

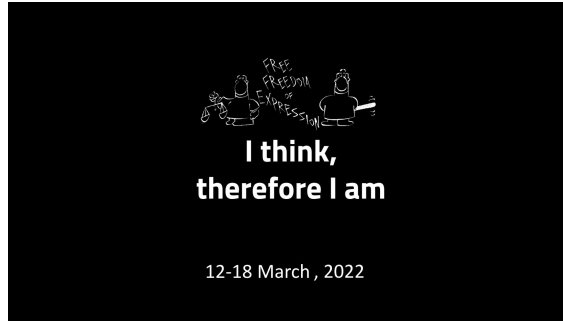
Think, think...



Freedom of Expression Weekly Newsletter (Issue 11/22 - March 18, 2022)

What happened last week?

- The electoral law proposal was submitted to the Parliament. If the Justice and Development Party (AKP) group's proposal to change the Electoral Law is accepted, the electoral threshold will be lowered to 7%. If political parties do not fulfill the requirement that they be organized in at least 41 provinces 6 months prior to the election, the phrase "having a group in the Parliament", which allows them to participate in the elections, will be removed from the law. Furthermore, the party-member President(!) will be exempted from election bans. If the proposal is enacted as law in its current form, the electoral boards in all provinces will be changed by lottery. The opposition alleges that the bill was designed entirely to break the opposition's power.
 - With the call of the Turkish Medical Association and many health professional organizations, health workers went to the Great Mission on March 14, Medicine Day. Erdogan, who said "let them go if they go" a week ago, said this time in his March 14 speech, "We cannot repay physicians..."; announcing that violence against healthcare workers will be included in the Turkish Criminal Code (TCK) catalog crimes and financial conditions will be improved.
 - Diyarbakır Regional Court of Justice ruled that the death of university student Kemal Kurkut, who was killed by the fire opened by the police at the 2017 Diyarbakır Newroz search point, happened "within the legal framework"! The family's claim for compensation was also rejected before, and the accused police officer Yakup Şenocak [was acquitted](#).
 - Minister of Economics Nurettin Nebati continues his talks with international investors, and his last stop was France. In his speech to the investors, Nebati said, *"Did you have a problem... Relax. You can reach us immediately. We will overthrow the bureaucracy, we have the President behind us, relax. We will also change the legislation..."* The Central Bank Money Markets Board did not change the policy rate at its regular meeting.
 - The Constitutional Court reversed the regulation that allowed the State Supervisory Board Group Chairman to suspend the management of associations, cooperatives, unions and foundations after a Presidency decree. The court [ruled](#) that such a regulation can not be made with a Presidential decree.
 - New memoranda were prepared against nine Parliament members, including 8 Peoples' Democratic Party (HDP) members and 1 Republican People's Party (CHP) member.
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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...

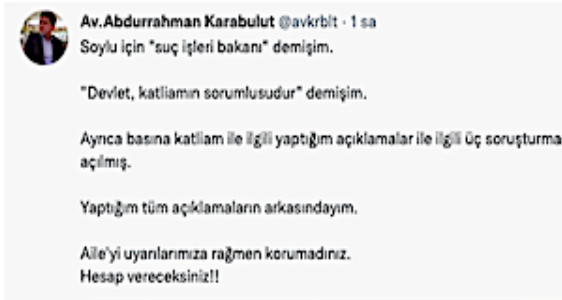
[Click here](#) for all our video bulletins...



23 women detained in Diyarbakır

As part of an investigation launched by the Diyarbakır Chief Public Prosecutor's Office in 2021, many women, including trade union members, civil society activists and politicians, were detained. Within the scope of the investigation, in which detention warrants were issued for 24 women, the President of Rosa Women's Association, Adalet Kaya, was

detained. The association, which has been operating in Diyarbakır since 2018, has been subjected to systematic judicial harassment since 2020, while its directors and members have been detained and arrested in two consecutive years of police raids.



Three separate investigations against Dedeoğulları family lawyer

Three separate investigations have been launched against the lawyer of the Dedeoğulları family, Abdurrahman Karabulut, after the family was repeatedly harassed on the grounds of being Kurdish in Konya's Meram district and was killed in the attack against their house on

July 30, 2021. In the investigations opened by the Konya Chief Public Prosecutor's Office, the lawyer's tweets and statements about the case were considered crimes. Karabulut said, "I told Süleyman Soylu was a minister of criminal affairs, I said that the state is responsible for the massacre. In addition, three investigations were opened regarding the statements I made to the press about the massacre. I stand behind all the statements I have made. You did not protect the family despite our warnings. You will give account for it!"



