



Think, think...

Freedom of Expression Weekly Bulletin

(Issue 22/19, 31 May 2019)

What happened last week?

*** President Erdoğan repeated his allegation that the “votes were stolen,” despite the lack of such a statement even in the reasoned decision of the High Electoral Council (YSK). He further called the opposition parties “thieves.”

*** Hunger strikes have ended after the call of PKK leader Öcalan, who had a second meeting with his lawyers.

*** Turkish Armed Forces (TSK) started a military operation against Hakurk region in Northern Iraq.

*** EU Enlargement Policy was launched. The report indicated that Turkey continues to steer away from the European Union (EU) and that a new chapter will not be opened. [Please click here](#) for the full report.

*** As the head of execution, Erdoğan announced the Judicial Reform Strategy Document, which is entirely on the legislative process. Two basic perspectives as “rights and freedoms” and “functioning of the justice system,” nine goals, 256 activity plans took place in the document as reforms, which must have already been put into action in accordance with international conventions Turkey is a party of. [Please click here](#) for the full Judicial Reform Strategy Document.

*** The number of journalists attacked within the last two weeks reached five.

*** Journalist Kadri Gürsel was sent to prison again for the execution of his sentence within the Cumhuriyet Case. Gürsel was soon released. **(Details below...)**

*** Central Bank announced an increase in required reserves applied to foreign currency deposits and participation funds. Thus a further increase in the US Dollar exchange rate was prevented.



“Peace Academics”

The Constitutional Court has taken individual applications of ten “peace academics,” including the application of imprisoned Prof. Dr. Füsün Üstel, into evaluation. However, the court postponed the meeting, without making a decision based on the lack of opinion arriving

from the Ministry of Justice on the applications. On the other hand, two more scientists were convicted in the hearings held this week. The academics were sentenced to 1 year and three months of imprisonment each and the announcement of both sentences were deferred. According to the data of the Initiative, there is currently 194 academics with finalised convictions against them. For details; <https://goo.gl/KGktHa>



Book writer and publisher detained after targeting

An investigation was started against the book, “Zümrüt Apartmanı” that comprises of short stories in the style of “dirty realism” that narrate child abuse from the perspective of the abuser. The investigation was opened with the allegation of “obscenity.” The book’s

writer Abdullah Şevki, and Kurgu Cultural Centre Publishing House owner Alaattin Topçu were detained after successive targeting on the social media and the complaint of the Ministry of Family, Labour and Social Services. The two names were brought to the court and were released with judicial measures.



“Dersim” threat from MHP

The Municipal Assembly in Dersim decided to change the sign on the municipality building from “Tunceli” to “Dersim.” However, the court banned the word “Dersim” to be written on the sign following the objection of the Governorate. The incident was brought to the Parliament’s agenda as well. Nationalist Movement Party (MHP) MP

Mehmet Taytak threatened Mayor Maçoğlu by reminding him of the Dersim Massacre. “... His end will not be different from the end his grandfathers have experienced in the past. Those who think they resist the Turkish government will sooner or later be introduced the bronze hand of the government,” Taytak said.



Kadri Gürsel sent to prison

Journalist Kadri Gürsel was sent to prison for the execution of his sentence within the Cumhuriyet Daily Case. The journalist remained arrested for 11 months within the case, which completed the execution of his sentence. Constitutional Court further issued that the journalist’s “personal safety, freedom

and freedom of expression were violated.” The journalist was sent to Metris Prison and was released a few hours later, after his application for release with judicial measures was accepted.



Investigation against journalist Levent Gültekin

An investigation was opened against diken.com.tr writer journalist Levent Gültekin. Testifying within the investigation conducted by Istanbul Chief Public Prosecutor’s Office, Gültekin is charged due to his column published on October 16, 2016 issue of Diken Daily

with the title, “To the heathens who say ‘don’t make poor mouth’...”



Fifth attack against journalists within last two weeks

Journalists Idris Özyol, Ergin Çevik, Hakan Denizli, Sabahattin Önkibar and Yavuz Selim Demirağ were attacked in the last two weeks. The attacks remaining unpenalised pave the way for new attacks. According to databy BiaNet, four journalists were attacked in the first three months of 2019, two in April and five in May.



Imprisonment sentence against journalist-writer Sedef Kabaş due to “insulting Erdoğan”

Journalist and writer Sedef Kabaş was sentenced to 11 months and 20 days of imprisonment within the lawsuit she was on trial due to “insulting the President.” Kabaş announced the verdict from her Twitter account: “I was sentenced to 11 months and 20 days of imprisonment in

the lawsuit filed against me due to insulting the President. However, not a single name takes place in what I wrote...”



Indictment against Eren Erdem due to social media posts

An indictment was prepared against arrested former Republican People's Party (CHP) Istanbul MP Eren Erdem due to his social media posts. The indictment prepared by Ankara Chief Public Prosecutor's Office charged Erdem with "denigration of the Turkish Nation, the Government of the Republic

of Turkey and other Governmental Bodies" in accordance with Article 301 of the Turkish Penal Code. Erdem faces an imprisonment sentence for up to two years.



Veli Encü arrested

Previously shut-down Roboski Association Chairman Veli Encü, who lost 34 close relatives in the bombardment Roboski village of Şırnak with aircrafts, was arrested with the allegation of "illegal organization membership" and was sent to Şırnak Type-T Closed Prison.



