

Think, think...



Freedom of Expression Weekly Newsletter (Issue 36/23 - September 15, 2023)

What happened last week?

- CHP Diyarbakır MP Sezgin Tanrikulu was made a target. A lynch campaign was launched against him and he was threatened by President Erdoğan... *Details are in the bulletin...*
- The European Parliament's 2022 Turkey Report emphasised that accession negotiations, which have been ongoing since 2005 but were frozen due to recent political developments, "cannot be resumed unless Ankara makes a radical change of direction".
- At the press conference after the G-20 Summit, Erdoğan showed the "Rabia" sign, a symbol of his closeness to the "Muslim Brotherhood", and told reporters on his way back that trade and politics were going "very positively" with Egyptian President Sisi, whom he described as a coup plotter yesterday.
- Minister of National Education Yusuf Tekin, who targeted LGBTI+'s in a TV programme, announced that a course titled "Family in Turkish Society" was added to the curriculum. The minister, who could not get up to speed, said that basic human rights texts should be opened to discussion.
- The case against three fugitive defendants in the Sivas Massacre was dropped due to statute of limitations.
- A lawsuit was filed against arrested police officer Engin Kaplan and bodyguard Yücel Baysalı in connection with the attack on Bitlis Journalists' Association President Sinan Aygül; both defendants were released at the first hearing. A non-prosecution decision was issued against Tatvan Mayor Mehmet Emin Geylani for "instigating the attack".
- Ayhan Bora Kaplan, who was arrested for allegedly leading a criminal organisation, said in his statement at the police station that he "bought a luxury villa and a car for a member of the Supreme Court of Appeals". In Kaplan's statement, it was claimed that the person he bought a villa and a car from was Yüksel Kocaman, whom he married and who climbed up the career ladder with jet speed. Kocaman denied the allegation, saying she had met Kaplan once in a restaurant and argued that Kaplan's detention was an operation against former Interior Minister Süleyman Soylu.
- The International Federation for Human Rights (FIDH) and the Observatory for the Protection of Human Rights Defenders (OMCT) prepared a report on "[Closure Cases against Associations in Turkey](#)". According to the report, association closure cases, which are increasingly used to restrict civic space, have become the new method of preventing critical work, especially on women's and LGBTQI+ rights and the Kurdish issue.
- The UN Human Rights Council drew attention to war and crimes against humanity in its report on Syria. In the report, it was stated that civilians were also targeted in

Turkey's armed unmanned aerial vehicles (UAVs) attacks on Rojava and many civilians lost their lives.



Saturday Mothers detained again

Despite the Constitutional Court's ruling on the violation of the Constitutional Court's decision, the ban imposed by the district governor's office on the protests of the Saturday Mothers, which they have been organising for 28 years to ask the fate of their relatives who disappeared under custody and to bring the perpetrators to trial, continues. The police

attacked the demonstration again this week and detained 19 rights defenders under beatings. The protest to be organised in Van in solidarity with the Saturday Mothers was also prevented this week on the grounds of the protest ban announced by the governorate.



Investigation launched against CHP member Sezgin Tanrikulu

Ankara Chief Public Prosecutor's Office launched an investigation against CHP Diyarbakır MP Sezgin Tanrikulu on charges of "denigrating the state" (Article 301 of the Turkish Penal Code) and "inciting the public to hatred and hostility" following his speech on a TV channel. "Everything the TSK does is not free from criticism. Wasn't it the TSK that

staged a coup on 12 September? Isn't it the same army that attempted a coup on 15 July and burned villages... There are cases I have followed. Isn't it the TSK that threw 15 villagers out of helicopters... The ECHR judgement is there... Roboski has just become Uludere... ", a lynch campaign was launched against Tanrikulu and President Erdoğan targeted the MP and said, "He will not go unpunished". A summary proceeding was prepared against Tanrikulu, whom Erdoğan threatened to "give the necessary lesson".



Closure case against KCDP rejected

Istanbul 13th Civil Court of First Instance rejected the closure lawsuit filed against the Platform to Stop Femicide Platform Association (KCDP) on the grounds of "conducting activities against the law and morality" based on allegations such as "ignoring the notion of family, trying to break up the family structure, conducting immoral activities under the guise of defending women's

rights". Before the hearing, 2 activists carrying the rainbow flag were detained during the statement of the platform members in front of the courthouse.



