

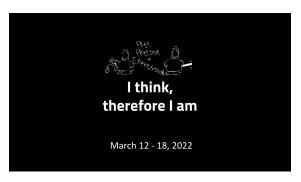


# Freedom of Expression Weekly Newsletter (Issue 7/22 - February 18, 2022)

### What happened last week?

- Leaders of six opposition parties working on a return to the Parliamentary system announced that they had reached an agreement. It was reported that the text of the memorandum will be made public on February 28. President Erdoğan found the meeting of the 6 opposition parties "ironically significant".
- At a time when the people, who are oppressed more and more every day with the price hikes, were forced to cut back on basic needs such as heating and nutrition, Erdoğan said, "Turkey is entering the strongest period in the economy in its history." According to Erdoğan, the debate on interest rates fell off the agenda, the foreign exchange rates were stabilized, and what's next is reducing the inflation to single digits. However, if Turkey continues like this, it will enter a 3-digit inflation period.
- Visiting the United Arab Emirates, President Erdoğan announced that 13 agreements were signed and said, "We have started a new era in Turkey-UAE relations." For years, the government has accused the UAE of playing a role in the July 2016 coup attempt. On the other hand, the rapprochement that started in Turkey-Israel relations continues. Presidential Spokesperson Ambassador İbrahim Kalın went to Israel for an official visit. Israeli President Isaac Herzog is also expected to come to Turkey in March.
- The Turkish Statistical Institute published the fourth quarter workforce statistics for 2021. Accordingly, while unemployment was announced as 11.2 percent, the number of unemployed decreased by 78 thousand people and became 3 million 780 thousand people. According to the data of the Confederation of Revolutionary Science Workers' Union (DISK), the number of those unemployed exceeded 8 million in the same period.
- The daily death toll in the pandemic exceeded 300 for the first time since May 2021. The report prepared by the Republican People's Party (CHP) from the data of 21 provincial municipalities revealed that deaths from COVID-19 in Turkey are at least twice as high as announced.
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- Constitutional Court President Zühtü Arslan stated that the number of applications to the high court approached 12 thousand in the first month of 2022 and said, "The continuation of the individual application, which is a great achievement for our legal system, depends on the implementation of the decrees in a way that prevents new violations. It requires action to be taken by the administration, courts and the legislation to prevent new violations."

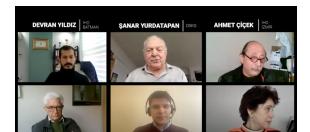
- The Forensic Medicine Institute (ATK) report was prepared about the patient prisoner Aysel Tuğluk, who was diagnosed with dementia. Despite the mild cognitive impairment detected in the report, it was concluded that Tuğluk had "full criminal responsibility", and no details were given about whether she would be able to stay in prison. Turkish Medical Association (TTB) President Şebnem Korur Fincancı, who criticized the report, stated that Tuğluk had "moderate-severe dementia, to say the least", and emphasized that for this reason, she could not defend herself in court and could not stay alone in prison; requesting an independent delegation.
- The indictment prepared against DEVA Party Founding Member Metin Gürcan on the charge of "espionage" was accepted by the court that it was sent to for the second time. A media blackout was issued on the case.
- The objection to the verdict of non-prosecution issued in both investigations regarding the dumping of refugees, who were caught after crossing from Edirne to Greece and returned to Turkey on August 23, into the Meriç River by the order of the gendarmerie commander, was also rejected.



Our weekly video program "COGITO ERGO SUM", in which we follow the agenda of freedom of thought and expression, is on our YouTube channel every week...

Please click here to access all our video newsletters...

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We continue to record violations of freedom of expression in the country through the video conferences we organize monthly with the Human Rights Association (IHD) and

Please click here for the "What's Goin' On?" January report...

the Human Rights Foundation of Turkey (TIHV).

was acquitted at the first hearing.

#### Lawsuit against IHD Co-Chair Eren Keskin

The prosecution of Human Rights Association (IHD) Co-Chair Eren Keskin started at Tunceli 2nd Assize Court on the charge of "making propaganda for a terrorist organization" for her speech at the panel, titled, "Law, Human Rights and Dersim" held as part of the "Munzur Nature and Culture Festival" in 2019. Keskin



excused absence, the hearing was adjourned.

