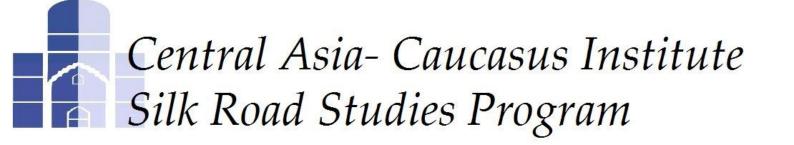
# Turkey's December 17 Process: A Timeline of the Graft Investigation and the Government's Response



## Compiled by Hendrik Müller



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## Preface

On December 17, 2013, an arrest wave targeted high officials in the Turkish government and their families. Fifty-two people were detained on accusations of accepting and facilitating bribes for state projects and receiving construction permits for protected areas in exchange for money. The accused included the sons of three cabinet members, businessmen, officials and the mayor of the Fatih district in Istanbul from the Justice and Development Party (AKP). The arrest wave is now known in Turkey as the "December 17 process", marking the fact that this date formed a milestone, or watershed, in Turkish politics.

It has led to a bewildering series of events that defy common assumptions about Turkey. Indeed, following this watershed, Turkey's primary political fault line is now within the Islamic conservative movement, pitting the Prime Minister against the Fethullah Gülen movement, whom Erdoğan blames for the arrest wave – and for the subsequent massive leaks of private communications, including the Prime Minister's own phone conversations. And whereas the secularist main opposition Republican People's Party (CHP) had long been at extremely critical of the Gülen movement, it now seemed to enter into a tactical alliance with the movement against Erdoğan's AKP. As for Erdoğan, he had held up the domestication of the Turkish military as one of his main achievements in power. But in response to the perceived onslaught from the Gülen movement, Erdoğan now entered into a tactical alliance of his own with the top brass against the Gülen movement, and overturned the sentences of numerous officers jailed on coup-plotting charges.

But developments in the December 17 process have not only been byzantine; they have included serious changes to Turkey's legal system. Not least, there have been important confrontations between the executive and the judiciary over a restrictive Internet law, as well as on a law strengthening the powers of the National Intelligence Organization (MİT).

Even seasoned Turkey watchers are at pains to follow the dizzying pace of events in Turkey. Therefore, the Joint Center resolved to provide a timeline of key events to facilitate understanding of the unfolding situation. This timeline will be updated periodically, and thus several versions of the document will be available. The current version was updated on June 13, 2014. Of course, the Joint Center welcomes suggestions on items we have omitted in the current timeline.

Svante E. Cornell Director Central Asia-Caucasus Institute & Silk Road Studies Program, Joint Center

## List of Acronyms

AKP – Adelet ve Kalkınma Partisi (Justice and Development Party) BDDK – Bankacılık Düzenleme ve Denetleme Kurumu (Banking Regulation and Supervisory Agency) BDP – Barış ve Demokrasi Partisi (Peace and Democracy Party) **BİMER** – Başbakanlik İletişim Merkezi (Prime Ministry's Coordination Center) BTK – Bilgi Teknolojileri ve İletişim Kurumu (Communication Technologies Institution) **CHP** – Cumhuriyet Halk Partisi (Republican People's Party) DDK – Devlet Denetleme Kurulu (State Audit Board) **DNS** – Domain Name Service HDP – Halkların Demokratik Partisi (Peoples' Democratic Party) HSYK - Hâkimler ve Savcılar Yüksek Kurulu (Supreme Council of Judges and Prosecutors) İHH – İnsan Hak ve Hürriyetleri İnsani Yardım Vakfı (The Foundation for Human Rights and Freedoms and Humanitarian Relief) MİKK – Milli İstihbarat Koordinasyon Kurulu (National Intelligence Coordination Board)

MHP – Milliyetçi Hareket Partisi (Nationalist Movement Party) MİT – Milli İstihbarat Teşkilatı (National Intelligence Organization) MYK – Merkez Yürütme Kurulu (Central Executive Board) ÖYM – Özel Yetkili Mahkemeler (Specially Authorized Courts) RTÜK – Radiyo ve Televizyon Üst Kurulu (Radio and Television Supreme Council) **SGK** – Sosyal Güvenlik Kurumu (Social Security Institution) **TBB** – Türkiye Barolar Birliği (Union of Turkish Bar Associations) **TCDD** – Türkiye Cumhuriyeti Devlet Demiyollari (Turkish State Railways) TİB – Telekomünikasyon İletişim Başkanlığı (Telecommunications Directorate) TMK – Terörle Mücadele Kanunu (Anti-Terror Law) **TSK** – Türk Silhalı Kuvvetleri (Turkish Armed Forces) TÜBİTAK – Türkiye Bilismel ve Teknolojik Araştırma Kurumu (Scientific and Technological Research Council of Turkey) TÜRGEV – Türkiye Gençlik ve Eğitime Hizmet Vakfı (Service for Youth and Education Foundation of Turkey)

## Timeline<sup>1</sup>

16 December 2013	Court freezes assets of corruption suspects

Istanbul's 18<sup>th</sup> Court of Criminal Peace freezes the assets of 28 suspects involved in the graft investigation.

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17 December 2013 52 detained in fraud and bribery probe
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Police, from the Financial Crimes and Organized Crime departments, stage morning raids in Ankara and Istanbul on the basis of three separate investigations into allegations of rigging state tenders and bribery.

Head of Operations:

- Zekeriya Öz (Istanbul Deputy Chief Prosecutor) is known for his work on the Ergenekon coup plot case. He is <u>supervising</u> the following prosecutors in the graft investigations:
  - Celal Kara (Istanbul Public Prosecutor) previously a prosecutor in the KCK military espionage trial; and
  - Mehmet Yüzgeç (Istanbul Public Prosecutor).

The following are detained on accusations of bribery:

- Abdullah Oğuz Bayraktar son of Erdoğan Bayraktar (Environment and Urbanization Minister);
- Barış Güler son of Muammer Güler (Interior Minister); and
- Salih Kaan Çağlayan son of Zafer Çağlayan (Economy Minister).

Other detainees include:

- Ali Ağaoğlu (Turkish construction tycoon);
- Mehmet Ali Kahraman (Environment Ministry General Manager);
- Mustafa Behçet Kaynar (Çağlayan's executive assistant);
- Mustafa Demir (Mayor of Istanbul's Fatih municipality);
- Onur Kaya (Çağlayan's executive assistant);

<sup>&</sup>lt;sup>1</sup> Note: Grey headings designate developments pertaining to the coup-plotting charges.

- Reza Zarrab (Iranian-Azerbaijani businessman);
- Sadık Soylu (Advisor to the Environment Minister); and
- Süleyman Aslan (Halkbank General Manager).

17 December 2013 Justice minister rules out dismissal of prosecutors

Sadullah Ergin (Justice Minister) rules out the dismissal of the prosecutors overseeing the investigation by the Supreme Council of Judges and Prosecutors (HSYK). İbrahim Okur, an HSYK member, supports this position by stating that the top judicial body has no authority to remove these prosecutors. This was in response to commentary in the media indicating that the AKP may take action through the HSYK to so do.

\* Note: according to <u>Article 159 of the Constitution</u>, the HSYK has the authority to remove prosecutors from cases if it deems this as necessary.

18 December 2013 Police find \$4.5 million at Halkbank chief's house

According to sources in the judiciary, police find \$4.5 million at Süleyman Aslan's (Halkbank General Manager) house.

18 December 2013 AKP leadership holds extraordinary meeting

The following individuals attend an extraordinary meeting at the AKP headquarters in light of the graft investigations:

- Bekir Bozdağ (Deputy Prime Minister);
- Beşir Atalay (Deputy Prime Minister);
- Binali Yıldırım (Transportation Minister);
- Bülent Arınç (Deputy Prime Minister);
- Muammer Güler (Interior Minister);
- Recep Tayyip Erdoğan (Prime Minister);
- Sadullah Ergin (Justice Minister);
- Taner Yıldız (Energy Minister); and
- Zafer Çağlayan (Economy Minister).

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18 December 2013 Ist
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The following police chiefs are dismissed from their posts as a result of their involvement in the graft operations:

- Assistants of Hüseyin Çapkın (Istanbul Police Chief):
  - Hamza Tosun (Deputy Police Chief at the Financial Crimes Bureau, FCB); and
  - Mahir Çakallı (Deputy Police Chief at the Organized Crimes Bureau, OCB).
- Ahmet Kalender (Deputy Police Chief at the OCB);
- Kazım Aksoy (Deputy Police Chief at the FCB);
- Şenol Demirback (Deputy Police Chief at the OCB); and
- Yasin Topçu (Deputy Police Chief at the FCB).

Additionally, the following police commissioners are dismissed on grounds of <u>'misconduct</u>':

- Ertan Erçıktı (Public Security Branch Head);
- Nazmi Ardıç (Organized Crime Branch Head) was conducting the graft operations;
- Ömer Köse (Anti-Terrorism Branch Head);
- Tuğrul Turhal (Smuggling Branch Head); and
- Yakub Saygılı (Finance Branch Head) was conducting the graft operations.

\* Note: the order for removal <u>reportedly</u> came from Hüseyin Çapkın (Istanbul Police Chief), who declined to comment on the matter.

18 December 2013	Prosecutors' statement on the graft investigations
Turlich messeutors	

Turkish prosecutors make a statement on the graft investigations, mentioning the following:

- Two further prosecutors are appointed to assist the investigations:
  - o Ekrem Aydıner; and
  - 0 Mustafa Erol.
- The three separate investigations started on:

- 0 13 September 2012;
- 0 21 September 2012; and
- 0 14 February 2013.

Further information on the investigations revealed on this day:

\* Start of investigations: the National Police Department's Anti-Smuggling and Organized Crime Bureau had received an <u>anonymous letter</u> revealing that the Ministry of Environment and Urban Planning had approved construction on protected sites. It also included information on the involvement of bureaucrats, businessmen and relatives of ministers.

\* <u>Allegations</u>: the suspects are accused of rigging state tenders, accepting and facilitating bribes for major urbanization projects, obtaining construction permits for protected areas in exchange for money, helping foreigners to obtain Turkish citizenship through falsified documents, involvement in export fraud, forgery of documents and gold smuggling.

#### 18 December 2013 Nature of the investigations revealed

First Investigation: launched against Reza Zarrab (Iranian-Azerbaijani businessman) on allegations of running a crime ring, paying bribes to cover his irregular money/gold transactions and for irregularly obtaining Turkish citizenship. Bribes were allegedly paid to:

- Barış Güler son of Muammer Güler (Interior Minister);
- Salih Kaan Çağlayan son of Zafer Çağlayan (Economy Minister); and
- Süleyman Aslan (Halkbank General Manager).

Second Investigation: targets illegal construction permits given to several firms in exchange for bribes. Those detained under this investigation are:

- Abdullah Oğuz Bayraktar son of Erdoğan Bayraktar (Environment and Urbanization Minister);
- Ali Ağaoğlu (Construction Tycoon);
- Ali Seydi Karaoğlu (TOKİ Istanbul estate department head);
- Emrullah Turanlı (Construction Tycoon);
- Mehmet Ali Kahraman (Environment Ministry General Manager);
- Murat Kurum (Emlak Konut GYO General Manager);

- Osman Ağca (Construction Tycoon);
- Sadık Soylu (Environment Minister Adviser);
- Turgay Albayrak (Environment Ministry planning official); and
- Yavuz Çelik (TOKİ city planning branch head).

Third Investigation: targets allegations of construction permits given to a firm by Istanbul's Fatih Municipality, despite reports ruling that this construction would threaten the safety of the newly built Marmaray tunnel. The following individuals have been detained for this investigation:

- Mustafa Demir (Mayor of Istanbul's Fatih municipality); and
- Sevinç Doğan (owner of RCİ an architecture and design firm).

18 December 2013 Ankara: 18 police chiefs removed for 'misconduct'

Ankara's governor removes 18 police chiefs on account of not informing their superiors and using their duty for 'ill-intentions'. They are reappointed to 'ineffective' positions and include the following individuals:

- Adem Yalçınkaya (Chief of Financial Crime Unit);
- Ertan Kaya (Chief of Anti-Smuggling Unit); and
- Osman Şamil Kaya (Chief of Organized Crime Unit).

18 December 2013 Prosecutors ask for lift of ministers' immunity

Prosecutors Zekeriya Öz (Istanbul Deputy Chief Prosecutor) and Celal Kara (Istanbul Public Prosecutor) decide to extend the scope of the investigation to include four additional ministers. Mr. Kara sends an official request to parliament to lift their immunity in order to summon them as part of the investigation.

18 December 2013 <u>Nine suspects released</u>

Nine suspects are released by a court after being questioned as part of the investigation into alleged bribery and rigging in public tenders – <u>namely</u>:

 Hüseyin Uçar | Kemal Arslan | Murat Cansunar | Yılmaz Çelik | Suphi Vurgeç | Bilir Vakıf Yardımağan | Faruk Altunbay | Bahattin Kuş | Ahmet Fikri Okumuş.

