



Think, think...

Freedom of Expression Weekly Bulletin

(Issue 7/19, 15 February 2019)

What happened last week?

*** The government found the solution to the problem of high prices for food in the sale of food by municipalities to regulate the prices. As municipalities started to sell fruits and vegetables, President Erdoğan claims that the new game that's played on Turkey is the "*food terror*." "*We will beat this game altogether and we will not allow those creating this terror to achieve their goal*," Erdoğan said.

*** Starting his election campaign in Sivas, Erdoğan claimed that criticisms through the increase in food prices aim to lead people astray. Referring to the Afrin Operation, Erdoğan said, "*They are talking about the price of a tomato, eggplant, green pepper. Think about it, what is the price of a bullet?*"

*** The Public Alliance, collaborating in 30 provinces for the upcoming local elections, decided to extend their collaboration.

*** Leaders of Turkey, Russia and Iran came together in the summit organized in Sochi on the future of Syria. In the common declaration made, Putin and Rouhani stated, "*Eastern Euphrates must be left to the Syrian government*." Hence, the possibility for Turkey to make a military move without a coordination with Damascus weakened. All three leaders pointed out the territorial integrity of Syria.

*** As the hunger strike of People's Democratic Party (HDP) Hakkari MP Leyla Güven left 100 days behind, Interior Minister Süleyman Soylu targeted demonstrations to be organized to support Güven as well as HDP MPs. "*The one who lets you march is not a man*," said Soylu. The demonstrations were banned.

*** In its report, "Democracy Under Risk: threats and attacks against media freedom in Europe," the Council of Europe stated that 110 of the 130 journalists imprisoned in Europe are in Turkish prisons. "*Turkey is the biggest prison in the world for journalists*," evaluated the report. [Please click here](#) for details.

*** International Press Institute (IPI) prepared a report on press freedom in Turkey and stated, "*There is no progress in press freedom after the end of the State of Emergency*." [Please click here](#) for details.

*** Dilek Türker Dündar reacted against her lack of permission from travelling abroad due to the lawsuits filed against her husband, Can Dündar, with a video she recorded. Dündar stated that the restriction of her freedom to travel is being based on "*it being inconvenient for the security of state*." [Please click here](#) to watch the video.

*** SPEAKUP Platform (Platform Against Censorship and Self-Censorship) launched the Censorship and Self-Censorship in Turkey Report for December 2017 - December 2018. [Please click here](#) for the full report.

*** Human Rights Watch (HRW) indicated that the ban issued by Ankara Governorate against LGBTI events is discrimination as well as a violation of basic rights, demanding an immediate revocation. [Please click here](#) to watch the video prepared on the matter.

*** According to the report prepared by Bianet, men killed at least 255 women and at least 20 children in 2018, including three babies; as well as raped at least 61 women and sexually assaulted 347 girls. [Please click here](#) for the full report.

*** Following the announcement of 2017 monitoring reports, which identified various irregularities in public institutions, changes continue in the execution of the Court of Accounts. New members were elected for the executive office; Court of Accounts 3rd Chamber Member Mustafa Atalar and 4th Chamber Member Hasan Basri Yılmaz were assigned the positions.



“One who makes you walk is not a man,” Interior Minister says, prevents march by HDP MPs

Interior Minister Süleyman Soylu made a statement on the demonstrations planned to be organized by People’s Democratic Party (HDP) starting from Istanbul until Diyarbakır in fifteen provinces in order to point out the hunger strikes conducted by

Leyla Güven and other prisoners. “The one who makes you walk is not a man,” Soylu said.

Before the demonstration organized at Istiklal Street, Taksim Square was taken under blockade. The police did not let MPs march towards the Galatasaray Square. HDP Co-Chair Sezai Temelli said, “This is the picture of isolation.” Following the press statement, MPs performed a sit-in protest for a while. Protests were banned by Governorates in many provinces due to “national security, public order and the protection of public peace.” Diyarbakır was taken under blockade before the march that was organized in fifteen provinces to support Leyla Güven, who is on the 100th day of her hunger strike. Before the march that was planned to end with a statement made in front of Güven’s house, all roads leading to the house in central Bağlar district were blocked with barricades; all streets were taken under blockade. People’s Democratic Party (HDP) MPs were not allowed to march towards the front of Democratic Society Congress (DTK) Co-Chair and Hakkari MP Güven’s house in accordance with the ban verdict issued by the Governorate.



