

Think, think...



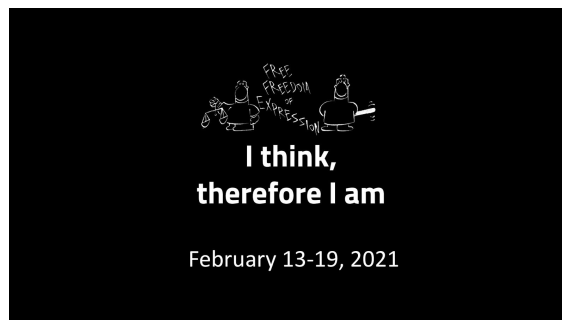
Freedom of Expression Weekly Newsletter (Issue 8/21 - February 26, 2021)

What happened last week?

- President Erdoğan continued his insults against the opposition this week as well. According to Erdoğan, every criticism from the opposition is an attack and they have been attacking the country to divide it, since the Crusades...
- As Erdoğan confronted Parliament members, made them stand up and vow “One nation, one homeland, one government” at the group meeting of his party in the Parliament this week, the opposition was on target due to questioning the Gara operation...
- Interior Minister Soylu called the People’s Democratic Party (HDP) a “terrorist organisation party.” However, the photos Soylu used in his targeting belonged to the time of the “Resolution Process” conducted by the People’s Democratic Party (HDP) and the ruling power together, between the years 2013 and 2015.
- As Erdoğan mentioned in the group meeting and said, “There will be a quick voting in the Parliament,” Ankara Chief Public Prosecutor’s Office prepared Parliamentary summaries against nine People’s Democratic Party (HDP) members, including People’s Democratic Party Co-Chair Pervin Buldan, within the “Kobani investigation”. 33 new summaries arrived in the Parliament, 29 of which were against People’s Democratic Party members.
- Erdoğan signaled that operations against municipalities will continue. In the meantime, the People’s Democratic Party (HDP) prepared a report with the title, “[*The Stolen Will of People and Facts on Trustees*](#)”. According to the report, trustees were appointed to 48 People’s Democratic Party municipalities since August 2019 and 72 Co-Mayors were detained. 37 Co-Mayors were arrested and 15 still remain in prison. 807 Municipal assembly members are no longer able to perform in their positions. Trustees have effectively shut down the Municipal assembly, which used to be the decision body of the local administration.
- After the main opposition party, the Republican People’s Party (CHP) asked questions on Central Bank reserves and said, “*Where and to whom did 128 billion dollars went?*” “*How did our foreign exchange reserve decrease to minus 47 billion dollars?*” “*Why did Berat Albayrak resign?*”, Erdoğan claimed that they were attacking his family. With the answer of Erdoğan, it was admitted for the first time from the most authorised mouth of the government, that the Central Bank reserves were indeed sold. Even though Erdoğan based the sale on the pandemic, the reserve sale happened long before the pandemic, at the end of March 2019.
- The Constitutional Court had issued a decree of rights violation against the sentence of Republican People’s Party (CHP) MP Enis Berberoğlu and a decree of re prosecution was issued. Afterwards, a summary was prepared against Berberoğlu based on three different charges and was sent to the Parliament. Berberoğlu objected

against the summary and his objection was denied. Following the denial, his objection at the high court was denied as well.

