

# Think, think...



## Freedom of Expression Weekly Newsletter (Issue 21/21 - May 28, 2021)

### What happened last week?

- The seventh video of criminal organisation leader Sedat Peker became the highlight of Turkey's agenda this week. A warrant was issued against Peker. Peker pointed to Mehmet Ağar and Korkut Eken as the perpetrators of the murders of journalists Kutlu adalı and Uğur Mumcu. He further named former Prime Minister Binali Yıldırım's son, Erkan Yıldırım in the organisation of the drug trafficking between Venezuela and Turkey. At the time, there was news that Turkey was to import cheese from Venezuela and that cocaine was identified inside cheese boxes, which was a curious coincidence. A committee was established in the Parliament of Northern Cyprus for the allegations to be searched into, whereas the motion to establish a research committee on the allegations was denied at the Grand National Assembly of Turkey with votes of the Justice and Development Party and the Nationalist Movement Party members.
- Izmir, Bursa and Diyarbakır Bar Associations filed a criminal complaint against Sedat Peker, Süleyman Soylu, Mehmet Ağar, Tolga Ağar and Erkan Yıldırım for the investigation of the claims made by criminal organisation leader Sedat Peker on YouTube, regarding drug trafficking, murder, rape and many other crimes. The decree of acquittal issued for 19 defendants, including Mehmet Ağar, in the Ankara Gendarmerie Intelligence and Anti-Terror lawsuit on 19 unidentified murders in 1990s, [was reversed](#) by the appeal court. Human Rights Association Co-Chair Öztürk Türkdoğan called for Mehmet Ağar to be arrested immediately due to the potential of him "escaping."
- Interior Minister Süleyman Soylu was the guest of five journalists on HaberTürk TV to answer their questions, whereas he didn't answer almost none of their questions. In the three-hour broadcast, Soylu preferred to tell the audience that he was a target of an international operation, as well as about the works of the Interior Ministry and his years of youth. Soylu lied and said that there was no unidentified murders, neither was a case of torture under their ruling in Turkey, which was heavily denied by the civil society. He further targeted the BBC Turkey as an "institute of disinformation." The Palace kept its silence and the Nationalist Movement Party (MHP) leader Bahçeli became the first politician to make a supportive statement for Soylu. Erdoğan, on the other hand, announced his support for Soylu only during the group meeting of his party.
- During the group meeting of his party at the Grand National Assembly of Turkey, Erdoğan threatened opposition parties. He commented on the provocation against Meral Akşener in İkizdere and said, "Rize residents gave a lesson to her, and they could have gone even further. Hold on, these are still your bright days, you will see so much worse."
- Minister of Family and Social Services Derya Yanık stated that the increase in male violence in Turkey is "tolerable" as she was evaluating official numbers on male

violence in Turkey. Women's organisations [reacted heavily](#) against the expressions of Yanık.

- Summaries were presented to the Parliament against 10 more People's Democratic Party (HDP) and independent Parliament members. There are currently more than 1300 summaries at the Parliament, 915 of which are against the People's Democratic Party (HDP) members, 248 of which against the Republican People's Party (CHP) members, 14 of which against the Justice and Development Party (AKP) members, 12 of which against the İyi Party members and 2 of which against the Nationalist Movement Party (MHP) members, together with other party members and independent Parliament members.
- Ankara Chief Public Prosecutor's Office summoned 84 people to testify within the investigation opened against the petition launched by 103 retired admirals on the Montreux Convention. The investigation charges the petition of being a "convention to commit crimes against the security of the state as well as against the Constitutional Court." Legal action has been taken against certain signatories of the petition previously within the investigation and those people have been released on the condition of judicial measures.
- The Saturday Mothers went to Galatasaray Square and left carnations there on the 26th anniversary of their fight, even though the square was banned to them. "[We have a promise for our missing loved ones. We will never give up until the last of them is found,](#)" the mothers stated.
- Eight years have passed since the Gezi Park protests... [Here is a summary](#) of the memorable incidents of the past.
- The State of Emergency Applications Monitoring Committee announced that 115,130 of the 126,674 applications on rights violations regarding the Statutory Decrees issued within the State of Emergency were evaluated since December 2017 and that 101,058 of them were denied. The committee is considered to be an "effective domestic legal remedy" (!) and has accepted only 14,072 of all applications so far.
- A 34-times heavy life imprisonment was claimed against the only arrested defendant in the lawsuit on the ISIS attack against Suruç on July 20, 2015, which resulted in the deaths of 34 people. It has been revealed that the security intelligence unit has been tracking human bomb Abdurrahman Alagöz before the attack due to potential protest but has taken no measures. The families' claim for public administrators to be included in the investigation, remains.
- The US Dollar / Turkish Lira exchange rate has seen an all time high level with 8.5981. Gold's price in Turkish Liras has seen the highest level of the last seven months as well, with 522,5 Turkish Liras.



