

APRIL 2020 REPORT

This report was prepared in collaboration with the Initiative for Freedom of Expression (IFoX), Human Rights Association (IHD) and the Human Rights Foundation of Turkey (TIHV) and was launched on May 2, 2020 as a [video panel](#).

In the days of the pandemic, when social life was restricted even more extensively, people (especially those who are over 65 and under 20) remaining under a mandatory quarantine, meeting areas and squares remaining empty and courthouses suspending hearings; the focus was more on social media posts and news. Mistakes in the fight against the Coronavirus, statements of the Directorate of Religious Affairs involving hate speech, news and social media posts on the donation campaign of the President continue to cause detainments, arrests and convictions.

1. ADMINISTRATIVE MEASURES, POLICE INTERVENTIONS

- 01 Ankara** The protest to be held in front of the human rights monument on Yüksel Street was intervened with physical violence.
- 02 Istanbul** Turkey Truths - Mesut Aykın was detained in Istanbul and arrested in Ankara upon the order of Ankara Chief Public Prosecutor's Office with the allegation that he has made FETÖ propaganda through his Twitter posts on the account "Mustafa Selanik."
- 02 Kocaeli** All protests and demonstrations on the Coronavirus were banned until April 16.
- 03 Ankara** The protest of architect Alev Şahin, who wanted to protest her dismissal from profession with a Statutory Decree, was prevented with violence.
- 04 Bartın** Community Houses Branch Chair Yonca Alemdar and two others, who wanted to distribute the masks they've prepared in the town market, were detained due to their activity lacking permission.
- 05 Izmir** After the virus test of a textile worker came out positive Çiğli, clashes occurred between the workers and security officers. The workers were beaten with sticks.
- 06 Istanbul** Banners hung by the Republican People's Party (CHP) Eyüpsultan district organization on COVID-19 were taken down by the Justice and Development Party (AKP) Eyüpsultan Municipality.
- 08 Adana** Kürkcüler Type-F prisoners wanting to protest the death of Grup Yorum member Helin Bölek, who was on an indefinite hunger strike, faced physical violence by the prison guards.
- 08 Istanbul** Two people were detained after they wanted to protest in front of the Justice and Development Party (AKP) Provincial building in order to draw the attentions to

the situation of indefinite hunger-strikers İbrahim Gökçek and Mustafa Koçak, as well as Grup Yorum member Helin Bölek, who died on an indefinite hunger strike.

08 Tekirdağ Labour Party (EMEP) members were intervened by the police as they were hanging banners in Çorlu on COVID-19. District Chairman Erdal Koçer and member Kenan Işık were detained.

09 İstanbul Labourist Movement Party (EHP) members wanting to protest regulations on unpaid leaves and made a press statement in front of Şişli District Governorate. The police intervened in the press statement, used violence and detained 11 people with reverse handcuffs. Those detained were fined due to violating “social distance” and were released.

09 İstanbul Intern lawyer Yağız Timuçin was detained due to his social media post that said, “*We are not paying.*”

10 İstanbul The press statement organized by the solidarity network in order to draw the attentions to the workers, who are forced to work despite the COVID-19 outbreak, was intervened by the police. The police detained 7 people using violence. Those detained were fined 3,180 TL each and were released.

11 İstanbul Comedian Emre Günsal was arrested due to his statements on a stand-up show he shared on social media. Günsal was released 10 days later.

13 Ankara The press statement organized by Open Our Hospitals Platform (HAP) with the demand for hospitals, which were shut down due to COVID-19, to be reopened, was prevented by the police.

14 İzmir Nine people, who waited in front of Kırıklar Type-F Prison for Mustafa Koçak after his death on an indefinite hunger strike, were detained with violence. The nine people included Koçak’s parents, siblings and friends. As they were detained, one person among the nine has dislocated a finger.

18 Ankara Six people, who called to speak up with the demand for paid leaves during the COVID-19 outbreak in Tuzluçayır neighborhood of Mamak district, were detained by the police.

18 İstanbul April 23 balcony meetings organized by Kadıköy Municipality were banned by the District Governorate due to COVID-19.