#### Lawsuit against IHD Co-Chair Türkdoğan

The first hearing of Human Rights Association (IHD) Chairman Öztürk Türkdoğan, who was accused of "insult" due to the statement, titled, "Mandatory Statement Regarding the Minister of Interior Süleyman Soylu" launched by the Human Rights Association (IHD) in 2018, was to be held at the Ankara 60th Criminal Court of First Instance. However, due to the judge's



#### Lawsuit against DIAYDER members

The first hearing of the lawsuit filed against the members and administrators of the Religious Scholars Assistance and Solidarity Association (DIAYDER), which Interior Minister Suleyman Soylu used as an excuse to initiate an "inspection" against the Istanbul Metropolitan Municipality (IBB), was held at the Istanbul

14th Assize Court on charges of "terrorist organization membership" and "aiding a terrorist organization". The trial of the case, in which the activities of the association, the press statements made by its members and the protests they participated in, the survey conducted on the Kurdish Question and the Kurdish calendar that was issued were the subject of the accusation in the indictment, was in progress at the time of this program's broadcast.



#### Indictment against Sedef Kabaş completed

The indictment against journalist Sedef Kabaş, who was arrested on January 22 for "insulting Erdoğan" with a circassian proverb she expressed on a TV show, has been completed. In the indictment prepared by the Press Office of the Istanbul Public Prosecutor's Office, a

prison sentence of up to 8 years and 2 months was sought on the charge of successively "insulting the President", and an additional 4 years and 8 months of imprisonment was claimed due to Kabaş's criticisms of ministers Süleyman Soylu and Adil Karaismailoğlu on the charged of "insulting a public official because of his duty". Istanbul 36th Criminal Court of First Instance accepted the indictment, whereas Kabaş's claim of release was denied. The first hearing was scheduled for March 11.



### 3 journalists imprisoned over finalised sentences

Journalists Murat Ağırel, Barış Pehlivan and Hülya Kılınç, who were convicted and whose sentences were upheld because of the news about the funeral of the Turkish National Intelligence (MIT) member who died in Libya, were imprisoned. Journalists were released due to probation. Within the scope of the lawsuit, journalists Pehlivan and Kılınç had been

sentenced to 3 years and 9 months of imprisonment due to the "disclosure of information and documents related to intelligence activities"; and journalists Ağırel, Aydın Keser and Ferhat Çelik had been sentenced to 4 years, 8 months and 7 days of imprisonment.



## Mother sentenced to judicial fine over demanding justice

Emine Şenyaşar, who demanded justice for her two children, husband, who were killed by Justice and Development Party (AKP) Urfa Parliament Member İbrahim Halil Yıldız's bodyguards and relatives, as well as for her arrested son, was sentenced to a judicial fine corresponding to 265 days in prison in the lawsuit filed against her with the allegation of

"insulting a public official". In the lawsuit filed, the mother Şenyaşar's words "This Halil (referring to Deputy Halil Yıldız) is an interest maker, a thief, let them go after these thieves, let's see how many people he killed," was evaluated as a crime.



#### Right to Peaceful Meeting and Demonstration Monitoring October -December 2021

The Watch for Equal Rights Association launched data for the Right to Peaceful Meeting and Demonstration Monitoring. According to the data, in the 4 months from October to December 2021, at least 96 peaceful demonstrations were intervened against, at least period, the right to peaceful meeting and

413 people were detained. During this period, the right to peaceful meeting and

demonstration was restricted with 47 general and 22 specific preventions issued by the civil authorities. 37 of the ban/restriction decisions taken were repetitive decisions, and the ban in Siirt has reached 690 days without interruption. The use of the right to peaceful meeting and demonstration in Van has been prohibited uninterruptedly for 5 years, 1 month and 10 days as of the end of 2021. In addition, recurrent bans in Hakkari, Bitlis, Elazığ and Batman are maintained by the Governorates. Please click here for details...



#### Rights advocate Tarık Güneş arrested

Tarık Güneş, a lawyer and former Human Rights Association (IHD) Muş Branch Chairman, was arrested on charges of "terrorist organisation membership". Rumet Agit Özer, one of the lawyers of the Muş Bar Association, who was detained together with Güneş within the scope of the file based on the reports prepared by the association and the statements made, was released on the condition of judicial

measures.



