



## BRIEFING

### “THE ISTANBUL 11” PROSECUTION OF HUMAN RIGHTS DEFENDERS

The prosecution under terrorism laws of prominent human rights defenders, including Amnesty International Director, İdil Eser, and Chair, Taner Kılıç, follows a police raid on a routine human rights workshop on the island of Büyükada near Istanbul on 5 July 2017. The case is based on their human rights work and represents a severe escalation in the government’s assault on civil society organizations in Turkey.

#### The detentions

Police detained 10 human rights defenders from the Büyükada workshop, declining to reveal their whereabouts or grant them access to lawyers for more than 24 hours, in violation of Turkish law. They remained in police detention for 13 days, until the prosecutor requested them to be remanded in prison on the grounds of assisting a terrorist organization, citing their attendance of the human rights workshop and other human rights work. The prosecutor justified their detention on the standard grounds of “the strength of the evidence, seriousness of the crime, need to protect evidence from interference and risk of flight.”

On 18 July six out of ten defenders were remanded in prison:

İdil Eser	(Director of Amnesty International Turkey),
Günel Kurşun	(Human Rights Agenda Association and member of AI Turkey),
Özlem Dalkıran	(Citizens’ Assembly and founding member of AI Turkey),
Veli Acı	(Human Rights Agenda Association),
Ali Gharavi	(Swedish national, Digital strategy and wellbeing consultant) and
Peter Steudtner	(German national, non-violent communication, digital strategy and well-being consultant).

The prosecutor objected to the court’s decision to release four:

Nalan Erkem	(lawyer, Citizens’ Assembly),
İlknur Üstün	(Women’s Coalition),
Şeyhmus Özbekli	(lawyer, Rights Initiative) and
Nejat Taştan	(Association for Monitoring Equal Rights).



Nalan and İlknur were subsequently remanded in pre-trial detention on 21 July on the basis of this objection, while Nejat and Şeyhmus remain on bail. On 17 October 2017 when accepting the indictment in the case, the court ruled to continue their pre-trial detention, arguing that it was both legitimate and proportional, citing the European Convention on Human Rights. All eight remain in prison, seven in Silivri near Istanbul, in Turkey's highest security prison and one (İlknur) in Sincan prison in Ankara.

Taner Kılıç (Chair of Amnesty International Turkey) was not part of the initial investigation but was added to the indictment by the prosecutor and will stand trial alongside the 10. At the time of the Büyükada workshop he was in prison, having been detained on 6 June and on 9 June remanded in custody by an İzmir court on the grounds of "membership of the Fethullah Gülen Terrorist Organization." He will stand trial accused of this offence as well as being prosecuted in the Büyükada case (See separate briefing regarding the İzmir case).

## Media smear campaign

From the moment of their detention, and for the following six weeks, a relentless smear campaign was conducted across pro-government media outlets, clearly fed with information provided by people involved in the investigation: for example, what was found during the searches and descriptions of what the police officers allegedly saw when they carried out the raid were among the information given to media, without sources being identified. The claims in these articles became ever more lurid, elaborating on accusations loosely set out in the remand application, including inciting a "Gezi Park-type uprising", "planning to divide the country" to "espionage" and colluding with foreign governments. From around mid-August, however, the campaign stopped, several articles questioning the logic of the accusations against the human rights defenders appeared, including in some in pro-government media.

## The charges

Like much of the information in the indictment, the charges are presented ambiguously. The prosecutor, in his request for their remanding in pre-trial detention, already made repeated references to aiding terrorist organizations. In the subsequent indictment he writes:

*...Considering [the evidence] and considering the fact that the suspects have the power to influence the civil society owing to their areas of activity and their contacts with the terrorist organizations, the suspects except Taner Kılıç organized activities*



*and meetings about the methods and tactics which are adopted by terrorist organizations, and which are also crucial for the continuation of their activities; organized meetings and activities in order to generate movements that would give rise to social chaos like Gezi Park that*

*took place in June 2013 threatening the public order with acts of violence and which appeared to be organized by the civil society organizations and supported by the terrorist organizations, in line with the aims of the terrorist organizations which assume a subcontractor position for the international activities targeting the Constitutional Order and public peace of our country and that they acted with the intention to aid the terrorist organizations they are linked to; and the two foreign national suspects, due to their current position and their connections with regard to our country, cannot be said to have acted with an intention other than mentioned above and therefore it has been understood that the suspects have committed the offence of aiding the armed terrorist organizations (FETÖ/PDY, PKK/KCK and DHKP/C).”*

In the prosecutor’s request to remand the human rights defenders in pre-trial detention and in the indictment itself, he refers to Article 220/6 of the Penal Code. This article relates not to aiding a terrorist organization but to “committing a crime on behalf of an armed terrorist organisation” which is punishable as though the individual were a member: i.e. with the same maximum sentence as membership itself: up to 10 years, plus a possible further 5 with additional aggravating circumstances, making 15 years in total. In the indictment the prosecutor additionally refers to Article 314/2 of the Penal Code “membership of a terrorist organization”.

In the latest document, accepting the indictment on 17 October, the court refers only to the more serious offence of “membership of a terrorist organization.” Although the offences under both 220/6 and 314/2 carry maximum sentences of 15 years, the membership offence is more serious and sentences on conviction are frequently six or seven years imprisonment while those under 220/6 are half that.

There is still the possibility for the court to change the charges, but at the current time it appears that the human rights defenders will face trial for the offence of “membership of a terrorist organization.” This issue will be interrogated by the defence lawyers at the first hearing on 25 October at the 35th Heavy Penal Court in Istanbul.

An investigation was also initiated on grounds of espionage and financing terrorism. The part of the investigation on these grounds has been separated but not closed. It does not form part of the current prosecution.



## The allegations

The contents of the indictment were discovered by defence lawyers after it was leaked to the press on 8 October 2017. The accusations contained in the indictment are virtually identical to those presented at the charge hearing nearly three months earlier on 18 July. They are essentially, participation in the “secret” Büyükada workshop and links to terrorist organizations construed through their human rights work. In the

indictment greater prominence has been given to the activities of Amnesty International; and the Chair of Amnesty International Turkey, Taner Kılıç has been added to the prosecution. The indictment was formally accepted by the court on 17 October.

## Participation in the Büyükada workshop

In the indictment the all the human rights defenders in the case (apart from Taner Kılıç) are accused of having

*“...organised a meeting to which they refer as a “workshop” without any prior announcement in Istanbul’s Adalar District on 05/07/2017; according to the witness statement of the “secret witness 1” taken by Adalar Office of Chief Prosecutor on 05/07/2017 and witness statement of Ahmet Tunç Tunçten taken by Adalar District Security Directorate on 06/07/2017 and their identification of the suspects, they discussed matters which are unrelated to the fields of activity of their organizations, including covert activities of terrorist organisations, which include **the possibility of police forces confiscating the mobile phones of participants, how to secure the information stored in mobile phones even if these are seized by the police, how to prevent the police or other persons from accessing such information, how to encrypt such information; that one of the participants mentioned that seizure of his/her computer by the police would be the end of many others; that the participants of the meeting were all very worried about possible seizure of their electronic devices by the police;**”*

The prosecutor attempts to substantiate the allegation that the workshop was secret and aimed partly at preventing the police and others from obtaining information on their phones by stating that some of the human rights defenders did not provide their phone passwords to police when requested to do so. No further allegation or substantiation regarding the workshop is provided in the indictment.



**Explanation:** Far from being secret or criminal, the workshop was organized by the initiative of Human Rights Joint Platform (IHOP), a network of human rights organizations in Turkey, including Amnesty International Turkey, Citizen's Assembly, Human Rights Agenda Association, Human Rights Association. Alongside members/staff of these four organizations, participants to the workshop included members from fellow human rights initiatives & organizations. The decision to organise a capacity building workshop for human rights defenders on digital literacy & security and equip them with tools for dealing with stress and maintain their well-being, resilience and effectiveness in the worsening context for human rights in Turkey was taken at the Joint Platform's April 2017 meeting. Such trainings are common across the NGO community across the world. Indeed, digital security is a concern for pretty every single organisation these days: whether commercial, governmental or not-for-profit. It is not at all surprising that

Turkish NGOs should also identify the need for greater awareness of trends in this area and necessary steps to store data securely. Far from being secret, the meeting was widely known about with the human rights community: invitations to attend were liberally extended and, ultimately, somewhat randomly accepted, depending on people's availability at the time.

Two facilitators, Ali Gharavi and Peter Steudtner were identified to help run the workshop. Both have extensive experience in the two key elements of the workshop: dealing with stress and digital security. The location was determined to be the Prince's Island of Büyükada for its proximity to main transport hubs in Istanbul, practicality in terms of logistical arrangements and the relaxed atmosphere of the island.

Whilst it was not a public event (ie only open to those invited) it was not a "secret" event either, as widely alleged in pro-government media: a hotel was booked for the event, the room in which the workshop took place was a glass structure next to the pool; the door of the room was kept open, making it possible for anyone to overhear the discussions and see the participants; the interpreters were arranged through a network of professionals of translation and were unknown to the organisers. Obviously, none of none of this is particularly suggestive of an attempt to hold a secret event, or to organise an uprising or develop a 'chaos plan'.

## **The human rights defenders on trial (in the order they appear in the indictment)**

**İdil Eser (in pre-trial detention since 18 July 2017, Silivri prison)**



İdil Eser is an activist and freelance translator and since 2016 has been the Director of Amnesty International Turkey. She has written and published a book entitled *Global Development and Market Forces*. İdil Eser has held various managerial positions in non-governmental organizations such as the History Foundation and Citizens' Assembly (then called Helsinki Citizens' Assembly).

