ERDOGAN’S LONG ARMS: THE CASE OF MALAYSIA

Turkey’s Witch-Hunt Abductions Abroad

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Stockholm Center for Freedom (SCF) is an advocacy organization that promotes the rule of law, democracy and fundamental rights and freedoms with a special focus on Turkey, a nation of 80 million that is facing significant backsliding in its parliamentary democracy under its autocratic leaders.

SCF, a non-profit organization, was set up by a group of journalists who have been 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 on fact-based investigative journalism and documenting individual cases of the infringement of fundamental rights. The founders of SCF are top-notch journalists who had managed national dailies in Turkey and worked for leading media outlets before they were forced to leave. They have the expertise, human resources and network on the ground to track events in Turkey despite serious challenges.
Introduction

Turkey’s ruling Justice and Development Party (AKP) government, rooted in political Islam and led by authoritarian leader Recep Tayyip Erdoğan, has escalated its witch hunt to persecute critics abroad through government institutions as well as using NGOs as a front. As a result, rights violations including abductions, physical attacks, profiling, discrimination, threats, and hate crimes have gone beyond Turkish borders and become a problem in intergovernmental affairs as the Turkish government has been found to be infringing international treaties, interfering in other countries’ affairs, and violating their national laws.

In this report, which takes Malaya as a case study, SCF reveals a new and highly controversial method employed by the Turkish government - snatching Turkish nationals from a foreign country in a blatant breach of well established principles of international law. Several participants in the Gülen Movement have been kidnapped by Turkish government operatives from Malaysian soil, and the remaining ones were subjected to threats of abductions, forcible removals and detention on false charges. The pattern suggests the use of abduction is systematic. Coupled with some dozen cases of enforced disappearance of persons in Turkey in the last two months, abductions of Turkish nationals from overseas require scrutiny and investigation.

The abductions victimized Turkish nationals who had maintained legal visa and residence permits in Malaysia for years. Two cases SCF has documented involve Turkish nationals identified as Alettin Duman and Tamer Tıbık, who were whisked away from the street in the middle of the day by unknown armed people. They were taken to a remote wooded area, subjected to torture and abuse, and later turned over to Turkish officials to be taken back to Turkey. In a third case, a Turkish citizen named İsmet Özelik was unlawfully detained but later released after the UN intervention with Malaysian authorities. He was re-arrested again in May.

Turgay Karaman, a school principal, is reported to have been kidnapped on May 2, 2017, by five unknown people in the parking lot of a high-rise building in Kuala Lumpur, while İhsan Aslan, a businessman, was reported missing by his wife a day before. Karaman is the principal of Time International School, which is affiliated with the Gülen Movement School, and Aslan is a member of the Malaysian–Turkish Chamber of Commerce and Industry, also affiliated with the movement. Following press coverage and a public outcry, without elaborating on details the Malaysian authorities admitted that both men had been detained purportedly as national security risks.

The Turkish Foreign Minister, Mevlüt Çavuşoğlu openly bragged about these cases in one of his speeches, and revealed that their abductions were made with the personal agreement of the Malaysian Prime Minister. Following the abductions of Karaman and Aslan, social media accounts on Twitter close to the Turkish government hailed their abductions and claimed that Turkish intelligence was involved in their enforced disappearances. They also threatened that other Gülen movement participants will face similar abductions no matter where they live in the world. Turkey’s state-run Anadolu News Agency filed reports saying that both men were leading figures in the movement.
Such acts run contrary to legal principles such as non-interference in liberty and arbitrary arrest and detention, violating not only Turkish laws but the host nation’s laws in the process as well. Even though the rights violations took place in Malaysia, Turkey may be liable for the ill treatment of kidnapped Turkish nationals which is prohibited by Article 3 of the European Convention on Human Rights. Abductees are subjected to deprivation of their liberty when they are repatriated to Turkey and endure torture and other cruel, inhuman or degrading treatment.

Turkey’s use of its security and intelligence agencies to conduct abductions and arrests in foreign jurisdictions may also be considered a crime against humanity under the UN laws in the case of North Korea, which used abductions on a larger scale for decades. Turkish government officials have never disavowed this practice of international abductions. Rather, they proudly mention these cases as victories for the government and these remarks are widely reported in pro-government media. That means these clandestine operations were approved at the highest levels of the Turkish government including President Recep Tayyip Erdoğan. Therefore Turkish leaders, as well as Malaysian officials, may be held accountable for these rights violations if they are in fact found to be aiding and abetting this illegal scheme.

Although critics from all walks of life including Kurds and Alevis are being targeted in general for stigmatizing by the Turkish government, participants of the civic group called ‘Hizmet’ or the ‘Gülen movement’ (which is inspired by US-based Turkish Muslim cleric Fethullah Gülen and is focused on science education, volunteerism, community involvement, social work and interfaith and intercultural dialogue) have borne the brunt of this major witch hunt. Turkish embassies and government agencies including intelligence and non-governmental organizations affiliated with the AKP government are all involved in profiling and harassment of Hizmet participants.

SCF’s report in February 2017, “Erdoğan’s long arms in Europe”, mapped out the methods...
of the Turkish government’s intimidation campaign targeting critics and dissidents abroad using the Netherlands as a case study. It exposed how Turkish diplomats, government-sponsored Imams and other operatives working for Erdoğan spy on expatriates, gather intelligence on critics, harass, and threaten them. Hundreds of complaints were filed by critics with the Dutch authorities over threats, prompting Dutch government to launch investigations and this resulted in detentions in several cases.

In pursuit of his critics, Erdoğan and his associates in the government have instrumentalized embassies and consulates, representation offices of public institutions and state-funded and/or controlled organizations and foundations that are disguised as non-governmental organizations or independent groups. The government bodies that engage in profiling and witch-hunt activities primarily include the National Intelligence Organization (MİT), the Overseas Turks and Kin Communities Agency (YTB), the Turkish Cooperation and Development Agency (TİKA), the Religious Affairs Directorate (Diyanet), the Anadolu News Agency, the Turkish Radio and Television Corporation (TRT), the Yunus Emre Institute, and the Maarif (Education) Foundation.

A second group consists of parallel structures supported, funded, or organized by entities attached to the Turkish government and the office of President Erdoğan. Organizations such as the Union of European Turkish Democrats (UETD), the Foundation for Political, Economic and Social Research (SETA) and the Turkish Heritage Organization, among others, can be found among this group. In addition to their main areas of activities, these organizations perform such functions as advocating for the ruling party abroad, consolidating support for the AKP among Turkish expatriates and Muslim immigrant groups and occasionally working as an intelligence service to profile and collect information about Turkish dissidents or critics in their respective countries.

There is no doubt that Ankara’s harassment and intimidation tactics abroad violate not only international treaties and conventions regulating intergovernmental relations but also infringe on the national laws of the foreign countries in which these groups operate.

**ERDOĞAN: MEMBERS OF GÜLEN MOVEMENT HAVE NO RIGHT TO LIFE**

The abductions of Turkish citizens from Malaysia, apparently carried out discreetly with the help of some factions in the Malaysian security agencies, occurred against the background of the Turkish president’s remarks on September 2016 that “no country or region around the world will ever be a safe haven for FETÖ and its militants.”

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1) The government started referring to the peaceful civic group Hizmet as a terrorist organization (namely, the Gülenist Terror Group, or FETO) following major corruption investigations in December 2013 that implicated Erdoğan and his family members. Gülen has been a vocal critic of corruption in the Turkish government and has opposed Erdoğan’s aiding and abetting radical jihadist groups in Syria since the civil war broke out in 2011. Erdoğan started targeting Gülen and the movement openly after the corruption was exposed, and even accused Hizmet of being behind the failed coup of July 15. Mr. Gülen, however, rejects the accusations and has called for an independent international commission to be set up to investigate the failed coup. The Turkish government has failed to present any direct evidence linking the cleric or the movement to the abortive coup.

Erdoğan has persistently voiced threats against those who have been forced to leave the country due to persecution; in public rallies broadcast live and attended by tens of thousands of his die-hard fans he has vowed to hunt down Gülen Movement participants and kill them.

In another speech, Erdoğan said, “They are the elements of dissension inside us, like cancer cells. A comprehensive cleanup is required so that not the slightest trace of it is left behind. And that’s what we are doing right now. … Those who fled abroad in the murky atmosphere of the coup d’état should never feel safe. … We are currently working on a new initiative. We are calling on those who went there to return. A deadline will be given to them. If they don’t return, we will do whatever is needed. Indeed, the children of this country should return and tell whatever they know to the relevant authorities. If they don’t, they’ll pay for it. At any rate, we won’t support them as our citizens. … We will take due action when they are apprehended.”

