

Think, think...

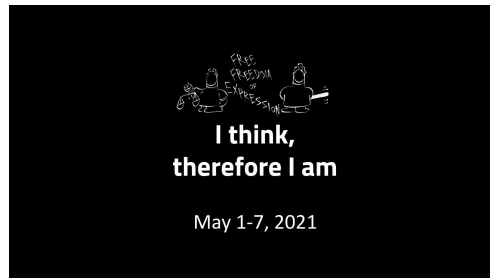


Freedom of Expression Weekly Newsletter (Issue 18/21 - May 7, 2021)

What happened last week?

- Turkey's debated "full lockdown" application continues. The Interior Ministry announced that more than 3 million people have issued work permits for themselves, as 20 sectors were exempted from the lockdown. In the meantime, tourists and mosque communities continue with their daily activities. The Radio and Television Supreme Council (RTÜK) Chairman Ebubekir Şahin sent a circular to TV channels and wanted visuals of "empty streets" to be used on broadcasts instead of crowds. Çavuşoğlu announced that "everyone who could potentially be seen by tourists" will be vaccinated by the end of May. According to the announcements of the Ministry of Health, only 11% of the population has been vaccinated. Thousands of workers, unable to get vaccinated, continue to be forced to work.
- The Interior Ministry Security General Directorate's circular on "banning the recording of security forces during social events" was carried to court by the Republican People's Party and many other Bar Association executives. Interior Minister Süleyman Soylu defended the circular by saying that they are protecting the privacy of the security force officers' lives. Let alone the privacy of life of an officer on duty, the circular attempts to render the right to information, which is a Constitutional right, unusable. Turkey is now a country, in which the only tool of protection for the citizens against the security violence that is increasing and getting more courageous every day are such visuals.
- The alcohol ban, that was attempted to be applied by the Interior Ministry even though it didn't take place in the full lockdown circular, now continues with the hands of Governorates. Many Governorates now attempt to bring alcohol bans in provinces until May 17, through Provincial Public Sanitation Councils. Even though the Governorates announce that the decisions are made "unanimously," many municipalities have announced that they were not informed of the decision. The alcohol ban issued by Governorates includes touristic provinces like Antalya and Izmir.
- With a surprise announcement, Nationalist Movement Party (MHP) leader Bahçeli revealed his "100-article Constitution draft". The draft [includes](#) the removal of expressions which restricts basic rights and freedoms, the Central Bank being given the status of a Constitutional organisation, strengthening of the Grand National Assembly of Turkey (GNAT) and suggestions on changes in the election and working of the Presidential system. The draft strengthens the Presidential system and takes the Constitutional Court out of "high court" status.
- Turkey entered the World Press Freedom Day in 2021 in a dark picture, as every year. *Details in the newsletter...*
- Rights violations continued with full speed in the two months passed after the announcement of Erdoğan on the Human Rights Action Plan. *Details in the newsletter...*

- The Constitutional Court expressed that the right to individual application in Turkey is a significant step for the development of human rights, whereas workload increases due to the courts “not applying the impartiality principle.” “*We have only one competitor in terms of workload, and that is the European Court of Human Rights,*” he said.
- As the resistance continues against the stone quarry to be constructed in İşkencedere Valley of Rize by Cengiz Construction company, known with its close relations with the Justice and Development Party (AKP), it was revealed that the Ministry of Transportation and Infrastructure gave permission to the company to construct a new stone quarry.
- Boğaziçi University units compiled the damage in the university as well as the academic, ethical violations as well as freedom of expression violations happening at the university since the appointment of Melih Bulu as rector to the university with a 40-article “[Damage Report](#).”
- According to the data compiled by Bianet, men killed at least 17 women in April, raped nine women and the deaths of at least 13 women reflected in the press as suspicious. [Please click here for details](#).
- According to official data, the consumer inflation increased 17.14 percent in April and peaked in the last 23 months. The Central Bank kept the interest rate stable at 19 percent.
- The Disciplinary Regulation for Public Officers was published in the Official Gazette and was enacted. Erdoğan now has the authority of disciplinary commanding of all public personnel.



