



# Think, think...

## Freedom of Expression Weekly Bulletin

(Issue 08/18, 23 February 2018)

### What happened last week?

\*\*\* One month was left behind in the 'Afrin Operation'. The General Staff announced 32 soldiers and 9 civilians dead; with 1829 illegal organization members neutralized. *"The siege of Afrin will happen much faster in the following days,"* said President Erdoğan. Gendarmerie and police special operation forces are being transferred to Afrin from various provinces of Turkey.

\*\*\* People's militia forces of the Syrian Army entered Afrin. Syrian government telecison broadcasted visuals of the pro-government militia. YPG confirmed the news; while Erdoğan stated that the forces directed to Afrin were stopped with artillery fires. Russian Foreign Minister Lavrov stated that Turkey's interests might be protected through direct dialogue with the Syrian army. Ankara sent the message: *"Intelligence units might establish certain connections, direct or indirect. However, a political dialogue is out of question."*

\*\*\* HRW announced that they have been under the impression that *"necessary measures are not taken to prevent civilian casualties."* The organization identified the deaths of 26 civilians, 17 of them children, during three different bombardments organized at the end of January. Erdoğan replied the allegations with the expressions, *"immoral"* and *"unconscientious."* *"If we haven't been separating civilians from the terrorists in Afrin, the operation would already be over,"* said Erdoğan.

\*\*\* EU Commissioner for European Neighbourhood Policy and Enlargement Negotiations Johannes Hahn indicated that Turkey must concentrate on strategic cooperation instead of its EU membership, stating that *"they will not shut their eyes to deficiencies in the state of law."* Hahn further indicated that the release of journalist Deniz Yücel does not change the worries on the conflicts regarding the state of law in Turkey and stated that the progress report to be announced in April will carry a critical quality, unless radical changes happen until then.

\*\*\* The common resolution, involving an electoral cooperation of the Justice and Development Party (AKP) with the Nationalist Movement Party (MHP). The resolution aims to make MHP enter the parliament in return to the support they will provide for President Erdoğan in the presidential elections. The resolution involves applications which will remove ballot box security and provisions providing advantages to the alliance parties. For instance, the "unsealed envelope" application will be legal, after causing heavy debate in the latest 'Presidential Referendum'.

\*\*\* The Ministry of Interior Affairs announced 786 people taken into custody within one month during the operations started after the 'Afrin Operation'. The Ministry accused those taken into custody with "making terrorist organization propaganda" with their social media posts and with "being provocateurs" due to the protest demonstrations they attended.

\*\*\* The annual report announced by Amnesty International, stated that the world has become a more dangerous place in terms of human rights. In the local analysis for Turkey, the biggest pressure was indicated to be on freedom of expression and human rights advocates. *“The State of Emergency created a new baseline on the already existing human rights violations.” (Details below...)*

\*\*\* Turkey was ranked 81st among 180 countries in the 2017 Corruption Perception Index of Transparency International. Thus, Turkey regressed continuously in the index within the last years, losing 28 ranks with 10 points of decrease within five years. For further information; <http://www.seffaflik.org/cpi2017/>



## Amnesty International launches annual report

Amnesty International launched the annual report, ‘2017/18: The State of the World’s Human Rights.’ Presenting an evaluation on the state of human rights in 159 countries, the report pointed out that hate speech has increased and discrimination was

normalized in 2017.

The Turkey section of the report stated, *“arbitrary and prolonged custodies aimed at penalization and unfair proceedings are part of Turkey’s agenda. Confidential information on the investigations were leaked to pro-government press channels, government authorities made prejudiced statements on the ongoing investigations. Penal prosecutions continued against journalists and political activists, with a sharp increase in the number of lawsuits filed against human rights advocates. International journalists and media members were targeted as well.”*

The report further pointed out that Amnesty International Turkey Chairman Taner Kılıç is kept behind bars for months “with absurd accusations;” defending that this situation “reveals how far Turkey currently is from being a state of law.” For the full report: <https://goo.gl/x2FJSV>



## First verdict in ‘Academics for Peace’ lawsuits, imprisonment sentence due to ‘illegal organization propaganda’

Istanbul 32nd High Criminal Court sentenced retired Prof. Dr. İzzettin Önder and research member Ayda

Rona Aylin Altınay Cingöz to 1 year and three months of imprisonment each due to

“making illegal organization propaganda” with the “We will not partake in this crime” petition. The sentences were deferred.