İdil was remanded on the basis of documents found on her phone, tablet or computer, all of which relate to the work of Amnesty International. The “evidence” against İdil includes documents drafted by the International Secretariat of Amnesty International and Amnesty International materials issued before she started working for the organization in 2016. None of the items constitute evidence of any criminal activity. They consist of:

1. Documents about Semih ÖZAKÇA and Nuriye GÜLMEN, a teacher and an academic currently imprisoned and on hunger strike protesting their dismissals from their posts.” **Explanation:** Amnesty International issued an urgent action campaign calling for their release from prison. This attempts to link İdil with DHKP-C, a leftist armed group whom the authorities accuse the two of being members of.
2. A document in picture format of a communication by a person claiming to have been a PKK member and a guerilla doctor, asking whether this would pose a problem if he requested to become a member of Amnesty International. **Explanation:** The then digital communications officer took a screen shot of a message received on Amnesty International Turkey’s FB page and emailed İdil, asking whether to respond to this inquiry. İdil advised him that clearly this was a fake profile and that the message should not be replied to. This is aiming to link İdil with the PKK.
3. Documents addressed to the South Korean Embassy in Ankara to end the export of teargas to Turkey. **Explanation:** This relates to Amnesty International Turkey’s campaign following the Gezi Park protests in 2013, during which tear gas was extensively and indiscriminately used to disperse protestors, violating their human rights. İdil was not even employed by Amnesty International Turkey at that time, in fact she joined the organisation some three years later.
4. That İdil communicated with Taner, the imprisoned chair of Amnesty International Turkey, who is falsely accused of having downloaded and used the encrypted communications app ByLock. **Explanation:** It is obvious that the Director of Amnesty International Turkey speaks regularly to the Chair of Amnesty International Turkey. This is an attempt to suggest a link between İdil and “the Fethullahist Terrorist Organisation” (FETÖ).



5. A document about the Hakan Yaman campaign containing names and phone numbers of celebrities for a video with a note **'Do not share this document with anyone, do not leave it in your computer or on your desktop please'**  
**Explanation:** the document contains the personal contact details of participants in the video, and naturally has to be kept confidential.
6. A document entitled "The PM's words are only enflaming the violence" regarding the 2013 Gezi Park protests "that occurred in line with the aims of the terrorist organisations and the document entitled '*post-coup – final*' with the title [Turkey: Human rights in grave danger following coup attempt and subsequent crackdown](#) which was aiming at creating public opinion against the preventative measures taken by the state against the terrorist organisation that carried out the coup attempt and other terrorist organisations." **Explanation:** Both documents are public and were drafted and issued by the international Secretariat of Amnesty International. İdil was not even Amnesty International Turkey's director in 2013 when the first document was published. The allegation is an attempt to link İdil to FETÖ.

## **Taner Kılıç (remanded in prison by the İzmir court since 9 June 2016, Sakran prison in İzmir)**

Taner is a founding member and the current chair of Amnesty Turkey. He is a lawyer who specialises in refugee law and has worked for decades in human rights civil society in Turkey, including representing the İzmir branch of Mazlum-Der human rights organization and Multeci-Der, a refugee rights organization. Taner was already in prison on remand at the time of the Büyükada workshop, facing charges of "membership of the Fethullah Gülen Terrorist Organization". The court accepted his inclusion in the prosecution of the Istanbul 10 as sought by the prosecutor in the indictment.

The allegations in both cases are:

1. Downloading and using ByLock, the secure messaging application that the Turkish government claims was used by the Gülen movement to communicate with each other. **Explanation:** Taner did not download or use the ByLock messaging application. Amnesty International has obtained two independent forensic reports on his telephone confirming that ByLock was never downloaded on the phone. The prosecution has provided no evidence to substantiate the claim that he downloaded ByLock. On the contrary the telephone traffic data provided by them does not record any communication with the ByLock server. Even if Taner had downloaded ByLock, possession of internationally available and widely downloaded application does not



represent a criminal offence. The Government's methods for identifying users are seriously flawed in general.

2. Taner's brother-in-law is a former editor of the Gülen linked Zaman newspaper for whom there is an arrest warrant pending execution. **Explanation:** This is an attempt to infer guilt by association. Taner is a longstanding critic of the Gülen movement. Any allegations against the husband of his sister are irrelevant.
3. One of Taner's three daughters went to a Gülen linked school. **Explanation:** People across Turkey sent their children to Gülen linked schools irrespective of their politics because they represented a high educational standard.
4. He had a bank account with the Gülen linked Bank Asya, which he used "for reasons outside his financial gain" presumably alleging that he put money into the bank to support it as a Gülen institution. **Explanation:** Taner opened the bank account as required to pay for the fees for the school above. He did not use the account for any other reason. Bank Asya was a mainstream bank used by people across Turkey. Having an account is not evidence of a criminal offence.

In addition to repeating the allegations in the İzmir case, the prosecutor adds that Taner was aware of the preparations for the Büyükada workshop and that he was in communication with the İdil and Günal, one of the other suspects in the Büyükada case, thereby linking Taner to the Büyükada case and justifying his inclusion in the indictment.

The prosecutor also alleges that the Fethullahist Terrorist Organization (FETÖ) infiltrated state institutions and civil society in order to further its aims, insinuating that Taner (and possibly İdil as well) were furthering the aims of FETÖ through their work for Amnesty. **Explanation:** Amnesty International's work is impartial and independent and independent of any ideology, religion, government or group. Taner is respected across the political establishment for his human rights and refugee rights work. The attempt to link Taner to a human rights workshop that took place while he was imprisoned on remand is tenuous and bizarre. It is natural for him to be in communication with İdil his colleague and Günal, a fellow lawyer and human rights defender.

### **Seyhmus Özbekli (on bail since 18 July 2017)**

Şeyhmus Özbekli is a newly qualified lawyer and has been actively involved in human rights for the last four years. He became active in rights issues in Mazlumder, a well-known human rights organization. Upon the disbanding of Mazlumder and the dissolving of many of its active branches, he joined the Rights Initiative, founded by activists of the dissolved branches of Mazlumder. He also



works in the Human Rights Unit of Diyarbakır Bar Association. He was participating in the Büyükada workshop by way of an invitation extended to the Rights Initiative.

The only additional “evidence” provided against Seyhmus is that:

Records of conversations and messages between Seyhmus and an individual called Adnan Gül, who the authorities allege is a ByLock user, and who has been dismissed from a university and is currently on remand. **Explanation:** Making an allegation that he spoke to someone who the authorities claim to have used ByLock is of even less value than the allegation of using ByLock itself (for ByLock see allegations against Taner Kılıç, above).

### **Nalan Erkem (in pre-trial detention since 21 July 2017, Silivri prison)**

Nalan Erkem is a lawyer. While she was a member of the board of directors of the İzmir Bar Association (2002-2004) Nalan supported the project "The Role of Lawyers in the Prevention of Torture" project. She has been a member of Citizens' Assembly, undertaking key consultancy roles in projects, as well as serving as member of the Board of Directors. Besides her active work at the Citizens' Assembly (formerly known as Helsinki Citizens' Assembly), she undertook a project monitoring the psychiatric hospitals of Rusihak and the care centres from a human rights perspective. She worked as an expert in projects to prevent violence in juvenile prisons conducted by the Bar Association, in Human Rights Association (İHD) Don't Remain Silent to Torture Project, in monitoring of Human Rights Joint Platform's violence against women project, and in the monitoring of discrimination. She has written and published many reports based on her monitoring work.

There are two allegations against Nalan in the indictment:

1. That she spoke on the phone with Iştar Tarhanlı, who is being prosecuted for ‘membership of Fethullahist Terrorist Organisation’ and is currently on bail. **Explanation:** Iştar Tarhanlı is a friend and member of Citizens' Assembly, the same NGO that Nalan is actively involved in. Nalan also happens to have power of attorney of Iştar, though not in the particular lawsuit mentioned.
2. That she had in her possession a classified document of the Turkish National Intelligence Service submitted to the Special Investigation Commission of the Parliament. **Explanation:** Nalan is a lawyer. She had been delivered this particular document, as she was among the lawyers of the particular case on the murders of three Christians, in which the court had ordered this document to be officially provided to all the legal representatives of those involved.



## **Nejat Taştan (on bail since 18 July 2017)**

Nejat Taştan is an activist, advocating for human rights since 1986. He is on the board of the Human Rights Association – and served as its assistant secretary general from 2004-2006. He is a founding member of the Board of the Human Rights Foundation of Turkey. He has been involved in the management and advisory boards of many NGOs working on human rights and anti-discrimination. He is an expert on race, ethnicity, religious and disability rights, the rights surrounding freedom of peaceful assembly and association, and the right to a fair trial. With the Independent Election Monitoring Platform, he has been actively involved in monitoring every election in Turkey since 2011. He has been a co-ordinator since 2010 at the Association for Monitoring Equal Rights, of which he is a founding member. Nejat was released on bail on 18 July, referred back to court for remand a few days later, only to be bailed again. The additional accusations levelled against Nejat are:

1. That he spoke on the telephone with Asuman Doğan, who the prosecution alleges is a ByLock user. **Explanation:** This is presumably an attempt to link Nejat to FETÖ. Making an allegation that he spoke to someone who the authorities claim to have used ByLock is of even less value than the allegation of using ByLock itself.
2. That Nejat has made and received bank transfers to a number of individuals that are under investigation and in one case convicted for membership of a terrorist organization. **Explanation:** One of the transfers was marked “return of loan”. There is no allegation that the monies related to the commission of crimes. None of the transfers can be considered evidence of criminal acts, but are rather included to suggest guilt by association.