18 December 2013	Journalist fired after calling on ministers to resign	
Well-known Turkish journalist, Nazlı Ilıcak, is fired from the daily Sabah after appearing on CNN Türk the previous day, where she called on the ministers whose sons had been detained to resign.		
19 December 2013	Izmir: Three police chiefs removed	
The following positio	ns are replaced with the following individuals:	
• Anti-Terror U	nit – Fatih Çankaya;	
• Chief of Anti-0	Organized-Crime Unit – Bahadır İçmeyiz; and	
Financial Crim	e Unit – Bora Köprü.	
19 December 2013	Koaceli: Two police officers removed from duty	
<ul> <li>The following officers have been removed from their post and replaced by the following individuals:</li> <li>Abdullahkadir Demir (Deputy Chief of the Anti-Smuggling and Anti-Organized Crime Units).</li> </ul>		
<ul> <li>Replaced by Hakan Başkal (*only for the Anti-Smuggling branch).</li> </ul>		
<ul> <li>Mehmet Ağzıbağlı (Chief of the Anti-Smuggling and Anti-Organized Crime Units).</li> </ul>		
<ul> <li>Replaced by Ayhan Karakoyun (formerly: chief of the foreigners' branch office in the department).</li> </ul>		
<ul> <li>New position: Chief of the education branch.</li> </ul>		
19 December 2013	Turkish leadership hold meeting amid graft probe	
Abdullah Gül (President) hosts the following individuals in Ankara:		
• Ali Alkan (Head of Supreme Court of Appeals);		
Cemil Çiçek (Parliament Speaker); and		
• Recep Tayyip Erdoğan (Prime Minister).		
19 December 2013	Istanbul Police Chief removed from post	

Hüseyin Çapkın (Istanbul Police Chief) is dismissed from his post and <u>appointed</u> to another position at the National Police Department in Ankara. His <u>replacement</u> is Selami Altınok (formerly: Governor of Aksaray).

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19 December 2013 <u>Nine Suspects referred to court</u>
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Nine suspects in the major graft investigation are referred to Istanbul's Courthouse.

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19 December 2013 <u>10 million Turkish Lira seized from suspects' houses</u>
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Over 10 million TL has been confiscated so far as part of the graft investigations – including:

- TL 1.5 million: from Barış Güler's (son of Muammer Güler (Interior Minister)) house;
- \$ 4.5 million (~ TL 9.3 million): from Süleyman Aslan's (Halkbank General Manager) house; and
- TL 90,000 from a separate extension of the probe in which the identity of the person/people for whom the money was destined has been determined.

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19 December 2013 <u>Report: Minister received TL 105 million bribe</u>
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Details of the investigation suggest that Reza Zerrab (Iranian-Azeri businessman) paid a TL 105 million bribe to Zafer Çağlayan (Economy Minister) for helping him cover his money transactions and gold smuggling from Iran.

\* Note: the total of Zerrab's irregular money transactions is estimated to total some 87 billion Euros.

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19 December 2013 Four ministers asked to lose immunity revealed
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Under the suspicion of involvement in bribery, Istanbul prosecutors have asked for the removal of immunity for the following individuals:

- Egemen Bağış (EU Affairs Minister);
- Erdoğan Bayraktar (Environment and Urban Planning Minister);
- Muammer Güler (Interior Minister); and
- Zafer Çağlayan (Economy Minister).

19 December 2013	Seven arrested, two released in graft probe		
-	Seven suspects in the corruption investigation are referred to court and arrested pending trial; two other suspects are released pending trial.		
20 December 2013	Fourteen heads of police departments dismissed		
The moves include c and Organized Crime	hanges to the Terrorism Department and the Smuggling Department.		
21 December 2013	Turkish government lifts investigation secrecy		
The Official Gazette announces that the Judiciary Police Regulation is amended so as to force police officers to inform the chiefs of their units of the investigations that they are working on, thereby lifting the safety that secrecy provides for investigations. The amendments include the following:			
• The definition of a "judiciary police head" in the regulation, which used to refer to prosecutors, has been widened to cover the "head of the judiciary police" and "the police chief with highest rank in the administrative region."			
investigations (	also bound to inform chief prosecutors about the hey will launch over a list of crimes, including: bribery, the establishment of an armed organization.		
21 December 2013	Total of 24 now arrested, while 42 newly released		
A total of 24 indivi corruption allegations	duals are now formally arrested and awaiting trial on s, including:		
• Barış Güler - son of Muammer Güler (Interior Minister);			
• Reza Zarrab (Iranian-Azerbaijani businessman);			
• Salih Kaan Çağlayan – son of Zafer Çağlayan (Economy Minister); and			
• Süleyman Aslan (Halkbank General Manager).			
Additionally, a court orders the release of 42 others, including:			
• Abdullah Oğuz	• Abdullah Oğuz Bayraktar – son of Erdoğan Bayraktar (Environment and		

- Abdullah Oğuz Bayraktar son of Erdoğan Bayraktar (Environment and Urbanization Minister);
- Ali Ağaoğlu (Turkish construction tycoon); and

• Mustafa Demir	(Mayor of Istanbul's Fatih municipality).	
22 December 2013	Istanbul: further 25 police chiefs dismissed	
The total number of police officers who have been sacked or moved to different posts comes to 74 thus far.		
23 December 2013	TBB challenges investigation secrecy amendment	
The Union of Turkish Bar Associations (TBB) demands the cancellation of the investigation amendments and the suspension of their execution. It argues that the new requirements violate the separation of powers and investigation secrecy principles as well as the Code of Criminal Procedure.		
23 December 2013	Sakarya and Antalya Police Department Purges	
Murat Akça (Head of removed from his pos	the Intelligence Unit - Sakarya Police Department) is	
Furthermore, 15 police officers working for the Antalya Police Department are also removed from their posts.		
With these latest removals, the number of police officials sacked since the start of the investigation exceeds 150.		
24 December 2013	Gülen movement accused of plotting against army	
Yalçın Akdoğan (Erdoğan's chief political adviser) blasts Gülen's 'Cemaat' movement in a column for the daily Star:		
their own country's a	ter] knows well that the ones who machinated against rmy, national intelligence, national bank and much-loved Il not do anything for the sake of this country."	
Akdoğan argues that pro-Gülenist groups within the judiciary framed hundreds of military officers who were convicted of plotting to overthrow the AKP; it is these same groups are now allegedly orchestrating a widespread corruption probe against Erdoğan's allies.		
25 December 2013	Turkish ministers resign	
<ul> <li>The following ministers announce their resignation:</li> <li>Erdoğan Bayraktar (Environment and Urbanization Minister);</li> </ul>		

- Muammer Güler (Interior Minister); and
- Zafer Çağlayan (Economy Minister).

25 December 2013 Former Interior Minister resigns from the AKP

İdris Naim Şahin (former Interior Minister) has announced his resignation from the AKP. In his letter of resignation, Şahin emphasized that, as a founder of the AKP in 2001, he had been profoundly disturbed by the way the party was ruled.

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25 December 2013 Erdoğan announces new cabinet with 10 changes
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Erdoğan makes the following changes to his cabinet:

- Deputy Prime Minister: Emrullah İşler (formerly: Ankara deputy) replaces Bekir Bozdağ (now: Justice Minister);
- Economy Minister: Nihat Zeybekçi replaces Zafer Çağlayan (now: resigned);
- Environment and Urbanization Minister: İdris Güllüce replaces Erdoğan Bayraktar (now: resigned).
- EU Affairs Minister: Mevlüt Çavuğoğlu (formerly: AKP's Deputy Chair in charge of External Affairs) replaces Egemen Bağış (now: dismissed);
- Family and Social Affairs Minister: Ayşenur İslam Aile replaces Fatma Şahin (now: Gaziantep mayoral candidate);
- Industry and Technology Minister: Fikri Işık replaces Nihat Ergin (now: dismissed);
- Interior Minister: Efkan Ala (formerly: Prime Ministry Undersecretary

   \* and one of Erdoğan's closest aides) replaces Muammer Güler (now: resigned);
- Justice Minister: Bekir Bozdağ (formerly: Deputy Prime Minister) replaces Sadullah Ergin (now: Hatay province candidate);
- Sports and Youth Minister: Akif Çağatay Kılıç replaces Suat Kılıç (now: dismissed); and
- Transport Minister: Lütfi Elvan replaces Binali Yıldırım (now: Izmir mayoral candidate).

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25 December 2013 Investigation against Turkish State Railways
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The Ankara Prosecutors' Office confirms an investigation against Süleyman Karaman (Director of Turkish State Railways, TCDD) over corruption and tender-fraud claims in the high-speed rail line tender.

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26 December 2013 Prosecutor in new graft investigation obstructed
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Muammer Akkaş (previously engaged in the Ergenekon coup plot and Hrant Dink murder cases) is the head prosecutor in a new, bigger corruption investigation implicating key civil servants and politicians.

Under pressure from the Chief Public Prosecutor's Office (headed by Turan Çolakkadı) and judicial police, his arrest orders are not carried out.

Instead, the investigation files (search warrants, seizure and arrest orders) are taken from Akkaş, <u>and</u> Oktay Erdoğan (Istanbul Deputy Chief Public Prosecutor) removes him from the investigation on the ground that he violated the confidentiality of the investigation (by supposedly leaking information to the press).

The investigation now on falls on Celal Kara (Istanbul Public Prosecutor) and Zekeriya Öz (Istanbul Deputy Chief Prosecutor).

27 December 2013 General Staff statement and a demand for re-trial

Following the remarks of Yalçın Akdoğan (Erdoğan's chief political adviser) on 24 December, a General Staff statement declares that:

"We are closely following the issues related to the legal identity of the Turkish Armed Forces and the developments regarding the legal situation of its personnel that will flow from the principles of the rule of law and justice."

Additionally, Nevzat Güleşen (a lawyer) demands there be a re-trial for the 365 convicts in the Balyoz ('Sledgehammer') case, stating that Akdoğan's remarks necessitate this.

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27 December 2013 Council of State annuls controversial regulation
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Turkey's Council of State annuls an amendment to the Judicial Police Regulation, which would have obliged those carrying out investigations to inform their superiors.

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27 December 2013
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\* Note: the subsequent information was supposedly leaked by prosecutor Akkaş, leading to his removal from the investigation.

Of the 41 individuals that were to be issued arrest warrants in the second corruption investigation, the following names are made public:

- Abdullah Kavukçu, (partner of Simit Sarayı a popular chain of Simit cafes);
- Abdullah Tivnikli (businessman & partner of Batı Hattı A.Ş. a company holding Gazprom deals);
- Celal Koloğlu (Board Member of Kolin part of a consortium to build Istanbul's third airport);
- Mustafa Latif Topbaş (owner of the 'BIM' discount retailer);
- Nihat Özdemir (Chairman of Limak Group part of a consortium to build Istanbul's 3<sup>rd</sup> airport);
- Ömer Faruk Kalyoncu (Deputy Chairman of Kalyon part of a consortium to build Istanbul's 3<sup>rd</sup> airport);
- Orhan Cemal Kalyoncu (Board Chairman of Kalyon part of a consortium to build Istanbul's 3<sup>rd</sup> airport); and
- Yasin al-Qadi (Saudi businessman) has been accused of financing terrorism in the past.

These suspects were to be charged with:

- Bribery and influence peddling;
- Clearing assets acquired through criminal activity;
- Forgery in official documents;
- Founding a criminal organization;
- Tender fraud; and
- Threats.

27 December 2013 Three MP's announce their resignation from AKP

Three AKP lawmakers, who were sent to the party's Central Executive Board (MYK) for publically expressing criticism over the government's handling of the graft scandal, announce their resignation – namely:

- Erdal Kalkan (Izmir MP);
- Ertuğrul Günay (Former Culture Minister); and
- Haluk Özdalga (Ankara MP).

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30 December 2013 Minister warns HSYK for individual statement
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In the previous week, the HSYK delivered a statement describing the intended Judicial Police Regulation amendment (which would have effectively lifted investigation secrecy) as 'unconstitutional'.

Accordingly, Bekir Bozdağ (Justice Minister) warns the HSYK, stating that he, in his capacity as the head of the board, is the sole authority to release statements on its behalf.

30 December 2013 Gov. to take action against judges and prosecutors

Bülent Arınç (Deputy Prime Minister and the government's spokesman) says that the government is working on a legal plan against wrongdoers in the judiciary:

"Not only with regard to the Supreme Council of Judges and Prosecutors [HSYK], our Justice Ministry will do whatever necessary – legal or judicial – against those who are in the wrong and causing chaos in Turkey."

30 December 2013 <u>CHP calls for retrial of coup cases</u>

Following Yalçın Akdoğan's (Erdoğan's chief political adviser) statements, Umut Oran (CHP Deputy Chair) asserts that the government cannot continue as if nothing has happened, and that all the related case files should be reopened.

