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Armenian National Committee of America
NATIONAL HEADQUARTERS

To: Foreign Affairs LA
From: Aram Hamparian, Executive Director
Date: September 7, 2005

**Re: Washington Post criticizes Turkey for
silencing discussion on Armenian Genocide**

The *Washington Post*, in today's policy editorial, sharply condemned the Turkish Government's prosecution of noted author Orhan Pamuk for making the following statement:

***“Thirty-thousand Kurds were killed here,
1 million Armenians as well. And almost no one
talks about it. Therefore, I do.”***

Consider this: According to Turkish law (Article 301/1), the majority of the U.S. Congress would be eligible for prosecution simply for taking part in Armenian Genocide recognition initiatives - as cosponsors, speakers, and co-signatories of letters.

Please keep this editorial in mind during the consideration of the Armenian Genocide Resolution. Feel free to contact the ANCA for more information on this legislation at (202) 775-1918 or anca@anca.org.

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The Washington Post

AN INDEPENDENT NEWSPAPER

Free Speech for Turkey

ORHAN PAMUK, one of Turkey's most acclaimed writers, is facing up to three years in prison. His offense, according to the state prosecutor? "Public denigrating of Turkish identity." Specifically, Mr. Pamuk told a Swiss newspaper in February that certain topics were off-limits for discussion in Turkey — citing the massacre of Armenians in 1915 and the more recent conflicts between Turkish security forces and Kurdish separatists. "Thirty-thousand Kurds were killed here, 1 million Armenians as well. And almost no one talks about it," he said. "Therefore, I do."

As mild as these comments sound to American ears, they touched off a firestorm in Turkey, where the government line is that the Armenian deaths were the consequence of war, not genocide, and public discussion of the issue is hazardous. The uproar over Mr. Pamuk's remarks, which included death threats and burnings of his books, culminated with the filing of the criminal case under Article 301/1 of the Turkish Penal Code, which applies criminal penalties to "a person who explicitly insults being a Turk, the Republic or Turkish Grand National Assembly." Under Turkish law, Mr. Pamuk isn't even permitted to comment on the charges before his case is heard in December.

The prosecution of Mr. Pamuk is, of

course, outrageous; the charges should be dropped as soon as possible. The ill-advised use of this ill-advised provision to punish Mr. Pamuk contravenes Turkey's commitment to comply with the free-speech provisions of international agreements such as the European Convention on Human Rights. It's exactly the wrong signal for Turkey to be sending as Europe debates its admission to the European Union. As Mr. Pamuk's translator, Maureen Freely, wrote in the British newspaper the Independent, "There is no doubt that it will raise questions about the wisdom of Turkey's EU membership bid. How can it possibly claim to be a European country if it has such laws on the books, and if public prosecutors can bring such cases?"

This reaction, indeed, may be exactly what those pushing for a prosecution intended; the timing of the charges, as European ministers meet in Wales to discuss Turkey's membership, is suspicious. That makes it even more important for the national government, though it doesn't control the prosecutor who brought the case, to do what it can to halt this case and others like it. Turkey has made important strides in protecting freedom of expression in recent years, including reforming its penal code. The charges against Mr. Pamuk underscore how far it still has to go.