- Boğaziçi protests continue without break. Operations against students conducted by the police and the judiciary are now conducted by rectors as well. The Interior Minister continues to make statements targeting the protests, academics and students, this time their families as well.
- Soylu stated on television that he called former Boğaziçi University rector Prof. Üstün Ergüder and told him not to get into business like that, referring to the protests against the appointed rector. Soylu further stated that Ergüder told him that he is 80 years old and that he isn't involved in business like that, and that he replied to him with the words, *“No, I know you are involved in business like that as a matter of fact.”*
- Human Rights Foundation of Turkey (TIHV) announced numbers on the rights violations happening during the protests at Boğaziçi University. At least 801 people were detained with torture and mistreatment in 38 provinces, at least 13 people were injured. 11 people were arrested in protests, 228 people faced judicial measures and 29 people were sentenced to house imprisonment. Two people were arrested due to their social media posts. Six journalists were injured during the protests. The Human Rights Foundation of Turkey indicated that rights violations happening in different categories throughout the protests reveal how distant the country is from the idea of a rights-based regime, saying, *“Criminalising demands is denying the rights of citizens.”*
- *“The Constitutional Court revoked the monitoring authority on Anadolu Agency that was given to the Directorate of Communications with a Presidential decree. The decree stated, “The agency being monitored by the directorate, which is a part of the Presidency, does not go along with the independence of the agency and leads to the potential to influence the objectivity of the publications.”*
- Legal organisations and Bar Associations from European countries announced June 14 as *“The International Day for the Right to Fair Trial.”* Every year, selected persons or organisations will be awarded on behalf of lawyer Ebru Timtik, who died on the 238th day of her indefinite hunger strike with the demand of fair trial.



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...

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Sentence against Gergerlioğlu approved

People's Democratic Party (HDP) Kocaeli Parliament Member Ömer Faruk Gergerlioğlu has been sentenced to 2 years and six months of imprisonment by Kocaeli 2nd Assize Court due to "making illegal organisation propaganda" through a social media post he made in 2016. The sentence against Gergerlioğlu was approved by the Court of

Cassation.



Lawsuit against journalist Abdurrahman Gök

The first hearing of the lawsuit filed against journalist Abdurrahman Gök was held at Diyarbakır 5th Assize Court due to "illegal organisation membership" and "making illegal organisation propaganda" through his phone calls with news resources, social media posts as well as news he reported. The prosecution of

the journalist will continue on June 3rd.



Lawsuit against Turgut Öker

The first hearing of the lawsuit filed against Confederation of European Alevi Unions Founder and Chairman Turgut Öker was held at Istanbul Anatolian 10th Criminal Court of First Instance due to his speech at the protest rally against President Erdoğan organized in Karlsruhe, Germany in 2015. The prosecution of Öker, who is charged with "insulting Erdoğan," will continue on June 10.



1-year 6-month imprisonment claim against Mahmut Alınak

Kurdish politician, lawyer and writer Mahmut Alınak was sentenced to 1 year and six months of imprisonment due to "making illegal organisation propaganda" in the lawsuit he was on trial at Istanbul 22nd Assize Court due to his book that was banned and withdrawn from shelves.



Freemuse State of Artistic Freedom 2021 Report

The Freedom of Musical Expression – Freemuse has reported the violations against artistic freedom of expression around the world with the report, [The State of Artistic Freedom 2021](#). According to the report, Turkish government authorities, who are responsible for

90 percent of all artistic freedom of expression violations in Turkey, continue to remain a big obstacle in front of the use of artistic freedom. More than half of the violations against artistic freedom of expression in Turkey, which were documented by Freemuse, are based on the Anti-Terror Law and the “crime” (!?) of insulting the President.



56-year imprisonment against 8 people due to protests on hunger strikes

27 people were prosecuted due to “illegal organisation membership” and “making illegal organisation propaganda” based on their participation in protests due to the hunger strikes started by the Democratic Society Congress (DTK) Co-Chair Leyla Güven in 2018 as well as their speeches on TV channels

on the hunger strikes. Kocaeli 2nd Assize Court sentenced 8 of the 27 people to 56 years of imprisonment in total.



3-year imprisonment claim against 7 students

An indictment was prepared against 7 university students, including 2 students previously arrested due to the ‘Qaaba’ visual depicted on the exhibition organised during the protests at Boğaziçi University, due to “public incitement towards resentment and hostility.” The students face imprisonment sentences for

up to 3 years each.



Appointed rector launches investigations against 51 Boğaziçi University students

Justice and Development Party (AKP) member Melih Bulu, who was appointed as rector to Boğaziçi University by President Erdoğan himself, opened a disciplinary investigation against 51 students, who were detained in the evening of February 2nd as they were

protesting him in front of the rectorate building.