Additionally, Kemal Kılıçdaroğlu (CHP leader) urges the government to act, suggesting that the parliament could adopt related legal arrangements for a retrial before it enters recess for the March elections.

Bülent Arınç (Deputy Prime Minister), however, ruled out any possibility of a re-trial in the near future:

"Requesting the cases to go to a re-trial in connection to daily events can only express a wishful thinking."

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31 December 2013
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Hasan Hami Yıldırım announces his resignation, becoming the fifth lawmaker to part ways with the party.

Yıldırım has previously criticized the removal of the head prosecutor, Muammer Akkaş, in a second corruption case.

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I January 2014 Asset injunction on ex-interior minister's son lifted
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An asset injunction imposed on Barış Güler – son of Muammer Güler (former Interior Minister) – is lifted after an objection was filed with an Istanbul court.

I January 2014 Military asks prosecutors to investigate 'plot' claims

The General Staff files a criminal complaint with the Ankara Chief Prosecutor's Office, asking for an investigation of an alleged 'plot' against the military in the Balyoz ('Sledgehammer') and Ergenekon coup plot cases.

In its official complaint, it argues that evidence had been fabricated and manipulated:

"The judicial police officers, prosecutors and judges in the trials in which active and retired officers of the Turkish Armed Forces have been judged have ignored the pleas of defense lawyers and manipulated criminal evidence."

As a result, the Ankara Chief Prosecutor's Office launches an investigation into claims of an inappropriate relationship between a judge at a top court and Fethullah Gülen.

3 January 2014 <u>Removed prosecutor had prepared Gezi indictment</u>

It is revealed that Muammer Akkaş (prosecutor removed from the second graft investigation) had prepared an indictment charging 255 protesters over last year's Gezi Park demonstrations.

36 of these protesters are now indicted as being members of a terrorist organization, including charges of "producing propaganda for a terrorist organization" and "illegal possession of dangerous substances."

The first hearing of the trial is to be held in the first week of May 2014.

4 January 2014

According to Metin Feyzioğlu (Head of TBB), Turkey's judiciary must revisit convictions given in the Ergenekon and Balyoz ('Sledgehammer') cases and terminate special courts while sending cases back to general courts.

To that end, he outlines a seven-point proposal to rectify the situation, including:

- 1. Abolishing special courts and sending its cases to general authorized courts;
- 2. Overturning the rulings of special courts with legislation that will encompass non-finalized rulings;
- 3. Requiring retrials by law;
- 4. Abolishing anti-terror courts;
- 5. Providing compensation for unjustified arrests and sentences;
- 6. Abolishing "catalogue crimes" (in which a variety of crimes are brought together under a single bundle) while terminating arrests for unjustified catalogue crimes; and
- 7. Establishing an organization for the judiciary police.

5 January 2014 Erdoğan favorable towards retrials in coup cases

PM Erdoğan says that he would favor retrials for hundreds of military officers jailed for coup-plotting:

"Our position on a retrial is a favorable one."

However:

"First we must establish the legal grounding for fresh trials," offering no further details but adding that he hopes to obtain parliament's support for the process.

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6 January 2014
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Military: Legal action on coup cases launched

The General Staff officially confirms that it has filed a formal demand for an investigation into claims that convictions in recent coup plot cases were a 'conspiracy'.

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6 January 2014
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Another 78 police chiefs and officers removed

78 police officers and chiefs are removed from their posts - namely:

- Kubilay Akgün (Chief of the Bolu Police Department's Anti-smuggling and Organized Crime Unit);
  - Replaced by Zafer Topkaya (formerly: Chief of Personal Unit).
- Mehmet Emin Çakıcı (Chief of the Kilis Police Department's Antismuggling and Organized Crime Unit);
  - Appointed to a traffic control unit and replaced by Mehmet İyim (formerly: head of Crime Scene Investigation Unit).
- Ziya Aygün (Chief of the Sakarya Police Department's Anti-smuggling and Organized Crime Unit);
  - Replaced by Osman Elbirlik.
- 30 officers from the Bursa Police Department Intelligence Unit; and
- 45 officers from the Istanbul Police Department Public Security Branch Office.

6 January 2014 <u>Major reshuffle of most important diplomatic posts</u>

The following ambassadorial changes take effect:

- Bosnia-Herzigovina: Cihad Erginay appointed;
- Czech Republic: Ahmet Bigalı replaces Cihad Erginay;
- France: Hakkı Akil appointed;
- Ivory Coast: Esra Demir appointed;
- Japan: Ahmet Bülent Meriç replaces Serdar Kılıç;
- Lithuania: Aydan Yamancan appointed;
- Mali: Hikmet Renan Şekeroğlu appointed;
- Mauritania: Mehmet Bilir appointed;
- Switzerland: Mehmet Tuğrul Gücük appointed;
- United Kingdom: Abdurrahman Bilgiç replaces Ünal Çeviköz;
- United States: Serdar Kılıç replaces Namık Tan.

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6 January 2014
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Prosecutor Zekeriya Öz removed and relocated

Zekeriya Öz (Istanbul Deputy Chief Prosecutor) is removed from his duty in the corruption probe by the HSYK <u>and</u> reassigned to another position at the Bakırköy Courthouse in Istanbul.

Reason: the HSYK had launched an investigation into the claims of an expensive <u>vacation</u> (a trip to Dubai during October 2013 costing \$40,000, paid by Turkish real estate tycoon Ali Ağaoğlu) taken by Öz.

Öz denies these allegations, stating that he went on vacation with his family and for a significantly lower fee (~\$4,000) and paid for this himself.

7 January 2014

Prosecutors and new police chief face examination

The 3<sup>rd</sup> Chamber of the HSYK decides to launch an examination into the following prosecutors:

- Muammer Akkaş (Prosecutor);
- Oktay Erdoğan (Istanbul Deputy Chief Public Prosecutor);
- Turan Çolakkadı (Istanbul Chief Public Prosecutor); and
- Zekeriya Öz (former Istanbul Deputy Chief Prosecutor).

Their examination is expected to focus on the following matters:

- Whether the prosecutors involved have been handling the corruption probe appropriately;
- Whether they have violated the confidentiality of the probe;
- Whether Öz is involved in inappropriate business relations at a municipality; and
- Mutual accusations between Akkaş and Çolakkadı.

Additionally, recently appointed Selami Altınok (Istanbul Police Chief) is to be examined on the basis of not having a police background, which brings into question his capacity to hold his current position.

### 7 January 2014

Hundreds of police officers relocated

350 police officers, including 80 police chiefs and the deputy head, at the Ankara Police Department are relocated and replaced by some 250 others. The relocated officers and chiefs were working in units specialized on the following: Terrorism | Intelligence | Organized crimes | Financial crimes | Cybercrimes | Smuggling.

7 January 2014	Investigation leads to harbor raid and	more purges
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Three senior Izmir officers are dismissed after their fraud investigations into transactions at commercial harbors operated by the TCDD resulted in the detention of 23 people following an Izmir harbor raid.

Eight TCDD officials were taken into custody on charges of bribery, corruption, conspiring to rig tenders and leaking information about these tenders – including senior officials such as the director of the Izmir port and his two deputies.

An arrest warrant has also been issued for the brother-in-law of Binali Yıldırım (former Transport and Urban Planning Minister).

A few hours after the raid, the government responds by dismissing the officers in charge of the operation:

- Behzat Tuzcu (Chief of the Narcotics Department);
- Mehmet Ali Şefik (Deputy Police Chief and Chief of the Financial Crimes Unit); and
- Taner Aydın (Deputy Chief of the Organized Crime Unit).

8 January 2014 Army says that the era of military tutelage is over

In response to the recent statements and actions of the military, General Necdet Özel (Chief of General Staff) says that he has no intention to bring about a military tutelage, which would not be revived again.

8 January 2014

16 police chiefs dismissed, purges in ministries

Police chiefs of 15 provinces across Turkey (listed below) and the deputy head of the National Police Department are dismissed overnight by the Interior Ministry:

- Ankara: Kadir Ay;
- Izmir: Ali Bilkay; and
- Adana | Antalya | Bursa | Diyarbakır | Erzurum | Gaziantep | Hatay | Kocaeli | Malatya | Mersin | Sakarya | Samsun | Trabzon.
- Police Department Deputy Head: Muammer Buçak.

Several top bureaucrats at the Finance Ministry and the Education Ministry are also replaced:

- Mehmet Şimşek's (Finance Minister) assistant secretary → relocated as a consultant;
- A number of general directors and heads of departments were also relocated; and
- Eight provincial heads for the Education Ministry were removed from duty.

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8 January 2014 Prosecutors immune from HSYK investigation
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Bekir Bozdağ (Justice Minister), as head of the HSYK, says that he will not give the HSYK the necessary permission examine certain prosecutors and the new Istanbul police chief – namely:

- Turan Çolakkadı (Istanbul Chief Public Prosecutor);
- Oktay Erdoğan (Istanbul Deputy Chief Public Prosecutor); and
- Selami Altınok (Istanbul Police Chief).

9 January 2014 <u>Government moves for more control on judiciary</u>

The government submits a draft law to increase its control over the judiciary by reshaping the HSYK.

The following amendments are proposed:

- Restructuring three chambers;
- Making the justice minister the sole authority able to appoint a new board and set the council's agenda; and
- Resetting the criteria for being selected as a member of the Supreme Court of Appeals and the Justice Academy.

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9 January 2014 <u>TV channels face fine for reporting investigation</u>
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Turkey's media watchdog, the Radio and Television Supreme Council (RTÜK), acted following Turan Çolakkadı's (Istanbul Chief Prosecutor) request for precaution on "the news that invades the privacy of individuals" and produced a report saying that eight television channels had breached that principle – namely:

Halk TV | Samanyolu TV | Samanyolu Haber TV | Bugün TV | Kanaltürk TV | Fox TV | Kanal D | Cem TV

10 January 2014 <u>HSYK decides to examine Ergenekon case</u>

PM Erdoğan states that there are "people who are unfairly in jail" in the Ergenekon coup plot case.

Additionally, the lawyer of İlker Başbuğ (former Chief of General Staff) filed for an application with the HYSK.

Accordingly, the HSK decides to launch an examination into an Istanbul court that ruled on the Ergenekon case.

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10 January 2014 Gov. likely to bypass Const. Court for more control
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Ergun Özbudun (professor of Constitutional Law) claims that the government's recent move to reshape the Supreme HSYK will most likely be annulled by the Constitutional Court on grounds of unconstitutionality.

However, the government plans to bypass the Constitutional requirements by amending certain clauses of <u>Article 159</u> of the Constitution.

10 January 2014 Former minister's relative surrenders to police

Cemalettin Haberdar, the brother-in-law of Binali Yıldırım (former Transport and Urban Planning Minister), surrenders to police for questioning. He reportedly works for a company whose CEO was taken into custody during the initial corruption investigation raids.

10 January 2014

14 suspects in Izmir harbor raid arrested

14 of the 23 suspects detained in the Izmir harbor raid on 7 January were sent to the courthouse for arrest after prosecutors questioned them.

11 January 2014

Journalist fired over government-critical comments

Murat Aksoy (a columnist, interviewer and editorialist for the pro-government daily Yeni Şafak) is dismissed after appearing on CNN-Türk, where he strongly criticized the government's handling of the recent corruption scandal:

"The state has collapsed and the government has not been able to handle the crisis well."

### 12 January 2014 Former Turkish minister's relative released

Cemalettin Haberdar, the brother-in-law of Binali Yıldırım (former Transport and Urban Planning Minister), has been released pending trial.

He faces the charge of mediating a bribe.

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13 January 2014Minister admits to failure to in 'coup plot' cases
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In response to criticism that the government is only taking action now (i.e. in the midst of the graft investigation), Bekir Bozdağ (Justice Minister) admits the government had failed to react during the Ergenekon and Balyoz ('Sledgehammer') prosecutions:

"We made mistakes as well. We should have had a strong reaction when the addresses of the prosecutions and investigations were different."

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13 January 2014 <u>Ex-Police Chief: Gülen Movement pulls the strings</u>
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Hanefi Avcı (former Eskişehir Police Chief) claims that Fethullah Gülen's followers are pulling the strings inside the intelligence services, the police and the judiciary amid the graft investigations.

\* Note: Avc1 is the author of a book ("Haliç'te Yaşayan Simonlar") that dug deep into Gülen's movement, resulting in a 15-year prison sentence.

