



Use of the Prevention of Terrorism Financing Legislation as a Tool of Exerting Pressure on the Opposition

Illegalities in the Prevention of Terrorism Financing Investigations in Turkey



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1. INTRODUCTION

Preventing the financing of terrorism is one of the most critical areas for state security, societal peace, and global stability in the modern international legal order. The process, which began with the 1999 United Nations Convention on the Suppression of the Financing of Terrorism and UN Security Council Resolution 1373, has imposed binding obligations on states not only to prevent terrorism but also to disrupt its financial resources. The European Union and other international organizations have similarly mandated that member states protect their financial systems against terrorist use.

In this context, the fundamental characteristic of the crime of financing terrorism is that the perpetrator not only provides funds but also knows and intends that these funds will be used in a terrorist act. Therefore, this crime has been recognized as a type of crime that can be committed not only with general intent but also with specific intent. However, in Turkey, especially after 2014, it appears that the legislation and practices regarding terrorism and terrorist financing have deviated from universal legal standards. Journalists, academics, civil society actors, and opposition groups are being targeted through a broad, vague, and unpredictable definition of terrorism; even legal and routine commercial activities are being considered terrorist financing and punished.

This report comprehensively examines how laws enacted in Turkey to prevent the financing of terrorism have been instrumentalized, turned into tools of oppression against opposition groups, and the resulting serious human rights violations. Beginning with the conceptual framework, the differences between national and international law are outlined, followed by an assessment of the ways in which Turkish practices contradict universal standards. Finally, the concrete implications of these injustices are documented through the examples of Maydonoz Döner, Antiochia Künefe, Hak-mar, and Tatbak businesses.

2. CONCEPTUAL FRAMEWORK

2.1 Definition and Scope of Financing of Terrorism

According to Article 2 of the United Nations International Convention for the Suppression of the Financing of Terrorism, which entered into force in 2000, "financing of terrorism" is defined as the unlawful and deliberate provision or collection of funds, by any person, in whole or in part, by any means, **with the intention or knowledge** that they will be used in the perpetration of certain acts¹ considered terrorist acts.

According to the UN Convention, **terrorist acts** are defined as acts that cause death or serious injury to civilians or persons not actively participating in hostilities, or to persons not actively participating in hostilities, or acts that are considered crimes under the conventions and protocols annexed to the Convention.

Following resolutions 1267 (1999), 1269, and 1333, which were issued for the prevention of terrorism, the UN Security Council issued resolution 1373² (2001) to prevent not only terrorism but also the financing of terrorism. With this resolution, the UNSC decided:

- a) to prevent and punish the financing of terrorist acts;

¹ Annexed conventions and protocols to the UN *International Convention for the Suppression of the Financing of Terrorism*:

1. *Convention for the Suppression of Unlawful Seizure of Aircraft* (16 December 1970, The Hague) – ICAO
2. *Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation* (23 September 1971, Montreal) – ICAO
3. *Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents* (14 December 1973, New York) – UN
4. *International Convention against the Taking of Hostages* (17 December 1979, New York) – UN
5. *Convention on the Physical Protection of Nuclear Material* (3 March 1980, Vienna) – IAEA
6. *Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation* (24 February 1988, Montreal) – ICAO
7. *Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation* (10 March 1988, Rome) – IMO
8. *Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf* (10 March 1988, Rome) – IMO
9. *International Convention for the Suppression of Terrorist Bombings* (15 December 1997, New York) – UN

² <https://digitallibrary.un.org/record/449020?ln=en&v=pdf>

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b) to criminalize the deliberate provision and collection of financial resources, in any form, directly or indirectly, by its nationals to perpetrate terrorist acts on its territory or with the knowledge that these funds will be used to perpetrate terrorist acts;

c) To freeze the principal and other financial assets and economic resources of those who commit or attempt to commit terrorist acts, those who facilitate or participate in such acts, organizations owned or controlled directly or indirectly by such persons, and individuals or organizations acting on behalf of or under the instructions of such persons or organizations, including principal arising from assets belonging to such persons or organizations, and those directly or indirectly controlled by such persons or organizations; and those belonging to such persons or organizations; and those directly or indirectly controlled by such persons and organizations; and

d) to prohibit countries from contributing capital, providing financial contributions, economic resources, or providing financial or other services related to terrorist activities to their nationals or to all persons and organizations within their territory who, directly or indirectly, commit or attempt to commit terrorist acts, facilitate or participate in such acts, to organizations belonging to or directly or indirectly controlled by such persons, or to persons or organizations acting on their behalf or on their instructions.

Furthermore, UN Resolution 1373 mandates states to engage in the broadest possible mutual assistance during criminal investigations and other procedural proceedings; to conduct effective border checks to monitor the movements of terrorists and terrorist groups and the issuance of identity cards and travel documents; and to prevent the counterfeiting or fraudulent use of identity cards and travel documents. It also envisages the exchange of information in accordance with international and national law and cooperation to prevent terrorist acts on administrative and judicial grounds.

Two fundamental principles emerge from the definitions of terrorist financing in UN conventions. Accordingly, for an act to constitute a **"terrorist act," it must involve force and violence, or the threat of force or violence;** and for an act to be considered terrorist financing, it must **knowingly and intentionally** fund the "terrorist act."

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Article 1 of Directive 2005/60³ of the European Union (EU) on Preventing the Use of the Financial System for Money Laundering and the Financing of Terrorism states that member states must prohibit money laundering and the financing of terrorism, and the fourth paragraph of the said article defines terrorist financing as the collection of funds, directly or indirectly, with the knowledge or intent to use them to carry out any of the offences set forth in Articles 1 to 4 of the Council Framework Decision 2002/475/JHA of 13 July 2002 on the fight against terrorism.

According to the EU Council decision 2002/475/JHA⁴ of 13 July 2002, for an act to be considered a terrorist crime, it must be committed with the aim of intimidating, coercing, or destabilizing the state, the public, or an institution through the use of force and violence.

The crime of "financing terrorism" is also defined in Turkish law. New regulations were introduced regarding the crime of financing terrorism with Law No. 6415 on the Prevention of the Financing of Terrorism, dated February 7, 2013, which was published in the Official Gazette on February 16, 2013, and entered into force. Articles 3 and 4 of the law expanded the scope of terrorist crimes, and Article 4 defined the "crime of financing terrorism."

According to Article 4 of Law No. 6415, anyone who provides or collects funds to a terrorist or terrorist organization, even without being associated with a specific act, with the intention of using them in whole or in part, or knowing and willingly that they will be used, **in the perpetration of acts regulated as crimes⁵**, shall be punished with imprisonment from five to ten years, unless the act constitutes another crime that

³ Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing; <https://eur-lex.europa.eu/eli/dir/2005/60/oj/eng>

⁴ Council Framework Decision of 13 June 2002 on combating terrorism, <https://eur-lex.europa.eu/eli/dec/2002/475/oj/eng>

⁵ According to Turkey's own laws, provisions on financing terrorism should be applied to acts criminalized by law. However, particularly in unlawful operations targeting the Gülen Movement, prosecutors and judges consider acts not legally criminalized, such as opening an account at Bank Asya, subscribing to Zaman Newspaper, or downloading and using the messaging app ByLock, to be terrorist activities. However, in the Yalçinkaya decision of the ECHR Grand Chamber in September 2023, it was determined that the aforementioned acts of individuals affiliated with the Gülen Movement were not criminalized by law. Despite this clear universal legal ruling, unlawful operations targeting the Gülen Movement in Turkey continue unabated.

requires a more severe penalty. Article 3 of Law No. 6415 lists the prohibited acts of providing or collecting funds as follows:

a) Acts of deliberate killing or serious injury intended to intimidate or intimidate a population or to compel a government or international organization to take or refrain from taking any action.

b) **Acts considered terrorist crimes under the Anti-Terror Law No. 3713 dated April 12, 1991.**

c) Acts prohibited and criminalized in the following UN conventions to which Turkey is a party (the aforementioned:

- 1) Convention for the Suppression of Unlawful Seizure of Aircraft,
- 2) Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation,
- 3) Convention on the Prevention and Punishment of Crimes Committed against Internationally Protected Persons, Including Diplomatic Agents,
- 4) International Convention against the Taking of Hostages,
- 5) Convention on the Physical Protection of Nuclear Material,
- 6) Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation,
- 7) Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation,
- 8) Protocol for the Suppression of Unlawful Acts Against the Security of Fixed Platforms Located on the Continental Shelf,
- 9) International Convention for the Suppression of Terrorist Bombings.

2.2. Evaluation of the Financing of Terrorism Provisions

According to Article 21 of the United Nations International Convention for the Suppression of the Financing of Terrorism, the primary source in this field, no treaty provisions affect the rights, obligations, and responsibilities of states and individuals arising from international law, particularly the purposes of the United Nations Charter, **international human rights law**, and other relevant treaties. Therefore, investigations

into the financing of terrorism must be conducted within the framework of respect for universal human rights.

A combined assessment of international legislation and Turkish law reveals that the primary element of terrorist financing is intent. For an act to be considered terrorist financing, the perpetrator **must know and intend** ⁶ that the funds will be used, or that they will be used, in terrorist acts.

The financing of terrorism is one of the crimes requiring specific intent within the context of criminal law. For this crime to occur, the perpetrator not only must fulfil the material requirements but also must possess a certain level of knowledge and intent. In other words, the moral element of the crime of financing terrorism arises when the perpetrator both knows that they are funding a terrorist act or that the funds collected will be used for that purpose, and they desire this outcome, or at least accept this outcome. In this context, the crime can be committed not only with general intent but also with specific intent (*dolus specialis*), which involves the perpetrator's will directed toward a specific goal.

Article 2 of the 1999 United Nations International Convention for the Suppression of the Financing of Terrorism clearly establishes this point. Accordingly, *a person is deemed committing the crime of financing terrorism if that person unlawfully and intentionally provides or collect funds, directly or indirectly, by any means whatsoever, knowing or intending that these funds will be used for an action that will result in the death or serious injury of a civilian or another person not participating in hostilities*. This definition determines the nature of the crime by focusing on the mental state of the perpetrator, not solely on the consequences of the action. Therefore, the perpetrator's intent must go beyond the simple intention of "aiding" or "donating," encompassing an awareness of the gravity of the consequences of the action and a desire for, or at least an acceptance of, those consequences.

