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Report on the Peace at Home Council and the Martial Law Appointment List

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Dictionary and Abbreviations

TSK	Turkish Armed Forces (TAF)
GATA	Gülhane Military Medical Academy
HTS	Historical Traffic Search
KOKTOD	Support to Law Enforcement Forces in Public Order Incidents
YSK	Peace at Home Council (Yurtta Sulh Konseyi)
PÖH	Police Special Operations Unit (SOU)
JÖH	Gendarmerie Special Operations (GSOU)
JÖAK	Gendarmerie Special Security Command (GSSC)
AKP	Justice and Development Party (AK Party)
MEDAS	Message and Document Distribution System
KARANET	Land Forces Network System

I. Introduction

1. According to various sources, July 15 is described as a planned conspiracy and purge operation targeting qualified personnel within the Turkish Armed Forces (TSK), designed to lure military personnel out of their barracks under pretexts such as a "terrorist attack," "military exercise," or "KOKTOD" operation and thereby entrap them. It is asserted that the alleged "Peace at Home Council (YSK),"¹ claimed to have been at the center of this initiative, in fact never existed and was never established, as allegedly demonstrated through court decisions and defendants' statements. It is further argued that the subsequent process was used by the authorities to carry out mass dismissals based on previously prepared profiling lists and to facilitate a comprehensive regime change. In other words, the events of July 15 are characterized as a controlled scenario that was allegedly known in advance by senior state officials and intelligence units but was allowed to proceed so that its consequences could be utilized rather than prevented.

2. This report aims to examine, from legal, technical, and military customary perspectives, both the existence of the alleged "Peace at Home Council" structure, which was claimed to have been the planning and executive body behind the alleged coup attempt, and the validity of the "Martial Law Assignment (Appointment) Lists"^{2,3} attributed to this structure.

The Martial Law Assignment (Appointment) Lists

3. The Martial Law Assignment (Appointment) Lists are the lists attached to the "Martial Law Directive" issued on the night of July 15 and contain the names of approximately 948 military personnel. The Peace at Home Council, on the other hand, was alleged in the indictments to be a 38-member military council that planned and directed the alleged coup attempt of July 15. The principal argument advanced by the defense is that the existence of the said Council could not be established in criminal proceedings in accordance with the standard of proof requiring evidence beyond all reasonable doubt that is certain and convincing.⁴ Accordingly, it is argued that the assignment lists attributed to the Council do not

¹ Ankara Chief Public Prosecutor's Office, Investigation No. 2016/103566, Indictment File No. 2017/7327, p. 665.

² Ankara Chief Public Prosecutor's Office, Investigation No. 2016/103566, Indictment File No. 2017/7327, p. 672.

³ <https://img.piri.net/resim/upload/wiki/f1a45109sikiyonetimsayfalari.pdf>

⁴ Ankara Chief Public Prosecutor's Office, Investigation No. 2016/103566, Indictment File No. 2017/7327, p. 665.

constitute a genuine military plan based on material reality.⁵ In this context, it is further asserted that judicial findings indicating that the existence of the Council was constructed upon a hypothetical assumption and that the identities of its members could not be clearly determined create significant uncertainty regarding the legal status of the alleged structure. Furthermore, it is argued that legal developments arising during judicial proceedings concerning individuals alleged to have been the leaders of the coup attempt have generated debate regarding the organizational integrity and leadership structure of the alleged body.

Martial Law Assignment (Appointment) Lists

İL SİYONETİM KOMUTANLARI			
NO	KURUM	KURUM	ATANDIĞI GÖNİY
1	H.V.K.K.	Tuğ	ADANA SİYONETİM KOMUTANI
2	J.G.N.K.	J.Ab.	ADYAMAN SİYONETİM KOMUTANI
3	K.K.K.	Gen.Kur.	AFYON SİYONETİM KOMUTANI
4	K.K.K.	Tuğ	AĞIR SİYONETİM KOMUTANI
5	K.K.K.	Tuğ	AMASYA SİYONETİM KOMUTANI
6	K.K.K.	Tuğ	ANKARA SİYONETİM KOMUTANI
7	K.K.K.	Tuğ	ANKARA SİYONETİM KOMUTANI YARDIMCISI
8	K.K.K.	Tuğ	ANKARA SİYONETİM KOMUTANI YARDIMCISI
9	K.K.K.	P.Ab.	ANTALYA SİYONETİM KOMUTANI
10	K.K.K.	Tuğ	ARTVİN VE ARDAHAN SİYONETİM KOMUTANI
11	J.G.N.K.	J.Kur.Ab.	AYDIN SİYONETİM KOMUTANI
12	K.K.K.	Tuğ	BAKIR SİYONETİM KOMUTANI
13	J.G.N.K.	J.Kur.Ab.	BİLECEK SİYONETİM KOMUTANI
14	K.K.K.	Tuğ	BİNGÖL SİYONETİM KOMUTANI
15	K.K.K.	Tuğ	BİTLİS SİYONETİM KOMUTANI
16	K.K.K.	Tuğ	BOLU VE DÜZCE SİYONETİM KOMUTANI
17	K.K.K.	Tuğ	BURDUR VE İSPARTA SİYONETİM KOMUTANI
18	K.K.K.	Tuğ	BURDUR VE İSPARTA SİYONETİM KOMUTANI YARDIMCISI
19	J.G.N.K.	J.Ab.	BURSA SİYONETİM KOMUTANI
20	D.Z.K.K.	Tuğ	ÇANAKKALE SİYONETİM KOMUTANI
21	K.K.K.	Gen.Kur.	ÇANKIRI SİYONETİM KOMUTANI
22	J.G.N.K.	J.Kur.Ab.	ÇORUM SİYONETİM KOMUTANI
23	K.K.K.	Tuğ	DENİZLİ SİYONETİM KOMUTANI
24	K.K.K.	Korp.	DIYARBAKIR SİYONETİM KOMUTANI
25	K.K.K.	Tuğ	DIYARBAKIR SİYONETİM KOMUTANI YARDIMCISI
26	K.K.K.	Tuğ	EDİRNE SİYONETİM KOMUTANI
27	K.K.K.	Tuğ	ELAZIĞ SİYONETİM KOMUTANI
28	K.K.K.	Tuğ	ERZİNCAN SİYONETİM KOMUTANI
29	J.G.N.K.	J.Kur.Ab.	ERZURUM SİYONETİM KOMUTANI
30	H.V.K.K.	Tuğ	ESKİŞEHİR SİYONETİM KOMUTANI
31	K.K.K.	Tuğ	GAZİANTEP VE KİLİS SİYONETİM KOMUTANI
32	J.G.N.K.	J.Kur.Ab.	GİRESUN SİYONETİM KOMUTANI
33	J.G.N.K.	J.Ab.	GÖMÜŞHANE SİYONETİM KOMUTANI
34	K.K.K.	Tuğ	HALLİ İBRAHİM ERGİN (TOP 1985-100)
35	K.K.K.	Tuğ	HAKKARİ SİYONETİM KOMUTANI
36	K.K.K.	Tuğ	HAKKARİ SİYONETİM KOMUTANI YARDIMCISI
37	D.Z.K.K.	Tuğ	HATAY SİYONETİM KOMUTANI
38	K.K.K.	Korp.	İZMİR SİYONETİM KOMUTANI
39	K.K.K.	Tuğ	İZMİR SİYONETİM KOMUTANI YARDIMCISI
40	K.K.K.	Tuğ	İZMİR SİYONETİM KOMUTANI YARDIMCISI
41	K.K.K.	Tuğ	İZMİR SİYONETİM KOMUTANI YARDIMCISI
42	K.K.K.	Tuğ	İZMİR SİYONETİM KOMUTANI YARDIMCISI
43	K.K.K.	Tuğ	İZMİR SİYONETİM KOMUTANI YARDIMCISI
44	J.G.N.K.	J.Kur.Ab.	KARS SİYONETİM KOMUTANI
45	H.V.K.K.	Tuğ	KASTAMONU SİYONETİM KOMUTANI
46	K.K.K.	Tuğ	KAYSERİ SİYONETİM KOMUTANI
47	J.G.N.K.	J.Kur.Ab.	KIRKLARELİ SİYONETİM KOMUTANI
48	K.K.K.	Tuğ	KIRSEHR SİYONETİM KOMUTANI
49	H.V.K.K.	Tuğ	KONYA VE AKSARAY SİYONETİM KOMUTANI
50	H.V.K.K.	Tuğ	KÜTAHYA SİYONETİM KOMUTANI
51	K.K.K.	Tuğ	MALATYA SİYONETİM KOMUTANI
52	K.K.K.	Tuğ	MALATYA SİYONETİM KOMUTANI YARDIMCISI
53	K.K.K.	Tuğ	MANİSA SİYONETİM KOMUTANI YARDIMCISI
54	K.K.K.	Gen.Kur.	KAHRAMANMARAS SİYONETİM KOMUTANI
55	K.K.K.	Tuğ	MARDİN SİYONETİM KOMUTANI
56	D.Z.K.K.	Tuğ	MUĞLA SİYONETİM KOMUTANI
57	K.K.K.	P.Kur.Ab.	MUŞ SİYONETİM KOMUTANI
58	J.G.N.K.	J.Kur.Ab.	NEVŞEHİR SİYONETİM KOMUTANI
59	J.G.N.K.	J.Ab.	NİĞDE SİYONETİM KOMUTANI
60	J.G.N.K.	J.Ab.	ORDU SİYONETİM KOMUTANI
61	J.G.N.K.	J.Ab.	RİZE SİYONETİM KOMUTANI
62	J.G.N.K.	J.Kur.Ab.	SAKARYA SİYONETİM KOMUTANI
63	K.K.K.	Tuğ	SAMSUN VE SİNOP SİYONETİM KOMUTANI
64	K.K.K.	Tuğ	SİRT SİYONETİM KOMUTANI
65	K.K.K.	Tuğ	SİVAS SİYONETİM KOMUTANI
66	K.K.K.	Tuğ	TEKİRDAĞ SİYONETİM KOMUTANI
67	J.G.N.K.	Tuğ	TOKAT SİYONETİM KOMUTANI
68	K.K.K.	Tuğ	TRABZON VE BAYBURT SİYONETİM KOMUTANI