20 İstanbul The police intervened against the press statement organized in Tuzla by the Confederations of Progressive Trade Unions of Turkey (DISK) Limiter Labour Union for the celebration of May 1st and to take better measures against the COVID-19 outbreak; detaining Union Chairman Kamber Saygılı and six others. Those detained were fined 3,180 TL and were released.

22 İstanbul Prisoner Support Organization (TAYAD) members Kemal Gün and Aydın Geve were detained after they chained themselves at the garden fence of Dolmabahçe

Palace in order to draw the attentions to the situation of hunger-striker lawyers and indefinite hunger-striker Grup Yorum members.

29 İzmir The application made by the Labour and Democracy Forces to the Governorate to organize a celebration on May 1st at Gündoğru Square in compliance with social distancing rules, was denied.

2. INVESTIGATIONS, PROSECUTIONS

09 Ankara Another lawsuit was filed against Diyarbakır Co-Mayor Selçuk Mızraklı at the 28th Assize Court due to “making illegal organization propaganda” after he was replaced with a trustee and was sentenced to 9 years and four months of imprisonment with the claim of “illegal organization membership.” The first hearing is on October 12, 2020.

10 İstanbul A lawsuit was filed against journalist Sahiba Temizkan at the 35th Assize Court due to her social media posts. The first hearing of the case is on June 25, 2020.

10 Rize An investigation was opened against journalist and Human Rights Association (IHD) Central Executive Council member Genççağa Karafazlı as well as a reporter due to a news article published on Nabız Daily; another investigation was opened against www.flash53.com.tr website owner Hasan Fehmi Demir due to the news he published on the website on the COVID-19 outbreak.

11 Van A lawsuit was filed against Metropolitan Co-Mayor Bedia Özgökçe Ertan at the 7th Assize Court due to “illegal organization membership.”

16 İstanbul An investigation was opened against the news articles published on Cumhuriyet Daily on İstanbul Metropolitan Municipality’s demolition of structures built by the Presidential Communication Director Fahrettin Altun on the foundation land he rented.

18 İstanbul A lawsuit was filed against Cumhuriyet Daily reporter Hazal Ocak at the 2nd Criminal Court of First Instance due to the news article on the Minister of Finance Berat Albayrak having purchased a land on the route of Canal İstanbul. The first hearing will be held on June 18, 2020.

20 İstanbul In the lawsuit filed against Pir Sultan Abdal Association Sarıyer Chair Zeynep Yıldırım and five others at the 35th Assize Court after they were detained and arrested during the press statement they held on July 26, 2018; five people were detained. The next hearing was scheduled for July 8, 2020.

21 Ankara The first hearing of the lawsuit filed against former People’s Democratic Party (HDP) Co-Chair Selahattin Demirtaş at the 17th Assize Court due to his speeches and an interview he gave to a foreign newspaper will be held on July 14, 2020.

27 Ankara An investigation was opened against the Ankara Bar Association due to “denigration of religious values adopted by a part of society” after the Bar Association

statement, criticising the statement of the Director of Religious Affairs on April 14 that targeted LGBTIQ+.

27 Istanbul An investigation was started against journalist Zülal Koçer after she recorded the police violence during the Feminist walk on the night of March 8th and shared the visuals on social media.

27 Urfa Medical Association Chairman Ömer Melik and Secretary General Osman Yüksekayla were detained in the investigation opened against them due to “public incitement towards fear and panic” through the report they prepared on the Coronavirus outbreak. Melik and Yüksekayla were sent to the court, then were released with judicial measures.

28 Diyarbakır An investigation was started against the Bar Association statement that reprimanded the statements of Director of Religious Affairs Ali Erbaş during his Ramadan speech. The investigation was based on “denigration of religious values adopted by a part of society” in accordance with Article 216/3 of the Turkish Criminal Code (TCK).

3. MEDIA & SOCIAL MEDIA

01 İzmir After the Medical Association statements on the Coronavirus outbreak, its social media accounts were restricted.

01 Mardin An investigation was opened against Mezopotamya Agency reporter Ahmet Kanbal following the complaints of the Provincial Health Directorate due to “public incitement towards resentment and hostility” after Kanbal reported the allegations that children who are Coronavirus positive were quarantined in the same unit as those who aren’t positive at the Public Hospital.

