

TAKE ACTION: Please cut and paste this letter onto your personal or institutional letterhead calling for the abolition of Article 301 of the Turkish Penal Code

September 14, 2007

President A Gül
President of the Republic of Turkey
Cumhurbaşkanlığı Köşkü
00380 Çankaya
Ankara, Turkey
FAX: +011 90 312 427 1330

Dear Mr. President,

As a member of PEN Canada, I congratulate you on your election on August 28, 2007.

I also join with my colleagues at PEN Canada, International PEN, Article 19 and the International Publishers Association in urging you to abolish Article 301 of the Turkish Penal Code and to address other matters affecting freedom of expression in Turkey.

We acknowledge and applaud changes to Turkish legislation since the mid-1990s that have improved matters significantly for writers and journalists previously subjected to detention, trials and death, simply for the expression of their views. Until the appalling murder of the distinguished journalist Hrant Dink in January this year, there have been no such killings for almost a decade.

But Article 301 has been used, frequently and consistently, to prosecute individuals who express opinions different from official views of the history of Turkey.

We were hopeful, in December 2006, that Article 301 might be repealed or at least amended. However, we are distressed to learn that, between April and July this past year, there were 18 trials against 24 people under Article 301, and a number of other cases have also been brought up under other articles in breach of the right to freedom of expression. Some examples: Eren Keskin, journalist for the daily Birgün, a lawyer and former president of the Human Rights Association (Istanbul), is accused of "insult to the armed forces" for an article on the murder of Hrant Dink; Ragıp Zarakolu, Atilla Tuygan, Emin Karaka, Ersen Korkmaz, Ahmet Sik and others have been prosecuted under Article 301.

This practice cannot be justified and is not in line with European or international standards. Because 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.

We urge you to do everything in your power to resume, with urgency, the process of bringing Turkey into compliance with these obligations by abolishing Article 301 and ensuring that Turkish law and practice are in line with Article 19 of the ICCPR and Article 10 of the ECHR.

Sincerely,
[your name and address]

Copies to:

Prime Minister Recep Yayıp Erdoğan
Deputy Prime Minister - Cemil Çiçek (formerly Minister of Justice)
Deputy Prime Minister - Hayati Yazıcı
Deputy Prime Minister - Nazım Ekren
Minister for Justice - Mehmet Ali Şahin
Minister of Interior - Besir Atalay

Minister of Foreign Affairs - Ali Babacan
Basbakanlik
06573 Ankara, Turkey
Fax: +011 90 312 287 8811

Embassy of the Republic of Turkey in Ottawa
197 Wurtemberg 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

Leonard Edwards
Deputy Minister of Foreign Affairs
125 Sussex Drive
Ottawa ON K1A 0G2
Tel.: (613) 944-4911
Email: leonard.edwards@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