The lawsuits, filed separately against each Academic for Peace, started to be proceeded on 5 December 2017. 128 scientists have stood trial so far in the first hearings, which will continue until May. The imprisonment sentence against the two academics has been the first verdict issued in these proceedings.



## **Ömer Faruk Gergerlioğlu convicted of ‘illegal organization propaganda’**

Kocaeli 2nd High Criminal Court sentenced human rights advocate and former Mazlum-Der Chairman Medical doctor Ömer Faruk Gergerlioğlu was sentenced to 2 years and six months of imprisonment due to “illegal

organization propaganda.”

*“... I have shared an enactment photo on my social media accounts on a peace day with the theme, ‘do not let children die, do not let mothers cry’ and wrote, ‘when you look at this photograph, you will understand why war has no other meaning than making people and things run dry. The mothers are the same, the flags are different! When we die, we have no longer any difference from one another! Instead of our children’s coffins stand next to each other, our live children must stand next to each other. For equality, brotherhood, in solidarity...’ and I was sentenced to 2.5 years of imprisonment due to making terrorist organization propaganda because of it,”* stated Gergerlioğlu.



## **10 months of imprisonment against Nurcan Baysal due to article on Afrin**

Writer Nurcan Baysal was sentenced to 10 years of imprisonment due to “public denigration of the security

organization” with an article she wrote on the state of residence buildings in Cizre, evacuated and used by special operation forces after the operations in Cizre. Istanbul 56th Criminal Court of First Instance deferred the sentence of Baysal for five years with a condition of judicial control.

Baysal stated, *“It’s not my article, but those who constituted the topic of my article who committed a crime”* in the defense statement she made at the court. The article written by Baysal, titled, *“From the insides of the homes in Cizre: ‘Girls, we have come but you weren’t there’ writings, women’s underwear exhibited on the floors!”* was banned to access by Anara 6th Criminal Judicature of Peace. In the article, Baysal wrote on her observations in the region.



## **Sharing Newroz photograph of Reuters considered 'illegal organization propaganda'**

imprisonment; People's Democratic Party (HDP) Hope District Chairman Cemil Aksu was sentenced to 1 year and five months of imprisonment due to "making illegal organization propaganda" in Artvin with their social media posts.

Socialist Party of the Oppressed (ESP) Hopa District Chairwoman Nurcan Vayiç was sentenced to 1 year and seven months of

In two separate cases held at Artvin High Criminal Court, Aksu's social media post without stating any organization names, as well as the post of Vayiç sharing photographs taken by Reuters during the 2016 Diyarbakır Newroz were considered "terrorist organization propaganda" The sentences were deferred for five years.



## **Lawsuit against university students who 'whistled' in Kurdish**

The indictment against university students was completed after being beaten and taken into custody on 29 March 2017 at Dicle University campus due to "singing a Kurdish anthem with whistles."

In the indictment, accepted by Diyarbakır 10th High Criminal Court, the Prosecutor's Office stated, "*they have vocalized the anthem involving calls for violence and threat which qualifies as illegal organization propaganda.*" Charged with "making illegal organization propaganda," "committing a crime on behalf of an illegal organization without being a member," "resisting to prevent duty" and "violating the Law on Meetings and Demonstrations No. 2911", the 12 students face imprisonment sentences up to 27 years and six months.



## **Lawsuit against DTK Co-Chair Leyla Güven**

The investigation against Democratic Society Congress (DTK) Co-Chair Leyla Güven was completed. Güven was taken into custody on 22 January due to her social media posts and the statement she made on the 'Olive

Branch Operation' on Afrin region, later arrested on January 31.

In the indictment prepared by Diyarbakır Chief Public Prosecutor's Office and accepted by Diyarbakır 9th High Criminal Court, Güven was claimed to be sentenced to imprisonment up to 31 years and six months due to "establishing and managing an armed terrorist organization," "making terrorist organization propaganda" and "violating the Law on Meetings and Demonstrations."



## **18 arrested during operations against HDP before Congress**

18 people, including People's Democratic Congress (HDK) Co-Spokesperson Prof. Dr. Onur Hamzaoğlu, Socialist Party of the Oppressed (ESP) Deputy

Chairwoman Fadimme Çelebi and People's Democratic Party (HDP) Party Assembly member Celalettin Can, were arrested due to "illegal organization membership." Those arrested are among the ones taken into custody during the operations started against the executives and members of HDP before its 3rd Ordinary Congress.

