

Freedom of Expression Violations in Turkey Report (10) July 2020

This report was launched as a video conference prepared with the joint work of the Human Rights Association, Human Rights Foundation of Turkey and the Initiative for Freedom of Expression.

Administrative Bans, Security Interventions

- 01 :** **Ankara** Police intervened against a press statement organized on Sivas Massacre in Tuzluçayır neighborhood of Mamak, based on the Governorate ban. 4 people were detained.
- 01 :** **Ankara** Labourers wanting to make a statement for 1331 days in front of the Human Rights Monument on Yüksel Street in order to protest their dismissals through Statutory Decrees and to express their demand for re-employment were intervened by the police and they were forced away from the event area.
- 01 :** **Antalya** Community Center member Ebru İntibay was detained with a house raid with the allegation that she held a banner at her home that said, “*AKP, tell us the murderer of Rabia Naz*” and “*We will ask account for the muder of Rabia Naz.*”
- 01:** **Dersim** The Governorate declared 29 regions “temporary security zones” until the end of the year.
- 01:** **İstanbul** The police intervened against those protesting at Bakırköy Özgürlük Square against their dismissals with Statutory Decrees and demanding re-employment, detaining 2 people.
- 02 :** **Ankara** The Governorate banned all protests and demonstrations for 15 days in accordance with the decisions made at the Provincial Public Sanitation Council meeting.
- 02 :** **Ankara** The “Great Defense Rally” organized against the legal regulation to be enacted on Bar Associations’ structure was banned by the Governorate on July 2, 2020.
- * Bar Association Chairmen arriving at the Parliament to follow the negotiations at GNAT Justice Commission were not allowed in. The lawyers then held a sit-in protest in front of the GNAT.
- * Artı TV Ankara representative Sibel Hürtaş, who was there to track news information in front of the GNAT was detained by the police with physical violence.
- * Lawyers going to Ankara Courthouse to file a criminal complaint against the Governorate ban against protests were intervened by the police with tear gas.
- 02:** **Ankara** The commemoration organized by the Democratic Alevi Association (DAD) at Sakarya Street for July 2, Sivas Massacre, was intervened by the police based on the Governorate ban against protests. 7 people were detained.
- 03.** **Aydın** The Governorate announced that press statements by political parties, professional unions, professional organizations, associations and other non-governmental organizations may be held with a number of participants that shall not exceed 50, complying with social distance and mask rules.
- 04:** **Adana** The police prevented youth organization members, who distributed leaflets that said, “Do not touch my social media,” based on the Governorate ban.
- 05:** **Istanbul** The police beat and detained lawyer Cihan Duman after he warned guards due to their physical violence against citizens in Beyoğlu district.

- 05: Kocaeli** The Governorate banned the event organized by Solidarity Academy (KODA).
- 06: Istanbul** Those wanting to hold a press statement in Kadıköy in order to draw attention to the state of indefinite hunger-striker lawyers Ebru Timtik and Aytaç Ünsal were prevented by the police. One person was detained.
- 06: Istanbul** Taylan Öztürk made a press statement after he was dismissed from the profession by Esenler Municipality. He was injured after the police intervention against his statement with tear gas.
- 07: Istanbul** Six women, who protested that Istanbul Convention is not being effectively applied in front of the Family and Social Policies Ministry's Provincial Directorate in Cağaloğlu, were beaten and detained by the police and security guards.
- 07: Izmir** Lawyers standing against the Multiple Bar Associations system wanted to march towards the Bar Association building after the statement they made in Alsancak. The police blocked the district of Alsancak from entrances and exits and thus prevented the march.
- 07: Van** The Governorate banned all protests and demonstrations to be held in the province for 15 days.
- 08: Urfa** The Governorate banned all protests and demonstrations to be held in the province for 30 days, including the provincial center and all other districts.
- 09: Ankara** Bar Association Chairmen started a watch in Kuğulu Park in order to protest the law draft on the structure of Bar Associations, which is currently being negotiated at the Grand National Assembly of Turkey. They were surrounded by the police and were intervened.
- 09: Van** The application made at the Governorate by People's Democratic Party (HDP) İpekyolu District Organization to open a booth was denied.
- 10: Batman** People's Democratic Party (HDP) District Organization building in Kozluk district was raided by the police early in the morning due to a "denouncement" and a "poster." The party executives were called to the building and afterwards, district chairman Burhan Atan was detained.
- 10: Istanbul** The police intervened against the press statement held by Northern Forests activists in Beyoğlu district, detaining 4 people.
- 11: Adana** The commemoration organized by the Socialist Party of the Oppressed (ESP) Provincial Organization for Kadri Bağdu, who lost his life in the Suruç Massacre, was prevented by the olice based on the Governorate ban.
- 13: Ağrı** In a house raid organized by the police in Diyadin district, Co-Mayor Betül Yaşar was detained. Simultaneously, the Municipality building was raided as well. The doors were broken and the building was searched.
- 13: Şırnak** The Governorate closed 22 regions, including the Central, Cizre and Silopi districts, to civil entrances and exits for 3 days.
- 14: Ankara** The press statement organized by the People's Democratic Party (HDP) in front of Ulucanlar Prison Museum was intervened by the police.
- 14: Ankara** The police intervened against those wanting to hold a commemoration for Suruç Massacre as well.
- 16: Adana** 2 people were detained by the police due to distributing leaflets that said, "Don't forget Suruç".
- 16: Istanbul** The police intervened against TAYAD members, who wanted to march towards Ankara in order for the release claims of indefinite hunger-striker lawyers Ebru Timtik and Aytaç Ünsal to be accepted, detaining 2 people.

