



# Think, think...

## Freedom of Expression Weekly Bulletin

(Issue 19/18, 11 May 2018)

### What happened last week?

\*\*\* Supreme Electoral Council's candidate list for the Presidential elections were published on the Official Gazette. The candidate of the Justice and Development Party (AKP) is Recep Tayyip Erdoğan, the candidate of the Republican People's Party (CHP) is Muharrem İnce, the candidate of the People's Democratic Party (HDP) is Selahattin Demirtaş took place in the list as well as Meral Akşener, Temel Karamollaoğlu and Doğu Perinçek, who were nominated with elector signatures.

\*\*\* Announcing the election manifesto of the Justice and Development Party (AKP), President Erdoğan promised on widely-criticized issues such as the separation of powers, independent judiciary, democratic politics and equality of income. Erdoğan further pointed to more operations in addition to the Euphrates Shield and Olive Branch.

\*\*\* Erdoğan called those who vote for the President in the elections but not for the Justice and Development Party (AKP) in the Parliament, "*Gang of hypocrites.*"

\*\*\* The "Authorization Draft" passed the Parliament and was enacted, granting the authority of issuing Statutory Decrees to the Council of Ministers. Justice and Development Party (AKP) will now be able to amend many law articles with the Statutory Decree authority, granted upon their request for adjustments with the Presidential system. Republican People's Party (CHP) will carry this authority, which will be effective until the date the new President officially starts his duty, to the Constitutional Court.

\*\*\* The Electoral Alliance Law passed the Parliament with votes from the Justice and Development Party (AKP) and the Nationalist Movement Party (MHP). The law granted the governors the authority to carry ballot boxes, which caused heavy debates. The regulation allows for the presence of security forces around the ballot boxes as well; whereas the decisions made by the governors or the President of the District Electoral Council will not be able to be objected to.

\*\*\* In the group meeting of this party, Erdoğan said, "*In case our nation says 'okay, enough' one day, only then we will move aside.*" Immediately after the speech, the hashtag "*Okay*" in Turkish became a worldwide trending topic on the social media. Approximately 2 million tweets were posted on the subject within 24 hours.

\*\*\* Presidential candidates other than Erdoğan can't find a place for themselves in the mainstream media, especially on TRT (Turkish Radio and Television Association). The situation is causing increasing discomfort in the opposition.

\*\*\* Not being able to get permission for electoral rallies in Germany, the Netherlands and Austria, Erdoğan decided to gather his electors in Bosnia and Herzegovina on May 20. This decision caused reactions in Sarajevo.

\*\*\* Governor Mehmet Aktaş was recorded to be travelling in Lırnak and surrounding villages together with the Justice and Development Party (AKP) Provincial Chairman and high-rank soldiers, promising citizens properties in exchange for votes.

\*\*\* The election booth of the Good Party in Bağcılar, Istanbul was attacked with knives. Eight people were wounded, one heavily injured. Republican People's Party (CHP) and People's Democratic Party (HDP) reacted against the attack.

\*\*\* The Organization for Security and Co-Operation in Europe (OSCE) identified that *"international standards were not met"* in the Constitutional referendum in the organization's related report. OSCE now examines the June 24 elections, which will be held under the conditions of State of Emergency. The OSCE Board met with opposition parties to make their first observations on the process.

\*\*\* United Nations (UN) Human Rights High Commission Zeid Hussein said that *"the State of Emergency regime, which restricts freedom of expression and the right to organization, contradicts the election safety."* Hussein called for the revocation of the State of Emergency.

\*\*\* Teacher Ayşe Çelik was released after being imprisoned due to saying, *"Do not let children die."* In case the legal massacre doesn't end, teacher Ayşe will be imprisoned again in six months. (Details below...)

\*\*\* Ministry of the Interior announced investigations were started against 242 people between the dates April 30 and May 7 due to their social media posts.

\*\*\* With the decision of the Central Bank in the beginning of the week, 2.2 billion Dollars were put into the use of banks. Whereas, this intervention in the market could only increase the value of the Turkish Lira by 0.01. The Economy Coordination Council gathered in mid-week under the chairmanship of Erdoğan, announcing *"necessary measures will be taken to decrease the pressure of interest and exchange rates as well as to fight inflation more effectively."*

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## **'Teacher Ayşe' released**

Teacher Ayşe Çelik, who was sentenced to 1 year and three months of imprisonment due to saying, "Do not let children die" by participating in a TV show in 2016 via phone call to point out the curfews in Kurdish provinces, was released. The execution of Çelik's sentence was paused for six months and will continue afterwards.

