



freedom to write...
freedom to read

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Foreign Minister and State Minister for Human Rights
Mr Abdullah Gül
Office of the Prime Minister
Basbakanlik
06573 Ankara
TURKEY

Dear Minister,

RE: ARTICLE 301 OF THE PENAL CODE

As you would know from past correspondence, International PEN is the largest organisation of writers in the world with Centres in more than a hundred countries. It is the only writers' organisation in formal consultative relations with UNESCO and is a strictly non-political and non-governmental organisation the main interest of which lies in the protection of writers from ill treatment solely because of their writings unless, of course, those writings involve advocating violence. International PEN Sydney Centre represents more than three hundred Australian writers and is part of International PEN.

It is now six months to the day since Hrant Dink was murdered while on trial on charges which included a charge of "insult to Turkishness" under Article 301 of the Penal Code. The trial against his son, Arat Dink, and two co-defendants working for the Turkish Armenian magazine "Acos" continues. International PEN had hoped that, given Hrant Dink's tragic death and the public calls for the repeal of Article 301, the opportunity would have been taken to close these trial proceedings altogether. It is deeply disappointed with the decision to continue with the case which it sees to be in direct breach of international standards safeguarding the right to freedom of expression.

We were extremely disappointed to hear that the case against Arat Dink is continuing and that another case has been commenced against the author of an article apparently implicating the Turkish armed forces in the killing of Hrant Dink. On the other hand we were gratified to hear of the acquittal of the Defendants Aydin Engin and Cerkis Serkopyam which suggests that the Turkish Courts are delivering justice of a kind. On the other hand, that those who comment on the murder also face trial undermines indications that the state of freedom of expression in Turkey is improving.

The continued existence of Article 301 in the Turkish Penal Code is a continuing shame and we call for an end to trials of writers who have been prosecuted under this Article and to an end to the use of all such laws for the suppression of free speech. At the 73rd International Congress of International PEN, held in Dakar, Senegal from 4-11 July 2007, a resolution was passed condemning the continued existence of Article 301.

This is the fourth letter of a series which our Australian Centre proposes to write to you each month, on the date of Hrant Dink's death, until Article 301 is repealed, as a continuing reminder to you of just how strongly the international community feels about this issue.

Yours faithfully

Jack Durack
Chairman, Writers in Prison Committee

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