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25 June 2008

Article 301 of the Turkish Penal Code: the case of Ragip Zarakolu

Motion for a resolution¹

tabled by Mr Denis MacSHANE and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

The Assembly notes with regret that in June 2008, the distinguished Turkish publisher, Ragip Zarakolu, was sentenced to a term in prison by a court in Turkey under Article 301 of the Turkish Penal Code; this followed the publication of a book by an English intellectual on the Armenian question.

The Assembly considers that the continuing use of Article 301 to attack freedom of expression in Turkey is in violation of Council of Europe and other international conventions and norms supporting freedom of expression.

The Assembly requests its relevant committee(s):

- to send a fact-finding mission to Turkey to examine and report on the Zarakolu case;
- to consider whether Turkey is in breach of the European Convention on Human Rights by maintaining Article 301 in its Penal Code.

Signed (see overleaf)

1. Referred to the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee), for information in the framework of its post-monitoring dialogue with Turkey: Reference No. 3476 (29th Sitting, 29 September 2008).



Signed²:

MacSHANE Denis, United Kingdom
AUSTIN John, United Kingdom
BLANCO GARCÍA Jaime, Spain
BLATNIK Ana, Austria
CORTAJARENA ITURRIOZ Elvira, Spain
DREYFUS-SCHMIDT Michel, France
EÖRSI Mátyás, Hungary, ALDE
EVANS Nigel, United Kingdom
GROSS Andreas, Switzerland, SOC
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IWIŃSKI Tadeusz, Poland, SOC
KONEČNÝ Albrecht, Austria, SOC
MARCENARO Pietro, Italy, SOC
MUTTONEN Christine, Austria
RUSSELL-JOHNSTON David, United Kingdom
SZABÓ Zoltán, Hungary
TOMLINSON John E., United Kingdom, SOC
VĖSAITĖ Birutė, Lithuania
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ZAŠOV Blagoj, "The former Yugoslav Republic of Macedonia"

2. ALDE: Alliance of Liberals and Democrats for Europe
SOC: Socialist Group