14 people, including Socialist Solidarity Platform (SODAP) Co-Spokesperson Kezban Konukçu, Greens and Left Future Party Co-Chairs Nazı Sönmez and Eylem Tuncaeli, Socialist Refoundation Party (SYKP) Co-Chair Ahmet Kaya and Democratic Regions Party (DBP) Deputy Chairwoman Hacer Özdemir, were released with judicial control.



## **Former MPs arrested**

People's Democratic Party (HDP) Batman former MP Ayla Akat Ata and former HDP Ardahan MP Taşkın Aktaş were arrested due to "making terrorist organization propaganda" with the statements they made regarding one citizen's death following a civil minibus going to a picnic area in Göle district of Ardahan

was raked by the soldiers on 12 July 2015. Former HDP Kars MP Şafak Özanlı was arrested by the Criminal Judicature of Peace after being taken into custody due to "making terrorist organization propaganda" on the social media.



## **Arrests due to 'insulting Erdoğan'**

Community Centers Central Executive Board member Kutay Meriç and Peace Academic Serdar Başçetin, who was dismissed from his duty at Erzincan University with

an emergency decree, were arrested due to “insulting the President” after being taken into custody in Antalya on February 13th due to their social media posts. One person was arrested after allegedly insulting the President as well as the soldier’s deceased body during the funeral ceremony of Lieutenant Muhammed Cihangir Çubukçu, who lost his life during the Afrin Operation.



## Protest against thermal power plant in Eskişehir banned due to ‘Afrin Operation’

Eskişehir Governorate banned the rally, “We Don’t Want a Coal-Based Thermal Power Plant” planned to be organized by NGOs on February 24th against the thermal power plant to be built on Alpu valley.

The ban was based on Afrin Operation. The Governorate stated, “*In these days, when the Turkish Armed Forces are defending us with cross-border operations to protect civilians, to neutralize terrorist organizations and terrorists threatening national security and to provide security and stability in the region; during a time when threats against our national security from both internal and external forces increased and the country going through a difficult period... The organization of the related activist was deemed inappropriate to protect general security, public order as well as rights and freedoms.*”



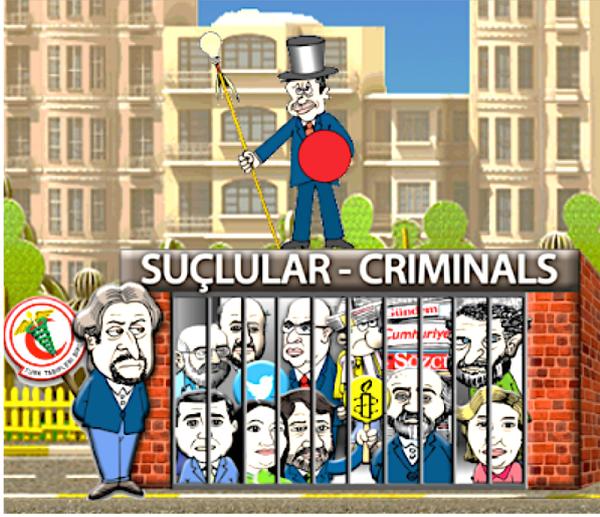
## Kaos GL: Press pointed to LGBTIs as “guilty” in 2017

Kaos GL Association launched the 2017 Media Monitoring Report, which handles how LGBTIs took place in the media. 2704 news, interviews and columns were examined within the research. 54 percent of those texts violated rights of LGBTIs or involved content feeding prejudice against LGBTIs.

Hate speech was identified in 680 texts and hate crimes were committed through targeting of individuals or associations, organizations and institutions in 238 texts. 668 texts depicted being lesbian, gay, bisexual, transsexual or intersexual as “crimes.” LGBTIs were tagged “immoral” in 462 texts