Trial of Emine Şenyaşar, who demanded "justice"

Emine Şenyaşar, whose husband and two sons were murdered by the bodyguards and relatives of AKP MP İbrahim Halil Yıldız, and whose "justice watch" started in March 2021 in front of Urfa Courthouse and continued in front of the Ministry of Justice in Ankara, was convicted in the 86th day of her protest (2 June 2021). Urfa 2nd Criminal Court of First

Instance sentenced Şenyaşar, who was on trial for "insulting" Yıldız, to a fine of 5,800 liras and decided to defer the announcement of the verdict.



Singer Tan Taşçı sentenced for "insulting" rape perpetrator

Singer Tan Taşçı, who posted in support of actress Ezgi Mola, who was tried and sentenced for "insulting" specialised sergeant Musa Orhan, who raped 18-year-old İpek Er in Batman and drove her to suicide, was also convicted for "insulting" the perpetrator of rape. Taşçı was sentenced to 65 days of judicial fine in the Banaz (Uşak) Criminal Court of

First Instance for his post "Filing an insult case against Ezgi Mola demanding imprisonment is an attempt to legitimise rape".



Trial of arrested journalist Mehmet Şah Oruç begins

The first hearing of the lawsuit filed against Mezopotamya Agency reporter Mehmet Şah Oruç, who was arrested in April, due to "illegal organisation membership" and "making propaganda for an illegal organisation" through his news reports and social media posts, was held at Bitlis 2nd Assize Court. The court

rejected the journalist's request for release and adjourned the hearing to 31 October.



Trial of arrested journalist Abdurrahman Gök begins

The first hearing of the lawsuit filed against Mezopotamya Agency editor Abdurrahman Gök, who was arrested in April, due to "illegal organisation membership" and "making propaganda for an illegal organisation" through his news reports and journalistic activities, was

held at Diyarbakır 5th Assize Court. The court rejected the journalist's request for release and adjourned the hearing to 5 December.



Cypriot journalist sentenced for "insulting Erdoğan"

Şener Levent, Editor-in-Chief of the Cyprus-based daily Avrupa, who was charged with "insulting Erdoğan" (Article 299 of the Turkish Penal Code) for his article titled "Kurds and us", was sentenced to 11 months and 20 days in prison in Turkey. Levent, who said he was tried in absentia, announced that he

did not recognise the verdict. The journalist was previously prosecuted on the same charge due to a cartoon he published; while the trial in Cyprus ended in acquittal, he was sentenced to 1 year in prison by the 63rd Criminal Court of First Instance in Ankara and the sentence was converted into a judicial fine of 9 thousand TL.



Lawsuit filed against Newroz Organising Committee

The first hearing of the lawsuit filed against seven members of the Organising Committee of the Newroz event celebrated in Diyarbakır in 2021, on the charge of "violating the Law on Meetings and Demonstrations" was held at Diyarbakır Penal Court of First Instance No 5. The hearing was adjourned to 1 December.



The case against Leyla Güven

A lawsuit was filed against arrested former MP and Democratic Society Congress (DTK) Co-Chair Leyla Güven for her speech at an event in Silopi district of Şırnak in 2020. In the indictment accepted by Silopi 3rd Criminal Court of First Instance, Güven was charged with "inciting the public to hatred and hostility"

due to her statements "AKP-MHP will be held accountable" and "We will resist to hold them accountable". The first hearing of the case will be held on 31 October.



Lawsuit filed against economic crisis protest for "insulting Erdoğan"

In 2021, the trial of Workers' Party of Turkey (TİP) provincial chair Hakan Çayan and 6 party members, who were charged with "insulting the president" due to a press statement and slogans about the economic crisis and price hikes in Adana, started at

Adana 35th Criminal Court of First Instance. The second hearing of the trial will be held on 16 November.



Lawsuit against press statement

On 24 November 2021, the trial of Yeliz Toy, Bursa branch chair of Eğitim-İş Trade Union (Eğitim-İş), who was charged with "insulting the state" (Article 301 of the Turkish Penal Code) for her press declaration on Teachers' Day, started at Istanbul 35th Criminal Court of First Instance. The second hearing of the case will be held on 23 January.



