



Think, think...

Freedom of Expression Weekly Bulletin

(Issue 15/18, 13 April 2018)

What happened last week?

*** The Syrian government was asserted to have used chemical weapons against the opposing forces in the city of Duma in Eastern Ghouta. U.S. President Trump threatened the government with a military intervention in Syria. Tensions between Russia and the U.S. increased, with more calls from the Justice and Development Party (AKP) government for more intervention on Syria.

*** Russian Foreign Minister Lavrov stated their hope that Afrin will be left to administration by the Syrian government. Replying to the statement, President Erdoğan said, *"We know very well who we will leave the administration to... The timing of that is up to us, we determine that as well."* Minister of National Defense Nurettin Canikli further explained, *"The terror threat remains. Our measures will continue until risks are completely eliminated; we will stay there until we are done."*

*** The Turkish Lira has lost 8% against the U.S. Dollar and 8.7% against Euro within the past month. *"They are playing games on the economy,"* said President Erdoğan, further adding, *"They can't tame us with exchange currencies."*

*** As the government is prepared to extend the State of Emergency for the seventh time, President Erdoğan indicated that they revoked the State of Emergency 15 years ago, when they first came into power. *"There is no correlation between the State of Emergency of that time and the State of Emergency now. There is no restriction on rights and freedoms today,"* said Erdoğan.

*** President Erdoğan called all Turks living in European countries to be politically active in the countries they reside. *"Let's be active so we can use our rights much better there,"* said Erdoğan.

*** Ankara Chief Public Prosecutor's Office prepared a summary against Republican People's Party (CHP) leader Kılıçdaroğlu due to 'insulting the President.' Another summary was prepared against eight People's Democratic Party (HDP) MPs due to four different charges related to the speeches they gave and their social media posts. ***(Details below...)***

*** Five more academics were convicted due to charges related to the "Peace Petition." ***(Details below...)***

*** The number of those arrested within the operation against Özgürlükçü Demokrasi reached 26. ***(Details below...)***

*** Interior Ministry announced investigations started against 154 people between 2-9 April 2018 due to their social media posts.

*** Human Rights Association (IHD) launched 2017 rights violations report. The report indicated, *"The State of Emergency rule has almost become permanent... The human rights axis in Turkey has shifted."* ***(Details below...)***

*** Human Rights Watch indicated the civilians in Afrin, who run away from the military operation conducted by Turkey, are cornered in regions where clean water and medical resources are insufficient. The organization further stated that those who stayed in Afrin are getting worse due to looting and destruction.



Convicted 'Peace Academics'

Five more academics were convicted of 'making terrorist organization propaganda' after signing the petition, "We will not partake in this crime," launched by the Academics for Peace.

Istanbul 32nd High Criminal Court sentenced dismissed Assoc. Prof. Erhan Keleşoğlu from Istanbul University, dismissed Research Member İrfan Emre Kovankaya from Yıldız Technical University and Asst. Prof. Şarho İbrahim Garip from Van Yüzüncü Yıl University to one year and three months of imprisonment each; the announcement of the sentences were deferred. Istanbul 32nd High Criminal Court sentenced Dr. Stefo Benlisoy from Istanbul Technical University and Asst. Prof. Dr. Yasemin Gülsüm Acar from Özyeğin University to one year and three months of imprisonment each; deferring the announcement of the sentences.

Thus, the number of convicted academics reached 12. 187 scientists have stood trial so far within the lawsuits filed separately against the signatory academics. In the finalized judgments, 12 academics were sentenced to a total of 15 years of imprisonment. The sentence against Prof. Dr. Zübeyde Füsün Üstel was not deferred.



Summary against Kılıçdaroğlu due to 'insulting Erdoğan'

Ankara Chief Public Prosecutor's Office prepared a summary against Republican People's Party (CHP) leader Kılıçdaroğlu due to 'insulting the President.' The Prosecutor's

Office claimed for Kılıçdaroğlu's Parliamentary immunity to be revoked so that he can stand trial with an imprisonment claim for up to four years and eight months due to the speech he gave at Beşiktaş Municipality on January 5th.

Kılıçdaroğlu had given a speech after the Beşiktaş Mayor was dismissed by the Ministry of Interior Affairs. In his speech, Kılıçdaroğlu pointed out the "Isle of Man documents" and "December 17-25 corruption investigations" and replied to the accusations against Mayor Murat Haznedar related to "FETÖ membership." "Aren't you the one who handed the governors, district governors and security directors to FETÖ members? I know very well what a nice FETÖ member you are," said Kılıçdaroğlu.



