

Think, think...



Freedom of Expression Weekly Bulletin (Issue 4/20, 24 January 2020)



IFoX 25 Years Old!

The journey of Freedom of Expression, which started with successive civil disobedience protests against the prosecution of Yaşar Kemal at the State Security Court (DGM) on January 23, 1995, left a quarter century behind. We end each year for the last 25 years with the hope that we find nothing to write about next year and there will be no more need for such work or initiative. In the meantime, tens of thousands of disobedient civilians took part in the crimes (!) of hundreds of thought criminals.

Each 'criminal' text was printed with the names of those undertaking the crime, distributed in front of courthouses and when the criminal elements were completed, the 'publishers' were denouncing themselves at the Prosecutor's Office. The number of printed books exceeded 50 over the years. They continue to be published on our anniversary each year, since 2001.

['Freedom for Thought 2019'](#) show that Turkey is separating from the common achievements of humanity on basic rights and freedoms. Still, let us wish good things from the year 2020. With the hope that our 26th year illuminates this dark scene...

What happened last week?

- No ceasefire came out from the “Libya Summit” organised in Berlin on January 19. Nevertheless, the parties agreed on a 55-article resolution.
- The 50th Davos Summit was held on January 21-23. Foreign Minister Mevlüt Çavuşoğlu represented Turkey at the Summit. After snapping at the summit with his famous expression, “one minute,” at Davos Summit in 2009, Erdoğan isn’t attending the summits.
- Erdoğan attended the “Smart Cities” meeting, organised by Turkish Union of Municipalities, as the President of Republic. However, he gave a speech that targets municipalities of the opposition. Afterwards, mayors of the opposition left the meeting.
- Even though the use of the authority of legislation is a Constitutional right given to the Grand National Assembly of Turkey (GNAT), Erdoğan informed that they will “present the new judicial bill to the Parliament”! After expressing his “sadness” on the developments in the case against Lieutenant General Metin İyidil due to the July 15 Coup Attempt, Erdoğan added that “they have ordered the judiciary to do what’s necessary.”
- Justice and Development Party (AKP) prepared a law draft predicting authorities like use of guns and force and identity search for guards. Human Rights Association (IHD) Chairman spoke on the law draft, saying, “*The police state application is being reinforced with the guards.*”
- Last week was the anniversary of two journalist murders, which are very significant in the history of modern Turkey. [Hrant Dink](#) was commemorated on January 19 and [Uğur Mumcu](#) on January 24. The investigation and lawsuits on both murders are ongoing for years!



Dink Assassination: True perpetrators missing for 13 years

On the 13th anniversary of his assassination, Agos Daily’s Editor-In-Chief Hrant Dink was commemorated with events organised in various provinces, especially in front of the Agos Daily building. Despite the fact that gunmen of the assassination were identified, whoever was truly

responsible of the assassination behind the curtains could not be revealed in the 13 years after Dink’s death. The ruling party attempted to connect the case depending on the current political climate at the time, first to Ergenekon, later to the religious sect the party was closely working with for long years. Following public pressure and determined work by the Dink Family and lawyers, public officers at the time stood trial. Nevertheless, especially the incidents preceding the assassination and how the assassination was decided are still yet to be uncovered... The true perpetrators of the assassination remain a question mark.



27th anniversary of Uğur Mumcu's death

Journalist Uğur Mumcu, who was killed with a bomb placed in his car in Ankara on January 24, 1993, was commemorated with events organised this week. There is no significant development in his case file, publicly known as the 'Hope Case'.



Reasoned decision announced in Ankara JITEM Case after impunity decree

Ankara 1st Assize Court announced the reasoned decision for the decree of acquittal issued in the Ankara Gendarmerie Intelligence and Anti-Terror Unit (JITEM) Case with 19 defendants, including Mehmet Açar, on 19 unsolved murders committed in 1990s. The court asserted that reports by the Susurluk Committee of the Grand National

Assembly of Turkey (GNAT) as well as by Turkish National Intelligence are 'merely based on rumors and guesses,' further claiming that there is no evidence in the file despite the revelation of a gun used for homicides committed in different times in both Istanbul and Ankara, written death orders and witness statements.



Trustee assigned at Science and Arts Foundation

The administration of the Science and Arts Foundation (BISAV), which was founded by those including former Prime Minister Ahmet Davutoğlu following his resignation from the Justice and Development Party (AKP) and the establishment of his new political party, was seized. General Directorate of Foundations

announced that BISAV will be managed by the three-people committee assigned until another trustee is assigned by the court. Previously, the administration of Istanbul Şehir University, which belongs to the same foundation, was seized. BISAV Founder Chairman Mustafa Özel described the development as "a dangerous attempt" in the message he launched on behalf of the board of trustees.



