

To Whom It May Concern:

I am writing to advise you that a criminal complaint has been filed against me in Turkey. I have already informed *Radikal* newspaper and expect coverage to appear any day now. *Agos* managing editor Hrant Dink is informing the Turkish press.

Last Thursday, January 4, while I was visiting the *Agos* /newspaper offices in Istanbul, Dink informed me that a summons had been issued regarding my column of October 6, 2006.

In this column, "Hrant Dink, 301, and a criminal complaint" (Hrant Dink, 301 ve bir suç duyurusu), I had criticized the prosecution against Dink for his use of the term "genocide" (soykırım), declared that I myself had been using that term, called upon other Turkish intellectuals to join me in support of Dink, and challenged the authorities to accept my column as evidence of the same "offense" that Dink had committed. On November 12, Recep Akkuş, a Turkish citizen filed a criminal complaint against me at the Eyüp district of Istanbul. On December 15, the Eyüp public prosecutor referred the complaint to the Şişli district, where my publisher, *Agos* is located.

Because I do not maintain a legal address in Turkey, *Agos* publisher Serkis Seropyan and editor-in-chief Arat Dink (Hrant's son), were to be held liable for my column. It was alleged that my column had violated Articles 301/1 (insulting "Turkishness"), 214 (instigation to commit a crime), 215 (praise of a crime and a criminal--note that H. Dink had not even been tried yet), and 216 (instigation of group hatred and animosity).

Not wishing *Agos* to face prosecution on my account, I visited the Şişli prosecutor's office on Friday, January 5, accompanied by two attorneys for the newspaper, to file my response.

As soon as we arrived, the prosecutor dismissed the complaint against Seropian and A. Dink. "Mr. Akcam is here," he told the secretary, "so we don't need any testimony from the other two." He then left the office for a doctor's appointment. Another official took my statement.

I confirmed that I was the author of the column and that the text had not been altered. I declared that the policy of the Committee of Union and Progress against the Armenians in 1915 could be described as a genocide according to the United Nations definition of 1948. The column represented the free expression of my opinion. I had not written it at the behest of any organization or association. I was a professor of history and had published scholarly works on the topic. The column reflected my conviction as a scholar, based on my 15 to 20 years of research. I had expressed this conviction on numerous occasions in articles for *Agos* and other newspapers in Turkey. My scholarly works had been published in Turkish as well as in other languages. My intention was neither to insult, nor to further the agenda of, any racial or ethnic group, but rather to express my convictions the product of my scholarly research, according to my right of free speech. If I came across documented evidence against my point of view, then as a scholar, I could

modify my position. My column was an expression of scholarly objectivity and freedom of speech. In writing it, I had not committed any crime.

The two attorneys from *Agos* formally requested that charges not be brought against me. They pointed out that similar cases had resulted in acquittal. They also argued that a discriminatory double standard was being enforced against *Agos* but not against other Turkish newspapers which had published similar statements.

I will be circulating English versions of my Oct. 6 column, the criminal complaint, my response, and the attorneys' arguments. I see two alternatives: either the Şişli prosecutor will bring charges against me or, based on the precedent of Elif Shafak's acquittal, the complaint will be dismissed and no charges will be brought. The attorneys and H. Dink see the hand of the Deep State in this matter and anticipate that because this same Şişli prosecutor has been responsible for the cases against Orhan Pamuk, Shafak, and H. Dink, I too am likely to face prosecution.

Please feel free to follow up with Hrant or me for further information.

With thanks and best regards

Taner