

Think, think...



Freedom of Expression Weekly Newsletter (Issue 40/21 - October 15, 2021)

What happened last week?

- Republican People's Party (CHP) leader Kılıçdaroğlu stated, "I am concerned that political murders may be committed" and his statement was followed by the statements of IYI Party Deputy Chairman Koray Aydın, "we have similar feelings" and Future Party Leader Davutoğlu's statement, "our friends warn us to be careful as well". Presidential Spokesperson Fahrettin Altun responded to the statement by saying that they were "an effort to create a climate of fear", and the Ankara Chief Public Prosecutor's Office [launched an investigation](#) into the allegations.
- While calls for and the possibility of early elections gained strength, discussions on the "Kurdish Question", which is the critical determinant of political alliances, also gained momentum. Opposition parties show GNAT as the address for solution while accepting the problem, and see the People's Democratic Party (HDP) and other Kurdish political formations as an addressee. For now, the Palace maintains their stance, "The Kurdish problem is no longer existent, we solved it". In a joint statement made by 15 bar associations in Kurdish provinces, it was [stated](#), "*We consider it essential to include all segments of society in the search for a solution to the Kurdish problem.*"
- Events organised on the 6th anniversary of the October 10 Ankara Train Station Massacre, in which 103 people lost their lives and more than 500 were injured, were prevented and the ongoing trial in Ankara is in danger of coming to a deadlock. Although the police and intelligence correspondence reflected in the press revealed a "fault of the state", no administrative or judicial investigation has been initiated against any public official yet. While no attempt was made to find the fugitive suspects, the lawyers [say that](#) the court continues to leave information about the suspect or witness ISIS members mentioned in the file, or their other demands unanswered, and that this "decreases their belief that justice will be established".
- The perpetrator Onur Gencer, who killed People's Democratic Party (HDP) member Deniz Poyraz in the attack against the HDP Provincial Chairmanship on June 17, 2021 in Izmir, was charged with "willful homicide", "violating workplace immunity" and "damaging a building, facility used by political parties or professional organizations" with a claim of aggravated life imprisonment and up to seven years in prison. The HDP management insists that the attack was planned; however, the judicial authorities are not attempting to deepen the investigation.
- The Council of State [upheld](#) the decision of the Ministry of Interior to pay compensation of 1 million 66 thousand liras to the family of Hrant Dink, the Editor-in-Chief of Agos Daily, who was murdered due to the "defects in service".

- Erdoğan dismissed Central Bank Vice-Presidents Semih Tümen and Uğur Namık Küçük, as well as Abdullah Yavaş, the only Monetary Policy Committee Member who did not sign the final interest rate decision. The US dollar, which gained momentum with the depreciation and interest rate cuts after the dismissals, [continues](#) to break records against the TL...
- Two police officers lost their lives in the attack targeting Turkish military forces in Northern Syria (Rojava); Erdogan [hinted](#) at a possible new cross-border operation, saying "we have no patience"...



Our weekly video program, “[COGITO ERGO SUM](#),” in which we track Turkey’s freedom of expression and thought agenda, is on our [YouTube channel](#) every Friday...

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Lawsuit against journalist Derya Okatan

The first hearing of the lawsuit filed against journalist Derya Okatan with the allegation of "propagandizing for a terrorist organization" on the grounds of the news shared from the social media accounts of the Aktif News Agency, of which she was the Editor-in-Chief, regarding the Afrin operation was held at the Istanbul 29th Assize Court. The court decided to issue a letter on whether the file can be combined with another file against the journalist at the Istanbul 29th Assize Court and scheduled the next hearing for January 26.

Nol-pros for September 12 drawing depicting Erdoğan and Evren



The investigation against lawyer Efkan Bolaç, who was charged with "inciting the public towards resentment and hostility" due to the

tweet he shared on the anniversary of the September 12 military coup, resulted in a verdict of non-prosecution. In his post made in 2015, Bolaç shared the drawing depicting Kenan Evren and President Erdogan dressed in military clothes, with the comment, "[September 12ists are not dead, they live in the heart of the ruling power, September 12ists may be in their graves, but their ideas are in power](#)".



Lawsuit against news on “Bilal Erdoğan’s lucky friend”

A lawsuit was filed against Cumhuriyet Daily’s Editor-In-Chief Serkan Ozan, Managing Editor Olcay Büyüktaş Akça, Online News Director Ozan Yurtoğlu and reporter Hazal Ocak on the grounds of the news published in the newspaper with the headlines, “Bilal Erdoğan’s lucky friend” and “Friend becomes tender-

rich.” The first hearing of the case against the journalists was held at the Istanbul 2nd Criminal Court of First Instance on the charge of "insult".