Figure 1: Martial Law Assignment List, Pages 1–2

⁵ <https://www.dogruaci1.com/Haberler/sikiyonetim-atama-belgesinde-derin-suphe-gercek-delil-niteligi-yok-1-329>

SİKİYÖNETİM BÖLGE KOMUTANLARI

69	K.K.K.	Tuğg.	LEVENT ERGÖN (P.1988-1)	TUNCELİ SİKİYÖNETİM KOMUTANI
70	K.K.K.	Tuğg.	METİN ALPÇAN (TOP.1988-29)	ŞANLIURFA SİKİYÖNETİM KOMUTANI
71	J.GN.K.	J.Alb.	ŞAHİN KESKİNKILIÇ (1992-125)	UŞAK SİKİYÖNETİM KOMUTANI
72	K.K.K.	Top.Kur.Alb.	SALİH ATAMAN (DEVİR TESLİM YAPILANA KADAR ALB.ALİ YALÇIN) (1994-P.24)	VAN SİKİYÖNETİM KOMUTANI
73	J.GN.K.	J.Kur.Alb.	CEVDET POLAT (1998-48)	YOZGAT SİKİYÖNETİM KOMUTANI
74	J.GN.K.	Tuğg.	BİROL ŞİMŞEK (J.1983-32)	ZONGULDAK SİKİYÖNETİM KOMUTANI
75	J.GN.K.	J.Kur.Alb.	NECİP AKKOYUN (1996-89)	KARAMAN SİKİYÖNETİM KOMUTANI
76	J.GN.K.	J.Kur.Alb.	KAMİL GÜNLER (1994-31)	KIRIKKALE SİKİYÖNETİM KOMUTANI
77	J.GN.K.	J.Kur.Alb.	ŞENOL YELOĞLU (1989-46)	BATMAN SİKİYÖNETİM KOMUTANI
78	K.K.K.	Tümg.	ABDULLAH BAYSAR (TOP.1985-180)	ŞIRNAK SİKİYÖNETİM KOMUTANI
79	K.K.K.	Tuğg.	MESUT SAVAŞ (TNK.1990-24)	ŞIRNAK SİKİYÖNETİM KOMUTANI YARDIMCISI
80	DZ.K.K.	Dz.Alb.	MEHMET ERDEMİR (1986-5898)	BARTIN SİKİYÖNETİM KOMUTANI
81	K.K.K.	P.Kur.Alb.	EKREM KÜÇÜKBERBER (1992-141)	İÇDİR SİKİYÖNETİM KOMUTANI
82	HV.K.K.	Hv.5/5 Kur.Alb.	METİN YILDIRIM (1987-H-30)	YALOVA SİKİYÖNETİM KOMUTANI
83	J.GN.K.	J.Is.Kur.Alb.	SEDAĞ ARICAN (1994-1)	KARABÜK SİKİYÖNETİM KOMUTANI
84	K.K.K.	Trk.Kur.Alb.	NEJAT GÖR (1992-10)	OSMANİYE SİKİYÖNETİM KOMUTANI

Figure 2: Martial Law Assignment List, Page 3

4. It is asserted that if the leadership structure cannot be conclusively established, the existence of the organizational structure itself becomes legally questionable. Within this framework, the report also examines whether the content and operational logic of the Martial Law Assignment Lists are compatible with principles of military planning.

5. Particular attention is drawn to the fact that a structure allegedly responsible for planning a coup attempt would not assign the most critical positions to its own members^{6,7} that certain personnel whose names appeared on the lists, such as Hulusi Akar and Metin Gürak, continued in office or were promoted; while other personnel whose names also appeared on the same lists were sentenced to severe penalties solely on that basis. It is argued that these differing practices should be evaluated considering the principles of individual criminal responsibility and equality before the law.

6. In conclusion, this section examines the assumption that uncertainties surrounding the existence of the Peace at Home Council and allegations of inconsistencies within the Martial Law Assignment Lists may directly affect the legal foundations of convictions based upon those lists.

II. Methodology

7. The analysis presented in this section has been prepared based on international criminal justice standards and principles of military organization. During the review process, indictment texts, court decisions, defense submissions, and military customs and practices were evaluated using a comparative methodology.

8. The nature, sufficiency, and consistency of the evidence put forward regarding the existence of the Peace at Home Council were examined and assessed within the framework of criminal law standards governing the proof of organizational structures. In this context, particular emphasis was placed on the principles of:

- a. identification of the perpetrator,
- b. concretization of the organizational structure, and
- c. individualization of criminal responsibility.

9. The content and structure of the Martial Law Assignment Lists were examined about their compatibility with military planning logic and customs, particularly in terms of:

- a. chain of command,
- b. allocation of duties,
- c. crisis management principles, and
- d. operational planning procedures.

10. This analysis focused on fundamental elements of military operational planning, including:

- a. the allocation of critical tasks,
- b. command hierarchy, and

⁶ <https://15temmuzinfo.net/15-temmuz-kumpasini-desifre-eden-belge-sikiyonetim-direktifi/>

⁷ <https://15temmuzinfo.net/15-temmuz-kumpasini-desifre-eden-belge-sikiyonetim-direktifi/>

- c. the assignment of operational responsibilities.

11. Under Article 6 of the European Convention on Human Rights (ECHR) and Article 14 of the International Covenant on Civil and Political Rights (ICCPR), Türkiye is under an obligation to guarantee the presumption of innocence and the right to a fair trial.⁸ This obligation includes the principles of "equality of arms" and "adversarial proceedings," which require that the defense have access to evidence under conditions equal to those of the prosecution and be able to challenge and examine such evidence effectively. However, it is alleged that during the July 15 trials, unlawful judicial proceedings and unsupported accusations became systematic in nature. The refusal of requests by defense counsel to examine digital evidence, together with convictions based upon structures such as the "Peace at Home Council," whose concrete existence has allegedly never been established, is argued to constitute a violation of the principle of *nullum crimen sine lege* ("no crime without law"). The central focus of this report is therefore to examine how this legal protection was allegedly circumvented by the "Martial Law Directive," the technical details of which are discussed below.

III. Examination

Strategic Analysis of Anomalies

12. Even if one assumes, despite numerous suspicions concerning the preparation and transmission of the Martial Law Assignment Lists (Figure 1,2), that these lists are accurate and reliable, there remain significant factors that would undermine their use as sufficient grounds for arrest or pre-trial detention.

13. The appointment list attached to the Martial Law Directive contains:

- a. **451 names** under the section entitled "**Assignment List – Other Appointments**";
- b. **84 names** under the list entitled "**Martial Law Regional Commanders**," designated as "**Provincial Martial Law Commanders**";
- c. **413 names** under the section entitled "**Martial Law Courts Assignment List**."

14. The government has treated appointment to any position within the Martial Law Command structure as sufficient grounds for arrest or continued pre-trial detention. Judicial practice in these cases shows that individuals assigned to new posts, as well as those marked "**continue**" to indicate that they would remain in their existing positions, were often detained. However, as discussed below, this rationale is undermined by the fact that some individuals named on the lists were never arrested, while others were arrested despite not appearing on any list.

15. Among the 84 names included in the Martial Law Commanders List, several names were never arrested, were not even subjected to investigation, continued serving in their positions, and in some cases received promotions. Examples are presented in Table 1.

⁸ <https://www.yargitay.gov.tr/documents/AIHM.pdf>

Name	Rank	Martial Law Position	Current Status
Erdal Öztürk	Lieutenant General	Istanbul Martial Law Commander	Not arrested; acquitted
Levent Ergün	Brigadier General	Tunceli Martial Law Commander	Not arrested; promoted to Major General and later to Full General
Celal Başoğlu	Brigadier General	Kütahya Martial Law Commander	Not arrested; acquitted

Table 1: Names Never Arrested or Investigated Despite Being Listed in the Martial Law Commanders List

16. Similarly, among the 413 individuals listed in the Martial Law Courts Assignment List, several were never arrested. Examples are provided in Table 2. In addition, there were individuals who were arrested and prosecuted despite not appearing anywhere on the assignment lists. Examples include:

- Military Court of Cassation member Colonel Judge Şeref Ayyıldız,
- Colonel Judge Hakan Ata,
- Military High Administrative Court members Colonel Judge Cemil Çelik,
- and Colonel Judge Yaşar Yüce.