## **Günel Kurşun (in pre-trial detention since 18 July 2017, Silivri prison)**

Günel is an academic and lawyer. Prior to his dismissal, he worked as a lecturer at the Faculty of Law at Başkent University in Ankara. He is a leading legal academic working on issues including the International Criminal Court (ICC) and hate crimes. He is a member of Amnesty International Turkey and board member and former President of the Human Rights Agenda Association. The allegations are:

1. Günel is alleged to have been in touch with Ali Çamkömürü, a person who the prosecution alleges is a ByLock user but who does not himself currently face prosecution. **Explanation:** Making an allegation that he spoke to someone who the authorities claim to have used ByLock is of even less value than the allegation of using ByLock itself (for ByLock see allegations against Taner Kılıç, above).



2. That Günal has been dismissed from his position as assistant professor the Cukurova University in October 2016, that he is facing prosecution. **Explanation:** Günal's dismissal case is cited in Amnesty's report on arbitrary dismissals of public sector workers "No end in Sight" released in May 2017 <https://www.amnesty.org/en/documents/eur44/6272/2017/en/> as an example of unfair dismissal based on legitimate free expression. He has an ongoing prosecution against him for membership of the Fethullahist Terrorist Organization, based on the same grounds as his dismissal. He was bailed in that case, yet its existence was cited by the court as a reason for his remanding in prison and prosecution in this one.
3. Günal made money transfers to Orhan Kemal Cengiz and that Orhan Kemal Cengiz worked at Samanyolu News Publishing Services, a media organ of FETÖ in 2015. **Explanation:** By highlighting the money transfers, the prosecutor is suggesting a direct link between Günal and FETÖ without alleging that the money was related to the commission of a crime. Orhan Kemal Cengiz – the founder of the Human Rights Agenda Association, a human rights defender himself is also being prosecuted for FETÖ membership despite no substantiating allegations being presented against him in the indictment in the case.
4. That Günal has received 7,200TL from Feza Media group, closed by decree on 17 August 2016 on the allegation of connection with FETÖ, in two separate transfers and during 2014-2015 received 59,600TL in 20 transactions; that he received 500 TL from the Istanbul Politics Society and Economy Research Association for copyright. **Explanation:** The prosecutor is attempting to further link Günal to organisations that have been closed down by decree on suspicion of their links to FETÖ without alleging that the money was connected to the commission of a crime.

## **Özlem Dalkıran (in pre-trial detention since 18 July 2017, Silivri prison)**

Writer, translator and activist, Özlem is a long standing and prominent human rights campaigner. She is a founding member, former head of media and former chair of Amnesty International Turkey. She is an active member of the Citizens' Assembly. She has worked as the co-ordinator of the independent news network, Bianet. For many years, she was a member of the Hrant Dink Awards Committee and continues to support the work of the Hrant Dink Foundation. The indictment contains the following allegations against Özlem:

1. That she organized the Büyükada workshop.
2. That she was in telephone communication with İftar Tarhanlı who is currently on bail facing charges of membership of FETÖ. **Explanation:** As



- with Nalan, who is also cited as having spoken to İřtar Tarhanlı, Özlem is a friend and a member of the same NGO as İřtar Tarhanlı (Citizen's Assembly).
3. That documents on her digital devices included a document entitled Istanbul 'NO' Councils Meeting. The indictment contains various extracts from this document, including; references to Semih Özakça and Nuriye Gülmen, the two dismissed educators who are on hunger strike and pre-trial detention, who the authorities accuse of "being members of the leftist armed group DHKP-C" ; a summary of a speech by İsmail Erdoğan, a cook on solidarity hunger strike with Ozakca and Gulmen, given during a joint meeting of the 'NO' Councils on 18 June 2017; various highlighted sections in the document relating to the NO councils discussions about how to continue the Republican People's Party (CHP) led Justice march beyond its final destination in Istanbul, predicting an intervention by the state, references to Gezi Park protests, suggested actions to damage the economy eg. disrupting the work of companies Pařabahçe and İř Bank. The indictment also cites references in the document to Berk Ercan (who, according to the indictment, was prosecuted for membership of the armed DHKP-C and gave evidence that Semih Ozakca and Nuriye Gulmen are members of DHKP-C); discussions regarding how to increase protests against the killing of Berkin Elvan (a boy killed during the Gezi Park protests, authorities regard such protests as propaganda for the DHKP-C). The prosecutor alleges that document shows that the individuals debated how to use the current political situation to generate new violent and chaotic public events such as the Gezi Park incidents. **Explanation:** Özlem had on her computer a document written by a local group set up to campaign for a "no vote" in the April 2017 constitutional referendum. It is not alleged that she wrote the document or contributed to any of the discussions cited within it but that she simply had it on her device. There is no connection between the contents of the document or the "No" councils with the Büyükada workshop.
  4. A WhatsApp conversation to workshop participants on Özlems Samsung phone dated 18 June 2017 in which Özlem wrote:

*"Now I am writing a serious message. I am translating from our facilitator Ali: your first homework – you will turn off all your technological devices before taking the ferry. Telephone, laptop, tablet, smart watch etc. You will travel looking around, enjoying and you will not turn them on until you arrive at the hotel. Can everyone who read this message say ok, so that we can be sure that you all received it?"*

**Explanation:** Ozlem was co-ordinating all the practicalities of the workshop and for this purpose had set up a whatsapp group to communicate with the participants. The indictment is attempting to suggest that Ali Gharavi's



instructions are something sinister; instead he was urging the participants to switch off and to relax and enjoy the ferry crossing to Büyükada before starting the workshop: at which point they would duly turn their devices on again.

That *Özlem* made three bank transfers. Two were to associations later shut down under state of emergency decree for alleged links to the PKK (Rojava Solidarity Association and Justice for Roboski Peace for the Earth Association), the third, marked “for Iraqis” was to a person whom is stated in the indictment as having been convicted of membership of a terrorist organization. **Explanation:** The transfers were donations for humanitarian assistance. The prosecutor is attempting to establish a link between *Özlem* and the PKK by inference. There is no allegation that the money was connected to the commission of a crime.

### **Veli Acu (in pre-trial detention since 18 July 2017, Silivri prison)**

Veli studied Political Science and Public Administration, and at the time of his detention was studying English Literature at Gaziantep University. He has been a board member of the Human Rights Agenda Association since 2009, and a member of Amnesty International since 2010. He has an academic interest in human rights, nationalism, political theory and civil society. He has held professional positions in a variety of civil society organizations since 2010. Since May 2016, he has worked as a Programme Associate with the UN World Food Programme.

The following allegations are made against Veli in the indictment:

1. That he spoke to *Erol Ohtamış*, a ByLock user who was dismissed from his job as a civil servant and, for whom there is an arrest warrant as part of the FETÖ investigation and; that he had 93 phone calls with *Fatih Barsak*, who is being investigated and is on remand for membership of the youth wing of the PKK. **Explanation:** Erol Ohtamış contacted Veli after finding his contact details on LinkedIn enquiring about prospective positions to be opened at the UN Food Programme where he is employed. *Fatih Barsak* is a relative of Veli’s, therefore it is natural that they were in touch.
2. That there were documents relating to *Semih Özakça* and *Nuriye Gülmen* on his digital devices, as well as pdfs of two banned books by PKK leader *Abdullah Ocalan* and a pdf of another book also banned because on the grounds that it makes propaganda for the PKK. **Explanation:** the prosecution is attempting to link Veli with

FETÖ (through his conversations with an alleged ByLock user), PKK and DHKP-C (through documents relating to *Semih Özakça* and *Nuriye Gülmen*) , three



proscribed groups with opposing ideologies. Having banned books in his possession in and of itself does not constitute a criminal act.

3. *A WhatsApp conversation between Veli and another individual recorded in his phone as Xalaff regarding an LGBT activist needing accommodation in Urfa for a couple of days.* **Explanation:** It is not clear what the prosecutor is trying to infer from this conversation. Veli says in the chat that he knows the individual through “Kurdhost” internet site which may be the reason for its inclusion.

4. *That Veli has received a bank transfer of 1,000TL from Mehmet Işık and sent one to him of the value of 1,785TL, marked “donation”. The prosecutor alleges that two others have sent money to Mehmet Işık, totalling \$390,000, and that one of those individuals claimed that the transfer was a donation to a project of the Danish Refugee Council and Support to Life association, NGOs with connections to Syria. Veli also sent 100TL and received a 750TL bank transfer from a person who has been convicted of “membership of a terrorist organization.”* **Explanation:** The prosecutor is probably trying to infer connections between Veli and organizations in Syria. There is no allegation that Veli was connected to large transfers of money which are in any case stated to have been sent for use by registered NGOs.

## **İlknur Üstün (in pre-trial detention since 21 July, Sincan prison, Ankara)**

İlknur is an activist. She grew up in Ankara and graduated from the Ankara University Department of Philosophy. She is actively involved in various women's organizations. Currently she is head of Ankara KADER a women's association. She is also Turkey Coordinator for the European Women's Lobby and the Coordinator of the Women's Coalition. She is conducting research on gender and local politics and contributes to various academic and other journals.

The indictment refers to two documents found on İlknur's computer without making any allegation in relation to them:

1. A document entitled “with the support of your embassy” which included details of expenses occurred in a project on gender equality in policy making and reporting funded by the British embassy. **Explanation:** No allegation is made in the indictment linked to this document. It was presumably included to show a link to the British embassy.