‘Insulting Erdoğan’ case against defense during ‘Insulting Erdoğan’ case

Another lawsuit was filed against People's Liberation Party (HKP) Chairman Nurullah Ankut, who was sentenced to 4 years and 8 months in prison for "insulting the President" in his books "The Lawlesses 2" and "The Lawlesses 3", due to his defense in court. Ankut is again accused of "insulting the President" within the scope of the case, whose

first hearing was held at the Istanbul 48th Criminal Court of First Instance. The next hearing will be held on February 10.



11-month 20-day imprisonment against journalist Doğan Ergün

İleri News Editor-in-Chief Doğan Ergün was sentenced to 11 months and 20 days in prison due to the news published in 2014, that allegedly contained audio recordings between then-Prime Minister Erdoğan and Milliyet Daily’s owner Erdoğan Demirören. The

Istanbul Anatolian 45th Criminal Court of First Instance deferred the announcement of the verdict in the sentence given due to “insulting the President.”



Lawsuit against CHP Deputy Chairman

The court issued a decree of non-jurisdiction in the lawsuit filed against Republican People's Party (CHP) Deputy Chair Gökçe Gökçen at the Ankara 18th Assize Court on the charge of "assault against the President" due to the booklet "The Political Limb of FETO in 21 Questions" prepared by the Republican

People's Party (CHP). After the hearing, the party members, including deputies, made a press statement in front of the courthouse and were prevented by the police from holding banners.



Journalist Ruşen Takva acquitted

The final hearing of the lawsuit filed against journalist Ruşen Takva, on the charges of "terrorist organization membership" and "violating the Law on Meetings Demonstrations" due to following the press statement organized by the Democratic Regions Party (DBP) on January 8 in Van,

where protests and demonstrations have been banned by the Governorate for years, as a journalist. The Van 2nd Assize Court issued the acquittal of the journalist.



Journalist Roza Metina acquitted

The final hearing of the lawsuit filed against journalist Roza Metina was held on the charges of "terrorist organization membership" due to carrying out activities at the Democratic Society Congress (DTK), being a member of the Kurdish Writers' Association and possessing banned publications in her home. Diyarbakır 5th Assize Court issued the

acquittal of the journalist. The Prosecutor's Office appealed the acquittal decree on the same day.



Lawsuit against Ivy Association executive

Ivy Association's Executive Board member Dr Mehmet Selim Ölçer, who was dismissed with a Statutory Decree issued within the State of Emergency in 2016 over providing food aid for the families in Diyarbakır living below the poverty line for ten years, was sentenced to 2

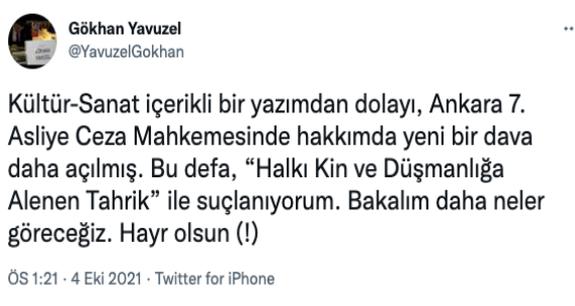
years and one month in prison due to “wilfully aiding and abetting an illegal organisation” in the lawsuit filed against him at Diyarbakır 9th Assize Court.



Police intervention against Train Station Massacre commemoration

Six years have passed since the October 10 Labor, Peace and Democracy Rally, in which ISIS carried out a bomb attack. 103 people killed were wanted to be commemorated in front of the Ankara Train Station in the 6th year of the massacre, but the Ankara Governorate restricted the commemoration due to the

pandemic. The police, who intervened with tear gas against the citizens wanting to attend the commemoration, have beaten at least 22 people and detained them.



Lawsuit against writer Gökhan Yavuzel

A lawsuit was filed against writer and PEN International member Gökhan Yavuzel on the charge of "openly inciting the public towards resentment and hostility", due to an article he wrote with a cultural and artistic content. The first hearing of the case will be held on December 7 at the Ankara 7th Criminal Court

of First Instance.



Investigation against Çağlayan Bozacı

An investigation was launched against Çağlayan Bozacı, who lost his father Osman Turan Bozacı in the October 10 Ankara Massacre, on the charge of "insulting the President" because of the speech he gave at his father's grave in Pazar district of Rize on the anniversary of the massacre. Bozacı was

detained and was later released on the condition of judicial measures.