Name	Rank	Martial Law Position	Current Status
Hakan Kutlu	Colonel Judge	Member of the 1st Chamber of the Military Court of Cassation	Not arrested; decision not to prosecute
Kamil Sevimli	Colonel Judge	Member of the 2nd Chamber of the Military Court of Cassation	Not arrested; decision not to prosecute
Muhittin Karatoprak	Colonel Judge	Member of the 1st Chamber of the Military High Administrative Court	Not arrested; decision not to prosecute
Ayhan Akarsu	Colonel Judge	Member of the 2nd Chamber of the Military High Administrative Court	Not arrested; decision not to prosecute

Table 2: Names Never Arrested Despite Being Listed in the Martial Law Courts Assignment List

17. Likewise, among the 451 individuals listed under the category of "Other Appointments," several were never arrested. Examples are presented in Table 3. One particularly notable example is General Metin Gürak, who currently serves as Chief of the General Staff. Holding the rank of Lieutenant General in 2016, Gürak was assigned in the Martial Law Assignment List to the position of **Commander of Turkish Armed Forces Health Services and Commander of GATA**. Despite this assignment, he was neither arrested nor investigated and later served as Chief of the General Staff of the Turkish Armed Forces between 2023 and 2025 before retiring in 2025.

Name	Rank	Martial Law Position	Current Status
Metin Gürak	Lieutenant General	Commander of TAF Health Services and Commander of GATA	Chief of the General Staff (2023–2025), retired in 2025
Sezai Bostancı	Lieutenant General	Undersecretary of the Ministry of National Defence, Ankara	Not arrested; retired
Sadık Piyade	Major General	Commander of the 39th Mechanized Infantry Division, Northern Cyprus	Not arrested; retired
Muharrem Metin Özbek	Major General	Secretary General of the General Staff	Not arrested; retired

Table 3: Names Never Arrested

Timing and the "Terror Threat" Manipulation (Table 4)

18. According to witness testimony from commanders such as Brigadier General Özkan Aydoğdu ⁹, military units had already been mobilized through encrypted telephone calls before the directive was transmitted, allegedly on the grounds of a "terrorist attack" or concerns regarding "public security." It is argued that the transmission of the directive at **22:15** was intended to expose units already in transit to attack at their most vulnerable moment by labeling them as coup participants. In a genuine military coup, such as the military intervention of 12 September 1980 ¹⁰, operational orders would ordinarily be issued beforehand in accordance with the fundamental requirements of military operations, and military units would know in advance where, when, and how they were expected to move. However, this did not occur on 15 July. Instead, military units were allegedly ordered out of their barracks under pretexts such as a terrorist threat, and only afterwards was the Martial Law Directive issued. By the time the directive was transmitted, it is argued that military personnel outside of encircled units had already entered movement phases during which they were especially vulnerable to attack. It is further suggested that the intended effect of the directive was reinforced by an additional message transmitted at **21:30**.

⁹ Ankara 17th High Criminal Court, Case No. 2017/109, hearing dated 01/10/2018, SEGBİS transcript of defendant Özkan Aydoğdu, p. 15.

¹⁰ <https://www.aa.com.tr/tr/gundem/demokrasiye-vurulan-12-eylul-darbesinin-uzerinden-45-yil-gecti/3684435>

Time	Communication Type / Source	Recipient Target Unit /	Alleged Purpose / Assessment	Evidence Reference
Before the directive	Encrypted telephone calls to commanders	Units ordered to move	To move military units out of barracks without an operational order by means of false justifications	Testimony of Brigadier General Özkan Aydoğdu Ankara 17th High Criminal Court, Case No. 2017/109, hearing dated 01/10/2018, SEGBİS transcript of defendant Özkan Aydoğdu, p. 15.
21:30	Message	MAGG 5101 (at regiment and brigade level)	To reinforce the effect intended by the 22:15 directive	Figure 3
22:15	Directive	Units already in transit	To expose units in transit to attack by labeling them as "coup participants" at their most vulnerable moment	Martial Law Directive document

Table 4: Timing and the "Terror Threat" Manipulation

SAAT 21:30'DA ÇEKİLEN "HAZIRLIK İKAZI VE BİRLİK İNTİKALI" MESAJI

Öncelik Derecesi	Tarih Saat Grubu	Gizlilik Derecesi	Dosya Numarası
Gereği HAREKAT YILDIZIM	Bilgi 152130C TEM 16	GİZLİ	YSK:26702250-1920-97470-16/ SKK004

KİMDEN : GENKUR
KİME : MAGG 5101
BİLGİ :
KGGK : WAA
KONU : HAZIRLIK İKAZI VE BİRLİK İNTİKALI

1. ÜLKE GENELİNDE MEYDANA GELEN ANİ GELİŞMELER KAPSAMINDA; TÜRK SİLAHLI KUVVETLERİNİN TÜM BİRLİK, KURUM VE KARARGÂHLARI TARAFINDAN; KENDİLERİNE VERİLECEK VAZİFELERİ YERİNE GETİRMEK, GÜVENLİĞİ SAĞLAMAK VE İŞLERLİĞİ DEVAM ETTİRMEK MAKSADıyla; GEREKEN HER TURLU TEDBİR TEREDÜTSÜZ ALINACAKTIR.

2. BU DOĞRULTUDA; TÜM BİRLİK, KURUM VE KARARGÂHLAR;

A. EN KISA SÜREDE HAZIRLIKLARINI TAMAMLAYACAK,

B. GENKUR.BŞK.LİĞİNCE VERİLECEK EMİRLERİ İCRA ETMEK MAKSADıyla HAZİR HALDE BULUNACAKLARDIR.

3. BU KAPSAMDA, ÖNCELİKLİ OLARAK;

A. 1'İNCİ J.KOMD.TUG.K.LİĞİ/ÇAKIRSOĞUT VE OL.KUV.K.LİĞİNİN UYGUN BİRLİKLERİ GECİRMEKSİZİN, DERHAL ANKARA'YA İNTİKAL EDECEK,

B. İNTİKALIN SÜRATLE GERÇEKLEŞTİRİLMESİNE YÖNELİK HER İKİ BİRLİK KOMUTANIN KUVVET K.LİKLERİ VE DİĞER BİRLİKLERLE HER TURLU KOORDİNE YETKİSİNİN VERİDİĞİNİ.

Figure 3: Preparation Warning and Unit Movement Message

19. Figure 3 shows the message entitled "**Preparation Warning and Unit Movement**", which was transmitted to military units at approximately **21:30** on the day of the events. The contents of the message appear to indicate that an operation covering the entirety of the Turkish Armed Forces was to be conducted for security reasons. Several elements of the message contributed to the perception that a large-scale terrorist attack was expected nationwide:

- a. The message concerned the entire Turkish Armed Forces;
- b. The duties to be assigned were linked to "**sudden developments occurring throughout the country**";
- c. The emphasis on the justification on "Continuation of Functionality and Ensuring Security" has created a perception throughout the country that "a Sudden Attack That Will Threaten the Functionality and Security of the State", that is, a large-scale terrorist attack, is expected throughout the country. The military units, which started to prepare and transfer "against the terrorist threat" due to the message, were left in the position of coup plotters with the Martial Law Assignment Lists.

20. As an example, four colonels previously prosecuted in the Balyoz and Ergenekon¹¹ cases who allegedly proceeded to the Gendarmerie General Command immediately after the Martial Law Directive had been transmitted and informed personnel there that they were involved in a coup attempt. These interventions caused personnel at headquarters to realize that they had been assigned the role of coup participants. This situation placed military personnel psychologically on what they perceived to be the wrong side of an emerging conflict. Similar incidents allegedly occurred in numerous other military units.

21. Another example cited concerns events within the Turkish Air Force. While the Air Force Operations Center allegedly ordered F-4 aircraft stationed in Malatya to take off without armaments, F-16 aircraft were simultaneously instructed to intercept those aircraft on the grounds that the F-4s intended to conduct bombing operations. This incident can be seen as an example of efforts to create the perception that dissident officers within the Turkish Armed Forces were attempting to carry out a coup.

22. The early transmission of the Martial Law Directive cannot reasonably be explained by panic or similar circumstances. According to the government's own allegations, all officers involved in the events were already aware of the coup plan beforehand. If that were true, transmitting the Martial Law Directive would not have been necessary to initiate the operation and verbal orders would have constituted a more logical method. Furthermore, under such circumstances, transmitting the directive at an early stage would have risked exposing the operation and triggering a governmental response. The

¹¹ In Turkey's recent political history, the Ergenekon and Balyoz cases were initiated with the allegations of the liquidation of military tutelage and democratization; it has been claimed that many names on trial in this process made plans to interfere with Turkey's political future and were at the center of military tutelage. During the trials, it was observed that some defendants accepted the preparations in question in a way by defending them within the scope of "military necessity" or "normal activities" in their public statements. This situation constituted one of the concrete topics of discussion in the applications before the European Court of Human Rights (ECtHR) and in domestic legal processes at that time. However, after the events of July 15, 2016, the political and military balances in Turkey have changed radically. The cadres convicted or tried in the Ergenekon and Balyoz cases described all of these processes as "conspiracy" and left all responsibility on the Gülen Community, thus initiating a legal restitution process. As a result, this structure, which had previously appeared before the judiciary with coup plans and tutelage charges, strengthened its place in the bureaucratic mechanism by being reinstated in active positions in the Turkish Armed Forces and various government cadres in the new conjuncture that emerged after July 15.

declaration of the 12 September 1980 military coup was broadcast via TRT radio and television at 03:00 on Friday, 12 September 1980, in accordance with the principle of surprise.¹² Delaying the transmission of the directive would have been more consistent with the logic of a genuine coup attempt.