In a joint press conference with President Hashim Thaçi of Kosovo in Ankara on December 29, 2016, Erdogan maintained, “Our crackdown on them both at home and abroad is under way and will continue to be the case in the future. Wherever they flee, we will be hot on the heels of the chieftains and militants of terrorist organizations.”

Speaking at a rally in the Black Sea province of Zonguldak on April 4, 2017, Erdoğan said, “We are purging every Gülenist in the army, in the police and in state institutions. And we will continue cleansing [these organizations of] them because we will eradicate this cancer from the body of this country and the state. They will not enjoy the right to life. … Our fight against them will continue until the end. We won’t leave them wounded.”

These quotes are only a small part of what Erdoğan has long been voicing as part of his campaign of fear that vilifies his opponents and critics. This has led to physical attacks on the lives and properties of critics abroad, calls for boycotts of their businesses, death threats, and punishment of their relatives back in Turkey. He uses every opportunity to exert pressure on ambassadors and uses similar propaganda with the heads of state he meets. Since he was able to curry favor with the current Malaysian government, Erdoğan escalated his persecution campaign abroad by orchestrating the abduction of his critics from that country and transferring them back to Turkey to face torture and even death.

ABDUCTION AND ASSASSINATION PLANS UNVEILED

Erdoğan’s provocative statements signaling his intent to assassinate his critics, especially Hizmet participants in foreign countries, were also confirmed by similar remarks from other government officials as well as by Erdoğan’s loyalists and propagandists in the pro-

3) Erdoğan: Türkiye istedigin zaman gelen istedigin zaman çikan bir ülke degil (Erdoğan: Turkey is not a country you can come in and go out of at will), Milliyet, (October 14, 2016), http://www.milliyet.com.tr/Erdoğan-dan-onemli-aciklamalar--siyaset-2327388/


government media. For example, Foreign Minister Mevlüt Çavuşoğlu said on April 4, 2017, “We do not stop chasing after them [Gülen movement participants] at home and abroad. We are breathing down their necks. We won’t give these traitors and dishonorable people room to breathe. We’ll hold them to account.”

In a public speech delivered on March 8, 2017, Interior Minister Süleyman Soylu revealed the government is plotting to do something abroad to critics from the Gülen movement: “They think they can go and flee to Germany. … One day, these FETÖ terrorists may be shocked to see where they are located, you know. I’m telling you from here, it is not that easy. … Both the security and strategy of this country [Turkey] have now changed. We won’t leave those who betrayed Turkey alone wherever they may be across the world.” This statement suggests the Turkish government is planning to use mafia-style clandestine operations that will target Gülen movement participants in foreign countries.

The Wall Street Journal has exposed how in September 2016 Turkish government officials discussed with retired Lieutenant General Michael Flynn the illegal removal from the United States of Turkish Islamic cleric Fethullah Gülen and his extrajudicial return to Turkey, while Flynn was serving as an advisor to the Trump presidential campaign. (Flynn has since been ousted as National Security Advisor of the new administration.) Details of the discussion in New York were learned from James Woolsey, former director of the CIA, who was in attendance, and from others who were briefed on the meeting. Also in attendance at the meeting were Berat Albayrak, energy minister of Turkey and President Recep Tayyip Erdoğan’s son-in-law, and Foreign Minister Mevlüt Çavuşoğlu, according to foreign lobbying disclosure documents filed by Flynn with the Justice Department in March 2017.

Woolsey arrived at the meeting on Sept. 19 in the middle of discussions about the cleric and found the topic “startling and the actions being discussed possibly illegal,” he told the WSJ, adding that the idea was “a covert step in the dead of night to whisk this guy away.” Woolsey said specific tactics for removing Gülen were not discussed, but if they had been, he “would have spoken up and questioned their legality.”

If Turkey dares to plan abductions even from the territory of the US, it can plan similar kidnapping and assassination plots in other countries as well. Erdoğan’s propagandists openly entertain these ideas in pro-government media without any repercussions or criminal liability. For example, after Russian Ambassador Andrei Karlov was brazenly assassinated in Ankara on December 19, 2016, staunchly pro-Erdoğan journalist Cem Küçük said Turkey’s agenda is now to kill FETÖ militants abroad.

Ersoy Dede, another AKP spin doctor, referred to the 1980s when Turkey’s “deep state” assassinated ASALA [Armenian Secret Army for the Liberation of Armenia] militants abroad.9 “I saw how this company finished off ASALA. I saw how [PKK leader Abdullah] Öcalan was kicked to the curb,” he said. He made these remarks during a live broadcast with another pro-AKP journalist, Hikmet Genç, on Kanal 24 on August 10, 201610 while talking about Hizmet-affiliated people who were forced to flee abroad.

In the program they talk about the advice Tuncay Opçin, a journalist in the US, gave on Twitter for sympathizers of the Hizmet movement who sought to go abroad. Dede said, “One day, we will wake up to meet the scoundrels who were caught with false passports in the International Arrivals Terminal of Sabiha Gökçen Airport in Istanbul as they tried to enter Turkey. The news bulletins will report it as ‘Tuncay Opçin, Ekrem Dumanlı, etc., were caught as they tried to enter the country with false passports in order to say goodbye to their families.’ This will be Opçin and Dumanlı’s reaction: ‘Where are we now? What is this place? How come we ended up here?’ ... Can you get what I am trying to say?”11 Then, his discussion partner, Hikmet Genç, said, “If you explain this by citing ASALA, I will listen to it from a different perspective...”. Later, Ersoy Dede said, threateningly, “This Gülenist organization ... how we finished off ASALA, how this state of the Turkish Republic finished off ASALA all around the world. That is, they should not have a sound sleep. Tuncay should not sleep safe and sound in his bed tonight.” Hikmet Genç added, “Emre Uslu should not sleep soundly. This is my call to them. Tuncay Opçin should not sleep safe and sound. Ekrem Dumanlı should not think that he has fled and gotten away.”12 (Ekrem Dumanlı and Emre Uslu are Turkish journalists in exile.)

THE CASE OF MALAYSIA: ABDUCTIONS AND DETENTIONS ON FALSE CHARGES

In the Malaysian example, Erdogan’s persecution and harassment campaign of the government’s main critic, the Gülen Movement shows an alarming pattern of abductions, detention, and extraordinary renditions with abuse of the Malaysian criminal justice system and the involvement of Malaysian security forces. Physical harassment of institutions affiliated with the Gülen Movement, the cancellation of passports of those who are

9] The Armenian Secret Army for the Liberation of Armenia (ASALA) conducted attacks against Turkish diplomats between 1975 and 1985. It undertook assassinations and carried out attacks on civilian targets other than Turks. Listed as a terrorist organization by the US in those years, ASALA killed 42 Turkish diplomats. In response, Turkey adopted the tactic of combating non-state organizations. A ‘deep’ network, masterminded by the National Intelligence Organization (MIT), used ultra-nationalists to attack ASALA militants.


11] https://www.youtube.com/watch?v=1W6H2oDZI8o

12] https://www.youtube.com/watch?v=1W6H2oDZI8o
connected with the movement, and unlawful abduction and arbitrary detentions have occurred in Malaysia.

In Malaysia, there is only one school in which persons close to Movement are providing educational services - Time International School in the capital, Kuala Lumpur. The school is actually owned by Malaysian nationals and its Board of Trustees is managed by Malaysian people. However, the teaching staff consists partly of people close to the Movement. There is also a school building in the city of Ipoh which was constructed by Malaysian and Turkish partners but has not been opened yet as uncertainty looms for the movement after pressure on the Malaysian government from Erdoğan.

In line with the directives of Turkey’s ruling AKP government, Turkish officials, especially the Turkish ambassador in Kuala Lumpur, are constantly demanding from the Malaysian government that this school must be closed. It is ironic that the Turkish government has been asking the Malaysian government to shut down a Malaysian school simply because some of the teachers employed by Time International School are affiliated with the Gülen movement. Surprisingly, Najib Razak’s government takes these requests seriously and is entertaining the idea of shutting down the school to appease Erdoğan.

Other major organizations that have been targeted by Erdoğan and the Turkish government are the Malaysian–Turkish Chamber of Commerce and Industry and the Malaysian–Turkish Dialogue Society. The executives of both organizations explained to SCF that they had been profiled, threatened, and harassed by Erdogan-supporting Turkish nationals who live in Malaysia. The harassment picked up pace after Erdoğan accused the Gülen Movement of the failed coup bid of July 15, 2016, without any evidence. For example, the “Turkish House” signboard on the garden gate of the building that housed both institutions was vandalized and destroyed by unknown people.

