

The Gülen Movement: Challenging Turkey's “Terrorist Organization” Narrative Through Global Perspectives



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Executive Summary

The report examines Turkey's allegations against the Gülen Movement (*Hizmet*) as a terrorist organization responsible for the failed coup attempt of 2016, contrasting them with international perspectives that challenge this narrative. According to the sources, *Hizmet*, founded by Fethullah Gülen, is an Islamic social movement emphasising education, interfaith dialogue, and community service. The Turkish government, led by President Recep Tayyip Erdoğan, labels it the "Fethullahist Terrorist Organization" since 2016 ("FETÖ") which is widely considered as hate speech¹. Despite these accusations, global bodies, including the United Nations, European Union, and various human rights organisations, contest Turkey's claims, citing insufficient evidence and widespread human rights violations against alleged members.

The report highlights the Gülen Movement's global contributions to education and social welfare, showcasing its alignment with democratic and non-violent principles. International courts, media outlets, and academic studies underscore the lack of evidence for its involvement in terrorism or the coup. Furthermore, numerous international rulings deny extradition requests for Gülenists, deeming them politically motivated and incompatible with human rights obligations.

The analysis concludes that Turkey's narrative is not widely accepted globally, revealing significant geopolitical tensions and raising critical concerns over human rights, judicial independence, and democratic values.

1. Introduction

The Gülen Movement, also known as Hizmet, is a significant Islamic social movement founded by the Turkish cleric Fethullah Gülen in the 1970s. Emphasizing education, peace, interfaith dialogue, and community service, the movement has established a vast network of schools, hospitals, and charitable organizations both within Turkey and internationally. Despite its humanitarian and educational contributions, the Turkish government, under President Recep Tayyip Erdoğan, has labelled the Gülen Movement as a terrorist organization, specifically the "Fethullahist Terrorist Organization" (FETÖ), particularly following the failed coup attempt on July 15, 2016. This report critically examines the narrative that the Gülen Movement is (or is not) a terrorist organization, emphasizing global perspectives that dispute Turkey's allegations and highlighting the movement's legitimate contributions to society.

2. Fethullah Gülen and the Hizmet Movement

2.1. Background and Leadership

Fethullah Gülen, who passed away on October 21, 2024, at the age of 83, was the founder and spiritual leader of the Gülen Movement [1][3][5][6]. Gülen resided in self-imposed exile in the United States since 1999, where he continued to lead the movement until his death [2][4][6]. The movement has established a global network of schools, hospitals, and charitable organizations aimed at fostering education and social development [3][4][6][8].

2.2. Ideological Foundations

The Hizmet Movement advocates for a version of Islam that harmonizes with modern democratic values, scientific progress, and interfaith dialogue [3][4][6]. It emphasizes education as a tool for promoting tolerance and addressing social issues through non-political means, fostering a vision of Islam that is compatible with Western ideals [3][4][6][8].

3. Turkish Government's Allegations Against the Gülen Movement

3.1. Designation as a Terrorist Organization

In May 2016, the Turkish government designated the Gülen Movement as a terrorist organization, labelling it as "FETÖ" [13][25]. This designation was primarily based on the government's assertion that the movement orchestrated the failed coup attempt on July 15, 2016, *accusations Gülen repeatedly denied* [13][25].

3.2. Accusations of Coup Involvement

President Erdoğan publicly blamed the Gülen Movement for the 2016 coup attempt, alleging that it had infiltrated various state institutions over decades [2][6][13][25]. Consequently, the government launched extensive purges, *which President Erdogan himself admitted to be a "witch hunt"* [36][37], resulting in the dismissal of over 100,000 civil servants and the arrest of tens of thousands of individuals alleged to be affiliated with the movement [12][13][14][15][16][17][18][19][20][21][22][23][24][25][26][27][28][29][30][31][32][33][34][35].

3.3. Measures Against the Movement

Following the coup attempt, Turkey declared a state of emergency, lasting until July 18, 2018 [13][25]. During this period, the government implemented mass detentions and arrests, closures of Gülen-affiliated institutions, and pressured foreign governments to extradite alleged members [12][13][14][15][16][17][18][19][20][21][22][23][24][25][26][27][28][29][30][31][32][33][34][35].

4. Global Perspectives Challenging Turkey's Narrative

This section explores the global reactions and perspectives that challenge Turkey's official narrative regarding the Gülen Movement and related allegations. It examines media coverage from prominent international outlets, the positions of key international organisations, and statements from specific countries. The focus is on how various actors perceive Turkey's classification of the Gülen Movement as a terrorist organisation, as well as concerns about human rights violations and politically motivated prosecutions. The section also includes reports from human rights organisations and legal assessments, highlighting procedural flaws and due process issues in Turkey's handling of these cases. Through an analysis of these global perspectives, this section aims to provide a comprehensive understanding of the international community's scepticism towards Turkey's narrative.

4.1. Global Media Coverage

4.1.1. Dutch Media

The Dutch official broadcaster NOS reported on the death of Fethullah Gülen, referring to him as a controversial Turkish cleric who stood for moderate Islam and tolerance [1]. NOS did not categorize the Gülen Movement as a terrorist organization, instead highlighting its contributions to education and civil society.

4.1.2. British Broadcasting Corporation (BBC)

BBC has consistently portrayed the Gülen Movement as a well-organized community focused on education and interfaith dialogue. In their coverage of Gülen's death, BBC emphasized that the movement was not recognized as a terrorist organization by Western countries [6][33]. BBC also published a comprehensive piece titled "Turkey coup: What is Gulen movement and what does it want?", describing the movement as a community rather than a political party [35].

4.1.3. Al Jazeera and CNBC

Al Jazeera and CNBC have similarly refrained from labelling the Gülen Movement as a terrorist organization. Their reports focus on Gülen's role in establishing educational institutions and his denial of involvement in the coup attempt [3][4].

4.1.4. The New York Times and Welt

The New York Times and the German newspaper Welt reported on Gülen's death without categorizing the movement as terrorist. They highlighted the movement's global educational network and Gülen's advocacy for democracy and science [6][10].