23. The timing of the directive coincided with:

- a. the deployment of Police Special Operations Unit (PÖH),
- b. Gendarmerie Special Operations (JÖH/JÖAK),

the presence of individuals associated with or sympathetic to the Ergenekon and Balyoz cases, and the gathering of civilian groups in front of the General Staff Headquarters and the Gendarmerie General Command.¹³ By contrast, military units already in transit at that time are described as having been caught unprepared. It can be concluded that the directive was not transmitted with the objective of facilitating a coup. Instead, the principal purpose behind the chosen timing was to draw military personnel already in movement into an environment of conflict where they would become easier to influence and manipulate.

24. In summary, the timing of the message served two principal objectives:

- a. To expose military units to attack during the particularly vulnerable phase of movement and deployment;
- b. To contribute to internal conflict within the Turkish Armed Forces along divisions allegedly associated with supporters or opponents of the Ergenekon and Balyoz cases.

Addressing State Institutions and the Construction of "Artificial Evidence"

25. One of the fundamental principles of military operations, namely the **Principle of Surprise**¹⁴, was violated. Informing ministries in advance that military personnel intended to arrest them, as allegedly occurred through the transmission of the Martial Law Directive to various ministries, cannot be explained by rational military planning.

¹² <https://www.cnnturk.com/guncel/evrenin-parolasi-ahmetler-trenle-geliyor-327575>

¹³ <https://www.dogruaci.com/Haberler/darbe-ihbari-yapanlarla-darbeciler-el-ele-248>

¹⁴ Principle of Surprise: Surprise consists of inflicting damage upon an enemy at an unexpected time and in an unexpected manner. The principal objective is not merely to catch the enemy unaware, but to delay or prevent an effective response. Source: https://halikentmedya.com/kose-yazilari/baskomutanlik_meydan_muharebesinin_savas_prensipleri_acisindan_degerlendirilmesi-1184

MEHAJ FORMU				
Mesaj Talimatı		Grup-On Ek		
Gözetim Derecesi		Tarih Saat Grubu	Gizlilik	Dünya
Gereği	Bilgi	152215C TEM 16		YSK:26702250-19/
MARKEAT				97480-16/ PER. P.
YILDIZIM				YNT.D.GEN.AMIRA
KİMDEN : GENKUR KİME : HAGO 5101 TUM BAKANLIKLAR KGR : WAA KONU : SIKIYONETİM DİREKTİFİ. İLGİ: SIKIYONETİM KANUNU 1. YÜCE ÖNDER ATATÜRK'ÜN BİZLERE ARGAÇAN VE EMANETİ OLAN CUMHURİYETİN ÜSUSU OLAN TÜRK SİLAHLI KUVVETLERİ "YURTTA SULH, CİHANDA SULH" İŞİĞİNDE: A. MİLLETİN HUZUR GÜVEN VE REFAHINI TEMİN ETMEK, B. ÖZGÜRLÜKLER VE HUKUK DEVLETİ ÇERÇEVESİNDEKİ FİİLİ ENGELLERİ KALDIRMAK, C. MİLLETİN VE DEVLETİN BEKASINI VE BÖLÜNGESEL BÜTÜNLÜĞÜNÜ DEVAM ETTİRMEK, D. DEVLETİN KAYREDİLEN ULUSLARASI İTİBARINI YENİDEN KAZANDIRMAK, E. CUMHURİYETİN KARŞI KARŞIYA KALDIĞI TEHLİKELERİ ORTADAN KALDIRMAK, F. YOLSUZLUK VE TERÖRÜN ÖNÜNE GEÇEBİLMEK, G. NAK ETTİĞİMİZ EVRENSEL İDEAN HAKLARINI AYRIM GÖSTERMEZSİNİ VATANDAŞLARIMIZ İÇİN YENİDEN SAĞLAMAK, H. LAİK, DEMOKRATİK, SOSYAL VE HUKUK DEVLETİ DÜZENİNİ YENİDEN KURMAK, İ. ULUSLARARASI ORGANİZASYONLAR VE TOPLUM İLE KÜRESEL HARIŞ, İSTİKLALİNİ TEMİNİ İÇİN DAHA GÜÇLÜ BİR İLİŞKİ VE İŞBİRLİĞİNİ KURMAK MAKSADINI GÖZETMİŞTİR. 2. AYNI SAATTEN İTİBAREN TÜM YURTTA SIKIYONETİM İLAN EDİLMİŞTİR. 3. İKİNCİ BİR DUYURUYA KADAR, ASKERİ MAKAMLARCA GÖREVLENDİRİLECEK VERİLECEK KİŞİ VE ARAÇLAR İLE SAĞLIK MAKSATLI İNTİKALLER HARIÇ OLMAK ÜZERE 16 TEMMUZ 2016 SAAT 0600'DAN İTİBAREN TÜM YURTTA SOKAÇA ÇIKMA YASAK EDİLMİŞTİR. 4. İLLENİN İDARESİ MAKSADıyla GÖREVLENDİRİLEN İL SIKIYONETİM KOMUTANLARI EK-A'DADIR. ATANAN SIKIYONETİM KOMUTANLARI DERHAL GÖREVLERİNİ EDEREK GEREKLİ FAALİYETLERE BAŞLAYACAKTIR. İHTİYAÇ DUYULACAK SIKIYONETİM KOMUTANLARININ BELİRLENMESİ VE GÖREVLENDİRİLMESİ İL SIKIYONETİM KOMUTANLARINA VERİLMİŞTİR. GÖREVLENDİRİLEN SIKIYONETİM KOMUTANLARI 1402 SAYILI SIKIYONETİM KANUNDAKİ YETKİ VE GÖREVLERE HİZMET FAALİYETLERİNİ YÜRÜTECEKLERDİR.				
Sayfa	1/3	Kaleme Alanı: KUR. ALB. CEMİL TURHAN (PARAFELİ)		

Figure 4: Martial Law Directive transmitted to all Ministries ¹⁵

¹⁵ <https://15temmuzinfo.net/15-temmuz-kumpasini-desifre-eden-belge-sikiyonetim-direktifi/>

Hulusi Akar and the Dual-Signature Strategy

26. According to expert reports concerning the MEDAS¹⁶ system (Figures 5 and 6), two separate versions of the directive allegedly existed. One version contained only the signature: "Peace at Home Council" while another version allegedly contained the explicit designation: "Hulusi Akar, General, Chairman of the Peace at Home Council."

It can be concluded that this dual structure served two purposes:

- shielding Hulusi Akar from potential criminal responsibility, and
- persuading certain military personnel that they were acting under the authority of the Chief of the General Staff, thereby drawing them into the events.

