

## Press Release

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### *New Report Exposes Concerns over Prosecutorial Practices in Terrorism Cases in Post-Coup Turkey*

Italian Federation for Human Rights today published a new report on the misuse of the anti-terrorism framework by Turkish authorities.

A comprehensive report released by the Italian Federation for Human Rights today sheds light on the alarming misuse of anti-terrorism and security tools in Turkey, particularly in the aftermath of the attempted coup on 15 July 2016. The report, titled "Perils of Unconstrained Prosecutorial Discretion: Prosecuting Terrorism Offences in Post-Coup Turkey" critically examines the adherence of Turkish prosecutors to domestic standards and international legal obligations in terrorism-related prosecutions/investigations in the post-coup period.

The report draws on a detailed examination of 118 indictments at least one from each of the 81 provinces of Turkey that accuse individuals of membership in a terrorist

organisation, i.e. members of the Gülen Movement, the religious group accused of organizing the 2016 attempted coup.

The report finds that in the environment of fear enabled by the coercive state power in post-coup Turkey, the practice of prosecutors, known as their traditional statist and regime-supporting approach, has moved further away from basic domestic and international standards, resulting in an alarming rise in the criminalization of ordinary, lawful activities for hundreds of thousands of individuals.

The findings of the report reveal serious flaws in the prosecutorial practices in the post-coup indictments, including the lack of a coherent presentation of evidence, or logical reasoning between suspects and alleged offences, the strong political/ideological language, the deliberate constructions of unsound illogical plots and conspiracy theories, the lack of reasonable suspicion and ultimately the reversal of the presumption of innocence.

The authors of the report emphasize the urgent need for a renewed commitment to the principles of fairness, justice, and respect for human rights within the Turkish judicial system and call upon Turkish prosecutors to adopt a series of measures, including writing indictments in plain and concise language, providing a clear explanation of factual and legal bases, establishing coherent connections between evidence and charges, considering the evidence in favour of the suspect, refraining from resorting to illogical plots and conspiracy theories, and most importantly, upholding human dignity and respecting human rights in the execution of their duties.

#### QUOTES:

“The report unequivocally shows that definition of what constitutes “terrorism” is too vague and broad in Turkish legislation and has been applied too extensively to tens of thousands of people, even to silence human rights defenders and lawyers and disrupt their legitimate work.” **Professor Antonio Stango**, *President of the Italian Federation for Human Rights*

“The report presented by Turkut, Yıldız and Dent provides a detailed analysis of Turkey’s post-2016 coup prosecutions, exposing clear violations of basic fundamental human rights in the country. It highlights the largely unknown

severity of these violations, including the silencing of opposition and unjust treatment of alleged terrorists. The report's stark depiction of reality calls for widespread readership to understand the harsh truth.” **Professor Johan Vande Lanotte**, *Emeritus Professor of Law at Ghent University*

“With painstaking and meticulous detail, the authors have documented a pattern and practice by Turkish prosecutors - as evidenced in the language of their indictments - that subverts justice and eschews logic and real facts to the detriment of basic human rights. For those who value the fair and impartial administration of justice, this report is a chilling portrait of how Turkish prosecutors have abandoned their obligations in that regard.” **Elizabeth M. Munisoglu**, *Court Commissioner (retired), California Superior Court*