Convicted of 'illegal organization propaganda', Çelik has been imprisoned on April 20 together with her six-month-old baby; later had to leave her baby outside due to prison conditions. No steps were taken regarding the application made at the Constitutional Court for the stay of Çelik's execution, whereas a petition campaign was started, led by our initiative, for both Çelik and her baby Deran to be released. Teacher Ayşe was released from Diyarbakır Type-E Prison and went back home, meeting her baby. However, the petition will continue until the Constitutional Court decides for retrial following the application and until the conviction is reversed with Çelik's acquittal. More

than 25 thousand signatures were collected within the petition, with a target of 100 thousand signatures. To participate; <https://goo.gl/AvZDw4>



## One more Boğaziçi University student arrested

One more student from Boğaziçi University was arrested. Thus, the number of students who were arrested with the allegation of 'making illegal organization propaganda' reached 14. The students are allegedly making the propaganda due to saying "There is

*no delight in massacre*" as a response to those distributing "*Afrin delight*" at the university.

15 students have been targeted by President Erdoğan due to the anti-war protest organized at the university campus on March 19, later were detained with raids with 10 students arrested. Together with the arrests of the three students who were detained on April 14, the number of arrested Boğaziçi University students has reached 13.



## 1-year 8-month imprisonment sentence against HDP MP Taşdemir

The summary judgment of the lawsuit filed against People's Democratic Party (HDP) Ağrı MPs Dirayet Taşdemir and Berdan Öztürk with the allegation of 'making illegal organization propaganda' was held at Erzurum 2nd Assize Court. Taşdemir was sentenced to 1 year and eight months of imprisonment due to the speech she gave during the funeral ceremony of a PKK member; the court deferred the announcement of the sentence. A verdict of acquittal was issued for Öztürk.



## 10-month imprisonment sentence against Pınar Aydınlar

Artist Pınar Aydınlar was convicted of commemorating the founder of Turkish Communist Party/Marxist-Leninist (TKP/ML) İbrahim Kaypakkaya, one of the 1968 generation leaders, in a concert she took part in in Tunceli five years ago. Tunceli 2nd High Criminal Court sentenced

Aydınlı to 10 months of imprisonment due to 'illegal organization propaganda'. The court further issued for Aydınlar to be deprived of some of her rights, including her right to election.



## **Prosecutor finds colours “yellow, red, green” crime element in combination**

The prosecutor found scarves and strings with yellow, red and green colours as crime elements in the lawsuit against 24 people, six of them arrested, with imprisonment claims for up to eight years due to

participating in the funeral of Kamber Morkoç after he died in Ardahan due to the fire opened by the soldiers. The prosecutor claimed that these are “colours misused by the illegal organization.”

In the indictment prepared, the Prosecutor claimed that the funeral ceremony of Morkoç was “turned into an illegal organization propaganda” and that a perception is created that the incident was performed by the soldiers to end “terror” operations in the region. Various political party activities were described as ‘illegal organization propaganda’ and ‘public incitement towards hatred and hostility’ as well. The first hearing of the case will be held on May 30 at Ardahan Assize Court.



## **Statements against Afrin operation become crime evidence**

An indictment was prepared against 11 politicians including People’s Democratic Congress (HDK) Co-Spokesperson Prof. Dr. Onur Hamzaoğlu and former HDP Co-Chair Serpil Kemalbay with imprisonment claims for up to eight years with the

allegation of ‘inciting people towards hatred and hostility’ and ‘making terrorist organization propaganda’. Hamzaoğlu and Kemalbay have been dismissed from Kocaeli University with emergency decrees.

In the indictment prepared by Ankara Chief Public Prosecutor’s Office, HDP party and organization spokespeople were claimed to have aimed to ‘defame the Olive Branch operation’ with their speech ‘publicly accusing the Republic of Turkey’ on 4 February 2018. Books found in the search at the residence of Hamzaoğlu were shown as crime evidence. Onur Hamzaoğlu had been arrested in February together with Socialist Party of the Oppressed (ESP) Deputy Chair Fadime Çelebi within the investigation.



## **Blanket aid for shattered home residents become crime evidence**

Celalettin Can, was concluded. In the indictment prepared by Istanbul Chief Public Prosecutor's Office, the activities of HDP were shown as crime evidence.

