



Prof. Dr. Mehmet Haberal's Announcement to the Public

SHOULD THE PRICE OF SERVING ONE'S COUNTRY BE LIFE IMPRISONMENT?

Throughout my life, I have aspired to serve my country as a scientist and my efforts and achievements on behalf of my country and my people are clear for all to see. It is therefore a great shame upon justice and law that I have been portrayed as the leader of a terrorist organization in the Opinions by the Counsel for the Prosecution.

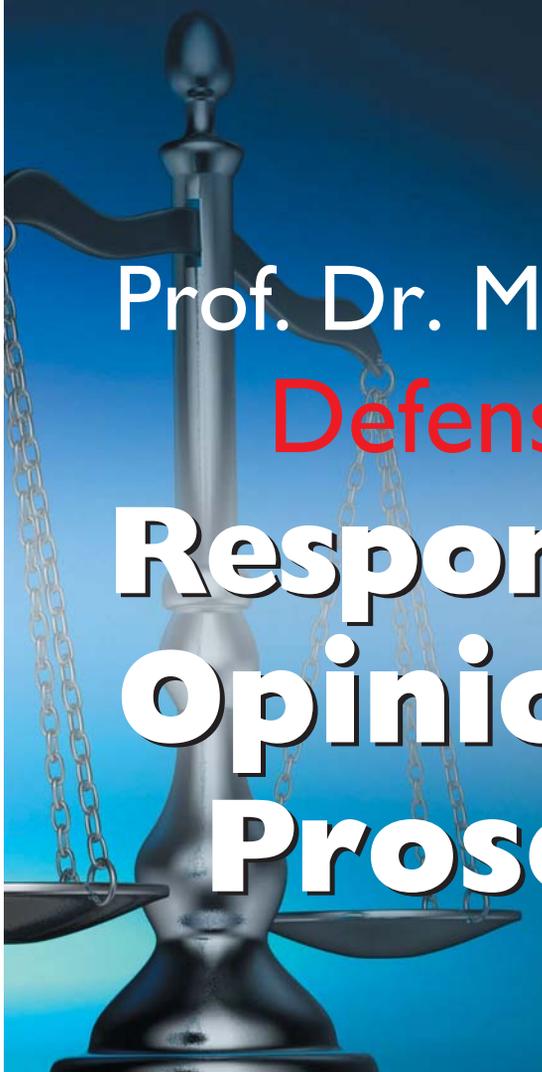
I reject every sentence and every word in this dictum prepared and presented by the Counsel for the prosecution based on fabricated evidence and abstract accusations and imaginary scenarios of witnesses previously convicted of heinous crimes, and with no regard for the physical evidence, official documents, or the testimonies of impartial witnesses.

It must never be forgotten that the truth is stubborn. Those that do not or choose not to see it will nevertheless one day have to acknowledge it.

I present this to my valued people for their consideration.

March 20, 2013

*Prof. Dr. Mehmet Haberal,
CHP Deputy for Zonguldak in the
24th Session of Parliament*

A black silhouette of a pair of scales of justice is positioned on the left side of the image, set against a blue gradient background. The scales are balanced, with the pans hanging from a central pillar.

Prof. Dr. Mehmet Haberal's
Defense Counsel

**Responds to the
Opinion of the
Prosecution**

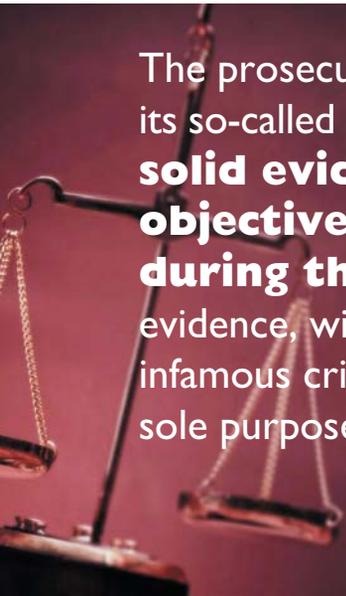


OUR RESPONSES TO THE PROSECUTION'S OPINION AS TO THE ACCUSATIONS IN THE CASE PUBLICLY KNOWN AS “ERGENEKON”

1 First of all we would like to especially indicate that our client Prof. Dr. Mehmet Haberal is a scientist who has founded Başkent University and all its affiliates for our nation and is proud of these institutions which are sources of pride for our country. Neither our client nor his family members have any personal attachment to these institutions. However, although this fact was stated in our client's oral and written depositions countless times, the prosecution tries to misguide our nation by portraying these institutions as personal assets appropriated for use by our client in its Opinion as to Accusations.

