



UNLAWFULNESS IN TURKEY

Unlawfulness in Turkey between 2013 and 2021 due to gross violation of Human Rights and Freedoms

“Because silence is the greatest enemy of human rights”

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I N D E X

In this brochure; the violation of fundamental and universal human rights such as the right to life, the right to respect for private and family life, the right to property and the right to a fair trial in Turkey are examined.

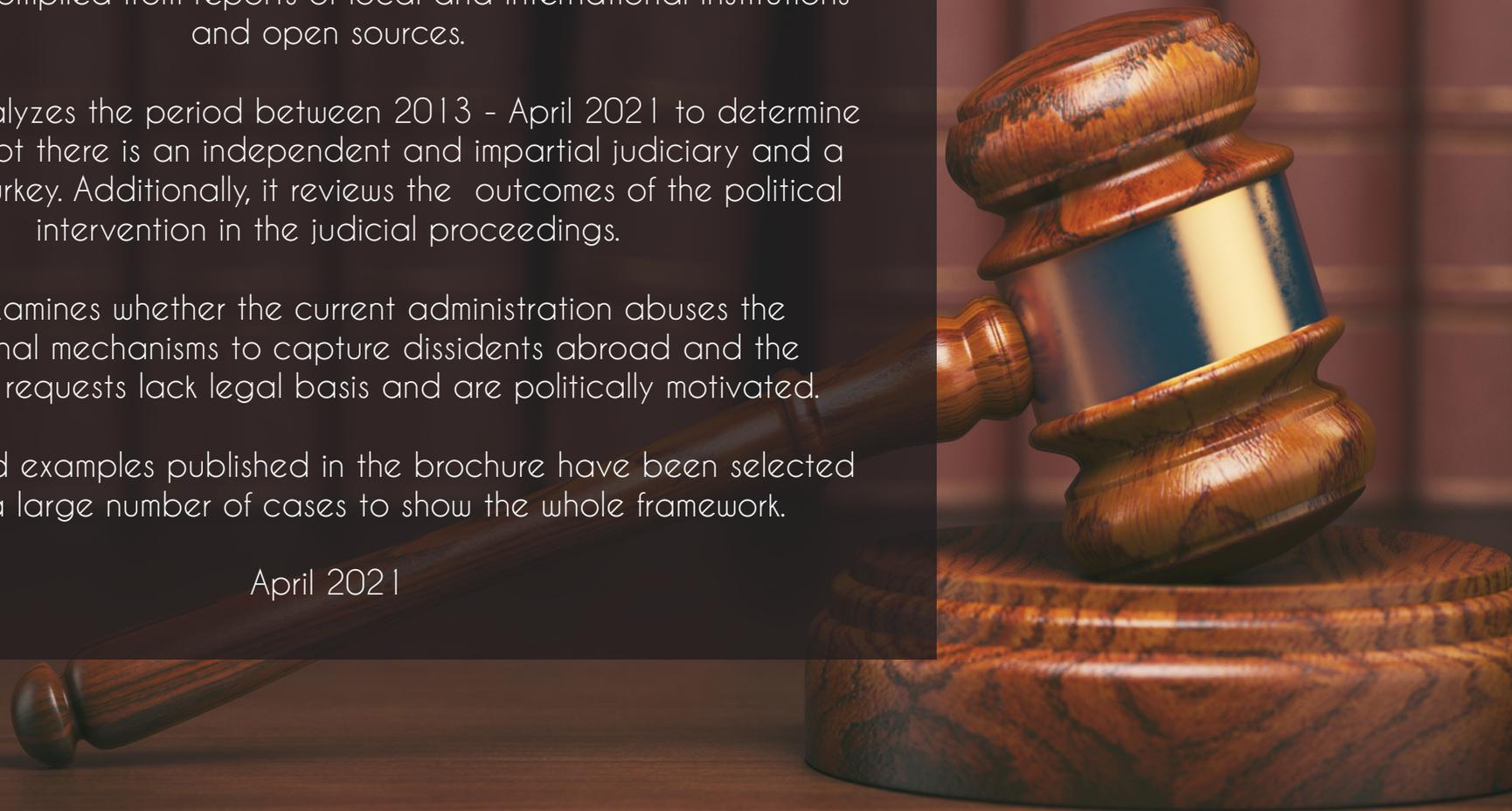
The findings in the brochure are presented chronologically, with information compiled from reports of local and international institutions and open sources.

The study analyzes the period between 2013 - April 2021 to determine whether or not there is an independent and impartial judiciary and a fair trial in Turkey. Additionally, it reviews the outcomes of the political intervention in the judicial proceedings.

It also examines whether the current administration abuses the international mechanisms to capture dissidents abroad and the extradition requests lack legal basis and are politically motivated.

The data and examples published in the brochure have been selected among a large number of cases to show the whole framework.

April 2021



BACKGROUND

INFORMATION ABOUT TURKEY'S CURRENT SITUATION



The ruling AKP came to power in 2002. Erdogan pledged democratization reforms in line with EU values and to raise the bar for democracy in Turkey. In the early years of his rule,

Erdogan Government made significant progress in the EU accession process, and the economy improved. Yet Erdogan referred to a heavy Islamic rhetoric at every opportunity to influence the conservative segment of the country.

As a result, a large segment of the population supported Erdogan.

As the AKP Government became powerful, it tended to be authoritarian, moved away from EU values, and associated with unlawfulness and corruption.

MASS DETENTIONS DURING THE GEZI PARK PROTESTS

Turkey experienced the first example of mass arrests during the protests at Istanbul's Taksim "Gezi Park" when the Government decided to construct a shopping centre in the famous park.

Anti-government demonstrations quickly spread across the country. The Government dispersed the demonstrations by using excessive force.

Erdogan claimed that the Gezi Park protests were the actions of "terrorists and illegal organizations" who endeavoured to hinder the rise of Turkey. [\(1\)](#)

5,513 of the 3.5 million people who participated in the protests were detained. [\(2\)](#)





BRIBERY AND CORRUPTION OPERATIONS ON 17 AND 25 DECEMBER 2013

On December 17, 2013, large-scale corruption and bribery operations were launched, including family members of some ministers, senior bureaucrats and businessmen. Most of the suspects were detained. The investigation concerned sanction-breaking “gas for gold” money laundering deal with Iran. Reza Zarrab, the Turkish-Iranian merchant who bribed the ministers, was heading the scheme.

Erdogan described the bribery and corruption operation as a political operation targeting the Government and the economy. “My government is a victim of a plot,” Erdogan said. (3)



POLICE OFFICERS AND PROSECUTORS CARRYING OUT THE INVESTIGATIONS WERE DISMISSED, (LATER DETAINED)

Erdogan and the AK Party Government accused the judiciary and the police of trying to overthrow the government through criminal investigations. The police officers and prosecutors who participated in the investigation were immediately discharged.

Erdogan claimed that those who led the investigations were followers of a religious community/congregation known as the “Gulen Movement” (or Hizmet Movement), led by the US-based cleric Fethullah Gulen living in the USA since 1999.

Erdogan and his government then labeled the Gulen Movement as “the Parallel State Structure.”

ALL CORRUPTION FILES WERE DROPPED, SUSPECTS WERE ACQUITTED

All crime/investigation files were handed over to the appointed prosecutors and police chiefs loyal to Erdogan promptly.

The media published that the Undersecretary of the Ministry of Interior, Efkân Ala, ordered the Governor of Istanbul, Huseyin Avni Mutlu, to break the door of a journalist's house (Mehmet Baransu) and detain him without a court order.

Once Governor Mutlu complained that this would be unlawful, Ala said "just break in, take him in, we will pass the law later". He even ordered to apprehend the prosecutor as well if he refuses to authorize such a move. [\(7\)](#)

Efkân Ala was promoted quickly afterwards becoming the Minister of Interior.

Selami Altınok, who had no police background, was appointed as Istanbul Police Chief to replace Huseyin Capkin, who was dismissed after the operations.

Following the new appointments, prosecutors decided not to investigate the mentioned cases and closed the files. (Nolle pros)

The suspects, including the Iranian-Turkish merchant Reza ZARRAB, were released.

The Parliamentary Commission on corruption allegations acquitted the accused ministers with the votes of the ruling party deputies.

A year later, the money seized in the police raid was returned to Reza ZARRAB with statutory interest. [\(8\)](#)



EFKAN ALA



Ekonomi Bakanı
Zafer Çağlayan

İçişleri Bakanı
Muammer Güler

Avrupa Birliği Bakanı
Eğemen Bağış

Çevre ve Şehircilik Bakanı
Erdoğan Bayraktar



SELAMI ALTINOK

ZARRAB-ATILLA-HALKBANK RELATIONS



This courtroom sketch shows Turkish-Iranian gold trader Reza Zarrab, center, testifying Wednesday in US District Court in New York.

Reza ZARRAB was detained in the USA in March 2016 within the scope of the investigations to break America's sanctions against Iran. Zarrab agreed to cooperate with the US Prosecutors and admitted that he had bribed Turkish Ministers and bureaucrats who were suspects of the December 2013 operations. [\(9\)](#)

Within the scope of the same investigation, Hakan Atilla, deputy CEO of a state-owned Turkish Bank (Halkbank), was also arrested in the USA and was tried on the grounds that the bank he managed violated sanctions. Erdogan and his ruling party tried to bring Zarrab and Atilla back to Turkey; however, they failed.



HAKAN ATILLA

Erdogan's government accused the US Attorney, Mr Preet Bharara, and Judge Mr Richard Berman of having close ties with the Gulen Movement and launched investigations against the American jurists. [\(10\)](#)



PREET BHARARA



RICHARD BERMAN

MIT (NATIONAL INTELLIGENCE AGENCY) TRUCKS TRANSFERRING ARMS



It is alleged that the trucks, which Adana provincial prosecutors stopped upon notice in January 2014, were carrying weapons to the jihadist groups in Syria under the instructions of the National Intelligence Organization (MIT).

Erdogan accused police and gendarmerie officers, as well as prosecutors leading the operations of disclosing state secrets and being terrorists. (All were arrested after the July 15, 2016 coup attempt.)

Although heavy weapons were found in the trucks, Erdogan said that the trucks belonged to MIT and were carrying “humanitarian aid” to Turkmens in Syria. [\(11\)](#)



FRENCH JOURNALIST LAURENT RICHARD

“Why did you send weapons to Syria with MIT trucks? What do you say about Turkey’s support to the Salafi Groups in Syria?”



PRESIDENT R. TAYYIP ERDOGAN

“You are speaking with the mouth of FETO! All officers involving in the operations are in jail now. Why don’t you ask about the 4 thousand truck guns sent to Syria by the USA?”



Although Dogu Perincek's Aydinlik Newspaper was the first media outlet to publish the allegation of weaponry transfer to Syria in January 2014, no investigation was started.



Once Cumhuriyet newspaper Editor-in-Chief, Can Dündar, ran the same contents four months later, an investigation was launched immediately.



CAN DUNDAR

Dundar then was arrested on charges of “providing information about the security of the state, political and military espionage, disclosing confidential information and propagating a terrorist organization”.

