



Think, think...

Freedom of Expression Weekly Bulletin

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What happened last week?

*** The negotiations for the 2019 budget, that was prepared for the first time by the Presidency within the Presidential system, started in the Parliament. The offer that was described as the “savings budget” by the government, predicts an increase in the budget for the Religious Affairs by 34 percent and in the Presidential budget by 233 percent.

*** President Erdoğan announced that the operation on the Syrian land against the region under YPG control at the east of the Euphrates will start within a few days. The Turkish Armed Forces (TSK) organized an airstrike against Sinjar and Karacak.

*** Republican People’s Party (CHP) and Good Party (İYİ Parti) reached a consensus on the alliance negotiations for the upcoming local elections on March 31. İyi Party will not present candidates in 11 metropolitan provinces and neither will CHP in 10 metropolitan provinces. The “*mutual gestures*” spoken by Erdoğan on the alliance between the Justice and Development Party (AKP) and the Nationalist Movement Party (MHP) are still unclear.

*** 48 percent of all projects introduced by Erdoğan in the first 100-day programme were on the defense sector. “*The defense industry will sprint,*” Erdoğan said for the second 100 days.

*** Central Bank decided to keep the high interest rates due to “*the ongoing risks against price stability.*”

*** According to the data announced by the Turkish Statistical Institute, Turkey has grown by 1.6 percent in the third quarter of 2018. This number was 11.1 for the exact period last year.

*** Trade Minister announced the number of companies declaring bankruptcy as 846. This number was 356 only a month ago.

*** 2880 Turkish citizens applied for asylum in the EU countries in October. 17300 Turkish citizens in total are awaiting answers for their applications of asylum.

*** In his speech on the World Human Rights Day, Erdoğan compared the Gezi park protests with the ‘Yellow Vests’ protests in Paris, that fulfilled its fourth week. Erdoğan indicated that Western countries, who “*defended human rights during the Gezi Park protests*” are “*two-faced.*” “*No one can attempt to lecture us on the matter,*” Erdoğan said. However, all data reveals how dark the situation in Turkey is in terms of human rights.

*** Committee to Protect Journalists (CPJ) launched the 2018 report; Turkey was ranked first in countries imprisoning the most number of journalists three times in a row.

*** The “FETÖ” prosecution against Sözcü Daily was extended; indictments were prepared against two columnists and three newspaper executives.

*** A lawsuit was filed against Turkish Medical Association (TTB) executives, launching a statement against the military operation in Afrin, entitled, “*War is a public health issue.*” Investigations were started against 170 intellectuals, who sent letters to the MPs to end the operation.

*** 18 more academics, who are on trial due to the Peace Petition, were sentenced due to ‘illegal organization propaganda.’

*** Ministry of the Interior announced legal actions taken against 238 people between December 3 and 10 due to their social media posts.

*** With an update on the Audiovisual Broadcast Ethics Principles of the Radio and Television Supreme Council (RTÜK), “*respecting national will*” has entered the broadcasting principles of media service providers.



December 10: Human Rights in Turkey

December 10, the day the Universal Declaration of Human Rights was accepted, revealed the situation in Turkey once again in terms of human rights. According to the report prepared by Republican People’s Party (CHP) Deputy Chair Gamze Akkuş İlgezdi

using the data of the Ministry of Justice, the number of suspects in Turkey were 11 million 985 thousand 118 by the end of 2017. Legal actions were taken against 230,483 people each week and against 23 people per minute last year as suspects. The number of defendants on trial within the Article 301 of the Turkish Penal Code (TCK) were recorded as 4021. The number of defendants on trial due to violating the Law on Meetings and Demonstrations No. 2911 are 156,151. According to the data shared by CHP MP Sezgin Tanrikulu, the rights to life of at least 521 people were violated in 2018; 2214 people were exposed to torture and maltreatment. CHP Eskişehir MP Utku Çakırözer, on the other hand, indicated that the number of arrested journalists increased by almost five times within the last three years. A total of 400 years of imprisonment were sentenced within the last 11 years against 74 journalists.

