

Think, think...

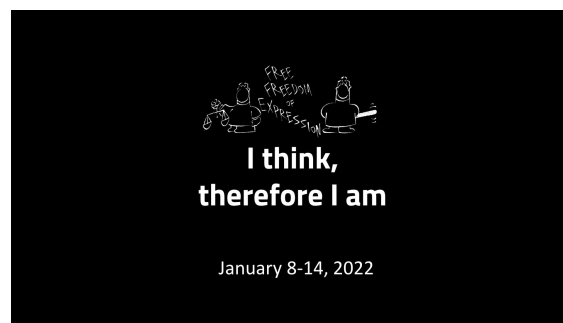


Freedom of Expression Weekly Newsletter (Issue 2/22 - January 14, 2021)

What happened last week?

- According to the Central Bank data, in November, 4 billion 462 million dollars of money came into Turkey from unknown sources. This amount was recorded as the third highest "money of unknown origin" inflow in the history of the republic. Meanwhile, the meltdown in the Central Bank's reserves after its direct intervention in the foreign exchange market in December continued in the first week of the new year. As of January 7, the net reserves of the Central Bank decreased to \$7.9 billion. Net reserves excluding swaps are negative \$56.9 billion. The US Dollar - Turkish Lira exchange rate is over 13.5 TL per dollar...
- President Erdoğan, who continues to reveal his "economist" side, claimed that the *"inflation increase in the country has been relatively below that of other countries"*. However, Turkey is the 8th country with the highest annual inflation in the world. Countries with higher inflation than Turkey are Venezuela, Sudan, Lebanon, Syria, Suriname, Zimbabwe and Argentina.
- While President Erdoğan and Interior Minister Soylu continued to target the Istanbul Metropolitan Municipality, Erdoğan extended his target by saying, "The same thing is true for Ankara." As usual, the Republican People's Party (CHP) and the Peoples' Democratic Party (HDP) have always been subjects of talks by Erdoğan and the minister. The leader of the Nationalist Movement Party (MHP), the junior partner of the ruling power, Devlet Bahçeli also said that *"they could no longer bear to see the Peoples' Democratic Party (HDP) in politics even for a second."* The Turkish Medical Association was also the target of Erdoğan and Bahçeli.
- Attacks on immigrants continue to increase in Turkey. After three immigrants were burned alive in Izmir, this time the workplace of Syrian immigrants, where the Palestinian immigrant who was attacked in Istanbul Esenyurt took shelter, was raided by a crowded group. Regarding the increasing attacks, the relevant ministries and the government, as well as the opposition parties, remained silent.
- The number of cases increased by about 4 times compared to the previous month in the pandemic. The number of daily cases has exceeded 75 thousand. The Ministry of Health, on the other hand, has now decided to carry out PCR tests only for those who show symptoms of COVID-19, even after the quarantine period was reduced. In other words, the Ministry started to fight against the outbreak by covering up the numbers, instead of fighting the pandemic itself.
- Interim results of the Phase 3 study of the domestic vaccine Turkovac, which was started to be applied in hospitals after receiving emergency use approval without any published scientific data, have been announced. According to the statement, the domestic vaccine is *"at least as effective and safe as Coronavac"*. However, the results are based on an analysis of 1182 volunteers. However, at the beginning of the project, it was announced that this figure would be over 40 thousand.

