



**Middle
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Prime Minister Recep Tayyip Erdoğan
Office of the Prime Minister
Basbakanlik
06573 Ankara, Turkey
Via facsimile +90 312 425-1375

Dear Prime Minister Erdoğan:

I write to you on behalf of the Middle East Studies Association of North America (MESA) and its Committee on Academic Freedom. We wish to express our grave concern over the criminal investigation of Dr. Taner Akçam, a visiting professor of History at the University of Minnesota, for stating that the 1915-1917 deportations and massacres of Armenians constituted a genocide. Charges are pending under Turkish Penal Code Articles 301.1 (“insulting Turkishness”), 214 (“instigation to commit a crime”), 215 (“praise of a crime and criminal”), and 216 (“instigating public animosity and hatred”). The investigation threatens the freedom of expression and academic freedom of Dr. Akçam and contributes to the atmosphere of intellectual and physical intimidation of academics and intellectuals who deal with controversial issues.

The Middle East Studies Association of North America (MESA) was founded in 1966 to promote scholarship and teaching on the Middle East and North Africa. The preeminent organization in the field, the Association publishes the International Journal of Middle East Studies and has more than 2700 members worldwide. MESA is committed to ensuring academic freedom and freedom of expression, both within the region and in connection with the study of the region in North America and elsewhere.

The criminal investigation of Dr. Akçam was prompted by an article he published on October 6, 2006 in *Agos*, the Armenian Turkish weekly, in which he defended Armenian Turkish journalist Hrant Dink, who was to be prosecuted under Article 301 for using the term “genocide”. He asserted that he, rather than Mr. Dink, has consistently used the term “genocide” to describe the Armenian deportations and massacres of 1915-17. Dr. Akçam urged his compatriots, whether they agreed with the use of the term or not, to protect the right of others who do so and to de-criminalize the studying and writing of history. Hrant Dink’s murder on January 19, 2007 underscores the seriousness of the criminal investigation of Dr. Taner Akçam, who has been a regular contributor to the weekly *Mr. Dink* edited. He, and other academics and public intellectuals researching and writing about the Armenian/Turkish issue, operate in an atmosphere of increased intimidation in which they face threats to their security as well as to their academic and civil rights.

The criminal investigation of Dr. Akçam on the basis of Articles 301.1, 214, 215 and 216 of the Turkish Penal Code is a direct violation of his civil and human rights. As a member state of the Council of Europe and a signatory of the European Convention for the Protection of Human Rights and Fundamental Freedoms, and a state party to the International Covenant for Civil and Political Rights (ICCPR), Turkey is required to protect the freedom of expression.

The Middle East Studies Association is concerned over the noticeable deterioration of the situation of academic freedom in Turkey. During the past eighteen months we have written four letters to your government asking that charges brought against academics under Article 301 be dropped. We urge the Government of Turkey to initiate steps necessary to remove Article 301 from the country's Penal Code. Article 301 criminalizes any "insult to Turkishness," the Turkish Parliament, the Turkish government, or the military and security forces. It is difficult to imagine how the government could prosecute a person under this law without violating Turkey's obligations, under Article 10 of the European Human Rights Convention and Article 19 of the ICCPR, to guarantee and protect the freedom of expression. Freedom of expression lies at the core of academic freedom. Furthermore, the repeated prosecutions under Article 301 sharply contrast with your government's recent call to leave the debate around the controversial events of 1915 to the independent study and judgment of scholars.

We encourage you to immediately stop the criminal investigation against Dr. Taner Akçam and to desist from such investigations in the future which use the provisions of Article 301 of the Penal Code as a way of punishing academics, publishers, public intellectuals and other Turkish citizens who express ideas and views of Turkish history at variance with those of the authorities.

Thank you very much for your attention to this matter, and we look forward to your positive response.

Sincerely,



Zachary Lockman
MESA President