

Think, think...



Freedom of Expression Weekly Newsletter (Issue 12/21 - March 26, 2021)

What happened last week?

- Turkey has withdrawn from the Istanbul Convention with a sudden Presidential decree issued in the middle of the night. Even though lawyers indicate that Turkey can not withdraw international conventions with “Presidential Decrees,” the fact that Turkey has lost its quality of being a state of law makes everything possible. Even though pro-government sources claim that the convention “creates false perception in the public eye”, even such statements reveal that Turkey is not a safe country for women and LGBTQs. Women protest the decision of withdrawal from the Istanbul Convention all across the country. The Republican People’s Party (CHP) carries the Presidential Decree to the Council of State.
- Naci Ağbal, who was recently appointed as the Chairman of the Central Bank, was dismissed with a Presidential decree. The position was filled with another former Justice and Development Party (AKP) MP and Yeni Şafak Daily economy writer Şahap Kavcıoğlu. The US Dollar currency exchange gave a start to the week above 8 TL and the Istanbul Stock Exchange has lost 10 points in value. Against the increase in currency exchange rates, Kavcıoğlu shared Quran verses on Twitter and the Hagia Sophia Mosque imam has made evaluations on the economy in regards to the interest rates. The first reasons given as a reply to the question of why Ağbal was dismissed from the position are the increase in interest rates and that he was tracking the missing \$130 billion.
- People’s Democratic Party (HDP) Kocaeli MP Ömer Faruk Gergerlioğlu was detained in the morning of the fifth day of the justice watch, which was ongoing at the GNAT HDP Group Chamber. Gergerlioğlu was taken to the police station in his pyjamas and slippers when he left the chamber before his morning prayer. The visuals were reminiscent of the forced detainment of DEP MPs in 1994 and revealed that Turkey hasn’t taken a step further in the “representation of the national will.” Gergerlioğlu was released after testifying and he was allowed 10 days for the execution of his imprisonment sentence.
- The Newroz was celebrated all across the country, especially in Diyarbakır and Van. Newroz celebration areas were so crowded, despite all pressure and preventions.
- Both the employment and the unemployment rates continue to fall in Turkey. According to the Turkish Statistical Institute employment data in 2020, the employment rate fell by 2.9 points and became 42.8 percent, as the unemployment rate fell by 0.5 points and became 13.2 percent.
- The 7th Ordinary Congress of the Justice and Development Party (AKP) was held. The congress was held under the conditions of the pandemic and it was very crowded, making the rules of social distance obsolete. In his speech at the congress as the only candidate, Erdoğan repeated his recent messages on the rules of family, good relations with the neighbours and the Turkish Constitution. However, in his speech, Erdoğan didn’t read the part on the withdrawal from the Istanbul Convention, which initially

took place in his speech that was handed to the press. In his speech, Erdoğan didn't refrain from making an emphasis on "justice" and said, "*Justice is one of the areas we are most sensitive about. At the moment, we are building such a building for the Court of Cassation that there is nothing like it in the entire world.*"

- Daily cases and deaths continue to increase, and the normalisation period continues. Daily case numbers have increased by 200 percent in the last month, with the daily number of patients reaching 29 thousand. The joint opinion of MDs is that the third peak of the first wave is happening right now. The Health Minister continues to ignore the ruling party's crowded events and mass funerals organised with the participation of the officials, as he complains about people not abiding by the rules of measure. The minister continued his fight against the pandemic with aphorisms and claimed that the pandemic will be taken under control by the end of June.
- The Constitutional Court will evaluate the application of closure against the People's Democratic Party (HDP) as well as Ömer Faruk Gergerlioğlu losing his seat at the Parliament, both on March 31.
- The final decree was announced in the Hrant Dink Assassination Case. In the case with 76 defendants, the files of 13 people, including Fethullah Gülen, former Prosecutor Zekeriya Öz, Ekrem Dumanlı and Adem Yavuz Arslan were separated. The files against Sabri Uzun, former Istanbul Security Director Celalettin Cerrah, police officer Muhittin Zenit and former Trabzon Security Director Reşat Altay were abated due to time limitation.
- Despite all objections by the residents of Istanbul, scientists as well as advocates of the city and life, the ruling power continues to insist on Canal Istanbul. With a legal regulation enacted, the project was protected by the government as well.
- The Gezi Park in Taksim was taken from Istanbul Metropolitan Municipality with a decree issued by the Foundations General Directorate and was handed to Sultan Beyazıt Han-ı Veli Hazretleri Foundation, which only remains in archival records today.
- Before the EU leaders summit, the International Press Institute (IPI) called to "insist Turkey on the bettering of human rights records, especially on press freedom and freedom of expression," and the Human Rights Watch (HRW) called to "speak up against the drastic regression observed in the field of human rights." The result of the summit was the importance of the continuity on keeping the tensions low and an emphasis on the strengthening of a trust facility for a more positive EU-Turkey agenda. According to the results, the EU seems to "worry" about the supremacy of law and basic rights in Turkey.