1-week suspension against 36 students

Dokuz Eylül University penalised 35 students, who participated in solidarity protests for Boğaziçi University, with a week of suspension. Dokuz Eylül University rector Nükhet Hotar was the Justice and Development Party (AKP) Deputy Chair for 14 years.



Investigation against MP on Soylu's target

Ankara Chief Public Prosecutor's Office started an investigation against People's Democratic Party (HDP) Parliament Member Dilan Dirayet Taşdemir due to "armed terrorist organisation membership" after Interior Minister Soylu had targeted her by calling her "the Parliament member who went to Gara".



Investigation against HDP MPs

An investigation was started against five People's Democratic Party (HDP) MPs due to "denigrating the government" (Turkish Criminal Code Article 301) and "public incitement towards resentment and hostility".



"Las Tesis" penalty against CHP executive

The Republican People's Party (CHP) Aydın Provincial Women's Organisation Chair Ayşe Özdemir was convicted of "insulting the President" due to the "Las Tesis" protest on the violence against women. Aydın 8th Criminal Court of First Instance sentenced Özdemir to 11 months and 20 days of imprisonment.



Detainment against video supporting the caliphate

11 people were detained in Istanbul, Bilecik and Afyonkarahisar due to their demands for the caliphate to be established once again as well as due to shooting a video with the title, "100 Years Without Caliphate - Enough Now."

The Association for Human Rights and Solidarity for the Oppressed (MAZLUMDER) launched a press statement on the matter and

indicated that it is clearly within freedom of expression to shoot the video without using methods of pressure and violence, not involving any kind of arms or attacks, as well as sharing it on social media.



Investigation against Evrensel Daily reporter

An investigation was started against Evrensel Daily reporter Özer Akdemir following the complaint of a mine company owner, after Akdemir has reported the resistance of villagers against the basalt mine operated between Karaburç and Karaburma villages of Hacıbektaş district in Nevşehir. Akdemir is charged with “insult” due to sharing a video in

which the mine company owner called the villagers, “ignorant people” and tweeting, “This is the perspective of a late capitalist coming to the village with his Porsche car and calling the villagers ‘ignorant’.



28th access ban against Mesopotamia News Agency

Kayseri 3rd Criminal Judicature of Peace issued an access ban against the website of the Mesopotamia News Agency (MA). Thus, the websites of the agency were censored for the 28th time.



Prevention against ‘Purple Hall’ exhibition

The exhibition, “Purple Hall”, organised by Avcılar Women’s Platform within the March 8, World Women’s Day events, was prevented due to the ban issued by Istanbul Avcılar District Governorate based on the pandemic. The platform members were beaten by the police.



Demonstration bans

Mardin Governorate banned all protests and demonstrations to be organised in the province for 15 days and Urfa Governorate for 30 days. In the statement made by Mardin Governorate, hunger strikes in prisons, protests at Boğaziçi University and the Covid-19 outbreak were shown as reasons for the ban.



Governorate ban against HDP posters

Posters prepared by the People's Democratic Party (HDP) within the "Justice for Everyone" campaign were prevented by the Batman Governorate. According to the Governorate, the slogan, "Equality for everyone, justice for everyone" is "provocative", "crates negative misconceptions about the legal system" and "may lead to events such as illegal marches."



TRIALS OF FREEDOM OF EXPRESSION

Ferhat Tunç Case

The lawsuit filed against the artist due to "insulting the President" through the tweets he posted in 2016...

Court: Istanbul Büyükçekmece 14th Criminal Court of First Instance

Verdict: The court decided to wait for the execution of the warrant issued against Tunç. The next hearing was scheduled for September 14.

Case Against Las Tesis Demonstration

The lawsuit filed against 6 women, who protested male violence against women with the 'Las Tesis' dance in Kadıköy, Istanbul on December 8, 2019 due to violating the Law on Meetings and Demonstrations No. 2911...

Court: Istanbul Anatolian 29th Criminal Court of First Instance

Verdict: The next hearing was scheduled for June 10.

Ruken Demir Case

The lawsuit filed against Mesopotamia Agency reporter Ruken Demir due to "illegal organisation membership" based on his meetings with news resources...