2. A document entitled ‘regarding the meeting’ containing an article thought to be written by İlknur about the Büyükada meeting, how many people will attend, information about the hotel and the facilities and the headings of the contents of the workshop. **Explanation:** No allegation is made in the indictment related to this document and its reason for inclusion is unclear



beyond perhaps substantiating the fact that she participated in the Büyükada workshop, which is not disputed by her, and the fact that the prosecutor could find nothing else to include.

### **Ali Gharavi (in pre-trial detention since 18 July, Silivri prison)**

Ali is an Iranian-Swedish information technology strategy consultant and writer. After time working in the corporate sector, Ali became the head of IT at the Center for Victims of Torture (CVT) based in Minneapolis, USA, an organisation providing support to survivors of torture and conducting international advocacy to end torture. At CVT, Ali was responsible for IT strategy. From 2010-14, Ali directed the "Privacy and Expression" programme at the Tactical Technology Collective, seeking to increase public awareness on issues related to privacy and security online, and to facilitate human rights defenders' access to tools and resources for digital strategy and security. For the last three years, as an independent consultant, Ali has collaborated with a wide range of respected human rights and development organizations (including Hivos and Front Line Defenders) on strategies for sustaining and securing human rights and development work.

The prosecutor makes the following allegations against Ali:

1. He attended the Büyükada workshop as a trainer.

2. *That he had a map that showed the east and southeast of Turkey as an etymologically different land and connected to a separate state.* **Explanation:** The prosecutor appears to be linking Ali to a political statement about the territorial integrity of Turkey. However, the map has nothing to do with separatism. Ali has an interest in linguistics and used the linguistic map as part of another training programme in inter-cultural accommodation for high-school teachers and in an entirely different content.

### **Peter Steudtner (in pre-trial detention since 18 July, Silivri prison)**

Peter is a German national. He works as a trainer in non-violence, digital strategy and wellbeing. Regarding Peter Steudtner, the indictment cites allegations in the statement by the secret witness and the witness statement of a workshop interpreter stating that he was a trainer in the Büyükada workshop, that various messaging apps including WhatsApp, Signal, Wire and ByLock were discussed during the workshop. A flash disk was recovered from Peter which contained a documents entitled 'Carved' giving instructions about copying and deleting files and 'hiding videos'. **Explanation:** It is acknowledged that Peter was a trainer at the workshop and that data security was discussed. This does not constitute a criminal act. There is no suggestion in the indictment that any of the individuals discussed using ByLock themselves, only that they were mentioning it in the context of encryption.



## APPENDIX 1

This document is a translation of the indictment presented to the court on 4 October, 2017.

In this indictment, the prosecutor makes reference to the charge of “committing a crime on behalf of an armed terrorist organisation” (Article 220/6 of the Turkish Penal Code) in addition to referencing “membership of a terrorist organization” (Article 314/2 of the Penal Code).

However, in its 17 October decision, the court confirmed that all the defendants will face the charge of “membership of a terrorist organization”.

**PLEASE NOTE:** This this is not an official translation, but one commissioned by Amnesty International. Contact us if you would like a copy in the original Turkish. Private information has been redacted.

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**REPUBLIC OF TURKEY  
OFFICE OF THE CHIEF PROSECUTOR ISTANBUL  
Terrorism and Organized Crimes Investigation Office**

**IMPRISONED**

**Tut. Son Göz.Geç.  
T:18/09/2017  
(latest review date  
of the minutes: 18.09.2017)**

**Investigation No : 2017/99344**



File No : 2017/27661

Indictment No : 2017/4842

**INDICTMENT**  
**TO THE İSTANBUL HEAVY PENAL COURT**

**PLAINTIFF** : K.H.

**DEFENDANT** : 1- ALİ GHRAVİ,  
[REDACTED]

**LAWYER**  
[REDACTED]

**DATE OF DETENTION** 17/07/2017, with the warrant dated  
17/07/2017 and No 2017/312 of İstanbul 10<sup>th</sup> Criminal Court of Peace

**DEFENDANT** : 2- GÜNAL KURŞUN,  
[REDACTED]

**LAWYER**  
[REDACTED]



**DATE OF DETENTION** : 17/07/2017, with the warrant dated 17/07/2017 and with no 2017/312 of İstanbul 10<sup>th</sup> Criminal Court of Peace

**DEFENDANT** : 3- İDİL ESER,  
[REDACTED]

**LAWYER**  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**DATE OF DETENTION** 17/07/2017, with the warrant date 17/07/2017 and No 2017/312 of the İstanbul 10<sup>th</sup> Criminal Court of Peace

**DEFENDANT** : 4- İLKNUR ÜSTÜN,  
[REDACTED],

**LAWYER**  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**DATE OF DETENTION** 23/07/2017, with the warrant date



23/07/2017 and No 2017/2721 D.Is of  
the İstanbul 9<sup>th</sup> Criminal Court of Peace

**DEFENDANT**

: 5- MUHAMMED ŞEYHMUS ÖZBEKLİ,  
[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]

**LAWYER**

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**DATE OF JUDICIAL  
CONTROL DECISION**

: 25/07/2017, with the decision dated  
25/07/2017 and No 2017/471 of the İstanbul 9<sup>th</sup> Criminal Court of Peace

**DEFENDANT**

: 6- NALAN ERKEM,  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

**LAWYER**

[REDACTED]

[REDACTED]



[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**DATE OF DETENTION** : 23/07/2017, with the warrant dated  
23/07/2017 and No 2017/2719 D. Is of  
İstanbul 9<sup>th</sup> Criminal Court of Peace

**DEFENDANT** : 7- NEJAT TAŞTAN,  
[REDACTED]  
[REDACTED]

**LAWYER**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**DATE OF JUDICIAL  
CONTROL DECISION** : 25/07/2017, with the decision dated  
25/07/2017 and No 2017/429 of the İstanbul 9<sup>th</sup> Criminal Court of Peace

**DEFENDANT** : 8- ÖZLEM DALKIRAN,  
[REDACTED]  
[REDACTED]



**LAWYER**

[REDACTED]

**DATE OF DETENTION** : 17/07/2017, with the warrant dated 17/07/2017 and No 2017/312 of İstanbul 10<sup>th</sup> Criminal Court of Peace.

**DEFENDANT**

: 9- PETER FRANK STEUDTNER,  
[REDACTED]

[REDACTED]

**LAWYER**

[REDACTED]

**DATE OF DETENTION** : 17/07/2017, with the warrant dated 17/07/2017 and No 2017/312 of İstanbul 10<sup>th</sup> Criminal Court of Peace.



**DEFENDANT** : 10-TANER KILIÇ,  
[REDACTED]  
[REDACTED]

**DEFENDANT** : 11- VELİ ACU,  
[REDACTED]  
[REDACTED]

**LAWYER**  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**DATE OF DETENTION** : 17/07/2017, with the warrant dated 17/07/2017 and No 2017/312 of İstanbul 10<sup>th</sup> Criminal Court of Peace.

**OFFENCE** : Membership of an armed terrorist organization, aiding armed terrorist organizations

**DATE AND PLACE OF**

**OFFENCE** : 06/06/2017 (date of arrest for the defendant Taner Kılıç) and 05/07/2017 (date of arrest for the other defendants), İSTANBUL

**DATE OF ARREST** : Between 05/07/2017 and 17/07/2017 (for the defendants except Taner)

**RELATED ARTICLE** : Turkish Penal Code Articles 314/2, 53/1 and 58/9 on the basis of Anti Terror Law No 3713 Article 3 and 5 (for the defendant Taner Kılıç)

- Turkish Penal Code Articles 314/2, 53/1 and 63/1 on the basis of Anti



Terror Law No 3713 Article 3 and 5 and Turkish Penal Code 314/3 and 220/6 (for the other defendants)

**EVIDENCE** : Allegations, testimonies of the defendants, HTS reports, incident investigation reports, arrest, search and seizure reports, MASAK report, digital materials technical examination reports, all case preparation files

### **INVESTIGATION DOCUMENTS WERE EXAMINED:**

It has been understood that, the defendants, other than Taner Kılıç, who are members of various non-governmental organisations working in the field of human rights have organised a meeting which they refer to as a “workshop” without any prior announcement in Istanbul’s Adalar District on 05/07/2017; according to the witness statement of the “secret witness 1” taken by Adalar Office of Chief Prosecutor on 05/07/2017 and witness statement of Ahmet Tunç Tunçten taken by Adalar District Security Directorate on 06/07/2017 and their identification of the defendants, they discussed matters which are unrelated to the fields of activity of their organizations, conforming to secrecy rules of terrorist organizations, which include **how to store information in mobile phones, how to secure the information stored in mobile phones if these are seized by the police, how to prevent the police, and other persons to access such information, how to encrypt such information; that one of the participants mentioned that seizure of his/her computer by the police would be the end of many others; that the participants of the meeting were all very worried about possible seizure of their electronic devices by the police;** that the defendants participating in the meeting have connections and communication with the members of and the organizations which operate against with constitutional order of country and who strategically cooperated during violent events threatening our state and constitutional order such as Gezi Park demonstrations and later during the pseudo corruption investigation case known as “17/25 December Investigation”, such as FETÖ/PDY which aim to establish a theocratic state based on their distorted understanding of sharia by threatening, debilitating and diverting state authority by using force, violence and other unlawful methods, seizing the state authority, and as a result overthrowing the Republic of Turkey which is a social state based on rule of law; PKK/KCK



which aim to establish pseudo independent, united and democratic State of Kurdistan based on Marxist Leninist principled in the region what they call “Kurdistan” on the lands of Syria, Iran and Iraq including Eastern and Southeastern Anatolian regions of our country; and DHKP/C which aims to establish a communist system based on Marxist Leninist principles by overthrowing the Constitutional system through a people’s armed uprising, regardless of their differing ideologies, that the defendants were detained and arrested immediately after the witness statements, and based on the arrest, detention, search and seizure warrants issued by the Adalar Office of the Chief Prosecutor and an injunction order was taken for their personal belongings. With regards to the communications and findings about the defendants;

