

Think, think...



Freedom of Expression Weekly Bulletin

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What happened last week?

*** President Erdoğan hosted Iranian President Rouhani and Russian President Putin in the Presidential Palace. The Astana Trio came together for the fifth time to talk about Syria. An agreement was announced on the Syrian Constitutional Committee; discussion on the crisis in Idlib was postponed.

*** In his message for the “security zone,” Erdoğan gave more time for the U.S. and said, *“If no result comes out within two weeks, we will enact our own action plan.”*

*** As Erdoğan continues to threaten Western countries with refugees, passages of refugees in the Aegean Sea has recently shown an increase and reached the same level it was before the period prior to the agreement between Turkey and the European Union.

*** Families protesting in front of the People's Democratic Party (HDP) Diyarbakır Provincial building, claiming that the PKK has kidnapped their children, is on the political agenda for two weeks. In the meantime, protests have started in front of different provincial AKP buildings as well; from Kayseri to Istanbul. The protest organised in front of the People's Democratic Party (HDP) was visited by the Interior Ministry. However, protests of military student families after their children were arrested following the coup attempt, or the protests of State of Emergency victims in front of the AKP building, were banned.

*** Following the opening of the judicial session, the opening of the academic year was made in the Presidential Palace as well. Erdoğan called out to the rectors, assigned by himself for the last four years due to the removal of rectoral elections. *“We expect more effort,”* Erdoğan said.

*** The European Court of Human Rights (ECHR) negotiated the Demirtaş Case. The verdict will be announced later. However, Demirtaş must have been released in accordance with the court’s previous decree. Demirtaş is still in prison.

*** The European Parliament described trustee operations against municipalities as “an arbitrary action,” demanding for democratically elected mayors to be reassigned. Furthermore, all oppositional names who were arrested due to expressing their opinions were demanded to be released and be acquitted of all charges.

*** Trustee operations against municipalities left a month behind, as protests and protest bans continue. Governorates in Mardin, Adana, Hakkari and Mersin declared protest bans, varying from 15 to 30 days based on the allegation of “potential provocative activities.” On the other hand, arrested Kulp Co-Chairs Mehmet Fatih Taş and Fatma Ay, as well as Erzurum Karayazı Co-Mayor Melike Göksu were replaced with district governors as trustees.

*** The number of acquitted Peace Academics reached 200 following the violation verdict by the Constitutional Court.

*** Eight international organisations for journalism and freedom of expression visited Turkey and had meetings with journalists, NGOs and authorities from the judiciary and government. The organisations indicated that the crisis in Turkey continues in terms of press freedom and the supremacy of law, and that the country will not be reliable as long as the planned judicial reforms are not made, the necessary judicial independence is not provided and journalist prosecutions end.



Constitutional Court issues press freedom violation against media blackout on corruption committee

The Constitutional Court decided that it was a "violation of press freedom" to issue a media blackout against news on the Parliamentary research committee, that was established for allegations of corruption and bribery against four former ministers Mehmet Zafer Çağlayan, Muammer Güler, Egemen

Bağış and Erdoğan Bayraktar.

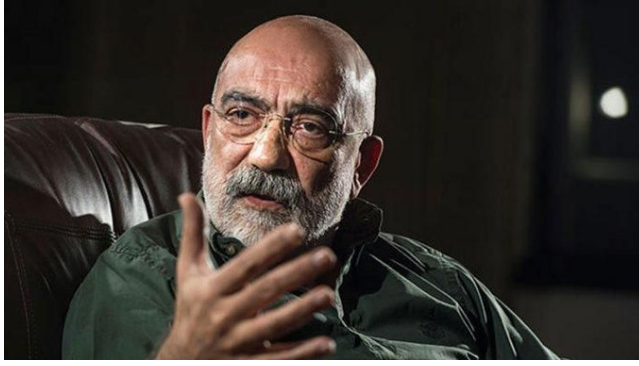
A research committee was established at the Parliament for four former ministers, who had to resign after allegations of corruption and bribery following the December 17-25 operations. Following the application of the Parliamentary Speakership, however, Ankara Chief Public Prosecutor's Office had issued a media blackout on November 21, 2014, against news on the committee due to the protection of the presumption of innocence and the confidentiality of investigation.