Court: Izmir 9th Assize Court

Verdict: The court revoked the judicial measures against Demir, whereas the travel ban against him continues. The next hearing was scheduled for June 8.

Case Against News on Berkin Elvan

The lawsuit filed against journalists Canan Coşkun, Ali Açar and Can uğur due to "targeting those taking part in the fight against terrorism" through the news published in Cumhuriyet and Birgün Daily on the investigation regarding the death of 15-year-old Berkin Elvan during the Gezi Park protests...

Court: Istanbul 34th Assize Court

Verdict: The next hearing was scheduled for June 8.

Özgür Gündem Case

The lawsuit filed against previously shut-down Özgür Gündem Daily's Co-Editors-In-Chief Hüseyin Aykol and Eren Keskin as well as the newspaper's Managing Editor Reyhan Çapan due to

“insulting the President” and “making terrorist organisation propaganda” through the news article published in the newspaper on September 8, 2015 with the headline, “The Palace Goes Crazy”...

Court: Istanbul 13th Assize Court

Verdict: The next hearing was scheduled for June 22.

Hakkı Boltan Case

The lawsuit filed against journalist Hakkı Boltan due to “illegal organisation membership” based on the ‘criminal evidence’ that are his DTK delegation, two press statements he participated in as well as a social media post...

Court: Diyarbakır 10th Assize Court

Verdict: The court issued the acquittal of the journalist.

Rüstem Batum Case

The lawsuit filed against journalist Rüstem Batum due to “insulting the President” and “public incitement towards resentment and hostility” through his social media posts in 2016 and 2018...

Court: Istanbul 5th Criminal Court of First Instance

Verdict: The court decided to wait for the execution of the warrant against Batum, who resides abroad, and scheduled the next hearing for May 4.

Lawsuit Against News on Economy

The lawsuit filed against Bloomberg reporters Kerim Karakaya, Fercan Yalınkılıç due to “damaging the economy” with the news they reported on the value loss in the Turkish Lira as well as against and 38 others, including journalists and economists, who shared the related news on Twitter...

Court: Istanbul 3rd Criminal Court of First Instance

Verdict: The next hearing was scheduled for June 4.

Figen Yüksekdağ Case

The lawsuit filed against former People’s Democratic Party (HDP) Co-Chair Figen Yüksekdağ due to “terrorist organisation management,” “making terrorist organisation propaganda,” “violation of the Law on Meetings and Demonstrations,” “public incitement towards resentment and hostility,” “public incitement to commit crimes” and “denigration of the Turkish nation, the government of the Republic of Turkey, the institution and bodies of the government”...

Court: Ankara 16th Assize Court

Verdict: It was decided for the case file to be merged with the “Kobani incidents case file”. “Kobani incidents file” has 108 defendants at Ankara 22nd Assize Court with claims of life imprisonment against the defendants for 38 times; and the defendants include former People’s Democratic Party (HDP) Co-Chair Selahattin Demirtaş, former HDP MPs and party executives. The case will start to be held on April 26 at the hearing room at Sincan Prison.

Filiz Buluttekin Case

The lawsuit filed against Sur Co-Mayor Filiz Buluttekin, who was replaced with a trustee, due to “illegal organisation membership” based on the protests she participated in as well as secret witness statements against her...

Court: Diyarbakır 11th Assize Court

Verdict: Buluttekin was sentenced to 7 years and six months of imprisonment.

Jiyan Taş Case

The lawsuit filed against Democratic Society Congress (DTK) council member Jiyan Taş due to “illegal organisation membership” based on his DTK activities...

Court: Diyarbakır 10th Assize Court

Verdict: Taş was sentenced to 6 years and three months of imprisonment.

Lawsuit against Local Executives in Erciş

The lawsuit filed against Erciş Co-Mayor Bayram Çiçek, Municipal Assembly members Erhan Akbaş and Abdulkerim Akbaş due to “illegal organisation membership”...

Court: Van 7th Assize Court

Verdict: Bayram Çiçek and Abdulkerim Akbaş were sentenced to 1 year and 13 months of imprisonment each due to “wilfully aiding and abetting an illegal organisation” and Erhan Akbaş was acquitted.

