

Think, think...



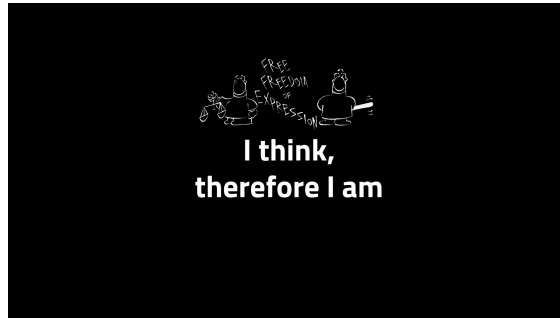
Freedom of Expression Weekly Newsletter (Issue 48/21 - December 10, 2021)

What happened last week?

- Ordinary Court of Accounts audits [revealed](#) the prevalence of the illegal use of public facilities by many provincial and district municipalities of the Justice and Development Party (AKP) and the Nationalist Movement Party (MHP), especially by institutions close to the government, like the Turkey Youth Foundation (TÜGVA) and Ensar Foundation.
- The new president of the Union of Turkish Bar Associations became President of the Ankara Bar Association, Atty. Erinç Sağkan, after the end of Metin Feyzioğlu's Presidency. Feyzioğlu has been at the center of criticism from many bar association administrations and legal organizations for a long time, especially with his support for the "multiple bar association regulation" brought by the government.
- Upon the intense reaction from professional organizations and the public, the foundation management, which owns Cumhuriyet Daily, turned back from the decision to dismiss 8 journalists.
- While the minimum wage negotiations continue, reactions increase against the data announced by the Turkish Statistical Institute. While the Republican People's Party (CHP) leader's request to meet the Turkish Statistical Institute officials could not be met, the Republican People's Party (CHP) filed a criminal complaint against the institution with the accusation of "falsifying documents". According to the data announced by the institution during the week, the unemployment rate decreased by 0.2 points in October compared to the previous month and became 11.2 percent!
- The release of People's Democratic Party (HDP) former Parliament Member Aysel Tuğluk, who suffers from amnesia, is demanded. In the meantime, allegations [gain strength](#) on the Forensic Medicine Institute making ideological decisions regarding ill inmates, despite the existence of hospital reports.
- Erdoğan said the Turkish economy, which is going downhill, was inspired by the "Chinese model". Although Turkey competes with China in low wages and practices where fundamental rights are violated, it lacks the "coal resources" and other energy resources owned by China, the use of which is a matter of serious debate. The depreciation of the Turkish lira paralyzed sectors that depend on import products such as paper. Local newspapers were out of print, and the increase in the prices of toilet paper and paper towels remained on the agenda throughout the week.
- Erdoğan said, "We do not recognize the EU decrees on Kavala and Demirtaş"! The decrees Erdoğan is talking about are the decrees of the European Court of Human Rights, which Turkey accepted its mandatory jurisdiction in 1990, not of the EU. With this statement, Erdoğan also announced that the Article 90 of the Constitution, which states, "international conventions duly put into effect by the country have the force of

law; and the convention is superior in case of conflict with the laws”, is also “null and void.”

- Van Bar Association [took](#) Governorate decrees, which has been suspending Constitutional freedoms for a long time, to the Constitutional Court, following the rejection of their various applications to the Regional Administrative Court regarding the protest and demonstration ban that have been implemented in the province for more than five years.



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...

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



Access ban against news on CHP Group Meeting

T24 news about the speech Kemal Kılıçdaroğlu made at the Republican People’s Party’s (CHP) Group meeting of the Grand National Assembly of Turkey on February 11, 2020, was banned from access as a result of the application made by the deputies of President Erdoğan with the allegation of

"violation of personal rights". At the group meeting, Kılıçdaroğlu asked 20 questions regarding the "political limb of the Gülen group" and said, "The name of the person who handed over the state to FETO is Recep Tayyip Erdoğan."



Kurdish play performance banned

The Mardin Governorate banned the performance of the Kurdish play Tartuffe, which was planned to be staged by the Amed City Theater on December 5, citing the "protest and demonstration ban", which was extended for another 15 days in the province. The Governorate also prevented the Health Workers' Union from hanging banners on

resignations, citing the same decision. The Governorate had announced the protest and demonstration ban "on the grounds of pandemic". Two days after this incident, the Governorate allowed another theater play to be staged, this time in Turkish.



