



The Latest Example of Seizing Opponents' Assets
in Turkey:

EKREM İMAMOĞLU's Case and the Trusteeship of İMAMOĞLU CONSTRUCTION INC.



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CONTENTS

| | |
|--|----|
| INTRODUCTION..... | 2 |
| THE EKREM İMAMOĞLU CASE AND THE APPOINTMENT OF SDIF (TMSF) AS TRUSTEE TO İMAMOĞLU CONSTRUCTION INC..... | 3 |
| TRUSTEE APPOINTMENTS TO 24 COMPANIES IN CONTEXT OF THE İMAMOĞLU INVESTIGATION | 4 |
| REACTIONS FOLLOWING THE APPOINTMENT OF TMSF AS TRUSTEE TO İMAMOĞLU CONSTRUCTION INC. AND 24 OTHER COMPANIES..... | 5 |
| TMSF(SDIF) TRUSTEESHIP: A 14-YEAR STORY OF POLITICAL AND ECONOMIC PURGE IN TURKEY | 7 |
| STEPS IN THE PROCESS OF SEIZING OPPONENTS' ASSETS | 10 |
| 1- Authoritarianism and Politicization of the Judiciary | 10 |
| 2- Initiation of Political Investigations | 12 |
| 3- Arbitrary Nature of Arrests..... | 13 |
| 4- Requests for Seizure of Assets and Companies | 14 |
| 5- Unlawful Approval of Seizure Requests by Courts..... | 15 |
| 6- Seizure of Opponent Companies Through Trusteeship | 15 |
| 7- Appointment of Individuals Close to the AKP as Managers to Companies | 21 |
| 8- Damaging or Selling Opponent Companies | 25 |
| 9- Confiscation of Large Companies..... | 28 |
| 10- Transfer to the Turkey Wealth Fund | 28 |
| 11- Use of Opponent Companies as Tools in Political and Economic Policies..... | 29 |
| 12- Looting of Opponent Companies Through Legal and State Institutions..... | 29 |
| CONCLUSION | 30 |

INTRODUCTION

With the weakening of democratic institutions in Turkey, political pressure against dissidents has systematically extended beyond fundamental rights such as freedom of expression, assembly and protest to economic rights and property ownership. Especially since the authoritarian turn that began in the post-2010 era, the politicization of the judiciary, the instrumentalization of legal mechanisms to suppress opposition, and the repurposing of state institutions for political ends have resulted in the imprisonment of thousands and the seizure of tens of thousands of businesses.

This report analyzes the process of asset seizure from political dissidents within a systematic framework under President AKP government. Initially targeted at affiliates of the Gülen Movement and related institutions, this practice has since expanded to include prominent political figures such as Istanbul Metropolitan Mayor and leading CHP figure Ekrem İmamoğlu. The appointment of trustees to 24 companies, including İmamoğlu Construction Inc., demonstrates that the aim is not only punishment but also the transfer of economic power from opposition figures to those aligned with the ruling party.

The report details how judicial decisions have strayed from constitutional and legal frameworks, the structure of Criminal Judgeships of Peace (Sulh Ceza Hakimlikleri, founded after 2014), how the Savings Deposit Insurance Fund (TMSF) has become politicized, procedural irregularities in trustee appointments, the mechanisms of asset confiscation, transfers to the Turkey Wealth Fund, and how these companies have been repurposed for political and economic leverage—supported by examples and national/international sources.

THE EKREM İMAMOĞLU CASE AND THE APPOINTMENT OF SDIF (TMSF) AS TRUSTEE TO İMAMOĞLU CONSTRUCTION INC.

Ekrem İmamoğlu, the Mayor of Istanbul Metropolitan Municipality and one of the key figures of the main opposition party, the Republican People's Party (CHP), has emerged as one of the strongest political rivals to President Recep Tayyip Erdoğan, who has been in power for over two decades. His victory in the 2019 Istanbul municipal elections—after the controversial annulment of the first round—was seen as a political earthquake. Istanbul, home to over 15 million people and serving as Turkey's economic engine, had been governed for 25 years by Erdoğan's Justice and Development Party (AKP) and its predecessors. İmamoğlu's win not only carried symbolic weight but also offered the opposition a rare power base in a state dominated by executive authority.

Since then, İmamoğlu has faced a series of legal and political pressures. In 2022, he was sentenced to over two years in prison and was banned from political office due to remarks directed at the Supreme Electoral Council (YSK). Many viewed this as judicial harassment intended to sideline him as a potential presidential candidate. However, in AKP Government's increasingly repressive regime, the pressures on İmamoğlu did not end there.

On March 19, 2025, Ekrem İmamoğlu and 101 individuals were taken into custody as part of a large-scale operation. İmamoğlu was accused of establishing and leading a criminal organization, bribery, bid-rigging, unlawful data collection, and collaboration with a terrorist organization¹.

On March 23, 2025, the Istanbul Criminal Judgeship of Peace issued a formal arrest warrant for İmamoğlu, citing charges of "*forming and leading a criminal organization,*" "*bribery,*" "*bid rigging,*" and "*unlawful processing of personal data.*" On the same day, the Ministry of the Interior suspended² him from his role as Mayor of Istanbul.

İmamoğlu's arrest, coming shortly after the local elections, shocked the Turkish political landscape and drew intense international scrutiny. It was not seen merely as a corruption investigation but as a turning point questioning Turkey's commitment to the rule of law and democratic values.

Following his arrest, thousands of people across Turkey—especially in Istanbul—took to the streets in protest. Police intervened and detained hundreds. Civil society organizations and bar associations described the process as "political, not legal." CHP Chairman Özgür Özel characterized the arrest as a "**civil coup**" and called for early elections. The Council of Europe, Human Rights Watch, and members of the European Parliament also issued statements condemning the move as contrary to public will and the rule of law.

¹ <https://www.aa.com.tr/tr/gundem/ibbdeki-teror-ve-orgutlu-suclar-sorusturmalarinda-79-supheli-gozaltina-alindi/3513762#>
<https://www.reuters.com/world/middle-east/turkish-authorities-order-detention-istanbul-mayor-some-100-others-2025-03-19/>

² <https://tr.euronews.com/2025/03/23/ibb-baskani-ekrem-imamoglu-tutuklandi>

TRUSTEE APPOINTMENTS TO 24 COMPANIES IN CONTEXT OF THE İMAMOĞLU INVESTIGATION

The AKP government did not stop at the arrest of İmamoğlu. Under the influence of government-controlled courts, SDİF (TMSF) as trustee was appointed to 24 companies³ associated with 101 individuals as part of the corruption and terror investigation targeting the Istanbul Metropolitan Municipality (İMM). Among these companies were İmamoğlu's family business, İmamoğlu Construction Inc., as well as Nuhoğlu Construction, Asoy Construction, and Karsal Örne Inc. The Savings Deposit Insurance Fund (TMSF) was assigned as trustee to all 24 companies by court order.

The arrest of Turkey's most prominent opposition figure, the Mayor of Istanbul, and the seizure of his family's company through the appointment of a government-controlled trustee was seen as another clear indication of how judicial and state institutions under AKP government are being weaponized against political dissidents.

This report will thoroughly examine how, through the case of Ekrem İmamoğlu, Turkey's legal framework and judiciary have been reshaped under AKP government to silence dissent and expropriate economic assets from opposition actors. It will explore how legal mechanisms, public institutions, and administrative powers have been instrumentalized to facilitate the political and economic purge of rivals.

AGENDA

Trustees appointed to 24 companies as part of corruption investigation targeting Istanbul Metropolitan Municipality (İMM)

As part of the corruption investigation targeting the Istanbul Metropolitan Municipality (İMM), trustees have been appointed to 24 companies linked to 101 suspects.

³ <https://www.aa.com.tr/tr/gundem/ibbye-yonelik-yolsuzluk-sorusturmasi-kapsaminda-24-sirkete-kayyum-atandi/3535699>

REACTIONS FOLLOWING THE APPOINTMENT OF TMSF AS TRUSTEE TO İMAMOĞLU CONSTRUCTION INC. AND 24 OTHER COMPANIES

Following the politically motivated terrorism and corruption investigations targeting Istanbul Mayor Ekrem İmamoğlu, TMSF (SDIF) was appointed as trustee to 24 companies, including İmamoğlu Construction Inc.

In response to this move, Hasan İmamoğlu, the founder of İmamoğlu Construction and father of Ekrem İmamoğlu, expressed his sorrow: *"I am very saddened. I founded this company in 1968 and have devoted my life to it ever since. The state has decided to seize it. We've been closed since the 23rd. A group of 7–8 people came in. I have a lot to say, but I'm too upset. I have taxes to pay and money, but I can't pay taxes because I can't operate. I have property I've been trying to sell for days, but I can't."* (Source: halktv.com.tr, April 12, 2025)⁴.