2 The prosecution has made one-sided comments in its so-called Opinion as to Accusations neglecting solid evidence, official documents and objective witness testimonies collected during the trial phase and relying on forged evidence, witnesses who have been convicted of infamous crimes and imaginary scenarios with the sole purpose of impeaching the accused.

3 The acts considered within the context of abolishing the Republic of Turkey through use of force and violence or attempting to partially or completely prevent the performance of its duties in the so-called Opinion as to



The prosecution has made one-sided comments in its so-called Opinion as to Accusations **neglecting solid evidence, official documents and objective witness testimonies collected during the trial phase** and relying on forged evidence, witnesses who have been convicted of infamous crimes and imaginary scenarios with the sole purpose of impeaching the accused.

As it was also deliberately stated in the expert report prepared by the Counter-Terrorism Unit of the Istanbul Security Headquarters, **no evidence as to any crime has been obtained as a result of comprehensive searches in the residence and office of our client Prof. Dr. Mehmet Haberal.**



Accusations are in fact acts in compliance with the law within the context of “Freedom of Communication” regulated in Article 22 of the Constitution; “Freedom of Thought” regulated in Article 25 of the constitution; “Freedom to Express and Propagate Thoughts” regulated in Article 26 of the Constitution; “Freedom to Attend Civil Society Activities” regulated in Article 33 of the Constitution; “Right to Organize Meetings and Protest Marches” regulated in Article 34 of the Constitution and “Right to Establish a Political Party” regulated in Article 68 of the Constitution.

Moreover, the fact that none of the 185 questions directed to our client by the prosecution and panel of judges was related to **terror, force or violence is the most obvious indicator of this situation.**

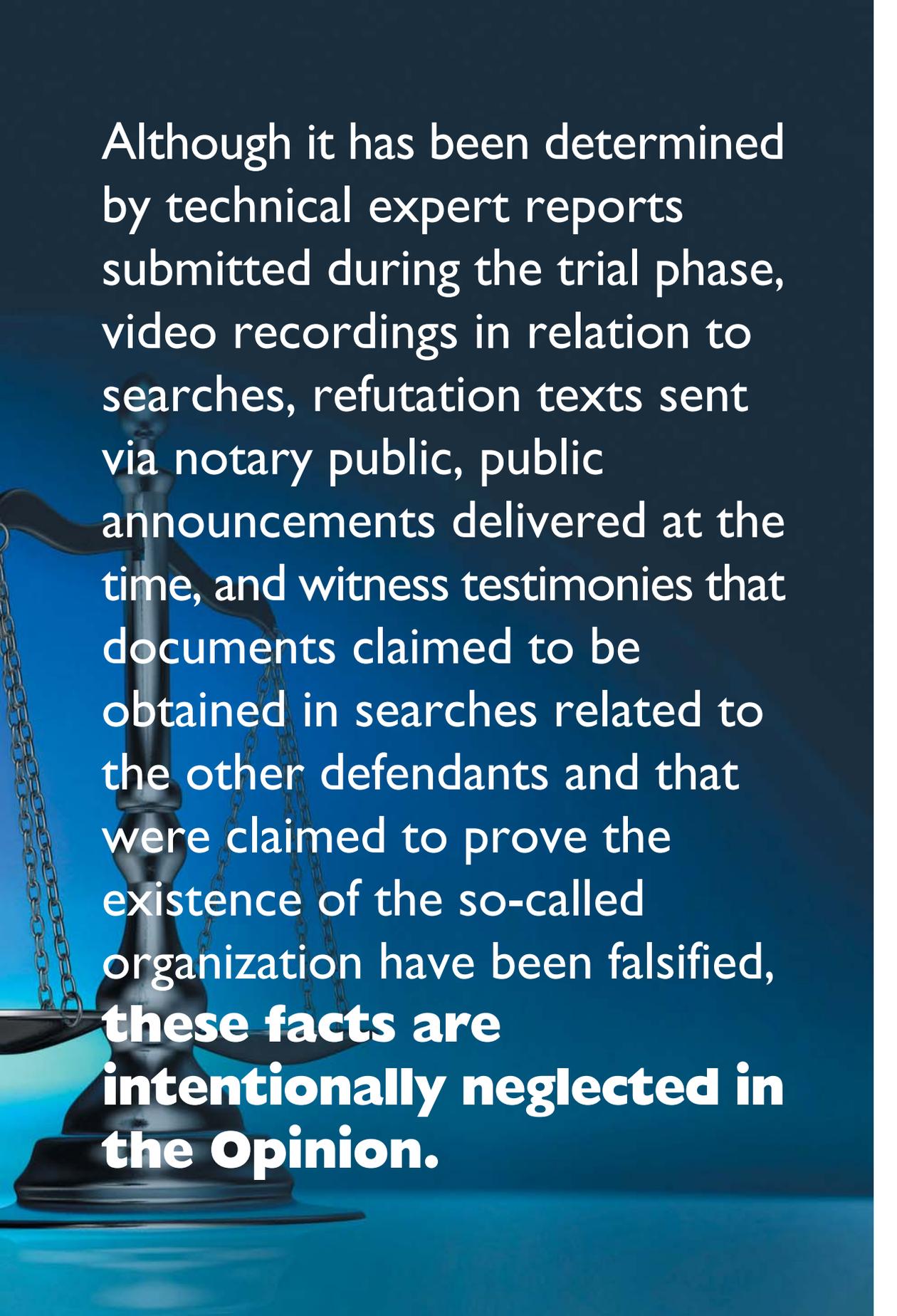
4 As it was also deliberately stated in the expert report prepared by the Counter-Terrorism Unit of the Istanbul Security Headquarters, no evidence as to any crime has been obtained as a result of comprehensive searches in the residence and office of our client Prof. Dr. Mehmet Haberal.

