



Think, think...

Freedom of Expression Weekly Bulletin

(Issue 23/19, 14 June 2019)

What happened last week?(*)

*** The S-400 tension between Ankara and Washington continues. US Ministry of Defense sent a letter to Ankara with information on a series of steps to be taken in case Turkey continues to purchase S-400s, as well as possible consequences of this tension on the Turkish economy. Pentagon announced that F-35 flight trainings of Turkish Armed Forces (TSK) pilots were finished. *“Turkey has purchased the S-400, we’ve finished this business,”* President Erdoğan said.

*** Details of the live broadcast between the Republican People’s Party (CHP) candidate Ekrem İmamoğlu and the Justice and Development Party (AKP) candidate Binali Yıldırım before the re-elections in Istanbul on June 23rd. The live broadcast planned on June 16th is a first after 17 years. Once a classic, TV debates of politicians were buried in history with the power of AKP.

*** According to data of the Turkish Statistical Institute, annual inflation has increased 18.71 percent in May. Minister of Treasury and Finance Berat Albayrak stated, *“Inflation continues to fall.”* Central Bank has stabilized interest rates at 24 percent.

*** According to the data announced by the Ministry of Finance and Treasury, Treasury cash balance has a deficit of 14 billion 661 million TL. The ministry was indebted for 7 billion 445 million TL in two bond tenders this week.

*** In this year’s annual global peace report, launched by Australia-based Economy and Peace Institute (IEP) Turkey regressed three steps to the rank 152th. Turkey was one rank behind Sudan, where there’s still a civil war.

*** According to the data of Free Journalists Initiative, trials of 44 journalists were held and 10 of those names were sentenced. New investigations were opened against nine journalists. According to the data of the Journalists Union, 137 journalists and media workers in Turkey are in prison.

*** Four more “Peace Academics” were convicted in the hearings held last week. (*Details below...*)

*** Turkey has failed again in the 2019 Press Freedom Report of Freedom House. (*Details below...*)

(*) Due to the national holiday between June 3-7, 2019, the bulletin includes two weeks of data.



Turkey fails in Freedom House press freedom report

In the 2019 Freedom and Media Report of Freedom House, Turkey took place among the “failing” countries once again in terms of press freedom. The report indicated that press freedom in Turkey has revealed great regression within a short period of time and stated that hundreds of journalists were put on trial for supporting terrorism, without legal

basis. [Please click here](#) for the full report.



36,664 investigations due to TCK Articles 299 and 301 in one year

36,664 investigations were opened in 2019 within the criminal law regulating offenses of “insulting the President” and “denigrating the Turkish Nation, government and institutions.” 6,326 of those investigations turned into lawsuits and 7,471 files were concluded with proceedings. 2,775 files (37 percent of

total lawsuits) concluded with conviction. Sentences were issued in 2,362 files (31 percent of total lawsuits), announcements of all verdicts were deferred.



“Peace Academics” on trial

Four more academics, who were on trial due to “making illegal organization propaganda” through signing the “Peace Petition” of the Academics for Peace, were convicted in the hearings this week. Three academics were sentenced to 1 year and three months of imprisonment each and announcement of the verdicts were deferred; one academic was

sentenced to 2 years and six months of imprisonment. According to the data of the initiative, there is currently 195 academics with convictions against them. Please click for details; goo.gl/KGktHa



First hearing in lawsuit against arrested academic Tuna Altinel to be held on July 30

The first hearing of the lawsuit filed against arrested “Peace Petition” signatory academic Tuna Altinel will be held on July 30th, Tuesday at Balıkesir 2nd Assize Court. The academic was arrested on May 10th after the summary written by Lyon Consulate General against him, requesting “a termination of

his passport and for necessary action to be taken.” The academic is charged with “illegal organization membership” due to making simultaneous translations at a conference organized in France last February during curfews.



“Terror” investigation against musician Alpay

Musician Alpay has celebrated the 50th year in his musical life with a concert on March 22nd. An investigation was opened against Alpay with the allegation that he has “praised terrorist organization members and denigrated the government” at the concert. “*My next song is for the memory of these beautiful people, tyrantly murdered by the government,*” said the artist on stage, showing

photographs of Deniz Gezmiş, Yusuf Aslan, Hüseyin İnan and Berkin Elvan. “*If dedicating a song to the memories of Gezmiş and his friends, of Berkin Elvan; if it’s a crime to defend the Gezi Resistance, then I am a terrorist. I say this everywhere,*” the artist stated.