Lawsuit against news on economy

The prosecution of Bloomberg reporters Kerim Karakaya and Fercan Yalınkılıç has started together with 38 people, including journalists and economists, who shared the news reported by Karakaya and Yalınkılıç on social media. The defendants are charged due to the allegation of "damaging the economy"

through the news the journalists have reported on the value loss of the Turkish Lira, which was then shared on Twitter by others. The second hearing of the lawsuit at Istanbul 3rd Criminal Court of First Instance will be held on January 17, 2020 at 10:00.



Ahmet Altan acquitted of charges related to column

Journalist and writer Ahmet Altan was acquitted in the case he was on trial due to "insulting a public officer" through a column he wrote in 2010, that was published with the title, "The Great War Has Begun." Istanbul Anatolian 2nd Criminal Court of First Instance decided that the elements of the charge of "insult"

against former Chief Judge of the 11th Chamber of the Court of Cassation, Ersan Ülker, were not constituted.



Another lawsuit filed against conscientious objector Şendoğan Yazıcı

A new lawsuit was filed against conscientious objector Şendoğan Yazıcı due to "draft evasion." Two separate lawsuits have previously been filed against Yazıcı with the same charges. One had concluded with a sentence of imprisonment, and the other, with

acquittal. Yazıcı will now stand trial once again on October 3rd within the third lawsuit filed against him.



Imprisonment sentence against Sur Co-Mayor Buluttekin

Sur Co-Mayor Filiz Buluttekin was sentenced to ten months of imprisonment with the allegation of "having made illegal organisation propaganda" based on a speech she gave. Diyarbakır 11th Assize Court deferred the announcement of the verdict. Buluttekin was on trial due to the speech she gave in Kurdish during the "Local Women's Conference"

organized on January 7, 2018, when she was the People's Democratic Party (HDP) Diyarbakır Co-Chair.



Investigation against HDP MP Leyla Güven

An investigation was started against the People's Democratic Party (HDP)

Hakkari MP Leyla Güven due to “making terrorist organisation propaganda.” Güven has given a speech on the mothers on watch in front of the HDP building, saying, “The mothers there are our mothers as well. Mothers are sacred for us... It is not the HDP who started the war! The mentality, which started the war, is the mentality that left the Kurdish Question unresolved. As the Kurdish Question continues, there will be more participation in the guerilla, there will be more clashes, more war...”



Another warrant against Ferhat Tunç

The hearings of two separate lawsuits filed against artist Ferhat Tunç due to “public incitement towards resentment and hostility” and “insulting the President” through his social media posts were held. Another warrant was issued against Tunç.



Artist Hozan Cane convicted of “insulting Erdoğan”

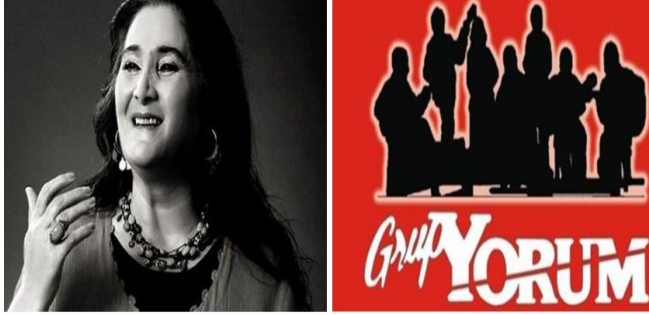
Edirne 6th Criminal Court of First Instance sentenced vocal artist Saide İnaç, publicly known as Hozan Cane, to 1 year and five months of imprisonment due to “insulting the President.” The announcement of the verdict against the artist, charged due to her social media post, was deferred. İnaç is a German

citizen and has previously been arrested before the elections on June 24, 2018 in Edirne, where she was visiting within the electoral campaigns of the People’s Democratic Party (HDP), with the allegation of “illegal organisation membership.” The artist was sentenced to 6 years and three months of imprisonment within this file and is still in prison.