Investigations were opened against 68827 people between the years 2014 and 2017 in accordance with Article 299 of the Turkish Penal Code (TCK) regulating the charge of “*insulting the President.*” 12839 of those investigations turned into lawsuits. According to the data shared by Prof. Dr. Yaman Akdeniz, 3414 verdicts of conviction were issued within these lawsuits. The increase in the number of investigations and filed lawsuits within the years is also attention grabbing. There were 132 lawsuits in 2014, the year Erdoğan was elected as President of Republic for the first time, continued with 953 lawsuits in 2015, 4187 in 2016 and 6033 in 2017. There were 682 investigations with the same charge in 2014, continued with 7216 in 2015, 38254 in 2016 and 20539 in 2017.

Human Rights Association (IHD) and Human Rights Foundation of Turkey (TIHV) prepared a report, indicating that the State of Emergency was made permanent in Turkey. According to the report, the year 2018 has been a year without the right to hold peaceful meetings and

demonstrations. It was indicated that even the June 24 elections were held with meeting and demonstration bans in 25 provinces. 785 peaceful demonstrations were intervened within the last ten months; 3697 people were detained and 118 were arrested. [Please click here](#) for details.

On the other hand, according to the report prepared by the People's Democratic Party (HDP), Hakkari MP Leyla Güven, 15 former MPs and 50 mayors are in prison. At least 2 thousand HDP members or supporters were detained in 2018 and at least 500 were arrested. 29 politicians, who served as MPs or party executives, were sentenced to imprisonment. [Please click here](#) for details.

Lastly, when European Court of Human Rights (ECtHR) data is considered, Turkey was convicted in 2988 cases in the 3386 filed. The first ranked violation by Turkey is the violation of the "right to fair trial."



CPJ Report: Highest number of arrested journalists in Turkey

According to the 2018 report of the Committee to Protect Journalists (CPJ), 251 journalists are kept in prisons worldwide. Turkey is ranked as the country with the highest number of

imprisoned journalists for the third time in a row, with 68 journalists in Turkish prisons. The CPJ report states, "68 journalists in Turkey are currently in prison for professional activities." The report further states that the number of imprisoned journalists in Turkey decreased in 2018 compared to the previous year. The report indicated an increase of pressure in Turkey that started before the coup attempt. "Erdoğan started the oppression before the failed coup attempt in 2016, whereas he increased the oppression later and shut down more than 100 press institutions with emergency decrees. The situation is also without defense for those having connections with the profession of journalism," the report states. [Please click here](#) for the full report.



"Peace Academics" on trial

18 more scientists, on trial due to 'terrorist organization propaganda' through signing the "We Will Not Partake in this Crime" petition of the Academics for Peace, were sentenced to imprisonment.

16 academics were sentenced to 1 year and three months of imprisonment each in the hearings at Istanbul 32nd and 37th Assize Courts; verdicts against two were not deferred. The announcement of the verdicts were deferred in the others. Asst. Prof. Dr. Lütfiye Bozdağ was sentenced to 1 year and 6 months of imprisonment without an abatement due to "lack of remorse;" her sentence was not deferred. The sentence against Gürsoy was increased due to

making statements supporting the content of the Peace Petition together with the Turkish Medical Association (TTB) he was the Chairman of at the time, as well as due to protecting the petition in various social media posts and interviews. Gürsoy was sentenced to 2 years and three months of imprisonment and the sentence was not deferred. Thus, the number of academics standing trial in the prosecution period since December 5, 2017 has reached 428 and 60 academics were sentenced in the concluded cases.