Summary against eight HDP MPs

Ankara Chief Public Prosecutor's Office organized a summary against eight People's Democratic Party (HDP) MPs due to the speeches they gave and their social media posts. The MPs are charged with 'public denigration of the Turkish Nation, the government of the Republic of Turkey, the military or security organization of state', 'making terrorist organization propaganda', 'violating the Political Parties Act' and 'insulting the President'

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The summaries were prepared with the claim for the parliamentary immunities of Osman Baydemir, Alican Önlü, Feleknaş Uca, Sibel Yiğitalp, Nadir Yıldırım, Dilek Öcalan, Mizgin Irgat and Garo Paylan to be taken off and were sent to the Ministry of Justice to be presented to the GNAT Speakership.



Imprisonment sentence against arrested HDP Muş MP Özkan following retrial

People's Democratic Party (HDP) Muş MP Burcu Çelik Özkan has previously been convicted, whereas the Court of Appeals has reversed her conviction and demanded retrial. Following the retrial, Özkan was sentenced to 7 years, 3 months and 10 days of imprisonment due to three different charges.

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Muş 2st High Criminal Court has sentenced Özkan to six years of imprisonment due to 'willfully and intentionally aiding and abetting a terrorist organization without being a member' based on the speech she gave at Muş Municipal Area following the elections on 7 June 2015. 2nd Penal Department of Erzurum Regional Court then reversed the local court decree, issuing a retrial. This time, the Court of Appeals sentenced the MP to five years of imprisonment due to 'threatening people by using the frightening power of the terrorist organization'; one year and three months of imprisonment due to 'making illegal organization propaganda' and to one year and ten days of imprisonment due to 'committing a crime on behalf of an armed terrorist organization without being a member.' Özkan will remain arrested.



Operation against Özgürlükçü Demokrasi newspaper: 6 journalists arrested

Istanbul 7th Criminal Judicature of Peace has assigned a trustee to Özgürlükçü Demokrasi newspaper following the request of Istanbul Chief Public Prosecutor's Office and the newspaper was handed over to

the Saving Deposit Insurance Fund (TMSF). The newspaper's owner Ihsan Yaşar and its editorial director Ishak Yasul were arrested due to 'illegal organization membership' and 'making illegal organization propaganda.' Seven newspaper editors and workers, who were taken into custody midnight on April 4th within the operation against the newspaper, are still kept in custody.

Furthermore, four of the seven media workers, who were taken into custody within the operation against Özgürlükçü Demokrasi Newspaper workers, were arrested. Arrested Mehmet Ali Çelebi, Reyhan Hacıoğlu, Hicran Urun and Pınar Tarlak were charged with 'illegal organization membership.' The owner of the newspaper and the editorial director were recently arrested due to 'illegal organization membership' and 'making illegal organization propaganda.'

The newspaper started its publication following the shutdown of Özgür Gündem Newspaper on 16 August 2016 and its printing house Gün Printing was raided on March 28th. A trustee was assigned to the newspaper; a total of 33 newspaper and printing house workers were taken into custody within the operation. 26 of these names are now arrested, together with four newspaper workers.



Appeal Court approves judicial fine against Eren Keskin

Court of Appeals approved the 3000 TL judicial fine sentenced against Özgür Gündem Newspaper Co-Chair Eren Keskin. Keskin has been sentenced to six months of imprisonment by Istanbul 2nd Criminal Court of First Instance due to 'denigrating the institutions and

organizations of the government of the Republic of Turkey' with her column, entitled, "Radical Malice" published on 19 April 2016;" the sentence was turned into a judicial fine.

There are 143 lawsuits against Eren Keskin and she was sentenced to a total of 355,920 TL judicial fine with 105,920 TL approved. There is a total of 250 thousand TL judicial

fine and 12,5 years of imprisonment sentence against Keskin awaiting approval of the Court of Appeals.

Three journalists sentenced to 11-year 3-month imprisonment



Istanbul 13th High Criminal Court sentenced Demokratik Ulus Newspaper's Editorial Manager Nuray candan, Owner Kemal Sancılı and former owner Ziya Çiçekçi to a total of 11 years and three months of

imprisonment due to 'making illegal organization propaganda' with the news published on the newspaper.