This approach is based on the understanding that the crime of financing terrorism is not merely an actual contribution but also **a conscious declaration of intent toward a terrorist goal**. Therefore, the mere act of donating or providing material assistance to an individual or institution does not constitute the elements of the crime of financing terrorism. The subject, timing, and nature of the assistance, as well as the perpetrator's

⁶ Article 4, Paragraph 1 of Law No. 6415 on the Prevention of Financing of Terrorism: With the intention of using, it in whole or in part, or knowing and willingly to be used, in the realization of acts regulated as crimes within the scope of Article 3...

knowledge of the intended purpose of such activities, are decisive in this regard. Therefore, attention must be paid not only to external behaviours but also to the mental attitude with which the perpetrator engages in these behaviours. Proving this in criminal proceedings requires strong evidence demonstrating the perpetrator's intent.

Consequently, *in the crime of financing terrorism, the perpetrator must not only commit the act of providing funds but also know that these funds will be used for terrorist activities and desire or accept this outcome*. In this respect, the crime in question is a type of crime involving specific intent, thus centering on the perpetrator's mental state. This characteristic serves as a legal safeguard both for defining the material boundaries of the crime and for preventing the misuse of the criminal definition.

2

Conceptual Framework

3. IMPLEMENTATION OF TERRORISM AND TERRORISM FINANCING OFFENSES IN TURKEY

3.1. Instrumentalization of Anti-Terrorism Legislation in Turkey and Universal Law Rulings

3 Implementation of Terrorism and Terrorism Financing Offenses in Turkey

In terrorism financing investigations, the critical issue is how terrorism is defined. The fundamental principles to be applied in defining terrorism are definitions made in line with universal human rights law. The broad and unforeseeable nature of anti-terror laws makes terrorism charges equally unpredictable. This unpredictability in law and practice not only violates the principle of legal certainty but also enables arbitrary applications.

The principles of “**legality and certainty**” in criminal law are among its most fundamental. These principles aim to ensure that which behaviours constitute a crime are clearly and explicitly determined prior to the date of the alleged offense. In line with these principles, individuals must be aware of prohibited actions and must know with certainty which behaviours could result in future criminal convictions. Individuals who could not foresee at the time of their act that they might later be condemned for it, or who could not consider that their act would later be deemed unlawful, cannot be punished for such acts. It is impossible for individuals to know or foresee that an activity which was lawful at the time could later result in a criminal conviction, and the later criminalization of lawful activities is contrary to the principles of legality and certainty.

Today, the instrumentalization of terrorism charges for political purposes not only threatens individual freedoms but also profoundly undermines trust in the legal system. Human rights defenders such as journalists, lawyers, academics, and civil society representatives easily become targets of these accusations, reinforcing a sense of insecurity within society. This situation constitutes a clear violation of the rule of law, showing that justice has become politicized and human rights disregarded. It strengthens the perception that the state assumes a punitive and discriminatory stance against its citizens rather than a legal one; instead of ensuring justice, the law is operated in line with political interests.

In such an environment, **terrorism charges can become not merely a legal allegation but also a tool of social intimidation.** Innocent individuals targeted by these accusations are stigmatized as terrorists; this creates profound and lasting impacts on

their family structures, social relations, economic lives, and mental health. Social peace and justice are adversely affected, leaving behind deep traumas and polarization within society. Moreover, the weak legal basis of such accusations erodes trust in the judiciary and effectively abolishes the **principle of fair trial**.

While counter-terrorism is a legitimate tool for ensuring state security, the use of such charges for political and ideological purposes causes law to deviate from its fundamental function. In this process, accusations are brought not for the purpose of delivering justice but to intimidate dissenting individuals, suppress different views, and instil fear in society. At this point, the recent expansion of terrorism charges in Turkey and their arbitrary application have undermined the principles of the rule of law and led to the systematic violation of human rights.

In practice, the element of "**force and violence**" inherent in the definition of terrorism is disregarded, and groups opposing government policies in Turkey are classified as terrorist organizations by judicial institutions under political influence, in violation of universal law. For instance, the Gülen Movement, known worldwide for its educational, cultural and dialogue activities and always opposed to terrorism and violence, was declared a parallel structure by the National Security Council (MGK), an administrative state body of Turkey, at its meeting of October 30, 2014, and was classified as an organization posing a serious threat to the existence of the state and constitutional order at its meetings of April 29, 2015, and May 26, 2016, solely due to *its oppositional stance toward the Erdoğan government*.

At a time when the Gülen Movement was not involved or claimed to be involved in any act of violence or coup attempt/attempted coup, judges Mustafa Başer and Metin Özçelik, alleged to be affiliated with the Gülen Movement, were arrested in April 2015 on charges of attempting to overthrow the government and prevent it from performing its duties, and of membership in an armed organization. The case, opened in April 2015⁷, was tried by the 16th Criminal Chamber of the Court of Cassation, which, in its decision of April 24, 2017, and later by the General Criminal Assembly of the Court of Cassation in its decision of September 26, 2017⁸, found the two judges guilty of membership in an armed terrorist organization and abuse of office, thereby recognizing the Gülen Movement as a terrorist organization. It was through this decision that the Gülen Movement was formally accepted as a terrorist organization by Turkey. However, as

⁷ [https://hudoc.echr.coe.int/eng#{%22itemid%22:%22001-221902%22}}}](https://hudoc.echr.coe.int/eng#{%22itemid%22:%22001-221902%22}})

⁸ General Criminal Assembly of the Court of Cassation, Decision dated 26 September 2017, No. 2017/16-956 E., 2017/370 K.

explained above, such allegations began to be used by judicial authorities in 2015 without any concrete evidence.

The arbitrary and expanded application of terrorism charges in Turkey in this manner violates not only domestic law but also international human rights standards. The numerous violation judgments issued by the European Court of Human Rights (ECtHR) against Turkey confirm this situation at the international level.

As stated in many ECtHR judgments, **anti-terror laws in Turkey are unpredictable**. In *Demirtaş v. Turkey*⁹, the ECtHR emphasized the unpredictability of the anti-terror law and found a violation. The Court noted the broad interpretation of crimes such as establishing, leading, and membership in an armed terrorist organization as set out in Articles 314/1 and 314/2 of the Turkish Penal Code. In this respect, the ECtHR found that *"the content of Article 314 of the Turkish Penal Code, combined with the interpretations of the domestic courts, does not provide sufficient protection against arbitrary interferences by the authorities"* (paragraph 337), and that *"a criminal law provision interpreted so broadly as to equate, in the absence of any concrete evidence, the exercise of freedom of expression with establishing and leading an armed terrorist organization, cannot be regarded as legitimate"* (paragraph 280), thereby pointing out the wrongfulness of the broad interpretation of terrorism offenses.

In its judgment of December 7, 2021, in *Yasin Özdemir v. Turkey*¹⁰ (application no. 14606/18), in which it assessed an alleged violation of freedom of expression, the ECtHR stated that broad interpretations that eliminate the exercise of the right to freedom of expression within the scope of criminal law, and classify it instead as membership in or support for an armed terrorist organization, when used without any concrete evidence, would undermine the principle of foreseeability, a fundamental element of the principle of "legality."

The ECtHR further stated that "criticism of governments should not result in particularly serious criminal charges concerning any link with or support for organizations regarded as terrorist, and that a broad interpretation of criminal law provisions equating the exercise of freedom of expression with membership in or support for an armed terrorist

⁹<https://hudoc.echr.coe.int/eng#{%22languageisocode%22:%22ENG%22,%22appno%22:%2214305/17%22,%22documentcollectionid%22:%22CHAMBER%22,%22itemid%22:%22001-187961%22}}>

¹⁰<https://hudoc.echr.coe.int/eng#{%22itemid%22:%22001-215000%22}}>

organization, in the absence of any concrete evidence of such a link, undermines, *inter alia*, the foreseeability of a law, which is an essential element of its quality.¹¹

The United Nations Human Rights Committee (UNHRC), in its Views¹² of July 26, 2022, concerning the application of Mukadder Alakuş against a terrorism charge, found that the applicant's conviction under Article 314/1 of the Turkish Penal Code for membership in an armed terrorist organization on the grounds that she used ByLock and deposited money in Bank Asya violated the principle of legality of crimes and punishments. **The Committee determined that such activities could not constitute the offense of membership in a terrorist organization without being supported by other evidence, and that the manner in which national courts interpreted and applied Article 314/1 was neither clear nor foreseeable.** The Committee stressed that the principle of legality in criminal law, one of the fundamental principles of the rule of law, requires that both criminal liability and penalties be strictly limited to clear and precise provisions in the law in force at the time the act or omission occurred¹³.

The European Commission for Democracy through Law (Venice Commission)¹⁴, in its report of March 15, 2016, concerning Article 314 of the Turkish Penal Code, stated that a conviction for membership in an armed organization must be based on convincing evidence and proven beyond any reasonable doubt. It recommended strict application of the principle, accepted by the Court of Cassation, that the continuity, diversity, and intensity of the acts attributed to an individual should demonstrate that the person maintained an organic link with the armed organization and acted knowingly and willingly within its hierarchical structure (§ 105-106). *The Commission noted that a broad interpretation of this principle could create problems concerning the principle of legality of crimes and punishments as guaranteed by Article 7 of the European Convention on Human Rights*¹⁵.

¹¹ Ersan Şen, Terör Örgütüne Üye Olma Suçunun Geniş Yorumlanması Sorunu, <https://sen.av.tr/tr/makale/ter%C3%B6r-%C3%B6rg%C3%BCt%C3%BCne-%C3%BCye-olma-sucunun-genis-yorumlanmasi-sorunu>

¹² <https://www.drgokhangunes.com/wp-content/uploads/2022/11/BM-IHK-Mukadder-Alakus-Karari-EN.pdf>

¹³ Şen, Ibid.

¹⁴ The European Commission for Democracy through Law - better known as the Venice Commission - is the Council of Europe's advisory body on constitutional matters. <https://www.coe.int/en/web/venice-commission>

¹⁵ Şen, Ibid.

3

Implementation of Terrorism and Terrorism Financing Offenses in Turkey

The judgment in **Yalçinkaya v. Turkey**¹⁶, delivered by the Grand Chamber of the ECtHR upon the application of teacher Yüksel Yalçinkaya, who had been sentenced to 6 years and 3 months' imprisonment on the charge of membership in a terrorist organization, has gone down in history as a landmark **ECtHR precedent revealing how Turkey's anti-terrorism legislation is applied broadly and arbitrarily, particularly against individuals linked to the Gülen Movement**. Yüksel Yalçinkaya was essentially convicted of "membership in an armed terrorist organization" on the grounds that he had the messaging application ByLock, alleged to have been used by members of the Gülen Movement, on his phone. The Grand Chamber of the ECtHR ruled that this conviction violated three fundamental rights:

- Right to a fair trial (Article 6 ECHR) – Requirements of impartiality in the assessment of evidence and exceeding the threshold of reasonable doubt had not been met.
- Principle of "no punishment without law" (Article 7 ECHR) – The Turkish judiciary, without establishing the material and mental elements of the offense of membership in an armed terrorist organization under Article 314 of the Turkish Penal Code, had treated actions such as "using ByLock," which in itself does not constitute an offense, as constitutive elements of the crime.
- Freedom of assembly and association (Article 11 ECHR) – Yalçinkaya's social relations and memberships in associations/institutions were treated as evidence of crime.