5 Similarly, no evidence that can be considered within the context of crime of attempting to overthrow the government of the Republic of Turkey through use of force and violence has been found in searches related to the other accused.

6 It has also been clearly stated in the responses of The Security General Directorate, The National Intelligence Agency (MIT), the Gendarmerie General Command, and the Office of the Commander in Chief, which produce and analyze the top level intelligence of the state, that “existence of such a terrorist organization could not be confirmed.”

Similarly, Mr. Hilmi Özkök, who was the Commander in Chief at the time of his sworn testimony before the court, and Undersecretary for the National Intelligence Agency Mr. Şenkal Atasagun in his public statements, have clearly indicated that they found the “schedules and presentations” submitted as the evidences of the claimed organization to be inconclusive and unpersuasive.

However, despite the official responses of the General Directorate of Security, the National Intelligence Agency (MIT), the

A black silhouette of a scale of justice is positioned on the left side of the image. The scale has two pans hanging from a central beam, with chains connecting them. The background is a gradient of blue, transitioning from a darker shade at the top to a lighter shade at the bottom. The text is overlaid on the right side of the image, starting from the top and moving down. The text is white and uses a sans-serif font. The final part of the text is in a larger, bold font.

Although it has been determined by technical expert reports submitted during the trial phase, video recordings in relation to searches, refutation texts sent via notary public, public announcements delivered at the time, and witness testimonies that documents claimed to be obtained in searches related to the other defendants and that were claimed to prove the existence of the so-called organization have been falsified, **these facts are intentionally neglected in the Opinion.**

Gendarmerie General Command, and Office of the Commander in Chief, all of which produce and assess the highest level of state intelligence, and the statements of close witnesses of the time, Former Commander in Chief and retired Full General Mr. Hilmi Özkök and Former undersecretary of MİT Mr. Şenkal Atasagun, which are present in the file, in the Opinion, the prosecution intentionally attempts to mislead the public by portraying as if the existence of such an organization was determined and our client acted as the leader of this organization.

7 Although it has been determined by technical expert reports submitted during the trial phase, video recordings in relation to searches, refutation texts sent via notary public, public announcements delivered at the time, and witness testimonies that documents claimed to be obtained in searches related to the other defendants and that were claimed to prove the existence of the so-called organization have been falsified, these facts are intentionally neglected in the Opinion.

8 Persons whom our client Prof. Dr. Mehmet Haberal is acquainted with from social or occupational activities and whom he has not met for many years or he has never met are indicated as “persons with organizational links” in the so-called Opinion.

It is determined by solid evidence in the file that our client Prof. Dr. Mehmet Haberal;

Knows Prof. Dr. Kemal Yalçın Alemdaroğlu, Prof. Dr. Mustafa Abbas Yurtkuran, Prof. Dr. Rıza Ferit Bernay, Prof. Dr. Fatih Hilmioğlu, Prof. Dr. Halil Kemal Gürüz, Bedrettin Dalan, Ahmet Hurşit Tolon, Sinan Aydın Aygün, Mustafa Ali Balbay, Turhan Çömez, Mehmet Şener Eruygur, Doğu Perinçek, Tuncer Kılınç, İlhan Selçuk and Prof. Dr. Yalçın Küçük

from **social or occupational societies;**

Has not met with the deceased İlhan Selçuk and Prof. Dr. Yalçın Küçük from among these people, **in any manner since 25 years;**

Has never met the accused Ercüment Ovalı, Hayri Bildik, Mehmet Bora Perinçek, Aydın Gergin, Yusuf Beşirik, Yusuf Tunçer, Ufuk Mehmet Büyükçelebi, Ergün Poyraz, Erol Mütercimler, and İsmail Yıldız.