The building and its employees started to be monitored by operatives linked to the Turkish government. They have been surveilled and profiled in what amounted to illegal spying activities by the Turkish government on Malaysian soil. Fearing for staff safety, both institutions decided to cease their operations and they remain closed as of today.

A list of names of critics of President Erdoğan was compiled by the Turkish embassy and later forwarded to the headquarters in Ankara in a similar fashion to that seen in many European countries. In contrast to the strong reactions and criminal probes of unlawful intelligence gathering, harassment of critics, and defamation of reputable institutions affiliated with the Gülen Movement in Europe, the Malaysian government has turned a blind eye to the clandestine activities of the Turkish government on Malaysian territory and in some cases even aided and abetted the arbitrary detention, abduction, and extraordinary rendition requests made by Erdogan.
Another harassment tactic employed by thugs linked to the Turkish government is seen in social media campaigns. Supporters of Erdogan and the AKP gathered in front of Time International School, posed in front of the building with Turkish flags, and later shared those photos with threatening and insulting messages on social media. The school administrators alerted the police about the threats, turned over CCTV footage, and filed complaints against those who threatened the school. At the same time, they requested protection from police. However, there has been no response to either complaints or requests for protection until today.

**ABDUCTIONS AND ENFORCED DISAPPEARANCES**

The most worrisome developments targeting the Gülen movement in Malaysia happened in the fall of 2016. On October 13, 2016, three Turkish citizens were kidnapped and handed over to Turkey in conditions that are not entirely clear. While SCF investigation has identified two Turkish nationals affiliated with the Gülen movement as abducted and forcibly removed from Malaysia, the name of the third person is not known. The information that there were three abductions came from Foreign Minister Mevlüt Çavuşoğlu, who made a statement on October 14, 2016, “Last night we received three terrorists from Malaysia.”

Alettin Duman (49) and Tamer Tibik (43) were kidnapped and later turned over to Turkey in quite unusual circumstances, which do not appear to be justified under legal extradition or deportation proceedings. In fact, the passports of both Duman and Tibik remained in the possession of their family members back in Malaysia, and their wives and children maintained their legal residence in Malaysia as dependents on those passports. How these men ended up in Turkish jails after abductions, what procedures, if any, were followed by the Malaysian authorities in turning them over to Turkish operatives, and who issued travel papers remains a mystery.

One of the most remarkable points in this incident is that Mevlüt Çavuşoğlu said in the same speech, “Last week we met with the Malaysian prime minister in Thailand, in Bangkok, they said they would deliver three people at the Asia Dialogue Meeting. After I returned, I gave information to the president, the prime minister, the relevant institutions. As a result of the mutual contacts, three people were handed over last night.” The Asia Cooperation Dialogue (ACD) Leaders’ Summit was held in Bangkok from 8–10 October, 2016. Çavuşoğlu, who attended the meeting as Turkey’s representative, met with Najib Razak, the prime minister of Malaysia and obtained his agreement to the extradition of three Turks. But this process did not appear to be done by any valid legal process as they

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were kidnapped in the middle of the street and delivered to Turkish operatives.

Tıbık served as the general secretary of the Malaysian–Turkish Chamber of Commerce and Industry for about 1.5 years. He is married with two daughters and was a legal resident in Malaysia since 2015 with a valid employment visa. Duman is one of the founders of Time International School and served as a board member in the past. Duman, married with three children, had been in Malaysia since 2010 on a valid employment visa. Before his abduction, Duman had already been targeted by a media outlet managed by Erdoğan’s family back in Turkey.¹⁵

Sabah daily newspaper, managed by Serhat Albayrak, the brother of Berat Albayrak, who is Erdoğan’s son-in-law and Energy and Natural Resources Minister, published a news article with the headline “World Imams of Parallel Structure”¹⁶ as part of the Erdogan government’s campaign of slander against the Gülen movement abroad. In this smear campaign, Duman was described as “Imam of Malaysia”¹⁷ and his picture was published. The list appeared to have been prepared by Turkey’s notorious National Intelligence Organization (MİT), which had been illegally profiling unsuspecting citizens critical of the Turkish government for years. The photos published in the story were obtained from the screenshots recorded by security cameras at airport passport control. Duman was slandered and victimized in this false report.

HOW DID THE ABDUCTIONS HAPPEN?

According to the witness testimonials provided to SCF, the abductions of Duman and Tıbık happened as follows: Duman came out of his house in Jalan Sentul Indah district on October 13, 2016 for afternoon prayer in the mosque. However, when he did not return home for a long time, his family notified his friends. Malaysian citizen Mukhlis Amir Nordin (29), who served as a board member with Duman in the company which owns the school, reported him missing to the police. The police said they could not act until 24 hours elapsed. When Duman did not show up in 24 hours, police launched an investigation by sending detectives to the mosque on Friday, October 14, 2016 to talk to witnesses and take statements. Despite the investigation, police could not locate him.

Tıbık had been going to the Elite Language Center in Kuala Lumpur every day to take


¹⁶ By “parallel structure” Erdoğan was referring to government employees who are allegedly close to the movement in his bid to undermine the corruption investigations that were pursued by investigators in the judiciary and police force. Although he had urged four Cabinet ministers to resign in an effort to defend the government from pressure, he did not give his assent to the trial of those ministers.

¹⁷ In his smear campaign to discredit Muslim scholar Fethullah Gülen, Erdoğan tries to portray the Gülen Movement network of schools and interfaith dialogue institutions across the world as a terror group managed by Imams.
TORTURE IN MALAYSIA, CUSTODY IN TURKEY

As an educator, Duman has been involved in the education sector for more than 20 years and has spent almost all his professional career outside Turkey. He moved to Malaysia and got his first employment visa in 2011 and maintained his legal status ever since. When he was abducted in October 2016, he had an employment visa valid until 2018. Duman was not in Turkey before, during or after the coup attempt, yet he faces farcical coup-related charges back in Turkey.

SCF investigation revealed that Duman left his house, located in Tamarind Condoto in Jalal Sentul Indah street, on or around 16.00 on October 13, 2016 to attend the afternoon prayer in a mosque operated by Pakistani expatriates some 500 meters from his house. After the prayer, he was going to meet his Malaysian friend, Mukhlis Amir Nordin, with whom he served on the Board of the school. He told his wife that he would return for dinner, but by 19.30 he had not shown up. His family tried to reach him, but his phone was off. They thought his phone battery was dead, but after one hour, they started to worry. At around 20.30, they called him three times but they could not reach him again. They thought Duman would surely have informed his family if he had had a change of plan.

His son Kutluhan Duman (21) called Nordin to ask him the whereabouts of his father. Nordin said, “I cannot find him because I cannot reach him.” Then the family began to worry more that he might have been involved in an accident or something similar. His wife Saliha (43) and his son Kutluhan checked the parking lot of the building to see if his car was still there. The car was there. Now they thought he might have been hit by a car when he was walking down the street. Then they called his friends. They also rushed to Duman’s house. Family and friends eventually decided to report the case to the police and search for signs of him at nearby hospitals.

The possibility of his abduction had not crossed their minds. They thought he might have been injured in an accident or robbery attempt. Kutluhan and his father’s friends waited in the police station until 3.00 in the morning to find out what they might do to locate him. But the Malaysian police said they could not do anything for 24 hours according to established procedures. At about 6.00, his wife Saliha and his son Kutluhan went to the mosque and asked other people whether they had witnessed anything related to Alettin Duman. One person among them said he knew Duman. He said that he saw Duman in the mosque the previous day and he had left calmly after the prayer. The family at least knew.
that he had reached the mosque and left there safely.

After the twenty-four-hour waiting period, Malaysian detectives went to the mosque to ask questions about Duman. More eyewitnesses came forward testifying to what the family had already learned. He had been there and left the mosque safely. The family, desperate for any news about their loved one, finally realized what might have happened to him when the state-run news agency Anadolu reported that Turkey’s Foreign Minister Mevlüt Çavuşoğlu announced that three persons were brought from Malaysia and they were detained for “membership of a terrorist organization”.

The next morning Saliha Duman received a phone call from his sister, Hamiyet Şimşek, who lives in Istanbul. Hamiyet Şimşek informed them that they had received a phone call from the police informing them that Alettin Duman was in their custody on charges of being a member of a terror group. The family was in shock. Alettin Duman’s passport and identity documents were still in Kuala Lumpur. They had difficulty in grasping how he was taken out of Malaysia without those documents. Mrs. Saliha immediately called her mother-in-law, Sündüz Duman, who lives in Ankara, prompting her to make a visit to the police station to learn what was going on. Police did not allow her to see her son. She kept returning to the police station while Alettin Duman was in police detention for 21 days. The elderly mother was never given a chance to talk to her son.