Journalist detained while following news information

Colemêrghaber Owner Mimar Kaya was first prevented from recording the "traffic quarrel" between minibus and private car drivers on Hakkari highway, later he was detained on the grounds that "his press card expired".



EMEP Executive Council member Levent Tüzel acquitted

Labour Party (EMEP) Executive Council Member Levent Tüzel was acquitted in the lawsuit filed against him, facing 7 to 15 years in prison for allegedly being a Democratic Society Congress delegate.



Journalist Koçuk convicted in first hearing

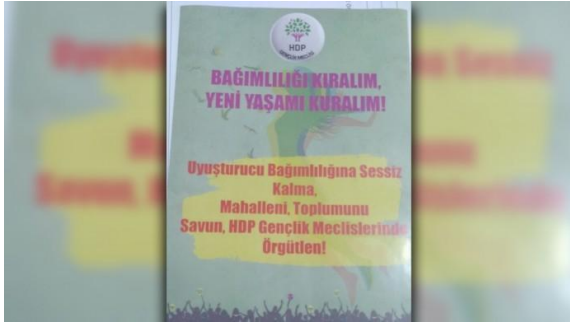
Jin News reporter Gülşen Koçuk stood trial for the first time in Diyarbakır 9th Assize Court due to her "social media posts". The journalist was sentenced to 1 year, 10 months and 15 days in prison; and the court deferred the announcement of the verdict.



Journalist Hazar Dost detained

Halk TV reporter Hazar Dost, who went to Antalya to follow up on the news about the murder of a student in a private student dormitory affiliated with the Science and Culture Association, was detained. The Confederation of Progressive Trade Unions of Turkey (DISK) Press-Labour announced that the journalist was detained because of another news story about Atılım University. Regarding

the murder that took place in the dormitory, Antalya 6th Criminal Court of Peace quickly imposed a media blackout and issued a confidentiality order about the investigation.



Anti-drug petition banned

Urfa Governorate banned the distribution of the anti-drug petition prepared by the People's Democratic Party (HDP) Youth Assembly as part of the "Let's break addiction and build a new life" campaign.



First hearing held in lawsuit against Çetin Kurşun

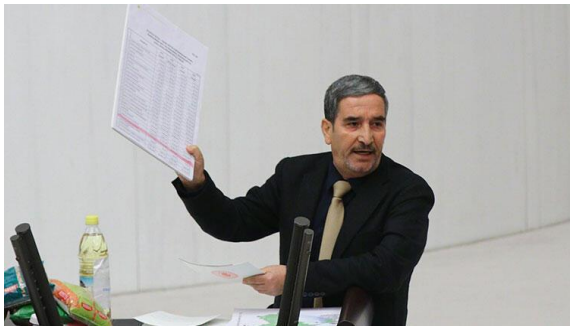
The first retrial hearing of the lawsuit filed against Çetin Kurşun, a reporter for the previously shut-down Azadiya Welat Daily, was held on the charge of "terrorist organization membership". Kurşun and his lawyer were excused from the meeting. Due to the temporary nature of the court board, the case was adjourned to January 27, 2022.



Impunity for Back to Life Operation Prosecutor

Prosecutor Ali İhsan Demirel, who conducted the investigation on the "Back to Life Operation" organized against Bayrampaşa Prison within the framework of the "Flood" plan, was acquitted in the lawsuit filed against him for negligence on the grounds that he had failed the investigation, ignored the evidence

and protected the high-ranking officials. The presiding judge and a member of the court put an annotation on the verdict and said, "He is proven guilty".



HDP MP penalised due to speech on Kurdistan

People's Democratic Party (HDP) Şanlıurfa Parliament Member Nusraddin Maçın used the phrase, "We will come to power with the slogan of freedom in Kurdistan" in his Parliamentary speech and was thus penalised to not attend the three sessions of the

Parliamentary General Assembly.



16 Boğaziçi University academics summoned to testify

As protests of academics continue against the appointment of rectors at Boğaziçi University, 16 academics were summoned to the Istanbul Chief Public Prosecutor's Organized Crime Investigation Bureau upon the complaint of the appointed rector, Naci İnci. The Rectorate demanded that the protesting academics be penalised with the accusations of "violating the Law of Misdemeanor" and "violating the Law on Meetings and Demonstrations". The reason for the complaint was that the sign of "trusteeship" was placed on the Rectorate building and that the academics "turned their backs against the rectorate".