The Grand Chamber ruling established that the post-15 July 2016 judicial approach developed by the Turkish judiciary, known as "**criteria**" – an automatic presumption of guilt in place of evidence – had no basis in law and was incompatible with the ECHR.

In the application of Article 314 of the Turkish Penal Code, instead of the material elements envisaged by law (concrete connection with the structure, nature, and activities of the organization) and the mental elements (awareness and intent of participation), lawful activities such as ByLock use, bank accounts, and trade union memberships were treated as constitutive elements of the offense. **According to the ECtHR, this constituted a violation of the principle of legality**. The judgment made clear that Turkey must abandon arbitrary practices based on broad and abstract criteria in interpreting anti-terrorism legislation; only evidence explicitly defined in law, linked to

¹⁶ Yüksel Yalçinkaya vs Türkiye, 15669/20, 26/09/2023
<https://hudoc.echr.coe.int/eng#{%22itemid%22:%22001-228393%22}}>

concrete acts, and demonstrating individual intent may form the basis for the offense of "terrorist membership."

On October 7, 2024, **seven UN Special Rapporteurs** (the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the situation of human rights defenders; the Independent Expert on human rights and international solidarity; the Special Rapporteur on the right to privacy; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment) sent a letter (AL TUR 5/2024) ¹⁷ addressing unlawful practices in Turkey over the last decade, particularly against the Gülen Movement, calling for an immediate end to such violations.

In this letter, **the UN Special Rapporteurs stressed that the classification of the Gülen Movement as a terrorist organization does not comply with international standards either in substance or procedure, and that the definition made by Turkish courts and the Court of Cassation does not meet the model definition of terrorism developed in the context of terrorism and human rights, and lacks procedural safeguards.**

The UN Special Rapporteurs endorsed the findings of the European Court of Human Rights in Yüksel Yalçınkaya v. Turkey (No. 15669/20) and called on the Turkish judiciary to conduct retrials in such cases.

The letter also reiterated the general concerns expressed in earlier correspondence (OL/TUR/13/2020) ¹⁸, noting that the Anti-Terror Law No. 3713 and the Turkish Penal Code No. 5271 are drafted in an excessively broad manner, allowing for systematic abuse against political opponents, journalists, and individuals believed to be associated with the Gülen Movement.

¹⁷ <https://www.drgokhangunes.com/wp-content/uploads/2024/12/DownloadPublicCommunicationFile.pdf>

¹⁸ <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25482>

3.2. Use of Counter-Terrorism Financing Legislation in Turkey as a Tool of Repression Against Dissidents

It is observed that the laws and legislation regulating the issue of terrorism in Turkey are not interpreted or applied in accordance with universal human rights standards, and that terrorism investigations have been diverted from their legal purpose and turned into a tool of repression against dissident groups. In this context, since 2015, a total of 2,478,734 investigations¹⁹ have been launched in Turkey on charges of terrorism. Within the scope of these investigations, 616,116 indictments have been prepared on terrorism charges, and 379,091 individuals have been convicted of these offenses.

Furthermore, under the state of emergency (SoE) declared in July 2016 in Turkey, 134,258 people were dismissed from public service through decree-laws (KHKs). Among them were 5,990 academics, 4,383 judges and prosecutors, approximately 30,000 police officers, and 25,000 military personnel. Also, during this period, 1,371 companies had trustees appointed, and over 4,000 private institutions/businesses were shut down on the grounds of alleged affiliation with the Gülen Movement, with their assets transferred to the state treasury. Approximately 300,000 employees of these private businesses suddenly lost their jobs. It is estimated that, in a country of 80 million people, nearly 2 million individuals and their families were victimized as a result of the state of emergency declared in 2016²⁰.

Since 2014, politically motivated operations, largely targeting the Gülen Movement and the Kurdish political movement, have gradually expanded to include opposition CHP mayors and other dissenting groups such as the Furkan community led by Alparslan Kuytul.

Since 2014, groups opposing the Erdoğan government have been silenced by judicial institutions under political influence, on charges of terrorism, aiding terrorism, and similar allegations. Through these anti-terror operations, individuals have been detained, unlawfully arrested, and deprived of their liberty with lengthy prison sentences.

Against opposition groups targeted due to the judiciary's unlawful and expansive definition of "terrorism," not only have unlawful practices such as arrests and prison sentences been imposed, but also widespread violations with significant economic consequences have occurred, such as the appointment of trustees to companies and

¹⁹ <https://turkeyrightsmonitor.com/en/terrorism-crime-statistics> (Erişim tarihi 05.08.2025)

²⁰ Ibid.

institutions belonging to these groups, the takeover of such companies by individuals close to the Erdoğan government through trustees, and the unlawful confiscation of businesses and institutions with their assets transferred to the state treasury.

The following section explains in detail, through case examples, how the issue of terrorism financing in Turkey has been used by the Erdoğan government as a tool against political dissidents.

3

Implementation of Terrorism and Terrorism Financing Offenses in Turkey

4. ASSESSMENT OF COUNTER-TERRORISM FINANCING OPERATIONS IN TURKEY THROUGH CASE STUDIES

4

Case Studies

4.1. Maydonoz Döner Operation

After 2016 in Turkey, hundreds of thousands of people alleged to be affiliated with the Gülen Movement were dismissed from their jobs through Decree-Laws (KHKs), removed from public service, arrested by courts, and later released. Due to their alleged links with the Gülen Movement, these individuals were denied public employment, and as explained in more detail in our other reports, they were also barred from working in the private sector through practices such as Code-36, which was entered into the social security system (SGK). Hundreds of thousands of dismissed individuals were treated like outcasts in society and professional life, facing obstacles in all aspects of life. Together with their families and children, **nearly 2 million people** needed to work, find jobs, and earn an income in order to sustain their lives.

Among the hundreds of thousands who lost their jobs due to alleged links with the Gülen Movement and were prevented from finding employment in the private sector even under various pretexts, some chose to establish their own businesses. Some of these individuals purchased franchises from various companies offering such rights. A number of them bought Maydonoz Döner franchises and operated these restaurants in compliance with the law. However, even these lawful and commercial activities were brought under the scope of terrorism financing in February 2025, and police operations were carried out against hundreds of individuals.

On February 21, 2025, a police operation called "Kıskaç-40"²¹ was launched against the fast-food chain Maydonoz Döner, which had more than 400 branches nationwide, on the grounds of "financing terrorism," in 32 provinces based in Antalya, according to Interior Minister Ali Yerlikaya. Within the scope of this operation, 372 suspects, including 10 public employees, were detained, and 126 were arrested. In addition, the Savings Deposit Insurance Fund (TMSF) was appointed as trustee to Somca Food Distribution

²¹ <https://x.com/AliYerlikaya/status/1892858456220324137>

and Marketing Inc., the owner of Maydonoz Döner, and to 21 companies associated with Maydonoz Döner²².

In the police operation against Maydonoz Döner on terrorism financing charges, routine and lawful commercial activities that would not, in reality, constitute terrorism financing were treated as such. Below, excerpts from the indictment regarding some suspects in the Maydonoz Döner operation in Edirne are presented to demonstrate how even lawful, routine commercial activities in Turkey are arbitrarily and unlawfully brought under the scope of terrorism financing.

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One of Maydonoz Döner branch that police operation was carried out at²³

HABERLER > GÜNDEM HABERLERİ

Samsun merkezli 3 ilde 'Maydonoz Döner' operasyonu; 23 gözaltı

Güncelleme Tarihi: Mayıs 27, 2025 11:31

News title: Samsun-based 'Maydonoz Döner' operation in 3 provinces; 23 detained

In the operation against Maydonoz Döner, the detention of suspects was justified on the basis of their dismissal from public service during the state of emergency (SoE) through Decree-Laws (KHKs) issued unlawfully by the Council of Ministers on the basis of

²² <http://tr.euronews.com/2025/02/21/teror-orgutu-finansmani-ile-suclanan-maydonoz-donere-kayyum-atandi>

²³ <https://www.milliyet.com.tr/gundem/maydonoz-donerin-tum-subeleri-fetocu-aileler-icin-kurulmus-7411662>

blacklists, their previous employment in institutions affiliated with the Gülen Movement (such as schools, prep courses, hospitals, etc.), their having accounts at Bank Asya, a bank lawfully established, and their use of ByLock, a messaging application available on Apple Store and Google Play. **These factors were treated as evidence of membership in a terrorist organization; and the suspects' routine commercial activities, which did not constitute any violation of law, were presented in the indictment as grounds for punishment under terrorism financing.**

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T.C. EDİRNE CUMHURİYET BAŞSAVCILIĞI	
Soruşturma No	: 2024/17763
Esas No	: 2025/3247
İddianame No	: 2025/555
TUTUKLU	
İ D D İ A N A M E	
EDİRNE () AĞIR CEZA MAHKEMESİNE	
DAVACI ŞÜPHELİ	: K.H. : 1- [Redacted] 13- [Redacted] AY [Redacted] no da nüfus kayıtlı Temi Mah. Atatürk Cad. No:158 Maydonoz Döner Didim/ AYDIN ikamet eder.
MÜDAFİİ	: Av. UĞUR KÖSE, EDİRNE 16562-65378-38367 Av. YASEMİN DEMİR, İZMİR 16005-00156-18461
SUÇ	: <u>Terörizmin Finansmanının Önlenmesi Hakkındaki Kanuna</u> Muhalefet
SUÇ TARİHİ VE YERİ GÖZALTİ TARİHİ SEVK MADDESİ	: 2024 - 2025 yılları, EDİRNE/MERKEZ : 28/02/2025 - 03/03/2025 : Terörizmin Finansmanının Önlenmesi Hakkında Kanun 4/1, Türk Ceza Kanunu 53/1, Türk Ceza Kanunu 63
ŞÜPHELİ	: 2- [Redacted] 24- [Redacted] k8- [Redacted] kay [Redacted]
SUÇ	: Terörizmin Finansmanının Önlenmesi Hakkındaki Kanuna Muhalefet
SUÇ TARİHİ VE YERİ YAKALAMA KARAR TARİHİ SEVK MADDESİ	: 2024 - 2025 yılları, EDİRNE/MERKEZ : 26/03/2025 : Terörizmin Finansmanının Önlenmesi Hakkında Kanun 4/1, Türk Ceza Kanunu 53/1