On November 3, 2016, a lawyer appointed by the state, called Sündüz Duman and informed her that her son would come to court the next day for an arraignment hearing. Alettin Duman was first seen on November 4 by his mother and brother in court after his abduction from Malaysian soil. They hugged each other for barely a few minutes in the courtroom. Alettin had difficulty walking. When asked by his brother Sebahattin Duman what had happened to his legs, Alettin said he had been tortured and was unable to walk because of the terrible pain he was feeling in his legs. The judge deferred the court hearing to November 7 due to missing documents.

On November 7, Alettin appeared before the judge again. After giving his testimony, he waited for a few hours to receive a decision, handcuffed in the corridor outside of the courtroom. Meanwhile, his brother, Sebahattin Duman, had the opportunity to talk to him for a while. Alettin told his brother what had happened to him. Later, on December 5, 2016, when she visited him in prison, Alettin also told his mother what had happened to him.

According to SCF’s compilation of both accounts provided by Alettin, the kidnapping took place as follows: I left the mosque. I was heading home. As I passed through the traffic lights, a minibus stopped and a Malaysian dressed in civilian clothes got out. He picked me up by my arm and tried to put me in the minibus. I resisted, I pushed him. There were two more people inside. They were also in civilian clothes and Malaysian. I thought they were human traffickers. A fourth person pointed a gun at me. I tried to get away from them, but they anesthetized me. When I woke up I found myself in an abandoned building in a forest. My hands and feet were handcuffed. I was gagged. I had tape over my eyes. It was like I had been abducted by the mafia. I was tortured by four people in that building in the forest. At one point I thought I was being held there for ransom and I would be killed.
They threatened me with a gun and they said they would throw me from the second floor. They did not give me food or water. They tied me with a chain. They did not give any information about who they are and why they kidnapped me. Almost all day they tortured me. I was taken to the airport 29 hours after being abducted. Then the situation was clear. Turkish officials were involved in the game there. The Malaysians who kidnapped me delivered me to Turkish officials. I was flown with Turkish Airlines and brought to Turkey. I have been subjected to heavy torture for 23 days in Turkey while in custody.

In other words, at the moment when Mevlüt Çavuşoğlu said the Malaysian authorities had turned them over to Turkey, Alettin Duman had not been handed over to Turkish officials yet. He was still handcuffed in the forest by unidentified Malaysians who appear to have links to the security services. It looks as if the decision taken at the meeting in Thailand, which Çavuşoğlu mentioned, was put into motion through unlawful means.

TORTURE IN TURKEY CONTINUED

Alettin Duman also mentioned to his brother Sebahattin that he had been tortured, especially during the night, while he was in police custody in the Turkish capital. Some nights they took him out of the police station to an empty spot in a remote place, threatening him with a gun to his head and saying, “Confess everything.” Although Duman said, “I have nothing to confess,” these threats continued non-stop. In that corridor as they waited for the court decision, Duman did not want to recount to his brother all the torture he had undergone. But his brother Sebahattin personally witnessed two policemen at that time threatening him by saying, “Your wife and daughters are in danger if you do not confess.” Duman said that police and prosecutors accused him for using ByLock, a smartphone messaging application that is publicly available. However, he said that he had never used this application, that Bylock could not be uploaded onto iPhones, and that he was an iPhone user. Nevertheless, the court decided to arrest him until it was clear whether he used the app or not. So, Duman had to prove he did not use Bylock. He would remain detained until further clarification.

Duman was traumatized as a result of torture and arbitrary detention and arrest in both countries, despite the fact that he has never committed any crime in Malaysia or in Turkey and there is no evidence against him. He now can meet with his mother two times in a month and can talk to her two times in a month. He said he does not know the charges against him, has not been informed of any evidence and the authorities have not told him anything about his case. He also has no idea when the indictment will be filed and when he will be tried in court. He told his mother that even a month after his arrest, he still bore the marks of chains on his body. Prison conditions were very bad: 30 people were staying in a cell designed to hold 15 people, and some people were sleeping on the ground. Duman, who is worried about his wife and children in Malaysia, is afraid that they too will be tortured if they return to Turkey.

TIBIK’S FAMILY ESCAPES FROM MALAYSIA AND SEEKS SHELTER IN CANADA

Tamer Tıbık is also detained in Sincan T-Type prison like Duman. He was later transferred to a T-type prison in Keskin district of central province Kırıkkale. His family provided his story to SCF, detailing his abduction in Malaysia and ensuing detention in Turkey. Tıbık told his family members during their visit on December 1, 2016 that he was kept in police custody for a long time and subjected to torture to make him confess to crimes that he
Tamer’s wife, Kamuran Tıbık (41), recounted what happened to them in her letter to SCF from Canada. Excerpts from her letter are as follows:

My name is Kamuran Tıbık. I have a deep-rooted fear of persecution, arbitrary detention and torture by agents of the Turkish state, including Turkish police, government members and AKP supporters. I have two daughters. I was subjected to harassment and indirect threats throughout the year 2015 in the government office where I worked. My colleagues called me ‘parallel.’ H.I.D, the head of the Foreign Relations Department of the General Directorate of Prisons and Detention Houses of the Ministry of Justice, said that he could dismiss me whenever he wanted. Towards the end of 2015, our managers began to make us fill in forms about which schools our children went to and where our spouses work. They obliged us to present medical reports and hospital visit records I received from Turgut Özal University Hospital, which is affiliated with the Gülen Movement. I believe that these forms were sent to the intelligence service for profiling and keeping records about us.

Moreover, my children began to face bullying at school. AKP propagandists came to the school and threatened the children many times. Because of the political atmosphere in Turkey and increasing threats, we decided to leave Turkey since we did not feel safe. My husband had already been in Malaysia since the summer of 2015. I was a government employee and I stayed in Turkey to finish my PhD thesis. I believed that if I completed my doctorate, I could easily find a job abroad. I sent my daughters to Canada in August 2015 because I was worried about the education of my daughters. Then the police came to our house twice and asked for my husband. In the same way, I learned from the neighborhood representative that the police had visited him and tried to get information about my husband. I finished my doctorate in December 2015 and in January 2016 I left Turkey and went to Kuala Lumpur to join my husband. It was a difficult decision for me because I was looking after my mother who had celiac disease.

We established a new life for ourselves in Kuala Lumpur. My husband was working at the Malaysian–Turkish Chamber of Commerce and Industry (MTCCI) affiliated with the Gülen movement, and I also started to work as an academic advisor at the Time International School, whose teachers were close to the Movement. In July 2016, a failed military coup attempt was carried out in Turkey and President Erdoğan immediately accused the movement of being behind the coup. More than 100 thousand people were dismissed. Fifty thousand people were arrested. During the days when the coup was attempted, my daughters were in Malaysia visiting us for the summer vacation. We were relieved that we were not in Turkey, but this time we started to feel pressure in Malaysia.

We decided to have our daughters stay with us as the Turkish government was starting to cancel the passports of people who are affiliated with the Gülen Movement. On August 7, 2016, a pro-Erdoğan newspaper published the name and photograph of my husband, claiming that he was part of “FETÖ.” However, we tried to keep our life in Malaysia as normal as possible. Our daughters continued to study in Malaysia.

Our lives were ruined when my husband was kidnapped in Kuala Lumpur on October 13, 2016. We were not aware that Turkish intelligence officers were searching for my husband. No information was given to us after he was abducted. I was constantly trying to reach him
on the phone that day and I sent many messages. However, I received no replies. I did not know what happened to him, where he was, and who had kidnapped him. For two days, we and our friends sought him at all possible hospitals and police stations, in case he might have had an accident or fainted in some place or been attacked by robbers. My daughters and I were crying all day and night for two days and desperately trying to find him. The Malaysian police prepared a missing person’s report about him.

On October 15, a friend from Turkey called me and said that Foreign Minister Mevlüt Çavuşoğlu announced that three Gülenists from Malaysia had been brought to Turkey successfully. My daughters and I were no longer safe in Malaysia. We also began to feel threatened by pro-AKP people living in Kuala Lumpur. After the July 15 coup attempt, these pro-Erdoğan people gathered in front of the Turkish embassy and shouted our names in a loud voice, they said they know us all and they did not want to see us anymore in Malaysia. They also removed the signboard of the Malaysian–Turkish Chamber of Commerce and Industry (MTCCI), which my husband worked for.