İmamoğlu İnşaat'a kayyum atandı: Hasan İmamoğlu'dan ilk açıklama



Following the trustee appointment, journalist Deniz Zeyrek commented: **"Now it only takes an investigation. Tomorrow they could seize Koç, Eczacıbaşı, even Ülker.** I ask Mehmet Şimşek: you're a British citizen — if your company is seized, will you call the King of England?"⁵

CHP Parliamentary Group Deputy Chair and Mersin MP Ali Mahir Başarır also reacted strongly: "Unfortunately, the mindset that hid money in shoeboxes and asked 'Did you zero it out?' (referring to the big corruption operations carried out in 2013 towards AKP ministers) is now **seizing companies that innocent people spent years building.**"⁶



⁴ <https://halktv.com.tr/gundem/imamoglu-insaata-kayyum-atandi-hasan-imamoglugudan-ilk-aciklama-928999h>

⁵ <https://x.com/haberaktifcom/status/1911510167839011299>

⁶ <https://x.com/alimahir/status/1910949647780020670>

Journalist Timur Soykan, who examined the trustee appointment process targeting the companies of İmamoğlu and other individuals detained alongside him, **identified major unlawful practices** in the decision of the Istanbul 4th Criminal Judgeship of Peace dated 10 April 2025, which appointed the Savings Deposit Insurance Fund (TMSF) with management authority over 24 companies and assigned supervisory trustees to 28 companies⁷. In the court decision enabling the trustee appointments:

- Individuals Fatih Keleş and Ertan Yıldız, who are not suspects in the İmamoğlu investigation, were listed as suspects;
- The decision stated that *"there is strong evidence that the suspects, by acting within the framework of an organized criminal group, facilitated the transfer of funds to **illegal betting sites**, provided commission-based services on financial security issues, and committed money laundering offenses within the activities of the aforementioned companies," even **though the illegal betting accusation is entirely unrelated to the İmamoğlu investigation**, revealing that a trustee appointment decision from another case had been copy-pasted into the İmamoğlu case;*
- The trustee appointment decision consisted of a total of only four pages, with two pages listing company names and just two pages attempting to justify the appointment of trustees to 52 companies (SDIF appointed as trustee to 24 companies).

These findings regarding the court decision to appoint trustees to a total of 52 companies in the İmamoğlu investigation have exposed that, under AKP government, judicial institutions are not enforcing the law but rather enabling unlawful practices.



BİRgün

 **Timur Soykan**

Kopyala-yapıştır-el koy

İBB operasyonlarından sonra 52 şirkete kayyum atanmasının gerekçesine 'yasadışı bahis' yazılması hukukçuları hayrete düşürdü. Suçlamalarda bu iddia yer almazken kopyala-yapıştır karar yazıldığı için yer aldığı düşünülüyor.

Güncel Giriş: 25.04.2025 06:00 | Güncelleme: 25.04.2025 06:00

Title of article by Timur Soykan: Copy-Paste-Seize

⁷ <https://www.birgun.net/makale/kopyala-yapistir-el-koy-618086>

TMSF(SDIF) TRUSTEESHIP: A 14-YEAR STORY OF POLITICAL AND ECONOMIC PURGE IN TURKEY

After the political operation against Ekrem İmamoğlu, the CHP appealed to the Constitutional Court to annul Law No. 7539, which had been passed on January 31, 2025 and extended the TMSF's authority to seize, manage, and sell opposition-owned companies for another 5 years. CHP Group Deputy Chair Gökhan Günaydın made a press statement in front of the court: ***"If you're labeled part of the opposition, TMSF can confiscate everything your family has built up over three generations. You may wake up the next day without assets, without a diploma, without a legal identity. The CHP will not let this pass."***⁸

The Savings Deposit Insurance Fund (TMSF) was originally a regulatory agency in the field of banking and deposit insurance. However, beginning in 2014—through emergency decrees and special laws—it was transformed into a political tool for economic punishment of dissidents. TMSF has since been tasked with seizing and managing companies as trustees under the pretense of combating "terrorism" or "corruption." This practice is not new. The appointment of TMSF as a trustee to opposition-owned companies has been going on for years. The timeline of this transformation can be divided into four critical phases:

The Four Critical Phases of TMSF Trusteeship:

Phase 1 (July 2016 – July 2018 / State of Emergency Period):

During the State of Emergency following the 2016 coup attempt, Decree Law No. 674 and subsequently Law No. 6758 granted TMSF the authority to appoint trustees to companies on the grounds of combating terrorism.

During this period, major groups like Koza-İpek Holding, Boydak Holding, and Kaynak Holding were seized based on alleged ties to the Gülen Movement. TMSF took over management of these companies, which were previously among Turkey's top corporate players.

TMSF Trusteeship: A Four-Phase Legal and Political Process (2016–2030)



⁸ <https://bianet.org/haber/chp-aym-basvurdu-tmsf-bir-gecede-tum-mal-varliginiza-el-koyabilir-305938>

Phase 2 (July 2018 – July 2021 / Post-State of Emergency Transition):

Although the State of Emergency officially ended in July 2018, its extraordinary practices continued.

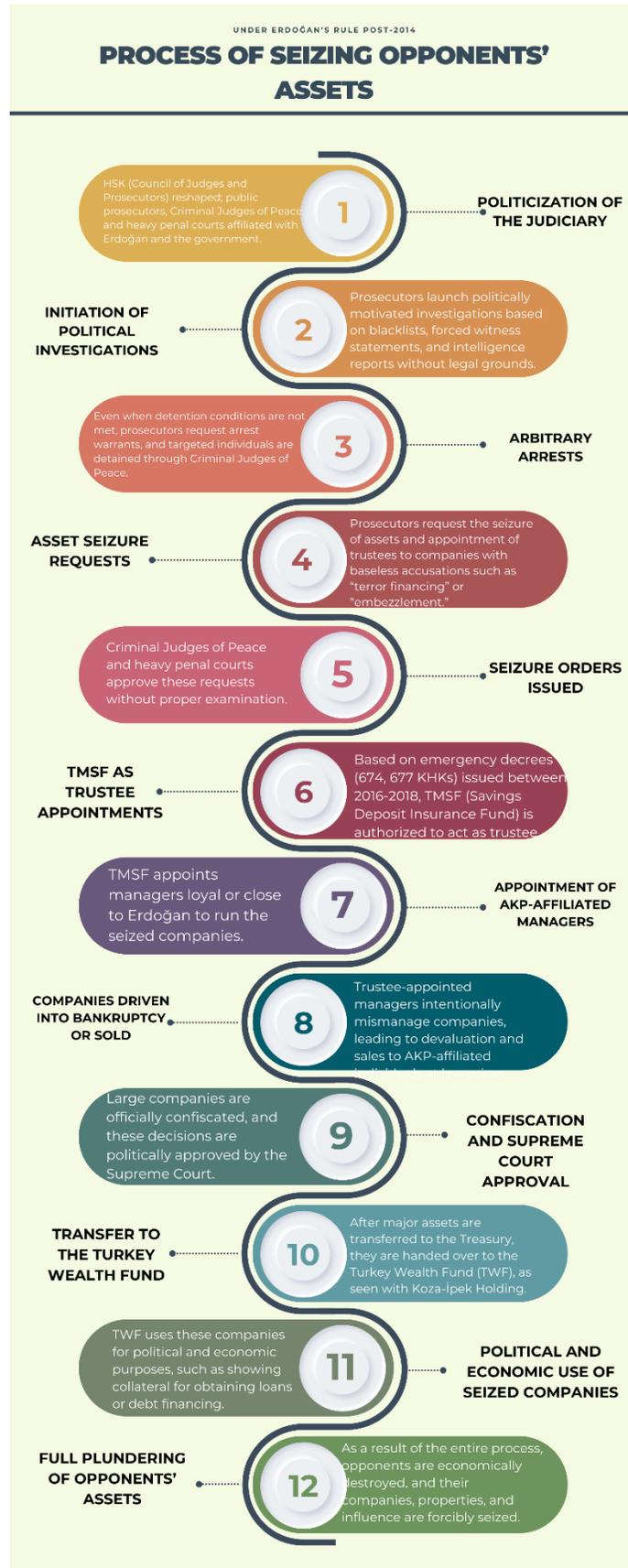
Through Law No. 7145, the government extended TMSF's trustee powers for another 3 years. Thus, exceptional measures became normalized.

Phase 3 (July 2021 – January 2025):

In July 2021, Law No. 7333 further extended TMSF's extraordinary trustee powers for another 3 years. During this phase, targets expanded beyond the Gülen Movement, and companies not affiliated with it but politically opposed to AKP government were also seized. Trusteeship became a systematic political weapon.

Phase 4 (January 2025 – January 2030):

With the passage of Law No. 7539 in January 2025, TMSF's trusteeship and liquidation powers were extended by another 5 years, bringing its total tenure to 14 years. Thus, property rights in Turkey have been fully subjected to arbitrary governmental decisions. Even the CHP, which had previously remained silent during the earlier seizures targeting Gülen Movement-related companies, began to protest after the İmamoğlu case.