Arrested journalists

Yeniçağ Daily writer Yavuz Selim Demirağ, who was sentenced to 11 months and 20 days of imprisonment due to insulting Erdoğan through a speech he gave at a conference, was imprisoned for the execution of his sentence and was later released with judicial measures.

Journalist Ayşe Düzkan, who was sentenced to 1 year and six months of imprisonment due to participating in the Substitute Editing-In-Chief campaign for Özgür Gündem Daily and is in prison since January 29, 2019,

was released.

Etkin News Agency (ETHA) editor Semiha Şahin and reporter Pınar Gayıp, who were arrested in remand for the last 14 months, were released with house imprisonment. The next hearing of the lawsuit will be held on October 15th, starting at 10:30.



Lawsuit claiming imprisonment against reporters and 36 others over news on currency crisis

A lawsuit was filed against Bloomberg reporters Kerim Karakaya and Fercan Yalınkılıç, who prepared news on the value deficiency in the Turkish Lira, as well as against 36 others, who commented on the news or criticized economic policies on social media. The defendants are charged with “violating the capital market law.” The first hearing

of the case will be held on September 20th in Istanbul.



Investigation against Azadiya Welat employees

An investigation was started against former employees of Kurdish newspaper Azadiya Welat, which was previously shut down with an emergency decree. 27 journalists and press members, including Editor-In-Chief Rohat Aktaş, are charged with “illegal organization membership” and “making illegal organization propaganda.” Aktaş had lost his life during the bombing of the basement of

the house he took shelter in Cizre during a curfew.



2-year 4-month imprisonment against statement “We have the world’s most expensive President”

Bitlis Baykan Criminal Court of First Instance sentenced citizen Vezir Emeç, who stated, “Forget the oil price, we have the world’s most expensive President” on social media, to 2 years and four months of imprisonment due to “insulting the

President.”



Lawsuit against commemoration of murdered university student Önder Babat

A lawsuit was filed against 18 students, who organized a commemoration for Önder Babat at Istanbul University, due to “violating the Law on Meetings and Demonstrations No. 2911” and “making illegal organization propaganda.” Babat

was shot dead as he was leaving Devrimci Hareket Magazine, where he worked, on March 2004.



Banned press statements

The press statement to be held in front of the Constitutional Court by the families of those losing their lives in the train massacre in Çorlu on July 8, 2018 was prevented. The police attacked citizens demanding justice for their losses with rubber bullets.

The statement to be made by the People's Democratic Party (HDP) members against the submerging of 12-thousand-year-old Hasankeyf due to Ilısu Dam in Batman was banned by the Governorate. The police intervened HDP members, beat and detained 33 people, including one journalist.



RTÜK issues homophobic sentence

Radio and Television Supreme Council (RTÜK) sentenced Fox Life channel to the highest administrative fine and broadcast pause due to the series, “Jane the Virgin.” The council claimed that the more homosexual relationships are seen on the screen, the more the moral values of society are degenerated.



TRIALS OF FREEDOM OF EXPRESSION

- The fourth hearing of the 50 thousand TL indemnity case opened by PTT Inc. against Sözcü Daily writer Çiğdem Toker due to an article published on April 22, 2018 issue of Cumhuriyet Daily was held at Ankara 20th Civil Court of First Instance. The court issued a dismissal of action due to the legal provisions of moral compensation were

not constituted.

