

# Think, think...



## Freedom of Expression Weekly Newsletter (Issue 31/22 - August 12, 2022)

### What happened last week?

- Evaluating the objections of the Republican People's Party (CHP), the Constitutional Court decided that it is unconstitutional to determine the type and price of vehicles to be acquired by the Presidency and the Grand National Assembly of Turkey by the top executives of these institutions, and canceled the regulation.
  - President Tayyip Erdoğan visited Hüseyin Gazi Cemevi in Ankara on the last day of the Muharram fast. Before the visit, the management of Hüseyin Gazi Association and some Alevi organizations reacted to the situation. The Board of Directors described the visit as an "imposition" and did not participate. It was claimed on social media that the places of the paintings of Atatürk, Hacı Bektaş-ı Veli and Hz. Ali were changed. Hüseyin Ayyıldız, the head of the Hüseyin Gazi Cultural Foundation, denied the claim that the paintings were removed, saying that "there were already renovation constructions being made". The Federation of Alevi Foundations, on the other hand, announced on their social media accounts after the controversial visit that the necessary procedures were started for the dismissal of the cemevi administration.
  - The Constitutional Court (AYM) concluded the application of the family of Ali İsmail Korkmaz, who was killed in Eskişehir during the Gezi Park resistance, and ruled that "the material and procedural aspects of the prohibition of torture were violated". A copy of the decree will be sent to the Kayseri 3rd Assize Court for a retrial against police officer Hüseyin Engin. Ali İsmail Korkmaz's family will be paid 67,500 TL of compensation.
  - The Governor of Urfa banned the Şenyaşar Family, who had been carrying out the Justice Watch in the garden of the courthouse for a while due to the extreme heat in Urfa, with the instruction, "It is forbidden to make protests in front of public buildings".
  - Minister of Justice Bekir Bozdağ spoke on the European Court of Human Rights (ECtHR) decree on Osman Kavala, which was not implemented, and said: "*The Turkish court implemented and complied with the ECtHR's decree on violation of rights regarding Osman Kavala. He was arrested due to another crime, and his trial continued, now the verdict is concise.*"
  - Diyarbakır 5th Criminal Judicature of Peace has decided to continue the arrest of 16 journalists, who have been imprisoned in Diyarbakır since June 16.
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*Our weekly video programme, “[COGITO ERGO SUM](#)”, in which we follow the freedom of expression agenda, is on our [YouTube channel](#) every week.*

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

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### **Police intervenes against detainee families on justice watch**

The statement that the families of the detainees wanted to make in Esenyurt Square in the 20th week of the justice watch launched for justice for the ill prisoners was blocked by the police. The police battered the journalists Umut Taştan and Doğan Kaynak who were following the incident for news coverage.



### **Nol-pros in investigation against those marching against price hikes in Eskişehir**

After the march against the price hikes held in Eskişehir on February 13, a verdict of non-prosecution was issued for 42 people who were investigated. A criminal complaint has been filed against the "decision makers and practitioners who prevented the march" regarding the police attack against the people of

Eskişehir demanding “the price hikes be reversed”.



### **Investigation against Spotify due to “insulting religious values and state authorities”**

An investigation was launched against Spotify, an online music and podcast service, for "insulting religious values and state authorities" due to the playlist names prepared by users. In the "insulting playlists" determined in the investigation launched

upon the complaints made to the Presidential Communication Center (CIMER); 'The songs

that Recep Tayyip Erdoğan listened to while drinking raki', 'Allah's phone ringing', 'Songs listened by Allah as he banished Adam from heaven.'



### **Access block against news on BirGün upon complaint by AKP Provincial Director**

The news, which was published on the website of BirGün Daily on July 27 with the headline "Tax opportunities are just for the supporters", was blocked by the Istanbul 7th Criminal Judicature of Peace on August 2, upon the application of Justice and Development Party (AKP) Istanbul

Provincial Executive Board member Selçuk Kar. Istanbul 5th Criminal Judicature of Peace, again with the application of Justice and Development Party (AKP) member Kar, decided to "remove the content and block access to the content" about the news story published with the headline, "Tender Society!" on BirGün Daily's website on July 14.



### **Police intervenes against street interview**

A police captain intervened and wanted to take the camera from the street interviewers for the YouTube channel "Objective Media". The interview was interrupted as undercover policemen were also included in the discussion. Reporters who made street interviews were detained with their cameras and microphones. It was noteworthy that the police captain said, as he was detaining the others, "You are all commenting there."