For further information; <http://www.kaosgl.org/sayfa.php?id=25114>

## THIS WEEK ON THE MUSEUM OF CRIMES OF THOUGHT



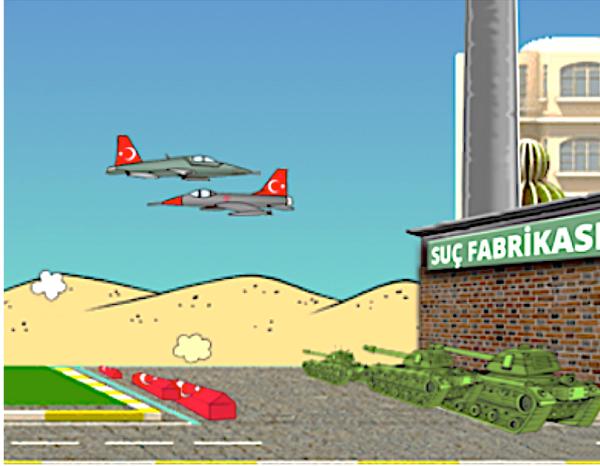
### Freedom of Expression

Ahmet Altan, Mehmet Altan, Nazlı Ilıcak, Şükrü Tuğrul Özşengül, Yakup Şimşek and Fevzi Yazıcı have been sentenced to aggravated life sentence on charge of "attempt to abolish the constitutional order".

Osman Kavala stays detained for 115 days without an indictment.

Human Rights activist Ömer Faruk Gergerlioğlu has been sentenced 2 years

and 6 months on charge of 'terror propaganda'.



### Afrin

The Afrin operation brought operations, detentions and threats against those who say "No to War!". At least 786 were detained during the operations. As Turkish Armed Forces made statements regarding the number of those killed, the coffins of the soldiers wrapped with flags continue to come.

Şanar Yurdatapan and Baskın Oran have filed a criminal complaint against

President Erdoğan due to his words about 170 people who called for Afrin operation to be ended. Yurdatapan and Oran sued Erdoğan for immaterial compensation of 1 TL.



## TRIALS OF FREEDOM OF EXPRESSION

- The lawsuit against former People's Democratic Party (HDP) Co-chair Figen Yüksekdağ was held on February 20th at Ankara 16th High Criminal Court. The court decided to combine a part of the case files opened due to her activities as Co-Chair and Parliament member, issued yüksekdağ to remain arrested and scheduled the next hearing to 17 May 2018 at 09:30.
- Writer Nurcan Baysal was sentenced to 10 months of imprisonment at Istanbul 54th Criminal Court of First Instance due to the article she wrote on the state of the residence buildings in Cizre, used by special operation forces following the operations. The sentence was deferred for five years with a condition of judicial control.

- The lawsuit against Atilla Taş, Murat Aksoy and others, charged with “terrorist organization membership” within FETÖ Media Case was held at Istanbul 25th High Criminal Court on February 22nd. The hearing was ongoing as the bulletin was being prepared.
- The next hearing of the lawsuit, filed against journalists Selman Keleş and Arif Aslan with the allegation of “illegal organization membership” was held at Van 5th High Criminal Court on February 22nd. The court denied the claims of the defendants for the judicial control to be removed and scheduled the next hearing to 5 June 2018.
- Lawsuits continue against Academics for Peace. The next hearings were held on February 21st, 22nd and 23rd at the 32nd and 36th High Criminal Courts. The next hearings of the ones held on 21-22 February were scheduled to 9 April, 19-20 June and 3 July 2018. 32nd High Criminal Court sentenced defendants Ayda Rona Aylin Altınay Cingöz, Ezgi Pınar and İzzettin Önder to 1 year and three months of imprisonment and deferred the announcement of the verdict in the second hearing of the case on February 23th.
- The lawsuit filed against Ferhat Tunç due to “insulting the President” with an imprisonment claim from 1 year and five months up to 5 years and eight months was heard on February 23rd at Büyükçekmece 14th Criminal Court of First Instance. We could not yet obtain the result of the hearing.

### **Trials Next Week**

- The next hearing of the lawsuit against former Zaman Newspaper Editor-In-Chief Ali Ünal within the FETÖ/PDY investigation will be held on 27 February 2018 at Uşak 2nd High Criminal Court.
- Lawsuits continue against the Academics for Peace. The next hearings of the cases will be held on 27 February and 1 March 2017 at 34th, 35th and 37th High Criminal Courts, starting at 09:00.
- The next hearing of the lawsuit regarding the killing of Berkin Elvan will be held on 27 February 2018 at the 17th High Criminal Court, starting at 10:00.
- The first hearing of the case against Neslihan Karyemez and Bilal Karaman, who were arrested due to “making terrorist organization propaganda” by distributing the leaflet of Labour Party (EMEP) in Istanbul, calling for peace against the Afrin Operation, will be held on 27 February 2018 at 14:15.
- The third hearing of the lawsuit against Hayatın Sesi TV, which was previously shut down with an emergency decree, filed due to making ISIS, TAK and PKK propaganda, will be held at Istanbul 13th High Criminal Court on 1 March 2018, starting at 10:55.