Defendant İdil ESER is the Director of Amnesty International Turkey. Technical examination of the digital materials obtained during the search done on and in the hotel room of the defendant included documents relating to Semih ÖZAKÇA and Nuriye GÜLMEN who were prosecuted for operating as part of the DHKP/C terrorist group; screen shot of an email from someone who uses a fake account under the name of Murat Dicle and who states that he is a member of PKK/KCK terrorist group to Firat Dogan, who is thought to be working at Amnesty International, which says that “he has been in Iraq for a long time as a PKK member and working as a guerilla doctor” and that “he wants to become a member of Amnesty International”, documents sent to the Ankara Embassy of the Republic of South Korea calling to stop gas exports to Turkey due to grave human rights violations. As the Director of the Turkey branch, she has been in regular contact with Taner Kılıç, the Chair of Amnesty International, who has been imprisoned as part of the investigation by Izmir Office of the Chief Prosecutor for using cryptographic Bylock Talk and Chat app used by FETO members,

It has been understood based on the indictment against Taner Kilic prepared by Izmir Office of the Chief Prosecutor dated 09/08/2017 and with No 2017/61942 Sor. (the case against him for being a member of FETÖ/PDY armed terrorist organization with no 2017/492 is pending at the Izmir 16. Heavy Penal Court); Taner Kılıç was arrested by the police on 06/06/2017; in his statement as part of the above-mentioned investigation he stated that



his sister's husband Mehmet KAMIŞ used to work as deputy editor of Zaman newspaper, that he is currently fugitive wanted for being a member of FETÖ/PDY armed terrorist group, that if there is such a download, it might have been done by Mehmet KAMIŞ as they have often spent time together, have been on holidays together and that the application might have been downloaded on his phone beyond his knowledge; however it is not normal that the defendant, who is one of the founders of Amnesty International, to allow someone else to use his phone; besides it is not sufficient to use the application only once to register, it is required to use it at least three times; the server was examined based on the decision of the Ankara Public Prosecutor; the defendant's statements that the application might have been downloaded on his phone by someone else or that the records are not correct run against the bylock technical report; besides considering the report produced by the financial expert, the fact that he acted beyond his financial interests is one of the things indicating criminal intent; although the defendant repeatedly stated in his statement that he did not download the application and that he has no links with the organisation, he was not able to explain why he gave his phone to someone else, how and why he consented to someone else downloading and using an application on his phone; the findings in the indictment show that the terrorist group infiltrated into the NGOs as well as state bureaucracy and guided their activities and shaped the public opinion in line with the aims of the organization; that there are communication records between the defendant Taner Kılıç, the Chair of Amnesty International Turkey and defendants İdil Eser and Günal Kurşun who participated in the meeting under investigation, his statement taken by the Chief Public Prosecutor showed that he has been aware of the preparations for the meeting until the date he has been detained on 06/06/2017 and he has been one of the people who guided it, besides considering his current position in the organization, the opposite would be against the nature of things, and that this finding should be considered as an evidence of the organizational activities of the defendant who has been using cryptographic communication system Bylock Talk and Chat which is used by FETÖ/PDY members, to coordinate the NGO activities of the organization.

Whatsapp messages titled "chat-224.txt and chat-285.txt" in his mobile phone included conversations such as "Tomorrow an urgent action is going to be launched for Nuriye and Semih, Can we make a call for Semih and



Nuriye to be released from detention?"; and the photos titled "20161220\_155506.378.jpg and 20161220\_155512.385.jpg" included the below conversation;

"Firat DOĞAN wrote on 16 16:11:

Hello, we had the attached conversation with someone. How schizophrenic they are, they are not writing properly, but I could not be sure

His profile: [REDACTED]

- The person with the user name Murat Dicle wrote to Firat DOĞAN "Hello heval (means "friend" in Kurdish), I have been trying to become a member of the organization for a long time, how can I become a member and contribute to the humanity"

-Firat DOĞAN responded his message saying that "Hello Mr Murat, you can send an email to [REDACTED] for all membership enquiries. Our Membership and Supporter Relations Officer will get in touch with you. You can also call our Istanbul office at [REDACTED] and tell them that you would like to become a member.

- The person called Murat Dicle responded: "That's very good, but there is an issue. Let me tell clearly. I am based in Iraq and this account is a fake one. I have been a PKK member for a long time and I am a guerilla doctor. In the following years I will be at the frontline with the YPG in Rojava fighting against ISIS (DAES). Making a phone call would cause security issues for both me and you. This is the issue. But despite that I would like to become a member and would like to find out how I can contribute from here. Let me mention again. I am a PKK member and guerilla doctor, I am interested in surgical intervention during war. For the sake of transparency and honesty, I wanted to briefly summarize the situation. If possible I would like to become a member of Amnesty International. This is not against my ideology, on the contrary I would be honored."



When the persons involved in the above exchange were investigated, the account on the name of Murat Dicle was not found at the following link [REDACTED]; and when the whatsapp chat between Fırat DOĞAN and İdil Eser was examined, it was found that she had chats with the mobile no [REDACTED] which belong to Fırat DOĞAN; when this mobile number was searched on Facebook, it was found that it is integrated with his Facebook account; when the Facebook account belonging to Fırat DOĞAN was checked, it has been found that his title is registered as Amnesty International Digital Media Officer and that it is Fırat DOĞAN who chat with the person with the user name Murat DİCLE [REDACTED],

The documents obtained from the defendant show that; the word document titled "HakanYamanaNeOldu kampanyası video çekimi için kontaklar.23363.doc" ("Contacts for the video shoot for WhatHappenedToHakanYaman campaign.23363") included a note **"Please do not share this document with anyone, do not leave it open on your computer or on your desktop"** and the list included the names and telephone numbers of artists. Relating to Gezi Park protests that took place in June 2013 in line with the aims of terrorist organizations and threatened the public order, the word document titled "Statements of the Prime Minister escalate violence.22291.doc" included an article titled "The statements of the Prime Minister fuel violence", the word document titled "Post-coup-final.27446.doc" included an article titled "Turkey: Human rights in grave danger following coup attempt and subsequent crackdown" which include statements against the measures taken by our state following the coup attempt by FETÖ/PDY members on 15/07/2016 against the aforementioned terrorist group and other terrorist groups and which aims at shaping the public opinion in favor of the activities of these organizations,

Relating to Muhammed Şeyhmus ÖZBEKLİ, he has been working for an NGO called Mazlumder Rights Initiative and records are available showing that he exchanged conversations and messages with a person named Adnan GÜL, who was arrested and imprisoned following an operation against the FETÖ/PYD terrorist organization by Ankara Anti-terror Police Department on 08.05.2017, who was dismissed from his position at Gazi University and who is known to be a user of the BYLOCK application;



Relating to Nalan ERKEM, she has been working as a project consultant in Citizens Assembly, records are available documenting her conversation with Bedriye İřtar TARHANLI who was arrested following an operation against FETÖ/PDY terrorist organization by the İzmir Police Department for Combatting Financial Crimes on 20.12.2016 and imprisoned as part of the investigation No. 2015/109066 carried out by Chief Public Prosecutor's Office of İzmir; and the examination of the digital materials found on her and in her hotel room revealed a document titled Gizli-MİT (Özel Kuvvetler Komutanlığı).12929.pdf (Confidential-MIT, Special Forces Command) labelled as CONFIDENTIAL, which was submitted by the Turkish National Intelligence Service to the Investigation Commission of the Turkish Grand National Assembly;

Relating to Nejat TAŐTAN, he is a member and the Coordinator of Equal Rights Watch, and records are available documenting his conversation with the person named Asuman DOĐAN who is identified to be a user of BYLOCK according to Istanbul Police Department of Combatting Financial Crimes' letter dated 13.07.2017, No. 47909374-16810-e.201707131717450388.