#### RTÜK penalty against Halk TV

The Radio and Television Supreme Council (RTÜK) sentenced Halk TV to 5 administrative fines and 5 program suspensions due to journalist Ayşenur Arslan's views on the Turkish Resistance Organization (TMT). Halk TV show host Arslan stated in her show that the casino owner Halil Falyalı, who was killed in the Turkish Republic of Northern Cyprus (TRNC), introduced himself as a member of

the 'Turkish Resistance Organization'. Arslan further said, "The Turkish Resistance Organization was an illegal, let's say, semi-official organization known for assassinations on the island and in the nearby hinterland." The Council claimed that these words "denigrated the national and moral values of the society".



### Investigation against DBP and HDP executives in Aydın

Aydın Chief Public Prosecutor's Office launched an investigation against Democratic Regions Party (DBP) Aegean Region Co-spokesperson Neslihan Arviş and Peoples' Democratic Party (HDP) Parliament Member Ayfer Demirel. Within the scope of the

investigation, the press releases, panels the party executives have attended as well as their social media posts, interviews given to the media organs were considered as "crimes".



#### Lawsuit against former HDP MP

Ankara Chief Public Prosecutor's Office filed an indictment against former Peoples' Democratic Party (HDP) Parliament Member Mizgin Irgat on the allegation of "making propaganda for a terrorist organization". In the indictment accepted by the Ankara 17th Assize Court, Irgat was charged with a five-year prison sentence for the speech she made at the

'White Flag Initiative' protest held in front of the Peoples' Democratic Party (HDP) building in Ankara.



Mersin Provincial Youth Branch President.

#### Attack against local newspaper in Mersin

The building of Mersin Haberci Daily, which brought up an allegation of corruption and irregularity regarding a tender of Mersin Metropolitan Municipality, was attacked with eggs and paint. Oil paints, eggs and pencils were thrown on the 50-person building by the group including Republican People's Party (CHP) Youth Branch Deputy Chairman and



# Investigation against lawyers over commemorating Ebru Timtik

An investigation was launched against Sezin Uçar, candidate for the bar association from the Libertarian Democrat Lawyers Group, Fırat Epözdemir, a candidate for the board of directors, and Seher Eriş, a member of the Istanbul Board of Directors of the

Contemporary Lawyers Association (ÇHD), due to commemorating their colleague Ebru Timtik with the speeches they gave at the General Council of Istanbul Bar Association last year. Timtik had lost her life during the death fast that she started with the demand for a fair trial, which continued for 238 days.



#### Journalist Zeynep Durgut detained

Mesopotamia Agency reporter Zeynep Durgut was detained with a house raid in Şırnak's Cizre district as part of the investigation initiated by the Şırnak Chief Public Prosecutor's Office. The journalist's meeting with her lawyer was also restricted within the scope of the confidentiality order brought on

the file. In her interrogation, the journalist was asked about her journalistic activities and news posts on social media based on the statements of "secret witnesses". She was later released by the court she was transferred to 4 days later, on condition of judicial measures.



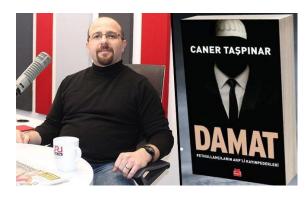
### IYI Party executive arrested over 'insulting Erdoğan'

IYI Party Sivas Şarkışla District Chairman Turgay Şahin, who was sentenced to 1 year, 2 months and 17 days in prison for "insulting the President" due to a social media post in 2021, was arrested and sent to prison.



#### Lawsuit against journalist Gökhan Biçici

Dokuz8HABER Editor-in-Chief Gökhan Biçici was acquitted of the charge of "insulting the President". The journalist was on trial at the Istanbul 8th Criminal Court of First Instance due to the article, titled, "Reaction from hacker group Anonymous to Erdoğan with the example of Berkin Elvan" published on June 1, 2020 as part of the case.