**I think,  
therefore I am**

May 22-28, 2021

*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 video newsletters...*

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### **Case of “insulting Bahçeli”**

A lawsuit was filed against a Facebook user due to “insulting a public officer because of his duty” through a post regarding Nationalist Movement Party (MHP) leader Devlet Bahçeli; a warrant was issued against the user. In the post subject to prosecution the user has reposted a news article of Sözcü Daily about a speech given by Bahçeli and written, “Put this man in a senior house, he’s become so senile

and is going mad.”



### **Lawsuit against journalist Roza Metina**

The first hearing of the lawsuit filed against JinNews Kurdish editor Roza Metina, who was detained in November 2020 within the investigation against the Democratic Society Congress (DTK), was held at Diyarbakır 5th Assize Court. The journalist is charged due to being a delegate of the Democratic Society

Congress, a member of the previously shut-down Kurdish Writers Association member as well as her possession of banned books at her household. The prosecution of the journalist will continue on September 14.



### **Journalist Mehmet Aslan released**

Journalist Mehmet Aslan was released in the first hearing of the lawsuit filed against him at Istanbul 24th Assize Court due to “illegal organisation membership” and “reporting news that are provocative for the masses” through the news he reported as well as his meetings with news resources. The next hearing was scheduled for October 14. Mesopotamia News

Agency reporter Aslan has been arrested since January 9.



### **Compensation case against Yaman Akdeniz over announcing access ban against news**

Serhat Albayrak, who is the brother of former minister and President Erdoğan's son-in-law Berat Albayrak, filed a 100-thousand-TL compensation lawsuit against law expert Yaman Akdeniz from the Freedom of Expression Association. The lawsuit was filed due to Akdeniz announcing the access ban

brought against the news article regarding the denial of the lawsuit filed by the Albayrak brothers against journalist Pelin Ünker due to her news on the Paradise Papers.



### **Lawsuits against DTK Co-Chair Leyla Güven**

Two separate lawsuits were filed against the Democratic Society Congress (DTK) Co-Chair Leyla Güven due to her expression, "Mr Öcalan," which has been evaluated by the Court of Cassation within "freedom of expression" in 2012. In the indictments accepted by Şırnak Criminal Court of First

Instance and Hakkari 2nd Criminal Court of First Instance, Güven is charged with "praising the crime and the criminal" as well as "public incitement towards resentment and hostility" through his statements at People's Democratic Party (HDP) provincial organisations.



### **7-year 6-month imprisonment against HDP Co-Mayor**

Iğdır 2nd Assize Court sentenced Iğdır Co-Mayor Yaşar Akkuş, who was dismissed and was replaced with a trustee by the Interior Ministry, to 7 years and six months of imprisonment due to "illegal organisation membership" through his "secret witness statements" as well as the political activities he

conducted. Akkuş has been arrested within the file since May 2020.



### **Lawsuit against artists singing in Kurdish**

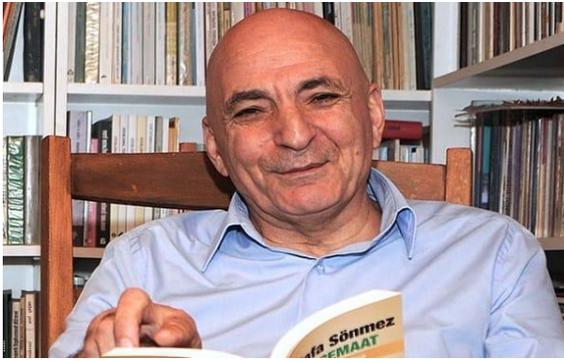
A lawsuit was filed against Koma Awaza Azad band members, who took the stage during the Newroz celebrations in Van on March 21 and were continuing their activities at Aryen Culture, Arts and Research Association. The first hearing of the lawsuit, filed due to "making illegal organisation propaganda," will

be held on September 20, 2021 at Van 4th Assize Court.



### **Union member Başaran Aksu sentenced to 5-month imprisonment**

Independent Mining Labour Union Organisation Expert Başaran Aksu was sentenced to five months of imprisonment in the lawsuit filed against him at Soma 2nd Criminal Court of First Instance due to “public incitement towards committing crimes” through a speech he gave during the protest of mining workers, who fought for their unpaid salaries and compensation after the disaster in Soma district of Manisa.



### **Sönmez to retake his press card**

The lawsuit filed by Economics writer and producer Mustafa Sönmez against the Presidential Communications Directorate to take his press card back, was concluded. Ankara 12th Administrative Court decided for the press card of Sönmez to be issued and handed to him as his card was taken from him after 32 years.