Here is the translation of the document into English:

REPUBLIC OF TURKEY

EDİRNE CHIEF PUBLIC PROSECUTOR'S OFFICE

INVESTIGATION No: 2024/17763

CASE No: 2025/3247

INDICTMENT No: 2025/555

DETENTION

INDICTMENT

TO THE HEAVY PENAL COURT OF EDİRNE ()

PLAINTIFF: Republic of Turkey

DEFENDANT: K.H

[personal details redacted]

Resident at Maydonoz Döner, Didim / AYDIN

DEFENSE COUNSEL:

Attorney Uğur Köse, Edirne

Attorney Yasemin Demir, İzmir

OFFENSE:

Violation of the Law on the Prevention of Financing of Terrorism

DATE AND PLACE OF OFFENSE:

Years 2024–2025, Edirne / Central District

DATE OF CUSTODY:

28/02/2025 – 03/03/2025

APPLICABLE ARTICLES:

Law on the Prevention of Financing of Terrorism Article 4/1,

Turkish Penal Code Article 53/1,

Turkish Penal Code Article 63

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DEFENDANT: [Name Redacted]

[personal details redacted]

OFFENSE:

Violation of the Law on the Prevention of Financing of Terrorism

DATE AND PLACE OF OFFENSE:

Years 2024–2025, Edirne / Central District

DATE OF ARREST WARRANT:

26/03/2025

APPLICABLE ARTICLES:

Law on the Prevention of Financing of Terrorism Article 4/1,

Turkish Penal Code Article 53/1

As stated in the **ECtHR’s Yalçinkaya v. Turkey**²⁴ judgment detailed above, none of these so-called “**criteria**” presented as evidence of crime can be accepted as proof of membership in a terrorist organization under universal legal standards. Despite the rulings of universal legal authorities such as the ECtHR and the UN, proximity or sympathy toward a social group like the Gülen Movement is treated as a terrorism offense in Turkey; lawful commercial activities carried out by individuals associated with the Gülen Movement to sustain their lives (such as opening a Maydonoz Döner branch or working as an employee in a Maydonoz Döner branch) are punished as terrorism financing. This demonstrates that anti-terrorism laws are being misused not for the purpose of combating terrorism but as a tool of repression to achieve political goals and suppress dissent.

²⁴ Yüksel Yalçinkaya vs Türkiye, 15669/20, 26/09/2023
<https://hudoc.echr.coe.int/eng#{%22itemid%22:%22001-228393%22}}>

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Şüpheliler hakkında yapılan araştırmalar sonucunda;

- Şüpheli [redacted] hakkında FETÖ/PDY kapsamında hakkında adli tahkikat bulunmadığının ancak şüphelinin FETÖ/PDY ile iltisaklı olan ve Kenya ülkesinde faaliyet gösteren Ebru Africa Televizyonu - Ticari Müdürü olduğunun, Bank Asya adlı bankada hesabının bulunduğunun, Samanyolu ve Işık Medya adlı firmalarda SGK kaydının bulunduğunun
- Şüpheli [redacted] hakkında FETÖ/PDY kapsamında adli tahkikat bulunmadığının ancak örgüt ile iltisaklı olan ve KHK ile kapatılan Süleyman Şah Üniversitesi kadrosunda Kurumsal İletişim Uzmanı unvanı ile 2013-2016 yılları arasında SGK kaydının bulunduğunun,
- Şüpheli [redacted] hakkında FETÖ/PDY kapsamında adli tahkikat bulunmadığının, halen Someca Gıda Dağıtım ve Pazarlama A.Ş. adlı firmada satış müdür yardımcısı olarak çalıştığına dair SGK kaydı bulunduğunun,
- Şüpheli [redacted] hakkında FETÖ/PDY kapsamında adli tahkikat bulunmadığının,
- Şüpheli [redacted] hakkında Ankara Cumhuriyet Başsavcılığı'nın 2018/1299 soruşturma sayılı dosyası üzerinden FETÖ/PDY kapsamında adli tahkikat yürütüldüğünün, Merkez Bankasında uzman yardımcısı olarak görevli iken KHK ile kamu görevinden çıkarıldığığının,
- Şüpheli [redacted] hakkında FETÖ/PDY kapsamında adli tahkikat bulunmadığının,
- Şüpheli [redacted] hakkında İstanbul Cumhuriyet Başsavcılığı'nın 2017/96867 soruşturma sayılı dosyası üzerinden FETÖ/PDY kapsamında adli tahkikat yürütüldüğünün,
- Şüpheli [redacted] hakkında FETÖ/PDY kapsamında adli tahkikat bulunmadığının,
- Şüpheli [redacted] hakkında FETÖ/PDY kapsamında adli tahkikat bulunmadığının,
- Şüpheli [redacted] hakkında FETÖ/PDY kapsamında adli tahkikat bulunmadığının belirlendiği.

Bu hususlar dışında şüphelilerin hesap hareketlerinin kontrolünün sağlandığı, yapılan incelemelerde şüpheliler [redacted] a ait hesaplar arasında yoğun miktarda para giriş çıkışı bulunduğunun, hakkındaki evrak tefrik edilen [redacted] ile şüpheli Tanju [redacted] a yoğun miktarda para giriş çıkışı bulunduğunun, [redacted] adlı şahıs ile şüpheli Hıdır Sarıgöz'e ait hesaplar arasında yoğun miktarda para giriş çıkışı bulunduğunun, yanı sıra şüphelilerden [redacted] ait hesaplardan haklarında FETÖ/PDY kapsamında adli tahkikat yürütülmüş bir çok isme para çıkışı

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Edirne CBS indictment no. 2025/555, page 10

Here is the English translation of the document,

As a result of the investigations conducted regarding the suspects:

- It was determined that suspect [redacted] was not under judicial investigation within the scope of FETÖ/PDY, but that the suspect had links with FETÖ/PDY, served as the Commercial Director of Ebru Africa Television operating in Kenya, had an account at Bank Asya, and had SGK (social security) registration at Samanyolu and Işık Media companies.
- It was determined that suspect [redacted] was not under judicial investigation within the scope of FETÖ/PDY, but had links with the organization and worked as Corporate Communications Specialist between 2013–2016 at Süleyman Şah University, which was shut down by Decree-Law (KHK), and had SGK registration there.

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- It was determined that suspect [redacted] was not under judicial investigation within the scope of FETÖ/PDY, but is currently working as Assistant Sales Manager at Somca Food Distribution and Marketing Inc., and had SGK registration there.
- It was determined that suspect [redacted] was not under judicial investigation within the scope of FETÖ/PDY.
- It was determined that suspect [redacted] was under judicial investigation within the scope of FETÖ/PDY by the Ankara Chief Public Prosecutor's Office, file no. 2018/1299, and had been dismissed from public service by Decree-Law (KHK) while serving as Assistant Expert at the Central Bank.
- It was determined that suspect [redacted] was not under judicial investigation within the scope of FETÖ/PDY.
- It was determined that suspect [redacted] was under judicial investigation within the scope of FETÖ/PDY by the Istanbul Chief Public Prosecutor's Office, file no. 2017/96867.
- It was determined that suspect [redacted] was not under judicial investigation within the scope of FETÖ/PDY.
- It was determined that suspect [redacted] was not under judicial investigation within the scope of FETÖ/PDY.
- It was determined that suspect [redacted] was not under judicial investigation within the scope of FETÖ/PDY.

In addition to these matters, it was determined that the account activities of the suspects had been monitored, that there were significant money inflows in the accounts of suspect [redacted], that there were significant money outflows in the accounts of suspect Tanju [redacted], and that there were significant money inflows and outflows in the accounts of suspect H...and between the accounts of the suspects; moreover, money transfers were detected from the suspects' accounts to individuals already under judicial investigation within the scope of FETÖ/PDY.

Lawful, Routine, Commercial Activities Were Included in the Indictment as Terrorism Financing

In the post-2014 period in Turkey, individuals sympathetic to the Gülen Movement were profiled by state institutions and their names placed on lists. Using the 2016 coup attempt as a pretext, the Council of Ministers led by President Erdoğan unlawfully dismissed, through Decree-Laws (KHKs), approximately 135,000 public servants—including soldiers, police officers, judges, prosecutors, and teachers—based on these previously prepared profiling lists, in violation of universal law. Prosecutors immediately launched investigations against these individuals on charges of “membership in a terrorist organization.” Moreover, from 2014 onwards, investigations into membership in a terrorist organization were also initiated against individuals sympathetic to the Gülen Movement, or those employed in, or doing business with, institutions and companies

affiliated with the Movement. According to statistics published by the Ministry of Justice, approximately **2,478,734 investigations**²⁵ have been opened by Turkish judicial authorities in the post-2014 period in the context of the fight against the Gülen Movement. This number demonstrates an unprecedented judicial process both globally and in Turkey, showing that one out of every thirty people was easily subjected to an investigation for “membership in a terrorist organization.”

The terrorism financing charges alleged against individuals in the **Maydonoz Döner operation** represent **a new stage in the millions of unlawful terrorism investigations opened in Turkey**. This situation is the latest example of the systematic policy of repression carried out against the Gülen group along **the axis of politics–police–judiciary**. The process unfolded as follows:

- First, individuals dismissed by KHKs or those who had worked in Gülen Movement institutions were subjected to investigations under Article 314 of the Turkish Penal Code for membership in a terrorist organization.
- A significant portion of those investigated for membership were arrested and sentenced to various prison terms.
- After serving their sentences and being released, individuals sought employment to support themselves and their families. However, due to practices such as Code-36 entered into the social security system (SGK)—indicating that they were under investigation for membership in a terrorist organization—they had great difficulty finding jobs even in the private sector. Those who managed to find employment were often forced to work without social security or insurance.

Individuals who lost their jobs overnight through KHKs and were unlawfully detained in prison for years were unable to find jobs in the private sector after release, and some chose to start their own businesses. In this context, individuals investigated due to alleged affiliation with the Gülen Movement applied for franchise systems of various brands to establish their own enterprises. One of these companies, from which franchises were obtained, was Maydonoz Döner, a fast-food brand that expanded rapidly in Turkey after 2018.