4.1.5. Academic Perspectives

As Jon Pahl states in his book *Fethullah Gulen: A Life of Hizmet*:

"Similarly, with reasonable certainty I can clarify that individuals inspired by Mr. Gülen, collectively known in the most accurate scholarly designation as the Hizmet (service) community, have neither constituted a 'parallel state' with aims to overthrow Turkish democracy, nor evidenced the discourses and practices of an armed terrorist organization. In fact, quite to the contrary, the individuals inspired by Mr. Gülen to engage in Hizmet (service) have consistently evidenced factually verifiable activity: to support literacy by building schools around the globe; to engage in practice of a principled capitalism that lifts people out of poverty; and to sponsor interreligious dialogues to strengthen civil society, the rule of law, and democratic participation. These are the practices of people dedicated to nonviolence and peacebuilding." [Pahl, 2019][40].

4.2. International Organizations' Positions

4.2.1. United Nations (UN)

The United Nations Security Council has never listed the Gülen Movement as a terrorist organization. Various UN reports have criticized Turkey's actions against alleged Gülenists, highlighting human rights violations and lack of due process [9][20][22][23][34]. The Office of the United Nations High Commissioner for Human Rights (OHCHR) has reported extensive human rights violations during Turkey's state of emergency, particularly targeting individuals affiliated with or perceived to be affiliated with the Gülen Movement [23][34].

4.2.2. Council of Europe

The Council of Europe has expressed concerns over Turkey's use of transnational repression tactics against alleged Gülen supporters. In a memorandum, the Council noted that Turkey's broad application of anti-terrorism laws has had serious consequences for civil society and has not met democratic and human rights obligations [32]. The Parliamentary Assembly of the Council of Europe (PACE) has also condemned Turkey's actions, emphasizing the misuse of counterterrorism measures to persecute individuals without substantive evidence [16].

4.2.3. European Union (EU)

The EU has not designated the Gülen Movement as a terrorist organization. In November 2017, EU counter-terrorism chief Gilles de Kerchove stated that the EU requires "substantive" evidence to classify the movement as terrorist, which it does not currently possess [26]. Additionally, a leaked EU intelligence report in January 2017 concluded that Islamist forces, including the Gülen Movement, were not behind the coup attempt, suggesting instead that the Turkish government used the coup to eliminate political rivals [29].

4.2.4. Organization of Islamic Cooperation (OIC)

As a result of our global research and analysis, apart from the Turkish government, we found only a text from the Islamic Cooperation Organisation (OIC) in support of Turkey's accusations, so this needs to be included in some detail.

In 2016, following the failed coup attempt in Turkey, the Organization of Islamic Cooperation (OIC) adopted Resolution No. 47/43-POL during its 43rd Session of the Council of Foreign Ministers held in Tashkent, Uzbekistan. The resolution strongly condemned the coup attempt and designated the "Fethullah Terrorist Organization" (FETO) as responsible for orchestrating the events [51].

Despite Turkey's persistent efforts to have the OIC officially recognize the Gülen Movement as a terrorist organization, these initiatives were ultimately unsuccessful. Following the adoption of the resolution, President Recep Tayyip Erdoğan's government hoped that member states would support and implement the decision. However, over the subsequent eight years, Turkey was unable to secure a binding commitment from member states to formally designate Gülen movement as a terrorist group. Consequently, the OIC lost significant influence within the organization, and its ability to effectuate Turkey's demands diminished substantially [52].

Furthermore, during subsequent OIC meetings, the OIC Secretary did not present any reports regarding the implementation of Resolution No. 47/43-POL. The OIC Secretary also refrained from delegating any OIC institutions to follow up on the resolution or appointing officials to oversee its execution. Diplomatic sources reported to Nordic Monitor that the OIC Secretary maintained a stance consistent with other international bodies, affirming that the OIC does not classify the Gülen Movement as a terrorist

organization [53]. Additionally, these sources indicated that the OIC adheres strictly to the principles outlined in the United Nations Charter and related human rights frameworks, avoiding any actions that would contradict international law [53].

This outcome underscores the OIC's position that, despite Turkey's significant diplomatic pressure, the Gülen Movement does not meet the criteria to be classified as a terrorist organization within the organization's mandates. The inability to enforce the resolution highlights the challenges Turkey faces in garnering international support for its stance against the Gülen movement [51][52][53].

4.2.5 European Commission

The 2024 European Commission Turkey Report, published on October 30, provides insight into Türkiye's ongoing efforts to pressure international actors against the Gülen Movement. Notably, the European Commission refers to the movement as the "Gülen Movement," refraining from using Türkiye's designation of the group as a terrorist organization. This, as the most recent source at the time of writing, aligns with the stance of other international bodies, such as the United Nations and the Council of Europe, which do not recognize the movement as a terrorist entity.[54]

4.3. Specific Countries' Positions

4.3.1. United States (US)

The US Department of State has not listed the Gülen Movement as a terrorist organization [7][9][10][13][17][19]. US officials have expressed scepticism regarding Turkey's claims, citing a lack of concrete evidence linking Gülen directly to the coup attempt

[2][5][6][7][8][12][13][14][15][16][17][18][19][20][21][22][23][24][25][26][27][28][29][30][31][32][33][34][35]. A letter signed by 142 US Members of Congress highlighted concerns over Turkey's transnational repression tactics against alleged Gülenists [12]. Additionally, statements from US officials and reports indicate that the US does not support Turkey's designation of the Gülen Movement as a terrorist organization [12][13][14][15][16][17][18][19][20][21][22][23][24][25][26][27][28][29][30][31][32][33][34][35].

Furthermore, Officials in the United States remain unconvinced by the evidence presented against Fethullah Gülen regarding his alleged masterminding of the failed coup attempt in Turkey. In a report by The Wall Street Journal, it was highlighted that U.S. authorities are not persuaded to extradite Gülen, a Pennsylvania-based imam, due to insufficient evidence supporting Turkey's claims [41].

In its latest Country Reports on Terrorism published in December 2024, U.S. Department of State said: "The Turkish government continued to label the movement of self-exiled cleric and political figure Fethullah Gülen as the "Fethullahist Terrorist Organization" (FETÖ). "FETÖ" is not a designated terrorist organization in the United

States. The Turkish government continued to detain and arrest individuals for alleged "FETÖ" or terrorism-related links, often based on scant evidence and minimal due process." [55]

4.3.2. United Kingdom (UK)

The UK Foreign Affairs Committee has recognized the deep conflict between the Gülenists and the Turkish government but has refrained from adopting Turkey's terminology such as "FETÖ" or "Parallel State Structure" (PSS) [27][28]. The UK's Foreign and Commonwealth Office (FCO) stated it lacks evidence to designate the Gülenists as a terrorist organization [28]. Furthermore, UK MPs like Sir Edward Leigh have publicly criticized Turkey's portrayal of Gülen as "terrorist", emphasizing that Western security organizations do not recognize the movement as terrorist [18].

