



UN FINDINGS ON TURKEY'S CRACKDOWN ON THE GÜLEN MOVEMENT:

**Widespread and Systematic Rights Violations
and Crimes against Humanity Implications**



About the Stockholm Center for Freedom

The Stockholm Center for Freedom (SCF) is a non-profit advocacy organization that promotes the rule of law, democracy and human rights with a special focus on Turkey.

SCF was set up by a group of journalists who were forced to live in self-exile in Sweden against the backdrop of a massive crackdown on press freedom in Turkey.

SCF is committed to serving as a reference source by providing a broader picture of rights violations in Turkey, monitoring daily developments, documenting individual cases of the infringement of fundamental rights and publishing comprehensive reports on human rights issues.

SCF is a member of the Alliance Against Genocide, an international coalition dedicated to creating the international institutions and the political will to prevent genocide

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1. Introduction

Since a coup attempt in Turkey in July 2016, United Nations human rights mechanisms have significantly intensified their scrutiny of Ankara's use of counterterrorism measures against people with alleged links to the faith-based Gülen movement.¹

The UN Working Group on Arbitrary Detention (WGAD) adopted 25 opinions finding Turkey responsible for arbitrary detention in cases involving people accused of ties to the Gülen movement. In at least seven opinions, the WGAD warned that Turkey's systemic pattern of criminalizing lawful activities and discriminatory targeting of people on the basis of political or other opinions may amount to crimes against humanity.

This scrutiny has not been limited to the Working Group on Arbitrary Detention. It is reflected across both UN special procedures, established by the Human Rights Council, and UN treaty bodies, established under the core UN human rights conventions.

Between July 2016 and December 2025, UN special procedures issued 131 communications raising human rights concerns related to Turkey, a sharp increase from 32 communications in the five years preceding the coup attempt. A similar increase appears in individual complaints before the UN Human Rights Committee: Only two complaints against Turkey were registered between 2007 and 2016, compared with 65 since 2016.

Focusing on the UN documentation,² this report provides a thematic analysis of the UN's legal assessments and official conclusions regarding Turkey's post-2016 counterterrorism practices and their impact on fundamental rights.

¹ Turkish President Recep Tayyip Erdoğan has been targeting followers of the Gülen movement, inspired by the late Turkish Muslim cleric Fethullah Gülen who died in the US in 2024, since the corruption investigations of December 17-25, 2013, which implicated then-prime minister Erdoğan, his family members and inner circle. Dismissing the investigations as a Gülenist coup and a conspiracy against his government, Erdoğan began to target the movement's members. He designated the movement as a terrorist organization in May 2016 and intensified the crackdown on it following an abortive putsch in July 15 of the same year that he accused Gülen of masterminding.

² The UN documentation includes treaty body concluding observations and individual communications, reports and communications of the Special Procedures mandate holders (including urgent appeals and allegation letters), and opinions of the Working Group on Arbitrary Detention (WGAD).

The report begins with an overview of the Turkish government's response to the attempted coup of July 15, 2016, examining how it was used to justify extensive counterterrorism measures that resulted in systemic and discriminatory violations of fundamental rights.

Chapter 3 outlines the relevant UN human rights protection mechanisms and defines the scope and methodology of analysis.

Chapter 4 presents the report's core findings. It examines three recurring patterns in UN assessments: guilt by association and collective punishment; discriminatory targeting based on political or other imputed opinions; and widespread or systematic violations raising concerns under international law, including possible implications for crimes against humanity.

Chapter 5 brings together the report's findings and sets out recommendations on accountability, implementation of UN findings and continued international monitoring.

The report thus shows that assessments of UN human rights mechanisms point to a consistent conclusion: Turkey's post-2016 counterterrorism framework, justified by reference to the coup attempt, has enabled the targeting of a faith-based civilian group through collective punishment, social exclusion and the erosion of rule of law safeguards.

2. The 2016 Coup Attempt and its Aftermath

Turkey experienced a controversial military coup attempt³ on the night of July 15, 2016, in which 251 people were killed and more than a thousand others were injured. President Recep Tayyip Erdoğan immediately accused the Gülen movement of orchestrating the coup attempt, an allegation the movement has consistently denied. The government subsequently declared a state of emergency and launched sweeping purges across state institutions.⁴

In the aftermath of the coup attempt, the misuse of counterterrorism legislation became the primary legal instrument of the crackdown, operating alongside a sustained campaign of hate speech and demonization that portrayed the Gülen movement and people accused of links to it as enemies of the state.⁵ This combination of legal designation, executive rhetoric and public stigmatization helped normalize the treatment of ordinary or previously lawful activities as evidence of terrorism. Within this environment, Article 314 of the Turkish Penal Code, concerning membership in an armed organization, was applied on an extensive scale against people accused of Gülen links.

According to official data analyzed by independent experts, around 2.2 million people were investigated between 2016 and 2024, the overwhelming majority for alleged Gülen links,⁶ while more than 126,000 people had been convicted as of July 15, 2025.⁷

Turkish authorities treated a wide range of ordinary or previously lawful activities as indicators of membership in a terrorist organization. These included depositing money in the now-closed Bank Asya, subscribing to Gülen-affiliated publications

³ For more information about the abortive putsch see: Stockholm Center for Freedom, [July 15: Erdoğan's Coup](#), July 2017.

⁴ In the wake of the 2016 coup attempt, more than 160,000 public servants were dismissed through emergency decree-laws. These measures were adopted without effective judicial or parliamentary oversight. They led to the removal of 150 of the Turkish Armed Forces' 326 generals and admirals and affected 29,444 members of the armed forces. A total of 4,156 judges and prosecutors were dismissed, representing nearly one-third of the judiciary. More than 33,000 police officers and over 5,000 academics were expelled from public service. The repression extended systematically to the media, education and civil society sectors. One hundred sixty-four media outlets, 1,058 educational institutions and nearly 2,000 non-governmental organizations were closed by executive action, without due process or effective legal remedies.

⁵ For more information see: Stockholm Center for Freedom, [Erdogan's Vile Campaign of Hate Speech Case Study: Targeting of The Gülen Movement](#), May 2017.

⁶ Levent Mazılıgüney, [Türkiye'de Kaç Terörist Var? TCK 314 İstatistikleri Üzerinden Değerlendirme](#), Hukuki Haber, November 2025.

⁷ Stockholm Center for Freedom, [More than 126,000 convicted, over 11,000 arrested as Türkiye's post-coup crackdown enters 9th year](#), July 15, 2025.

and using ByLock, an encrypted messaging app once available on Apple's App Store and Google Play that the authorities claimed was used as a secret communication tool by Gülen supporters.

The measures extended far beyond criminal proceedings, producing wide-ranging civil, social and economic consequences, including dismissals, asset confiscations, travel bans and social exclusion. The state-led stigmatization often extended beyond the accused to their spouses and children⁸ and, in many cases, beyond Turkey's borders.⁹

These developments have been repeatedly examined by UN human rights mechanisms. Over time, UN assessments have raised consistent concerns about arbitrariness, lack of legality and foreseeability, violations of due process guarantees and discriminatory targeting based on perceived affiliation. This report examines those assessments thematically, focusing on how UN mechanisms have evaluated Turkey's post-2016 counterterrorism framework and its impact on fundamental rights.

⁸ For more information see: Stockholm Center for Freedom, [Family Punishment in Turkey: How Erdoğan Uses the Nazi Practice of Sippenhaft](#), July 2024.

⁹ For further analysis and detailed information on Turkey's transnational repression, see the following Stockholm Center for Freedom reports: [Turkey's Transnational Repression: Abduction, Rendition and Forcible Return of Erdoğan Critics](#), [Turkey's Abuse of INTERPOL: How Erdoğan Weaponized the International Criminal Police Organization for Transnational Repression](#) and [Weaponized Diplomacy: How Erdoğan Uses Turkish Missions for Transnational Repression](#).



The United Nations Office at Geneva

3. UN Human Rights Mechanisms: Scope of Review and Key Outputs and Trends

UN human rights mechanisms monitor states' compliance with international human rights obligations through various instruments and procedures. Treaty bodies, established under core UN human rights conventions, review state conduct through periodic reviews, concluding observations and where applicable, individual communications. Special procedures, including special rapporteurs and working groups established by the Human Rights Council, address thematic or country-specific concerns through reports, urgent appeals, letters of allegation and opinions.

Since July 15, 2016, these mechanisms have repeatedly addressed allegations of serious human rights violations in Turkey, with particular attention to mass dismissals, arbitrary detention, fair trial concerns, discriminatory practices and the misuse of counterterrorism measures against people accused of links to the Gülen movement.

3.1 Special Procedures

The opinions of the Working Group on Arbitrary Detention (WGAD) provide one of the clearest illustrations of the sustained UN scrutiny of Turkey's post-2016 detention practices. Since the coup attempt, the WGAD has adopted 32 opinions finding Turkey responsible for arbitrary detention. Twenty-five of these opinions¹⁰ concerned cases in which the deprivation of liberty was directly linked to alleged affiliation with the Gülen movement. In another opinion, the working group found arbitrary detention in a case involving accusations of aiding the organization without being a member of it.¹¹

The WGAD and several other UN special procedures mandate holders have also raised concerns through formal communications, including urgent appeals and letters of allegation addressed to the Turkish government.¹² Between March 2011 and July 2016, they issued 32 communications concerning Turkey, or about one every two months. Between July 2016 and December 2025, that number rose to 131, or roughly one per month, reflecting sustained post-coup scrutiny.