- 17: Batman** The police intervened against the sit-in protest organized at Atatürk Park to protest the incident of sexual abuse of a little girl by a specialized sergeant, detaining 10 people, including children. Those detained were released on the same day with administrative fines.
- 17: Dersim** The police intervened against the group marching after a press statement organized to protest sexual attacks against women, detaining three people using physical violence.
- 18: Istanbul** The police intervened against the Socialist Party of the Oppressed (ESP) members, who distributed leaflets before the Suruç Massacre commemoration organized in Kadıköy, detaining 20 people.
- 18: Şırnak** The police prevented the press statements organized by TJA, HDP and KESK in order to protest sexual attacks against children in Batman and Şırnak.
- 20: Hakkari** The Governorate banned all protests and demonstrations to be organized in the province for 15 days.
- 20: Istanbul** The police prevented the Suruç Massacre commemoration organized in Kadıköy, detaining 55 people.
- 20: Urfa** The commemoration organized for 33 people, who lost their lives in the bomb attack in Suruç district, were intervened by the police. The police tore photos of those dead and confiscated the banner, that said, "Justice for Suruç." On the same day, the commemoration organized at Suruç Family Cemetery was prevented by the police as well. A press statement and a sit-in protest were then held in front of the cemetery.
- 21: Izmir** The march organized by "Women Are Stronger Together Platform" after their press statement organized in Alsancak against the murder of Pınar Gültekin was prevented by the police. 12 women were beaten and detained, some being dragged on the floor.
- 22: Bursa** The gendarmerie intervened against the group, protesting to prevent transportation for the Zinc-Mercury-Copper Enrichment Center and Tailing Impoundment Project, whose construction is still ongoing in the rural neighborhood of Kirazlıyayla in Yenişehir district, through the village road. 12 people were detained.
- 22: Van** The Governorate banned all protests and demonstrations to be held in the province for 15 days.
- 24: Denizli** The Governorate banned all open-air meetings, marches, press statements, sit-in protests, booths and demonstrations to be held in the province for 15 days due to the Coronavirus.
- 25: Çanakkale** Security forces stopped three buses, which were on their way towards a nature watch on Ida Mountains, in Eceabat based on the Governorate ban, detaining 9 people using physical violence.
- 25: Istanbul** The Saturday Mothers, who wanted to march towards Galatasaray Square for their 800th week, were stopped on the street of the Human Rights Association (IHD) building. The mothers managing to go to Galatasaray Square were intervened by the police and three people were detained.
- 26. Balıkesir** 9 women were detained in house raids organized in Edremit district against the Socialist Party of the Oppressed (ESP) and the People's Democratic Party (HDP) members.
- 26: Istanbul** The forum organized by women at Abbasğa Park after the call of the "Women Are Stronger Together" Platform was prevented. Later, the women organized the forum at Barbaros Park Pier Square. After the event ended, the police

followed the women and detained 8 people from the cafés and restaurants they were sitting at.

- 26: Balıkesir** 9 women, including the Socialist Party of the Oppressed (ESP) Co-Chair Özlem Gümüştas, Socialist Women's Assembly (SKM) Spokesperson Hatice Deniz Aktaş and Central Executive Council members, were detained with a house raid against the home of HDP Edremit District Co-Chair Sevgi Özden in Altınoluk.