- According to the labor force statistics of the Turkish Statistical Institute (TUIK) for November 2021, the unemployment rate was 22.1 percent. While TUIK announced that the number of unemployed was 3 million 777 thousand, the number of unemployed rose to 8 million 45 thousand according to the calculation made by the Revolutionary Workers' Unions Confederation (DISK).
- Muhammed Eren Sütçü, who was found in an armed and knife attack against the Peoples' Democratic Party (HDP) Bahçelievler building and was released in court, was arrested upon the objection of the Prosecutor's Office. Due to the confidentiality order brought to the file; the content of the prosecution's objection, the time Sütçü was arrested and in which prison he was put in, could not be learned.
- Constitutional Court's Chief Judge Zühtü Arslan stated that 66,121 individual applications were made to the court in 2021 and that more than 73% of the applications were asking for the right to a fair trial. Arslan said, *"These numbers and rates point to a grave situation for us... It is not possible to protect the rule of law with all the rules in a country where the right to a fair trial is not protected and violations cannot be prevented."*
- According to the data shared by the Contemporary Journalists Association, 219 journalists were tried in 179 cases in 2021. Journalists were sentenced to a total of 48 years and 11 months in prison in the resulting cases. 75 journalists were attacked, 32 journalists were detained in a year.
- The decision to pay 256 thousand TL compensation to the family of university student Kemal Kurkut, who died in 2017 Diyarbakır Newroz due to the fire opened by the police, was overturned in the court of appeal. Gaziantep Regional Administrative Court 3rd Administrative Trial Chamber [claimed](#) that Kurkut was an "aggressive activist and the conditions for the police to shoot were met".
- The 4th hearing of the trial in which 4 people, including 3 policemen, were tried regarding the murder of Diyarbakır Bar Association President Tahir Elçi, was held at Diyarbakır 10th Assize Court. Deniz Ateş, who was a witness in the case file, explained how they were manipulated by public officials, stated that his statement was signed under duress and that he was not at the crime scene when Elçi was shot. The request for the arrest of the accused police officers was denied. The next hearing in the case was scheduled for June 15. [Please click here](#) for details.



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...

NELER OLUYOR?

What's goin' on?

*We continue to record violations of freedom of expression in the country through monthly video conferences we organize with the Human Rights Association and the Human Rights Foundation of Turkey. [Please click here](#) for *what happened in December*...*



HRW launches 2022 World Report

Human Rights Watch shared with the public its 2022 World Report, which reviews human rights practices in nearly 100 countries. In the Turkey section of the report, it was stated that President Erdogan's authoritarian and highly centralized administration has pushed Turkey's human rights record back decades. Some of the findings in the report are as follows;

- A restrictive environment prevails in Turkey for the media, human rights defenders, the LGBTQ+ community, Kurdish political activists and others perceived as dissidents by the government.
- Turkey is the first country to withdraw from the Istanbul Convention.
- Turkey continues to ignore the decisions of the European Court of Human Rights persistently. As such, it is the second country in the history of the Council of Europe to face such a sanction process.
- Political control over the courts is at the center of the deep erosion of the rule of law in Turkey.
- Accusations of terrorism and defamation continue to be used to oppress rights advocates and violate their freedom of assembly.
- Impunity continues as a common and systematic practice in cases of rights violations and enforced disappearances perpetrated by law enforcement.
- Many Peoples' Democratic Party (HDP) politicians, especially mayors; are in prison as convicts or detained for terrorism offenses due to their legitimate non-violent political activities, speeches and social media posts. A case of closure has also been filed against the HDP...
- Racist and xenophobic attacks against refugees are on the rise.

[Please click here](#) for the Turkey section of the report.

[Please click here](#) for the full report.



BIA Media Monitoring Report October-December 2021

Independent Communication Network (BIA) has published the October-November-December 2021 Media Monitoring Report. According to the report, at least 214 journalists stood trial on 23 different charges, including "terrorist organisation propaganda" and "terrorist organization membership", in 81 cases heard in 3 months. 36 journalists were acquitted during the reporting period. 4 of the 22 journalists and cartoonists on trial for "insulting Erdoğan" were sentenced to a total of 4 years and 11 months in prison. In the same period, at least 39 journalists were named in criminal lawsuits filed on charges of "insulting a public official". Criminal Courts of Peace banned access to at least 547 news items. 28 administrative fines amounting to a total of 5 million 469 thousand 679 TL and 2 broadcast blackouts were given to TV channels due to their news and broadcasts. [Please click here](#) for details.



Protest bans

The protest ban, which started to be implemented in Van in 2016 during the state of emergency and lasted for more than 5 years, was once again extended on the grounds of "national security and public order". In the statement made by the Van Governorate, it was announced that all kinds of demonstrations, marches, rallies, meetings and sit-ins to be held on January 14-28 were prohibited. With the ban decree, the distribution of leaflets and signature campaigns to be organized in the city were also bound to permission by the civil administration. In Dersim, where protests and demonstrations are frequently banned throughout the city with repeated decisions, Tunceli Governorate issued a new ban for 15 days. While the pandemic was again used as an excuse for the ban, it was announced that the press releases and events approved by the civil administration 48 hours beforehand would be allowed. In Elazığ, the Governorate banned all kinds of protests and demonstrations throughout the city for 15 days.