These communications have particularly involved the special rapporteur on the independence of judges and lawyers, the special rapporteur on the promotion and protection of human rights while countering terrorism and the WGAD. A

¹⁰ WGAD Opinion No. 33/2024, Akin Öztürk, [A/HRC/WGAD/2024/33](#) ; WGAD Opinion No. 6/2024, Meryem Tekin, [A/HRC/WGAD/2024/6](#); WGAD Opinion No. 66/2023 concerning Cihangir Çenteli, [A/HRC/WGAD/2023/66](#); WGAD Opinion No. 3/2023, Ali Ünal, [A/HRC/WGAD/2023/3](#); WGAD Opinion No. 29/2023, Muhammet Şentürk, [A/HRC/WGAD/2023/29](#); WGAD Opinion No. 8/2022, Alettin Duman, Tamer Tibik, (Malaysia and Turkey), [A/HRC/WGAD/2022/8](#); WGAD Opinion No.84/2020, Osman Karaca, (Cambodia and Turkey), [A/HRC/WGAD/2020/84](#); WGAD Opinion No. 67/2020, Ahmet Dinçer Sakaoğlu, [A/HRC/WGAD/2020/67](#); WGAD Opinion No. 66/2020, Levent Kart, [A/HRC/WGAD/2020/66](#); WGAD Opinion No.74/2020, Nermin Yaşar, [A/HRC/WGAD/2020/74](#); WGAD Opinion No. 51/2020, Arif Komiş, Ülkü Komiş and four minors, [A/HRC/WGAD/2020/51](#); WGAD Opinion No.47/2020, Kahraman Demirez, Mustafa Erdem, Hasan Hüseyin Günakan, Yusuf Karabina, Osman Karakaya and Cihan Özkan, (Türkiye and Kosovo), [A/HRC/WGAD/2020/47](#); WGAD Opinion No.30/2020, Faruk Serdar Köse, [A/HRC/WGAD/2020/30](#); WGAD Opinion No.29/2020, Akif Oruc, [A/HRC/WGAD/2020/29](#); WGAD Opinion No.2/2020, Abdulmuttalip Kurt, [A/HRC/WGAD/2020/2](#); WGAD Opinion No.79/2019, Ercan Demir, [A/HRC/WGAD/2019/79](#); WGAD Opinion No.53/2019, Melike Göksan, Mehmet Fatih Göksan, [A/HRC/WGAD/2019/53](#); WGAD Opinion No.10/2019, Mustafa Ceyhan, (Azerbaijan and Turkey), [A/HRC/WGAD/2019/10](#); WGAD Opinion No.78/2018, Hamza Yaman, [A/HRC/WGAD/2018/78](#); WGAD Opinion No.44/2018, Muharrem Gençtürk, [A/HRC/WGAD/2018/44](#); WGAD Opinion No.43/2018, Ahmet Caliskan, [A/HRC/WGAD/2018/43](#); WGAD Opinion No.42/2018, Mestan Yayman, [A/HRC/WGAD/2018/42](#); WGAD Opinion No.11/2018, Mesut Kaçmaz, Meral Kaçmaz and two minors, (Pakistan and Türkiye), [A/HRC/WGAD/2018/11](#); WGAD Opinion No.38/2017, Kursat Çevik, [A/HRC/WGAD/2017/38](#); and WGAD Opinion No.1/2017, Rebii Metin Görgeç, [A/HRC/WGAD/2017/1](#).

¹¹ WGAD Opinion No.41/2017, 10 individuals associated with the newspaper *Cumhuriyet*, [A/HRC/WGAD/2017/41](#).

¹² AL [TUR 9/2025](#); AL [TUR 7/2024](#); AL [TUR 5/2024](#); UA [TUR 13/2021](#); AL [TUR 8/2021](#); AL [TUR 20/2020](#); AL [TUR 18/2020](#); AL [TUR 5/2020](#); AL [TUR 10/2019](#); UA [TUR 6/2019](#); AL [TUR 2/2019](#); AL [TUR 6/2018](#); UA [TUR 7/2018](#); AL [TUR 5/2018](#); UA [TUR 1/2018](#); UA [TUR 7/2017](#); UA [TUR 6/2017](#); OL [TUR 5/2017](#); AL [TUR 4/2017](#); UA [TUR 8/2016](#) and UA [TUR 6/2016](#).

central concern, also reflected in a 20-page joint allegation letter¹³ sent on October 7, 2024, has been the misuse of the counterterrorism law against people with alleged links to the Gülen movement.

The communications addressed a range of issues including mass arrests and detention, fair trial and due process violations, transnational renditions, expanded terrorism-related wanted lists, misuse of surveillance powers and concerns about judicial independence. These issues are examined thematically in Chapter 4.

3.2 UN Treaty Bodies

Following the coup attempt, UN treaty bodies have documented, in their concluding observations, the violations committed by the Turkish government against individuals alleged to be affiliated with the Gülen movement.

The Human Rights Committee raised concerns about credible reports of violence, including sexual violence; lack of access to medical care in detention; extraterritorial abductions and forcible returns; travel bans and mass passport cancellations and large-scale dismissals from public service without due process guarantees.¹⁴

The Committee on the Elimination of Discrimination against Women raised concern about reports of Turkish citizens, including women, being placed on Interpol Red Notice lists and having their passports canceled while traveling abroad, for the purpose of securing their deportation to Turkey. It recommended that Turkish citizens receive prior notice of any passport cancellation or revocation and be able to challenge such decisions in court.

The Committee against Torture expressed concern about allegations of the systematic practice of state-sponsored extraterritorial abductions and forcible

¹³ The special rapporteurs have emphasized: "There appears to be an observable trend in Türkiye where individuals and groups who have been linked to the Gülen movement experience significant risks to their safety, arbitrary detention, and invasions of their privacy." More importantly, they have observed that the designation of the Gülen movement as a terrorist organization has no base by stating that: "... the designation of the Gülen movement as a terrorist organization does not appear to meet the requirements of due process or satisfy the criteria outlined in the model definition of terrorism advanced by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism." (AL TUR 5/2024).

¹⁴ Human Rights Committee, Concluding observations on the second periodic report of Türkiye, October 23-24, 2024, [CCPR/C/TUR/CO/2](#), §§19–20, 25–26, 35–36, 41–42, 45–46.

returns, with risks of enforced disappearance and torture, and called for prompt, impartial investigations and accountability.¹⁵

The Committee on the Rights of the Child focused on discrimination against children whose parents were accused of links to terrorist organizations, as well as the impact on children who had been deprived of liberty on terrorism-related charges following the coup attempt. It raised concerns about stigmatization and discrimination, restricted access to basic services, including education and health care, as well as risks to children's physical, mental and social development.¹⁶

These treaty body findings reflect recurring concerns about collective targeting, lack of individualized assessment and serious fair trial and due process violations. They called on the Turkish government to restore legality, ensure access to effective remedies and end practices amounting to collective punishment.

¹⁵ Committee against Torture, Concluding observations on the fifth periodic report of Türkiye, July 17-18, 2024, [CAT/C/TUR/CO/5](#), §§26–27.

¹⁶ Committee on the Rights of the Child, Concluding observations on the combined fourth and fifth periodic reports of Türkiye, May 17-18, 2023, [CRC/C/TUR/CO/4-5](#), §§18–19, 23(b), 33.

4. Thematic Analysis of UN Findings and Rights Violations

This chapter maps the recurring legal and human rights concerns identified by UN mechanisms in relation to Turkey's post-coup attempt measures against individuals perceived as affiliated with the Gülen movement. It is structured around thematic clusters to capture overlapping points across procedures, reporting periods and different types of UN findings and communications.

The analysis focuses on guilt by association and collective punishment, rights violations linked to the counterterrorism framework, discriminatory targeting and patterns of widespread and systematic violations raising concerns under international law, including potential implications for crimes against humanity.

4.1 Guilt by Association and Collective Punishment



720,338 people had been investigated on terrorism--related charges over alleged links to the Gülen movement since the July 2016 coup attempt¹⁷

4.1.1 Overbroad and vague counterterrorism laws

UN human rights mechanisms have repeatedly raised concerns that Turkey's counterterrorism framework is overly broad and vague, creating risks of arbitrary

¹⁷ [Turkey has investigated more than 720,000, convicted 127,000 over alleged Gülen links since 2016 coup attempt - Stockholm Center for Freedom](#)

and discriminatory application. After the July 15, 2016, coup attempt, those concerns became more salient as counterterrorism provisions, particularly Article 314 of the Turkish Penal Code, were invoked extensively against people accused of links to the Gülen movement. Official data analyzed by independent experts illustrate the scale of this expansion. While 199,836 people were investigated under Article 314 between 2009 and 2015, that number rose to 3,093,084 between 2016 and 2024.¹⁸ This means that nearly 4 percent of Turkey's population has faced terrorism-related investigations, with available data suggesting that the overwhelming majority of these proceedings targeted individuals alleged to be linked to the Gülen movement.

As a result of these investigations, Ministry of Justice figures indicate that as of July 15, 2025, more than 126,000 people had been convicted since 2016, with 11,085 still in prison at that time. Proceedings were also ongoing against more than 24,000 people, while a further 58,000 remained under active investigation nearly a decade after the coup attempt.¹⁹

Several UN special procedures mandate holders in both OL TUR 13/2020 and a subsequent communication dated November 10, 2021 warned that Turkey's counterterrorism framework contains overly broad and vague provisions that risk criminalizing lawful conduct and peaceful association. The communications highlighted concerns over arbitrary detention and restrictions on freedom of expression, assembly and association, as well as serious fair trial shortcomings, including limited access to legal counsel and the use of "membership" allegations without evidence of specific criminal conduct.

The November 2021 communication additionally said repeated use of terrorism membership allegations in post-coup attempt proceedings may violate multiple provisions of the International Covenant on Civil and Political Rights (ICCPR) including protections against arbitrary detention and guarantees relating to fair trial and fundamental freedoms.²⁰ They also recalled that emergency derogations

¹⁸Stockholm Center for Freedom, [Over 3 million investigated, half a million convicted of terrorism in Turkey's post-coup crackdown](#), November 27, 2025.

¹⁹ Stockholm Center for Freedom, [More than 126,000 convicted, over 11,000 arrested as Türkiye's post-coup crackdown enters 9th year](#), July 15, 2025.

²⁰ They indicated that the allegations, *prima facie*, engage Turkey's obligations under International Covenant on Civil and Political Rights (ICCPR) Articles 7, 9, 14, 19, 21 and 22, and recalled that any derogation under Article 4 of the ICCPR is strictly limited to measures strictly required by the exigencies of the situation, proportionate and non-discriminatory, and subject to proper notification and updating.

under the covenant must remain strictly necessary, proportionate and non-discriminatory.²¹

The UN treaty bodies have also expressed ongoing concerns that Turkey's counterterrorism laws are incompatible with international human rights standards. In its concluding observations of 2012, the Human Rights Committee stated that several provisions of the 1991 Counterterrorism Law No. 3713 were incompatible with the ICCPR. It raised particular concern regarding the vague definitions of terrorism, extensive restrictions on due process rights and the high number of cases in which human rights defenders, lawyers, journalists and even children were charged under the counterterrorism laws for expressing their views.²² The Human Rights Committee reiterated these concerns in its 2024 concluding observations on Turkey's counterterrorism framework, including the 1991 Counterterrorism Law No. 3713, whose articles 1 and 2 set broad definitions of "terrorism" and "terrorist offender."²³

Other treaty bodies also raised concerns about the counterterrorism legislation within their mandates. The Committee against Torture (CAT) was concerned that counterterrorism legislation, including the 1991 Counterterrorism Law No. 3713, were often used to limit fundamental legal safeguards, such as access to a lawyer and the right to review the legality of detention in violation of international standards.²⁴ The Committee on the Elimination of Discrimination against Women (CEDAW) expressed concern that articles 314 of the Turkish Penal Code and Article 7 of the Counterterrorism Law, which relate to leaders and members of armed organizations, were used to convict women human rights defenders and sentence them to lengthy prison terms.²⁵

During the last two cycles of the Universal Periodic Review (UPR) process, conducted in 2020 and 2025, several states²⁶ recommended that Turkey amend its

²¹ UA [TUR 13/2021](#); See, also, another allegation letter of 14 October 2020 regarding the arrest and detention of 48 lawyers, 7 trainee lawyers, 4 dismissed judges and a law graduate for being "members of a terrorist organization", AL [TUR 18/2020](#).

²² Human Rights Committee, Concluding observations on the initial report of Turkey adopted by the Committee at its 106th session (15 October – 2 November 2012), [CCPR/C/TUR/CO/1](#), § 16.

²³ Human Rights Committee, Concluding Observations on the Second Periodic Report of Türkiye, UN Doc, 2024, [CCPR/C/TUR/CO/2](#), § 17.

