

T.R.

ANKARA

OFFICE OF THE CHIEF PUBLIC PROSECUTOR

INVESTIGATION NO. : 2016/103566

RECORD OF STATEMENT OF THE COMPLAINANT

NAME AND SURNAME OF THE CLAIMANT : HULUSİ AKAR, son of İbrahim, born in 1952,
registered in Kayseri Kocasinan

PLACE THE STATEMENT IS TAKEN : The General Staff

DATE and TIME THE STATEMENT IS TAKEN : 18/07/2016, 16:05

The procedural provisions provided in the Article 234 of the Code of Criminal Procedure (CMK) have been reminded. It has been explicitly explained to him that he has the rights to demand the gathering of evidence, to request a copy of documents from the Public Prosecutor provided that this does not harm the privacy and objective of the investigation, to ask for the designation of an attorney by the bar, if he has not one, for sexual offences and offences requiring a sentence of imprisonment of minimum five years, to let the investigation documents and the seized and preserved objects be examined by his counsel provided in compliance with Article 15 of the CMK, and to object to the Decision of Non-Prosecution of the Public Prosecutor pursuant to the legal procedure. After sharing the information and documents concerning the incident with him, it has been proceeded to his statement, complaint and recording of evidence.

AFTER THE STATEMENT OF THE COMPLAINANT: I do not demand an attorney. I have understood my rights in the Article 234 of the CMK;

IT HAS BEEN ASKED:

I have been serving as the Chief of the Turkish General Staff for almost one year. The fight against the FETÖ/PDY [Fethullahist Terror Organization/Parallel State Structure] terror organization by our state is one we are also engaged in institutionally with utmost care and sensibility, and preparations for a heavy blow to this structure within the armed forces in the August (Supreme Military) Council of this year were going on. At the moment we have arrived, I think that this terror organization has probably foreseen this and attempted such a coup with a desperation and meanness no one could possibly imagine by undertaking incredible actions like massacring civilian people, dropping bombs on the Turkish Grand National Assembly (TBMM), attacking their own brothers in arms and troops, and bombing the Police Organization units. Especially while the Police Organization, the Provincial

Governors, the institution of Politics, the Legal organization, Intelligence and Armed Forces are rigorously getting successful results against the separatist terror organization in the Southeast by way of an impeccable coordination, our history has been cast a slur with this mean coup attempt against the Government of the Turkish Republic. After this general evaluation, if we proceed to the day of the incident:

While I was working in my office on 15/07/2016 when the insurrection started, my Deputy Chief Yaşar GÜLER came to me around 17:00-18:00 and relayed the intelligence he obtained from the National Intelligence Organization (MİT) on an action to be undertaken by commissioning three helicopters from the Army Aviation School in this evening. He said that there is a committee from MİT on the way to talk about this information. We took the information seriously considering the office it stemmed from; I, Yaşar Pasha and Commander of the Land Forces Salih Zeki ÇOLAK started to discuss about the emergency actions to be taken. Immediately and as a matter of priority, we talked with the War Command Control Operations Center (SKKHM) in our headquarters that not only the military helicopters and airplanes over the airspace of Ankara but all over Turkey were concerned, and hence I issued my command to let the military helicopters and airplanes in the air to return to their bases and prevent any new take-offs to the concerned commanders. 2nd Chief Yaşar GÜLER conveyed this command to the Air Forces Command Operations Center and thus our command to stop all military aircraft somehow had been relayed. From the aspect of confirming and clarification of the information from MİT and in order to clarify the issue regarding the possibility of the realization of the flight action mentioned in the information, I gave my orders to deal with the issue immediately by taking the fastest and most efficient measures to the Land Forces Commander. I have instructed the Chief of Staff to take staff from the Central Command and the Office of the Legal Counselor and go immediately to the Army Aviation School, figure out the issue so as to leave no room for doubt and take all the administrative and legal measures instantly. I told him to keep me informed when he was gone. In our evaluations, we have considered that the incoming information could be part of a bigger plan and not confining ourselves to these measures taken, I have called Ankara Garrison Commander Lt. Gen. Metin GÜRAK and gave him the order to go personally to the Etimesgut Armored Division and take all the measures not to allow any tanks and armored vehicles to leave the troop based on whatever reason. After taking thus first of all the precautions, our meeting ended. I continued my work in my office. I was at the same time following the developments. Not being totally certain, probably towards 21:00 o'clock, while I was working at the round table with my back turned to the door, there was a knock at the door and I told to come in; I even told, "Who are you at this hour?" When I looked, I saw the Project Management Department Head Major General Mehmet DİŞLİ on duty at the Headquarters coming in. He told.