Lawsuit against two Dutch journalists

The first hearing of the lawsuit filed against Dutch journalists Olaf Koens and Pepijn Nagtzaam, who were detained in Edirne while following the refugee movement on the Turkish-Greek border last September, was held at the Edirne 5th Criminal Court of First Instance. The trial of journalists, who are

charged with "violating the Law No. 2565 on Military Forbidden Zones and Security Areas" will continue on May 12.



Journalist-writer Zekine Türkeri convicted

Journalist and writer Zekine Türkeri, who was accused of "making propaganda for a terrorist organization" on the grounds of her social media posts, was sentenced to 1 year, 6 months and 22 days in prison by the Istanbul 13th Assize Court.



79-year-old Peace Mother Meryem Soylu sentenced to imprisonment

79-year-old Peace Mother Meryem Soylu, who was prosecuted on charges of "terrorist organization membership" within the scope of the investigation launched against the Association for Assistance, Solidarity, Unity and Culture with Families Who Have Lost Their Relatives, was sentenced to 6 years and 3

months in prison.



Police intervention against physicians on Medicine Day

The police intervened against the Istanbul Medical Chamber members, who wanted to lay a wreath at the Atatürk Monument in Taksim due to the March 14, Medicine Day. Physicians protested the situation by laying wreaths at the police barricade.



Lawsuit against song in Kurdish

The latest hearing of the lawsuit filed against Mesopotamia Culture and Art Association members Abdullah Ayav, Vesile Yüksel and Ruken Aslan, was held at Mardin 3rd Assize Court on charges of “making propaganda for a terrorist organisation” for singing in Kurdish at a children’s festival organised in Nusaybin.

Information about the outcome of the hearing was not yet available at the time the program was being broadcast.



Investigation against Veli Saçılık

An investigation was launched against Veli Saçılık, one of the symbolic figures of the protests against the Statutory Decrees, due to his social media posts. Saçılık is accused of "making propaganda for a terrorist organization" for his post, "Alevism is the way of forties, not races - we are the garden, we have the rose... We have the seventy-two

languages” and for announcing that the daughter of poet Gülten Akın was dismissed from public service with a Statutory Decree.



Protest bans ongoing in Van

The protest ban implemented in Van since 2016 is maintained by the Governorate. Van Governorate issued another protest and demonstration ban on the pretext of "providing national security" and imposed a civil administration permission requirement for demonstration marches, open-air meetings, and

all kinds of protest and events for 15 days, starting from March 15.



Acquittal in lawsuit filed due to post on Deniz Poyraz

Peoples’ Democratic Party (HDP) Van Provincial Co-Chair Handan Karakoyun, who was accused of "insulting" and "public incitement towards hatred and enmity" on the grounds of a social media post regarding the attack against the Peoples’ Democratic Party

(HD) Izmir provincial building and the killing of party employee Deniz Poyraz, was acquitted in the lawsuit filed against her at the Van 7th Assize Court.



Citizens protesting mine acquitted following Constitutional court decree

6 citizens from Fatsa Ünye Nature Conservation Platform, who were convicted of “violating the Law on Meetings and Demonstrations No. 2911” due to the marches and protests against the gold mine in Fatsa district of Ordu, were acquitted in the retrial at

the Fatsa 3rd Criminal Court of First Instance after the violation decree issued by the Constitutional Court.



Artist Şenol Akdağ acquitted

The lawsuit filed against artist Şenol Akdağ, who was detained during the police raid against his house in November 2020 and arrested for "giving a concert under a terrorist flag and banner" and was imprisoned for 3 months within the scope of the file, resulted in his acquittal of the charge of “making propaganda for a terrorist organisation” at the Istanbul 34th

Assize Court.



Women defending Istanbul Convention acquitted

Seven women, including Van Tusba Co-Mayor Ayşe Minaz, Muradiye Co-Mayor Leyla Balkan and Peoples’ Democratic Party (HDP) İpekyolu District Co-Chair Canan Uzunay, were acquitted in the lawsuit filed against them due to calling for participation in the protest

march to be held in Van after the ruling decree to withdraw from the Istanbul Convention. Within the scope of the case heard at the Van 5th Criminal Court of First Instance, the women were charged with "organizing, leading and participating in illegal meetings and demonstrations" for sharing the video they prepared as a call for the march to be held on April 10, 2021 on social media.