### **Police intervenes against ETF workers as they resisted for compensation payments**

The police intervened in the protest in front of the factory for 19 days by approximately 250 workers who could not receive their bonuses and compensations at ETF Tekstil in Tuzla district of Istanbul, where Deriteks Union is organized, which was announced to be closed. There was a clash between the workers and the police, after the workers

reacted to the removal of the goods in the factory accompanied by the police. According to the Twitter post of Deriteks Union, many workers fainted during the clash.



### **Erdoğan's former lawyer files lawsuit against journalist upon news coverage on allegations against him**

Mustafa Doğan İnal, former lawyer of President Recep Tayyip Erdoğan, filed a lawsuit against Nazan Özcan, the former Editor-in-Chief of Bianet, for "insulting and slander" because of the news article with the headline, "Lawsuit against journalists who cover bribery allegations against Erdoğan's lawyers". The first hearing of the case will be heard at the Istanbul 34th

Criminal Court of First Instance on December 8.



### **Zeytinli Rock Festival banned**

Balıkesir Burhaniye District Governorate banned the Zeytinli Rock Festival, which was planned to be held on August 17-21, 2022 and whose tickets were on sale days in advance, on the grounds of "the protection of public safety and health, public peace, and the environment".



### **Police prevents musicians from making Kurdish music**

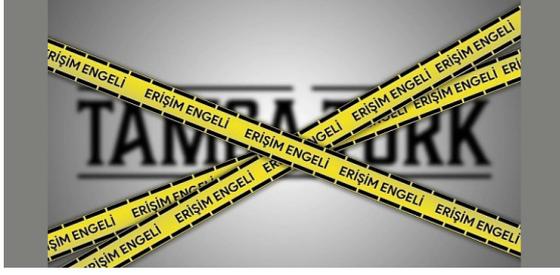
Musicians making Kurdish music in Taksim district of Istanbul were prevented by the police. The musicians protested the situation by singing the song 'Yar Meleke' performed by Aynur Doğan in front of the Istanbul Metropolitan Municipality building, after the preventions.



### **Police prevents Ali Babacan's speech to public**

The speech that Democracy and Progress (DEVA) Party Chairman Ali Babacan wanted to make to the public in Denizli was prevented by the police. After the police intervention, there was a heated discussion between DEVA Party Election Affairs President İdris Şahin and the officials. After the discussion, the police officers

on duty at the scene met their superiors and then indicated that there was no harm in holding the event, not intervening against the speech.



## **Access block against news on 'Fake University Diplomas from Abroad'**

The Istanbul 2nd Criminal Court of Peace imposed an access block on the article titled "Allegations of High Level Position Entries with Diplomas Received from Fake Universities Abroad" on the Tamga Türk website, upon the complaint of the name

indicated on the electronic money and payment service institution mentioned in the allegations. In the blocked news, it was claimed that some people who were educated at Aston American University and similar schools, which did not even have a building, came to high-level positions in Turkey with fake diplomas they received.



## **Constitutional Court rules Press Ad Institute violated press freedom**

The Constitutional Court (AYM) ruled that the fines imposed by the Press Advertisement Institute (BIK) violated press freedom. The court emphasized that the uncertainty in the Law on the Organization of the Press Advertisement Institute, which the BIK used

as a basis for penalizations, caused arbitrary practices. Penalties were issued against 13 news stories and columns for Cumhuriyet; 5 news stories to Sözcü, 3 to Evrensel and 1 to BirGün and these media organizations brought the official announcements and advertisement cuts imposed by the BIK to court. The newspapers, which could not get results from the civil courts of first instance, finally applied to the Constitutional Court.



## **Gökçeada Virgin Mary Fair cancelled**

Gökçeada Virgin Mary Fair, the construction of which was undertaken by the Imroz Education and Culture Association this year and held every year on August 14-16, was canceled due to complaints made to CIMER. The Imroz Education and Culture Association announced that permission was obtained from the Gökçeada District Governorate after the

approval of the Tepeköy Neighborhood Unit, but the fair was banned after the complaints received later.



## **TRIALS OF FREEDOM OF EXPRESSION**

\* There are no hearings for the cases we are following next week due to the judicial recess.