

Think, think...



Freedom of Expression Weekly Newsletter (Issue 36/20 - September 4, 2020)

What happened last week?

- In the speech made by President Recep Tayyip Erdoğan at the opening ceremony of 2020-2021 Judicial Session at the Presidential Palace, some lawyers were accused of having close relations with “terrorist organizations.” Bar Associations were not invited to the opening ceremony after protesting it by not attending it last year. Judges and Prosecutors took place in the ceremony as the representatives of the independent judiciary. President Erdoğan wanted to debate the methods on how to dismiss those lawyers from the profession.
- Interior Minister Süleyman Soylu called lawyer Ebru Timtik, who lost her life on the 268th day of the indefinite hunger strike she was on together with her colleague Aytaç Ünsal with a demand of fair trial, a “terrorist”. Even though there was no charge against Timtik related to the murder of Prosecutor Selim Kiraz in the file she was on trial, which she was previously released but was on retrial, Soylu and Erdoğan tried to relate the lawyer to the murder of the Prosecutor all week.
- 16th Criminal Chamber of the Court of Cassation issued for stay of execution and for the release of lawyer Aytaç Ünsal, who was on an indefinite hunger strike for 213 days with a claim of fair trial. Ünsal was released from Kanuni Sultan Süleyman Training and Research Hospital he was kept at, after the Court of Cassation decree.
- Chairman of the European Court of Human Rights Robert Spano visited Turkey. Academics, lawyers, journalists, politicians and rights advocates called for Robert Spano before his visit and asked the European Court of Human Rights Chairman to bring up issues like fair trial in Turkey, the non-application of European Court of Human Rights decrees and freedom of expression. On the other hand, it caused reactions that Spano’s schedule didn’t include meetings with non-governmental organizations that work in the field of human rights and law; and that he was going to receive an honorary Ph.D from Istanbul University, where tens of academics had been dismissed with Statutory Decrees.
- As politician Selahattin Demirtaş is being kept in prison for an extended period of time, the government takes new steps of penalization: The arrested politician is not allowed to see his two daughters at the same time in a closed meeting, due to the pandemic.
- The numbers get heavier in Turkey after the “normalization period.” Both the number of daily cases and the casualties increase. Health Labourers Union (SES) Ankara announced that 500 health workers either took indefinite breaks, or retired or resigned after June 1st. Medical chambers of different provinces make similar statements as well. As the control against the outbreak is getting looser every day, the government continues to use the pandemic as an opportunity for bans. Erdoğan is organizing mass

rallies, whereas all other demonstrations except those organized by the ruling party are banned... ***Details in the bulletin...***

- Interior Minister Soyly announced that Mahmut Özden, who is expressed to be the Turkey commander of Islamic State of Iraq and the Levant (ISIS) was arrested and that some of his action plans were seized. The same name is known to be detained and released to 10 times since 2015.
- As tensions in the Eastern Mediterranean are ongoing, women from Turkey, Greece, Cyprus Greek and Turkish parts made a call for a non-violent resolution, indicating that they have serious worry about the latest developments in the Eastern Mediteranean. Women's Initiative for Peace (WINPEACE) members have stated, "The courageous statements and initiatives of all related governments have brought our countries to the brink of war." [Please click here for details...](#)



Journalist Rawin Sterk Yıldız released

Rudaw TV reporter Rawin Sterk Yıldız was released in the first hearing of the lawsuit filed against him at Istanbul 34th Assize Court. A travel ban was issued against him. Yıldız is on trial due to "making illegal organization propaganda" and "illegal organization membership" after having been detained and arrested in Pazarkule district of

Edirne, where he went to report news on the state of refugees heading towards the Greek border in March.