Investigations, Prosecutions, Verdicts

- 01: Istanbul** Umut Azak, E.D. and Erdem Güngör, who were on trial at the 32nd Assize Court due to signing the "We Will Not Partake In This Crime" petition, were sentenced to 1 year and three months of imprisonment each.
- 01:** Two people in **Antalya** and one people each in **Izmir, Manisa ve Mersin** were detained due to their social media posts targeting Esra Albayrak.
- 01: Antalya** Community Center member Ebru İntibay was detained with a house raid due to the allegation that she held a banner at her home that said, "AKP, tell us the murderer of Rabia Naz" and "We will ask account for the murder of Rabia Naz."
- 02: Ankara** Mehmet Dersulu, a participant of the protests for re-employment ongoing on Yüksel Street, was sentenced to five months of imprisonment due to "resisting to prevent duty."
- 02: Istanbul** T24 news website's Editor-In-Chief Doğan Akın was acquitted in the lawsuit he was on trial at the 25th Assize Court through the news he published on the tweets by the account "Fuat Avni".
- 02: Istanbul** The prosecutions of Cumhuriyet Daily reporters Alican uludağ and Duygu Güvenç are ongoing. The next hearing is on October 22.
- 02: Istanbul** The KCK Case continued at the 3rd Assize Court. The next hearing is on December 1.
- 02: Mersin** Mesopotamia News Agency reporter Berivan Altan is on trial at the 2nd Assize Court due to "illegal organization membership." The court scheduled the next hearing for November 12, after hearing the defense statements.
- 03: Diyarbakır** Hakkari former MP Hamit Geylan was sentenced to 6 year and three months of imprisonment at the 9th Assize Court due to "illegal organization membership" through participating in a meeting organized by the Democratic Society Congress (DTK) in 2011, a travel ban was issued against him as well.
- 03: Istanbul** 35th Assize Court sentenced many in the lawsuit known as the "Büyükkada Case," in which 11 rights advocates were on trial. Amnesty International Honorary Chairman Taner Kılıç, Günal Kurşun, Özlem Dalkıran and İdil Eser were sentenced to 2 years and 1 month of imprisonment each and seven rights advocates were detained.
- 04: Izmir** A 14-year-old in Torbalı district was sent to court due to his social media posts.
- 06: Istanbul** The court decided to write a letter for the Penitentiary Institute in the lawsuit filed against former People's Democratic Party (HDP) Chair Selahattin Demirtaş at Bakırköy 7th Criminal Court of First Instance due to insulting the President and Ahmet Davutoğlu through a speech he gave.
- 06: Istanbul** The prosecution of Evrensel Daily's former Editor-In-Chief Cem Şimşek continued due to insulting the President through published news.

- 06: Istanbul** A lawsuit of compensation was filed at the 30th Criminal Court of First Instance for 250 thousand TLs against Olcay Büyükbaş, Hazal Ocak and Gün News Agency Inc. following the complaint of Presidential Communications Director Fahrettin Altun on the news reported on April 14, 15 and 29, 2020.
- 07: Diyarbakır** The 8th Assize Court sentenced Sur Co-Mayor Cemal Özdemir, who was dismissed from mayorship and was replaced with a trustee, to 7 years and six months of imprisonment due to “illegal organization membership” and to 1 year and three months of imprisonment due to “making illegal organization propaganda.”
- 07: Istanbul** Prof. Gençay Gürsoy and Şebnem Korur Fincancı were acquitted in the lawsuit filed against them at the 37th Assize Court due to signing the “We Will Not Partake In This Crime” Petition.
- 07: Istanbul** Prosecutions of 85 people, 4 of whom are arrested, including intelligence, security and gendarmerie officers having responsibility in the assassination of AGOS Daily founder Hrant Dink, are ongoing at the 14th Assize Court.
- 08: Ankara** The lawsuit filed against former HDP Spokesperson Günay Kubilay due to his speeches have started at the 4th Assize Court. The next hearing was scheduled for November 3, 2020.
- 08: Izmir** 5 suspects, one of them a Syrian, were detained with house raids following allegations on social media that they have made PKK/KCK propaganda and are illegal organization members.
- 09: Ankara** The mutual lawsuit of compensation filed between Oda TV Ankara News Director Müyesser Yıldız and National Defense Minister Hulusi Akar at the 7th Civil Court of First Instance continued. The next hearing was scheduled for September 10, 2020.
- 09: Istanbul** The prosecution of Aktif News Agency’s Editor-In-Chief Yetkin Yıldız continued at Bakırköy 31st Criminal Court of First Instance due to the news published on the website.
- 10: Kocaeli** An investigation was opened against the Labour Party (EMEP) Provincial Secretary due to his social media posts on the fireworks in Sakarya.
- 11: Antalya** One person was suspended from duty for three months and was prosecuted due to insulting government authorities on social media.
- 11: Bursa** L.Ö. was arrested with the allegation of “public incitement towards resentment and hostility” and “insulting the President” through social media posts.
- 13: Ağrı** Diyadin Mayor Betül Yaşar was detained, dismissed from mayorship and was replaced with a trustee.
- 13: Istanbul** The lawsuit filed at Istanbul 17th Criminal Court of First Instance against 23 women from the “Women Are Stronger Together” Platform, who protested trustee assignments in Beşiktaş, is ongoing.
- 14: Ankara** The prosecution of People’s Democratic Party (HDP) former Co-Chair Figen Yüksekdağ is ongoing at the 16th Assize Court. The next hearing was scheduled for September 28, 2020.
- 14: Diyarbakır** 28 women activists were detained and sent to the courthouse after three days under custody. Five of them were arrested with the allegation of illegal organization membership.
- 14: Antep** 29 people, including peace mothers, activists and party workers, were detained and then were sent to the courthouse after four days in custody. 18 people were arrested with the allegation of illegal organization membership.