STEPS IN THE PROCESS OF SEIZING OPPONENTS' ASSETS

1- Authoritarianism and Politicization of the Judiciary

After coming to power alone in 2002, the AKP government have continuously ruled Turkey for 25 years. Starting in 2010, an authoritarian trend began to manifest, characterized by the weakening of the rule of law, the erosion of judicial independence, the decline of press freedom and human rights and the overall dismantling of democratic values. This process continued with the government's repeated violations of the principle of separation of powers and the suppression of political opposition. During this period, Turkey moved away from democratic norms and evolved into an authoritarian regime.

The constitutional referendum of 2010 significantly altered the balance between the judiciary and the executive branches. It changed the structure of major institutions such as the Constitutional Court and the High Council of Judges and Prosecutors (HSYK), strengthening the government's influence over these institutions⁹. These changes weakened judicial independence and consolidated the executive's control.

The authoritarian trend and democratic backsliding that started post-2010 continued mainly through legal, bureaucratic, and legislative changes until 2013, without resorting to extremely harsh rhetoric. By May 2013, public reactions to government's authoritarianism culminated in the Gezi Park protests. Later that same year, the December 17–25, 2013 Corruption Operations were launched against AKP ministers and individuals close to President Erdoğan. These developments marked a sharp escalation. Following the corruption probes, AKP government intensified its crackdown on dissidents¹⁰.

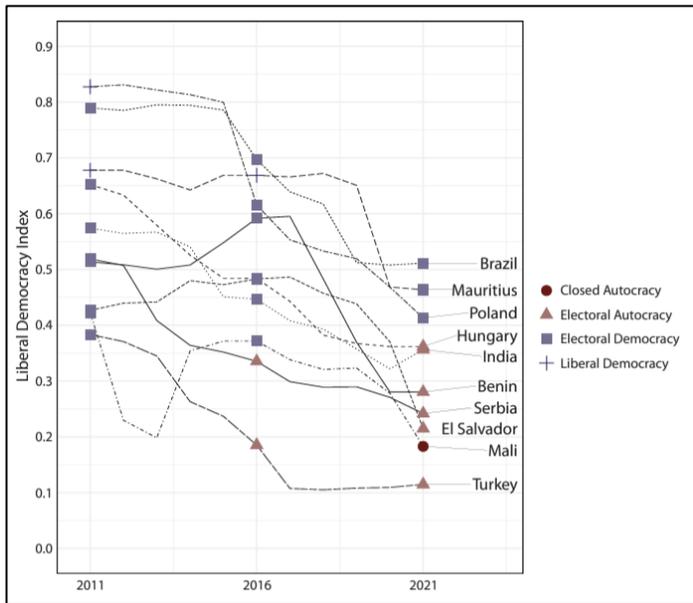
The December 17–25 corruption investigations were among the largest in Turkish history. AKP government considered these investigations as an attempt at a "judicial coup" against his rule. Following these events, Turkey's democratic regression accelerated rapidly. This democratic backsliding was widely noted by both domestic and international actors. Former U.S. President Barack Obama also remarked in an interview that AKP government had shifted from democratic governance towards authoritarianism¹¹.

⁹Gabriela Baghdady\ Turkey's Electoral Authoritarianism\ December 28, 2020

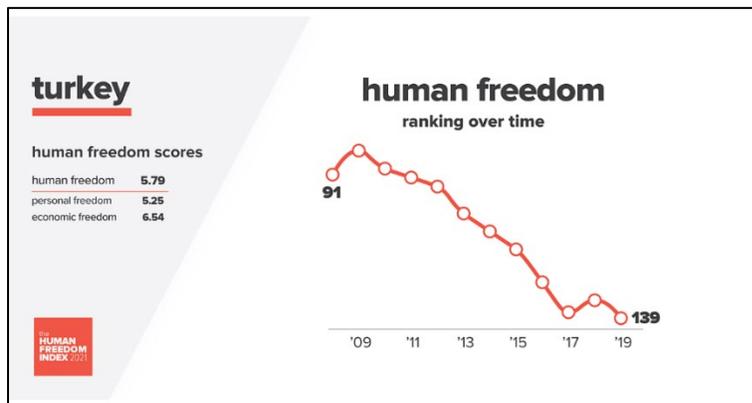
<https://www.sirjournal.org/research/2020/12/28/turkeys-electoral-authoritarianism/>

¹⁰ Kemal Kirişçi and Amanda Sloat, "The rise and fall of liberal democracy in Turkey: Implications for the West," *Brookings Institute*, (Feb. 2019):1, <https://www.brookings.edu/research/the-rise-and-fall-of-liberal-democracy-in-turkey-implications-for-the-west/>.

¹¹ After Turkey's failed coup and the following purge, President Obama considers whether Turkey is still a liberal democracy and stable ally?, CNN channel, 2 Eylül 2016 , <https://www.youtube.com/watch?v=V8vhmvufOO8&t=100s>



As this picture clearly demonstrates, in 2010, Turkey was still a candidate for European Union membership, competing with countries like Poland and Hungary on liberal democracy indices. By 2021, Turkey had fallen below nations such as El Salvador and Mali in the global liberal democracy rankings¹². Turkey transitioned from the "liberal democracy" category to the "electoral authoritarianism" classification.



In the Human Freedom Index, Turkey ranked 91st in 2008 and 83rd in 2009. However, following 2010, Turkey's standing steadily worsened. By the 2020s, Turkey had fallen to 139th place globally, marking a dramatic regression in terms of universal values over just a decade¹³.

In the post-2010 period, as authoritarianism under AKP government deepened, the Gülen Movement, which opposed this authoritarian shift, became a primary target of the government. Six months after the December 17–25, 2013 corruption investigations, the government passed Law No. 6545 on June 28, 2014, abolishing the traditional criminal courts of peace and establishing Criminal Judgeships of Peace (Sulh Ceza Hakimlikleri).

Initially designed to neutralize individuals close to the Gülen Movement, these new courts were given authority over key matters such as arrests, detention appeals, internet bans, asset seizures, and trustee appointments.

¹² V-Dem Institute, Top 10 Democratizing vs. Autocratizing Countries (10-year), page 23, Democracy Report, 2022, Autocratization Changing Nature?

https://v-dem.net/media/publications/dr_2022.pdf#:~:text=URL%3A%20https%3A%2F%2Fv

¹³ Mustafa Akyol, How Turkey Lost Its Freedom - and Even Its Bread, December 17, 2021, <https://www.cato.org/blog/how-turkey-lost-its-freedom-even-its-bread-1>

Thus, the Criminal Judgeships of Peace became a key tool for silencing political opposition. The lack of independence of these judgeships has been highlighted by the Venice Commission¹⁴, the Council of Europe Commissioner for Human Rights¹⁵, the UN High Commissioner for Human Rights, and the International Commission of Jurists¹⁶.

Beyond these judgeships, the High Council of Judges and Prosecutors (HSK), reshaped by AKP government, orchestrated the appointment of loyal prosecutors and judges across:

- Public prosecutor offices,
- Heavy penal courts,
- Courts of appeal, and
- The Court of Cassation (Yargıtay).

In December 2014, with Law No. 6572, the number of chambers and memberships in the Court of Cassation and the Council of State was increased; following this regulation, in the elections of September–October 2014, new pro-government members were appointed to the High Council of Judges and Prosecutors (HSK), the Court of Cassation, and the Council of State. After the attempted coup of July 15, this practice was renewed through the State of Emergency Decree-Law No. 696, adding 100 new members to the Court of Cassation and 16 new members to the Council of State.

During this process, the alignment of the High Council of Judges and Prosecutors (HSK) with the government ensured that the Court of Cassation and the Council of State also aligned; thus, the Supreme Electoral Council (YSK) and the Constitutional Court, influenced by members appointed through this system, were also brought under government control. The balance within the Constitutional Court shifted in favor of the government when Istanbul Chief Public Prosecutor İrfan Fidan, after being appointed to the Court of Cassation, received the highest number of votes in the Constitutional Court membership election and was appointed as a member of the Constitutional Court¹⁷.

2- Initiation of Political Investigations

With the high popular support gained through elections, the AKP government was able to easily implement the necessary legal and administrative regulations on the path to authoritarianism thanks to its parliamentary majority. Following the 2010 constitutional referendum, the AKP government, having brought the judiciary under its control, launched numerous so-called legal but essentially political investigations against political opponents starting from 2014.

¹⁴ Venice Commission: Turkey, Opinion on the duties, competences and functioning of the criminal peace judgeships, adopted by the Venice Commission at its 110th Plenary Session, Venice, 10-11 March, 2017, Paras. 71-72 and 106

¹⁵ Council of Europe's Commissioner for Human Rights. Memorandum on freedom of expression and media freedom in Turkey, February, 2017

¹⁶ International Commission of Jurists, The Turkish Criminal Peace Judgeships and International Law

¹⁷ <https://www.belgelik.dr.tr/ToplumHekim/download.php?Id=EebqRqbAFqE>, s.116

The primary target of the AKP government was the Gülen Movement, which openly opposed the authoritarian drift. Prosecutor's offices, operating under political influence, initiated investigations against individuals opposing the AKP government, based on:

- Profiling records,
- Coerced secret witness statements,
- Intelligence reports,
- And political motives, without any real legal basis.