“Peace Academics” on trial

Seven more academics on trial due to “making illegal organization propaganda” through signing the petition, “We will not partake in this crime” of the Academics for Peace were sentenced to imprisonment at Istanbul

32nd, 36th and 37th Assize Courts. Istanbul 36th Assize Court sentenced Prof. Dr. Tahsin Yeşildere as well as Boğaziçi University academics S.Y. and M.G. to 1 year and three months of imprisonment due to “*making illegal organization propaganda.*” The announcements of all three verdicts were deferred. Istanbul 36th Assize Court also sentenced retired architectural historian Prof. Dr. Bülent Tanju to 1 year and three months of imprisonment. In the hearings at Istanbul 37th Assize Court, Hatice Kurtuluş Aydal from Istanbul University was sentenced to 1 year and six months, Gülsün Güvenli from Galatasaray University was sentenced to 1 year and three months of imprisonment. The announcement of the verdicts were deferred in three sentences issued due to “*illegal organization propaganda*” and an additional verdict was issued that was unprecedented in the prosecution of academics. Güvenli was accused of paying condolences and visiting the family of police officer Ahmet Çamuş, who was killed due to an armed attack in Şemdinli district of Hakkari. Assoc. Prof. Dr. Mehmet Şiray was sentenced to 1 year and three months of imprisonment. Istanbul 32nd Assize Court deferred the announcement of the verdict.

Thus, convictions were issued against 103 of the 470 signatory academics standing trial so far. The academics were sentenced to a total of 139 years and ten months of imprisonment; the sentences against 14 (22 years and two months of imprisonment in total) were not deferred.



Journalists on trial

Journalist Salih Turan, who lastly worked for the Kurdish service of Sputnik, was arrested due to “*making illegal organization propaganda.*” The journalist was arrested due to the news he shared on his social media account. His lawyer, Newroz Akalan, indicated that Turan was transferred to Silivri Prison after being kept at Metris Prison for one night.

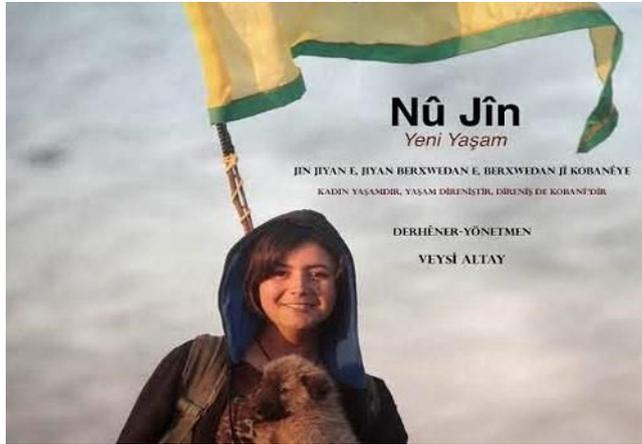
Singer and writer Atilla Taş, who was sentenced to 3 years, 1 month and fifteen days of imprisonment with the allegation of taking part in the media structuring of “*FETÖ*”, was released within the provisions of supervised release. Taş had been arrested in September 2016 within the investigation opened following the coup attempt and was released from Silivri Prison in October 2017. The final verdict was announced in March in the lawsuit against 28 media workers, including Taş, due to “*illegal organization membership*” and “*coup attempt.*” Taş was convicted due to “*aiding and abetting an illegal organization without being a member*” and was arrested for the second time in November 2018 as the sentence against him was finalized after the approval of the Court of Cassation.

The third hearing of the lawsuit filed against 23 people, including Legal Bureau of the Oppressed (EHB) lawyers and Etkin News Agency (ETHA) workers, with the allegations of “*illegal organization membership*” and “*making illegal organization propaganda*” was held. Three of the defendants are arrested and in the hearing, a verdict of release was issued for journalist Izminaz Temel. Istanbul 27th Assize Court issued Temel’s release with judicial measure and travel ban. The next hearing will be held on April 24, starting at 10:30.

TV10 cameraman Kemal Demir, who is arrested for more than a year within the investigation started in 2014 against Peace and Democracy Party's (DBP) political academies, was released with judicial control and travel ban. TV10 was previously shut down with an emergency decree as well. TV10 employees Kemal Karagöz and Kemal Demir were detained during raid against their residences in Istanbul on November 25, 2017 and Karagöz was released by the court they were taken to on December 1, 2017 with judicial control. However, Demir was arrested and was taken to Silivri Prison. The indictment prepared against Demir six months after his arrest was accepted by Istanbul 28th Assize Court and in the first hearing on July 3, 2018, the court issued a verdict of non jurisdiction, sending the file to Mersin Assize Court. The court in Mersin also issued a verdict of non jurisdiction, therefore the file was carried to the Court of Cassation. Following the verdict by the Court of Cassation, the prosecution of Demir will continue in Istanbul on May 2, 2019.

