

Think, think...



Freedom of Expression Weekly Newsletter (Issue 3/24, January 19, 2024)

What happened last week?

- Speaking at the certificate ceremony organized for law faculty students undergoing internship at the Supreme Court, President of the Constitutional Court Zühtü Arslan [said](#): "There can be no justification for not executing a decision of the Constitutional Court. Failure to comply with some decisions undermines the right to individual application."
- Speaking at the weekly group meeting of the Turkish Grand National Assembly, MHP leader Devlet Bahçeli once again targeted the Constitutional Court: "People like you are in the cage of PKK law," Bahçeli said, targeting Constitutional Court President Zühtü Arslan and calling for the reading of the ruling on detained MP Can Atalay in the General Assembly of the Turkish Grand National Assembly.
- The Constitutional Court [ruled](#) that the applicants' right to freedom of expression was violated by issuing a "collective decision" for the applications made by publishers whose websites and/or content on these websites were blocked through Article 8/A of Law No. 5651 on the grounds of "protection of national security and public order".
- Antalyaspor's Israeli footballer Sagiv Jehezkel was detained for his joy after scoring a goal against Trabzonspor in a Super League match. Jehezkel was released pending trial after his statement. Jehezkel showed the cameras the inscription "100 days, October 7" and the Star of David symbol on the white bandage on his wrist. The writing, referring to the 100th day of Israel's attack on Gaza, sparked public outrage. It was announced that the player was fired from the team and will return to Israel soon. Israeli footballer Eden Karzev, who plays for Başakşehir, quoted a post on his social media account that included the phrase '100 days', supported Israel's attacks on Gaza and demanded the release of hostages. It was announced that Başakşehir Sports Club requested the player's defense.
- According to official figures, 9 soldiers lost their lives in another attack on one of the Turkish Armed Forces' military bases in northern Iraq.
- Agos Newspaper Editor-in-Chief Hrant Dink was commemorated 17 years ago in front of the Sebat Apartment Building in Şişli, Istanbul, where he was murdered. Bülent Aydın from the Friends of Hrant Initiative emphasized justice in the commemoration attended by hundreds of people, while writer Oya Baydar, speaking on behalf of the friends of Hrant, emphasized racism and the "vindictive generation".
- [Turkey](#) paid 55 million dollars and sent its first astronaut to the International Space Station via SpaceX.



Journalist Gökmen Karadağ acquitted

Gökmen Karadağ was acquitted in the lawsuit filed against him due to "targeting people who took part in the fight against terrorism" with the complaint of İrfan Fidan, a member of the Constitutional Court, for his conversations about the murder of Necip Hablemitoğlu with his guest Salim Şen on his program Açıkça on TELE 1 Channel.

In Karadağ's program, it was discussed why the prosecutor of the time, İrfan Fidan, did not take the testimony of Nuri Gökhan Bozkır, a defendant in the Hablemitoğlu murder case, and record what he told about the Hablemitoğlu case in 2014.



Journalist Sibel Yükler investigation ended

Diyarbakır Chief Public Prosecutor's Office ruled that there was "no grounds for prosecution" against Sibel Yükler, one of the journalists detained on charges of "targeting a public official who took part in the fight against terrorism" due to a news report on the reassignment of Mehmet Karababan, the investigation prosecutor who prepared an indictment against her colleagues, and his wife

Seda Karababan, who was part of the committee overseeing the case. Fırat Can Aslan, who was arrested within the scope of the same investigation, was acquitted in the trial; journalists Evrim Kepenek, Sibel Yükler, Evrim Deniz and Delal Akyüz were detained after reposting the HSK decision shared by Aslan.



Police operation against Kurdish politicians and civil society activists

165 Kurdish politicians and civil society activists were detained in police raids in 28 provinces. Among those detained are Justice Watch activists Kumri Akgül and Gülsüm Öztürk, Peace Mothers Fatma Yılmaz and Bedia Gökğuz, Women's Time Association President Dilek Başalan, DEM Party Women's

Assembly member Beser Çelik.



Furkan Karabay case started to be held

The first hearing of the lawsuit filed against journalist Furkan Karabay, reporter of Gerçek Gündem news website, due to "insulting" Deputy Justice Ministers Akın Gürlek and Hasan Yılmaz and Constitutional Court Member İrfan Fidan through a tweet he shared. The court decided to request the investigation files on Sezgin Baran Korkmaz and Mansimov Gurbanoğlu from the Istanbul Chief Public Prosecutor's Office. The next

hearing of the case, in which the journalist is charged with publicly and repeatedly insulting a public official because of his duty, will be held on April 3.



Journalist Mansur Çelik sentenced to 1 year in prison

Mansur Çelik, Managing Editor of ANKA News Agency, was sentenced to 1 year in prison in the lawsuit filed against him due to "targeting people who took part in the fight against terrorism" upon Akın Gürlek's complaint. Ankara 22nd High Criminal Court reduced the journalist's sentence to 6 months and postponed it.



Energy expert Önder Algedik appeared before the judge

24th Ankara Criminal Court of First Instance started to hear the case of energy expert Önder Algedik, who is on trial on charges of "opposing the law on disinformation" (TCK 217/A) due to his posts about the activities of the Ministry of Interior's Disaster and Emergency Management Presidency after the February 6 earthquakes. The trial will continue

on February 8.



