



ՀԱՅԱՍՏԱՆԻ ՀԱՆՐԱՊԵՏՈՒԹՅԱՆ ՊԱՏՎԻՐԱԿՈՒԹՅՈՒՆ
DELEGATION OF THE REPUBLIC OF ARMENIA
ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE

Statement

On the Verdict of the Turkish Court on the Assassination of Hrant Dink

**delivered by Ambassador Arman Kirakossian to the Permanent Council
26 January 2012**

Mr. Chairman,

My delegation expresses its concern and disappointment with regard to the recent verdict of the Turkish court on the assassination of Hrant Dink, prominent Turkish Armenian journalist, editor-in-chief of daily AGOS being published in Istanbul.

In order to keep trial proceedings free from political speculations, Armenia refrained from raising this issue in an anticipation of promised free trial which would shed light on this extremely deplorable event. Now, when everything is said and done by different branches of Turkish authorities, we have to state that justice has not been served.

We took note of the statements and opinions expressed by the OSCE Representative on the Freedom of Media and Council of Europe High Commissioner on Human Rights who themselves expressed their dismay and shock over inability to bring instigators and perpetrators of the assassination of Hrant Dink to justice.

The European Court of Human Rights clearly established the liability of Turkish authorities in preventing this murder and we regret that this attitude of covering up the crime has not been changed throughout the investigation and trial proceedings. The burden of finding the organizers of the crime was exclusively taken up by the family of Hrant Dink whose lawyer repeatedly brought up important and insightful evidence. Unfortunately, the investigation and trial proceedings deliberately ignored these findings and thus effectively covered up the case which ended up with the acquittal of the 18 suspects.

Regretfully, the manner by which the justice system of Turkey handled this case was not considerably different from that of the defense at the proceeding of the European court of Human Rights. This comes to testify that there are serious shortcomings in implementing the OSCE commitments and Council of Europe obligations with regard to the protection of freedom of expression, free trial and racial tolerance in Turkey.

We are particularly disturbed by the continued existence of the article 301 of the Turkish Penal Code. Prior to his assassination Hrant Dink was stigmatized by the mentioned article of the Penal Code which effectively curbed realization of free

speech and truth seeking. Along with the other countries, Armenia made a recommendation to Turkey at the Universal Periodic Review of the UN Human Rights Council to further amend the article 301. This recommendation was rejected with an explanation that at that stage it was not possible to accommodate it.

The life and death of Hrant Dink was an awakening call for the society he was born into and lived in. I, myself, attended his funeral and was impressed by the presence of tens of thousands people of different political, ethnic and religious background who paid their tribute to Hrant Dink. Similar demonstrations took place recently and we respect the sincerity of the members of Turkish society to reveal the truth for someone whose life itself was dedicated to the truth seeking in regard to injustice that had been inflicted upon a whole nation.

We would like to stress that we have also noticed some statements containing certain disappointment with regard to the Turkish court ruling, which came from highest authorities of Turkey and echoed by the judge himself. We would like to hope that these statements will eventually have some impact on the ground.

Hrant Dink served the cause of human rights and humanity. The judgment of the European Court of Human Rights from September 14, 2010 linked the duty of authorities to protect life and uphold freedom of expression together and thus provides a legal ground for promoting safety of journalists. In our view, the OSCE participating states can fully take the spirit of this decision to ensure that freedom of expression and right of life is to be safeguarded in the same context of human rights and fundamental freedoms.

Thank you.