9 By portraying all phone calls conducted via the main switchboard of Başkent University where hundreds of people work as phone calls made by our client Prof. Dr. Mehmet Haberal, the so called Opinion attempts to mislead the public with the purpose of establishing “artificial communication” between the accused.

In fact, in the files there are no recordings of telephone conversations in relation to a communication between our client Prof. Dr. Mehmet Haberal and defendants Hayri Bildik, Mehmet Bora Perinçek, Turhan Çömez, Doğu Perinçek, Aydın Gergin, Yusuf Beşirik, Yalçın Küçük, İlhan Selçuk, Mustafa Ali Balbay, Ufuk Mehmet Büyükçelebi, Altunay Şahin, Emin Şirin, Erol Mütercimler, Kemal Yalçın Alemdaroğlu, Tuncer Kılınç, Mustafa Abbas Yurtkuran and Rıza Ferit Bernay.

Nevertheless, when we review the so called Opinion as to Accusations, there is the attempt to create information pollution by manifesting as if such communication existed between our client Prof. Dr. Mehmet Haberal and these people.

10 The prosecution has attempted in the so called Opinion to mislead the public as to accusations by making personal comments on matters which are not mentioned by the file and submitting these as “certain findings.”

When we review the so called Opinion as to Accusations, there is the attempt to create information pollution by manifesting as if such communication existed between our client Prof. Dr. Mehmet Haberal and these people.



In a manner of speaking, it has been asserted that our client Prof. Dr. Mehmet Haberal has taken on the mission of unifying the national forces by manifesting a “National Strategy Document,” said to be prepared by Doğu Perinçek and a group of academicians with the purpose of “unifying national forces,” based on a phone call between Doğu Perinçek and Ünsal Yavuz, manager of Başkent University Atamer, and meetings convened in Patalya Hotel that were accessible to the press and led by the former Minister of State Kamran İnan in relation to founding a political party, as if they were related to each other.

On the other hand, it is obvious that the “National Strategy Document, “which is claimed to have been prepared by Doğu Perinçek along with some academicians in Istanbul, does not comprise any elements of a crime.

11 Besides the fact that the phone calls related to our client do not include even the slightest statement as to overthrowing the government via force and violence, since the phone calls in the file are all illegal wiretapping, the case cannot be lawfully grounded on such evidence as per Article 28/6 of the Constitution and Articles 206/2-a and 217/2 of the Law of Criminal Procedures.

In the response letter no. 2007/51 dated 12.23.2009 sent to the Chief Public

Prosecutor Istanbul upon our request, which refers to the letter no. 21750 dated 12.16.2009 of the Istanbul Directorate of the Counter-Terrorism Unit, it is determined that the residence of our client and Başkent University telephone switchboard have been directly and our client's cell phone has been indirectly subject to illegal wiretapping.

Besides the fact that there is not the slightest statement as to the overthrowing of the government through use of force and violence in the phone communications belonging to our client Prof. Dr. Mehmet Haberal, it is not possible to base the trial on these illegally obtained phone conversations as per Article 38/6 of the Constitution and Articles 206/2-a and 207/2 of the Law of Criminal Procedures.

However, besides the fact that these illegal phone taps have not been removed from the file by the court, there has also been no denunciation about the state officials committing the crime of violation of the privacy of communication and the prosecution has attempted to benefit from this unlawfully gained evidence in the so called Opinion as to Accusations.

12 There has been no legal or actual communication between the defendants who have committed the acts of “State Council Assassination” and “Bombing of the Cumhuriyet Newspaper,” which are indicated as the

“elements of force and violence for the crime of attempting to perform a coup against the government” and our client Prof. Dr. Mehmet Haberal.

Similarly, when the so called Opinion as to Accusations is reviewed it is clear that there has not been the slightest contact between the accused who performed such heinous attacks and our client Prof. Dr. Mehmet Haberal.

13 The fact that the meeting convened at Patalya Hotel by the National Sovereignty Movement, which aimed to found a political party and which was publicly accessible, is manifested as the meeting of the organization is an unacceptable approach in a democratic state of law as it means that the sacred rights of participating in civil society activities (Constitution Article 33) and founding a political party (Constitution Article 68) granted by the constitution to each individual are disregarded.

