

RAN Appeal #12 Turkey

March 28, 2008

TURKEY: Fears that April 8, 2008 Trial Hearing Will Lead to Sentencing of PEN Canada Honorary Member Ragip Zarakolu

BACKGROUND: The Writers in Prison Committee fears that a trial hearing on 8 April 2008 will end with the sentencing, possibly to a prison term, of publisher Ragip Zarakolu, charged with "insult" under Article 301 of the Turkish Penal Code.

There have been numerous hearings against Ragip Zarakolu since March 2005. He is charged with "insulting the State" for publishing Dora Sakayan's *An Armenian Doctor in Turkey: Garabed Hatcherian: My Smyrna Ordeal of 1922*. Zarakolu faces a maximum sentence of three years in prison. This is just one of a string of trials against Zarakolu in recent years, all related to books he has published, mainly on minority rights issues such as on Armenians and Kurds in Turkey, and on human rights. Most recently another "301" case against him ended in acquittal when the court concluded that Zarakolu's Belge Publishing House's publication of UK-based George Jerjian's book *History Will Set us Free /Turkish-Armenian Conciliation* could not be penalised as the author is not resident in Turkey.

Zarakolu is one of Turkey's best known dissident publishers, having suffered harassment, trials and imprisonment ever since he set up his publishing house, Belge, in the 1970s. In 1995, he and his staff escaped injury when his office was bombed by right wing extremists, forcing it to move into a basement site elsewhere in Istanbul. He is the winner of numerous national and international freedom of expression awards, and is an honorary member of several PEN Centres.

International PEN is deeply concerned that the 8 April 2008 trial hearing against Ragip Zarakolu may result in imprisonment. PEN has long campaigned against the application of this law as a clear deviation from the international standards safeguarding the right to freedom of expression to which Turkey is committed.

For a full list of Honorary Members, click on the following link:
<http://www.pencanada.ca/prison/HonoraryMembers.php>.

President Abdullah Gül
President of the Republic of Turkey
Cumhurbaşkanlığı Kosku
00380 Cankaya
Ankara, Turkey
FAX: +011 90 312 427 1330

Dear Mr. President,

As a member of PEN Canada, the Canadian centre of International PEN, the writers' organization with 145 centres in 104 countries, I am writing to express my concerns about the trial and imminent sentencing of PEN Canada honorary member, Ragip Zarakolu.

I am alarmed to learn that a trial hearing on April 8, 2008 against Ragip Zarakolu under Article 301 of the Turkish Penal Code could result in his conviction.

Should this be the case, it would be in direct violation of international standards protecting the right to freedom of expression as enshrined under Article 19 of the International Convention on Civil and Political Rights, and Article 10 of the European Covenant on Human Rights.

I join with my colleagues at PEN Canada, International PEN, Article 19 and the International Publishers Association in urging you to immediately stop the detentions and trials of writers and journalists. Turkey has ratified the International Covenant on Civil and Political Rights

(ICCPR) and the European Convention on Human Rights (ECHR). Turkey has an international legal obligation to respect and uphold the right to freedom of expression enshrined in both documents.

Sincerely,
[your name and address]

Copies to:

Foreign Minister and State Minister for Human Rights
Mr. Mehmet Ali Sahin
Office of the Prime Minister
Basbakanlik
06573 Ankara
Turkey
Fax: +90 312 287 8811

Embassy of the Republic of Turkey in Ottawa
197 Wurttemberg Street
Ottawa ON K1N 8L9
Fax: +1 613 789 3442
E-mail: turkishottawa@mfa.gov.tr

Permanent Representative of Turkey to the United Nations
821 United Nations Plaza, 10th Floor
New York NY 10017
Fax: +1 212 949 0086
E-mail: turkey@un.int

Please send copies of your appeal to the following Canadian authorities:

The Hon. Maxime Bernier
Minister of Foreign Affairs
Lester B. Pearson Building, Room A-10 125 Sussex Drive
Ottawa ON K1A 0G2
Fax: (613) 996 3443
Email: maxime.bernier@international.gc.ca

David Mulroney
Associate Deputy Minister
Foreign Affairs Canada
Email: david.mulroney@international.gc.ca

Donald Banks
Deputy Director, Nordic, Central Europe and Eastern Mediterranean Division
Foreign Affairs Canada
Email: donald.banks@international.gc.ca

Jim Puddington
Desk Office, Turkey
Foreign Affairs Canada
Email: jim.puddington@international.gc.ca

Gwyn Kutz
Director, Human Rights Division
Foreign Affairs Canada
Email: gwyn.kutz@international.gc.ca