

Think, think...

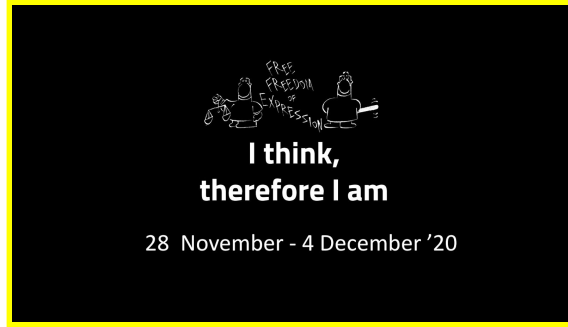


Freedom of Expression Weekly Newsletter (Issue 48/20 - December 4, 2020)

What happened last week?

- Numbers on COVID-19 continue to worsen in Turkey as well. It gets harder to find space in intensive care units at hospitals and new decisions of “restriction” were taken at the Council of Ministers meeting at the beginning of the week. A curfew was declared all day on the weekends and between 9 pm and 5 am on weekdays. However, shopping malls and places of worship are still open... Scientists insist that the situation will continue to get worse unless a decision of “full closure” is taken.
- Turkish Statistical Institute (TUIK) announced that the Turkish economy has grown by 6.7 points. The growth being caused by easy credits and not through real production [increases the worry](#) that strong fall might happen in the fourth quarter and in 2021. The inflation rate for November was 14.03% and the Minister of Finance and Treasury indicated that the “increase was above expectations.”
- Turkey continues to receive hot money support from its long-time strategic partner, Qatar. 10% of the Istanbul Stock Exchange being sold to Qatar behind closed doors received reactions. Republican People’s Party (CHP) MP Ali Mahir Başarır brought up the tank tread factory that was sold to Qatar and accused the government of “selling the army,” becoming a target of the Public Alliance.
- Social network providers Facebook, Twitter, YouTube, TikTok and Instagram were penalised with 30 million Turkish Liras of fine each as the second sanctions due to not complying with their obligation to assign representatives in Turkey. Netflix announced that it will open a Turkey office.
- The Council of Judges and Prosecutors identified 11 new members of the Court of Cassation. The new Court of Cassation members include Ankara Chief Public Prosecutor Yüksel Kocaman, who went to the Palace after his wedding and posed with Erdoğan, as well as Istanbul Chief Public Prosecutor İrfan Fidan, who has his signature under the indictments of the Gezi Park Case and Osman Kavala Case. Both names are thought to be “awarded” by the governorate.
- Council of Europe’s Ministers committee pointed out that the file Osman Kavala is arrested within continues the violations indicated in the European Court of Human Rights decree, demanding his immediate release.
- The application made by Ahmet Altan at the Constitutional Court was denied. Altan was detained and arrested on September 23, 2016 due to his journalistic activities, released after the “correction” made by the Court of Cassation on the local court decree and was arrested once again after the objection of the Prosecutor’s Office against his release. The Constitutional Court decided that Altan’s arrest is due to a “finalised court decree” and that there is “no rights violation.”

- 26 years have passed after the bombing of Özgür Ülke Daily. The perpetrators of the attack, in which newspaper worker Ersin Yıldız has lost his life, could still not be found...
- According to the report, “Turkey’s Journalists on the Ropes” launched by the International Press Institute (IPI), the government pressure against journalists continued increasingly. The report indicated that 77 journalists are arrested and stated, “Turkey continues to be one of the largest prisons in the world.” [Please click here for details...](#)



Our weekly video programme, “[COGITO ERGO SUM](#)” in which we track Turkey’s freedom of expression and thought agenda, is on our [YouTube channel](#) every week...

[Please click here](#) for all our video bulletins...



First hearing held in lawsuit filed against journalist Alican Uludağ

The prosecution of journalist Alican Uludağ started in the lawsuit filed against him due to “targeting those taking part in the fight against terrorism” through his tweets, in which he criticised Ankara Chief Public Prosecutor Yüksel Kocaman. In the first hearing at Ankara 18th Assize Court, the journalist indicated that the “person in the position of Chief Public

Prosecutor has become intimate with the head of execution in a way that would damage his impartiality and that this has shadowed the investigations conducted by him, therefore that he has criticized this.” The Prosecutor’s Office presented their opinion on the basis and claimed for the journalist to be sentenced in accordance with Article 6 of the Anti-Terror Law. The next hearing was scheduled for February 3, 2021.



