



**Middle
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May 15, 2017

Prime Minister Binali Yıldırım
Office of the Prime Minister
Başbakanlık
06573 Ankara
Turkey

H.E. Recep Tayyip Erdoğan
President of the Republic of Turkey
T.C. Cumhurbaşkanlığı Genel Sekreterliği
06689 Çankaya, Ankara
Turkey

Dear Prime Minister Yıldırım and President Erdoğan:

We write on behalf of the Middle East Studies Association (MESA) of North America and its Committee on Academic Freedom to express our deep concern about the deteriorating conditions of an academic, Nuriye Gülmen, and a teacher, Semih Özakça, who have been on hunger strike for over 67 days in protest of their terminations without process by emergency decrees. Their cases underscore the devastating impact of your government's actions under the state of emergency on the education sector in Turkey.

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.

Nuriye Gülmen's academic position was terminated by Emergency Decree 679, [*Kanun Hükmünde Kararname* (KHK) 679] on 6 January 2017. We have written to your government previously concerning the damage wrought on higher education in Turkey by this and other emergency decrees (see especially our letter of 12 January 2017). Like Gülmen, Semih Özakça was dismissed from his position as a teacher by emergency decree. In the absence of any mechanism to appeal their terminations, these two educators pursued every available avenue to draw attention to their plight. Their initial efforts to publicize their plight led to police harassment and frequent detentions but did not yield a remedy. Our academic association has written to you nearly a dozen times concerning the detrimental impact of unjust emergency actions like the ones that targeted Gülmen and Özakça: MESA's Board of Directors issued a statement and a letter, on 21 July 2016 and on 19 August 2016 respectively, and our Committee on Academic Freedom has written letters to your government concerning the deleterious effects of emergency decrees on 6 September 2016, 10 October 2016, 7 November 2016, 14 December 2016, 21 December 2016, 12 January, 2017, 8 February, 2017, and 5 May 2017. As in the case of the many other expressions of international concern, your government failed to respond to these communications.

Nuriye Gülmen is a scholar of Comparative Literature and was previously employed at Eskişehir Osmangazi University as a research assistant. When her contract was not renewed on what were reported to be political grounds in 2015, she filed a lawsuit to have her position restored. She won her case, and started working as a research assistant at Selçuk University. Only one day after she joined Selçuk University, she was suspended from her new position and was eventually terminated on 6 January 2017 by Emergency Decree (KHK) 679. Like others who were terminated under the state of emergency, she was not afforded a right to appeal.

On 9 November 2016, following her initial suspension from Selçuk University, Gülmen began a peaceful protest. Each day following her suspension she stood or sat next to a Human Rights statue in Ankara's Yüksel Street with a sign saying "I want my job back." Soon after Özakça joined her protest. During the 180 days of their peaceful protest, Gülmen and Özakça were detained and released more than 30 times between them, and reportedly were also subjected to police brutality. According to media reports, in one incident, Gülmen was held by the police while a civilian was allowed to beat her.

After suffering numerous detentions and police brutality in response to their peaceful protest, Gülmen and Özakça decided to go on a hunger strike. They began their strike on 9 March 2017, while in detention. They currently survive on water mixed with salt, sugar, lemon and vitamin B. They have both experienced significant weight loss and show signs of Wernicke-Korsakoff syndrome, the symptoms of which include vision problems, loss of balance and decline in cognitive function. If their hunger strike persists much longer they will be at risk of permanent brain damage. They are unwilling to end their hunger strike or accept medical treatment until they are afforded due process or restored to their positions.

The case of these hunger-striking educators highlights the increasing desperation of academics, educators, researchers and students who have been the victims of your government's arbitrary actions that have devastated the educational sector in Turkey. The scale of the investigations, prosecutions, dismissals, detentions and campaigns of private harassment directed against academics across the country is staggering. These measures preceded the attempted coup of 15 July, but they have expanded and accelerated under cover of emergency laws since. Without more evidence of a direct relationship between the attempted coup and the affected universities, academic faculty and other educators, the basis for these actions amounts to little more than guilt-by-association and collective punishment. The targeting of individuals and institutions for their alleged associations, without individualized evidence of wrongdoing, is a violation of basic human rights and, where academic personnel and universities are involved, an assault on academic freedom. Since your government began its campaign of harassment and persecution against academics there have been documented cases of scholars committing suicide out of desperation. Now these tragedies are being further compounded by an open-ended hunger strike endangering the lives of Gülmen and Özakça.

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. 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 freedom of expression and association, which are at the heart of academic freedom. Derogation from human rights instruments under the state of emergency must be narrowly tailored to the exigency at hand and cannot arbitrarily restrict academic freedom or justify the massive and arbitrary dismissal of thousands of academics across the country. Moreover, the rights being trampled by these actions are also enshrined in articles 25-27 of the Turkish Constitution, in addition to the right to education enshrined in article 42. We urge your government to take all necessary steps to abandon the course currently being pursued and to protect academic freedom and the right to education.

We respectfully ask that your government take immediate steps to reverse the dismissals of Gülmen and Özakça as well as the terminations of all those who were affected by the emergency decrees of 29 April, 7 February and 6 January 2017, and 22 November, 29 October and 1 September 2016. We also ask that you ensure that all of the investigations—disciplinary and criminal—that we have enumerated in our previous letters and Board statements be terminated or reversed. In the aftermath of the 16 April referendum, your government has an opportunity to restore confidence in its commitment to democratic rights and freedoms by taking steps to protect academic freedom, right to education, freedom of expression and freedom of association.

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

Yours sincerely,



Beth Baron
MESA President
Professor, City University of New York



Amy W. Newhall
MESA Executive Director
Associate Professor, University of Arizona

cc:

İsmail Kahraman, Türkiye Büyük Millet Meclisi Başkanı (President of the Turkish National Assembly)

Bekir Bozdağ, Türkiye Cumhuriyeti Adalet Bakanı (Justice Minister of the Republic of Turkey)

Yekta Saraç, Türkiye Yüksek Öğretim Kurulu (YÖK) Başkanı (President of the Turkish Higher Education Council)

Elena Valenciano, Chair of the European Parliament Subcommittee on Human Rights

Barbara Lochbihler, Vice-Chair of the European Parliament Subcommittee on Human Rights

Monika Kacinskiene, Member of the Cabinet of Federica Mogherini, High Representative of the European Union for Foreign Affairs and Security Policy

Johannes Hahn, Commissioner for European Neighborhood Policy and Enlargement Negotiations

Nils Muižnieks, Council of Europe Commissioner for Human Rights

Kati Piri, Member, Committee on Foreign Affairs, European Parliament

Zeid Ra'ad Al Hussein, United Nations High Commissioner for Human Rights

David Kaye, United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Kishore Singh, United Nations Special Rapporteur on the right to education

Serdar Kılıç, Turkish Ambassador to the United States

John R. Bass, United States Ambassador to Turkey