Etkin News Agency (ETHA) reporter Adil Demirci, who is arrested for ten months, was released in the second hearing of the lawsuit filed against him due to *"illegal organization membership"* and *"making illegal organization propaganda."* Istanbul 25th Assize Court further issued a 'travel ban within the province' against Demirci, who is a German citizen. The next hearing will be held on April 30, 2019.

An indictment was prepared against journalist Çağdaş Kaplan with the allegation that he has made *"illegal organization propaganda"* through his social media posts. The indictment declared Evrensel Daily as a media institution that *"makes publications in line with a terrorist organization"* and the reaction against the ban of previously shut-down Özgür Gündem Daily was considered a *"crime."*

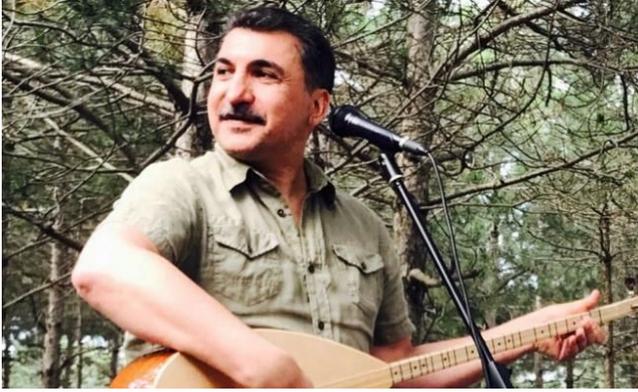


Penalty against Nû Jîn documentary due to "terrorist organization propaganda"

Director of documentary, Nû Jîn, depicting the lives of three women who took part in the fight against ISIS in Kobani, Veysi Altay and former manager of Yılmaz Güney Theater Hall Dicle Anter, who allowed the documentary to

be screened there in Batman, were sentenced to imprisonment due to *"making terrorist organization propaganda."*

Batman 2nd Assize court sentenced Altay to 2 years and six months and Anter to 2 years and one month of imprisonment, as well as travel bans against the two names. In the indictment prepared by Batman Prosecutor's Office, the documentary's screening at Yılmaz Güney Theater Hall on October 14, 2015 was described as "crime element" due to the advertisement poster depicting a YPJ warrior and a YPG flag.



Lawsuit against artist Ferhat Tunç with imprisonment claim up to 20 years

Diyarbakır Chief Public Prosecutor's Office prepared an indictment against artist Ferhat Tunç with a claim of imprisonment from 8 years and six months up to 20 years due to "*illegal organization membership*" and "*making illegal organization propaganda.*" In the indictment accepted by Diyarbakır 5th Assize Court, Tunç is charged due to his participation in meetings of Democratic Society Congress (DTK) as well as his social media posts against the military operation in Afrin.



Imprisonment sentences against HDP MPs Imam Taşçier and Alican Önlü

People's Democratic Party (HDP) Diyarbakır MP Imam Taşçier and Tunceli MP Alican Önlü were sentenced to a total of 5 years and four months of imprisonment in separate lawsuits filed against them. Taşçier was on trial at Diyarbakır 7th Assize Court due to standing among the crowd that gathered in front of the police barricade built following the curfew declared in Sur and was acquitted of the charge of "*making illegal organization propaganda*". However, Taşçier was sentenced to 3 years and ten months of imprisonment due to "*committing a crime on behalf of an illegal organization without being a member*" and "*violating the Law on Meetings and Demonstrations No. 2911*". Önlü, on the other hand, was on trial at Tunceli 1st Assize Court with the allegation that he played "an active role" on carrying a PKK member to the ambulance after being wounded during clashes and that he participated in the funeral of a PKK member. Önlü was sentenced to 1 year and six months of imprisonment due to "*making terrorist organization propaganda.*"



Imprisonment sentence against social media posts due to "illegal organization propaganda"

Peace Petition signatory academic and lawyer Hanifi Barış was sentenced to 1 year and eight months of imprisonment due to his social media posts. The

announcement of the sentence issued due to “making illegal organization propaganda” was deferred. The academic remained under arrest for approximately two months within the file and was released in the first hearing.