#### Journalist Caner Taspınar acquitted

The lawsuit filed against OdaTV editor Caner Taşpınar at the Istanbul 11th Criminal Court of First Instance for his book "The Bridegroom: Fethullahists' Father-in-laws from the Justice and Development Party (AKP)" concluded with acquittal. Within the scope of the file, the journalist has been accused of "insulting" former Speaker of the Grand National

Assembly of Turkey İsmail Kahraman and Justice and Development Party (AKP) Parliament Member Ali İhsan Arslan.



#### Lawsuit against G20 protest

The lawsuit filed at Antalya 25th Criminal Court of First Instance due to the G20 Antalya Summit protests in 2015 resulted in acquittal. Within the scope of the lawsuit, 13 people, including journalists Sema Karakurt and Eylem Sonbahar, were on trial for "violating the Law on Meetings and Demonstrations".



#### Judicial harassment against journalist

Journalist Alican Uludağ was summoned to testify for the second time because of his article titled "Bahçeli crisis in the Judiciary". The journalist, who testified as a suspect on December 7 after a judge's complaint about the news in question, was summoned to testify again after the same judge's second complaint.



#### Protest ban in Muş

Muş Governorate banned all kinds of press releases, demonstrations and events throughout the province for 5 days on the grounds of protecting "national security and public order". Activities that the local administration "deems appropriate"(!) were excluded from the scope of the ban.



#### Access bans...

The Ankara 3rd Criminal Judicature of Peace issued an access ban against 4 columns written and related news articles reported by journalists Barış Terkoğlu and Barış Pehlivan, published in Cumhuriyet Daily, in which they brought forward the allegations about the assistants of Minister of National Defense Hulusi Akar.



#### Access bans...

Rector of Malatya Turgut Özal University, Aysun Bay Karabulut, applied for censorship against another news article about herself. Access to the news published on malatyahaber.com on the corruption and irregularities in the university on November 23,

2021, with the title,"Malatya Turgut Özal University Rector Famous for 'Fast Enrichment'"was banned with a decree issued by Malatya 3rd Criminal Court of Peace.



#### Access bans...

Justice and Development Party (AKP) Van Parliament Member Osman Nuri Gülacar has applied for an access ban against news that contain information, documents and interviews against him. The news article published on anadoluwebtv.net with the headline "Is Deputy Gülacar committing fraudulent activities" was censored with a decree issued by the Van 2nd Criminal Judicature of Peace.



### claim.



#### were beaten and injured.



### detained 102 times during her 200-day protest.



#### HDP MP's appeal claim denied

9th Criminal Chaimber of Diyarbakır Regional Court examined the appeal of Peoples' Democratic Party (HDP) Antalya MP Kemal Bülbül, who was sentenced to 6 years and three months of imprisonment on the charge of "terrorist organisation membership" through the speeches he gave during the meetings and workshops of the Democratic Society Congress. The court denied Bülbül's appeal

#### **Police** intervention against **Furkan** Foundation members

In Adana, the police attacked the press statement that the members of the Furkan Foundation wanted to hold with the demand for the release of 7 of their imprisoned friends, on the grounds that they chanted slogans and did not notify the Governorate 48 hours before... During the police intervention, many people

#### **Constitutional Court decree**

The Constitutional Court ruled that the freedom of expression of Türkan Albayrak had been violated, as she was dismissed while working at the Sariver District Health Directorate on the grounds of "security and archive investigation" and was repeatedly detained for the sit-in protest she initiated with a request for

re-employment, and was sentenced to an administrative fine each time. Albayrak was

#### Young refugee killed at deportation center

The lawsuit filed at the Van 2nd Assize Court regarding the death of 17-year-old Afghan refugee Lütfillah Tajik, who died in the hospital after being beaten at the Van Deportation Center in 2014, was concluded. The defendant police officer S.O was sentenced to five months in prison for "simple injury", and the sentence was deferred. On the other hand, police officer H.Ö. was acquitted of the charge of "neglect of duty".



#### TRIALS OF FREEDOM OF EXPRESSION

#### May 1 Case

The lawsuit filed against 15 trade union members, including DISK Chair Arzu Çerkezoğlu, who were detained during the police intervention against the march organised at Taksim Square on May 1, 2020, on the charge of "violating the Law on Meetings and Demonstrations"...

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

Verdict: The hearing was adjourned to April 26.