He was released for a while and took refuge in Germany. His wife, Dilek Dündar, also left Turkey illegally due to political persecution. All their assets were confis-



Turkish opposition politician jailed for 25 years on spying charges

Enis Berberoğlu is first CHP lawmaker imprisoned since lifting of immunity last year, in move condemned as 'intimidation'



Opposition Party deputy Enis Berberoglu was also arrested for leaking this news to Cumhuriyet newspaper.

PRESIDENT R.TAYYIP ERDOGAN:

“The person who wrote this story will pay a heavy price for it; I won't let him go unpunished.” [\(12\)](#)

INTERNATIONAL PRESS;

“ERDOGAN SUPPORTS JIHADIST GROUPS IN SYRIA AND ABROAD”

The AKP government preferred to blame “Foreign Powers” and the “Gülen Movement” for every problem it faced politically.

Russia claimed to have proof of Turkey’s involvement in the Islamic State’s oil trade and that Erdogan and his family were benefiting from the illegal smuggling of oil from Islamic State-held territory in Syria and Iraq.

Some of the headlines published in different media outlets; [\(13\)](#)

Turkish intelligence helped ship arms to Syrian Islamist rebel areas [\(14\)](#)

Columbia University Researchers Confirm Turkey’s Links to ISIS [\(15\)](#)

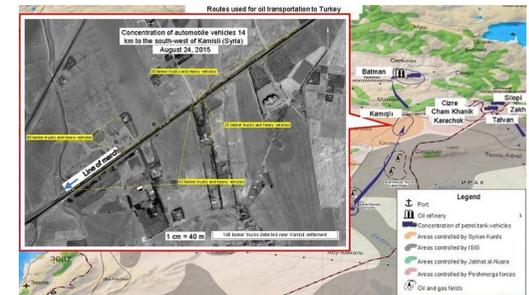
The Leader of Al-Nusra is getting hospital treatment in Hatay (Turkey) [\(16\)](#)

Erdogan’s attractions were interpreted as an effort to portray himself as the leader of Islamic world and increase his popularity in the Middle East countries. [\(17\)](#)

It was reported in the press that the Erdogan Administration tried to enhance power and influence across the region by supporting jihadist groups. The same scenario repeated itself in Libya and Azerbaijan. [\(18\)](#)

'El Nusra lideri Hatay'da tedavi görüyor'

19 gubat 2019 - 23:24



Iran ready to present proof of Turkey’s oil trade with ISIS - Tehran official. [\(19\)](#)

ERDOGAN GOVERNMENT AND THE CONTROL OF MEDIA

By using 30 TV channels and more than 30 daily newspapers controlled by the Government, all dissidents, especially members of the Gulen Movement and political figures of Kurdish politics, were turned into enemies in the eyes of the public.



TURKEY TRIBUNAL

SEE TURKEY
TRIBUNAL'S REPORT ON
"PRESS FREEDOM IN TURKEY
TODAY" [20]

				SABAH GAZETESİ HABER TÜRK GAZETESİ
				STAR GAZETESİ
				VATAN GAZETESİ
				TAKVİM GAZETESİ
				TÜRKİYE GAZETESİ
				AKİT GAZETESİ

CLOSURE OF MEDIA AND ARREST OF JOURNALISTS

Opposition media outlets were shut down through the judicial bodies, broadcasts were stopped with police raids, and appointed trustees changed publishing and broadcasting policies in line with the Government's request.

Erdogan built a loyal media (propaganda machine), both through businessmen who constantly won state tenders and by exposing other media organizations to fear and threat.

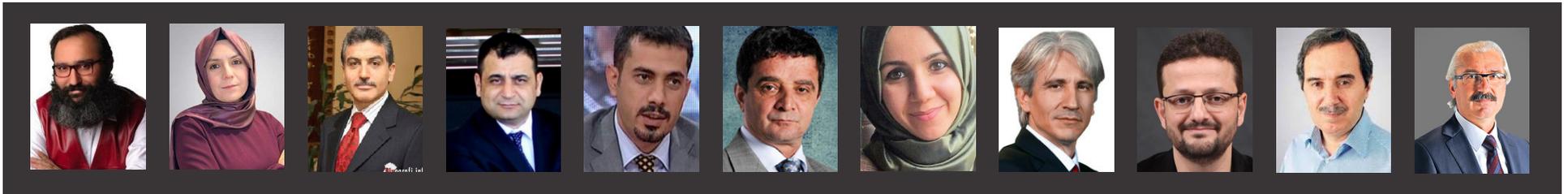
The broadcast group with the highest circulation in the country (Samanlyolu), along with its television and newspapers, was shut down by the police raid, and their assets were confiscated. Editor in Chief and journalists of the opposition media were arrested.

ARTICLE 30 OF TURKISH CONSTITUTION:

A printing house and its annexes, duly established as a press enterprise under law, and press equipment shall not be seized, confiscated, or barred from operation on the grounds of having been used in a crime



70 YEAR OLD AHMET ALTAN, JOURNALIST/AUTHOR IS BEHIND BARS FOR MORE THAN 1,500 DAYS



As of the beginning of 2021, when this brochure was published, there are still 320 journalists in Turkey's prisons



ZUHTU ARSLAN , CHIEF JUDGE OF THE TURKISH SUPREME COURT, IN FRONT OF ERDOGAN

LOSS OF JUDICIAL INDEPENDENCE AND THE COLLAPSE OF FAIR TRIAL

The systemic lack of independence of the judiciary continues to be one of the most pressing and worrying issues in Turkey.

With the change made in the High Council of Judges and Prosecutors (HSYK), the justice mechanism has been entirely under the Government's influence. With its new name, Council of Judges and Prosecutors (HSK) continues to influence the judiciary with its appointments, discharges and dismissals.

The Constitutional Court continues to decide, claiming that it is not obliged to comply with ECtHR rulings. Local courts also decide by stating that they do not have to abide by the Constitutional Court's decisions. Rule of law is practically non-existent.



ENCJ BOARD STATEMENT

European Network for Councils for the Judiciary Executive Board stated at its General Assembly Meeting held on 08 December 2020 that the Turkish Council for Judges and Prosecutors (HSK) is a Council in name only, as none of its actions or decisions demonstrate any concern for the independence of the judiciary.

ENCJ had suspended the observer status of the HSK in 2016, as it was no longer an institution ensuring the independent delivery of justice [\(21\)](#)





ESTABLISHMENT OF “CRIMINAL JUDGESHIP OF PEACE” CALLED PROJECT COURTS

In June 2014, ‘the Criminal Judgeships of Peace’, which Erdogan had previously announced by saying “We are working on a project to end the Parallel Structure”, were established.

These Judges have been empowered to make the most critical decisions such as arrest, search, seizure, wiretapping, trustee appointment and confiscation of private assets.

Two judges, Mustafa Baser and Metin Ozcelik, ordered the arrested police officers` release but their decisions were not processed. Following the immediate suspension, they were arrested and sentenced to 10 years in prison. [\(23\)](#)

In ICJ’s (International Commission for Jurists) report on Criminal Judgeship of Peace stated that these judges do not comply with the principles of judicial independence and do not serve the protection of fundamental rights and freedoms. [\(24\)](#)

JUNE 2014: CRIMINAL JUDGESHIPS OF PEACE WERE ESTABLISHED.

JULY 2014: POLICE CHIEFS INVESTIGATING CORRUPTION WERE ARRESTED IN DECEMBER 2013 AND HAVE BEEN IN PRISON EVER SINCE.

“A judicial decision cannot be made against the political will” approach has become a general rule.



**JUDGES;
MUSTAFA BAŞER (LEFT)
METIN ÖZÇELİK (RIGHT)**

POLICE CHIEFS WERE ARRESTED ONE AFTER ANOTHER



Police officers who carried out the corruption operations were detained and arrested by the newly established Criminal Judgeships of Peace.



Unlawfully detained police officers were surrounded by their colleagues and deprived of their liberty, even though they had to be released due to the expiration of the legal detention period.



The Gulen Movement was declared a terrorist organization by the National Security Council (MGK) in May 2016, two months before the coup attempt, without any court decision.



Freedom House: Long before the coup attempt, the government designated the movement a terrorist organization, dubbing it the "Fethullahist Terror Organization" or "FETÖ" and ascribing to it a variety of far-fetched plots. [\(25\)](#)

ERGENEKON INVESTIGATIONS

Between 2007 and 2013, a series of investigations were conducted against the Ergenekon Organization, which was accused of numerous unsolved murders and coup plots to overthrow the Government. Erdogan was a staunch supporter of these operations at the time. “Ergenekon Cases” resulted in long term prison sentences for the accused who included serving and retired army officers. These people were retried and acquitted by the Erdogan Administration after the December 2013 corruption and bribery operations.

During the Ergenekon investigations, the European Union Progress Reports stated that *“This case is an opportunity for Turkey to strengthen confidence in the proper functioning of its democratic institutions and the rule of law. It is important that proceedings in this context fully respect the due process of law, in particular the rights of the defendants. Turkey still needs to bring its legislation on political parties in line with European standards.”* In this context, the EU emphasized the importance of respecting the appropriate legal procedures in the judicial process, especially with regard to the defendant’s rights, and pointed out that Turkey’s legislation on political party should conform to European standards. [\(26\)](#)



2008’S ERDOGAN;

“I am the prosecutor of Ergenekon Case” [\(27\)](#)

2013’S ERDOGAN;

(December 24, 2013; One week after the corruption probe)

“Ergenekon trial was a plot against the National Army” [\(28\)](#)

Ahmet ALTAN, an influential Turkish journalist and writer stated in March 2015 that the ruling party and the Ergenekon established a partnership.

“Thieves and putschists went arm in arm to get rid of the law” [\(29\)](#)

AKP Deputy and former Prime Minister **Binali Yildirim** said the following at the Edirne Provincial Congress, which President Erdogan also attended with a live connection on January 21; **“Sledgehammer, Ergenekon cases, coup plans ... Were these lies? Of course there were!” [\(30\)](#)**

TRANSFORMATION OF THE POLICE AND MILITARY INSTITUTIONS

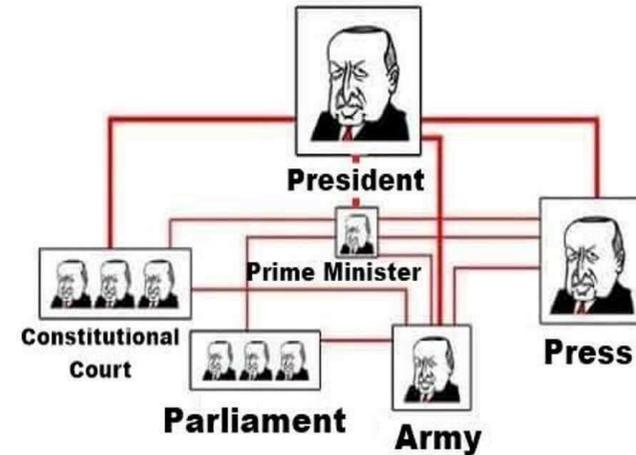
The Police College, The Police Academy, Military High Schools and War Colleges were abolished.