Lawsuit against lawyer over trying to protect client



Lawyer Nevzat Ercan, who opposed the beating of A.Y. as they were detained in Iskenderun on August 27, 2019 for allegedly fleeing from the police checkpoint, was prosecuted on charges of "resisting to prevent

duty" and "misconduct of duty". The lawyer faces an imprisonment sentence for up to 3 years within the indictment accepted by Hatay 4th Assize Court.



Kurdish interview prevented due to "pandemic"

Avesta Publishing announced that the Kurdish literature interview they organised in Mardin with the participation of writer Mirza Metin was prevented by the police based on the pandemic. The publishing house announced that they decided to pause their literary events in Mardin.

2 books now free



The lawsuit filed to request a stay of execution and a reversal against the decree of restriction issued against the "Declaration of the Rights of Female Children" and the "Declaration of the Rights of Male Children" after they were declared "obscene publications" by the Council to Protect Children from Obscene Publications,

was concluded. The two books are no longer considered "obscene" publications.



Investigation against commemoration for Miraç Miroğlu

An investigation has been launched against the mass commemoration organised by the People's Democratic Party (HDP) Idil district organisation for 7-year-old Miraç Miroğlu, who lost his life as a result of being hit by an armored police vehicle in Idil district of

Şırnak's on September 3rd, on the allegation of "inciting the public towards resentment and hostility."



Investigation against students over criticising police violence

An investigation has been launched against university students, who criticized the police violence and rights violations during the Boğaziçi University protests in Ankara with a video they published, on the charge of

"denigrating the state" in accordance with Article 301 of the Turkish Criminal Code.



Investigation against Hasan Cemal

An investigation was launched against T24 writer and journalist Hasan Cemal on the charge of "insulting the President" due to his social media posts.



KESK members acquitted

The retrial of 30 members of the Confederation of Public Workers' Unions (KESK), who were convicted of "terrorist organization membership" due to the protests they participated in in Izmir, was concluded after the Constitutional Court's decree of violation. Izmir 12th Assize Court issued a verdict of acquittal for all the defendants as a result of the trial that lasted for 13 years.



Lawsuit against trustee protest

The latest hearing of the lawsuit filed against 26 members of the Lawyers Association for Freedom (ÖHD) and Contemporary Lawyers Association, on the charge of "participating in unlawful demonstrations and marches" due to the press statement they organised against the trustee operations against People's Democratic Party (HDP) municipalities, was held at the

Izmir 8th Assize Court. The next hearing was scheduled for February 11.



Journalist Sinan Aygül sentenced to judicial fine

Bitlis Journalists Association President and Bitlis News Editor-in-Chief Sinan Aygül, who was tried and sentenced due to a news article published in 2015, stood trial again on the grounds that he violated the terms of the deferral of the verdict. Bitlis 2nd Assize Court

sentenced the journalist to a judicial fine of 16,660 TL on the charge of "terrorist organisation propaganda."



Event banned in Şırnak

The celebration organised by the People's Democratic Party (HDP) Cizre district organisation in Şırnak was not permitted by Cizre District Governorate based on the COVID-19 pandemic.



Summary against 4 more MPs

Summaries prepared against Republican People's Party (CHP) Parliament member Ali Mahir Başarır, Turkish Workers' Party (TIP) Parliament member Ahmet Şık as well as People's Democratic Party (HDP) Parliament members Garo Paylan and Hüseyin Kaçmaz were presented to the Parliament

Chairmanship, claiming for their Parliamentary immunities to be revoked.



Nol-pros for Gökhan Güneş's abduction

Istanbul Küçükçekmece Chief Public Prosecutor's Office issued a verdict of non-prosecution regarding the criminal complaint about Gökhan Güneş's abduction in Istanbul on January 20, 2021 and regarding him being exposed to torture and other ill-treatment during the 6 days he was kept hostage.



Access ban against news on access ban

Access bans were issued against the tweet of Prof. Yaman Akdeniz as well as against the announcement of Engelliweb on the access ban issued against the news that Çemişgezek District Governor Mehmet Güder caused the death of a citizen with the car he drove and that he didn't even have to testify. Çemişgezek

Criminal Judicature of Peace issued the access ban on the grounds that the related news and announcements "violated personal rights."



