



**Middle  
East  
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Association**  
of North America, Inc.

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October 4, 2013

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 regarding three mass trials in which academics from a number of fields—including the sciences, engineering, medicine and the law—were tried, together with dozens of others, based on highly politicized charges and without appropriate procedural protections.

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.

We are concerned that Professors Mehmet Haberal, Fatih Hilmioğlu, Rıza Ferit Bernay, Mustafa Abbas Yurtkuran, Kemal Alemdaroğlu, Kemal Gürüz and Büşra Eranlı were tried on the basis of the criminalization of their opinions, their research, or their scholarly associations – all this in violation of the most basic principles of academic freedom. We further believe that they were held in unjustifiably prolonged periods of pre-trial detention and that the trials to which they were subjected lacked such basic procedural protections as the presumption of innocence and individualized, credible evidence as a basis for the charges brought against them. We join several other international academic associations in voicing our concerns about the impact of these trials on academic rights and freedoms in Turkey. We draw your attention, in particular, to the recent report by the International Human Rights Network of Academics and Scholarly Societies, the Committee on Human Rights of the National Academy of Sciences, National Academy of Engineering and Institute of Medicine (USA) and the Human Rights Committee of the German National Academy of Sciences Leopoldina detailing concerns about the trials and their impact on academics and scientists.<sup>1</sup>

These seven professors and former university rectors were tried under the rubric of three trials—the Ergenekon trial, the Postmodern Coup trial, and the KCK Operations trial—each of which allege that the accused are either members of a terrorist organization or members of a conspiracy to overthrow the government. We have previously written to you to urge that your government release these scholars pending trial and to express our concern that they were being unfairly targeted for their political opinions (letter about the Ergenekon trial, 29 April 2009, addressing

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<sup>1</sup> International Human Rights Network of Academies and Scholarly Societies, *Scientists, Engineers and Medical Doctors in Turkey: A Human Rights Mission* (2013).



the cases, inter alia, of Professors Haberal, Hilmioğlu, Bernay, Yurtkuran and Gürüz; and letter of 11 November 2011 concerning the case of Professor Ersanlı, who was being detained in connection to the KCK Operations trial and subsequently released, but is still awaiting the verdict in her case.) The detention of these academics and scientists and the allegations brought against them have created a climate of intimidation on university campuses that negatively impacts teaching, academic research and scholarly production. We write to you now to ask that your government intercede to re-open cases where these scholars have been convicted based on spurious evidence and to release those still being subjected to prolonged detention as they await the completion of pending trials.

We are most concerned about two basic problems related to the trials of these academics: first, that the charges appear to be based on the political opinion or scholarly association of the professors in question and second, that the use of unreliable evidence repeatedly shown to be fabricated has resulted in their being denied fair trials. Beyond these underlying challenges, the sentences that were handed down in the Ergenekon trials on August 5<sup>th</sup> 2013 were unreasonably long for all of the defendants apart from Professor Haberal, who was released based on time served. Each of the remaining five professors received prison sentences ranging from 10 to 23 years and remains in prison as of this writing.<sup>2</sup> Professor Hilmioğlu received the longest sentence and is expected to remain in prison despite the fact that his prolonged pre-trial detention deprived him of urgently needed medical care to treat his liver cancer. Together with numerous national and international academic associations and human rights organizations around the world, we believe that there was no credible basis on which to judge any of these academics guilty of committing the crimes of which they were accused. We believe that their convictions and sentences are deeply unfair and urge that the government seek to re-open these six cases and exonerate the defendants. We also ask that the government seek to have pending charges against Professor Ersanlı dismissed.

As a member state of the Council of Europe and a signatory of the European Convention for the Protection of Human Rights and Fundamental Freedoms, Turkey is required to protect freedom of thought, expression and assembly. Further, Turkey is also a signatory to the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Final Act of the Conference on Security and Cooperation in Europe (OSCE), all of which protect the rights to freedom of expression and association, which are at the heart of academic freedom. These rights are also enshrined in articles 25-27 of the Turkish Constitution. We urge your government to take all necessary steps to ensure that these rights are protected and that the government refrain from targeting academics for exercising their right to freedom of expression and association. Government efforts to silence scholars who voice support for liberal secular ideals or for the rights of Kurdish citizens in Turkey send a chilling message to Turkey's scholarly community which, as you are aware, has rallied to the defense of these academics.

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<sup>2</sup> Professor Hilmioğlu was sentenced to 23 years; Professor Gürüz was sentenced to 13 years and eleven months; Professor Bernay was sentenced to 10 years; Professor Yurtkuran was sentenced to 10 years; and Professor Alemdaroğlu was sentenced to 15 years, eight months and 22 days. Professor Gürüz is continuing to face trial as part of the Postmodern Coup trial in addition to the sentence he received in the Ergenekon trial.



We respectfully ask you to intervene in the cases of Professors Haberal, Hilmioğlu, Gürüz, Bernay, Yurtkuran, Alemdaroğlu and Ersanlı to ensure that all remaining charges are dropped and that the convictions and sentences against them in connection to the Ergenekon trials be reversed with each of the defendants exonerated due to the absence of credible evidence against them. We 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,

A handwritten signature in black ink, appearing to read 'Peter Sluglett', written in a cursive style.

Peter Sluglett

MESA President

Visiting Research Professor, Middle East Institute, National University of Singapore

cc:

Türkiye Cumhuriyeti Cumhurbaşkanı, Abdullah Gül (President of the Turkish Republic)  
Türkiye Büyük Millet Meclisi Başkanı Cemil Çiçek (President of the Turkish Grand National Assembly)

Adalet Bakanı, Sadullah Ergin (Minister of Justice)

Yüksek Öğretim Kurulu (YÖK) Başkanı, Gökhan Çetinsaya (President of YÖK)

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, Štefan Füle

Council of Europe Commissioner for Human Rights, Nils Muižnieks