Lawsuit against lawyer writing appeal petition due to “insulting Erdoğan”

A lawsuit was filed against lawyer Özgür Urfa due to “insulting Erdoğan.” The lawyer appealed for the judicial fine sentenced against two people, who protested former prime minister Erdoğan during the time of the corruption

operations with the placard that said, “There is a thief”, due to “insulting a public officer.” In the appeal petition, Urfa wrote, “The recordings revealed during the corruption operations showed how Erdoğan set millions of TLs to zero while being involved in dirty money and corruption relations. The placards used during the protests naturally depicted the theme of theft and were in accordance with the natural flow of life, being momentary reactive reflexes.” Following the complaint of Legal Affairs General Directorate of the Ministry of Justice, the lawyer will stand trial at Ankara 30th Assize Court.



Adana Governorate bans Kurdish Theater Days

The Kurdish Theater Days, organized by People’s Democratic Party (HDP) Adana Provincial Organization, was banned due to threatening public safety. In the event planned to be organized on February 10-13, Amed City Theater’s play Tartuffe, Teatra Jiyana Nu’s play Tene Ez and Theater Mencil’s play Kozik were to

be staged.

Simultaneous press statements were made on the matter in Adana, Istanbul, Diyarbakır and Var. The statement made by Amed City Theater said, “Are the plays of Moliere, Brecht more dangerous when staged in Kurdish? Or is the event being banned because it is organized by HDP?”



Rectorate bans arts

The replication artwork prepared by the students of Yıldız Technical University’s Faculty of Arts and Design were targeted by the news published on Akit Daily with the headline, “Disgrace under the name of arts.” The drawings were removed by the Rectorate following the targeting due

to “*exhibitionism*” and the “*exhibition of naked bodies of children and women.*”



TIHEK claims gender identity not a reason for discrimination

The application made at Turkey Human Rights and Equality Institution (TIHEK) on two transgender women not permitted inside Ankara Cinnah Hotel was denied due to “*gender identity not being a reason for discrimination.*” Pink Life LGBT

Solidarity Association had made the application at the Institution, indicating that the incident constitutes a crime within the “*principle of equality and the discrimination ban.*” However, TIHEK claimed that notions like race, skin colour, language, religion, faith, sect, political or philosophical opinion and sexuality constitute bases for discrimination and that discrimination based on gender identity is not included in this scope.



Closure case against parties including word “Kurdistan”

Chief Public Prosecutor’s Office of the Court of Cassation filed a lawsuit of closure against Kurdistan Communist Party (KKP) and Kurdistan Freedom Party (Partiya Azadiya Kurdistanê / PAK).

Kurdistan Communist Party has recently announced that they will form an alliance with People’s Democratic Party (HDP) in the upcoming local elections. The party had changed its name, which was previously Freedom and Socialism Party (ÖSP), at the third General Congress held on November 11, 2018. The Chief Prosecutor’s Office asserted that the party bylaw and programme involved sections violating Articles 3 and 68/4 of the Constitution as well as Articles 78, 79/a, 80, 81, 82, 83 and 96 of the Political Parties Act. The Chief Prosecutor’s Office had also sent a warning letter to Kurdistan Freedom Party, established on December 11, 2014, in March 2015 for the party to remove the word “Kurdistan” in its name.

Turkey Kurdistan Democratic Party (TKDP) is the first party using the name “Kurdistan” and was allowed to use the name on April 28, 2014; whereas was also sent a warning letter in order to remove the word “Kurdistan” in its name. The closure case of TKDP had started in October 2017.



