



*Permanent Representation  
of Turkey  
to the Council of Europe*

Strasbourg, 13 November 2015

Dear Director,

In response to the alerts submitted by the European Federation of Journalists and the International Federation of Journalists, I am transmitting at annex the responses of the Turkish Government concerning these two submissions.

Yours sincerely,

Erdoğan İşcan  
Ambassador  
Permanent Representative

Encl.:

- List of alerts
- Information Notes (2)

**Mr. Matjaž Gruden**  
**Director**  
**Directorate of Policy Planning**  
**The Council of Europe**

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**List of Submissions**

- On 4 October 2015 under the title of “Hürriyet Journalist Ahmet Hakan Threatened and Attacked”,
- On 4 October 2015 under the title of “Continuing Detention of the Vice News Fixer Mohammed Ismael Rasool”.

**4 Oct 2015 – Form concerning Mohammed Ismael Rasool submitted by EFJ/IFJ under “Continuing Detention of the Vice News Fixer Mohammed Ismael Rasool”**

**Information provided by the Ministry of Justice of the Republic of Turkey**

Mohammed Ismael Rasool was taken into custody on 28 August 2015 together with Jake Hanrahan, Philip Pendlebury and Abdurrahman Direkçi with the charge of “aiding wilfully a terrorist organization”, following an investigation initiated by the Diyarbakır Chief Public Prosecutor’s Office upon the denouncement reached to the relevant authorities concerning a possible armed and bombing terrorist act to be committed.

On 31 August 2015 upon the request of their detention, the above-mentioned 4 persons appeared before the Diyarbakır Magistrate Judge’s Office in order to be heard. They were heard individually before the court in the presence of their lawyer and an interpreter.

On account of the fact that the information and document stored in the hard disk, which had been seized, was excessive and that some hard disks could not be fully examined due to their encoding system, Mohammed Ismael Rasool, Jake Hanrahan and Philip Pendlebury were detained under Article 220/7 of the Turkish Criminal Code. The relevant article does not govern the hierarchical structure within a terrorist organization, but requires the punishment of those aiding such organizations knowingly and willingly.

The decision of detention in question was a measure and it did not mean that the relevant persons had been convicted for the imputed offences. The investigation was still continuing, and these persons had the right to file an objection with the Diyarbakır Magistrate Judge’s Office within one week by submitting the request of being released. Upon appealing, with the decision of relevant court, Jake Hanrahan and Philip Pendlebury were released on 3 September 2015. Mohammed Ismael Rasool is still detained on remand and the investigation concerning him is pending.

The detention of Muhammed Ismael Rasool still continues since the process of evidence gathered concerning Mohammed Ismael Rasool has not been yet completed and the examination of the materials obtained from the suspect has not been completed. These are the two contributory factors leading to the investigatory authorities’ decision as to the continuation of the detention measure.