Furkan Karabay sentenced to 1 year and 15 days in prison

"Istanbul detail in the 'Antalya' operation in the judiciary: What are the appointed prosecutors indicative of?" journalist Furkan Karabay was charged with "insult" and "slander" upon the

complaint of President Erdoğan's lawyers Ahmet Özel and Mustafa Doğan İnal. The court acquitted Karabay on the charge of "insult" and sentenced him to 1 year and 15 days of imprisonment on the charge of slander; the sentence was postponed.



TRIALS OF FREEDOM OF EXPRESSION

<p style="text-align: center;"><u>Sibel Tekin Case</u></p> <p>The lawsuit filed against documentary director Sibel Tekin due to "illegal organization membership" after she was reported and arrested while shooting for her documentary "Life Starting in Darkness" about the permanent daylight saving time...</p> <p>Court: Ankara 26th High Criminal Court Hearing Outcome: The trial will resume on March 5.</p>	<p style="text-align: center;"><u>Dicle Müftüoğlu, Zekeriya Güzüpek Case</u></p> <p>The lawsuit filed against Dicle News Agency reporters Dicle Müftüoğlu and Zekeriya Güzüpek due to terrorist organization membership...</p> <p>Court: Diyarbakır 5th High Criminal Court Hearing Outcome: Result: The court decided to continue detention of Dicle Müftüoğlu and set the next hearing for February 29.</p>
<p style="text-align: center;"><u>Lawsuit Against Evrensel Newspaper</u></p> <p>The lawsuit filed against Evrensel newspaper's Managing Editor Görkem Kınacı and Publisher Kürşat Yılmaz due to "insult" and "slander" for the news article titled "The bribery network in the stock exchange extended to the palace" and the article titled "Peker revelations reaching to the palace cannot be cleaned with a brave prosecutor" published in Evrensel newspaper about the 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 Hearing Outcome: The prosecution presented its final opinion on the case and demanded that both journalists be sentenced separately for libel. The next hearing will be held on March 19.</p>	<p style="text-align: center;"><u>Lawsuit Against Journalists</u></p> <p>The lawsuit filed against 12 journalists, including 9 journalists arrested in the operation against Mezopotamya Agency and JinNews, on charges of "illegal organization membership" based on 149 news articles published in Mezopotamya Agency, the protests they followed and their social media posts...</p> <p>Court: Ankara 4th High Criminal Court Hearing Outcome: Announcing its interim decision, the court decided to continue the ban on leaving the country for the defendants, to change the judicial control to monthly signature sessions, to ask the Ankara Police Department whether the examination of the digital materials has been completed and set April 25 for the next hearing.</p>

Rozerin Gültekin and Ergin Çağlar Case

The lawsuit filed against JinNews reporter Rozerin Gültekin and Mezopotamya Agency reporter Ergin Çağlar, who were detained during the Gemlik March to protest the, visit ban imposed on Abdullah Öcalan...

Court: Bursa 18th Criminal Court of First Instance

Hearing Outcome: The court decided to write a writ to JINNEWS again and to ask whether they had any reporters working for the agency in Bursa on the date of the incident and adjourned the trial to March 21.

HEARINGS NEXT WEEK

<p><u>İsmail Saymaz Trial</u></p> <p>The lawsuit filed against journalist İsmail Saymaz for writing that the wife of Murat Bircan, the judge who signed the convictions in the Gezi Trial, was a 'FETÖ confessor'.</p> <p>Tuesday, January 23; Istanbul 24th High Criminal Court</p>	<p><u>Erdem Avşar Case</u></p> <p>The lawsuit filed against Yeniçağ Daily's Editor-in-Chief Erdem Avşar, who was accused of "insult" and "slander" due to the news article on the allegations against Serhat Albayrak, Deputy Chairman of the Board of Directors of Turkuvaz Media Group, known for its close ties to the government, brought to the agenda by mafia leader Sedat Peker...</p> <p>Tuesday, January 23; Istanbul 2nd Criminal Court of First Instance</p>
<p><u>Hayri Demir Case</u></p> <p>The lawsuit filed against journalist Hayri Demir due to "membership in a terrorist organization" and "terrorist organization propaganda" on the grounds of his journalistic activity in northern Syria...</p> <p>Wednesday, January 24; Ankara 15th High Criminal Court</p>	<p><u>Sultan Eylem Keleş Case</u></p> <p>In 2020, the lawsuit filed against journalist Sultan Eylem Keleş, who was prevented and detained by the police while covering a protest organized in Istanbul by BİMEKS workers who did not receive their rights, along with 4 other workers, on charges of "resisting to prevent the execution of duty" and "insult"...</p> <p>Thursday, January 25; Istanbul 56th Criminal Court of First Instance</p>
<p><u>Case Against Isolation Protest</u></p> <p>The lawsuit filed against 9 people who were detained during the protest organized in Istanbul in 2019 against the isolation of PKK leader Abdullah Öcalan and journalist Zeynep Kuray, who followed the protest, due to "violating the Law on Meetings and Demonstrations No. 2911"...</p> <p>Thursday, January 25; Istanbul 39th Criminal Court of First Instance</p>	<p><u>Sezgin Kartal Case</u></p> <p>On January 10, Working Journalists' Day, the lawsuit filed against journalist Sezgin Kartal, who was detained by breaking down the door of his house and arrested due to "illegal organization membership"...</p> <p>Thursday, January 25; Istanbul 22nd High Criminal Court</p>

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