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**INFORMATION ON THE TERRORIST COUP ATTEMPT ON 15 JULY 2016 AND
THE MEASURES TAKEN IN THE STATE OF EMERGENCY**

The Fethullah Gülen Terrorist Organization (“FETO”) is a terrorist organization founded by Fethullah Gülen and aims to overthrow the Government of the Republic of Turkey or prevent it from performing its duties partially or completely by using force, violence or other illegal methods, to exert pressure on, undermine or direct the state authority, to create an alternative authority, and thus to seize the state authority.

In accordance with its aims, FETO has been carrying out its activities as cell-type structures in various public institutions, particularly within the judicial institutions, the Turkish Armed Forces and the Police. The public officials who are members of the organization use their positions and authorities, equipments and the personnel of the institution they work in line with the aims of the organization.

FETO has so far carried out a great number of illegal acts appearing to be legal. In this regard, the acts of the organization include wiretapping the communications of the politicians from the ruling and opposition parties, in particular the President, the Prime Minister, the members of the Government, businessmen and high-ranking bureaucrats and using them in line with the aims of the organization; ensuring the employment of the members of the organization in the public institutions by manipulating the entry exams held by such institutions, as well as ensuring the delivery of orders of release in respect of the detained members of the organization by other unauthorized judges who are members of the organization.

On 15 July 2016 FETO carried out a terrorist attempt under the leadership of its military members within the armed bureaucracy in order to overthrow the democratically-elected government of the Republic of Turkey. This foiled terrorist action is the most important act revealing the danger posed by FETO.

The members of FETO bombed the Turkish Grand National Assembly, the Office of the Presidency, and the public institutions using the helicopters, planes and tanks which they

seized by betraying their commanders. They also opened fire on the citizens who took to the streets in order to protest against the coup attempt.

The police, the public prosecutors, and other elements of the armed forces immediately took the necessary measures to foil the attempt of the members of the terrorist organization to stage a coup outside the chain of command of the Turkish Armed Forces.

Above all, it was the Turkish nation who thwarted the plot. It displayed a historic solidarity as it took to the streets and remained defiant. It stood bravely in front of the tanks and stood by the democratic order. Turkish people are still continuing to stand guard of democracy in the streets and squares of all the cities, particularly Istanbul, Ankara and Izmir.

The terrorists tried to broadcast their message by taking over studios of the state television (TRT) and raiding private media outlets. Yet the plotters' attempt to control the media did not last long. It must be noted that the Turkish media also played a key role in defeating the coup attempt. Moreover, the terrorists attacked the satellite control unit to block broadcasting of media outlets.

Throughout the process, all political parties, the Members of the Turkish Grand National Assembly and the people stood firmly by democracy, democratic politics, democratic institutions and the Constitution. A Joint Declaration in defence of democracy was issued during the extraordinary meeting of the General Assembly on 16 July.

Unfortunately, 246 of our citizens and security officers, including those very close to the President were martyred and more than 2,000 were wounded as a result of the terrorist action.

The President, the Prime Minister, the Government, the Members of the Turkish Grand National Assembly and the Turkish people all together defeated this coup attempt and stood by democracy and the rule of law.

Although the coup attempt in question was led by the members of FETO within the armed forces, there is strong suspicion that other members of the organization within the state bureaucracy supported the attempt in one way or the other.

In order to fight against the FETO terrorist organization in a comprehensive and effective manner which poses a grave threat to survival and security of our state through its clandestine infiltration to state mechanisms, the Council of Ministers of Turkey decided on 20 July 2016 that a nationwide state of emergency be declared as from July 21, 2016 for a period of ninety days, pursuant to Article 120 of the Constitution and Article 3 § 1 (b) of the Law on the State of Emergency (Law no. 2935), in view of the recommendation dated 20 July 2016, no. 498 of the National Security Council. The decision was endorsed by the Turkish Parliament on 21 July 2016.

The purpose of the state of emergency is neither to restrict fundamental rights and freedoms of our citizens, nor to compromise democracy or the rule of law, but to take required measures in the most speedy and effective manner in the fight against FETO terrorist organization in order to save our nation from this ferocious terror network and return to normalcy as soon as possible. State of Emergency is a measure regulated by the Turkish Constitution and relevant national legislation and also a practice permissible under international human rights law, including European Convention of Human Rights.

