



**Middle  
East  
Studies  
Association**  
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12 December 2012

Prime Minister Recep Tayyip Erdoğan  
Office of the Prime Minister  
Başbakanlık  
06573 Ankara, Turkey  
Via facsimile +90 312 417 0476

Dear Prime Minister Erdoğan:

I write on behalf of the Middle East Studies Association (MESA) of North America and its Committee on Academic Freedom (CAF) in order to express our dismay and concern over the fourteen-year-long cycle of trials and acquittals that has subjected Pınar Selek, a Ph.D. candidate in Political Science at the University of Strasbourg, to prolonged denial of justice. Selek's plight has also contributed to a climate of intimidation confronting all scholars, within and outside of Turkey, who wish to conduct research and writing on Kurdish issues.

Selek was charged with membership in the PKK (Partiya Karkerên Kurdistan- Kurdistan Workers' Party) on the basis of extremely weak evidence allegedly linking her to an explosion at the Istanbul Spice Market in 1998. The sole basis for this allegation was the testimony of a single individual who retracted his statement in open court and asserted that it had been extracted under torture. Further, multiple expert reports have challenged the claim that the explosion in question was even caused by a bomb. When Selek was first taken into custody she was conducting research on the PKK and during the two years of her detention she herself was subjected to torture by interrogators who demanded that she reveal the names of her interview subjects. Indeed, all of the circumstances attendant to her case suggest that Selek has been on trial for the last fourteen years for her research on the PKK in violation of her right to academic freedom.

MESA was founded in 1966 to promote scholarship and teaching on the Middle East and North Africa. The preeminent organization in the field, the Association publishes the *International Journal of Middle East Studies* and has nearly 3000 members worldwide. MESA is committed to ensuring academic freedom and freedom of expression, both within the region and in connection with the study of the region in North America and elsewhere.

There is no evidence in Selek's case linking her to the PKK other than her own academic research. Nor is there any evidence of a connection between Selek and the explosion at the Istanbul Spice Market. To the contrary, there is abundant evidence that that explosion was the result of a gas leak rather than any explosive device. Further, the torture to which Selek was subjected during her detention and the demand that she reveal the names of those she interviewed for her research strongly corroborates the view that she was detained, charged, tortured and ultimately tried for nothing more than her academic research. Over the last fourteen years, Selek has been acquitted three times followed in each instance by a reversal, forcing her to undergo a de novo trial. On Thursday, November 22, 2012, the Istanbul 12th High Criminal Court repeated this pattern yet again by revoking the final ruling of acquittal in Selek's case once more. Furthermore, in this instance the reversal of Selek's acquittal was accomplished in violation of the Turkish law of criminal procedure. The court acted on November 22<sup>nd</sup> to reverse *its own acquittal* of Selek, before the appropriate appellate court—the Court of Cassation—had an opportunity to examine that ruling. This irregular course of conduct—in violation of Articles 223, 287 and 307/3 of the Turkish Penal Procedure Code—was undertaken opportunistically, on the occasion of a leave of absence by the presiding judge, to reverse his decision and rehear the case in his absence. The violation of Turkish criminal procedure and then the accelerated schedule for rehearing appear to be a consequence of the substitute judge's determination to try Selek for a fourth time, in breach of all known international and Turkish standards concerning double jeopardy and criminal procedure.

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Re: Pınar Selek

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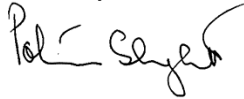
Pınar Selek appears to have been prosecuted for exercising her rights to freedom of research and speech, rights that are protected by Turkey's consent to the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the European Convention for the Protection of Human Rights and Fundamental Freedoms, and the Final Act of the Conference on Security and Cooperation in Europe (OSCE).

The ongoing prosecution of Selek sends a chilling message to the academic community and signifies an ongoing policy of violating the freedom of academic research in Turkey. Selek's prosecution is also taking place against a backdrop of an increasing pattern of detention and prosecution of academics who conduct research on subjects deemed sensitive by the government. The fact that the government persists in implicating Selek in an explosion that has been established to be the result of an accidental gas leak makes this case all the more worrying. Further, the use of torture to force an academic to reveal the names of interview subjects undermines compliance with ethics rules concerning research involving human subjects that requires the protection of the privacy and rights of interviewees. These violations of academic freedom not only undermine Selek's ability and freedom to conduct research, but are also likely to intimidate others from participating in academic research studies going forward. Indeed, the prosecution of Selek appears to be part of a government strategy to make an example of her precisely to create an intimidating climate that inhibits the work of other scholars, researchers, students and academic study participants.

I respectfully ask you to intervene in the case of Pınar Selek to see that she is released and that all charges are dropped. I also urge you to take note of mounting international condemnation of the erosion of democratic rights and freedoms in Turkey.

Thank you for your attention to this matter. I look forward to your positive response.

Sincerely,



Peter Sluglett

MESA President

Professor, Middle East Institute, National University of Singapore

cc: Türkiye Cumhuriyeti Cumhurbaşkanı, Abdullah Gül (Turkish president)  
Türkiye Büyük Millet Meclisi Başkanı Cemil Çiçek (President of the Turkish National Assembly)  
Turkish Justice Minister, Adalet Bakanı Sadullah Ergin  
Chair of the European Parliament Subcommittee on Human Rights, Barbara Lochbihler  
Member of the Cabinet of Catherine Ashton, High Representative of the European Union for  
Foreign Affairs and Security Policy, Carl Hartzell  
Special Commissioner for EU Enlargement, Ștefan Füle  
Council of Europe Commissioner for Human Rights, Nils Muižnieks