



Think, think...

Freedom of Expression Weekly Bulletin

(Issue 12/19, 22 March 2019)

What happened last week?

*** President Erdoğan used the attack against a mosque in New Zealand as a tool for election campaign. Erdoğan displayed visuals of the attack during rallies and used expressions involving violence on the anniversary of the Battle of Gallipoli, increasing tensions between the two countries.

*** Following the twist of truth, “*They whistled against the prayer,*” Erdoğan reminded the public of the attack in New Zealand this week and defined People’s Democratic Party (HDP) members as “*disbelievers*” and “*atheists*”; further accusing them of “*shooting mosques.*”

*** Following Erdoğan’s reactions against the statements of Trump, who said that they will recognize the sovereignty of Israel in Golan Heights, the Turkish Lira and market depreciated in value.

*** The EU-Turkey Partnership Council was held after four years. The statement made indicated serious worries by the European Union Council on human rights violations; whereas it was indicated that an ongoing dialogue with Ankara is preferred.

*** Interior Minister Süleyman Soylu announced a common operation with Iran against the PKK. However, Tahran refuted the statement.

*** The number of academics sentenced to imprisonment due to the “*Peace Petition*” of the Academics for Peace Initiative reached 156.

*** Michel Laurent and Sylvie Jan were not allowed in Turkey upon arriving in the country in order to hand the “*Montluc Resistance and Freedom Award*” for Selahattin Demirtaş’s book, “*Seher.*”

*** 18 lawyers on trial at the “*Contemporary Lawyers Association Case*” were sentenced to a total of 159 years of imprisonment.

*** Public channel TRT slotted more than 55 hours for the Justice and Development Party (AKP) and the Nationalist Movement Party (MHP) on the first fifteen days of March. On the other hand, the time slots for the Republican People’s Party (CHP) and Good (İYİ) Party were 8 hours and 24 minutes in total and 7 hours and 23 minutes against the parties. There was no broadcast for the People’s Democratic Party (HDP) and the total broadcasts against HDP was for 1 hour and 38 minutes.



“Peace academics” on trial

The number of convicted academics due to “*making illegal organization propaganda*” through signing the “*Peace Petition*” of the Academics for Peace reached 156. In hearings held this week, Assoc. Prof. Nevin Zeynep Yelçe from

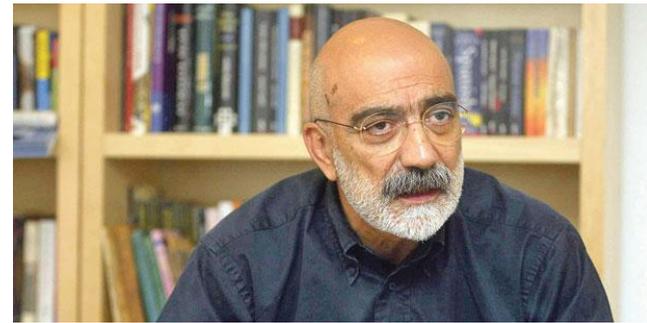
Sabancı University was sentenced to 2 years and six months of imprisonment, effective immediately. You may find data compiled by the Academics for Peace Initiative on the matter on <https://goo.gl/KGktHa>.



18 Contemporary Lawyers Association members sentenced to 159-year 1-month 30-day imprisonment in total

The lawsuit filed against 20 Contemporary Lawyers Association (ÇHD) member lawyers, six of them arrested, due to “*illegal organization management*” and “*illegal organization membership*” was concluded. Istanbul 37th Assize Court announced the verdict without receiving the defense statements of the defendants on the basis, sentencing 18 lawyers to imprisonment from 18 years and 9 months up to 3 years, 1 month and 15 days. [Please click here](#) for details.

The lawsuit filed against 20 Contemporary Lawyers Association (ÇHD) member lawyers, six of them arrested, due to “*illegal organization*



Judicial fine against Ahmet Altan due to “insulting President”

the title, “The New Ergenekon” and turned the sentence into 7000 TL judicial fine.

Istanbul 30th Criminal Court of First Instance sentenced journalist-writer to 11 months and 20 days of imprisonment due to “*insulting Erdoğan*” through his column published on May 8, 2016 with



Penalty against writer Perihan Mağden due to “insulting President”

T24 Managing Editor Inan Ketenciler, who was on trial together with Mağden.