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13 January 2014 <u>Asset freeze lifted upon prosecutors request</u>
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On grounds of lacking a legal basis, prosecutor Akkaş' replacement lifts the asset freeze, issued a month earlier, on seven businessmen and two companies – namely:

- Abdullah Tivnikli (businessman and partner of Batı Hattı A.Ş.);
- Cengiz Aktürk (owner of Bosphorus 360 a financial consultancy group);
- Mehmet Cengiz (owner of Cengiz Inşaat a company included in the five-firm consortium to build Istanbul's 3rd airport);
- Mustafa Latif Topbaş (owner of the 'BIM' discount retailer);
- Orhan Cemal Kalyoncu (Board Chairman of Kalyon);

- Osama Qutb (Egyptian businessman) known for being the right hand man of the controversial Saudi trader Yasin al-Qadi, accused of financing terrorism; and
- Ömer Faruk Kalyoncu (Deputy Chairman of Kalyon).

One of the two companies is said to be a construction company part of the fivefirm consortium to build Istanbul's 3rd airport.

13 January 2014 Prosecutors file complaints against PM & governor

Prosecutor Zekeriya Öz (former Istanbul Deputy Chief Prosecutor) files a formal complaint against PM Erdoğan less than a week after claiming that he had been threatened by two members of the high judiciary sent by the PM.

Additionally, prosecutor Akkaș files a complaint against Hüseyin Avni Mutlu (Istanbul Governor) and chiefs of the judiciary police for failing to carry out his arrest orders on 41 suspects.

14 January 2014

Police carry out raids, then see unit heads dismissed

Police detain 28 people in six simultaneous operations (in Adana, Gaziantep, Istanbul, Kayseri, Killis and Van) into al-Qaeda links, including a raid in Killis of a local Humanitarian Relief Foundation (İHH) branch:

- Adana and Gaziantep 5 arrests;
- Istanbul 3 arrests (in the Bağcılar, Fatih and Küçükçekmece districts);
- Kayseri 1 arrest;
- Killis 1 arrest (working for the İHH);
- Van 18 arrests.

The raid on the İHH in Killis consequentially lead to the dismissal of:

- Devlet Çıngı (Kilis province Anti-Terror Department Chief); and
- Serdar Bayraktutan (Van province Anti-Terror Department Chief).

#### 15 January 2014

Chiefs & unit heads dismissed, hundreds relocated

Six heads at the Smuggling and Organized Crime Unit are dismissed overnight while 500 officers are relocated to new assignments.

Furthermore, the Ankara Police Department dismisses six deputy police chiefs, three of whom were only recently appointed.

15 January 2014 <u>Ambassadors' tasked to tell world graft 'truth'</u>

PM Erdoğan tasks Turkish ambassadors with "telling the truth" about the graft probe, encouraging them to say the investigation is a 'treacherous' plot against Turkey's credibility and foreign policy targets.

Additionally, an annual envoys' conference to review foreign policy is transformed into a platform for the government to charge ambassadors with the task of "telling the world the truth" about Turkey's ongoing political crisis, in an effort to improve its damaged image overseas.

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16 January 2014
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AKP expel deputy known for close ties with Gülen

The AKP expel Muhammed Çetin (Istanbul deputy) by sending him to the disciplinary board.

The request for Çetin's expulsion comes after a complaint was filed by fellow AKP deputies, Volakn Bozkır and Ali Aşlık, both of whom allege that Çetin accused and insulted them during discussions regarding the graft scandal.

## 16 January 2014Major reshuffle in the judiciary

The HSYK removes Turhan Çolakkadı (Istanbul Chief Prosecutor) from his office and reassigns him to a passive position as part of a reshuffle move involving some 20 prosecutors in critical positions.

Additionally, the following individuals are moved to new positions:

- Ali Güngör (Istanbul Deputy Chief Prosecutor) → assigned to the Istanbul Prosecutor's Office's Asian office;
- Cihan Kansız (Istanbul Deputy Chief Prosecutor) → assigned to Sakarya;
- Ercan Şafak (Istanbul Deputy Chief Prosecutor)  $\rightarrow$  assigned to Kocaeli;
- Fikret Seçen (Istanbul Deputy Chief Prosecutor) → assigned to Gebze; and
- Muammer Akkaş (Istanbul prosecutor) → assigned to the Tekirdağ Prosecutor's Office.

Hadi Salihoğlu is appointed as Istanbul's new Chief Prosecutor.

16 January 2014 Justice minister hints at retrial of Ergenekon case

Bekir Bozdağ (Justice Minister) says that the government is working on the retrials of the Ergenekon and Balyoz ('Sledgehammer') cases and will soon meet with Metin Feyzioglu (Head of TBB) to discuss the issue.

Bozdağ also says that the state should not pay the price of the judges' mistakes and that the complaints against the judges may be discussed after the recent judiciary bill is enforced:

"We do not find it right to file a complaint against the state in cases when a prosecutor or judge does a wrongful act. We are trying to change this."

17 January 2014 Minister: Coup plotters no more than ten people

According to Veysel Eroğlu (Forestry and Waterworks Minister):

"The number of people who are involved in the coup plot is not more than ten. It is unacceptable to hold 100 people responsible [for the coup plot]."

21 January 2014

Istanbul court releases two in graft investigation

Istanbul's 28<sup>th</sup> Criminal Court of Peace orders the release of Muacet Korkmaz and Emir Eroğlu, who were arrested on 17 December 2013.

• They are released on the basis of their period of arrest and the possibility that evidence could change in their favor. They are, however, prohibited from leaving the country and are required to sign in at the police station closest to their residence once a month.

On the other hand, the court rejects demands to release 12 other graft probe suspects, including:

- Barış Güler son of Muammer Güler (former Interior Minister);
- Salih Kaan Çağlayan son of Zafer Çağlayan (former Economy Minister);
- Süleyman Aslan (Halkbank General Manager); and
- Reza Zarrab (Iranian-Azerbaijani businessman).

A court rejects the release request of İlker Başbuğ (former Chief of General Staff).

Başbuğ, sentenced to life in prison for his alleged involvement in the Ergenekon plot to topple the government, had demanded his release, using Erdoğan's statement that there were "gangs within the state" as proof of his innocence.

21 January 2014 <u>New bill mandates PM's consent for prosecution</u>

The government submits a draft that would make it necessary for judicial authorities to receive the PM's approval before trying senior members of the Turkish Armed Forces (TSK) – such as for the Chief of General Staff and the commanders of the Army, Navy and Air Forces.

Additionally, the interior minister's consent would be required for prosecution of the general commander of the Gendarmerie.

Finally, both the prime minister and the interior minister would be able to take the initiative to launch either an investigation or a preliminary examination in order to decide whether to give consent for the prosecution.

21 January 2014	New Istanbul Chief Prosecutor appointed
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Hadi Salihoğlu is appointed as the new Istanbul Chief Prosecutor

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Head of TBB comments on restructuring of HSYK

Metin Feyzioğlu (Head of TBB), proposes a model of separate bodies: a Supreme Council of Judges and a Supreme Council of Prosecutors, where:

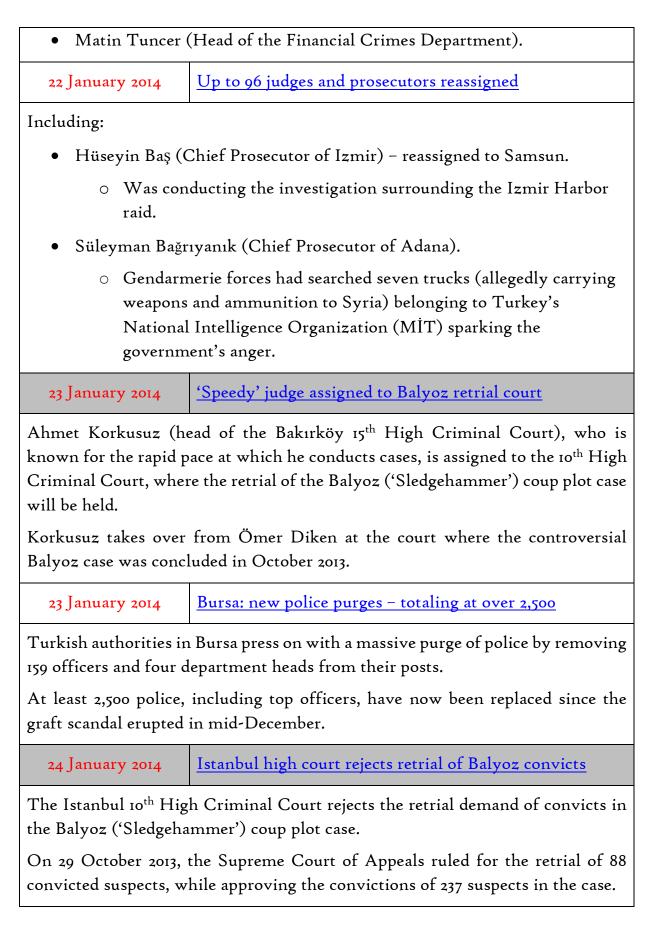
"A certain amount of members of the Supreme Council of Judges and Supreme Council of Prosecutors should be elected by parliament."

Additionally, Feyzioğlu says he does not approve of the current structure of the HSYK, as it does not ensure judicial impartiality and independence, and also notes that the government-led amendment to restructure the board was contrary to the constitution and should be withdrawn.

22 January 2014

Fresh mass-purges hit Ankara and Izmir police

Around 470 police are sacked or reassigned in Ankara alone while purges in Izmir's Police Department see two deputy police chiefs and ten department heads relocated, including:



The Istanbul 10<sup>th</sup> High Criminal Court reportedly rejects the request with unanimity, arguing that no legal reasons for a re-trial could be found.

24 January 2014 <u>CHP: TSK bill jeopardizes military promotions</u>

Akif Hamzaçebi (CHP deputy) cautions that if the TSK bill is formally adopted, it will damage the promotion system in the TSK since it will allow the government to extend terms for commanding officers until they reach the retirement age limit.

24 January 2014 Legal proceedings against Justice Minister Bozdağ

Bekir Bozdağ (Justice Minister) indicates that two separate summaries of proceedings against him will shortly be sent to parliament and confirms that the two prosecutors investigating him are from Adana and Izmir.

25 January 2014 <u>Report: Key evidence in coup plot case 'fabricated'</u>

Turkey's science watchdog (TÜBİTAK) produces a report on the Balyoz ('Sledgehammer') case, determining that that the date and time of key files on a hard drive were modified.

The report's findings state computers transferred some of the files on the hard drive over a year after the date and time of the last modification. The report indicates that the latest modification to the files was made on 1 May 2008, whereas some files were created after 28 July 2009 and were transferred from computers with an older system date and time.

27 January 2014 <u>Gülen gives first TV interview in 16 years</u>

Fetullah Gülen strongly denies claims suggesting that he ordered his followers in senior positions in the police and judiciary to launch the investigations into alleged high-level government corruption.

Furthermore, he says the reactions of the AKP are 'anti-democratic' and that the bribery and corruption claims against the government are 'real.'

Finally, he also claims that the government has underlined the existence of a 'parallel state' in order to cover up corruption and bribery allegations.

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28 January 2014
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Evidence report not approved by TÜBİTAK

Fikri Işık (Minister of Science, Industry and Technology) says the report, revealing that key evidence in the Balyoz ('Sledgehammer') trial was fabricated, was not approved by TÜBİTAK, but was prepared by an expert working at the institution.

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29 January 2014 Summary of proceedings against Bozdağ dismissed
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The summary of proceedings filed by the Izmir public prosecutor against Bekir Bozdağ (Justice Minister) is dismissed by parliament on the grounds that it was not in line with ordinary procedures.

The legal procedure had been launched to denounce the executive's intervention into investigations after Bozdağ acknowledged that the ministry's undersecretary had called a chief prosecutor conducting a probe into fraud claims at Izmir Harbor.

29 January 2014 Prosecutor Kara objects lifting of asset-freeze

Celal Kara (Istanbul Public Prosecutor) objects a court decision to lift an asset freeze on Reza Zarrab (Iranian-Azerbaijani businessman).

29 January 2014 <u>Prosecutors who launched investigation removed</u>

A new purge in Istanbul's Çağlayan Courthouse sees the removal of 90 of the 192 prosecutors appointed in the courthouse – including:

- Celal Kara (Istanbul Public Prosecutor);
- Mehmet Yüzgeç (Istanbul Public Prosecutor); and
- Mustafa Erol (prosecutor).

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30 January 2014
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Close to 800 police officers removed

The government sacks or reassigns almost 800 police officers in Ankara (500) and Izmir (274), including senior officers.

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31 January 2014
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Graft indictments to be re-written

After Celal Kara (Istanbul Public Prosecutor) was removed from the graft investigation it is revealed that he had prepared indictments demanding heavy sentences of over 100 years for many high-profile suspects. Thus, the prosecutor still working on the case, Ekrem Aydıner, says that he will re-write them from scratch.

3I January 2014 Investigation launched into graft probe officers

An official investigation is launched into the police officers who carried out raids on 17 December 2013, including:

- Nazmi Ardıç (former head of Istanbul's Organized Crime Unit); and
- Yakub Saygılı (former head of Istanbul's Financial Crimes Unit).