"Fuat Avni" Case against Diken concludes with acquittal in first hearing

The first hearing of the lawsuit filed against Internet website Diken due to reporting news on the social media posts of Twitter Account Fuat Avni was held at Istanbul 22nd Assize Court. The website founder Harun Simavi, Editor-In-Chief Erdal Güven and former Managing Editor Semin Sezener were acquitted of the charge of "aiding an

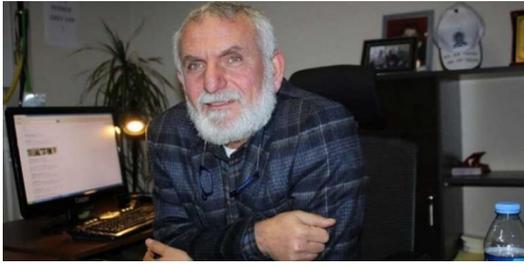
illegal organization."



Director Kazım Öz acquitted

Director Kazım Öz was acquitted in the lawsuit he was on trial due to "terrorist organization membership" at Tunceli 2nd Assize Court. Öz faced a claim of imprisonment for up to 15 years due to attending the funeral ceremony of Sakine Cansız, one of the founders of the PKK after she

was killed in Paris on January 9, 2012; as well as to the Gezi Park Resistance and to the Peace and Democracy Party's Politics Academy in 2010.



Compensation lawsuit against journalist Karafazlı

A 50-thousand-Turkish-Lira lawsuit was filed against Rize Nabız Daily's managing editor Gençğa Karafazlı due to sharing the information that Justice and Development Party (AKP) Rize Provincial Chairman İbrahim Türüt and his wife

Ennur Türüt were prosecuted within the "FETÖ investigation."



MP attacked after targeting by minister

Workers' Party of Turkey (TIP) MP Barış Atay was attacked after the targeting of Interior Minister Süleyman Soylu on social media with insults. A five-people group attacked Atay around 1:30 AM due to being a "traitor" after he was leaving a place he went with his friends in Kadıköy. Three of the attackers were arrested. Atay wrote on social media about Musa Orhan, who was released

after being arrested due to "major sexual offense" against 18-year-old İpek Er (who died after being hospitalized due to her suicide attempt in Siirt). Atay said to Soylu, "You protected a serial rapist... We will always work so you will face this for your entire life, so that you will never forget this." Soylu replied to Atay's tweet with the words, "You are a residue of the PKK and DHKP-C, who became an MP from the HDP after the orders of rapist PKK executives. I can't be a 'rapist protector', but you easily make a rapist yourself. Tuma's protector, be careful not to get caught..."



Access bans

Access bans were brought against 45 news articles written by Milli Gazete reporter Saadettin İnan with two separate decrees. Ankara 8th Criminal Judicature of Peace banned access from 26 news articles at once, following the application of the Agriculture Credit Cooperatives. The content on Ekşi Sözlük on the suspicious death of 17-year-old

Duygu Delen, who fell down the window of the home of her ex-boyfriend, Mehmet Kaplan, in Gaziantep, were banned from access. Gaziantep 4th and 5th Criminal Judicatures of Peace banned the content under the threads "Atlantic Carpet" and "Bileç Kaplan's murderer son". Erzincan 1st Criminal Judicature of Peace issued an access ban against the news article, which was published on Cumhuriyet Daily as well, on a mobile corn seller, who set himself on fire due to the police preventing him from selling. The news article had the title, "The ambulance ran out of gas as seller Yavuz P. was being taken to the hospital after setting himself on fire." Access from the news on access bans declared against the news on Bilal Erdoğan's classmate Aykut Emrah Polat having won the tender organized by the Savings Deposit Insurance Fund for 280 million Turkish Liras were banned as well. Istanbul Anatolian 7th Criminal Judicature of Peace banned access from the news on the access bans.