²⁴ Committee against Torture, Concluding Observations on the Fifth Periodic Report of Türkiye, UN Doc, 2024, [CAT/C/TUR/CO/5](#), § 2.

²⁵ Committee on the Elimination of Discrimination against Women, Concluding Observations on the Eighth Periodic Report of Türkiye, UN Doc, 2022, [CEDAW/C/TUR/CO/8](#), § 39.

²⁶ Australia, Austria, Belgium, Botswana, Costa Rica, Cyprus, Denmark, France, Germany, Maldives, Sweden, Switzerland, Uruguay and USA.

counterterrorism laws, especially by addressing overly broad or vague provisions and ensuring greater legal precision.²⁷ Turkey “noted” a number of these recommendations. However, Ankara supported recommendations by Canada, Colombia, Ireland, Mexico and Spain calling on Turkey to prevent its counterterrorism laws from being used to arbitrarily detain citizens, including journalists, activists and politicians.

4.1.2 Criminalization based on alleged affiliation and contested terrorist designation

Individuals accused of links to the Gülen movement have been prosecuted and punished on the basis of alleged affiliation with an entity whose designation as a terrorist organization has itself raised serious due process concerns. The government’s approach to the movement changed sharply after the December 17–25, 2013, corruption investigations, which implicated then-prime minister Recep Tayyip Erdoğan, members of his family and his inner circle. Although the movement continued to be known in Turkey and abroad for its educational, civic and interfaith dialogue activities, Erdoğan dismissed the investigations as a Gülenist coup and conspiracy against his government, began portraying the movement as an internal threat and launched a sustained campaign of stigmatization and demonization.

After the Erdoğan government began targeting the Gülen movement following the 2013 corruption investigations, the movement was discussed at the National Security Council under targeted labels such as “parallel structure,” a term designed to smear the movement as a hidden network within state institutions. Although the council is an advisory body with no authority to designate an entity as a terrorist organization, the movement was referred to as such for the first time in the council’s May 2016 meeting. That framing preceded any judicial determination based on a terrorism investigation or trial.

After the attempted coup of July 2016, this pre-existing framing was dramatically amplified. The government accused the movement of organizing and executing the coup attempt, an allegation the movement has consistently denied. A

²⁷ Report of the Working Group on the Universal Periodic Review, Türkiye, 28 April to 9 May 2025, [A/HRC/60/15 \(UPR 2025\)](#); Report of the Working Group on the Universal Periodic Review, Türkiye, 20 to 31 January 2020, [A/HRC/44/14 \(UPR 2020\)](#).

terrorism designation that had already been made before the coup attempt was then used alongside emergency powers, official rhetoric and pro-government media campaigns to translate the government's political framing into legal outcomes through a judiciary subject to intensified executive influence.

Notably, despite the gravity of the allegations, the "terrorist organization" label was consolidated without the procedural guarantees ordinarily required for such an extreme determination. There was no dedicated terrorism investigation or trial in which the movement itself, or its alleged leadership, could meaningfully challenge evidence, contest classification or benefit from adversarial proceedings. Instead, the designation was normalized through fragmented proceedings against individuals and politically charged judicial narratives.

This lack of procedural safeguards is particularly significant in light of earlier judicial history. In 2008, Fethullah Gülen, the Muslim cleric who inspired the movement and died in the US in 2024, was definitively acquitted of similar accusations. Yet, under the transformed political climate after 2013, authorities reintroduced the terrorist framing without a comparable evidentiary and procedural basis. In 2017, the 16th Criminal Circuit of the Supreme Court of Appeals later designated the movement as a terrorist organization in proceedings that did not arise from a dedicated prosecution of the movement itself but from a case involving two judges accused in connection with decisions perceived as unfavorable to the government. In effect, a question of exceptional legal gravity — whether an entire civic/religious network constituted a terrorist organization — was resolved indirectly, outside the safeguards that due process would require for a designation of this kind.

In other words, the designation, despite its exceptional legal gravity, happened in a context without resting on a final judicial determination attributing a concrete violent act to the movement and without safeguards that due process would require for a designation of this kind. Instead, it emerged as a judicially endorsed political conclusion rather than the outcome of a process that met basic standards of legality, evidentiary rigor and procedural fairness.

Subsequently, Turkish courts and prosecutors treated the terrorist label as an automatic premise in individual cases. Defendants were effectively prevented from challenging the designation, as such arguments were sometimes

characterized as “organizational defense” (meaning the defense used by the members of the “terrorist” organization) rather than legitimate submissions. Trial judges reportedly tested defendants by asking whether they regarded Fethullah Gülen as a terrorist, and those who responded in the negative faced convictions or harsher sentences despite the absence of substantiating evidence.

Defense counsel, in turn, has faced pressure to avoid being branded as “lawyers of the terrorist organization,” leading to self-censorship and a reluctance to challenge the terrorist designation for fear of personal criminalization or professional retaliation. This climate has also had a chilling effect on civic space. To date, there appears to be no independent civil society organization in Turkey able to conduct sustained public advocacy on behalf of individuals prosecuted in these cases and to monitor the fairness of their trials, as the authorities tend to interpret even minimal coordination or humanitarian solidarity among affected individuals as evidence of “restructuring” or “re-establishing” the organization.

Against this background, UN special procedures mandate holders raised serious concerns about the designation process. In their AL TUR 5/2024 joint allegation letter, they stated that “the designation of the Gülen movement as a terrorist organization does not appear to meet the requirements of due process or satisfy the criteria outlined in the model definition of terrorism advanced by the special rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.”²⁸ They reiterated this concern in a subsequent allegation letter, AL TUR 9/2025, issued on October 8, 2025.²⁹

The practice of penalizing individuals solely or predominantly on the basis of alleged affiliation with a movement that was politically rebranded as terrorist and was later entrenched through contested legal processes raises serious questions under international human rights law. These include concerns about legality, fair trial guarantees and protection against arbitrary detention and punishment.

²⁸ AL [TUR 5/2024](#).

²⁹ AL [TUR 9/2025](#).

4.1.3 Criminalization of lawful activities through the misuse of counterterrorism laws

Vague and overly broad definitions of terrorism and terrorist organization offenses, particularly Article 314 of the Turkish Penal Code, together with their expansive interpretation and application, have facilitated not only arbitrary arrests but also the prosecution and conviction of alleged or actual members of the Gülen movement. According to the UN special procedures mandate holders, offenses that permit arrest in the absence of violent intent, incitement or organizational support for a proscribed organization may violate the principle of legality under Article 15 of the ICCPR. This lack of legal certainty appears to have enabled arbitrary and discriminatory enforcement, exposing individuals to investigation, prosecution and conviction on the basis of tenuous or indirect associations rather than demonstrable personal culpability and individualized criminal responsibility.³⁰

The concerns expressed by UN special procedures mandate holders regarding the misuse of Turkey's counterterrorism legislation in cases related to the Gülen movement have not been limited to allegations based on acts or associations predating July 15, 2016. They have also extended to more recent investigations and prosecutions, reportedly conducted under the pretext of “restructuring” the “terrorist organization.”

In this context, UN special procedures stated in a joint allegation letter: “We are concerned that in both the 2024 and 2025 operations, individuals were reportedly detained based on formulaic justifications without individualized risk assessments. Furthermore, individuals were reportedly arrested for conduct that does not genuinely constitute terrorist or criminal activities. This includes family relationships or the lawful activities of relatives, such as trade union membership, financial transactions, or professional affiliations, amounting to ‘guilt by association’, which is inconsistent with the general principle of individual responsibility.”³¹

UN special procedures reported that arrests in 2024 and 2025 included minors and university students on the basis of conduct such as international travel, cohabitation, peer-to-peer financial transfers, attendance at certain educational

³⁰ AL [TUR 9/2025](#).

³¹ AL [TUR 9/2025](#).

institutions and the use of encrypted messaging applications. They observed that such arrests seemed arbitrary, as they did not appear necessary or proportionate to any legitimate security or law enforcement objective. They further noted that these detentions would be incompatible with Turkey's obligations under Article 9 of the ICCPR, which requires that any deprivation of liberty be lawful, necessary, reasonable and grounded in an objective and individualized assessment of risk. Moreover, UN special procedures recalled that Article 37 of the Convention on the Rights of the Child (CRC) explicitly prohibits the unlawful or arbitrary deprivation of liberty of children and requires that detention be used only as a measure of last resort and for the shortest appropriate period of time. In this light, they indicated that the alleged treatment of these minors appeared to contravene these foundational principles.³²

UN special procedures also observed that the judicial proceedings stemming from these operations raised serious human rights concerns. In particular, they noted that the convictions delivered in September 2025 further demonstrated the misuse of counterterrorism legislation to criminalize peaceful conduct. They emphasized that the conviction of university and secondary school students for routine educational and social activities, in the absence of evidence of violent intent or operational support for terrorism, appears incompatible with Turkey's obligations under Article 15 of the ICCPR, concerning the principle of legality, and under Article 14 of the ICCPR and Article 6 of the European Convention on Human Rights (ECHR) concerning the right to a fair trial.³³

Following the 2016 coup attempt, the number of individual complaints filed with international human rights mechanisms increased sharply. While only two complaints were registered against Turkey by the UN Human Rights Committee between 2007 and 2016, the committee registered 36 complaints between 2017 and 2023, followed by 14 in 2024 and 15 in 2025.

These communications predominantly concern post-coup human rights violations in cases involving alleged links to the Gülen movement, including unfair trial and conviction, arbitrary detention, including incommunicado detention, enforced disappearances and punitive administrative measures such as dismissals from public service.

³² AL [TUR 9/2025](#).

³³ AL [TUR 9/2025](#).

The Human Rights Committee has issued three decisions finding violations since 2016.³⁴ These decisions concern serious violations involving Gülen movement supporters or people accused of links to the movement, including transnational repression and abductions abroad, death in prison and ill-treatment, unfair trial and retroactive application of criminal law and arbitrary detention.

In *Özçelik and Karaman v. Turkey*, the committee concluded that the detention of Turkish nationals with alleged connections to the Gülen movement violated the right to liberty and security under Article 9 of the ICCPR. The committee found that their detention did not meet the criteria of reasonableness and necessity under international human rights law. Similarly, in *Alakuş v. Turkey*, the committee found that mere sympathy for the Gülen movement, without any personal and material evidence of criminal activity, does not constitute a crime justifying detention and called for the release of the detained individuals.

The Human Rights Committee has continued to find violations of the right to liberty and security in recent cases concerning Turkey. In *Tevfik Soylu v. Türkiye*,³⁵ the author was charged on the basis of allegations that he had: (a) downloaded and used ByLock, an encrypted messaging application; (b) maintained a deposit account at Bank Asya, which was later closed by government decree following the attempted coup d'état; and (c) worked for a company allegedly funded by Bank Asya. Similarly, in *Ahmet Akdoğan v. Türkiye*,³⁶ the author was convicted of membership in a terrorist organization on the basis of his alleged use of the Lib.Tango application, his deposits at Bank Asya and his participation in public gatherings and other lawful public activities. He had been held in pretrial detention for approximately two years before his conviction. In both cases, the committee found that the authors' arrest and pre-trial detention were arbitrary and that their rights under Article 9 of the covenant had been violated on multiple grounds.