For example, downloading and using a mobile application named ByLock, or opening an account at Bank Asya which was permitted to operate by the state, was treated as sufficient evidence for charges of terrorist organization membership. (Source: European Court of Human Rights – Yalçınkaya v. Türkiye Judgment, 2023¹⁸).

Following the December 17–25, 2013 corruption scandals, there were large-scale purges and reassignments within the police force. These changes led to the dismissal of officers who had conducted the corruption investigations. The police officers who carried out the investigations were taken into custody on July 22, 2014¹⁹.

The scope of operations and investigations against the Gülen Movement expanded over time, targeting:

- Journalists,
- Public officials,
- Soldiers,
- Police officers,
- Teachers,
- Tradespeople,
- University students,
- Businesspeople, and many others.

Approximately 2 million investigations were launched. Within the scope of these investigations, 600,000 people were indicted, and more than 300,000 individuals were convicted²⁰.

3- Arbitrary Nature of Arrests

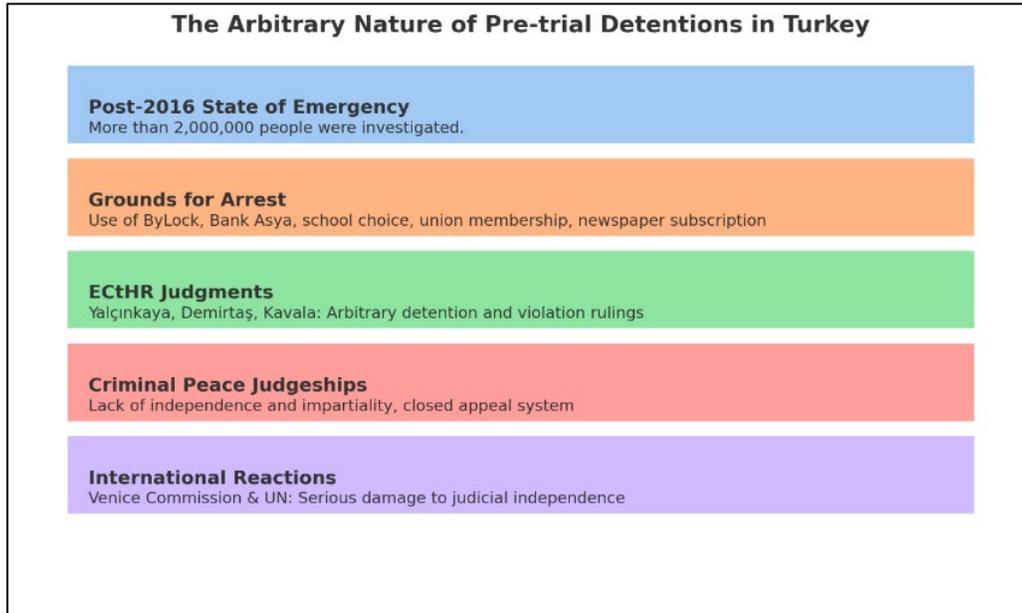
Within the scope of the political investigations initiated by the prosecutor's offices, hundreds of thousands of people were arrested by the Criminal Judgeships of Peace, even though the conditions for detention were not met. In recent years, the increase in arbitrary political detentions in Turkey, along with the weakening of judicial independence and violations of fundamental rights, has become one of the most prominent indicators of democratic regression.

¹⁸ <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-228393%22%5D%7D>

¹⁹ <https://t24.com.tr/haber/gulen-cemaatine-sahur-operasyonu-paralel-yapi-baskinlari-polis-evleriyle-basladi,265158>

²⁰ <https://turkeyrightsmonitor.com/teror-sucu-istatistikleri>

In this context, the detention processes of businessman and civil society activist Osman Kavala and former Co-Chair of the Peoples' Democratic Party (HDP) Selahattin Demirtaş have resonated widely in national and international public opinion. The detention of Istanbul Metropolitan Mayor Ekrem İmamoğlu following politically motivated investigations has become the latest example of arbitrary detention.



4- Requests for Seizure of Assets and Companies

In the political investigations initiated by prosecutors under the influence of the AKP government, individuals are arrested even when the conditions for detention are not present. At the same time, prosecutors, using the investigations they launched (such as membership in a terrorist organization, financing terrorism, forming an organized crime group, etc.) as a pretext, also request the seizure of the assets and companies of these political opponents.

Prosecutors have based their asset seizure requests on Article 128 of the Criminal Procedure Code (CMK), and their trustee appointment requests on Article 133.

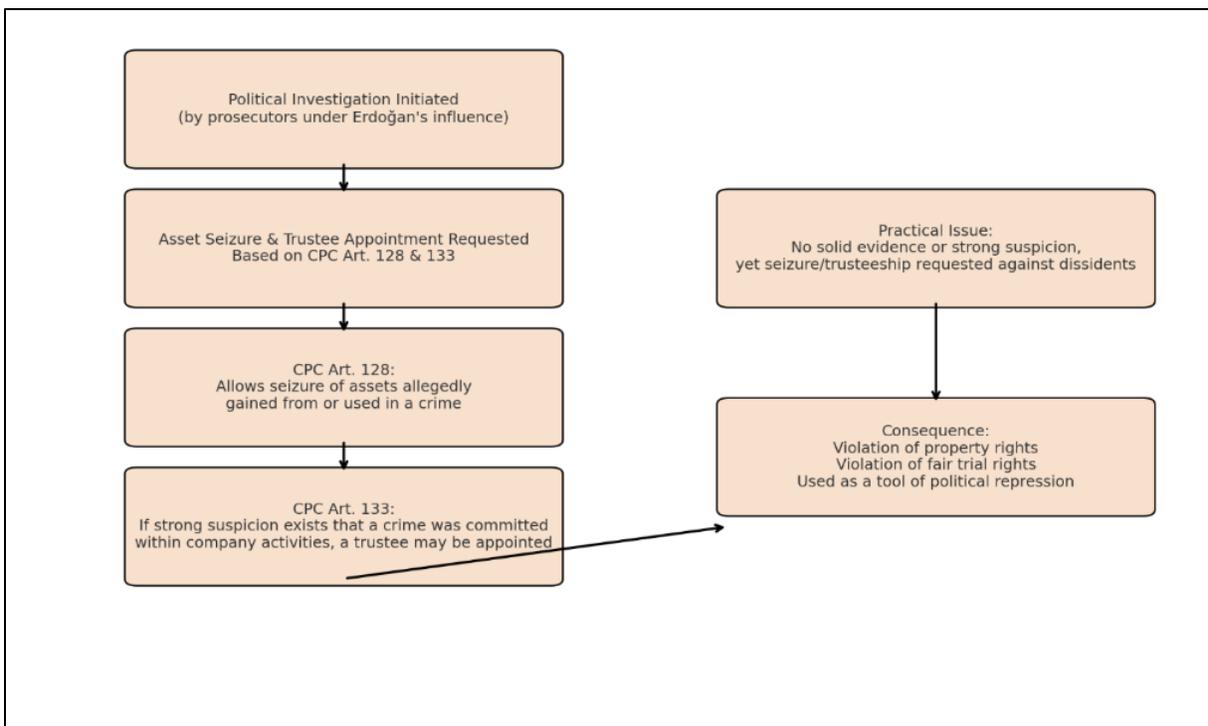
- Article 128 of the CMK allows for the seizure of assets suspected to have been obtained through a crime or used in the commission of a crime.
- Article 133 stipulates that if there is strong suspicion that an offense was committed during a company's activities and if it is necessary for the uncovering of the material truth, a judge or a court may appoint a trustee to manage the company during the investigation or prosecution process.

The purpose of the "appointment of a trustee for company management" measure introduced by the CMK is to protect the rights of the company itself, its shareholders and third parties associated with them, even if interference in the company's activities is necessary.

Thus, trustee appointment is inherently a temporary protective measure. However, in practice, prosecutors have been requesting the seizure of assets and the appointment of trustees for political opponents without meeting the necessary legal conditions outlined by these laws.

5- Unlawful Approval of Seizure Requests by Courts

The asset seizure and trustee appointment requests made by prosecutors have been approved by courts without any serious legal scrutiny. It has been observed that the decisions made by the Criminal Judgeships of Peace have been upheld without annulment by Heavy Penal Courts and High courts such as Courts of Appeal and the Court of Cassation (Yargıtay). Thus, there has been no effective legal oversight over the asset seizure and trustee appointment requests submitted by the prosecution.



6- Seizure of Opponent Companies Through Trusteeship

In cases where there is a legal problem regarding the management of a company, a trustee may be appointed by courts or relevant legal authorities. The main purpose of appointing a trustee is to resolve certain management problems and to ensure the company's normal operations.

