

FERHAT TUNÇ CASE



“Hello Again”

In Doğubeyazıt in the year of 2003, there was the Festival of Culture, Arts and Tourism. Ferhat Tunç opened his concert at the festival by saying “*Hello Again*”. Police officers noted down this greeting as “*Hello PKK*”, and Erzurum State Security Court acted on that. Tunç was arrested on 7 July 2003 at a concert in Muğla and was put in Milas E Type Prison. His lawyer Ercan Demir filed an application objecting to Tunç being kept on remand, the court accepted to examine the video recordings of the concert. Thus it was proved in the end that what he said was “*Hello Again*”. Tunç was released 8 days later.

Saying “Hello” is not a crime in the laws of Turkish Republic yet you better be careful when you greet people. Turn the page if you want to read more about his story.

“A Revolutionary Leyla and a Song”

A case was opened against Tunç over an article he published in “Yeniden Özgür Gündem” daily newspaper in 19 January 2004. The article was headed '*A Revolutionary Leyla and a Song*' where Tunç criticised “a case against Democratic Society Party (DEP) and used the term 'Deep Judiciary', over which he was charged with “*Insulting the judicial system through publication*” under Turkish Penal Code article 159 (new TPC 301) carrying imprisonment between 1 and 3 years. Tunç stands trial along with the responsible editor of the newspaper, Mehmet Çolak in Beyoğlu Criminal Court of First Instance Num. 2.

“Saving Private Kırandı”

The PKK kidnapped private Coşkun Kırandı in Tunceli’s Pülümür province on 11 July 2005. As a result of the initiatives by human rights defenders, a delegation comprising Human Rights Association (HRA) Southeastern Regional Representative Mehdi Perinçek, Diyarbakır Branch Chairman Selahattin Demirtaş, Democratic Society Party’s City Chairman Özgür Söylemez, musician Ferhat Tunç and journalist Umur Hozatlı got Kırandı back from PKK on 4 August. Kırandı said after his release: “*They did not mistreat me or torture me. They said they would not mistreat me regardless of my rank. I was scared at first but I calmed down later on. I am happy that I will go back to my family*”. Despite the peaceful ending of the affair, judicial system intervened and the delegation who received Kırandı were charged with “making propaganda for a terrorist organisation”. Along with the members of the delegation, two reporters of Dicle News Agency Abdülkadir Özbek and Rüstü Demirkaya, a reporter of Doğan News Agency Ferit Demir and a reporter of Anadolu Agency Haydar Toprakçı who reported the affair were

charged. The indictment referred to the delegation as “so-called human rights defenders”. 2 year long trial ended in their acquittal.

But They are Homo Sapiens too

Ferhat Tunç was giving a concert in Antalya’s Alanya province on 22 July 2005, he said *“Each killed guerilla is a son of this counrty too. My heart bleeds for every soldier who gets killed, my heart bleeds for every guerilla who gets killed. I am the voice of those who were made “the others” in this country. A democratic country needs equality. A problem of an Arab in Turkey should be a problem of a Kurd. Not all those who are portrayed as separatists intend to divide the country”*. İzmir Public Prosecutor Birol Çengil claimed that Tunç made propaganda for the PKK. The indictment argued that his words thretanned social peace and could not be considered in the limits of freedom of expression.

High Criminal Court with Special Powers which replaced State Security Courts tried Tunç where he was asked to be imprisoned for up to 15 years. Shortly after the beginning of the trial two security officials from Beyoğlu Security Centre visited Tunç and informed him about an e-mail they received. A message from Turkish Revenge Squads (TIT) to the Security Headquarters, sent five days after Hrant Dink murder said: *“We killed Hrant Dink. Now its turn for Osman Baydemir, Metin Tekçe and Ferhat Tunç. Protect him if you can”*. Officers warned Tunç *“Be carefull and let us know if you see suspicious figures”*. The streets around Tunç’s house and office were put under police surveillance. His situation reminded Hrant Dink’s story which led to his murder on 19 January 2007. İzmir High Criminal Court Num. 10 acquitted Tunç on 4 October 2007 stating that Tunç's action was not a crime in the laws.

Repression over Ferhat Tunç generated reactions not only in Turkey but from abroad too. Copenhagen based Freemuse an organisation for Free Music launched a campaign to support Ferhat Tunç. Foreign observers attended his trial on 4 October.

The Seventeens

A case was filed against Ferhat Tunç over his remarks and a song “The Seventeens” he performed at a concert in Tunceli on 19 August 2006. Tunç said at the concert *“Yes, they were 17 people, 17 lives... I had acquaintances among them. I went to school with some.. I shared food with some.. I can not stand the pain and can not accept the fact that they were killed.”* Tunç was charged with “making propaganda for a terrorist organisation” (prison sentence for up to 5 years, ATL article 7).

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EYES OF THE WORLD (National and International Committees against Human Right Abuses)

Purpose:

- * Setting up national and international committees to act fast and effectively against the violations of human rights and freedom of expression,
- * Informing the public opinion in and outside the country,
- * Creating a democratic pressure to stop the continuing of such violations.

Origin:

Prof. Noam Chomsky and Kurdish author Mehmed Uzun arrived Turkey to attend trials against their books creating public opinion around the cases, led to the fast track ending of both cases (10-15 minutes) in acquittals. If the eyes of the world are set on a case violations could not be sustained.

What do we want to do?

Repression does not always appear in the form of the cases in State Security Courts. Sometimes it takes the shape of a threat against minorities, or an investigation against university students, sometimes it appears as a ban on the use of mouthertounge or wearing headscarf,

ranging from the violation of freedom of expression or conscience, to the seizure of right to work or have education. Thus a chain of reactions should be formed in an organised way against all repressive acts, informing national and international public regularly and instantly.



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