Access ban against news on “fake health report scandal”

Silivri Criminal Judicature of Peace issued an access ban against journalist İsmail Saymaz's news coverage of Halk TV, Gerçek Gündem and Karadeniz Daily with the headline, "The fake health report scandal exploded in the Turkish Hard Coal Enterprises (TTK): Reports issued without going to the hospital, daily

wages received without going to work" on the grounds of “violation of personal rights”. Saymaz's news was about the fake health report scandal in the Turkish Hard Coal Enterprises in Ereğli district of Zonguldak.



Access ban against news on suspicious death

Antalya 1st Criminal Judicature of Peace issued an access ban against the news published in Mesopotamia Agency on the suspicious death of Antalya Bilim University Faculty of Law student Havva Nur Çalışkan, who was found dead at a hotel in Muratpaşa district in Antalya.



TRIALS OF FREEDOM OF EXPRESSION

Hatice Şahin Case

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

Court: Diyarbakır 9th Assize Court

Verdict: The next hearing was scheduled for January 26.

Rojda Oğuz Case

The lawsuit filed against journalist Rojda Oğuz on the charges of “illegal organisation membership” and “making illegal organisation propaganda”...

Court: Van 4th Assize Court

Verdict: The next hearing was scheduled for January 13.

Hayri Demir Case

The lawsuit filed against journalist Hayri Demir on the charges of “terrorist organisation membership” and “making terrorist organisation propaganda” due to his journalistic activities in Northern Syria...

Court: Ankara 15th Assize Court

Verdict: The court denied the claim for the revocation of the travel ban against the journalist. The next hearing was scheduled for December 21.

Isminaz Temel and Havva Cuştan Case

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

Court: Istanbul 27th Assize Court

Verdict: The court denied the claim for the revocation of judicial measures and scheduled the next hearing for February 15.

Onur Kocamaz Case

The lawsuit filed against folk music artist Onur Kocamaz on the charge of “public incitement to resentment and hostility” through a social media post he made in 2019...

Court: Ankara 35th Criminal Court of First Instance

Verdict: The warrant against the artist was revoked and the next hearing was scheduled for January 18.

Selahattin Demirtaş Case

The lawsuit filed against People’s Democratic Party (HDP) former Co-Chair Selahattin Demirtaş on the charge of “insulting” the then-Prime Minister Ahmet Davutoğlu due to the statements he made during the curfew in Cizre in 2015...

Court: Istanbul 47th Criminal Court of First Instance

Verdict: The next hearing was scheduled for March 30.

Case Against Boğaziçi University Students

The lawsuit filed against 4 students, who were detained due to “carrying a rainbow flag” as they were protesting for their arrested friends at Boğaziçi University, as well as 8 students, who were detained as they were protesting the situation...

Court: Istanbul 24th Criminal Court of First Instance

Verdict: The next hearing was scheduled for January 18.

Case Against Trustee Protest

The lawsuit filed against journalists Ahmet Kanbal, Mehmet Şah Oruç, Rojda Aydın, Nurcan Yalçın, Halime Parlak and 8 others on the charge of “violating the Law on Meetings and Demonstrations No. 2911” after they were detained during the protest organised in Mardin on August 20, 2019 against the trustees appointed to Mardin, Diyarbakır and Van Metropolitan Municipalities...

Court: Mardin 1st Criminal Court of First Instance

Verdict: The court decided for the file to be sent to the Prosecutor’s Office so that the Prosecutor

"Unpermitted" Case

The lawsuit filed against the street artist with the alias "Unpermitted" on the charges of "public denigration of the Turkish flag" and "insulting the President" through their drawings on the panels depicting paintings of Devrim Erbil, as well as their Twitter posts...

Court: Istanbul 20th Criminal Court of First Instance

Verdict: The next hearing was scheduled for January 13.

Mehmet Aslan Case

The lawsuit filed against Mehmet Aslan on the charge of "illegal organisation membership" and "making provocative news for the masses" through the news he reported and his meetings with news resources...

Court: Istanbul 24th Assize Court

Verdict: The next hearing was scheduled for December 16.

Mehmet Şahin Case

The lawsuit filed against Kurdish Xwebun Daily writer Mehmet Şahin on the charge of "establishing and managing an illegal organisation" due to his activities at the Democratic Society Congress (DTK)...

Court: Diyarbakır 5th Assize Court

Verdict: The next hearing was scheduled for February 3.

Case Against Protest for Hasankeyf

The lawsuit filed against Jiyun News Agency's Managing Editor Sonya Bayık and 31 others on the charge of "violating the Law on Meetings and Demonstrations" after they were detained during the press statement organised by the People's Democratic Party (HDP) Youth Assembly members on June 12, 2019 with the demand to stop the activity of the Ilisu Dam, which left Hasankeyf underwater...

