Pressure on Associations Education and Family Life Abroad

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 the incorporation of association, educational and social connections abroad into terrorism investigations in Türkiye. We recommend safeguards against substituting peaceful participation and family ties for individual criminal conduct, and host-State protection of personal data, civic participation and educational relationships.

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. [6]

Investigation concerning association and education links to Germany

A press statement dated 28 August 2026 by the Media Communications Office of the İstanbul Chief Public Prosecutor's Office announces an investigation coordinated by the counter-terrorism and intelligence branches of the İstanbul police and MİT. A copy of the statement is provided in Annex D. Among the allegations concerning Y.A., a Mannheim resident, the statement lists participation in Germany-based associations, student guidance, arranging education in Germany through an educational consultancy for children of persons investigated or imprisoned in Türkiye, and facilitating meetings or exchanges of information between individuals. [9]

The statement reports an operation at three addresses in İstanbul and Muğla on 28 August 2026, the apprehension of two people and arrest warrants for two others said to be abroad. It thus links civil-society and educational connections in Germany to an operation in Türkiye and measures seeking persons abroad within the same investigation. The document is assessed as a current example of activities abroad being incorporated into Turkish security monitoring and criminal proceedings, rather than as a record of an abduction in Germany. [9]

The prosecution statement includes association activities, student guidance, educational consultancy and family connections in its account of the allegations. The published text does not explain which specific act by each person establishes the material and mental elements of membership. That omission does not determine the contents of the entire investigation file; it calls for disclosure of individualised evidence and legal reasoning. Linking students to criminal suspicion through proceedings against their parents raises concerns about education, privacy and association. The statement does not document an education ban actually imposed on all students. [1, 9, 11]

Identification through photographs and social life

Police correspondence published in the report of Stichting IPN and Amsterdam Law Center dated 26 May 2026 concerns the monitoring of participation in Hizmet/Gülen-linked events in the Netherlands through photographs and open-source information, and its referral to judicial authorities. A letter from the Ankara Provincial Police Directorate dated 19 February 2026 refers to name lists and screenshots concerning persons assessed as having attended Ramadan events in 2025. It provides for referrals to existing investigation files or, where no investigation exists, to the competent chief public prosecutor's office. [12]

The underlying letter of the Turkish National Police dated 13 May 2025 states that the information is intelligence material and cannot support judicial or administrative action without additional evidentiary substantiation. It nevertheless requests the transmission of individual documents to judicial authorities following further research and assessment. The correspondence describes a referral mechanism through which participation in public events may enter criminal proceedings; it does not establish that everyone pictured became subject to an investigation. The copies reproduced in the public report have not been authenticated through electronic signatures or the Electronic Document Management System. The explanatory note and four pages of document images are provided in Annex E. [12]

Nedim Şener's article of 22 June 2026, entitled "FETÖ'cüleri ifşa eden düğün", connects a photograph of a wedding reportedly held in the United States, family ties and the participants' appearance together with allegations of organisational links. Examined through an accessible reproduction and a report of the same article, this example illustrates the use of social-life images to identify people and attach accusatory labels. The reviewed sources do not establish that the photograph triggered a new investigation or that State–media coordination occurred. The illustrated note and source links are provided in Annex F. [13]

These two examples show how visibility at association events and in family and social life can be linked to criminal suspicion through different channels. SRL Swiss assesses this as a pressure risk that may discourage participation in peaceful activities and public visibility. The concern calls for scrutiny of the legal basis for collecting personal data and referring it to judicial authorities, and for safeguards against treating appearance in the same photograph or kinship as a substitute for individual criminal conduct and intent. [1, 11, 12, 13]

Effects on passports family and civic participation

Passport cancellation or non-renewal may appear to be an administrative act confined to the source State, but it can increase vulnerability abroad by weakening residence, mobility and access to a safe third country. In M.T. v Sweden passport cancellation formed part of the Committee's assessment of the applicant's risk profile. [5] Host States should avoid allowing a source-State document measure to undermine international protection without an independent assessment of its context and consequences.

Pressure on family members may affect testimony and complaints. Safe reporting channels should address reprisal risks and protect family and contact details. [3, 4]

SRL Swiss has received concerns that joining associations abroad could create difficulties for individuals or their relatives in Türkiye. This refers to participation in associations abroad generally, not a finding about the membership figures of a particular association. These accounts are not systematic interview or survey data and do not establish the prevalence of fear or actual surveillance. They identify an issue for safe, voluntary research. [10]

Avoidance of association membership can prevent the practical exercise of a legally recognised freedom. Fear of monitoring and criminal allegations can also reduce access to support networks and public visibility. Protective measures in host States should therefore address the security of membership information, participation in peaceful association activities and educational relationships, alongside risks of physical attack or transfer. [1, 3, 4, 11]