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...

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



"Press In Trouble"

According to the data issued by Turkish Journalists Union, 274 journalists were prosecuted in 128 lawsuits last year. In concluded cases, journalists were sentenced to 226 years, 8 months and 25 days of imprisonment in total. Investigations were opened against 101 journalists. 57 journalists were kept in custody for 144 days in total. 44 journalists were physically

attacked. 62 news websites and 1411 news content were censored. The Radio and Television

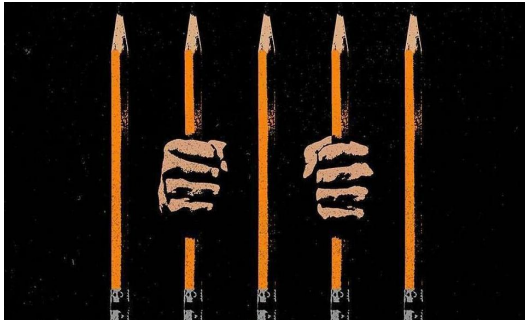
Supreme Council issued 41 broadcast bans against TV channels and the Press Ad Institute issued 212 ad bans against newspapers. Tens of journalists are still kept in prison. [Please click here for details.](#)



BIA launches 3-month media monitoring report

The Independent Communication Network (BIA) launched its Media Monitoring Report for the first quarter of 2021. According to the report, at least 228 journalists continued to be prosecuted due to 24 different charges, but especially due to “illegal organisation membership” and “making illegal organisation propaganda” in 83 lawsuits in the

first three months of the year. Nine journalists were convicted. Lawsuits were filed against four cartoonists and one journalist due to “insulting the President” through sharing their opinions about and criticisms against Erdoğan. [Please click here for details.](#)



‘Anatomy of Journalist Prosecutions in Turkey’ Report

Press In Arrest launched a report, ‘The Anatomy of Journalist Prosecutions in Turkey’ that involves data and analysis of court results from 240 different lawsuits filed against journalists. The data were obtained from the hearings of 240 separate lawsuits filed against 356 journalists since 2018 and reveal how measures of criminal

law in Turkey are used systematically to target legal activities of journalists. Under four main titles such as the arbitrary use of criminal law and the anti-terror law, arbitrary detainments and arrests, violations of the right to fair trial and the biased and dependent judiciary, the report presents proof on systematic human rights violations. [Please click here for details.](#)



Female journalists exposed to violence in Turkey the most

According to the data compiled by the Coalition of Women in Journalism based on the data for the first four months of 2021, the highest number of cases of violence against female journalists was recorded in Turkey. 114 female journalists became targets of harassment, attacks and threat through the judiciary, 50 were prosecuted due to their social media posts or news reported and three

were sentenced to imprisonment. [Please click here for details.](#)



Dicle Fırat Journalists Association's April Report

Dicle Fırat Journalists Association launched its 'April 2021 Rights Violations Against Journalists Report.' According to the report, at least nine journalists were detained in the one-month period; investigations were opened against two journalists, lawsuits were filed against five journalists and 24 different lawsuits were held

with 60 journalists standing trial as defendants. The Radio and Television Supreme Council issued five separate penalties against broadcasting organisations in April. 19 news articles and 17 websites were censored through decrees of the Criminal Judicatures of Peace.



Villagers detained over fight against stone quarry in İkizdere

As the villagers' watch continues against the stone quarry to be constructed in İkizdere district of Rize, the gendarmerie and construction machines started working on May 1st, Saturday despite the bans related to the pandemic. Villagers attempting to prevent the construction were detained. The

Federation of İkizdere Associations announced that at least five people were detained. In the meantime, the gendarmerie used force to take women away after they had chained themselves to the trees against construction machines.



No day without rights violation after Erdoğan's reformation announcement

The Republican People's Party has prepared a report on the rights violations happening since March 2, the day President Erdoğan announced the "Human Rights Action Plan." According to the report, in the two-month period, there was not one day without a human rights violation. According to the data compiled by the Republican People's Party, there were a total of 64 violations against

the right to meeting and demonstration, 96 violations against the right to freedom of expression and press freedom, 101 violations against the right to life as well as violations against moral and material property with torture and mistreatments. According to the data announced by the Interior Ministry legal actions were taken against 5478 people only in March due to their social media posts - 261 people were detained and 11 people were arrested.