The fact that the Public Prosecutor of Istanbul has decided that “there is no need for prosecution” in its Investigation No.

2011/2319 and Decision No. 2012/42 regarding the Secretary General of the “National Sovereignty Movement,” the meetings of which, portrayed as “organization meetings” in the so called Opinion as to Accusations, were occasionally attended by our client Prof. Dr. Mehmet Haberal due to intense business traffic, and frequently attended by the Former Minister, Mr. Mehmet Ufuk Söylemez and Former Undersecretary for the Prime Ministry Mr. Yaşar Yazıcıoğlu, Gazi University faculty member Prof. Dr. Hasan Ünal and Ms. Taciser Onuk, also indicates that there has been no illegal activity in the meetings in question.

14 The fact that the Former Minister of Foreign Affairs Mr. Kamran İnan addressed our client Prof. Dr. Mehmet Haberal as, “...I await your orders” due to his polite style of speech and likewise Retired General Ahmet Hurşit Tolon once said, “I await your orders. Call me at three in the morning if you wish, I will immediately come,” has been regarded as “the hierarchic structure of the terrorist

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Similarly, when the so called Opinion as to Accusations is reviewed it is clear that there has not been the slightest contact between the accused who performed such heinous attacks and our client Prof. Dr. Mehmet Haberal.

organization” is a laughable and weak claim.

15 Although the claims in relation to “the treatment of the deceased Prime Minister Mr. Bülent Ecevit at Başkent Hospital” have been refuted by **Mr. Bülent Ecevit while he was still alive and by his spouse Mrs. Raĥsan Ecevit and these claims have been repeatedly disproved** by the official reports in the file and sworn statements of public witnesses, Mr. Emrehan Halıcı, Mr. Can Dündar, Mr. Masum Türker and Prof. Dr. Rengin Erdal, who have testified before the court, and by the public representations made by Former Treasurer of DSP Mecit Şekercioĝlu, Former President of DSP Zeki Sezer, and the Minister of Health at the time Osman Durmuş. The so-called Opinion as to Accusations has completely disregarded this solid evidence and instead the testimonies of Recai Birgün, Mücahit Pehlivan and Mustafa Bolkan, with whom our client has serious hostilities, have been accredited despite having no foundation in reality, no evidence, and are simply ascription of crime.

This is an indicator of the fact that the so-called Opinion as to Accusations is merely an accusation document made up of forged evidence and imaginary scenarios.

16 Although it has been determined that positive messages have been delivered to the public in relation to the health condition of the deceased Prime Minister Mr. Bülent Ecevit in press conferences made by Başkent University, it is a denial of the facts by completely disregarding solid evidence to assert in the so-called Opinion that Başkent University has delivered negative news regarding the health condition of Ecevit.

17 **The reason for the absence of the deceased Prime Minister Mr. Bülent Ecevit from three crucial**

meetings of the state after being discharged from Başkent University Ankara Hospital is due the fact that he fell down and got hurt at home or due to neurological problems affecting his spine.

The deceased Prime Minister Mr. Bülent Ecevit did not comply with the Opinion of his doctors to move carefully, as also indicated by Recai Birgün in his testimony before the court, and therefore had occasionally hurt himself during the one month of treatment period at home.

As determined by the treatment documents in the file and the report of the Forensic Medicine First Specialization Board, Prime Minister Mr. Bülent Ecevit who had a compression in his spine and fracture in his ribs could not participate in the National Security Council Meeting held on 30.05.2002 due to an injury he sustained to his face from a fall before sunrise on the same day and due to serious neurological factors affecting his spine. **Similarly, when the documents submitted to the file are reviewed, it can be determined that he could not participate in the Cabinet Meeting of June 7, 2002, and the Cyprus Summit on June 20, 2002, due to “serious neurological factors affecting his spine and the infection in his lungs.”**

On the other hand it is an undeniable fact that the deceased Prime Minister Mr. Bülent Ecevit both while he was under treatment at Başkent University Hospital and during the treatment period continuing at home after being discharged from this hospital and based on the approval of the doctors had where his health condition allowed:

- Chaired the Leadership Summit at Başkent University Ankara Hospital on May 21, 2002;
- Organized two press conferences in a row, first while he was being discharged from Başkent University Ankara Hospital and then at the Prime Minister's residence on May 27, 2002;
- Organized a press conference with

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reporters in the garden of his house in Oran on June 9, 2002;

- Participated in a political meeting with the Minister of Economy Kemal Derviş and relevant bureaucrats at his residence in Oran on June 17, 2002;

- Participated in a political meeting with the Minister of Foreign Affairs İsmail Cem and his team at his residence in Oran on June 18, 2002;

- Visited the Presidential Palace to first meet with President Ahmet Necdet Sezer and then participate in the party group meeting on June 27, 2002.