At this stage, as the complainant had to leave because of his full schedule, the procedure of taking the statement has been interrupted at 16:55 o'clock.

During this interruption on the evening of 18/07/2016, it was proceeded with the taking of the statements of other people at the headquarters and upon the incoming information from the Headquarters of the General Staff, on 19/07/2016, a committee comprising of a recording clerk and the Public Prosecutor has come and resumed the taking of the statement at the office of the identity holder mentioned above at around 14.00.

IT HAS BEEN ASKED;

Mehmet DİŞLİ has taken one of the chairs of the table I was sitting at and told things like: “Sir, the operation commences, we will get everybody, battalions and brigades are on their way, you will see soon,” anxiously and in a manner different from what I knew from him before and in an unusual state of mind. First, I could not make any sense; he may have also mentioned airplanes among what he said but then I understood that this was an operation I could call an insurrection and exclaimed: “WHAT THE HELL ARE YOU SAYING, WHAT OPERATION, ARE YOU NUTS, DON’T YOU DARE!” As my back was turned to the door, I did not notice whether the door was open or not. I asked the whereabouts of the deputy chief and other commanders. He replied by telling not to get excited, and that they will come. “I CAN HAVE NOTHING TO DO WITH YOU OR OTHERS INVOLVED IN SUCH A BUSINESS; HOW DARE YOU TO TALK TO ME LIKE THIS, WHO ARE THEY, WHO ARE YOU,” were kinds of questions I kept putting furiously one after the other. Naturally, I was very angry. As a result, I told that the way they took was wrong, they bogged down immensely and they will suffer the consequences; that they should at least display some manliness and end this without involving others and any deaths occurring, that they should stop this attempt they undertook immediately. However, I could not convince. He was trying to keep his nerves under control despite my furious objections and told things meaning, “Sir, this is already done and everybody is on their way,” in a calm manner. In a while, I guess, Mehmet DİŞLİ has made a move towards outside and when I turned involuntarily towards the door, I saw Captain Serdar, Non-commissioned Officer Abdullah and the Lieutenant Colonel Levent. Lt. Col. Levent TÜRKKAN is my aide. Abdullah is a non-commissioned officer from the protection team. Captain Serdar is an Assistant Adjutant. Besides them, fully-equipped, armed, helmeted personnel wearing a training outfit caught my eye that I deemed from the Special Forces Command. When I recognized that they were attempting to enter the room rapidly and suddenly, I stood up and at that moment Levent TÜRKKAN shouted: “Sir, sit down, do not stand up, stay calm and don’t raise any difficulty.” One of them caused me to sit on the chair by pushing me and at that moment someone else from behind closed both my mouth and nose with something like a hand towel which kept me from breathing. During this, he wrapped his arm around my neck and tightened; upon the friction of the stringy thing that was part of a military outfit on my neck, I was struggling for breath and, while I was trying to open my mouth with my hands, they handcuffed me with plastic clamps. Upon my resisting like this, they opened my nose and have left only my mouth closed; it was clear that they wanted to prevent me from shouting. When my breathing rhythm became normalized, they saw that I had calmed down and took the towel-like fabric that they closed my mouth with away. Because of the pain the handcuffs inflicted on my wrists during this struggle, I started to yell again. I told them to remove them, and even I stood up. That’s when I heard Levent TÜRKKAN with the gun his hand saying things like, “sir, calm down, I may shoot, fire the gun.” I even took one step more and yelled at him, “SHOOT MAN!” I saw the robot-like hesitation in his eyes between shooting and not-shooting. Meanwhile, I asked them to unclamp as the clamps were too tight, and probably upon the approval of Mehmet DİŞLİ they took out a commando knife; it was a dull knife and one of the soldiers tried to cut the clamp but they could not open it for a little while more; so I got furious again and exclaimed. They made a second try and cut this time the clamp. In this way, they have restrained me physically by letting me sit on an armchair with someone behind me. I have started to hear the planes flying low and the gunshots. I became again furious and started to exclaim like