02 Ankara Social media user Oktay Yaşar was arrested due to his posts through the account “Ankara Kuşu” [“Bird of Ankara”].

03 Gaziantep Confederation of Progressive Trade Unions of Turkey (DISK) Textile Workers Union Gaziantep Regional Representative Mehmet Türkmen was detained due to mentioning the situation of workers, who have to work despite the COVID-19 outbreak, on social media.

03 Muğla Hakan Aygün’s house was raided by the police in Bodrum district. Aygün was arrested due to his social media posts.

07 Ankara A criminal complaint was made against journalist Fatih Portakal due to “manipulating people” and “using incorrect, intentional expressions” by the Presidential and Banking Regulation and Supervision Institute (BDDK).

08 Aydın Investigations were opened against 14 people in Söke, Kuşadası and Efeler districts due to their social media posts.

13 Mardin An investigation was opened against Mezopotamya Agency Reporter Ahmet Kanbal due to “insulting public officers because of their duty” and “denigration of public institutions” based on his social media posts.

13 Rize Socialist Party of the Oppressed (ESP) Fındıklı Representative Tugay Köse was detained due to his social media posts.

13 Rize www.rizenabiz.com news website was banned from access due to the news article, entitled, “*Çaykur workers revolt after tested positive for Coronavirus.*”

16 Ankara Radio and Television Supreme Council (RTÜK) issued administrative sanctions from the upper limit and three-times programme suspension penalties against FOX TV due to prime-time newscaster Fatih Portakal has “incited the public towards resentment and hostility” during his comments on COVID-19 on March 30, 31 and April 1, 2020. Furthermore, administrative sanctions and three-times programme suspension penalties were issued against TELE 1 channel as well due to the comments of Can Ataklı. HALK TV was also penalized with administrative sanctions due to the expressions of a show guest.

19 Ankara 18 websites, including www.independentturkish.com, were banned from access, initially with the decision of the Information Technologies and Communication Directorate (BTK) then with a decree of the 7th Criminal Judicature of Peace.

22 Isparta Three Kurdish construction workers were detained due to making PKK/KCK/YPG propaganda on social media, expecting their prosecution.

24 Kocaeli Koz Daily’s Editor-In-Chief Gökhan Karabulut was detained due to the news he reported on the Provincial Directorate of Health.

27 Ankara Ministry of the Interior announced that 402 people were detained in total due to 6362 social media posts on the COVID-19 in the last 42 days.

27 Van Three different investigations were started against journalist Oktay Candemir due to “public incitement towards fear and panic” and “public incitement towards resentment and hostility or denigration” based on his news articles that were published last month with the titles, “*Insufficient quarantine in Çaldıran*” and “*Youngster commit suicide after being dismissed with Security Investigation and can’t find any more work*” as well as his Twitter post, that said, “*Süleyman Soylu is an Interior Guard, who is equipped with special authorities. As long as the government’s concept of Kurds won’t change, Süleyman will remain the Minister.*”

4. OTHER APPLICATIONS

07 Samsun Bafra Prisoner Mehmet Yeter lost his life due to COVID-19 but was buried before his family was informed of his death. The letter written by the Prosecutor’s Office to the Directorate of Cemeteries stated that the cause of Yeter’s death was the Coronavirus.

After the incident was reflected onto the press, the Prosecutor's Office claimed that Yeter's cause of death was "Gangrene."

09 Osmaniye A prisoner's phone call with his family was cut in the middle after he complained that the prison food is really bad and that "mud" comes out of the food.

14 Izmir Political prisoners at Şakran Type-T Prison No.4 in Aliğa district, who publicized that the prison administration isn't taking any measures against the Coronavirus outbreak through their families, were given disciplinary penalties. The penalties will be applied after the bans.

18 Ankara A summary was prepared against İYİ Party MP Ümit Özdağ with a claim to take off his Parliamentary Immunity due to the press meeting he organized at the Grand National Assembly of Turkey (GNAT).

18 Kars A five-people attacker group went to the municipality building in the evening hours, insulted security personnel and damaged the items in the office.

