

**SCHOLARS AT RISK**  
N E T W O R K

Via email to: [nabiavci@meb.gov.tr](mailto:nabiavci@meb.gov.tr)

Mr. Nabi Avci  
Minister of National Education  
T.C. Milli eğitim Bakanligi  
Atatürk Bulvarı No: 98  
06650 Bakanlıklar  
Ankara, Turkey

March 31, 2016

Dear Minister Avci:

Thank you for your reply to our letter about recent pressures on members of the Turkish higher education community, and especially your affirmation of Turkey's commitment to academic freedom, freedom of expression and freedom of association. Respectfully we urge you to issue such a statement publicly, as it could have very positive effect inside and outside Turkey.

Our earlier letter was written with due regard for Turkey as a democratic state, as you note, and precisely because we are concerned that the recent pressures on academics seem to be putting the space for inquiry and democratic expression at risk. We acknowledge the difficult conditions facing the Turkish State and society, including the conflict in Syria, the refugee crisis, and violent attacks in Turkish cities, as well as the challenges of addressing these in a manner consistent with domestic and international human rights norms. Our earlier letter did not question these, nor did it endorse the content of the academics' public statement. Our letter only shared our concern that the "official reactions" noted in your letter, including targeted investigations by the Turkish Council of Higher Education and Universities and judicial authorities, are based solely on the signatory academics' nonviolent expression of an opinion on a matter of legitimate academic and public concern.

While we appreciate that the opinions expressed in the academics' statement may be disputed and unpopular, the asking of questions and expression of ideas—especially disputed or unpopular ideas—is not only essential to quality higher education; it is the root of democratic legitimacy and rule of law. Academics have a special responsibility within democratic society to ask questions and to impart information and ideas to the public. This ensures that sensitive issues may be more widely understood, and affords the public a means of forming opinions based on evidence and reason over passion, prejudice or ideology. The principles of institutional autonomy and academic freedom are designed to protect scholars when they accept this responsibility, whether from overzealous "official reactions" or public outcry. This is especially true when the questions raised are complex, when information is limited, or even when conclusions are mistaken. A democratic society must show special restraint in sanctioning academic scrutiny and tolerate imprecision or even error in scholarly and public discourse to avoid crippling public debate and undermining its own legitimacy.

While we also appreciate that institutional autonomy and academic freedom do not shield acts of or incitements to physical violence, if these values are to have any meaning such that academics can embrace their responsibility to research, teach and comment on important issues, then the burden must be on the state to show conduct beyond mere questions and statements. Academic freedom and institutional autonomy demand a presumption that a scholar's questions and ideas

alone cannot be the basis for professional or personal sanction—whether expressed in books, research articles, essays, blog posts, class lectures, workshop or conference participation, teach-ins, nonviolent demonstrations or assemblies, public statements or petitions. Any restrictions or sanctions on these are inherently suspect, and must be shown by the state to be both absolutely necessary and more important than the public’s right to receive critical information. This is especially true when academics question government action, as in this case.

We therefore remain concerned that the pending investigations and proceedings against the signatory academics are in response to public outcry—precisely the pressure against which institutional autonomy and academic freedom are designed to protect—and that the Turkish Council of Higher Education and Universities and judicial authorities appear to consider the mere act of signing a public statement a criminal offence. Because of these concerns, and because we deeply value our ties with the Turkish higher education sector, we respectfully urge you as an academic and as Minister of National Education to issue publicly and in private communications with relevant authorities a clear statement of the position of the Ministry:

- affirming as you have in your letter that Turkey and the Ministry remain squarely committed to the principles of academic freedom, freedom of expression and freedom of association;
- affirming that the asking of questions and expression of disputed or unpopular ideas is essential to quality higher education and democratic society, and that the principles of institutional autonomy and academic freedom recognized in Turkey’s Constitution specifically protect scholars when they accept this social responsibility; and
- affirming that any pending investigations or proceedings against the signatory academics based solely on their public statement should be quickly ended.

Although we realize that the Ministry may not have direct authority over many of the current actions against the signatory academics, it does have responsibility to protect the quality and reputation of the Turkish higher education sector. We are confident that a public statement from you would send a strong message and help to restrain further harmful and overzealous efforts.

We would also respectfully offer whatever assistance we might be able to provide in creating a positive dialogue about these issues, within Turkish higher education and among international partners, including if appropriate arranging a delegation to meet with you and other officials, a workshop, or other opportunities which you might suggest.

We appreciate your continuing attention to this urgent matter and look forward to your reply. Please feel free to contact me at [scholarsatrisk@nyu.edu](mailto:scholarsatrisk@nyu.edu) or +1-212-998-2215.