Writer Perihan Mağden was sentenced to 7000 TL judicial fine due to “*insulting Erdoğan*” through an article published on Nokta magazine in April 2016. Istanbul 2nd Criminal Court of First Instance issued a verdict of acquittal for former



Journalist Çağrı Sarı acquitted of charges related to news on “Paradise Papers”

Former Evrensel Daily Managing Editor Çağrı Sarı was acquitted in the lawsuit filed against her due to the news on “Paradise Papers.” The journalist was on trial at Bakırköy 2nd Criminal Court of First Instance due to “*insult and slander*” through reporting news on the documents

related to offshore companies in Malta.



Lawsuit against NGO worker Demirci due to “insulting Erdoğan”

A lawsuit was filed against German Friedrich Naumann Foundation’s project manager Aret Demirci with the allegation of “*insulting Erdoğan*.” The lawsuit’s first hearing was held at Istanbul 59th Criminal Court of First Instance and

Demirci is charged due to his social media post criticising the media, which ignored parties of the opposition during the election period and focused on rallies of the Justice and Development Party (AKP). The next hearing was scheduled to October 8, 2019.



Esra Solin Dal acquitted of charges related to “anti-government journalism”

Mezopotamya Agency reporter Esra Solin Dal, who was on trial due to “*illegal organization membership*”, was acquitted in the first hearing of the lawsuit filed against her. The indictment of the case at Diyarbakır 9th Assize Court had claimed an imprisonment sentence the journalist

for up to 15 years due to “*activities related to illegal organizations*” and “*anti-government journalism*” through meetings and interviews she held with news resources.



Investigation against Cumhuriyet reporter due to news on “Sözcü Prosecutor”

An investigation was started against Cumhuriyet Daily reporter Seyhan Avşar due to her news, entitled, “*Ex-Con Sözcü Prosecutor,*” with the allegation that she has “*targeted a public officer for terrorist organizations.*”



1-year 8-month 15-day imprisonment against HDP MP Ayşe Sürücü

People’s Democratic Party (HDP) Urfa MP Ayşe Sürücü was sentenced to 1 year, 8 months and 15 days of imprisonment due to “*violating the Law on Meetings and Demonstrations No. 2911*” through participating in the event organized by Halfeti Municipality Sara Women’s

Center.



Investigation against HDP Co-Chair

An investigation was started against People’s Democratic Party (HDP) Co-Chair Sezai Temelli due to “*making illegal organization propaganda*” through the speech he gave during the candidate introduction meeting of his party in Tunceli.

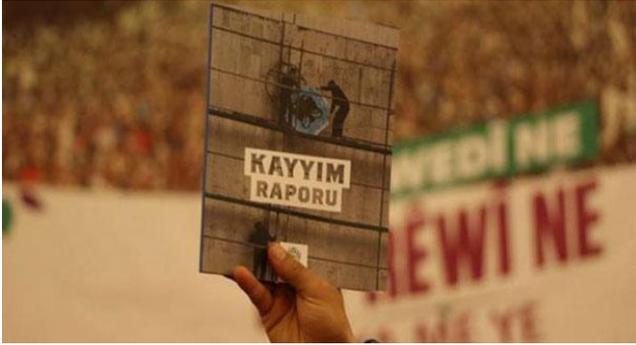


Lawsuit against ÖDP Provincial Chairman

A lawsuit was filed against Freedom and Solidarity Party (ÖDP) Artvin Provincial Chairman Sercan Dede due to the speech he gave during the funeral of Israil Meydan, who spent his life in exile in Germany after the September 12 coup and lost his life on August 30, 2017. The first hearing of the case will be held on April

4th at Artvin Assize Court. The indictment claims that the names mentioned in the speech

were “terrorist organization members” during the 1980s and Dede was charged with “making terrorist organization propaganda” and “praising offenders.”



“Trustee Report” of HDP banned

Siirt Criminal Judicature of Peace issued a ban against the report of the People’s Democratic Party (HDP) on the activities of municipalities under trustee administration. An investigation was started against the 84-page report with the allegation of “making illegal organization

propaganda.” [Please click here](#) for the report compiling the unlawful activities of municipalities under trustee administration.