In the indictment No. 2025/555 prepared against the partners and employees of Maydonoz Döner branches in Edirne, money transfers made as part of the daily, routine commercial activities of individuals who had been dismissed by KHKs or investigated for

²⁵ <https://turkeyrightsmonitor.com/tr/teror-sucu-istatistikleri>

working in Gülen-affiliated institutions were included as evidence of terrorism financing. In Turkey, even making lawful bank transfers through official channels as part of business transactions to a person who had previously been subjected to a “FETÖ” investigation is considered “terrorism financing” by judicial institutions.

In the Edirne indictment, the unlawfulness went even further: not only those under “FETÖ” investigation but also their first-degree (parents, children) and second-degree relatives (uncles, aunts, etc.) had their bank account activities placed under scrutiny under the pretext of terrorism financing.

The indictment No. 2025/555 prepared by the Edirne Prosecutor’s Office listed the following as elements of crime:

- From the account of suspect Y..., money transfers were made to nine individuals who had not themselves been investigated under FETÖ/PDY but had first- or second-degree relatives under such investigation.
- Into the account of suspect Y..., deposits were made from the accounts of eight individuals not investigated themselves, but who had first- or second-degree relatives under FETÖ/PDY investigation—26 transactions totaling 427,506.13 TL.
- Into the account of suspect F..., deposits were made from three such individuals—four transactions totaling 38,820 TL.
- From the account of suspect Ö..., payments were made to seven such individuals—16 transactions totaling 81,549.82 TL.
- Into the account of suspect Ö..., deposits were made from seven such individuals—73 transactions totaling 443,423.62 TL.
- From the account of suspect Y..., large sums were transferred to accounts belonging to official partners of Somca Gıda A.Ş., their family members, and other Maydonoz Döner branches in Turkey.
- From the account of suspect Y..., 732 transactions totaling 41,273,670.09 TL were transferred to the accounts of official partners of Maydonoz branches in Turkey.
- From the account of suspect F..., 4,000 TL was transferred in a single transaction to the account of an official partner of a Maydonoz branch.
- From the accounts of suspect F..., transfers were also made to the accounts of Somca Gıda A.Ş. partners.

- From the account of suspect Ö..., 350,000 TL was transferred to the accounts of official partners of Maydonoz branches across Turkey.

The indictment concluded that, based on these findings, suspects Y..., F..., and Ö... had provided material benefits to so-called victim families through these accounts and thereby financed the activities of the organization.

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olduğunun tespit edildiği, hesap hareketleri üzerinde tümevarım yöntemiyle yapılan inceleme sonucunda, şüpheli [redacted]’in ait hesaptan kendisine FETÖ/PDY kapsamında adli işlem yapılmamış ancak birinci ve ikinci derecede akrabaları arasında FETÖ/PDY kapsamında adli tahkikat yürütülmüş 9 şahsa 11 ayrı işlemde 72.295 TL para çıkışı yapıldığının, yine [redacted]’in hesabına kendisine FETÖ/PDY kapsamında adli işlem yapılmamış ancak birinci ve ikinci derecede akrabaları arasında FETÖ/PDY kapsamında adli tahkikat yürütülmüş 8 şahsın hesabından 26 ayrı işlemde 427.506,13 TL para girişi yapıldığının, şüpheli [redacted]’in hesabına kendisine FETÖ/PDY kapsamında adli işlem yapılmamış ancak birinci ve ikinci derecede akrabaları arasında FETÖ/PDY kapsamında adli tahkikat yürütülmüş 3 şahsa 4 ayrı işlemde 38.820 TL para girişi yapıldığının, şüpheli [redacted]’in hesabından ise kendisine FETÖ/PDY kapsamında adli tahkikat yürütülmüş 7 şahsa 16 ayrı işlemde 81.549,82 TL para çıkışı yapıldığının, yine şüpheli [redacted]’a ait hesaba kendisine FETÖ/PDY kapsamında adli işlem yapılmamış ancak birinci ve ikinci derecede akrabaları arasında FETÖ/PDY kapsamında adli tahkikat yürütülmüş 7 şahsın hesabından 73 ayrı işlemde 443.423,62 TL para girişi yapıldığının, bu hususlara ilaveten şüpheli [redacted]’in ait hesap ile Somca Gıda A.Ş resmi ortakları ile aile yakınlarına ait hesaplara ve Türkiye’de başkaca Maydonoz Döner işletmelerine ait hesaplara yoğun miktarda para giriş çıkışı bulunduğunun, bu kapsamda şüpheli [redacted]’in ait hesaptan Türkiye’deki Maydonoz şubelerinin gayri resmi ortaklarının hesabına 23 ayrı işlemde toplam 1.258.528,4 TL para çıkışı olduğunun, yine şüpheli [redacted]’in ait hesaba Türkiye’deki Maydonoz şubelerinin gayri resmi ortaklarının hesabından 312.800 TL para girişi olduğunun, şüpheli [redacted]’in ait hesaptan Türkiye’deki Maydonoz şubelerinin resmi ortaklarına ait hesaplara 732 ayrı işlemde 41.273.670,09 TL para çıkışı olduğunun, şüphelilerden [redacted]’a ait hesaptansa Türkiye’deki Maydonoz şubelerinin resmi ortaklarının hesabına 1 işlemde [redacted] TL para çıkışı olduğunun, bu hesaplardan şüpheli [redacted]’in hesabına 3 ayrı işlemde 10.500 TL para girişi olduğunun, şüpheli [redacted]’a ait hesaplardan Somca Gıda A.Ş ortaklarının hesaplarına da para giriş çıkışlarının bulunduğunun, şüphelilerden [redacted]’a ait hesaptan ise Türkiye genelindeki Maydonoz şubelerinin resmi ortaklarının hesaplarına 350.000 TL para çıkışı olduğunun tespit edildiği, yapılan tespitler neticesinde bilhassa şüpheliler [redacted]’in organizesinde bütün şüphelilerin örgütün sözde mağdur ailelerine maddi menfaat sağlayıp, örgüt faaliyetlerinin devamı için iş ve işlemler yaptıklarına kanaat getirildiği.

An excerpt from the Edirne CBS indictment numbered 2025/555

It was determined that, based on an inductive examination of account activities, from the account of suspect [redacted], although no judicial action had been taken against

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him within the scope of FETÖ/PDY, money transfers totaling 72,295 TL in 11 **transactions had been made to 9 persons who were under judicial investigation within the scope of FETÖ/PDY as first- and second-degree relatives;**

that again, into the account of suspect [redacted], although no judicial action had been taken against him within the scope of FETÖ/PDY, deposits totaling 427,506.13 TL in 26 transactions were made from the accounts of **8 persons under judicial investigation within the scope of FETÖ/PDY as first- and second-degree relatives;**

that into the account of suspect [redacted], although no judicial action had been taken against him within the scope of FETÖ/PDY, deposits totaling 38,820 TL in 4 transactions were made from the accounts of 3 persons under judicial investigation within the scope of FETÖ/PDY as first- and second-degree relatives;

that from the account of suspect [redacted], although no judicial action had been taken against him within the scope of FETÖ/PDY, withdrawals totaling 81,549.82 TL in 16 transactions were made to 7 persons under judicial investigation within the scope of FETÖ/PDY as first- and second-degree relatives;

that into the account of suspect [redacted], although no judicial action had been taken against him within the scope of FETÖ/PDY, deposits totaling 443,423.62 TL in 73 transactions were made from the accounts of 7 persons under judicial investigation within the scope of FETÖ/PDY as first- and second-degree relatives;

in addition to these matters, it was found that there were intense money inflows and outflows between the account of suspect [redacted] and the accounts of the official partners and family members of Somca Gıda A.Ş., as well as with the accounts of other Maydonoz Döner enterprises in Turkey;

that in this context, from the account of suspect [redacted], a total of 1,258,528.4 TL was transferred in 23 transactions to the accounts of unofficial partners of Maydonoz Döner branches in Turkey;

that from the account of suspect [redacted], 312,800 TL was transferred to the accounts of unofficial partners of Maydonoz Döner branches in Turkey;

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that from the account of suspect [redacted], 41,273,670.09 TL was transferred in 732 transactions to the accounts of official partners of Maydonoz Döner branches in Turkey; that from the account of suspect [redacted], 67,000 TL was transferred in 1 transaction to the accounts of official partners of Maydonoz Döner branches in Turkey; that into the account of suspect [redacted], 10,500 TL was deposited in 3 transactions; that there were deposits and withdrawals between the accounts of suspect [redacted] and the accounts of the partners of Somca Gıda A.Ş.; that from the account of suspect [redacted], 350,000 TL was transferred to the accounts of official partners of Maydonoz Döner branches across Turkey; and as a result of these findings, it was concluded that especially suspects [redacted], [redacted], and [redacted], through the accounts organized under their control, **provided financial benefits to the so-called victim families of the organization and carried out transactions to ensure the continuation of the organization's activities.**

For example, the indictment itself states that **the money transfers considered as criminal acts were not made through secret channels but were carried out through banks.** According to the indictment, the fact that a person had been subjected to a "FETÖ" investigation (the source of these so-called terrorism investigations being the unlawful Decree-Laws issued by the political authority) was treated as evidence of organizational membership; money transfers made to such a person, or transfers made by that person to others in connection with commercial transactions, were regarded as "terrorism financing." Yet, **there was neither any terrorist activity nor any intent to finance such activity. The purpose of the money transfers was simply commercial transactions conducted to operate a Maydonoz Döner branch, and these were carried out legally through banks.**

Another important point in the indictment is that the matter was not limited to individuals unlawfully subjected to terrorism investigations; the principle of "individual criminal responsibility" was arbitrarily violated, and even the financial transactions of their first- and second-degree relatives (parents, siblings, children, uncles, aunts, etc.) were examined and presented as elements of crime in the indictment.

All these aspects of the indictment clearly demonstrate that the recent operations carried out in Turkey under the pretext of “preventing the financing of terrorism” against the Gülen Movement have no legal basis, that judges and prosecutors exercising judicial authority arbitrarily disregarded universal law as well as legal principles set forth in Turkish law and the Constitution, and that even lawful, commercial activities of politically targeted groups were sought to be punished under the guise of “terrorism.”

Another illegality contained in the indictment is that individuals targeted through arbitrary terrorism investigations were subjected to months of **physical and technical surveillance under the pretext of “preventing terrorism financing.”** As a result of this, although there was no activity constituting a crime, victims were physically monitored, their movements and meetings were recorded, and their private company partnership information and business relations were documented. The interception of communications and prolonged physical and technical surveillance were carried out in violation of universal legal principles such as the presumption of innocence (UDHR Art. 11, ECHR Art. 6/2); the right to respect for private and family life (ECHR Art. 8, UDHR Art. 12); proportionality and the prohibition of arbitrary interference; and the right to a fair trial (ECHR Art. 6, UDHR Art. 10).