mentioned above. But they would not listen to me. After a while, I told them that I wanted to go to the lavatory. When seeing that they were coming with me, I yelled at them calling them misbehaved, immoral people. Captain Serdar and the non-commissioned officer Abdullah would never leave me alone. They were keeping me steadily under guard. The non-commissioned officer Abdullah would never leave my back unwatched. A fairly long time passed. Even though the TV was on and I kept hearing the plane sounds, the gunshots, up until then, there was no news in this regard. Right after, the images of the soldiers closing the Bosphorus Bridge and related news started to air on TV. All of them were waiting cold-bloodedly without talking or making any comments. And after a while, they took me by saying, here we go. I asked for my coat, garrison cap and bag; my cell phone had remained in the room of the Aid-de-Camp. I think they gave my coat and cap into my hand. They told that they would carry my bag. When I got out of the door, the fully-equipped, armed military person with a steel helmet on his head and an intimidating facial expression appearing in front of me took my attention. Later on, I found out that this was the Staff Colonel Firat ALAKUŞ. Fully-equipped soldiers had taken measures in the foyer area and the floor. They made me climb down the stairs. It was striking that a soldier was going backward in front of me pointing an automatic pistol at me. I screamed again. I got angry and said: "What the hell are you doing?" When they had taken me out, there was a helicopter waiting where an Atatürk monument was. They embarked me on the helicopter. I said repeatedly a few times that my glasses are in the bag. But they did not bring them. The helicopter took off. They did not say where we were flying to. I did not ask, too. The armed soldiers in the helicopter held me at a gunpoint. Mehmet DİŞLİ was also in the helicopter. After a period of flight, we landed. I asked them where they have brought me to. They said that it is the Akıncı Air Base and transported me to a building with a minibuss. It read that the building was the Base Command and many people with civilian or military outfits were waiting there in an armed fashion. They took me to the room of the Base Commander and the Major General Kubilay SELÇUK was waiting there standing. They made me sit on a couch. Once a while the Full General Akin ÖZTÜRK came to me; he had a t-shirt and trousers on. He had come to me alone. Both because of this and that I saw him at all, I was stunned and asked him what he was doing here. He told that he had come here with his wife in his company and together with the Land Forces Commander with a plane of the Command from İzmir, and that, while he was in the home of his daughter living in the boarding house above, upon the phone call from Abidin ÜNAL saying that some people let airplanes take off from the base and he should take care of this issue, he came here. He has even told that he has tried to tell them that he has told about this issue but they did not listen to. I told him also all what I had said from the beginning of the incident. I have seen the Rear Admiral Ömer HARMANCIK and the Brigadier General Hakan EVRİM. I exclaimed similar things to what I had told above in the first section, that what they were doing was wrong, they had lost their minds, and there cannot be such a thing in this age. Don't you see Syria, Egypt; do you not know that these kinds of incidents take our country backwards for years, were some of things I expressed. They made no never mind. Ömer HARMANCIK first read the two-pages text in his hand and then reached it out to me and told, "Sir, just read this, and if you sign and read this out loud on TV, everything will be very beautiful; we are taking everyone, we bring them all in." I refused vehemently and furiously, and exclaimed: "WHAT ARE YOU THINKING WHO YOU ARE, WHO ARE YOU, WHERE IS THE DEPUTY CHIEF, WHERE ARE THE FORCE COMMANDERS, WHERE ARE THE MINISTERS WHOM YOU CLAIM TO HAVE ROUNDED UP; BRING ALL YOU HAVE IN YOUR HAND, WHO IS YOUR HEAD AND BUTT." Upon this Hakan EVRİM said something like this: **"If you wish, we can bring you in touch**

with our opinion leader Fethullah GÜLEN.” I snapped that I would not get in touch with anyone. Afterwards, all but Akin ÖZTÜRK have left the room. I think that we went to the room of the Base Commander around 00:00. I told the same things to the Akin ÖZTÜRK Pasha, too. He was telling that they were not listening to him. The non-commissioned officer Abdullah stood in the room I was sitting for another while. As far as I remember, there was a person whom I deemed the aid of the base commander.