Court: Batman 1st Criminal Court of First Instance

Verdict: The next hearing was scheduled for February 10.

Hayko Bağdat Case

The lawsuit filed against journalist Hayko Bağdat on the charge of "making illegal organisation propaganda" due to his social media posts...

Court: Istanbul 28th Assize Court

Verdict: The court decided for the warrant issued against the journalist, who resides abroad, to remain and scheduled the next hearing for January 27.

May 1 Case

The lawsuit filed against 15 trade union members, including the Confederation of Revolutionary Trade Unions of Turkey (DISK) Chair Arzu Çerkezoğlu on the charge of "violating the Law on Meetings and Demonstrations No. 2911" after they were detained during the police intervention against the demonstration at Taksim Square for May 1 in 2020...

Court: Istanbul 20th Criminal Court of First Instance

Verdict: The next hearing was scheduled for February 15.

Seyhmus Gökalp Case

The lawsuit filed against Turkish Medical Association High Honorary Council member Dr Şeyhmus Gökalp, MD, on the charge of “illegal organisation membership” within the investigation conducted by the Diyarbakır Chief Public Prosecutor’s Office against the Democratic Society Congress (DTK)...

Court: Diyarbakır 10th Assize Court

Verdict: The Prosecutor presented their opinion on the basis and claimed for Gökalp to be sentenced based on his participation in the congresses organised by the Democratic Society Congress (DTK). The next hearing was scheduled for November 19.

HEARINGS NEXT WEEK**Taraf Daily Case**

The lawsuit filed against previously shut-down Taraf Daily reporter Mehmet Baransu and executives Ahmet Altan, Yasemin Çongar and Yıldray Oğur...

October 18, Monday at Istanbul 13th Assize Court

Case Against Las Tesis Demonstration

The lawsuit filed against 24 women on the charges of “violating Article 301 of the Turkish Criminal Code” and “violating the Law on Meetings and Demonstrations No. 2911” due to the demonstration organised in Izmir on December 15, 2019 within the Las Tesis demonstrations, which started in Chile to protest violence against women and later spread throughout the world...

October 19, Tuesday at Izmir 7th Criminal Court of First Instance

Ali Ekber Barmağıc Case

The lawsuit filed against environmental activist and Munzur Environment, Culture and Solidarity Association Chairman Ali Ekber Barmağıc on the charge of “making illegal organisation propaganda” due to his social media posts as well as the publications found in his house...

October 19, Tuesday at Tekirdağ 2nd Assize Court

Ayşe Gökkan Case

The lawsuit filed against Free Women’s Movement (TJA) Spokesperson Ayşe Gökkan on the charges of “illegal organisation membership” and “making illegal organisation propaganda” twice...

October 20, Wednesday at Diyarbakır 9th Assize Court

Case Against Trustee Protest

The lawsuit filed against journalists Ahmet Kanbal, Mehmet Şah Oruç, Rojda Aydın, Nurcan Yalçın, Halime Parlak and 8 others on the charge of “violating the Law on Meetings and Demonstrations No. 2911” after they were detained during the protest organised in Mardin on August 20, 2019 against the trustees appointed to Mardin, Diyarbakır and Van Metropolitan Municipalities...

Ferhat Tunç Case

The lawsuit filed against artist Ferhat Tunç on the charge of “insulting a public official” due to his social media posts in 2016 on then-Prime Minister Binalı Yıldırım...

October 21, Thursday at Büyükçekmece 16th Criminal Court of First Instance

Rüstem Batum Case

The lawsuit filed against journalist Rüstem Batum on the charge of “insulting the President”...

October 21, Thursday at Istanbul 41st Criminal Court of First Instance

Sadiye Eser and Sadık Topaloğlu Case

The lawsuit filed against journalists Sadiye Eser and Sadık Topaloğlu, who were arrested in December 2019 due to their travels abroad as well as previous lawsuits filed against them and were released in the first hearing of the lawsuit filed against them in March 2020 on the charge of “illegal organisation membership”...

October 21, Thursday at Istanbul 22nd Assize Court

Case Against News on Torture

The lawsuit filed against journalists Adnan Bilen, Cemil Uğur, Şehriban Abi, Nazan Sala and Zeynep Durgut on the charges of “illegal organisation membership” and “making illegal organisation propaganda” due to reporting the news of two citizens in Van being heavily injured after torture and one losing their life...

October 21, Thursday at Van 5th Assize Court

You may find all news of the week on www.dusun-think.net; and the pdf format of the newsletter on www.dusun-think.net/bultenler.