The case against Selçuk Mızraklı

A new lawsuit was filed against Diyarbakır Metropolitan Municipality Co-Mayor Selçuk Mızraklı, who was replaced by a trustee and arrested, due to "illegal organisation membership". The file, in which Mızraklı was accused of covering the expenses of the film festival organised in the city in 2019, was merged with the case in which he was sentenced to 9 years, 4 months and 15 days in

prison and was retried at Diyarbakır 9th High Criminal Court after the Supreme Court of Appeals' reversal decision.



'Pride film' case against BEKSAV members

A lawsuit was filed against those detained by the police who intervened in the event after the Pride film screening organised by the Science Aesthetics Culture Arts Research Foundation (BEKSAV) as part of Pride Month on June 7 was banned by the Kadıköy District Governorate.



Compensation penalty for MP's parliamentary question

HDP MP Hüda Kaya, who submitted a parliamentary question on SADAT (International Defence Consultancy Construction Industry and Trade Inc.), founded by President Erdoğan's former chief advisor Adnan Tanrıverdi, was sentenced to pay compensation for "attacking SADAT's personal rights".



The case against the criminal complaint petition

The case against lawyer Tonguç Cankurt, who was charged with "insulting a public official" due to the expression "despicable attack" he used in his criminal complaint about the police intervention against the 10 October Massacre commemoration, was concluded with acquittal at Ankara 36th Assize Court.



Investigation against writer Zülal Kalkandelen

Istanbul Chief Public Prosecutor's Office initiated an investigation against Cumhuriyet columnist Zülal Kalkandelen due to "publicly disseminating misleading information" for her article titled "Children under state protection in a sect camp".



Investigation against journalist Onur Öncü

In the 16 March elections, an investigation was launched against ArtıTV presenter Onur Öncü for "publicly disseminating misleading information" after he shared the allegation that votes cast for the Green Left Party in various polling stations in Hakkari, Diyarbakır and Urfa were written as MHP votes.



Investigation into the party declaration

The distribution of the leaflet prepared by the Gaziantep provincial organisation of the Socialist Refoundation Party (SYKP) with the title 'Corruption in the palace, poverty for us' against the cost of living was banned by the governorate and an investigation was opened against the party's executives for "insulting the

president".



Protesters detained for protesting hateful 'public service announcement'

The Governorate declared a ban on demonstrations in front of the RTÜK Regional Directorate in Izmir to protest the decision of the Radio and Television Supreme Council

(RTÜK) to broadcast the promotional video of a hate rally as a 'public spot', the police intervened the demonstration and detained 10 people.



Workers dismissed for unionisation detained

The police intervened the protest of Agrobya Seracılık workers, who were dismissed from their jobs because they were members of the Agricultural Workers' Union (Tarım-Sen), in front of the company. 39 people, including Umut Kocagöz, chairman of Tarım-Sen, and Gökay Çakır, chairman of Maden-Sen, were beaten and detained.



TKP's film screening prevented by police

The police intervened the Communist Party of Turkey (TKP) event in Kocaeli's Gebze district where the film "Pardon" directed by Mert Baykal was to be screened, 13 people were detained.



DBP Amed Provincial Co-Chair Altun acquitted

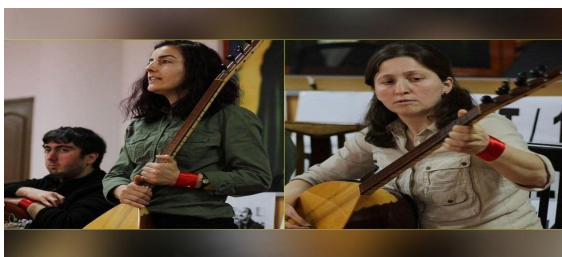
The case against Democratic Regions Party (DBP) Diyarbakır Provincial Co-Chair Hayrettin Altun, who was arrested last December due to "illegal organisation membership" on the grounds of the protests and activities he participated in and was released in

the first hearing in February, was concluded with an acquittal at Diyarbakır 4th Assize Court.



Rosa Women's Association founder Narin Gezgör sentenced

Narin Gezgör, one of the founding members of Rosa Women's Association, who was on trial at Diyarbakır 9th Assize Court due to "illegal organisation membership", was sentenced to 7 years and 6 months in prison.



Grup Yorum members arrested

Sevda Kurban and Merve Kurt, who were among 10 people detained in a police raid to Idil Cultural Centre where Grup Yorum was conducting its activities, were arrested.



