

THE RESEARCHER COLUMN

Hrant Dink Murder Trial after almost Seven Years: Is there No Justice for Turkey's Armenians?

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As Stefan Fule addressed the European Parliament in its plenary session during the debate regarding the situation in Turkey in June this year, I listened very intently wondering about his views on the Gezi park protests.



Following MEP's conflicting views about whether or not Turkey deserved an extension on chapter negotiations, the Commissioner seemed convinced that it was not just Turkey that was to be blamed for not doing her 'homework'. In fact, on the part of the EU, he seemed to signal an embarrassment about the fact that the minister of justice of Turkey had asked him repeatedly about screening reports and benchmarks for further judiciary reform and that the EU kept on denying the opening of relevant chapters, thus blocking an essential platform for dialogue.

However, from what I can observe, Turkey's judicial system does not only suffer from fallacies that new institutions, socialized judges and capacity building programs can resolve. It rather suffers from an 'undemocratic reflex' initiated by elected or unelected officials, upheld by prosecutors and judges, enforced by the police and awarded by politicians. Because the judicial system is so deeply embedded in power relations that have traditionally come to characterize today's Turkey which are themselves replicated through undemocratic means -such as civil/military, Kemalist/anti-Kemalist-, Turkish society needs to reach democratic reconciliation among its components before the EU treatment can fully take effect. But is the AKP government, who demonstrated its ability of fighting the Kemalist hegemony through the *Ergenekon* trials, up for such a task? A different case leads us to be cautious about such optimism.

Hrant Dink's murder trial, which has been going on for six and a half years without coming close to even trying the real assassins and the ones who protect them, is probably one of the most tragic examples of this undemocratic reflex coming to the fore in relation to Turkey's Armenian minority. The Armenian journalist Hrant Dink was shot dead on 19 January 2007 in front of the building of *Agos*, a weekly newspaper of which himself was the editor. He was known for his reconciliatory position which made him very vulnerable towards both the Turkish and Armenian views on the conflict.

The murder was not random and it was almost announcing its arrival through campaigns, threats and countless unlawful lawsuits that targeted Dink for 'insulting Turkishness'. The systematic campaign began right after the Turkish General Staff made a statement about an article published in *Agos* that Sabiha Gokcen, Ataturk's adoptive daughter and the first woman war pilot of Turkey, was in fact an Armenian orphan. The army had found it inappropriate that such a symbolic figure was being presented as 'questionable'. Soon, Dink found himself to be a target in the media and various 'civil society' platforms. He was called in for a 'chat' at the governorate of Istanbul together with the intelligence services where he was 'warned' about his actions. After his death, we now know that Turkish security services were in fact aware of the plot and the connections that was to lead to Dink's murder.

A recent book by Dink's lawyer, Fethiye Cetin¹, outlines fully how the justice system in its totality worked hard and fast to convict Dink before the murder and how it has been actively refraining from laying a finger on the organized force behind the ones who pulled the trigger in its aftermath. Furthermore, members of the judicial and bureaucratic machinery that fought hard to convict Dink are now being awarded with titles such as Supreme Court President and Ombudsman, ironically enough, the latter position having been recently introduced as part of EU reforms.

As he was waiting for the EU Summit's decision on Turkey on 17 December 2004, Dink wrote about Heranush, an Armenian orphan who was adopted and raised by a Turkish family under the name Seher. He wrote: 'In a little while, this silence will be broken and everything will be about the decision of the EU. And inescapably, our solitude will end. But until that happens, let's enjoy this solitude. Let's reconcile the solitude of Heranush or Seher with our own. I can assure you, this reconciliation is much more important than the reconciliation of Turkey with Europe.' In the light of where the murder of this peace-seeking man has put us, I could not agree more.

The researcher column is written in turn by the researchers at the Centre for European Politics. The column does not represent a common CEP-position.

¹ Cetin, Fethiye (2013) *Utanc Duyuyorum: Hrant Dink Cinayetinin Yargisi*, Metis, Istanbul.