The Turkish authorities also demanded that the Malaysian government deport the people affiliated with the movement. I could no longer risk my life and my daughters’ lives by staying there. In addition, Malaysia is not one of the countries that has signed the Refugee Convention. After we learned that one of the people kidnapped in Turkey was highly likely to be my husband, we left Malaysia without delay and arrived in Canada on October 16.

I have confirmed that my husband is now in Sincan T Type Prison. My husband gave power of attorney to Hasan Basri Aksoy before he left Turkey. But that lawyer was also arrested. I got another lawyer through a friend. But he could not meet with my husband when he went to the prison. Officials said they had already assigned a lawyer and they would not accept our lawyer. A few days later, I sent a message to the lawyer asking for the text of my husband’s statement to the police and prosecutor and I wanted to know what he was accused of. But the lawyer said he could not give those files to us. I then reminded him that he was our lawyer, not the state’s, and then I insisted on these files. He did not agree. My mother-in-law and my brother called him and made the same request. But the lawyer said that he did not want to take my husband’s case because of the coup attempt, but he had to do so because he was appointed. I believe that he was afraid of getting into trouble if he made a good defense.

The lawyer advised my father-in-law, mother-in-law and brother to contact the prosecutor directly and to request those documents. They went to see the prosecutor, who was friendly at first. He told them that they should invite me to Turkey in order to convince my husband to confess that he had participated in the coup attempt. The prosecutor said that my husband was not testifying this, but if he would confess, he would be imprisoned only for 2 years; otherwise he would face 15 years’ imprisonment. But when my mother-in-law and brother stated that my husband was innocent and requested documents, the attitude of the prosecutor changed. He labeled my mother-in-law and my brother ‘traitors’ and said that if I went back to Turkey, I would be arrested.
too. He also refused to give the documents they requested.

My husband is in prison now, even though he has not committed any crime. We do not know when they will finalize the indictment. He faces torture and ill-treatment. We do not know how long they will continue to hold him for no reason at all. Because there is no rule of law and independent judiciary in Turkey anymore, my husband is at serious risk of torture, ill-treatment, and of execution that looks like suicide.

The family requested political asylum in Canada. Their case is still pending. Both Duman and Tıbık’s families have suffered traumatic days in Malaysia. After days of sorrow and fear, they contacted the United Nations representative in Kuala Lumpur and asked for help. They filled the Involuntary Disappearance form for their husbands as well.

Although SCF was able to identify two of the Turkish nationals cited in Çavuşoğlu’s statement, the third person he mentioned remains a mystery.

TURKS IN MALAYSIA TRAUMATIZED

The news of abductions sent tremors through the Turkish community in Malaysia, especially among those who are critical of the repressive regime in Turkey. The unlawful mafia-style extradition and torture of their friends have prompted some Turkish families to leave Malaysia and seek asylum in other countries. Those remaining have developed new tactics to avoid being dragged into similar situations, including precautions such as never going out alone, informing the family where they are going, changing homes, and never going to the embassy building for any transaction.

However, taking such measures has a downside. For example, the wife of Arif Komis, who was a chemistry teacher at Time International School, gave birth to a baby girl. The family needed to visit the Turkish embassy to register her birth, get her an identity card and passport. However, despite the fact that he had received the birth certificate from the hospital, the father was too afraid to go to the embassy. At the time of preparing this report, the baby still did not have a Turkish identity or passport.

The people affiliated with the movement have also heard news from neighboring Indonesia, where the Turkish embassy and consulates arbitrarily and unlawfully refused to provide consular services to government critics. For example, Yusuf Tanrıverdi, who lives in Jakarta, the capital of Indonesia, and is a biology teacher in the Kharisma Bangssa school that is affiliated with the movement, went to the embassy for a transaction and his passport was confiscated. Despite repeated requests, the embassy replied, “The Ministry of Foreign Affairs will conduct an inquiry. If you are approved, we will return your passport.” But his passport has not been returned for months even though the visa has expired. Tanrıverdi, who sent his wife and children to Turkey, had to apply for refugee status with the representative office of the United Nations in Jakarta. He is able to stay in Indonesia thanks to this application. SCF has learned that there are about 15 Turkish citizens who are afraid of going to Turkey and have applied to the UN office to be able to stay in Indonesia like Tanrıverdi.

Such incidents are heard immediately in Malaysia, and are further multiplying existing worries. For this reason, Turkish citizens who are affiliated with the Gülen Movement are
afraid to go to their embassies. Also, E. B., a teacher of Time International School, did not renew his children’s passports. E. B. called the embassy by phone but received the reply “We can give you passports after we receive a letter of clearance from the relevant governorship in Turkey for you.” Moreover, they said that they would take their original passports off him and check them while processing the application. E. B. does not want to give in his passport because of the bad experiences reported by others. Instead, he said, “There is probably no warrant for me. So I have decided to go to Turkey instead of taking a risk here and I’ll renew my children’s passports there.” However, when he arrived at Istanbul Atatürk Airport, he was shocked to be told by the police, “Your name is on the list of the FETÖ terrorist organization.” Police confiscated his passport and then released him. He cannot go to Malaysia again. And no one has received any news from him for a long time. It is not even known whether he is in prison or not now.

THE CASE OF İSMET ÖZÇELİK

Cases of abductions of Turks critical of their government are not limited to those three people in Malaysia. On December 13, 2016, İsmet Özçelik (58), an academic, experienced an abduction attempt from his son’s home in Kuala Lumpur, where he was staying on a visa that was valid for a year. He was forcibly taken away and thrown into a jail, where he spent fifty days before he was released on bail. Özçelik was registered with the UNHCR as refugee and placed on a resettlement program.

According to the information received by SCF from Özçelik and his family members, İsmet Özçelik served as the vice chairman of Gevher Sultan Education Research and Health Foundation attached to Mevlana University, located in the Konya province of Turkey. However, on June 7, 2016, he was dismissed from his post after the appointment of a trustee and an investigation started about him. Thirty-eight days later, on July 15, when a military coup attempt was made and his friends were arrested, İsmet Özçelik decided to go abroad for safety reasons. On August 8, 2016, he left Turkey and moved to Bosnia and Herzegovina. His first thought was to stay there until the political storm in his country faded away. But he realized that Bosnia and Herzegovina is one of the countries where the “long arm” of President Erdoğan can easily reach. Due to pressure from the AKP government, the Sarajevo administration has already handed over the schools affiliated with the Gülen movement to Bosnian businessmen. He went to Malaysia, where his elder son Süheyl Özçelik was working as a teacher.

On August 22, 2016, his house in Turkey was raided by the police although nobody was living there anymore. Its door was broken and police conducted a search. An interim injunction to freeze his assets was imposed. Due to the requirements of visa application in Malaysia, he performed an entry and exit procedure through Indonesia on November 13, 2016. He did not encounter any trouble in passport control. He received a one-year social visa on November 15, 2016.

On December 13, 2016 at 16.00, four people in civilian clothes came to the house of Süheyl Çelik, the son of İsmet Özçelik. They wanted to handcuff and take İsmet Özçelik

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18] The Turkish government has unlawfully seized thousands of media outlets, schools, foundations, universities, hospitals, unions and companies and appointed their supporters to manage these institutions on its behalf.
Unknown men tried to detain Özçelik and refused to show any ID or authorized papers.

into custody without presenting any ID or authorized legal paperwork. His daughter-in-law Meryem Özçelik asked them to show their identity and asked if there was a court decision for detention. They could not show any documents, so she did not let them get in the house. Despite this, the four people were determined to take Özçelik by force. Upon this, İsmet Özçelik and his family locked the door. Meryem Özçelik called and informed her husband Süheyl, who was not home at that moment.

Recalling that his friends had been abducted before, Süheyl Özçelik immediately called the police and rushed home. He also called his friends to alert them about the situation. When he arrived, those four people were still waiting in front of the door. He asked them to show their identity cards and documents. They refused to do so but claimed they were from the Immigration Department of Malaysia. Eventually, they presented a document from the Turkish Embassy in which İsmet Özçelik was identified as a “member of the Terrorist Organization of the FETÖ/PDY and therefore his passport was canceled on 22 August 2016.” This meant that on the day his house was raided in Turkey, İsmet Özçelik’s passport was canceled. However, there were no documents from the Malaysian government or the Immigration Department of Malaysia (Jabatan Imigresen Malaysia) about detaining or deporting him.

The Özçelik family, concerned about enforced disappearance, refused to turn İsmet over to the men and asked for official police units to respond to the scene. The four men began to wait, saying that they also have police officers at the Immigration Department of Malaysia and that they would be coming soon. Indeed, after a while four more people in civilian clothes came and claimed they were police officers. The Özçelik family invited them in, thinking that this time they were police officers. One of them examined the passport of İsmet Özçelik and after he saw the valid visa authorizing his stay in Malaysia, he put the passport in his pocket. The family challenged that, thinking the passport was being unlawfully seized without any official processing of the delivery and asked for its return.

