



# Academics at Risk e.V.

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**The Status of Academic Freedom in Türkiye  
After the July 15, 2016, Coup Attempt**

**Academics at Risk Association (A@R e.V.)  
[www.academicsatrisk.org](http://www.academicsatrisk.org)**

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After the July 15, 2016, Coup Attempt**

**Academics at Risk Association Report, September 2024**

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# **The Status of Academic Freedom in Türkiye After the July 15, 2016, Coup Attempt**

## **Academics at Risk Association Report, September 2024**

### **Introduction**

Since its establishment, Türkiye has been a country where serious human rights violations and restrictions on freedom prevail. Although there have been some positive developments in terms of compliance with the basic principles of law and fundamental freedoms at certain levels, it is very difficult to say that these positive developments have lasted very long. Türkiye was governed by a *de facto* authoritarian single-party system from its establishment until 1946. Although the transition to multi-party politics was made for the first time with the 1950 elections, democracy was constantly interrupted in the country, which was subject to military coups and military memorandums at certain periods in the following years. After each coup or memorandum, freedoms were seriously suspended and even the most basic principles of law regarding life and property were seriously and recklessly trampled. After each coup or memorandum, social groups that had the potential to oppose or were actually in opposition within the system and were not in line with the official ideology of the state were targeted and these groups were subjected to attacks by the state apparatus during the periods when the law was seriously suspended after the coup. The last of these coups took place on July 15, 2016, and on the night of the coup, just 8 hours after the coup attempt, a complete social massacre was launched against the opposition by the AKP (Erdogan's ruling party).

On the fifth day of the coup attempt, on July 20, the State of Emergency declared in Türkiye has once again suspended fundamental rights and freedoms and the most basic principles of law. The Erdoğan Regime has held the social movement known as the Gülen Movement in Türkiye, whose main field of activity is education, responsible for this coup attempt without any legal evidence. In fact, directly declaring the Gülen Movement responsible for the coup from the first hours of the coup, has also been revealed by the political actions of the following period, where the Erdoğan government used this coup attempt as an excuse to strengthen its own power beyond question. Because the main political motivation after the coup was to close the biggest corruption operations in the history of Türkiye, which were carried out against the members of the government and Erdoğan himself before July 15. However, the Erdoğan government has begun to destroy not only the Gülen Movement but also other small-scale opposition social movements under the State of Emergency and has started a witch hunt in the country. This report aims to summarize the academics who

are subjected to the social massacre mentioned, the situation of academic life and universities in Türkiye.

The Turkish Higher Education System consists of two main components: State-funded State Universities and Foundation Universities. Foundation Universities are also institutions that provide public services. These institutions are called Private Universities in the Turkish public opinion. There are 129 State Universities and 75 Foundation Universities in Türkiye.

### **Decrees in Power of Law (KHK) and Dismissals**

Decree in Power of Law functions as a practice of the executive branch stepping outside the law in the Turkish “legal” system. As noted by former President Süleyman Demirel, “the state stepping outside the law (routine) in some cases” is a common practice in Türkiye. Decree in Power of Law, which forms the basis of an extrajudicial punishment method, entered the Turkish legal system after the 1980 military coup as a method of strengthening the executive branch. Decree in Power of Law gained constitutional status with the current 1982 constitution. Although the provision that “fundamental human rights cannot be limited by Decree in Power of Law” is included in the constitution, this situation is left to the initiative of governments, and governments have used Decree in Power of Law in extremely bad ways to limit fundamental rights and freedoms.

Just three days after the declaration of the State of Emergency on July 20, 35 health institutions and organizations, 15 private universities, 1043 private educational institutions and student dormitories, 1229 foundations and associations, 19 unions and union confederations were closed by Decree in Power of Law (KHK) No. 667 (1). All these institutions were intertwined with the Gülen movement. In total, 3003 schools, student dormitories and universities have been closed.

As the Erdoğan regime simultaneously stated, the real target was the Gülen Movement and individuals and institutions affiliated with the Movement. These dismissals also targeted different oppositional segments of society and even oppositional political wings. (2)

The public dismissals of academics were initiated through lists announced to the public with Statutory Decree No. 672. The acceleration of the dismissals and the long lists of names suspended in a very short period until September 2016 strengthened the possibility that these dismissal lists were prepared before the coup attempt.