Thousands of students from these universities were initially sent to other universities without their consent, but most were arrested on terrorism charges after the 2016 coup attempt.

Military schools were converted into civilian institutions, duration of training was shortened, and pro-government cadres were recruited.

Military hospitals were turned into civilian hospitals.

POLITICAL SYSTEM IN TURKEY



© Teilmann



ERDOGAN'S POLICE, NIGHT WATCH AND MILITARY ORGANIZATIONS

Tens of thousands of police officers who were purged after December 17, 2013, were replaced with new police officers recruited with ruling party members' references.



The “Night Guard” system, (**Bekçi**) which was abolished many years ago, has been re-established. Tens of thousands of night watchmen/security guards were recruited with the Party reference and equipped with almost as much power as the police. The opposition even described these actions as a “coup” against the parliamentary democracy. [\(31\)](#)



Foreign Policy; “The Turkish President has cleansed the ranks and is building a new army with some strange bedfellows.”[\(32\)](#),

15 JULY 2016; MILITARY COUP ATTEMPT



In the amid of the lawlessness debates in the country, a military coup attempt took place on 15 July 2016.

- Erdoğan called his supporters to streets to suppress the coup attempt.
- 251 people, 50 of whom were police officers, died and thousands were wounded.
- Erdoğan claimed in the first hours of the coup attempt without any evidence that it was carried out by officers in the Army loyal to Fethullah Gulen.
- Gulen denied the accusations, proposing the establishment of an international commission to investigate the failed putsch in Turkey. *"If am found guilty, I will voluntarily return to Turkey for trial"* he said. [\(33\)](#)
- The Erdoğan administration has remained silent on this proposal so far.



IT WAS ALLEGED THAT VISUAL JUSTIFICATIONS WERE PRODUCED FOR THE MASS LIQUIDATION OF THE ARMY

- Some of the military defendants who were tried due to the coup attempt said in the court that the news of a possible terrorist attack had spread among military units for some time. Some retired officers also confirmed the same rumour in the media. They expressed that, on the night of the coup attempt, thousands of soldiers were summoned to their units or directed to the predetermined spots to prevent a possible terrorist attack, and thus they were drawn into the scenario of a coup attempt designed for failure. [\(34\)](#)
- Military school students, unaware of anything, were transferred by buses to addresses determined by the putschists. (All of the military students were later sentenced to life imprisonment.) [\(35\)](#)
- An angry crowd gathered after Erdogan's call to streets and attacked soldiers and military school students most of whom were unaware of the plot they were taken into. Many soldiers were killed. Air Force Academy student Murat Tekin was beheaded by unidentified (bearded) people.
- It was alleged that visual justifications were produced for mass liquidation of the Army.[\(36\)](#)
- Former Pentagon Senior Official Michael Rubin argued on his blog; "Eyewitnesses claim that SADAT was behind most of the murders on the night of the failed coup on July 15th." [\(37\)](#)



2,740 JUDGES AND PROSECUTORS WERE DISMISSED

On the night of the coup, 2,740 judges and prosecutors allegedly supporting the coup attempt were suspended without any evidence. (Most of them were arrested shortly after). [\(38\)](#)

Mehmet Yilmaz, Vice-President of the HSYK, confirmed this massive post-coup purge: *"We dismissed 2,740 members of the judiciary from their duties at 01:00 am on July 16, 2016."* [\(39\)](#)



MEHMET YILMAZ

Numerous judges and prosecutors are reportedly kept in solitary confinement in Turkish prisons. [\(40\)](#)

To date, 4,317 judges and prosecutors have been dismissed, and the vast majority has been arrested.

19,583 officers and non-commissioned officers have been expelled from the Army on the grounds of participating in the coup attempt.

Almost 150,000 civil servants were dismissed, and many were arrested on unproven "terrorism" charges. The property and assets of individuals and companies were confiscated unlawfully.

MASS DETENTION OF MILITARY PERSONNEL



Ali Aktaş 
@aliaktas7 [Takip et](#)

Darbeci eşekleri ahıra kapatmışlar...



04:33 - 17 Tem 2016



SYSTEMATIC TORTURE AND ILL-TREATMENT



Although strictly prohibited by national legislation and international law, the suspects detained after July 15 were severely tortured.

Pictures and videos of tortured detainees were published by the Anadolu Agency, the official news agency. [\(41\)](#), [\(42\)](#)



turkey
purge Home Page Who we are International Organizations Submit tip Rule 39 Submit
IHD: Old torture devices make comeback during Turkey's emergency rule
by TurkeyPurge | Sep 14, 2016 | Hate Crime, Human Rights Abuses



A few websites to review regarding torture in Turkey;

- [\(43\)](#), [\(44\)](#), [\(45\)](#)
- [\(46\)](#), [\(47\)](#), [\(48\)](#)
- [\(49\)](#), [\(50\)](#)

The process initiated by the Government in 2005 with the slogan of “zero tolerance to torture” ended with overtly shared instances of torture after 15 July. Numerous human rights and media organizations published reports/news of human rights violations and torture in Turkey.



Temporary detention facilities were established for huge numbers of detainees. The Ankara Anti-Terror Branch used an adjacent large gym and another volleyball court as a detention centre. Human rights organizations reported that ferocious torture sessions were held in these unofficial detention centres.

The victims were stripped to their underwear, no food or water was given for several days, forced to stay in stress positions for long hours, electrocuted and suffocated almost to the point of death. Some of the detainees were sexually harassed and raped. (52)

European Committee for the Prevention of Torture (CPT) reported that detained persons were allowed to leave the location assigned to them in different parts of the sports field only to use the toilettes.

CPT also reported that; “Medical controls of persons were usually carried out in the presence of law enforcement officials. Several detained persons alleged that they had been threatened by police officers and told not to show their injuries. Allegations were also heard that police officers had exerted pressure on doctors not to record detected injuries. In a number of cases, medical evidence was found in prison medical records or was directly observed by the delegation’s doctors, whereas the medical reports obtained by the police indicated an absence of injuries.” (2017 CPT Report, par. 19 and 24) (53)

A coalition of national human rights organizations made a joint statement regarding the increasing number of torture and ill-treatment incidents in Turkey to pressure, punish, intimidate and force people to confess. The coalition also noted that these bad practices were systematic. (54)



SEE TURKEY

TRIBUNAL'S REPORT ON
"TORTURE IN TURKEY" (51)

TORTURE CLAIMS WERE INCLUDED IN THE REPORTS OF INTERNATIONAL ORGANIZATIONS

Some of the torture victims revealed at the court that their statements were taken under torture and pressure by the law enforcement agencies.

Annual reports of the US Department of State, Office of the UN High Commissioner for Human Rights, EU Progress Reports, EU Committee for the Prevention of Torture, Amnesty International, Human Rights Watch, Stockholm Center For Freedom, The Arrested Lawyers Initiative, Federal Constitutional Court of Germany and Ankara Bar Association and many other official and non-governmental organizations placed serious allegations of torture in Turkey in their reports



“Turkish and Kurdish detainees tortured, raped”
UN rapporteur says [\(55\)](#)

ECHR, Article 3:
(Prohibition of torture);
“No one shall be subjected to torture or to inhuman or degrading treatment or punishment.”

International Covenant on Civil and Political Rights, Article 7;
“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Article 3;
“No State Party shall expel, return or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.”

ERDOGAN DESCRIBED THE COUP ATTEMPT AS "A GIFT FROM GOD"



Erdogan described the coup attempt as "A gift from God" [\(56\)](#)



Erdogan and his son-in-law, Berat Albayrak, while speaking about the coup attempt.



AKP Deputy Chairman Numan Kurtulmus: "It would take until 2030 if we had purged them in the normal bureaucratic process." [\(57\)](#)

The coup attempt was used as a justification for the dismissal and arrest of approximately 150,000 people not involved the coup, and confiscation of their assets.

DARK SPOTS OF THE COUP ATTEMPT WERE NOT ILLUMINATED

The dark spots of the coup attempt have not been illuminated since then. Some of the hundreds of questions remaining unanswered;[\(58\)](#)

- Why were not the contradictions resolved in the President's statements regarding when and from whom he learned about the coup attempt?
- The day before the coup attempt, on 14 July 2016, why was the public not informed about the content of the meeting, which lasted about 6.5 hours between the Chief of General Staff and the Undersecretary of the National Intelligence Agency (MIT), despite the expectations of the public?
- What is the content of the MIT Undersecretary's meeting with the Chief of General Staff at the headquarter until 20:20 on July 15?
- Despite the fact that the intelligence about the coup reached the General Staff at 16:30, why did the Chief of General Staff not order all units "Not to leave the barracks in times of crisis", on July 15?
- Why were all the force commanders allowed to go to a wedding and stay there for hours?





- Why did the President of the Religious Affairs and the Undersecretary of the National Intelligence Agency (MIT) meet just hours before the coup attempt? Furthermore, is there a link between this meeting and the simultaneous adhan (prayer call) recitation from the minarets of all mosques across the country immediately after the coup attempt started?
- How can the attempt to occupy only TRT and CNN Turk TV channels with a few soldiers while nearly 30 pro-Erdogan TV channels were on air be explained?
- According to an official letter sent by the MIT Presidency to the Turkish Grand National Assembly, 351 MIT members entered into an armed conflict on the night of the coup and it was reported that they were rewarded by MIT for performing the MIT's order to fire. Who did the MIT members open fire on?
- Why wasn't the ballistic examination of the bullets that rained on civilians killed on the Bosphorus Bridge?



➤ Who were the bearded bigots who cut the throats of innocent soldiers and military academy students on the bridge?



➤ Military and police security personnel (the adjutants and close protection officers), who were always around Erdogan, were arrested and tortured on the grounds that they were alleged “FETO” members after the coup attempt. Does this not contradict the allegations of the assassination of Erdogan? If these individuals were members of alleged “FETO”, why did they not take part in the assassination attempt on Erdogan?



➤ Is it a coincidence that the fighter jets participating in the coup attempt failed to hit Erdogan’s 1,100-room Presidential Palace, but killed 50 police officers in the Special Operations police unit they bombed?

➤ If the parliament was bombed by fighter jets, why did the blast effect come from the inside out rather than the outside?





- Why was the request to make the work of the Parliamentary Commission investigating the coup attempt open to the public rejected with the votes of the ruling party?
- Why did not President Erdogan, Prime Minister Binali Yildirim, Chief of General Staff Hulusi Akar, and MIT Undersecretary Hakan Fidan testify before the Parliamentary Commission? While the Commission continues its work, why did Erdogan say that “The commission must end its work”?
- Why were the Grand Assembly Coup Investigation Commission Report and the minutes attached to the report removed from the Parliament’s website? Why is it not shared with the public?
- Why did Erdogan describe the coup attempt as a “Gift from God”?
- Why were the President of the National Intelligence Agency (MIT) and the Chief of General Staff not heard in the trials of the soldiers involving in the coup attempt?