Then, the people who said that they were police officers handcuffed İsmet Özçelik in the house. A few friends in the house also recorded these developments on camera. In the meantime, the police called by Süheyl Özçelik and his friends reached the house. This time four police officers in official uniforms showed up and the tense situation was calmed down. However, nothing changed for İsmet Özçelik. The police detained İsmet Özçelik, his son Süheyl, Erdem Eroğlu, the director of Time International School, S.M., an Azeri citizen who was teaching at school, and a Malaysian businessman named Muhlis Amir Nordin. All of them were handcuffed. There were bruises on the chest of İsmet Özçelik from police brutality. The only reason for the arrest of Azerbaijani citizen S.M. was that he was recording the incident on his mobile phone.

The five were taken to Sentul police station and held there for 2-3 hours in handcuffs. According to the statements they made to SCF, the police humiliated them by insulting them and by blowing smoke in their faces. The police also confiscated their phones and deleted all their video recordings and photos about the incident. But Süheyl Özçelik had been able to give his phone to a friend before he left the house. Camera records of the incidents at home are still available.
After a police report was issued, the five were held in Jinjang lockup for two nights. Özçelik and his colleagues explained that they were held under such bad conditions of detention that it violated human rights very seriously. It was not just that there were no toilets or water, or physical conditions such as very narrow cells, also police officers demanded high payments from them to use their phones to make a call. They also explained that cigarettes, food and drink could be ordered from outside for certain bribes given to the police.

On December 14, 2016, the five were taken to court. The Immigration authorities filed a complaint against them on the grounds of resisting its officers. They were brought to trial because of this complaint once again on the following day. The court decided to release the Malaysian business man Mukhlis Amir Nordin on bail and arrested the other four people to inquire about their passports and visas. These four were taken to Sungai Buloh prison.

The next hearing was scheduled to take place eight days later on December 23. The court consulted the Immigration Department, which was listed in the case as a plaintiff already, and requested an approved document on the validity of the visas of the suspects.

İsmet Özçelik and his friends said that the prison conditions were inhumane and urged intergovernmental organizations such as the United Nations and non-governmental organizations to visit the place and examine it. In a hot and humid country like Malaysia, 200 people were put in a cell that can only accommodate 30 to 40 people. The room did not have any ventilation Although there was no clean water for hand washing, basic utensils such as spoons, forks and plates are not provided to detainees and they had to use their unwashed hands for eating. Beds were not provided. There were only two toilets in the complex, and they were often clogged and not functioning properly. There were only 2 faucets for 200 people. There was no drinking water other than contaminated water flowing from the fountains.

Although İsmet Özçelik suffers from diabetes and heart disease, he was kept in these terrible conditions. In 2014 he had had cardiac surgery due to congestion in one of his cardiac blood vessels. He has medications that he should use routinely, but could not receive a positive response, despite repeatedly reporting his illness to prison officials and requesting the delivery of his medication.

The four of them were dressed in prison clothes, their heads were shaved, and they were not allowed to take any clothes or underwear from outside. In detention, they experienced a number of abusive treatments such as beatings, insults, and humiliations which violated human dignity and their fundamental human rights.

At the same time, they witnessed that drugs and tobacco were widely used in the prison. The police were selling cigarettes to detainees for 10–20 Malaysian ringgit. In particular, they were surprised to see that the synthetic drug known as ‘ice’ was commonly used in the prison by prisoners. Sometimes they even had difficulty breathing in their cell due to cigarette smoke. They faced arbitrary restrictions on telephone calls, paid high prices in the prison canteen, and food and clothing were refused to certain cells.

On Wednesday, December 21, from 4 am, the water supply was cut for 38 hours. During this time, detainees were not provided with drinking water. The water supply was restored.
at midnight on December 22. Drinking water was not given to detainees for about 50 hours. During this time, S.M. became sick with a high fever. On December 22, the officials from the United Nations come to prison to meet with three of them, except S.M., and they took note of the maltreatment the victims encountered in the prison.

On December 23, these four people, with around 30 other detainees were loaded into a cabin truck and taken to court. They were brought to court in handcuffs and chains. There was no translator at the hearing. Immigration officials claimed that they had been pushed and bitten by the Özçelik family. Of the four only Süheyl Özçelik understood the Malay language. The judge stated that the examination of passports had been completed and the visa of İsmet Özçelik had been canceled on December 14, one day after the date of the police raid. Announcing that there were no problems with the visas of the others, the court ruled that they would be released on bail pending trial.

From the court records, it was clear that on December 13, the day that İsmet Özçelik was forced to leave the house in handcuffs, he had a valid visa. One day after he was taken into custody, his visa was canceled. The claim that his passport was canceled appeared to be inaccurate too. Yet, İsmet Özçelik was not released from prison. According to Malaysian immigration law, someone without a legal residence permit, a person with “overstay” status, cannot stay in Malaysia.

Meanwhile, the lawyer and Turkish friends who were waiting outside the court saw the same men who raided the Özçelik house on December 13 were also there. The UN officials warned them about the possibility of abductions if they were let go on bail. Concerned, they abandoned the bail process. As a result, only the Azeri citizen S.M. was taken out of the prison by officers from the embassy of Azerbaijan. The three Turkish citizens refused to pay bail and stayed in prison to avoid possible abduction. Later on, Turkish friends who were assured that Erdem Eroğlu and Süheyl Özçelik would not be in a danger decided to pay the bail and secure the release of these two on December 28. İsmet Özçelik continued to stay in prison because of his allegedly canceled passport.

Finally, on January 26, 2016, the UN granted him a refugee card, paving the way for his release on bail. He was released pending trial on January 31, 2016. The United Nation’s Representative in Malaya, Brian Gorlick, talked to İsmet Özçelik and his lawyer for about two hours after his release and said the UN would do the best it could for him. From that date on, Özçelik continued his residence in Kuala Lumpur as he could not leave Malaysia because of the ongoing case and the seizure of his passport.
His terrible experiences in Malaysia were far from over. İsmet Özcelik, while waiting for resettlement by the United Nations High Commissioner for Refugees (UNHCR), was detained by the police on May 4, 2017, again along with his son Süheyl Özcelik, another Turkish citizen, Erdem Eroğlu, and two other Malay citizens. His detention came a day after police raided Süheyl Özcelik’s house, knocking down the door and ransacking the place while Süheyl Özcelik’s wife and two small children, one a month-old baby, were crying in terror. His detention came a day after Malaysian police confirmed the detention of two other Turkish nationals, Turgay Karaman and İhsan Aslan, who were initially believed to have been abducted. Despite pleas from human rights organizations to not turn them over to Turkey where they will surely face torture and abuse, Malaysian government handed all three to Turkey on May 11, 2017.

THE CASE OF TURGAY KARAMAN AND İHSAN ASLAN

Turgay Karaman, the principal of Time International School, was reported to have been kidnapped on May 2, 2017, by five unknown people in the parking lot of Wisma E & C, a sixteen-story high-rise building to which he went to attend a meeting. The CCTV camera footage showed he was taken away after he got out of his car in Basement No. 5 of the building. Karaman was scheduled to offer his testimony as a defense witness in a trial hearing of a case that was to be held on May 3.

His friends filed a missing person’s report with the police when they could not reach him on the phone after Karaman did not show up for the meeting at the lawyers’ office in the afternoon of May 2. They later found his car abandoned in a parking lot. The United Nation’s office in Kuala Lumpur was also alerted about the possible abduction of a foreign national in Malaysia by clandestine groups operating on behalf of Turkish government.

Another Turkish national named İhsan Aslan, a thirty-nine-year-old businessman, was reported missing by his wife who informed the police that she had been unable to reach her husband since 20.00 on May 1, 2017. Arslan, married to Malaysian national, is a member of the Malaysian–Turkish Chamber of Commerce and Industry, a business advocacy group that is affiliated with the Gülen movement, a major critic of Turkey’s autocratic President Erdogan on corruption and Turkey’s arming and funding of jihadist groups including the Islamic State of Iraq and Levant (ISIL or Daesh).

Although the police could not immediately establish their whereabouts, when the news of their abduction became a breaking story on international media, Inspector-General of Police Khalid Abu Bakar said in a tweet on May 3 that both Karaman and Arslan were arrested in connection with activities that threatened national security. He said they were arrested under Section 130 of the Penal Code. It is reported that Karaman and Arslan were detained under the Security Offenses (Special Measures) Act 2012 (Sosma) – which allows for detention of suspects without trial.