The WGAD understands "arbitrary" detention as encompassing not only the requirement that any deprivation of liberty be carried out in accordance with

³⁴ Human Rights Committee, *Özçelik et al. v. Turkey*, Communication No. 2980/2017, Views adopted on 26 March 2019, [CCPR/C/125/D/2980/2017](#); *Alakuş v. Turkey*, Communication No. 3736/2020, [CCPR/C/135/D/3736/2020](#); *Açıkkollu v. Turkey*, Communication No. 3730/2020, [CCPR/C/136/D/3730/2020](#).

³⁵ Human Rights Committee, *Soylu v. Türkiye*, Communication No. 4067/2021, Views adopted on 12 March 2026, [CCPR/C/145/D/4067/2021](#).

³⁶ Human Rights Committee, *Soylu v. Türkiye*, Communication No. 3697/2020, Views adopted 2 July 2025, UN Doc [CCPR/C/145/D/3697/2020](#).

applicable law and procedure, but also that it be proportionate, reasonable and necessary. In this sense, “arbitrariness” is not limited to what is merely unlawful under domestic law but must be interpreted more broadly to include elements of inappropriateness, injustice, lack of predictability and a lack of due process.

To carry out its mandate, the working group has adopted specific criteria for determining when a deprivation of liberty is arbitrary. Under those criteria, a deprivation of liberty is arbitrary when a case falls within one of five categories. Category II, which is particularly relevant here, covers situations in which deprivation of liberty results from the exercise of rights or freedoms guaranteed by Articles 7, 13, 14 and 18-21 of the Universal Declaration of Human Rights (UDHR) and, for States parties, by Articles 12, 18, 19, 21, 22 and 25-27 of the ICCPR.³⁷

In 16 of the 26 relevant WGAD opinions, the working group examined Category II complaints, concerning deprivation of liberty resulting from the exercise of protected rights or freedoms.³⁸ The opinions show that individuals were accused of membership in the Gülen movement based on a wide range of ordinary, peaceful or previously lawful activities, including the following:

Conduct treated as evidence of alleged Gülen movement membership	WGAD opinions
Alleged use of the ByLock messaging application	Nos. 6/2024, 29/2023, 8/2022, 66/2020, 74/2020, 51/2020, 47/2020, 30/2020, 29/2020, 79/2019, 53/2019, 44/2018, 42/2018

³⁷ UN Working Group on Arbitrary Detention, Methods of Work, UN Doc, 13 July 2017, [A/HRC/36/38](#), para. 8(b).

³⁸ WGAD Opinion No. 6/2024, Meryem Tekin, [A/HRC/WGAD/2024/6](#); WGAD Opinion No. 3/2023, Ali Ünal, [A/HRC/WGAD/2023/3](#); WGAD Opinion No. 29/2023, Muhammet Şentürk, [A/HRC/WGAD/2023/29](#); WGAD Opinion No. 8/2022, Alettin Duman, Tamer Tibik, (Malaysia and Turkey), [A/HRC/WGAD/2022/8](#); WGAD Opinion No. 66/2020, Levent Kart, [A/HRC/WGAD/2020/66](#); WGAD Opinion No.74/2020, Nermin Yaşar, [A/HRC/WGAD/2020/74](#); WGAD Opinion No. 51/2020, Arif Komiş, Ülkü Komiş and four minors, [A/HRC/WGAD/2020/51](#); WGAD Opinion No.47/2020, Kahraman Demirez, Mustafa Erdem, Hasan Hüseyin Günakan, Yusuf Karabina, Osman Karakaya and Cihan Özkan, (Türkiye and Kosovo), [A/HRC/WGAD/2020/47](#); WGAD Opinion No.30/2020, Faruk Serdar Köse, [A/HRC/WGAD/2020/30](#); WGAD Opinion No.29/2020, Akif Oruc, [A/HRC/WGAD/2020/29](#); WGAD Opinion No.2/2020, Abdulmuttalip Kurt, [A/HRC/WGAD/2020/2](#); WGAD Opinion No.79/2019, Ercan Demir, [A/HRC/WGAD/2019/79](#); WGAD Opinion No.53/2019, Melike Göksan, Mehmet Fatih Göksan, [A/HRC/WGAD/2019/53](#); WGAD Opinion No.44/2018, Muharrem Gençtürk, [A/HRC/WGAD/2018/44](#); WGAD Opinion No.43/2018, Ahmet Caliskan, [A/HRC/WGAD/2018/43](#); WGAD Opinion No.42/2018, Mestan Yayman, [A/HRC/WGAD/2018/42](#).

Having an account or making deposits at Bank Asya	Nos. 6/2024, 29/2023, 8/2022, 51/2020, 47/2020, 2/2020, 79/2019, 43/2018
Working at Gülen-affiliated schools	Nos. 6/2024, 8/2022, 47/2020, 2/2020, 79/2019, 43/2018
Subscribing to or promoting Gülen movement-affiliated media and publications	Nos. 6/2024, 8/2022, 2/2020, 79/2019, 3/2023
Sharing, retweeting or otherwise disseminating Gülen movement-related social media content	Nos. 6/2024, 2/2020
Engaging in journalistic activity, including writing columns, appearing on TV programs, giving interviews or publishing books	Nos. 3/2023, 41/2017
Participating in peaceful demonstrations or protests	Nos. 29/2023, 2/2020
Membership in associations, nongovernmental organizations or trade unions, or participation in their activities	Nos. 29/2023, 74/2020, 2/2020, 79/2019
Donating to movement-affiliated charities or students or organizing fundraising	No. 2/2020
Sending children to schools associated with the movement	No. 2/2020
Living in or managing student dormitories allegedly affiliated with the movement	Nos. 51/2020, 2/2020
Attending meetings or gatherings later portrayed as suspicious despite being peaceful at the time	Nos. 79/2019, 42/2018
Traveling abroad for study and subsequent lawful employment	No. 43/2018
Possessing documents treated as incriminating without specified illegal content	No. 43/2018
Giving a religious talk or taking part in movement-affiliated student organizations	No. 29/2023
Encouraging votes for a certain party or candidate or vacationing at a movement-affiliated hotel	No. 8/2022

In its Category II findings, the working group typically concluded that the deprivation of liberty was arbitrary because it stemmed from the peaceful exercise of fundamental rights, most commonly the freedoms of expression, association and peaceful assembly, rather than from any demonstrable violent or terrorism-related conduct.

The Turkish government argued in these cases that the individuals were linked to or were members of a terrorist organization and pointed to the types of conduct listed in Table 1 as evidence of “reasonable suspicion.” The working group repeatedly found, however, that the government did not substantiate these allegations at an individualized level. It relied on general narratives without explaining how the person’s alleged conduct amounted to a criminal act or providing concrete evidence linking it to terrorism-related acts or violence. Nor did the government demonstrate that any restriction on the relevant rights meet the requirements of legality, necessity and proportionality.

The ByLock evidence warrants closer scrutiny because, beyond the individual cases examined by the WGAD, it has been widely used in Turkey’s post-2016 judicial practice as an assumption of guilt. When treated as inherently incriminating, it can enable near-automatic arrest, detention and conviction. In cases where ByLock was central, the WGAD’s core concern was that government submissions often remained at the level of general assertions about how ByLock was allegedly used by the organization, without an individualized demonstration of how a person’s alleged use of a regular messaging app amounted to a criminal act or established membership in a terrorist organization.

The WGAD further emphasizes that even assuming the individual’s use of ByLock, which was often denied, such use falls *prima facie* within the scope of freedom of opinion and expression protected under Article 19 of the ICCPR. It therefore questioned whether any restriction met the required tests, particularly where the state failed to provide credible, individualized evidence linking the person to specific violent conduct or terrorism-related acts, or to explain how mere possession or use of the application satisfied standards of reasonableness and necessity. Importantly, the WGAD situates this assessment within a broader pattern observed across multiple Turkey cases: allegations were built around ordinary, lawful activities and then retrofitted into criminal liability without concrete specification.

External expert assessments cited by the WGAD, including observations from the 2016 visit of the special rapporteur on freedom of expression, also noted arrests based solely on alleged ByLock use and ambiguous evidence. The Human Rights Committee has similarly indicated that the mere use of ByLock is not, in itself, a sufficient basis for arrest or detention.³⁹ Taken together, these findings reinforce the conclusion that ByLock, absent a specific and individualized showing of criminal conduct, cannot lawfully carry the evidentiary weight that domestic practice has often assigned to it.

4.1.4 Right to a fair trial in proceedings based on protected conduct

In several opinions where the WGAD also examined the Category III complaints, concerning serious violations of fair trial guarantees,⁴⁰ it explicitly anchored its Category III reasoning in its prior Category II conclusion. Once the working group finds that the deprivation of liberty stemmed from the peaceful exercise of protected rights, it stressed that no criminal trial should have taken place at all. Yet proceedings nonetheless went ahead and in a number of cases resulted in convictions and prison sentences on the basis of the same factual matrix that the WGAD had already characterized as rights-protected conduct.⁴¹ Against that backdrop, the working group recorded additional violations of fair trial guarantees under Category III, such as delays, evidentiary shortcomings and failures of procedural safeguards.

In this sense, the decision to prosecute conduct that fell within the scope of protected rights itself contributed to the Category III finding, along with the additional procedural defects identified by the working group.

The WGAD expressly identified this pattern in more recent Turkey-related opinions, stating that it “has found a pattern” over the previous years. It noted that individuals in Turkey and, in some cases, abroad were arrested on the basis of alleged links to the Gülen movement, while the government imputed “criminal activity” primarily from engagement in ordinary, lawful activities such as using a

³⁹ Human Rights Committee, *Özçelik et al. v. Türkiye*, Communication No. 2980/2017, UN Doc, [CCPR/C/125/D/2980/2017](#).

⁴⁰ UN Working Group on Arbitrary Detention, Revised Methods of Work, UN Doc, 2017, [A/HRC/36/38](#), para. 8(c).

⁴¹ Opinions No. 44/2018, 43/2018, 53/2019, 47/2020, 30/2020, 29/2020, 51/2020, 66/2020, 74/2020, 3/2023, 29/2023, 6/2024.

messaging application, maintaining a bank account, working for a school, participating in peaceful gatherings or having newspaper subscriptions.

The WGAD underscored that these allegations were advanced without a concrete, individualized explanation of how such acts amounted to criminal conduct and without evidence that the person's conduct could be equated with violence or terrorism-related activity.⁴²

In several recent opinions, the WGAD also referred cases to other UN special procedures mandate holders. It referred some cases to the special rapporteur on the promotion and protection of the right to freedom of opinion and expression⁴³ and others to both that mandate holder and the special rapporteur on the rights to freedom of peaceful assembly and of association.⁴⁴

Across the Category II opinions, the WGAD most consistently characterized the underlying conduct as the legitimate exercise of freedom of opinion and expression under Article 19 of the UDHR and Article 19 of the ICCPR, often together with freedom of peaceful assembly and association under Article 20(1) of the UDHR and Articles 21 and 22(1) of the ICCPR.

