



Think, think...

Freedom of Expression Weekly Bulletin

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What happened last week?

*** The official reply letter to United States's S-400 letter to Ankara was sent 12 days after. United State's letter included a sanction threat to Turkey. "We would like to act in accordance with the spirit of alliance and we show maximum sensitivity to this matter," stated Hulusi Akar, National Defense Minister. According to news by Bloomberg, the Trump administration is preparing a sanction bill against the S-400 defense system.

*** President Erdoğan changed his strategy once again, only days before the elections. With heavy accusations and polarising statements, Erdoğan increased political tensions.

*** Erdoğan claimed that even if Ekrem İmamoğlu won the elections, he won't be able to take the position without apologising to the Ordu Governor. Further using the death of fallen President of Egypt, Morsi, Erdoğan asked, "Will we say Sisi or Binali Yıldırım on Sunday?"

*** Tensions continue on Turkey's search for oil and natural gas in the Eastern Mediterranean. Turkey send the second drill ship Yavuz to the Eastern Mediterranean. The drilling activities of Turkey were described "illegal" in the EU Leaders Summit, with expressions of worry on the matter.

*** Credit ranking institution Moody's downgraded Turkey's credit note from Ba3 to B1, keeping the outlook "negative." The institution further downgraded the credit notes of 18 Turkish banks. Ankara claimed that the downgrade does not correlate with basic indicators for the Turkish economy.

*** Ministry of Treasury and Finance announced a budgetary deficit of 12.1 billion TL in May. The budgetary deficit was expected to be 80.6 billion TL in 2019 and 82.5 percent of it was already fulfilled within the first five months of the year.

*** Despite a lack of debt plan in June, the Treasury was indebted 1.5 billion TL from the market and the public, with two tenders organized this week.

*** Erdoğan removed the currency exchange tax for exporters, which was brought last month. Export unions were exempted from foreign currency sells; no exchange tax will be paid while buying foreign currencies.

*** Turkish Statistical Institute (TUIK) announced labour statistics for March 2019. The unemployment rate in March has become 4 million 544 thousand people, 14.1 percent of working population.

*** Former People's Democratic Party (HDP) Co-Chair Selahattin Demirtaş will remain arrested with the decree issued in his latest hearing, with a claim of imprisonment for 142

years.

*** Human Rights Watch (HRW) launched a video and reminded the audience that hearings of 16 people, who are on trial due to organizing and financing the peaceful protests that started in Gezi Park in 2013, will start on June 24, 2019. The organization's Europe and Middle East director Hugh Williamson commented, "Gezi is an example to Turkey's scary human rights report." For details, <https://www.youtube.com/watch?v=luNoowdA340>



"Peace Academics" on trial

Two more academics, who were on trial due to "making illegal organization propaganda" due to signing the Peace Petition of the Academics for Peace, were convicted. The academics were sentenced to 1 year and three months of imprisonment and the announcements of both verdicts were deferred. According to the data of the Initiative, the number of academics with convictions against them

reached 200. For details; goo.gl/KGktHa



Civil disobedience prosecutions continue after supporting Peace Academics

Prosecutions of disobedient civilians, who indicated that they support the academics signing the Peace Petition and made criminal complaints against themselves at the Prosecutor's Office, continued this week with two hearings. Atty. Bülent Deniz and architect Arat Dink stood trial in the first hearings at Istanbul 36th Assize Court. The court unanimously denied claims of Dink's

lawyers for recusation of the court board due to not being independent and unbiased, for "an immediate verdict of acquittal" and lastly for "joinder of actions" against 18 defendants performing the same protest. The next hearings were scheduled for October 9 and 17, 2019.



Imprisonment sentence against video activist Kazım Kızıl due to "insulting Erdoğan"

Izmir 33rd Criminal Court of First Instance sentenced documentary moviemaker and video activist Kazım

Kızıl, who was detained during the protest against the referendum on April 16, 2017, to 1 year, 3 months and 16 days of imprisonment and issued a verdict of acquittal in accordance with “the Law on Meetings and Demonstrations No. 2911.” Kızıl remained under arrest for three months during the case and was released in the first hearing. Due to the time he spent in prison, his sentence will be deferred.