In the first step, 2,346 academics were dismissed from 96 different universities. Gazi University became the university with the highest number of dismissed academics, after the number of dismissed academics from private universities. The President of Gazi University drew attention to the fact that the criteria for dismissal of academics were determined by the government as 'a possible connection to the Gülen

movement'. In the following days; On October 29, 2017, 1,267 academics, on November 22, 2017, 242, on January 6, 2017, 631, on February 7, 2017, 330, and on April 29, 2017, 484 academics were dismissed from universities by the Decree in Power of Law. No legal process was followed during the dismissal processes. A total of 6,081 academics from state and foundation universities lost their positions with the Decree in Power of Law. (3) In addition, according to figures published by the Council of Higher Education (YÖK), 2,808 academics who worked at universities closed after the coup attempt also lost their positions. (4) A small number of academics (53 academics) were able to return to their positions with the Decree Laws No. 677 and 688. (5,6)

The dismissals of academics were not limited to those accused of having 'links to the Gülen Movement'. In January 2016, academics who signed the 'Academics for Peace Declaration' were also dismissed. This declaration criticized the security operations carried out by the Turkish government in southeastern Türkiye. After signing the 'Academics for Peace Declaration', more than 2,212 academics, government opponents and human rights defenders were targeted by the government. Most of these academics were dismissed from public service. (7)

There is no concrete evidence that these academics should be dismissed from public service. No public investigation process was initiated against them before their dismissal. The legal regulations only included the allegation of having links to a terrorist organization. No legal basis was cited to support this allegation. The government did not need legal evidence to accuse these individuals of 'links to a terrorist organization'. The dismissed academics were not allowed to appeal the dismissal decisions. Although the Council of Higher Education (YÖK) promised to make changes in the decisions to dismiss academics if there were any errors, it has not taken any initiative to establish these boards.

### **Many academics were referred to court on the grounds that they were terrorists**

The Academic Staff Training Program (ÖYP) was implemented by the Council of Higher Education between 2006 and 2009 to meet the academic needs of universities. The guarantee of tenure for 15,000 academics/research assistants who were assigned to different universities with the Academic Staff Training Program (ÖYP) in 2010 was abolished by Statutory Decrees (KHK) in September. It was claimed that the purpose of the Academic Staff Training Program (ÖYP) was to train academics with ties to the Gülen Movement. It was claimed that the decision to dismiss or not dismiss academics was supposedly left to the initiative of the universities. Of course, almost all universities decided to dismiss the academics mentioned. The most effective, merit-based program used to train academics in the current system was the Academic Staff Training Program (ÖYP). However, due to the possibility that the academic candidates in this program might include individuals with ties to the Gülen Movement, the entire program was abolished. Yusuf Ziya Özcan, one of the founders of the ÖYP program,

a person close to the Erdoğan government, a minister in the Erdoğan government and former president of the Turkish Higher Education Council, said, "We designed a system that will meet the needs of academics in Türkiye. However, unfortunately, we are living in very bad days." Including the ÖYP victims, 23,427 academics were badly affected by the state of emergency. It is unknown how many of these academic candidates will be able to continue their professions or even sustain their lives outside of academia (8).

### **Extrajudicial Attitudes Towards Academics and Lack of Supervision**

Many academics were brought to court on charges of being terrorists. According to official figures, 160,000 people were arrested during the state of emergency following the failed coup attempt on July 15, 2016. 150,348 people were dismissed from public office without proper judicial remedies (9). More than 82,000 people have been arrested. The number of people currently accused of being members of the Gülen Movement has exceeded 500,000 (10). Furthermore, these individuals have been labeled by the government as ineligible to work in the public or private sectors related to security services (11).

The evidence presented as the legal basis for the detentions after the 2016 coup attempt was not concrete. The indictment considered legal bank accounts at a bank (Bankasya) close to Gülen Movement, children's enrollment in private schools close Gülen Movement, visits to Gülen linked institutions, and academic activities at universities or research institutes affiliated with Gülen Movement, subscribing to a newspaper (Zaman) or a monthly magazine (Sizinti) , contributing to a charity working for the public good (Kimse Yok mu) affiliated with the Gülen movement as grounds for detention.