Lawsuit against journalist Çetin Kurşun

In the lawsuit filed against Azadiya Welat Daily journalist Çetin Kurşun, which was previously shut-down with a Statutory Decree, on charges of "making propaganda for a terrorist organization" for allegedly being the founder of the website named Ciwannews, the

court decided to combine the file with another file in the same court against the journalist on the charge of "terrorist organization membership". The 3-year prison sentence given to Kurşun for "making propaganda for a terrorist organization" was overturned by the appeal court decree, and the Gaziantep Regional Court of Justice 3rd Criminal Chamber demanded that Kurşun be tried on the charge of "terrorist organization membership".



MLSA launches February case tracking report

Media and Legal Studies Association (MLSA) shared its report on 49 journalism and freedom of expression cases it followed in February. Terrorism accusations such as "propaganda" and "terrorist organization membership" constituted more than 42% of the charges

imposed against defendants in the aforementioned lawsuits filed against 409 people. News, articles, photographs in 25 and social media posts in 21 of the 49 cases followed were cited as criminal evidence. In all of the 5 different lawsuits filed on the charge of "insulting the President", the evidence of crime was news, articles and social media posts! In 4 of the concluded cases; two journalists were sentenced to 1 year, 6 months and 22 days in prison for "making propaganda for a terrorist organisation" and one writer was sentenced to 6 years and 3 months for "terrorist organization membership". In addition, a journalist was sentenced to a judicial fine of 7 thousand 80 TL for "insulting a public official". [Please click here](#) for details...



CHP executive acquitted of "insulting Erdoğan"

The lawsuit filed against Republican People's Party (CHP) Diyarbakır Provincial deputy chairman Mahmut Aziz Uysal on the charge of "insulting the president" for a cartoon he shared on his social media account in 2018, resulted in his acquittal.



Academic acquitted of post on "Kurdistan"

Academic Hifzullah Kutum, who was accused of "making propaganda for a terrorist organization" on the grounds of social media posts containing the words "Kurd" and "Kurdistan", was acquitted in the lawsuit filed against him at the Elazığ 2nd Assize Court.



Detainment in transportation price increase protest

The police intervened against the protest of university students in Ankara at Kızılay Subway Station against the 44 percent increase in public transportation fees. As a result of the police intervention, many university students were detained.



Investigation against HDP poster

Peoples' Democratic Party (HDP) Hatay Women's Assembly hung a poster on the window of the party's Iskenderun district building in solidarity with Peoples' Democratic Party (HDP) Parliament Member Semra Güzel, whose immunity was lifted, and became the subject of investigation. Within the scope of the

investigation launched against Şahin with the allegation of "praising the crime and the criminal", the Iskenderun Chief Public Prosecutor's Office emphasized that there is no final court decree about Guzel and issued a verdict of non-prosecution.



Constitutional Court issues violation decree on Law of Misdemeanors

The Constitutional Court has ruled on two violations of the Law on Misdemeanors, which the police frequently resort to to prevent the use of "freedom of expression". The court ruled that imposing fines on members of the Construction Workers Union for violating the Law of Misdemeanor due to "disturbing the

environment" through "hanging posters" and "press statements" was a "violation of the principle of legality of penalties". In one of the applications, the court ruled that the police prevention against the workers' statements about their salaries was a "violation of the Right to Meeting and Demonstration".



Constitutional court issues violation decree against Press Ad Institute penalty

The Constitutional Court ruled that the three-day official advertisement ban against Cumhuriyet Daily on the grounds that a phrase used by Erdoğan for a farmer in Mersin was used in a column during President Recep Tayyip Erdoğan's Prime Ministry was a

violation of freedom of expression and press. The court ordered the local court to eliminate the violation.



Anti-Terror unit files criminal complaint against Turkish Medical Chamber President

The Anti-Terrorism Department Chairmanship announced that a criminal complaint was filed against President of the Turkish Medical Association Prof. Dr. Şebnem Korur Fincancı because of a YouTube program she participated in. In the statement made by the Turkish

Medical Association on the subject, "The statement made to the public by specifying the name is not only exceptional, but the announcement that a criminal complaint has been made reveals the aim of establishing a sentence and executing it... It should also be known that efforts to damage the prestige of our Association through actions taken against our President with accusations that have no legal basis are futile and we will not give up our struggle for the right to health and labour."