Access ban against Ekşi Sözlük upon request by murder suspect

Following the application of Çağatay Aksu, who is arrested in remand due to homicide and sexual assault in the lawsuit regarding the death of Şule Çet, Ankara Western 2nd Criminal Judicature of Peace brought an access ban against the content under the titles of "Şule Çet" and "Şule Çet Murder" on website Ekşi

Sözlük.

Kaos GL: LGBTI+ protest ban continues in Ankara

Kaos GL Association shared an information note on the legal process regarding the LGBTI+ protest ban in Ankara. The ban was announced in the capital during the State of Emergency and was later revoked by the court due to



being unlawful. It is being continued by the Governorate.



Ankara Bar Association launches report on torture allegations

Ankara Bar Association prepared a report on torture allegations at Ankara Provincial Security Directorate's Financial Crimes Investigation Office. Torture allegations in the report include "beating until fainting, making people watch those being assaulted and tortured, torture against human dignity in at least four cases, one hospitalization after

beating of a diplomat and no medical report issued by doctors" as well as these tortures continuing and testimonies forced to be signed with torture. [Please click here](#) for the full report.



TRIALS OF FREEDOM OF EXPRESSION

- The seventh hearing of the lawsuit in which previously shut-down Dicle News Agency (DIHA) reporter Ziya Ataman is arrested in remand for approximately three years due to "disrupting the unity and integrity of state" was held at Şırnak 1st Assize Court. The court issued for Ataman to remain arrested and scheduled the next hearing to July 4, 2019.
- The sixteenth hearing of the lawsuit filed against Mezopotamya News Agency reporter Berzan Güneş due to "terrorist organization membership" after the investigation file against him was combined with the lawsuit against him in Iğdır, was held at Istanbul Anatolian 2nd Assize Court. Güneş had remained arrested with the allegation of "making illegal organization propaganda" within the investigation opened against him due to his social media posts after having been detained by the police on June 11th in central Şırnak. The court decided that for the opinion on the file to be prepared and sent to the Prosecutor's Office, scheduling the next hearing to October 8, 2019.
- The fourth hearing of the lawsuit filed against nine people, including Etkin News Agency (ETHA) reporter Ali Sönmez Kayar, due to "illegal organization membership" was held at Istanbul 32nd Assize Court. The court issued a writ for concerning units to listen to the secret witness of Ali Sönmez Kaya and warned that a criminal complaint will be made if the warrant is not fulfilled. The next hearing was scheduled for October 31, 2019, starting at 10:00.
- The thirty-eighth hearing of the "KCK Istanbul Main Case" filed against 205 people in total, including many Kurdish politicians, Ragıp Zarakolu and Ayşe Berktaş, was held at Istanbul 3rd Assize Court. The court decided to wait for the conclusion of the demand for Ragıp Zarakolu to be extradited from Sweden and scheduled the next hearing for December 24, 2019 to start at 10:40.

- The second hearing of the lawsuit filed against Asst. Prof. Dr. Bülent Şık with an imprisonment claim for up to 12 years due to “obtaining banned confidential information,” “revealing banned confidential information” and “revealing secrets related to duty” was held at Istanbul 2nd Criminal Court of First Instance. Şık had shared the cancer research conducted by the Ministry of Health in Kocaeli, Antalya, Tekirdağ, Edirne and Kırklareli after its results were not shared with the public by the Ministry, with a series of articles published on Cumhuriyet Daily with the title, “Government hides ingredients causing cancer, we announce them, here’s the list of poison!” The court accepted the request of defendant lawyers for extra time to present their defenses on the basis, scheduling the next hearing for September 26, 2019.
- The fifth hearing of the lawsuit filed against journalist-writer Mehmet Gündem with the allegation of being a “FETÖ” member after having been detained and arrested on November 1, 2017 within the operation against the Journalists and Writers Foundation was held at Istanbul 35th Assize Court. The court decided for Gündem to remain arrested and scheduled the next hearing for July 9th to start at 11:00.
- The latest hearing of the lawsuit against police officer Y.Ş. due to “homicide with eventual intent” after shooting and killing Kemal Kurkut during the Newroz celebrations on March 21, 2017 in Diyarbakır was held at Diyarbakır 7th Assize Court. The court issued a writ for Istanbul Forensic Medicine Institution (ATK) General Assembly to issue a new report to compensate the contradictions between previously issued reports and scheduled the next hearing.
- The ninth hearing of the lawsuit filed against police officer Ömer Yeğit and police commander Murat Maden due to causing the deaths of siblings Muhammed (7) and Furkan Yıldırım (6), who died under the panzer that entered their home on May 3, 2017 in Silopi district of Şırnak, was held at Cizre 2nd Assize Court. The court accepted the additional time request of lawyers and scheduled the final judgement hearing to June 19, 2019.
- The third hearing of the lawsuit filed against Ferhat Tunç following the personal complaint of Erdoğan due to his social media posts was held at Büyükçekmece 14th Criminal Court of First Instance. The court issued an international rogatory letter for Tunç to submit his defense statement from his address in Germany. The next hearing was scheduled for September 18, 2019 to start at 10:05.
- Prosecutions of the Peace Academics, who are on trial due to “making terrorist organization propaganda” through signing the Peace Petition of the Academics for Peace, continued this week. Two academics were sentenced to 1 year and three months of imprisonment each in the hearings held at Istanbul 36th and 37th Assize Courts, announcements of both verdicts were deferred.

NOTICE: Due to the National Holiday on the week of June 3-7, 2019, there will be no hearings. Therefore, our next weekly bulletin will be issued on June 14, 2019.