



PERMANENT MISSION OF THE REPUBLIC OF TURKEY  
TO THE UNITED NATIONS OFFICE IN GENEVA

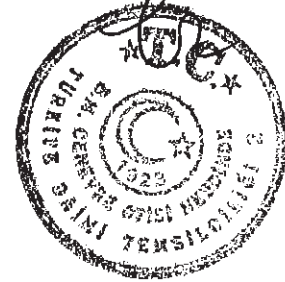
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The Permanent Mission of the Republic of Turkey to the United Nations Office at Geneva and other international organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights and with reference to the joint letter by Mr. David Kaye, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and Ms. Fionnuala D. Ní Aoláin, Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, dated 1 October 2018 (REF AL TUR 14/2018), has the honour to enclose herewith an information note compiled by relevant Turkish authorities, in reply to the information request stated in the aforementioned letter.

The Permanent Mission of the Republic of Turkey avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 20 November 2018

Encl: As stated



Office of the High Commissioner for Human Rights  
Palais des Nations  
1211 Geneva 10

**INFORMATION NOTE IN REPLY TO THE JOINT COMMUNICATION  
SENT BY THE UNITED NATIONS SPECIAL RAPPORTEURS  
REGARDING THE WALL STREET JOURNAL REPORTER AYL  
ALBAYRAK DATED 1 OCTOBER 2018**

1. With reference to the letter dated 1 October 2018 concerning The Wall Street Journal reporter Ayla Albayrak, sent by the United Nations (UN) Special Rapporteur on the promotion and protection of right to freedom of opinion and expression; and Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, the Government would like to submit its observations herein below.

**I. JUDICIAL PROCESS AGAINST AYLALBAYRAK**

2. A public case was lodged before Cizre 2<sup>nd</sup> Assize Court against Ayla Albayrak on the charge of “making propaganda of a terrorist organization” on grounds that she used statements which praise, legitimize and foster the violent, oppressive and sinister methods of the PKK and YDG-H terrorist organizations and featured photographs of masked and armed terrorists in her article published in The Wall Street Journal, based on the interviews she conducted with terrorists in Silopi/Şırnak.

3. Cizre 2<sup>nd</sup> Assize Court sentenced Ayla Albayrak to 2 years and 1 month of imprisonment for the above-mentioned crime on 10 October 2017 with a reasoned decision. She appealed against the decision of the court.

4. Gaziantep District Court of Justice, in the hearing that took place on 13 November 2018, ruled on the discontinuance of the proceedings against Ayla Albayrak on the grounds that the statute of limitations prescribed in Article 26 of the Law on Press (Law Number 5187) was exceeded in the present case.

5. Above-mentioned article of the Law on Press, which aims to protect freedom of expression and press against overdue prosecution, stipulates a four month period in which a public case can be lodged against a written material.

## **II. CONCLUSION**

6. Since Gaziantep District Court of Justice ruled on the discontinuance of the proceedings, there is not any sentence against Ayla Albayrak anymore.

7. It is therefore believed that the allegations communicated to the Special Rapporteur on the promotion and protection of right to freedom of opinion and expression and Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism should be dismissed.