Investigation against Prof. Pala closed

The investigation opened against Public Health Expert Prof. Kayıhan Pala, who shared the truth about the pandemic with the public, has been closed. Bursa Governorate had made a criminal complaint against Pala with the allegation of “misinforming the public and inciting towards panic” and the Prosecutor had issued a verdict of non-jurisdiction, sending the file to Bursa Uludağ

University Rectorate. After the investigation started by the Recotrare, the investigation was closed. The verdict stated, “It is academically natural for a scientist to monitor the pandemic, collect data, evaluate it and publish it. This is Constitutional right.”



Bans due to pandemic

Felicity Party Ankara Youth Organization members were detained after they organized a press statement in front of pro-government Takvim Daily. The young people were kept under custody for four hours and were released with administrative fines due to violating social distance. The “100th anniversary event” of the

Turkish Communist Movement organized at Kartal Square on September 13th, Sunday, was banned by Istanbul Governorate due to the pandemic. The Nationalist Forces Epic theater play to be staged within the August 30th, Victory Day by Izmir Metropolitan Municipality, was banned by Izmir Governorate due to the Coronavirus. Ankara Governorate also banned all meetings and demonstrations to be held in the province for seven days.



Peace banned

Demonstrators who wanted to gather in front of Ankara Train Station for September 1, World Peace Day, after the call of the People’s Democratic Party, were prevented by the police. Only Parliament members were allowed to go near the train station and one person was detained. The protest organized at Ali Şelli Park in Urfa for

September 1st, World Peace Day, was attacked by the police. Five people were detained in the attack. All events organized for September 1st, World Peace Day, in Izmir by professional unions, political parties and non-governmental organizations were banned by the Governorate.



MHP Central Executive Board member threatens journalist

Nationalist Movement Party (MHP) Central Executive Board (MYK) member Selami Şişman threatened T24 writer and producer Şirin Payzın

by sharing the death announcement of her father, Nizam Payzın. Şişman used the expressions, “It is the end for everything you’ve done and you’re to do in the Turkish homeland, you rootless sewers of the other side of the water... The more Turkish roots entangle you, you will go mad and won’t be able to breathe.”



5-day blackout against TELE1

After the decree of stay of execution against the five-day blackout against TELE1 channel, which was issued by the Radio and Television Supreme Council, was reversed by the high court, the penalty started to be executed. The penalty was applied for the first time in the history of the Radio and Television Supreme Council within the current law against a national TV channel; with a

5-day blackout against the screens of Tele1 channel.



Sabah Daily targets Aylin Aslım

Musician Aylin Aslım was targeted by the gossip section of Sabah Daily, Günaydın, after she criticized the support of Umud Kuzey, who undertook some organizations for the Presidency, on the law to bring censorship on social media. Kuzey wrote, “the times of keyboard courage is over” on social media about the regulation and

Aslım criticized him with the words, “Now defend your great festival organizer. He’s doing really important work.” The newspaper reported the news in the headline with the expression, “Aylin Aslım said unspeakable things to the rock artist defending the social media regulation; Umud Kuzey does not forgive the insult,” claiming that Aslım’s criticism was an insult.



Politician’s home raided after Soylu’s targeting

The home of Mutlu Yıldırım, who was targeted by Interior Minister Süleyman Soylu on social media, was raided by the police. The social media post of Republican People’s Party (CHP) Avcılar youth organization member Yıldırım on the death of lawyer Ebru Timtik was quoted by Soylu.



Investigation against Özgentürk’s debated column

Batman Chief Public Prosecutor’s Office started an investigation against the column of Cumhuriyet Daily writer Işıl Özgentürk, which she wrote after İpek Er was dragged to suicide and has been debated since. The investigation was sent to Istanbul Chief Public Prosecutor’s Office due to “non-jurisdiction.”



TRIALS OF FREEDOM OF EXPRESSION

Kazım Öz Case

The lawsuit filed against Kazım Öz with the allegation of “illegal organization membership” due to his participation in the Gezi Park resistance in 2010 as well as in the BDP Political Academy...

Court: Tunceli 2nd Assize Court

Verdict: The court issued the release of Öz.

