

URGENT ACTION

ENSURE SAFETY OF THREE EXTRADITED MEN

Three Turkish men who had been arbitrarily arrested and detained in Malaysia between 2 and 4 May under anti-terrorism legislation were extradited to Turkey on 11 May. They are currently detained in Turkey and are at risk of further human rights violations, including torture and other ill-treatment.

Three Turkish nationals who were arbitrarily arrested and detained in Malaysia between 2 and 4 May under the Security Offences (Special Measures) Act (SOSMA, Malaysia's anti-terrorism legislation) were extradited to Turkey on 11 May and are now believed to be in detention in Ankara.

School principal **Turgay Karaman** and businessman **İhsan Aslan** were detained on 2 May and academic **İsmet Özçelik** was detained on 4 May. They were held in the police headquarters at Bukit Aman in Kuala Lumpur, Malaysia's capital. They were investigated under Section 130J of the Penal Code read together with SOSMA for allegedly soliciting, giving support to terrorist groups or for the commission of terrorist acts. The Malaysian Home Minister initially stated that they were being investigated for connections to the armed group calling itself Islamic State. However, in announcing their extradition, the Inspector General of Police of Malaysia confirmed that they were wanted by the Turkish government for suspected involvement with the Gülen movement.

Since the 2016 coup attempt in Turkey, the Turkish government is reported to have pressured its allies around the world to take legal action against suspected supporters of Muslim cleric Fethullah Gülen, whom they accuse of masterminding the coup attempt. Amnesty International and other human rights organisations have documented instances of arbitrary detention, unfair trial and torture of detainees suspected of belonging to the Gülen movement. Turgay Karaman, İhsan Aslan and İsmet Özçelik are at risk of further human rights violations in Turkey, including torture and other ill-treatment, as well as violations to the right to a fair trial.

In extraditing these individuals, the Malaysian authorities may have violated their obligations under international law, in particular the principle of *non-refoulement* which prohibits the transfer of anyone in any manner whatsoever to a place where they would be at real risk of serious human rights violations or abuses. The Malaysian authorities were obligated to provide the three men with an opportunity to demonstrate that they were at risk of serious human rights violations or abuses, but it appears that they were extradited without due procedure.

Please write immediately in English, Turkish or your own language:

- Urging the Turkish authorities to ensure that the three men are protected from torture and other ill-treatment;
- Urging them to release them, unless there is evidence of internationally recognisable criminal acts and that any proceedings brought against them comply with international fair trial standards.

PLEASE SEND APPEALS BEFORE 26 JUNE 2017 TO:

Minister of the Interior
Mr Süleyman Soylu
İçişleri Bakanlığı
Bakanlıklar
Ankara, Turkey
Fax: +90 312 418 1795
Salutation: Dear Minister

Minister of Justice
Mr Bekir Bozdağ
Ministry of Justice
Adalet Bakanlığı
06659 Ankara, Turkey
Fax: +90 312 419 3370
Email: ozelkalem@adalet.gov.tr
Salutation: Dear Minister

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR ABDURRAHMAN BİLGİÇ, Embassy of the Republic of Turkey, 43 Belgrave Square SW1X 8PA, 020 7393 0202, embassy.london@mfa.gov.tr

Please check with your section office if sending appeals after the above date. This is the first update of UA 102/17. Further information:

<https://www.amnesty.org/en/documents/asa28/6180/2017/en/>

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ADDITIONAL INFORMATION

In 2016, an attempted coup prompted a massive government crackdown on civil servants and civil society in Turkey. Those accused of links to the Gülen movement have been the main target. The authorities blame the exiled cleric Fethullah Gülen for the attempted coup. Fethullah Gülen denies the accusations.

Following the coup attempt the Turkish government announced a three-month state of emergency that has been extended twice, derogating from a long list of articles in the International Covenant on Civil and Political Rights and the European Convention on Human Rights. The government has passed a series of executive decrees that fail to uphold their obligations under international human rights law, even under a state of emergency. Over 100,000 civil servants including teachers, police and military officials, doctors, judges and prosecutors were dismissed from their positions on the grounds of links to a terrorist organization or threat to national security. At least 47,000 people were remanded in pre-trial detention accused of links to the coup or the Gülen movement, classified by the authorities as the “Fethullahist Terrorist Organisation” (FETÖ). There is credible evidence of torture and other ill-treatment of detainees which Amnesty International and other human rights organisations have documented.

Further information on UA: 102/17 Index: EUR 44/6256/2017 Issue Date: 15 May 2017