

Network of Concerned Historians				NCH
Campaigns				
Year original	Year follow-up	Circular	Country	Names
2007		48	Turkey	Hrant Dink, writer
	2008			<i>follow-up 1</i>
	2010			<i>follow-up 2</i>

### *Announcement*

On 19 January 2007, journalist Hrant Dink was assassinated for his views on the Armenian genocide of 1915. On 14 September 2010, the European Court of Human Rights (ECHR) unanimously ruled that Turkey violated

◆ Hrant Dink’s right to life (by failing to prevent the murder although the police and gendarmerie had been informed of the likelihood of an assassination attempt and of the identity of the suspected instigators; and by not conducting an effective investigation into the failures which occurred in protecting Dink’s life);

◆ Hrant Dink’s right to free expression (a guilty verdict for “insulting and weakening Turkish identity through the media” had been handed down in the absence of a pressing social need, which made Dink a target for extreme nationalist groups). The ECHR concluded that Dink was indirectly punished for criticizing the official denial of the view that the 1915 events amounted to genocide. In paragraph 135 of the judgment, the ECHR reiterated that seeking historical truth was an integral part of freedom of expression.

No further action is needed for the moment. Thanks to all who sent appeals in 2007 and 2008. Below is a list of available documents and a NCH summary of the case.

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### **EUROPEAN COURT OF HUMAN RIGHTS, DINK *VERSUS* TURKEY (14 SEPTEMBER 2010):**

◆ Press release and summary (only in English):

[http://www.concernedhistorians.org/content\\_files/file/LE/170.pdf](http://www.concernedhistorians.org/content_files/file/LE/170.pdf)

◆ Judgment (only in French):

[http://www.concernedhistorians.org/content\\_files/file/LE/171.pdf](http://www.concernedhistorians.org/content_files/file/LE/171.pdf)

#### **PREVIOUS NCH CAMPAIGNS FOR HRANT DINK:**

◆ *In 2007:* [http://www.concernedhistorians.org/content\\_files/file/ca/48.pdf](http://www.concernedhistorians.org/content_files/file/ca/48.pdf)

◆ *In 2008:* [http://www.concernedhistorians.org/content\\_files/file/ca/56.pdf](http://www.concernedhistorians.org/content_files/file/ca/56.pdf)

#### **NCH SUMMARY OF THE CASE:**

Between November 2003 and February 2004, journalist **Hrant Dink** (1954–2007) (pen name of Firat Dink), chief editor of the Turkish-Armenian bilingual weekly *Agos* (Ploughed Furrow; established 1996), Istanbul, wrote a series of articles dealing with the collective memory of the Armenian genocide and its impact on the present-day Armenian diaspora. He called on Armenians to overcome their historical enmity toward Turks and to concentrate on the future. He wrote that the obsession of Armenians with securing recognition that the events of 1915 amounted to genocide and with having their status as victims of genocide recognized had become their *raison d'être*, that this need on their part was treated with indifference by Turkish people and that this explained why the traumas suffered by the Armenians remained such a strong issue. He published a further article in which he referred to the Armenian origins of Atatürk's adoptive daughter. Extreme nationalist groups responded to the articles by staging demonstrations and writing threatening letters. In April 2004, Dink declared at an international panel discussion that Turkey was preparing new curricula and textbooks in which the Armenian genocide thesis was rejected and that the Ministry of National Education had sent to all schools, including Armenian ones, a circular demanding that schools organize conferences and composition competitions dealing with the struggle against "unfounded Armenian genocide claims". On 7 October 2005, Dink was given a six-month suspended sentence for "insulting and weakening Turkish identity through the media". On 1 May 2006, the Court de Cassation upheld the six-month suspended prison sentence. On 11 January 2007, Dink submitted his case to the European Court on Human Rights (ECHR). Meanwhile, in December 2005, charges of "attempting to influence the judiciary" were opened against Dink, **Serkis Seropyan**, license owner of *Agos*, and **Aydin Engin**, *Agos* journalist and author, for an article challenging Dink's October 2005 conviction. The trial was postponed several times. On 25 September 2006, a third case was initiated against Dink on charges of "insulting Turkish identity" for an interview to Daren Butler and Osman Senkul of *Reuters* on 14 July 2006 in which he had declared that the Armenian genocide had

taken place and that he would not remain silent on this issue. This trial was scheduled for March 2007. Some of the hearings of the three trials were marred by violent scenes inside and outside the courtrooms, instigated by nationalist activists calling for Dink to be punished.

