Cross Border Abductions Forced Transfers and Accountability

Transnational Repression in Counter Terrorism Contexts

Submission to the United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

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Introduction and scope

This report examines extraterritorial apprehensions and forced transfers linked to terrorism allegations originating in Türkiye, their consequences and accountability. We recommend individual risk assessment before every transfer and investigations extending to responsible actors in both sending and receiving States.

Security Studies and Rule of Law Association (SRL Swiss) is an independent, non-profit civil-society organisation based in Geneva. This report predominantly concerns persons associated with the Hizmet/Gülen movement; it does not represent all Türkiye-origin terrorism cases. Judicial findings, official statements, witness accounts and media allegations are assessed separately. Türkiye rejects the relevant allegations of violations and maintains that its measures are lawful. [10]

Transfers and safeguards

The Committee against Torture's General Comment No. 4 treats the prohibition on returning a person to a State where there are substantial grounds for believing that the person would face torture as absolute. The relevant risk must be personal, present, foreseeable and real, assessed in light of both the individual circumstances and conditions in the destination State. The protection applies wherever the State exercises jurisdiction, control or authority; calling a measure "extradition", "return", "readmission" or another form of cooperation does not remove the obligation. [4]

Amnesty International Kenya reported that seven Turkish asylum seekers were abducted in Nairobi on 18 October 2024. Three were later reported released. Kenyan civil-society organizations stated that Mustafa Genç, Öztürk Uzun, Alparslan Taşçı and Hüseyin Yeşilsu were forcibly returned to Türkiye. Kenya's foreign-affairs authorities publicly confirmed that four Turkish nationals were sent to Türkiye on 18 October at the request of the Government of Türkiye and referred to bilateral relations and assurances of humane treatment. [5, 6, 7]

The Working Group on Enforced or Involuntary Disappearances later registered the four cases under its urgent procedure. Its report records information alleging that the individuals were abducted in Nairobi by Kenyan national intelligence officers in a process in which Turkish authorities were also alleged to be involved and were subsequently transferred to Türkiye; copies of the case files were also sent to Kenya. [3] This is an official UN record of information submitted to the Working Group, not a judicial determination of every factual element.

Kenya's description of deportation and the abduction allegations concern different issues. The label does not establish the lawfulness of apprehension, detention or transfer. Protection status, access to counsel, a remedy capable of suspending transfer and monitoring of assurances require clarification.

The Kosovo connection is not merely hypothetical. In the Special Procedures communications TUR 6/2018 and KSV 1/2018, six Turkish nationals working in educational institutions and alleged to be linked to the Hizmet/Gülen movement were reported to have been detained in Kosovo on 29 March 2018 after their residence permits had been revoked and transferred to Türkiye within a short period. The communications recorded allegations of arbitrary detention, forced transfer, short-term enforced disappearance and circumvention of procedural safeguards; they presented allegations to the Governments and were not judicial determinations. [11]

In M.T. v Sweden, the Committee against Torture later assessed a proposed removal from Sweden to Kosovo in light of the risk that the applicant could subsequently be transferred to Türkiye. It considered the applicant's personal profile, passport cancellation, professional and institutional links and earlier transfers from Kosovo to Türkiye. Taking account also of its 2024 concerns regarding extraterritorial abductions and forcible returns of people associated with the Hizmet/Gülen movement, the Committee concluded that removal to Kosovo would violate Article 3 of the Convention against Torture. [8]

In Ozdil and Others v the Republic of Moldova, the ECtHR examined the 2018 removal of five Turkish teachers sought on alleged Gülen links. The Court found violations of Articles 5 § 1 and 8 and characterized the operation as an extra-legal transfer that circumvented domestic and international safeguards. [9] The case demonstrates that a source-State request does not displace the host State's own human-rights obligations.

