

Think, think...



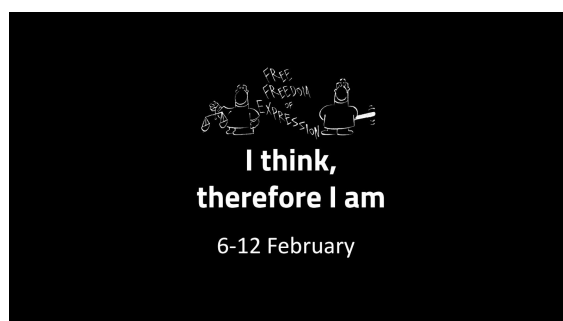
Freedom of Expression Weekly Newsletter (Issue 6/21 - February 12, 2021)

What happened last week?

- Protests of students, alumni, workers and academics at Boğaziçi University continue against Melih Bulu being appointed as rector to the university. Arrests and detainments continued this week as well. Rector Bulu still couldn't find academic personnel to work with him since he was appointed to Boğaziçi University, whereas President Erdoğan decided for a faculty of communication and legal studies to be opened at the university. Boğaziçi University academics indicated that with the decision that was forced on Boğaziçi University for the first time since the September 12 Military Regime, the university's will was neglected. Five weeks after Bulu's appointment to Boğaziçi University as rector, vice rectors were identified.
- Targeting the students, who protested the appointed rector, President Erdoğan said, *"I have personally done the appointment. If they could, they would say the President should resign. We will have no pity."* Erdoğan further targeted Prof Ayşe Buğra, one of the faculty members at Boğaziçi University. He spoke about businessman Osman Kavala, who is kept in prison for more than three years now, as well as his wife, Ayşe Buğra, saying, *"The wife of that person called Osman Kavala, who was the representative of Soros, takes place among these provocators."* The academic, who is accused of being a provocateur by Erdoğan has 5776 international references on her studies, whereas the 71 rectors appointed by Erdoğan have none.
- Erdoğan appointed rectors to 11 more universities. Five of those rectors haven't spent their education and academic life at the universities they were appointed to. Hakkari University rector Ömer Pakiș is still prosecuted due to privileges on her son, and he was appointed as a rector once again despite the prosecution. Namık Ak became a rector as well. Ak was a consultant and director in financial departments of Istanbul Metropolitan Municipality as Erdoğan was the mayor. ["The Conquest of Universities"](#) continues with full speed...
- President Erdoğan spoke on the studies for the new Constitution: *"There has been a chance to prepare a civil Constitution for the first time in the history of Turkey,"* he said. Being the sole power for the last 20 years and even changing the Parliamentary system under his ruling, Erdoğan thinks it's now time to change the Constitution. As Erdoğan stated that he wants all political parties to take part in this process, he continued to target the opposition: *"The CHP administration is provoking our youngsters. CHP and HDP have no difference from each other. They are both fed by terrorist organisations."* The little partner of the ruling power, MHP leader stated, *"It is required to clear the remnants of the Parliamentary system [with the new Constitution]"*...
- İrfan Fidan became the member of the highest judicial body in the country with a speed that was not seen before in the history of the judiciary in Turkey. In the ceremony, the Constitutional Court's chief judge stated, *"Constitutional Court*

decrees not being applied would render the Constitution completely meaningless and dysfunctional.”