Kars Criminal Court of Peace bans two books

Kars Criminal Judicature of Peace banned two books and withdrew them from shelves. The book, "From the Ashes of Angels," written by Andrew Collins and the novel, "Song of the Earth," written by Rojbin Perişan, were asserted to be making terrorist organisation propaganda.



Banned concerts

The concert organised by Turkish Folk Musician Sabahat Akkiraz within Batikent Cultural Festival in Ankara was cancelled by the Governorate due to “being inappropriate in terms of public safety.” In the statement she made on her Twitter account, Akkiraz wrote, “According to some, our crime is to sing

folk songs. No one can silence our folk songs.”

The concert organised by Grup Yorum in Istanbul with the slogan, "Resistance is a Folk Song," was banned by the district governorate. The concert had been announced to be made on September 14th, Saturday, at 19:00 at Taksim Ortaoyuncular Theater Ferhan Şensoy Auditorium.



Journalist Genççağ Karafazlı attacked with arms

Human Rights Association (IHD) Central Executive Board member and Contemporary Journalists Association (ÇGD) Rize Chairman Genççağ Karafazlı was attacked with arms. Karafazlı was taken to Rize Public Hospital and is now doing well, healthwise. In the statement made by the IHD, the journalist was indicated to have

been performing journalism for 33 years and is also a human rights advocate, known with his oppositional news reporting. The association stated that Karafazlı is frequently becoming a target and is exposed to hate attacks. IHD demanded the incident to be illuminated within all aspects.



Van Governorate does not give permission for torture investigation

Van Governorate did not give permission for investigation against 66 police officers on torturing eight people from the same family, who were detained during a house raid on July 14, 2018 in Ipekyolu district. The Governorate claimed that the police have used “proportionate force” on the Şahin

family, who were exposed to systematic torture both during the house raid as well as the four days they were kept under custody.



TRIALS OF FREEDOM OF EXPRESSION

Ahmet Altan Case

The summary judgement of the lawsuit filed against journalist-writer due to “insulting a public officer based on his duty” through his article published on Taraf Daily in 2010 with the title, “The Great War Has Started,” was held on September 17th.

COURT: Istanbul Anatolian 2nd Criminal Court of First Instance

VERDICT: The court issued the acquittal of Altan, who was charged with “insulting” Chief Judge of 11th Chamber of the Court of Cassation Ersan Ülker.

Fatih Polat Case

The third hearing of the lawsuit filed against Evrensel Daily Editor-In-Chief Fatih Polat due to “insulting the President” through a column he wrote was held on September 17th.

COURT: Istanbul Bakırköy 31st Criminal Court of First Instance

VERDICT: The fourth hearing of the case will be held on November 14th, at 09:30.

Ferhat Tunç Case

Hearings of two separate lawsuits filed against artist Ferhat Tunç due to “insulting the President” and “public incitement towards resentment and hostility” due to his social media posts,” was held on September 18th.

COURT: Istanbul Büyükçekmece 4th and 14th Criminal Court of First Instance

VERDICT: A warrant was issued against Tunç within the file of “insulting Erdoğan.” The next hearing was scheduled for December 4th. The other case was postponed to February 14th.

2018 Pride March Case

The second hearing of the lawsuit filed against six people, who were detained during the 2018 Istanbul LGBTI+ Pride March, due to “violating the Law on Meetings and Demonstrations No. 2911,” “resisting to prevent duty” and “endangering traffic safety” was held on September 19th.

COURT: Istanbul 12th Criminal Court of First Instance

VERDICT: The next hearing was scheduled for October 4th, at 14:00.

Selman Keleş Case

The prosecution of journalist Selman Keleş, who is charged with “disrupting the unity and the territorial integrity of state” due to the news published in 2016 with the title, “Resigned village guard: They are sending us to death,” continued with the hearing on September 19th.