NEARLY 8,000 SOLDIERS PARTICIPATED IN THE COUP ATTEMPT, YET 20,000 WERE EXPELLED

Turkish Armed Forces stated that 8,651 soldiers, which equals 1,5 % of the whole Army participated in the coup attempt. [\(59\)](#)

The Minister of National Defense, Hulusi Akar, announced in August 2020 that 20,000 military personnel were dismissed from the Army. [\(60\)](#)



Since the coup attempt, Turkey has purged 716 fighter pilots. [\(61\)](#)



Influential researchers and Academics stated that the role of former Ergenekon convicts should be taken into account in the purging of pro-NATO officers from the Army and the purchase of S-400 missiles from Russia. [\(62\)](#)

OPPOSITION PARTY LEADER; "15 JULY COUP ATTEMPT IS CONTROLLED COUP"



Kemal Kilicdaroglu

The President of the Main Opposition Party (CHP), Kemal Kilicdaroglu, stated that the 2016 military coup attempt was "a controlled coup."[\(63\)](#)

Several observers challenged the government's description of 15 July as a purely Gulenist affair and cast blame upon an anti-Erdogan coalition within the army, composed of Kemalists, ultra-nationalists and opportunists together with Gulenists. In a similar thinking, some staunchly pro-AKP columnists argued that Kemalists were also behind the coup, but that the government maintained a singular rhetoric, so as not to divide the anti-Gulenist consensus.[\(64\)](#)

In their testimony at the court, most of the military officers, who were allegedly Gulenists and tried on the coup charge, stated that they were summoned to duty on the night of the coup attempt, by being said "there is a military exercise" or "there is a terrorist attack". They stated that they went to their places of duty or were directed to certain locations, being unaware of the coup attempt, but were soon arrested on the "Coup" charges.

Retired Colonel Ali Turkcan, one of the Ergenekon defendants and known for his opposition to the Gulen Movement, also repeated the same claim; In an article he wrote for a daily newspaper, he wrote that thousands of military personnel including Kemalist officers, who were unaware of the coup attempt, were called to work and obeyed the order, but they were all arrested on charges of "coup". The retired Colonel urged the Government to release the Kemalist officers from the prisons.[\(65\)](#)

This proves that not only Gulenist but also Kemalist officers were trapped.

Even military school students, who were transported in buses to different locations on the night of the coup, were sentenced to life imprisonment on coup charges. [\(66\)](#)



STATE OF EMERGENCY DECLARED, SERIAL EMERGENCY DECREES ISSUED

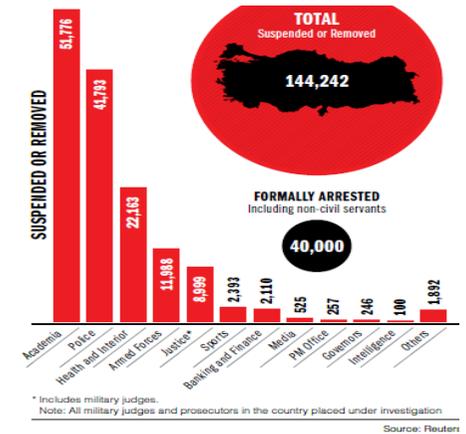
The Government declared a State of Emergency, which allowed it to conduct mass arrests, on 20 July 2016. A series of emergency decrees were issued, and a total of 129,411 people were dismissed from public service with no evidence and without exercising the right to defense.

The Government revoked the passports of discharged officers and imposed a travel ban on them and their families.

The following statement is at the top of all the decree-laws issued after the coup attempt:

“Those who have a membership, affiliation or affixation to terrorist organizations and structures, groups, or organizations that the National Security Council designates as threatening to the national security of the state...”

Thousands of institutions were closed by Decree-Law. [\(67\)](#)



Thousands of people were declared terrorists in the Official Gazette without a shred of evidence. They were not informed of the allegations against them and could not use the right to defend themselves.

Turkey's comprehensive Anti-Terror Law offers only a vague definition of terrorism, lacking the level of legal certainty required by international human rights standards. It has been weaponized to suppress and silence the dissidents from every segment of the society with different political and ideological backgrounds.

TURKISH ANTI-TERROR LAW

This has been used widely and arbitrarily to designate and criminalise many instances of peaceful acts of political opponents, human rights defenders and journalists as terrorist activity.

Amnesty International stated the following in its Public Statement, Index Number: EUR 44/0290/2019, dated 30 April 2019; "Since the failed coup of 15 July 2016, hundreds of journalists, media workers, human rights defenders and political activists have been brought before courts on trumped up, politically motivated charges despite lack of any evidence of internationally recognizable crimes.... The Turkish Anti-Terror Law has been used repeatedly to prosecute the expression of non-violent opinions." [\(68\)](#)

According to the Human Rights Watch 2019 Country Report, "Terrorism charges" continued to be widely used in Turkey. [\(69\)](#)

Amnesty International Report: "When correctly viewed, everyone is a terrorist in post-coup Turkey." [\(70\)](#)

Foreign Policy: "In Erdogan's Turkey, everyone is a terrorist." [\(71\)](#)

Pro- Erdogan Media accused academics who carried out democratic demonstrations at Boğaziçi University of being terrorist supporters.

Pro-Erdogan Media Akit; "Not academics, but militants supporting terrorism" (Akademisyen değil, terör destekçisi militanlar) [\(72\)](#)

TURKEY'S POST-COUP CRACKDOWN

600,000 people were investigated for alleged membership in a terrorist organization.

Minister of Interior Suleyman Soylu stated on the 4th anniversary of the alleged coup attempt (15 July 2020) that almost 600,000 people were investigated, 300,000 people were detained, and 94,000 were arrested for allegedly being terrorist organization members since the coup attempt in 2016. [\(73\)](#)
(Figures have been rounded up)



INTERIOR MINISTER
SÜLEYMAN SOYLU

AS OF 15 JULY 2020

- 282,000 detained
- 94,000 arrested
- 150,000 state servants dismissed
(40,000 teacher, 33,000 police, 20,000 army officers, and other civil servants)
- 3,000 schools and universities shut down
- 6,000 academics lost their jobs
- 4,400 judges and prosecutors dismissed
- 190 media outlets shut down
- 320 journalists arrested

WHO SAID WHAT ABOUT THE COUP ATTEMPT?

The international organizations and intelligence services of many countries did not believe that the Gulen Movement was behind the coup attempt and is a terrorist organization.



EU anti-terror chief: Gülen network not terrorist organization

Gilles de Kerchove said EU needs 'substantive' evidence to prove otherwise.

"The EU does not believe Fethullah Gulen's network is a terrorist organization and is not "likely to change its position soon," the bloc's counter-terrorism coordinator Gilles de Kerchove said in an interview. [\(74\)](#)



German Intelligence Chief Bruno Kahl told the German weekly Der Spiegel in March that "Ankara has failed to convince the BND Foreign Intelligence Agency that Gulen was behind the ill-planned and executed coup plot. Turkey has tried to convince us of that at every level, but so far it has not succeeded. The Gulen movement is a civilian association for religious and secular education." [\(75\)](#)



The German FOCUS Magazine wrote on 24 July 2016 that half an hour after the conflict began, the British Secret Service (GCHQ) intercepted phone calls, e-mails and text messages of the Turkish Government, according to which the purges would begin the next day and Gulen would be portrayed as the mastermind behind the revolt. [\(76\)](#)

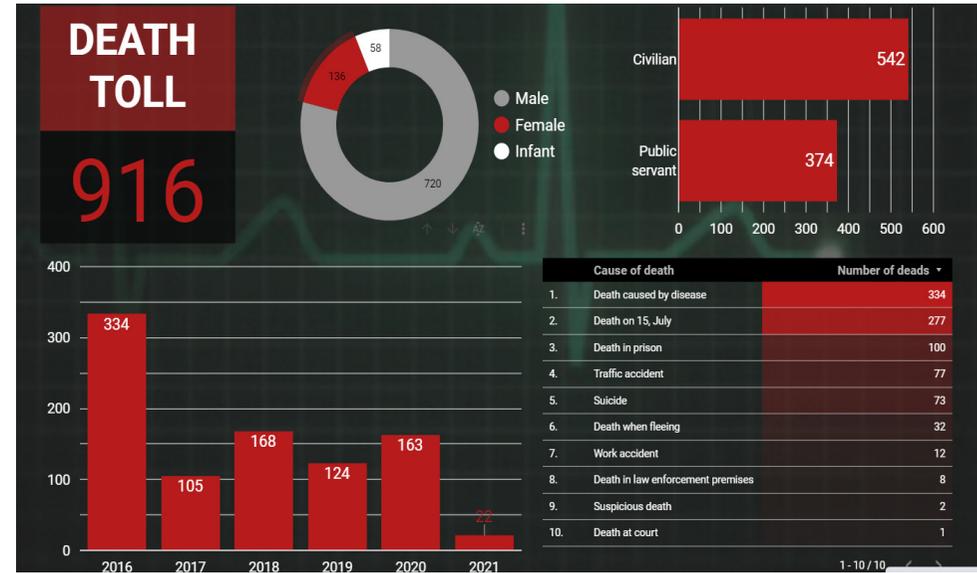
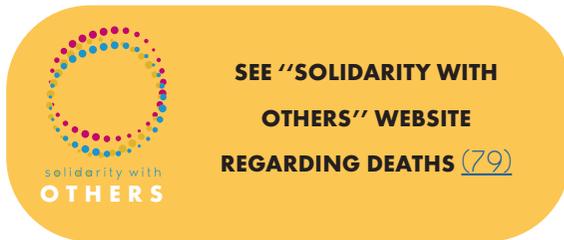
This claim has not been denied.

DEATHS & SUSPICIOUS DEATHS

Deaths due to torture in custody and jails have been recently widespread in Turkey. The Government has presented the deaths as suicide. There are around 100 suspicious deaths in custody and/or prisons since summer 2016.

Stockholm Centre for Freedom (SCF) publishes regular articles regarding the persecution in Turkey. [\(77\)](#)

Key Turkish Intel Officer, Zeki Güven, Arrested in Purge, Found Dead in his Prison Cell. [\(78\)](#)



DEATHS DUE TO LACK OF TREATMENT



Turkish teacher, Halime Gülsu died in prison due to lack of medication [\(80\)](#)



Supreme court member died in hospital after release from prison [\(81\)](#)



Journalist Mevlüt Öztaş, who was not released on time after he had cancer in prison and his treatment was delayed deliberately, died [\(82\)](#)



Purge-victim police chief found dead in a quarantine cell in Turkish prison. He died of Covid-19 / Oct 2020 [\(83\)](#)



Decorated officer (Colonel) not released by the court despite health report died [\(84\)](#)

NO LIFE SAFETY

MOBBING, DISCRIMINATION, SOCIAL ISOLATION, HATE SPEECH

Millions of propaganda leaflets that praise Erdogan and defame his opponents were distributed in schools and special ceremonies. Imams gave political sermons in mosques all over the country. (85)

Erdogan has been continuing to call all his opponents as; "terrorist, traitor, spy, etc."