- Not complying with the Constitutional Court decree on violation, Istanbul 14th Assize Court decided for all finalised verdicts against Enis Berberoğlu to be revoked and for him to be re-prosecuted after the second violation decree of the high court. Berberoğlu, who had lost his seat in the Parliament, has become a Parliament member once again.
- President Erdoğan spoke in the introduction ceremony of the National Space Programme. “*With God’s will, we are going to the moon,*” he said, adding it to the targets of the government for the year 2023.
- A cross-border operation was started one day after the announcement, “The Qandil myth will end,” made by Defense Minister Hulusi Akar in a meeting he held with a group of journalists. The Turkish Armed Forces (TSK) constructed permanent military bases in the Iraqi Kurdistan Region.
- The 14-year prosecution in the case on the assassination of Hrant Dink is almost finalised. On March 5, the court is expected to announce the final decree in the case with those having threatened, targeted Dink as well as those who perpetrated the assassination are on trial. [Please click here](#) for the statements of the Dink Family’s lawyers on the opinion on the basis of the file.
- Twitter put warnings of “hate speech” and “harassing behavior” on two more tweets by the Turkish Interior Minister. The government complained about censorship in Turkey, where hundreds of thousands of websites and tens of thousands of news articles are censored. Erdoğan’s Communication Director called it, “unacceptable,” and the AKP Spokesman claimed that social media companies are acting like public authorities with arbitrary decisions.
- The Turkish Medical Association announced the 11th month evaluation report. Expressing that 90 thousand vaccinations were made daily until now, the TTB pointed out that the entire population being vaccinated will not last before two years if this is the speed it continues at.
- According to the Turkish Statistical Institute’s unemployment data, the number of those employed decreased 1 million 103 thousand people in November 2020 compared to the same month of the previous year. However, somehow, unemployment rates decreased as well.
- As President Erdoğan and his party continue to organise mass events, Governorates continue to declare protest bans due to the pandemic. ***Details in the newsletter...***



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 Friday and on [CanTV](#) every Saturday at 22:00...

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



We continue to record violations of freedom of expression in the country, with monthly video conferences we organise together with the Human Rights Association (IHD) and the Human Rights Foundation of Turkey (TIHV). [Please click here](#) for our “[What’s Goin’ On - January 2021](#)” report.



Arrests and detainments continue at Boğaziçi University

Protests of students, alumni, workers and academics at Boğaziçi University continue against Melih Bulu being appointed as rector to the university. 11 students were arrested due to the protests and their social media posts; at least 25 students were sentenced to house imprisonment due to “public incitement

towards resentment and hostility,” “resisting to prevent duty” and “insulting the President”...



TCK Article 216 becomes new tool for penalisation after TCK Article 299

The charge of “insulting the President” has been made the reason for thousands of investigations, lawsuits and penalties against citizens. Another regulation used by the ruling power to penalise social media users, Bar Association executives, newspapers and many others has become Article 216 of the Turkish

Criminal Code (TCK) on “public incitement towards resentment and hostility.” [Please click here for details...](#)



Detained journalists

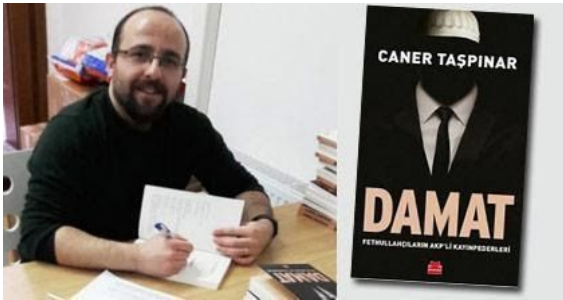
Evrensel Daily writer Ayşen Şahin was detained in İstanbul and Korkusuz Daily writer Ahmet Takan was detained in Ankara. Şahin’s detainment was based on her social media posts on the protests at Boğaziçi University and she was charged with “public incitement towards

resentment and hostility.” Takan, on the other hand, was detained within a warrant issued against him in a lawsuit filed at Bakırköy 16th Criminal Court of First Instance due to an article he wrote regarding Turkey’s meeting with the IMF. Both journalists were released after testifying at the police station.



Arrested journalist Dindar Karataş released

The first hearing of the lawsuit filed against journalist Dindar Karataş, who has been arrested for 76 days, was held at Erzurum 3rd Assize Court. Charged with “illegal organisation membership” due to the news he reported as well as his phone calls with news resources, Karataş was released and the next hearing was scheduled for May 27.



