

# Think, think...



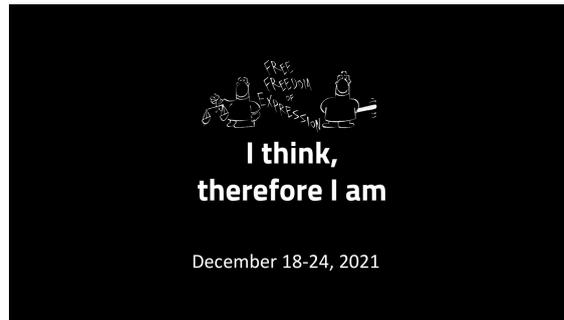
## Freedom of Expression Weekly Newsletter (Issue 50/21 - December 24, 2021)

### What happened last week?

- After the historical depreciation of the Turkish lira, the Erdoğan ruling went to a "disguised increase in interest rates". In case the earnings of the depositors, who carry their foreign currency savings to their Turkish Lira accounts with a maturity of 3, 6, 12 months are below the income they will obtain from their foreign currency investments, the difference will be covered by the state treasury. Although the historical depreciation of the Turkish Lira decreased somewhat with the sales after this announcement, the treasury, meaning the tax collected from the citizens, will pay the bill of the new "currency-protected Turkish Lira time deposit" policy, which [draws reactions](#)...
- After the Council of Europe decree on "violation of procedure," Istanbul 13th Assize Court re-examined the case of businessman and activist Osman Kavala over the file, and once again decided for Kavala to remain arrested. Kavala has been arrested for more than one thousand and five hundred days despite a European Court of Human Rights decree for his release.
- Announcing that the coronavirus vaccine TURKOVAC has been approved for emergency use, Health Minister Fahrettin Koca said, "We have become one of the 9 countries producing a COVID-19 vaccine." The Turkish Medical Association called on the Ministry of Health and requested that all scientific data regarding the domestic vaccine be shared.
- Amnesty International launched a report, titled, "Turkey, Take Words into Action" and focused on women's rights in Turkey. The report starts with the tweet shared by Interior Minister Süleyman Soylu in March 2021, "We are with you whenever you need with a zero-tolerance attitude regarding violence against women", and continues with the message of President Erdoğan during his Human Rights Action Plan introductory meeting, where he said, "Until we see the day when not a single woman is a victim of violence, we will continue this fight with the cooperation of institutions, non-governmental organizations, media and all parts of society". Afterwards, the report examines what has been done and what hasn't since. Examining the existing laws, the gaps in these laws and the standards that the authorities are obliged to comply with after the decision to withdraw from the Istanbul Convention, Amnesty International reveals the gaps between promises and practices in the report, which also includes data on violence and inequalities against women. [Please click here](#) for details.
- The Human Rights Foundation of Turkey (TIHV) has published its research study, titled, "Changes in the Fight for Human Rights in Turkey: International Mechanisms, Localization and Solidarity in the Example of the Human Rights Association", in which it evaluated the changes and transformations that the fight for human rights has

undergone since the 1980s. After the first part of the study, which deals with the establishment and first practices of the Human Rights Association, the 1990s are evaluated under the title of "Learning Intervention and Battle on the Road". The 2000s were covered in the report under the title of "Increasing the Capacity for Change", with the effects of the diversification of civil organizations focusing on different rights demands on the human rights movement in Turkey being discussed. [Please click here](#) for details.

- The Council of State suspended the execution of the regulation in the lawsuit filed by professional press organizations against the Press Card Regulation. The Supreme Court ruled that the authority of the Presidential Communications Directorate is limited to issuing cards and that it does not have the authority to determine to whom the card will be given and in which cases the press card will be cancelled.
- 45 former Hürriyet Daily employees, who were fired without compensation for being members of the Journalists' Union of Turkey, won the case they filed against Demirören Media Group. The court ruled that 22 of the journalists be reemployed and given trade union compensation.
- Former Peoples' Democratic Party (HDP) Adıyaman MP Dr Behçet Yıldırım, who was arrested and imprisoned on the charge of "terrorist organization membership" about two months ago, was released from prison.