The lawsuits filed against academics for the above-mentioned absurd reasons are of great importance in terms of seeing how weak the legitimate authority of the Erdoğan regime has become. In addition to criminal investigations, numerous disciplinary investigations are also being conducted against academics. The Erdoğan regime used and uses anti-terrorism laws, expanded during Erdogan's AKP period, to punish academia, which is a bastion of freedom of expression and other non-violent activities. As research by a human rights watchdog has shown, investigations into terrorist crimes and other cases in Türkiye are conducted without concrete evidence, in violation of laws and constitution (12). Later, the Constitutional Court of the Republic of Türkiye stated that it is not possible to make legal decisions regarding the state of emergency and to apply for the lifting of the state of emergency (13).

Concerns voiced internationally about mass arrests in Türkiye led to the establishment of an *ad hoc* committee to consider appeals against decisions during the state of emergency. This committee began operating in January 2017. Individuals and academics who were dismissed from their jobs and universities applied to this

committee to get their jobs back. In mid-2017, the number of applicants was 108,000. However, the committee did not decide on approximately 12,000 of them. This committee ruled to annul a total of 310 decisions regarding dismissals from public service. Although the committee is claimed to be a remedy for the unjust decisions made during the state of emergency, the practical situation falls far short of this claim. (14,15)

### **Self-censorship and Migration to Safe Countries**

Türkiye is experiencing self-censorship due to the authoritarian policies of the Erdoğan regime. Academics are prevented from conducting research on critical issues or attending conferences by university administrations.

Unfortunately, it seems impossible for academics to freely decide on their research topics. Academic freedom is restricted by university administrations. University administrations interfere with research issues. Academic staff are warned not to disturb the government or to organize conferences on sensitive issues. Senior academics are hesitant to provide thesis advice on sensitive issues such as the Kurdish issue. Indeed, Freedom House, an international independent organization, makes a serious warning on this issue in its Freedom House 2024 report: “The government and university administrations routinely intervene to prevent academics from researching sensitive topics, encouraging self-censorship among scholars. President Erdoğan obtained the power to appoint rectors at public and private universities in 2018 and has used it to intervene in academic institutions’ affairs.” (16)

The precarious conditions for academic freedom are reducing the quality of academic studies in various fields of study. Uncertainty causes many academics to hesitate to express their views freely in public spaces. According to international human rights law, academic freedom is one of the fundamental rights that must be protected under all circumstances. However, it is possible to say that there is pressure in Türkiye that prevents the exercise of this fundamental right in the academic field. (17). Again, Freedom House included the following statements in its 2024 evaluation report: “Academic freedom, never well respected in Türkiye, was weakened further by the AKP’s purge of government and civil society workers after the 2016 coup attempt. The government has since dismissed thousands of academics and educators for their perceived leftist, Gülenist, or PKK sympathies. More than a thousand scholars have been investigated and hundreds prosecuted for declaring their support for peace between the government and the PKK.” (18) Türkiye is part of the International Covenant on Civil and Political Rights, which guarantees the freedom of expression of every individual. In addition, the European Convention on Human Rights protects Academic Freedom as a requirement of freedom of expression. (19)

The period following the July 2016 coup attempt can now be described in Türkiye as the ‘period of loss of academic independence’. The main targets of dismissals and

arrests were those affiliated with or sympathetic to the Gülen movement. However, arrests and dismissals also targeted those with oppositional backgrounds.

Restrictions on academic freedoms, dismissals and detentions have led many academics to seek opportunities to emigrate to countries that provide freedom of expression. Not only academics, but also their families are severely affected by restrictions on freedom. Approximately 200,000 people have been banned from traveling abroad and had their passports revoked on baseless allegations, such as being affiliated with a terrorist organization. (20)

Academics faced a dilemma; they were not allowed to work in Türkiye, but they were also not allowed to travel abroad. For many, the only way out was to go abroad by various means and apply for asylum in many European countries. This fact is reflected in various media outlets in Europe. Thousands of Turkish citizens have applied for asylum in European countries such as Germany, England, France, the Netherlands and Norway. In 2016, when the coup attempt took place, the number of Turkish citizens who applied for asylum in Germany was 5,742. This number increased to 8,483 in 2017 and the tendency of Turkish asylum seekers is increasing. (21) In Germany, 3,248 Turkish citizens applied for asylum between January and August 2018 (22), and Germany is also a gateway to other European countries.