Journalist Kanbal stands trial in first hearing

The first hearing of the lawsuit filed against Ahmet Kanbal was held on charges of "targeting those who took part in the fight against terrorism" and "insulting a public official". The court allowed Kanbal and his lawyer additional time to prepare their defense statement against the opinion on the merits and adjourned the case to February 2, 2022.



Kaftancıoğlu to pay more compensation to Erdoğan

The compensation penalty of 56 thousand liras, issued against Republican People's Party (CHP) Istanbul Provincial Chair Kaftancıoğlu for insulting President Erdoğan with her Twitter posts, was increased to 290 thousand Turkish liras by the appeal court after the appeal of Erdoğan's lawyers.



TRIALS OF FREEDOM OF EXPRESSION

<p style="text-align: center;"><u>Adalet Kaya Case</u></p> <p>The consolidated file of the other lawsuits filed against Rosa Women's Association President Adalet Kaya due to being a delegate to the Democratic Society Congress (DTK), her participation in a statement of the association she is the head of, and some of her posts on her social media account...</p> <p>Court: Diyarbakır 11th Assize Court Verdict: The next hearing was scheduled for March 7.</p>	<p style="text-align: center;"><u>Gökhan Yavuzel Case</u></p> <p>The lawsuit filed against writer Gökhan Yavuzel on the charge of “public incitement towards hatred and enmity” for an article with a culture and art content...</p> <p>Court: Ankara 7th Criminal Court of First Instance Verdict: The next hearing was scheduled for March 17.</p>
<p style="text-align: center;"><u>Kenan Kırkaya Case</u></p> <p>The lawsuit filed against journalist Kenan Kırkaya and 8 others on the charge of "terrorist organization membership" for being the moderator of the show, "Glance at Ankara" on Med Nuce TV Channel, which broadcasts in Turkish in Belgium, was tried together with 8 people...</p> <p>Court: Ankara 14th Assize Court Verdict: The next hearing was scheduled for January 20.</p>	<p style="text-align: center;"><u>Cihan Ölmez Case</u></p> <p>The lawsuit filed against journalist Cihan Ölmez on the charge of “making propaganda for a terrorist organisation”...</p> <p>Court: Diyarbakır 5th Assize Court Verdict: A warrant was issued against Ölmez, who was absent from the hearing. The next hearing was scheduled for March 1.</p>
<p style="text-align: center;"><u>Antalya G20 Protests Case</u></p> <p>The lawsuit filed against 17 people, including journalists Sema Karakurt and Eylem Sonbahar, on charges of “resisting to prevent duty” and “insulting” due to the G20 Summit protests held in Antalya in 2015...</p> <p>Court: Antalya 25th Criminal Court of First Instance Verdict: The next hearing was scheduled for March 29.</p>	<p style="text-align: center;"><u>Vartinis Massacre Case</u></p> <p>The lawsuit filed on the Vartinis Massacre, in which 9 people, including 7 children, were killed on October 3, 1993 in Altınova town of Korkut district in Muş, which is under the threat of statute of limitations and impunity...</p> <p>Court: Kırıkkale 1st Assize Court Verdict: The next hearing was scheduled for January 27.</p>
<p style="text-align: center;"><u>RedHack Case</u></p>	<p style="text-align: center;"><u>Case Against 2021 Pride March</u></p>

<p>The lawsuit filed against journalists Tunca Öğreten, Mahir Kanaar, Derya Okatan, Ömer Çelik, Eray Sargin and Metin Yoksı on charges of “making terrorist organisation propaganda,” “prevention and disruption of informatics system, destruction or changing of data,” “acting on behalf of a terrorist organisation without membership” and “terrorist organisation membership” due to covering the emails belonging to Minister of Energy and Natural Resources, Berat Albayrak, leaked by RedHack...</p> <p>Court: Istanbul 29th Assize Court Verdict: The next hearing was scheduled for December 31.</p>	<p>The lawsuit filed against 8 people, who were detained during the 2021 Istanbul Pride Parade after it was banned by Beyoğlu District Governorate, on the charge of “violating the Law on Meetings and Demonstrations”...</p> <p>Court: Istanbul 16th Criminal Court of First Instance Verdict: The court judge was excused from the hearing and the case was adjourned.</p>
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Beyza Kural Case

The lawsuit filed against police officers K.A., N.D. and Y.Ş., who prevented journalist Beyza Kural from performing her profession, on the charge of “violation of the freedom to labour” in accordance with Articles 117/1 and 119/1-e of the Turkish Criminal Code...