Father summoned to testify after losing son over "insulting judge"

Menderes Gündüz, the father of Umut Gündüz, who died as a result of being hit by a drunk driver in Ankara, was summoned to testify on the grounds that he "insulted" the judge who made the decision in the case regarding the death of his son. Reacting in the courtroom to the 4 years and 5 months of imprisonment sentence issued against the defendant, who killed

his son, Gündüz said, “You are deliberately abating these sentences to less than five years. Then you release the murderers out because they won’t actually serve their time in prison below a certain length. Therefore, you are as guilty of these decisions as the murderer. You, too, have blood on your pen and in your hands.” The father testified at the police station after the Ankara 57th Criminal Court of First Instance's judge filed a criminal complaint.



Journalist dismissed over reporting suicide at religious community house

Faik Akgün, Editor-in-Chief of Günlüğü Daily, one of the local newspapers of Elazığ, reported the death of university student Enes Kara, who ended his life by describing the pressure he had faced in the religious community house where he was forced to stay by his family in Elazığ, and his anxiety for the future, with the headline,

"He could not stand the pressure of the religious community and he committed suicide". The article was removed from the newspaper's website. Akgün, who continues to work for the newspaper, stated that he received dozens of threat calls during the period of the news, and some of them introduced themselves as members of the religious community in question.



Academic dismissed over social media post

Istanbul University Faculty Member Assoc. Dr. Erkan Konyar announced that he was dismissed from his position due to a content he retweeted on his social media account. Archaeological excavations, headed by Konyar, were stopped immediately after the appointment of a trustee to the Van Metropolitan Municipality, without giving a reason. Konyar stated that the content he retweeted was also related to this decision.



Furkan Foundation members detained

The press statement that Furkan Foundation members wanted to make in Siirt, demanding the release of seven volunteers arrested in the past weeks, was prevented by the police on the grounds that it was "unauthorized". Citing the Governorate ban on protests, the police detained at least ten people. Intervening in the

march that was planned to be held in Mardin, the police detained around 20 people. The protests organized by the members of the foundation were also prevented in Bursa, Konya and Osmaniye.



Compensation case against environmental association chairman

Yatağan Thermal Energy Production Company, operating in the Yatağan district of Muğla, filed a 1 million lira moral compensation lawsuit against Kazım Erol, the President of the Yatağan Green Life Association. In the lawsuit filed at the Yatağan Civil Court of First Instance, the company that operates the thermal power plant, which has been on the agenda for

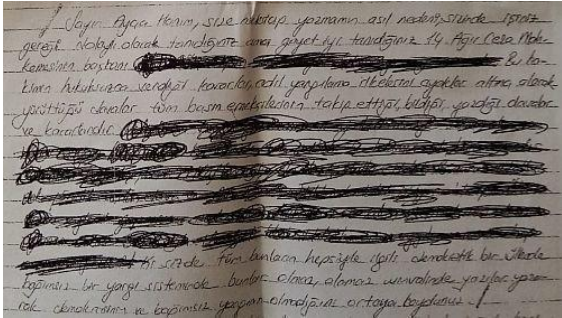
40 years due to the ecological problems it has created, claimed that Erol damaged its commercial reputation with the messages and videos he shared on social media.



Access ban against news on Enes Kara's death

On the other hand, the Iskenderun 2nd Criminal Judicature of Peace imposed an access ban against the news about Kara. Upon the application of father Mehmet Kara, 17 separate news stories on the subject, which appeared on many news websites, including Birgün,

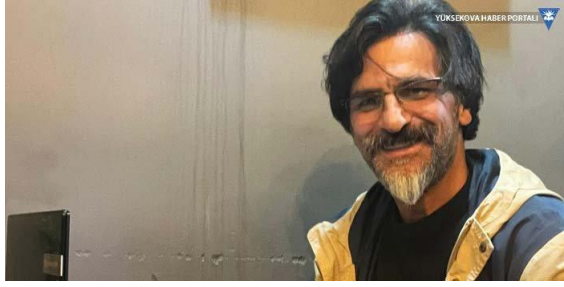
Cumhuriyet, T24, Halktv, Tele1, HaberSol and Sputnik, were banned from access. At the request of the Ministry of Family and Social Services, the posts containing the video Kara took before he took his life were banned by the Ankara 8th Criminal Court of Peace.