Lawsuit against journalist Caner Taşpınar

The prosecution of OdaTV news editor Caner Taşpınar started due to “insulting” former Grand National Assembly of Turkey (GNAT) Spokesman İsmail Kahraman as well as Justice and Development Party (AKP) Parliament Member Ali İhsan Arslan through his book, “Son-In-Law: AKP-member Father-In-Laws of

Fethullah Supporters” that was published in March 2020. Istanbul 11th Criminal Court of First Instance scheduled the next hearing for July 1.



Lawsuit against journalist Hatice Kamer

BBC Turkish reporter Hatice Kamer stood trial once again at Diyarbakır 8th Assize Court after the reversal decree on her acquittal by the court of appeals. Kamer had been prosecuted due to “making illegal organisation propaganda” through sharing photos of the People’s Democratic Party (HDP) congress and press statements on social media five years ago. The

court issued another decree of acquittal for the journalist in the retrial.



Judicial fine against mother over losing son in train massacre

Mısra Öz Sel has lost her son, Oğuz Arda, in the train massacre in Çorlu in 2018, which led to the death of 25 people. Sel was sentenced to 8,840 TL judicial fine in the lawsuit she was on trial at Çorlu 5th Criminal Court of First Instance due to “insulting a public officer” due

to her social media posts. As she was fighting for justice in order for whoever is responsible

of the incident to be prosecuted, the mother posted on social media, reacting against the court handling the case. [Please click here for details...](#)



Summary against CHP MP Bekaroğlu

A summary was prepared against Republican People's Party (CHP) Istanbul MP Mehmet Bekaroğlu due to the press statement he organised at the Parliament after the Parliamentary question he presented on the Wealth Fund remained unanswered. [Please click here for details...](#)



Dr Şeyhmus Gökalg released

The first hearing of the lawsuit filed against Turkish Medical Association (TTB) High Honorary Council member Dr Şeyhmus Gökalg, who was arrested on November 24, 2020 within the Democratic Society Congress (DTK) investigation, was held at Diyarbakır 10th Assize Court with the allegation of “illegal organisation membership”. The court issued the

release of Gökalg, who already faces a travel ban.



Lawsuit against news published in Evrensel on racist attack

A lawsuit was filed against Evrensel Daily's Managing Editor Görkem Kınacı with the allegation of “public incitement towards resentment and hostility” due to the news article published in the newspaper's December 2018 issue with the headline, “Racist attack in

Sakarya: Father deceased, son under medical treatment.” [Please click here for details...](#)



Lawsuit against journalist Selda Manduz

The first hearing of the lawsuit filed against Demokrat News website editor Selda Manduz, who was detained in the operation organised against the Kars Municipality and the People's Democratic Party (HDP) in October, was held at Kars 2nd Assize Court. The next hearing was

scheduled for March 9.



39 detainments in one week due to social media posts

The Interior Ministry announced that legal actions were taken against 575 social media users in one week with the allegation of “making terrorist organisation propaganda,” that 39 people were detained so far and that detainments are ongoing.



40-thousand-TL penalty against journalist over researching Çorlu train massacre

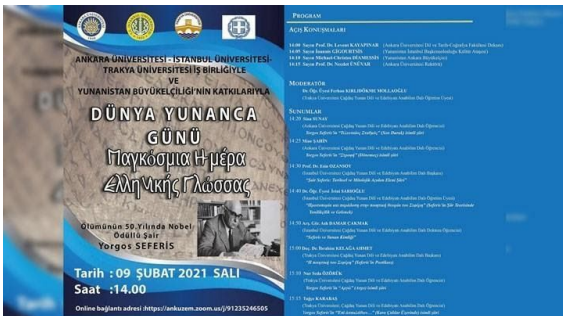
Journalist Mustafa Hoş was sentenced to 40 thousand TL of compensation due to “intentionally targeting the judicial authority” in the lawsuit filed by Prosecutor Galip Yılmaz Özkurşun over researching the Çorlu train massacre, in which 25 people (including 7 children) have died due to neglect.



