

Dear all,

I am writing you as one of the lawyers of the Academicians for Peace who had signed a petition to protest the government's military and political attacks and its consequences in many Kurdish cities. (<http://barisicinakademisyenler.net/node/63.html>) After the petition was released, the government accused all the academics who had signed the petition of being traitors and supporters of terrorism. Especially after Tayyip Erdoğan's speeches a widely held campaign within the pro-government media and racist masses was launched which was followed by disciplinary sanctions, administrative inquiries and legal investigations.

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Below are the numbers that may depict the recent situation for the supporters of Academicians for Peace petition.

**Public Universities (at least 60 different universities)**

- 9 Dismissals (6 Mersin, 1 Van Yüzüncü Yıl, 1 Eskişehir Osman Gazi, 1 Bartın Üniversitesi)
- 5 forced resignations (1 ODTÜ (ÖYP), 2 Akdeniz Üniversitesi, 1 Muğla Sıtkı Koçman Üniversitesi, 1 Abdullah Gül Üniversitesi)
- 464 Administrative Inquiries
- 27 Preemptive Suspensions
- 153 Criminal Inquiries
- 33 Custodies

**Private Universities (45 universities: 32 in Istanbul, 6 in Ankara, 4 in Izmir, 2 in Cyprus, 1 in Mersin):**

- 21 Dismissals ( 1 Bahçeşehir, 1 Fatih Sultan Mehmet Üniversitesi, 4 İstanbul 29 Mayıs Üniversitesi, 1 İstanbul Aydın Üniversitesi, 1 İstanbul Kültür Üniversitesi, 1 İstanbul Ticaret Üniversitesi, 1 İzmir Üniversitesi, 2 Maltepe Üniversitesi, 6 Nişantaşı Üniversitesi, 1 Okan Üniversitesi, 1 Yakın Doğu Üniversitesi, 1 Yeni Yüzyıl Üniversitesi)
- 1 Forced Retirement (1 Maltepe Üniversitesi)
- 43 Administrative Inquiries

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Within the first week the petition was released, some academics who are living in Düzce, Kocaeli, Bolu, Erzurum, Van was detained from their houses and kept under custody. Although they are all released the court sentenced 6 of them with a ban on leaving the country.

In at least 25 cities, the prosecution decided to send the investigation case to Istanbul because they decided that they are not entitled to continue the investigation due to the geographical work sharing. In Ankara the prosecutor did not give the same decision but wanted to continue the investigation with the accusation of insulting the state, the Turkish nation, government, military etc according to Article 301m of the Turkish Penal Code. The

prosecutor needs a permission of the Ministry of Justice to continue the investigation but the Ministry of Justice, just replied this permission application and claimed that Ankara is not entitled to continue the investigation thus the case should be addressed to İstanbul. But did not give any reply about the permission.

For İstanbul, the situation is more complicated. I just want to summarize the unlawful steps in here:

- We know that the investigation is run by Prosecutor Irfan Fidan. (who is well known by the public as the prosecutor who had prepared the case against the 2 famous journalist; Can Dündar and Erdem Gül)
- We still could not take a copy of the case material although there is no confidentiality order on the case.
- He asked the Police to call the academics to testimonies without any written order.
- Police started to call the academics "by phone" and ask them to go to police station to testify

When we asked the police officers for a written order, they told us that this was impossible because of "the number of suspects". And when we asked them about the suspects; they told us that "the prosecutor did not give them a list".

- But the most important part is that; there is no charge! In İstanbul people are calling by police to testify but we do not know if the prosecutor is accusing them according to Article 301 of the Turkish Penal Code (TCK) or the Article 7 of the anti-terror laws (TMK)
- There are 15 questions which include legal violations but are directed by the police to the academicians without a present accusation. You can find some examples below:
  - Is PKK a terrorist organization?
  - You signed a petition. Who sent it to you? From which e-mail address? Who wrote it?
  - Did you sign it after you understood the content?
  - In the text you are mentioning a "murder"? Who is the murderer? Are you pointing to the Turkish army as a suspect of murder?
  - The headline of the text is "we will not be a part of this crime?" What is the crime? Who is the criminal?
  - Do you think that Turkish government is killing people?
  - Do you have any regret?
- These are just some examples. After we saw the questions; we advised our clients not to testify in the police station.

- We are trying to take an appointment from the prosecutor for nearly 3 weeks but we are declined in our attempts.
- We suspect that the prosecutor wants all these illegal questions to be asked because he plans to create “suspects” based on their replies.

By the way, I know that this has not been a short summary but I would like to ask for your support once more. I want to emphasize that this petition and all the context of the text, cannot be legally related with any kind of crime. The petition is a declaration of an idea and is it should be appraised within the frames of the freedom of speech and academical freedom.

So I am asking you to send a letter or letters to the authorities of investigation and / or the Ministry of Justice which is advocating the right to speech and which also asks them to stop the investigations and the sanctions.

I would be really glad to have a chance to argue on this. I am not sure whether the letters signed by the individuals or by the institutions would be more useful. Nevertheless your support and possible pressure would be really helpful in here.

And also I would like to ask you to help us to bring this issue to the attentions of other European Institutions such as the European Parliament. So we will be thankful if we can hear your suggestions on this.

Thanks in advance

Bests,

Ad. Ş Ceren Uysal