31 January 2014 Dismissed officers return, further dismissals halted

14 officers who were dismissed following the raid on the İHH's Kilis office are returned to their posts, including:

- Devlet Çıngı (Kilis province Anti-Terror Department Chief); and
- Serdar Bayraktutan (Van province Anti-Terror Department Chief).

Additionally, removals at the Beyoğlu Police Department in Istanbul are put on hold after a local court issued a stay of execution.

31 January 2014	Fresh resignation in AKP over graft scandal			
AKP's Muhammed Çetin (Istanbul deputy) officially resigns over the party's decision to dispatch him to the disciplinary board with a demand of expulsion two weeks ago, and claims that more resignations from the AKP would follow.				
3 February 2014	Former minister withdraws resignation			
Erdoğan Bayraktar (former Environment Minister) withdraws his resignation from the AKP after meeting with PM Erdoğan over the weekend.				
5 February 2014	Military launches probe into Balyoz evidence report			
Following the revelation of fabrication of evidence in the Balyoz ('Sledgehammer') case, and at the behest of General Necdet Özel (Chief of General Staff), military prosecutors open an investigation into the matter.				
6 February 2014	CHP set to file censure motion against Minister			

The CHP announces that it will file a censure motion against Bekir Bozdağ (Justice Minister) for committing a constitutional crime by not sending summaries of proceedings on four former minsters to parliament.

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6 February 2014 MHP: TSK bill designed to increase PM's authority
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During a General Assembly debate on the TSK bill, Koray Aydın (MHP deputy) voices doubts over the bill's motive, arguing that it was not aimed at the democratization of the TSK but rather to bring it under the control of the AKP.

Accordingly, the trial of military commanders should not be subject the authorization of the prime minister or interior minister, as this is not only a matter under the authority of a Supreme Court of Appeals prosecutor but also unconstitutional.

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7 February 2014 Journalist leaves Turkey 'under deportation threat'
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Mahir Zeynalov (Azerbaijani journalist), working for Today's Zaman, leaves Turkey amid reports of a government decision to deport him.

This decision flows from an application by the Prime Ministry's Coordination Center (BİMER) following Zeynalov's Twitter comments that were critical of the Turkish government and PM Erdoğan.

Additionally, Erdoğan files a criminal complaint against Zeynalov for tweets posted on 25 December 2013 regarding the massive graft scandal.

This puts Zeynalov on a list of foreign individuals who are barred from entering Turkey under <u>Law No. 5683</u>, for "posting tweets against high-level state officials."

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7 February 2014 Izmir Harbor raid prosecutor dismissed
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Following the removal of Hüseyin Baş (Izmir Chief Prosecutor) on 22 January 2014, prosecutor Ali Çelik, who opened the probe and ordered the detention of several suspects in the Izmir Harbor raid on 07 January 2014, is also removed from the case.

9 February 2014

Deputy PM calls for selective releases in Ergenekon

In light of the upcoming 'democracy package' that would reduce the maximum detention period to five years, Bülent Arınç (Deputy Prime Minister) says that

those who were sentenced in the Ergenekon case should be 'selectively released' - particularly referring to İker Başbuğ (former Chief of General Staff).

How Ergenekon convicts can be released remains an open question, but the latest formula has been proposed by Sema Aksoy (president of the Ankara Bar Association):

"Our suggestion for the maximum period of detention is two-plus-one years. This is in tune with the verdicts of the Constitutional Court and the European Court of Human Rights."

10 February 2014 New prosecutor assigned to Ergenekon case

Murat İnam (prosecutor) is assigned to the Ergenekon case after Muammer Akkaş (prosecutor) was removed from the case last month.

10 February 2014 Probation conditions for graft probe suspects lifted

Upon prosecutors' demands, restrictions, such as travel bans, have been lifted for 80 of the 91 suspects who are not under detention pending trial, on the grounds of lack of evidence justifying the measures.

11 February 2014 More judges and prosecutors reshuffled

A total of 166 judges and prosecutors are reassigned to new posts in a fresh purge after a decision from the HSYK. The reassignments included the former prosecutor of the graft probe, Zekeriya Öz (former Istanbul Deputy Chief Prosecutor), who is assigned to the Bolu prosecutor's office after only recently having been assigned to the Bakırköy office.

II February 2014 Erdoğan: \$4.5m not Halkbank's money

After Turkey's banking watchdog, the Banking Regulation and Supervisory Agency (BDDK), conducted examinations of Halkbank, it submitted a report rendering that "there was no trouble."

Accordingly, PM Erdoğan refers to this report to claim that the \$4.5m found in a shoebox in the house of Süleyman Aslan (Halkbank General Manager) did not belong to the state-owned bank.

11 February 2014	Two prominent businessmen testify

As part of the second graft investigation, the following businessmen give their testimony:

- Cemal Kalyoncu (Chairman of Kalyon); and
- Ahmet Nazif Zorlu (Chairman of Zorlu Holding).
  - He is accused of irregularities regarding the recent construction of the colossal Zorlu Center on Istanbul's European side.

11 February 2014 Parliament adopts TSK bill

Parliament adopts the TSK bill.

This paves the way for Necdet Özel (Chief of General Staff) to remain in office until 2017. Accordingly, while the chief of general staff has a term of office limit of four years it can be extended each year until the chief of general staff's retirement age of 67. Therefore, Özel, who was born in 1950 and took office in 2011, may serve in his current capacity until 2017.

12 February 2014 TBB submits proposals for retrials

The TBB submits its suggestions to parliament's Justice Commission, which is mulling whether to abolish Specially Authorized Courts (ÖYM) in a move that could pave the way to retrials in some controversial cases.

Its suggestions demand:

- An "obligation of re-trial" in convictions handed down by ÖYM;
- That judges who have not previously worked in the ÖYM should conduct the new judicial process;
- That 'secret witnesses' should no longer be used this was especially controversial in the Ergenekon case as many of the charges were based primarily on their testimony;
- That digital data and voice recording should not be used as the sole evidence in any given case;
- That the detention period should be limited to three years; and
- The abolition of Turkey's Anti-Terror Law (<u>TMK</u>).

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12 February 2014 Interview with Erdoğan on corruption investigation
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Erdoğan talks exclusively to Al Jazeera about:

The 2013 Gezi Park protests, the recent corruption cases, the new internet law introduced by parliament, and gives his response to accusations that he is making Turkey more authoritarian.

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13 February 2014 Purge of 27 provincial chiefs and 50 senior officers
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The government launches another wave of purges within the police, relocating the police chiefs of 27 provinces and three deputy heads of the national police department.

The reassigned officials include:

- Sami Uslu (Izmir's Chief of Police), who had only been appointed one month earlier, is replaced by Celal Uzunkaya (formerly: Deputy Head of the National Police Department);
- The head of Istanbul's Police Department;
- The head of Ankara's Police Department; and
- The former head of the prime minister's bodyguard unit.

Additionally, Some 50 senior officers at the police intelligence institution have are relieved of their duty.

PM Erdoğan defends the moves, stressing the legal basis to conduct them:

"If someone has done wrong, we are not obliged to maintain their positions. They have to render account of their misconduct."

14 February 2014 Erdoğan's son, Bilal Erdoğan, testifies in graft probe

Bilal Erdoğan's lawyer, Ahmet Özel, confirms that a testimony had taken place and stresses that his client rejected all the accusations directed against him.

14 February 2014 Construction project marred with fraud controversy

Leaked footage suggests that a construction project ('Bosphorus 360') in Istanbul is marred by claims of fraud, thereby adding basis to the initial investigation claims that the Istanbul Metropolitan Municipality had sold the land to a construction company for less than half of its worth without organizing a tender.

\* Note: the claims were attributed to the investigation of a second corruption case belonging to, the now-removed, prosecutor Akkaş.

The businessmen appearing in the leaked footage include:

- Osama Qutb (Egyptian businessman); and
- Yasin al-Qadi (Saudi businessman) has been accused of financing terrorism in the past.

14 February 2014 Six suspects released

Six suspects are released by an Istanbul court pending trial, including:

• Süleyman Aslan (Halkbank General Manager).

Additionally, the court rules for probationary conditions for all of the released suspects except for Aslan, who is allowed to travel.

This means that only five suspects remain in custody, including:

- Barış Güler son of Muammer Güler (former Interior Minister);
- Reza Zarrab (Iranian-Azerbaijani businessman); and
- Salih Kaan Çağlayan son of Zafer Çağlayan (former Economy Minister).

15 February 2014 Parliament approves controversial bill on HSYK

Following a tense 20-hour debate on <u>Law No. 6524</u> to reshape the HSYK, the government successfully passes the judicial reform package, which will be sent to President Gül for his approval.

However, the opposition vows to take the package directly to the Constitutional Court to demand its annulment, without waiting for a presidential evaluation.

16 February 2014

Fourteen governors replaced across Turkey

Six governors, as well as Selami Altınok (Istanbul Police Chief), are recalled to the central office while new governors are assigned to eight provinces:

- Aksaray Governor: Şeref Ataklı (formerly: a legal adviser) is appointed;
- Bilecik Governor: Halil İbrahim Akpınar is replaced by Ahmet Hamdi Nayir (formerly: Interior Ministry Deputy Secretary);
- Bitlis Governor: Veysel Yurdakul is replaced by Orhan Öztürk (formerly: Küçükçekmece District Governor);

- Bolu Governor: İbrahim Özçimen is replaced by Ahmet Zahteroğulları (formerly: Family and Social Policies Ministry Secretary);
- Iğdır Governor: Ahmet Pek is replaced by Davut Haner (formerly: Kayseri Deputy Governor);
- Karabük Governor: Orhan Alimoğlu (formerly: a central office governor) is appointed;
- Şanlıurfa Governor: İzzettin Küçük (formerly: Karabük Governor) is appointed; and
- Uşak Governor: Mehmet Ufuk Erden is replaced by Seddar Yavuz (formerly: Gaziosmanpaşa District Governor).

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19 February 2014
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CHP takes HSYK bill to Constitutional Court

Despite President Gül having yet to approve the law, the CHP files an application to the Constitutional Court, demanding that the HSYK bill be declared null and void.

20 February 2014

Government to expand powers of MİT

The government intends to expand the powers of the MİT, turning it into an intelligence coordination body that would work directly under the prime minister.

The parliament's Internal Affairs Commission will begin debates on the MİT bill over the weekend.

According to the bill:

- The MİT will pursue tasks, assigned by the cabinet, on external security, anti-terrorism and national security;
- A court in Ankara, chosen by HSYK, will be authorized to try those who are charged with personal crimes or charged with crimes regarding their duties related to their position at the MİT.
- Undercover agents hired by the state, those who assist with MİT's duties and activities, or those who benefited from intelligence services, will not be held responsible for their duties, activities and assistance, regardless of whether they are public servants or not, according to further aspects of the latest bill.

20 February 2014	Ankara & Izmir: 900 police officers reassigned		
Ankara: 207 officers, including police chiefs, are removed from their posts at the Ankara Police Department's Counterterrorism Unit.			
	ncluding four deputy chiefs and 70 high-ranking officials, ir posts at the Izmir Police Department.		
21 February 2014	Government refutes 'purges,' calls them 'routine'		
According to Bekir Bozdağ (Justice Minister) the mass reassignments of public servants should not be considered a demotion or a purge, stating that the recent shuffles are not abnormal but are simply seen like that because of their 'timing' after the graft probes.			
21 February 2014	Const. Court rejects petition to annul HSYK bill		
The Constitutional Court rejects the application filed by the CHP. In its justification, the court states that the bill had yet to be signed into law by President Gül, who has two weeks to give his veto or approval.			
23 February 2014	<u>Government takes a step back on MİT bill</u>		
Upon strong criticism from the public and the opposition parties, the government takes a step back regarding the MİT bill.			
'president' of the Na	draws an article that would make the prime minister the tional Intelligence Coordination Board (MİKK). Instead, uue to be presided over by the MİT undersecretary.		
Apart from this change, another new motion will decrease the maximum penalty for media bosses whose outlets publish intelligence documents from 12 years to nine years.			
24 February 2014	Thousands of individuals subject to wiretapping		
Following the discovery of classified files at the Istanbul Public Prosecutor's Office by newly assigned prosecutors, it is revealed that thousands of people have been wiretapped for years by the police as part of different probes, including:			
	<ul> <li>Ali Bayramoğlu (journalist);</li> <li>Böller (II. 1. (İIII.))</li> </ul>		

• Bülent Yıldırım (Head of İHH);

- Can Dündar (journalist);
- Ertuğrul Özkök (journalist);
- Hakan Fidan (National Intelligence Chief);
- Hüseyin Aygün (CHP Tunceli (Dersim) MP);
- Hüseyin Yayman (academic);
- İsmail Küçükkaya (journalist);
- Nihal Bengisu Karaca (journalist);
- Numan Kurtulmuş (AKP Deputy Head);
- Recep Tayyip Erdoğan (Prime Minister);
- Sabahat Tuncel (HDP co-chair);
- Taner Yıldız (Energy Minister);
- Temel Kotil (Turkish Airlines CEO); and
- Hakan Çelik (journalist).