Nol-pros in investigation against journalist Oktay Candemir

An investigation had been started against journalist Oktay Candemir after he was detained with a house raid in Van over the social media post he made on a TV series on September 3, 2020, due to “insulting the memory of our sacred ancestors.” Van Chief

Public Prosecutor’s Office decided on the file of Candemir five months later. The Chief Prosecutor’s Office indicated that the elements of the crime were not constituted, issuing a verdict of non-prosecution.



Common event organised by three universities cancelled after targeting

The “World Greek Language Day” event organized by Ankara University, Istanbul University and Trakya University in order to commemorate Greek poet Yorgos Seferis, who was born in Urla district of Izmir, was cancelled after the targeting of the event by Akit Daily as well as by certain social media

accounts with hate speech.



Appeal application of academic denied after conviction due to “insulting Erdoğan”

Academic Cenk Yiğiter has been dismissed from public service due to a Statutory Decree issued within the State of Emergency after being sentenced to 1 year, 5 months and 15 days of imprisonment due to “insulting the President” through a social media post that did not even include the name or position of

Erdoğan. Yiğiter’s appeal application was denied by the 4th Criminal Chamber of Ankara Regional Court.



Statement in front of Istanbul University prevented

Istanbul University teachers gathered in front of Istanbul University Beyazıt Campus in order to make a solidarity statement for Boğaziçi University, and they were prevented by the police. The academics read their statements as they marched on the street. In the area, where the statement was prevented due to the

pandemic, pro-government groups have made a support statement for Melih Bulu last week.



Protest bans

As President Erdoğan and his party continue to organise mass events, Governorates continue to declare protest bans with the excuse of the pandemic. All protests and demonstrations were banned in Eskişehir and Çanakkale by the Governorates for 15 days each. The bans will last until February 18 in Çanakkale and until February 22 in Eskişehir. Istanbul Kartal District Governorate has also announced a ban

against all protests and demonstrations in the district for seven days. The district Governorate based the ban on the protest calls made in front of the courthouse in Kartal.



Statement in front of Chinese Embassy not permitted again

Concentration camp victim Uighurs wanted to organise a statement in front of the Chinese Embassy in Ankara to protest China’s pressure and violence against the Uighurs, whereas they were not allowed out of their hotels. The police has intervened in those wanting to make a statement in front of the Embassy all week and

started to apply pressure so that the victim Uighurs leave Ankara.



Access bans

The son of the Kocaeli University rector became an officer in one day after his graduation and was appointed to the Presidency. News on his incident were banned from access. Furthermore, an access ban was issued against the news on the announcement of access bans against the news published in Cumhuriyet Daily on the tenders won by Fatih

Başçı, who is the friend of President Erdoğan's sons Burak and Bilal Erdoğan, from Gaziantep Metropolitan University. Access bans were issued against the news on the details of the tender as well. Istanbul Anatolian 5th Criminal Judicature of Peace issued an access ban against the news published on Birgün Daily regarding the Women+ Solidarity at Boğaziçi University as well as the related social media posts. Elazığ Keban Criminal Judicature of Peace issued an access ban against the news on the complaint made at the Presidency against a citizen, who said, "I am the government, I am a man of the Islamic-Ottoman complex."



"Self-censorship becomes new 'normal' of academic life"

The "[Monitoring Report on Violations of Academic Freedom Violations After the State of Emergency](#)" prepared by Demet Sayinta from the Human Rights School was launched. According to the 81-page report, the atmosphere of pressure and fear that defined the period of State of Emergency continues to damage universities, and that it almost is

banned to criticise the Justice and Development Party (AKP) in the academic life after the State of Emergency. Even giving examples from Turkey in any study leads to pressure, censorship and therefore self-censorship. According to the report, the Kurdish Question, the Armenian Issue, as well as the debates on the minorities and the LGBTI continue to be taboos; and criticisms against the Justice and Development Party (AKP) as well as the realities of Turkey were added to them as the "new taboos of academic life."



TRIALS OF FREEDOM OF EXPRESSION

Selman Keleş Case

The lawsuit filed against Dhaber reporter Selman Keleş, who was detained and arrested as he was following news in 2017 and was released in the first hearing held after eight months due to "illegal organisation membership"...