4.3.3. Germany

Germany's intelligence chief, Bruno Kahl, expressed disbelief in Erdoğan's claims, noting that German intelligence does not find evidence supporting the assertion that the Gülen Movement orchestrated the coup [26]. Kahl described the Gülen Movement as a civilian association for religious and secular education and refrained from labelling it as a sect or extremist group [26].

4.3.4. Canada

The Immigration and Refugee Board of Canada has documented the situation and treatment of Gülen movement followers, highlighting that individuals are often identified based on perceived affiliations rather than concrete evidence [21]. Reports indicate that Canada has faced pressure from Turkey to extradite alleged Gülenists, raising concerns about due process and human rights [21].

4.3.5. Netherlands

The Dutch official broadcaster NOS reported on the death of Fethullah Gülen without categorizing the movement as a terrorist organization [1]. NOS highlighted the movement's contributions to education and its commitment to moderate Islam and tolerance.

4.3.6. Other Countries and Organizations

The Council of Europe's Venice Commission and the United Nations Working Group on Arbitrary Detention have both criticized Turkey's measures against the Gülen Movement, emphasizing the lack of due process and the human rights violations involved [16][20][22][23][34]. Furthermore, a report by the European Commission highlighted the mistreatment and torture of individuals with alleged links to the Gülen Movement

[13][14][15][16][17][18][19][20][21][22][23][24][25][26][27][28][29][30][31][32][33][34][35].

Additionally, credible human rights organizations such as Human Rights Watch (HRW), Amnesty International, and Freedom House have condemned Turkey's actions against alleged Gülenists. These organizations highlight the systemic human rights abuses, including arbitrary arrests, torture, and the suppression of civil liberties, which are part of Turkey's broader strategy to dismantle the movement [42][43][44][45][46][47][48][49][50].

4.4. Human Rights and Legal Perspectives

4.4.1. Reports on Human Rights Violations

Western human rights organizations and legal bodies have criticized Turkey's broad and vague anti-terrorism measures targeting the Gülen Movement. Reports indicate that individuals affiliated with or perceived to be affiliated with the movement face persecution, including arbitrary detention, torture, and extraterritorial killings [12][15][16][20][21][22][23][34]. The European Commission's report noted an increase in credible allegations of torture and ill-treatment in detention centres and prisons, stating that people with alleged links to the Gülen Movement are more likely to be subjected to mistreatment and possibly torture while in detention [13][14][15][16][17][18][19][20][21][22][23][24][25][26][27][28][29][30][31][32][33][34][35].

4.4.2. Legal and Procedural Concerns

The United Nations Human Rights Council and the Council of Europe have highlighted serious due process violations in Turkey's actions against alleged Gülenists. Many individuals arrested were not provided with specific evidence against them and were unaware of investigations [22][34]. The Council of Europe's memorandum emphasized that Turkey's measures do not meet democratic and human rights obligations [32]. The Venice Commission expressed concern over the broad application of anti-terrorism laws and their impact on civil society [19].

4.4.3. 2024 Country of Origin Report from the German Federal Office for Migration and Refugees (BAMF)

Based on the recent country of origin report from the German Federal Office for Migration and Refugees (BAMF) dated October 2024, the following points can be inferred about the German authorities' stance on the classification of the Gülen Movement:

- a. The report explicitly mentions that Germany does not adopt Turkey's designation of the Gülen Movement as a terrorist organization (referred to as "FETÖ/PDY" by Turkey).
- b. The term "FETÖ" is not used in German reports, reflecting Germany's non-endorsement of Turkey's classification. In conclusion, Germany does not classify the Gülen Movement as a terrorist organization, aligning with broader European scepticism regarding Turkey's claims. The German approach appears

to be driven by legal standards and human rights considerations rather than Turkey's political designations.[56]

4.4.4. The Dutch General Country of Origin Information Report on Turkey (August 2023)

Similarly, based on a recent **General Country of Origin Information Report on Turkey (August 2023)** from the Dutch Ministry of Foreign Affairs, the following points address the classification of the Gulen Movement by Dutch authorities:

- a. The report explicitly refrains from referring to the Gulen Movement as a terrorist organisation and uses neutral terms like "Gulenists" or "Hizmet Movement."
- b. Unlike Turkey's designation of the group as "FETÖ" (Fethullahist Terror Organisation), Dutch authorities avoid this terminology, underscoring their non-alignment with Turkey's classification.

As a conclusion, the Dutch authorities do not classify the Gulen Movement as a terrorist organisation. Their focus on human rights violations and neutral terminology reflects scepticism toward Turkey's claims and prioritises protecting those persecuted for alleged affiliations with the Movement.[57]

4.5 Review of Representative Court Cases Across Different Jurisdictions

This section examines court decisions from various jurisdictions concerning extradition requests and criminal charges brought by Turkey against individuals alleged to be affiliated with the Gulen Movement. The review includes key rulings from courts in the UK, Romania, the Netherlands, Brazil, Spain, Austria, and the United States. These cases provide insights into how different legal systems assess the validity of Turkey's claims, particularly the designation of the Gulen Movement as a terrorist organisation. The courts' analyses often focus on the principles of dual criminality, human rights protections, and the political motivations underlying the charges. The examination of these representative cases highlights common judicial scepticism towards Turkey's allegations and reflects a broader international reluctance to recognise the Gulen Movement as a terrorist entity.

4.5.1. The UK Westminster Magistrates Court Decision-1 (28 November 2018)

Case Details:

Court: Westminster Magistrates Court, UK

Decision Date: 28 November 2018

Subject: Extradition requests by the Republic of Turkey for T.B., A.C., and H.A.I.

Key Allegations: Charges included conspiracy to fund terrorism, use and possession of funds for terrorism, fraud, and involvement with the Gulen Movement (designated as a terrorist organisation by Turkey).