IT HAS BEEN ASKED:

When they wanted me to sign and read out the so-called manifesto, I did not even touch it, I did not read it. In fact, when they read it to me, I listened to showing no interest and in a cynical manner. It even occurred to me that I had kept the name these traitors had given to themselves as Union of Patriots but, obviously, it was “Peace at Home Council”. The strong rage and fury is still prevalent in my state of mind. They did not say anything about who the members of the mentioned council are. From time to time, the people in the room went and returned. Akin or someone else had told to me that another saloon was used as the operations center and a team of 30-40 people was there. I have not seen that place; I was kept all the time when held hostage in the same room.

IT HAS BEEN ASKED:

A certain time had elapsed where I was detained, and the television was turned off. I told them in between that it was a shame what they were doing and asked them to put me through on the military line so that I could call and inform my wife at a minimum. I phoned my wife through the military line and told her that I am on the Akıncı Base and to take care of themselves. In the aftermath of the events, I understood that my wife had shared this information with the concerned. When the television was turned on after 2 or 3 hours again, it was to see on the screen that the TBMM and the Police headquarters had been bombed, in fact the planes continued to sound. I lost my nerve and started to shout about, upon this Ömer told that they were readily risking death when they arrived. All of them were almost like robots. After a while, when Mehmet DİŞLİ stopped by me alone, I told him the same things but he said that they were not listening to him. Mostly, Admiral Ömer HARMANCIK was talking. Following the developments on the TV screen like the statements of our Mr. President and Mr. Prime Minister and some ministers, the resistance of the people against the coup attempt risking death in the course of events, surrender of some soldiers in the late hours or their being brought under control by the citizens or the police the general appearance of manners of these 4 people next to me started to change. I noticed the hopelessness in their eyes, they were getting quite demoralized. “YOU BOGGED DOWN ENOUGH, DISPLAY SOME MANLINESS AT LEAST AND STOP HERE; PREVENT OTHER PEOPLE FROM DYING; WITHDRAW ALL TANKS AND CANNONS AND THE LIKE AROUND BEFORE SUNRISE. YOU HAVE DISGRACED MORE THAN ENOUGH, DO NOT DISGRACE MORE, YOU HAVE MADE IT WORSE THAN IN THE BALKAN WARS, YOU HAVE DEFAMED THE HISTORY OF THE ARMED FORCES. THE ONLY PLACE YOU SHALL GO IS THE OFFICE OF THE PUBLIC PROSECUTOR, THE MILITARY PROSECUTOR AND THE MILITARY POLICE, GO THERE AND SURRENDER, AND SEND ME AWAY,” were the words I exclaimed even more furiously and loudly a few more times. They did not respond at all. After a while, we heard booms from outside. They said that the runways were being bombed. After being rescued, I figured out that our own planes

were doing this attack to prevent these rebellious traitors from taking off planes. I again shouted at them in the same vein as above and asked them to return while not gone too far and to give in. I observed that they were demoralized in the course of time. First of all, the footage of the artillerymen laying down arms at the Bosphorus Bridge but most importantly, the appeal of our Mr. President to the crowd gathering in the airport on air destroyed their all hopes, I guess. Because from that moment on, I did not see Ömer and Hakan anymore. I was screaming that, at this point, there was nothing left for them to do, they had sunk; at least they should think of the young ones, the innocent people; that the air bombardment should be ceased, the ground troops should be turned back to the barracks with the most drastic tone my voice could sound and ragingly into their face. I remember Kubilay and Mehmet in front of me. They were intimidated. They still did not deliver any comment. But one could see fear and anxiety in their eyes. It was I think about 08:30-09:00. I told them to make me confer with our Prime Minister or President; I explained them that if I can state that they will end this attempt and submit themselves to justice, it would be possible to finish all this without further damage. In fact, the base was now being bombed from outside. The course of events could have taken an irrevocable turn gradually.