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.20/12/2024 tarihli fiziki takip

- Edirne İl Emniyet Müdürlüğü Kom Şube Müdürlüğü görevlilerince şüpheli [redacted] İş Bankası Müdürü ile görüşüldüğüne ve hesabından 224.000,00 TL para çekeceğine dair bilgiler edinilmesi üzerine, 20/12/2024 tarihinde saat 11.00 sıralarında Atatürk Bulvarı üzerinde bulunan İş Bankası önüne konuşlanıldığı, aynı gün saat 11.30 sıralarında şüpheli [redacted]'nın [redacted] laka sayılı araçla bankaya geldiğinin, bankadaki işlerini tamamladıktan sonra elinde para desteleri ile çıktığının, ardından annesinin ikamet ettiği [redacted] mahallesi 146.Sokak [redacted] tmanına geldiğinin, bir süre sonra şüphelinin adresten çıkarak gayri resmi ortağı olduğu [redacted] im adlı iş yerine gittiğinin, buradan sonra ise ikametine gittiğinin, ikametine girerken elinde herhangi bir para, poşet vs.bulunmadığının, saat 12.40 sıralarında ikametinden ayrılıp [redacted] sayılı adrese gittiğinin, bu adrese girerken elinde bir adet poşet ve pasta taşımada kullanıldığı değerlendirilen bir kutu olduğunun, adresten çıkarken ise elinde herhangi bir eşya bulunmadığının tespit edildiği,

.25/12/2024 tarihli fiziki takip

Edirne İl Emniyet Müdürlüğü Kom Şube Müdürlüğü görevlilerince [redacted] dlı şüphelinin 25/12/2024 tarihinde saat 09.50 sıralarında otoban üzerinden Edirne iline doğru sevir halinde olduğuna, şüphelinin İbrahim Zagra Caddesi üzerinde bulunan Maydonoz Döner adlı iş yerine gideceğine dair bilgiler edinilmesi üzerine, aynı gün saat 10.05 sıralarında şüphelinin Otoban Gişelerinden ilimize giriş yaptığının, saat 10.15 sıralarında bahse konu iş yerine gittiğinin, ardından Tahmîs Çarşısı Sokak üzerinde faaliyet gösteren Maydonoz Döner adlı iş yerine gittiğinin, burada hakkında ek takipsizlik kararı verilen şüpheli [redacted] ne görüşüldüğünün, takiben SGK İl Müdürlüğü ve noterliklerde bir takım işlerini tamamladığının, sonrasında ilimizden ayrıldığının tespit edildiği,

.07/01/2025 tarihli fiziki takip

- Edirne İl Emniyet Müdürlüğü Kom Şube Müdürlüğü görevlilerince [redacted] Bankası hesabından 90.000,00 TL para çekeceğine dair bilgiler edinilmesi üzerine yapılan takip sonucunda, şüphelinin 07.01.2025 tarihinde saat 15.40 sıralarında İş Bankasına giderek para çektiğinin, ardından elinde para desteleri ile birlikte bankadan çıkarak [redacted] adlı iş yerine gittiğinin, burada paranın bir kısmını [redacted] ır adlı şahsa verdiğinin, ardından Saraçlar Caddesi üzerinde bulunan Hudut Kuyumculuk adlı iş yerine gidip altın alışverişinde bulunduğunun tespit edildiği,

.11/01/2025 tarihli fiziki takip

- Edirne İl Emniyet Müdürlüğü Kom Şube Müdürlüğü görevlilerince şüpheliler [redacted] n görüşme yapacaklarına dair bilgiler edinilmesi üzerine, 11.01.2025 tarihinde saat 14.00 sıralarında Tahmîs Çarşısı Sokak üzerinde bulunan Maydonoz Döner adlı iş yerine mevkiine konuşlanıldığı, burada [redacted] 'nun iş yeri içerisinde olduğunun görüldüğü, bu süre sonra şüphelinin İbrahim Zagra Caddesi üzerinde bulunan

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An excerpt from the Edirne CBS indictment numbered 2025/555

20/12/2024 dated physical surveillance

Upon information obtained that suspect [redacted] would meet with the branch manager of İş Bank and withdraw 224,000.00 TL from his account, on 20/12/2024 around 11:00 a.m., surveillance was established in front of İş Bank located on Atatürk Boulevard, and at 11:30 a.m. it was observed that the suspect arrived at the bank with the vehicle bearing plate number [redacted], entered the bank, and after completing his banking transactions, exited without carrying any money bag, package, etc.; then proceeded to

his mother's residence at [redacted] neighborhood, 146th Street, entered the residence at 12:00 p.m., and subsequently left the residence together with his business partner, entered his workplace, and at 12:40 p.m. returned to his residence; upon search at the entrance of his residence, no money bag, package, or any item was found in his hand, and it was assessed that the suspect did not carry any items during this process.

.25/12/2024 dated physical surveillance

On 25/12/2024 at around 09:50 a.m., during surveillance by the officers of the Anti-Smuggling and Organized Crime Branch Directorate of Edirne Provincial Police Department, it was observed that suspect [redacted] was traveling towards Edirne province by car, entered the province through the toll booths, and at 10:05 a.m. arrived at his workplace called Maydonoz Döner located on İbrahim Zagra Street. Afterwards, he went to another workplace on Tahmis Bazaar Street, also called Maydonoz Döner, met there with suspects about whom a decision of non-prosecution had previously been issued, then proceeded to the SGK Provincial Directorate and notary offices where he completed certain transactions, and subsequently left the city.

.07/01/2025 dated physical surveillance

Upon information obtained that suspect [redacted] would withdraw 90,000.00 TL from İş Bank, surveillance was established, and on 07/01/2025 around 15:40 it was observed that the suspect entered İş Bank, withdrew money together with bank receipts, and then gave some of the money to another individual in front of the bank, afterwards entered Hudut Jewelry located on Saraçlar Street, where he purchased gold, and then left the area.

11/01/2025 dated physical surveillance

Upon information obtained that suspects [redacted] would conduct meetings, on 11/01/2025 around 14:00 it was observed that the suspect entered the workplace called Maydonoz Döner located on Tahmis Bazaar Street, stayed inside for a while, and then went out and continued on İbrahim Zagra Street.

In the conclusion section of the indictment, under the heading **“Evaluation of Evidences,”** the following were treated as elements of crime:

- victims who had previously been unlawfully subjected to terrorism investigations transferring money to one another;
- being official partners of the company Maydonoz Döner;
- working at Maydonoz Döner branches;
- being active in the opening of Maydonoz Döner branches;
- meeting at Maydonoz Döner branches;
- serving as regional franchise representatives of Somca Gıda AŞ.

As part of the struggle for survival, what is in fact a perfectly normal business initiative—opening a workplace—was presented in the indictment as the current structure of a so-called “organization” fabricated by the Turkish judiciary, and individuals were arrested based on these arbitrary evaluations.

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Case Studies

Delillerin Değerlendirmesi

Yürütülen soruşturma neticesinde Antalya Cumhuriyet Başsavcılığı'nın 2024/7958 soruşturma sayılı dosyası, Antalya Cumhuriyet Başsavcılığı'nın ihbar evrakı, Edirne İl Emniyet Müdürlüğü Kom Şube Müdürlüğüne yapılan araştırmalar ve buna mukabil tanzim edilen araştırma raporları, CMK'nın 135.maddesi uyarınca uygulanan iletişimin tespiti, dinlenmesi ve kavda alınması tedbirine dair elde edilen tape kayıtları, Edirne İl Emniyet Müdürlüğü Kom Şube Müdürlüğüne şüphelilerin hesap hareketlerine dair varılan tesbitler, yine aynı birimce tanzim edilen fiziki takip tutakları, Masak tarafından tanzim edilen rapor, bu raporda da belirtildiği üzere şüphelilerin birbirlerine ve FETÖ/PDY kapsamında hakkında adli tahkikat yürütülmüş üçüncü kişilere birden fazla kez " bağış, nisse payı vs.." gibi açıklamalarla yüklü miktarlarda para göndermiş olmaları ve şüpheli savunmaları değerlendirildiğinde,

Yönünden Yapılan Değerlendirme;

Şüphelinin Sabuni Mahallesi Tahmîs Çarşı Sokak No:17 İç Kapı No:2 sayılı adreste ve Cumhuriyet Mahallesi İbrahim Zagra Caddesi Diamond City Sitesi altında faaliyet gösteren Maydonoz Döner adlı işletmelerin resmi ortağı olduğu, kollukça tanzim edilen fiziki takip tutanaklarından, dosya arasına alınan tape kayıtlarından şüphelinin şube açılışlarında aktif rol üstlendiğinin anlaşıldığı, yanı sıra diğer şüpheli ifadelerinden de bu hususun tespit edildiği, şüphelinin Edirne ili dışında da Maydonoz Döner adlı işletmeye dair birden çok ortaklığının bulunduğu, tüm bunların yanında şüphelinin hesabından dana evrei FETÖ/PDY soruşturmaları kapsamında haklarında adli işlem yapılmış bir çok şahsa çeşitli açıklamalarla para transferi yaptığı,

Yönünden Yapılan Değerlendirme;

Şüphelinin Sabuni Mahallesi Tahmîs Çarşı Sokak No:17 İç Kapı No:2 sayılı adreste ve Cumhuriyet Mahallesi İbrahim Zagra Caddesi Diamond City Sitesi altında faaliyet gösteren Maydonoz Döner adlı işletmelerin gayri resmi ortağı olduğu, bu hususun tape kayıtlarından kolaylıkla anlaşıldığı, karısı kı şüpheli tarafından da kabul edildiği, yanı sıra yine şüphelinin Somca Gıda adlı şirketin Bölge Franchise sorumlusu olduğu, hususun şüpheli tarafından ikrar edildiği gibi diğer şüphelilerce de beyan edildiği, bunun yanında şüphelinin hesabına dair, diğer şüpheliler [redacted] ait hesaplara birden fazla kez para girişi çıkışı yapıldığı,

Evaluation of Evidence

As a result of the investigation carried out based on file no. 2024/7958 of the Antalya Chief Public Prosecutor's Office and the notification documents of the Antalya Chief Public Prosecutor's Office, and the investigations conducted by the Anti-Smuggling and Organized Crime Branch Directorate of Edirne Provincial Police Department, and the investigation reports drawn up accordingly, it was established that the interception measure pursuant to Article 135 of the CMK had been applied. From the audio recordings obtained during interception and from the physical surveillance records kept by the Anti-Smuggling and Organized Crime Branch Directorate of Edirne Provincial Police Department, as well as the report prepared by the same unit, it was determined that, as stated in this report, some of the suspects had been under judicial investigation within the scope of FETÖ/PDY, that they had sent large sums of money to

third parties more than once with statements such as “donation, share, etc.,” and that the defenses of the suspects were evaluated accordingly.

