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31 August 2020

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

Dear 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 grave concern about the passage of a law that gives your government sweeping new powers to regulate social media content, thus further shrinking the space for free public debate in Turkey. This new law disproportionately endangers academic freedom because social media are among the few remaining venues through which scholars can inform the public of their findings free of direct censorship.

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 more than 2500 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.

The vast majority of conventional media in Turkey—more than 90 percent—is currently controlled by conglomerates supportive of your government and the ruling party. This consolidation of media control in the hands of your supporters, together with increasing restrictions on freedom of speech and your government's propensity to subject newspapers and broadcast media to punitive closure based on political perspective, has left little public space for critical voices to be heard. The new law, which requires social media platforms with over one million daily users to open local offices and store user data in Turkey, raises serious privacy concerns. In particular, academics using anonymized social media accounts to express criticism of your government or to act as whistleblowers may now have their identities exposed. Human Rights Watch and other human rights organizations have raised concerns that the law, which is expected to go into effect on 1 October 2020, will enable your government to arbitrarily target individual social media users while introducing new forms of online censorship.

Even before the passage of this new law, social media were under your government's strict control pursuant to the 2007 Internet Act (Law No. 5651). In its 2017 Report on media freedom and freedom of expression in Turkey, the Commissioner for Human Rights of the Council of Europe documented widespread practices by your government of full internet shutdowns, blocking and filtering of web pages, bandwidth throttling of social media platforms during times of domestic crises, and prosecutions and detentions of internet users. More than 408,000 websites remain

blocked in the country according to the Freedom of Expression Association (İfade Özgürlüğü Derneği), a Turkish nongovernmental organization. According to Twitter's transparency reports, Turkey consistently ranks among the top internet-censoring countries, and was the world leader in requests to remove accounts or content – i.e. “take down” requests – between 2014 and mid-2017, and again in the first half of 2019. According to the pro-government *Yeni Şafak* newspaper, two-dozen data processing centers are working with the police to scan social media and enforce censorship. These practices have already had a chilling effect on online freedom of expression in the country, including for academics. The new law will only exacerbate this situation.

We wrote to you on [8 June 2020](#) to express our concern about amendments to Turkey's Higher Education Law that introduced new offenses that could give rise to disciplinary actions against faculty ranging from warnings and reprimands to dismissal. As we noted then, most of these new offenses are ill-defined and in direct contradiction to any notion of academic freedom or freedom of speech and expression. Given your government's record of targeting academics for their social media postings when they do identify themselves, adopting pseudonyms on social media has become essential to academic freedom. The new social media law now increases the likelihood of academics being arbitrarily disciplined for exercising their right to free speech by enhancing your government's ability to expose users' identities.

Over the past two years, social media posts on two issues have been particularly targeted for censorship and prosecution: the Kurdish conflict and public health. In just the first week of Operation “Peace Spring”, the 2019 Turkish military incursion into Kurdish-controlled areas in Syria, 839 social media accounts were investigated for “sharing criminal content,” with 186 people reportedly taken into police custody and 24 remanded to pre-trial detention, according to official figures. Social media users, including many academics, have been accused of “terrorism” and related charges and subjected to criminal investigation, arbitrary detention, travel bans, and arrest. For example, Serdar Başçetin –an academic and Peace Petition signatory who was discharged from Erzincan University by a state of emergency decree—was arrested for “provoking the public to hatred and hostility” and charged with terrorism based on his social media posts criticizing the operation. We are deeply concerned that such criminalization of dissent under “anti-terror” legislation, which we have criticized in numerous prior letters ([11 June 2019](#); [4 April 2018](#)), will only intensify with the new social media law.

The COVID-19 pandemic has led to a marked escalation in the surveillance and criminalization of social media posts criticizing your government's public health policies. In our most recent letter to you ([5 August 2020](#)) we criticized the targeting of Professor Kayıhan Pala, who faced a disciplinary investigation for sharing his expert views on the public health impact of the COVID -19 pandemic. In the first 42 days of the outbreak in Turkey alone, officials inspected more than 6,000 social media accounts, detaining 402

people for allegedly sharing “provocative” social media postings concerning the outbreak, “spreading untrue information,” “attempting to cause panic,” and “inciting anti-government sentiment.” That these measures were possible prior to the passage of the new social media law demonstrates the broad powers your government has long exercised in silencing academics and dissidents online. That you would now look to expand these powers is indicative of a further escalation in the highly problematic trend of policing social media to curb the circulation of alternative discourses on social and political issues that interest the public at large.

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 speech, thought, expression and assembly, as well as academic freedom for scholars who are entitled to these protections. 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 also enshrined in articles 25-27 of the Turkish Constitution.

We respectfully ask that your government withdraw the new social media law. Ongoing efforts to control the flow of information in Turkey and stifle dissent are inimical not only to academic freedom but to the rights of all Turkish citizens to benefit from the freedoms of speech and thought that your government is bound, under Turkish and international law, to protect. We call on your government to reverse efforts to impose new legal restrictions on social media platforms and to restore respect for academic freedom and human rights in Turkey.

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

Sincerely,



Dina Rizk Khoury
MESA President
Professor, George Washington University



Laurie Brand
Chair, Committee on Academic Freedom
Professor, University of Southern California

cc:

Ibrahim Kalin, Chief Advisor to the President and Presidential Spokesman

Mustafa Şentop, 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)

Ziya Selçuk, Türkiye Cumhuriyeti Milli Eğitim Bakanı (Minister of Education of the Republic of Turkey)

Mevlüt Çavuşoğlu, Türkiye Cumhuriyeti Dışişleri Bakanı (Minister of Foreign Affairs of the Republic of Turkey)

Ömer Abdullah Karagözoğlu, Chair of the Information Technologies and Communication Authority

Ebubekir Şahin, Chair of the Radio and Television Supreme Council

Maria Arena, Chair of the European Parliament Subcommittee on Human Rights

Viktor Almqvist, Press Officer for the Committee on Foreign Affairs of the European Parliament

Josep Borrell Fontelles, High Representative of the European Union for Foreign Affairs and Security Policy

Fiona Knab-Lunny, Member of Cabinet of Josep Borrell, High Representative of the European Union for Foreign Affairs and Security Policy

Hannah Neumann, Vice-Chair of the European Parliament Subcommittee on Human Rights

Raphael Glucksmann, Vice-Chair of the European Parliament Subcommittee on Human Rights

Christian Danielsson, Director-General for Enlargement at the European Commission

Dunja Mijatović, Council of Europe Commissioner for Human Rights

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

Nacho Sanchez Amor, Member of European Parliament and European Parliament Standing Turkey Rapporteur

Verónica Michelle Bachelet Jeria, 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

Koumbou Boly Barry, United Nations Special Rapporteur on the right to education