IT HAS BEEN ASKED;

I think they recognized that at this point they could not succeed anymore and told that they would bring us in touch. They brought a cell phone and made me talk with Mr. Prime Minister. I told about the situation and I said to our Prime Minister: "There shall be no negotiations, they will give in to the military prosecutor, the public prosecutor, the police and the military police," while looking into the eyes of all the traitors that were present there; and similarly, I called the MİT Undersecretary and informed him. When it became clear that I would be taken away, Akın ÖZTÜRK Pasha said: "Sir, let me come with you." I thought that this would not be appropriate considering his position and my personal impressions about him during the night, so I told him, "STAY HERE, YOUR DAUGHTER'S HOME IS HERE." But he kept insisting; we left him at the base building and went out. We went to the helipad with a vehicle; there were many helicopters there. I observed mobility in both directions. Someone pointed at a helicopter and they started it. But when someone said that the helicopters taking off the base could be fired at, it has been stated that one has to announce that the Chief of General Staff is in it. I had told Mehmet DİŞLİ: "YOU SHOULD STAY, TOO." Notwithstanding, he said that he would make the phone contact. When the helicopter took off, he told about the situation to some places. He was also in contact with some places, when the helicopter was in the air. As a result, we have landed at the Office of the Prime Ministry in Çankaya. The Undersecretary of the Prime Minister has welcomed us. I arrived and Mehmet DİŞLİ followed. Honestly, I did not check who was else following. We entered the building of the Prime Ministry and as such, I embraced my freedom. When we were under four eyes, Mr. Undersecretary asked who was following me. I have summed up all I have lived through briefly and deemed it appropriate that Mehmet DİŞLİ should be taken into custody. Withstanding, I found out that he was taken into custody subsequently.

IT HAS BEEN ASKED;

In the aftermath of the incidents, my Deputy Chief Full General Yaşar GÜLER had come to the headquarters one day before me. One odd thing he had told me is, which may have already been

established by your office in their examinations, that my room was pretty neat and tidy. However, I had been taken by the use of violence and coercion while I was working. Although the table, coffee table and the whatnot in my office and the rest room look normally very crowded because of the books, stationary, chocolate, food and drinks, press clippings and souvenirs were found very neat and tidy. Besides, it has been found out that some objects had disappeared and two trinkets had been displaced. In fact, the revolver given to me as a gift by Mr. Devlet BAHÇELİ and I kept as a souvenir in my room and my personal cell phone I thought was in the room of the Aid-de-Camp when they took me are still not found. He said that he was submitting certain photos taken in his office during routine works. 4 photos have been obtained in order to be attached to the file.

IT HAS BEEN ASKED;

All these fact have laid down how important the determination and resolution of the State of the Turkish Republic and the Turkish Armed Forces (TSK), in specific, to fight against the terrorists also known as the parallel structure. I believe that it is the members of this organization who have planned and conducted this coup attempt. I think that the most important factor leading them to make this crazy attempt was that they thought their organization would take a huge blow after our Supreme Military Council meeting in August for which we had made comprehensive, serious and studious preparations. Furthermore, my Deputy Chief and I had suspicions about some part of our personnel that they were related with this organization and would take serious steps there. Besides that, the legal investigations into this terror organization going on and stages reached in the legal cases, and the distance covered by the Government institutions in this respect are other motives leading these raving treasonous terrorists to this attempt. I lodge a complaint against all individual persons within this structure who have inflicted such harm on my person, nation, brothers in arms, brothers from the law enforcement, the government institutions, Turkish history and civilization.

He said that it will never be forgotten what these traitors have committed that was disgracing the well-deserved reputation of the TSK, our martyrs and war veterans at the expense of their blood and sweat and that he believes that they will sentenced to the heaviest penalties they have deserved. As he had nothing else to say, his statement was read out loud after the completion of the procedures pursuant to the Article 234 of the CMK and the contents of the record has been read by the complainant and signed with this record. 19/07/2016

[Signatures by (on all six original pages)]

Ahmet AKÇA 40063
Public Prosecutor

M. Mustafa BABACAN
Record Clerk -185831

Hulusi AKAR
Complainant