



Think, think...

Freedom of Expression Weekly Bulletin

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What happened last week? (*)

*** Turkish Lira's fall continue against the U.S. Dollar and Euro, with 22 percent fall against the U.S. Dollar in one month and 40 percent fall since the beginning of the year.

*** Stating that the currency drop is being used as a tool, President Erdoğan said, *"This attack against our economy is no different than the attacks against our prayers and flag."*

*** Moody's decreased the grades of 20 banks and financial institutions in Turkey. Immediately after, the Central Bank doubled the loan limits for nightly transactions of banks.

*** *"The new economic model announced by the Turkish government lacks specific economical strategies,"* said S&P and dropped the foreign credit grade of Turkey from BB- to B+. The status of the grade was announced as *"stable."*

*** The tax cuts from interests in Turkish Lira deposits were decreased with a Presidential decree, and it was reversely increased in foreign currency deposits.

*** President Erdoğan was re-elected as Chairman of the Justice and Development Party (AKP) with 1380 votes at the AKP Ordinary Congress.

*** The 700th week demonstration of the Saturday Mothers was banned with an Interior Ministry decree. The police attacked the Saturday Mothers with tear gas and rubber bullets; MPs were also physically engaged with press members. **(Details below...)**

*** IFEX spoke against the legal amendment that allowed the conditions of the State of Emergency to continue in ordinary states as well, saying, *"A permanent state of emergency by any name is no substitute for respecting human rights."* **(Details below...)**

*** Interior Minister Süleyman Soylu ordered the portrait of Erdoğan to be hung inside all public buildings used by units bound to the Ministry.

*** Written press in Turkey is under crisis as well due to the increase in paper prices with the rise in U.S. Dollar. Some newspapers decided not to publish on certain days and some chose to increase the prices. *"The Turkish media is having the worst time in its history,"* the Turkish Journalists Union stated.

*** Meetings of the Reform Action Group restarted after three years of break to prepare a calendar and strategies for the reformations to be made in Turkey on the way to EU membership. Four ministers made announcements following the meeting, making no concrete statements on the criticisms against the supremacy of law, press freedom and human rights. The Minister of Justice defended that Turkey has never made any concessions to the law, stating that applications to the European Court of Human Rights are at a fifteen-year low. However, it's important not to miss the fact that more than 100 thousand violations only

(*) The Bulletin contains two weeks of data due to the religious holiday between August 18th and 26th.

during the State of Emergency are stuck in a hope of domestic remedy, following the commission established to resolve objections due to emergency decrees.



Saturday Mothers attacked by police

The 700th week demonstration of “*the Saturday Mothers*” was banned with an order from the Ministry of the Interior. The Saturday Mothers have been organizing a sit-in protest in front of Galatasaray High School in Beyoğlu, Istanbul since the year 1995 to demand answers to questions on the fate of their

relatives who disappeared in custody. The police attacked the Saturday Mothers with the excuse of “provocation”, using tear gas and rubber bullets. MPs were physically engaged with press members as well. 47 were taken into custody.

Interior Minister Süleyman Soylu, who gave the attack order, defended the police violence and accused the mothers, who were looking for their children, of serving terrorism. “*We haven’t let them perform the demonstration, that is correct; should we have overlooked the fact that motherhood is being abused by a terrorist organization and made a cover for terrorism?*” Signaling a permanence of the demonstration ban, Soylu spoke on those disappeared in custody as well. “*Did they disappear while hanging out at Eminönü Square?*” asked Soylu. However, European Court of Human Rights (ECtHR) decrees reveal a totally different reality. According to the April 2017 data of Truth, Justice and Memory Center, Turkey’s responsibility was identified in 114 of the 129 forced disappearances in 61 of 72 applications.

According to the examination made on the legal files of 344 forced disappearances by the Center, the investigation on the disappearances of 218 people was stuck within domestic procedures. The files are seemingly still open, waiting without action. Investigations on 24 people were closed due to “*time limitation.*” In the investigation on 18 people, a verdict of non-prosecution was issued. Only two lawsuits filed on the matter concluded with conviction.



AKP: Saturday Mothers demonstrations no more permitted

Justice and Development Party (AKP) Spokesman Ömer Çelik spoke on the police attack against the 700th week demonstration of the Saturday Mothers. “*Demonstrations in places like the İstiklal Street will never be permitted,*”

Çelik said.

Accusing the mothers, who demand answers to questions on the fate of their children upon their disappearance in custody years ago, of “making terrorist propaganda,” Çelik claimed that the police attack was “a measure taken against the Galatasaray Square being turned into a center for terrorist propaganda.” The right to organize peaceful meeting and demonstration ‘without prior permission’ is protected by Article 34 of the Constitution, whereas Çelik stated that the demonstrations will only be permitted in locations specified by the Governorate.