Access blocked news

- Former rector of Malatya Turgut Özal University Aysun Bay Karabulut, who frequently came to the agenda with allegations of corruption and irregularities during her tenure, had access to news about her blocked. Malatya 1st and 3rd Criminal Judgeships of Peace issued 3 separate decisions and censored 84 news articles in total.
- News articles on MHP Van parliamentary candidate Şahin Yağar, a contractor who came to the agenda with fraud allegations and an attack on journalist İdris Yılmaz, were blocked from access by the Van Erciş Criminal Judicature of Peace.
- News on the mention of Istanbul Deputy Police Chiefs Hakan Bolat and Cevdet Hürol Öztürk, who were close to then Interior Minister Süleyman Soylu, in the "Swamp" file, which was announced as "the biggest drug operation in the history of the Republic", were blocked from access by the decision of Istanbul 3rd Criminal Judicature of Peace.
- News reports on Muammer Sarıdoğan, sub-governor of Karayazı district and municipality trustee in Erzurum, fining the shepherd of a flock passing by his convoy, were banned from access by the decision of Erzurum Karayazı Criminal Judicature of Peace.



Threat to journalist for sharing video of children being taken to prayer

- Journalist Bilal Güldem, who shared the moments when 3500 children between the ages of 7-10 were taken to collective prayers by the 'Qur'an Generation Platform' in Batman, was targeted by giving the address of his house and the names of the places he went to. The journalist stated that he started to be threatened after the targeting and was subjected to many insults and swearing on social media.



Governorate did not allow Mahsa Amini commemoration

Istanbul Governorate did not authorise the commemoration ceremony planned to be held in Beyazıt, Istanbul for the death anniversary of Mahsa Amini, who was killed in custody by the "morality police" in Iran.



Lawsuit against CHP leader

A lawsuit was filed against Republican People's Party (CHP) Chairman Kemal Kılıçdaroğlu due to "publicly insulting a public official" for the speech he made at his party's Istanbul regional meeting in 2014 about the 17

and 25 December corruption investigations. The first hearing of the lawsuit, which also demands a political ban for Kılıçdaroğlu, will be held on 7 March at Istanbul 51st Criminal Court of First Instance.



TRIALS OF FREEDOM OF EXPRESSION

<p>The lawsuit filed against journalist-writer Ercan Aktaş on charges of "alienating people from military service" and "making illegal organisation propaganda" based on his social media posts...</p> <p>Court: Bakırköy 2nd Assize Court Verdict: The court decided to wait for the execution of the arrest warrant against Aktaş, who lives abroad, and adjourned the hearing to 11 March.</p>	<p>The retrial of Diyarbakır Metropolitan Municipality Co-Mayor Selçuk Mızraklı, who was replaced by a trustee, after the 9 years, 4 months and 15 days imprisonment sentence against him was overturned by the Court of Cassation...</p> <p>Court: Diyarbakır 9th Assize Court Verdict: The court decided to continue Mızraklı's detention. The next hearing will be held on 29 November.</p>
<p>The lawsuit filed against the mother and father of 16-year-old Berkin Elvan, who was killed by the police during the Gezi Park protests, due to "insulting the President" because of the statements they made in front of the courthouse after the trial on the death of their child...</p> <p>Court: Istanbul 43rd Criminal Court of First Instance Verdict: The hearing could not be held due to the judge's leave of absence.</p>	<p>The lawsuit filed against writer Gökhan Yavuzel, who was charged with "insulting the President" due to his post about Deniz Poyraz, who was murdered in the attack on HDP building...</p> <p>Court: Şanlıurfa 4th Criminal Court of First Instance Verdict: The next hearing will be held on 7 March.</p>
<p>The lawsuit filed against 19 lawyers who made a press statement at the Istanbul Courthouse in 2015 to protest the October 10 Ankara Massacre due to "violating the Law on Meetings and Demonstrations" and "making illegal organisation propaganda"...</p> <p>Court: Istanbul 13th High Criminal Court Verdict: The next hearing will be held on 8 November.</p>	<p>The lawsuit filed against Evrensel newspaper's Managing Editor Görkem Kınacı and Publisher Kürşat Yılmaz on charges of "insult" and "slander" due to the news and articles on bribery and corruption allegations that came to the agenda with the revelations of mafia leader Sedat Peker...</p> <p>Court: Istanbul 2nd Criminal Court of First Instance Verdict: The next hearing will be held on 16 January.</p>
<p>The lawsuit filed against 31 people, including Jiyan News Editor-in-Chief Sonya Bayık, who were detained during a press statement organised in 2019 to protest the flooding of Hasankeyf by the dam waters, due to "violating the Law on Meetings and Demonstrations"...</p>	<p>The lawsuit filed against journalist Rabia Çetin, who was charged with "targeting people who took part in the fight against terrorism" and "insulting a public officer" for sharing a tweet announcing that the father of Deniz Poyraz, who</p>

