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## **NJW Statement on The Mass Issuance of Arrest Warrants for Over 400 in Connection with The Alleged Use of The Bylock Messaging App**

**Northern Justice Watch** is deeply concerned by the ongoing mass arrests and dismissals in **Turkey**, targeting thousands of individuals accused of using the **ByLock messaging app**, alleged by the **Turkish government** to be linked to the **Gülen movement**. This widespread crackdown, which so far has resulted in the detention of approximately **40,000 individuals** and the suspension or dismissal of over **100,000 public servants**, raises significant concerns about the violation of both domestic and international law.

The targeting of individuals based solely on the alleged use of an encrypted app—without concrete evidence of criminal activity—violates many domestic and international law provisions. Specifically, the issuance of mass arrest warrants on over 400 individuals constitutes:

### **A) Violation of Turkey's Domestic Law**

- **Presumption of Innocence:** Under Article 38 of the Turkish Constitution, every individual is presumed innocent until proven guilty by a court of law. The mass arrests based solely on alleged use of ByLock—without substantive evidence linking the suspects to criminal activities—undermine this principle. The mere use of a communication app, without proof of direct involvement in a criminal conspiracy, does not meet the burden of proof required for criminal charges.

### **B) Violation of International Law**

- **Arbitrary Detention:** Turkey, as a party to the International Covenant on Civil and Political Rights (ICCPR), must not conduct arbitrary detentions (Article 9). The detention of thousands based on tenuous evidence, such as the alleged use of an application, violates this provision.
- **Freedom of Expression and Association:** Arresting individuals for using the ByLock app infringes upon rights protected under Articles 19 and 22 of the ICCPR, which safeguard freedom of expression and association.

- **European Court of Human Rights (ECHR) Ruling:** In the case of *Yüksel Yalçinkaya v. Turkey*, the ECHR held that the conviction of the applicant, based decisively on the use of the ByLock application, violated Article 7 (no punishment without law), Article 6 § 1 (right to a fair trial), and Article 11 (freedom of assembly and association) of the European Convention on Human Rights. The Court emphasized that such a uniform and global approach by the Turkish judiciary regarding ByLock evidence departed from the requirements laid down in national law and was contrary to the object and purpose of Article 7, which is to provide effective safeguards against arbitrary prosecution, conviction, and punishment.
- **Prohibition of Collective Punishment:** International human rights law forbids collective punishment. The widespread dismissals and detentions based on alleged associations violate the principle of individual culpability and undermine the rule of law

Turkey must fulfill its obligations under international law by ensuring that all detainees are afforded a fair trial, ceasing arbitrary detentions, and adhering to the principle of individual culpability. The government must also respect the rights of individuals to freedom of expression and association and immediately end practices of collective punishment.

We urge the international community, including **the United Nations** and human rights organizations, to address these violations with urgency. Mechanisms for accountability must be activated to ensure that Turkey adheres to its commitments under international law.

At the same time, Northern Justice Watch calls on Turkey to restore its rule of law, uphold human rights, and halt all extrajudicial practices. Justice and human dignity must prevail, and Turkey must align its actions with the principles of international law.

Northern Justice Watch reaffirms its commitment to defending human rights globally and will continue to monitor this situation closely. We stand united in the call for accountability, justice, and the protection of fundamental freedoms



Executive Director