Censorship against prison letter

The letter of Selda Karataş, who was convicted in Gebze Women's Prison, in which she explained the unlawfulness in her trial, was censored on the grounds that she mentioned Akın Gürlek, the judge of the Istanbul 14th Assize Court. The Prison Directorate claimed that Gürlek was targeted in the letter. Gürlek,

who is the judge of Karataş's file; turned out to be the judge who did not recognize the Constitutional Court decree against Enis Berberoğlu and sentenced Selahattin Demirtaş, Canan Kaftancıoğlu, Contemporary Lawyers Association (ÇHD) members and writers of Sözcü Daily.



Lawsuit against journalist İskender Kahraman

In the first hearing of the trial of journalist İskender Kahraman, who was accused of "making propaganda for a terrorist organization" because of his articles on the Afrin operation published in Yüksekova Haber, the Hakkari Assize Court stated that the Ankara

22nd Assize Court had jurisdiction over the trial and issued a verdict of non-jurisdiction. The file has been moved to the dispute court.



Court: "Scholarship can't be terminated without final conviction"

Ankara 23rd Administrative Court ruled that it is unlawful to cut a university student's scholarship on the grounds that they participated in the march organized within the scope of Pride Week in Eskişehir. The Administrative Court stated that the scholarship

of the student, who does not have a final sentence of conviction or suspension, cannot be terminated, and decided for a stay of execution of the Ministry of Youth and Sports decree.



Lawsuit against party executives

Leftist Party Istanbul Provincial Manager and lawyer Damla Atalay as well as Leftist Party Central Executive Board Member and lawyer Deniz Demirdöğen were acquitted at the first hearing of the lawsuit filed against them at Istanbul Anatolian 54th Court of First Instance on the charge of 'insulting the President' due to

the press statement held in Istanbul on May 28 regarding the relationship between the state-mafia-politics.



Union chairman detained

Mehmet Türkmen, the Founding Chairman of the United Textile Weaving and Leather Workers Union, was detained. Türkmen, who was detained on October 3 due to the complaints of the factory management due to the protests and press statements made after the factory was closed and the workers were dismissed at the Uğur Tekstil factory, was released after his statement.



Detainment over “looking at trustee’s convoy”

Peoples’ Democratic Party (HDP) district administrator Botan Em, who was walking by on the road as Cizre Municipality trustee and district governor Mehmet Tunç's convoy passed there, was detained by special operations police on the grounds that he was "looking at the convoy". Em, who was taken to the Cizre District Police Department, was released after testifying.



18 new immunity files sent to Parliament

A total of 18 new immunity files were sent to the Presidency of the Assembly against 14 MPs from the Peoples' Democratic Party, 1 from the Democratic Regions Party and 1 from the Workers' Party of Turkey.



TRIALS OF FREEDOM OF EXPRESSION

<p style="text-align: center;"><u>Case Against Boğaziçi Protests</u></p> <p>The lawsuit filed against 97 students, who were detained during the protests against the trustee rector appointed to Boğaziçi University on February 1, 2021, on charges of "violating the Law on Meetings and Demonstrations"...</p> <p>Court: Istanbul 32nd Criminal Court of First Instance Verdict: The court denied the demands for the immediate acquittal of the defendants and issued an arrest warrant for 5 students whose statements were not yet received. The case was adjourned to June 1.</p>	<p style="text-align: center;"><u>Yavuz Ekinci Case</u></p> <p>The lawsuit filed against writer Yavuz Ekinci, who was accused of "making propaganda for a terrorist organization" for his Newroz and Kobani themed messages he shared on his social media account...</p> <p>Court: Istanbul 34th Assize Court Verdict: Presenting its opinion on the merits, the Prosecutor’s Office demanded that Ekinci be penalised for making criminal propaganda. The court adjourned the case to March 31 for the defendants to present their defenses on the merits.</p>
<p style="text-align: center;"><u>MA Reporters Case</u></p> <p>The lawsuit filed against Mesopotamia Agency reporter journalists Sadiye Eser and Sadık</p>	<p style="text-align: center;"><u>Selman Keleş Case</u></p> <p>The lawsuit filed against Dicle News Agency reporter Selman Keleş on the charge of</p>