JUDGING THE JUDICIARY

Academic-writer Fikret Başkaya stood trial last Thursday due to his article, entitled, “*True Terrorism is Government Terrorism.*” The indictment charges the writer with “making illegal organization propaganda” and claims that even though such ideas can not be prevented, the spreading of those ideas can. According to the Prosecutor’s Office, therefore, humans are “free” to think in a biological sense, as long as they don’t “express and spread” the ideas (!)...

Similar judicial practices are seen every day with new examples; therefore we continue to judge these practices before “the law.” You may find the decree and the reasoned verdict against the unlawfulness during the judicial process conducted against Başkaya on <http://www.dusun-think.net>.



TRIALS OF FREEDOM OF EXPRESSION

- The third hearing of the lawsuit filed against 22 Boğaziçi University students due to “making terrorist organization propaganda” through opening the banner, “There is no delight in occupation, in massacre” against the Turkish delight distribution at the university following the Afrin operations was held at the 32nd Assize Court. The next hearing was scheduled to July 16, 2019 to start at 10:00.
- The latest hearing of the lawsuit filed against Müjdat Gezen due to insulting former Justice and Development Party (AKP) MP Burhan Kuzu during the press statement after Müjdat Gezen Arts Center (MGSM) was set on fire was held this week. Gezen did not attend the hearing, therefore a warrant was issued against him.

- The summary judgement of the lawsuit filed against journalist Ahmet Altan due to “insulting the President” through a column he wrote on May 8, 2016 was held at Istanbul 30th Assize Court. Altan was sentenced to 11 months and 20 days of imprisonment due to “insulting the President.” The sentence was turned into 7000 TL judicial fine.
- The third hearing of the lawsuit filed against journalist Ahmet Kanbal, who is on trial due to “making successive illegal organization propaganda” through his social media posts on Afrin, was held at Izmir 2nd Assize Court. The court issued an interim decree to request permission from the Ministry of Justice for the prosecution against Kanbal to proceed in accordance with Article 301 of the Turkish Penal Code (TCK).
- The sixth hearing of the lawsuit filed against former Evrensel Daily Managing Editor Çağrı Sarı due to “insult and slander” through reporting the news on “Paradise Papers” was held at Bakırköy 2nd Criminal Court of First Instance. A verdict of acquittal was issued for Sarı due to “elements of the offense were not constituted.”
- In the first hearing of the lawsuit filed against Baskın Oran due to signing the “Peace Petition” of the Academics for Peace Initiative, the court issued rejection of venue and decided for the file of Oran to be returned to the related court in Ankara.
- The appeal hearing of the sentence against Mezopotamya Agency reporter Seda Taşkın, who was sentenced to 4 years and two months of imprisonment due to “aiding and abetting an illegal organization without being a member” and to 3 years and four months of imprisonment due to “making illegal organization propaganda,” was held at Erzurum Regional Court. The court accepted the additional time request of Taşkın’s lawyers and scheduled the next hearing to May 15, 2019.
- The third hearing of the lawsuit filed against artist Ferhat Tunç due to “insulting the President” through his social media posts following the personal complaint of Erdoğan was held at Büyükçekmece 14th Criminal Court of First Instance. The court claimed the document on the merging of Tunç’s file with another case file against him with the same charge and scheduled the next hearing to May 31, 2019.
- The second hearing of the lawsuit filed against Turkish Medical Association (TTB) Central Council members with the allegation of “public incitement to resentment and hostility” and “illegal organization propaganda” due to the statement of the association against the “Olive Branch” Operation of Turkey against Afrin was held at Ankara 32nd Assize Court. The next hearing was scheduled to May 3, 2019.
- The latest hearing of the lawsuit filed against People’s Democratic Party (HDP) Urfa MP Ayşe Sürücü with the allegation of “violating the Law on Meetings and Demonstrations No. 2911” was held at Urfa 6th Assize Court. The court sentenced Sürücü to 1 year, 8 months and 15 days of imprisonment effective immediately; whereas allowed for appeal.
- The final decree was announced in the lawsuit filed against Contemporary Lawyers Association (which was previously shut down with an emergency decree) and People’s Legal Bureau member lawyers due to “terrorist organization membership and management.” Istanbul 37th Assize Court sentenced lawyer Selçuk Kozağaçlı to 11 years and three months, Aytaç Ünsal, Engin Gököğlü and Süleyman Gökten to 10 years, Barkın Timtik to 18 years and nine months, Ebru Timtik and Özgür Yılmaz to 13 years and six months, Behiç Aşçı and Şükriye Erden to 12 years, Naciye Demir and Aycan Çiçek to 9 years, Ezgi Çakır to 8 years, Zehra Özdemir and Ahmet Mandacı to 3 years and one month of imprisonment. The lawyers will remain arrested.
- Workers and union members, who protested heavy working conditions and work murders of the 3rd Airport construction, have been prosecuted at Gaziosmanpaşa 14th Criminal Court of First Instance and a verdict of release was issued for 30 workers in the first hearing of the lawsuit with 61 defendants, 31 of them arrested. In the second