First hearing held in lawsuit filed against journalist Nagehan Alçı

The prosecution of HaberTürk writer Nagehan Alçı started at Istanbul 2nd Criminal Court of First Instance after she allegedly “insulted” Istanbul Criminal Court of First Instance Judge Hakkı Yalçınkaya through her column

published on June 15, 2018 with the title, “Justice Minister’s reaction against that shameful decree.” In the related column, Alçı had criticised Yalçinkaya with the expressions, “unfortunately, the judge-prosecutor mentality that does not care about personal rights continues to reign” and stated, “that judge, Hakkı Yalçinkaya, who convicted Hrant Dink and his son Arat Dink only because they were Armenians and gave that decision that finally brought the death of Hrant Dink, is now the Criminal Court of First Instance Judge.” The second hearing of the lawsuit was scheduled for February 11, 2021.



1-year 3-month imprisonment sentence against sharing photo

Mesopotamia Agency editor and Dicle Fırat Journalists Association Co-Chair Dicle Müftüoğlu was sentenced to 1 year and three months of imprisonment in the first hearing of the lawsuit filed against her due to “making illegal organisation propaganda” through sharing a published news photo on the clashes in Kobani in 2014 on her personal social media account. Diyarbakır 11th Assize Court decided to defer the announcement of the verdict.



1-year 6-month imprisonment sentence against journalist Velat Öztekin

Journalist Velat Öztekin was sentenced to 1 year 6 months and 22 days of imprisonment in the lawsuit filed against him at Diyarbakır 9th Assize Court due to “making illegal organisation propaganda” through his social media posts. The announcement of the verdict against Azadiya Welat worker Öztekin was deferred. Azadiya Welat had been previously shut down with a Statutory Decree.



Decree in lawsuit against academic Vedat Demir

Istanbul 14th Assize Court sentenced Prof Dr Vedat Demir, who was previously dismissed from his position at Istanbul University Faculty of Communication with Statutory Decree No. 672, to 6 years and eight months of imprisonment due to “armed FETÖ/PDY

illegal organisation membership.” Demir’s Whatsapp conversations, notes saved on his phone and his writings became the basis for the decree. The court board chairman at the final hearing of the lawsuit was judge Akın Gürlek, who lately signed debatable decrees.



Appeal Court approves local court decree in Büyükada Case

A decree was issued in the appeal application of the case against rights advocates, publicly known as the “Büyükada Case.” 3rd Criminal Chamber of Istanbul Regional Court approved the local court decree entirely. In the case at Istanbul 35th Assize Court, Amnesty International Turkey’s Honorary Chairman Taner Kılıç had been sentenced to 6 years and three months of imprisonment due to “illegal organisation membership” and rights advocates Günal Kurşun, İdil Eser and Özlem Dalkıran had been sentenced to 2 years and 1 month of imprisonment each due to “aiding an illegal organisation.” Seven rights advocates had been acquitted.



6-year 3-month imprisonment sentence against Kurdish writer Gulgeş Deryaspi

The final hearing of the lawsuit filed against Kurdish writer Gulgeş Deryaspi was held at Bitlis 2nd Assize Court after she was detained during house raids in Bitlis in June 2019 due to the demonstrations and marches she participated in. Deryaspi was released after remaining nine months under arrest within the file, and was sentenced to 6 years and three

months of imprisonment due to “terrorist organisation membership.”



Actress Nilüfer Aydan stands trial due to “insulting Erdoğan”

The first hearing of the lawsuit filed against actress Nilüfer Aydan, who is charged with insulting the President due to her social media posts, was held at Istanbul Anatolian 37th Criminal Court of First Instance. The court accepted the request of President Erdoğan to the next hearing to a later date to eliminate the

deficiencies in the file.



Taylan Kulaçoğlu released

The third hearing of the lawsuit filed against Taylan Kulaçoğlu due to “making illegal organisation propaganda” through the posts on the social media group, “The Unnamed Movement”, was held at Balıkesir 3rd Assize Court. The court decided for Kulaçoğlu to be released on the condition of judicial measures and scheduled the next hearing for March 24, 2021.



Investigation against citizen due to “insulting President” over asking about Qatar agreement

Tahir Yıldırım, who is a stock farmer in Aydın, was summoned to testify due to “insulting the President” after he criticised the underground waters being handed to Qatar on his social media account. In the related social media post, Yıldırım had stated, “*What does it mean, friends, to govern underground waters with Qatar? I would like to ask the MPs elected by us, what does this mean? Our underground waters are not Germany’s Volkswagen, not France’s Renault, it’s our life, our honour, let this be known.*”



