



Amsterdam, May 30, 2024

To the kind attention of:

**Mr. Volker Türk**

*High Commissioner for Human Rights*

**Urgent appeal:** Mass arrest of 190 persons on 21-30 May 2024 (accused to be the member of Hizmet/Gülen Movement)

**Dear Mr. Türk,**

**Stichting Justice Square**<sup>1</sup> writes this letter to call on you to take a strong action to stop the arbitrary and unlawful mass detentions and arrests of real or alleged members of the *Hizmet/Gülen Movement*. The Turkish Government has pursued this policy of persecution for nearly ten years through mass arrests, detentions, and unjust prosecutions of *Hizmet/Gülen Movement* members under abusive interpretation and implementation of anti-terror legislation, which the United Nations Working Group on Arbitrary Detention has indicated on many occasions that it may constitute as *crimes against humanity*.

**Stichting Justice Square**, based in Amsterdam, is a non-profit and non-governmental organisation working globally to make a meaningful impact on the lives of persecuted people, refugees, victims of war, and those affected by conflict and displacement by promoting democratic values, encouraging international cooperation and advocating for the protection of human rights. We would like to draw your attention to the recent wave of mass arrests that took place in Türkiye.

It is also very well-known by you that human rights violations against dissidents in Turkey, particularly members of the Gulen Movement, have intensified after the coup attempt on July 15, 2016, for which the Government baselessly blamed Gulen movement declaring aléso it as a terrorist organization. The latter has never been accepted by any international organisation and democratic country. However, the mass detentions and torture incidents that started immediately after the coup attempt, and the Extraordinary Statutory Decrees (OHAL Decrees)

---

1 <https://justicesquare.org/>

issued to preclude the crimes committed by those involved in these investigations from criminal investigations, have irreparably damaged the rule of law in Turkey for a long time. This mass investigation, detention, and arrest campaign, in time, has turned into a *witch hunt* against the Gulen Movement and has continued to the present day.

The information shared by the Turkish Minister of Interior Ali Yerlikaya on X on January 30, 2024, clearly demonstrates that the practices of *criminal law of the enemy* which have become state policy against these individuals, are continuing. According to the Minister's information, between January 1, 2023, and December 31, 2023, there were **6,775 operations conducted** against members of the Gulen Movement. In these operations, 9,639 people were detained, **1,689 people were arrested**, and judicial control measures were applied to 1,677 people<sup>2</sup>. Again, according to the information provided by the Minister Yerlikaya, **5191 operations** were carried out against members of the Gülen Movement in the **11-month period (June 1, 2023-May 15, 2024)** since the day he took the office, and **8153 people** were detained in these operations.<sup>3</sup>

From January 1, 2024, to May 14, 2024, the number of people detained from the Gulen Movement has reached **2,060**.<sup>4</sup>

Minister Ali YERLİKAYA reiterates the Government's firm unlawful stance and policy at every opportunity by posting tweets using the most abusive and dehumanizing language about the arrested persons that members or supporters of the Gulen Movement are "traitors and the most notorious terrorists who must be eliminated".<sup>5</sup>

**On May 16, 2024**, as Stichting Justice Square, we published an urgent appeal letter to draw your attention to these mass detentions, inviting you to contact the Turkish authorities to ensure the rule of law in Turkey.<sup>6</sup>

However, investigations and mass detentions against members of the Hizmet/Gulen Movement continue unabated. Immediately after the urgent appeal we submitted to you on May 16, mass detention procedures continued, and **46 people were detained on May 21, 2024**,<sup>7</sup> **8** and **45 people were detained on May 24, 2024**.<sup>8</sup> The accusations against the people detained in both investigations are routine legal activities, free from the force and violence required for membership in a terrorist organization. It was determined in the Yalçınkaya vs Turkey decision of the ECHR Grand Chamber that these activities are not crimes. In addition, having

---

2 <https://x.com/AliYerlikaya/status/1752201691200393572?s=20>

3 <https://x.com/AliYerlikaya/status/1793868040183963967>

4 <https://www.solidaritywithothers.com/post/turkey-rights-monitor-issue-205>

5 <https://x.com/AliYerlikaya/status/1790280001750712556>

6 <https://justicesquare.org/notification-to-international-human-rights-organizations/>

7 <https://x.com/AliYerlikaya/status/1792834190817231138>

8 <https://www.turkishminute.com/2024/05/22/turkey-detains-44-people-on-alleged-gulen-links/>

9 <https://x.com/AliYerlikaya/status/1793868040183963967>

previously worked at government levels and the possibility of making plans by meeting with each other are also cited as reasons for detention. This shows that the investigations against the Hizmet/Gülen Movement in Turkey have now reached the stage of reading intentions.

