

SCHOLARS AT RISK

N E T W O R K

 protection  advocacy  learning

Via email to: contact@tccb.gov.tr

Recep Tayyip Erdoğan
Türkiye Cumhuriyeti Cumhurbaşkanı
(President of the Republic of Turkey)
Cumhurbaşkanlığı Külliyesi
06560 Beştepe
Ankara, Turkey

January 15, 2018

Re: Attacks on Higher Education in Turkey

Your Excellency:

I write on behalf of the Scholars at Risk Network (SAR) to follow up on earlier correspondence and to reiterate our grave concern about continuing, severe pressures on the higher education sector in Turkey. This letter updates previous correspondence, reflecting SAR's ongoing analysis of press accounts, individual reports, and the government's own data, demonstrating the intentional targeting of thousands of higher education personnel and institutions since January 2016, including through investigations, dismissals and expulsions, arrests and detentions, prosecutions, and restrictions on travel. We once again respectfully urge you to take all necessary steps to reverse these dangerous and destructive actions.

Scholars at Risk is an international network of more than 500 universities and colleges in 38 countries dedicated to protecting the human rights of scholars and their communities around the world, and to raising awareness, understanding of, and respect for the principles of academic freedom and its constituent freedoms of expression, opinion, thought, association, and travel. As part of this work, SAR documents, tracks and reports on attacks on higher education communities and personnel. Where appropriate, SAR intervenes in hopes of clarifying and resolving matters favorably.¹

We last wrote to your office on July 13, 2017, providing detailed data on pressures on Turkey's higher education community since January 2016. Unfortunately, since our July 13 letter, the pressures have continued unabated: during that period, at least 438 members of Turkey's higher education community have faced criminal detentions, investigations, and prosecutions; 698 have been dismissed or expelled from their institutions and subjected to restrictions on their ability to travel. The state of emergency was extended by three months, for the fifth time, in October 2017, laying the foundation for further administrative and criminal actions targeting higher education

¹ SAR has communicated previously with Turkish and international authorities about these matters, including most recently with the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression David Kaye. See <https://www.scholarsatrisk.org/wp-content/uploads/2017/07/Letter-of-Concern-to-UNSR-D.-Kaye.pdf>

communities (among others). And, while the government has established an appellate body, the State of Emergency Appeals Commission, to allow victims of wrongful terminations and other errors to seek redress, the Commission has reviewed only a tiny fraction of the total number of applications filed since it began receiving them in July 2017: as of this report, decisions have been made on just 300 out of more than 100,000 pending applications.² This situation gives rise to serious doubts about the possibility that members of the higher education community, among others, will be able to obtain any redress whatsoever—let alone a full and fair hearing—before their professional lives are irrevocably harmed. We again call on the authorities to take any available action to quickly rectify all wrongful dismissals and expulsions, and restore those targeted to their previous positions, whether through the Commission or other lawful means.

The following data reflect updates, as of this writing, to the information provided in our July 13, 2017 letter:

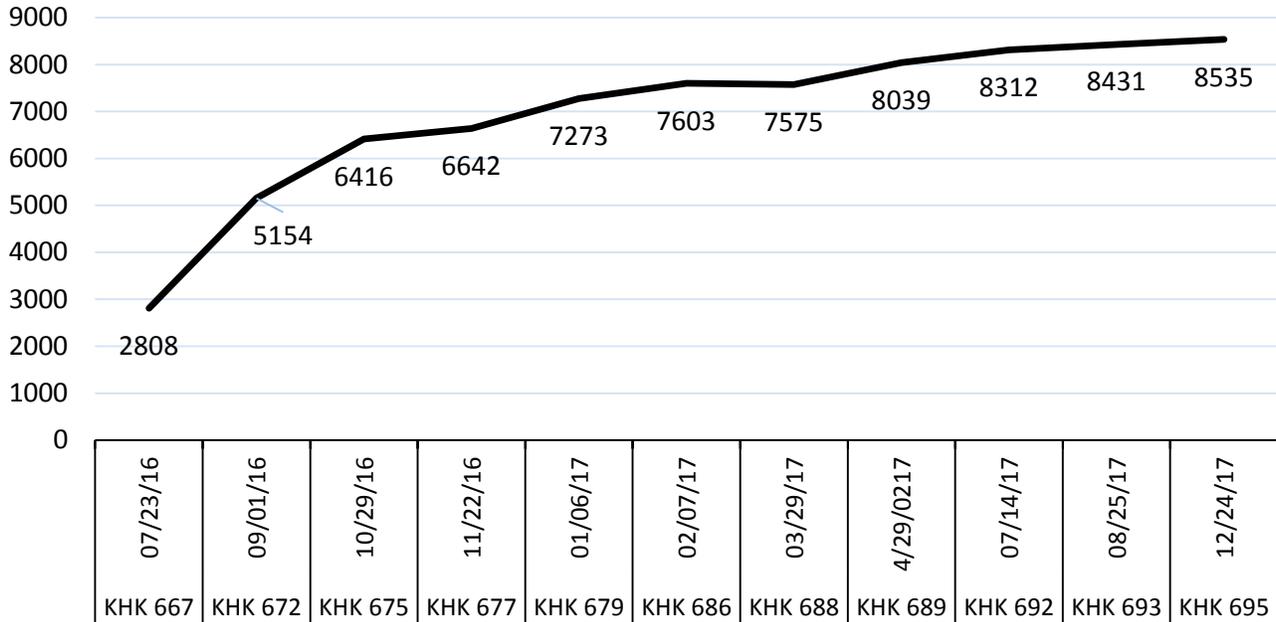
The targeting in January 2016 of the signatories to what came to be known as the “Academics for Peace” petition marked a major escalation of actions against higher education personnel in Turkey. Following the release of the petition, all 1,128 of the signatories then in Turkey were placed under investigation; a large percentage of those were subsequently targeted with administrative, civil and criminal investigations, dismissals and expulsions, arrests and detentions, prosecutions, and restrictions on travel. The situation worsened dramatically following the government’s declaration of a state of emergency in July 2016, with to date more than 9,200 higher education personnel and students targeted directly, and over 60,000 higher education scholars, administrators and students materially affected by government and institutional actions. (These are among an estimated total of over 300,000 persons affected by the emergency decree including, in addition to higher education personnel, civil servants, judges, journalists, and human rights defenders).