Asserting that “the doctors at the Başkent University have caused political decay by preventing Prime Minister Bülent Ecevit from attending three important state meetings,” based on the intangible claims of Recai Birgün, despite the existence of news reports widely mentioned in print and visual media and the footage in the farewell section of the Karaoğlan Documentary prepared by reporter-writer Can Dündar and Rıdvan Akar, does not comply with law and reason.

18 Although it has been clearly stated in the report by the Istanbul Forensic Medicine First Specialization Board with Decision No. 198 dated 19.1.2011, which was ratified with “equal vote” despite being considered ratified by “majority vote,” that in the dissenting opinions prepared by Neurosurgery Specialist Prof. Dr. Nurperi

Gazioğlu, Cardiovascular Surgery Specialist Prof. Dr. K. Hasan Tüzün, Internal Medicine Specialist Prof. Dr. Süheyla Güven Apaydın, General Surgery Specialist Prof. Dr. Nihat Yavuz and Forensic Medicine Specialist Dr. Tansev Boran the diagnosis, examination and treatment of the Former Prime Minister Mr. Bülent Ecevit are all in compliance with medical standards, the so-called Opinion as to Accusations has completely disregarded these valid medical opinions and one-sided comments with no scientific basis of pediatricians and forensic medicine experts who do not have any expertise on the subject matter have been accredited.

19 The attendance of our client Prof. Dr. Mehmet Haberal as the Rector of Başkent University at the “Respect the Republic” demonstration, which had been organized after obtaining all necessary permits from the relevant authorities within the context of celebrations for the 80th Anniversary of the Republic and in which approximately forty thousand people participated, is a mere practice of the “right to attend meetings and demonstration marches” regulated by Article 34 of the Constitution.

As acknowledged by the indictment also, our client Prof. Dr. Mehmet Haberal has never attended the meeting claimed to be held by some university rectors at the Gendarmerie General Command on October 19, 2003.

Furthermore, it is also determined by the written documents present in the file that our client has also not taken any part in the organization committee of the said meetings.

In addition to the fact that there was no banner calling the “army to its duty” while our client Prof. Dr. Mehmet Haberal was in Anıtkabir to lay a wreath on Atatürk's Mausoleum and pay his respects as the representative of the university of which he was the rector at the time, he also had not encouraged anyone to prepare or hang such a banner. The fact that the 25th Criminal Court of First Instance of Ankara has acquitted the 11 people who had hung the relevant banner also indicates how weak these assertions are.

20 It is also out of the question that our client Prof. Dr. Mehmet Haberal entered into any kind of collaboration with the Former Rector of İnönü University Prof. Dr. Fatih Hilmioğlu, with regard to influencing cadres at universities.

Although it has been asserted in the so-called Opinion that our client Prof. Dr. Mehmet Haberal has sent e-mails from the e-mail account “haberal 44” to Prof. Dr. Fatih Hilmioğlu at the email address rektor@inonu.edu.tr and CC'ed to the address fhilmioğlu@inonu.edu.tr, such an email account as haberal44 does not belong to our client nor to anyone at Başkent University.

Similarly, Prof. Dr. Fatih Hilmioğlu has also clearly represented during his statement before the court that the CD comprising the said e-mail does not belong to him.

Furthermore, upon our denunciation on behalf of our client Prof. Dr. Mehmet Haberal as to the determination of the source and the address from which the e-mail which is shown as so-called evidence of the attributed crime, the Chief Public Prosecutor of Ankara decided that “there is no need for prosecution as the e-mail within the CD does not constitute any crime.”

21 Similarly, our client Prof. Dr. Mehmet Haberal has had no communication with the academician Prof. Dr. Yalçın Küçük and the deceased reporter-writer İlhan Selçuk for 25 years other than on the occasion of the signing of the “Intellectuals' Petition” commonly adopted by 1300 people and institutions against the military coup of September 12, 1984.

Contrary to what has been asserted in the so-called Opinion our client Prof. Dr. Mehmet Haberal has never the same residence with the reporter-writer İlhan Selçuk and academician Prof. Dr. Yalçın Küçük.