Rawin Sterk Yıldız Case

The first hearing of the lawsuit filed against Rudaw TV reporter Rawin Sterk Yıldız, who was detained and arrested in Pazarkule district of Edirne in March after he went there to report news on the state of refugees going to the Greek border, due to “illegal organization membership” and “making illegal organization propaganda”...

Court: Istanbul 34th Assize Court

Verdict: The court board decided for the release of journalist Rawin Sterk, who is arrested for approximately six months, with a travel ban. It was further decided for his file to be merged with the KCK Press Case at Istanbul 3rd Assize Court.

Selman Keleş and Arif Aslan Case

The lawsuit filed against previously shut-down Dihaber reporter Selman Keleş and journalist Arif Aslan due to “armed terrorist organization membership”...

Court: Van 5th Assize Court

Verdict: The file of Selman Keleş, who resides in Switzerland, will be separated. The judicial measures and travel ban against Arif Aslan were not removed.

HEARINGS NEXT WEEK

Case against HDP Kocaeli members

The lawsuit filed against 27 people, including People’s Democratic Party (HDP) Kocaeli Provincial and District Chairs, due to participating in protests on hunger strikes in prisons, giving speeches to television channels and greeting the families coming from outside the province to visit their relatives in prisons in Gebze and Kandıra...

September 8, Tuesday; Kocaeli 2nd Assize Court

Ferhat Tunç Case

The lawsuit filed against artist Ferhat Tunç, who is charged with “illegal organization membership” and “propaganda” due to Democratic Society Congress activities and social media posts...

September 8, Tuesday; Diyarbakır 5th Assize Court

Case Against News on Berat Albayrak

The lawsuit filed against BirGün Daily’s former Managing Editor Uğur Koç, its website’s former Managing Editor Mustafa Kömüş and the newspaper owner İbrahim Aydın due to “insulting a public officer because of his duty” through the news article published in the newspaper and on the website on June 22, 2019 with the title, “Berat Albayrak-Özge Ulusoy thread removed on Ekşi Sözlük”...

September 8, Tuesday at 11:40; Istanbul 2nd Criminal Court of First Instance

Case Against Turkish National Intelligence Agency News

The lawsuit filed against 8 defendants, including 7 journalists (3 of them arrested) due to “violating the Law on the Turkish National Intelligence Agency” through the news on the funeral of a Turkish National Intelligence Agency officer, who died in Libya...

September 9, Wednesday at 10:30; Istanbul 34th Assize Court

Engin Korkmaz Case

The lawsuit filed against Contemporary Journalists Association (ÇGD) Mediterranean Branch Chairman and Antalya Körfez Daily Managing Editor Engin Korkmaz due to “insulting the President” through a social media post...

September 9, Wednesday at 10:50; Antalya 19th Criminal Court of First Instance

Özgür Gündem Main Case

The lawsuit filed against Özgür Gündem Daily Editor-In-Chief Zana Bilir Kaya, Managing Editor İnan Kızılkaya, Owner Kemal Sancılı and writer Eren Keskin due to “disrupting the unity and the territorial integrity of the state,” “illegal organization membership” and “propaganda” after their files were separated from the main case file, in which previously shut-down Özgür Gündem Daily writers and editorial advisory board members were on trial...

September 9, Wednesday at 11:15; Istanbul 23rd Assize Court

Pınar Gayip and Semiha Şahin Case

The lawsuit filed against Etkin News Agency (ETHA) editor Semiha Şahin, reporter Pınar Gayip and four others due to “illegal organization membership” and “propaganda”...

September 9, Wednesday at 11:30; Istanbul 23rd Assize Court

Ferhat Tunç Case

The lawsuit filed against artist Ferhat Tunç due to “making terrorist organization propaganda” through his social media posts on the Afrin Operation...

September 10, Thursday at 09:30; Istanbul 37th Assize Court