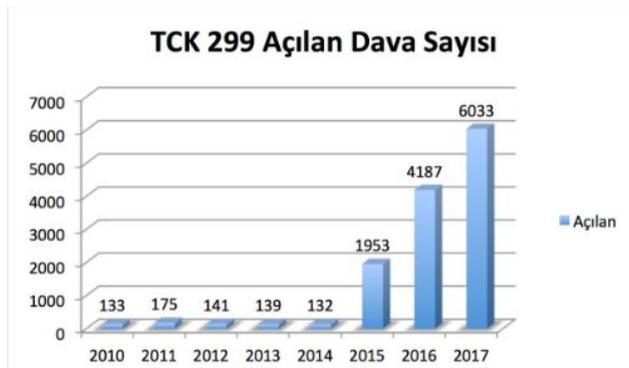


Lawsuit against arrested journalist Ece Sevim Öztürk due to ‘illegal organization propaganda’

The indictment prepared against arrested journalist Ece Sevim Öztürk due to ‘making illegal organization propaganda’ was accepted by Istanbul 37th Assize Court. The first hearing of

the case will be held on November 1st.

The indictment claims that FETÖ illegal organization has “attempted to cast a shadow on legitimacy before and after the June 24 general elections,” and that Öztürk has “shared posts on the coup attempt and prosecutions to serve this purpose, under a journalism cover.” The journalist was taken into custody on June 8 following the documentary, “The Darkest day of the Marine Forces,” prepared after the coup attempt and remains arrested in prison since June 20.



12 thousand lawsuits filed due to “insulting President” within seven years

Prof. Dr. Yaman Akdeniz announced 12893 lawsuits filed with the allegation of ‘insulting the President’ within the last seven years (2010-2017) and that 12305 of those cases were filed during

the Presidency of Recep Tayyip Erdoğan. According to the data shared by Akdeniz on Twitter, lawsuits were filed against 6033 people in accordance with Article 299 of the Turkish Penal Code (Regulating the offense of Insulting the President of Republic) only in 2017; with 2099 files concluding with conviction, 1660 with deferment of the announcement of the verdict and 873 with acquittal.



Ministry defends Demirtaş used his right to propaganda through tweets

Ministry of Justice has asserted Peoples' Democratic Party (HDP)'s Presidential candidate and arrested politician Selahattin Demirtaş has conducted a propaganda campaign through the use of his right to social media and telephone. Demirtaş, who is arrested at Edirne Type-F Prison since 4 November 2016, applied to the Constitutional Court through his lawyer and claimed that his right to free election is being violated due to his inability to use the right to propaganda. The Ministry claimed that "*Demirtaş is not deprived of activities of propaganda*" and suggested the messages he delivered through his lawyers and advisors, tweets sent from his social media account, phone meetings he held with his wife and his speeches on the Turkish Radio and Television Institute (TRT) on June 17 and 24 as evidence.



Pınar Aydınlar released

Artist Pınar Aydınlar was released after being sentenced to ten months of imprisonment due to a speech he gave during her MP candidacy in Izmir for Peoples' Democratic Party (HDP). Arrested at Bakırköy Closed Women's Prison since May 15, the artist was released. Aydınlar was kept in solitary confinement for four months and was sent to Eskişehir Open Prison in the evening of August 27 within supervised release. Aydınlar spent the night with her family with the condition to surrender to Eskişehir Open Prison within 24 hours. The artist will be released after the bureaucratic procedures are complete.



Idil Cultural Center worker Banu Torun arrested

Photography and Cinema Labourers (FOSEM) member at Idil Cultural Center, Banu Torun was arrested due to 'armed terrorist organization membership' after being taken into custody due to a denouncement against her. Torun was preparing a documentary on those dismissed from profession with Statutory Decrees issued within the State of Emergency protesting for their rights in front of the Human Rights Monument on Yüksel Street in Ankara.

Testifying at Ankara 4th Criminal Judicature of Peace with an arrest claim against her, Torun stated, *“Photographs and videos seized on my camera are the work that belongs to my documentary. There is no concrete evidence to support a denouncement made by an anonymous person. I am very surprised to be here.”*



Banner and speech ban against ‘peace rally’

The speech to be given by the Peace Mothers during the September 1 World Peace Day rally to be organized in Diyarbakır, as well as banners and posters to be hung at the area were banned.

The 26-article police summary sent to the organization committee indicated that Peace Mothers Initiative is not a legal organization and therefore they can not be permitted to give a speech at the rally. The summary described the mothers as *“so-called Peace Mothers.”* Here is the content written on the posters that were banned to be hung at the rally area: *“Peace cannot be isolated,” “Fascism will lose, the people will win,” “The palace wants war, the people want peace,” “Peace will win against war, State of Emergency and emergency decrees,” “AKP demands war, we will build peace.”*



Investigations against 146 social media users in one week

the Ministry statement, the social media users were charged with ‘making illegal organization propaganda,’ ‘insult,’ ‘public incitement towards resentment, hatred and hostility’ and ‘intending against the indivisible integrity of state.’

Ministry of the Interior announced that 281 social media accounts were examined between the dates August 20 and 27 and investigations were opened against 146 related users. According to



Interior Ministry to pay compensation for bomb attack during HDP rally

Concluding the lawsuit filed by Lisa Çalan, who lost both of her legs during the bomb attack against the election rally of the Peoples’ Democratic Party (HDP) on June 5, 2015, the

Administrative Court sentenced the Ministry of the Interior to pay 1 million 356 thousand TL material and moral compensation due to the absence of security measures. Indicating that the explosion could be prevented, Diyarbakır 2nd Administrative Court stated that there is a fault in service due to neglect.