Recent cases

Orhan Artar — Rwanda, 31 May 2025. Universal Rights Association and Stockholm Center for Freedom reported that Artar and his three children were intercepted while attempting to travel from Kigali to Europe. Although told they would be sent to Tanzania, they were transferred to Türkiye, where Artar was reportedly detained and the children placed with relatives. The sources also recorded the family's account of UNHCR protection and pressure from Turkish intelligence. This is a reported instance of forcible return in 2025. [21, 22]

Mustafa Güngör — Kenya, 20 December 2025–3 February 2026. In an article written in his personal capacity on Amnesty Kenya's website, Irũngũ Houghton linked the detention of the educationalist, who held protection status in Kenya, to a Turkish mutual legal assistance request. The author also described an allegation concerning a pro-Gülen social-media post from 2018. Güngör was reportedly conditionally released on 30 December after approximately ten days. A report of 5 February 2026, citing Amnesty Kenya's statement, records that the court removed the remaining conditions on 3 February. No completed transfer to Türkiye is reported in this file. [23, 24]

Emre Çınar — Mozambique, 30 December 2025–5 January 2026. The Centre for Democracy and Human Rights (Centro para Democracia e Direitos Humanos, CDD) recorded allegations that the whereabouts of Çınar, legal representative of Willow International School, were initially undisclosed and that his family and lawyer could not reach him. The National Criminal Investigation Service (Serviço Nacional de Investigação Criminal, SERNIC) maintained that detention rested on Türkiye's extradition request and a judicial warrant. According to CDD's 6 January bulletin, the court imposed identity and residence obligations (Termo de Identidade e Residência, TIR) instead of detention on 5 January. Extradition proceedings continued while Çınar remained at liberty. [25, 26]

Mustafa Göktepe — Brazil, April 2025–May 2026. Göktepe, a Turkish and Brazilian citizen detained in late April 2025 following Türkiye's request, was released in May 2025. The Brazilian Federal Prosecution Service highlighted the acquisition of citizenship before the alleged acts and the circumstances relevant to detention. According to Veja's report of 29 May 2026, the relevant panel of the Supreme Federal Court voted unanimously to reject extradition, referring to the citizenship bar and the failure to identify concrete conduct attributable to him. [27, 28]

The outcomes differ: a completed transfer to Türkiye was reported for Artar; detention followed by release was recorded for Güngör and Çınar; and rejection of extradition was reported for Göktepe. The latter three cases are not counted as completed abductions or deliveries to Türkiye. Together, they show continuing risks of detention, extradition and return for protected persons in 2025–2026, alongside the importance of effective judicial scrutiny. [20, 21, 22, 23, 24, 25, 26, 27, 28]

Consequences after transfer and accountability

Persons transferred from Kosovo. Of the six people brought to Türkiye on 29 March 2018, Kahraman Demirez was sentenced by the İstanbul 30th Assize Court on 26 December 2019 to eight years and nine months' imprisonment for membership of an armed terrorist organisation. On 5 June 2020, the same court sentenced Mustafa Erdem to 15 years for leading an armed terrorist organisation and Yusuf Karabina to eight years and nine months for membership. All three were acquitted of espionage charges. [13, 14]

This is not an account of the criminal outcomes for all six individuals; it covers the three outcomes reported in the cited sources. The sentences document consequences for liberty after transfer. Their inclusion does not endorse either the charges or the lawfulness of the transfer.

Orhan İnandı. The educator Orhan İnandı, brought to Türkiye from Kyrgyzstan in 2021, was sentenced in June 2023 to 21 years' imprisonment for leading an armed terrorist organisation. According to his lawyer Halil İbrahim Yılmaz's account to RFE/RL in February 2022, İnandı reported being repeatedly beaten while blindfolded to make him confess and being tortured for 37 days. His lawyer stated that İnandı subsequently retracted statements obtained under duress and continued to suffer health problems associated with an arm broken during his abduction. [15, 16]