Lawsuit against TTB executives calling for peace

A lawsuit was filed against Turkish Medical Association (TTB) executives due to ‘making terrorist organization propaganda’ and ‘public incitement towards resentment and hostility’ after launching a statement against the military operation in Afrin, entitled, “*War is a matter of public health.*”

The indictment, accepted by Ankara 32nd Assize Court, claims imprisonment sentences against 11 TTB Central Council member doctors for up to eight years. Following their call for peace, the doctors were targeted by President Erdoğan, were detained with house raids in seven different provinces on January 30, 2018 and were released a week later with judicial measure. The first hearing of the case will be held on December 27, Thursday at Ankara Courthouse, starting at 09:00.



Investigation opened against “Afrin letter” sent by Citizens Initiative to MPs

An investigation was started against 170 people, including Tilbe Saran, Rakel Dink, Fatma Bostan Ünsal, Necmiye Alpay, Ertuğrul Günay 11 months later after sending a letter to MPs to end the military operation conducted by Turkish Armed Forces (TSK) and the Free

Syrian Army in Afrin.

The intellectuals, including various politicians, writers, academics, artists, journalists and NGO representatives, demanded a dialogue for the resolution of conflict in the text they signed; which was later sent to all MPs at the GNAT. Immediately after, President Erdoğan spoke, addressing those who signed the text, demanding peace, saying, “*Tyrants. Unconscientious people. Immoral people. Know that the blood of our martyrs will not remain on the floor. What they do is hypocrisy, opinion clownery; being human shields for terrorists.*” Some names were called to the Anti-Terror Unit by the police within the investigation to testify. The intellectuals were asked, “*What is your purpose in signing the petition, which claims the end of the operation?*”



Lawsuit against writers and executives of Sözcü Daily

An indictment was prepared against Sözcü Daily writers Emin Çölaşan and Necati Doğru, as well as Editor-In-Chief Metin Yılmaz, Online Editor-In-Chief Mustafa Çetin and Internet News Coordinator Yücel Arı due to “aiding an

illegal organization.” The journalists face imprisonment sentences from 7.5 years up to 15 years. Verdicts of non-prosecution were issued for five people, including writers Uğur Dündar and Saygı Öztürk.

The indictment, accepted by Istanbul 37th Assize Court, charged Çölaşan due to his column in 2013, entitled, “*Fethullah and his team succeeded what we couldn't*,” another one in 2015, entitled, “*Now is the time to defend the community*” and another one in 2017, entitled, “*The tragedy of a mother*” while charging Doğru due to his columns in 2016, entitled, “*House raid scenes in Ankara*,” “*Nylon coup*” and “*12 Days*.” The newspaper was further claimed to be publishing content in the same direction as the illegal organization “*FETÖ*.”



Arrested journalist Ece Sevim Öztürk released after conviction to 3-year imprisonment sentence

Journalist Ece Sevim Öztürk was sentenced to 3 years, 1 months and 15 days of imprisonment due to ‘willfully aiding and abetting an illegal organization’ through six Twitter posts

and the documentary, entitled, “*The Darkest Day of Marine Force: July 15*.” The journalist was kept in prison for 173 days and was released with the imprisonment sentence issued by Istanbul 37th Assize Court with a travel ban.



Lawsuit against Evrensel news on arrest of Boğaziçi University students

A lawsuit was filed against journalist Cansu Pişkin due to the news she covered on Evrensel newspaper’s April 5, 2018 issue with the title, “*Special Prosecutor for Boğaziçi Students*,” on the university students arrested for protesting against the Afrin operation.

The indictment of the case charges Pişkin with “*targeting a public officer for terrorist organizations*” due to revealing the name of the Prosecutor conducting the investigation against the journalist. The first hearing of the case will be held on March 6, 2019 at Istanbul 36th Assize Court.

A group of students had distributed Turkish delights at Boğaziçi University on March 19 to celebrate the Afrin operation; another group of students who reacted against this celebration and demanded peace were detained and arrested. The news indicated that the investigation file was handed to Prosecutor Ergün Güçlü on the day the students were transferred to the courthouse and reminded the readers that Güçlü had described the People’s Democratic Party (HDP) as “*the party conducting its politics under a terrorist organization lead*” on a different investigation he conducted.



