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Turkey: Journalist targeted yet again

Amnesty International is dismayed at today's news that yet another case has been opened against journalist Hrant Dink on charges of "denigrating Turkishness" under Article 301 of the Turkish Penal Code. The organization considers that this prosecution is part of an emerging pattern of harassment against the journalist exercising his right to freedom of expression -- a right which Turkey, as a State Party to the European Convention for the Protection of Human Rights and Fundamental Freedoms and the International Covenant on Civil and Political Rights, has a legal obligation to uphold.

The latest charge against Hrant Dink was brought following a statement he made to *Reuters* news agency, in which he reportedly said of massacres of Armenians during the Ottoman Empire, "Of course I'm saying it's a genocide, because its consequences show it to be true and label it so. We see that people who had lived on this soil for 4000 years were exterminated by these events." Amnesty International is particularly concerned at this latest prosecution, the third against Hrant Dink on charges under Article 301, because it seems to constitute a pattern of judicial harassment against the writer for peacefully expressing his dissenting opinion. Furthermore, he has already been given a six-month suspended prison sentence following an October 2005 conviction on charges of "denigrating Turkishness" (upheld by the Court of Appeal in July 2006), and therefore if found guilty again on the same charge would be imprisoned. Should he be, Amnesty International would consider him a prisoner of conscience.

Amnesty International considers this latest prosecution to be particularly disappointing following the welcome acquittal four days ago of another writer, novelist Elif Safak, on charges under Article 301 relating to statements made by characters in her novel *The Bastard of Istanbul*. The organization had seen this as a positive step for freedom of expression in Turkey but fears this acquittal may prove to be the exception rather than the rule and demonstrates yet again the failure of certain members of the Turkish judiciary and prosecution to internalize international law, as required by Article 90 of the Turkish constitution. The organization reiterates its call for Article 301 to be abolished in its entirety, thereby putting an end to arbitrary implementation of this ill-defined law.

Finally, Amnesty International notes that this prosecution reportedly arises from a complaint lodged by elements of civil society opposed to the abolition of Article 301, who have lodged similar complaints in the past seeking to secure such prosecutions and who have repeatedly staged provocative and sometimes violent protests at trials, creating a threatening atmosphere in the courtroom. The organization calls on the Turkish authorities to ensure that all necessary measures are taken to ensure the protection both of the defendants, their lawyers and supporters in such cases, and of the course of justice itself. For further information about Amnesty International's concerns regarding Article 301 please see *Turkey: Article 301: How the law on "denigrating Turkishness" is an insult to free expression* (AI Index: EUR 44/003/2006).