Relating to Gőnal KURŐUN, he is a Management Committee member of the Human Rights Agenda Association and one of the founders of Amnesty International Turkey; records are available documenting his conversation with a person named Ali AMKŐMŐRŐ, who is known to be a BYLOCK user according to Istanbul Police Department for Combatting Financial Crime dated 13.07.2017 No. 47909374 -16810-e.2017071317171450388, but against whom no judicial proceedings has been started so far; that he was dismissed from his position as Assistant Professor at ukurova University with the Executive Decree dated 29.10.2016. No 675; that, the archival search done for potential links with terrorist organizations revealed the records of his former prosecution for making propaganda of a terrorist organization and for being a member of a terrorist organization in Adana 13<sup>th</sup> Heavy Penal Court;



Relating to Özlem DALKIRAN, who organized the meeting and who is a member of the Citizens Assembly, records are available documenting her telephone conversation with Bedriye İřtar TARHANLI who was arrested during an operation by the İzmir Police Department for Combatting Financial Crimes on 20.12.2016 against FETÖ/PDY terrorist organization and imprisoned as part of the investigation No. 2015/109066 conducted by Office of the Chief Public Prosecutor in İzmir; the examination of the digital materials obtained during the search on her and in her hotel room revealed a document titled “İstanbul Hayır Meclisleri Buluşması – Tartışmalar (Istanbul ‘NO’ Councils Meeting – Discussions), “Tartışmalar” (Discussions) section of the document included articles about Semih ÖZAKÇA and Nuriye Gülmen who were prosecuted for being active in the terrorist organization DHKP/C as part of the case file with No 2017/37 carried out by Ankara Heavy Penal Court, and articles about how to extend the mass rallies for cases that the terrorist organization utilizes as part of its propaganda activities to increase its public support such as the killing of Berkin Elvan; the statements of Berk Ercan, a member of Armed Propaganda Units of the DHKP/C terrorist organization, who was arrested on 07/07/2017 during a police operation and who benefited from repentance laws and made revelations on organizational activities and members, taken by the Chief Public Prosecutor as part of the case file No 2017/105607 reveal that they prepared a biographical report on Nuriye GÜLMEN and Semih ÖZAKÇA’s organic links to the terrorist organization, and sent to the Central Committee via Şafak YAYLA who was one of the members of the organization martyred Prosecutor Mehmet Selim Kiraz in Istanbul Court of Justice on 31/03/2015 and that they were working to increase the membership of the organization, relevant sections of the witness statements of this person dated 19/07/2017 and 25/08/2017 were sent to the Ankara 19<sup>th</sup> Heavy Penal Court to be considered as evidence in the case file,

The report including the Whatsapp chats titled CHAT-47.TXT obtained following the examination of the SAMSUNG SM- G900FQ mobile phone with IMEI no [REDACTED] belonging to the defendant Özlem DALKIRAN include CHAT-47.TXT was included in the investigation file and the important sections have been listed below;



"Start date: 18.06.2017 11:36(UTC+0) End Activity: 4.07.2017  
20:24(UTC+0)

Participants: 905303175014@s.whatsapp.net kalamiti  
(Ozlem Dalkıran),  
[REDACTED]@s.whatsapp.net GÜNAL, [REDACTED]@s.whatsapp.net  
Nalan Erkem, [REDACTED]@s.whatsapp.net Idil Eser, [REDACTED]  
@s.whatsapp.net veli acu, [REDACTED]@s.whatsapp.net Nejat Tastan,  
[REDACTED]@s.whatsapp.net Seyhmus Ozbekli - D. bakir,  
[REDACTED]@s.whatsapp.net Ilknur Ustun, [REDACTED]  
@s.whatsapp.net Gulseren Yoleri, 905334762329@s.whatsapp.net Feray  
Salman, [REDACTED]@s.whatsapp.net Levent Pişkin

From: [REDACTED]@s.whatsapp.net kalamiti (Ozlem Dalkıran)

Time zone: 18.06.2017 11:36(UTC+0)

Source.: WhatsApp Body:

-----  
From: [REDACTED]@s.whatsapp.net kalamiti (Ozlem Dalkıran)

Time zone: 18.06.2017 11:36(UTC+0)

Source: WhatsApp Body:

Subject changed to Temmuz Toplantisi (July meeting)

-----  
From: [REDACTED]@s.whatsapp.net kalamiti (Ozlem Dalkıran)

Time zone: 18.06.2017 11:41(UTC+0)

Source: WhatsApp Body:

[REDACTED]@s.whatsapp.net joined

-----  
From: [REDACTED]@s.whatsapp.net kalamiti (Ozlem Dalkıran)

Time zone: 18.06.2017 11:49(UTC+0)

Source: WhatsApp Body:

Hi friends

-----  
From: [REDACTED]@s.whatsapp.net kalamiti (Ozlem Dalkıran)

Time zone: 18.06.2017 11:50(UTC+0)



Source.: WhatsApp Body:

...

...

I sent an email about the meeting. Is everyone fine with the dates? Training is on 3-4-5-6 July. 1 and 7 July training of trainers

Question to the Istanbul team – If we have the meeting in Buyukada, do you have any problem with staying at the hotel? I mean rather than commuting everyday

...

...

There is no problem for me either.

But after our planning, the hearing of the Figen Yuksekdag case was scheduled for 4 July. And I have to attend that hearing which will take place in Ankara. So I will be able to join you on the other days except the 4<sup>th</sup>.

So I cannot stay on the island on the nights of the 3<sup>rd</sup> and the 4<sup>th</sup>.

...

...

**Now I am writing a serious message. I am translating from our facilitator Ali: your first homework – you will turn off all your technological devices before taking the ferry. Telephone, laptop, tablet, smart watch etc. You will travel looking around, enjoying and you will not turn them on until you arrive at the hotel. Can everyone who read this message say ok, so that we can be sure that you all received it?**

...

...

If you meet, gather, and cannot reach Ali or Peter, write to me and I will let them know via signal."

The article in the word document titled "Istanbul NO Councils Gathering – Discussions";

"Istanbul NO Councils Meeting Notes

18 June 2017, Sunday, Kenter Theatre

\*Concrete proposals were written in bold in the text.



The forum started following the video screenings and the speech of İsmail Erdoğan who is on the 25<sup>th</sup> day of hunger strike

Subjects discussed as sub-headings of one agenda item;

How can the councils keep going?

What can we do together?

How and through what means can we get the councils going?

What subjects can we focus on?

Summary of İsmail Erdoğan's speech

Veli, Acun Hodja, and all the others resisting on Yüksel sent their regards. We are going through a difficult time. This period can only be overcome through a break and this break came to our door from today. Although the resistance started by Nuriye and Semih 220 days ago did not make a wide impact, AKP has not been issuing executive decrees for the last 102 days. Hunger strikes got ahead of them, formed a barricade in front of them. The fact that we, who claim to transform the society, are searching our fate in the public conscience is caused by our disorganization. If we could stand next to our friends, they would not be on hunger strike. There is only one way of go beyond this situation. Unless we can prioritize the issues that we agree upon, this limitless attack will continue.

If they were out of the prison and we sat and chatted at the same table, we would say completely opposed things. We all have our own training but rather than prioritizing our differences, we should prioritise the points we agree.

I have never been side to side with social democrats in my life and I have never voted them. There are organizations with 70 signatories but they cannot get 70 people out when they go out to the streets. Without taking the wind behind us, we don't have the power to change this situation. **Without any arrogance, without boasting of our strength, we can stand in solidarity with Idris Baluken, whose head cannot be lowered by 10 police officers. When Kılıçdaroğlu arrives in Istanbul Maltepe, we can pressurize him to go to Edirne.**



Discussions:

B.A: (NO Kadıköy) CHP's march generated some excitement but there is something missing. There is a saying: Western societies demand freedom, eastern societies justice. If we don't add to that 'we want freedom'- and it is the NO councils who will add that- then this march will come to an end when they arrive in Istanbul. **We don't only demand justice. We also demand freedom. If the NO Councils can organize this, from İstanbul to Kandıra it is 118 km 5 days. 2 days to İzmit. Another march can start from Edirne. How this march will end in İstanbul will determine how all these will end. If they disperse after a press release, that's not good.**

**The reason for the imprisonment of Nuriye and Semih is the fact that they made this injustice visible. There was not a single journalist who asked them 'Why did you imprison them?'. The excitement in Kadikoy two days ago on the 100<sup>th</sup> day of the hunger strike was important but we cannot take it further. Whereas there is a countdown to death every day. They are at a point of no return and the state will probably intervene. We should organize these protests on a daily basis.**

R.K.: (NO Beşiktaş) We already knew that half of the society was going to vote no. We asked ourselves how to organize this multitude through a council system. What is crucial for both this period and after, is to act together. **Our concurrent protests helped us to spread fast, it is crucial to create new platforms other than the social media. Councils are platforms where everyone has equal say.** We can spread the justice marches to the districts. Can there be justice in a country where there is no equality, peace and democracy? Let's try to spread this to Istanbul through marches and fora. What are we going to do during summer? Perhaps we can turn the summer period into an active period together with DİB. Councils are important means for us, we should make use of summer and the period ahead of us as we did on the night of 16<sup>th</sup> of April.

E.N.: Our main failure is that we organize some activities, but what are we aiming to achieve? **It was obvious during the referendum, the aim was to get the No vote. But what about now? We have not yet discussed and agreed**



**upon what we want to achieve. We had the same problem during Gezi Park. It was very strong, it was militant but it died down. We cannot just wait for a resistance break out on its own We need to have a political program.** We can stand against the attacks of the state but if we don't want to do that, what do we want? We need to have joint clear statements. We need to be out on the streets with our shared understanding. CHP started the march and we got excited. Why?? Because the masses will take the streets/ That's all good, but CHP does not want us there with our own statements and identities. They would either inform on us or would split their own supporters. We have seen how 'No We Won' campaign has ended. At the moment we have a situation in which taking the streets is dependent on CHP's will. We need to get rid of this tutelage. Those who wish to support them can, I am not going to join them. We should engage with our own work. I want a democratic Republic. A Republic which might be expressed differently by different friends, a Republic based on equal rights of laborers, intellectuals and all citizens. No Councils should immediately start working on a political program. Next steps should be taken based on the agreement on the program.

H.A.: (NO Şişli) We have big power. There are 81 provinces. On the night of the referendum, the reason for the sulky faces of the AKP supporters was that in 68 provinces out of 81, the rate of No votes increased significantly compared to the November elections. Victory of the No vote.

Based on our lessons from Gezi, decisions taken in the NO councils should be implemented, we should not just leave after pouring out our hearts. The law of individuals is very important. This does not mean to exclude organizations. But having the representatives of the organizations as individuals there and their taking the decisions to their respective organizations is the law of individual. These should continue.