Another example of such investigations is the operation carried out on **May 28, 2024**, in which **8 university students were detained**. In the investigation carried out by the Istanbul Chief Public Prosecutor's Office, it is alleged that the Hizmet/Gülen Movement encouraged university students to stay together, that one of the students, in order to avoid attracting attention, fulfilled the procedures regarding the lease contract and invoices, that no documents related to the Gülen/Service Movement were kept in the houses, and that all these were preparations for terrorist activities to be carried out.

One of the students detained on these allegations was Huzeyfe Sagbas. **Huzeyfe Sağbaş (24), a 4th year student at Akdeniz University, Faculty of Business Administration**, was detained in Antalya within the scope of the Gülen Movement investigations because he had rented a flat with a friend. However, Huzeyfe Sagbas had an accident on 5 December 2023 while working as a courier in order to earn his university tuition and **was in intensive care for days due to head trauma caused by hitting his head**. According to doctors, Sagbas, who had **not yet regained full consciousness**, was unable to continue his studies. Despite this, Huzeyfe Sagbas **was detained and forced to testify against the other detainees**.<sup>10</sup>

These allegations have no legal basis and that the points stated in the ECtHR's Yalçinkaya judgement have been ignored. The statement that 'no organisational documents were found' in the operation is almost an admission of how unlawful the allegations against university students are.

However, despite this information, operations against the Hizmet/Gülen Movement continue and dozens of people are detained or arrested in these operations. As can be seen from the operation on 28 May 2024, these recent mass detentions have started to be directed not only at former public employees, but also at the children and students of members of the Hizmet/Gülen Movement.<sup>11</sup> As a matter of fact, in the operation dated **May 6, 2024**, which was the subject of our notification dated **May 16, 2024, in which 29 people**, including some **mothers and children, were arrested**, sixteen children under the age of 18 were held in a separate unit from their mothers at the police station and were subjected to psychological torture, being threatened by the police with statements such as "**we will make you vomit blood**".<sup>12</sup> In the operation<sup>13</sup>, which was urgently brought to the agenda by DEM Party MP

---

10 <https://kronos36.news/moto-kuryelik-yaparken-kaza-geciren-universite-ogrencisi-gozaltina-alindi/>

11 <https://www-tr724-com.cdn.ampproject.org/c/www.tr724.com/zulal-ve-zumra-cocuk-subede-yasadiklari-iskenceyi-anlatti-kan-kusturulacak-ne-suc-islemis-olabilirim/amp>

12 <https://www.turkishminute.com/2024/05/15/erdogan-crackdown-donot-spare-minors-teenagers-recount-trauma-of-police-custody/>

13 <https://x.com/gergerlioglueng/status/1788305041297641486>

Ömer Faruk Gergerlioğlu, high school students were interrogated for 16 hours and forced to give statements against their families. During the detention, **the children were not allowed to see their lawyers and were prevented from informing their relatives and had intimidated them to harm their families.** When the details of the investigation are examined, as we reached through the lawyers in Türkiye, it is seen that the children's phones were tapped and that they were remotely followed by the police during social activities such as picnics and dinners they went to with their families.

On the other hand, investigations against the Hizmet/Gülen Movement are also being carried out against public servants who has been continuing to work for 8 years after the 15 July coup attempt. On **May 29, 2024**, a detention warrant was issued for **9 police officers** on duty.<sup>14</sup> There is no accusation of force and violence against these individuals other than being affiliated with the Hizmet/Gülen movement. In contrast, these individuals are responsible for the security of the society. Therefore, they were not detained for any offence under the Turkish Penal Code, but only for being a member of the Hizmet/Gülen Movement.

The latest mass detention against the member of Hizmet/Gülen Movement was so called “Kıskaç 18”<sup>15</sup> operations simultaneously carried out **in 17 cities on May 30, 2024, and 90 people were arrested** in police raids.<sup>16</sup> Considering that this is the 18th of these operations, it is seen that the massive and unlawful detentions against the Hizmet/Gülen movement have become commonplace and have started to lose their noticeabilities among not only local but also international public opinion. Regarding the Turkish Penal Code 77/1-d<sup>17</sup> and the resolution made by the United Nations Working Group on Arbitrary Detention, stating that **the arrests in all of these cases were arbitrary and that** such widespread or systematic imprisonment or other serious deprivation of liberty in violation of fundamental rules of international law *“may constitute crimes against humanity (§ 785)”*<sup>18</sup>, it can be confirmly declared that the investigations against the Hizmet/Gülen Movement in Turkey have now turned into an ethnic cleansing.