COURT: Istanbul 2nd Criminal Court of First Instance

VERDICT: The court decided to wait for the execution of the warrant against the journalist and scheduled the next hearing for November 5, 2019.

Lawsuit Against Bloomberg News on Economy

The prosecution of Bloomberg reporters Kerim Karakaya and Fercan Yalınkılıç has started on September 20th together with 38 people, including journalists and economists, who shared the news reported by Karakaya and Yalınkılıç on social media. The defendants are charged due to the allegation of "damaging the economy" through the news the journalists have reported on the value loss of the Turkish Lira, which was then shared on Twitter by others.

COURT: İstanbul 3rd Criminal Court of First Instance

VERDICT: The second hearing of the lawsuit will be held on January 17, 2020 at 10:00.

Peace Academics Cases

Hearings of the academics, who signed the Peace Petition of the Academics for Peace, continued to stand trial this week due to "making terrorist organisation propaganda."

VERDICT: The number of academics, who were acquitted with the decrees issued this week following the violation verdict of the Constitutional Court, reached 222.

HEARINGS NEXT WEEK

JinNews - Kibriye Evren Case

The sixth hearing of journalist Kibriye Evren, who was detained and arrested on October 9, 2018 during house raids and is now charged with "illegal organisation membership" and "making illegal organisation propaganda" with secret witness statements, social media posts and travel records as criminal evidence against her, will be held.

DATE: September 24, 09:00, Diyarbakır 5th Assize Court

RedHack Case

The lawsuit filed against journalists Tunca Öğreten, Mahir Kanaat, Derya Okatan, Ömer Çelik, Eray Sargın and Metin Yoksu due to "making terrorist organisation propaganda," "blocking, disrupting information systems and disrupting or changing data," "acting on behalf of an illegal organisation without being a member" and "illegal organisation membership" in relation to the news they have reported on the emails belonging to Energy and Natural Resources Minister Berat Albayrak and were leaked by RedHack, will continue.

DATE: September 24, 09:00, İstanbul 29th Assize Court

Mehmet Baransu - Şevki Çoban Case

The lawsuit filed against former Taraf Daily reporter Mehmet Baransu and Editor-In-Chief Murat Şevki Çoban due to the news published with the headline, "The Decision to End Gülen Was Made in 2004 at State Security Council" will be held.

DATE: September 24, 11:30, İstanbul Anatolian 10th Assize Court

Disobedient Civilians Supporting Peace Academics Case

Hearings of Zeynep Tanbay, Halim Bulutoğlu, Nergiz Savran among the intellectuals, who expressed their support for the academics and made criminal complaints against themselves at the Prosecutor's Office, stating that they sign the Peace Petition as well, will be held.

DATE: September 24, 13:30 and 13:50, İstanbul 14th Assize Court,
September 25, 14:00, İstanbul 36th Assize Court

Berkin Elvan Case

The fourteenth hearing of the lawsuit filed on the killing of Berkin Elvan will be held. Elvan was shot in the head by the police with a tear gas shell during the Gezi Park protests in Okmeydanı, Istanbul on June 16, 2013. Remaining in the intensive care unit for 269 days, Elvan had lost his life.

TARİH: September 25, Istanbul 17th Assize Court

Bülent Şık Case

The third hearing of the lawsuit filed against Asst. Prof. Dr. Bülent Şık due to “obtaining banned confidential information” and “announcing professional secrets” will be held. Bülent Şık had shared the cancer research, whose results were hidden by the Ministry of Health, with the public through his article series, entitled, “Government hides ingredients causing cancer, we announce them! Here’s the poison list!”

DATE: September 26, 14:00, Istanbul 2nd Criminal Court of First Instance

Cases of Peace Academics

Lawsuits filed against the scientists, who signed the Peace Petition of the Academics for Peace,” due to “making terrorist organisation propaganda,” will continue.

DATE: September 24, 10:00, Istanbul 36th Assize Court

September 25, 10:00, Istanbul 26th Assize Court

September 26, Istanbul 25th Assize Court