Some of people who were expelled by decree-laws also saw their assets being confiscated and passports cancelled. Dismissals being part of public record, their chances of decent employment elsewhere were seriously hindered. Such level of discrimination is labeled as "social death" within the scope of social and economic rights.

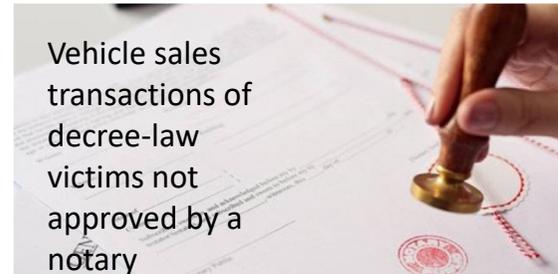
Hate speech continues unabated by the ruling party and the pro-government media.

The notaries did not approve vehicle sales transactions of decree-law victims, and the premiums they would receive from insurance were not paid.



FETÖ hükümlüsünün araç satış işlemleri noterde onaylanmadı

Aracını satmak isteyen FETÖ hükümlüsünün satış işlemlerine noterde onay verilmedi.



Vehicle sales transactions of decree-law victims not approved by a notary



INCITEMENTS RESULTED IN ACTUAL VIOLENT ACTIONS ACROSS THE COUNTRY & ABROAD

Opponents of Erdogan, whom the Government demonized, were beaten up by Erdogan fans. AKP supporters attacked people opposing Erdogan at home and abroad

Turkish designer Barbaros Sansal attacked at airport. [\(86\)](#)

Police chief who was purged over Gülen links beaten on street in Samsun. [\(87\)](#)

Sweden: Exiled Turkish journalist attacked in Stockholm [\(88\)](#)

The pro-Erdogan media published news and cartoons of severe death-penalty practices during the Ottoman Empire era and demanded torture for the murder of the alleged Gulen Movement members [\(89\)](#)

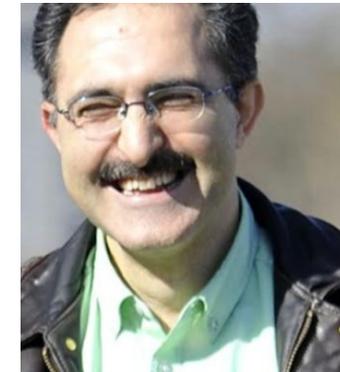
“Turkish boxer openly criticizes Erdogan victim of knife attack in Germany.” [\(90\)](#)



Police chief who was purged over Gülen links beaten on street in Samsun

By SCF - March 10, 2017

Share



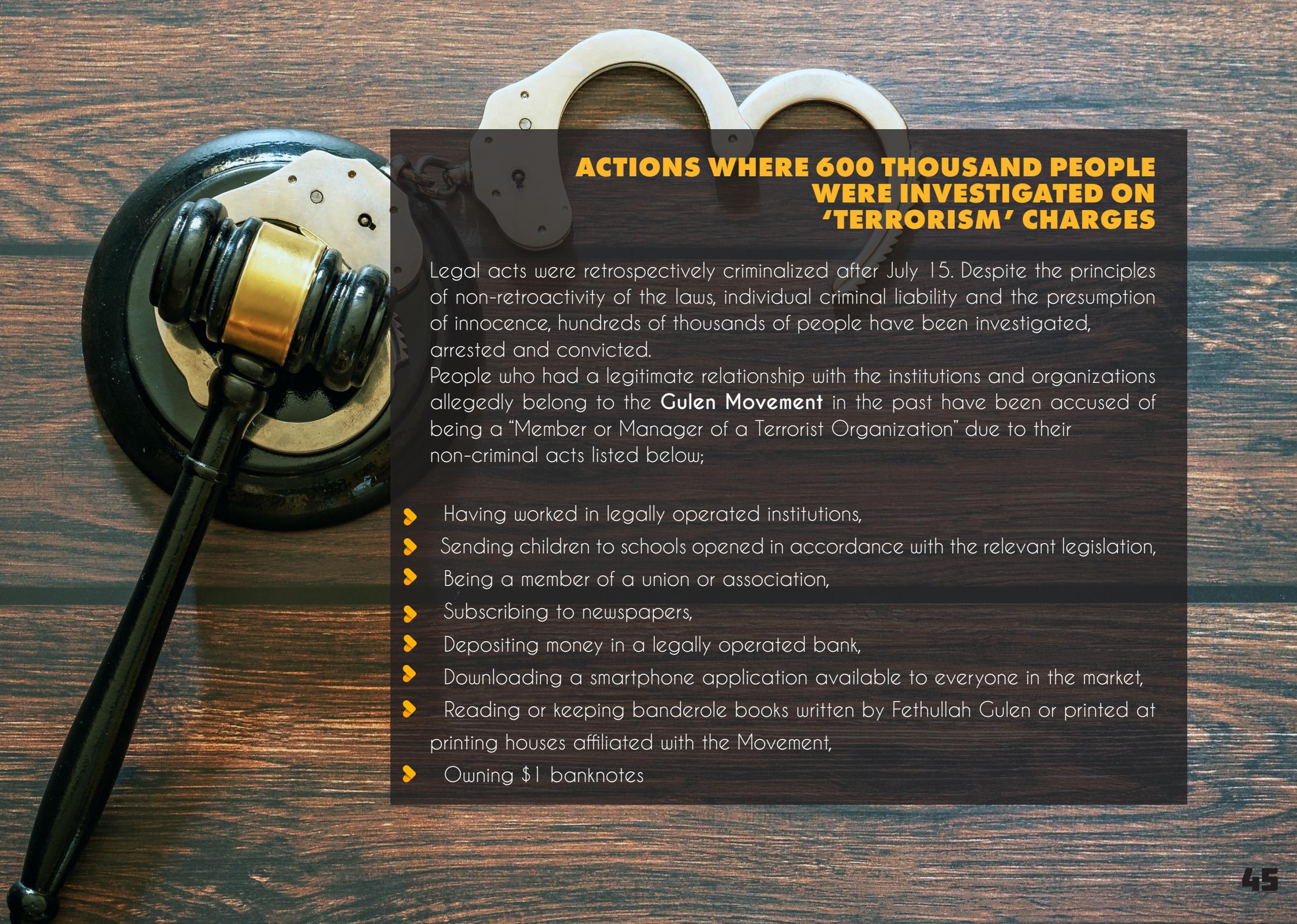
BirGün GÜNCEL YAZARLAR SİYASET DÜNYA YEŞİL BİRGÜN FOTO

Haber7 FETÖ'den yargılananların kancalara asılmasını istedi

16.07.2017 17:28 GÜNCEL

YAZARLAR SİYASET DÜNYA YEŞİL BİRGÜN FOTO





ACTIONS WHERE 600 THOUSAND PEOPLE WERE INVESTIGATED ON 'TERRORISM' CHARGES

Legal acts were retrospectively criminalized after July 15. Despite the principles of non-retroactivity of the laws, individual criminal liability and the presumption of innocence, hundreds of thousands of people have been investigated, arrested and convicted.

People who had a legitimate relationship with the institutions and organizations allegedly belong to the **Gulen Movement** in the past have been accused of being a "Member or Manager of a Terrorist Organization" due to their non-criminal acts listed below;

- ❖ Having worked in legally operated institutions,
- ❖ Sending children to schools opened in accordance with the relevant legislation,
- ❖ Being a member of a union or association,
- ❖ Subscribing to newspapers,
- ❖ Depositing money in a legally operated bank,
- ❖ Downloading a smartphone application available to everyone in the market,
- ❖ Reading or keeping banderole books written by Fethullah Gulen or printed at printing houses affiliated with the Movement,
- ❖ Owning \$1 banknotes

ASSETS OF INDIVIDUALS AND INSTITUTIONS WERE SEIZED / CONFISCATED

With the Emergency-decrees issued during the state of emergency and administrative decisions, a total of 3,942 institutions operating in different fields across the country were closed. The statistics of the institutions that were closed and their properties were confiscated are as follows:

1,410	Associations,
1,034	Private Schools,
835	Student Hostels,
301	Prep Schools,
109	Foundations,
53	Newspapers,
47	Private Health Institutions,
29	Publishing Houses,
22	Radio Stations,
20	Magazines,
19	Trade Unions,
19	Federations,
19	Television Channels,
15	Universities,
6	News Agencies,
4	Confederations. (91)

The General Directorate of Land Registry and Cadastre announced that 6,700 immovable properties were seized and transferred to the Treasury or to the General Directorate of Foundations. [\(92\)](#) The number of immovables under investigation in 2018 reached 348,151. [\(93\)](#)

According to the data of the "Saving Deposit Insurance Fund" (TMSF) in March 2018, 1,075 commercial enterprises were closed, while trustees were appointed to 1,251 commercial enterprises and their management was seized power. [\(94\)](#)

In addition, it was stated in the press that 213 educational institutions in 19 different countries were seized through the Maarif Foundation. [\(95\)](#)



WOMEN IN JAILS

There are almost 10,000 women who are victims of Erdogan's post-coup campaign in Turkish prisons. According to open source information, over 100 women in the maternity ward were unlawfully detained immediately after giving birth and sent to prison with their babies

According to open source data, 174 pregnant women and women with babies were detained. [\(96\)](#)



CHILDREN GROW UP IN PRISONS

Hundreds of children were imprisoned with their mothers as part of the post-coup crackdown.

345 children are still in prisons.



MIDDLE EAST - February 13th
Hundreds of young Turkish children jailed alongside their moms as part of a post-coup crackdown



PRISONS IN TURKEY

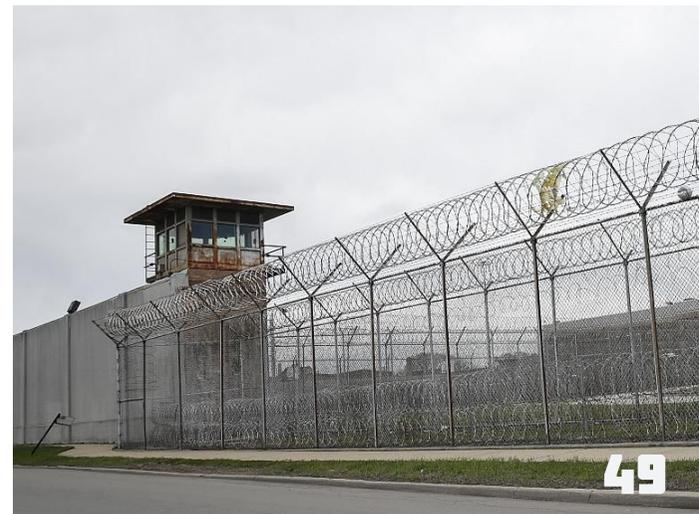
Turkish prisons with so many allegations of torture and ill-treatment are overcrowded.

The reports of the CPT regarding its visits to Turkey in 2017 and 2019 revealed that the prisons are overcrowded and conditions are very poor. The CPT emphasized that this plight of the prisons could be considered as inhuman and degrading treatment laying out in Article 3 of the ECHR.