It is not possible to find the exact number of asylum seekers in Canada with ties to the Gülen movement. According to the Canadian government, the number of asylum seekers from Türkiye exceeds that from other countries. (23) According to detailed reports from some countries of asylum, the number of people with academic backgrounds in the total number of asylum seekers can be estimated to be quite high. According to data from the Dutch Immigration and Naturalization Service (IND), 1,020 academics and highly educated people sought asylum from Türkiye in the first 11 months of 2018 in the Netherlands, a relatively small country compared to a country like Germany. According to a study by the Dutch television (NOS) programme 'Nieuwsu's (News Time), there has been a significant increase in the number of highly educated people migrating from Türkiye to the Netherlands. BBC Turkish has also noted, many academics and other highly educated people complain about the lack of freedom in Türkiye. (24)

The number of people leaving Türkiye and applying for asylum has also exploded since 2016. The official figure rose from 69,326 in 2016 to 253,640 in 2018. (25) A significant number of these people are academics with a university education.

Kati Piri, Rapporteur of the European Parliament, said: “We have written a lot about the situation of Turkish academics and the European Commission has asked Türkiye not to punish academics for the coup attempt. “It is emphasized that the pressure on academics increased after the ‘Academics for Peace’ before the July 15 coup attempt. It is also emphasized that President Tayyip Erdoğan labeled academics as ‘terrorists’



and called for an investigation into them. It is stated that approximately 100-150 academics who signed the 'Academics for Peace' petition are in Germany.

There are serious crackdowns on student protests and student activism on campuses. It is also possible to observe censorship of academic research on controversial topics. All these factors contribute to a climate of fear and self-censorship on university campuses. Türkiye is violating its obligation under international human rights law to respect and protect academic freedom and freedom of expression.

## **Findings**

The Erdoğan regime has used fabricated terrorism allegations or the July 15, 2016 coup attempt to carry out mass dismissals of academics without investigation. Authorities have intervened in student protests on campus and prosecuted student activists. Academic research on controversial issues has been interfered with. These actions have combined to create a climate of fear and self-censorship on campus. Türkiye has violated its obligations to respect and protect academic freedom and freedom of expression. (26)

The immense pressure on academics in Türkiye has trampled on their freedom of expression to a great extent. Unfortunately, the situation has not changed for years and is getting worse over time. The fear of dismissal or arrest seems to be the biggest obstacle to the independence of academia. It has also become impossible for academics to find work at another institution after being dismissed from public service. They are also not allowed to travel to another country to get a new start. Blacklisting and detention are among the most fundamental problems that academics in Türkiye still have to deal with. The pressure is not limited to academics. Families of academics also face various difficulties in their work and social lives. Although the status of academic independence in Türkiye is uncertain, the future of academic freedom will be closely linked to democratic and political developments.

According to Marco Nilsson, one thing is clear: "The violation of academic freedom in Türkiye deserves serious attention from the international scholarly community." (27).

## **Summary of Concerns:**

**Mass Dismissals and Lack of Due Process:** Following the July 15, 2016 coup attempt, over 6,000 academics were dismissed through emergency decrees without legal investigation, largely on alleged links to the Gülen movement. Many were labeled as terrorists without concrete evidence, violating the right to due process guaranteed under Article 14 of the ICCPR.

**Suppression of Academic Freedom:** The Turkish government has severely restricted academic freedom. Universities face direct interference from the Erdoğan regime,

particularly through the president's power to appoint rectors. Research on sensitive topics, such as Kurdish rights or opposition movements, is often censored, and academics face intimidation, violating Article 19 (freedom of expression) of the ICCPR.

**Persecution of Peaceful Academics:** Academics who signed the "Academics for Peace Declaration" were dismissed or prosecuted without evidence, highlighting the criminalization of peaceful political expression. This violates the ICCPR's protection of peaceful political dissent (Articles 19, 21).

**State-Sanctioned Self-Censorship and Emigration:** The regime's crackdown has fostered a climate of fear, leading to self-censorship among academics. Many have fled abroad due to these pressures, contributing to a brain drain, and those who remain face blacklisting, effectively preventing them from finding work. This limits freedom of movement (Article 12).

**Widespread Arbitrary Detentions:** Thousands of individuals, including academics, have been arrested on broad terrorism charges post-coup, often without substantive legal grounds. This undermines the right to personal liberty and protection against arbitrary arrest (Article 9).