Lawsuit against journalist Nurcan Yalçın

An indictment was prepared against journalist Nurcan Yalçın, who was detained during a raid against her home on February 4 as part of an investigation conducted by the Diyarbakır Chief Public Prosecutor's Office, on the charge of "wilfully aiding a terrorist organization". In the indictment, the interviews made by the journalist during the curfews in Diyarbakır's

Sur district were counted as criminal elements. The first hearing of the case will be held on May 17 at the Diyarbakır 5th Assize Court.



Investigation against price increase protest

An investigation was launched against the citizens, who marched in Eskişehir on February 12 to protest the electricity price increases. Citizens who participated in the protest, which was prevented by the police, were summoned to the police stations to testify.



Journalist Ertürk Yılmaz acquitted

Journalist Ertürk Yılmaz, who was detained in December 2021 due to a secret witness statement against him, was acquitted in the lawsuit filed against him at the Izmir 15th Assize Court on the charge of "making propaganda for a terrorist organization".



Another access ban against ETHA

The website of Etkin News Agency (ETHA) has been banned with a decree issued by the Diyarbakır 4th Criminal Court of Peace. With the decree, the agency's website was censored for the 6th time in 2022, and for the 35th time in total.



Social media operation in Izmir

14 people, including 4 women, were detained in Izmir due to their social media posts. It was alleged that the detainees were making "propaganda for a terrorist organisation" on social media.



Constitutional court issues violation decree on “organisation freedom”

The Constitutional Court ruled, with an unanimous decree, that the dismissal of teacher Ali Kuş, a member of the Freedom and Solidarity Party, without allowing him a reasonable time to resign from his party membership, was a violation of his right to

organisation.



Seven protesters detained

7 members of the Socialist Solidarity Platform, who wanted to make a statement on Istiklal Street in Istanbul, were beaten and detained by the police.



TRIALS OF FREEDOM OF EXPRESSION

<p style="text-align: center;"><u>Turgut Öker Case</u></p> <p>The lawsuit filed against the Confederation of European Alevi Unions Founder and Chairman Turgut Öker due to the speech he gave at the protest rally organised against President Erdoğan in Germany in 2015...</p> <p>Court: Istanbul Anatolian 10th Criminal Court of First Instance</p> <p>Verdict: The case was adjourned to September 22.</p>	<p style="text-align: center;"><u>Mehmet Emin Kurnaz Case</u></p> <p>The lawsuit filed against BirGün Daily Policy Editor Mehmet Emin Kurnaz on charges of “insulting the President” and insulting a public official”...</p> <p>Court: Istanbul 2nd Criminal Court of First Instance</p> <p>Verdict: The Prosecutor’s Office requested for Kurnaz to be penalised. The case was adjourned to September 8.</p>
<p style="text-align: center;"><u>Ferhat Tunç Case</u></p> <p>The lawsuit filed against artist Ferhat Tunç on the charge of “insulting a public official” due to his social media posts on former Prime Minister Binali Yıldırım in 2016...</p> <p>Court: Istanbul Büyükçekmece 16th Criminal Court of First Instance</p> <p>Verdict: The hearing couldn’t be held because the judge was excused.</p>	<p style="text-align: center;"><u>Gökhan Yavuzel Case</u></p> <p>The lawsuit filed against writer Gökhan Yavuzel due to “public incitement towards resentment and hostility” through an article he wrote on culture and arts...</p> <p>Court: Ankara 7th Criminal Court of First Instance</p> <p>Verdict: The court decided for the warrant issued against Yavuzel, who resides abroad, to remain. The case was adjourned to June 28.</p>
<p style="text-align: center;"><u>Vedat Dağ Case</u></p> <p>The lawsuit filed against Peoples’ Democratic Party (HDP) Diyarbakır Provincial Organisation’s Press Consultant Vedat Dağ on the charge of “illegal organisation membership” and “making illegal organisation propaganda” due to his participation in and sharing Peoples’ Democratic Party events, as well as secret witness statements against him...</p> <p>Court: Diyarbakır 11st Assize Court</p> <p>Verdict: The case was adjourned to April 13.</p>	<p style="text-align: center;"><u>DIAYDER Case</u></p> <p>The lawsuit filed against Religious Scholars Aid and Solidarity Association (DIAYDER) members and executives on charges of “terrorist organisation membership” and “terrorist organisation membership”, which was used as basis for the “special inspection” used by the Interior Minister against the workers of the Istanbul Metropolitan Municipality...</p> <p>Court: Istanbul 14th Assize Court</p> <p>Verdict: The court issued the release of two arrested defendants and decided for four defendants to remain arrested, adjourning the case to May 13.</p>