<p>Topaloğlu on charges of "terrorist organization membership"...</p> <p>Court: Istanbul 22nd Assize Court Verdict: Deciding on the continuation of the travel ban against the journalists, the court adjourned the case to May 12.</p>	<p>"terrorist organization membership" due to his journalistic activities presented as evidence in the case file...</p> <p>Court: Van 5th Assize Court Verdict: The case was adjourned due to his lawyer's excused absence from the hearing.</p>
<p style="text-align: center;"><u>Zaman Daily Case</u></p> <p>The lawsuit filed against Mümtazer Türköne, Şahin Alpay, Ali Bulaç and Mehmet Özdemir, whose verdicts in the Zaman Daily Case were overturned by the Supreme Court of Appeals...</p> <p>Court: Istanbul 13th Assize Court Verdict: The court adjourned the case to April 7, deciding for the travel bans against the defendants to continue.</p>	<p style="text-align: center;"><u>Iskender Kahraman Case</u></p> <p>The lawsuit filed against journalist Iskender Kahraman on charges of "making propaganda for a terrorist organization" because of his articles on the Afrin operation published in Yüksekova Haber...</p> <p>Court: Hakkari Assize Court Verdict: Hakkari Assize Court stated that the Ankara 22nd Assize Court had jurisdiction over the trial and issued a verdict of non-jurisdiction. The file has been moved to the dispute court.</p>
<p style="text-align: center;"><u>Ruken Demir Case</u></p> <p>The lawsuit filed against Mesopotamia Agency reporter Ruken Demir with the allegation of "terrorist organization membership" on the grounds of his interviews with news sources...</p> <p>Court: Izmir 9th Assize Court Verdict: The Prosecutor's Office demanded that Demir be penalised, claiming that he was a member of the KCK Press Organisation. The next hearing was scheduled for February 9.</p>	<p style="text-align: center;"><u>Case Against G20 Protesters</u></p> <p>The lawsuit filed against 15 people, including journalists Sema Karakurt and Eylem Sonbahar, on charges of "violating the Law on Meetings and Demonstrations No. 2911" due to the protests at the G20 Antalya Summit in 2015...</p> <p>Court: Antalya 25th Criminal Court of First Instance Verdict: Presenting its opinion on the merits, the Prosecutor's Office demanded the acquittal of the defendants. The next hearing was scheduled for February 15.</p>
<p style="text-align: center;"><u>Journalist Rojda Oğuz Case</u></p> <p>The lawsuit filed against 55 people, including journalist Rojda Oğuz, was held at the Van 4th Assize Court on charges of "terrorist organization membership" and "making propaganda for a terrorist organization" due to their press statements, protests and social media posts...</p> <p>Court: Van 4th Assize Court Verdict: In the hearing, both Oğuz, who lives abroad, and her lawyer, was not present. The court adjourned the case to April 21 in order to</p>	<p style="text-align: center;"><u>"Unauthorised" Case</u></p> <p>The lawsuit filed against street artist with the alias, "Unauthorised" on charges of "insulting the Turkish flag" and "insulting the President" due to their drawings and Twitter posts...</p> <p>Court: Istanbul 20th Criminal Court of First Instance Verdict: The court adjourned the case to May 26 by deciding to establish an expert committee ex officio to determine whether the work subject to the case has artistic value or not.</p>

eliminate the deficiencies in the file and to take the defense statements of the defendants who did not yet do so.	
<p style="text-align: center;"><u>Ziya Çiçekçi Case</u></p> <p>The latest hearing of the lawsuit filed against journalist Ziya Çiçekçi on the charge of "making propaganda for a terrorist organization" due to 13 posts made on Yeni Özgür Perakende's social media account in 2017...</p> <p>Court: Istanbul 33rd Assize Court Verdict: The case was adjourned due to the excused absences of Çiçekçi and her lawyer.</p>	<p style="text-align: center;"><u>Peace Chain Case</u></p> <p>The lawsuit filed against 29 people who participated in the "Chain of Peace" protests held on September 1, 2020 in Ali Şelli Park in the central Haliliye district of Urfa...</p> <p>Court: Urfa 2nd Criminal Court of First Instance Verdict: The case was adjourned to April 27.</p>