In fact, when the notes belonging to Prof. Dr. Yalçın Küçük annexed to the indictment are examined, it is easily understood that it is not our client Prof. Dr. Mehmet Haberal but his mentor, the late Prof. Dr. Hüsnü Göksel, with whom Prof. Dr. Yalçın Küçük

The attendance of our client Prof. Dr. Mehmet Haberal (...) at the “Respect the Republic” demonstration (...), **is a mere practice granted to every individual of the “right to attend meetings and demonstration marches” regulated by Article 34 of the Constitution.**

shared the same residence and according to his statement in the same note, his use of the term “organization house” is nothing but a joke.

Similarly, the argument that upon hearing of Prime Minister Recep Tayyip Erdoğan's illness Prof. Dr. Yalçın Küçük's humorous suggestion, made in reference to the recent unfounded reports appearing in the news regarding the incapacity report allegedly given by Başkent University to the late Prime Minister Bülent Ecevit, that Prime Minister Erdoğan should be taken immediately to Başkent University and given an incapacity report and that the gendarmes of Şener Eruygur should be stationed at the door to prevent his escape is indicated in the Opinion as solid evidence of attempting a coup via use of force and violence against the government is a laughable and weak accusation.

It is clear that Prof. Dr. Yalçın Küçük's comments are entirely humorous as his notes on the subject conclude with a joke he had heard from a cellmate from the Black Sea region when he was under arrest at Sultanahmet Prison; “Somebody told a Laz 'I am sympathetic' and he responded, 'as I did not know whether it was a good or bad thing I shot him as a precaution.'”

Furthermore, according to the law since incapacity reports can only be prepared by state hospitals, it is evident that Başkent University, which is a university hospital, does not possess the authority to issue such a report.

In addition, as is determined by the statement of the witness Prof. Dr. Rengin Erdal, Former Chief Physician at Başkent University, the fact that many ministers and members of parliament of the ruling party, including President Abdullah Gül and Prime Minister Recep Tayyip Erdoğan, preferred Başkent University Ankara Hospital for their medical examinations and treatment

to state hospitals or other university hospitals is a clear indicator of the fact that this institution is widely trusted.

22 Our client Prof. Dr. Mehmet Haberal has not in any way taken part in the media-finance structure of the organization with Mustafa Özbek and Erol Manisa.

Similarly, **there has been no solid evidence submitted in relation to such attributed crime in the so called Opinion.**

23 The claim that that the television channel Kanal B is managed by İlhan Selçuk along with the channels Art, Ulusal Kanal and KanalTürk as per the decision taken in the higher councils of the alleged organization is untrue.

As has been clearly stated in the depositions of the deceased İlhan Selçuk, Prof. Dr. Kemal Alemdaroğlu, and Mustafa Balbay, there has been no offer made to our client Prof. Dr. Mehmet Haberal with regard to this issue and the abovementioned television channels have never conducted a common broadcast. In addition, when the records of the Supreme Council of Radio and Television are examined, it is clearly seen that the television channel Kanal B has never conducted a common broadcast with any other channels on any date.

24 The Opinion of the name of a doctor in America made by our client Prof. Dr. Mehmet Haberal, in accordance with the duties explicit in the Hippocratic Oath he had taken, to Bedrettin Dalan, the Former Mayor of the Istanbul Metropolitan Municipality and the Founder of Yeditepe University, who had called through the Başkent University switchboard to inform our client “two arteries in his heart were blocked” has been portrayed as an “organizational

communication” in the so-called Opinion as to the Accusations, despite being a conversation that took place within the context of doctor-patient privilege.

This biased approach in the so-called Opinion as to the Accusations is also an indication of the intentional effort by the Prosecution to fabricate fictitious crimes and criminals.

Yalçın Küçük’s humorous suggestion is indicated in the Opinion as “solid evidence of attempting a coup via use of force and violence against the government,” which is a laughable and weak accusation.

25 The assertion in the Opinion that the courteous statement, “I will be Prime Minister, but you will be my Prime Minister,” made by Mustafa Sarıgül, Mayor of Şişli, out of respect for our client Prof. Dr. Mehmet Haberal, is evidence of the fact that our client directs political figures in line with the organizations purposes is laughable and absurd.

