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February 11, 2016

Congressman Fred Upton (MI-06)
2183 Rayburn House Office Building
Washington, DC 20515

Re: Consulate General of the Republic of Turkey Letter, February 8, 2016,
Regarding Ibrahim Parlak

Dear Congressman Upton,

This letter will serve as a response to the above referenced letter allegedly from Mr. Umut Acar, Consul General.* We feel the need to respond to what we believe is an inexcusable tirade of fictional, defamatory statements made in the letter.

The government of Turkey tries to categorize Mr. Parlak's stay in the United States as illegal. This is simply false. He has been in the U.S. legally at every moment after he applied for asylum in 1991; first, as an asylee, then as a permanent resident, and even after his residency was revoked, under an order of supervision issued by DHS.

Mr. Parlak never tried to mislead the United States about his past. He gave original press articles to the asylum officer. His attorneys, in good faith, checked 'no' to the arrest question on his applications for permanent residence and citizenship because they believed the question called for legitimate arrests by law enforcement, not politically motivated arrests leading to torture. Further, as Judge Martin from the Sixth Circuit Court of Appeals accurately noted, "it seems implausible that Parlak had the requisite "intent to deceive" considering he had already disclosed his Turkish arrest in his request for asylum (which had been granted largely on that ground), and he was represented by counsel at the time of his naturalization application." *Parlak v. Holder*, 578 F.3d 457, 481 (6th Cir. 2009).

Mr. Acar next endeavors to repaint Mr. Parlak's past with a broad, creative brush. He starts by creating a story he was on a "terror mission" when the border skirmish occurred, and links Mr. Parlak to the deaths of the two Turkish soldiers, including his alleged 'confession' to his

*¹ I use the word "allegedly" because the letter is so grounded in fiction it is difficult to imagine it being authentic, though it arrived to your office in Kalamazoo, MI via facsimile, purportedly from the Turkish Consulate in Chicago.

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involvement while being continually tortured, rehabilitated in a hospital, and tortured again, on a repeat cycle. Judge Martin noted the record reflected, “the Turkish *gendarma* shocked him with electrodes, beat his genitalia, hung him by the arms, blindfolded him while depriving him of sleep, food, water and clothing, and anally raped him with a truncheon.” *Parlak* at 472. You may recall Mr. Parlak produced medical records commensurate with, and confirming, those exact modes of torture, for his pending Motion to Reopen with the Board of Immigration Appeals. Those medical records dated all the way back to 1995 treatments he received in the United States. The majority opinion, too, found Mr. Parlak had been tortured by the Turkish government. *Parlak* at 461. Notably, and contrary to what Acar submits as the truth, the Sixth Circuit never found Mr. Parlak was a terrorist. See *Parlak* at 471 (“We need not reach the issues of whether Parlak was removable on other bases” (referring to, *et al.*, the terrorism basis)).

Calling Mr. Parlak’s arrest for advocating Kurdish independence terrorism, and ignoring the horrific torture the government of Turkey exacted upon him is just the tip of the proverbial iceberg in Mr. Acar’s revisionist history. Acar fancifully writes, “Regrettably, Parlak escaped from prison in Turkey, having only served 16 months of his reduced six-year sentence. Parlak then illegally entered America as a fugitive and remained here under various cover by systematically evading U.S. authorities.” It is difficult knowing where to start with Acar’s fabrications about Mr. Parlak.

Turkey’s own security court documents show Parlak was “released” from prison. See translation of Turkish Security Court documents, attached, showing his “Date of Release” as 19.03.1990. This new lightning bolt of information – that he is not only a terrorist to be feared, but one on the lam for 25 years – *is the first time it has been alleged* - and wholly unsupported by even the Turkish torture court’s own records.

Not evidently yet satisfied by his creativity in constructing new facts, Acar continues conjuring up another new notion; Parlak has somehow evaded the U.S. authorities, living underground, and running a successful business, leading a “secret life for so long”. What a complete terrorist, Clancy-esque spy he must be! Except that it, too, is complete fiction.