Key Points of the Case:

Request Origin:

- Turkey requested the extradition of the three defendants, accusing them of membership in and support for the Gulen Movement, alleged to aim at overthrowing the Turkish government and establishing a dictatorship.
- The defendants were accused of using ByLock app, providing financial and organisational support to the movement.

Challenges Raised by the Defence:

- The extradition requests were politically motivated (under s.81(a) of the UK Extradition Act 2003).
- Extradition would expose the defendants to unfair trials and violations of their human rights, including Articles 3 (prohibition of torture or inhuman treatment) and 6 (right to a fair trial) under the European Convention on Human Rights (ECHR).

Court Analysis:

Political Motivation (s.81(a)):

- Evidence presented by experts, including Prof. Jeffrey Jowell, highlighted systemic changes in the Turkish judiciary following the 2016 coup attempt and widespread persecution of individuals linked to the Gulen Movement.
- The court accepted that the extradition requests were politically motivated, driven by the defendants' perceived association with the Gulen Movement.

Human Rights Violations:

Article 3 (Torture/Inhuman Treatment):

- Prof. Rod Morgan's evidence indicated a high likelihood of ill-treatment for the defendants in Turkish prisons, particularly due to their perceived leadership roles in the Gulen Movement.

- The court concluded that extradition would expose the defendants to significant risks of ill-treatment by state and non-state actors.

Article 6 (Fair Trial):

- Witnesses, including former Turkish judges, described severe compromises to judicial independence in Turkey.
- The court found overwhelming evidence suggesting the defendants would not receive fair trials if extradited.

Article 5 (Arbitrary Detention):

- While the defence raised concerns about arbitrary detention, the court ruled that Turkey provided mechanisms to review detention under its legal framework. This challenge was dismissed.

Additional Observations:

- The court noted broader international concerns about the state of the rule of law in Turkey.
- Specific assurances provided by Turkish authorities about fair trials and prison conditions were deemed insufficient to alleviate concerns.

Ruling:

The Westminster Magistrates' Court interpreted Turkey's charges against the defendants as politically motivated and lacking the legal substance required under UK law. Activities such as sympathy for the Gulen Movement, using ByLock, or making financial contributions do not inherently constitute crimes, terrorism in particular, in the UK without direct links to unlawful actions.

Implications:

This decision underscores the UK judiciary's commitment to protecting individuals from politically motivated prosecutions and safeguarding fundamental human rights. The ruling reflects broader scepticism among European jurisdictions toward Turkey's classification of the Gulen Movement as a terrorist organisation, highlighting inconsistencies with international legal and human rights standards.[58]

4.5.2. The UK Westminster Magistrates' Court Decision-2 (28 November 2018)

Case Details:

Court: Westminster Magistrates' Court, UK

Decision Date: 28 November 2018

Subject: Extradition request for Turkish national, M.Y., accused of terrorism-related offences and affiliation with the Gulen Movement.

Key Points of the Case:

Request Origin:

- The Turkish government requested the extradition of M.Y., alleging his involvement with the Gulen Movement (designated as a terrorist organisation by Turkey) and accusing him of acts such as having a banking association with Bank Asya.

Challenges Raised:

- M.Y. argued that the extradition request was politically motivated and violated his fundamental rights.
- He claimed that extradition to Turkey would expose him to inhuman treatment, an unfair trial, and persecution based on political opinions, violating Article 3 and Article 6 of the European Convention on Human Rights (ECHR).

Court Analysis:

Political Motivation:

- The court found substantial evidence indicating that the extradition request was politically driven, targeting M.Y. for his perceived affiliation with the Gulen Movement rather than genuine criminal conduct.
- Expert testimonies outlined systemic changes in Turkey's judiciary after the 2016 coup attempt, leading to widespread persecution of individuals linked to the Movement.

Risk of Inhuman Treatment:

- Reports from international human rights organisations highlighted systematic abuse, torture, and inhumane detention conditions for those accused of links to the Gulen Movement in Turkey.
- The court concluded that extraditing M.Y. would expose him to a real risk of inhuman or degrading treatment, violating Article 3 of the ECHR.

Fair Trial Concerns:

- The court acknowledged the significant deterioration of judicial independence in Turkey, making it unlikely for M.Y. to receive a fair trial.

- Assurances provided by Turkish authorities were deemed insufficient to mitigate these risks, given documented failures to uphold fair trial standards.

Ruling:

The Westminster Magistrates' Court clearly implies that the charges against M.Y. are not recognised as violations under UK laws. The accusations reflect Turkey's domestic policies and definitions, which are not aligned with the legal standards applied in the UK. The decision underscores the divergence between Turkish and UK legal interpretations, particularly regarding politically motivated charges.

Implications:

This decision reaffirms the UK's commitment to upholding international human rights standards, particularly in politically sensitive extradition cases. The ruling underscores European scepticism regarding Turkey's classification of the Gulen Movement as a terrorist organisation and its broader judicial practices post-2016 coup attempt.[59]

4.5.3. The Romanian Bucharest Court of Appeal Decision (14 December 2018)

Case Details:

Court: Bucharest Court of Appeal, Romania

Decision Date: 14 December 2018

Subject: Extradition request for Turkish national, D.K., accused of membership in a terrorist organisation affiliated with the Gulen Movement.

Key Points of the Case:

Request Origin:

- The Republic of Turkey sought the extradition of D.K., alleging his involvement in the Gulen Movement (referred to by Turkey as FETO/PDY) and accusing him of supporting the organisation's activities, including financial and organisational contributions.
- Specific allegations included opening accounts at Bank Asya, using the ByLock messaging app, and associating with high-profile leaders of the Gulen Movement.

Challenges Raised:

- D.K. opposed the extradition, arguing that the request was politically motivated and violated his human rights.

- He highlighted systemic persecution in Turkey of individuals linked to the Gulen Movement, including arbitrary arrests, torture, and denial of fair trials.
- D.K. also cited his lawful residence in Romania with his family since 2016, where he worked as a journalist and teacher, and his asylum application pending in Romania.

Court Analysis:

Political Motivation:

- The court determined that Turkey's extradition request was based on D.K.'s political and ideological opinions or membership in a specific social group, namely the Gulen Movement.
- Witness testimony and documentary evidence demonstrated a pattern of persecution in Turkey targeting individuals associated with the Gulen Movement.