Detainments on May 1

Those wanting to celebrate May 1st on the Labour and Solidarity Day were detained due to “measures on the pandemic.” The Security General Directorate announced that 394 citizens were detained in total after interventions against 29 demonstrations, which were claimed to have been organised illegally, outside the events

allowed on May 1st across the country. Journalists recording the police violence were prevented due to the unlawful circular recently issued by the Security Directorate, banning the recording of visuals of security officers. The police tried to delete the tapes by throwing journalists’ phones to the ground.



MHP continues to target journalists

Ebru Baki was targeted by Nationalist Movement Party (MHP) Parliament member İzzet Ulvi Yöner after evaluating the “new Constitution” announcement of Nationalist Movement Party (MHP) leader Devlet Bahçeli with her guests on a show on HaberTürk TV channel. Yöner targeted Ebru Baki’s “smile” as he wanted her guests to

evaluate the announcement. Afterwards, the channel’s Ankara News Director Bülent Aydemir protected the show host. The channel dismissed Aydemir and his support declaration was erased from the channel archives. Following the developments, HaberTürk TV Editor-In-Chief Kürşat Oğuz resigned from his position. Nationalist Movement Party (MHP) leader Bahçeli called for a boycott against the channel. HaberTürk administration is known for sacrificing journalism through the will of politicians, with other crises happening in the past.



Prosecutor insists on penalty against Bülent Şık over disclosure of cancer report

Istanbul Regional Court Prosecutor’s Office objected to the decree of acquittal issued by the appeal court for academic Bülent Şık, who had previously been sentenced to 1 year and three months of imprisonment due to sharing the results of a cancer research with the public. The related

research results had been hidden by the Ministry of Health before Şık’s announcement. Carrying the file to the Court of Cassation, the Prosecutor’s Office claimed that sharing data of a research that concerns public health is a “crime” (!) and “needs to be penalised” (!).



Imprisonment sentence against arrested journalist due to collecting articles

Previously shut-down Azadiya Welat Daily's Managing Editor Ismail Çoban, who was under arrest due to "illegal organisation membership" since April 2018, was sentenced to 2 years of imprisonment due to the newspaper article clippings he collected in prison from the Özgürlükçü Demokrasi Daily newspaper. Mersin Tarsus 8th Criminal Court of first Instance charged

the journalist with "possessing prohibited items in penitentiary institute" due to the newspaper clippings Çoban collected in order to read again later.



Intervention against mosque retreat with tear gas

The police intervened against the retreat of Furkan Foundation members in a mosque in Gaziantep with tear gas, eight community members were detained. Furkan Foundation members were intervened against in Adana as well. The Foundation's Founding Chairman Alparslan

Kuytul, his 14-year-old son and many others were detained.



Acquittal for "No" objection in Referendum

The lawsuit filed against citizens, who wanted to object against the results of the referendum on April 16, 2017 through a letter they wanted to submit to the electoral council at Istanbul Courthouse, was concluded four years later. Istanbul 14th Criminal Court of First Instance issued the acquittal of seven defendants, who were prosecuted due to "causing a disruption of public

peace in a courthouse" and "organising illegal meetings and demonstrations."



Investigation against Aykut Erdoğan

Ankara Chief Public Prosecutor's Office announced that an investigation was started against Republican People's Party (CHP) Parliament member Aykut Erdoğan following the application of President Erdoğan. The criminal complaint against Erdoğan claimed that Erdoğan attacked the personal rights of Erdoğan as he

announced on social media that he was being "exposed to political blackmail."



“Couple implication” lawsuit against Ilker Başbuğ

A lawsuit was filed against former Chief of General Staff İlker Başbuğ due to his expressions during an interview he gave for Cumhuriyet Daily in January. Başbuğ was asserted to have implied a “coup” as he expressed that *“in case early elections could be announced before the military*

coup in 1960, the coup could have been prevented.” Başbuğ faces an imprisonment sentence from 1 year up to 3 years due to “public incitement towards resentment and hostility.”



