



*Permanent Representation
of Turkey
to the Council of Europe*

Strasbourg, 20 November 2015

Dear Director,

In response to the alert submitted by Article 19, the Association of European Journalists, the European Federation of Journalists, the International Federation of Journalists and the Index on Censorship, I am transmitting at annex the response of the Turkish Government.

Yours sincerely,

Erdoğan İşcan
Ambassador
Permanent Representative

Encl.:

- Information Note

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

30 Oct 2015 (Update: 05 Nov 2015) - Form concerning “Turkey: Seizure of media holding, with police raids and temporary closure of two major television channels, days prior to elections” submitted by Article 19, EFJ/IFJ, Index, AEJ

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

Following an investigation which has been initiated in relation to the report on financial transactions of Koza İpek Group Companies prepared by the Financial Crimes Investigation Board (MASAK) and the Department for Anti-Smuggling and Organized Crime, Ankara Chief Public Prosecutor’s Office in accordance with the Article 133/1 of the Code of Criminal procedure, requested the appointment of a board of trustees for the Group Companies, due to strong suspicion that the said group has, in consensus and a unity of actions, established a number of front and umbrella companies and carried out false transactions aimed at financing a terrorist organization concealing the financial resources of the organization and transferring funds abroad.

Upon the decision of the Ankara 5th Magistrate Judge’s Office, the board of trustees has been appointed to the Koza İpek Group, which is composed of 22 companies operating in various sectors such as energy, aviation, construction, tourism and media (including the companies running 1 newspaper and 2 TV channels).

Thus, it should be noted that the appointment of the board of trustees for the said companies including the television channels in question, is simply an execution of an order given by the independent judiciary within the context of a criminal investigation involving the charges of financing terrorism.

The appointment of a board of trustees does not obstruct the regular functioning of the companies including broadcasting corporations in question. They continue their broadcasting activities and the trustees appointed to the media outlets are persons who have prior experience in senior management in different media institutions.

On the other hand, it should also be noted that there was not a “police raid” against the Koza İpek Companies premises. A group of people protesting in front of the Istanbul office of the said Companies, prevented the trustees from entering the building and resisted the law enforcement units. Since the board of trustees’ entry to the premises of the Companies was denied, the law enforcement officials accompanied them with a view to securing their unhindered access.

The investigation is ongoing. The decision whether a criminal trial will be initiated will be rendered as a result of the said investigation.

Utmost care is shown as to the rights and freedoms of the suspects by the relevant national law which are in accordance with international norms and the case-law of the ECtHR. Moreover, effective legal remedies to which the suspects may resort to, is available in the national law.