Lawsuit against news by Evrensel Newspaper on 'Paradise Papers'

A lawsuit was filed against Evrensel Newspaper due to 'insult' and 'slander' following the complaint of Energy and Natural Resources Minister Berat Albayrak after

covering the documents, 'Paradise Papers' on the offshore accounts of more than 120 politicians and businessmen from 50 countries, including Turkey.

The documents involved the name of Albayrak and his brother as well; further revealing that the two sons of Prime Minister Binali Yıldırım are owners of 'offshore' companies. The news on the matter were published on the newspaper on its 8 November 2017 issue with the title, "Albayrak and his brother revealed in Paradise Papers records" as well as on its 9 November 2017 issue with the title, "Paradise Papers: Paradise for them, hell for people." Due to the news, the newspaper's former Editorial Manager Çağrı Sarı faces an imprisonment claim for up to six years. The related news also included statements and evaluations of one MP from the People's Democratic Party (HDP) and the Republican People's Party (CHP) Deputy Chairman. In the indictment presented to Bakırköy 2nd Criminal Court of First Instance, the Prosecutor's Office asserted that the topics in question of the news are not based on concrete data and they carry the purpose of creating a negative public perception by publishing the same issue two days in a row.



Pull-off warrant against Welat newspaper

A pull-off warrant was issued against the last three issues of Welat newspaper. The newspaper was continuing its publication on the internet since no other printing

house accepted to print the newspaper after a trustee was assigned to its initial printing center. The newspaper has decided to end paper printing, starting on March 30th, following the operation against Özgürlükçü Demokrasi Newspaper and Gün Printing. Mersin 2nd Criminal Judicature of Peace, later Van 1st Criminal Judicature of Peace decided for the last three issues of the newspaper on March 17, 19 and 29 to be pulled off the shelves.



Lawsuit filed against author Nurcan Baysal due to Twitter posts

Journalist-writer Nurcan Baysal has been taken into custody on January 22 due to the anti-war posts she made on her social media account related to the Afrin operation and was released two days later by the court. The investigation conducted against Baysal was completed. The

indictment prepared by Diyarbakır Chief Public Prosecutor's Office claimed an imprisonment sentence against Baysal for up to three years due to 'public incitement towards resentment and hostility.' Diyarbakır 7th Criminal Court of First Instance accepted the indictment.



Investigation against artist Ferhat Tunç due to his speech during HDP rally

Van Chief Public Prosecutor's Office started an investigation against artist Ferhat Tunç due to the speech he gave during the rally organized by People's Democratic Party (HDP) on

20 September 2017.

The artist commemorated murdered journalist-writer Musa Anter in his speech, saying, *"25 years ago, they contemptibly planned and massacred the great people dervish. I am one of your brothers, who experienced the great honour of having known Apê Musa. All the tales he left for his children have turned into a great freedom saga today."* In his speech, Tunç further reacted against the attack against the funeral of Aysel Tuğluk's mother, Hatun Tuğluk as well as against the State of Emergency applications of the Justice and Development Party (AKP). The artist testified within the investigation, pointing out that he is behind all he's said during the speech.



“March 8” investigation against university students

Karadeniz Technical University Rectorate started an administrative investigation against 23 female university students due to participating in the ‘March 8 World Women’s Day protest’ and

distributing badges that said, “Say no to child abuse,” inside the university campus. Reacting against the investigations, Trabzon Democratic Women’s Platform stated, “It is not a crime to march, come together with other women and call against child abuse on March 8 World Women’s Day; it can’t be investigated.”



Disciplinary penalties against 815 Ankara University students within one year

According to the administrative activity report of Ankara University, which is the university with the most number of dismissed academics due

to emergency decrees, disciplinary penalties were issued against 815 students during the 2016-2017 academic year. 424 of those students were expelled or suspended from school.

The number of penalized students as a result of investigations against them reached 2199 within the past three years; 1249 students were expelled from schools with their right to education permanently taken away. The report further states 76 scientists dismissed from their duties at the university, most of them peace academics who were dismissed with ‘Statutory Decrees of the State of Emergency’ following the lists prepared by the Rectorate. Ankara University is the university with the most number of ‘Academics for Peace’ eliminated from its staff.