CPT reported that prison where in a large number of dormitories the overcrowding reached extreme proportions. Single-level dormitories, which measured some 40 m², were holding 32 prisoners each. As there was no floor space left for more mattresses, prisoners were obliged to take the “day shift” in order to sleep. (CPT Report, par. 92)

It is a matter of serious concern that inmates sentenced to aggravated life imprisonment (as well as some other inmates convicted of terrorism-related offences) were held under solitary-confinement. (CPT Report, par. 87)

UK Supreme Court refused Turkey’s extradition requests because of the overcrowding of prisons and on the grounds that the guards cannot maintain control due to the very high numbers of those arrested since the alleged coup attempt. [\(98\)](#)



TUNNEL VISIONS IN CRIMINAL CASES



“Being affiliated to Gulen Movement equals being a Jewish at the time of Nazi Germany”

JOURNALIST ERGUN
BABAHAN [\(99\)](#)

In such a case, officers involved in the whole process, from investigation to appeal stage, do their worst to accept and punish a person as a criminal with psychological, social and cyclical effects, as if in a tunnel.



According to the 2019 reports prepared by the World Justice Project, conducted by the American Bar Association and its 21 partners; Turkey ranks at 109 among 126 countries in the “2019 Rule of Law Index” [\(100\)](#)

Following the December 2013 corruption investigations, especially after the July 2016 coup attempt, the followers and sympathizers of the Gulen Movement became the grave victims of the Tunnel Vision trials.

ESCAPE FROM ARBITRARY DETENTION AND TORTURE

Thousands fled abroad for fear of systematic torture and arbitrary detention, and some drowned in the Aegean Sea or the Evros (Maritza) River while fleeing. [\(101\)](#)



“At least 3 victims of Erdogan’s persecution drowned as trying to cross river between Turkey and Greece” [\(102\)](#)



Family drown in Maritza while illegally leaving country.



ALL OPPONENTS UNDER ARREST, HUMAN RIGHTS DEFENDERS AT STAKE

Erdogan regime continues to detain/jail all its opponents. The members of the opposition parties, such as HDP co-chairs Selahattin Demirtas and Figen Yuksekdag, human rights defenders, victims of the Emergency Decrees, and anyone seeking justice are detained and arrested. [\(103\)](#)



Turkish authorities continue to detain elected mayors in Kurdish-majority southeast [\(104\)](#)



The press reported that 36 thousand people were investigated for "insulting the president Erdogan" in a year. [\(105\)](#)



Ayhan Bilgen, the mayor of the eastern provincial capital of Kars, was among 20 politicians and activists from the Peoples' Democratic Party (HDP) detained on surprise charges stemming from protests that took place six years ago. [\(106\)](#)



Ömer Faruk Gergerlioğlu, The Peoples' Democratic Party (HDP) MP and a member of the Parliament's Human Rights Investigation Commission, was first sentenced to prison by the pro-Erdogan judiciary. Later, with the votes of the ruling party and its unofficial partner, the Nationalist Party (MHP), his seat in the parliament fell. Finally, on April 2, 2021, the police forcibly removed him from his home and sent to prison. [\(107\)](#) He was not even allowed to wear his shoes.



FOREIGN NATIONALS WERE ARRESTED AS A TRUMP CARD

In the wake of the coup attempt, the Erdogan Administration arrested certain foreign nationals and/or some Turkish individuals working at foreign institutions in Turkey on charges of supporting and/or propagating terrorist organizations.

“They cannot be released as long as I am in power,” Erdogan said. [\(99\)](#)



Turkey's Erdogan calls on US to extradite Gulen in return for jailed US pastor [\(108\)](#)



Serkan Golge is still dismayed by the “garbage” evidence linking him to a failed coup. [\(111\)](#)

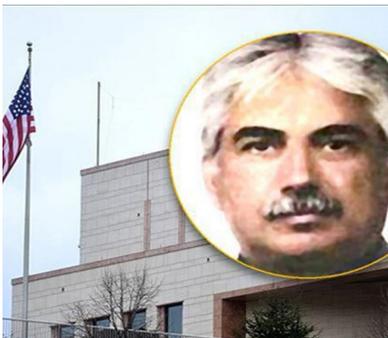
However, they were released after talks between Erdogan and the leaders of the countries concerned.



Prosecutors had been charged Yucel with “making terror propaganda” and “inciting public hatred and hostility”, state-run news agency Anadolu reported. [\(109\)](#)



President Trump thanked Turkish President Erdogan for helping with his release [\(112\)](#)



Metin Topuz: Turkish court jails US consulate employee for terror offences [\(110\)](#)



Merkel welcomed his release and thanked “all those” who worked to free him [\(113\)](#)

EXPLICIT INTERVENTIONS TO THE JUDICIARY AND ONGOING THREATS TO THE WORLD

General Metin İyidil, who was sentenced to aggravated life imprisonment for “Coups Attempt” and “Armed Terrorist Organization Membership”, was acquitted by the Ankara Regional Court of Justice, but was arrested again after Erdoğan’s intervention in January 2020.

Bold Media: “Erdoğan publicly acknowledges giving instructions to judiciary.” [\(114\)](#)

Following the release order, the Council of Judges and Prosecutors (HSK) opened an investigation against the Judges who had acquitted the General, and immediately changed their place of duty. [\(115\)](#)

Independent: “Europeans across the world will not be able to walk the streets safely if they keep up their current attitude towards Turkey” [\(116\)](#)



“Thank God, our Justice Minister and prosecutors involved. We gave all the necessary instructions on it. They caught him, and he is now in prison!”

PRESIDENT R. TAYYIP ERDOĞAN

European-based intelligence and security reports also reveal that the Erdoğan administration has tried to spread the understanding of political Islam abroad, especially through the Directorate of Religious Affairs (Diyanet), and radicalized the pro-government mass [\(119\)](#).



Erdoğan accuses Germany of 'Nazi practices' over blocked political rallies

Turkish president campaigning for more powers says Germany is not respecting opinion and thought after stopping events [\(117\)](#)



Turkey's Erdoğan calls Dutch authorities 'Nazi remnants'

© 11 March 2017 [\(118\)](#)

MOST WANTED TERRORISTS

Wanted Person Status	Wanted Person Status	Wanted Person Status	Wanted Person Status	Wanted Person Status
 RED LIST	 BLUE LIST	 GREEN LIST	 ORANGE LIST	 GRAY LIST
AWARD AMOUNT	AWARD AMOUNT	AWARD AMOUNT	AWARD AMOUNT	AWARD AMOUNT
up to 10.000.000 TL	up to 3.000.000 TL	up to 2.000.000 TL	up to 1.000.000 TL	up to 500.000 TL

Turkish National Police has published “Terrorist Wanted List” (Terör Arananlar) in Turkish and English languages. (120) - (121)

The website categorizes wanted terrorists in 5 different colours and states that those who help capture perpetrators alive or dead will be rewarded up to the limit shown in the graph. The “Denunciation-Reward” system is also effective and dangerous in the process of locating and abducting the refugees.

ABDUCTIONS FROM ABROAD & ILLEGAL DEPORTATIONS

So far, 107 Turkish citizens living abroad, including Kosovo, Moldova, Malaysia, Saudi Arabia, the United Arab Emirates, Azerbaijan, Bulgaria, Gabon, Bahrain, Ukraine, Pakistan, Kazakhstan, Indonesia, Sudan, Myanmar, Iraq and Albania, have been abducted by Turkish National Intelligence Agency (MIT).

Daily Newspaper Yenişafak; "MIT makes life unbearable for traitors" [\(124\)](#)

Presidential Spokesperson, Ibrahim Kalin; "MIT operations abroad for FETO members will continue" [\(125\)](#)

See Solidarity with others' report regarding illegal deportation. [\(126\)](#)

See Turkey Tribunal's report on "Abductions in Turkey." [\(127\)](#)



Erdogan critics kidnapped by Turkish intelligence in Kosovo were included in bogus terrorism probe [\(122\)](#)

Turkish Justice Minister; "107 FETO fugitives brought back to Turkey so far." [\(123\)](#)

PRESIDENCY OF THE REPUBLIC OF TURKEY

Home | Recep Tayyip Erdoğan | First Lady | Activities | Presidency | Contact | Search

Spokesperson

Projects under Presidency's Aegis

Completed Projects

15 July

Statement by Presidential Spokesperson İbrahim Kalın

21.09.2018

"TURKEY WILL NOT ALLOW FETO TO BREATHE A SIGH OF RELIEF"

Question: "You said foreign operations will continue. The National Intelligence Organization has been nabbing FETO members and bringing them to Turkey. President Erdoğan will go to the U.S. on Monday and he will exchange views regarding the extradition of the FETO leader Gulen. Can we expect any progress there?"

Presidential Spokesperson Kalın: "Our relevant units and institutions will continue their operations in the countries the FETO operates in whether it be the U.S. or some other country. Rest assured that they will feel



THE UNLAWFUL PRACTICES OF THE TURKISH GOVERNMENT TOWARDS THE OPPOSITIONS ABROAD

ILLEGAL DEPORTATION PROCEDURES AND DECISIONS OF REFUSAL OF EXTRADITION

All extradition requests made by Turkey within the scope of extradition treaties were rejected by the courts of the concerned countries due to the accusations do not constitute a crime according to the domestic regulation of the concerned country or the accusations are politically motivated.

At least 85 people from 22 countries were deported in violation of international law or through illegal ways.

TURKEY'S OPEN SECRET

"KNOWN PERPETRATOR"

24

ENFORCED DISAPPEARANCE CASES

TURKEY [2016 - 2020]

ENFORCED DISAPPEARANCES / MISSING PERSONS

'Solidarity with Others', Brussels based Non-Governmental Organization on defending and promoting human rights, remarked that "The practice of enforced disappearances, led either by security forces or by clandestine groups with the approval or knowledge of the authorities, is one of the most shameful stains on Turkey's human rights record."

According to data compiled by the Stockholm Centre for Freedom (SCF), and the above-mentioned NGO report, 26 people have been abducted as of April 2021 in Turkey since the controversial coup attempt in July 2016.

The Correctiv, also reported that following the coup attempt in 2016, Turkey has established secret torture sites to interrogate abducted people. [\(128\)](#)

It is reported that the abductees were interrogated by the members of MIT with torture and were then handed over to Police units. Yusuf Bilge Tunc and Huseyin Galip Kucukozyigit are among the kidnapped by the MIT while this brochure is being prepared. The authorities have not responded to the demands of the families. [\(130\)](#)



The Correctiv, a non-profit investigative newsroom in Europe, reported that the abductions have been run by Turkey's National Intelligence Agency (MIT).