### **27th access ban against JinNews**

Diyarbakır 2nd Criminal Judicature of Peace issued an access ban against two websites of JinNews within the same day on May 21. The agency started its work in 2017 and has been censored 27 times in total and eight times in the last month.



### **Health Labourers Union members and executives detained**

Health Labourers Union Co-Chair Selma Atabey and many other former executives of the union were detained in different provinces within the Ankara-based investigation against the union.



### **Five detentions in front of AKP Ankara Provincial Organisation**

Five community house members were detained after they wanted to protest the relationship between politics and the mafia in front of the Justice and Development Party (AKP) Ankara Provincial Organisation. The first target of the police intervention was a protester, who was

recording the protest.



### **Protest ban in Kırklareli**

Kırklareli Governorate banned all protests and demonstrations for 15 days with the excuse of the pandemic. The province has recently become a highlight of local protests against the stone quarry to be constructed in Evciler village of Pınarhisar district.



### **Adana Governorate bans press statement**

The Governorate banned the press statement organised by the “Adana Democracy Forces” composed of various political parties, unions and democratic mass organisations in Adana. The press statement was on the “end of exploitation, corruption, mafia and gangs.”



### **Police intervention against those wanting to march towards Çaykur Hopa Factory**

The police intervened against the protesters marching towards the Çaykur Factory in Hopa district of Artvin, more than 10 people were detained. The protesters were protesting the tea purchase prices and quotas recently declared by the government.



### **Protest ban in Izmir**

The Izmir Governorate banned all protests, events, demonstrations and meetings across the province for seven days due to the COVID-19 pandemic.



### **Gunshots during protest against marble quarry**

Soldiers and guards intervened against those protesting the construction of a marble quarry in Gürpınar district of Van. Gunshots were fired during the intervention and four people were detained.



### **Justice Ministry files lawsuit to annul legal license of Yiğiter**

The Ministry of Justice has filed a lawsuit against the Turkish Bar Associations Union at Ankara 2nd Administrative Court for the annulment of the legal license of academic Cenk Yiğiter, who is an Academics for Peace Petition signatory and has previously lost his license for a long time after his dismissal from

Ankara Faculty of Law.



### **Expression Interrupted launches report on freedom of expression**

Working within P24, Expression Interrupted launched the “Freedom of Expression and Press Freedom Agenda” report on the first four months of 2021. The report starts with a summary on the political and legal developments regarding freedom of expression and press freedom, with subsections on the European Court of Human Rights, high judicial decrees, violations on fair trial, attacks against journalists as well as penalties issued by the

Press Ad Institute and the Radio and Television Supreme Council. According to the report, 213 journalists were prosecuted and 20 journalists were sentenced to a total of 57 years and ten months of imprisonment in the first four months of 2021. New investigations were opened against at least 14 journalists. According to the Expression Interrupted data, the number of imprisoned journalists is currently 68. The report further notes that there was no significant decrease in the number of lawsuits filed against journalists even though the number of imprisoned journalists was 87 at the beginning of 2021. [Please click here](#) for details.



### **Interior Ministry prevents party establishment**

The application of the Human and Freedom Party (PIA) at the Administrative Court due to its establishment letter and documents not being processed by the Interior Ministry, was concluded. Ankara 13th Administrative Court decided for a stay of execution since the consequences will be hard to compensate for.

Even though the ministry defended itself by saying that the documents were not processed since May 2018 due to the pandemic as well as the provisions in the party byelaw on education in Kurdish as well as minorities having the right to decide for their own fate together with their cultural rights, the court decided for the establishment letter and documents to be accepted within the next months and that party executives have to be met by the ministry. The ministry objected to the court decree.



### **Violations Against the Right to Meeting and Demonstration (2015-2019)**

The Human Rights Foundation of Turkey (TIHV) Academy launched an information note with the title, “Shutting Down the Streets” in which it examined violations against the right to meeting and demonstration between the years 2015 and 2019. According to the note, 4,771 violations happened against the right to

meeting and demonstration, 20,071 people were detained and 662 people were arrested in the four-year period. Lawsuits were filed against 4,907 people due to similar charges related to the lawful use of the right to meeting and demonstration, 999 people were sentenced to a total of 13,370 months of imprisonment. 63 people were fined a total of 268,235 Turkish Liras. 4,450 people faced physical violence by police forces and 90 people were injured due to the fire opened by the police. 160 people have lost their lives in the attacks against peaceful meetings and demonstrations, 19 of whom due to the use of force by the police. [Please click here](#) for details.



### **Investigation against former Diyarbakır Bar Association Chairman Cihan Aydın**

An investigation was opened against former Diyarbakır Bar Association Chairman and lawyer Cihan Aydın due to “making terrorist organisation propaganda” through his press statement with the title, “No to War, Peace, Right Now” organised on October 11, 2019.