Actions targeting members of the higher education community include:

- **Criminal investigations, detentions and prosecutions:** Following the publication of the Academics for Peace petition in January 2016, the state placed at least 1,128 individuals from 89 institutions under criminal investigation. Since then, SAR has verified at least 1,691 detentions or warrants issued for higher education personnel and students, with 1,236 having been physically detained (whether or not a warrant was involved). Of those detained, we have verified only 143 releases to date. At the same time, we understand that over 600 higher education personnel have been formally subjected to criminal charges, which include: making terrorist propaganda; membership in a terrorist organization; inciting people to hatred; insulting the Turkish nation; and membership in the Gülenist movement. The speed and scope of these actions and the related long-term detentions—often without charge—raise grave concerns about the objectivity and fairness of any investigation and proceedings, and strongly suggest retaliation for the nonviolent exercise of academic freedom, freedom of expression, and freedom of association.

² For reference, see <https://stockholmcf.org/turkeys-ohal-commission-could-not-be-remedy-for-victims-of-govt-decrees-under-emergency-rule/> and <http://www.hurriyetdailynews.com/turkeys-state-of-emergency-commission-makes-first-decisions-on-dismissed-public-sector-staff-124583>

**Total Academic Personnel Unemployed by Decree
 (Adjusted for Reinstatements)**



- Mass dismissals and expulsions:** On July 23, two days after the declaration of the state of emergency, the state ordered 15 universities closed, displacing some 60,000 students and leaving 2,808 academic personnel unemployed. Since then, the state has issued nine separate decrees ordering the dismissals of higher education personnel and expulsions of students. To date, these actions have rendered jobless some 8,535 academic personnel (*see* chart above), as well as at least 1,349 administrative personnel. Those individuals who have been permanently dismissed are also subject to a lifetime ban from applying to civil service positions, effectively ending their higher education careers in Turkey. Further, three emergency decrees have ordered the expulsion of 273 students studying abroad. Those decrees also provided that any scholarships supporting their studies abroad were to be cancelled, and that any degrees or certificates obtained abroad would not be recognized in Turkey. SAR is aware of only 129 reinstatements—fewer than 2% of the scholars, staff, and students dismissed or expelled as a result of the emergency decrees. The decrees have had a particularly harsh impact on many smaller institutions, where the loss of junior and senior faculty has upended many research and teaching activities.

The impacts of these actions go far beyond simple job losses. For the foreseeable future, they leave individual scholars unable to pursue their careers, to provide for their families, or even to travel outside of Turkey to seek jobs abroad. The dismissal of these scholars also denies Turkey’s higher education community substantial human and intellectual capital—losses that will compound over time. Not only will the community lose these scholars’ productive years of teaching and research, but the current targeting of higher education will lead fewer students to take up academic careers, and many academics still working in Turkey will likely seek opportunities elsewhere.

- **Restrictions on travel:** In addition to ending their professional lives, those dismissed—and their spouses—have been stripped of their passports, curtailing any possibility of mitigating the harms they suffer by attempting to continue their professions abroad. At least five of these former university personnel have reportedly been detained during their attempts to flee Turkey and seek safety abroad.

The numbers above, as staggering as they are, reflect only publicly available, verifiable information. The actual number of persons already affected is in all likelihood higher, and actions against higher education personnel continue.

