



EJDM Europäische Vereinigung von Juristinnen und Juristen für Demokratie und Menschenrechte in der Welt e.V.

ELDH European Association of Lawyers for Democracy and World Human Rights

EJDH Asociacion Europea de los Juristas por la Democracia y los Derechos Humanos en el Mundo

EJDH Association Européenne des Juristes pour la Démocratie et les Droits de l'Homme dans le Monde

EGDU Associazione Europea delle Giuriste e dei Giuristi per la Democrazia e i Diritti dell'Uomo nel Mondo

Professor Bill Bowring, President (London)
Professeure Monique CHEMILLIER- GENDREAU, Présidente d'honneur (Paris)
Thomas SCHMIDT (Rechtsanwalt) Secretary General (Duesseldorf)

Minister of Justice Mehmet Ali Sahin
Adalet Bakanligi
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Ankara, TÜRKIE

8. April 2008

Dear Minister,

ELDH notes with great concern that the lawyer Eren Keskin – who received the Hans Litten Price from the German lawyers association VDJ in the year 2000 for her courageous work - has been again sentenced by a court in Istanbul for alleged violation of Art. 301 of the Turkish Criminal Code. According to newspaper reports she was accused of having criticised the Turkish Army for having too much influence on policy and the judiciary in Turkey.

For many years ELDH has observed the development of democracy and the respect for human rights in Turkey, including a certain number of improvements. We noted that the freedom of expression is much more restricted than in other member states of the European Union. Therefore it came as no surprise that the number of persons prosecuted for non-violent expressions in Turkey almost doubled in 2006 compared with 2005, with a further increase in 2007 and that more than half of them were convicted under the Criminal Code, in particular under Article 301. Turkey has for a long time been urged to liberalize Article 301, and even the recent provisions for an amendment of Article 301 will not be sufficient to end this discussion.

We are also concerned at the role of the Army in the Republic of Turkey. We are well aware of the origin of the exceptional role of the Army in the Turkish Society and the lack of civilian control. In its report for 2007 the European Commission states that the armed forces continue to exercise significant political influence. And in the same report concerns have been expressed about the independence and the impartiality of the judiciary in Turkey. As an example the European Commission mentions the *Semdinli* case, in which army officers were accused and where the prosecutor who had prepared the indictment was dismissed.

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Therefore it can be concluded, that the long struggle of Eren Keskin for democracy and the respect of human rights in Turkey should not become another case for the criminal court, but rather she should be publicly recognised and awarded for her important contribution to end the political influence of the military and non democratic forces. If Turkey ever becomes a member of the European Union, courageous personalities like Eren Keskin will deserve much of the credit.

Yours sincerely

Thomas Schmidt
ELDH Secretary General