Double investigation against Imamoğlu

Cumhuriyet Daily writer Barış Pehlivan announced that Istanbul Chief Public Prosecutor’s Office started an investigation against Istanbul Metropolitan Municipality Mayor Ekrem Imamoğlu due to “showing disrespect through walking in Gülfem Hatun Mosque with his hands clasped in the back. The Istanbul Metropolitan Municipality Spokesperson has confirmed the allegation. Interior Ministry Spokesperson Mahir Çataklı announced that a pre-examination is being made before the investigation, and that in fact an

additional investigation has also been opened against Imamoğlu due to praising the criminal through his visits to People’s Democratic Party (HDP) municipalities.



Constitutional Court decree on torture ban violation

In the application of Şadiye Dilan Doğan, who was exposed to police violence and whose foot was trampled under an armoured vehicle during the demonstration organised in March 2014 for Berkin Elvan, the Constitutional Court decided that the torture ban was violated and issued 400

thousand 500 Turkish Liras of moral compensation to be paid to Doğan. In the decree of the first degree and administrative courts, Doğan had been found faulty. The police have not presented the CCTV recordings to the high court, whereas other recordings made by passersby and journalists became the basis for the conclusion of the case.



IFEX exhibition: ‘Faces of Free Expression’

IFEX has launched the exhibition, “Faces of Free Expression” together with the International Project for Freedom of Expression, which hosts many activists around the world. The exhibition is on the ongoing fight of activists and their work,

including work by people from Turkey as well. The exhibition presents Rakel Dink, Zehra Doğan, Eren Keskin, Pınar Selek, Erol Önderoğlu and our initiative's spokesperson Şanar Yurdatapan, together with many other activists from around the world. [Please click here for details.](#)



Access ban against JinNews and Mesopotamia Agency

New access bans were added to those already have been imposed against the websites of JinNews and Mesopotamia agency. With decrees issued by three different Criminal Judicatures of Peace in Diyarbakır, JinNews was banned from access for the sixth time in the last fifteen days.



Refugee to be deported over criticising AKP

Syrian refugee Munip Ali was detained after he criticised the intervention against Furkan Foundation members in a mosque in Gaziantep with tear gas. Ali shared the intervention against the foundation members on social media together with congress visuals of the Justice and Development Party (AKP). Because of that, Ali

was charged with “public incitement towards resentment and hostility” and he was decided to be deported.



5-year protest ban extended once again in Van

Ignoring the right to meeting and demonstration, which is protected by the Turkish Constitution, for five years, Van Governorate extended the protest and demonstration ban across the province for another 15 days, between May 4 and May 18.



Court of Cassation decree on Vartinis Massacre

The 1st Criminal Chamber of the Court of Cassation issued a decree in the Vartinis (Altınova) Massacre in 1993, which caused the deaths of nine people from the same family in Muş. Five years after the acquittal decree issued for former District Gendarmerie Command Lieutenant Bülent Karaoğlu, the Court of Cassation reversed the acquittal decree two years

before the time limitation. On the other hand, the court approved the acquittal decrees issued for three defendants - one special operations officer and two soldiers.



ECtHR: Media blackout is freedom of expression violation

The European Court of Human Rights (ECtHR) issued a decree of rights violation on the media blackout issued against news on the “corruption” investigation started against four ministers at the Grand National Assembly of Turkey. The high court decided that the freedom of expression of

journalist Banu Güven was violated, as her job is to report and announce news on such matters.



ECtHR: Kerestecioğlu’s freedom of expression violated

In the application made by the People’s Democratic Party (HDP) Ankara Parliament Member Filiz Kerestecioğlu on the revocation of her Parliamentary immunity, the European Court of Human Rights (ECtHR) decided that Kerestecioğlu’s freedom of expression was violated in accordance with Article 10 of the

European Convention on Human Rights (ECHR).



TRIALS OF FREEDOM OF EXPRESSION

*** Prosecutions are paused due to the full lockdown measures against the pandemic.