hearing last week, the court issued for travel bans and judicial measures against the defendants to be removed. The next hearing was scheduled to June 26, 2019.

- The 20th hearing of the lawsuit on the death of journalist Musa Anter, who was killed in 1992, was held at Ankara 6th Assize Court. The court decided for warrants to be issued for certain information to be included in the file and requested the statement of Berdan Akdağ as witness after the mention of his name in the statement of Hüseyin Oğuz. The next hearing was scheduled to a later date.
- The first hearing of the lawsuit filed against NGO worker Aret Demirci due to “insulting the President” through his social media posts was held at Istanbul 59th Criminal Court of First Instance. The next hearing was scheduled to October 8, 2019.
- The first hearing of the lawsuit against Media and Legal Studies (MLSA) Co-Director and lawyer Veysel Ok with the allegation of denigrating judicial bodies of the state in accordance with Article 301 of the Turkish Penal Code and is ongoing for about two years due to non-jurisdiction was held at Istanbul 2nd Criminal Court of First Instance. The next hearing was scheduled to June 20, 2019.
- A lawsuit was filed against Turkish and Middle Eastern Forum Foundation Founder and Chairman, writer Fikret Başkaya due to his article, entitled, “True Terrorism Is Government Terrorism.” The first hearing of the lawsuit filed due to “making illegal organization propaganda” through the article published on Özgür Üniversite’s website on November 7, 2016 was held at Ankara 21st Assize Court. The next hearing will be held on September 10, 2019 starting at 09:30.
- The seventh hearing of the lawsuit filed against 11 rights advocates, including Amnesty International Turkey Honorary Chairman Taner Kılıç, due to “terrorist organization membership” and “committing offenses on behalf of an illegal organization without being members” was held at Istanbul 35th Assize Court. The next hearing was scheduled to July 16, 2019.
- The first hearing of the lawsuit filed against journalist Salih Turan due to “making terrorist organization membership” was held at Istanbul 32nd Assize court. The court sentenced the journalist to 15 months of imprisonment and deferred the announcement of the verdict. Turan was released.
- The first hearing of the lawsuit filed against author Temel Demirer due to “praising the offense and the offender” through the speech he gave during the programme organized on July 20, 2017 in order to commemorate those who lost their lives in Suruç following the ISIS attack on July 20, 2015, was held at Istanbul Anatolian 33rd Criminal Court of First Instance. The court removed the travel ban against Demirer and scheduled the next hearing to July 9, 2019.
- The latest hearing of the lawsuit filed against Perihan Mağden and İnan Ketenciler due to “insulting the President” through the article, entitled, “Survivor Island’s Tayyip model: Semih Öztürk,” was held at Istanbul 2nd Criminal Court of First Instance. Ketenciler was acquitted and Mağden was sentenced to 7000 TL judicial fine.
- The prosecutions of previously shut-down Taraf Daily executives and reporter Mehmet Baransu continued at Istanbul 13th Assize Court due to the conspiracy allegations against some defendants on trial at the “Sledgehammer Case.” The hearing will continue next Monday.
- Prosecutions of the academics, who are on trial due to “making terrorist organization propaganda” due to signing the “Peace Petition” of the Academics for Peace, continued this week as well. In the hearings at Istanbul 14th, 27th, 30th and 36th Assize Courts, seven more academics were sentenced to 1 year and three months of imprisonment each and the announcement of the verdicts were deferred. In the hearings at Istanbul 27th Assize Court, one academic was sentenced to 2 years and six months of imprisonment. Thus, eight academics were sentenced to imprisonment in total this week.