- 16: Istanbul** The 32nd Assize Court sentenced Die Welt Daily Turkey reporter Deniz Yücel to 2 years and nine months of imprisonment due to “making illegal organization propaganda.”
- 21: Denizli** One person, who allegedly made social media posts insulting President Recep Tayyip Erdoğan, was arrested.
- 21: Diyarbakır** The 10th Criminal Court of First Instance sentenced 32 KESK members and executives to 1 year and six months of imprisonment each due to “violating the Law on Meetings and Demonstrations” through the press statement organized to protest dismissals with Statutory Decrees.
- 23: Antalya** The Governorate banned all meetings, demonstrations, press statements and open and closed meetings across the province for 10 days.
- 23: Hatay** The Governorate banned all meetings and demonstrations, press statements, open and closed meetings, protest demonstrations, concerts, festivals, celebrations and rallies across the province between the dates July 24-26, 2020.
- 23: Istanbul** An investigation was opened against Sarıgazi Community Center Chairman due to his social media posts.
- 24: Mersin** The Governorate banned all meetings and demonstrations, press statements, open and closed meetings, protest demonstrations and concerts across the province for five days.

Other Applications

- 01 :** **Ankara** Radio and Television Supreme Council (RTÜK) penalized Tele1 Channel with a 5-day media blackout because of the expressions used regarding the Directorate of Religious Affairs on the show “Karanlıktan Aydınliğa” [“From Darkness to Light”] on May 24, 2020 and on the prime-time newscast on April 30, 2020.
* RTÜK penalized Tele1 once again with an administrative fine from the upper limit due to the expressions of show host Merdan Yanardağ regarding Ottoman Sultan Abdul Hamid II on the show “18 Dakika” [“18 Minutes”].
* RTÜK penalized Halk TV with a 5-day media blackout due to the expressions of journalist Hüsnü Mahalli on the show “Medya Mahallesi” [“Media Neighborhood”] on June 16, 2020.
- 04:** **Ankara** Press Ad Institute penalized Evrensel Daily with a 5-day ad ban due to the news published in the newspaper’s April 13, 2020 issue with the title, “CHP MP Özel reacts against Altun due to construction without permission.”
- 07:** **Ankara** The 8th Criminal Judicature of Peace issued an access ban against three different news articles on the National Newspaper website.
- 09:** **Istanbul** The 3rd Criminal Judicature of Peace issued an access ban against one news article on Halk TV website and one video on its YouTube channel.
- 10:** **Izmir** Three women prisoners at Şakran Women’s Closed Prison in Aliğa started a hunger strike for lawyer Didem Akman, who is on an indefinite hunger strike with the demand of fair trial and for the correction of prison conditions.
- 10:** **Izmir** Şehriban Özadikti was detained in Menemen district on July 8, 2020 and was later arrested due to illegal organization membership. Her 3-year-old daughter was sent to prison together with her.