Journalist Ender İmrek acquitted

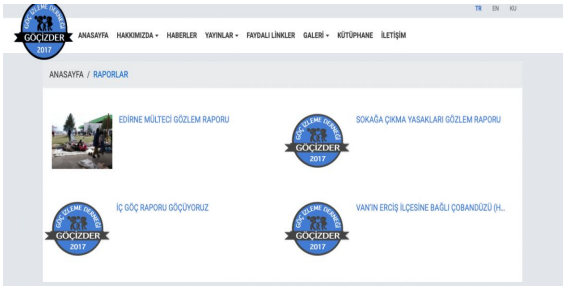
Evrensel Daily writer Ender İmrek was acquitted in the lawsuit filed against him due to the column he wrote on June 29, 2019 with the title, “The Hermes Purse was Shimmering.” In the case at Bakırköy 2nd Criminal Court of First Instance, İmrek had been charged with “insulting” President Erdoğan’s wife, Emine Erdoğan through his criticism of her expensive purse.



Erdoğan files another compensation lawsuit against Kılıçdaroğlu

President of the Republic and Justice and Development Party (AKP) Chairman Recep Tayyip Erdoğan filed a lawsuit of compensation against the leader of the main opposition party, Kemal Kılıçdaroğlu, for 500 thousand Turkish Liras. The reason for the lawsuit is the expressions of Kılıçdaroğlu at the

Grand National Assembly of Turkey (GNAT) Group Meeting during the debates on the “transfer of the Tank Tread Factory” between Republican People’s Party (CHP) MP Ali Mahir Başarır and the Public Alliance.



Lawsuit against Migration Monitoring Association

The first hearing of the lawsuit filed against the Migration Monitoring Association was held at Bakırköy 38th Criminal Court of First Instance due to two works, “Rights Search Guide for Those Displaced in Turkey” and “Report on Rights Violations and Experiences of Women

During Curfews and Forced Migration.” The association executives were fined 15 thousand TLs of penalty due to “violating the Law of Associations” and the investigation on “public denigration against the military and security organisation of the state” is ongoing.



Theologist Mustafa Öztürk resigns from his position at Marmara University

Marmara University Faculty of Theology Department of Interpretation member and Karar Daily writer Prof. Dr Mustafa Öztürk resigned from his position at the university. Öztürk was previously targeted by the Directorate of Religious Affairs due to his writings and speeches, and was lately the addressee of the “dismissal campaign” conducted on social media due to his latest statements and columns disturbing “corporate religious representatives.” However, Marmara University didn’t make a statement on the “dismissal campaign” conducted against the university.



Penalty against HaberTürk due to Başarır

The Radio and Television Supreme Council (RTÜK) sentenced HaberTürk TV Channel with an administrative fine from the upper limit and five media blackouts against the ‘The Real Opinion’ show, to which Republican People’s Party (CHP) MP Ali Mahir Başarır attended. Başarır was targeted by the Public Alliance all week due to his statements on the free transfer

of the Tank Tread Factory in Sakarya to a Qatar-company. Başarır had said, “*We are at such a point that the government’s army was sold to Qatar for the first time in the history of the Republic. I can’t estimate its value, it is said to be around 20 billion dollars but it was sold for 50 million dollars.*”



Three more books declared ‘obscene’

The books, “There Are Such Days” written by Heinz Janish, “Fly Away Home” written by Christine Nöstlinger and “Goodnight Stories for Rebel Girls” written by Francesca Cavallo and Elena Favilli were declared “obscene publications” by the Ministry of Family, Labour and Social Services.



TRIALS OF FREEDOM OF EXPRESSION

KCK Press Case

The lawsuit filed against 46 journalists due to “terrorist organisation membership” and “making terrorist organisation propaganda”...

Court: Istanbul 3rd Assize Court

Verdict: The court decided to wait for the execution of the warrant against a defendant and scheduled the next hearing for March 4, 2021.

Hayri Demir Case

The lawsuit filed against journalist Hayri Demir due to “terrorist organisation membership” and “making illegal organisation propaganda” through the news he reported and visuals he recorded in Northern Syria...

Court: Ankara 15th Assize Court

Verdict: Journalist Demir and his lawyers were excused from the hearing and the next one was scheduled for March 25, 2021.

İdris Sayılğan Case

The lawsuit filed against journalist İdris Sayılğan due to “making illegal organisation propaganda” through news he shared on social media...

Court: Muş 2nd Assize Court

Verdict: The temporary board assigned due to the court board having contact with COVID-19 scheduled the next hearing for February 1, 2021.

Ferhat Tunç Case

The lawsuit filed against artist Ferhat Tunç due to “public incitement towards resentment and hostility” through his social media posts...

Court: Büyükçekmece 4th Criminal Court of First Instance

Verdict: The court decided to wait for the execution of the warrant issued against the artist, who resides in Germany, and scheduled the next hearing for March 3, 2021.