Human Rights Concerns:

- The court found credible evidence of systemic human rights violations in Turkey, including reports of torture, inhumane detention conditions, and lack of judicial independence, particularly for those accused of affiliation with the Gulen Movement.
- It concluded that extradition would subject D.K. to a high risk of inhuman or degrading treatment, violating Romania's obligations under Article 3 of the European Convention on Human Rights (ECHR).

Fair Trial Issues:

- The court noted that the Turkish judicial system's deficiencies made it unlikely for D.K. to receive a fair trial.
- The lack of specific evidence substantiating the charges against D.K. further supported concerns about the legitimacy of the accusations.

Ruling:

The court denied Turkey's extradition request, citing:

1. Political motivations behind the request.
2. Risk of inhuman or degrading treatment if extradited.
3. Insufficient evidence of criminal conduct meeting international legal standards.

Implications:

This decision aligns with broader European scepticism about extradition requests from Turkey linked to the Gulen Movement. It reflects Romania's commitment to protecting human rights and resisting politically motivated prosecutions, consistent with its obligations under international law.[60]

4.5.4. The Dutch Administrative Jurisdiction Division Decision (13 February 2019)**Case Details:**

Court: Administrative Jurisdiction Division of the Council of State, The Netherlands

Decision Date: 13 February 2019

Case Number: 201804801/1/V1

Subject: Appeal regarding the rejection of a temporary asylum residence permit for an individual (initials: X.X.) due to alleged affiliation with the Gulen Movement.

Key Points of the Case:**Request Origin:**

- The individual (X.X.) sought asylum in the Netherlands, citing persecution in Turkey for alleged membership in the Gulen Movement.
- X.X. faced termination of employment as a teacher and risked arrest in Turkey due to a bank account at Bank Asya, which Turkish authorities associate with the Gulen Movement.

Challenges Raised:

- X.X. argued that Gulenists are systematically targeted in Turkey, facing arbitrary arrests, dismissals, and inhuman treatment contrary to Article 3 of the European Convention on Human Rights (ECHR).
- Evidence presented included reports from international organisations and accounts of torture and mistreatment of Gulenists in detention.

Court Analysis:**Persecution and Risk of Inhuman Treatment:**

- The court reviewed extensive documentation, including UN and Human Rights Watch reports, detailing widespread arbitrary arrests, torture, and inhuman treatment of individuals associated with the Gulen Movement.

- The court highlighted evidence of systematic persecution, including arbitrary arrests, prolonged detention without due process, and mistreatment such as physical abuse and psychological torture.

State's Argument:

- The Dutch State Secretary argued that not all Gulenists face prosecution or inhuman treatment, asserting that the risk of mistreatment is situational.

Court's Findings:

- The court found that the evidence presented by X.X. established a credible risk of persecution and treatment in violation of Article 3 of the ECHR upon return to Turkey.
- The State Secretary's arguments and evidence were deemed insufficient to counter the documented risks faced by Gulenists in Turkey.

Ruling:

- The court upheld the individual's appeal, ruling that the Dutch State Secretary failed to adequately assess the risk of inhuman treatment.
- The State Secretary was ordered to reassess the asylum application, considering the court's findings on the systematic targeting of Gulenists.

Implications:

The Dutch Administrative Court does not classify the defendant's alleged activities, such as being affiliated with the Gulen Movement, as violations or terrorist acts under Dutch law. By highlighting the arbitrary nature of the charges and the lack of sufficient evidence to substantiate terrorist activity, the court implies that the allegations do not meet the threshold for criminal or terrorist offences under Dutch legal standards. [61]

4.5.5. The Brazilian Federal Supreme Court Decision (7 August 2019)

Case Details:

Court: Federal Supreme Court of Brazil

Decision Date: 7 August 2019

Case Number: Extradition 1.578 Distrito Federal

Subject: Extradition request for Turkish national, A.S., born 1 July 1988 in Turkey, naturalised as a Brazilian citizen in 2016.

Key Points of the Case:

Request Origin: The Republic of Turkey requested the extradition of A.S. on allegations of membership in the Gulen Movement (FETÖ/PDY, as referred to by Turkish authorities) and activities related to funding the organisation.

Specific Allegations:

- A.S. deposited 1,721.38 Turkish Lira into a Bank Asya account between December 2013 and December 2014.
- Turkey alleged that these actions supported the Gulen Movement financially.
- Turkish authorities claim that the accused's actions were classified as terrorism under Turkish laws.

Court Analysis:

Double Incrimination:

- Brazilian law did not recognise the alleged actions (depositing money into a bank account) as a crime, either at the time of their occurrence or subsequently.
- The principle of double incrimination was not satisfied, as the acts were not criminal offences under Brazilian law when committed.

Characterisation as a Political Crime:

- The court determined that the allegations against A.S. were political in nature, as they stemmed from his association with the Gulen Movement, which is considered oppositional by the Turkish government.
- Citing Brazilian constitutional protections, the court emphasised that extradition cannot be granted for political crimes or acts of opinion.

Concerns About Judicial Impartiality:

- The court raised significant concerns about the lack of judicial independence in Turkey, citing instances of political interference, the dismissal of judges, and arrests of government critics.
- Referring to international standards, including a European Parliament resolution, the court questioned whether A.S. could receive a fair and impartial trial in Turkey.
- The decision underscored Brazil's obligation to ensure that extradition does not expose individuals to unfair trials or politically motivated persecution.

Context of the Gulen Movement:

- The court noted that the Gulen Movement is not classified as a terrorist organisation under Brazilian or international standards.
- The allegations against A.S., involving routine financial transactions, were deemed insufficient to substantiate claims of terrorism.

Ruling:

The Federal Supreme Court of Brazil denied the extradition request, citing:

1. Failure to meet the principle of double incrimination.
2. Characterisation of the allegations as political crimes.
3. Concerns overdue process and the impartiality of the judicial system in Turkey.

Implications:

This decision reinforces a trend among international courts to reject extradition requests tied to the Gulen Movement, particularly when the allegations lack legal merit outside Turkey. The court's ruling also highlights the importance of safeguarding individuals against politically motivated prosecutions and ensuring adherence to human rights and due process standards. It strongly implies that Turkey's classification of the Gulen Movement as a terrorist organisation is not recognised under Brazilian or international law.[62]

4.5.6. The UK Westminster Magistrates' Court Decision (6 December 2019)

Case Details:

Court: Westminster Magistrates' Court, UK

Decision Date: 6 December 2019

Subject: Extradition request for Turkish national, O.K., accused of membership in a terrorist organisation and support for the Gulen Movement.