Court: Van 5th Assize Court

Verdict: Keleş, who resides abroad, didn't attend the hearing and the next hearing was scheduled for May 25 after the excuse of the lawyer.

Hozan Cane Case

The retried lawsuit against Kurdish artist Hozan Cane, who was sentenced to 6 years and three months of imprisonment due to “terrorist organisation membership” through her social media posts, after the reversal decree of the Court of Cassation, but this time, due to “aiding an illegal organisation”...

Court: Edirne 3rd Assize Court

Verdict: The hearing was postponed.

Semiha Şahin and Pınar Gayıp Case

The lawsuit filed against ETHa editor Semiha Şahin and reporter Pınar Gayıp with the allegation of “illegal organisation membership”...

Court: Istanbul 23rd Assize Court

Verdict: The next hearing was scheduled for April 15.

Journalist Arif Aslan Case

The lawsuit filed against journalist Arif Aslan, who was detained in Van in 2017 as he was following news information, due to “illegal organisation membership”...

Court: Van 5th Assize Court

Verdict: The hearing prosecutor requested, in his opinion on the basis of the file, for Arif Aslan to be penalised due to “illegal organisation membership.” The next hearing was scheduled for March 4, 2021.

Mesale Tolu Case

The lawsuit filed against 18 people, including Etkin News Agency reporter and translator Meşale Tolu, due to “illegal organisation membership” and “propaganda”...

Court: Istanbul 29th Assize Court

Verdict: The court issued the release of arrested defendant Volkan Uyar and denied the claims of Meşale Tolu’s lawyers for the prosecution to be extended. The court decided for the file to be sent to the Prosecutor’s Office for an opinion to be prepared on the basis and scheduled the next hearing for September 16-17, 2021.

Melike Aydın Case

The lawsuit filed against JinNews Izmir reporter Melike Aydın, who was arrested in November 2019 and was released about two months later, due to “acting on behalf of an illegal organisation” through the news she reported...

Court: Izmir 2nd Assize Court

Verdict: The prosecutor claimed for the evidence like magazines, books, etc to be examined, Izmir Security Directorate to be asked whether there is any prosecution about them as well as for the secret witnesses to be listened to. The court accepted the requests of the prosecution. The next hearing was scheduled for June 8.

Nagehan Alçı Case

The lawsuit filed against Habertürk writer Nagehan Alçı due to “insulting” Istanbul Criminal Court of First Instance Judge Hakkı Yalçınkaya through her article published on June 15, 2018 with the title, “The reaction of the Justice Minister against that embarrassing decree”...

Court: Istanbul 37th Criminal Court of First Instance

Verdict: The prosecutor presented his opinion on the basis and claimed for the journalist to be prosecuted due to “insult.” The next hearing was scheduled for March 10.

Figen Yüksekdağ Case

The lawsuit filed against former People’s Democratic Party (HDP) Co-Chair Figen Yüksekdağ due to “insulting the President” through a speech she gave at the Parliament on November 26, 2015...

Court: Ankara 10th Assize Court
Verdict: Yüksekdağ was acquitted.

HEARINGS NEXT WEEK

Özgür Gündem Main Case

The lawsuit filed against previously shut-down Özgür Gündem owner Kemal Sancılı, Editor-In-Chief Zana Kaya, Managing Editor İnan Kızılkaya and Eren Keskin...

February 15, Monday at Istanbul 23rd Assize Court

Fatih Gönül Case

The lawsuit filed against former Dicle News Agency (DIHA) worker and arrested journalist Fatih Gönül due to “illegal organisation membership” and “making illegal organisation propaganda”...

February 16, Tuesday at Ankara 25th Assize Court

Sebnem Korur Fincancı Case

The lawsuit filed against Turkish Medical Association Chair Prof. Dr Şebnem Korur Fincancı due to “insulting” former Prime Minister Recep Tayyip Erdoğan based on the tweet she posted during the Gezi Park protests...