No “fault” detected in civilian death during curfews

Another investigation started against the deaths during the curfew declared in Cizre district of Şırnak between December 14, 2015 and March 2, 2016

was concluded with non-prosecution. The Prosecutor’s Office found the death of 55-year-old Besna Zırığ due to heart attack “*ordinary*,” despite it having occurred immediately after bullets striking their home and a big explosion.

Zırığ’s husband Mehmet Halil Zırığ made a criminal complaint at Cizre Chief Public Prosecutor’s Office, stating that heavy arms used during the curfew has provoked the heart attack and that the ambulance called many times could only arrive at the incident area three hours later, with heavy fire opened around the location of the home despite a lack of apparent clashes. The Prosecutor verdict claimed Zırığ’s death as “*natural death*,” indicating a lack of camera recordings and radio-log on the day of the incident.



Artists support Osman Kavala after 300 days under arrest

A group of artists and culture-art workers, rights advocates and businesspeople have gathered on the 300th day of Osman Kavala’s arrest and opened a banner that stated, “*We miss [him]*,” repeating their wish for

Kavala to be released at once. The indictment is still not prepared against Kavala, who was taken into custody on October 18, 2017 and is kept in prison since November 1, 2017.

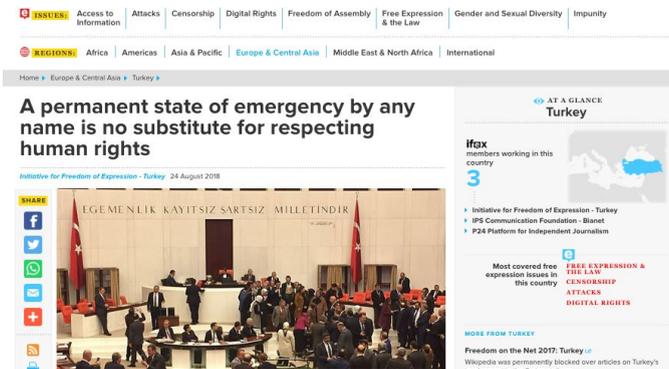


HDP board prevented from examination on forest fire in Tunceli

A board of the Peoples’ Democratic Party (HDP) MPs visited Tunceli due to the absence of intervention on the fire started through military operations in

Tunceli and is ongoing for around 20 days.

As the board continued negotiations in the provincial center, Tunceli Governorate launched a written statement, entitled, “Those Attempting to Disrupt Tunceli’s Peace Will Not be Permitted.” The statement claimed that the fire is used as an excuse to prevent the fight against terrorism and the citizens’ environmental sensitivity is being abused through incorrect news and posts; further accusing the MPs with “*disrupting the peaceful atmosphere in the province*” and stating that they will not be permitted to do so. The HDP board was prevented by the police upon Governorate order from making observations in regions where the fire was ongoing.



IFEX: A permanent state of emergency by any name is no substitute for respecting human rights

A roof organization for international organizations for freedom of expression IFEX sent a call for their members and

suggested a common text that explains how the State of Emergency in Turkey did not end but rendered permanent through recent legal amendments. More than 40 NGOS signed the text, signaling that a permanent state of emergency by any name is no substitute for respecting human rights. For details; <https://goo.gl/MdKN8E>



Middlesex University launches State of Emergency report

Middlesex University in London reported the rights violations experienced during the two-year State of Emergency in Turkey.

The report involves a chronological overview on the events that happened from July 15, 2016 until June 13, 2018 together with legal processes, decrees issued by Turkish courts as well as the European Court of Human Rights, reports and information launched by national and international rights organizations, as well as legislations applied during the State of Emergency with an emphasis on the restrictive legislation that was transferred to the post-State of Emergency period as well.

The report involves results of the “*Turkish Human Rights Case Support Project*” conducted by Professor Philip Leach from Middlesex University Faculty of Law, Applied Human Rights Professor Helen Duffy from Leiden University and lawyers Ayşe Bingöl Demir, Saniye Karakaş and Senem Gürol. The project aims to encourage legal remedies against systematic and large-scale human rights violations that are ongoing in Turkey while providing sustainable support for people who were deprived from their basic rights as well as human rights groups aiming to help them. Please click for the full report: <https://goo.gl/Hcoj1a>



TRIALS OF FREEDOM OF EXPRESSION

- The fourth hearing of the lawsuit against former People's Democratic Party (HDP) Chairman Selahattin Demirtaş was held at the hearing room at Sincan Penitentiary Campus. Ankara 19th Assize Court decided for Demirtaş to remain arrested and scheduled the next hearing to October 3.



TURKEY TODAY

- Our fourth Xtra Bulletin, involving developments during the State of Emergency and the Presidential period, reveals that nothing will change, no matter the local election results, with the 17th Presidential decree. [Please click here](#) for details and other Xtra bulletins.