Ahmet Sever Case

The lawsuit filed against former Press Chief Consultant of 11th President Abdullah Gül, Ahmet Sever, due to “insulting the President” and “insulting a public officer” through his book...

Court: Istanbul 2nd Criminal Court of First Instance

Verdict: Sever’s lawyers were excused from the hearing and the next one was scheduled for March 23, 2021.

Özgür Gündem Case

The lawsuit filed against previously shut-down Özgür Gündem Daily executives Reyhan Çapan and Hüseyin Aykol, as well as newspaper writers İslam Tüner, Lütfi Yavuzaslan, Methi Kaya, Hasan Başak and Kemal Yakut due to “making terrorist organisation propaganda,” “praising the crime and the criminal” as well as “public incitement towards committing a crime” through the news published in the newspaper in March 2016 on “self-administration”...

Court: Istanbul 13th Assize Court

Verdict: The lawyers were excused from the hearing and it was held through the file. The hearing was postponed.

Can Dündar Case

The lawsuit filed against former Cumhuriyet Daily Editor-In-Chief Can Dündar due to publishing the news on the stopping of Turkish National Intelligence trucks, allegedly carrying ammunition to Syria...

Court: Istanbul 14th Assize Court

Verdict: The claim of recusation was denied and seven days were allowed for additional defense statements. The next hearing was scheduled for December 23.

Mehmet Dursun Case

The lawsuit filed against previously shut-down Dicle News Agency (DIHA) Van reporter Mehmet Dursun due to “illegal organisation membership” based on the phone calls he had with news resources in 2014 as well as him connecting to TV shows...

Court: Van 4th Assize Court

Verdict: The court board issued a verdict of acquittal for the journalist, who was arrested on April 7, 2018 within the file and was released after eight months under arrest.

HEARINGS NEXT WEEK

Ferhat Parlak Case

The lawsuit filed against Silvan Mücadele Daily Editor-In-Chief Ferhat Parlak due to “terrorist organisation membership” through the news he reported during curfews, interviews he made, social media posts, secret witness statements against him as well as a book he wrote...

December 7, Monday at Diyarbakır 11th Assize Court

Ayşegül Doğan Case

The lawsuit filed against previously shut-down IMC TV’s Program Coordinator Ayşegül Doğan due to “establishing and managing an armed illegal organisation” based on the meetings she had with Democratic Society Congress (DTK) executives, interviews she made with them and events she attended within her journalistic activities...

December 7, Monday at Diyarbakır 9th Assize Court

Rıfat Doğan Case

The lawsuit filed against Artı Gerçek reporter Rıfat Doğan due to taking a photo at the hearing room during the hearing on July 3, 2019 of the lawsuit filed on the train disaster in Çorlu...

December 8, Tuesday at Çorlu 4th Criminal Court of First Instance

Yetkin Yıldız Case

The lawsuit filed against previously shut-down aktifhaber.com Editor-In-Chief Yetkin Yıldız due to “insult” and “slander” against former Interior Minister Efkan Ala based on the news made on Fuat Avni...

December 8, Tuesday at İstanbul Bakırköy 31st Criminal Court of First Instance

Taraf Daily Case

The lawsuit filed against former Taraf Daily reporters Mehmet Baransu and executives Ahmet Altan, Yasemin Çongar and Yıldray Oğur due to “disclosing confidential information on the security of the state as well as its domestic or foreign political interests” based on the news, “Egemen Operation Plan” published in January 2010...

December 9, Wednesday at İstanbul 13th Assize Court

‘Ciao Bella’ Case

The lawsuit filed against Republican People’s Party (CHP) member and former İzmir Deputy Chair Banu Özdemir due to “public incitement towards resentment and hostility” based on her social media posts on ‘Ciao Bella’ being played from the mosque speakers in İzmir...

December 10, Thursday at İzmir 50th Criminal Court of First Instance

Özgürlükçü Demokrasi Daily Case

The lawsuit filed against journalists Aziz Oruç and Ersin Çaksu due to “denigrating the government” in accordance with Article 301 of the Turkish Criminal Code based on the news and columns published in previously shut-down Özgürlükçü Demokrasi Daily between the dates October 21 and November 1, 2016...

December 10, Thursday at İstanbul 2nd Criminal Court of First Instance

Mehmet Çakmakçı Case

The lawsuit filed against journalist Mehmet Çakmakçı, who was detained and arrested within the “Democratic Society Congress (DTK)” investigation in 2017, due to “illegal organisation membership” based on his meetings with news sources and the photos he took as he followed news information...

December 11, Friday at Diyarbakır 10th Criminal Court of First Instance

You may find all news of the week on www.dusun-think.net; and the pdf format of the bulletin on www.dusun-think.net/bultenler.