When their abductions became an international news story, the Malaysian government and police offered contradictory statements. Home Minister Ahmad Zahid Hamidi said anti-terror police had been investigating Karaman and others for “spreading, influencing and funding” ISIS-linked activities. The Guardian ran a story challenging that claim: “Karaman, who was the principal of a prestigious international school that promotes critical thinking as well as holding his post with
the Malaysian–Turkish Dialogue Society, does not fit the stereotypical profile of an ISIS operative. … His social media accounts promote books on topics from Turkish cuisine to Sufism, the mystical branch of Islam abhorred by hardline jihadists; on LinkedIn, he follows a global networking group for the LGBT community and their allies.”\textsuperscript{19}

Phil Robertson, deputy Asia director at Human Rights Watch (HRW), said the national police chief should grant the two men immediate access to their lawyers and families and give details of how they posed a threat to Malaysia.

Social media accounts connected to the Turkish government hailed the abductions of Turkish nationals, saying that Turkish intelligence was involved in snatching critics in Malaysia. They threatened that other critics in foreign countries will end up in the same situation soon as Turkish intelligence will round up Erdoğan’s critics no matter where they are located around the world. Both Karaman and Arslan have been legally residing in Malaysia for thirteen years and they have been involved all that time with educational, charitable and intercultural dialogue activities. There is nothing to suggest that they were involved in any type of violence or terror.

Malaysia Inspector-General of Police Tan Sri Khalid Abu Bakar confirmed that Karaman, Arslan and Özçelik were deported to Turkey on May 11, 2017.

**ERDOĞAN ACTS CONFIDENTLY IN MALAYSIA**

There are some reasons that Erdoğan and his political Islamist party AKP can act confidently in pursuing their parochial interests in Malaysia. For one, there are important structural similarities between the government of Malaysia and the Erdoğan administration in Turkey. The systematic corruption scheme established by Erdoğan and his associates in Turkey helps enlist allies and partners that find it easy to engage in transactional relationships as such systems suffer from weak rule of law, partisan and less independent judiciary and abuse of the criminal justice system to persecute opponents and critics. Secondly, Erdoğan blatantly uses the brotherhood of political Islamist networks, especially in Muslim countries, as a cover to promote his own personal interests.

In Malaysia, where 60 percent of the 30 million people is Muslim, an Islamist party has been in power for 60 years. The United Malaysian National Front under Prime Minister Najib Razak has won every election since the country gained independence from Britain in 1957. However, due to the established secular sensitivities in Turkey, ties between the two countries were not close until 1996, when Prime Minister Necmettin Erbakan led the Refah-Yol coalition government. When Erbakan, the founding father of the political Islamist movement in Turkey, came to power, he tried to push the

\textsuperscript{19} Turkish headmaster accused of Isis links met Malaysian PM, pictures reveal, (May 5, 2017) https://www.theguardian.com/world/2017/may/05/turkish-headmaster-accused-of-isis-links-met-malaysian-pm-pictures-reveal
Islamist agenda as one of the most important projects among his political goals.

As the leader of the Milli Görüş (‘National View’) movement, a political Islamist Movement, Erdoğan had long promised during his opposition years, “We will establish an Islamic Union when we are in power.” He first declared this goal in 1991 in a speech to the Turkish parliament. In June 1997 as the Prime Minister of the coalition government with the True Path Party (DYP) in June 1996, he established the D-8 (Developing Eight). One of the eight member states of the D-8, which was a dream of developing Islamic countries as a unity project, was Malaysia.

This dream of Erbakan also included such projects as the “Islamic common market, Islamic Currency, Islamic NATO, Islamic UN, establishment of Islamic peace force, Islamic UNESCO.” He even entertained the idea of manufacturing an “Islamic plane“ with Indonesia and Malaysia.

Erbakan’s statement at the time, “If only Turkey could go as far as Malaysia,” has caused a serious disturbance in the secular segments of Turkey. Erbakan said that he meant in industrialization, but he could not convince his opponents.

Malaysian political Islam still remembers Erbakan very gratefully today. Muhtar bin Shuali, a member of the Islamic Party of Malaysia, said in an interview with Milli Gazete newspaper, the media organ of the Milli Görüş (‘National View’) movement, on October 9, 2016, “To be precise, Erbakan is the role model for us.”

When the AKP, which was established by a group of politicians from Milli Görüş (‘National View’), came to power in 2002 under Recep Tayyip Erdoğan’s leadership, Malaysia would enter Turkey’s agenda from a different angle this time. Secular elitists started to argue that “External forces are imposing a moderate Islam project on Turkey. The AKP has been brought to power for this project.” The “moderate Islamic zone” on which the nationalist secular communities based their thesis also included Malaysia. Particularly after the AKP’s election for the second time on July 22, 2007, the debate “Will Turkey be a Malaysia?” began again.

This debate, popular in the media for a few weeks, was about reports that the Islamists-

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21] The Developing-8 Organization for Economic Cooperation (D-8) is an organization for development co-operation among Bangladesh, Egypt, Indonesia, Iran, Malaysia, Nigeria, Pakistan, and Turkey.
authoritarian administration in Malaysia, where the Constitution says “The state religion is Islam,” was suppressing the secularist segment of society. There was concern that the AKP would gradually implement in Turkey applications such as Shari’a courts and the fasting police. It was suggested that the AKP could take Malaysia as a model instead of Iran because Malaysia as a developing country implements liberal economic rules. But the controversy implied that Malaysia was not a “modern religious state” but an economically developed country.

This debate was forgotten afterwards. But the relationship between the AKP and the Malaysian government has always been warm. Established in 1983, Malaysia International Islamic University (MIIU) has high prestige in political Islamic organizations in Turkey as a higher education institution\(^2^7^\) aiming to reproduce modern sciences within the Islamic paradigm. Thanks to Ahmet Davutoğlu, who taught as a professor at International Islamic University for five years, Malaysia was once again put on the agenda when he was the driving force behind Turkish foreign policy, first as an advisor to Erdoğan and later as foreign minister and prime minister.

Davutoğlu became a faculty member at MIIU in 1990. He helped establish the political science and international relations departments. While serving there, he became associate professor in 1993. He returned to Turkey in 1995.\(^2^8^\) Davutoğlu has always presented the Malaysian model as the “best example” for Turkey. He has said, “It is a country that was able to manage Islamism and development together in the Islamic world and become the best example.”\(^2^9^\) Yusuf Ziya Özcan, former head of the Board of Higher Education (YÖK) under AKP governments, also graduated from this university.

**“ERDOĞAN SMUGGLED HIS MONEY TO MALAYSIA”**

Malaysia entered the Turkish agenda again when the graft investigations of December 17–25, 2013 that incriminated Erdoğan’s family members and his associates became

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3- Doç. Dr. Saim Kayadibi, Standardlarda Davutoğlu etkisi, Milat Gazetesi, (October 2, 2014), http://www.milatgazetesi.com/standardlarda-davutoglu-etkisi-makale-62220#.VCzA8Fc38Y5
Following these massive probes in 2013, it was even claimed that “Erdoğan will flee from Turkey to Malaysia.” Sezgin Tanrikulu, deputy Chairman of the main opposition Republican People’s Party (CHP), put allegations that Erdogan was going to escape to Malaysia and ask for a political asylum there onto the agenda of Parliament. Tanrikulu submitted a parliamentary question to be answered by then Deputy Prime Minister Bülent Arınç: it contained the following questions:

1- Are the allegations true that Recep Tayyip Erdoğan informed his son Bilal Erdoğan on December 17, 2013 at 8:02am by phone after the corruption operations had started and that he asked his son to clean up money kept at five different places including Bilal Erdoğan’s villa in Kısıklı, and that all of the money (in dollars and euros) was transferred to Çalık Holding Building by minibuses throughout the day?

2- Is the allegation true that after all the money (in dollars and euros) was transferred to Çalık Holding Building on December 18, 2013 it was planned to transfer it to a country in South Asia through a method devised by one of the advisors of Recep Tayyip Erdoğan and that this plan was implemented? Who was the advisor who devised this method?

3- Is the allegation true that the money (in dollars and euros) which was transferred to Çalık Holding Building was carried to a plane prepared for an unplanned South Asia trip on January 3, 2014? Is it true that this South Asia trip was planned to cover three countries (Japan, Singapore, Malaysia) so that it did not look suspicious? Is it true that visits to Japan and Singapore was purely for show? Is it true that Recep Tayyip Erdoğan asked Malaysia for asylum for himself and his family?

4- Is it true Recep Tayyip Erdoğan and his family were granted the right of asylum by Malaysia?