The Economist: Torture, abductions return to Turkey but international response is weak [\(131\)](#)



The Torture Base of the National Intelligence Agency (MIT) called "Marşandiz" in the center of the Capital Ankara. [\(129\)](#)

A few websites to review; [\(132\)](#), [\(133\)](#), [\(134\)](#)



YUSUF BILGE TUNÇ
MISSING SINCE 6 AUGUST 2019



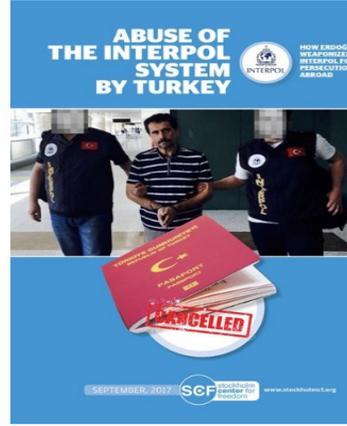
HÜSEYİN GALİP KÜÇÜKÖZYİĞİT
MISSING SINCE 29 DEC 2020

ABUSE OF INTERNATIONAL MECHANISMS

Turkey's abuse of international mechanisms and cooperation agreement to seize its opponents abroad was revealed in many platforms.



EU warns; Turkey misuse INTERPOL
(137)



Abuse Of The Interpol System By Turkey (138)



MEPs consider evidence that countries like Russia, China, Iran and Turkey are abusing the current system for political purposes. (139)



Merkel Criticizes Turkey; "International Organizations must not be abused!" (142)



EU; "The need for more stringent legal safeguards" (140)



Sweden, Germany urge EU to act against Turkey's Interpol abuses (141)

All Red Notice requests sent by Turkey after the coup attempt were rejected by Interpol as they lacked convincing legal evidence and were politically motivated.

MISREPORTS SUBMITTED TO INTERNATIONAL INSTITUTIONS

The letter sent to the British Court;

The British Court rejected a case related to the extradition of three Turkish businessmen (Akin Ipek and others). According to open-source information, the Turkish Ministry of Justice sent a document to the British Court through its Counsellor, serving at the Turkish Embassy in London, to give the impression of a fair trial in Turkey and the rights of the extradited persons are respected. However, the document was in contradiction with the facts in Turkey. When the issue received media coverage, the Turkish Ministry of Justice claimed that the mentioned document was prepared and sent to the British Court by the Counsellor at his own initiative and outside the Ministry's knowledge.

"Ankara removed legal attaché of the London Embassy from duty." (143)

This case showed that the Turkish authorities did not hesitate to mislead their counterparts.



T.C.
ADALET BAKANLIĞI
Dış İlişkiler ve Avrupa Birliği Genel Müdürlüğü

Republic of Turkey
Ministry of Justice
Directorate General for Foreign Relations and European Union Affairs

République de Turquie
Ministère de la Justice
Direction Générale des Relations Extérieures et des Affaires de l'Union Européenne

Subject: Statistics in relation to the FETÖ-related investigations and cases as of October 2018

TO WHOM IT MAY CONCERN

"-While the number of cases where courts have sentenced under the offences of the membership and management of the FETÖ (Article 314/1 and 2 of the Turkish Criminal Code) is **31.400**, the number of cases where courts have found no criminal offence and acquitted under the same category offences is 10.657.

- With respect to the number of court cases under the Article of the 309 of Turkish Penal Code (Crimes committed against Constitutional order), courts have penalised in **190** of them and **632** resulted with the acquittal.

- In **124.543** FETÖ related files, public prosecutors decided not to prosecute further (non-prosecution)." (This data was obtained from the National Judicial Network (UYAP/NJN).)

- According to data provided by the Court of Cassation, who is the only Chamber for appeal in the FETÖ-related cases, the said Chamber has reversed nearly **40 % (forty)** of the convictions by the local criminal courts since the beginning of 2018 mainly for the violation of the following reasons/principles regarding FETÖ cases:

1-The convictions/sentencing based on the reason of defendant's sympathy with Fetullah Gülen and his organization (FETÖ) and their involvement in some activities in this sense cannot accept,

2- Bylock, an application used for communication among the FETÖ members, cannot be evaluated as an evidence unless its contents are used for carrying out some criminal and secret activities which are vital for achieving the FETÖ's disguised objectives and is used frequently for these purposes.

3-Any activity involving financial support to FETÖ can't on its own establish FETÖ membership.

4- Convictions can not only be based on obtained witnesses statements and other evidence by police, the court must also seek and hear every piece of evidence by defendants."

08/11/2018



Milli Müdafaa Caddesi No: 22 Bakanlıklar / ANKARA Ayrıntılı bilgi için iritibat telefonno: (0 312) 414 84 78
Faks: (0 312) 219 45 23 e-posta: uhdigm@adalet.gov.tr Elektronik Ağ: www.adalet.gov.tr

UYAP Bilişim Sistemindeki bu dokümana <http://vatandas.uyap.gov.tr> adresinden İHDükP - RjD1wmd - YdTp2T - SdyxE= ile erişebilirsiniz.

FRAUDULENT REPRESENTATION OF THE TURKISH GOVERNMENT AT THE ECHR HEARING

As a result of the amendment made to the Turkish Constitution on 20 May 2016, the parliamentary inviolability of 154 members was lifted. The parliamentary immunity of the 55 HDP members out of 59 was removed, and 14 were placed in pre-trial detention. During the hearing held at the ECtHR, the Turkish Government stated by a pretence that the HDP members were not the only ones convicted in criminal proceedings after their immunity was lifted. At the hearing on 18 September 2019, a specific question was put to the parties on this issue of contention. While fraudulently repeating their argument, the Government could not prove that Parliament members belonging to the bloc of the ruling parties had also been convicted and/or deprived of their liberty. Therefore, the court decided that only opposition parties' members had been detained and/or convicted. [\(144\)](#)



ESTABLISHMENT OF NEW BARS & DETENTION OF LAWYERS



The systemic lack of independence of the judiciary in Turkey continues to be one of the most pressing and worrying issues; The lawyers are also subjected to investigations and arrest

HRW: Lawyers Arrested in Terror Probe Abusive Mass Arrests Damage Rule of Law, Expose Detainees to Covid-19 Risk [\(145\)](#)



On July 10, 2020, Turkey's Parliament passed into law a bill amending Law No. 1136 on Legal Practitioners (LLP). The new law allows new bar associations to be established in populous provinces, and significantly changes

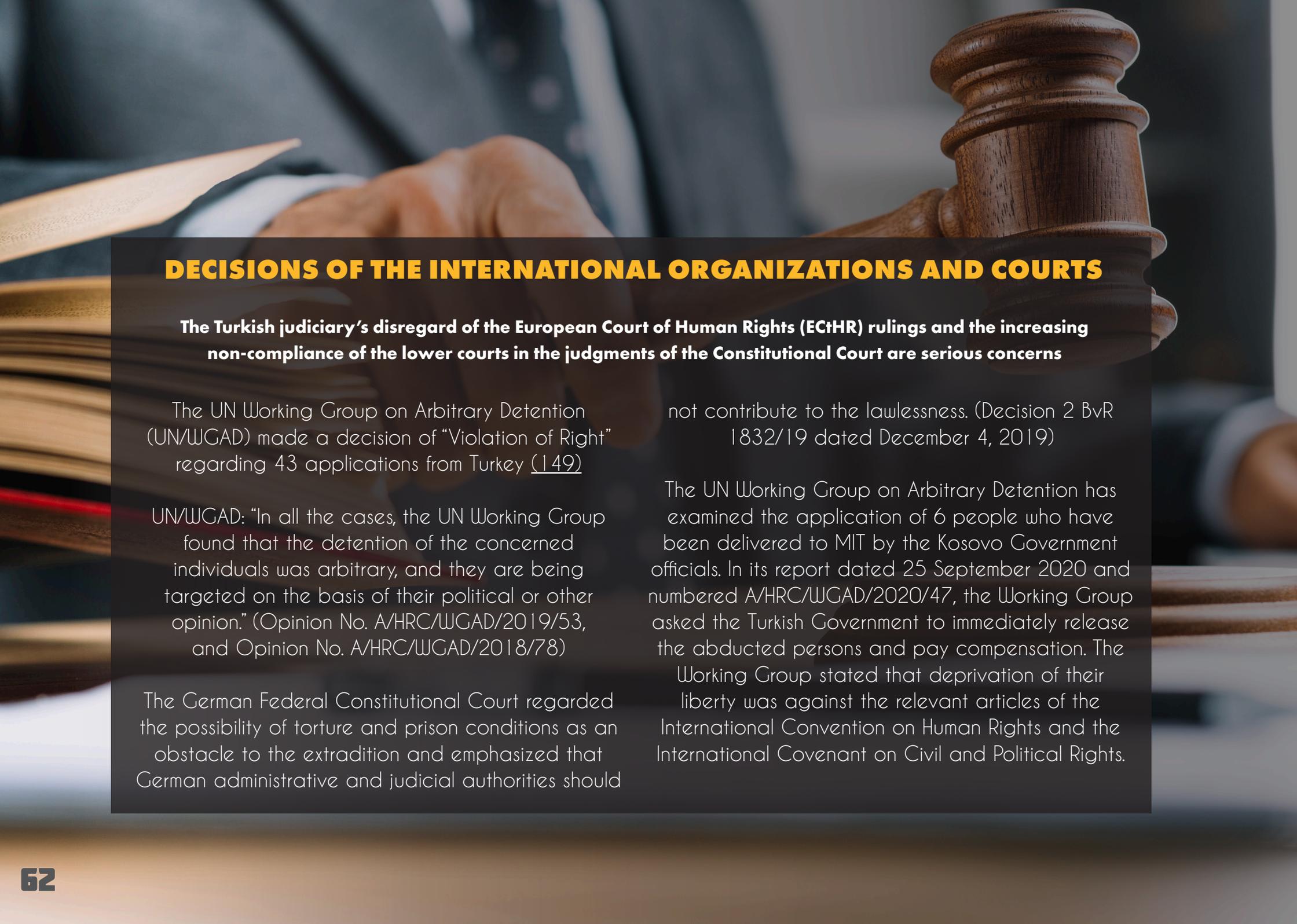
the system for the distribution of delegates representing provincial bar associations in the Union of Turkish Bar Associations (UTBA). [\(146\)](#)

HRW: Turkish gov't aims to diminish bar associations' role as human rights watchdogs [\(147\)](#)

"As of today, more than 1.500 lawyers have been prosecuted and 605 lawyers arrested. So far, 441 lawyers have been sentenced to a total of 2,728 years in prison on the grounds of membership of an armed terror organization or of spreading terrorist propaganda."[\(148\)](#)



**KEEP YOUR HANDS
OFF THE LAWYERS**



DECISIONS OF THE INTERNATIONAL ORGANIZATIONS AND COURTS

The Turkish judiciary's disregard of the European Court of Human Rights (ECtHR) rulings and the increasing non-compliance of the lower courts in the judgments of the Constitutional Court are serious concerns

The UN Working Group on Arbitrary Detention (UN/WGAD) made a decision of "Violation of Right" regarding 43 applications from Turkey ([149](#))

UN/WGAD: "In all the cases, the UN Working Group found that the detention of the concerned individuals was arbitrary, and they are being targeted on the basis of their political or other opinion." (Opinion No. A/HRC/WGAD/2019/53, and Opinion No. A/HRC/WGAD/2018/78)

The German Federal Constitutional Court regarded the possibility of torture and prison conditions as an obstacle to the extradition and emphasized that German administrative and judicial authorities should

not contribute to the lawlessness. (Decision 2 BvR 1832/19 dated December 4, 2019)

The UN Working Group on Arbitrary Detention has examined the application of 6 people who have been delivered to MIT by the Kosovo Government officials. In its report dated 25 September 2020 and numbered A/HRC/WGAD/2020/47, the Working Group asked the Turkish Government to immediately release the abducted persons and pay compensation. The Working Group stated that deprivation of their liberty was against the relevant articles of the International Convention on Human Rights and the International Covenant on Civil and Political Rights.