University student arrested due to ‘insulting Erdoğan’

Karadeniz Technical University Faculty of Communication, Department of Journalism student Berivan Bila was arrested due to her social media posts and an article she wrote in July 28, 2017, entitled, “*Department of Journalism Lecture 1: Journalism Is Not a Crime.*” Charged with ‘insulting the President,’

Bila was sent to Trabzon Type-E Closed Prison. Bila was awarded the 2015 encouragement to journalism by Trabzon Journalists Association and was awarded the second prize in the 29th Young Communication Professionals Competition of Aydın Doğan Foundation in 2018. She was further awarded the first prize in the photography competition of the Ministry of Forestry.



Imprisonment sentence against journalist Adnan Bilen

Journalist Adnan Bilen was sentenced to 1 year and ten months of imprisonment due to the news he shared on the social media. Van 2nd Assize Court sentenced the journalist due to “*illegal organization propaganda*” and deferred the journalist’s sentence for five years.



Another lawsuit filed against Demirtaş

A lawsuit was filed against former People’s Democratic Party (HDP) Co-Chair Selahattin Demirtaş due to the

speech he gave in Van on September 2, 2016. The indictment, accepted by Van 2nd Assize Court, claims an imprisonment sentence against Demirtaş up to 10 years due to ‘making illegal organization propaganda’ and ‘incitement towards resentment and hostility.’ The Prosecutor’s Office further claimed that Demirtaş has provoked people to not obey the law and to commit crimes due to his expressions, “*Never recognize trustees; don’t accept them, don’t even look them in the face, don’t comply with their orders, don’t greet them... You must be ready for a great civil resistance.*”



Imprisonment sentence against former MPs Osman Baydemir and Leyla Birlik

Former People’s Democratic Party (HDP) MPs Osman Baydemir and Leyla Birlik, who were on trial at Şırnak Criminal Court of First Instance due to participating in the march organized in Şırnak in 2015 to protest the curfews,

were sentenced to 1 year and six months of imprisonment each due to ‘violating the Law on Meetings and Demonstrations No. 2911.’



Event bans

Soma District Governorate did not allow the staging of the play, “*Not Sale For Money*” of Soma Placeless Theater, which was established after the coal mine disaster on May 13, 2014 in Soma district of Manisa with 301 coal mine workers dead. The District Governorate

claimed that the play involved “*explicit content*”. The play was already staged in many districts of Istanbul, Izmir and Manisa and was planned to be staged in Soma on December 15.

Adana Governorate banned the “*Kebab and Turnip Juice*” planned to be made on December 8 and 9 due to “*public order and protection of the safety of life and property of persons.*” The festival was organized in Adana on the second Saturday of each December since 2010 within the “*Rakı Day*” celebrated since 2006. Due to Adana Governorate’s ban on the festival in 2015 due to the “*Alcoholic commercial ban,*” the festival’s name was changed to “*Kebab and Turnip Juice Festival.*”



TURKEY TODAY

Justice and Development Party (AKP) lost the majority in the Parliament in the June 7, 2015 elections after President Erdoğan’s demand of 400 seats in order to make the transition to the

Presidential system. In the same elections, People's Democratic Party (HDP) exceeded the 10 percent threshold with 80 MPs, changing the entire arithmetics in the Parliament. Turkey experienced another war spiral immediately after the elections. The "*Resolution Process*" was left without conclusion and Erdoğan's orders lead to the abatement of Parliamentary immunities, with following operations of detainment and arrest against the elected MPs. Today, the majority of the third party in the Parliament is arrested for more than two years... [Please click here](#) for the Xtra bulletin we prepared on the matter.