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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Lawsuits against protests at Boğaziçi University

An indictment was prepared against seven people, four of whom are arrested, due to “violating the Law on Meetings and Demonstrations No. 2911” after they have participated in the protest organised in Kadıköy on February 2 against the appointment of Justice and Development Party (AKP) member Melih Bulu as rector for Boğaziçi University.

The indictment was sent to Istanbul Anatolian 35th Criminal Court of First Instance and the suspects were claimed to be sentenced to imprisonment. The indictment prepared against seven people, four of them arrested, was accepted by Istanbul Anatolian 60th Criminal Court of First Instance after they participated in the protest organised in Kadıköy on February 2. The first hearing of the lawsuit was scheduled for October 20. A lawsuit was filed against 23 people, 2 of whom are arrested, due to “resisting to prevent duty,” “participating in illegal meetings and demonstrations carrying arms and making themselves unidentifiable” as well as “armed participation against illegal meeting and demonstration and not dispersing despite warning” over participating in the protest demonstration organised in Kadıköy district of Istanbul to support the protests at Boğaziçi University. The indictment, which was accepted by Istanbul Anatolian 38th Criminal Court of First Instance, claimed imprisonment sentences against the 23 people, varying from 6 months up to 7 years.



Detained Boğaziçi University students

Boğaziçi University Rectorate opened a disciplinary investigation against the students who hung the banner, “universities are not organisations of the Justice and Development Party (AKP), the trustees will be gone” inside the university campus during the protests against appointed rector Melih Bulu. The police intervened against those gathering in

front of Çağlayan Courthouse for solidarity with 24 students, who were detained at the Boğaziçi University campus. In the intervention, 33 students and Artı Gerçek reporter Yağmur Kaya were detained.



Lawsuit against Ankara Massacre protest

The appeal claim of five people was denied after they were sentenced to a total of 12 years, 7 months and 15 days of imprisonment due to “committing a crime on behalf of an illegal organisation without membership,” “propaganda,” “damaging public property” and

“resisting the police” over participating in the protest organised in Menemen district of Izmir against the massacre in Ankara, where 102 people died in an ISIS attack in 2015. The 2nd Criminal Chamber of Izmir Regional Court denied the objection against the decree issued by Karşıyaka 2nd Assize Court due to “the protesters have gone on the street following the order of an illegal organisation even though their membership is not proven”, evaluating the protest as an “activity conducted in accordance with an order given by an illegal organisation.”



Saturday Mothers on trial...

The first hearing of the lawsuit filed against the Saturday Mothers, who were gathering for years at Galatasaray Square in order to demand justice for their missing relatives, was held at Istanbul 21st Criminal Court of First Instance due to “violating the Law on Meetings and Demonstrations”. The prosecution of 46 people, including relatives of those missing as

well as rights advocates, who were detained by the police in the 700th week of the protest on August 25, 2018 based on the ban decree issued by the District Governorate due to the protection of “national security,” will continue on July 12.



3-year 6-month imprisonment against Demirtaş

Bakırköy 46th Criminal Court of First Instance sentenced arrested former People’s Democratic Party (HDP) Co-Chair Selahattin Demirtaş to 3 years and 6 months of imprisonment due to “insulting the President” through a speech he gave at the Atatürk Airport in 2015.



Imprisonment sentence against social media post without hearing

A citizen in Iskenderun district of Hatay, Hüseyin Gör was sentenced to 8 months and 25 days of imprisonment due to liking a comment under a Facebook post depicting the photo of Presidential Communications Director Fahrettin Altun, that said, “*High democracy is such a thing that it is a terror crime to report news on theft.*” Istanbul 16th Criminal Court of

First Instance convicted Gör of “insult” without a hearing and deferred the announcement of the verdict.



Lawsuit against child entertainment park due to “illegal organisation propaganda”

A lawsuit was filed against the process control engineer Deniz Doğan, construction chief Yüksel Pehlivan and landscape architect Gülsüm Güner due to “making terrorist organisation propaganda” in the visuals used on the renewed child entertainment park in Küçükçekmece district of Istanbul. The

indictment, accepted by Istanbul 34th Assize Court, claims imprisonment sentences against three people from 1 year and six months each up to 7 years and six months each.