During the period until 15th July 2016 when Turkey faced the coup attempt, the Turkish government carried out its counter-terror operations against PKK and DAESH terrorist organizations in severe conditions without declaring a State of Emergency. The Government spared no effort to carry out the measures within the context of the regular norms and standards of the European Human Rights regime. Yet, in the face of grave and violent attacks against the national security and FETO terrorist organization's infiltration everywhere, as closely manifested during its coup attempt on 15 July 2016, the declaration of the State of Emergency was deemed necessary. In this context, like France, Turkey resorted to the right of derogation from the obligations in the Convention as prescribed in the European Convention on Human Rights, permissible under Article 15 of the Convention. As stated in the Convention explicitly, a derogation is not a suspension of rights. It brings certain limitations to the exercise of certain rights under required conditions.

The relevant authorities had been carrying out investigations in order to identify the members of FETO which The National Security Council had declared to be terrorist organization in 2014, before the failed coup attempt. As a consequence of the terrorist act committed with the purpose of staging a coup on 15 July 2016, the Public Prosecutors are investigating these severe

crimes committed by the coup plotters as well as those who are linked to FETÖ. Judicial authorities consider it worthwhile to prosecute any support to the bloody coup, regardless of the profession of the supporters as such acts constitute crime. The interrogations of the plotters who have admitted to be the members of the FETO, combined with the investigations before the coup, reveal information about the suspects of FETO membership. Within this framework, suspension and disciplinary procedures were initiated with the purpose of removing the members of FETO terrorist organisation from the state structure.

A number of journalists are also being investigated; private-run radio and television institutions, newspaper, magazine, publishing companies and distribution channels which belong to, connect to, or contact with the FETO established posing a threat to the national security, have been closed down. It's known that the majority of these establishments were subject to criminal investigations prior to the terrorist coup attempt and legal sanctions were taken for many. In the context of the said investigations, a number of Criminal Magistrates' Offices indicated that those press and media organizations made publications by order of the founder and the executives of the FETO in order to achieve illegal goals of the organization. Many companies were also charged with carrying out false transactions aimed at financing a terrorist organization concealing the financial resources of the organization and transferring funds abroad.

It is clear that the alleged acts attributed to these people, if proven, cannot be considered within journalistic work. The work of journalism does not provide these people exemption from the criminal investigations and the related measures. If ruled guilty by the courts in due judicial process they would be convicted not because of their profession as journalist but because they used their profession in the service of committing crimes in respect of terrorist coup attempt and/or being linked to the FETO terrorist organization.

As a matter of fact, the independent press and media organizations were among the primary targets of the terrorists. As stated above, free and pluralistic Turkish media played a vital role in the prevention of the coup attempt as a deterrent force against the plotters.

The Republic of Turkey is fully aware of its obligations related to democracy, human rights, the principle of rule of law and international conventions in this process and as in the past, due respect will be shown to fundamental rights and freedoms and the principle of supremacy of law will be strictly

observed. Turkey's full commitment to take effective legislative, administrative, judicial and other measures to prevent acts of torture, as defined in the Conventions to which Turkey is party, continue unabated.

Proceedings are carried out by independent and impartial courts in line with the principle of rule of law and Turkey's international commitments. In this respect, the suspects have the right to legal assistance and the right to lodge an objection against the measures of custody and detention taken in respect of them. Furthermore, in the course of their questioning, the suspects are reminded that they may request concrete evidence to be collected, and given the opportunity to invalidate the existing grounds of suspicions against them and put forward the facts in their favour.

Lawsuits may be filed with the competent courts against all kinds of acts and measures taken within the context of the Decree Law. Legal remedies are available, including the right of individual application to the Constitutional Court. A stay of execution against such measures can also be ruled once the state of emergency period is over, if the conditions still exist.

Although the State of Emergency has been declared for a period of 90 days, all extraordinary measures will be terminated once the result in the fight against the FETÖ terrorist organization will be successfully attained.