Cassation Court approves sentence against Sevan Nişanyan

8th Criminal Chamber of the Court of Cassation approved the imprisonment sentence issued against writer Sevan Nişanyan due to "public denigration of religious values adopted by a part of the society" through the article he wrote and

published on his blog in 2012 with the title, “One must fight hate crimes.” The High Court found the “possibility” sufficient for the criterion, “disruption of public peace” predicted by the law for penalisation; saying, “There doesn’t have to be an open and competent danger.” One member judge put an annotation on the decree, pointing out that considering the discussion on a topic through online media sufficient for the criterion of “disruption of peace” will criminalise every debate that informs and progresses the society. [Please click here](#) for details.



Imprisonment sentence against Grup Munzur members

Grup Munzur members Buket Şimşek, Burak İkiz and Selçuk Çelik were sentenced to 10 months of imprisonment each in the lawsuit filed against them due to “making illegal organisation propaganda” through the songs, “Zindana Diyarbakir” and “Serhildan Jiyane” they sang during the 2017 Newroz celebrations in Van. The

court deferred the announcement of the verdict for five years. In case the group members commit the same “crime” within five years, their sentences will be executed. In other words, three musicians were banned from singing songs for five years!



2019 from BIA Media Monitoring Reports

Four media monitoring reports launched by the Independent Communication Network (BIA) in 2019 revealed that all methods to silence critical media were used in 2019. 39 journalists were sentenced to 222 years and one months of imprisonment in total due to “illegal organisation membership” and “willfully aiding and abetting an illegal organisation”; 33 journalists were

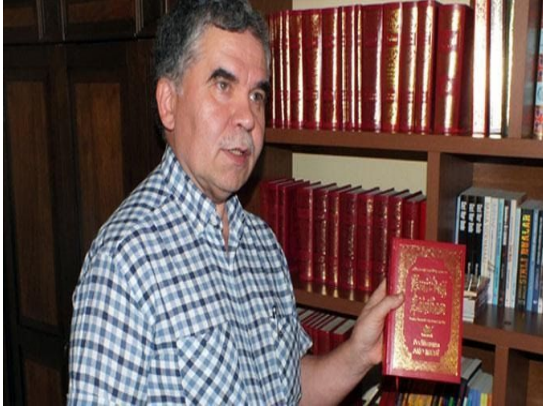
sentenced to a total of 63 years and 11 months of imprisonment in total within lawsuits of journalism and politics filed against them in 2019. At least seven journalists were convicted of “insulting Erdoğan.” [Please click here](#) for details.



Lawsuit against journalist Aydın Keser due to news on ‘Peace Spring’

A lawsuit was filed against Yeni Yaşam Daily’s Editor-In-Chief Aydın Keser due to ‘making illegal organisation propaganda’ through the news article published in the newspaper on October 10 with the headline, ‘No peace flows from this spring.’ The first hearing of the case will be held

on February 7 at Istanbul 22nd Assize Court.



Final decree in Yeni Asya case

The final decree was issued in the lawsuit filed against Yeni Asya Daily Editor-In-Chief Kazım Güleçyüz and the newspaper's cartoonist Halil İbrahim Özdebak due to 'successively making terrorist organisation propaganda.' Güleçyüz was sentenced to 1 year and 8 months, Özdebak to 1 year, 6 months and 22 days of imprisonment. Güleçyüz and Özdebak refused to accept the deferral of the announcement of the decree; the sentences were not postponed.



Penalty against journalist Osman Akın due to 'propaganda'

Yeni Yaşam Daily's former Managing Editor Osman Akın, who is charged with 'making illegal organisation propaganda' through three news articles published in the newspaper on May 21 and 22, was sentenced to 1 year 6 months and 22 days of imprisonment. Istanbul 24th Assize Court deferred the announcement of

the verdict.



What's Goin On? December 2019

The third video conference of our initiative with Human Rights Association (IHD) was launched. [Please click here](#) for our report on violations of freedom of expression and of rights to meeting and demonstration in December.



MÜLTECI
HAKLARI
ODAKLI
MEDYA
İZLEMESİ



10-17 OCAK 2020



347 rights violations against refugees on press/media in one week

On the sixth week of the media monitoring study conducted weekly by the Media and Refugee Rights Association with a focus on refugee rights, 347 news articles were identified to contain rights violations against refugees. Monitoring the media for the dates January 10-17, the report pointed out targeting of refugees with speeches by politicians as well as false news shared on social media. [Please click here](#) for the full report.