Key Points of the Case:

Request Origin:

- Turkey requested the extradition of O.K., alleging he was a senior member of the Gulen Movement (referred to by Turkey as FETO/PDY) and engaged in activities supporting the organisation, which is classified as a terrorist group by Turkey.
- Specific accusations included raising funds for the organisation, promoting it through social media, and engaging in propaganda on behalf of its leader, Fethullah Gulen.

Challenges Raised:

- O.K. argued that the request was politically motivated, targeting him due to his affiliation with the Gulen Movement.
- He contended that extradition would expose him to a real risk of inhuman treatment and an unfair trial, violating Articles 3 and 6 of the European Convention on Human Rights (ECHR).

Court Analysis:

Political Motivation:

- The court noted the politically charged nature of Turkey's extradition request, aimed at punishing O.K. for his alleged affiliation with the Gulen Movement.
- Expert evidence highlighted systemic deficiencies in Turkey's judiciary post-2016 coup attempt, including significant political interference.

Assessment of Allegations:

- The court reviewed Turkey's claims, including O.K.'s alleged propaganda efforts, his role in the Dialogue Society, and accusations of fundraising for terrorist activities.
- Many allegations lacked specificity regarding dates, locations, and concrete criminal conduct.
- A video purportedly showing O.K. taking Fethullah Gulen's blood pressure was found to be misrepresented; the individual in the video was not O.K.

Human Rights Concerns:

- The court accepted evidence of systemic abuse in Turkish prisons, including torture and ill-treatment of detainees associated with the Gulen Movement.
- It found that extradition would expose O.K. to a significant risk of inhuman treatment, breaching Article 3 of the ECHR.

Fair Trial Issues:

- The court ruled that O.K. was unlikely to receive a fair trial in Turkey, given the erosion of judicial independence and documented procedural irregularities.

Ruling:

The court refused Turkey's extradition request, finding:

1. Insufficient evidence of criminal conduct by O.K. under UK law.
2. Political motivations behind the request.
3. Real risks of inhuman treatment and unfair trial in Turkey.

Implications:

The UK court unequivocally found that the allegations against O.K., as presented by Turkey, do not amount to criminal or terrorist offences under UK law. It underscores the importance of protecting individuals from human rights abuses and ensuring adherence to legal standards in extradition cases involving contentious political affiliations.[63]

4.5.7. The Spanish National Criminal Court Decision (30 October 2020)

Case Details:

Court: National Criminal Court (Audiencia Nacional), Third Section, Madrid, Spain

Decision Date: 30 October 2020

Case Number: Rollo de Extradición 91/2018

Subject: Extradition request for Turkish national, A.E., born 10 January 1981 in Istanbul, Turkey.

Key Points of the Case:

Request Origin: The Republic of Turkey requested the extradition of A.E. on allegations of membership in the Gulen Movement (referred to as FETÖ/PDY by Turkish authorities) and related activities.

Specific Allegations:

- A.E. read books associated with Fethullah Gülen, including the *Risale-i Nur*.
- Participation in events linked to the Gulen Movement while in Spain.
- Accusations were framed under Turkish law as membership in a terrorist organisation.

Court Analysis:**Double Incrimination:**

- Spanish law does not criminalize the activities attributed to A.E. by Turkey (e.g., reading specific texts or associating with particular groups).

- The principle of dual criminality was not satisfied, as the described acts are not considered offences under Spanish law.

Assessment of Terrorist Organization Status:

- The court highlighted that the European Union does not classify the Gulen Movement as a terrorist organisation.
- The tribunal noted that while Turkey accuses the Gulen Movement of inspiring the 2016 coup attempt, no evidence was presented to substantiate the classification of the group as a terrorist entity under Spanish or EU standards.

Interpretation of Political Motivation:

- While the court did not explicitly label the extradition request as politically motivated, its reasoning implies this concern. The decision stresses the failure of Turkey's claims to meet strict legal criteria, such as dual criminality and minimum punitive thresholds, which are safeguards often invoked to counter politically charged requests.
- The court's focus on the lack of any criminal relevance of the alleged acts under Spanish law and its reliance on international human rights protections further suggest an implicit recognition of the political underpinnings of Turkey's request.

Context of the Gulen Movement:

- The court's discussion of the Gulen Movement's status, particularly the European Union's refusal to designate it as a terrorist organisation, underscores a broader disparity between Turkey's domestic policies and international legal standards. This context suggests that Turkey's request might stem more from political motives than legitimate judicial concerns.

Ruling:

The court denied the extradition request due to the failure to meet essential legal conditions, such as dual criminality and minimum punitive relevance.

The court refrained from addressing broader claims by the defence, focusing solely on the non-criminal nature of the alleged actions.

Implications:

This decision highlights the reluctance of European jurisdictions to align with Turkey's classification of the Gulen Movement as a terrorist organisation. By rejecting the extradition request and grounding its decision in strict legal

principles, the Spanish court implicitly questioned the legitimacy and neutrality of Turkey's motives, signalling a potential political dimension to the request.[64]

4.5.8. The Florida District Court Decision (28 April 2023)

Case Details:

Court: United States District Court, Southern District of Florida

Decision Date: 28 April 2023

Case Number: 21-cv-22280-BLOOM/Otazo-Reyes

Subject: Defamation case filed by E.G.S., a computer scientist and entrepreneur, against E.A., a cryptocurrency influencer, over false claims of affiliation with the Gulen Movement (referred to as "FETÖ" by Turkey).

Key Points of the Case:

Claim of Defamation:

- E.G.S. filed the case alleging defamation per se against E.A., who falsely claimed in social media posts and videos that E.G.S. was a member of the "FETÖ", a group designated as a terrorist organisation by Turkey.
- The statements caused reputational harm to E.G.S., affected his professional ventures, and led to personal safety concerns.

Procedural History:

- E.A. failed to comply with court orders, resulting in a default judgment on liability.
- A damages hearing was held to determine compensation.