Sincerely,



Robert Quinn  
Executive Director

CC: See attached pages (2)

**Copies to:**

**Mr. Bekir Bozdağ**

Minister of Justice  
Republic of Turkey Ministry of Justice  
06659 Kızılay  
Ankara, Turkey  
Fax: +90 312 419 3370  
Email: [info@adalet.gov.tr](mailto:info@adalet.gov.tr)

**Mr. Yekta Saraç**

Higher Education Council President  
Yükseköğretim Kurulu Başkanlığı  
Uluslararası İlişkiler Birimi  
B-7 Blok, 5. Kat  
06539 Bilkent  
Ankara, Turkey  
Fax: +90 312 266 4744  
E-mail: [cohe@yok.gov.tr](mailto:cohe@yok.gov.tr)

**The Honorable Yaşar Halit Çevik**

Permanent Representative of Turkey to the United Nations  
Permanent Mission of Turkey to the United Nations  
821 UN Plaza 10<sup>th</sup> Floor  
New York, NY 10017 USA  
Fax: 1-212 949 0086  
Email: [tr-delegation.newyork@mfa.gov.tr](mailto:tr-delegation.newyork@mfa.gov.tr)

**The Honorable Zeid Ra'ad Al Hussein**

United Nations High Commissioner for Human Rights  
Office of the United Nations High Commissioner for  
Human Rights  
Palais des Nations  
CH-1211 Geneva 10, Switzerland  
Email: [InfoDesk@ohchr.org](mailto:InfoDesk@ohchr.org)

**The Honorable Kishore Singh**

United Nations Special Rapporteur on the Right to  
Education  
Palais des Nations  
CH-1211 Geneva 10, Switzerland  
Email: [sreducation@ohchr.org](mailto:sreducation@ohchr.org)

**The Honorable David Kaye**

United Nations Special Rapporteur on the promotion and  
protection of the right to freedom of opinion and expression  
Palais des Nations  
CH-1211 Geneva 10  
Switzerland  
Fax: +41 22 917 9006  
Email: [freedex@ohchr.org](mailto:freedex@ohchr.org)

**The Honorable Federica Mogherini**

High Representative of the Union for Foreign Affairs and  
Security Policy  
European Commission  
Rue de la Loi / Wetstraat 200  
1049 Brussels  
Belgium

**The Honorable Thorbjørn Jagland**

Secretary General of the Council of Europe  
Council of Europe  
Avenue de l'Europe  
F-67075 Strasbourg Cedex  
France  
Fax: + 33 (0)3 88 41 27 99

**The Honorable Philippe Boillat**

Directorate General Human Rights and Rule of Law  
Council of Europe  
Avenue de l'Europe  
F-67075 Strasbourg Cedex  
France  
Fax: + 33 (0)3 88 41 27 99

**The Honorable John Kerry**

United States Secretary of State  
Office of Foreign Missions  
U.S. Department of State  
2201 C Street NW  
Washington, DC 20520 USA  
Email: [OFMInfo@state.gov](mailto:OFMInfo@state.gov)

**The Honorable Samantha Power**

U.S. Permanent Representative to the United Nations  
U.S. Permanent Mission to the United Nations  
799 United Nations Plaza  
New York, NY 10017 USA

**The Honorable John Bass**

Ambassador of the United States to the Republic of Turkey  
Embassy of the United States  
110 Atatürk Blvd. Kavaklıdere, 06100  
Ankara, Turkey

**Copies to organizations co-endorsing the original letter of concern:**

Academic Cooperation Association  
American Political  
Science Association  
Association of International Education Administrators  
Canadian Association of University Teachers  
Committee of Concerned Scientists  
Conference of Rectors of  
Academic Schools in Poland  
European Association for International Education  
European University Association  
Foundation for Refugee Students (UAF)  
German Rectors' Conference (HRK)  
International Council for Science's Committee on Freedom and Responsibility in the conduct of Science  
Magna Charta Observatory  
Mexican Association of International Education  
Middle East Studies Association  
National Tertiary Education Union, Australia  
Norwegian Students' and Academics' International Assistance Fund  
Royal Netherlands Academy of Arts and Sciences  
Scholars at Risk Norway Section  
The New Zealand Tertiary Education Union  
Te Hautu Kahurangi o Aotearoa Incorporated  
Alexander von Humboldt Foundation  
American Association for the Advancement of Science  
American Philosophical Association  
American Sociological Association  
Berlin Social Science Center  
The British Philosophical Association  
Columbia University's Center for the Study of Social Difference  
Council for European Studies  
Council for the Development of Social Science Research in Africa (CODESRIA)  
German Academic Exchange Service (DAAD)  
German Society for Analytic Philosophy  
International Development Ethics Association  
University and College Union