<p>Court: Batman 1st Criminal Court of First Instance Verdict: The next hearing will be held on 12 December.</p>	<p>was murdered in the attack on HDP's Izmir office, was sued...</p> <p>Court: Istanbul 23rd High Criminal Court Verdict: The next hearing will be held on 6 November.</p>
<p>The lawsuit filed against artist Ferhat Tunç due to "insulting the President" through his social media posts...</p> <p>Court: Istanbul Büyükçekmece 14th Criminal Court of First Instance Verdict: The court decided to wait for the execution of the arrest warrant against Tunç, who lives abroad, and adjourned the trial to 7 May.</p>	<p>The lawsuit filed against Yeniçağ Daily's Editor-in-Chief Erdem Aşar, who was accused of "insult" and "slander" due to the news article about the allegations against Serhat Albayrak, Deputy Chairman of the Board of Directors of Turkuvaz Media Group, which is known to be close to the government, brought up by mafia leader Sedat Peker...</p> <p>Court: Istanbul 2nd Criminal Court of First Instance Verdict: The next hearing will be held on 23 January.</p>
<p>The lawsuit filed against the executives Reyhan Çapan and Hüseyin Aykol and writers Hasan Başak and Kemal Yakut due to "making illegal organisation propaganda" and "praising crime and criminal" for the news published in the shut-down Özgür Gündem newspaper...</p> <p>Court: Istanbul 13th High Criminal Court Verdict: The next hearing will be held on 11 January.</p>	<p>The lawsuit filed against Democratic Regions Party (DBP) Diyarbakır Provincial Co-Chair Seval Gülmez, who was charged with "being an illegal organisation member" due to the protests and events she attended...</p> <p>Court: Diyarbakır 11th Assize Court Verdict: The next hearing will be held on 15 January.</p>
<p>The lawsuit filed against 8 health workers, who were beaten and detained while trying to make a press statement in Van within the scope of the "White Strike" action of health professional organisations across the country, due to "opposition to the Law on Meetings and Demonstrations"...</p> <p>Court: Van 1st Criminal Court of First Instance Verdict: The next hearing will be held on 8 March.</p>	