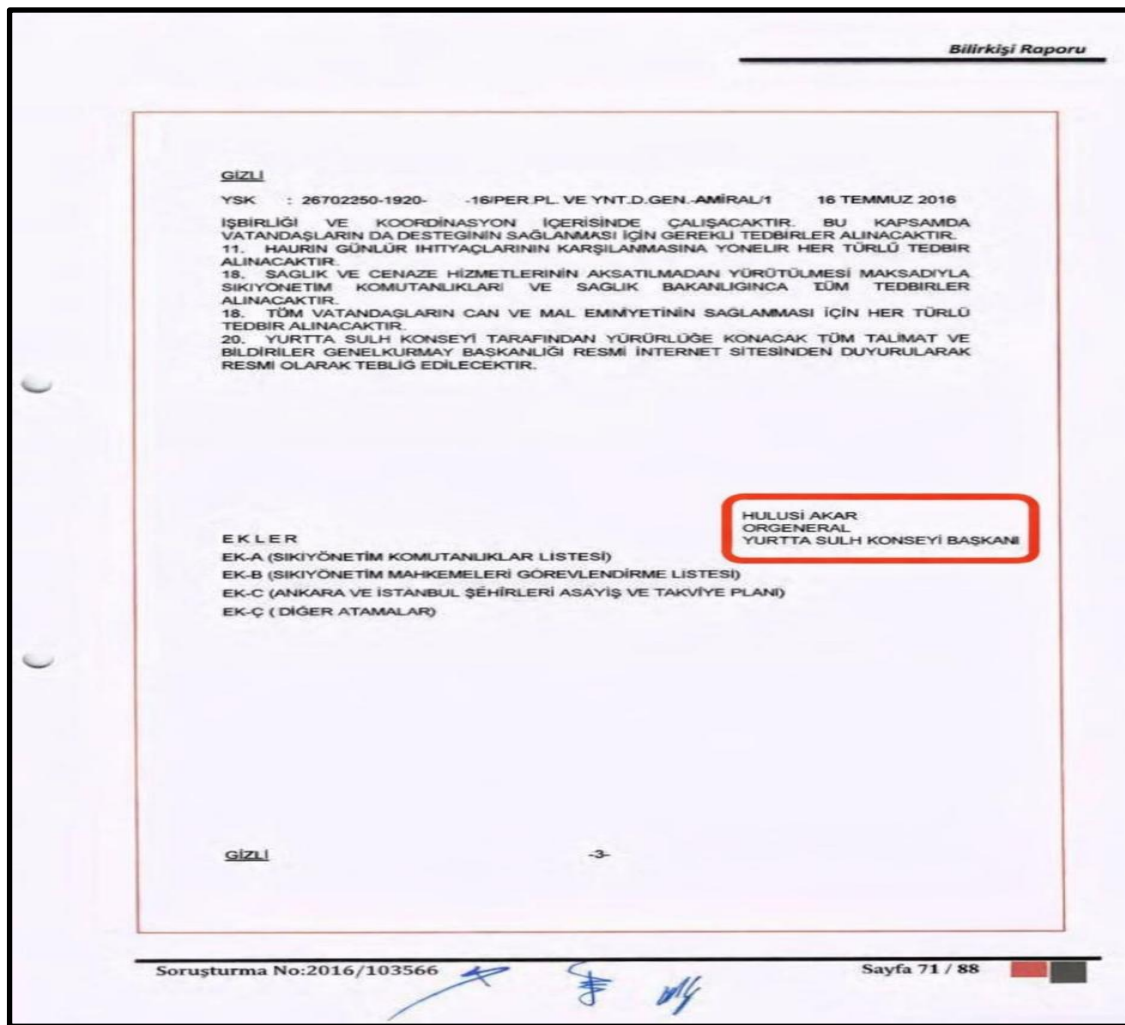


Figure 5: Signature page bearing the expression: "Hulusi Akar, General, Chairman of the Peace at Home Council"¹⁷

¹⁶ MEDAS is a system used throughout the Turkish Armed Forces to provide secure communication and document distribution through protected servers.

¹⁷ Signature page reproduced from the Expert Report dated 14 March 2017.

“SİKİYÖNETİM DİREKTİFİ”NİN İMZA HANELERİ

HULUSİ AKAR ORGENERAL YURTTA SULH KONSEYİ BAŞKANI		
E K L E R : EK-A (SİKİYÖNETİM KOMUTANLIKLARI LİSTESİ) EK-B (SİKİYÖNETİM MAHKEMELERİ GÖREVLENDİRME LİSTESİ) EK-C (ANKARA VE İSTANBUL ŞEHİRLERİ ASAYİŞ VE TAKVİYE PLANI) (KONSGADI) EK-Ç (DİĞER ATAMALAR)		
Parafe/Koordine	Kaleme Alanın İmza Bloku	Müsaade Edenin İmza Bloku
	CEMİL TURHAN KURMAY ALBAY GENERAL-AMİRAL	MEHMET PARTİGÖÇ TUĞGENERAL PER.PL. VE YNT.D.BŞK.

Figure 6: Signature sections of the Martial Law Directive.¹⁸

MESAL FORMU				
Öncelik Derecesi	Tarih Saat Grubu	Gizlilik Derecesi	Dosya Numarası	
Garoçi YILDIRIM	Bilgi	152215C TEM 16	GİZLİ	YSK:26702250-1520- 97480-16/ PER.PL.VE YNT.D.GEN.AMİRAL/1
15. TÜM POLİS TEŞKİLATI SİKİYÖNETİM KOMUTANLARI EMRİNE ALINMIŞTIR. VAZİFELERİN YERİNE GETİRİLMESİNDE KUSURLU DAVRANANLAR HAKKINDA GEREKEN ADLİ VE İDARİ İŞLEMLER SİKİYÖNETİM KOMUTANLIKLARINCA YATILACAKTIR. 16. SUÇLULARIN VE SUÇ ŞEBEKELERİNİN İÇİNDE OLANLARIN VE ARANANLARIN YAKALANARAK MUHAFAZA ALTINA ALINMASI, ASAYİŞ VE EMNİYET TEMİNİ MAKSADıyla SİKİYÖNETİM KOMUTANLARI, İL, İLÇE BELEDİYELERİ, EMNİYET MÜDÜRLÜKLERİ YAKIN İŞBİRLİĞİ VE KOORDİNASYON İÇERİSİNDE ÇALIŞACAKTIR. BU KAPSAMDA VATANDAŞLARIN DA DESTEĞİNİN SAĞLANMASI İÇİN GEREKLİ TEDBİRLER ALINACAKTIR.				
(İMZALIDIR) YURTTA SULH KONSEYİ BAŞKANI				
E K L E R : EK-A (SİKİYÖNETİM KOMUTANLIKLARI LİSTESİ) EK-B (SİKİYÖNETİM MAHKEMELERİ GÖREVLENDİRME LİSTESİ) EK-C (ANKARA VE İSTANBUL ŞEHİRLERİ ASAYİŞ VE TAKVİYE PLANI) (KONSGADI) EK-Ç (DİĞER ATAMALAR)				
Parafe/Koordine	Kaleme Alanın İmza Bloku	Müsaade Edenin İmza Bloku		
	(İMZALI) CEMİL TURHAN KURMAY ALBAY GENERAL-AMİRAL Ş.MD. Tel.No.: 1133	(İMZALI) MEHMET PARTİGÖÇ TUĞGENERAL PER.PL. VE YNT.D.BŞK.		

Figure 7: Signature page bearing the title: "Chairman of the Peace at Home Council."¹⁹ (It is taken as it appears in the source cited in the footnote.)

¹⁸ <https://15temmuzinfo.net/15-temmuz-kumpasini-desifre-eden-belge-sikiyonetim-direktifi/>

¹⁹ <https://www.yenicaggazetesi.com/iste-darbecilerin-sikiyonetim-plani-142783h.htm>

A Genuine Coup Procedure vs. the July 15 Implementation

27. The findings obtained through the examination indicate that the Martial Law Directive differed fundamentally from the type of message that would ordinarily be expected in a genuine coup attempt. The differences become apparent in four principal respects, namely the method of transmission, timing, and procedural implementation.

Method of Transmission

28. As a matter of military practice, a coup directive would normally be distributed only to martial law commanders through individual and secure channels to preserve secrecy. Instead, the directive in question was allegedly addressed to the entirety of the Turkish Armed Forces as well as to all ministries. This method of transmission produced two principal effects:

- a. It allegedly provided a legal basis and subsequent protection from prosecution for attacks carried out against military personnel by Police Special Operations Unit (PÖH), Gendarmerie Special Security Command (JÖAK), paramilitary groups, individuals associated with the Ergenekon and Balyoz cases, and other actors.
- b. Even in circumstances where military mobilization failed to materialize, the directive allegedly became the principal legal basis for subsequent coup trials and dismissals.

Timing of Transmission

29. In a genuine coup attempt, directives would ordinarily be issued only after troop movements had been completed to maximize maneuver superiority and achieve the element of surprise. By contrast, the Martial Law Directive was allegedly transmitted while troop movements were already underway or before they had been completed. This timing produced effects contrary to those expected in a coup operation:

- a. Military units became vulnerable to attack during their most sensitive period of movement.
- b. Existing divisions within the Turkish Armed Forces, particularly those associated with the Ergenekon and Balyoz cases, were allegedly intensified and contributed to internal conflict among military personnel.

Procedural Differences

30. In a genuine coup attempt, directives²⁰ would normally be distributed well in advance so that martial law commands could complete the necessary preparations. Since participating units would already be aware of the operational plan, the operation itself would typically begin through the use of a previously agreed password or code phrase²¹, thereby preserving operational secrecy. The events of 15 July are cited as differing fundamentally from this model, arguing that the operation was allegedly initiated through the transmission of the Martial Law Directive itself. This approach produced several consequences:

²⁰ According to the report, the "Flag Operation Plan" was issued five days prior to the military intervention of 12 September 1980. Source: <https://www.cnntrk.com/guncel/evrenin-parolasi-ahmetler-trenle-geliyor-327575>

²¹ The 12 September 1980 military coup was launched at 03:00 a.m. under the code phrase "Ahmetler trenle geliyor (The Ahmets are arriving by train)." This information is based on the CNN Türk article titled "<https://www.cnntrk.com/guncel/evrenin-parolasi-ahmetler-trenle-geliyor-327575>"

- a. It allegedly mobilized individuals who had previously been identified through profiling or watch lists.^{22 23}
- b. It allegedly enabled the resulting military activity to be attributed to a predefined target group selected through methods lacking legal basis, thereby creating an opposing faction within the armed forces.
- c. It allegedly contributed to conflict within the military institution by activating divisions associated with supporters or opponents of the Ergenekon and Balyoz cases. In summary, the report argues that every characteristic of the Martial Law Directive was designed in a manner contrary to the objectives of a genuine coup attempt.

31. According to the report, the fact that all aspects of the directive allegedly operated against the interests of the coup participants cannot reasonably be explained as coincidence or error. The report concludes that the structure of the directive itself reveals the essential contours of the alleged trap that the planners of the events sought to create for the Turkish Armed Forces. It further argues that subsequent developments unfolded largely in accordance with the effects identified above.