Evaluation by Direction of [redacted];

It was understood from the records that the suspect is an official partner of the Maydonoz Döner businesses located at the addresses Sabuni Neighborhood, Tahmis Bazaar Street No:17 Internal Door No:2, and Cumhuriyet Neighborhood, İbrahim Zagra Street, under Diamond City Complex, and that the suspect played an active role in the statements included in the file and in the audio recordings obtained. Furthermore, from the statements of other suspects, this fact was established; that the suspect is a partner of the business in Edirne operating under the name Maydonoz Döner; and that, in addition to these, the suspect transferred money to various individuals with statements such as “donation, share, etc.” from his account, despite these individuals previously being under judicial investigation within the scope of FETÖ/PDY.

Evaluation by Direction of [redacted];

It was understood from the audio recordings obtained that the suspect is a de facto partner of the Maydonoz Döner businesses located at the addresses Sabuni Neighborhood, Tahmis Bazaar Street No:17 Internal Door No:2, and Cumhuriyet Neighborhood, İbrahim Zagra Street, under Diamond City Complex. This matter was easily confirmed from the audio recordings, and it was accepted as true since it was also confessed by the suspect, as well as confirmed by other suspects, that the suspect is also the Regional Franchise Officer of Somca Food Inc. Furthermore, as stated by

other suspects, it was determined that there were multiple money inflows and outflows into the suspect's account on behalf of other suspects.

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Yapılan açıklamalar nazarında, toplanan delale ve dosya münderecatı değerlendirildiğinde, şüphelilerin örgütün güncel yapılanmasında yer alarak örgüt tarafından kendilerine verilen talimatla örgütün devamlılığını sağlayıp, sözde mağdur ailelerin sözde mağduriyetlerinin giderilmesine yönelik iş ile işlemler tesis ederek ve örgütün çözülmesini önlemek amacıyla örgüt tüvelüğünden hakkında yargılama yapılan şahıslara/yakınlarına şirket üzerinden hayatın olağan akışına aykırı şekilde para göndererek örgüte finansman sağladıkları anlaşılma ile şüpheliler hakkında işbu iddianamenin tanzimi yoluna gidilmiştir.

TALEP :

Delillerin takdiri Mahkemenize ait olmak üzere, şüphelilerin yargılamaının Mahkemenizece yapılarak eylemlerine uyan yukarıdaki sevk maddeleri uyarınca **CEZALANDIRILMALARINA**, işlemiş oldukları kasti suç nedeniyle 5237 Sayılı TCK'nın 53. maddesi gereği **BELLİ HAKLARI KULLANMAKTAN YOKSUN BIRAKILMALARINA**, Adli Emanetin 2025/566 sırasına kayıtlı üzerinde iş yeri Academy Döner Ortaklık Prokolü yazılı sözleşme ile üzerinde iş yeri kiralama sözleşmesi ibaresi ve Çakator Gıda Sanayi ve Ticaret Ltd.Şti. kaşesi bulunan belgenin **İADESİNE**, Adli Emanetin 2025/697 sırasına kayıtlı tape kayıtlarını içerir CD, DVD ve Blu-Ray Disklerin **DOSYADA DELİL OLARAK MUHAFAZA EDİLMESİNE**, Şüphelilerden ele geçirilen dijital materyallerin incelenmesini müteakip tanzim edilecek raporu göre materyallerde herhangi bir suç unsuru elde edilmemesi halinde sahiplerine **İADESİNE**, aksi halin vukuunda materyallerin **MÜSADERESİNE**, Tutuklulukta ve gözaltında geçirdikleri sürenin TCK'nın 63. maddesi gereğince **MAHSUBUNA**,

Karar verilmesi kamu adına iddia ve talep olunur. 16/05/2025

Okan YILDIZ
Cumhuriyet Başsavcı Vekili



Considering the statements made, the evidence collected, and the content of the file; it was understood that the suspects, by participating in the structuring of the organization, ensured the continuation of the organization as instructed by the organization, carried out transactions intended to compensate the so-called victims of the organization, and by establishing such transactions, aimed to prevent the dissolution of the organization, and by sending money in a manner contrary to the ordinary course of life through companies to the individuals/relatives being prosecuted for organizational membership, provided financing to the organization. Accordingly, the drafting of this indictment against the suspects was deemed necessary.

REQUEST:

It is requested, subject to the discretion of the Court, that the suspects be **PUNISHED** in accordance with the referral provisions above, for the intentional offense committed, pursuant to Article 53 of the Turkish Penal Code No. 5237, that they be **DEPRIVED OF**

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Case Studies

CERTAIN RIGHTS, that the document registered under Custody No. 2025/566, consisting of the tenancy agreement titled "Academy Döner Partnership Protocol" and bearing the stamp of Çakator Food Industry and Trade Ltd. Co., be **RETURNED**; that the CDs, DVDs, and Blu-Ray Discs registered under Custody No. 2025/697 containing tape recordings be **PRESERVED IN THE FILE AS EVIDENCE**; that the digital materials seized from the suspects be **RETURNED** to their owners should no criminal element be identified in the report to be prepared following the examination of the materials, or otherwise be **CONFISCATED**; that the period of detention and custody be **DEDUCTED** from their sentence pursuant to Article 63 of the Turkish Penal Code.

Decision is requested in the name of the public.

16/05/2025

Okan YILDIZ

Deputy Chief Public Prosecutor

All of the money transfers cited in the indictment as elements of crime were in fact lawful, routine transactions carried out through banks in the course of commercial activities and in line with the ordinary flow of life. However, judges and prosecutors in Turkey seek to prevent individuals previously investigated due to alleged links with the Gülen Movement from engaging in normal commercial activities, and under the pretext of "preventing terrorism financing" they conduct new unlawful operations against such individuals, unlawfully detain them, and seize their assets.

For example, **following this operation, trusteeship was imposed on Maydonoz Döner, which had 400 branches, and on 21 affiliated companies, with management transferred to the Savings Deposit Insurance Fund (TMSF), an administrative body under the control of the Erdoğan government.**

Maydonoz Döner Hakkında Basın Duyurusu

Görevlendirildiğimiz şirketler, internet siparişleri başta olmak üzere, kesintisiz hizmet vermeye devam etmektedir.

"Maydonoz Döner" markasıyla faaliyet gösteren 21 şirkette, **mahkeme kararıyla** TMSF kayımlı olarak görevlendirilmiştir.

Antalya Cumhuriyet Başsavcılığı'nca yürütülen Fethullahçı Terör Örgütü (FETÖ) soruşturması devam ederken, **ticari faaliyetlerin aksamaması ve üçüncü şahısların haklarının korunmasını teminen** şirketlerin yeni yönetimleri oluşturulmuş ve çalışmalarına başlamıştır.

Görevlendirildiğimiz şirketler, **internet siparişleri başta olmak üzere, kesintisiz hizmet vermeye devam etmektedir.**

Özellikle sosyal medyada yer alan doğrulanmamış haber ve dezenformasyonlara karşı Kurumumuzun resmi açıklamalarının takip edilmesi hususu,

Kamuoyuna saygıyla duyurulur.

Press Release Regarding Maydonoz Döner

The companies entrusted to us continue to provide uninterrupted service, primarily in online orders.

In 21 companies operating under the "Maydonoz Döner" brand, TMSF has been appointed as trustee **by court order**.

While the investigation conducted by the Antalya Chief Public Prosecutor's Office concerning the Fethullahist Terrorist Organization (FETÖ) is ongoing, new management teams have been established in order to ensure that commercial activities are not disrupted and the rights of third parties are protected, and operations have begun.

The companies entrusted to us continue to provide uninterrupted service, primarily in online orders.

In particular, it is important to follow our Institution's official statements against unverified news and disinformation on social media.

Respectfully announced to the public.

Statement made by TMSF after the Maydonoz Döner operation²⁶

²⁶ <https://www.tmsf.org.tr/tr/Basin/List/maydonoz-doner-hakk%C4%B1nda-bas%C4%B1n-duyurusu>

4

Case Studies

T.C. İSTANBUL TİCARET SİCİLİ MÜDÜRLÜĞÜ'NDEN
İlan Sıra No: 53677
Mersis No: 0773072861500001
Ticaret Sicil/Dosya No: 255275-5

Ticaret Unvanı:
SOMCA GIDA DAĞITIM VE PAZARLAMA ANONİM ŞİRKETİ

Adres : Altayçeşme Mah. Öz Sk. Gold Plaza Maltepe No: 19 İç Kapı No: 19 Maltepe / İstanbul

Yukarıda bilgileri verilen şirket ile ilgili olarak aşağıda belirtilen hususlar müdürlüğümüze ibraz edilen belgelere istinaden ve Türk Ticaret Kanunu'na uygun olarak 4.3.2025 tarihinde resen tescil edildiği ilan olunur.

Tescil Edilen Hususlar:Yönetim Kurulu / Yetkililer

Tescile Delil Olan Belgeler:27.2.2025 Tarihli 2025/129 Sayılı Diğer Kararı (T.c. Tasarruf Mevduatı Sigorta Fonu İştirakler Ve Gayrimenkuller Daire Başkanlığının 27.2.2025 Tarih Ve E-81514179-100-120404 Sayılı Yazısı İle Bildirilen, Fon Kurulunun 27.2.2025 Tarihli Ve 2025/129 Sayılı Kararı)

YÖNETİM KURULU / YETKİLİLER

Türkiye Cumhuriyeti Uyruklu 199*****08 Kimlik No'lu, İSTANBUL / KAĞITHANE adresinde ikamet eden, MERYEM KARAKÖSE 20.2.2028 tarihine kadar Yönetim Kurulu Üyesi olarak seçilmiştir.

(20002087)

After TMSF was appointed as trustee, it took control of the management of Maydonoz Döner and 21 affiliated companies. As in previous trustee appointments, individuals close to the Erdoğan government were placed in charge of

the newly restructured company boards. For example, **Meryem Karaköse, Deputy Chair of the AKP Istanbul Women's Branch** and a member of the Central Decision and Executive Board of the AKP Women's Branch²⁷, was appointed as one of the trustees in Maydonoz Döner companies²⁸.