On 19 January 2007, Dink, who had received innumerable death threats, was murdered. Perhaps as many as 100,000 mourners attended his funeral on 23 January. Following the murder, a number of other writers and journalists were allegedly put on extremist “death lists” and placed under police protection. Dink’s six-month suspended prison sentence was posthumously overturned by an appeals court. However, charges against Seropyan and Engin were not dropped. The Dink family lodged four further applications with the ECHR in 2007 and 2008. Investigation into Dink’s assassination revealed that it was an organized crime. On 15 June 2007, Seropyan and Hrant Dink’s son **Arat Dink** (1979–), also an editor of *Agos*, were charged with “insulting the Turkish identity” for republishing the 2006 interview. Other newspapers that also reported on Hrant Dink’s utterances were not tried. On 11 October 2007, both were sentenced to one-year suspended prison terms for accusing the Turkish nation of genocide via the press. They appealed the sentence. When, on 9 November 2007, Seropyan and editor **Aris Nalci** criticized the sentence, both were tried for “attempting to influence the judiciary”. On 18 June 2008, they were acquitted.

On 14 September 2010, the ECHR unanimously ruled that Turkey violated Hrant Dink’s right to life (by failing to prevent the murder although the police and gendarmerie had been informed of the likelihood of an assassination attempt and even of the identity of the suspected instigators; and by not conducting an effective investigation into the failures which occurred in protecting Dink’s life) and to free expression (the guilty verdict having been handed down in the absence of a pressing social need and having made him a target for extreme nationalist groups). The ECHR concluded that the Court of Cassation had indirectly punished Dink for criticizing the official denial of the view that the 1915 events amounted to genocide. In paragraph 135 of the judgment, the ECHR reiterated that seeking the historical truth was an integral part of freedom of expression. In a defense argument submitted by Turkey to the ECHR, Dink had been compared to a Nazi leader and had been accused of publishing “hate speech”. After the ECHR ruling, the Turkish government distanced itself from that argument.

[**Sources:** Amnesty International, *Report 2007* (London 2007) 262; *2008* (London 2008) 10, 302; Amnesty International, *Turkey: Article 301—How the Law on “Denigrating Turkishness” Is an Insult to Free Expression* (London; March 2006) 5–6; Article 19, *Speaking Out for Free Expression, 1987–2007 and Beyond* (London 2008) 202; Article 19, *Ifex Alert: Article 19 Concerned about Continuous Threats to Freedom of Expression* (21 October 2009); Bianet, *Ifex*

*Alert* (2 October 2007; 4 March 2008; 14 September 2009; 30 August 2010); European Court of Human Rights, *Dink versus Turkey* (Strasbourg; 14 September 2010); Human Rights Watch, *World Report* (Washington 2005) 430; (Washington 2007) 426; (Washington 2008) 438; *Ifex Communiqué 14–47* (22 November 2005); *Index on Censorship*, 4/05: 145; 1/06: 122; 2/06: 196; 3/06: 82; 4/06: 200; 1/07: 129; 2/07: 15–42, 202; 4/08: 190; 4/09: 198, 200, 202; International PEN Writers in Prison Committee, *Defamation and “Insult”: Writers React* (London, 15 November 2006); International PEN Writers in Prison Committee, *Half-Yearly Caselist: To 31 December 2007* (London 2008) 57, 62, 65; International PEN Writers in Prison Committee, *Ifex Update* (2 April & 15 October 2007); International PEN Writers in Prison Committee, Rapid Action Network, *06/06* (9 February 2006); *17/06* (3 May 2006); International PEN Writers in Prison Committee, “Statement on the Murder of Hrant Dink in Turkey” (19 January 2007); International PEN Writers in Prison Committee, “Statement on the Trial of Orhan Pamuk” (16 December 2005); International PEN Writers in Prison Committee, “Turkey Defamation Campaign: Hrant Dink” (15 November 2006); Reporters without Borders, *Ifex Alert* (13 July 2007); “When History Hurts: Times Are Tough for Outspoken Scholars”, *Economist* (4 August 2005); World Press Freedom Committee, *Ifex Alert* (26 June 2007).]