20 Kocaeli An armed attack was organized against "Ses Kocaeli" Daily, which resulted in material damages. The newspaper's Editor-In-Chief and a writer had been detained on March 22.

27 Ankara 30 summaries prepared against 21 People's Democratic Party (HDP) MPs with claims to take off their Parliamentary immunities were sent to the Grand National Assembly of Turkey (GNAT).

30 Izmir Three Confederation of Progressive Trade Unions of Turkey (DISK) member workers, who were making an announcement for May 1st, were fined 3,150 TL each due to not complying with social distance rules.

5. COMMENTS & SUGGESTIONS

Coşkun Üsterci (Human Rights Foundation of Turkey - TIHV):

New types of violations are in place in April now, that are suited to the new conditions. More correctly, an already-existing type of violation came to the forefront: Investigations against social media. The first COVID-19 case was seen on March 11. According to the statement made by the Ministry of the Interior on April 27, investigations were started against a total of 6,162 people and 402 people were detained in the last 42 days. When we compare this number to the previous years, it is a high number. The people of Turkey, who "stay at home," naturally express their thoughts on social media but they are under great pressure as they do so.

Another subject is the restriction of the rights of human rights advocates. An investigation was opened against the Urfa Medical Association Chairman and Secretary General due to their social media posts. However, these associations are those who have to speak the most

during the outbreak we are in, increasing people's awareness and supporting the government with their criticisms. They are performing their natural duty and activity. They talk about insufficient materials of health workers, difficulties faced during treatments and the actual number of cases and deaths. Therefore, they face investigations due to "public incitement towards panic, resentment and hatred..."

The Director of Religious Affairs commit the crime of "discrimination" in his statement. He criticizes those who have relations outside of marriage as well as tendencies of LGBTI+s, whereas it is also outside of the scope of freedom of expression because he describes them as deviant and unhealthy. Homosexuality isn't banned in our law and such a regulation cannot be made - for it would be against the higher norm, which is the European Convention on Human Rights. On the other hand, the current law allows Bar Associations to make criminal complaints and even file lawsuits in case there is a rights violation. So, the Diyarbakır Bar Association and the Human Rights Association made criminal complaints. The result? Investigation against Bar Associations!

Presidential Director of Communication Fahrettin Altun attempts to use a land that is behind his house, and Istanbul Metropolitan Municipality prevents that. The Republican People's Party (CHP) Üsküdar District Chair posts on social media to criticize that, then faces an investigation due to "violating private life." Provincial Chair Canan Kaftancıoğlu, who criticizes that, also faces an investigation due to "praising the crime and the criminal." Does the Üsküdar District Chair even have a finalised crime?

In the end, we are facing "Successive Crimes" that neglect freedom of expression, freedom of organization and the freedom of rights advocates.

Osman İşçi (Secretary General of Human Rights Association - IHD):

The amendment on prosecution, that passed the Grand National Assembly of Turkey (GNAT) on April 14 seems to have resulted in discriminations based on freedom of expression that is attempted to be used to express oppositional opinions and criticism, as well as against the right to meeting and demonstration. Therefore, the criminalization of the use of these rights must end.

We need to follow these processes closely as human rights advocates and organizations. The importance of being a transparent society and the importance of access to information in terms of freedom of expression became more vivid in the COVID-19 period.

Ali Çiçek (Human Rights Association - IHD Izmir):

It is worrying that statements, suggestions and calls for collaboration made by health organizations such as SES, Turkish Medical Association and Chambers were neglected by the executive power and were even considered hostile; being reflected in the public as "the other side."

The method used by the security forces to detain people isn't in accordance with measures against the COVID-19. It isn't known whether someone from the security organization is COVID-19 positive or not. Therefore, those detained and those who detain them must go through COVID-19 tests.

Workers, who have to work during this period in order to survive, abstain from announcing their names and identities with the fear of losing their jobs. This is proof that the applications are anti-democratic.

Prisoners being penalized with administrative penalties after they inform their families of their situation and the applications in prison is a prevention of information and expression of thought, which is worrying.

Please click for the Video Panel: <https://youtu.be/y7Bg5PirXVw>