HEARINGS NEXT WEEK

<p>The lawsuit filed against former Van-Hakkari Medical Chamber President Hüseyin Yaviç and HRFT Van Representative Sevim Çiçek, who were detained after their statement about the doctor who lost his life in a traffic accident after 36 hours on duty, due to "opposing the Law No. 2911 on Meetings and Demonstrations"...</p> <p>18 September Monday, Van 4th Criminal Court of First Instance</p>	<p>"'Istanbul' detail in the 'Antalya' operation in the judiciary: What are the appointed prosecutors indicative of?", the lawsuit filed against journalist Furkan Karabay, who was charged with "insult" and "slander" upon the complaint of President Erdoğan's lawyers Ahmet Özel and Mustafa Doğan İnal...</p> <p>19 September Tuesday, Istanbul 2nd Criminal Court of First Instance</p>
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<p>The lawsuit filed against Abdullah Kaya, Ağrı correspondent of the shut-down Dicle News Agency (DİHA), on charges of "illegal organisation membership" and "propaganda" due to his journalistic activities and social media posts...</p> <p>19 September Tuesday, Ağrı 2nd Assize Court</p>	<p>The lawsuit filed against Dicle News Agency (DİHA) reporter Şerife Oruç due to "illegal organisation membership"...</p> <p>19 September Tuesday, Batman 2nd Assize Court</p>
<p>The lawsuit filed against Yeni Yaşam newspaper's Editor-in-Chief Mehmet Ferhat Çelik and Managing Editor Osman Akın due to "insult" and "slander" through the news articles titled "Sedat Peker'den işşalar" (Revelations from Sedat Peker), "Peker published bribery documents" (Peker published bribery documents) and "Albayraks are involved" (Albayraks are also involved), published on the bribery and corruption allegations that came to the agenda with the revelations of mafia leader Sedat Peker...</p> <p>19 September Tuesday, İstanbul 2nd Criminal Court of First Instance</p>	<p>In 2020, the lawsuit filed against journalist Sultan Eylem Keleş, who was prevented and detained by the police while covering a protest organised in İstanbul by BİMEKS workers who could not get their rights, along with 4 other workers, on charges of "resisting to prevent the execution of duty" and "insult"...</p> <p>19 September Tuesday, İstanbul 56th Criminal Court of First Instance</p>
<p>The lawsuit filed against 46 university students and journalists Yağmur Kaya, Nebiye Arı and Hilal Işık, who were beaten and detained after the protest they wanted to organise in Ankara to draw attention to the housing problem was banned by the Governorate, due to "violating the Law No. 2911 on Meetings and Demonstrations"...</p> <p>20 September Wednesday, Ankara 15th Criminal Court of First Instance</p>	<p>The lawsuit filed against 32 people who were detained during the press statement organised in İzmir on the anniversary of the Suruç Massacre in 2022 due to "opposing the Law on Meetings and Demonstrations"...</p> <p>21 September Thursday, İzmir 19th Criminal Court of First Instance</p>
<p>The lawsuit filed against Ramazan Yurttapan, Managing Editor, Haydar Ergül, editor Haydar Ergül and writers Cihan Doğan, Musa Şanak and Zülal Nazan Üstündağ, accused of "denigrating the Turkish Nation, the State of the Republic of Turkey, the institutions and organs of the state" (Article 301 of the Turkish Penal Code) due to the articles in the 37th issue of the magazine Demokratik Modernite...</p> <p>21 September Thursday, İstanbul 2nd Criminal Court of First Instance</p>	<p>The lawsuit filed against 38 people, including journalists Vedat Öruç, Taylan Öztaş and Tunahan Turhan, accused of "violating Law No. 2911 on Meetings and Demonstrations" due to the protest against the appointment of trustees to HDP municipalities...</p> <p>21 September Thursday, İstanbul 13th Criminal Court of First Instance</p>
<p>The lawsuit filed against Miyase İlknur, the columnist of the newspaper, and Mustafa Birol Güger, the responsible manager of the</p>	<p>The lawsuit filed against journalist Cem Bahtiyar due to "making illegal organisation propaganda" through his social media posts...</p>

<p>newspaper's website, due to "slander" and "insulting a public official" for the article titled "Man Island case is obvious" published in Cumhuriyet newspaper on 16 April 2022...</p> <p>21 September Thursday, Istanbul 2nd Criminal Court of First Instance</p>	<p>21 September Thursday, Balıkesir 3rd High Criminal Court</p>
<p>The lawsuit filed against journalist Sibel Hürtaş, who was charged with "insulting a public official" for her article published on Artı Gerçek website in August 2020 about the process in which 624 colonels were retired due to lack of staff...</p> <p>22 September Friday, Ankara 19th Criminal Court of First Instance</p>	<p>The lawsuit filed against journalists Barış Pehlivan and Mustafa Büyüksipahi, who were charged with "insulting a public official" due to their news reports on Hamit Kocabey, a former member of the Council of Judges and Prosecutors (HSK) who allegedly resigned upon the instruction of MHP leader Bahçeli, and his lawyer son Nizameddin Kocabey...</p> <p>22 September Friday, Ankara 19th Criminal Court of First Instance</p>
<p>The lawsuit filed against Ramazan Yurttapan, Managing Editor of the magazine, Pakrat Estukyan, Agos newspaper Armenian pages Editor Pakrat Estukyan, lawyer Emran Emekçi, Mehmet Nimet Sevim and Cihan Doğan on charges of "making propaganda for a terrorist organisation" based on the articles in the 36th issue of the quarterly thought and theory magazine Demokratik Modernite...</p> <p>22 September Friday, Istanbul 30th High Criminal Court</p>	<p>The lawsuit filed against artist Ferhat Tunç due to "making illegal organisation propaganda" through his social media posts.</p> <p>22 September Friday Istanbul 37th Assize Court</p>

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