32. Physical Impossibility and Camera Data

- a. According to the reasoned judgment of the Ankara 17th High Criminal Court, the martial law messages were allegedly transmitted using the user credentials of Staff Sergeant Hüseyin Ömür and the corresponding Word documents were allegedly generated on a computer to which he had authorization. The messages were allegedly transmitted from a small office belonging to the administrative section of the Personnel Training Department located on the floor commonly referred to as the Orbay Hall within the General Staff Headquarters. The court also held defendants Mustafa Duygulu and Kenan Şimşek responsible for the transmission of the messages. Defendants Mehmet Partigöç and Cemil Turhan were similarly held responsible on the grounds that they allegedly ordered the transmission of the messages and that their names appeared in the signature blocks. The messages are alleged to have been transmitted using the Turkish Armed Forces Message and Document Distributijuo System (MEDAS). For each of these individuals, the available evidence demonstrates that participation in the preparation or transmission of the messages would have been impossible.
- b. **Records and Digital Traces:** The time spent by the defendants in the room from which the messages were allegedly transmitted was significantly shorter than the technical time required to perform the operations in question. For example, only seven minutes elapsed between defendant Hüseyin Ömür ^{24,25} entering the room from which the messages were allegedly transmitted and the transmission of the first message at 21:37. Within such a limited period, creating the documents, transferring data to the MEDAS computer which lacked CD or USB capability, and preparing the cover page requiring information entry under sixteen separate headings would have been physically impossible.

²² <https://yurtsever.org.tr/2016/tskya-yeni-cemaat-imami-tasfiyeleri-kurdoglu-cemaati-mi-yapiyor-68432/>

²³ <https://www.youtube.com/watch?v=TbSI3MFrivg>

²⁴ Ankara 17th High Criminal Court, Case No. 2017/109, hearing dated 08 November 2017, OBS transcript of defendant Hüseyin Ömür, pp. 5–9.

²⁵ Staff Sergeant Hüseyin Ömür, assigned to the General/Admiral Section and identified in the indictment as the individual alleged to have transmitted the Martial Law Directive.

- c. **Cemil Turhan:** Camera recordings demonstrate that Cemil Turhan^{26,27}: entered the message room located in the Orbay Hall on three occasions at 21:31, 21:35 and 21:39, and that these visits lasted 31, 42 and 43 seconds respectively. Considering that the walking distance from the entrance turnstiles to the room itself was approximately twenty to twenty-five seconds, it would have been technically impossible to prepare and transmit the messages during the remaining time, which did not even amount to two minutes in total. ²⁸ In his testimony, Turhan stated that he merely checked on his personnel during this time and did not observe any messages being prepared or transmitted.²⁹
- d. **Mustafa Duygulu³⁰ ve Kenan Şimşek³¹:** During the period in which the messages were allegedly transmitted (21:30–22:02), these individuals were not present in the Orbay Hall but were instead located elsewhere within the Headquarters complex, namely in the Communications Center and Çakmak Hall, as demonstrated by camera recordings and expert reports. ^{32,33} Kenan Şimşek stated that he remained in Çakmak Hall until approximately 21:40 and that video footage demonstrated that he was subsequently moving through the lower corridor together with Mustafa Duygulu.

Thin Client"³⁴ and Concealment of Server Logs

33. It is established that the computers used within the General Staff Headquarters were "Thin Clients" (thin clients), meaning that they did not contain local hard drives and that all data was stored on a central server.³⁵ Furthermore, due to information security measures implemented within the General Staff Headquarters, the use of CDs and external storage devices on these computers was prohibited. External data transfer to the MEDAS computer from which the messages were allegedly sent could therefore only have been carried out through e-mail or shared folders within the KARANET network. Former Brigadier General Mehmet Partigöç, whose name appears in the signature block of the Martial Law Directive, emphasized that no e-mail had been received by the message computer and that no concrete evidence concerning data transfer exists within the case file. Moreover, server LOG records, which are required to be maintained pursuant to Law No. 5651 and the regulations of the Telecommunications Communication Presidency (TİB), and which could have revealed possible manipulation, were not included in the expert reports and were not submitted to the court despite repeated requests by the defendants.

²⁶ Ankara 17th High Criminal Court, Case No. 2017/109, hearing dated 28 January 2019, SEGBİS transcript of defendant Cemil Turhan, p. 28.

²⁷ Colonel Cemil Turhan, former Head of the General/Admiral Section

²⁸ Transferring these electronic documents to a MEDAS computer that lacked memory card or CD capability and preparing the cover page requiring information entry under sixteen headings would require approximately ten minutes.

²⁹ Ankara 17th High Criminal Court, Case No. 2017/109, hearing dated 28 January 2019, SEGBİS transcript of defendant Cemil Turhan, p. 28.

³⁰ Major Mustafa Duygulu, former Head of the Personnel Planning and Management Branch.

³¹ Kenan Şimşek, assigned to the General/Admiral Section

³² Ankara 17th High Criminal Court, Case No. 2017/109, hearing dated 01 October 2018, SEGBİS transcript of defendant Mustafa Duygulu, p. 15.

³³ Ankara 17th High Criminal Court, Case No. 2017/109, hearing dated 10 November 2017, OBS transcript of defendant Kenan Şimşek, p. 4.

³⁴ **Thin Client:** In computer networking, a thin client (sometimes called a slim client or lean client) is a simple, low-performance computer that has been optimized for remote desktop connections to a server-based computing environment. In some cases, they are also referred to as *network computers* or, in their simplest form, *zero clients*. Source: https://en.wikipedia.org/wiki/Thin_client

³⁵ Expert Report dated 14 March 2017, p. 12.

The Deception of the "SIGNED" Annotation and MEDAS Regulations

34. The expression "SIGNED" appearing in court records and within the signature block of the messages does not constitute either a handwritten signature or an operator-approved digital signature but merely consists of text entered manually via keyboard. No electronic signature infrastructure existed within the Turkish Armed Forces at the relevant time and no original copies bearing handwritten signatures were ever produced. According to Turkish Armed Forces message transmission regulations, a MEDAS operator is required to inspect and verify the original handwritten signed copy of a document before transmitting it through the system. Without compliance with these procedures, it would not normally have been possible for the messages to be transmitted through the system.

"Peace at Home Council": A Concrete Structure or a Myth?

35. The absence of any concrete document or statement concerning either the existence of the "Peace at Home Council" or the identity of its members was explicitly acknowledged in both the indictment and the reasoned judgment.^{36,37} This structure, which was initially alleged to consist of 38 members (Figure 8), was reduced to 20 individuals during the course of the proceedings. The fact that many of the individuals alleged to have been among the "leaders" of the Council (Ahmet Özçetin, Cemil Turhan, Fırat Alakuş, Mustafa Barış Avıalan, etc.) were not assigned any duties in the Martial Law Directive lists is inconsistent with the operational reality of the alleged structure. Furthermore, Akın Öztürk, who was alleged to have been the leader of the Council, was assigned merely as "Deputy Chief of the General Staff" rather than being assigned positions such as President of the Republic or Chief of the General Staff. This demonstrates that the alleged hierarchical structure was fictional and inconsistent with the ordinary course of events. The United Nations Working Group³⁸ on Arbitrary Detention concluded that former General Akın Öztürk had been arbitrarily detained without reasonable suspicion and had not received a fair trial. The decision stated that Öztürk should be immediately released and compensated in accordance with international law. Furthermore, the Government was called upon to initiate a full and independent investigation into those responsible for these violations.

Name	Assignment in the Martial Law Directive
Gen. Akın Öztürk	Deputy Chief of the General Staff
Maj. Gen. Kubilay Selçuk	Chief of General Staff Operations
Maj. Gen. Mehmet Dişli	Head of General Staff Project Management – Continued
Brig. Gen. Ali Osman Gürcan	Gendarmerie Personnel Chief / Director General of Security
Brig. Gen. Erhan Caha	Land Forces Operations Chief
Brig. Gen. Gökhan Şahin Sönmezateş	Undersecretary of the National Intelligence Organization (MIT)
Brig. Gen. Hakan Evrim	Commander of the 4th Main Jet Base / Undersecretary of the Ministry of Education
Brig. Gen. Mehmet Partigöç	Deputy Deputy Chief of the General Staff (Such a title does not exist in TAF terminology.)
Brig. Gen. Ömer Faruk Harmancık	Chief of Staff of the Naval Forces
Brig. Gen. Sinan Sürer	Head of the General Staff 1st Intelligence Analysis and Assessment Department
Col. Ahmet Özçetin	No Assignment
Col. Bilal Akyüz	No Assignment
Col. Cemil Turhan	No Assignment
Col. Fırat Alakuş	No Assignment

³⁶ Ankara Chief Public Prosecutor's Office, Investigation No. 2016/103566, Indictment No. 2017/1258, p. 663.

³⁷ Reasoned Judgment of the Ankara 17th High Criminal Court, No. 2019/30, p. 1557

³⁸ <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session100/a-hrc-wgad-2024-33-turkiye.pdf>

Col. Murat Kocyigit	Commander of Gendarmerie Schools
Lt. Col. Mustafa Barış Avialan	No Assignment
Col. Muzaffer Düzenli	No Assignment
Col. Orhan Yıkılkan	No Assignment
Col. Osman Kılıç	No Assignment
Col. Muhsin Kutsi Barış	No Assignment

Figure 8: Martial Law Assignment List

36. The expression "Peace at Home Council" appears in the Martial Law Directive messages transmitted on the evening of 15 July. According to the testimony of Colonel Muhsin Kutsi Barış³⁹, Chief of Staff of the Presidential Guard there existed a report indicating that, in the CD containing the Martial Law Directive message allegedly issued upon the order of then Deputy Chief of the General Staff Yaşar Güler, there was a second version of the same text in which the name of Hulusi Akar appeared in place of the Peace at Home Council. The report further stated that two separate copies of the same message existed, one bearing the name of the Peace at Home Council and the other bearing the name of Chief of the General Staff Hulusi Akar, and that the Peace at Home Council had allegedly been established within the chain of command.