## TRIALS OF FREEDOM OF EXPRESSION

### **Ismnaz Temel and Havva Cuştan Case**

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

**Court:** Istanbul 27th Assize Court

**Verdict:** The next hearing was scheduled for October 12, 2021.

### **“Unnamed” Case**

The lawsuit filed against street artist with alias “Unnamed” due to “public denigration of the Turkish flag” and “insulting the President” through his drawings on the panels with Devrim Erbil paintings on them as well as his Twitter posts...

**Court:** Istanbul 20th Criminal Court of First Instance

**Verdict:** The next hearing was scheduled for October 14.

### **Ramazan Akoğul Case**

The lawsuit filed against previously shut-down Dicle News Agency (DIHA) reporter Ramazan Akoğul due to “illegal organisation membership”...

**Court:** Diyarbakır 4th Assize Court

**Verdict:** The next hearing was scheduled for October 26.

### **Selahattin Demirtaş Case**

The lawsuit filed against former People’s Democratic Party (HDP) Co-Chair Selahattin Demirtaş with the allegation of insulting former Prime Minister Ahmet Davutoğlu...

**Court:** Istanbul 47th Criminal Court of First Instance

**Verdict:** The court decided for the CD’s on the group meetings and press statements sent from the Grand National Assembly of Turkey to be sent to an expert for their analysis and scheduled the next hearing for October 13.

### **Ferhat Tunç Case**

The lawsuit filed against artist Ferhat Tunç due to “insulting a public officer” through his social media posts in 2016...

**Court:** Büyükçekmece 16th Criminal Court of First Instance

**Verdict:** The next hearing was scheduled for October 21.

### **Dindar Karataş Case**

The lawsuit filed against journalist Dindar Karataş due to “illegal organisation membership” through his journalistic activities...

**Court:** Erzurum 3rd Assize Court

**Verdict:** The next hearing was scheduled for September 7.

### **Mehmet Şahin Case**

The lawsuit filed against Kurdish Xwebun Daily writer Mehmet Şahin due to “establishing and managing an illegal organisation” through his activities within the Democratic Society Congress (DTK)...

**Court:** Diyarbakır 5th Assize Court

**Verdict:** The next hearing was scheduled for October 14.

## HEARINGS NEXT WEEK

### **Yılmaz Çelik Case**

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

**June 1, Tuesday at Tunceli 2nd Assize Court**

### **Osman Akın and Veysi Sarısözen Case**

The lawsuit filed against Yeni Yaşam Daily’s Managing Editor Osman Akın and writer Veysi Sarısözen due to “making illegal organisation propaganda” through three news articles and one column published in the October 8, 2018 issue of Yeni Yaşam Daily...

**June 2, Wednesday at Istanbul 13th Assize Court**

### **Taraf Daily Case**

The lawsuit filed against Taraf Daily reporter Mehmet Baransu and executives Ahmet Altan, Yasemin Çongar and Yıldırım Oğur due to the news on the “Egemen Operation Plan” published in the newspaper...

**June 2, Wednesday at Istanbul 13th Assize Court**

### **Abdurrahman Gök Case**

The lawsuit filed against journalist Abdurrahman Gök due to “illegal organisation membership” and “making illegal organisation propaganda” through his phone calls with news resources, social media posts and the news he reported...

**June 3, Thursday at Diyarbakır 5th Assize Court**

### **Lawsuit Against Boğaziçi Protests**

The lawsuit filed against eight students, who were detained as they were protesting for their arrested friends at Boğaziçi University, as well as 4 others who were detained due to “carrying rainbow flags”...

**June 3, Thursday at Istanbul 24th Criminal Court of First Instance**

### **Lawsuit Against Documentary Nû Jîn**

The lawsuit filed against director Veysi Altay and Dicle Anter after they were convicted of “making terrorist organisation propaganda” through the screening of the documentary movie Nû Jîn (2014) and were on retrial after the reversal decree of the appeal court...

**June 3, Thursday at Batman 2nd Assize Court**

### **Reyhan Çapan Case**

The lawsuit filed against Özgür Gündem's former Managing Editor Reyhan Çapan due to "making illegal organisation propaganda through press" and "publishing or printing terrorist organisation statements" after the merging of 18 different indictments against her...

**June 3, Thursday at Istanbul 2nd Assize Court**

**Lawsuit Against News on Economy**

The lawsuit filed against Bloomberg reporters Kerim Karakaya and Fercan Yalınkılıç due to the news they reported on the loss of value of the Turkish Lira, as well as 38 people, including journalists and economists, who shared the news on Twitter, due to "damaging the economy"...

**June 4, Friday at Istanbul 3rd Criminal Court of First Instance**