*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...*



### **Emine Şenyaşar summoned to testify for 11th time**

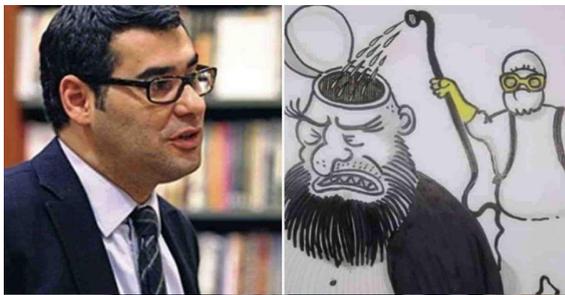
A new investigation has been added to the investigations launched against Emine Şenyaşar, who has been on watch in front of the Urfa courthouse for months after her husband and two sons were murdered by the bodyguards and relatives of Justice and

Development Party (AKP) Parliament Member İbrahim Halil Yıldız in 2018. Şenyaşar is charged with "insulting a public official" because of the words she uttered in her laments in front of the courthouse...



### Acquittal in Özgür Gündem Daily Case

The lawsuit filed against 22 journalists, who were detained during the police raid against Özgür Gündem Daily after it was shut-down with a Statutory Decree in August 2016, on charges of "resisting to prevent duty" and "insulting" at the Istanbul 5th Criminal Court of First Instance resulted in acquittal.



### 9-month imprisonment sentence against journalist Enver Aysever

Journalist-writer Enver Aysever, who was prosecuted for sharing a cartoon drawn by cartoonist Mehmet Birol Çün, was sentenced to 9 months in prison for "public incitement towards hatred and hostility".



### Racist attack against Syrians in Izmir

Three Syrian nationals working in a factory in Izmir were burned to death by suspect K.K as they were sleeping. It was stated that the attack, which was reflected in the media 35 days later, was carried out with racist motives.



### Kılıçdaroğlu to pay 80,000 TL compensation

The Ankara 3rd Civil Court of First Instance sentenced Republican People's Party (CHP) Chairman Kemal Kılıçdaroğlu to 80,000 Turkish Liras in non-pecuniary damages due to his criticisms against President Erdoğan during the Parliamentary group meeting on January 1, 2021. [Please click here](#) for the related group

meeting.



### **Impunity in Umut Bookstore Case**

Defendant Sergeants Ali Kaya and Özcan İldeniz and confessor Veysel Ateş, who were caught red-handed in the bomb attack against the Umut Bookstore in Şemdinli district of Hakkari in June 2006, and the prison sentences of 39 years, 5 months and 10 days issued against whom were overturned, stood trial once again at Van 1st Assize Court and they were

acquitted.



### **Case against journalists Ergün and Sezer adjourned**

The proceeding of the lawsuit filed against former Editor-in-Chief of Ileri Haber, Doğan Ergün, and the then-Managing Director, Izel Sezer, started at the Istanbul 33rd Criminal Court of First Instance on charges of "successive insult" and "slander," due to covering and reporting the tweets about President Erdoğan's former lawyer Mustafa second hearing of the case was scheduled for

Doğan İnal making bribery bargains. The March 10.



### **House raids in Izmir**

13 people, including Peoples' Democratic Party (HDP) Central Executive Board member Emin Orhan and Etkin News Agency (ETHA) reporter Ertürk Yılmaz, were detained during house raids organised in Izmir. 9 people held in the police station were released after their statements and health checks, and a lawsuit was filed against 4 people detained with the

allegation of "terrorist organization membership" due to a secret witness statement. The 4 names who testified at the Izmir Chief Public Prosecutor's Office in this context were released.



### **Court of Cassation revokes party membership of EMEP Deputy Chairman**

The Court of Cassation revoked the party membership of Labour Party Deputy Chairman Umut Yeğın, citing the sentence issued against him in the lawsuit filed for insulting the President due to the slogan "Murderer Erdoğan" during a protest in Van after the October 10 Massacre. The Court of Cassation responded to the objection that there is no such

justification in the law, and pointed out to the Turkish Criminal Code dated 1926, which is not currently in force.