In several opinions, the WGAD also anchored its Category II findings in political participation and the right to take part in public affairs,⁴⁵ where detention followed from peaceful civic engagement and public debate. It occasionally added freedom of religion,⁴⁶ where a person's faith-related conduct or identity was treated as suspect without a lawful basis.

Finally, in some communications, the WGAD linked arbitrariness to equality and non-discrimination guarantees under Article 26 of the ICCPR, along with freedom of expression, particularly where ordinary life choices such as education, employment or possession of documents and publications were criminalized without individualized proof of illegality. This discrimination dimension is examined in greater detail below.

⁴² Opinions No. 3/2023; 29/2023; 6/2024.

⁴³ Opinion No. 8/2022; Opinion No. 66/2020; Opinion No. 51/2020.

⁴⁴ Opinion No. 6/2024; Opinion No. 3/2023; Opinion No. 29/2023; Opinion No. 74/2020.

⁴⁵ Article 21(1) of the UDHR and article 25(a) of the ICCPR.

⁴⁶ Article 18 of the ICCPR, and in some pleadings also Article 18 of the UDHR.

4.1.5 Punitive measures beyond criminal proceedings

In addition to arrests and prosecutions, UN bodies have documented severe punitive measures beyond criminal proceedings, including mass dismissals from public service, often implemented without due process. The Human Rights Committee raised serious concerns about the dismissal of thousands of judges and prosecutors as well as tens of thousands of other state officials, including military personnel, police officers, teachers and academics, without due process guarantees. It noted that these dismissals undermine both the independence of the judiciary and the right to work.⁴⁷ UN special procedures stated in their joint communication of February 20, 2018, that they remained unconvinced that the state of emergency measures had been implemented with full transparency and within the limits permitted by international human rights law.⁴⁸

UN bodies have also highlighted movement restrictions as another punitive tool, notably through passport cancellations and arbitrary travel bans. The Human Rights Committee raised concerns about mass passport cancellations and arbitrary travel bans imposed on individuals, including public servants, journalists and human rights defenders, due to alleged links to the Gülen movement. It noted that these measures prevent individuals from leaving or returning to Turkey.⁴⁹

Taken together, these measures reflect a pattern in which alleged affiliation was used not only as a basis for criminal proceedings but also as a trigger for broader civil, professional, social and family consequences. This cumulative effect is central to the concern that Turkey's post-2016 counterterrorism framework operated as a system of collective punishment.

4.2 Severe Rights Violations Linked to the Counterterrorism Framework

Beyond the criminalization of alleged affiliation and ordinary activities, UN mechanisms have also documented severe rights violations linked to Turkey's post-2016 counterterrorism framework. These concerns include torture and

⁴⁷ Human Rights Committee, Concluding Observations on the Second Periodic Report of Türkiye, UN Doc, 2024, [CCPR/C/TUR/CO/2](#), §§ 41–42, 45–46.

⁴⁸ OL [TUR 2/2018](#).

⁴⁹ Human Rights Committee, Concluding Observations on the Second Periodic Report of Türkiye, UN Doc, 2024, [CCPR/C/TUR/CO/2](#), §§ 35–36.

ill-treatment in custody, denial of medical care, extraterritorial abductions and forcible returns, and terrorism-related wanted lists that expose targeted individuals to further risks in Turkey and abroad.

4.2.1 Torture, Ill-Treatment and Detention Conditions

UN sources indicate that beyond arbitrary arrest and detention, individuals suspected of terrorism-related offenses have allegedly been subjected to torture and other forms of ill-treatment in police custody in order to coerce statements and to pressure detainees to resort to “effective remorse” provisions under Article 221 of the Turkish Penal Code, which reduces sentences for those who confess and cooperate with the authorities. UN special procedures mandate holders and UN treaty bodies have repeatedly addressed these patterns, warning about custody conditions, barriers to prompt and confidential access to lawyers, coercive interrogation practices and the apparent lack of effective, independent, and impartial investigations into such allegations, along with the broader misuse of counterterrorism frameworks that can enable such abuses.



Detainees bearing visible signs of injury are shown in custody following the coup attempt

In the immediate aftermath of the July 15, 2016, coup attempt, UN special procedures sent an urgent communication on August 19, 2016, expressing serious concern about reports of arbitrary and incommunicado detention, torture and

other ill-treatment and the denial of fundamental safeguards and rights of detainees in the post-coup context.⁵⁰ The special rapporteur on torture and other cruel, inhuman or degrading treatment or punishment sent an allegation letter to the Turkish government on February 23, 2018, regarding reports of torture and ill-treatment in police custody as well as the alleged lack of effective investigations into such claims. The special rapporteur noted that a significant number of individuals accused of terrorism or alleged links to the July 2016 coup attempt had reportedly suffered torture and other forms of cruel, inhuman or degrading treatment or punishment while in police custody.⁵¹

In a joint urgent appeal, UN special procedures mandate holders raised concerns about allegations of torture and ill-treatment of former Turkish diplomats and Foreign Ministry staff at Ankara Police Headquarters.⁵² The mandate holders reported allegations of systematic torture to coerce confessions and collaboration under the “effective remorse” law or to force detainees to sign previously prepared statements. They also raised concerns about medical examinations conducted in the presence of police officers and judges’ alleged failure to address torture allegations raised during hearings.

In 2020, UN special procedures mandate holders addressed similar allegations concerning Ankara Police Headquarters, this time involving the reported torture and ill-treatment of 56 mostly female university students accused of membership in a terrorist organization due to alleged links to the Gülen movement. They raised concern that the students were allegedly subjected to physical and psychological abuse, pressured to give statements or become informants and denied effective access to legal safeguards.⁵³

⁵⁰ UA [TUR 7/2016](#).

⁵¹ AL [TUR 5/2018](#).

⁵² UA [TUR 6/2019](#).

⁵³ AL [TUR 6/2020](#).



Ayşe Özdoğan

In an urgent appeal of December 6, 2021, several UN special procedures mandate holders⁵⁴ raised serious concerns about the alleged arbitrary detention of Ayşe Özdoğan, a stage 4 cancer patient convicted on terrorism-related charges linked to alleged Gülen affiliation. They emphasized Turkey's heightened duty of care toward persons deprived of liberty and recalled the Nelson Mandela Rules on access to specialized medical treatment. They also expressed concern that critically ill prisoners convicted in Gülen movement-related cases reportedly face delayed or denied medical release on "public security" grounds. The communication reiterated broader concerns about the wide application of vague membership charges and questioned reliance on associative indicators such as ByLock and Bank Asya.

Both the Human Rights Committee and the Committee against Torture expressed serious concern about impunity for acts of torture and ill-treatment despite numerous allegations. The Human Rights Committee noted the insufficient number of effective investigations, prosecutions and convictions of perpetrators, including in cases involving human rights defenders and journalists. It recommended that Turkey ensure all allegations are promptly and impartially investigated, that perpetrators are held accountable and victims receive effective remedies.⁵⁵ The Committee against Torture expressed serious concern that the legal and practical framework does not consistently ensure effective

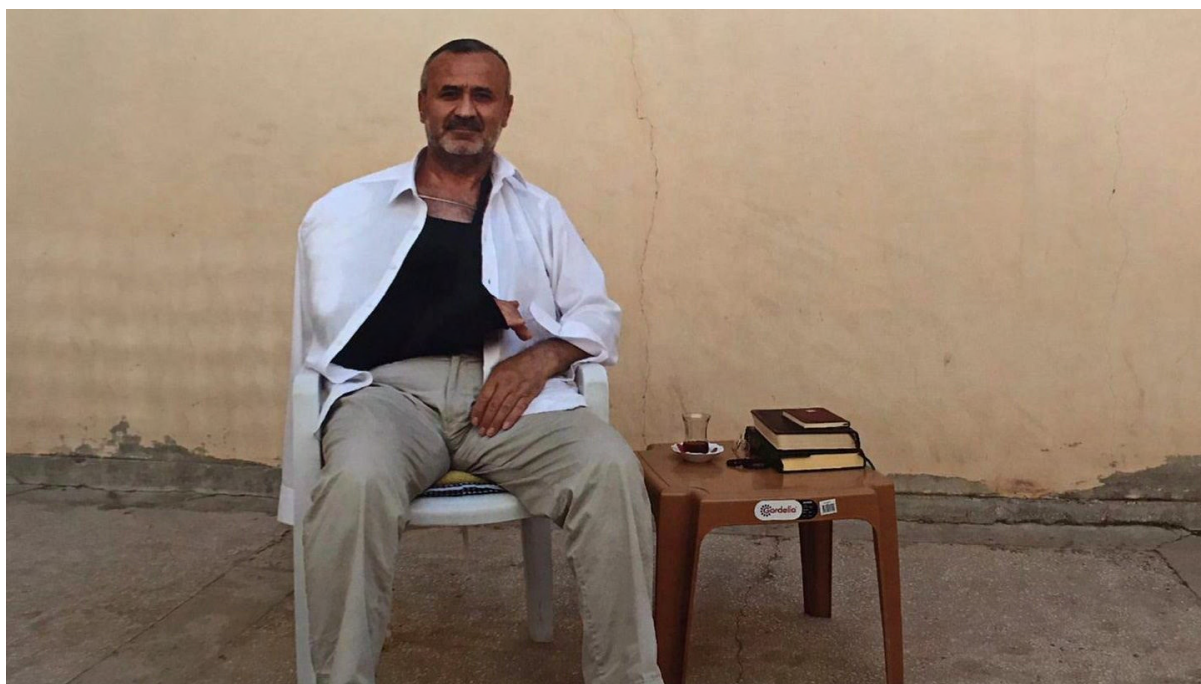
⁵⁴ UA [TUR 13/2021](#); See a similar allegation letter of the Special Rapporteur on the independence of judges and lawyers about the politically motivated criminal proceedings against a judge, Mrs. Sultani Temel, and about the allegations that prison authorities have been denying judge Temel access to appropriate medical care: AL [TUR 10/2019](#).

⁵⁵ Human Rights Committee, Concluding Observations on the Second Periodic Report of Türkiye, UN Doc, 2024, [CCPR/C/TUR/CO/2](#), §§27 & 28.

investigations into allegations of torture and ill-treatment and that few perpetrators are prosecuted and punished.⁵⁶

4.2.2 Extraterritorial Abductions and Forcible Returns

Beyond domestic investigations and prosecutions, UN treaty bodies and special procedures mandate holders have raised serious concerns about extraterritorial measures targeting individuals allegedly linked to the Gülen movement, including abductions and forcible returns from third countries.



Orhan İnandı, a Turkish-Kyrgyz educator [rendered to Turkey from Kyrgyzstan](#) by Turkish intelligence in 2021, was tortured while in custody.

The Human Rights Committee expressed concern about reports of the extraterritorial abduction and forcible transfer to Turkey of more than 100 persons suspected of being affiliated with the Gülen movement, as well as political opponents or journalists critical of the government, without any judicial extradition procedure. The committee indicated that Turkey should ensure that no abductions or forcible transfers take place.⁵⁷

⁵⁶Committee against Torture, Concluding Observations on the Fifth Periodic Report of Türkiye, UN Doc, 2024, [CAT/C/TUR/CO/5](#), §§28 & 29, §§36 & 37.