IHD launches ‘2017 Human Rights Violations Report’

Human Rights Association (IHD) launched the report on rights violations in 2017 due to State of Emergency applications. Speaking at the press meeting organized at the headquarters of the association, IHD Co-Chair Öztürk Türkdoğan pointed

out that the human rights axis in Turkey shifted during 2017 under the uninterrupted

State of Emergency rule, and that this leads to a change in regime that is based on a one-man power.

According to the data presented in the report, 33 people were extrajudicially executed, 656 people lost their lives during armed clashes, 2,268 people were exposed to torture and mistreatment, 12,145 people were taken into custody and a total of 3,125 years of imprisonment were sentenced against 528 defendants last year. Moreover, 213 journalists are kept in Turkish prisons as arrests or convicts. There are currently more people imprisoned in Turkey than the total population of 13 Turkish provinces.

For the full report; <http://www.ihd.org.tr/2017-insan-haklari-ihlalleri-raporu-ohal-altinda-gecen-bir-yil/>



Turkey ranked number one in content removal requests on Twitter

According to the data shared by Twitter, one of the most used social media networks in the world, Turkey became the country with the most number of content removal requests

in the June-December 2017 period.

During the six-month period, 466 of the 513 content removal requests received by Twitter with court decrees were from Turkey. Twitter then objected to 125 of those decrees due to violation of freedom of expression and press freedom; with only seven objections accepted. On the other hand, 3,828 of 6,138 requests made by governments and public institutions were made from Turkey. According to the data recorded by Twitter, 148 accounts and 322 tweets from Turkey were suspended due to various legislations, especially the Anti-Terror Law.

This Week On The Museum Of Crimes Of Thought



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Afrin

President Erdoğan said they know when and to whom to return Afrin. Minister of Defence stated that they will return Afrin after all terrorism threat is eliminated.



State of Emergency

President Erdoğan stated that when they came to power 15 years ago, they had ended the State of Emergency and said "There is no similarity between the state of emergency at that time and today. There are no restrictions on rights and freedoms."



TRIALS OF FREEDOM OF EXPRESSION

- Proceedings of the Academics for Peace continued. The hearings were held on April 9 at Istanbul 32nd High Criminal Court and at Istanbul 35th High Criminal Court on April 12; five academics were sentenced to deferred imprisonment sentences. The next hearings of the unfinalized cases were scheduled to 6 July and 17 October 2018.
- The lawsuit filed against Cumhuriyet Newspaper writer Oğuz Güven due to 'insulting the President' continued at Istanbul 15th High Criminal Court on April 11. We could not reach the results yet.
- The lawsuit filed against Selahattin Demirtaş within the investigation against him conducted in Diyarbakır started to be held on April 11 at Ankara 19th High Criminal Court. Demirtaş has been arrested on 4 November 2016 and has been in Edirne Prison since. The hearing was ongoing on its third day as we were preparing the bulletin.

Trials Next Week

- The lawsuit filed against 24 defendants who protested the April 16 referendum results in Izmir will continue on April 16 at Izmir 33rd Criminal Court of First Instance. The defendants include Kamera Sokak collective co-founder, director, photographer, documentary-maker and video activist Kazım Kızıl.

- The lawsuit filed against former People's Democratic Party (HDP) Co-Chair Selahattin Demirtaş and HDP MP Sırrı Süreyya Önder due to 'making illegal organization propaganda' with the speech they gave during the Newroz celebrations in Zeytinburnu, Istanbul on 17 March 2013 will continue on April 16 at Istanbul 26th High Criminal Court.
- The third hearing of the case against artist Suavi due to 'insulting the President' will be held on April 17 at Izmir 33rd Criminal Court of First Instance.
- The lawsuit filed against artist Ferhat Tunç with an imprisonment claim from 1 year and five months up to 5 years and 8 months will be held on April 18 at Büyükçekmece 14th Criminal Court of First Instance.
- The lawsuit against Şebnem Korur Fincancı, Erol Önderoğlu and Ahmet Nesin due to their Substitute Editing-In-Chief for Özgür Gündem Newspaper will continue on April 18 at Istanbul 13th High Criminal Court, starting at 10:50.
- Lawsuits against the Academics for Peace continue this week as well. The cases will continue on 18 and 19 April at 13rd, 14th, 33rd, 34th and 36th High Criminal Courts.