HEARINGS NEXT WEEK

Metin Akpınar and Müjdat Gezen Case

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

March 1, Monday at Istanbul Anatolian 8th Criminal Court of First Instance

Ferhat Tunç Case

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

March 3, Wednesday at Istanbul Büyükçekmece 14th Criminal Court of First Instance

Nurcan Yalçın Case

The lawsuit filed against journalist Nurcan Yalçın due to “illegal organisation membership” and “making illegal organisation propaganda” within the investigation conducted against Rosa Women’s Association...

March 3, Wednesday at Diyarbakır 9th Assize Court

Journalist Arif Aslan Case

The lawsuit filed against the journalist, who was detained in 2017 in Van as he was reporting news with the allegation of “illegal organisation membership”...

March 4, Thursday at Van 5th Assize Court

Özgür Gündem Case

The lawsuit filed against journalists Hüseyin Aykol, İnan Kızılkaya, Zana Bilir Kaya and politician Hatip Dicle in accordance with Article 301 of the Turkish Criminal Code due to a series of news articles published in previously shut-down Özgür Gündem Daily...

March 4, Thursday at Istanbul 2nd Criminal Court of First Instance

Sibel Hürtaş and Hayri Demir Case

The lawsuit filed against journalists Sibel Hürtaş and Hayri Demir due to “public incitement towards resentment and hostility” and “making terrorist organisation propaganda” through their news and social media posts on the operation of Turkey against Afrin...

March 4, Thursday at Ankara 15th Assize Court

Hayko Bağdat Case

The lawsuit filed against journalist Hayko Bağdat due to “making illegal organisation propaganda” through nine social media posts he made in 2017 and 2018...

March 4, Thursday at Istanbul 28th Assize Court

Oktay Candemir Case

The lawsuit filed against journalist Oktay Candemir due to “insulting Erdoğan” through a social media post on trustee operations against municipalities...

March 4, Thursday at Van 3rd Criminal Court of First Instance

Rojhat Doğru Case

The lawsuit filed against former cameraman of Gelî Kurdistan TV Rojhat Doğru due to “disrupting the unity and the territorial integrity of the state,” “illegal organisation membership” and “making illegal organisation propaganda”...

March 4, Thursday at Diyarbakır 8th Assize Court

Özgür Gündem Substitute Editors-In-Chief Case

The lawsuit filed against journalist Can Dündar and Özgür Gündem Daily’s former Managing Editor İnan Kızılkaya, who both participated in the Substitute Editing-In-Chief campaign for Özgür Gündem Daily, due to “insulting a public officer”...

March 4, Thursday at Istanbul 2nd Criminal Court of First Instance

Case Against Trustee Protest

The lawsuit filed against 38 people, including Özgür Gelecek Daily reporter Taylan Öztaş and ETHA reporter Tunahan Turhan, due to “violating the Law on Meetings and Demonstrations No. 2911” with the protest organised by the People’s Democratic Party (HDP) in Kadıköy, Istanbul on August 20, 2019 against the trustee operations conducted on municipalities...

March 4, Thursday at Istanbul 13th Criminal Court of First Instance

Taraf Daily Case

The lawsuit filed against previously shut-down Taraf Daily’s reporter Mehmet Baransu and executives Ahmet Altan, Yasemin Çongar and Yıldırım Oğur due to “illegal organisation membership” and “disclosing confidential information on the state” based on a document published in the newspaper with the title, “Dominant action plan”...

March 4, Thursday at Istanbul 13th Assize Court

Abdullah Kaya Case

The lawsuit filed against previously shut-down Dicle News Agency (DIHA) Ağrı reporter Abdullah Kaya due to “illegal organisation membership” and “making illegal organisation propaganda” through his journalistic activities and social media posts...

March 4, Thursday at Ağrı 2nd Assize Court

KCK Press Case

The lawsuit filed in 2012 against 46 journalists and media workers due to “illegal organisation membership”...

March 4, Thursday at Istanbul 3rd Assize Court