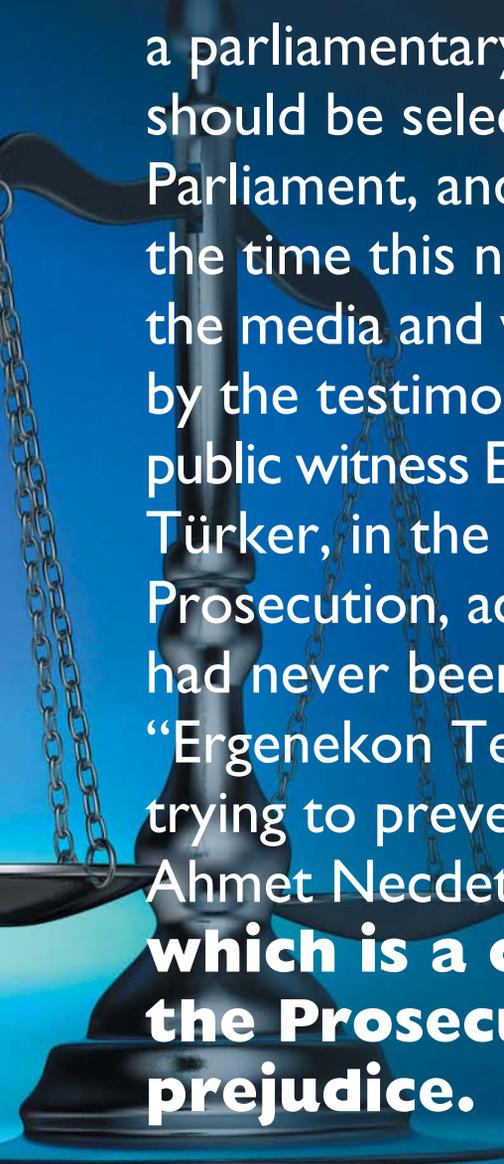
26 The honorable offer to become the President of the Republic made by the respected Bülent Ecevit in 2000 was not accepted by Prof. Dr. Mehmet Haberal due to the fact that he was first and foremost a scientist and believed that in a parliamentary regime the President should be selected from within the Parliament, and despite the fact that at the time this news appeared widely in the media and was later confirmed again by the testimonies before the court of public witness Emrehan Halıcı and Masum Türker, in the so-called Opinion, the Prosecution, acting as if such a proposal had never been made, accuses the “Ergenekon Terrorist

Organization of trying to prevent the Presidency of Ahmet Necdet Sezer for this reason,” which is a clear indication of the Prosecution’s open prejudice.

27 Although it is affirmed that the unfounded claims made against our client Prof. Dr Haberal in reporter-writer Ergun Poyraz’s book were condemned by a notice dated 18.06.2007 with the roll no. 14630 and dispatched via the Ankara 9th Notary, the Prosecution argues in the so-called Opinion that “an organizational communication exists between them,” an accusation that is against the natural order and completely unreal.

28 Contrary to what has been asserted in the so-called Opinion, no negotiations took place between our client Prof. Dr. Mehmet Haberal and the reporter-writer Ahmet Tuncay Özkan with regard to providing financing for the television channel he owned.

Reporter-writer Ahmet Tuncay Özkan visited our client on only one occasion for the purpose of consulting with him regarding the administrative and legal problems faced by the television channel KanalTürk, which he owned together with



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the Former Minister Mr. Yaşar Okuyan, as Kanal B had also experienced similar problems in the past. In this meeting between the parties no discussion took place regarding the financing of KanalTürk television channel.

Similarly, when we examine the so-called Opinion, it can also clearly be seen that no solid evidence has been provided to prove that the purpose of this meeting was to receive financial backing KanalTürk television channel.

29 The allegation that our client Prof. Dr. Mehmet Haberal had given any manner of instructions to Osman Nahit Duru, the General Broadcasting Manager at the time of Kanal B, to “try every way possible to pull down the votes for AKP,” is entirely out of the question.

Furthermore, as indicated in the video footages and tapes that were submitted into the file, reporter Nahit Duru went on air and announced that these statements were in fact his own personal beliefs, that our client Prof. Dr. Mehmet Haberal had no part in the statements he had made, and that on the contrary, Prof. Dr. Mehmet Haberal has always maintained that the doors of Kanal B are open to anyone who has something to say, and apologizing to our client before the public he resigned from his position as the General Broadcasting Manager.

The reporter Nahit Duru has reiterated this fact once more in his article published in the daily newspaper Yurt, dated 12.12.2012.

We hereby respectfully submit to the consideration of the people of our nation these statements of fact based on a legal foundation of solid evidence collected

during the trial, official documents, and objective witness testimonies, made in response to the abstract, groundless and entirely unbelievable allegations against our client Prof. Dr. Mehmet Haberal in the so-called Opinion of the Prosecution.

March 27, 2013

Att. Dr. Köksal Bayraktar

Att. Dilek Helvacı

Att. Selen Karaçalı

Defense Counsel for

Prof. Dr. Mehmet Haberal,

*CHP Deputy for Zonguldak in the
24th Session of Parliament*