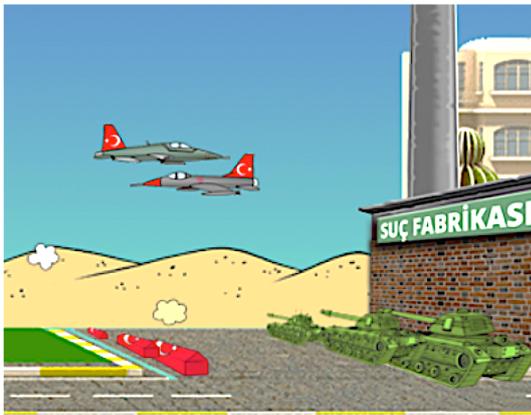
Çomak was sentenced to death penalty in 2000 by the State Security Court (DGM) of the time and the sentence was turned into heavy life imprisonment due to good conduct. After the sentence was approved by the Court of Appeals, an application was made at the European Court of Human Rights (ECtHR). ECtHR then decided in 2007 that Çomak was not tried fairly, whereas his retrial started only in 2013. With an arbitrary sentence against him, Çomak was arrested pending trial due to a ‘possibility to spoliage evidence.’ Çomak will serve imprisonment for six more years after the approval of his sentence.

This Week On The Museum Of Crimes Of Thought



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Afrin

Turkish celebrities and President Erdoğan visited Hatay, bordering Syria, to meet and support soldiers taking part in Turkey's Afrin Operation on April 1.

Ten of 16 detained Boğaziçi University students have been arrested on charge of allegedly "attempting to show the state as an illegitimate power engaging in illegitimate activities." On March 19, following the incidents that unfolded during the distribution of Turkish delight in commemoration of those who have lost their lives in Turkey's Afrin operation, students started to be taken into custody. On April 2, during the controls conducted by the undercover police officers at the entrance to the South Campus, another Boğaziçi University student was detained.



Erdoğan

President Erdoğan said that "I heard that some of the people believe that Turkey is an unlivable country and they would like to move abroad. If there are people believe that living in Turkey is an overload, the world they try to find is not here, if you can't live in Turkey, you can't live anywhere else. We should buy their tickets and send them abroad because those people are overload to our country."



TRIALS OF FREEDOM OF EXPRESSION

- Rights advocates Şanar Yurdatapan and Doğan Özkan, who protested the arrests of RSF representative Erol Önderoğlu, Şebnem Korur Fincancı and Ahmet Nesin by partaking in their “crimes” were acquitted of ‘illegal organization propaganda’ in the hearing at Istanbul 13th High Criminal Court on April 3rd.
- The proceeding of journalist Hasan Cemal continued on April 3rd at Istanbul 24th High Criminal Court in the retrialing due to his article series, “Withdrawal Diaries.” The court sentenced Cemal to three months and twenty-two days of imprisonment with new structuring at the second trial of the case following the appeal after his initial acquittal.
- Lawsuits against Academics for Peace continued all week at Çağlayan Courthouse. In the hearings at Istanbul 36th, 32nd and 14th High Criminal Courts, Prof. Dr. Zübeyde Füsün Üstel from Galatasaray University, retired Prof. Dr. Melda Tunçay from Marmara University and dismissed Prof. Dr. Tevfik Hakan Oğan and Assoc. Prof. Veli Polat from Istanbul University were sentenced to one year and three months of imprisonment each. All sentences were deferred except the sentence of Üstel, due to the absence of claim for the deferral of her sentence as well as her apparent “lack of remorse.”
- The lawsuit against 31 defendants, 22 of them arrested including former Zaman Newspaper writers Şahin Alpay, Ali Bulaç, Ahmet Turan Alkan and Mümtazer Türköne within the investigations started against the Gülen Community following the July 15 Coup Attempt, continued at Istanbul 13th High Criminal Court on April 5th. The prosecutor presented an opinion on the basis in the hearing, claiming heavy life imprisonment sentences against Mümtazer Türköne, Ali Bulaç and Şahin Alpay due to ‘attempting to overthrow the Constitutional order’ and an additional imprisonment sentence for up to 15 years each due to ‘membership to an armed terrorist organization.’ The court scheduled the next hearing to be held on 10-11 May 2018 at Çağlayan Courthouse for the defendants to make statements against the Prosecutor opinion.

Trials Next Week

- Proceedings of Academics for Peace continue. The next hearings will be held on 9 April 2018 at Istanbul 32nd High Criminal Court and on 12 April 2018 at Istanbul 35th High Criminal Court.
- The lawsuit filed against Cumhuriyet Newspaper writer Oğuz Güven due to ‘insulting the President’ will continue on 11 April 2018 at Istanbul 15th High Criminal Court.
- The lawsuit against former People’s Democratic Party (HDP) Co-Chair Selahattin Demirtaş will continue on 11 April 2018 at Ankara 19th High Criminal Court. Demirtaş is currently in Edirne Prison after his arrest on 4 November 2016 within the investigation against him in Diyarbakır.