Court: Istanbul 3rd Criminal Court of First Instance

Verdict: The defendant police officers did not attend this hearing as well. The case was adjourned to March 11.

HEARINGS NEXT WEEK

<p style="text-align: center;"><u>Atty. Oya Aslan Case</u></p> <p>The lawsuit filed against Contemporary Lawyers Association (ÇHD) member Atty. Oya Aslan on the charge of “armed terrorist organisation membership”...</p> <p style="text-align: center;">December 13, Monday at Istanbul 37th Assize Court</p>	<p style="text-align: center;"><u>Durket Süren Case</u></p> <p>The lawsuit filed against journalist Durket Süren on charges of "wilfully aiding a terrorist organization" and "making propaganda for a terrorist organization"...</p> <p style="text-align: center;">December 13, Monday at Diyarbakır 11th Assize Court</p>
<p style="text-align: center;"><u>Cameraman Rojhat Doğru Case</u></p> <p>The lawsuit filed against Gelî Kurdistan TV former cameraman Rojhat Doğru on charges of "damaging the unity and integrity of the country", "terrorist organization membership"</p>	<p style="text-align: center;"><u>Engin Korkmaz Case</u></p> <p>The lawsuit filed against Contemporary Journalists Association (ÇGD) Mediterranean Branch Chairman and Antalya Körfez Daily’s Editor-in-Chief Engin Korkmaz, on charges of</p>

<p>and "making propaganda for a terrorist organization"...</p> <p style="text-align: center;">December 14, Tuesday at Diyarbakır 8th Assize Court</p>	<p>"insulting the President" due to his social media posts...</p> <p style="text-align: center;">December 15, Wednesday at Antalya 19th Criminal Court of First Instance</p>
<p style="text-align: center;"><u>Derya Okatan Case</u></p> <p>The lawsuit filed against journalist Derya Okatan due to the news, titled "Mersin Women's Platform states they are exposing abusive lawyer Onur Kale", which was published while he was the Editor-in-Chief of Aktif News Agency (ETHA)...</p> <p style="text-align: center;">December 16, Thursday at Istanbul 39th Criminal Court of First Instance</p>	<p style="text-align: center;"><u>Journalist Mehmet Aslan Case</u></p> <p>The lawsuit filed against journalist Mehmet Aslan on charges of "terrorist organization membership" and "news coverage to agitates/provokes the masses" due to his news and interviews with news resources...</p> <p style="text-align: center;">December 16, Thursday at Istanbul 24th Assize Court</p>
<p style="text-align: center;"><u>TV10 Workers Case</u></p> <p>The lawsuit filed against previously shut-down TV10 cameraman Kemal Demir and employee Kemal Karagöz on the charge of "terrorist organization membership"...</p> <p style="text-align: center;">December 16, Thursday at Istanbul 28th Assize Court</p>	<p style="text-align: center;"><u>Citizen K.M. Case</u></p> <p>The lawsuit filed against a citizen named K.M. on charges in accordance with Article 310 of the Turkish Criminal Code, including "the crime of Assassinating the President and Physical Assault" due to the evaluations he shared on social media...</p> <p style="text-align: center;">December 16, Thursday at Ankara 20th Assize Court</p>
<p style="text-align: center;"><u>Aslı Erdoğan Case (Retrial)</u></p> <p>The lawsuit filed against previously shut-down Özgür Gündem Daily's columnist and Editorial Advisory Board member Aslı Erdoğan on the charge of "making propaganda for a terrorist organization"... (The case was closed due to time limitation and the appeal court issued a retrial.)</p> <p style="text-align: center;">December 16, Thursday at Istanbul 23rd Assize Court</p>	<p style="text-align: center;"><u>Case Against G20 Protesters</u></p> <p>The lawsuit filed against 17 people, including journalists Sema Karakurt and Eylem Sonbahar, on charges of "resisting to prevent duty" and "insulting" due to the G20 Summit protests held in Antalya in 2015...</p> <p style="text-align: center;">December 17, Friday at Antalya 25th Criminal Court of First Instance</p>