UNEXECUTED DECISIONS OF THE DOMESTIC AND INTERNATIONAL COURTS

The Turkish judiciary disregards the rulings of international organizations and courts.

The decisions of the European Court of Human Rights are not recognized/executed.

Non-compliance of lower courts with the judgments of the Constitutional Court is continuously increasing.

Journalists Can Dunder and Erdem Gul were released from prison after the Constitutional Court ruled that their rights had been violated. President Erdogan severely criticized the Court's decision and said, *"I do not abide by the decision or respect it."*

Independent: "Turkey's president Erdogan rejects court ruling to free journalists" [\(150\)](#)

Reuters; "Turkish court keeps Kurdish politician Demirtas in jail despite ECtHR" [\(151\)](#)

ECtHR Decision on 20 November 2018; *"Demirtas's arrest is unfair! He was imprisoned with political motives. Must be released."*

President Erdoğan (on the same day); *"The decisions of the ECtHR do not bind us. We make our counter-move, we finish the job."* [\(152\)](#)

The ECtHR decided to release Demirtaş immediately on December 22, 2020. The ECtHR added that Demirtas' continued detention on such similar grounds "would entail a prolongation of the violation of his rights". [\(153\)](#)



Erdogan: "European court ruling on jailed Kurdish politician 'hypocritical'" [\(154\)](#)

184 DECISIONS ISSUED BY THE ECHR AGAINST TURKEY WAITING TO BE FULLY IMPLEMENTED

ECtHR: “The arrest of Osman Kavala is unfair and political. The right to freedom and security of the person has been violated.” (Decision No: 28749/18, 10 December 2019)

The Committee of Ministers of the Council of Europe made a call to Turkey and urged Turkey to implement the ECtHR’s ruling of right violation and to release him. (4 Sept 2020) [\(155\)](#)



OSMAN KAVALA

Bianet Website; “Turkish Constitutional Court postpones reviewing Osman Kavala’s application” (29 Sept 2020) [\(156\)](#)

Erdogan; “Soros’s Turkey branch was behind the bars. They attempted to acquit him with a maneuver yesterday.” [\(157\)](#)

Subsequently, an investigation was initiated by the Council of Judges (HSK) and Prosecutors against the court board that gave a verdict of acquittal for the defendants of Kavala and Gezi trial. [\(158\)](#)

IMPUNITY TURNED INTO ENTRENCHED PRACTICE

In its 2019 report, The European Commission underlined that the impunity for alleged cases of abductions, enforced disappearances, torture and ill-treatment, remains a serious concern in Turkey – noting that the Government “failed to take steps to investigate, prosecute, and punish members of the security forces and other officials accused of human rights abuses”. [\(159\)](#)

The Law on the National Intelligence Agency (MIT) has been amended by the Law No. 6532 of 2014. The amendment provides MIT personnel with effective immunity from persecution unless the head of the intelligence agency issues a mandate. Therefore, the prosecutors do not have the authority to initiate *ex-officio* criminal investigation. [\(160\)](#)

Since 2012, the MIT has allegedly been involved in many crimes, including enforced disappearances, torture and ill-treatment. [\(161\)](#)

Emergency Decrees increased the risk of impunity

Decree No. 667 of 22 July 2016 granted full immunity to state officials who would be subject to criminal investigation and prosecution.

Article 37 of Decree No. 668 of 25 July 2016: “Legal, administrative, financial and criminal liabilities of the persons who have adopted decisions and executed decisions or measures to suppress the coup attempt and terrorist actions performed on 15/7/2016 and the ensuing actions, who have taken office within the scope of all kinds of judicial and administrative measures and who have adopted decisions and fulfilled relevant duties within the scope of the decree-laws promulgated during the period of the state of emergency shall not arise from such decisions taken, duties and acts performed”.

The subsequent amendment, (Article 121 of the Decree No.696) extended

this immunity to civilians. The Parliament later approved these decrees as Laws Nos. 6749, 6755 and 7079 and added to Turkey’s broad counter terrorism arsenal.

The Constitutional Court rejected the application for the annulment of these regulations (TCC Constitutionality Review, Plenary Assembly, Docket No. 2016/205, Decision No. 2019/63, 24 July 2019, paras. 130-137).



COVID-19 PUNISHMENT FOR POLITICAL INMATES

With the law numbered 7242 enacted on 14/4/2020, 90,000 people arrested or convicted of ordinary crimes were released from Turkish prisons due to the Covid-19 epidemic that spread all over the world. However, political criminals, including the elderly, were excluded from the scope of the law. [\(163\)](#)

The Conversation; "President Recep Tayyip Erdogan, his AK Party and their ruling coalition partner have excluded those who are charged with terrorism from the law allowing the releases." [\(164\)](#)



MASS DETENTIONS

Police operations and mass detentions against the Gulen Movement have been going on for about 7 years and have gained significant momentum especially after the alleged coup attempt in 2016.

From 2014 to February 2021, over 5,000 police operations against members of the Gulen Movement were carried out. According to the reports of human rights organizations, this figure corresponds to an average of 3 operations per day and the detention of 73 people. For arbitrary detention see the link; [\(165\)](#), [\(166\)](#)

Year	2014	2015	2016	2017	2018	2019	2020	2021
Number of operations	10	36	1.192	1.566	1.201	640	391	55
Number of detentions	323	895	35.577	38.272	22.793	15.935	8.482	1.566



TURKEY'S ALGORITHM DESIGNED TO ROOT OUT GULENISTS; **“FETOMETER”**

The government, which wanted to root out alleged “FETO” members from the Army under the pretext of the coup attempt, developed a program (software) called “FETOMETRE” to determine who the alleged “FETO” members were. According to this program consisting of 72 main and 253 sub criteria, military officers were scored by their superiors and colleagues based on following criteria.

Each question was calculated according to a different score weight, and those who exceeded a certain score were deemed to be a “FETO” member, and expelled from the Army. They faced criminal proceedings. Some of these criteria were;

- Are there any bureaucrats affiliated with the “FETO” organization among the person’s 1st, 2nd and 3rd degree relatives?
- Did the person himself or his 1st, 2nd and 3rd degree relatives use the smartphone application “bylock”?
- Does the person himself or his 1st, 2nd and 3rd degree relatives have an account in Bank Asya?
- Has the person completed his Master’s or Doctorate education in a university that was closed with a statutory decree?
- Is there a Consultant or Jury member associated with “FETO” in the jury of the person’s Master or Doctorate Thesis?
- Does the person have a disabled child? (The thought that religious people would not accept medical intervention for their children to-be born with disabilities.)
- Does the person have 3 or more children? (The assessment that religious people will have many children)
- How many foreign languages does the person know well? (The more he knows, the more likely he is to be a “FETO” member)
- Has the foreign language score of the individual increased in recent years? (If there is an increase, the “FETO” score increases)
- Has the individual worked in international organizations?

Check out the links for twitter posts about ‘Fetometer’; [\(167\)](#), [\(168\)](#)

EXTRADITION AND/OR RED NOTICE REQUESTS AGAINST POLITICAL OPPONENTS

Designating the opponents or critics of the Government as terrorists based on decisions made by Turkish courts is only the result of a political approach.

Based on the prohibition of torture in Article 3 of the ECHR, it is prohibited to send terror offenders to countries at risk of torture (Chahal / UK & Saadi / Italy Decision) [\(169\)](#)

UK, Brazil, Spain, and Romania rejected Turkey's request for extradition on the grounds that the charges are politically motivated.

European Convention on Extradition, Article 3: (Political Offences);

“Extradition shall not be granted if the offence in respect of which it is requested is regarded by the requested Party as a political offence or as an offence connected with a political offence.

The same rule shall apply if the requested Party has substantial grounds for believing that a request for extradition for an ordinary criminal offence has been made for the purpose of prosecuting or punishing a person on account of his race, religion, nationality or political opinion, or that that person's position may be prejudiced for any of these reasons.”

International Convention for the Suppression of the Financing of Terrorism, Article 15;

“Nothing in this convention shall be interpreted as imposing an obligation to extradite or to afford mutual legal assistance, if the requested State Party has substantial grounds for believing that the request for extradition for offences set forth in article 2 or for mutual legal assistance with respect to such offences has been made for the purpose of prosecuting or punishing a person on account of that person's race, religion, nationality, ethnic origin or political opinion or that compliance with the request would cause prejudice to that person's position for any of these reasons.”

CONCLUSION

International courts and institutions have been questioning the credibility of Turkey's judiciary.

There is no longer an independent judiciary and a fair trial in Turkey.

Today's Turkey is one of the largest prisons of the world for journalists, academics, teachers, doctors, military and police officers, as well as ordinary people.

Accusing the opponents or critics of the Government as terrorists based on the decisions made by Turkish courts is only the result of a political approach.

Turkey's extradition requests should be rejected until the rule of law is re-established in the country!



SUMMARY

- On and after 17/25 December 2013, the judicial operations carried out against Erdogan, some executives, and their relatives regarding bribery, corruption, and the financing of international terrorism left Erdogan and his cadre facing severe lawsuits.
- Following these investigations, which would have political and legal consequences, Erdogan and the AK Party began to liquidate all opponents, especially those who are claimed to be affiliated with the Gulen Movement.
- Erdogan first redesigned the police and the judicial system, and later almost all state institutions for this unlawful purpose.
- Since the justice mechanism in Turkey came under Erdogan's influence, no justice and a fair trial remained in Turkey. 600,000 people were investigated on terrorism charges.
- The state's fundamental institutions were either abolished or transformed and filled with pro-government people.
- The media was silenced.
- Following the military coup attempt on 15 July 2016, Erdogan Administration dismissed around 150,000 state servants, closed media outlets, schools, universities, hospitals, military and police colleges with Emergency Decrees. Erdogan was elected "President" in the political atmosphere he created. He monopolized the powers of the Parliament with the votes of his own party and the Nationalist Movement Party (MHP).
- The current Government continues to aggravate human rights violations and does not comply with the decisions of international organizations, such as ECtHR and the UN. Despite this fact, it seeks the extradition of the opponents by abusing bilateral cooperation agreements and international mechanisms.
- The extradition requests for the Government's political rivals appear to be baseless and politically motivated.

Therefore, Turkey's extradition requests should be rejected until the rule of law is re-established in the country!

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EDITOR

Human Rights Defenders e.V.

CONTACT US

Human Rights Defenders e.V. Hohenstaufenring 62
50674 Cologne Germany
info@humanrights-ev.com
<https://twitter.com/HRDefsEN>



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