KÖKÜ MAN ADASI'NDA OLANLAR DERHAL İSTİFA ETMELİDİR!

Geçtiğimiz günlerde Başbakan Binali Yıldırım'ın oğullarının da isiminin yer aldığı Paradise Paper'ın belgeleri yayınlanmış ve bu belgelerin soruşturulmasıyla ilgili verilen Energe AKF milletvekillerinin oylarına reddedilmiştir.

CHP Genel Başkanı Kılıçdaroğlu bugün yaptığı açıklamada, **Kirli ticari ilişkilerin Başbakanın oğullarıyla sızdırıldığını, Erdoğan'ın akrabaları ve yakın çevresinin de işin içinde olduğunu** belgeleriyle birlikte ortaya koydu.

Söz konusu organize yapı, Erdoğan'ın kardeşi, eniştesi, oğlu, damadı ve özel kalem müdüründen oluşuyor. **Alle boyu faaliyet yürüten bu yapı, Man Adası'ndaki bir şirkete 20 günde tam 15 milyon dolar aktarmış.**

Kılıçdaroğlu'nun belgeleri açıklamasının ardından yandaş medya hemen harekete geçerek yurttaşların zihnini bulandırmak ve belgelerin gerçek olmadığını iddia ederek skandalın üstünü örtmek istedi.

Ancak ortada hiçbir medya manipülasyonunun karartılamayacağı kadar büyük bir patlak bulunmaktadır.

***Yerli ve milli* edebiyatıyla halka dolar bozdurma çağrısı yaparın, her türlü **gayri milli** dolaba coidirler, offshore **adalarında milyon dolarları** istifledikleri, halkın omuzlarına her geçen gün daha fazla vergi bantlarının vergi kaçırıcıları anlattıklarıdır.**

Yarıdan fazla yok su sorulara acilen yanıt verilmelidir:

20 günde 15 milyon dolar, Erdoğan'ın yakın çevresi tarafından neden Man Adası'nda bir şirketin hesabına yatırılmıştır?

Bu para, neyin bedeli ve hangi işlemin sonucu olarak elde edilmiştir?

Bu tarihlerde hangi ihaleler yapılmış ve bunlar hangi şirketlere verilmiştir?

Onurlu yöneticilerin yapması gereken istifa etmek, bu sorulara yanıtlarını ortaya çıkarabileceği bir yargı sürecini başlatmaktır.

Bilyonuz, istifa etmeyeceksiz, bin dereden su gelenecek inkar etmeye, yavuz heves ev sahibini bastırır misali yalan söylemeye devam edeceksiz.

Ama her ne bahane uydururlarsa uydurunsunlar biz söylemekten geri durmayacağız.

Artık bu ülkeyi yönetmezler!

Kökü Man Adası'nda olanlar derhal ama derhal istifa etmelidir!

HAZİRAN

Imprisonment sentence due to leaflet on “Isle of Man documents”

Nine of the twelve United June Movement members, who distributed a leaflet on the off-shore accounts of the Erdoğan Family as well as on the Isle of Man documents, were sentenced to 11 months and 20 days of imprisonment at Karşıyaka 9th Criminal Court of First Instance within the lawsuit filed against them due to “publicly insulting the President.”

The court considered the expression, “those rooted in the Isle of Man” as a crime and deferred the announcement of the verdict.

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Imprisonment sentence against journalist in first hearing

Journalist Perihan Kaya was sentenced to 1 year and three months of imprisonment in the first hearing of the lawsuit filed against her due to “illegal organisation membership” and “making illegal organisation propaganda” through her social media posts, phone calls as well as secret witness statements against her.

Diyarbakır 10th Assize Court did not defer the announcement of the verdict against the journalist based on her previously having committed a similar crime.



Lawsuit against villagers over reactions against mine

The prosecution of the lawsuit has started against villagers due to “damaging property” and “preventing duty” after they protested the drilling work by a mining company in Üçpınar Neighborhood of Ünye District in Ordu. Lawyer Nur Hilal Gündüz indicated that the

villagers are charged with additional charges like violating the Law on Meetings and Demonstrations and conducting illegal organisation activity, stating that they have submitted a defense on the matter. The next hearing was scheduled for July 5.