TRIALS OF FREEDOM OF EXPRESSION

- The third hearing of the lawsuit filed against arrested journalist Uğur Yılmaz with the allegation of “illegal organization membership” and “making illegal organization propaganda” was held at Bitlis 2nd Assize Court. Yılmaz was arrested on July 17, 2017 due to participating in the press statements and demonstrations he was following for news information as well as his social media posts and witness statements against him during the time he was working at Bitlis Municipality’s Press Department. Yılmaz was not released in this hearing as well and the next hearing was scheduled to May 7, 2019.
- The fourth hearing of the lawsuit filed against 21 printing house workers, with nine defendants arrested including Gün Printing owner Kasım Zengin, was held at Istanbul 26th Assize Court. The court issued the release of arrested defendants Uğur Selman Kelekçiler, Musa Kaya, Mehmet Emin Sümeli and Cemal Tunç. Thus, the number of arrested defendants decreased to five. The next hearing was scheduled to March 11, 2019.
- Director of documentary, Nû Jîn, depicting the lives of three women who took part in the fight against ISIS in Kobani, Veysi Altay and former manager of Yılmaz Güney Theater Hall Dicle Anter, who allowed the documentary to be screened there in Batman, were sentenced to imprisonment due to “making terrorist organization propaganda.” Batman 2nd Assize court sentenced Altay to 2 years and six months and Anter to 2 years and one month of imprisonment, as well as travel bans against the two names. In the indictment prepared by Batman Prosecutor’s Office, the documentary’s screening at Yılmaz Güney Theater Hall on October 14, 2015 was described as “crime element” due to the advertisement poster depicting a YPJ warrior and a YPG flag.
- The third hearing of the lawsuit filed against writer and human rights advocate Nurcan Baysal was held at Diyarbakır 7th Criminal Court of First Instance due to “public incitement towards resentment and hostility” through her social media posts against war, made during the “Olive Branch Operation” against Afrin. The hearing was postponed due to the court judge being excused. The next hearing was scheduled to April 18, 2019.
- The prosecution of Etkin News Agency (ETHA) reporter and citizen of Turkey and Germany, Adil Demirci continued at Istanbul 25th Assize Court due to “making terrorist organization propaganda” and “illegal organization membership.” The court issued the release of demirci, banning him to travel outside of Istanbul’s provincial borders. The other four defendants will remain arrested. The next hearing was scheduled to April 30, 2019, starting at 13:30.
- The third hearing of the lawsuit filed against 23 people, with three defendants arrested including Etkin News Agency (ETHA) editor Isminaz Temel and reporter Havva Cuştan, was held at Istanbul 27th Assize Court due to “illegal organization membership” and “making illegal organization propaganda.” The court issued the release of Temel with judicial measures as well as travel ban. The other two arrested defendants will remain arrested. The next hearing was scheduled to April 24, 2019 starting at 13:30.
- Seven more academics on trial due to “making illegal organization propaganda” through signing the petition, “We will not partake in this crime” of the Academics for

Peace were sentenced to imprisonment at Istanbul 32nd, 36th and 37th Assize Courts. Istanbul 36th Assize Court sentenced Prof. Dr. Tahsin Yeşildere as well as Boğaziçi University academics S.Y. and M.G. to 1 year and three months of imprisonment due to “making illegal organization propaganda.” The announcements of all three verdicts were deferred. Istanbul 36th Assize Court also sentenced retired architectural historian Prof. Dr. Bülent Tanju to 1 year and three months of imprisonment. In the hearings at Istanbul 37th Assize Court, Hatice Kurtuluş Aydal from Istanbul University was sentenced to 1 year and six months, Gülsün Güvenli from Galatasaray University was sentenced to 1 year and three months of imprisonment. The announcement of the verdicts were deferred in three sentences issued due to “illegal organization propaganda” and an additional verdict was issued that was unprecedented in the prosecution of academics. Güvenli was accused of paying condolences and visiting the family of police officer Ahmet Çamuş, who was killed due to an armed attack in Şemdinli district of Hakkari. Assoc. Prof. Dr. Mehmet Şiray was sentenced to 1 year and three months of imprisonment. Istanbul 32nd Assize Court deferred the announcement of the verdict.

HEARINGS NEXT WEEK

- The third hearing of the lawsuit filed against nine people, including Etkin News Agency (ETHA) reporter Ali Sönmez Kayar, will be held on February 19, Tuesday at Istanbul 32nd Assize Court.
- The next hearing of the lawsuit filed against former managing editor of Evrensel Daily, Çağrı Sarı, due to “insult” and “slander” through the news published on the newspaper related to the Paradise Papers, will be held on February 19, Tuesday at Bakırköy 2nd Criminal Court of First Instance, starting at 10:50.
- The next hearing of the lawsuit filed against former finance editor and reporter of Cumhuriyet Daily, Pelin Ünker following the complaints of Energy Minister Berat Albayrak, his brother Serhat Albayrak and businessman Ahmet Çalık due to the news on “Paradise Papers” published on the newspaper in November 2017 will be held on February 21, Thursday at Istanbul 2nd Criminal Court of First Instance.
- The next hearing of the lawsuit filed against Perihan Mağden and İnan Ketenciler due to “insulting the President” through their article, entitled, “Semih Öztürk as the Tayyip-model of the Survivor Island” will be held on February 21, Thursday at Istanbul 2nd Criminal Court of First Instance.
- The next hearing of the lawsuit filed against Grup Yorum artist Seher Adıgüzel will be held on February 21, Thursday at Istanbul 28th Assize Court, starting at 09:00.
- Hearings of the academics, who are on trial due to signing the petition, “We will not partake in this crime” by the Academics for Peace, will continue this week at different courts.