- Journalist Ayşe Düzkan, who was sentenced to 18 months of imprisonment due to participating in the “Substitute Editing-In-Chief” campaign for Özgür Gündem Daily after its shut-down with an emergency decree and is in prison since January 28th, was released this week.
- The ninety-fifth hearing of the lawsuit against 85 people, with four arrested in remand, who had responsibility in the assassination of Agos Daily Editor-In-Chief Hrant Dink, was held at Istanbul 14th Assize Court. The court decided for arrested defendants Ramazan Akyürek, Ali Fuat Yılmaz, Muharrem Demirkale and Ercan Gün to remain arrested. The council further issued for the files of Ahmet İskender, Erhan Tuncel, Ersin Yolcu, Osman Hayal, Salih Hacısalıhoğlu, Tuncay Uzundal, Yasin Hayal, Zeynel Abidin Yavuz and Ogün Samast to be separated considering the risk of time limitation and to be sent to the Prosecutor for opinion. Proceedings will continue on September 4-5-6, 2019.
- The fifth hearing of the lawsuit against four people, including Etkin News Agency (ETHA) editor Semiha Şahin and reporter Pınar Gayıp, due to “terrorist organization membership” and “making terrorist organization propaganda,” was held at Istanbul 23rd Assize Court. The Prosecutor claimed for Şahin and Gayıp to remain arrested; whereas the court decided for Semiha Şahin and Pınar Gayıp to be released with house imprisonment. The next hearing was scheduled for October 15, 2019 to start at 10:30.
- The sixth hearing of the lawsuit filed against journalist and photoreporter Çağdaş Erdoğan due to “illegal organization membership” and “making illegal organization propaganda” was held at Istanbul 33rd Assize Court. Following the additional time request of Erdoğan’s lawyers, the next hearing was scheduled for September 5, 2019.
- The latest hearing of the lawsuit filed against journalists Burak Abay, Gökmen Ulu, Mediha Olgun and Yonca Yücekaleli due to “establishing and managing a terrorist organization,” “making terrorism propaganda” and “committing crimes on behalf of an illegal organization without being a member” within the Sözcü Case, was held at Istanbul 37th Assize Court. The court accepted the lawyers’ request for an additional time to prepare their defenses on the basis and scheduled the next hearing for September 4, 2019 to start at 10:00.
- Proceedings of academics continued this week due to “making terrorist organization propaganda” through signing the “Peace Petition” of the Academics for Peace. In hearings at Istanbul 26th and 37th Assize Courts, three academics were sentenced to 1 year and three months of imprisonment; announcements of all verdicts were deferred. An academic was sentenced to 2 years and three months of imprisonment in the hearing at Istanbul 27th Assize Court.

HEARINGS NEXT WEEK

- The next hearing of the lawsuit filed against former People’s Democratic Party (HDP) Co-Chair Selahattin Demirtaş, will be held on June 18-19, 2019 at Ankara Sincan Prison Campus Hearing Room.
- The fourth hearing of the lawsuit filed against 24 people, including video activist Kazım Kızıl, will be held on June 19th, Wednesday at Izmir 33rd Criminal Court of First Instance. The defendants were detained during protests organized after the referendum on April 16th and are charged with “insulting the President” and “violating the Law on Meetings and Demonstrations.”

- The fourth hearing of the lawsuit opened against 22 journalists, who were detained during the police raid hours after the shut-down of Özgür Gündem Daily on August 16, 2016 with an emergency decree, will be held on June 19th, Wednesday at Istanbul 5th Criminal Court of First Instance.
- The thirteenth hearing of the lawsuit filed on the killing of Berkin Elvan will be held on June 19th, Wednesday at Istanbul 17th Assize Court. Elvan had lost his life after being shot in the head by the police with a tear gas shell on June 16, 2013 during the Gezi Park protests in Okmeydanı, Istanbul and battled for his life in the extensive care unit for 269 days.
- The next hearing of the lawsuit filed against former Taraf Daily reporter Mehmet Baransu and Editor-In-Chief Murat Şevki Çoban due to the news published on the newspaper with the title, “The Decision to End Gülen Made at MGK in 2004,” will be held on June 19th, Wednesday at Istanbul Anatolian 10th Assize Court.
- The second hearing of the retrial of the case after a verdict of non-jurisdiction issued two years in the proceeding, filed against Media and Legal Studies Association (MLSA) Co-Director lawyer Veysel Ok with the allegation that he has denigrated legal bodies of the government, will be held on June 20th, Thursday at Istanbul 2nd Criminal Court of First Instance.
- Lawsuits were filed against intellectuals, who made criminal complaints against themselves at the Prosecutor’s Office after holding a press statement in front of Istanbul Çağlayan Courthouse and saying that they confirm and perform the same action as the academics by signing the petition in order to support the academics, who signed the “Peace Petition” of the Academics for Peace Initiative. Among those lawsuits, the proceedings of Mehmet Bülent Deniz and Arat Dink will be held on June 20th, Thursday at Istanbul 36th Assize Court separately.
- The proceeding of journalist Murat Güreş, who is on trial since 2017 due to reporting the confessions of businessman A.S.E. on the business world in Gaziantep after being detained within the “FETÖ” investigation, will be held on June 20th, Thursday at Gaziantep 9th Criminal Court of First Instance.
- Proceedings of Peace Academics, who are on trial due to “making terrorist organization propaganda” after signing the “Peace Petition” of the Academics for Peace Initiative, will continue next week at Istanbul Courthouse in Çağlayan as well as in other courtrooms across Turkey regarding files of academics residing outside Istanbul.