Trustee appointments are generally intended as temporary measures, and once the issues are resolved, the company is expected to return to its normal management structure. However, after

2010, during the AKP government era, the "trustee appointment method" has been used primarily as a tool to seize the assets of political opponents, especially individuals and institutions alleged to be affiliated with the Gülen Movement.

Within this framework, thousands of companies were subjected to investigations under allegations such as "membership in a terrorist organization" and "providing financial support to terrorism." Their assets were confiscated through court orders. Trustees loyal to the AKP government were appointed to manage these companies and their properties.

Following the investigation launched against Ekrem İmamoğlu, dozens of companies—including İmamoğlu Construction Inc.—had trustees appointed through TMSF (Savings Deposit Insurance Fund). This sparked serious public criticism about the lack of property rights protection in Turkey.

In fact, systematic attacks on property rights under AKP government have been ongoing for years. The systematic violation of property rights by state institutions in Turkey did not start with İmamoğlu's case; it has continued since the authoritarian shift that began post-2010, especially escalating after the politically motivated investigations targeting the Gülen Movement after 2014.

In fact, systematic attacks on property rights under AKP government have been ongoing for years. The systematic violation of property rights by state institutions in Turkey did not start with İmamoğlu's case; it has continued since the authoritarian shift that began post-2010, especially escalating after the politically motivated investigations targeting the Gülen Movement after 2014.

How Were Trustees Appointed to Companies Allegedly Linked to the Gülen Movement?

In the initial phase of appointing trustees to companies allegedly linked to the Gülen Movement, the process involved the profiling of firms. Within this scope, police and intelligence units used various data to profile individuals and companies. Individuals engaging in activities that were entirely legal and not classified as crimes under the law were identified. Some of the data used for profiling included the following:

- Subscribing to publications such as Bugün newspaper, Zaman newspaper, Aksiyon magazine, and Sızıntı magazine, which were legally established and operated by individuals close to the Gülen Movement;
- Having an account at Bank Asya, which was lawfully founded and operated under state supervision by individuals close to the Gülen Movement;
- Enrolling children in private schools, preschools, and tutoring centers associated with the Gülen Movement and licensed by the Ministry of National Education;
- Being a member of civil society organizations such as Aktif Eğitimciler Sendikası, legally established under union laws and permitted by the Ministry of Interior;
- Downloading the ByLock messaging application available on Google Play, Appstore;
- Donating to humanitarian aid organizations such as Kimse Yok Mu, which operated legally.

Legal activities carried out by individuals are treated as crimes, and based on the actions listed above, investigations are initiated by law enforcement units (police and prosecutors) on charges such as "membership in a terrorist organization" or "aiding a terrorist organization." Individuals who are subjected to investigations are detained and arrested by the prosecutors.

Prosecutors, considering activities such as depositing money into a bank that has been declared by the European Court of Human Rights (ECHR) and UN bodies as not compliant with universal law, using a messaging application, and being a member of lawful unions and associations as crimes, appoint trustees to the companies owned or partnered by these individuals under Article 133 of the Criminal Procedure Code (CMK) without concrete evidence demonstrating strong suspicion of a crime, on grounds such as "financing terrorism" or "connection with structures posing a threat to national security."

The AKP government, which targeted the Gülen Movement for supporting the corruption investigations, initially chose to silence the press and broadcasting organs that served as the Gülen Movement's means of reaching the public. This situation demonstrates that the appointment of trustees in the fight against the Gülen Movement was not carried out based on legal grounds but rather aligned with the political agenda of the AKP government at that time. Before the elections to be held on November 7, 2015, **trustees were appointed to influential opposition TV channels to prevent independent and impartial broadcasting and to block the public from being informed about the corruption allegations** against the AKP government.

The press and broadcasting organs that were stripped of their ability to broadcast impartially through trustee appointments during this period are as follows:

- Bugün TV, Kanaltürk, Bugün and Millet newspapers belonging to Koza İpek Holding (October 26, 2015)
- Zaman Newspaper belonging to Feza Gazetecilik A.Ş. (March 4, 2016)
- Cihan News Agency belonging to Cihan Haber Ajansı ve Reklamcılık A.Ş. (March 8, 2016)
- Samanyolu TV belonging to Işık Medya Planlama Reklamcılık Filmcilik Sanayi ve Ticaret A.Ş. (April 12, 2016)

With the decision dated 26.10.2015 and numbered 2015/4104 of the Ankara 5th Criminal Judgeship of Peace, trustees were appointed to Koza-İpek Holding, one of Turkey's largest conglomerates, and its 22 affiliated companies, which included media organizations such as Kanaltürk TV and Bugün newspaper.

After trustees were appointed to Koza-İpek Holding and the media outlets within the holding, Cem Küçük, a columnist for Star Newspaper who supported the AKP government's policies and targeted journalists resisting the trustee appointment, announced on his program on Kanal 24 that trustees would soon be appointed to Samanyolu Television and Zaman Newspaper as well. In his speech, Cem Küçük stated:

"It's over for Samanyolu and Zaman. They will soon be placed under trusteeship. I am announcing it here. I don't know whether the friends working there will resist or find a new job. These are their

*last days*²¹." Pro-government columnist Cem Küçük also stated on a TV program on November 5, 2015, regarding the purge of the Gülen Movement: "All their financial networks will be destroyed, all their structures will be eliminated, and this will happen within 100 days²²." Indeed, a few months after Cem Küçük's statements, Trustees were appointed to Zaman Newspaper on March 4, 2016; Cihan News Agency on March 8, 2016 and Samanyolu TV on April 12, 2016.



Title of the Column by Star Newspaper Columnist Cem Küçük Dated March 5, 2016:
Trusteeship for Zaman and the Upcoming Process to Be Experienced

Investigations Against the Gülen Movement and the Appointment of TMSF as Trustee to Thousands of Companies

Within the scope of investigations launched against the Gülen Movement in 2014, the number of companies for which trustees were appointed by courts and where the trustee duty was carried out by TMSF over approximately a 12-year period is **1,371**.

Previously, the duty of company trusteeship determined by courts was assigned to the Savings Deposit Insurance Fund (TMSF) with Decree-Law No. 674 issued during the State of Emergency (OHAL) period. Since that date, TMSF has been used to seize opposition companies. Among the companies where trustees were appointed are major firms recognized both in Turkey and worldwide, such as:

- Boydak Holding (İstikbal, Bellona),
- Koza-İpek Holding,
- Aydınli Ready-to-Wear Group,
- And Uğur Cooling.

The trustee appointments led to serious changes in terms of corporate governance, economic value, and market value of these companies. Approximately **40,000 people** were employed at the companies where trustees were appointed. These companies were operating across 40 different sectors. According to the CHP's report on the State of Emergency process, based on 2015 data regarding companies transferred to TMSF:

- Boydak Holding was operating in 8 sectors with 41 companies and 14,000 employees;

²¹ <https://t24.com.tr/haber/samanyolu-tv-dizi-ve-program-cekimlerini-durdurdu,315401>

²² <https://www.sabah.com.tr/gundem/2015/11/05/feto-100-gun-icinde-bitecek>

- Kaynak Holding was operating in 16 sectors with 31 companies and 10,304 employees;
- Koza-İpek Holding with 18 companies;
- Naksan Holding with 51 companies and 3,800 employees;
- Aydınli Group with 3,800 employees.

Out of the 1,371 companies for which TMSF was appointed as trustee, trustee decisions have ended for 643 companies due to reasons such as **sale, bankruptcy, liquidation, or return to owners**.

Within this framework, TMSF currently continues to act as trustee for a total of 694 companies in 32 provinces of Turkey. In addition, TMSF has been appointed as a "share trustee" in 82 companies and as a trustee over the assets of 93 individuals. Data regarding the trustee appointments are shown in the table below:

| | | | |
|--|-------------|---|----|
| Number of companies currently managed by the SDIF as trustee | 694 | Number of companies to which the SDIF was appointed as "share trustee" (less than 50 per cent of the shares) | 82 |
| Number of companies in the process of sale and liquidation | 34 | Number of real persons to whose assets the SDIF appointed a trustee under Article 128 of the Code of Criminal Procedure | 93 |
| Number of companies whose sale, liquidation and return procedures were completed | 643 | | |
| Total number of companies to which the SDIF was appointed as trustee | 1371 | | |

According to the latest data announced by TMSF, the figures regarding the total assets of the 694 companies managed by TMSF as trustee are as follows:

| Asset size of companies transferred to the SDIF within the scope of investigations against the Gülen Movement (USD) | Date | USD/TL exchange rate | Asset size of companies |
|---|-----------------------|----------------------|-----------------------------------|
| | September 2016 | 2.95 | 13 billion 380 million USD |
| | September 2021 | 8.82 | 8 billion 673 million USD |
| | December 2023 | 28 | 5 billion 210 million USD |

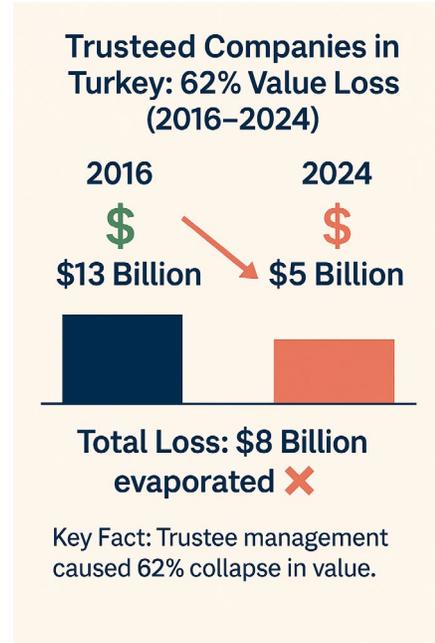
Within the scope of investigations against the Gülen Movement, it is observed that the value of the companies to which trustees were appointed was approximately 13 billion dollars in 2016, but the value dropped to 8 billion dollars five years later; indicating a 40% loss in value over five years. During the years when the companies continued to be managed by trustees, their total asset value continued to deteriorate. By the end of 2023, it was observed that the value of the companies had dropped to 5 billion dollars. In this situation, the companies placed under trusteeship lost 62% of their value over the 8 years from 2016 to 2024. This data reveals that the companies were largely evaporated under trustee management.