HEARINGS NEXT WEEK

<p style="text-align: center;"><u>Gezi Park Case</u></p> <p>The consolidated file of the lawsuit against 16 people, including Osman Kavala, at the Istanbul 30th Assize Court, and the file against 35 people from the Çarşı fan group, who participated in the Gezi Park protests...</p> <p>January 17, Monday at Istanbul 13th Assize Court</p>	<p style="text-align: center;"><u>Meşale Tolu Case</u></p> <p>The lawsuit filed against 23 people, including Etkin News Agency reporter and translator Meşale Tolu, on charges of "terrorist organisation membership" and "propaganda"...</p> <p>January 17, Monday at Istanbul 29th Assize Court</p>
<p style="text-align: center;"><u>Boğaziçi Case</u></p> <p>The lawsuit filed against 4 students, who were detained at Boğaziçi University, for "carrying a rainbow flag" and 8 students, who were detained while protesting the detainment of their friends...</p> <p>January 18, Tuesday at Istanbul 24th Criminal Court of First Instance</p>	<p style="text-align: center;"><u>Onur Kocamaz Case</u></p> <p>The lawsuit filed against folk music artist Onur Kocamaz on the charge of "public incitement to hatred and enmity" on the grounds of a social media post in 2019...</p> <p>January 18, Tuesday at Ankara 35th Criminal Court of First Instance</p>
<p style="text-align: center;"><u>Abdurrahman Gök Case</u></p> <p>The lawsuit filed against Mezopotamya Agency editor Abdurrahman Gök on the charge of "terrorist organization membership" and "making propaganda" on the grounds of his phone calls with news sources, social media posts and the news he reported...</p>	<p style="text-align: center;"><u>Case Against Elvan Family</u></p> <p>The lawsuit filed against the parents of 16-year-old Berkin Elvan, who died as a result of a tear gas shell fired by the police during the Gezi Park protests, on the allegation of "insulting the President" because of the statements they made in front of the courthouse,</p>

<p>January 20, Thursday at Diyarbakır 5th Assize Court</p>	<p>following the lawsuit regarding the death of their child...</p> <p>January 20, Thursday at Istanbul 43rd Criminal Court of First Instance</p>
<p><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 TV show, "Glance at Ankara" on Med Nuce Television, which broadcasts in Turkish in Belgium...</p> <p>January 20, Thursday at Ankara 14th Assize Court</p>	<p><u>Rüstem Batum Case</u></p> <p>The lawsuit filed against journalist Rüstem Batum on charges of "insulting the President" and "public incitement to hatred and enmity" for 20 Twitter posts he made in 2016 and 2018...</p> <p>January 20, Thursday at Istanbul 5th Criminal Court of First Instance</p>
<p><u>Abdullah Kaya Case</u></p> <p>The lawsuit filed against previously shut-down Dicle News Agency (DIHA) Ağrı reporter Abdullah Kaya on charges of "terrorist organization membership" and "propaganda" on the grounds of his journalistic activities and social media posts...</p> <p>January 20, Thursday at Ağrı 2nd Assize Court</p>	<p><u>Taraf Daily Case</u></p> <p>The lawsuit filed against Taraf Daily directors Yasemin Çongar, Ahmet Altan, Yıldırım Oğur, Tuncay Opçin and Mehmet Baransu on charges of "terrorist organization membership" and "disclosing, obtaining and destroying documents that should remain confidential regarding the security of the state" due to the document titled "Sovereign Operation Plan" published in the newspaper...</p> <p>January 21, Friday at Istanbul 13th Assize Court</p>
<p><u>Engin Eren Case</u></p> <p>The lawsuit filed against Engin Eren, the Batman reporter of the closed Dicle News Agency, and 75 others following the "human shield protest" held on September 18, 2015 in the rural area of Kelhasan village in Batman's Sason district to end the conflicts in the region, on the charges of "terrorist organisation membership", "aiding a terrorist organization", "participating in unlawful meetings or demonstrations", "violating the Military Restricted Zones and Security Zones Law", "using force or threat against a public official to prevent duty"...</p> <p>January 21, Friday at Batman 2nd Assize Court</p>	