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Contact: Zoë Bryanston-Cross
Tel: 03.90.21.59.62

Date: 20/01/2023

DH-DD(2023)88

Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

Meeting: 1459th meeting (March 2023) (DH)

Reply from the authorities (18/01/2023) following a communication from an NGO (IFÖD) (15/12/2022) in the case of DINK v. Turkey (Application No. 2668/07).

Information made available under Rule 9.6 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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Les documents distribués à la demande d'un/e Représentant/e le sont sous la seule responsabilité dudit/de ladite Représentant/e, sans préjuger de la position juridique ou politique du Comité des Ministres.

Réunion : 1459^e réunion (mars 2023) (DH)

Réponse des autorités (18/01/2023) suite à une communication d'une ONG (IFÖD) (15/12/2022) dans l'affaire DINK c. Turquie (requête n° 2668/07) **[anglais uniquement]**

Informations mises à disposition en vertu de la Règle 9.6 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.



***Permanent Representation
of Türkiye
to the Council of Europe***

DGI

18 JAN. 2023

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

Strasbourg, 18 January 2023

2023/33766324/35520475
Dink (2668/07) v. Türkiye

Ms Ovey,

I enclose herewith the Government response to the rule 9.2 communication concerning the execution of the above-mentioned judgment.

Please accept, Ms Ovey, the assurances of my high consideration.

Çağla Pınar TANSU SEÇKİN
Co-Agent of the Government of the Republic of Türkiye
before the ECtHR
Deputy to the Permanent Representative

Enc.: As stated

Ms Clare OVEY
Head of Department
Department for the Execution of Judgments of the ECHR
Directorate General Human Rights and Rule of Law
Council of Europe

THE GOVERNMENT RESPONSE TO THE RULE 9.2 COMMUNICATION

Dink v. Türkiye (2668/07) Case

Judgment of 14.09.2010, final on 14.12.2010

1. The Turkish Authorities would like to make the following explanations in response to the submission of the *İfade Özgürlüğü Derneği ("İFÖD")* with respect to *Dink v. Türkiye (2668/07) Case*.

2. First of all, the Government would like to note that detailed information on both individual and general measures, within the context of the supervision of the *Dink v. Türkiye* case, has been submitted to the Committee of Ministers with an action plan dated 05 July 2022. The Government would like to reiterate the information provided therein.

3. The authorities find it useful to summarize these measures in their present submission.

4. According to Articles 17 and 19 of the Constitution, protection of an individual's material and individual existence is separately and clearly listed among the citizens' rights. The State fulfils this obligation in the framework of general security and safety services and by means of the general law enforcement officers, the police and the gendarmerie.

5. Within the scope of the "Regulation on Protective Services", which determines the procedures and principles to be complied with in identifying the persons to be placed under protection and ensuring their protection and which was enacted on the basis of the Anti-Terror Law no. 3713 and the Law no. 2559 on the Duties and Powers of the Police, protective service is performed in secrecy for the persons, in respect of whom protection orders are issued, in line with the "Directive on Protection Services."

6. In this context, as explained in the latest action report, when journalists face a real and imminent threat to their lives, they can apply to the official authorities (police, gendarmerie and governorship) and request that urgent protective measures be taken. In addition, protective orders may also be issued without complaint for individuals whose protection is established to be necessary by the intelligence units on the basis of the risk and threat situation.

7. The "Provincial Protection Commission", formed in the provinces under the chairmanship of the Governor or the governor or his/her deputy to be assigned, assesses the protection requests of the individuals and issues protection orders, and its orders are finalized

and implemented with the approval of the Governor. As understood from above mentioned explanations, journalists have an effective protection system when they are in danger. They can apply to relevant authorities for protection and such requests are responded diligently.

8. Additionally, on 2 March 2021, the new Human Rights Action Plan was announced by the President of the Republic. One of the continuous activities in the Action Plan to increase the standards of the freedoms of expression and of the Press is: *“Measures will be taken to lay down the “safety of journalists”, which is a crucial part of the freedom of expression and the press, as an overarching principle and to facilitate the professional activities of journalists.”*

9. Within this scope, The Ministry of Interior, which is responsible for the execution of the above-mentioned activity in accordance with the Presidential Circular No. 21/09, continues its training activities effectively. Detailed explanations of these activities were provided in the latest action plan.

10. Finally, the authorities would not like to comment on the other issues raised in the Rule 9.2 submissions which fall outside of the scope of the supervision of the present judgments and are of speculative nature.

CONCLUSION

11. The Government of Türkiye kindly invites the Committee of Ministers to take into consideration the above-mentioned explanations within the scope of the execution of the *Dink v Türkiye* case.

12. The Committee of Ministers will be duly informed of the execution of the judgment and the general measures to be taken for prevention of the similar violations.