Newspaper and books considered evidence of “aiding illegal organisation”

The Socialist Party of the Oppressed (ESP) member Ömer Temel was detained at the entrance of the Newroz celebration area in Adana due to carrying Atılım Daily on him. After his house was searched, some books were added to the file against him as well and Temel was arrested by the Criminal Judicature of

Peace he was brought to, due to “aiding an illegal organisation.”



Detainment against Şenyaşar family over demanding justice

The police attacked Emine Şenyaşar and her son, Ferit Şenyaşar, who performed a sit-in protest in front of Urfa Courthouse for 17 days in order to demand justice for Emine Şenyaşar’s two children and husband, who were killed by the relatives and guards of Justice and Development Party (AKP) Urfa MP Ibrahim Halil Yıldız. The mother and son were

detained once again.



Lawsuit against “Ankara Massacre” protest

A lawsuit was filed against three people, who participated in the protest organised in Elazığ following the “Ankara Massacre,” due to “violating the Law on Meetings and Demonstrations.” The indictment of the lawsuit, which will start on May 5 at Elazığ 1st Criminal Court of First Instance, claimed that there is “incitement to commit crimes” in the

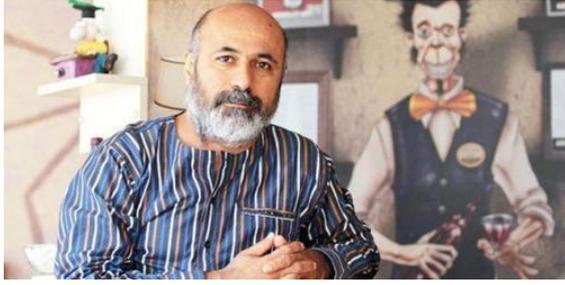
slogans, “Give voice for peace, say no to war” and “We will ask account for those massacres.”



Access bans

Elazığ 1st Criminal Judicature of Peace banned access to 97 more content (news and social media posts) on the censorship against the news on journalist Yeldana Kaharman, who allegedly committed suicide after sexual assault

by Justice and Development Party (AKP) MP Tolga Ađar.



Writer Ruhi Karadađ detained at airport

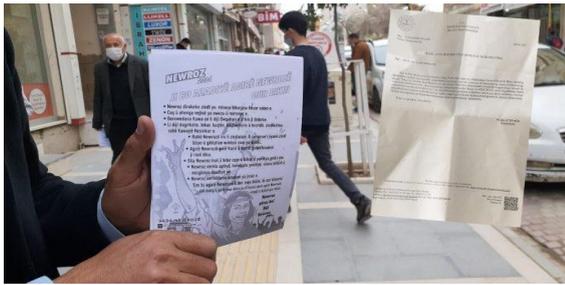
Journalist, writer and documentary-maker Ruhi Karadađ was detained at Istanbul Airport, where he arrived back from London, due to “having made terrorist organisation propaganda” with a book he wrote.



“Newroz” investigation against HDP Co-Chair

Diyarbakır Chief Public Prosecutor’s Office started an investigation against the People’s Democratic Party (HDP) Co-Chair Mithat Sancar due to the speech he gave during the Newroz celebrations in Diyarbakır. Sancar is charged with “making illegal organisation

propaganda” within the investigation.



District Governorate bans Newroz leaflet due to closure case against HDP

Mardin Derik District Governorate banned the Newroz leaflet of the People’s Democratic Party due to the closure case against the party.



Investigation against municipality posters on Istanbul Convention

The Interior Ministry started an investigation against Bilecik Mayor Semih Şahin due to the posters prepared by the municipality on the Istanbul Convention. According to the ministry, the posters with the writings, “From whom does the Istanbul Convention protect? From everyone who has violent tendencies” do “insult all parts of the society and put teachers

and the olice in a difficult situation.”



TRIALS OF FREEDOM OF EXPRESSION

Ahmet Sever Case

The lawsuit filed against journalist Ahmet Sever due to “insulting the President” and “insulting public officers” through his book on the period when former President Abdullah Gül was the Chief Press Consultant...

Court: Istanbul 2nd Criminal Court of First Instance

Verdict: The next hearing was scheduled for September 9.

İbrahim Karakaş Case

The lawsuit filed against arrested Yeni Yaşam Daily worker İbrahim Karakaş due to “illegal organisation membership”...

Court: Adana 11th Assize Court

Verdict: The court decided for Karakaş to remain arrested and scheduled the next hearing for May 4.

