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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 alarm at the recent prosecution that has been initiated against scholars who signed the declaration "We will not be a party to this crime," commonly referred to as the "Peace Petition." In numerous previous letters, we have criticized the broad pattern of persecution of academics through the repression of academic freedom and freedom of expression in Turkey. We once again write to respectfully urge your government to desist from applying an expansive interpretation of terrorism laws—one that extends to petition signatories and others engaging in peaceful advocacy—that results in stifling dissent.

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 understand that a new indictment was issued on 23 September 2017 against academics from İstanbul, Galatasaray, Boğaziçi, Mimar Sinan, Nişantaşı and Yeni Yüzyıl Universities who signed the Peace Petition. The academics are being charged with "propagandizing for a terrorist organization" and the prosecutor's office has requested 7.5 years' imprisonment if convicted. The Istanbul Chief Prosecutor, İsmet Bozkurt, states in the bill of indictment that the peace declaration was "public propaganda for the Kurdistan Worker's Party/Kurdistan Communities Union (PKK/KCK) terrorist organization." The indictment reads, in part: "It has been revealed that the real purpose of the declaration is to build public support to stop military operations carried out in order to secure peace and safety of the citizens and clean the areas, where the PKK/KCK terrorist organization has declared so-called 'self-governance.' On these grounds, the Chief Republic Prosecutor has launched an investigation under 'propagandizing for the terrorist organization.'" The indictment accuses the academics of starting a smear campaign against the Turkish state in coordination with the PKK/KCK, "inverting reality" to legitimize and incite terrorist violence, and violating "the honor, dignity, reputation and rights of the state" through domestic and international propaganda.



We are taken aback by the fact that the indictment has numerous factual errors and, in its references to the English version of the petition, translation mistakes that seem designed deliberately to strengthen the prosecutor's claims. For example, in the indictment, the phrase "Kurdish provinces" in the original text of the English version of the Peace Petition is mistranslated into Turkish as "Kurdistan," a de facto banned word long equated with terrorism in state parlance, to make a case for the prosecutor's argument that the phrasing of the petition echoed the slogans of the PKK/KCK. The indictment also mentions, as evidence of the academics' alleged international smear campaign, Chris Stephenson, formerly a professor at Bilgi University, who was detained for carrying "terrorist propaganda" materials to an İstanbul courthouse in 2016 when he attended the arraignment of three academics who had been arrested for signing the Peace Petition. Although Stephenson was acquitted in the first hearing of his trial in 2016, Prosecutor Bozkurt's indictment cites the original charges against Stephenson—for which he was found not guilty—as evidence of an organized international defamation campaign against the Turkish state.

The indictment also repeats the outlandish claim, made in charges against four signatories in a previous case, that the peace petition is evidence of the signatories' coordination with the PKK. The government apparently bases this claim on the fact that an individual associated with the PKK, Bese Hozat, earlier called for intellectuals to support Kurdish self-governance. This spurious allegation has no basis in fact. The claim that this petition, which simply calls on the government to desist from military action in the Kurdish provinces and resume a peace process, amounts to support for terrorism represents a staggering threat to freedom of expression and academic freedom in Turkey. By the government's logic, any speech, research, writing, opinion, organizing or demonstration supportive of Kurdish rights may be conflated with support for terrorism. Indeed, the recent conviction in absentia of *Wall Street Journal* reporter Ayla Albayrak on "terrorist propaganda" charges for reporting objectively on the activities of Turkish security forces in southeastern Turkey illustrates the degree to which this overbroad definition of support for terrorism is stifling access to information in Turkey.

As we have previously noted, the scope of the persecution directed against the 1128 signatories of the Peace Petition is astonishing. We have never before amassed such a record of violations of academic freedom and freedom of expression in such a short period in the history of our activities in defense of academic freedom in the countries of the Middle East. This record of repression and intimidation of academics is all the more disturbing when considered in light of Turkey's reputation, until recently, of aspiring to maintain a standard of protection of civil and political rights in keeping with the European Convention of Human Rights. The invocation of anti-terrorism laws to prosecute critics of your government and supporters of Kurdish rights has already garnered international criticism. Against this backdrop, politically motivated prosecutions signal the deliberate intention of your government to abandon basic human rights protections under Turkish law, in direct violation of Turkey's international obligations.

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 the rights to freedom of expression and association, which are at the heart of academic freedom. These rights are enshrined in articles 25-27 of the Turkish Constitution. We urge your government to take all necessary steps to abandon the course currently being pursued and return to earlier practices in line with ensuring that these rights are protected.

We respectfully ask that your government take immediate steps to drop all criminal charges against academics who signed the peace petition. We also ask that your government desist from using antiterrorism laws as a pretext to arrest academics and broadening the definition of terrorism to encompass the lawful and protected activities of academics. In light of mounting international condemnation of the erosion of democratic rights and freedoms under your administration, taking steps to protect academic freedom, freedom of expression and freedom of association would be an important step to address growing concerns about human rights in Turkey.

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

cc:

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

Abdülhamit Gül, 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)



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

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

Anna Vezyroglou, 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