TRIALS OF FREEDOM OF EXPRESSION

- The second hearing of the lawsuit filed against arrested journalist Uğur Yılmaz was held at Bitlis 2nd Assize Court. Yılmaz is facing an imprisonment sentence from 9.5 years up to 25 years with the allegation of "*illegal organization membership*" and "*making illegal organization propaganda*" twice. He was arrested on July 17, 2017 due to the press statements and demonstrations he participated in to collect news information while working for Bitlis Municipality's Press Unit, as well as due to his social media posts and witness statements against him. The court requested vocal analysis from Bitlis and Elazığ Provincial Directorates in order to identify whether Yılmaz has chanted slogans in the events he participated in. The court further issued for the secret witness to testify once again and scheduled the next hearing to February 12. Yılmaz will remain arrested until the next hearing.
- Arrested journalist Ece Sevim Öztürk stood trial at Istanbul 37th Assize Court for the second time last week. Öztürk was detained on June 8 after the documentary she prepared following the coup attempt, entitled, "*The Darkest Day of the Marine Forces*" and later was arrested on June 20 due to "*making illegal organization propaganda.*" The court sentenced Öztürk to 3 years, 1 month and 15 days of imprisonment due to "*willfully aiding and abetting an illegal organization*" and issued the immediate release of Öztürk, considering the time she spent under arrest. A travel ban was issued against Öztürk within judicial measures. Öztürk's lawyers will apply for an appeal.
- The summary judgment of the lawsuit filed against journalist Adnan Bilen, who is charged with "*making illegal organization propaganda*" following the denouncement of Van Metropolitan Municipality after being dismissed from his duty by the assigned trustee, was held at Van 2nd Assize Court. The court sentenced Bilen to 1 year and 10 months of imprisonment due to "*making illegal organization propaganda.*" The announcement of the verdict was deferred for five years.
- Following the detainment of 22 students protesting a group that celebrated the Afrin operation in Boğaziçi University campus on March 19, 2018; another group of students wanted to protest the detainments at Boğaziçi University campus on March 22. Seven students were detained and were released the same night after testifying. A lawsuit was filed against these seven students due to "*Participating in illegal meeting and demonstration without arms and not dispersing despite warning,*" "*insulting public officer*" and "*simple threat.*" The first hearing of the lawsuit was held at Istanbul 48th Criminal Court of First Instance and the next hearing will be held on March 27, 2019.
- The 1.5 million TL moral compensation lawsuit filed by Şenbay Mining Inc. of Bayburt Group against journalist Çiğdem Toker due to her column, "*Look at subway*

tenders if you are looking for savings.” The hearing was postponed due to the judge’s excused absence.

- The prosecution of former Taraf Daily reporter Mehmet Baransu and Managing Editor Murat Şevki Çoban continued last week at Istanbul Anatolian 10th Assize Court due to the news, entitled, “*The Decision to End Gülen Made in State Security Council in 2004.*” No verdict was issued in the hearing; the next hearing was scheduled to March 6, 2019.
- The lawsuit filed against former People’s Democratic Party (HDP) Co-Chair Selahattin Demirtaş due to “establishing and managing a terrorist organization,” “*making illegal organization propaganda*” and “*praising the offense and the offender*” has been moved to Ankara 19th Assize Court under the chief judicature of Murat İlhan due to security reasons. The case consists of 31 summaries prepared against Demirtaş sent to the Parliament to revoke his Parliamentary immunity, claiming an imprisonment sentence against Demirtaş for up to 142 years. The sixth hearing of the lawsuit against Demirtaş was held last week at Ankara 19th Assize Court’s hearing room at Sincan Penitentiary Institute Campus. The court issued for Demirtaş to remain arrested and scheduled the next hearing to January 23-24-25.
- The first hearing of the lawsuit against JinNews News Director Safiye Alağaç due to ‘illegal organization propaganda’ was held at Diyarbakır 4th Assize Court. The lawsuit was filed with the allegation of ‘terrorist organization propaganda’ following the criminal complaint made by Information and Communication Technologies Authority (BTK) after continuous bans issued against JinNews news. The next hearing will be held in February.
- The hearings of the academics, who are on trial due to “making terrorist organization propaganda” due to signing the “*We Will Not Partake In This Crime*” of the Academics for Peace, continued this week at Istanbul Courthouse in Çağlayan. In the hearings held this week, 18 more cases were concluded. 16 academics were sentenced to 1 year and three months each, one academic was sentenced to 1 year and six months and one academic was sentenced to 2 years and three months of imprisonment in concluded cases. Four verdicts were not deferred.