The investigation against 34 people, including the 78s Generation Initiative Spokesman and People's Democratic Party (HDP) executive

Can is charged due to participating in the protests organized against the detainment of HDP MPs with the operations against Cumhuriyet and Özgür Gündem newspapers. His use of the words "Amed" and "Kurdistan" during a phone call was also claimed to reveal his connection with an illegal organization. The blanket aid provided for citizens whose homes were destroyed during the curfews and operations was described as a "logistic support for terrorist organization members." Despite the lack of ban or issue to pull off the shelves, the content of the magazines and books seized during the house search at Can's residence were claimed to have made 'illegal organization propaganda.'



## **Proceeding of lawyers protesting curfews starts**

lawyers face imprisonment claims for up to 144 years in total due to 'making illegal organization propaganda' and 'participating in illegal meetings and demonstrations.' The next hearing of the case was scheduled for 8 November 2018.

The first hearing of the case filed against 18 Libertarian Lawyers Association members was held at Istanbul 36th Assize Court. The lawyers have performed a sit-in protest and made a press statement in Beyoğlu Tünel to point to the curfews and civic deaths. The



## **Proceeding of academics and students protesting dismissals at universities starts**

February 2017 to support academics who were dismissed with emergency decrees, was held. The defendants are charged with violating the Law on Meetings and Demonstrations No. 2911.

The first hearing of the case filed against 14 people, who participated in the protest organized at Ankara University Cebeci Campus on 10

The police had entered the campus by stomping on the academic robes laid out in the entrance of the campus and detained protesters by intervening the group of students and academics. Previously dismissed public workers were not allowed in the campus. In the case at Ankara 24th Criminal Court of First Instance, the defendants pointed out the violence applied by the police on the incident day. The next hearing was scheduled to 19 July 2018.



### **Four people convicted of 'propaganda' in lawsuit against HDP members**

The lawsuit filed against 18 people, including Adana Bar Association Prison Monitoring Commission Chairman Atty. Tugay Bek and People's Democratic Party (HDP) Adana Provincial Co-Chair Gülseren Tural, was concluded. The

defendants were charged with making 'illegal organization propaganda' with their social media posts. Adana 11th Assize Court sentenced defendants Mehmet Tutuş, Bahri Çelik, Derya Çiçek and Halime Kuş to imprisonment sentences varying from 1 year and three months to 1 year and six months, deferring the announcement of the sentences. 14 defendants were acquitted.



### **Arrested journalist İshak Karataş released**

The proceeding of nine people, including Halkın Nabzı Newspaper Editor-In-Chief İshak Karataş, started at Istanbul 28th Assize Court. The defendants were arrested within the investigations started against the social media posts on the Afrin operation. The court decided for the

defendants to be released with judicial control, issuing a ban on travelling abroad.

The nine people had been taken into custody on January 22 and were arrested by Istanbul 9th Criminal Judicature of Peace on January 26 due to "making posts that legitimize terrorist organizations following the operation started by the Turkish Armed Forces in the Afrin region."



## Journalist Gökhan Öner arrested

DIHABER reporter Gökhan Öner, who was taken into custody during the house raids in Denizli on April 28, was arrested with the allegation of 'illegal organization membership.' The reason for the journalist's arrest was shown as a denouncement made against him as well as the news he reported during the time he was

working at DIHABER. Four people, who were taken into custody together with Öner, were released with judicial control.



## Event of author at book fair cancelled due to 'social sensitivities'

The program to be held by writer Esra Elönü within the Book Fair in Kocaeli was cancelled with the reason that her opinions on Mustafa Kemal Atatürk create "social sensitivities." Elönü was a speaker in

a forum within the fair with the topic, "Questions in Purgatory." The event was cancelled following the meeting between the municipal administration and the publishing house bringing Elönü to the fair.



## ODTU Rectorates prevents Pride Week and Pride March

Middle East Technical University (ODTU) Rectorate did not permit the Pride Week and March to be organized by ODTU LGBTI+ Solidarity on May 7-12. The mail sent to all students by the rectorate

indicated that no event will be permitted within the university in accordance with the decision of Ankara Governorate, dated 18 November 2017, preventing all LGBTI+ events in the province.