February 16, Tuesday at Istanbul Anatolian 42nd Criminal Court of First Instance

İsmail Çoban Case

The lawsuit filed against previously shut-down Azadiya Welat Daily’s Managing Editor Ismail Çoban, who has been sentenced to 5 years of imprisonment due to “making illegal organisation propaganda” through 15 news articles published in 2013 and is now on retrial after the reversal decree of the appeal court...

February 16, Tuesday at Diyarbakır 7th Assize Court

Özgür Gündem Raid Case

The lawsuit filed against 22 people, including 17 journalists, who were detained during the police raid organised at Özgür Gündem Daily building after the newspaper’s shut-down on August 16, 2016, due to “insulting a public officer” and “preventing a public officer from performing his duty”...

February 16, Tuesday at Istanbul 5th Criminal Court of First Instance

Barış Barıştıran Case

The lawsuit filed against Özgür Gün TV Editor-In-Chief and Manager Barış Barıştıran due to “making illegal organisation propaganda” through the live broadcast of the Democratic Society Congress in Diyarbakır on March 26, 2016...

February 16, Tuesday at Diyarbakır 8th Assize Court

Ali Sönmez Kayar Case

The lawsuit filed against Etkin News Agency (ETHA) reporter Ali Sönmez Kayar and nine others due to “illegal organisation membership”...

February 16, Tuesday at Istanbul 32nd Assize Court

Diyarbakır Bar Association Case

The lawsuit filed against 11 former Diyarbakır Bar Association executives due to “denigrating the government” and “public incitement towards resentment and hostility” through the Bar Association’s statements on the April 24 commemorations in 2017 and 2018...

February 17, Wednesday at Diyarbakır 6th Assize Court

Kenan Kırkaya Case

The lawsuit filed against journalist Kenan Kırkaya and eight others due to “illegal organisation membership” through moderating the show, “Glance Towards Ankara” on Med Nuce TV Channel, which is a Turkish channel based in Belgium...

February 17, Wednesday at Ankara 14th Assize Court

Metin Akpınar and Müjdat Gezen Case

The lawsuit filed against actors Müjdat Gezen and Metin Akpınar due to “insulting the President” through their statements on a TV show they participated in as guests, two years ago...

February 17, Wednesday at Istanbul Anatolian 8th Criminal Court of First Instance

İsminaz Temel and Havva Cuştan Case

The lawsuit filed against 23 people, including Etkin News Agency (ETHA) reporters Isminaz Temel and Havva Cuştan, Legal Bureau of the Oppressed (EHB) lawyers Sezin Uçar, Özlem Gümüştaş and other Socialist Party of the Oppressed (ESP) members due to “armed terrorist organisation membership” and “making illegal organisation propaganda”...

February 18, Thursday at Istanbul 27th Assize Court

Yılmaz Çelik Case

The lawsuit filed against artist Yılmaz Çelik, who was arrested in December 2019 due to “illegal organisation membership” and “making illegal organisation propaganda” through his social media posts and was released in the first hearing 3.5 months later...

February 18, Thursday at Tunceli 2nd Assize Court

Case Against Documentary Nû Jîn

The re-prosecution of director Veysi Altay and Dicle Anter, who were convicted of “making terrorist organisation propaganda” through the screening of the documentary, “Nû Jîn” (2014) after the reversal decree of the appeal court...

February 18, Thursday at Batman 2nd Assize Court

Ahmet Altan Case

The lawsuit filed against journalist-writer Ahmet Altan due to “insulting Chief Public Prosecutor of the Court of Cassation [of the time]” through his column published in Taraf Daily on March 16, 2008 with the title, “Coup Preparation or Shutting Down Kemalism”...

February 18, Thursday at Istanbul Anatolian 2nd Criminal Court of First Instance

MIT Trucks News Case

The lawsuit filed against journalist Can Dünder due to “obtaining confidential information regarding the state with the purpose of espionage” and “aiding an illegal organisation” through the news he reported on the Turkish National Intelligence (MIT) Trucks...

February 18, Thursday at Istanbul 14th Assize Court