In the absence of material evidence to the contrary—evidence that goes beyond mere words and allegations—the actions outlined above against higher education institutions, scholars, staff, and students strongly suggest retaliation for the nonviolent exercise of academic freedom, freedom of expression, and freedom of association. This is especially true of actions against individuals based solely on their public endorsement of the Academics for Peace petition or their alleged affinity for the so-called Gülenist movement. Further, the speed and scope of these actions raise grave concerns about the objectivity and fairness of any investigations and proceedings. These concerns are underscored in cases of mass dismissals by government decree, restrictions on travel imposed on persons dismissed from their positions, and similar restrictions imposed on their family members.

These actions are not only attacks on individuals, but on the higher education sector in Turkey and on Turkish society generally. If not quickly reversed, these actions will undermine Turkey's status as an international center for learning and intellectual exchange.

We therefore respectfully urge you to take all necessary steps to reverse these dangerous and destructive actions. In particular, we implore you to: (i) suspend any investigations, prosecutions, detentions, or other actions against individuals based solely on the nonviolent exercise of the right to academic freedom, freedom of expression, or freedom of association; (ii) ensure the restoration of status for those denied access to study or to their professions based on such conduct; (iii) take the steps necessary to ensure that the State of Emergency Procedures Investigation Commission has the resources and independence needed to ensure just and swift resolution of wrongful dismissals and expulsions; and (iv) ensure the restoration of passports and the right to travel for those affected by the actions described above, including persons dismissed from their positions and their families.

We welcome further information that would help us clarify any of the above data, and look forward to your earliest response to this request.

Sincerely,



Robert Quinn
Executive Director

CC:

The Honorable Bekir Bozdag
Minister of Justice
Ministry of Justice
06659 Kizilay
Ankara, Republic of Turkey
Email: info@adalet.gov.tr

The Honorable Yekta Saraç
Higher Education Council President
Yükseköğretim Kurulu Başkanlığı
Uluslararası İlişkiler Birimi
B-7 Blok, 5. Kat
06539 Bilkent
Ankara, Republic of Turkey
Email: cohe@yok.gov.tr

The Honorable Ismet Yılmaz
Minister of National Education
Ministry of National Education
Atatürk Bulvarı No: 98
06650 Bakanlıklar
Ankara, Republic of Turkey
Email: Ismet.yilmaz@tbmm.gov.tr

The Honorable Feridun Hadi Sinirlioğlu
Permanent Representative of the Republic of
Turkey to the United Nations
Permanent Mission of the Republic of Turkey
to the United Nations
821 UN Plaza 10th Floor
New York, NY, USA 10017
Email: tr-delegation.newyork@mfa.gov.tr

The Honorable Zeid Ra'ad Al Hussein
U.N. 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

The Honorable Dr. Koumbou Boly Barry
United Nations Special Rapporteur on the Right
to Education
Palais des Nations
CH-1211 Geneva 10, Switzerland
Email: 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
Email: freedex@ohchr.org

The Honorable Federica Mogherini
High Representative of the Union for Foreign
Affairs and Security Policy
European Commission
Rue de la Loi 200/Wetstraat 200 B-1049
Brussels, Belgium
Email: federica.mogherini@ec.europa.eu

The Honorable Thorbjørn Jagland
Secretary General of the Council of Europe
Council of Europe
Avenue de l'Europe F-67075
Strasbourg Cedex, France
Email: private.office@coe.int

The Honorable Nils Muižnieks
Commissioner for Human Rights
Council of Europe
Avenue de l'Europe F-67075
Strasbourg Cedex, France

The Honorable Christos Giakoumopoulos
Directorate General
Human Rights and Rule of Law
Council of Europe
Avenue de l'Europe F-67075
Strasbourg Cedex, France
Email : christos.giakoumopoulos@coe.int

The Honorable Serdar Kılıç
Ambassador of the Republic of Turkey to the
United States
Embassy of the Republic of Turkey
2525 Massachusetts Avenue, NW
Washington, DC, USA 20008
Email: embassy.washingtondc@mfa.gov.tr

The Honorable Chrystia Freeland
Minister of Foreign Affairs
125 Sussex Drive
Ottawa, Ontario, K1A 0G2, Canada

The Honorable Selcuk Unal
Ambassador of the Republic of Turkey to
Canada
Turkish Embassy in Ottawa
197 Wurtemberg Street
Ottawa, Ontario, K1N 8L9, Canada
Email: embassy.ottawa@mfa.gov.tr

The Honorable Rex Tillerson
United States Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC, USA 20520

The Honorable Nikki Haley
United States Permanent Representative to the
United Nations
United States Permanent Mission to the United
Nations
799 United Nations Plaza
New York, NY, USA 10017

The Honorable Philip Kosnett
Chargé d'Affaires of the United States to the
Republic of Turkey
Embassy of the United States
110 Atatürk Blvd. Kavaklıdere 06100
Ankara, Turkey