REPUBLIC OF TURKEY

ISTANBUL TRADE REGISTRY DIRECTORATE

Announcement No: 53677

MERSIS No: 0773072861500001

Trade Registry/File No: 255275-5

Trade Name:

SOMCA FOOD DISTRIBUTION AND MARKETING JOINT STOCK COMPANY

Address: Altayçeşme Neighborhood, Öz Street, Gold Plaza Maltepe No: 19, Internal Door No: 19, Maltepe / Istanbul

It is hereby announced that, with respect to the company whose details are given above, the matters specified below have been registered ex officio on 04/03/2025 in

²⁷ <https://akparti.org.tr/kadinkollari/yonetim/mkyk/>

²⁸ <https://www.gercekgundem.com/guncel/akpli-meryem-karakose-maydonoz-donere-kayyim-olarak-atandi-522901>

accordance with the Turkish Commercial Code, based on the documents submitted to our Directorate.

Registered Matters: Board of Directors / Authorized Persons

Documents Constituting Evidence of Registration: Decision No. 2025/129 dated 27/02/2025 (Decision of the Savings Deposit Insurance Fund – Department of Subsidiaries and Real Estate dated 27/02/2025 and Letter No. E-81514179-100-120404 dated 27/02/2025, and Decision of the Fund Board dated 27/02/2025 and No. 2025/129)

BOARD OF DIRECTORS / AUTHORIZED PERSONS

Citizen of the Republic of Turkey, ID No. 199*****08, residing in Istanbul / Kağıthane,

MERYEM KARAKÖSE has been elected as a Member of the Board of Directors until 20/02/2028.

(20002087)

All of these developments demonstrate that, in certain cases, Turkish judicial authorities are not acting with the aim of preventing terrorism financing in accordance with universal law. Instead, terrorism financing laws are being used to suppress different social and political groups regarded as opponents by the Erdoğan government—chief among them the Gülen Movement—and to transfer the economic assets of these dissident groups to individuals close to the government through trusteeships. In other words, counter-terrorism financing legislation in Turkey has deviated from its legal purpose and is being misused for political ends.

Similar “terrorism financing” and “current structure” operations carried out against the Maydonoz Döner restaurant chain have also been conducted against employees and partners of other companies, as listed below.

4.2. Operation Against the Dessert Business Named Antiochia Künefe

On December 24, 2024, and May 26, 2025, operations were carried out, based in İzmir, against the dessert and künefe chain “Antiochia Künefe” and related

individuals/companies on allegations of “terrorism financing.”²⁹ Within the scope of these operations, a total of 58 people were detained and 34 were arrested³⁰. In the operations targeting the business Antiochia Künefe, the facts that the owners had previously been dismissed from public service through KHKs, that they had been subjected to “FETÖ” investigations, and that they employed KHK-dismissed individuals were presented as evidence of terrorism financing. In reality, there was no terrorist activity or financing of terrorism, yet innocent people were detained, arrested, and the businesses they had built up with years of labor were seized by TMSF, a state institution, through trusteeship.

4.3. Operations Against the Supermarket Chains HAKMAR and TATBAK

On July 15, 2025, an operation was carried out under the pretext of “preventing terrorism financing” against the owners of HAKMAR, a well-known discount supermarket chain with around 800 branches nationwide, and TATBAK, a pastry business with about 80 branches in Istanbul, on the grounds that they employed individuals connected to the Gülen Movement. As part of the operation, 26 people were detained and 22 were arrested³¹.

Following the operation, TMSF was appointed as trustee to a total of 22 companies³², including Hakmar and Tatbak. The justification for the operation was based on claims that Z.D., the owner of Hakmar and Tatbak, collected money from individuals for “sacrificial donations, pilgrimage expenses, and Zaman newspaper subscriptions,” along with witness statements and the employment of individuals who had been dismissed by KHKs or subjected to terrorism investigations.

Counter-terrorism financing legislation in Turkey has deviated from its legal purpose and is being misused for political ends.

²⁹ <https://www.cumhuriyet.com.tr/turkiye/maydonoz-doner-in-ardindan-simdi-de-antiochia-kunefe-feto-operasyonunda-ayrintilar-belli-oldu-2404078>

³⁰ https://www.ntv.com.tr/galeri/turkiye/izmirde-feto-operasyonu-gizli-eyalet-imamlarinin-da-arasinda-bulundugu-21-kisiye-tutuklama,JtSni28Le0KK-606GlnSg/p1DEyYI6P0WIBTS_AEvTcw

³¹ <https://gazeteoksijen.com/turkiye/hakmar-ve-tatbaka-feto-operasyonu-22-kisi-tutuklandi-246837>

³² <https://www.cumhuriyet.com.tr/turkiye/hakmar-ve-tatbak-a-feto-operasyonu-zeki-doruk-un-kasasi-acildi-2419085>

5. CONCLUSION AND ASSESSMENT

The manner in which counter-terrorism financing legislation is implemented in Turkey has strayed from its original purpose as defined in international law and has been transformed into a political instrument. The case studies examined in this report clearly demonstrate that, under the guise of countering terrorism, the state has in fact targeted dissident social groups and portrayed lawful and legitimate economic activities as elements of crime. This situation not only violates individuals' rights to liberty and security but also systematically undermines the rights to property, freedom of expression, freedom of association, and the right to a fair trial.

The examples of Maydonoz Döner, Antiochia Künefe, and Hakmar-Tatbak illustrate how routine commercial transactions, employment activities, and economic initiatives can arbitrarily be used as grounds for accusations of "financing terrorism." As a result of these unlawful processes, thousands of people have faced unjust detentions, years-long trials, and the confiscation of their economic assets. Through the appointment of trustees by the Savings Deposit Insurance Fund (TMSF) to opposition-owned companies, not only has the principle of justice been violated, but economic assets have also been transferred to groups close to the political power.

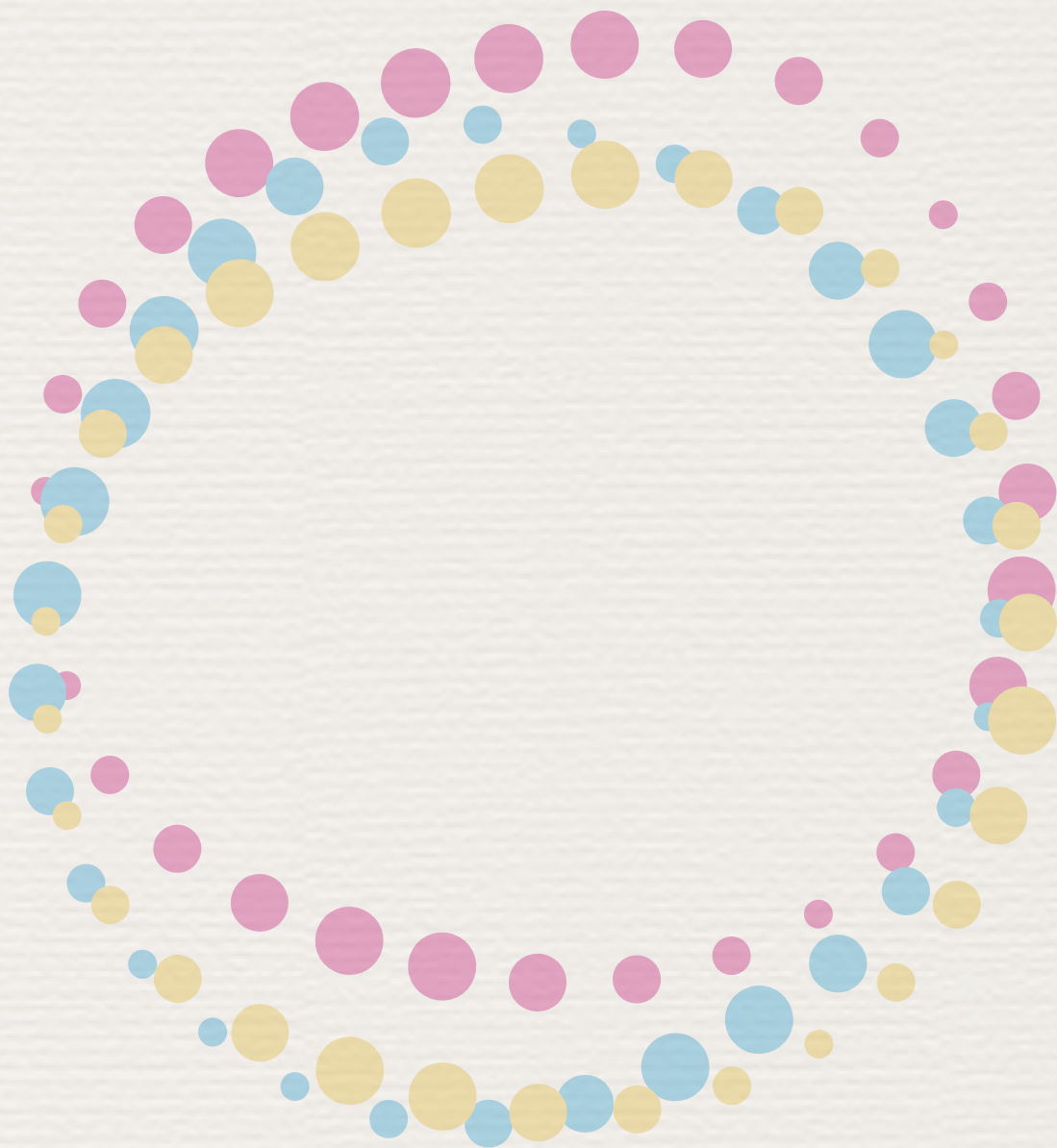
The European Court of Human Rights' judgment in Yüksel Yalçınkaya v. Turkey, the findings of the United Nations Human Rights Committee, and the letters of UN Special Rapporteurs confirm that these arbitrary practices in Turkey are in violation of international legal norms. In this context, it is of vital importance that Turkey revises its counter-terrorism financing legislation to bring it into compliance with international standards, respects the principles of legality and foreseeability, and refrains from using counter-terrorism policies as a tool to silence dissent.

In conclusion, countering terrorism is a legitimate duty of the state; however, when this struggle is not conducted on the basis of adherence to universal human rights law, it turns into a mechanism of repression that erodes the very principle of the rule of law. Acting in compliance with its international obligations is essential for Turkey—not only for the protection of individual rights and freedoms but also for the democratization of the country, the restoration of social peace, and the rebuilding of trust in the rule of law.

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