HEARINGS NEXT WEEK

<p style="text-align: center;"><u>Gezi Park Case</u></p> <p>The lawsuit filed against 17 people, including arrested businessman Osman Kavala, regarding Gezi Park protests...</p> <p style="text-align: center;">March 21, Monday at Istanbul 13th Assize Court</p>	<p style="text-align: center;"><u>Newspaper Distributors Case</u></p> <p>The retrial of newspaper distributors veysi Altın and Ercan Yeltaş on the charge of “making propaganda for a terrorist organisation”...</p> <p style="text-align: center;">March 22, Tuesday at Diyarbakır 5th Assize Court</p>
<p style="text-align: center;"><u>Ilyas Salman Case</u></p> <p>The lawsuit filed against actor Ilyas Salman, who shared a video of him criticizing the Presidential Culture and Arts Awards on a TV show he participated in, on the charge of “denigrating the state” in accordance with Article 301 of the Turkish Criminal Code...</p> <p style="text-align: center;">March 22, Tuesday at Istanbul anatolian 54th Criminal Court of First Instance</p>	<p style="text-align: center;"><u>Saturday Mothers Case</u></p> <p>The lawsuit filed against 46 people, who were detained during the police attack against the 700th week protest of the Saturday Mothers on August 25, 2020 on the charge of “violating the Law on Meetings and Demonstrations”...</p> <p style="text-align: center;">March 23, Wednesday at Istanbul 21st Criminal Court of First Instance</p>
<p style="text-align: center;"><u>Case Against Istanbul Convention Protest</u></p> <p>The lawsuit filed against 33 women, who were detained during the protest organised by the Ankara Women’s Platform on august 12, 2020 against the debates to withdraw the Istanbul convention, on the charge of “violating the Law on Meetings and Demonstrations”...</p> <p style="text-align: center;">March 23, Wednesday at Ankara 28th Criminal Court of First Instance</p>	<p style="text-align: center;"><u>Boğaziçi University Case</u></p> <p>The lawsuit filed against 4 students, who were detained due to “carrying a rainbow flag” while protesting for their arrested friends as well as 8 other students, who were detained as they were protesting the situation, on the charge of “violating the Law on Meetings and Demonstrations”...</p> <p style="text-align: center;">March 24, Thursday at Istanbul 24th Criminal Court of First Instance</p>
<p style="text-align: center;"><u>Özgürlükçü Demokrasi Case</u></p> <p>The lawsuit filed against journalists Aziz Oruç and Ersin Çaksu on the charge of “denigrating the state” in accordance with Article 301 of the Turkish Criminal Code due to the news articles and columns published in previously shut-down Özgürlükçü Demokrasi Daily between the dates October 21 and November 1, 2016...</p> <p style="text-align: center;">March 24, Thursday at Istanbul 2nd Criminal Court of First Instance</p>	<p style="text-align: center;"><u>Özgür Gündem Case</u></p> <p>The lawsuit flied against previously shut-down Özgür Gündem Daily’s Managing Editor İnan Kızılkaya and journalist Can Dündar, who joined the Substitute Editing-In-chief campaign for solidarity with the newspaper, on the charge of “insulting a public official” due to the news article published in the newspaper with the headline, “The most useful judge of the palace regime”...</p> <p style="text-align: center;">March 24, Thursday at Istanbul 2nd Criminal Court of First Instance</p>

Semiha Şahin and Pınar Gayıp Case

The lawsuit filed against 4 people, including ETHA editor Semiha Şahin and reporter Pınar Gayıp on charges of “terrorist organisation membership” and “making terrorist organisation propaganda”...

March 24, Thursday at Istanbul 23rd Assize Court

Serife Oruç Case

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

March 24, Thursday at Batman 2nd Assize Court