Impact of Defamation:

- The defamatory statements caused significant harm to E.G.S.'s reputation, particularly among Turkish users of his company, Ava Labs.
- The accusations disrupted Ava Labs' business, affected its cryptocurrency token AVAX, and led to negative sentiment among users and collaborators.
- E.G.S. experienced fear of arrest and detention during travels to Turkey, requiring heightened security measures, which cost approximately \$300,000.

Turkey's Campaign Against "FETÖ":

- Expert testimony highlighted Turkey's repressive actions post-2016 coup attempt, including widespread arrests and detentions of individuals with alleged ties to the Gulen Movement.
- Accusations, often based on minimal or no evidence, targeted those associated with Gulen-related entities.

Court's Findings:

- The defamatory claims were baseless, made with malice, and intended to harm E.G.S.'s reputation and business.
- E.A.'s actions qualified for punitive damages due to their malicious intent.

Ruling:

The court awarded:

1. General Damages: \$750,000 for reputational harm and emotional distress.
2. Special Damages: \$300,000 for out-of-pocket expenses related to increased security measures.
3. Punitive Damages: \$2,000,000 to punish E.A. for malicious behaviour and deter similar actions.
4. Prejudgment Interest: \$31,681.76 for compensatory damages.

Implications:

This case does not align directly with extradition requests or political asylum cases related to the Gulen Movement but reflects the broader challenges of defamatory claims tied to politically sensitive affiliations. It illustrates the impact of "FETÖ" accusations/labelling on individuals' reputations, businesses, and safety, especially in an international context.[65]

4.5.9 The Austrian Administrative Court Decision (24 May 2024)

Case Details:

Court: Austrian Federal Administrative Court (Bundesverwaltungsgericht)

Decision Date: 24 May 2024

Subject: Complaint regarding the rejection of an asylum application by a Turkish national, who claimed persecution due to alleged affiliation with the Gulen Movement.

Key Points of the Case:

Request Origin:

- The individual, identified as L.A., filed an asylum application in Austria after being detained under immigration laws. He cited fears of persecution in Turkey, specifically threats of violence due to perceived connections to the Gulen Movement and political opposition.

Court's Analysis on Gulen Movement Classification:

- The Austrian court did not classify the Gulen Movement as a terrorist organisation. Instead, it used neutral language to describe the group, referring to it as a "movement" or "organisation."
- The court highlighted that the individual's fear of persecution stemmed largely from Turkish authorities' classification of the Gulen Movement as "FETÖ," a designation not adopted by Austria or the European Union.

Human Rights Concerns:

- The court acknowledged widespread human rights violations in Turkey against individuals accused of affiliations with the Gulen Movement, including arbitrary arrests, unfair trials, and inhuman detention conditions.
- It noted reports from international organisations detailing systemic abuses and a lack of judicial independence in Turkey, particularly targeting Gulen-affiliated individuals.

Interpretive Approach:

- The court's reliance on international human rights standards and absence of explicit endorsement of Turkey's classification of the Gulen Movement indicates that Austrian authorities do not consider the group a terrorist organisation.
- This perspective aligns with broader EU scepticism regarding Turkey's politically motivated actions against perceived dissidents.

Ruling:

The court upheld the rejection of L.A.'s asylum application, citing insufficient evidence that he, as an individual, faced a specific, immediate threat of persecution upon return to Turkey.

However, the decision reinforced Austria's adherence to international human rights standards and scepticism towards politically motivated classifications by Turkey.

Implications:

The Austrian decision reflects a broader European trend of refraining from adopting Turkey's classification of the Gülen Movement as a terrorist organisation. While individual asylum cases are assessed on their merits, Austria's stance prioritises protecting human rights and adhering to international legal frameworks.[66]

5. Comparative Analysis

5.1. Divergent Narratives

While the Turkish government asserts that the Gülen Movement is a terrorist organization responsible for the 2016 coup attempt, global sources remain unconvinced. They cite insufficient evidence and emphasize human rights concerns regarding Turkey's crackdown on alleged supporters [2][5][6][7][9][13][24][26][27][28][29][30][31] [32][33][34][35].

5.2. Impact on International Relations

Turkey's persistent efforts to extradite alleged Gülenists and pressure foreign governments to close Gülen-affiliated institutions have strained its relations with several Western nations. These actions have been perceived as transnational repression, raising alarms about sovereignty and human rights [14][15][16][18][20][22][23][24][25][26] [27][28][29][30][31][32][33][34][35].

5.3. Institutional Responses

International bodies such as the European Commission, the Council of Europe, and the United Nations have called for adherence to due process and protection of human rights in Turkey's actions against the Gülen Movement [16][20][22][23][34].

On the other hand, The Turkey Tribunal, comprised of renowned judges, declared the pressures and unlawfulness exerted on the Gülen Movement to be crimes against humanity in its "Motivated Final Opinion" published in October 2021 [38]. Additionally, on March 1, 2023, the Turkey Tribunal and MEDEL (Magistrats européens pour la démocratie et les libertés) jointly announced that they had submitted a communication to the International Criminal Court to investigate alleged crimes committed by the Turkish government against dissidents [39].

6. Conclusion

The dichotomy between Turkey's designation of the Gülen Movement as a terrorist organisation and the global community's contrasting perception underscores profound geopolitical and human rights challenges. While the Turkish government persists in portraying the movement as the orchestrator of the 2016 coup attempt, international judicial, governmental, and civil society bodies remain unconvinced, pointing to insufficient evidence and the political motives underlying these accusations.

Global perspectives consistently affirm the Gülen Movement's commitment to education, interfaith dialogue, and non-violence. The extensive purges, arrests, and transnational repression campaigns targeting alleged Gülenists raise grave concerns about Turkey's adherence to international human rights standards. The widespread rejection of Turkey's extradition requests reflects a broader scepticism towards the politicisation of anti-terrorism measures.

This polarisation not only strains Turkey's international relations but also challenges the principles of justice and democratic governance on a global scale. Moving forward, fostering constructive dialogue and adherence to established legal norms will be crucial in resolving the tensions surrounding this contentious issue.