⁵⁷ Human Rights Committee, Concluding Observations on the Second Periodic Report of Türkiye, UN Doc, 2024, [CCPR/C/TUR/CO/2](#), §§ 25–26.

Similarly, the Committee against Torture expressed concern regarding a systematic practice of state-sponsored extraterritorial abductions and forcible returns of individuals supposedly associated with the Gülen movement, in coordination with authorities in Afghanistan, Albania, Azerbaijan, Cambodia, Gabon, Kazakhstan, Lebanon and Pakistan as well as Kosovo. It noted that these abductions allegedly took place with the involvement of the National Intelligence Organization (MİT) and entailed risks of enforced disappearance, torture and ill-treatment. The committee recommended that Turkey cease such practices, ensure that all transfers are carried out in full respect of international law and conduct prompt and impartial investigations, bringing those responsible to justice.⁵⁸

In their AL TUR 5/2020 joint communication several UN special procedures mandate holders expressed concern that the Turkish government was engaging in a systemic practice of state-sponsored extraterritorial abductions and forced returns of Turkish nationals associated with the Gülen movement and noted that in some cases, those subjected to this practice were forcibly disappeared. In a more recent joint communication, the mandate holders recalled the international standards applicable to transnational renditions and enforced disappearances and expressed profound concern at the apparent lack of independent and effective investigations by the Turkish authorities into the alleged abuses arising from extraterritorial abductions and forcible returns.⁵⁹

Taken together, these findings indicate that the alleged pattern is not confined to measures taken on Turkey's territory. They also highlight risks of serious violations implicating non-derogable rights and protections, including the prohibitions of enforced disappearance, torture and ill-treatment.

4.2.3 Terrorism-Related Wanted Lists and Due Process Concerns

In the allegation letter AL TUR 5/2024 the UN special procedures mandate holders raised serious concerns about Turkey's terrorism-related reward system, under which individuals are publicly listed as terrorists and monetary rewards are offered for their apprehension. They stressed allegations that human rights defenders,

⁵⁸ Committee against Torture, Concluding Observations on the Fifth Periodic Report of Türkiye, UN Doc, 2024, [CAT/C/TUR/CO/5](#), §§ 26–27.

⁵⁹ AL [TUR 5/2024](#).

political dissidents, lawyers and activists were deliberately included despite the absence of reasonable grounds for such a designation. They emphasized that these listings reportedly occur without due process, including notice, an opportunity to be heard, an effective right to appeal and judicial oversight.

The mandate holders further warned that monetary rewards for apprehension could encourage false accusations and illegal acts and may contribute to what they described as a “hit man” economy that endangers targeted individuals in Turkey and abroad. They underlined that any terrorism-related designation must follow a transparent process that preserves evidentiary standards, the burden of proof and the presumption of innocence.⁶⁰

4.3 Discriminatory Targeting on the Basis of Actual or Perceived Political or Other Opinion

This section addresses UN findings on the discriminatory treatment of individuals alleged to be associated with the Gülen movement. It focuses on how UN mechanisms have assessed the targeting of these individuals as discrimination based on actual or perceived political or other opinion under international human rights law.

4.3.1 Applicable Standards on Non-Discrimination under International Law

International human rights law prohibits discrimination on grounds including political or other opinion. The primary international instruments governing non-discrimination include the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). The UDHR affirms that everyone is entitled to the rights set out in the declaration “without distinction of any kind” under Article 2 and that all persons are “equal before the law” and entitled to equal protection against discrimination under Article 7. While the UDHR does not provide a separate technical definition of “discrimination” (since it is a declaration rather than a treaty), its provisions establish that any “distinction” based on protected grounds that impairs the

⁶⁰ AL [TUR5/2024](#).

enjoyment of rights is prohibited. This principle was later codified and defined more technically in the ICCPR and ICESCR.

The ICCPR guarantees the principle of non-discrimination primarily through two key provisions. Article 2(1) obliges states parties to respect and ensure the rights recognized in the covenant without distinction of any kind, including on grounds such as political or other opinion. Article 26 provides an autonomous guarantee of equality, affirming that all persons are equal before the law and are entitled, without discrimination, to equal protection of the law. The Human Rights Committee has clarified the meaning and scope of this principle in General Comment No. 18, defining discrimination as “... any distinction, exclusion, restriction or preference which is based on any ground such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all rights and freedoms.”⁶¹

The ICESCR contains a comparable non-discrimination guarantee. Under Article 2(2), states parties undertake to ensure that the rights recognized in the covenant are exercised without discrimination of any kind, including on grounds such as political or other opinion. The Committee on Economic, Social and Cultural Rights further elaborated the concept in General Comment No. 20, defining discrimination as “... any distinction, exclusion, restriction or preference or other differential treatment that is directly or indirectly based on the prohibited grounds of discrimination and which has the intention or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of Covenant rights. Discrimination also includes incitement to discriminate and harassment.”⁶²

4.3.2 UN Findings on Real or Perceived Followers of the Gülen Movement

Among UN mechanisms, the WGAD has repeatedly concluded that individuals allegedly linked to the Gülen movement were targeted on prohibited discriminatory grounds, including political or other opinion.

⁶¹Human Rights Committee, 10 November 1989, [General Comment No. 18: Non-discrimination](#), para. 7.

⁶² UN Committee on Economic, Social and Cultural Rights, July 2, 2009, [General Comment No. 20: Non-discrimination in economic, social and cultural rights](#), para. 7.

As noted above, the WGAD classifies arbitrary detention into five categories. Category V applies where “the deprivation of liberty constitutes a violation of international law on the grounds of discrimination” based on protected grounds, including political or other opinion, and where such discrimination “aims towards or can result in ignoring the equality of human beings.”⁶³ Since July 2016, the WGAD has issued 25 opinions concerning cases in which deprivation of liberty was directly linked to real or perceived links to the Gülen movement, underscoring both the scale and targeted nature of the violations identified. In 21 of these opinions, the WGAD concluded that detention fell within Category V, underscoring the scale and targeted nature of the discriminatory pattern it identified.⁶⁴

This approach appeared early in Opinion No. 11/2018, adopted on May 25, 2018, concerning the abduction and subsequent detention of the Kaçmaz family from Pakistan. In the years that followed, the working group consistently applied the same Category V analysis in the great majority of comparable cases it examined.⁶⁵

⁶³ UN Working Group on Arbitrary Detention, Revised Methods of Work, [A/HRC/36/38](#), para. 8(e).

⁶⁴ WGAD Opinion No. 6/2024, Meryem Tekin, [A/HRC/WGAD/2024/6](#); WGAD Opinion No. 3/2023, Ali Ünal, [A/HRC/WGAD/2023/3](#); WGAD Opinion No. 29/2023, Muhammet Şentürk, [A/HRC/WGAD/2023/29](#); WGAD Opinion No. 8/2022, Alettin Duman, Tamer Tibik, (Malaysia and Turkey), [A/HRC/WGAD/2022/8](#); WGAD Opinion No.84/2020, Osman Karaca, (Cambodia and Turkey), [A/HRC/WGAD/2020/84](#); WGAD Opinion No. 67/2020, Ahmet Dinçer Sakaoğlu, [A/HRC/WGAD/2020/67](#); WGAD Opinion No. 66/2020, Levent Kart, [A/HRC/WGAD/2020/66](#); WGAD Opinion No.74/2020, Nermin Yaşar, [A/HRC/WGAD/2020/74](#); WGAD Opinion No. 51/2020, Arif Komiş, Ülkü Komiş and four minors, [A/HRC/WGAD/2020/51](#); WGAD Opinion No.47/2020, Kahraman Demirez, Mustafa Erdem, Hasan Hüseyin Günakan, Yusuf Karabina, Osman Karakaya and Cihan Özkan, (Türkiye and Kosovo), [A/HRC/WGAD/2020/47](#); WGAD Opinion No.30/2020, Faruk Serdar Köse, [A/HRC/WGAD/2020/30](#); WGAD Opinion No.29/2020, Akif Oruc, [A/HRC/WGAD/2020/29](#); WGAD Opinion No.2/2020, Abdulmuttalip Kurt, [A/HRC/WGAD/2020/2](#); WGAD Opinion No.79/2019, Ercan Demir, [A/HRC/WGAD/2019/79](#); WGAD Opinion No.53/2019, Melike Göksan, Mehmet Fatih Göksan, [A/HRC/WGAD/2019/53](#); WGAD Opinion No.10/2019, Mustafa Ceyhan, (Azerbaijan and Turkey), [A/HRC/WGAD/2019/10](#); WGAD Opinion No.78/2018, Hamza Yaman, [A/HRC/WGAD/2018/78](#); WGAD Opinion No.44/2018, Muharrem Gençtürk, [A/HRC/WGAD/2018/44](#); WGAD Opinion No.43/2018, Ahmet Caliskan, [A/HRC/WGAD/2018/43](#); WGAD Opinion No.42/2018, Mestan Yayman, [A/HRC/WGAD/2018/42](#); WGAD Opinion No.11/2018, Mesut Kaçmaz, Meral Kaçmaz and two minors, (Pakistan and Türkiye), [A/HRC/WGAD/2018/11](#).

⁶⁵ WGAD Opinion No.11/2018, Mesut Kaçmaz, Meral Kaçmaz and two minors, (Pakistan and Türkiye), [A/HRC/WGAD/2018/11](#).



Mesut Kaçmaz and Meral Kaçmaz, a couple that was [abducted](#) from their home after midnight in Lahore on September 27, 2017 and deported illegally by the Pakistani government to Turkey.

The WGAD has developed a consistent framework for identifying Category V arbitrary detention in cases involving real or perceived links to the Gülen movement. In applying international non-discrimination standards, it assesses whether the deprivation of liberty is tainted by prohibited discrimination and forms part of a broader pattern of targeting based on perceived affiliation. In contrast, the Turkish government has in nearly every case advanced a largely standardized defense to rebut allegations of discrimination.

In this defense, the government argued that the deprivation of liberty was not grounded in the detainee's political opinion or perceived affiliation, but in concrete evidence of membership in a terrorist organization, labeled by the authorities as FETÖ. It maintained that individuals are prosecuted for criminal conduct, often framed as participation in, or support for, a group allegedly responsible for the attempted coup of July 15, 2016, rather than for their views, associations or imputed political profile. The government further asserts that domestic proceedings have been conducted within the framework of national law, including emergency decrees where relevant, and that the judiciary has acted independently in accordance with the rule of law.

The WGAD has repeatedly rejected that defense through an approach that applies a broader, effects-based understanding of discrimination under international law. A central pillar of its reasoning has been pattern analysis. In a series of opinions, the working group stated that the “present case” was “but one of a number of cases” involving persons alleged to have links to the movement and explicitly noted a “significant increase” and an emerging pattern in which such people were being targeted. In the working group’s view, the recurrence and similarity of these cases was not merely contextual background; it served as corroborative evidence that the deprivations of liberty were not isolated criminal-law measures but part of a discriminatory practice directed at an identifiable group.