**Lack of Appeal Mechanisms:** Though a committee was formed to handle appeals for dismissed individuals, it failed to address the majority of cases, with limited decisions in favor of reinstatement. This raises concerns about access to justice (Article 14).

**Recommendations for the Dialogue:**

**Restoration of Academic Freedom:** Türkiye should comply with Article 19 of the ICCPR and take immediate steps to restore academic freedom by ceasing government interference in research topics and allowing free expression in academic work.

**Independent Investigation of Dismissals:** The Human Rights Committee should recommend the Turkish government conduct transparent, independent investigations into all academic dismissals post-coup, ensuring the right to a fair trial under Article 14.

**Reinstatement and Compensation:** Academics who were unjustly dismissed or prosecuted should be reinstated and compensated for the damages caused by arbitrary actions. The right to reparation for human rights violations (Article 2) should be upheld.

**Ensure Access to Legal Remedies:** The committee reviewing emergency dismissals should be empowered to act independently, with a mandate to provide timely and fair reviews for all cases. Türkiye must ensure full access to judicial review (Article 14).

**End Criminalization of Peaceful Speech:** The Turkish government should stop using anti-terrorism laws to silence peaceful political expression, and legal protections should be enhanced for those engaging in peaceful dissent (Article 19).

Protect Freedom of Movement: Türkiye should cease restricting travel rights of dismissed academics and their families, and remove blacklists, in line with its obligation under Article 12 to guarantee the right to freedom of movement.

## References

1. <https://odatv.com/ohalde-ilk-kararname-cikti-2307161200.html>
2. <https://www.bbc.com/turkce/haberler-turkiye-40593176>
3. <https://barisicinakademisyenler.net/node/705>
4. <https://silencedTürkiye.org/tag/akademisyen>
5. [https://im.haberturk.com/images/others/2016/11/22/Greve\\_iade\\_edilen\\_kamu\\_grev\\_lileri.pdf](https://im.haberturk.com/images/others/2016/11/22/Greve_iade_edilen_kamu_grev_lileri.pdf)
6. <https://bianet.org/haber/688-sayili-khk-ile-416-kisi-goreve-iade-edildi-184968>
7. <https://barisicinakademisyenler.net/node/2278>
8. <https://www.bbc.com/turkce/haberler-turkiye-40567898>
9. <https://Türkiyepurge.com/purge-in-numbers-2and-Türkiyepurge.com/academics-sacked-from-positions>
10. <http://www.tr724.com/kamudan-suresiz-olarak-tasfiye-500-bin-etkin-terorist/>
11. <https://www.hrw.org/tr/news/2016/07/27/292487>
12. <https://www.hrw.org/tr/report/2014/09/29/267934#dd326e>
13. <http://www.anayasa.gov.tr/icsayfalar/basin/kararlarailiskinbasinduyurulari/genelkurul/detay/21.html>
14. <https://stockholmcf.org/Türkiyes-ohal-commission-reinstates-only-2700-people-over-125000-appeals/>
15. <https://www.politurco.com/two-years-on-no-remedy-for-Türkiyes-purge-victims.html>
16. <https://freedomhouse.org/country/Türkiye/freedom-world/2024>
17. <https://www.hrw.org/tr/news/2018/05/14/317832>
18. [https://www.right-to-education.org/sites/right-to-education.org/files/resourceattachments/CESCR\\_General\\_Comment\\_13\\_en.pdf](https://www.right-to-education.org/sites/right-to-education.org/files/resourceattachments/CESCR_General_Comment_13_en.pdf)
19. <https://freedomhouse.org/country/Türkiye/freedom-world/2024>
20. <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-93161%22%7D>
21. <https://www.bbc.com/turkce/haberler-turkiye-45087324>
22. <https://ahvalnews.com/tr/almanya/turkiyeden-almanyaya-iltica-basvurulari-artmaya-devam-ediyor>
23. <https://ahvalnews.com/tr/iltica/turkiyeden-kaciyorlar-almanyaya-iltica-basvurulari-artti>
24. <https://www.turkishnews.com/tr/content/2019/01/10/turkiyeden-1020-akademisyen-hollandaya-iltica-etti>
25. <https://www.bbc.com/turkce/haberler-turkiye-45087324>
26. <https://www.hrw.org/news/2018/05/14/Türkiye-government-targeting-academics>
27. <https://www.eurasiareview.com/07082018-Türkiye-academic-freedom-under-threat/>