7. Recommendations

For Turkish Government/Authorities:

1. **Reassessment of the "FETÖ" Label:** Encourage the Turkish government and other governmental organs to reconsider the classification of the Gülen Movement as a terrorist organization. International perspectives and legal rulings suggest a lack of substantive evidence supporting this designation. The term "FETÖ" should be avoided as it is considered hate speech and undermines constructive dialogue.
2. **Strengthening Rule of Law and Judicial Independence:** Focus on enhancing the independence of the judiciary to ensure fair and unbiased trials. This includes adhering to international human rights standards and removing political influence from judicial processes.
3. **Transparency and Accountability:** Increase transparency in governmental actions, particularly those concerning the prosecution of alleged members of the Gülen Movement. Establish mechanisms for accountability to prevent abuses of power and human rights violations.

4. **Engagement with International Bodies:** Collaborate more openly with international organizations and comply with international human rights obligations. This will help restore international trust and improve Turkey's image abroad.

For Governments of Other States:

1. **Critical Evaluation of Extradition Requests by Turkey:** Governments should critically assess extradition requests from Turkey related to the Gülen Movement, ensuring they are not politically motivated and are in line with international legal standards.
2. **Protection of Human Rights:** Offer asylum and protection to individuals at risk of persecution due to their alleged or real affiliations with the Gülen Movement, especially where there is a threat of human rights violations.
3. **Diplomatic Engagement:** Use diplomatic channels to encourage Turkey to adhere to democratic principles and human rights norms. This includes discussing concerns about the use of "FETÖ" in official communications and its implications.
4. **Support for Fair Trials:** Provide legal and advocacy support to individuals facing extradition or legal challenges related to the Gülen Movement through diplomatic efforts and international law.

For Non-Governmental Organizations (NGOs):

1. **Advocacy Against Hate Speech:** Actively campaign against the use of "FETÖ" and other derogatory terms that may incite hatred or discrimination. Educate the public on the implications of such language and promote a more respectful discourse.
2. **Human Rights Monitoring:** Continue to monitor and report on the situation in Turkey, especially concerning alleged human rights abuses linked to the crackdown on the Gülen Movement. Highlight cases of unfair trials, arbitrary detention, and other violations in international forums.
3. **Support for Affected Individuals:** Provide support networks for individuals affected by the actions against the Gülen Movement, including legal aid, psychological support, and resettlement assistance for refugees.
4. **Public Awareness Campaigns:** Conduct public awareness campaigns to inform international communities about the legal and human rights issues surrounding the treatment of the Gülen Movement. Focus on disseminating factual and unbiased information to counteract misinformation.

By implementing these recommendations, stakeholders can contribute to a more just and humane approach in addressing the complex issues surrounding the Gülen Movement, fostering an environment of dialogue and respect for human rights and democratic practices.

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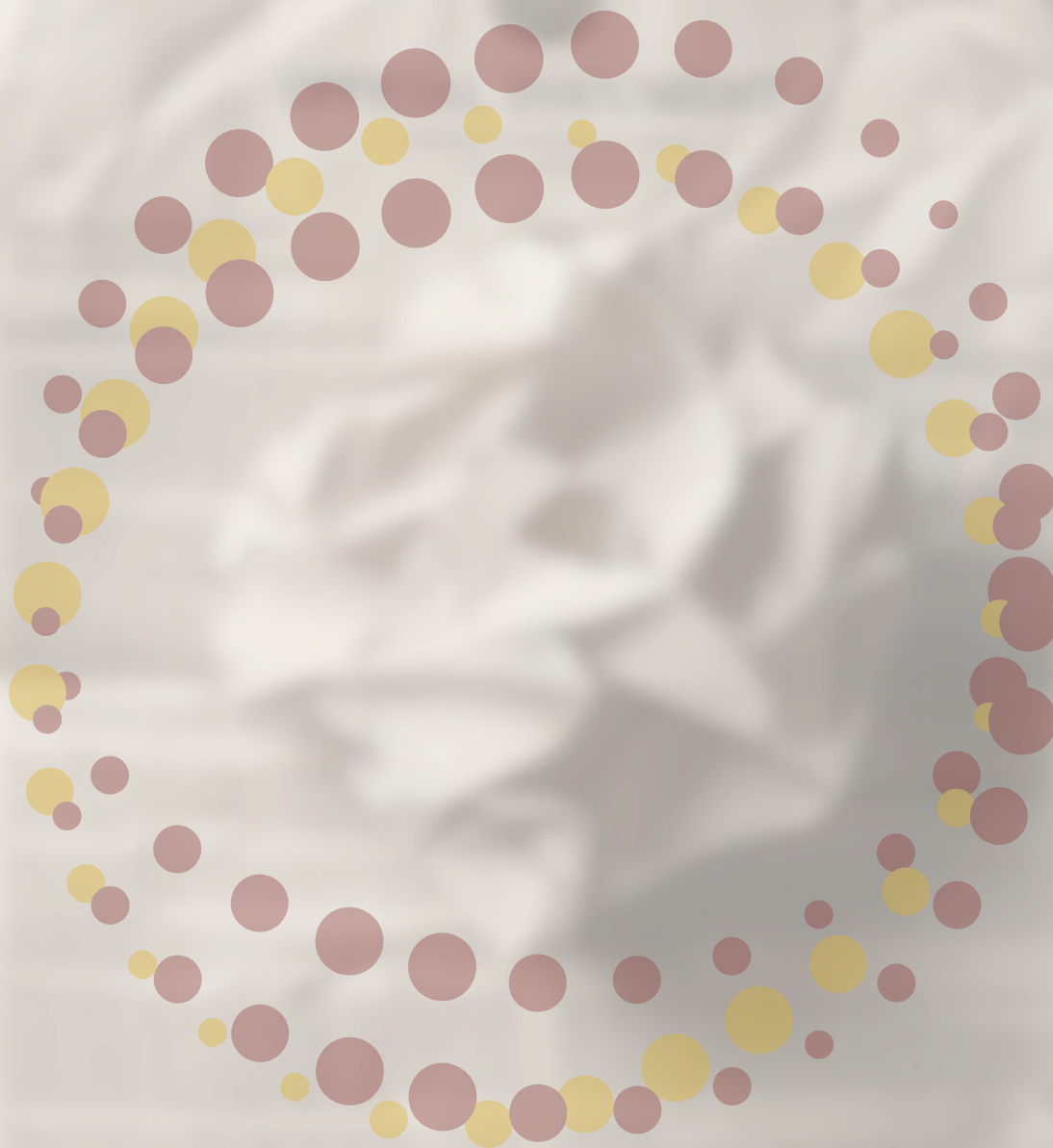
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