DİB-Councils joint meeting took place. DİB is considered as having the merits to call everyone working for the No vote to the general assembly. DİB is a structure which has a perspective, no one can object to that. We have a general assembly ahead not only for DİB but for everyone to come together.

**We are not councils. We are pioneers who came together in prominent**



districts and neighborhoods. This is not enough. We can form the citizen's assemblies where people can feel like subjects, participate as individuals and act through civil disobedience protests.

**Blocking İş Bank and Paşabahçe. We can organize protests like buying a glass that costs 3 liras and return saying that it was broken. Solidarity economies have the power to overthrow. We can form production and redistribution collectives. We need to overthrow this financial system working directly with the producers rather than structures that obey the AKP leader. Let's do this all.**

T.Ş.: (DİB Coordination) In terms of the name change, my suggestion is People's Assembly.

Let's talk about work and consider politics as work. Let's form a People's Assembly by meeting the NGOs supporting us. We shall set up a space in Kadikoy as a pilot space. We shall organize seminars inviting the professors dismissed with executive decrees. Let's work to spread this across Turkey. Let's put democracy into practice.

A.D.: (NO Şişli) I think differently in terms of our target. There is a danger of fascist dictatorship in front of us. When there were such threats in history, the targets were not narrowed down.

**In terms of the program, I can only think of this, getting rid of the AKP. Resisting this regime change is the only thing we need to do.** We do not need to organize under NO Councils. Streets and getting organized are important, but they are only means. Our target is not them, our target is the AKP. No big uprising including Gezi has happened by writing leaflets in meeting rooms. Tahrir did not happen like that either, nowhere it happened like that. Masses decide and take the streets, if you are organized, you can lead them.

İstanbul

Outcomes of the NO Councils Gatherings



The meeting was organized as wide as possible by not only inviting the participants of the NO Councils but also those who contributed to the NO campaign during the referendum and who position themselves on the side of NO. The proposals in these minutes include concrete proposals and tendencies to be proposed to our own councils.

Many participants mentioned the need to support the Justice March initiated by the CHP and the Justice Watch which has been ongoing in Istanbul Macka Park. When supporting these initiatives, it was agreed that we need to reach as many people as possible, spread the 'Justice for All' call across the country and in our local councils taking the justice demand out of CHP's monopoly, acting with a fuller understanding of justice, we need to start planning to spread the Justice Watch actions in different parts of Istanbul. It was highlighted that NO councils has a subject position capable to transform the existing situation.

## OTHER PROPOSALS

### **Joint struggle with existing resistance**

### **Supporting and struggling together with the ongoing resistance movements on issues including Nuriye & Semih, Justice March, Executive Decrees.**

- Organizing a general assembly with all other groups where everyone can come together
- Organizing civil disobedience activities which could be joined on an individual basis
- Organizing İstanbul meetings on a monthly basis
- Organizing activities about local administration in order to express our approach to local government and democracy
- Keeping on the agenda a new social contract
- Planning to organize as women and arranging meetings as the women in the Councils



- Setting up a space in Kadıköy as a pilot space
- Organizing summer meetings in a fixed and open area
- Organizing the next Istanbul gathering in Beyoğlu Cinema to stand in solidarity with the cinema
- Participating in the Pride March together
- Going to Macka everyday wearing our badges
- Supporting our activities through panels, film screenings, discussion platforms
- Continuing distributing leaflets in the main arterial roads”

It has been clearly understood from the above document that; **it has been debated how to transform the current political situation to generate new uprisings similar to Gezi Park through the initiatives of organizations acting like NGOs but led by terrorist organizations; activities have been organized with this aim; it has been aimed to turn the march referred as “Justice” by the organizers which have been going on when the defendants were arrested, into violent and chaotic public incidents such as Gezi Park incidents.**

Relating to Veli ACU, he works as project specialist at the UN World Food Programme, records are available documenting his conversations and messages with Erol OHTAMIŞ who is among the defendants wanted in connection with the operation against FETÖ/PDY terrorist organization carried out by Ankara Police Department for Combatting Financial Crimes on 24.05.2017 as part of the investigation No. 2016/109887 conducted by the Ankara Office of the Chief Prosecutor; who was dismissed from his position at the Ministry of Development, and who is known to be a user of Bylock application; in addition, 93 telephone conversations with Fatih BARSAK who was arrested during the operation by the Ankara Security Directorate against DGH (Revolutionary Youth Movement), the youth organization of the PKK/KCK terrorist organisation, and who was thereafter imprisoned by the relevant judicial authorities; the examination of the digital materials found during the searches conducted on him and in his hotel room revealed writings about Semih ÖZAKÇA and Nuriye GÜLMEN who were arrested for being actively working in the DHKP/C terrorist organization, the pdf versions of the books written by Abdullah ÖCALAN, the leader of the



PKK/KCK terrorist organization including “MEKTUPLAR BELGELER ZAFER KAZANAN TARZIN ÖZDİLİDİR” (Letters and Documents – Victory is the mother tongue of the winner), “NASIL SAVAŞMALI (HALK SAVAŞI VE ORDULAŞMA ÜZERİNE CİLT 1” (How to Fight? – On Popular War and the process of becoming an army, Volume 1), and “PKK’YE DAYATILAN TASFİYECİLİK VE TASFİYECİLİĞİN TASFİYESİ” (Liquidation imposed on PKK and the liquidation of liquidationism); and the pdf version of the book by Fevzi YETKİN and Mehmet TANBOĞA, titled “4’lerin Gecesi” (The Night of the 4s) the copies of which were decided to be pulled off the shelves by the Diyarbakır 1st Criminal Court of Peace, under the court ruling No. 2016/1674, on grounds of making propaganda of the terrorist organization and the acts of violence perpetrated by its members; the document titled chat-157 obtained from the defendant included whatsapp messages dated 22.06.2017 between Veli ACU using the mobile number [REDACTED] and the mobile number [REDACTED] saved under the name of Xalaff “Veli ACU: Someone is coming to Urfa in August, Veli ACU: He will stay in Urfa, Xalaff : We are leaving tomorrow, Xalaff : Who, Veli ACU: From the internet, Kurdhost, He needs somewhere to stay, for a few days, LGBT activist Xalaff: He can come and stay with us ”,

Relating to İlknur ÜSTÜN who is the General Coordinator of the Women’s Coalition, a platform operation across the country, the examination of the digital materials found on her and in her hotel room during the police search revealed a document titled “Büyükelçiliğinizin desteğiyle gerçekleştirmekte olduğumuz.509” (with the support of your embassy.509.doc) which include an article considered to be written by İlknur ÜSTÜN mentioning the expenses incurred under the “gender equality, participation in policy making and reporting” project and requesting these expenses to be covered by the Embassy, a word document titled “toplantiya ilişkin.5127.doc” (relating to the meeting.5127.doc) which include an article titled BÜYÜKADA MACERASI (BUYUKADA ADVENTURE) about the meeting organized in Adalar Ascot Hotel on 05.07.2017 mentioning the number of people attended the meeting, the features and facilities of the hotel and the agenda of the meeting,

Relating to Ali GHRAVI, a Swedish national, and Peter Frank STEUDTNER,



a German national, they attended the meeting as trainers on themes including “digital security, stress, etc.”; a map was found among the digital materials belonging to Ali GHRAVİ that were seized during the search done on him and his hotel room, where, when looked closer, the east and southeast Anatolia located within the borders of the Republic of Turkey are made to appear as an etymologically different land, and moreover to appear as a region belonging to another state;

Relating to the defendant Peter Frank STEUDTNER, a German national; according to the relevant sections of the witness statement of the person “Gizli Tanık 1” (Secret Witness 1) taken on 09.07.2017 by the police “As I stated in my secret witness statement on 05.07.2017, it is the person who talked in the meeting and upon closer examination after the meeting I noticed he is around the age of 40 with dark skin and curly hair and whose other features I cannot remember”; relevant sections of the witness statement of Ahmet Tunç TUNÇTEN taken on 06.07.2017 by the police which reveal “that he is a translator/interpreter, he has attended the meeting from the first day for four days, Peter who is German and Ali a Swedish citizen spoke in the meeting, the speakers mentioned that they have been working in organizations including Amnesty International, United Nations, they spoke about Syria, they even made some drawings on this issue, speakers mostly talked about digital security, how to store information, how to encrypt information, how to prevent police or other people access such information, speakers talked about encryption methods, programs that could be used for communication, the participants of the meeting were worried if their communication methods, contents of their communications would be seized by the police, the participants of the meeting talked about secure communication software, compared applications such as Signal, Wire and Wahtsapp, they mentioned the application called Bylock”; technical examination of the Medion 16GB Flash Disc seized during the search of the defendant revealed a photo titled "Carved [33964032]" which included the following information "1- In the first stage copying memory to the memory card, 2- At the second stage removing the memory card of the mobile phone, 3- At the third stage copying and pasting the information in file manager section, 4- At the fourth stage deleting the copy, 5- At the fifth stage creating a new folder, 6- At the sixth stage following these steps, HIDING VIDEOS,



that is, generating the hidden video "; considering that individuals mentioned by the witness Ahmet Tunç TUNÇTEN talked about how to prevent police and other people to access information and what kind of software they should be using for that, it has been understood that information on the obtained photo constitute one such method and that the finding is in line with the statement of the witness.