Lawsuit against Yeni Yaşam Daily Editor-In-Chief

A lawsuit was filed against Yeni Yaşam Daily’s Editor-In-Chief Osman Akın due to “making successive illegal organization propaganda” through the news published in the newspaper regarding hunger strikes. The indictment was accepted by Istanbul 28th Assize Court and bases accusations on the news articles published on the newspaper on February 15, 2019 with the titles, “100

Days in Resistance,” “They March for Sunnier Days” and “Century’s Legal Bureau evaluates 20 years of PKK leader Öcalan in Imralı for our newspaper.”



Lawsuit against union members supporting Peace Academics

Lawsuits were filed against 88 out of 257 members, who made a statement in 2016 in Izmir to support academics dismissed from their positions due to signing the Peace Petition. The statement’s title was, “We defend life for peace and a common future.”



“Illegal organisation propaganda” investigation against Avesta Publishing

Another investigation was opened against Avesta Publishing House due to “making terrorist organization propaganda” after having 13 books banned in 2018 with investigations against a total of 40 books. The investigation file showed social media posts of the publishing house, such as the announcement of the decree by

Ayvalık Criminal Judicature of Peace to withdraw the book, “History of Kurdistan” from shelves, as evidence for charges.



Journalist Canan Coşkun acquitted of “insulting President”

Istanbul 40th Criminal Court of First Instance issued the acquittal of journalist Canan Coşkun, who was on trial due to “insulting the President” for the news she reported regarding the arrests of Can Dündar and Erdem Gül within the “MIT Trucks” investigation, with the title, “Erdoğan orders, journalists arrested.”



Pride Week banned in Izmir and Antalya

Events organized within the 7th Izmir LGBTI+ Pride Week for June 17-23, 2019 were banned by Izmir Governorate. Antalya Governorate also banned the 3rd Antalya LGBTI+ Pride March and “all related and following events.” The bans were based on “public decency,” “public

order,” “national security” and the “indivisible integrity of the state.” The administrative court issued a stay of execution of the verdict by Izmir Governorate.



ECHR convicts Turkey in KCK Main Case

The European Court for Human Rights (ECHR) evaluated the application made by 83 Kurdish politicians, who have been arrested within the “KCK/Turkish Assembly” investigation and remained under arrest for 18 months without standing trial, due to not being able to object against the arrest due to the

‘confidentiality order’ on the file for 15 months. The court decided that Turkey has violated European Convention on Human Rights Article 5, Clause 4, regulating “The Right to Freedom and Security” and sentenced Turkey to 2,750 Euros of compensation in total.



Constitutional Court decree on police violence against student protest

The Constitutional Court (AYM) decided that “the right to organize meetings and demonstrations and torture ban were violated” regarding the police violence during a protest organized in Istanbul in

2014. The march organized against the meeting held by the Prime Minister with university rectors in the study office at the Prime Ministry in Dolmabahçe was intervened by the police. Ezgi Özen was affected by the tear gas used in the intervention and was beaten and kicked by the police despite having told the police that she was pregnant. Due to the police violence, the pregnancy of Özen had to be ended prematurely. The investigation started against the police has been concluded with non-prosecution. The Constitutional Court therefore indicated that necessary care wasn't exhibited towards the protection of basic rights.



TRIALS OF FREEDOM OF EXPRESSION

WHO: Cumhuriyet Daily's former online news director Atakan Sönmez

CASE: Cumhuriyet Daily's former online news director Atakan Sönmez is charged with "making terrorist organization propaganda" due to news on Turkey's attack in Afrin.

COURT: Istanbul 13th Assize Court

VERDICT: Next hearing scheduled for July 19, 2019 at 14:10.

WHO: Former Taraf Daily reporter Mehmet Baransu and Managing Editor Murat Şevki Çoban

CASE: Baransu and Çoban are charged due to the news, entitled, "The Decision to End Gülen Taken at State Security Council in 2004."