5- Is it true that 40 percent of the shares of Medical Park Hospital owned by Carlyle (Asset Management Company) were sold to Malaysians (Turkven Private Investment Fund) on December 24, 2013, one day before the second wave of corruption operations and investigations on December 25? If it is true, is this a coincidence?

6- Is it true that 40 percent of the share owned by Indian GMR at Sabiha Gökçen International Airport was sold to Malaysians (Malaysia Airports) for 1 billion ringgits (about 225 million Euros), bringing the total stake controlled by Malaysia Airports to 60 percent, just two days prior to the December 25 graft probe? If true, is this a coincidence?"\(^{31}\)

Bülent Arınç dodged this question, saying that he does not have a mandate to respond. Erdogan did not respond to this claim either. But the claims that Tanrikulu made with concrete names and dates provide essential clues to the dimension of the relations between Erdoğan and the Najib Razak administration.

Erdoğan was welcomed very warmly during his trip to Malaysia in January 2014 and was

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30] The sacking of Davutoğlu without a justifiable reason right after the election that his party won in a landslide and his replacement by Binali Yıldırım created disappointment in Malaysia especially among academic circles that monitored Turkey’s developments.

31] Parliamentary question, (05 March, 2014), http://www2.tbmm.gov.tr/d24/7/7-40568s.pdf
awarded an honorary doctorate from the International Islamic University of Malaysia. He managed to hush-up corruption probes, by orchestrating a reshuffle in the judiciary and law enforcement agencies that led to the dismissal of the leading investigators, prosecutors and judges who had uncovered Erdoğan’s net of kickbacks and corruption. He became more authoritarian and repressive, suspending the rule of law and violating fundamental rights and freedoms in Turkey.

He also launched the most vicious witch hunt that targeted participants in the Gülen movement that is critical of Erdoğan on pervasive corruption.

By the year 2015, Prime Minister Najib Razak was also at the heart of corruption allegations that involved the state developer 1Malaysia Development Berhad (1MDB) fund set up by Razak in 2009. In August 2015, Razak, who was alleged to have embezzled $700 million, was called to resign by protesters in Kuala Lumpur. Indeed, Turkey and Malaysia have become very similar to each other over the years and transformed into a single corrupt model by two political groups which pattern themselves after each other. However, Razak hushed up the investigation by exerting pressure on the judiciary and cracking down on the media instead of resigning, just like Erdoğan did in his own graft scandal.

CONCLUSION

It has become clear that Malaysian government has been doing the bidding of Turkish President Recep Tayyip Erdoğan in persecution of his critics and dissidents abroad. Not only did the Razak government facilitate extrajudicial transfers of Turkish nationals to

Turkey but it also aided and abetted the torture and abuse of victims with flagrant abuse of administrative and criminal procedures.

In doing so, the Malaysian government has disregarded recommendations made by the United Nations Working Group on Arbitrary Detention, which urged Malaysia “to rule out systematic immigration detention of vulnerable groups of migrants.” SCF believes Gülen movement participants clearly represent one of the most vulnerable groups in Malaysia as they have been subjected to persecution by both the Turkish and Malaysian governments. Kuala Lumpur appears to have engaged a systematic and deliberate campaign of persecution against the group, mostly using immigration and security laws as pretexts to detain and deport them.

In its report, the UN Working Group said, “Detention under immigration powers does not seem to be in line with international human rights law. The Working Group considers that the detention of migrants should be decided upon by a court of law, on a case-by-case basis, and pursuant to clear and exhaustively defined criteria in legislation under which detention may be used. The Working Group received complaints of detainee abuse, inadequate food, water, medical care and poor sanitation in most immigration detention centers.” SCF findings corroborate the UN findings.

The cases SCF has documented clearly show that the Malaysian government has been involved in illegal extraordinary renditions carried out in the context of Erdoğan’s


Three Turkish national were deported to Turkey to face torture despite outcry from human rights organizations.
persecution targeting the Gülen Movement. Sadly, these renditions were accompanied by incommunicado detention in secret places, as well as acts of torture and ill-treatment before the victims were turned over to Turkey.

The promise which was given by Malaysian Prime Minister Razak at an international meeting in Thailand to Turkish Foreign Minister Çavuşoğlu to “deliver” people living and working legally in his country without any justifiable legal basis is a heavy blow to the prestige of his country. Following this promise, the kidnapping and delivery of Alettin Duman and Tamer Tıbık by unknown persons apparently connected to the security services of Malaysia to Turkish intelligence has dealt another huge blow to the reputation of the country.

While the Turkish government has violated a number of its own laws as well as international conventions in abducting its own citizens from a foreign country, Malaysia also violated established practices and rules in international law by allowing clandestine operations to take place in its territory.

The Malaysian government needs to stop these gross violations of human rights as soon as possible, ensure the safety and security of Turkish expatriates, stop enabling Turkish President Erdoğan to perpetrate injustice against critics of Turkish origin, and comply with universal values based on international law. After all, safety and security including the right to life for Gülen movement participants in Malaysia fall under the responsibility of the Malaysian government. Just as European governments have taken measures to ensure the safety of Turkish nationals, especially Gülen movement participants, against what SCF has called the “long arms of Erdoğan”, Malaysia must take all reasonable measures to make sure Turkish nationals live free of the fear of Erdoğan’s grasp.

ANNEX 1:

BACKGROUND NOTE ON THE GÜLEN MOVEMENT

The Gülen movement is inspired by US-based Turkish Muslim intellectual Fethullah Gülen, who advocates science education, poverty reduction, community contribution and interfaith and intercultural dialogue. The movement promotes a moderate version of Islam with a heavy emphasis on public service and volunteer work for the community. It remains staunchly opposed to any violence or terrorism in the name of religion or nationalism. The movement runs schools, universities, and other institutions in 180 countries.

Gülen has been a vocal critic of the Turkish government and Turkey’s autocratic President Recep Tayyip Erdoğan over massive corruption in the government as well as Turkey’s aiding and abetting of radical groups in Syria and other places. Erdoğan launched an unprecedented persecution against Gülen and his followers in December 2013 immediately after a major corruption probe went public and incriminated Erdoğan’s family members.

Turkey’s ruling AKP’s Islamist leaders have labeled the movement as “FETÖ,” a terrorist organization, although Gülen, a 75-year-old cleric, and his followers have never advocated violence but rather have remained firmly opposed to any violence, radicalism or terror in the name of religion for decades. Gülen has been an outspoken cleric condemning al-Qaeda, the Islamic State (IS), Boko Haram and other violent radical Islamist groups.

Erdoğan, who described the botched military coup attempt of July 15, 2016 that killed over 240 people as “a gift from God,” immediately pinned the blame on the Gülen movement despite the lack of any evidence to that effect. Although the Gülen movement strongly denies having any role in the putsch, Erdogan escalated a witch-hunt against the group that had been under way since the revelation of corruption in December 2013. The government initiated a widespread purge aimed at cleansing sympathizers of the movement from within state institutions, dehumanizing its popular figures and putting them in custody.

Contrary to claims made by Erdoğan and the Turkish government, the Foreign Affairs Committee of the UK Parliament has concluded that Fethullah Gülen and the movement he inspires as a whole were not behind the failed coup in Turkey on July 15. The head of Germany’s Federal Intelligence Service (BND), Bruno Kahl, says Turkey could not convince them that US-based Turkish-Islamic scholar Gülen was behind the coup attempt. Similarly, Devin Nunes, chairman of United States House Permanent Select Committee on Intelligence, says he has not seen any evidence showing Gülen’s involvement in the putsch. German intelligence expert and author Erich Schmidt-Eenboom said Erdoğan was behind the failed coup attempt based on intelligence reports from the US Central Intelligence Agency (CIA) and the BND.

In the currently ongoing post-coup purge, over 138,147 people, including thousands within the military, have been purged due to their real or alleged connections to the Gülen Movement since the July 15 coup attempt. A total of 8,271 academics have also been purged, as well as 4,424 judges and prosecutors who have been dismissed for alleged involvement in the failed coup.

Turkey’s Interior Minister Süleyman Soylu announced on April 2 that 47,155 people have
been jailed over alleged links to the Gülen Movement since July 15, 2016. According to Soylu, 113,260 people have also been detained on the same accusation.

Minister Soylu also announced that 41,499 people have been released under judicial supervision and 23,861 have been released without any conditions attached. Soylu added that 863 suspects remain at large. On May 6, Turkish Justice Minister Bekir Bozdağ said 149,833 people have been investigated and 48,636 have been jailed as part of an investigation targeting the Gülen Movement since July 15 of last year.