Legal assessment

The ECtHR judgments in Yüksel Yalçınkaya v Türkiye [GC], application no. 15669/20, 26 September 2023; Demirhan and Others v Türkiye, application no. 1595/20 and 238 other applications, 22 July 2025; and Yasak v Türkiye [GC], application no. 17389/20, 5 May 2026, should be read together in assessing the substitution of general indicators of association for individual criminal responsibility in terrorist-organisation membership cases. The systemic problem identified in Yüksel Yalçınkaya was reaffirmed in Demirhan and Others in respect of 239 applications. Yasak stressed the need for an individual assessment of the period in which the activities occurred, the person's role and the requisite criminal intent. [2, 7, 8]

The files considered in these judgments involved different types of evidence: ByLock and other messaging applications, Bank Asya accounts and transactions, trade-union, association or foundation links, employment and responsibilities in educational institutions, links to student houses or dormitories, donations, meetings, trips and demonstrations, publications, social-media posts, telephone contacts and witness evidence. Not all indicators arose together in every application. Without individualised assessment, indicators of association cannot suffice for a membership conviction merely because they occur alone or are listed together. The nature of the acts at the relevant time, the individual’s role and their relationship to the material and mental elements of the offence must be explained. [2, 7, 8]

Recommendations and requests

Asylum-application records and sensitive address, location, family and contact information must not be disclosed to authorities in a manner that endangers the person’s protection. Necessary sharing between competent protection authorities must have a clear legal basis, be necessary, proportionate and purpose-limited, and be auditable through access records.

Establish safe channels for targets and witnesses of transnational repression, including protection against retaliation affecting family members.

Host States should require individualised criminal conduct and evidence when requests rely on peaceful association membership, educational consultancy or the legal circumstances of students’ parents. Membership lists and student information must not be disclosed to authorities in ways that endanger individuals or relatives; confidential and accessible support should be available to those deterred from civic participation by fear.

We ask the mandate to seek from Türkiye the individualised evidence underlying the statement of 28 August 2026 and the legal basis for collecting information about activities abroad. Türkiye should explain how many referrals under the letters of 13 May 2025 and 19 February 2026 led to investigations and what concrete evidence was used. Engagement with Germany and the Netherlands should address participants’ data, freedom of association and educational relationships. The prosecution statement is in Annex D, photograph-identification documents in Annex E, and the wedding-photograph note in Annex F, supplied as separate supporting documents.

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

Sources

[1] International Covenant on Civil and Political Rights (ICCPR), particularly Articles 7, 9, 13, 17, 19 and 22. Source

[2] ECtHR, Yüksel Yalçınkaya v Türkiye [GC], App no 15669/20, 26 September 2023. Link

[3] Dana M Moss, Marcus Michaelsen and Gillian Kennedy, "Going after the family: Transnational repression and the proxy punishment of Middle Eastern diasporas" (2022) 22(4) Global Networks 735–751. Link

[4] OHCHR Europe, Transnational Repression Expert Workshop's Key Takeaways (22 December 2025). Link

[5] Committee against Torture, M.T. v Sweden, Communication No. 1109/2021, CAT/C/81/D/1109/2021, views adopted 8 November 2024, Link

[6] Permanent Mission of the Republic of Türkiye to the United Nations Office at Geneva, reply and additional information concerning Special Procedures communication AL TUR 5/2024, 30 October 2024. Link

[7] ECtHR, Demirhan and Others v Türkiye, applications nos. 1595/20 and 238 others, 22 July 2025. Link

[8] ECtHR, Yasak v Türkiye [GC], application no. 17389/20, 5 May 2026. Link

[9] İstanbul Chief Public Prosecutor's Office, Media Communications Office, press statement of 28 August 2026. Copy of the statement: Annex D.

[10] Qualitative concerns conveyed to SRL Swiss about joining associations abroad. Not systematic interview or survey data

[11] International Covenant on Economic, Social and Cultural Rights, Article 13 Link

[12] SRL Swiss, Identification from association events abroad and referral to judicial authorities, 13 October 2026. Note including police correspondence reproduced in Stichting IPN / Amsterdam Law Center, report of 26 May 2026, PDF pp. 21–24. links and document images: Annex E. Link

[13] SRL Swiss, Allegations of organisational links based on a wedding photograph, 13 October 2026. Illustrated note based on the Sesli Makale reproduction and SON TV coverage of Nedim Şener's article of 22 June 2026. links: Annex F. Link

Source and edition note - 26 October 2026
The report is dated 13 October 2026. Annexes D-F are source-archive references; their complete contents are not publicly reproduced here. The police-document copy discussed in the text has not been authenticated as an original. Qualitative accounts do not establish the prevalence of a practice. This revision clarifies access and source status without changing the reporting period.