Mr. Parlak has been in the United States for a sum total of two weeks – the very first two after he arrived in 1991 – without the United States government’s knowledge and blessing. He applied for asylum immediately upon arriving. He has led a decidedly un-secret, transparent, yet productive life, ever since. Nothing about his life has been a secret.

Acar’s letter reeks of desperation in its departure from any factual predicate. The Turkish government appears to desperately want to shift the inquiry away from its own recent, horrific human rights record towards Kurds and alleged PKK affiliates, to a fictitious past that even its

Congressman Fred Upton

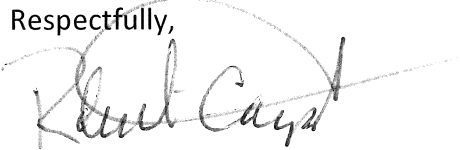
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own disbanded security court's records fail to support. The letter leaves no doubt – not even a modicum – that the Turkish government wants Mr. Parlak returned, and will imprison him, where he will be tortured and abused again. We therefore will forward a copy of this letter, and Mr. Acar's, to the Board of Immigration Appeals to be considered with Mr. Parlak's Motion to Reopen, and will use both in connection with his reopened Convention Against Torture claim if the matter is reopened for a full hearing in front of an immigration judge.

Thank you for your continued support,

Respectfully,

A handwritten signature in dark ink, appearing to read "Robert Carpenter", is written over a faint, circular, dotted-line stamp. The signature is fluid and cursive.

Robert Carpenter

Carpenter & Capt, Chtd.

cc: Umut Acar
Consulate General of the Republic of Turkey &
The Board of Immigration Appeals

U.S. DEPARTMENT OF HOMELAND SECURITY
26 Federal Plaza, New York, NY 10278

I, ZIVART BALIKJIAN, certify that I am competent to translate this document, and that the translation is true and accurate to the best of my abilities.

Zivart Balikian
TRANSLATOR

7/27/04
DATE

U.S. DEPARTMENT OF HOMELAND SECURITY
26 Federal Plaza, New York, NY 10278

The attached English translation of the original Turkish document is generally accurate, with the exception of the following errors found therein:

English translation – Pg. 6:

A line was left out between lines 4 and 5 and should read: Date of Sentencing: 16-3-2004.

English translation – Pg. 32:

Fourth line down of second paragraph, the word "Germany" should read: Adiyaman.

English translation – Pg. 33:

- * Fourth line down from top, the word "and" after "Avdil (C) should be removed.
- * Sixteenth line down from top, the words "together with" should be removed.
- * Below line sixteen, the following should be added:

After a while, they came close to the village of Cennetpinar and were joined by Nasir Göksungur, Ömer Gelici, Mehmet Balçin and a few other people, who were introduced around by Ali Ömürcahan as old friends. After some light conversation amongst each other, [following this addition, the text begins again with the words "Ömer Gelici stayed there and the rest of the group.....etc.

Member: Necdet Şahin 30966

Public Prosecutor: Mehmet Oğur 28141

Clerk: Mehmet Beken 35

Plaintiff: Public Law

() Accused: İbrahim Parlak, father - Hüseyin,
mother - Sultan, born on 01.05.1962, registered
in Gaziantep, District İslahiye, Village Emirler,
currently having been under observation of
Immigration and Citizenship Bureau in Detroit,
USA. Single, literal, without any criminal
record, Turkish citizen.

() Date of detention: 30.10.1988

Date of arrest: 25.11.1988

Date of release: 19.03.1990

Offence: Committing actions directed towards
separation of a part of the territory of the
State (namely killing man, being member of the

İŞBU ÇEVİRİ TARAFIMDAN
YAPILMIŞTIR/TRANSLATED BY:

İMZANIN DOĞRULUĞU ONAYLANIR

APPROVED BY

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