A second, closely connected element of the WGAD’s reasoning was its distinction between affiliation-type indicators and active criminality. In these opinions, the working group emphasized that the alleged connection with the Gülen movement frequently did not involve evidence of active membership or support for violent criminal activities but rather forms of association and conduct that were legal or ordinary in themselves, such as working for entities described as affiliated with the movement or other markers treated domestically as proxies for culpability.

In several cases, the WGAD drew on the observation of the Council of Europe commissioner for human rights that many of those targeted were sympathizers or supporters, or people linked to legally established entities, without evidence of violent or terrorism-related conduct. The working group used this distinction to show that the state’s terrorism framing did not, by itself, rebut the discrimination claim.

Third, the WGAD repeatedly found a failure of proof by the government. In multiple cases, it concluded that the authorities had not provided concrete, individualized evidence linking the detainee to specific violent acts or coup-related conduct or otherwise substantiating the asserted counterterrorism rationale. Where the evidentiary basis remained generic, inferential or unsupported, the working group treated the deprivation of liberty as resting primarily on the person’s real or perceived affiliation and therefore concluded that the detention was discriminatory in purpose or effect. In some opinions, the working group underscored that the government did not effectively contest or

rebut the allegation that the deprivation of liberty was motivated by an imputed political profile.

A fourth element of the WGAD's framework is heightened scrutiny in cases involving judges and prosecutors. In opinions concerning members of the judiciary,⁶⁶ the working group recalled that judges constitute a special category of public servants whose independence is guaranteed under international law and stated that allegations of discrimination against them require "particularly exacting scrutiny," even during a state of emergency. Applying that heightened standard, the WGAD repeatedly found that the government had failed to provide specific evidence of terrorist membership or involvement in the coup attempt sufficient to justify detention. It concluded that the individuals were targeted, *inter alia*, because of perceived non-alignment or because their professional activity did not conform to government expectations.

In Opinion No. 78/2018 concerning Hamza Yaman, the working group found that the government had failed to provide concrete evidence that Yaman had ever been a member of a terrorist organization or involved in the coup attempt. It also noted uncontested information that Yaman had served at the highest levels of the judiciary in cases involving terrorism and organized crime and had required close state protection to carry out those functions. Against that background, the working group concluded that he had been targeted because he had not supported the government in carrying out his judicial functions and was detained on the discriminatory basis of political or other opinion.⁶⁷

Opinion No. 29/2023, concerning Muhammet Şentürk, illustrates the breadth of the WGAD's Category V analysis beyond cases involving judges and prosecutors. Şentürk, a business adviser, was arrested in November 2016 and later convicted of membership in an armed terrorist organization on the basis of alleged Gülen movement-related activities, including alleged ByLock use, a Bank Asya account, participation in a peaceful protest and membership in an academic youth association.

Although the petitioner had not alleged that his arrest and detention fell within Category V, the WGAD stated that it would "examine whether the authorities had

⁶⁶ WGAD Opinion No.78/2018, Hamza Yaman, [A/HRC/WGAD/2018/78](#) and WGAD Opinion No.53/2019, Melike Göksan, Mehmet Fatih Göksan, [A/HRC/WGAD/2019/53](#).

⁶⁷ WGAD Opinion No.78/2018, Hamza Yaman, [A/HRC/WGAD/2018/78](#), para. 87.

a discriminatory intent to punish him.” The working group situated the case within a series of cases involving individuals with alleged links to the Gülen movement and said that an emerging pattern showed such individuals being targeted on the basis of political or other opinion. On that basis, the WGAD found that Turkey had detained Şentürk on prohibited discriminatory grounds and that his detention was arbitrary under Category V.

4.3.3 Discriminatory Enforcement Beyond Detention

UN special procedures mandate holders also identified discriminatory enforcement concerns in the 2024 and 2025 so-called “restructuring” operations. They indicated that young women and students were reportedly detained based on real or perceived associations with the Gülen movement. They noted that reliance on family links, education or other lawful personal activities, rather than individualized evidence of wrongdoing, suggested discriminatory enforcement of counterterrorism powers, contrary to Article 26 of the ICCPR.⁶⁸

Taken together, these findings indicate that discriminatory targeting has not been confined to detention decisions. It has also affected families, children, access to services and broader social life.

4.4 Widespread and Systematic Rights Violations and Potential Crimes against Humanity Implications

More than a decade after the attempted coup of July 15, 2016, the event continues to be routinely invoked by Turkish authorities to legitimize an exceptional and enduring security paradigm that has enabled widespread and serious human rights violations, most visibly in the form of large-scale arbitrary detention and criminal prosecution of civilians perceived to be affiliated with the Gülen movement. The cumulative record assembled by UN mechanisms point not to isolated excesses but to recurrent practices grounded in overly broad counterterrorism provisions and associative indicators of “membership” that have produced mass deprivations of liberty and far-reaching restrictions on civil, social and professional life, including large-scale dismissals from public service, passport

⁶⁸ AL [TUR 9/2025](#).

cancellations and travel bans that have reinforced the cumulative and coercive nature of the overall pattern.

Against this background, this section examines whether the patterns identified across UN mechanisms display features consistent with the contextual elements of crimes against humanity under Article 7 of the Rome Statute. It assesses whether the documented practices form part of a widespread or systematic course of conduct directed against a civilian population and involve underlying acts recognized in international criminal law, including, most directly, imprisonment or other severe deprivation of physical liberty and potentially persecution, torture, enforced disappearance or other inhumane acts.



Five teachers — Kahraman Demirez, Mustafa Erdem, Hasan Hüseyin Günakan, Yusuf Karabina and Cihan Özkan — and cardiology professor Osman Karakaya were [deported](#) by Kosovo.

In its review of cases involving people alleged to be linked to the Gülen movement, the WGAD has gone beyond identifying individual violations and has warned about the broader pattern those cases collectively reflect. The working group first introduced this warning on September 25, 2020, in its Opinion No. 47/2020 (Kahraman Demirez et al. v. Turkey and Kosovo), stating: “The Working

Group expresses grave concern about the pattern established by all these cases and recalls that, under certain circumstances, widespread or systematic imprisonment or other severe deprivation of liberty in violation of the rules of international law may constitute crimes against humanity.” It repeated this warning in at least seven separate opinions through January 2026.⁶⁹

This warning is closely connected to the WGAD’s recurring Category V findings in Gülen movement-related cases, which are not framed as isolated errors but as evidence of a broader discriminatory practice. In several opinions the working group described an “emerging pattern” in which people with alleged links to the movement were targeted on prohibited grounds, notably political or other opinion, and deprived of liberty on that basis. The WGAD’s reference to crimes against humanity is best understood as a threshold warning: It signals that the patterned, large-scale nature of arbitrary detentions it has documented, particularly where driven by discriminatory targeting, may under certain circumstances raise serious concerns under the crimes against humanity framework, without asserting that the threshold is automatically met in every case.

UN special procedures mandate holders raised similar concerns in AL TUR 9/2025, issued on Oct. 8, 2025, concerning the 2024 and 2025 “restructuring” operations.⁷⁰ They said the operations appeared to reflect a broader pattern of criminalizing otherwise lawful activities of children, students and individuals with alleged familial or social links to the Gülen movement, situated within a sustained campaign of mass arrests and detentions beginning after July 15, 2016. They cited official and reported figures indicating the scale of the practice, including more than 8,800 people detained between June 2023 and June 2024, 332,884 people detained between July 2016 and June 2022 for alleged Gülen links and more than 702,000 people reportedly investigated under Article 314 of the Turkish Penal Code as of July 2024.

The mandate holders noted that these concerns were echoed by the Human Rights Committee’s view in *Alakuş v. Turkey*, reaffirming that mere sympathy for the movement, absent personal or material evidence of criminal activity, cannot

⁶⁹ Opinion No. 47/2020 (Kahraman Demirez et al.), Opinion No. 66/2020 (Levent Kart), Opinion No. 67/2020 (Ahmet Dinçer Sakaoğlu), Opinion No. 74/2020 (Nermin Yaşar), Opinion No. 3/2023 (Ali Ünal), Opinion No. 29/2023 (Muhammet Şentürk), and Opinion No. 33/2024 (Akin Öztürk).

⁷⁰ AL [TUR 9/2025](#).

justify detention under Article 9 of the ICCPR. Despite clear and repeated findings of violations by the WGAD and other UN bodies, they stated, Turkey appeared to continue a widespread and systematic pattern of arbitrary arrest and detention against perceived Gülen movement supporters not involved in genuinely criminal violence against the state.

These UN findings are corroborated by proceedings before the European Court of Human Rights (ECtHR). Turkey has been the largest source of pending applications before the court for several years, with its share of the overall docket increasing markedly by early 2025.⁷¹ Within this caseload, a substantial cluster concerns post-2016 arrests, detentions and convictions linked to alleged Gülen movement affiliation. As of November 2025, the court had delivered dozens of judgments in group applications finding violations relating to unlawful and arbitrary detention of individuals accused of such affiliation, including many judges and prosecutors.⁷² In its landmark judgment of September 26, 2023 in *Yüksel Yalçinkaya v. Turkey*, the Grand Chamber found that convictions based primarily on ByLock use failed to meet the requirements of legality and fair trial, characterizing the situation as a systemic problem capable of affecting a great number of persons and noting the existence of thousands of similar applications pending before it.

⁷¹ As of 1 January 2026, Türkiye has become the State with the [highest number of pending applications](#), with 18,450 cases, representing 34.5% of the Court's total pending caseload.

⁷² As of November 18, 2025, according to data from the ECtHR, the court has found violations in separate group applications, involving a total of 3,967 applicants, concerning allegations of unlawful and arbitrary detention of individuals accused of being affiliated with the Gülen movement following the events of July 15, 2016. The ECtHR reached these findings in 55 separate judgments, 21 of which concern 1,239 judges and prosecutors.



Yüksel Yalçınkaya, center, seen in the courthouse.

Those concerns about ByLock's evidentiary basis also drew scrutiny from UN special procedures. In an allegation letter dated June 21, 2024, the special rapporteur on the independence of judges and lawyers expressed concern not only about the evidentiary value of ByLock but also about the legality and technical reliability of its acquisition.⁷³ The special rapporteur underscored that the collection and assessment of complex digital evidence require specialized expertise and safeguards and that without adequate training and expert assistance, judges may be unable to verify the authenticity, accuracy, integrity and reliability of such data. The letter emphasized that where ByLock material functions as the sole or decisive basis for suspicion or conviction, judges should seek further information before attributing evidentiary weight. Framing the issue as systemic, the special rapporteur called for retrials in cases where ByLock evidence was relied upon and urged the implementation of procedural safeguards in digital evidence cases to ensure equality of arms, the principle that defense and prosecution must have equal opportunity to present their cases.

⁷³ AL [TUR 3/2024](#). Concerns about the reliance on ByLock as a basis for terrorism-related charges were raised by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression following his official country visit to Türkiye in November 2016.: [A/HRC/35/22/Add.3](#).