Systematic violations of property rights against the Gülen Movement were not limited to trustee appointments to companies. During the State of Emergency period, 12 Decree-Laws (KHKs) were issued, and **3,942 institutions were closed across 81 provinces**. The approximate value of the nearly 4,000 closed institutions is estimated at 100 billion dollars²³.

According to information provided by the General Directorate of Land Registry and Cadastre to the Grand National Assembly of Turkey (TBMM) Inquiry Commission, 4,351 properties were transferred to the Treasury, 2,214 properties were transferred to the General Directorate of Foundations. A total of 7.2 million square meters of real estate belonging to these closed institutions and organizations were registered under the Treasury in land registries.

Distribution of Closed Institutions

| INSTITUTION TYPE | NUMBER |
|-------------------------|--------|
| Association | 1,410 |
| Private School | 1,034 |
| Dormitory | 835 |
| Private Tutoring Center | 301 |
| Foundation | 109 |
| Newspaper | 53 |



²³ <https://www.hurriyet.com.tr/ekonomi/kapatilan-kurumlarin-degeri-en-az-100-milyar-dolar-40170575>

| INSTITUTION TYPE | NUMBER |
|------------------------|--------|
| Healthcare Institution | 47 |
| Publishing House | 29 |
| Radio Station | 22 |
| Magazine | 20 |
| Trade Union | 19 |
| Television Channel | 19 |
| Federation | 19 |
| University | 15 |
| News Agency | 6 |
| Confederation | 4 |
| TOTAL | 3,942 |

7- Appointment of Individuals Close to the AKP as Managers to Companies

As a state institution under the AKP government, TMSF appoints individuals close to the AKP government as managers to the companies of political opponents. In the trustee appointments made to companies allegedly affiliated with the Gülen Movement, it has been observed that:

- The appointed trustees do not meet the required qualifications,
- They do not act impartially towards the companies or the Gülen Movement,
- Trustees are selected from a specific group of individuals,
- The same individuals are appointed as trustees to multiple companies simultaneously,
- And the appointed trustees are bureaucrats, businessmen, AKP candidates, or relatives of AKP members of parliament who work with or are close to the AKP government.

For example, **Yahya Üstün**, who served as the Press Advisor for Turkish Airlines (THY), was appointed by TMSF as trustee to around 40 companies²⁴ at the same time, including Kaynak Media, Işık Publishing, Gökkuşluğu Marketing, Kaynak Paper, Erguvan Corporate Support Services,

²⁴ <https://www.indyturk.com/node/39041/haber/thy-bas%C4%B1n-m%C3%BC%C5%9Faviri-40-%C5%9Firketin-y%C3%B6netim-kurulu-%C3%BCyeli%C4%9Finden-toplam-7-bin-tl-maa%C5%9F>

Ney Publishing, Anadolu Fen Education Enterprises, and Feta Textile, all affiliated with Kaynak Holding.

Reports have stated that **Yahya Üstün was a classmate of Bilal Erdoğan**, the son of President Erdoğan, at Kartal İmam Hatip High School, and that he was appointed to the THY Press Office because of this closeness. Yahya Üstün also served as the European General Broadcasting Director for ATV, a TV channel that supports the AKP government.

It is evident that an individual so close to the AKP government and its policies cannot perform the trustee duty, which is supposed to be carried out impartially on behalf of the public as a "public official," in a neutral manner. Moreover, despite having an education and experience in the field of communication and media, Yahya Üstün was appointed as trustee to dozens of companies operating in completely different sectors such as marketing, education, logistics, corporate support services, and textiles simultaneously.

These and similar trustee appointments demonstrate that the trustee assignments made within the scope of investigations against the Gülen Movement were not based on merit principles to continue the activities of the companies or to manage them according to market conditions.

| Registry No | First Name | Last Name | Position | Title | District |
|-------------|------------|-----------|--------------|--|----------|
| 87426461 | YAHYA | ÜSTÜN | Board Member | KERVANSARAY TRAVEL ACCOMMODATION TOURISM AND ORGANIZATION SERVICES JOINT STOCK COMPANY | ÜMRANIYE |
| 92426163 | YAHYA | ÜSTÜN | Board Member | SAKARYA RENEWABLE WIND ENERGY ELECTRICITY GENERATION INDUSTRY AND TRADE JOINT STOCK COMPANY | BAĞCILAR |
| 92392330 | YAHYA | ÜSTÜN | Board Member | KIZILIRMAK RENEWABLE WIND ENERGY ELECTRICITY GENERATION INDUSTRY AND TRADE JOINT STOCK COMPANY | BAĞCILAR |
| 92392331 | YAHYA | ÜSTÜN | Board Member | SEYHAN RENEWABLE WIND ENERGY ELECTRICITY GENERATION INDUSTRY AND TRADE JOINT STOCK COMPANY | BAĞCILAR |

| | | | | | |
|----------|-------|-------|--------------|--|----------|
| 92392332 | YAHYA | ÜSTÜN | Board Member | GÖNEN RENEWABLE WIND ENERGY ELECTRICITY GENERATION INDUSTRY AND TRADE JOINT STOCK COMPANY | BAĞCILAR |
| 92392333 | YAHYA | ÜSTÜN | Board Member | AYVACIK RENEWABLE WIND ENERGY ELECTRICITY GENERATION INDUSTRY AND TRADE JOINT STOCK COMPANY | BAĞCILAR |
| 92392140 | YAHYA | ÜSTÜN | Board Member | SÜPER PUBLICATIONS AND EDUCATION EQUIPMENT TRADE JOINT STOCK COMPANY | ÜMRANIYE |
| 92426460 | YAHYA | ÜSTÜN | Board Member | ŞİFRE PUBLISHING AND MEDIA SOFTWARE ADVERTISING CONSULTANCY AND TRADE JOINT STOCK COMPANY | ÜMRANIYE |
| 92426459 | YAHYA | ÜSTÜN | Board Member | İŞİK MEDIA PLANNING ADVERTISING BROADCASTING CONSULTANCY SERVICE AND TRADE JOINT STOCK COMPANY | ÜMRANIYE |
| 35149190 | YAHYA | ÜSTÜN | Board Member | ZAMBAK ARCHITECTURE ENGINEERING CONSTRUCTION INDUSTRY AND TRADE JOINT STOCK COMPANY | BAĞCILAR |
| 36724560 | YAHYA | ÜSTÜN | Board Member | KAYNAK HOLDING JOINT STOCK COMPANY | BAĞCILAR |
| 36724559 | YAHYA | ÜSTÜN | Board Member | KAYNAK MEDIA JOINT STOCK COMPANY | ÜMRANIYE |
| 35149194 | YAHYA | ÜSTÜN | Board Member | SÜRAT EDUCATIONAL TOOLS AND OFFICE FURNITURE SYSTEMS JOINT STOCK COMPANY | ÜMRANIYE |
| 35149196 | YAHYA | ÜSTÜN | Board Member | KAYNAK INDEPENDENT AUDIT AND CONSULTING JOINT STOCK COMPANY | ÜMRANIYE |

| | | | | | |
|----------|-------|-------|--------------|--|----------|
| 35149193 | YAHYA | ÜSTÜN | Board Member | KAYNAK FOREIGN TRADE JOINT STOCK COMPANY | ÜMRANİYE |
| 42224820 | YAHYA | ÜSTÜN | Board Member | NT BOOKSHOP STATIONERY OFFICE SUPPLIES MARKETING AND TOURISM TRADE JOINT STOCK COMPANY | ÜMRANİYE |
| 42234833 | YAHYA | ÜSTÜN | Board Member | IŞIK PUBLISHING TRADE JOINT STOCK COMPANY | ÜMRANİYE |
| 35149197 | YAHYA | ÜSTÜN | Board Member | GÖKKUŞAĞI MARKETING DISTRIBUTION AND TRADE JOINT STOCK COMPANY | ÜMRANİYE |
| 35149195 | YAHYA | ÜSTÜN | Board Member | KAYNAK PAPER INDUSTRY AND TRADE JOINT STOCK COMPANY | BAĞCILAR |

With the decision dated 26.10.2015 of the Ankara 5th Criminal Judgeship of Peace, **Ümit Önal** was appointed as trustee to İpek Online Information Services Limited Company, Koza Production and Trade Joint Stock Company, and Rek-tur Advertising Marketing and Trade Limited Company, all affiliated with Koza-İpek Holding. Ümit Önal is currently serving as the CEO-General Manager of Türk Telekom, a company operated under a public-private partnership²⁵. In previous periods, Ümit Önal held the position of Advertising Group President at the Turkuaz Media Group, which broadcasted in favor of the AKP government.