### **Ivy Association members and executives sentenced to imprisonment**

Selim Ölçer, Member of the Board of Directors of the Ivy Anti-Poverty and Sustainable Development Association, which was established by Diyarbakır Metropolitan Municipality and provincial civil organizations in 2006 and was closed in 2016 with a Statutory Decree, as well as members Mahmut Erinç and Haydar Kılıçođlu were convicted on

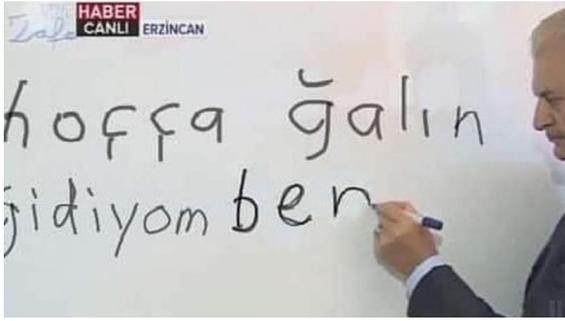
the charge of "aiding a terrorist organization". The directors and members of the association, who helped more than 4 thousand people in need in 10 years, were sentenced to 2 years and 1 month in prison by the Diyarbakır 9th Assize Court.



### **Publishers attacked during Safranbolu book fair**

Publishers participating in the book fair organized by Safranbolu Municipality were attacked after being targeted by the news in the local press that "books of Selahattin Demirtaş are on sale at the book fair". Publisher and actor Haldun Açıksözlü's stand was attacked by

a group from Karabük Grey Wolves. The group dispersed the books, damaged the surroundings and threatened publishers. Açıksözlü shared the footage of the attack and stated that he was subjected to a lynching attempt and that boiling tea was spilled on him during the attack. Police detained three booksellers who were attacked, along with the attackers who tried to collect Demirtaş's books from the stands.



### **Investigations against anyone and everyone**

An investigation has been launched against university student Elif Yerlikaya, who shared her Cyprus flight ticket on her social media account with the message "So long, I'm leaving", on charges of "openly humiliating the government of the Republic of Turkey and the judicial bodies of the state" and "inciting the public to hatred and hostility". The same phrase Yerlikaya used in her social media post was used by the then-Prime Minister, Binali Yıldırım, who tried to write the expression on a blackboard as he was visiting a school at the opening event of the 2016-2017 academic year.



### **Police intervention against press statement for prisoners**

The press statement that was organised in Taksim Tünel Square under the initiation of the Democratic Institutions Platform regarding the ongoing isolation in prisons and ill prisoners who lost their lives, was prevented due to the ban decision of the Istanbul Governorate; The police detained 11 institution representatives and the relatives of the prisoners. 6 ill prisoners have lost their lives in prisons in the last month, and at least 59 ill prisoners have died in prisons since the beginning of 2020, according to the data of the Human Rights Association. The Forensic Medicine Institute continues to prevent the release of ill prisoners, despite reports from public hospitals.



### **Constitutional Court rules Aynur Kudin's death not effectively investigated**

The Constitutional Court adjudicated on the application of the lawyers of Aynur Kudin, who lost her life in 2014 due to the intense use of tear gas by the police during the street protests in Viranşehir district of Urfa. The court ruled that the application made with the allegation that Kudin's "right to life was violated" was acceptable and that an effective investigation was not carried out regarding the incident. General proceedings regarding Kudin's death were initiated one year after the incident, no public official or witness was asked to testify, and 4 years after the incident, a verdict of non-prosecution was issued.



### **Impunity in Cizre JITEM Case**

The 1st Criminal Chamber of the Supreme Court of Appeals denied the objections made against the decrees for eight defendants, including the then Cizre District Gendarmerie Commander, retired Colonel Cemal Temizöz, in the JITEM Case regarding the abduction and execution of 21 people. The case was officially closed.