Subsequent ECtHR group judgments confirmed that convictions relying on categorical assumptions around ByLock use failed to meet legality and fair trial requirements, reinforcing the picture of repetitive, standardized violations affecting large numbers of civilians.⁷⁴ Thousands of similarly situated individuals have been subjected to criminal proceedings raising the same concerns. Applicants were often taken into police custody and put in pretrial detention on terrorism-related charges and, once convictions became final, served sentences of at least six years, three months. Long before any final judicial determination, large numbers were dismissed from employment, excluded from professional life and publicly stigmatized as “terrorists,” producing severe and lasting social and economic harm along with the deprivation of liberty.

In *Yüksel Yalçinkaya v. Turkey*, the Grand Chamber of the ECtHR found a violation of Article 7 of the European Convention on Human Rights on the grounds that the applicant’s conviction for membership in an armed terrorist organization had been secured without duly establishing, in an individualized manner, the presence of all of the constituent elements of that offense. The court found that the domestic courts had automatically inferred the applicant’s guilt from his use of the ByLock application, without examining in concrete terms whether the *actus reus* (the criminal act) and *mens rea* (the required criminal intent) elements of the offense were present in his case.

The Grand Chamber addressed a similar question in the recent *Yasak v. Turkey* judgment,⁷⁵ but this time in a case where the applicant had been convicted of the same offense on the basis of a wider range of evidence. That evidence included alleged activity in the movement’s educational network before 2014, a Bank Asya account, employment at a private tutoring center and membership in an

⁷⁴ In July 2025, the ECtHR, applying its precedent in the *Yüksel Yalçinkaya* case, found a violation of the principle of legality and the right to a fair trial of 239 applicants in *Demirhan and Others v. Türkiye*, 1595/20. Subsequently, on December 16, 2025, the ECtHR delivered a series of three group judgments: *Bozyokuş and Others v. Türkiye* (no. 39586/20 and 131 other applications); *Karslı and Others v. Türkiye* (no. 18693/20 and 1,435 other applications); and *Seyhan and Others v. Türkiye* (no. 57837/19 and 851 other applications), constituting a continuation of the *Yüksel Yalçinkaya* and *Demirhan* case law, in which it concluded that the convictions of a further 2,420 applicants likewise violated the principles of legality and the right to a fair trial. Taken together, the *Yalçinkaya* and *Demirhan* group judgments concern a total of 2,659 applicants whose convictions were found by the court to be in violation of the principles of legality and the right to a fair trial. The court has already sent multiple batches of communications to Turkey, reaching 9,800 similar cases as of 26 November, while thousands more continued to accumulate on its docket.

⁷⁵ [Yasak v. Türkiye, 5 May 2026, \(GC\), no.17389/20.](#)

association affiliated with the Gülen movement, witness statements and phone records.⁷⁶

The court found that the domestic courts had failed to establish criminal intent through an individualized assessment. They were required to determine whether his role in the educational structure reflected lawful participation or conscious adherence to a “terrorist project” but instead merely listed the evidence and relied on abstract, retrospective claims about the movement’s alleged transformation. They did not explain how the applicant’s pre-2014 activities showed that he knew of the organization’s alleged terrorist aims and willingly continued to belong to it. By failing to assess the timing, context and concrete content of the applicant’s conduct, the domestic courts inferred guilt from association rather than proving the required direct intent (*dolus directus*). The court therefore found that the constituent elements of the offense, in particular *mens rea* (the required criminal intent), had not been established in a foreseeable and individualized manner, in breach of Article 7.

Taken together, UN special procedures mandate holders stated that despite the clear and repeated findings of violations by the ECtHR, WGAD and other UN bodies, Turkey appeared to continue a widespread and systematic pattern of arbitrary arrest and detention against perceived Gülen movement supporters not involved in genuinely criminal violence against the state. They cautioned that the discriminatory and overly expansive misuse of counterterrorism legislation may violate Turkey’s obligations under international human rights law.

UN findings repeatedly describe mass arrests and detentions at scale, over an extended period and directed at civilians perceived to be affiliated with the Gülen movement. Those findings also document practices that appear to be recurring and standardized, including formulaic detention justifications, reliance on associative indicators rather than individualized evidence and the sustained use of counterterrorism powers as a primary tool. For purposes of the crimes against humanity framework, these findings may be relevant to the concept of an “attack,” understood as a course of conduct involving the multiple commission of prohibited acts against a civilian population. Taken together, these features may indicate a pattern that is widespread and systematic. Because the same concerns

⁷⁶ Turkish Minute, [ECtHR reverses earlier ruling, finds Turkey violated rights of man convicted over alleged Gülen links](#), May 5, 2026.

recur over time and across multiple UN mechanisms and are linked to sustained state action (laws, prosecutions and security operations), they may also be relevant to the policy and knowledge dimensions of Article 7.

On the underlying acts, the UN material is most directly relevant to article 7(1)(e) of the Rome Statute, concerning imprisonment or other severe deprivation of physical liberty. UN bodies have repeatedly found, or expressed serious concern, that many people perceived as Gülen movement affiliates were subjected to arbitrary arrest and detention, often in the absence of concrete evidence of violent intent or operational support and without individualized risk assessments. The same record is also relevant to Article 7(1)(h), concerning persecution.

UN mechanisms have also described discriminatory measures directed at a civilian group on the basis of actual or imputed political opinion or perceived affiliation. They have highlighted guilt by association and wider restrictions affecting civil, social and professional life. Allegations concerning torture and ill-treatment, including the treatment of minors and other vulnerable detainees, may be relevant to Article 7(1)(f) concerning torture and Article 7(1)(k) concerning other inhumane acts. Where UN materials refer to enforced disappearances or transnational renditions, they may indicate additional underlying acts under Article 7, subject to the evidentiary approach of the relevant UN mechanisms.

5. Conclusion

This report has examined the findings of United Nations human rights mechanisms on Turkey's post-2016 use of counterterrorism measures against people with real or perceived links to the Gülen movement. Across treaty bodies, special procedures and in particular the WGAD, the UN record converges on a consistent set of concerns: the systematic misuse of vague and overly broad counterterrorism provisions, the criminalization of lawful conduct through association-based indicators and the erosion of fundamental safeguards governing liberty, legality, fair trial rights and non-discrimination.

A central thread running through the UN material is the role of the Gülen movement's designation as a "terrorist organization" in enabling these outcomes. Several UN special procedures mandate holders have expressly questioned the compatibility of this designation with international standards, emphasizing that it does not meet due process requirements and does not align with the UN system's model definition of terrorism. The designation thus functions as a political label and as a foundational premise that facilitates far-reaching coercive measures against individuals, often not for any involvement in violence but because they are alleged to be linked to a stigmatized and problematically designated entity. This has entrenched "guilt by association" as an operational logic of enforcement and widened the scope of punitive action to a broad civilian population.

The thematic review shows a striking degree of consistency in UN reasoning over time and across mechanisms. UN treaty bodies have repeatedly criticized: (i) the breadth and unpredictability of terrorism-related provisions and their application; (ii) mass and punitive measures taken without effective due process; (iii) movement restrictions such as passport cancellations and travel bans; and (iv) allegations of ill-treatment, incommunicado detention, enforced disappearances and transnational renditions engaging non-derogable rights and protections. Special procedures communications have amplified these concerns by pointing to formulaic justifications, the absence of individualized assessment and the systemic reliance on associative indicators. The WGAD has adopted numerous opinions finding arbitrary detention in Gülen movement-linked cases, frequently drawing on, among others, Category II and Category V reasoning, thereby

reinforcing the conclusion that these practices are not isolated errors but reflect discriminatory patterns.

Considered cumulatively, UN findings depict a patterned practice of repression directed at a civilian group defined by actual or perceived affiliation. The pattern extends beyond detention and prosecution to wide-ranging punitive measures beyond criminal proceedings, including dismissals and public-sector bans, severe restrictions on socio-economic life and professional exclusion, stigma and social exclusion as well as constraints on freedom of movement. Together, these measures intensify the coercive and discriminatory character of the overall policy and produce lasting harm not only for individuals but also for their families.

The convergent UN record carries three principal implications. First, it reaffirms that counterterrorism frameworks must comply with the principle of legality and cannot be used to criminalize protected conduct by relying on vague definitions or retroactive or unforeseeable interpretations. This concern is particularly acute in digital evidence cases, where UN sources have questioned the legality and technical reliability of ByLock acquisition and analysis, and have criticized prosecutions that rely on associative proxy indicators, such as alleged ByLock use, Bank Asya activity and similar lawful-life links, without individualized evidence of criminal conduct and safeguards ensuring equality of arms, or a fair balance between defense and prosecution in presenting their cases.

Second, repeated UN findings on arbitrariness, due process failures and discriminatory targeting underscore structural risks to the rule of law and to effective protection under the ICCPR and other treaties. UN bodies have raised recurring concerns about credible allegations of torture and ill-treatment in custody and, critically, the persistent lack of effective, independent investigations and accountability, which undermines non-derogable rights and protections.

Third, given the scale, repetition and apparent standardization of practices, UN material raises serious questions about whether the documented patterns may fall within the framework of crimes against humanity under international criminal law. This assessment indicates that the cumulative findings point to elements relevant to the “widespread or systematic” requirement and to possible underlying acts under Article 7 of the Rome Statute.

The consistency and longevity of UN concerns underscore the need to move beyond documentation toward effective remedies and compliance. This entails, at a minimum: (i) bringing counterterrorism legislation and practice into line with legality, necessity and proportionality requirements; (ii) ensuring independent judicial review and effective access to counsel; (iii) ending collective/association-based measures and restoring individualized assessment; (iv) guaranteeing prompt, impartial investigations into credible allegations of torture, ill-treatment, enforced disappearance and transnational rendition; and (v) providing meaningful reparations and restoration of rights for those unlawfully affected, including in relation to employment, civic status and freedom of movement.

The UN concerns regarding the Gülen movement designation underscore the need for transparent, law-governed processes and safeguards to prevent terrorism-related designation from functioning as a gateway to blanket criminalization of a civilian population. In this context, the Human Rights Council's complaint procedure may provide an appropriate avenue to promote implementation, ensure meaningful follow-up and support measures proportionate to the documented pattern of violations.

These cumulative findings are of direct relevance to the Human Rights Council's complaint procedure, which is designed to address consistent patterns of gross and reliably attested violations of human rights. First, the UN record reviewed in this report reflects not sporadic or isolated incidents but recurrent, large-scale and standardized practices documented across multiple mandates and over a prolonged period — features central to the pattern requirement under the complaint procedure. Second, the persistence of these violations despite repeated UN findings and recommendations indicates a serious compliance and implementation deficit, strengthening the case for the council to move beyond routine monitoring and to consider robust follow-up and decisive action commensurate with the gravity of the situation.

Finally, the report highlights the importance of sustained engagement by UN mechanisms through periodic reviews, individual communications, follow-up procedures and communications by special procedures mandate holders, along with rigorous monitoring by independent legal experts. Continued scrutiny is essential both to prevent further violations and to evaluate whether structural

reforms and remedies are implemented in good faith and produce measurable change in practice.

Such engagement remains essential to ensure that the findings documented by UN mechanisms lead not only to the recognition of violations but also to accountability, redress and structural change.