Tahsin Kaplan, who is currently serving as the Deputy General Manager of Legal and Regulation at Türk Telekom, was appointed as trustee to Cihan Media Distribution Joint Stock Company and Dünya Distribution Joint Stock Company with the decision dated March 21, 2016 by the Istanbul 2nd Criminal Judgeship of Peace.

Nevzat Demiröz, who was appointed as a trustee to Koza-İpek Holding and its affiliated companies, is the brother of Vedat Demiröz, the Deputy Chairman of the AKP and Member of Parliament for Bitlis, and has also served as the AKP Beylikdüzü District Chairman.

In trustee appointments, certain individuals were appointed as trustees to a large number of companies simultaneously. For example, Bülent Navruz was appointed to 110 companies, Tahsin Yazan to 107 companies, Ayten Altıntaş to 103 companies, Mustafa Ertaş to 102 companies, Aytekin Karahan to 101 companies.

²⁵ <https://www.ttyatirimciliskileri.com.tr/tr-tr/kurumsal-yonetim/sayfalar/ust-yonetim>

| # | Trustee Name-Surname | Number of Companies Assigned |
|----|----------------------|------------------------------|
| 1 | Bülent Navruz | 110 |
| 2 | Tahsin Yazan | 107 |
| 3 | Ayten Altıntaş | 103 |
| 4 | Mustafa Ertaş | 102 |
| 5 | Aytekin Karahan | 101 |
| 6 | Erol Aykut | 101 |
| 7 | Ertuğrul Erdoğan | 101 |
| 8 | Hüseyin Yaşar | 101 |
| 9 | İmran Okumuş | 101 |
| 10 | İsmail Gülen | 101 |
| 11 | Levent Küçük | 101 |
| 12 | Sezai Çiçek | 101 |
| 13 | Mehmet Rıdvan İnan | 100 |
| 14 | Ali Altıntaş | 97 |
| 15 | Ünal Bilgili | 94 |
| 16 | Ahmet Kadir Pürsün | 93 |
| 17 | Mahmut Birlik | 91 |
| 18 | Yaşar Atlıgan | 90 |
| 19 | Melek Küreemoğlu | 89 |
| 20 | Abdulkadir Koçak | 86 |
| 21 | Metin Üzümcü | 84 |
| 22 | Süleyman Engin | 84 |

8- Damaging or Selling Opponent Companies

The opposition companies managed by individuals affiliated with or close to the AKP government have been mismanaged over time, causing them to suffer losses, go bankrupt, or be sold through sham tenders at prices far below their actual value to individuals close to the AKP government.

During the state of emergency declared in Turkey on July 21, 2016, the second State of Emergency Decree-Law (Decree-Law No. 668) issued on July 27, 2016, in its Article 37, stated:

*"Persons who made decisions, implemented decisions or measures, and took any kind of judicial and administrative measures within the scope of suppressing the coup attempt and terrorist actions carried out on 15/7/2016 and **actions considered as their continuation**, and persons who made decisions and performed duties within the scope of the decree-laws issued during the state of emergency, **shall not have any legal, administrative, financial, or criminal liability for these decisions, duties, and acts.**"* Thus, the administrative, financial, and criminal responsibilities of

TMSF and the trustees appointed to companies were abolished by law through the AKP government.

Responsibility

ARTICLE 9 – (1) Individuals who make decisions or perform duties within the scope of this Decree Law shall not incur legal, administrative, financial, or criminal liability for these decisions or duties.

Suspension of Execution

ARTICLE 10 – (1) No decision to suspend execution may be issued in lawsuits filed due to decisions made and actions taken within the scope of this Decree Law.

Article 37 of the Decree Law No. 668

Article 37 of the Decree Law No. 668, which eliminated the responsibility of those who took part in these processes and made decisions, was enacted into law with the Law No. 6755 on 24.11.2016 and the guarantee of irresponsibility granted to the trustees was made permanent. Not satisfied with this, the AKP government, 4 years after the end of the state of emergency in 2018, on 26/5/2022, with Article 17 of the Law No. 7407, *re-enacted the regulation that eliminates the legal, administrative, financial and criminal responsibilities* of the trustees appointed to the companies belonging to / close to the Gülen movement and all public officials involved in these processes.

ARTICLE 17 – The first and second paragraphs of Article 20 of Law No. 6758 have been amended as follows:

“(1) The management and supervision of the rights, excluding dividends and voting rights, of partnerships transferred to the Savings Deposit Insurance Fund (SDIF) on 19 October 2005 under the Banking Law No. 5411, as well as the management and representation of companies and their assets by the Fund, or by trustees appointed by the Fund, with or without seizure authority, in the context of protecting and managing these companies and assets, shall be carried out in accordance with the provisions of the Law. Whether the companies and their assets are transferred to the Fund shall not alter this duty. **The individuals appointed or assigned in this context, who have the authority to manage or represent such assets and entities, shall be subject to the provisions of Article 37 of the Law No. 6755, dated 8 November 2016, regarding the amendment of the Decree Law on Measures to Be Taken Under the State of Emergency and the Regulation of Certain Institutions and Bodies, concerning the**

Article 17 of Law No. 7407

With Article 11 of Decree-Law No. 675, it was stipulated that:

"No personal liability shall be imposed on trustees appointed to institutions, organizations, private radio and television stations, newspapers, magazines, publishing houses, distribution channels, and companies closed due to affiliation, connection, or relation with the Gülen movement, as well as managers and liquidation officers assigned by the relevant institutions as required by legislation, for the public debts, Social Security Institution debts, any kind of employee receivables, and other debts arising from legislation of the institutions, organizations, private radio and television stations,

newspapers, magazines, publishing houses, distribution channels, and companies to which they were appointed or assigned, whether accrued or to be accrued."

The removal of the personal, legal, administrative, financial, and criminal responsibilities of the trustees appointed to companies and assets through decree-laws and laws encouraged the trustees to engage in unlawful practices, giving them the confidence that the AKP government would protect them under any circumstances. Trustees, relying on these unlawful regulations, became involved in numerous acts of corruption within the companies belonging to the Gülen Movement, drained the companies' assets, and sold the companies — whose value had significantly depreciated — through sham tenders at prices far below their real worth to other government loyalists.

Numerous irregularities involving trustees appointed to companies have even been reflected in the media.

For example, it was revealed that Ertunç Laçinel, CEO of Boydak Holding, which was transferred to TMSF in 2016 and renamed Erciyes Anadolu Holding in 2019, caused Boydak Holding to suffer a loss of 1 million 200 thousand euros by purchasing warehouse services through another company he had established in Slovakia²⁶.

After the news about Ertunç Laçinel surfaced and he was dismissed, it was revealed that Alpaslan Baki Ertekin, who was appointed as the new CEO of Boydak Holding, transferred approximately 66 million Turkish lira from Boydak Holding's funds in 2021 to foundations and organizations such as TÜGVA, TÜRGEV, and the İlim Yayma Society, all of which are supported by the AKP government²⁷.

On November 17, 2015, Ali Arslan Giritli, the Judge of Istanbul Anadolu 10th Criminal Judgeship of Peace, appointed a seven-member trustee board to 19 companies, 1 foundation, and 1 association affiliated with Kaynak Holding. It was revealed that one of the trustees appointed to Kaynak Holding and its affiliated companies, Aytekin Karahan, had been listed as a suspect in an operation conducted by the Ankara Police regarding the Public Procurement Authority in 2012. After the operation, a lawsuit was filed against Karahan and several Public Procurement Authority bureaucrats on charges of bid rigging and forming a criminal organization to commit crimes. It was also revealed that Aytekin Karahan was still being tried at the Ankara 8th High Criminal Court on charges of membership in a criminal organization, bid rigging, and bribery²⁸.

Some companies managed by TMSF have been put up for sale.