37. The determination of the Council as consisting of 38 members constitutes an exact replica of the National Unity Committee established following the 1960 coup. The allegation that the prosecution may have been inspired by the book *The Dead End of Revolution (İhtilal Çıkmazı)*, which had for years been available in military libraries as educational material concerning the harmful effects of coups on the armed forces, strengthens suspicions that the structure was constructed upon a fictional basis rather than a concrete reality.

38. Among the 38 individuals accused of membership in the Council, there were no common HTS records, internet communications, or physical meetings prior to or during the night of 15 July. The inclusion of Akın Öztürk's name on the list allegedly as a consequence of an informant in İzmir mistakenly mentioning his name⁴⁰ is presented as evidence that the list was created arbitrarily.

Absurd Distribution of Profiles

39. The fact that a member of the alleged highest-level "strategic decision-making mechanism" was reportedly performing a tactical duty as a helicopter pilot on the night in question⁴¹ is inconsistent with military logic. An examination of the duty assignments of the personnel allegedly included in the so-called council (Table 5) (25 Headquarters, 13 Field Units) demonstrates that this structure lacked the capability to command, coordinate, and direct the alleged coup on a nationwide scale.

³⁹Ankara 17th High Criminal Court, OBS transcript dated 13/03/2019–14/03/2019, Case No. 2017/109, p. 21.

⁴⁰ <https://www.odatv.com/guncel/akinci-ussu-davasinda-tartisma-yaratan-sozler-151868>

⁴¹ Ankara 17th High Criminal Court, OBS transcript of Halil Gül dated 26/04/2019, Case No. 2017/109, p. 6.

Duty Location	Number
General Staff Headquarters	12
Land Forces Command Headquarters	5
Army Aviation Command	4
Gendarmerie General Command Headquarters	2
Gendarmerie Units	1
Main Jet Base Commands	3
28th Mechanized Infantry Brigade	2
2nd Armored Brigade	1
Artillery and Missile School / Missile Brigade	2
Special Forces Command	2
Other Headquarters Assignments	1
Other Field Unit Assignments	3
Total: 25 Headquarters Assignments and 13 Field Unit Assignments.	

Table 5: Distribution of Members of the Alleged Peace at Home Council According to Duty Functions.

Judicial Admission

40. The explicit acknowledgment, both in the indictment issued by the Ankara Office of the Chief Public Prosecutor and in the reasoned judgment of the Ankara 17th High Criminal Court, that “no document or statement was found identifying the individuals who comprised the Peace at Home Council” (Figures 9 and 10) undermines the fundamental basis for the severe sentences imposed on the basis of this purported structure. Despite the absence of any concrete information or documentary evidence establishing the existence or composition of such a council, the trial court nevertheless accepted its existence on the basis of a possible suspicion. Such an approach constitutes a clear violation of the fundamental legal principle of in dubio pro reo—that is, that any reasonable doubt must be resolved in favor of the accused.

bu nedenle söz konusu belgeyi inceleyen bir şahsın bunun Anayasaya ve kanunlara aykırı bir emir olduğunu anlayabileceği, yine her ne kadar belgenin konu kısmında "Sıkıyönetim Direktifi" yazmakta ise de yukarıda dikkat çekilen açıklamalar göz önüne alındığında bunun Anayasal düzene müdahale yani darbe mahiyetinde bir emir olduğu görülmektedir.

Silahlı Terör Örgütü Yöneticiliği;

Yukarıda da değinildiği üzere silahlı terör örgütü yöneticilik ve üyeliği TCK 314 maddesinde düzenlenmiş olup aynı maddenin 3. fıkrasında suç işlemek amacıyla örgüt kurma suçuna ilişkin diğer hükümlerin bu suçlar yönünden de aynen uygulanacağına yönelik hükmü karşısında, 5237 sayılı Türk Ceza Kanunun 220/1 maddesinde suç işlemek için kurulan örgütün yöneticisi amaç suçu gerçekleştirmek için belli bir organizasyon etrafında 3 veya daha fazla kişiyi bir araya getirip organize eden örgütsel disiplin içerisinde hiyerarşiyi sağlayan kişi olarak tanımlanmış, failin örgüt yöneticisi olarak kabul edilebilmesi için emir ve idare yetkisine sahip olması da hiyerarşi dahilinde verdiği emirlerin sorgulanmaması gerekir. Geniş anlamda geniş bir alanda faaliyet yürüten örgütlerin yöneticileri örgüt yapılanması da dikkate alınarak somut olayın özelliklerine göre bu kişilerin örgüt hiyerarşisindeki konum ve görevlerine göre belirlenmelidir. TCK 220/5'te örgüt yöneticileri, örgüt mensuplarının örgütün amaçları doğrultusunda işledikleri suçlardan dolayı fail olarak sorumlu tutulacağı belirtilmiştir.

Örgüt yöneticiliği suçu örgütün hiyerarşi içerisinde üst pozisyonlarda yer alıp örgüt üyelerine emir-talimat veren, örgüt üyelerini yönlendiren ve idare eden kişinin işlediği suçtur. Örgütü yönetmek örgüt faaliyet planlarını ve iş bölümü yapmak, koordinasyonu sağlamak, örgütün işleyiş açısından merkezi bir konumda olmaktır.

Örgütün işleyiş mekanizmasını elinde bulunduran, örgütün yapısı içerisinde suç işlemek gibi örgütün amacına uygun bir görev verilen kişinin bu görevi yerine getirmemesi durumunda, yerine başka bir örgüt mensubunu ikame edebilen ve suçu bizzat gerçekleştirenler üzerinde bir hakimiyet kuran, üyeleri bir gaye etrafında idare eden, disiplini kuran kimsedir.

The indictment prepared by the public prosecutor's office states that no document or statement was found regarding the identities of the members of the Peace at Home Council (YSK).

Yasa dışı silahlı terör örgütünün gizlilik içerisinde hareket eden yönetici sıfatına haiz mensupların belirlenmesi oldukça güçtür. Ancak bunu dışı yansıyan hareketleri ile çıkarmak mümkün olacaktır.

Cumhuriyet Başsavcılığınca düzenlenen iddianamede Yurtta Sulh Konseyi üyelerinin kimlerden oluştuğuna yönelik bir belge ve ifadeye rastlanmadığının belirtildiği, 15 Temmuz 2016 darbe girişimi ile 27 Eylül 1960 ve 12 Eylül 1980 darbe eylemleri arasında karşılaştırmalar yapılmış, Yurtta Sulh Konseyi üyelerinin 38 kişiden oluştuğu Kara, Hava, Deniz Kuvvetleri Komutanlıkları ile Jandarma Genel Komutanlığında görev yapan subaylardan oluştuğu belirtildiği, bu yapılanmanın üyelerinin tespitinde her kuvvetten şüphelerin darbenin planlanmasında, ülke çapında organizasyonunun yapılmasında, sevk ve idare edilmesinde, atama listelerinin ve darbe emirlerinin hazırlanmasında rolü ve etkinliğinin dikkate alındığı ifade edilmiş, konsey üyesi olan sanıkların aynı zamanda örgütün yöneticisi olmaları nedeniyle darbe teşebbüsünün gerçekleştirilmesi sırasında ülke çapında işlenen tüm suçlardan TCK 220/5 maddesi uyarınca sorumlu olduğu belirtilmiştir.

1557/2337



UYAP Bilgi Sistemi'ndeki bu dokümana <http://vatandas.uyap.gov.tr> adresinden U5g526V - QJTLYaU - tvPp02S - ldzSb0 ile erişebilirsiniz.

Figure 9: Image of page 1557 of the reasoned judgment of the Ankara 17th High Criminal Court.

During the investigation, no document or statement was found regarding who the members of the Peace at Home Council (YSK) consisted of.