#### Elif Tirenç İpek Ulaş Case

The lawsuit filed against Rosa Women's Association's founding member and lawyer Elif Tirenç İğek Ulaş on the charge of "terrorist organisation membership" due to her association activities...

**Court:** Diyarbakır 8th Assize Court **Verdict:** The court adjourned the hearing to March 3 for the merits of the case to be prepared.

#### Pervin Buldan Case

The lawsuit filed against Peoples' Democratic Party (HDP) Co-Chair Pervin Buldan on the charge of "terrorist organisation membership" due to the press statements she held and the events she participated in...

**Court:** Ankara 18th Assize Court **Verdict:** The hearing was adjourned to May 11.

#### **Isminaz Temel and Havva Custan Case**

The lawsuit filed against 23 people, including ETHA reporters Isminaz Temel and Havva Cuştan, Legal Bureau of the Oppressed Sezin Uçar and Özlem Gümüştaş on charges of "armed terrorist organisation membership" and "making terrorist organisation propaganda"...

**Court:** Istanbul 27th Assize Court **Verdict:** The court decided for judicial measures to continue and adjourned the hearing to June 2.

#### Hayko Bağdat Case

The lawsuit filed against journalist Hayko Bağdat on charges of "insulting the President" and "public incitement towards resentment and hostility"...

**Court:** Istanbul 50th Criminal Court of First Instance

**Verdict:** The hearing was adjourned to June 1.

#### **KCK Academia Case**

The lawsuit filed against 21 people, including Demokratik Modernite magazine's editor Haydar Ergül, on the charge of "terrorist organisation membership" due to their Democratic Regions Party (DBP) Political Academy activities in 2016...

**Court:** Istanbul 22nd Assize Court **Verdict:** The hearing was adjourned to June 21.

#### Barış Barıştıran Case

The retrial of Özgür Gün TV employee and journalist Barış Barıştıran after the reversal decree of the appeal court in the case filed against him on the charge of "making terrorist organisation propaganda" for the live broadcast of Democratic Society Congress (DTK) 2016 General Assembly, in which he was acquitted...

**Court:** Diyarbakır 8th Assize Court **Verdict:** The hearing was adjourned to May 24.

#### Journalist Şerife Oruç Case

The lawsuit filed against previously shut-down Dicle News Agency (DIHA) reporter Şerife Oruç on the charge of "terrorist organisation membership"...

**Court:** Batman 2nd Assize Court **Verdict:** The hearing was adjourned to March 24.

#### "Gülen Community Media Case"

The lawsuit filed against Ahmet Memiş, Ali Akkuş, Atilla Taş, Cemal Azmi Kalyoncu, Gökçe Fırat Çulhaoğlu, Ünal Tanık, Yakup Çetin, Yetkin Yıldız on charges of "aiding a terrorist organisation," "insulting the President" and "denigrating the institutions and bodies of the state"...

**Court:** Istanbul 25th Assize Court **Verdict:** The court decided for the file of Atilla Taş to be separated and for judicial measures to remain, and adjourned the hearing to June 23.

#### Özgürlükçü Demokrasi Case

The trial of journalists İhsan Yaşar, İshak Yasul, Mehmet Ali Çelebi, Mizgin Fendik, Pınar Tarlak, Reyhan Hacıoğlu and Hicran Urun within the "Özgürlükçü Demokrasi Case"...

**Court:** Istanbul 23rd Assize Court **Verdict:** After the Prosecutor's Office requested additional time to prepare an opinion on the merits, the court adjourned the hearing to April 7.

#### Rojbin Sevil Çetin Case

The lawsuit filed against Peoples' Democratic Party (HDP) Democratic Local Administrations Council member and former Edremit Co-Mayor Rojbin Sevil Çetin, who was tortured with dogs as she was detained in Diyarbakır on June 26, 2020, on the charge of "terrorist organisation membership" due to her Free Women's Movement (TJA) activities...

Court: Van 2nd Assize Court

**Verdict:** The court decided for Cetin to remain arrested and adjourned the hearing to May 12.

#### **HEARINGS NEXT WEEK**

#### Gezi Park Case

The retrial after the lawsuit filed against 16 people, including arrested businessman Osman Kavala, on the Gezi Park protests, at the Istanbul 30th Assize Court on the Gezi Park protests was combined with the lawsuit filed against 35 Çarşı fan group members, who participated in the Gezi Park protests...