## **TRIALS OF FREEDOM OF EXPRESSION**

<p style="text-align: center;"><b><u>Hayri Demir Case</u></b></p> <p>The lawsuit filed against journalist Hayri Demir on charges of "terrorist organization membership" and "making propaganda for a terrorist organization" on the grounds of his journalism activities in northern Syria...</p> <p><b>Court:</b> Ankara 15th Assize Court  <b>Verdict:</b> The case was adjourned to April 19.</p>	<p style="text-align: center;"><b><u>Ahmet Sever Case</u></b></p> <p>The lawsuit filed against the former Chief Press Advisor of 11th President Abdullah Gül, Ahmet Sever on charges of "insulting the President" and "insulting a public official" because of his book, "I Will Pour Out My Heart/Me As A Witness"...</p> <p><b>Court:</b> Istanbul 2nd Criminal Court of First Instance  <b>Verdict:</b> The case was adjourned due to the excused absence of the court judge.</p>
<p style="text-align: center;"><b><u>Can Dündar Özgür Gündem Case</u></b></p> <p>The lawsuit filed against Can Dündar on charges of "printing or publishing the statements of terrorist organizations" for participating in the Özgür Gündem Substitute Editing-In-Chief campaign in 2016...</p> <p><b>Court:</b> Istanbul 22nd Assize Court  <b>Verdict:</b> Can Dündar's lawyers were absent from the hearing with excuses, therefore the case was adjourned.</p>	<p style="text-align: center;"><b><u>Ferhat Tunç Case</u></b></p> <p>The lawsuit filed against artist Ferhat Tunç on charges of "terrorist organisation membership" and "making propaganda for a terrorist organisation"...</p> <p><b>Court:</b> Diyarbakır 5th Assize Court  <b>Verdict:</b> The court decided to wait for the execution of the warrant issued against Tunç and adjourned the case to May 10.</p>
<p style="text-align: center;"><b><u>Eren Keskin and Reyhan Çapan Case</u></b></p> <p>The lawsuit filed against previously shut-down Özgür Gündem Daily's former Co-Editor-In-Chief Eren Keskin and Managing</p>	<p style="text-align: center;"><b><u>KCK Main Case</u></b></p> <p>The lawsuit filed against 36 Kurdish politicians, including Peoples' Democratic Party (HDP) MPs Tayip Temel and Pero Dündar after the</p>

<p>Editor Reyhan Çapan due to the news published in the newspaper about Berkin Elvan...</p> <p><b>Court:</b> Istanbul 2nd Criminal Court of First Instance</p> <p><b>Verdict:</b> The case was adjourned due to the excused absence of the court judge.</p>	<p>verdict issued for them in the KCK Main Case was reversed by the Court of Cassation...</p> <p><b>Court:</b> Diyarbakır 2nd Assize Court</p> <p><b>Verdict:</b> The court adjourned the case to April 5 in order to resolve the deficiencies in the file.</p>
<p><b><u>Meşale Tolu Case</u></b></p>	
<p>The lawsuit filed against 23 people, including Etkin News Agency reporter and translator Meşale Tolu, on charges of “terrorist organisation membership” and “making propaganda for a terrorist organisation”...</p> <p><b>Court:</b> Istanbul 29th Assize Court</p> <p><b>Verdict:</b> The final hearing was scheduled for January 17 due to changes in the court delegation.</p>	

### HEARINGS NEXT WEEK

<p><b><u>Deniz Yücel Case</u></b></p>	<p><b><u>Feminist Night Walk Case</u></b></p>
<p>The lawsuit filed against Die Welt reporter Deniz Yücel on charges of "publicly insulting a public official" based on a tweet he shared on February 20, 2019 regarding the "Gezi Park Indictment"...</p> <p><b>December 28, Tuesday at Istanbul 24th Criminal Court of First Instance</b></p>	<p>The lawsuit filed against 35 people, including journalist Buse Söğütlü, who participated in the March 8, 2020 Feminist Night Parade, on charges of "violating the Law on Meetings and Demonstrations No. 2911" and "resisting to prevent duty"...</p> <p><b>December 29, Wednesday at Istanbul 58th Criminal Court of First Instance</b></p>
<p><b><u>MIT Trucks Case</u></b></p>	<p><b><u>Selahattin Demirtaş Case</u></b></p>
<p>The lawsuit filed against journalist Can Dündar on charges of "obtaining confidential information regarding the state for the purpose of espionage" and "aiding a terrorist organization" due to the news on trucks belonging to the Turkish National Intelligence Agency (MIT)...</p> <p><b>December 29, Wednesday at Istanbul 14th Assize Court</b></p>	<p>The lawsuit filed against former Peoples' Democratic Party (HDP) Co-Chair Selahattin Demirtaş on charges of "insulting" the then-Prime Minister Ahmet Davutoğlu with his speech at the rally organised in Mersin on February 27, 2016...</p> <p><b>December 31, Friday at Mersin 14th Criminal Court of First Instance</b></p>
<p><b><u>RedHack Case</u></b></p>	

The lawsuit filed against journalists Tunca Öğreten, Mahir Kanaat, Derya Okatan, Ömer Çelik, Eray Sargin and Metin Yokuş on charges of “making propaganda for a terrorist organisation,” “blocking, disrupting informatics system, destroying or changing data” as well as “acting on behalf of a terrorist organisation without membership” due to reporting emails belonging to then-Energy and Natural Resources Minister Berat Albayrak after they were leaked by RedHack...

**December 31, Friday at Istanbul 29th Assize Court**