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MICHIGAN RESTAURANT OWNER FACES RENEWED THREAT OF DEPORTATION AND TORTURE IN TURKEY DUE TO U.S. GOVERNMENT'S FAULTY SCRIPT OF CASE HE ALREADY WON

Ibrahim Parlak's Saga Continues After Appeals Board's 'Surreal' Ruling Involving Botched Audio Recording: Ordered To Defend Himself Again Before Judge Who Ruled In His Favor Four Years Ago, Confirmed His Risk Of Torture

Harbert, MI – The long-embattled fate of a Michigan restaurant owner threatened with unwarranted deportation and torture in Turkey took a surreal turn this week, when federal officials ordered him to return to court four years after a case was decided in his favor because the government botched the transcript of his testimony in the 2018 hearing.

Advocates for Ibrahim Parlak, the owner of the popular Café Gulistan in Harbert, MI – a beloved destination for locals and vacationers from Chicago and Detroit – condemned the ruling by the U.S. Department of Justice's Board of Immigration Appeals (The Board), which has raised the spectre that the Kurdish immigrant who has resided in the U.S. for 31 years could be returned to his native country and tortured by a government that considers him a political adversary.

The Board's decision comes in response to an appeal by the Department of Homeland Security contesting Immigration Judge Kathryn De Angelis' 2018 ruling that barred Parlak's deportation due to the likelihood he would be tortured in Turkey. During that court proceeding, Parlak gave testimony about the Turkish government's ruthless abuse of those peacefully advocating for the rights of Turkey's minority Kurdish population. The transcript of his testimony, part of the judicial record under DOJ review, was deemed incoherent, and Parlak's responses characterized more than 400 times as 'indiscernible.' It is worth noting that neither the Immigration Judge nor the government attorney asked Parlak to repeat himself during the hearing; it was the government's transcriber listening to the audio tape who found his testimony inscrutable.

Parlak's attorney Robert Carpenter addresses the irony: "The government's bid to deport Ibrahim Parlak has always been an injustice, but it has descended to a new level with this ruling. Not only is the government attempting to force Ibrahim back to a country where he is destined to be tortured; by mishandling a transcript, it is continuing to torture him at home with staggering bureaucratic ineptitude. Should Ibrahim be put through the wringer once more because his adoptive government couldn't figure out how to record and transcribe a deportation hearing? Courts across America, ruling on much less serious matters, have figured it out."

While the government was derelict in producing an accurate transcript, the lower court had already affirmed that Parlak was likely to be tortured in Turkey and – under the Convention Against Torture, which prevents the US from returning any resident to a country where they are likely to be tortured – should be entitled to remain in the United States. The Board's proposal that Parlak testify again because of its systematic failure only perpetuates the government's relentless pursuit of a law-abiding citizen beloved by his family and community.

Carpenter vowed to challenge the ruling, noting that the order to remand the case back to the Immigration Judge is difficult to legally reconcile, as neither party in the case requested another hearing by the immigration judge. In response Parlak will file a Motion to Reconsider with the Board and a concurrent appeal with the U.S. 6th Circuit of Appeals seeking to void the Board's decision remanding the case to the immigration judge.

Parlak's ordeal, which has attracted global attention and unleashed an outpouring of support from his Southwest Michigan community, began in 2004 – 13 years after he had been awarded political asylum in the U.S. following his torture in Turkey – when the federal government sought to deport him back to Turkey, based on Turkey's spurious accusations that he had ties to a group classified as a terrorist organization.

Parlak used non-violent expression to advocate for the political rights of Kurds in Turkey. His activism antagonized the country's governing regime, which targeted him for repression.

Meanwhile, Parlak continues to serve the community at his restaurant. After her father disappeared one summer afternoon following her seventh birthday, Ibrahim's American-born daughter Livia, now 25, has lived with the fear of losing him again. Now, Livia expresses solidarity with other families living under the threat of deportation.

“By shining a light on this story, we are not only stripping this bureaucracy of the power to quietly make an innocent model citizen and father disappear, but also of the ability to use such inane technicalities to deport others like him.”