It was observed that the tender prices of the sold companies were significantly below their market value. After trustees were appointed to Kaynak Holding in November 2015, the company Sürat Kargo, managed by trustees, was decided to be sold by TMSF in July 2021 on the grounds that "its financial situation, partnership structure, other problems, or market conditions were deemed

²⁶ <https://www.patronlardunyasi.com/milyon-avroluk-zarar-boydak-holdingten-kotu-kokular-geliyor>

²⁷ <https://www.sozcu.com.tr/akp-vakiflarina-66-milyon-tl-aktaran-alpaslan-baki-ertekin-iktidar-degisirse-gorevi-birakirim-wp7658953>

²⁸ <https://t24.com.tr/haber/kayyum-atanan-aytekin-karahan-kamu-ihalelerine-fesat-suphelisi.317153>

unsustainable." The tender price for Sürat Kargo was set at 325 million Turkish lira and was sold for 335 million Turkish lira after the tender.

Before the trustee appointment (prior to November 2015), negotiations were held with a foreign company for the sale of Sürat Kargo, and the company's value was determined to be between 350–500 million dollars.

According to the exchange rate of July 2021, this value corresponds to approximately 2 billion 975 million Turkish lira. Thus, Sürat Kargo, which had a value close to 3 billion TL, was sold for only 335.5 million TL, **roughly one-tenth of its value**²⁹.

The sale of Sürat Kargo at a price far below its market value demonstrates that TMSF did not fulfill its duty to protect the value of the company.

9- Confiscation of Large Companies

Heavy penal courts have been issuing confiscation (permanent transfer to the state) decisions for companies managed by TMSF that are too large to go bankrupt. These decisions are also approved by high judicial bodies affiliated with the government, ensuring the transfer of these companies to the state treasury.

The **Koza-İpek Group**, founded in the 1940s, grew in the media, mining (Koza Gold), and energy sectors. By 2015, it had become **a billion-dollar holding**. On October 26, 2015, the Ankara 5th Criminal Judgeship of Peace decided to appoint trustees to Koza-İpek Holding and its 25 affiliated companies on allegations of ties to the Gülen Movement.

In November 2016, the management of Koza-İpek Holding companies was transferred to TMSF (Savings Deposit Insurance Fund). In 2020, the Ankara 24th High Criminal Court sentenced the executives of the holding to up to 79 years in prison and ruled for the confiscation of the companies under TMSF management. In 2023, the Court of Cassation (Yargıtay) upheld this decision, and all of the companies were transferred to the State Treasury³⁰.

10- Transfer to the Turkey Wealth Fund

After the confiscation decision, Koza-İpek Holding and its affiliated companies, which were transferred from TMSF to the Treasury, were transferred **to the** Turkey Wealth Fund by Presidential Decision on August 20, 2024³¹. The Turkey Wealth Fund (TVF), established in 2016, manages the assets of Turkey's key companies. Since 2018, its chairmanship has been held by President Erdoğan.

All board members are appointed by President Erdoğan. There is no parliamentary or judicial oversight over the activities of the TVF.

²⁹ <https://www.tr724.com/gasp-edilen-surat-kargo-10da-bir-fiyatinapeskes-cekiliyor/>

³⁰ <https://www.aa.com.tr/tr/gundem/yargitay-koza-ipek-holding-davasinda-verilen-mahkumiyet-ve-musadere-kararlarini-onadi/2872744>

³¹ <https://medyascope.tv/2024/08/20/koza-ipek-holding-dahil-12-sirketin-hisselerinin-tamami-varlik-fonuna-aktarildi/>

11- Use of Opponent Companies as Tools in Political and Economic Policies

The companies transferred to the Turkey Wealth Fund are used in the government's strategic plans, such as obtaining foreign loans, providing loan guarantees, and establishing economic balance.

These companies are transformed into economic instruments serving the interests of the political power rather than the public good³².

12- Looting of Opponent Companies Through Legal and State Institutions

Opponents who face politically motivated terrorism and corruption investigations because of their opposition are arrested by judicial institutions designed by the political power, and their freedoms are taken away. At the same time, these unlawful investigations are used as pretexts for seizing the assets and companies that these opponents have built with years of effort, all in a single day. This situation, which particularly started after 2014 with investigations targeting the Gülen Movement, continued until 2025 by targeting the CHP and its supporters.

This looting system, involving legal regulations, state institutions such as TMSF, courts, the Court of Cassation (Yargıtay), the Turkey Wealth Fund, and politicians, has been committing major injustices for decades.

³² <https://www.dw.com/tr/t%C3%BCrkiye-varl%C4%B1k-fonu-ile-ilgili-soru-i%C5%9Faretleri-art%C4%B1yor/a-50744660>

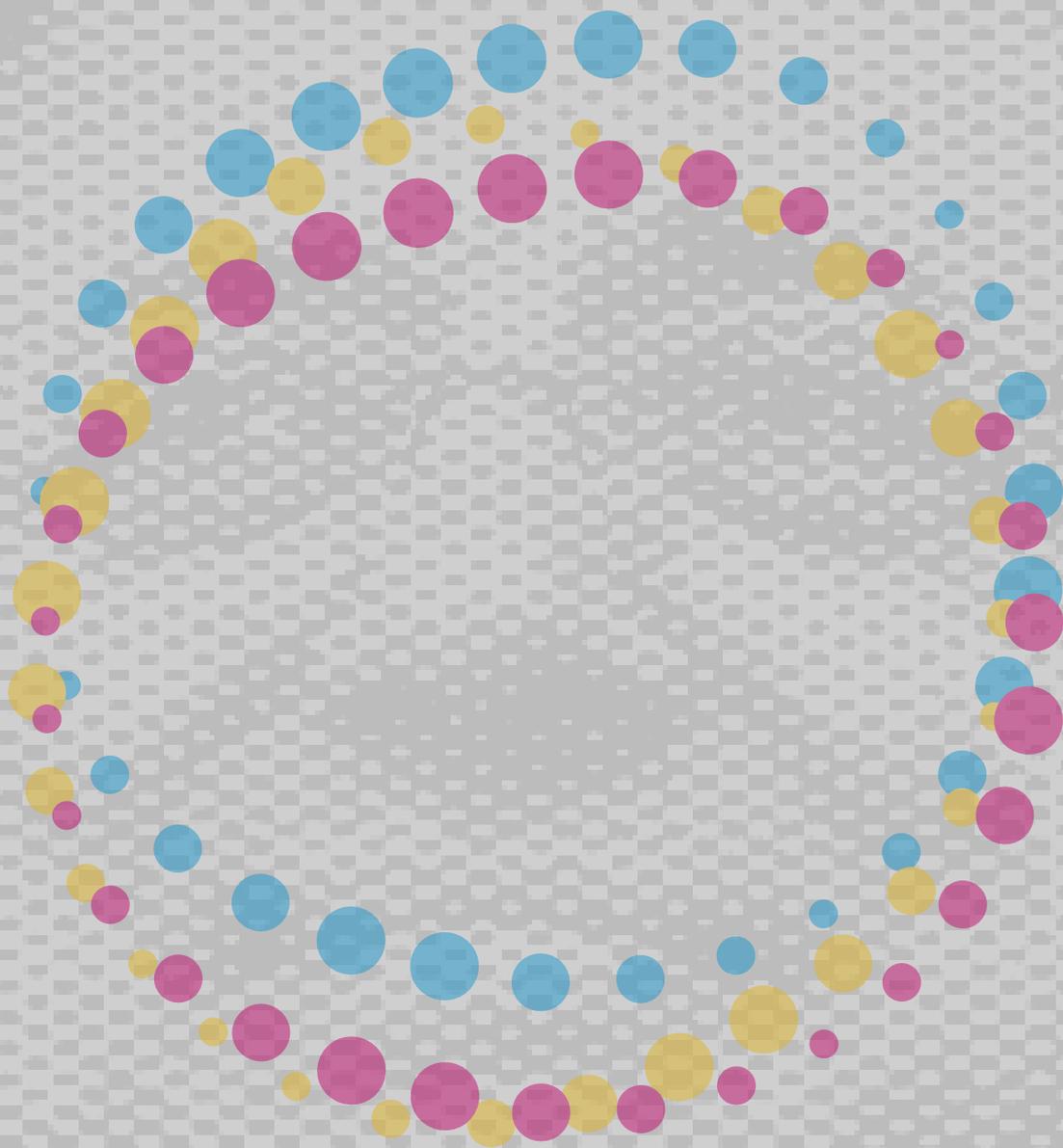
CONCLUSION

Although the right to property is protected by the constitution and international agreements in Turkey, it has been systematically violated, especially for opposition individuals and institutions, in the post-2010 period. The politicization of the judiciary, the lack of independence of the Criminal Judgeships of Peace, the transformation of TMSF into a political tool, and the use of public power to eliminate certain groups demonstrate a severe violation of the principle of the rule of law.

The İmamoğlu case marks a turning point, indicating that this process is no longer limited to certain opponents but can now target everyone. This development shows that a new era has emerged in Turkey, where all forms of opposition can be subjected to economic and legal pressure.

The narrowing of the public and private economic spheres and their redistribution among individuals and structures close to the ruling power not only threatens individual rights but also undermines the fundamental principles of the market economy and investment security.

This report reveals how authoritarianism in Turkey has destructive consequences not only in terms of freedom of expression and political participation but also in terms of economic freedoms and property rights; and calls on the national and international public to react more strongly to this situation.



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