Minister Ali Yerlikaya, in this context, continues to make provocative statements on his X account, saying, *"We will not give FETÖ supporters a chance. Our operations will continue with*

---

14 <https://www.aa.com.tr/tr/gundem/izmirde-feto-operasyonunda-6si-polis-9-gozalti/3233626>

15 “Kıskaç” (clamp) is the discreditable name which was produced by the Minister of Interior specially for the operations against the member of Hizmet/Gülen Movement.

16 <https://x.com/AliYerlikaya/status/1796044090628350145>

17 Turkish Penal Code 77/1-d

1) *The systematic performance an act, described below, against a part of society and in accordance with a plan with a political, philosophical, racial or religious motive shall constitute a crime against humanity:*

...

d) *Depriving one from his/her liberty;*

18 WGAD/3/2023, 03/5/2023; <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session96/A-HRC-WGAD-2023-3-AEV.pdf>

*determination thanks to the outstanding efforts of our security forces for the peace, unity, and solidarity of our dear nation.*"<sup>19</sup> The Minister's accusatory words are directed at individuals who have no connection with the controversial coup attempt, the circumstances of which have not been identified through an independent and impartial judiciary so far. None of the arrested individuals were involved in the failed coup attempt or any criminal activity. The Minister's words fall into the category of hate speech and violate the presumption of innocence of those arrested.

In short, a large number of operations against members of the Gulen Movement accompanied with mass arbitrary imprisonment, persecution, and other gross human rights violations under the Government's policy have now reached up to crime against humanity. Despite the UN treaty bodies and special procedures' opinions and the recent ECtHR Grand Chamber's conclusive ruling in the Yalçinkaya judgment that the applicant's rights under Articles 7, 6 and 11 of the Convention had been violated and that these individuals had been tried and convicted solely based on their lawful activities, it demonstrates the government's draconian and persistent policy against them.

It is not only the detained individuals who are punished by these operations; those isolated from society because their family members are imprisoned, and therefore unable to find jobs in either the public or private sector, are effectively abandoned to civil death and starvation. 1,877 people have been detained or arrested on the grounds of being connected to the Gulen Movement since January 1, 2024. **When the operations dated May 21, 24, 28, 29 and 30, 2024 are included, the number of people detained during the minister's term of office is 9251 as of 30 May 2024.** The actions attributed to the arrested individuals claimed to be criminal are entirely legal activities. Despite decisions by the European Court of Human Rights, Turkish authorities continue to conduct operations based on a *complicity* policy against individuals whom they believe to be members or supporters of the Gulen Movement.

These developments are the most important indication that constitutional and legal rights have been suspended in Türkiye along with the provisions of the Constitution. At this point, a situation has emerged where the Constitutional Court does not recognize the decisions of the ECtHR and local courts do not recognize the decisions of the Constitutional Court and ECtHR, where the most basic principles of democracy such as the right to education and the right to work are tried to be abolished by members of the judiciary under the pressure of the Erdogan regime, and where members of the Gulen Movement are denied the right to life. In such a situation, where **867 people was arrested in the last two weeks**, no one can be expected to feel safe.

---

19 <https://x.com/AliYerlikaya/status/1796044090628350145>

In line with the duties and values outlined in our founding document as Justice Square, we draw your attention to the severe human rights violations in Turkey mentioned above and expect you to take strong action on this matter.

To this end, we kindly invite you that you:

- a. Contact the relevant Turkish Authorities regarding the recent mass arrests and detentions,
- b. Request information on the charges and measures taken in these operations,
- c. Urgently request information from Turkish authorities about the physical and mental health conditions of the detained individuals.
- d. Call them to end this brutal persecution and unlawful and arbitrary arrests and detentions.

Sincerely yours,

**Chairman of the Board of  
Directors  
Stichting Justice Square**

**Also sent to:**

**Ms. Alice Jill EDWARDS**

Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

**Ms. Ana BRIAN NOUGRERES**

Special Rapporteur on the Right to Privacy

**Mr. Ben SAUL**

Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism

**Ms. Gina ROMERO**

Special Rapporteur on The Rights to Freedom of Peaceful Assembly and of Association

**Ms. Irene KHAN**

Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression

**Ms. Margaret SATTERTHWAITE**

Special Rapporteur on the Independence of Judges and Lawyers

**Ms. Marija Pejčinović Burić**

Secretary General, Council of Europe

**Mr. Dr. Matthew Gillett**

Chair of the Working Group on Arbitrary Detention

**Mr. Michael O' Flaherty**

Commissioner for Human Rights, Council of Europe