Case Against Floor Dinners

The lawsuit filed against theologian-writer İhsan Eliaçık and eight others due to “resisting the police” and “violating the Law on Meetings and Demonstrations” due to the floor dinners organised in front of Galatasaray High School in Taksim on the first day of the Ramadan in 2019...

Court: Istanbul 47th Criminal Court of First Instance

Verdict: The next hearing was scheduled for June 29.

Buse Söğütlü Case

The lawsuit filed against journalist Buse Söğütlü due to “targeting those taking part in the fight against terrorism” after she shared the news published in the website of Gazete Yolculuk about the lawsuit filed against the Contemporary Lawyers Association members on March 18, 2019 on social media...

Court: Istanbul 23rd Assize Court

Verdict: The next hearing was scheduled for April 14.

Taylan Kulaçoğlu Case

The lawsuit filed against Taylan Kulaçoğlu due to “making illegal organisation propaganda” after he was arrested due to the posts made on the social media group “The Unnamed Movement” and was released in the third hearing of the case last December...

Court: Balıkesir 3rd Assize Court

Verdict: The judicial measures against Kulaçoğlu were revoked and the next hearing was scheduled for June 23.

Hatice Şahin Case

The lawsuit filed against Yeni Yaşam Daily reporter Hatice Şahin, who was detained in the operation in Diyarbakır on October 9, 2018 and was released, with the allegation of “illegal organisation membership” due to her phone calls with colleagues and news sources, secret witness statements, plane tickets between Diyarbakır and Istanbul as well as her participation in the activities of the Democratic Society Congress (DTK)...

Court: Diyarbakır 9th Assize Court

Verdict: The next hearing was scheduled for June 28.

Hayri Demir Case

The lawsuit filed against journalist Hayri Demir due to “terrorist organisation membership” and “making terrorist organisation propaganda”...

Court: Ankara 15th Assize Court

Verdict: The next hearing was scheduled for June 30.

HEARINGS NEXT WEEK

Temel Demirer Case

The lawsuit filed against writer Temel Demirer due to “praising the crime and the criminal” based on his speech during the commemoration of the Suruç Massacre that was organised in Kadıköy on July 20, 2017...

March 30, Tuesday at Istanbul Anatolian 33rd Criminal Court of First Instance

Nagehan Alçı Case

The lawsuit filed against Nagehan Alçı due to insulting the former Istanbul 37th Criminal Court of First Instance judge Hakan Yalçınkaya through a column published on June 15, 2018 on haberturk.com.tr...

March 31, Wednesday at Istanbul 2nd Criminal Court of First Instance

“FETÖ Media Structuring” Case

The lawsuit in which eight journalists and media workers, including Meydan Daily columnist and artist Atilla Taş, are on retrial after the reversal of the conviction against them by the Court of Cassation...

March 31, Wednesday at Istanbul 25th Assize Court

Gülcihan Şimşek Case

The lawsuit filed against Gülcihan Şimşek due to “illegal organisation membership” after she was arrested during the operations against the Rosa Women’s Association...

March 31, Wednesday at Diyarbakır 11th Assize Court

Case Against Journalists Over Reporting Torture

The lawsuit filed against Mesopotamia Agency (MA) reporters Adnan Bilen and Cemil Uğur, JinNews reporter Şehriban Abi, journalist Nazan Sala and MA reporter Zeynep Durgut due to “illegal organisation membership” after they were arrested due to reporting the news on the torture against two citizens in Van...

April 2, Friday at Van 5th Assize Court

Case Against Boğaziçi Protests

The lawsuit against 23 people, 2 of whom are arrested, due to “resisting to prevent duty,” “participating in meetings and demonstrations with arms and by covering their identities” and “unarmed participation against illegal meetings and demonstrations and not dispersing despite warning” after they were detained in the protest organised in Kadıköy district of Istanbul on February 2 within the protests organised against the appointment of AKP member Melih Bulu as rector to Boğaziçi University...

April 2, Friday at Istanbul Anatolian 38th Criminal Court of First Instance

İdris Yayla Case

The lawsuit filed against 28 people, including Jiyan News Owner İdris Yayla, due to “violating the Law on Meetings and Demonstrations No. 2911” due to the press statement organised in Batman against trustee operations in 2016...

April 2, Friday at Batman 1st Criminal Court of First Instance

Ziya Çiçekçi Case

The lawsuit filed against journalist and Yeni Özgür Politika Daily's Managing Editor Ziya Çiçekçi due to "making illegal organisation propaganda" through the posts made by the newspaper's social media account...

April 2, Friday at Istanbul 33rd Assize Court