COURT: Istanbul Anatolian 10th Assize Court

VERDICT: Court issued the file to be sent to the Prosecutor's Office for opinion and scheduled the next hearing for September 24, 2019 at 11:30.

WHO: Özgür Gündem Daily workers

CASE: The fourth hearing of the lawsuit filed against 22 journalists, who were detained during the police raid only hours after the shutdown of Özgür Gündem Daily with an emergency decree on August 16, 2016.

COURT: Istanbul 5th Criminal Court of First Instance

VERDICT: Next hearing scheduled for November 5, 2019.

WHO: Zaman Daily's former managing editor Harun Çümen

CASE: The third hearing of the lawsuit filed against Harun Çümen, who is arrested in remand with the allegation of "terrorist organization membership," was held.

COURT: Istanbul 32nd Assize Court

VERDICT: Çümen was not released, next hearing scheduled for July 18, 2018 at 11:15.

WHO: Former People's Democratic Party (HDP) Co-Chair Selahattin Demirtaş

CASE: Latest hearing of the lawsuit against Selahattin Demirtaş was held. Demirtaş is arrested in remand.

COURT: Ankara Sincan Prison Campus

VERDICT: Court issued for Demirtaş to remain arrested with two votes against one. The next hearing was scheduled for July 16-17, 2019.

WHO: Those responsible for Berkin Elvan's murder

CASE: The thirteenth hearing of the lawsuit filed on the killing of Berkin Elcan, who

remained in the intensive care unit for 169 days after being shot in the head with a tear gas shell by the police during the Gezi Park protests in Okmeydanı, Istanbul on June 16, 2013.

COURT: Istanbul 17th Assize Court

VERDICT: The report prepared by experts was presented yesterday and stated that it was unclear whether the defendant acted intentionally or not, with no evaluation on fault rates. The court therefore identified new experts and scheduled the next hearing for September 25, 2019.

WHO: Video activist Kazım Kızıl

CASE: The fourth hearing of the lawsuit filed against Kızıl with 24 others due to “insulting the President” and “violating the Law on Meetings and Demonstrations” after having been detained during the protests organized following the April 16 referendum.

COURT: Izmir 33rd Criminal Court of First Instance

VERDICT: The court issued Kızıl’s acquittal of “violating the Law on Meetings and Demonstrations” and sentenced him to 1 year, 3 months and 16 days of imprisonment due to “insulting the President.” The court decided that the sentence will not be executed based on the time Kızıl spent in prison.

WHO: Bülent Deniz and Arat Dink

CASE: Hearings of the lawsuits filed separately against Bülent Deniz and Arat Dink, who among other intellectuals have held a press statement in front of Istanbul Çağlayan Courthouse, indicated that they support the academics signing the Peace Petition and made criminal complaints against themselves at the Prosecutor’s Office by partaking in their crime, were held.

COURT: Istanbul 36th Assize Court

VERDICT: Next hearing of Bülent Deniz scheduled for October 17, 2019 at 09:00; of Arat Dink for October 9, 2019 at 14:30.

WHO: Journalist Canan Coşkun

CASE: The second hearing of the lawsuit filed against Coşkun due to “insulting the President” through the news, entitled, “Erdoğan orders, journalists arrested,” was held.

COURT: Istanbul 40th Criminal Court of First Instance

VERDICT: Court issued Coşkun’s acquittal due to the act not correlating with the article indicated in the law.

WHO: Lawyer Veysel Ok

CASE: The lawsuit filed against Media and Legal Studies Association (MLSA) Co-Director lawyer Veysel Ok with the allegation that he has insulted the government’s legal bodies in accordance with Article 301 of the Turkish Penal Code was prosecuted for two years and was reassigned due to non-jurisdiction. The second hearing of the retrial was not held due to the excused absence of the judge.

COURT: Istanbul 2nd Criminal Court of First Instance

VERDICT: Hearing scheduled for September 2, 2019.

WHO: Peace Academics

CASE: 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.

