



*Permanent Representation
of Turkey
to the Council of Europe*

Strasbourg, 11 December 2015

Dear Director,

I am transmitting at annex the excerpt from my statement to the 1242nd meeting of the Ministers' Deputies (1-2 December 2015) in reference to remarks of the Secretary General regarding Turkey.

I would appreciate it if my statement is also reflected on the relevant page of the Platform to promote the protection of journalism and safety of journalists.

Yours sincerely,

Erdoğan Işcan
Ambassador
Permanent Representative

Encl.: As stated.

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

Detention of Mr Can Dündar and Mr Erdem Gül

- A series of articles were published in the daily newspaper Cumhuriyet in May, June and October 2015.
- They were related to the interception in 2014 of trucks belonging to the National Intelligence Service of Turkey.
- Investigation was launched against Mr Can Dündar, Editor-in-Chief of Cumhuriyet, and Mr Erdem Gül, Head of Ankara Office of Cumhuriyet, under the pertinent articles of the Turkish Criminal Code.
- Mr Dündar and Mr Gül were detained on remand under the relevant legislation, based on the conclusion that the application of judicial control measures would not be sufficient and that the nature of the offences required this measure.
- It may be argued that the adjudication might proceed without detention.
- Some political figures, including a number of Turkish politicians, expressed their opinions in that regard, arguing that they might not have been detained.
- Nevertheless, it is the judgment of the independent judiciary, based on the rule of law.
- Finally, I would like to stress that this is a case under the Turkish Criminal Code, and effective legal remedies, extending up to the European Court of Human Rights, are available.
- As regards the initiative by the Secretary General to convene the Informal Joint Working Group, comprising the Turkish Ministry of Justice and the Council of Europe, on 17 December 2015 in Ankara, we believe it is a timely move in the right direction.
- We hope that there will be comprehensive exchange of views and fruitful consultations with a view to better understanding the situation.