TRIALS OF FREEDOM OF EXPRESSION

Gülser Yıldırım Case

The lawsuit filed against former People's Democratic Party (HDP) Mardin MP Gülser Yıldırım, who is arrested within the file in remand, due to 8 Parliamentary summaries prepared against her based on the speeches she gave between the years 2012 and 2016...

Court: Mardin 3rd Assize Court

Verdict: The next hearing was scheduled for April 1, 2020.

Kazım Güleçyüz and Halil İbrahim Özdabak Case

The lawsuit filed against Yeni Asya Daily's Editor-In-Chief Kazım Güleçyüz and the newspaper cartoonist Halil İbrahim Özdabak due to "successively making terrorist organisation propaganda"...

Court: Istanbul 29th Assize Court

Verdict: The court sentenced Güleçyüz to 1 year 8 months and Özdabak to 1 year, 6 months and 22 days of imprisonment.

Kenan Kırkaya Case

The lawsuit filed against journalist Kenan Kırkaya due to "making illegal organisation propaganda" through the news he shared on social media...

Court: Ankara 32nd Assize Court

Verdict: The next hearing was scheduled for March 5, 2020.

Hayri Demir Case

The lawsuit filed against journalist Hayri Demir due to "terrorist organisation membership" and "making terrorist organisation propaganda" through the news he reported in Northern Syria in 2016...

Court: Ankara 15th Assize Court

Verdict: The court asked for the other case files, in which Demir is prosecuted in Istanbul and Diyarbakır with similar allegations. The prosecution will continue on April 28.

Hazal Ocak and Alev Coşkun Case

The lawsuit of compensation opened by pro-government businessman Mehmet Cengiz against Cumhuriyet Daily owner Alev Coşkun and reporter Hazal Ocak due to the news published in the newspaper with the headline, "Backhouse Overseeing Bosphorus"...

Court: Istanbul Anatolian 14th Civil Court of First Instance

Verdict: The next hearing was scheduled for March 4.

Tuna Altınel Case

The lawsuit filed against Peace Academic Tuna Altınel due to "illegal organisation membership" through making simultaneous translations at a conference organized in February in France, related to the incidents happened in the time of curfews...

Court: Balıkesir 2nd Assize Court

Verdict: The court issued the acquittal of the academic.

Osman Akın Case

The lawsuit filed against Yeni Yaşam Daily's Managing Editor Osman Akın due to "making illegal organisation propaganda" through the news published in the newspaper...

Court: Istanbul 24th Assize Court

Verdict: The court sentenced the journalist to 1 year, 6 months and 22 days of imprisonment and deferred the announcement of the verdict.

HEARINGS NEXT WEEK

Gezi Park Case

The lawsuit filed against 16 rights advocates, including arrested businessman Osman Kavala, due to “attempting to overthrow the government of the Republic of Turkey” through the Gezi Park protests...

Date: January 28 at 10:00; Istanbul 30th Assize Court (Silivri Prison)

TV10 Workers Case

The lawsuit filed against previously shut-down TV10 cameraman Kemal Demir and worker Kemal Karagöz due to “aiding an illegal organisation”...

Date: January 28 at 10:50; Istanbul 28th Assize Court

Rıfat Doğan Case

The lawsuit filed against Artı Gerçek reporter Rıfat Doğan with the allegation that he took a photo at the hearing room in the first hearing of the case on the train disaster in Çorlu, while tracking the case...

Date: January 28 at 09:00; Çorlu 4th Criminal Court of First Instance

Compensation Case Against “Paradise Papers”

The lawsuit of compensation filed by Çalık Holding against journalist Pelin Ünker due to her article series “Paradise Papers” published on Cumhuriyet Daily...

Date: January 30 at 11:35; Istanbul 21st Civil Court of First Instance

Case Against Commemoration for Önder Babat

The lawsuit filed against 18 students due to “making terror propaganda” after being detained for attempting to commemorate Istanbul University Faculty of Law Student Önder Babat, who was killed...

Date: January 30; Istanbul 25th Assize Court

Case Against Boğaziçi University Students

The lawsuit filed against 30 Boğaziçi University students due to “making illegal organisation propaganda” after protesting the distribution of Turkish delights at the university to support the Afrin operation...

Date: January 31 at 10:30; Istanbul 32nd Assize Court