COURT: Istanbul 28th and 37th Assize Courts

VERDICT: Two more academics were sentenced to 1 year and three months of imprisonment, announcements were deferred.

WHO: Yeni Yaşam Daily's managing editor Osman Akın

CASE: The first hearing of the lawsuit filed with the allegation of "making successive terrorist organization propaganda" due to the news Akın reported regarding hunger strikes.

COURT: Istanbul 28th Assize Court

VERDICT: Next hearing scheduled for October 22, 2019 at 09:300 for defenses to be prepared.

HEARINGS NEXT WEEK

WHO: Osman Kavala, Yiğit Aksakoğlu, Can Dündar, Memet Ali Alabora and 12 others

CASE: The first hearing of the lawsuit filed against 16 defendants, including businessman and human rights advocate Osman Kavala (arrested since November 2017), rights advocate Yiğit Aksakoğlu (arrested since November 2018), journalist Can Dündar and actor Memet Ali Alabora, with a 657-page indictment on the Gezi Park protests with charges of "attempting to overthrow the government of the Republic of Turkey" with claims of heavy life imprisonment will be held.

COURT: Istanbul 30th Assize Court (Silivri Prison Hearing Room)

DATE: June 24-25, 2019

WHO: Ayşe Çelik

CASE: The lawsuit filed against teacher Ayşe Çelik, who stated, "Don't let children die," on a phone call with a TV show to draw attention to the curfews and deaths, will be retried due to "terrorist organization propaganda" following a Constitutional Court decree.

COURT: Bakırköy Courthouse 2nd Assize Court

DATE: June 26, 2019, Wednesday, at 09:30

WHO: 3rd Airport workers and union representatives

CASE: Lawsuits were filed against 61 workers and union representatives, who protested heavy working conditions and work murders at the airport construction; 31 were released in the first hearing after remaining under arrest for 2.5 months and the judicial measures against them were taken off in the second hearing. The third hearing of the case will be held next week.

COURT: Gaziosmanpaşa 14th Criminal Court of First Instance

DATE: June 26, 2019, Wednesday

WHO: Journalist Sertaç Kayar

CASE: The fourth hearing of the lawsuit filed against Kayar with a claim of imprisonment for up to 22.5 years due to press statements, events and marches he followed as a journalist between the years 2012 and 2014 will be held.

COURT: Diyarbakır 10th Assize Court

DATE: June 26, 2019, Wednesday

WHO: Necmi Demir

CASE: Hearings of the lawsuits filed against Necmi Demir, who among other intellectuals has held a press statement in front of Istanbul Çağlayan Courthouse, indicated that they support the academics signing the Peace Petition and made criminal complaints against themselves at the Prosecutor's Office by partaking in their crime, will be held next week.

COURT: Istanbul 28th Assize Court

DATE: June 27, 2019, Thursday

WHO: Özgürlükçü Demokrasi Daily workers

CASE: The fourth hearing of the lawsuit filed against previously shut-down Özgürlükçü Demokrasi Daily workers Mehmet Ali Çelebi, Reyhan Hacıoğlu and Ihsan Yaşar, who are arrested in remand, with Davut Uçar, Ersin Çaksu, Fırat Benli, Günay Aksoy, Mizgin Fendik, Önder Elaldı, Pınar Tarlak, Ramazan Sola, İshak Yasul, Hicran Urun and Yılmaz Yıldız, will be held next week.

COURT: Istanbul 23rd Assize Court

DATE: June 28, Friday at 10:30

WHO: "Demokratik Modernite" Magazine editor Haydar Ergül

CASE: The ninth hearing of the lawsuit filed against 14 People's Democratic Party (HDP) members together with Ergül, who was arrested in remand for a while due to "terrorist organization membership," will be held next week.

COURT: Istanbul 22nd Assize Court

DATE: June 28, Friday at 11:30

WHO: Peace Academics

CASE: Prosecutions of the 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.

COURT: Istanbul Courthouse in Çağlayan and various courts across Turkey with files of academics residing outside Istanbul