HEARINGS NEXT WEEK

- The first hearing of the lawsuit filed against Evrensel Daily reporter Cansu Pişkin with the allegation of “targeting a public officer for terrorist organizations” will be held on March 25th, Monday at Istanbul 36th Assize Court, starting at 16:30.
- The fourth hearing of the lawsuit filed against photo reporter Çağdaş Erdoğan, who was detained in September 2017 with the allegation that he took photographs of the social facilities belonging to the National Intelligence Agency, due to “illegal organization membership” and “making illegal organization propaganda” will be held on March 26th, Tuesday at Istanbul 33rd Assize Court.
- Prosecutions of Dicle News Agency (DIHA) reporters and executives Ömer Çelik, Çağdaş Kaplan, Hamza Gündüz, Selman Çiçek, Vahap Taş, İnan Kızılkaya and Kemal Sancılı will continue on March 26th, Tuesday at Diyarbakır 9th Assize Court, starting at 10:50 due to “targeting those working for the fight against terrorism” and “making terrorist organization propaganda.”
- The next hearing of the lawsuit filed against Selahattin Demirtaş due to insulting President Recep Tayyip Erdoğan with the statements he made after his visit to Russia while he was the Co-Chair of People’s Democratic Party (HDP) will be held on March 27th, Wednesday at the 38th Criminal Court of First Instance in Bakırköy Courthouse.
- A lawsuit was filed against seven students who protested the arrest of their friends after their protest against a group distributing Turkish delights at the university during the operations in Afrin, due to “unarmed participating to unlawful meeting and demonstration,” “lack of dispersion despite warning,” “insulting a public officer” and “simple threat” in accordance with the Law on Meetings and Demonstrations No. 2911. The second hearing of the lawsuit will be held on March 27th, Wednesday at Istanbul 48th Criminal Court of First Instance.
- The fourth hearing of the lawsuit filed against four people, including Etkin News Agency (ETHA) editor Semiha Şahin and reporter Pınar Gayip, due to “terrorist organization membership” and “making terrorist organization propaganda” will be held on March 27th, Wednesday at Istanbul 23rd Assize Court.
- The seventh hearing of the lawsuit filed against Evrensel Daily’s Dersim reporter Kemal Özer due to “terrorist organization membership” will be held on March 27th, Wednesday at Tunceli 1st Assize Court.
- The fifth hearing of the lawsuit filed against journalists Sibel Hürtaş and Hayri Demir due to their social media posts and news on the Afrin operation will be held on March 27th, Wednesday at Ankara 15th Assize Court.
- The prosecution of previously shut-down Özgür Gündem Daily Editors-In-Chief Hüseyin Aykol, Zana Kaya, the newspaper’s Managing Editor İnan Kızılkaya and Hatip Dicle; who are on trial due to “public denigration of the government, its judicial bodies and the security organization” as well as “public denigration of the Turkish Nation, the Republic of Turkey and the Grand National Assembly of Turkey” will be held on March 28th, Thursday at Istanbul 2nd Criminal Court of First Instance.
- Prosecutions of Faruk Eren, Ertuğrul Mavioğlu, İhsan Çaralan, Fehim Işık, Öncü Akgül, Celalettin Can, Hüseyin Aykol, Ömer Ağin, Veysel Kemer, Dilşah Karakaya and Yüksel Oğuz; who are on trial due to “making illegal organization propaganda” through participating in the Substitute Editing-In-Chief of Özgür Gündem Daily, will continue on March 28th, Thursday at Istanbul 14th Assize Court.
- Prosecution of former Cumhuriyet Daily editor Pelin Ünker will continue on March 28th, Thursday at Istanbul 2nd Criminal Court of First Instance within the lawsuit filed against her by Energy Minister Berat Albayrak, his brother Serhat Albayrak and businessman Ahmet Çalık due to her news on “Paradise Papers.”

- Prosecutions of Peace Academics, who are on trial due to “making terrorist organization propaganda” due to signing the “Peace Petition” of the Academics for Peace will continue next week at Istanbul Courthouse in Çağlayan and at other courthouses in provinces for academics residing outside of Istanbul.