Accordingly, the HSYK opens an internal investigation into the matter.

#### 24 February 2014

Parliamentary Commission passes MİT bill

The parliament's Internal Affairs Commission passed the MİT bill while further details are revealed:

The MİT would have the authority to access the databases of banks and other economic-related institutions, which raises concerns among business circles that this would end business secrecy and privacy.

The agency would also have the authority to use the data processing centers of these institutions, as well as their communication infrastructure, to collect data related to:

- Foreign intelligence;
- National defense;
- Terrorism;
- International crimes; and
- Cyber security.

\* Note: it would not be possible to object to any demand for such information from MİT.

Additionally, the MİT would be able to obtain authorization from a single judge at an Ankara criminal court in order to make urgent wiretappings.

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24 February 2014 <u>120 police officers reassigned</u>
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120 officers from the Gaziantep Police Department, including police chiefs and high-ranking officials, are removed from their posts and reassigned.

The reassigned officers are reportedly from the Intelligence Unit, the Anti-Terrorism Unit and the Public Security branch office of the Gaziantep Police Department.

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25 February 2014 $4.5 million returned to Halkbank General Manager
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The \$4.5 million cash found in shoeboxes during graft raids are returned to Süleyman Aslan (Halkbank General Manager).

According to a report, Prime Minister Erdoğan told AKP lawmakers that the sum was money destined for charity (to Imam Hatip Schools) and was given back to Aslan by the court.

<u>However</u>, Aslan's lawyer, Ersan Şen, later claims that the confiscated money has yet to be returned to the manager.

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25 February 2014 <u>Sakarya police see unprecedented purge</u>
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At least 18 police officials are reassigned to new roles:

- Four Sakarya police chiefs, including a police chief from the Public Security and Anti-Terror Unit, are removed from their posts and appointed to less influential positions; and
- 14 police officers working for the Intelligence Unit are also reassigned to different positions.

Additionally, the following changes are made at the Sakarya Police Department:

• Murat Akça (Intelligence Unit chief) and Ziya Aygün (Anti-Smuggling and Organized Crime Unit chief) are removed from their posts;

- Mustafa Aktaş (a police chief, known for his role in the Ergenekon investigation) was recalled to Ankara last month and is replaced by Osman Babaoğlu (another Sakarya police chief); and
- 15 police officers from the Anti-Smuggling and Organized Crime Unit are removed from their posts and appointed to several less influential positions in districts of the province.

Thus, at least 50 police officials from the Sakarya Police Department have been reassigned within the past two months.

26 February 2014 Gül approves disputed HSYK bill

President Gül approves the controversial HSYK bill (<u>Law No. 6524</u>), acknowledging that he had warned the justice minister that the current text contained many unconstitutional provisions and that the Constitutional Court will have the last word on the bill.

According to Gül:

"In line with my warnings, I saw that changes were made [reducing] the powers given to the minister, particularly regarding the appointment of the HSYK heads of departments, the appointment of inspectors, the disciplinary penalties, and the release of regulations and circulars, which will be given back to the HSYK's plenary committee."

26 February 2014 CHP takes HSYK bill to Constitutional Court

The CHP applies to the Constitutional Court for the annulment of the HSYK bill; hours after President Gül approved it, on grounds of unconstitutionality.

26 February 2014	Parliament seeks Constitutional amendment

As seen in other countries, the AKP wishes to scrutinize the MİT as a protective measure against the abuse of assigned tasks.

In a bid to overcome legal obstacles *en route* thereto, a constitutional amendment is necessary.

27 February 2014

TÜBİTAK under investigation over leaks

The revelations of an alleged telephone conversation between PM Erdoğan and his son raises questions about the reliability of TÜBİTAK, as it is responsible for providing encrypted telephones for senior state and government officials.

Upon an order by Fikri Işık (Science, Industry and Technology Minister), a wide examination is launched into the institution, as well as the Telecommunications Directorate (TİB) and the Communication Technologies Institution (BTK).

Additionally, five persons working at TÜBİTAK are suspended at the outset of the investigation.

According to an official of the Science, Industry and Technology Ministry: "Claims are being examined with all aspects and there may be suspensions at the senior level of TÜBİTAK at the end of the investigation."

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27 February 2014
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MHP files censor motion against Justice Minister

The MHP files a censure motion against Bekir Bozdağ (Justice Minister), accusing him of intervening in certain investigations via his political clout in order to get results in favor of certain suspects.

28 February 2014

Final, key suspects released pending trial

The final 5 suspects that had remained in custody are released by court pending trial, including:

- Barış Güler son of Muammer Güler (former Interior Minister);
- Reza Zarrab (Iranian-Azerbaijani businessman); and
- Salih Kaan Çağlayan son of Zafer Çağlayan (former Economy Minister).

They have been banned from traveling abroad by the court.

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28 February 2014 Government appoints new HSYK members
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Bekir Bozdağ (Justice Minister) appoints new members to the HSYK following the dismissal of a number of its members and hundreds of officials working at the high court.

The following appointments were made:

• Serdar Mutta (as acting Secretary-General); and

• Yılmaz Akçil (as the Head of the Justice Academy).

The CHP immediately applies to the Constitutional Court for the annulment and the stay of execution, stating:

"This law is in violation of <u>Article 159</u> of the Constitution, which stipulates the independence of the HSYK."

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28 February 2014 MİT bill postponed until after local elections
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The AKP decides to postpone a debate in the General Assembly over the MİT bill until after the upcoming March 30 local elections.

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2 March 2014
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CHP to make third appeal on HSYK bill
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The CHP is set to re-file an appeal for the Constitutional Court to annul the recent HSYK bill after two previous applications were returned.

- I<sup>st</sup> Appeal: rejected motion for appeal was filed before the law came into force.
- 2<sup>nd</sup> Appeal: returned due to procedural issues.

4 March 2014 Turkey's EU Agency under investigation

An investigation is launched into Turkey's EU Agency following an e-mail revelation between Musa Ceylan (former National Agency President) and Egemen Bağış (former EU Minister). In the e-mail, dated March 2013, Ceylan states that he will not fulfill any inappropriate instruction by Bağış.

The current EU Minister, Mevlüt Çavuşoğlu, attempts to downplay these accusations by stating that:

"We are extremely open and transparent on these issues. Inshallah, everybody will see the report after the investigation is finalized."

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4 March 2014 Gül orders probe into wiretapping and corruption
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President Gül authorizes the State Audit Board (DDK) to launch investigations into matters recently dominating Turkey's political headlines, namely:

- Wiretapping;
- The discrimination of judges and prosecutors; and
- The fight against corruption.

### 4 March 2014 Proceedings against former ministers sent to parl.

Ali Cengiz Hacıosmanoğlu (Istanbul Deputy Chief Public Prosecutor) sends a summary of proceedings against four former ministers implicated in the graft probe to parliament – namely:

- Egemen Bağış (former EU Minister and Chief Negotiator);
- Erdoğan Bayraktar (former Env. and Urbanization Minister);
- Muammer Güler (former Interior Minister); and
- Zafer Çağlayan (former Economy Minister).

4 March 2014 Süleyman Aslan rejoins board of Halkbank

Süleyman Aslan (former Halkbank General Manager), who came under public scrutiny after \$4.5 million in cash was discovered in shoeboxes at his home, rejoins the bank as a board member.

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4 March 2014 Executive removed from masthead of Habertürk
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Upon his own request, Mehmet Fatih Saraç (an executive at Habertürk) is removed from the masthead of Habertürk and will now work as deputy chairman of the Ciner Media Group.

He had made the headlines when, on 7 February 2014, a phone call between him and PM Erdoğan was leaked onto the Internet, revealing that Erdoğan had, among other things, instructed Saraç to stop the broadcast of a speech by MHP leader Devlet Bahçeli.

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5 March 2014
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Ten senior social security officials removed
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The Social Security Institution (SGK) replaced ten senior officials over the past week as part of a month-long government policy to label certain public officials as a 'threat' and then remove them from their posts.

The SGK fails to provide a written statement explaining the reason behind the removals to the officials, simply revealing that they would be "employed as auditors on separate duties."

In recent years, the SGK has become notorious for abuses amid a lack of transparency. Constant abuse and corruption has cost the social security system billions of liras in recent years (ex. TL 2.5 billion (\$1.23 billion) in the first nine

months of 2013), with the SGK headquarters failing to address this problem. The recent removals are an exception in SGK history. Erdoğan admits meddling in judiciary & trade deals 5 March 2014 PM Erdoğan admits to interfering in the judicial process and defense tenders, following the revelation of wiretapped conversations, defending his meddling as 'natural'. 6 March 2014 Court: Former army chief's jailing violates rights The Constitutional Court rules in favor of a complaint filed by retired General Ilker Başbuğ (former Chief of General Staff), who was sentenced to life imprisonment last year in the Ergenekon trial, on the grounds that his legal rights were violated. The ruling could pave the way for Başbuğ's release. 6 March 2014 Prosecutors prepare new Gezi protestor indictment Istanbul prosecutors re-file an indictment over last summer's Gezi protests after a court ordered them to eliminate shortcomings in a previous version (that had been prepared by the now-reassigned prosecutor Akkaş), charging five people from the 'Taksim Solidarity' movement with leading a criminal organization namely: • Ali Çerkezoğlu; • Beyza Metin; • Ender İmrek; Haluk Ağabeyoğlu; and • Mücella Yapıcı. Prosecutor Mesut Erdinç Bayhan demands that each be sentenced to between three and 13.5 years in prison. Additionally, 21 other suspects in the case face charges of violating the law on rallies. 6 March 2014 ÖYM abolished as President Gül signs law President Gül approves a law abolishing the ÖYM, paving the way for retrials in the Ergenekon and Balyoz ('Sledgehammer') cases.

6 March 2014	Erdoğan vows to block Facebook and YouTube

In an interview with ATV, Erdoğan vows to block access to websites such as Facebook and YouTube if sensitive information from wiretapped conversations continues to appear on these platforms.

Erdoğan aims to tackle this issue after the local elections at the end of March with the aid of the recently passed internet bill.

7 March 2014 Former Chief of General Staff released from jail

Retired General İlker Başbuğ (former Chief of General Staff) is released following a ruling by the Istanbul 20<sup>th</sup> Heavy Penal Court.

10 March 2014 Th

Three Ergenekon convicts released

In light of a change in the country's anti-terrorism laws, which reduced the maximum pre-trial detention period from ten years to five years, the Istanbul 21<sup>st</sup> High Criminal Court ordered the release of three prominent Ergenkon convicts:

- Levent Göktaş (retired Colonel);
- Sedat Peker (alleged gang leader); and
- Tuncay Özkan (journalist).

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10 March 2014
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Deepening rift between Turkey's judiciary

The Istanbul 13<sup>th</sup> Court of Serious Crimes (formerly: 'Heavy Penal Court'), which handled the Ergenekon trial, rejects the decision concerning its abolition, suggesting that parliament did not have the authority to do so and adds that an application to the Constitutional Court had been filed to annul this legal arrangement. It also claims that, as the court that dealt with the case, it still maintained authority on deciding about the detentions of the convicts.

Meanwhile, the HSYK slams the Court for 'extorting authority'.

Additionally, the Justice Ministry states that it has "neither the duty nor the authority for appealing to the Constitutional Court in regards to the law about abolishment of the specially authorized courts."

"It is obvious that there can be question of an authority of the court, which has been abolished by the <u>Law No. 6526</u>."

Halkbank, which has been under scrutiny over its gold trade with Iran, has refused to answer most of a parliamentary commission's questions regarding graft accusations as part of the corruption investigation, citing reasons of secrecy.

When the State Economic Enterprises Sub-Commission asked if companies and businessman, including Reza Zarrab (Iranian-Azerbaijani businessman), had received loans from the bank, it said that the question could not be answered on the basis of a clause in the banking law.

### 12 March 2014 European Parliament concerned about Turkey

The European Parliament adopts its 'Motion for a Resolution' assessing Turkey's 2013 Progress Report, in which it, among other things:

- Expresses deep concern at the recent developments in Turkey with regard to allegations of high-level corruption;
- Regrets the removal of the prosecutors and police officers in charge of the original investigations, as this goes against the fundamental principle of an independent judiciary and deeply affects the prospects for credible investigations;
- Regrets the serious breakdown of trust between the government, the judiciary, the police and the media;
- Urges the Government of Turkey, therefore, to show full commitment to democratic principles and to refrain from any further interference in the investigation and prosecution of corruption.