Amnesty International called for urgent action against the prevention. The organization emphasized that the prevention violates the freedom of the right to meeting. "The march must be permitted and the general ban applied on all LGBTI+ events in Ankara must be removed," said the organization. To take part in the urgent action; <https://goo.gl/Z11GXa>



hearing of the cases against Faruk Eren, Ertuğrul Mavioğlu, Celal Başlangıç, Ömer Ağin, İhsan Çaralan, Celalettin Can, Fehim Işık, Öncü Akgül and Dilşah Kocakaya were scheduled to 16 July 2018.

- Lawyers have supported the Gezi Park protests with applause and slogans in front of the Themis sculptures in the main hall inside Çağlayan Courthouse on 11 June 2013; an indictment has been prepared against the lawyers two years after the incident. The hearing of the case against the lawyers was held on May 7 at Istanbul 65th Criminal Court of First Instance. We could not yet obtain the results of the hearing.
- The lawsuit filed against Dicle News Agency (DIHA) reporter Şerife Oruç with the allegation that she is an “illegal organization member” continued at Batman 2nd Assize Court on May 8. Oruç is arrested at Elazığ Type-T Prison and was not released in the fifth hearing as well. The next hearing was scheduled to 9 July 2018.
- Cases continued against the Academics for Peace. The hearings of the academics from Istanbul, Dokuz Eylül, Kadir Has and Işık universities were held at Istanbul 34th, 36th and 37th Assize Courts on May 8, 10 and 11. The next hearings were scheduled to 11 September, 2 and 4 October 2018.
- The ‘Turkish National Intelligence Trucks Case’ continued. The sixth hearing of the case was held at Istanbul 14th Assize Court on May 9 with defendants Enis Berberoğlu, Can Dünder and Erdem Gül. The file of Can Dünder and Erdem Gül, who are separately on trial as well, has also been held at the 14th Assize Court on May 7. The next hearing of the file against Dünder and Gül was scheduled to 2 October 2018, starting at 11:00. The files of Dünder and Gül were decided to be separated. In the hearing on May 9, Berberoğlu has stood trial for the first time after seven months. The hearing was postponed to 18 July 2018 for the witnesses of Enis Berberoğlu to be listened to, due to the changes in the court board.
- The first hearing of the case filed against 18 lawyers, who performed a sit-in protest and made press statements at Beyoğlu Tünel to point to the 78-day curfew and civilian deaths in Cizre district of Şırnak, was held at Istanbul 36th Assize Court. The next hearing was scheduled to 8 November 2018, starting at 11:00.
- The proceeding of 31 defendants, including former Zaman writers Şahin Alpay, Ali Bulaç, Ahmet Turan Alkan and Mümtazer Türköne continued on May 10-11 at Istanbul 13th Assize Court. The lawsuit was filed within the investigation started against the Gülen community following the July 15 coup attempt. The hearing was ongoing as the bulletin was being prepared.
- The proceeding of former Zaman Newspaper Chief Editor Ali Ünal, who is arrested within the FETÖ/PDY investigation, continued at Uşak 2nd Assize Court on May 10. The court issued Ünal to remain arrested and scheduled the next hearing to 18 July 2018. Ünal is arrested since August 2016.

### **Trials Next Week**

- The Hrant Dink assassination case will continue at Istanbul 14th Assize Court on May 14, 15, 17 and 18.
- Cases continue against the Academics for Peace. The hearings this week will be held on May 15 and 17 at Istanbul 36th and 37th Assize Courts, starting at 09:00.
- The fifth hearing of the case against People’s Democratic Party (HDP) Presidential candidate Selahattin Demirtaş with the allegation that he has insulted President Recep Tayyip Erdoğan during the speech he gave following his

visit in Russia in December 2015 will be held on May 17 at Bakırköy 38th Criminal Court of First Instance.

- The proceeding of Labour Party (EMEP) Deputy Chairman Levent Tüzeli who is on trial after the filing of Diyarbakır Chief Public Prosecutor's Office due to the events he participated in in Diyarbakır during the time he was an MP, will continue on May 17 at Diyarbakır 5th Assize Court.
- The lawsuit against former People's Democratic Party (HDP) Co-Chair Figen Yüksekdağ due to 'terrorist organization management,' 'making terrorist organization propaganda,' 'violating the Law on Meetings and Demonstrations,' 'inciting people towards hatred and hostility' and 'inciting to commit crimes' will continue on May 17 at Ankara 16th Assize Court, starting at 09:30. The indictment against Yüksekdağ was prepared by merging seven different summaries against her.