TRIALS NEXT WEEK

- The 11th hearing of the lawsuit filed against Diyarbakır Co-Mayor Gültan Kışanak due to “*establishing and managing an armed terrorist organization*” as well as “*making terrorist organization propaganda for 41 times and participating in unarmed illegal meeting and demonstration, not being dispersed despite warning*” with a claim of imprisonment from 57 year and six months up to 230 years and six months; as well as of the lawsuit filed against Democratic Regions Party (DBP) Co-Chair Sebahat Tuncel with the allegation of “*armed terrorist organization membership*” and “*making terrorist organization propaganda for 16 times*” with a claim of imprisonment from 23 years and six months up to 95 years will be held at Malatya 1st Assize Court on December 17.
- The 83rd hearing of the lawsuit filed on the assassination of Agos Newspaper Editor-In-Chief Hrant Dink with 85 defendants, six of them arrested, will be held at Istanbul 14th Assize Court in Çağlayan on December 18-19-20.
- The prosecution of 24 people, who were detained in protests organized following the April 16 referendum together with documentary-maker and video activist Kazım Kızıl and charged with “*insulting the President*” and “*violating the Law on Meetings and Demonstrations No. 2911*” will be held at Izmir 33rd Criminal Court of First Instance on December 19.

- The next hearing of the lawsuit filed against Cumhuriyet Daily reporters Alican Uludağ and Duygu Güvenç due to “*public denigration of judicial institutions of state*” through the news articles on the Pastor Brunson crisis, entitled, “*US-measure justice,*” “*As the hostage diplomacy fails*” and “*Is it the judiciary or government who holds and lets go*” will be held at Istanbul 2nd Criminal Court of First Instance on December 20.
- The fourth hearing of the lawsuit filed on the death of university student Kemal Kurkut, who was shot dead by the police during the Newroz celebrations in 2017 in Diyarbakır, will be held at Diyarbakır 7th Assize Court on December 20.
- The next hearing of the lawsuit filed against Cumhuriyet Daily’s Izmir reporter Hakan Dirik, who is on trial following the criminal complaint of Justice Minister Bekir Bozdağ due to coverage of allegations on the transportation of chemical weapon ingredients from Turkey to jihadist groups in Syria to be used in the making of “*sarin gas*”, will be held at Istanbul 2nd Criminal Court of First Instance on December 20.
- The fourth hearing of the lawsuit filed against Evrensel Daily writer Kamil Tekin Sürek due to “*insulting the President*” through his column, entitled, “*Fascist Dictatorship*” will be held at Bakırköy 2nd Criminal Court of First Instance on December 20.
- Die Welt’s Turkey reporter Deniz Yücel had been detained on February 14, 2017 in Istanbul to testify to investigation units regarding his news coverage on the leaked private emails of Energy Minister Berat Albayrak following the hack by RedHack. Yücel has been arrested on February 27, 2017 by the court he was taken to with the allegations of “*illegal organization propaganda*” and “*public incitement towards resentment and hostility.*” The case of Yücel, who was released after 367 days under arrest without an indictment, will be held on December 20, Thursday at Istanbul 32nd Assize Court.
- Prosecutions of the Peace Academics, who are on trial due to “*making terrorist organization propaganda*” through signing the Peace Petition, will continue next week in different courts at Istanbul Courthouse in Çağlayan.