Additionally, in a <u>news statement</u>, it holds that:

"Turkey has embarked on reform for the benefit of its own citizens. Recent developments in the area of fundamental freedoms, independence of the judiciary, freedom of expression and others are however a cause of grave concern for us. We now need a serious, constructive dialogue with Turkey on these subjects and Turkey needs to show true commitment to its European aspirations and to the values upon which the EU is founded."

### 13 March 2014

### CHP moves to start debate on ministers

Akif Hamzaçebi (CHP Deputy Chairman) submits a petition to parliament for an extraordinary session, to be held on <u>19 March</u>, to address the summaries of proceedings on the four former Cabinet ministers facing corruption allegations.

13 March 2014	Twitter-leaked documents reveal graft allegations

A Twitter account behind a string of leaks posts what it presents as police files detailing graft allegations against four former ministers.

The account ('<u>HARAMZADELER333</u>') posts links to a 299-page document and a 32-page document presented as police files from one of the 17 December 2013 investigations.

The authenticity of the documents cannot, however, be verified.

13 March 2014 Deputy PM: Sources of wiretapping leaks identified

According to Beşir Atalay (Deputy Prime Minister), those who leaked the alleged wiretapped phone calls of government, business and media figures have been identified.

The first indictment, completed by Ekrem Aydıner (prosecutor), is sent to the deputy chief prosecutor tasked with crime organizations.

The indictment charges the suspects, among other things, with "taking and giving bribes, destroying and hiding official documents, and violating <u>Law No.</u> <u>2863</u> (Law on the Protection of Cultural and Natural Assets)."

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14 March 2014 RTÜK witnesses heated wiretapping debate
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A meeting at RTÜK is marred by a heated debate between its members from the AKP and CHP.

The council convened to decide whether private television broadcaster CNN Türk should be fined over its broadcasting of CHP leader Kemal Kılıçdaroğlu's party group speeches at parliament last month, in which he read out wiretapped conversations related to the graft investigations.

16 March 2014 Four more police chiefs removed

The following individuals are called back to Ankara:

- Ahmet Akbal (Muğla Police Chief);
- Hikmet Budak (Giresun Police Chief);
- Selçuk Kızılay (Sivas Police Chief); and

• Ümit Yurdakul (Van Police Chief).

16 March 2014

PM responds to 'money' claims in phone leaks

For the first time, PM Erdoğan directly comments on the claims incriminating him of clearing a huge amount of money from his house.

During a live interview on Kanal 7 (a pro-government private broadcaster) Erdoğan describes the leaks as a 'montage', arguing that those who accused him did "not know how to count money":

"[They talked about] millions of dollars. They don't even know how to count money. You are taking away a huge amount of money that would not even fit into a room, how could you even do that?"

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17 March 2014 Ministers' proceedings in parliament confidential
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According to Bekir Bozdağ (Justice Minister), the summary of proceedings on four ex-ministers facing corruption charges, taking place on 19 March 2014, are be subject to confidentiality in parliament by means of an investigation commission.

Others, including Turgut Kazan (a lawyer), however, object this argument. Under the Code of Criminal Procedure, the ministers should be tried at the 'Supreme Council' (i.e. Constitutional Court).

18 March 2014 Minister permits probe into Istanbul Court

Bekir Bozdağ (Justice Minister) permits the launch of an examination into the Istanbul 13<sup>th</sup> Court of Serious Crimes, a former ÖYM, that he says attempted to use authority it no longer has to object to another court's ruling in favor of releasing key figures convicted of plotting a coup.

Accordingly, Bozdağ gives permission to the HSYK to examine the president and the two members of the Court for "still not having drafted the legal cause for their ruling concerning the Ergenekon case."

18 March 2014 Minister launches investigation into prosecutors

Bekir Bozdağ (Justice Minister) allows the launch of an examination into two anti-terrorism prosecutors alleged to have been involved in the tapping of thousands of phones in order to blackmail and concoct criminal cases to influence the government. 18 March 2014 Phone traffic between PM and family exposed

Umut Oran (CHP Deputy Head) claims to reveal a series of conversations between PM Erdoğan and his son Bilal as well as his daughter Sümeyye on the morning of 17 December.

Upon her father's instruction, Sümeyye flew to Istanbul and conveyed to Bilal addresses where large amounts of money kept at home would be transferred.

\* Note: additionally, Oran asks why the Communications Ministry, the TİB and the Istanbul Chief Prosecutor's Office asked for the deletion of telephone surveillance records from 15 December onwards.

19 March 2014

Parliamentary session on summary of proceedings

At an extraordinary parliamentary session on the summary of proceedings of four former ministers, opposition parties demand that the proceedings be read in the General Assembly so as to open them to the scrutiny of lawmakers.

Sadık Yakut (AKP Deputy Parliamentary Speaker), however, refuses their request, arguing that this would compromise judicial confidentiality. Instead, the AKP petitions to establish a parliamentary investigation commission on the matter.

20 March 2014 Turkey blocks Twitter, Erdoğan vows 'eradication'

In an attempt to curb further leaks of incriminating recordings via social media, Turkey blocks access to Twitter hours after PM Erdoğan vowed to close down the social media platform:

"We now have a court order. We'll eradicate Twitter. I don't care what the international community says. Everyone will witness the power of the Turkish Republic."

The BTK, which was given extraordinary powers with the recently passed Internet law, lists three court rulings and one prosecutor decision on its website as the reason for the outage.

21 March 2014

Inquiry motions into ministers differ significantly

Motions submitted by the AKP and CHP to the Parliament Speaker's Office for an inquiry into the four former ministers differ in content and in accusations. The CHP's motion's premise is 'bribery', while the AKP does not mention "bribery" for any ministers.

The CHP submits four motions resting on six articles of the Criminal Code:

- It demands an investigation the basis of Article 252 ('Bribery'), which could result in prison sentences of between four and 12 years.
- Additionally, it also demands an inquiry into:
  - 0 Zafer Çağlayan (former Economy Minister):
    - On the basis of Article 20 ('Individual criminal responsibility').
  - Erdoğan Bayraktar (former Environment and Urbanization Minister):
    - On the basis of Article 257 ('Misconduct in office'), which could result in a prison sentence of one to three years.
  - 0 Muammer Güler (former Interior Minister) on the basis of:
    - Article 204 ('Counterfeiting official documents'), which could result in a prison sentence of two to five years;
    - Article 255 ('Securing benefit in a work of which the performance is beyond authorization'), which could result in a prison sentence of one to five years;
    - Article 283 ('Failure to notify the accused, arrested or convicted person or the evidences of offense'), which could result in a prison sentence of up to one year; and
    - Article 285 ('Genital controls'), which could result in a prison sentence of three months to one year.

The AKP submits a single motion resting on two articles of the Code:

- Article 255 ('Securing benefit in a work of which the performance is beyond authorization'), which could result in a prison sentence of one to five years;
- Article 257 ('Misconduct in office'), which could result in a prison sentence of one to three years.
- \* In both cases, the lowest punishment could just be a suspended sentence (Article 51).
- Moreover, the AKP demands the respect for the former ministers' "right to privacy, freedom of communication and the right against self-incrimination," as derived from the European Convention on Human Rights (ECHR).

According to the <u>Constitution</u> (Article 100), the motions must be discussed in the General Assembly and decided on via anonymous vote by April 19.

If the motions are approved, an inquiry commission (including nine AKP deputies) will be established.

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21 March 2014 President Gül reacts to Twitter shut-down
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President Gül publically expresses his disagreement with the access restriction of social media websites, in his first remarks on the Twitter ban:

"A total shutdown of social media platforms cannot be approved," Gül tweets via his own account.

21 March 2014

Court cannot undo Twitter ban

Following an application by the TBB to the Istanbul Heavy Penal Court to lift the Twitter ban, the court rejects this request stating that it could not "repeal the ban on Twitter" as it was blocked as a result of "an executive decision, not a judicial verdict."

22 March 2014

Government widens Internet control/restriction

In absence of a formal justification, the government issues an executive order to block one of the most popular backdoors, the Google public Domain Name Service (DNS), which people have been using to circumvent the Twitter ban.

23 March 2014 271 judges and prosecutors reshuffled

In what is widely seen as an attempt of the government to bring the judiciary under its full control, the HSYK reshuffles 271 judges and prosecutors.

Ultimately, the following <u>changes</u> take place:

- Adem Özcan (one of the prosecutors conducting an investigation into the Tawhid-Salam terrorist organization) is appointed to the Afyonkarahisar Courthouse;
- Ali Efendi Peksak (Judge heard the Sledgehammer coup attempt trial) is reappointed to Kocaeli;
- Celal Kara (Istanbul Public Prosecutor initiated graft investigations) is appointed to serve in the Afyonkarahisar Public Prosecutor's Office;

- Hasan Hüseyin Özese (Chief Judge of the 13<sup>th</sup> High Criminal Court heard the Ergenekon trial) is reappointed to Sakarya province;
- Hüseyin Görüşen (Deputy Chief Ankara Prosecutor) is appointed to the Izmir Prosecutor's Office;
- Hüsnü Çalmuk (Judge at the 13<sup>th</sup> High Criminal Court heard the Ergenekon trial) is appointed to Kocaeli;
- Mehmet Ekinci (Chief Judge of the Istanbul High Criminal Court) is reappointed to the Bakırköy Courthouse;
- Sedat Samim Ha**Ş**ıloğlu is appointed to Trabzon;
- Süleyman İnce (Chief Judge of the 12<sup>th</sup> High Criminal Court hearing the 12 September 1980 coup trial) is reappointed as a judge in Ankara;
- Tayyar Köksal (Chief Judge of the Ankara 13<sup>th</sup> High Criminal Court hearing the 28 February 1997 coup trial) is reappointed as a judge in Ankara; and
- İdris Kurt (Istanbul Prosecutor) is appointed Istanbul Deputy Chief Prosecutor under the HSYK directive.

Additionally, in a statement posted on the HSYK's website, the body noted that high criminal courts in charge of hearing crimes under <u>Article 9 TMK</u> have been abolished and that the Chief Judge and other judges have been reassigned to regular courts.

27 March 2014 <u>Government raids Gülen firms, cancels license</u>

The Financial Crimes Unit of the Istanbul Police Department raids the firms ('Sürat Kargo' and others related to information technology) of Kaynak Holding, a corporation reportedly linked to the Gülen movement, confiscating documents and computers.

Meanwhile, RTÜK cancels the national broadcast license of Kanaltürk, a channel inspired by Fethullah Gülen, in a move that will significantly reduce Kanaltürk's advertising revenue.

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30 March 2014
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AKP lawmaker announces resignation

Ahmet Öksüzkaya (AKP Kayseri MP) announces, via Twitter, that he is quitting the AKP, saying:

"I am sadly seeing that my personal views on democracy, law and consensus do not correspond with my party's policies."

This makes Öksüzkaya the seventh AKP lawmaker who has announced his resignation since the start of the December 17 graft investigation.

30 March 2014 <u>AKP wins local elections</u>

In contrast to the 2009 elections, the AKP increases its share of votes:

1. AKP - 43,32% (2009: 38,78%)

- 2. CHP 25,59% (2009: 23,12%)
- 3. MHP 17,63% (2009: 16,04%)

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30 March 2014 Erdoğan's post-election speech
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Starting late in the evening, PM Erdoğan' holds a speech in Ankara on the results of the local elections. He uses this to lash out at those who have been opposing and threatening him and the AKP since the graft investigation began on 17 December by stating, among other things, that:

"Those who managed could flee. More can flee tomorrow. I have filed criminal complaints about some of them; I said they can also flee. As I have said, from now on, we'll walk into their dens. They will pay for this."

### 02 April 2014 <u>Constitutional Court rules to unblock Twitter</u>

The Constitutional Court orders authorities to unblock Twitter, ruling that the ban is a violation of free speech guaranteed by <u>Article 26</u> of the Constitution.

According to Metin Feyzioğlu (Head of TBB), the TİB must immediately unblock Twitter lest it wants to face a criminal complaint.

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03 April 2014
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Court: Ergenekon targeted successive governments

Nearly eight months after its verdict, the Istanbul 13<sup>th</sup> Court of Serious Crimes presents its findings to the Ergenekon case, stating that:

- The organization not only targeted the government under PM Erdoğan, but also his predecessors Abdullah Gül and Bülent Ecevit;
- The AKP had been targeted with several coup plots, including those named 'Sarıkız', 'Ayışığı', 'Yakamoz', and 'Eldiven', which were conveyed by media reports throughout the investigation; and

• The Ergenekon organization had been active until 2007-2008 to prevent the election by the parliament of a new president from the ranks of the AKP.

It also clarifies one of the biggest questions of the trial, namely the charges directed again General Başbuğ (former Chief of General Staff). Accordingly, it states that he was not considered a 'terrorist' but rather a 'terror suspect'.

On the other hand, it fails to determine Ergenekon's organizational chart due to the "limited communication between different compartments."

• "It has been seen in the trial that the organization possessed a very complex network of relationships. Although some of the suspects tried and found guilty have been brought to light, it was unable to reach all of its cells."

