



Turkey: Article 301 Reform Fails to Meet Publisher Demands

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The International Publishers Association (IPA) notes the minor redrafting of Article 301 of the Turkish Penal Code (TPC) voted by Turkish Parliament on 30 April 2008 as a first step, but urges the Turkish authorities to completely repeal Article 301 TPC as a second step. Under the amended Article 301, it is illegal to insult the “Turkish nation” (previously: “Turkishness”), and charges can only be brought by the Minister for Justice. Still, commentaries, articles, publications seen to be “insulting” to State institutions, the Judiciary, the Military and even individual officials, can still be penalised with prison terms of up to two years (previously: 3 years).

Bjørn Smith-Simonsen, Chair of IPA’s Freedom to Publish Committee, declares: “Practice will tell what impact the amendments to Article 301 TPC will have on the numerous freedom of expression trials currently pending before Turkish courts. IPA hopes that the amendments to Article 301 TPC will lead to the review and dismissal of current cases, including that of publisher Ragip Zarakolu on 17 June 2008, and an end to new trials”.

IPA has been calling for Article 301 TPC to be removed completely since it was introduced four years ago. IPA has also been leading a global campaign calling for the repeal of Article 301 TPC. In February 2007, in the wake of Hrant Dink’s murder, 41 national and international NGOs active in the field of freedom expression have signed a joint statement calling for the repeal of Article 301 TPC. See:

www.internationalpublishers.org/images/pdf/turkey_26_02_2007_301.pdf

Currently, many other laws or articles are also being used in Turkey to put writers, journalists and publishers on trial, or to imprison them, including Law 5816, which criminalises the insult to the memory of Atatürk, or certain articles of the Anti Terror Law. IPA is therefore urging the Turkish authorities to review such laws with the aim of bringing them in line with today’s obligations under international treaties regarding freedom of expression.

More about IPA:

The International Publishers Association (IPA) is the global non-governmental organisation representing all aspects of book and journal publishing worldwide. Established in 1896, IPA’s mission is to promote and protect publishing and to raise awareness for publishing as a force for cultural and political advancement worldwide. IPA is an industry association with a human rights mandate. IPA currently has 65 member associations in 53 countries.

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