2. YURTTA SULH KONSEYİ:

A. GENEL OLARAK:

Soruşturma sırasında Yurtta Sulh Konseyi üyelerinin kimlerden oluştuğuna yönelik bir belge veya ifadeye rastlanmamıştır. Ancak bazı şüphelilerin ev ve işyerlerinde yapılan aramalarda ele geçen 27 Mayıs Darbesine ilişkin belge ve kitapların incelenmesinden^{175 176}, Örgütün, bu darbenin organizasyonu ile ilgili bazı örneksemeler yaptığı, ayrıca ideolojileri dışında her iki olay arasında şekli bakımdan benzerlikler bulunduğu görülmektedir. Gerek darbe faaliyetlerinin başladığı 15 Temmuz 2016 akşamı saat 20.30'da, gerekse darbe girişiminin başlangıcının planlandığı 16 Temmuz saat 03.00'da, Türk Silahlı Kuvvetleri personeli Fetullahçı Terör Örgütü mensuplarının başında, kalkışmanın başarıya ulaşması için gerekli olan, önceden kesin olarak belirlenmiş orgeneral seviyesinde bir komutanın bulunmaması, darbenin planlaması, organizasyonu, sevk ve idaresinde, Örgütün "Altın Nesil" diye tabir edilen, genellikle kurmay yarbay, kurmay albay ve tuğgeneral rütbesindeki personelin görev alması, her iki darbenin başlangıç saatinin normal koşullarda saat 03.00 olması, 27 Mayıs darbe bildirisindeki "Yurtta Sulh" vurgusu¹⁷⁷, soruşturma sırasında tespit edilen Yurtta Sulh Konseyi'nin üye sayısının da, Milli Birlik Komitesi'ndeki gibi 38 olması gibi hususlar dikkate alındığında, Fetullahçı Terör Örgütü'nün, yine askeri hiyerarşiye uyulmadan yapılan, ancak başarıya ulaşan 27 Mayıs Darbesi'nin planlama ve icra safhalarından örnekler aldığı anlaşılmaktadır. Ancak, her iki olay arasında görünüşte şekli anlamda bir benzerlik olduğu görülmekte ise de, ideolojik açıdan kesin olarak farklılıklar bulunduğu tartışma götürmez bir olgudur. Şöyle ki, 15 Temmuz darbe girişimini gerçekleştiren, asker elbisesi giymiş ve örgütsel bağı olan terörist robotların amacı, her türlü silahı da kullanmak suretiyle, Türkiye Cumhuriyeti Devleti'nin tüm Anayasal kurumlarını (yasama, yürütme, yargı erklerini) ele geçirmek ve bu süreç tamamlandıktan sonra Devleti, toplumu ve fertleri, FETÖ'nün ideolojisi doğrultusunda yeniden dizayn ederek oligarşik (aristokratik) özellikler taşıyan bir zümre eliyle ekonomik, toplumsal ve siyasal gücü yönetmek iken, 27 Mayıs darbesini yapan ve herhangi bir örgütsel bağı bulunmayan cuntacı

¹⁷⁵ Kara Kuvvetleri Karargahında 10.08.2016 tarihinde yapılan arama sonucunda, Cumhurbaşkanlığı Genel Sekreteri Fahri Kasırga'nın kaçırılması olayının da şüphelilerinden Kurmay Albay Mutlu Serkan Vurdem'in odasında, 27 Mayıs Darbesi sonrası yapılan yargılamalara ait duruşma tutanaklarının aslı bulunmuştur.

¹⁷⁶ Şüpheli Metin Gümüşurun'un, 2016 yılı içinde, kendisi de 1960 darbesine katılan M. Emin Aytekin tarafından yazılan ve 27 Mayıs Darbesini anlatan 'İhtilal Çıkmazı' adlı kitabı, Genelkurmay Kütüphanesinden iki kez alarak incelemelerde bulunmuştur.

¹⁷⁷ "... Yurtta Sulh, Cihanda Sulh prensibi bayrağımızdır... Düşüncemiz Yurtta Sulh, Cihanda Sulhtur." (27 Mayıs 1960 darbe bildirisinden)

Figure 10: Image of page 663 of the indictment issued by the Ankara Chief Public Prosecutor's Office under Investigation No. 2016/103566 and Indictment No. 2017/1258

Tampering with Digital Evidence and the "Kayseri Governorship" Anomaly

41. **The Kayseri Governorship and the 14 March 2008 Connection:** The appointment of a governor to Kayseri (Figure 11) within the annexes of the directive constitutes conclusive evidence that the document relates not to the political context of 2016 but rather to the period in 2008 when Abdullah Gül, a native of Kayseri, was serving as President of the Republic. The printing date contained within the metadata, namely **14 March 2008**, coincides with the date on which Chief Public Prosecutor Abdurrahman Yalçinkaya filed the closure case against the AKP.^{42,43} This demonstrates that the document was a draft dating from the period of General Yaşar Büyükanıt.

The Error That Exposes the Perpetrators in the July 15 Martial Law Directive: The Appointment of the Governor of Kayseri

11. ALL GOVERNORS HAVE BEEN DISMISSED FROM DUTY. GOVERNOR AND METROPOLITAN MAYOR APPOINTMENTS FOR THE PROVINCES OF ANKARA, ISTANBUL, IZMIR, AND KAYSERİ HAVE BEEN URGENTLY MADE BY THE PEACE AT HOME COUNCIL, ASSIGNMENTS TO REPLACE GOVERNORS, DISTRICT GOVERNORS, AND MAYORS DEEMED NECESSARY IN OTHER PROVINCES AND DISTRICTS WILL BE MADE BY THE MARTIAL LAW COMMAND. IN THE COMING DAYS, APPOINTMENTS FOR ALL PROVINCIAL AND DISTRICT GOVERNORS, DISTRICT GOVERNORS, AND MAYORS WILL BE CONDUCTED BY THE PEACE AT HOME COUNCIL.

12. ALL ACTIVITIES OF POLITICAL PARTIES HAVE BEEN TERMINATED. OTHER JUDICIAL AND ADMINISTRATIVE PROCEEDINGS CONCERNING POLITICAL PARTIES WILL BE EXPEDITIOUSLY CARRIED OUT BY COMPETENT AUTHORITIES IN THE SUBSEQUENT PERIOD.

Just as in the 1960 coup, appointing a Governor to the hometown (the city where they receive the strongest support) of a **"Target Person" to end their authority** and announcing this through the press is a method used in coups. The appointment made to Kayseri in the July 15 Martial Law Directive reveals that the original text of the Directive was prepared in **2008 against Abdullah Gül**. This situation demonstrates that those who prepared the directive had connections with the Chief of the General Staff of that period, **Yaşar BÜYÜKANIT**.

Figure 11: The appointment error concerning the Governor of Kayseri that allegedly revealed the authors of the 15 July Martial Law Directive.

⁴² <https://www.odatv.com/guncel/akinci-ussu-davasinda-tartisma-yaratan-sozler-151868>

⁴³ <https://15temmuzinfo.net/15-temmuz-kumpasinin-faillerini-desifre-eden-ayrinti-kayseri-valiligi-atamasi/>

42. Metadata analysis of the digital evidence that forms the basis of the proceedings shows that these documents are derived from a very old draft that is unrelated to 2016.

Summary of Digital Findings

43. March 2008 Metadata: An old draft allegedly prepared simultaneously with the AKP closure case.

44. Appointment of the Governor of Kayseri: A forgotten metadata remnant allegedly dating from the Abdullah Gül period.

45. Absence of LOG Records: A violation of the principle of equality of arms through the concealment of central server records.

International Legal Norms and Human Rights Violations

46. The unlawful acts identified above demonstrate, according to the report, that Türkiye has systematically violated its international obligations.

47. Article 6 of the European Convention on Human Rights (Right to a Fair Trial): Preventing the defense from accessing central server LOG records and raw digital data that could potentially alter the outcome of the proceedings constitutes a clear violation of the principle of equality of arms.

48. Nullum Crimen Sine Lege (No Crime Without Law): The imposition of aggravated life imprisonment on the basis of membership in a council which the court itself acknowledged did not exist constitutes a radical violation of the principle of legality in criminal law.

49. Presumption of Innocence: Declaring individuals guilty in advance on the basis of lists whose authenticity is disputed and holding them in isolation conditions for approximately ten years since the first arrests in 2016 is incompatible with universal principles of law.

IV. Conclusion

50. All of the foregoing demonstrates that the Martial Law Directive, which was allegedly prepared in connection with the attempted coup of 15 July, is in fact a document whose authorship has never been clearly established. It further demonstrates that the Martial Law Directive constitutes merely an electronic transmission lacking an original handwritten signed copy and not complying with the procedures prescribed by the relevant regulations. Modern information technologies make it possible for electronic transmissions to be sent through numerous methods, including remote access techniques. Even if the authenticity and reliability of the transmission were to be accepted, the existence of individuals who appeared on the lists but were never arrested, as well as individuals who were arrested despite not appearing on the lists, demonstrates that the criterion of "being included in the Martial Law Assignment List" does not satisfy the requirement of "reasonable suspicion" necessary for arrest or continued detention.

51. The July 15 prosecutions constituted is not a legal process based upon concrete evidence but rather a political purge operation conducted through manipulated digital data and fictional organizational structures. It is asserted that the Martial Law Directive was designed to entrap military personnel and that the Peace at Home Council constituted a phantom structure whose existence was rejected even by judicial findings.

International Monitoring and Retrial

52. The Office of the United Nations High Commissioner for Human Rights should urgently call upon the Government of the Republic of Türkiye to permit an independent review of the July 15 prosecutions under the supervision of international observers.

Audit of Digital Evidence

53. All disputed digital materials, particularly MEDAS records and central server LOG records, should be subjected to examination by impartial international digital forensic experts while taking into account the Thin Client architecture of the system.

Annulment of Fictional Accusations

54. The situations of individuals convicted on the basis of allegations lacking legal foundation, such as membership in the alleged Council, should be reviewed without delay and the resulting violations of rights should be remedied.

Restoration of Defense Rights

55. Türkiye should be required to remove restrictions preventing the defense from accessing evidence and to restore the principle of equality of arms within judicial proceedings.