Finally, it declares the trial a contribution to democracy while also rejecting criticism: "the mistakes that can occur in any trials have been exaggerated."

The lawyers of the Ergenekon suspects react critically to the record-pace and lacking clarity of the court's decision:

- Celal Ülgen: criticizes the reasoning, saying "the judges must have written 94 pages a day non-stop to finish 16,600 pages in 34 weeks. I think this is impossible."
- Hüseyin Ersöz: criticizes the reasoning, saying that it fails to show concrete evidence for the organizational ties between the suspects.

o3 April 2014 <u>Turkey unblocks Twitter, but concerns remain</u>

Following the Constitutional Court ruling that the ban is a violation of free speech, Turkey starts to unblock Twitter.

However, Mustafa Şentop (AKP Deputy Chair) says the Constitutional Court ruling was "full of contradictions" and that Twitter could only be opened for the complainants:

- Professor Dr. Kerem Altıparmak;
- Professor Yaman Akdeniz; and
- Sezgin Tanrıkulu (CHP Deputy Chair).

Nevertheless, everyone is expected to regain access after the TİB's final decision to unblock Twitter will be conveyed to and practiced by each Internet service provider. o4 April 2014 PM: "have to implement, but not respect, it"

PM Erdoğan publicly expresses his discomfort at the Constitutional Court's ruling to unblock access to Twitter:

"We have to implement [the ruling], but we don't have to respect it."

Additionally, he maintains that the decision disregarded Turkey's national interests.

o8 April 2014 Arslan appointed as new bank board member

Süleyman Aslan (former Halkbank General Manager), one of the main suspects of the recent graft probe, is appointed to the board of state-run Ziraat Bank.

Nevertheless, he still faces accusations of illegal transfers of gold to Iran.

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09 April 2014
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Gov. continues to slam Twitter ruling

The government continues its criticism of the Constitutional Court's ruling to lift a ban on Twitter, arguing that no individual application can be made to the court before exhausting all other internal legal paths.

According to a statement by the Justice Ministry:

"On the Constitutional Court's Twitter ruling, the applicants directly applied to the court without trying to go through the usual legal ways. The Constitutional Court should have rejected this application at the very start, on the grounds of <u>Article 148</u> of the Constitution and in accordance with <u>Law No. 6216</u>."

The Justice Ministry accuses the high court of using authority that it does not legally have.

10 April 2014	Charity	NGO	receives	\$100m	in	donations

According to Bülent Arınç (Deputy PM), the Service for Youth and Education Foundation of Turkey (TÜRGEV), a charity NGO counting Bilal Erdoğan (son of PM) among its board members, has received \$99,999,900 in aid from abroad between 2008 and 2012.

\* Note: TÜRGEV has been under fire since the 17 December 2013 graft investigation started, as many allegations dealt with the activities of the foundation.

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10 April 2014
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According to Efkan Ala (Interior Minister) there are over 180 legal proceedings into cases of illegal eavesdropping, unauthorized access, and unauthorized queries for personal information; some of which are related to the graft investigation that began on 17 December 2013.

As a result, some 150 officers have been dismissed.

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11 April 2014 Government determines an 'urgent action plan'
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The government determines five priority areas in the wake of local election results, placing the fight against corruption and eradicating the parallel structure within the state on the top of the list. These also include measures to provide assurance to Turkey's Western allies that the democratization process will continue with more reforms.

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11 April 2014
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Constitutional Court partly overturns HSYK bill

The Constitutional Court partly overturns the controversial HSYK bill, demanding a redefinition of the justice minister's increased competences.

Bekir Bozdağ (Justice Minister), meanwhile, suggests that, despite being binding, the ruling would not have a retrospective effect, indicating that the recently appointed HSYK members would not be replaced.

12 April 2014 Erdoğan: Twitter a 'tax evader'

During a speech at an inauguration ceremony, PM Erdoğan labels Twitter a tax evader and vows to crack down on the firm to make it pay its taxes.

15 April 2014 Erdoğan slams judiciary, promises 'cleaning'

PM Erdoğan continues his warpath against his erstwhile ally, vowing to liquidate aspects of Fethullah Gülen's "parallel structure" in the judiciary:

"We will surely clear the corridors of the courthouses of these gangs as we cleared the corridors of the state buildings from all sorts of gangs in the past."

### 17 April 2014

Government approves MİT bill

This gives the MİT more scope for eavesdropping and foreign operations, as well as greater immunity from prosecution for its top agents.

Insisting the overhaul will make the intelligence agency more efficient and allow it to meet "new security and foreign policy needs," the government tried to convince its critics with the establishment of a parliamentary commission to oversee all intelligence organizations, but without giving the panel full authority to inspect the MİT.

Nevertheless, opposition parties say the bill grants the agency far-reaching powers and will turn Turkey into a surveillance state.

20 April 2014	Zarrab interview with Haber TV on gold trade
A 1997	

Reza Zarrab (Iranian-Azerbaijani businessman) claims, in an interview with pro-government Haber TV, that his gold trade with Iran helped bring down Turkey's current account deficit by 15%.

24 April 2014	Istanbul court accepts graft indictments

The Istanbul 20<sup>th</sup> High Criminal Court accepts an indictment prepared by public prosecutor Ekrem Aydıner regarding allegations of tender rigging and bribery at the Fatih Municipality.

The new indictments, which had to be re-written, has decreased the number of suspects from 31 to 21, and the number of incidents from 14 to nine.

Among the list of suspects is Mustafa Demir (Mayor of Istanbul's Fatih municipality), who is accused of accepting bribes in return for construction permits.

### 25 April 2014 President Gül signs MİT bill into law

By signing it into law, President Gül lays the legal ground for the government's negotiations with the PKK through the MİT.

Several pundits argue that the Constitutional Court may annul the law.

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02 May 2014 H
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HSYK approves investigation into prosecutors

The HSYK approves the prosecution of three prosecutors and a judge who had issued court orders for the arrest and freezing of assets of graft suspects; namely:

- Zekeriya Öz (former Istanbul Deputy Chief Prosecutor);
- Celal Kara (Istanbul Public Prosecutor);

- Muammer Akkaş (prosecutor); and
- Süleyman Karaçöl (Judge).

According to the new procedures introduced by the new, controversial HSYK bill, the decision to open an investigation only awaits the final approval of Bekir Bozdağ (Justice Minister).

## o5 May 2014 Graft debate on former ministers at parliament

Parliament meets for the debate of the summary of proceedings of four former ministers facing graft charges; namely:

- Egemen Bağış (former EU Minister and Chief Negotiator);
- Erdoğan Bayraktar (former Env. and Urbanization Minister);
- Muammer Güler (former Interior Minister); and
- Zafer Çağlayan (former Economy Minister).

Following their individual defense pleas, in which they all denied any wrongdoing, parliament <u>approves</u> to set up an inquiry commission by 453 votes to nine.

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of May 2014 Formation of inquiry commission
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In light of the debate and decision a day prior, details on the procedure and formation of the inquiry commission are revealed:

- It will function temporarily for four months the first two months constituting the commission's original tenure, while the last two months function as an extension.
- It will begin its work in the second half of May. However, as the parliament is set to enter summer recess as of July 1, and taking the presidential elections in August into account, the commission is also expected to give a break to its work until October. Therefore, it is expected to conclude its findings by the end of the year.
- The four political parties present in parliament will be represented on the commission according to the proportionate number of seats they hold in the legislature. Accordingly, of the 15-members:
  - Nine deputies will represent the AKP;

- Four deputies will represent the CHP;
- $\circ~$  One deputy will represent the MHP; and
- One deputy will represent the BDP.
- An AKP deputy will chair the commission and its decisions will be made by majority vote.

• After it finalizes its work, a secret vote on whether the four will be sent to the Supreme Council will be held at the General Assembly. At least 276 votes are required to send the former Cabinet members to the Supreme Council (the name carried by the Constitutional Court when it tries ministers).

• Of the total number of 550 seats, the AKP hold 313, the opposition parties hold 226, while 11 are vacant.

Following a complaint by Oktay Vural (MHP Deputy Chairman) on March 19, when parliament rejected the opposition's demand for a full reading of the summary of proceedings against four former ministers, the Ankara 11<sup>th</sup> Administrative Court asks the parliament to defend its decision; giving it 30 days to do so.

09 May 2014	Graft-suspect resigns from State-run Ziraat Bank

Süleyman Aslan (former Halkbank General Manager), who was only recently appointed to the bank, resigns from his post as a board member to the state-run Ziraat Bank.

Travel ban for Reza Zarrab lifted

A Turkish court has lifts a ban preventing Reza Zarrab (Iranian-Azerbaijani businessman) from traveling abroad.

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26 May 2014 AKP delays formation of inquiry commission
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The outcome of a study by the AKP is likely to further delay the establishment of a parliamentary commission into graft allegations against four former ministers, as it has found only two opposition deputies eligible for the commission, namely:

• İsa Gök (CHP Mersin deputy); and

• İbrahim Ayhan (HDP Şanlıurfa deputy).

Furthermore, while the ultimate decision on whether the applicants meet the necessary criteria will be made by the Parliament Speaker's Office, headed by the AKP's Cemil Çiçek, the AKP has yet to file its final list.

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02 June 2014 <u>Ciçek warns AKP over commission delay</u>
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Parliamentary speaker, Cemil Çiçek, warns the AKP to nominate its members for the inquiry commission immediately.

Furthermore, Çiçek reveals that the commission members would work as public prosecutors and, as such, could only be appointed if they hold no prejudice to the individuals under review.

03 June 2014 Parliamentary Speaker's Office vetoes nominees

The establishment of an inquiry commission is given another delay with the Parliamentary Speaker's Office vetoing a majority of opposition nominees.

On grounds of prejudice, Parliament speaker, Cemil Çiçek, rejects the inclusion of nine nominees from the CHP and three nominees from the Nationalist Movement Party MHP. Çiçek further instructs the two parties to nominate new candidates.

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o3 June 2014 Minister investigates graft prosecutor and judges
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Bekir Bozdağ (Justice Minister) launches an investigation into a prosecutor and three judges who issued court orders for the arrest and freezing of assets of graft suspects in the Dec. 17 and Dec. 25 investigations, overruling the Constitutional Court that had dismissed the need for such an investigation.

The individuals to be investigated are:

- Zekeriya Öz (former Istanbul Deputy Chief Prosecutor);
  - He is alleged to have installed a special camera system at his office in the Istanbul Courthouse, with which he is accused of secretly recording meetings.
- Hasan Hüseyin Özese;
- Hüsnü Çalmuk; and
- Sedat Sami Haşıloğlu.

• They are set to be investigated regarding their delay in releasing the detailed ruling concerning the Ergenekon coup plot case.

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o4 June 2014 <u>Cicek rejects inquiry motion against Erdoğan</u>
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Parliamentary Speaker Cemil Çiçek rejects a CHP motion demanding a parliamentary inquiry into PM Erdoğan in relation to the corruption probes launched on December 17<sup>th</sup> and 25<sup>th</sup>.

In light of this rejection, the CHP is set to submit a no-confidence motion for Erdoğan to parliament this week.

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06 June 2014
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Expert Report: Erdoğan recordings a montage

In a report submitted to the Ankara Prosecutor's Office, TÜBİTAK concludes that the leaked voice recordings allegedly belonging to PM Erdoğan were montaged using several different recordings.

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09 June 2014 Prosecutor deepens Erdoğan wiretap probe
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The MİT identifies four civil servants as "potential suspects" for the illegal wiretapping of PM Erdoğan's office and home.

It subsequently submits the identities of the people and bugs found in Erdoğan's office to Ankara prosecutor Çetin Durak, who deepens his probe in light of this evidence by instructing the police to further their investigations into the suspects.

While no legal action has been taken against the civil servants, the Prime Ministry Inspection Board received the testimony of the four suspects, all of whom have denied the claims attributed to them.

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11 June 2014
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More than 2,500 judges and prosecutors replaced

The HSYK replaces more than 2,224 judicial officers and 293 administrative officers employed in the judicial bodies in its latest mass purge in the police and judiciary.

The "2014 Judicial Justice Summer Decree" includes hundreds of chief prosecutors, chiefs of heavy penal courts, judges and prosecutors. It assigns new deputy chief prosecutors to Ankara and Istanbul while also replacing chief prosecutors in a number of provinces around the country, including: Balıkesir, Bursa, Çanakkale, Elazığ, Erzincan, Eskişehir, Hatay, Trabzon and Van. Hours before the release of the latest decree, Teoman Gökçe, member of the 1<sup>st</sup> Chamber of the HSYK, announces his resignation from the 1<sup>st</sup> Chamber.

# Author's Bio

Hendrik Müller holds a Bachelor's degree in European Law as well as a Master's degree in International Law from Maastricht University. He lived in Istanbul for nine years. He is currently interning at the Turkey Initiative of the Silk Road Studies Program.