#### **Divarbakır Bar Association Case**

The lawsuit filed against 11 former Diyarbakır
Bar Association executive council member
lawyers on the charge of "public incitement
towards resentment and hostility" in accordance
with Article 301 of the Turkish Criminal Code
due to their statements during the
commemorations on April 24 in 2017 and
2018...

#### February 21, Monday at Istanbul 13th Assize Court

#### **Boğaziçi Protests Case**

The lawsuit filed against 52 Boğaziçi University students on charges of "violating the Law on Meetings and Demonstrations" and "depriving one of their freedom"...

#### February 21, Monday at Istanbul 49th Criminal Court of First Instance

#### **Case Against News on Economy**

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

#### February 22, Tuesday at Istanbul 3rd Criminal Court of First Instance

#### Gökhan Yavuzel Case

The lawsuit filed against writer Gökhan Yavuzel on the charge of "insulting the President" because he used the expression, "you will fall," during a statement he made regarding the death threats he received on social media...

### February 22, Tuesday at Urfa 4th Criminal Court of First Instance

#### **Kibriye Evren Case**

The lawsuit filed against Jinnews reporter Kibriye Evren on charges of "terrorist organisation membership" and "making terrorist organisation propaganda"...

#### February 22, Tuesday at Diyarbakır 5th Assize Court

#### Yetkin Yıldız Case

The lawsuit filed against previously shut-down aktifhaber.com website's Editor-In-Chief Yetkin

#### February 21, Monday at Diyarbakır 13th Assize Court

#### **Durket Süren Case**

The lawsuit filed against journalist Durket Süren on charges of "wilfully aiding and abetting a terrorist organisation" and "making terrorist organisation propaganda"...

#### February 21, Monday at Diyarbakır 11th Assize Court

#### Öztürk Türkdoğan Case

The lawsuit filed against Human Rights
Association (IHD) Chairman Öztürk Türkdoğan
on the charge of "terrorist organisation
membership" due to his statements as the
association chairman

#### February 22, Tuesday at Ankara 19th Assize Court

#### Hifzullah Kutum Case

The lawsuit filed against academic Hifzullah Kutum on the charge of "making propaganda for a terrorist organisation" due to his social media post on the "September Revolution" as well as a visual of Mele Mustafa Barzani...

#### February 22, Tuesday at Elazığ 2nd Assize Court

#### **KCK Press Case**

The lawsuit filed against 46 journalists and media workers in 2012 on the charge of "terrorist organisation membership"...

#### February 22, Tuesday at Istanbul 3rd Assize Court

#### Özgür Gündem Case

The lawsuit filed against previously shut-down Özgür Gündem Daily's Editors-In-Chief

Yıldız on charges of "insult" and "slander" against Efkan Ala...

February 22, Tuesday at Bakırköy 31st Criminal Court of First Instance Hüseyin Aykol, Zana Kaya, Managing Editor İnan Kızılkaya and Kurdish politician Hatip Dicle...

#### February 23, Wednesday at Istanbul 13th Assize Court

#### Case Against Vice News Reporters

The lawsuit filed against Jake Hanrahan, Philip Penlebury, Mohammed Ismael Rasool on charges of "violating the Law on the Prevention of Financing of Terrorism", "wilfully aiding and abetting a terrorist organisation", "making terrorist organisation propaganda"...

February 24, Thursday at Diyarbakır 8th Assize Court

#### Kadıköy Boğaziçi Support Case

The lawsuit filed against 23 people, who participated in the support protest for the Boğaziçi Resistance that was organised in Kadıköy on February 2, on charges of "violating the Law on Meetings and Demonstrations" and "resisting to prevent duty"...

February 25, Friday at Istanbul Anatolian 38th Criminal Court of First Instance

#### **Sadive Eser Case**

The lawsuit filed against 34 people, including journalist Sadiye Eser, on charges of "terrorist organisation membership," "making terrorist organisation propaganda" and "damaging property"...

#### February 25, Friday at Istanbul 6th Assize Court