It is known that, with the increasing use of social media, they have been making propaganda by sharing posts on and calling people to mass and organisational events and activities through the national and international websites and social media sites such as Facebook, twitter, various fora and blogs;

Following the review and investigation conducted by the police on whether there was any information available on the meeting that took place or that was planned to take place in July in the public posts or calls in social media accounts of the defendants İdil ESER, İlknur ÜSTÜN, Muhammed Şeymus ÖZBEKLİ, Özlem DALKIRAN, Veli ACU, Günal KURŞUN, Nalan ERKEM, Nejat TAŞTAN, Peter Frank STEUDTNER and Ali GHRAVİ or on the websites and the social media platforms that they are members of; it has been found that there was no call for the meeting that was planned to take place in Adalar in July 2017.

Considering the report No 2017/MR(18-02)/92 dated 18.09.2017 produced by the Financial Crimes Investigation Board of the Ministry of Finance about the defendants;

It has been understood that the defendant Günal KURŞUN transferred a total amount of 5191TL to the account of Orhan Kemal CENGİZ who was investigated and prosecuted as part of the investigation No 2016/110288 against the FETÖ/PDY terrorist organization, in three transactions in 2015-2016; transferred electronic funds (EFT) in the total amount of 15250TL in 11 transactions between 2013-2017, received electronic funds (EFT\_ in the amount of 2600TL between 2014-2017 in two transactions; and that Orhan Kemal Cengiz was working as a producer in Samanyolu News and Broadcasting Company which is one of the media companies of the FETÖ/PDY terrorist organization in 2015;



Likewise, the defendant received a total amount of 7200TL money transfer in two transactions and electronic funds transfer in the amount of 59600TL in 20 transactions between 2014 and 2015 from the Feza Gazetecilik A.S. which is owned by the terrorist organization's media companies and which has been closed down with the Executive Decree No 670 published in the Official Gazette No 29804 dated 17.08.2016 due to its links with the FETO/PDY terrorist organization,

Besides, on 25.05.2016 he received an electronic funds transfer in the amount of 500TL with the explanation of "Günel Kurşun/Telif Bedeli (Gunal Kursun /Royalty)" from the Istanbul Society Politics and Economy Research Association which was closed down due to its links and liaison with FETO based on the Executive Decree No 667, published in the Official Gazette No 29779 dated 23.07.2016;

Defendant Veli ACU received an EFT in the amount of 1000TL from a person called Mehmet IŞIK about whom there is certain intelligence information in the MASAK database, on 03.05.2017, sent an EFT in the amount of 1785TL to the same person on 30.06.2017 with the explanation of "donation", inquiries on the person called Mehmet IŞIK has revealed that two separate individuals who transferred money to his account, transferred approximately 390.000Dollars to the accounts of four individuals who have been in cities including Kilis ,Antakya, Şanlıurfa with Mehmet IŞIK between August – February 2016, communications about the money transfers have shown that one of the individuals who transferred the money work in organizations linked to Syria called "Support to Life and Danish Refugee Council" and he stated that he sent the money for the shuttle service provided for these organizations", the defendant sent 1000TL EFT to Mustafa BAYAR who has been convicted for being a member of a terrorist organization by Ankara (Now Closed) 11<sup>th</sup> Heavy Penal Court with the decision No 2014/223, on 27.01.2017, and he received 750TL EFT from the same person on 09.02.2017,

On 06.01.2016 Defendant Özlem Dalkıran, who organized the meeting, sent an EFT in the amount of 350TL with the explanation of "FOR FOOD



SUPPORT” to Batı (Rojava) Yardımlaşma ve Dayanışma Derneği, which is one of the organizations that have been closed down for its links to PKK/KCK terrorist organization and to organizations that act against the national security of the state based on the Executive Decree No 677 published in the Official Gazette No 29896 dated 22.11.2016, on 15.12.2015 she sent an EFT in the amount of 200TL with the explanation of “FOR IRAQIS” to someone called Aşur Can ACAR who was convicted for being a member of a terrorist organization by the Zonguldak 2<sup>nd</sup> Heavy Penal Court with the Decision No 2016/54; on 01.09.2014 she sent an EFT in the amount of 250TL to “Roboski İçin Adalet Yeryüzü İçin Barış Derneği” which is one of the organizations closed down for being linked to PKK/KCK terrorist organization and to the organizations linked to and liaising with organizations acting against the national security of the State with the Executive Decree No 679 published in the Official Gazette 29940 dated 06.01.2017,

On 26.06.2015, the defendant Nejat Taştan received an EFT in the amount of 500TL with the explanation of “DONATION” from someone called Necibe Işıl DEMİRAKIN who is one of the suspects in the investigation against the FETÖ/PDY terrorist organization as part of the Investigation No 2016/47175 conducted by the Office to Investigate Crimes against the Constitutional Order of the Antalya Office of the Chief Prosecutor and on 08.11.2016 he received an EFT in the amount of 750TL with the explanation of “DEBT RETURN”; on 05.06.2015 he sent an EFT in the amount of 750TL with the explanation of “mersin” to someone called Hüseyin ARAL who is understood to be convicted for being a member of an armed terrorist group with the Decision No 2014/164 by Adana 10<sup>th</sup> Heavy Penal Court; on 21.01.2016 he received an EFT in the amount of 3230TL from someone called Lukman GÜLER who was arrested as part of the investigation against PKK/KCK terrorist organization conducted by the Merson Security Directorate and who is understood to be convicted for being a member of an armed terrorist organization with the Decision No 2016/92 of the Ankara 4<sup>th</sup> Heavy Penal Court according to “UYAP Punishment” database; he sent an EFT in the amount of 700TL to someone called Naciye DEMİR who is in pre-trial detention for working as part of the Halkın Hukuk Burosi (People’s Law Office) which is an organization linked to DHKP/C terrorist organization Istanbul as part of the case No 2014/117 pending in 18<sup>th</sup> Istanbul Heavy



Penal Court and as part of the investigation No 2017/105607 for similar activities.

Regarding some of the digital materials found on the defendants; when the defendants were asked their passwords for the digital materials to be investigated during their detention; the defendant İlknur ÜSTÜN stated that “she does not remember the password of her mobile phone”, the defendant Özlem DALKIRAN stated that “she does not remember the password of her mobile phone”, the defendant Günal KURŞUN stated that “he will not tell his mobile phone password”, the defendant Nalan ERKEM stated that “she does not remember the password of her mobile phone”, Peter Frank STEUDTNER and Ali GHRAVÍ stated that they will not “give information”; the passwords provided by the foreigner defendants Peter Frank STEUDTNER and Ali GHRAVÍ in their testimony to the Public Prosecutor were found to be wrong, therefore some of the digital materials have not yet been investigated, it has been understood that the examination is going on by breaking the passwords; the fact that mobile phone passwords were not shared with the investigation bodies and they do not remember the passwords are against the nature of things; it has been understood that these statements are in line with the witness statement which revealed that they talked about how to keep the information secure even when the phones have been seized, how to prevent police and other people to access information, encryption and that they were worried about information on their phones to be seized by the police, and this is in line with their organizational aims.

As underlined in the case law of the General Assembly of Criminal Departments of the Supreme Court, dated 25/03/2013, No. 2013/9-32-52, it is adequate for the commitment of the crime of aiding an armed terror organization, if the perpetrator acts knowingly and deliberately, on his/her free will, without any coercive factor to compel him/her to do so; that the law does not cite any exceptions that limit the crime in question to certain acts; that any act that helps the organizations to maintain its existence (Çetin AKKAYA, Terör Suçları ve Cezalarının İnfazı, Ankara, Adalet Yayınevi, p. 281 – Crimes of Terrorism and Their Execution, p. 281); and it is indisputable that the crime in question shall be deemed to be committed not only by providing material support, or harbouring members of the organization, but



also by any act done with the intention of helping it; and in the present case, considering the contents of the sized and examined documents, witness statements, MASAK communication records as a whole and considering the fact that the defendants have the power to influence the civil society owing to their areas of activity and their contacts with the terrorist organizations, the defendants except Taner Kılıç organized activities and meetings about the methods and tactics which are adopted by terrorist organizations, and which are also crucial for the continuation of their activities; organized meetings and activities in order to generate movements that would give rise to social chaos like Gezi Park that took place in June 2013 threatening the public order with acts of violence and which appeared to be organized by the civil society organizations and supported by the terrorist organizations, in line with the aims of the terrorist organizations which assume a subcontractor position for the international activities targeting the Constitutional Order and public peace of our country and that they acted with the intention to aid the terrorist organizations they are linked to; and the two foreign national suspects, due to their current position and their connections with regard to our country, cannot be said to have acted with an intention other than mentioned above and therefore it has been understood that the defendants have committed the offence of aiding the armed terrorist organizations (FETÖ/PDY, PKK/KCK and DHKP/C).

A separate investigation is ongoing about the defendants concerning Financing Terrorism and Espionage charges. With regards to the current offence, on account that evidences have been collected and they are currently in prison, a lawsuit has been filed to enable them to be prosecuted in a reasonable time. With regards to the defendant Taner Kilic, a case was brought against him in Izmir 16<sup>th</sup> Heavy Penal Court under the case file No 2017/492 for the offence mentioned above. Considering the legal and factual link between these cases, it is requested for his case file to be combined with the above mentioned case.

On account of these reasons;

It has been concluded based on the available evidence in the casefile that the defendants committed the crimes they are charged with and we allege and demand, on behalf of the public, that they shall be convicted under the



articles cited above and their detention and pre-trial detention period shall be deduced from their sentence **04/10/2017**

CAN TUNCAY 109482  
Public Prosecutor

***\*\*\*THIS DOCUMENT HAS BEEN ELECTRONICALLY SIGNED IN ACCORDANCE WITH THE ARTICLE 38/A OF THE LAW NO 5070 AND ARTICLE 95 OF THE CRIMINAL PROCEDURES LAW NO 5271.\*\*\****