- 11: Gaziantep** The 5th Criminal Judicature of Peace issued an access ban against a news article published on Evrensel and Kızıl Bayrak websites.
- 14: Ankara** The 5th Criminal Judicature of Peace issued an access ban against the news on Oda TV, BirGün, Tele1, T24 and Dokuz8haber websites regarding the contribution to be paid by the Ministry of Finance and Treasury for the Social Security Institute.
- 22: Istanbul** The Anatolian 7th Criminal Judicature of Peace issued an access ban against a news article published on Cumhuriyet and Gazete Manifesto websites regarding the Minister of Treasury and Finance.
- 23: Hatay** The Governorate banned all meetings and demonstrations, press statements, open and closed meetings, protest demonstrations, concerts, celebrations, festivals and rallies across the province between July 24-26, 2020.
- 23: Antalya** The Governorate banned all meetings and demonstrations, press statements, open and closed meetings across the province for 10 days.
- 24: Mersin** The Governorate banned all meetings and demonstrations, press statements, open and closed meetings, protest demonstrations and concerts across the province for 5 days.
- 24: Ankara** The 8th Criminal Judicature of Peace issued an access ban against a news article published on Sözcü, T24, Oda TV and Toplumsal websites.
- 28: Hatay** The Governorate banned all meetings and demonstrations, press statements, open and closed meetings, protest demonstrations, concerts, celebrations, festivals and rallies across the province for 3 days.

Comments and Suggestions

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

As we can understand from the reports of our friends, violations in July 2020 unfortunately are on an increasing trend despite all preventative efforts and work we do. This often creates a feeling in me that we are trying to navigate on a slippery slope, but there is nothing else we can do. We will continue fighting with hope and determination.

There are a few things about the last month that I will evaluate, the first one of them is a regulation brought by the ruling power, which brings new responsibilities and sanctions on **social media** posts and activities. It recently passed the Parliament and was enacted as law. There are many clauses in this regulation that would directly and negatively influence both the freedom of expression of social network users and the policies of social networks, especially international companies. Written and visual media in the country is almost entirely under the control of the government, we know that. There is so much pressure on the few media institutions, which could protect their independence. Thus, the only option for the society to get correct information, reach facts, make criticisms freely and demand certain things is unfortunately the social media.

More than 50 million citizens in Turkey are social media users. So we can say that social media has now become a way of life. With this law, the political power will now be able to influence this lifestyle negatively, be able to control social media, remove content whenever it wants, arbitrarily intervene individual users and reach personal information of the users with an obligation brought on network providers. So in short, we can say that a new mechanism of online censorship and self-censorship is being established in Turkey. The law

will be enacted on October 1st but we already feel its negative consequences. Clearly, this law, which makes the last crumbs of freedom of expression in Turkey, is unacceptable. This is something that influences rights advocates negatively as well because human rights advocates continue their work on social media for the most part, as freedom of expression is already under control. Therefore, this law also prevents and damages rights advocacy.

The second prominent issue is the **violence of security forces**, which is being neglected, and even encouraged. Unfortunately this violence continues with full speed. Police violence especially comes to the forefront during interventions against peaceful demonstrations, negatively affecting freedom of expression and freedom of organization, especially the right to meeting and demonstration - thus violating multiple rights at once. This violence has become part of our social lives recently, which is also a highlight of July.

The third issue is the incredible dimensions **violence against women** has come in the country, which is a reflection of government violence on the society. According to the data of organizations tracking violence against women, tens of women are exposed to male violence in Turkey and at least 2 women lose their lives every day because of this. Under these conditions, Turkey wants to withdraw its signature from Istanbul Convention, which is a Council of Europe Convention against violence against women and for the prevention of domestic violence. This situation is also unacceptable. What's really ironic is also that women naturally try to protest this unacceptable situation and want to change the government's decision, making pressure on the ruling power through their use of democratic rights with peaceful demonstrations, are being exposed to police violence, being detained. We experienced many examples like this in July.

Human Rights Association (IHD) Ankara - Osman İşçi:

Human rights advocates need to actively follow violations of freedom of expression, meeting and demonstration which are crucial to the use of public rights. As violations may happen in a short time, their compensation and reparation may last a long time. That is why, they need to be tracked collectively and systematically.

Human Rights Association (IHD) İzmir - Ahmet Çiçek:

1. Citizens in Turkey are even being prevented from making comments about the works of public officers. We are facing a government that has no tolerance for criticism.
2. Governorate bans and restrictions continue with full speed, based on COVID-19.
3. Three-day detentions following the house raid against a house in Balıkesir with SKM-member women and the Socialist Party of the Oppressed (ESP) Central Executive Board members contain multiple rights violations, starting from the right to travel.
4. We start to witness attacks and detentions against women's demonstrations, with women beaten and detained in Izmir, from all around Turkey.
5. Debates on the Istanbul Convention reveal the situation the country is in right now.
6. The situations of ill and heavily ill prisoners in prisons continue to worsen. Van Prisoners being tested COVID-19 positive reveal how bad the situation is, and the sole responsible of this situation is the government.