Zabit Kişi. The UN Special Procedures joint communication of 5 May 2020 records allegations that Zabit Kişi, taken from Kazakhstan to Türkiye, was held in a cell and tortured for months after arrival. According to the communication, when he was brought to court in January 2018, police asserted that he had surrendered voluntarily, while Kişi stated that he had been abducted and flown to Türkiye. Such accounts require investigation of the interval between actual apprehension and officially recorded custody, and of the units responsible during that period. [1]

Former intelligence chief Driton Gashi was prosecuted for abuse of official position or authority. According to KoSSev's report of 24 February 2026, citing Koha, the retrial resulted in four years and eight months' imprisonment and a four-year public-office ban after release. The other defendants were Valon Krasniqi, head of the Interior Ministry's Department of Citizenship, Asylum and Migration, and Rrahman Sylejmani, director of the Border Police's Migration and Foreigners Directorate. Their acquittals were upheld on appeal. [17, 18]

Recommendations and requests

Apply non-refoulement and effective-remedy safeguards to every form of transfer, including extradition, readmission, repatriation, informal handover, intelligence-facilitated transfer and border removal.

Guarantee prompt access to a lawyer, notification of the legal basis for detention or transfer, and access to an independent judicial or equivalent body able to suspend the transfer.

Flight, handover, detention, communications and medical records should be preserved and independently examined. Where interference with evidence or repetition is a risk, temporary suspension from duties should be considered under applicable law. Once individual responsibility is established through fair proceedings, proportionate criminal and disciplinary sanctions should follow. Where legally warranted, these may include dismissal or disqualification from specified public functions.

Allegations of torture should engage the Convention against Torture's provisions on investigation and criminal responsibility. Where a suspect is present in another State party's territory, extradition or submission of the case to competent authorities for prosecution should be considered under the conditions in Articles 5–7. These mechanisms should operate to prevent participants in cross-border operations from benefiting from impunity. [19]

Disclose the legal basis, responsible bodies and oversight arrangements for apprehensions and transfers abroad; prevent unrecorded detention, enforced disappearance and handovers circumventing judicial safeguards.

Independently investigate credible allegations implicating officials, including MİT personnel, in unlawful apprehension, detention, transfer or torture, and pursue criminal and disciplinary proceedings according to the evidence.

Ensure registered detention, access to counsel and independent medical examination, judicial review and effective remedies for transferred persons; prevent use of statements obtained through torture. [19]

Consider becoming party to the Convention on Enforced Disappearance in line with the Committee against Torture's recommendation, and cooperate effectively with UN mechanisms. [2, 12]

We ask the mandate to seek relevant case records and safeguards from Kenya, Kosovo, Moldova, Rwanda, Mozambique, Brazil and Türkiye, and to address access to counsel and healthcare after transfer. Evidence-based criminal and administrative inquiries should cover officials of Türkiye and other States. Protective risk findings should inform subsequent institutional decisions. Our supplementary study covering 2016–2026 provides further case documentation as a separate supporting document. [20]

Publication of this report is authorised. Identifying witness records are excluded from that authorisation.

Sources

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[3] Working Group on Enforced or Involuntary Disappearances, A/HRC/WGEID/135/1 (10 April 2025), paras 149–150. Link

[4] Committee against Torture, General Comment No. 4 (2017), CAT/C/GC/4, Link

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[11] UN Special Procedures, TUR 6/2018 and KSV 1/2018 (18 May 2018), allegations concerning detention and transfer to Türkiye of six Turkish nationals in Kosovo. Link

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[13] Anadolu Agency, Kahraman Demirez sentence, 26 December 2019. Link

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[15] Anadolu Agency, Orhan İnandı sentence, 16 June 2023. Link

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[27] Brazilian Federal Prosecution Service (MPF), statement supporting revocation of Mustafa Göktepe’s detention, May 2025. Link

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Source and edition note - 26 October 2026
The report is dated 13 October 2026. Supplementary study [20] is a supporting analysis, not an independent judicial finding. Its full text and underlying personal case material are not publicly released with this edition. Public official accounts, judicial or UN findings and allegations remain distinct source categories. This revision does not determine individual criminal responsibility or update later case outcomes.