



The Science Academy’s New Statement on the Academics Dismissed under State of Emergency – February 13, 2017

The Science Academy deems it necessary to underscore once again its “[Statement on the Academics Dismissed from Public Service under State of Emergency](#)” issued on October 3, 2016. Following the executive decree numbered 686 and dated February 7, 2017, 330 more faculty members were dismissed from public service, despite the lack of any conclusive disciplinary or criminal sentence regarding them. This latest decree has brought the total number of individuals expelled from universities since August 2016 up to 4,464. According to the media, with the latest dismissals, Ankara University’s Faculty of Letters, History and Geography, Department of Theater lost 6 out of its 10 faculty members, and Ankara University, Faculty of Political Science lost 14 faculty members and 9 research assistants. In other academic units as well, this serious loss of personnel has resulted in the disruption of education.

The Science Academy considers it once again urgent to underscore Article 15 of the Turkish Constitution:

“In times of war, mobilization, martial law, or state of emergency, the exercise of fundamental rights and freedoms can be partially or entirely suspended, or measures may be taken, to the extent required by the exigencies of the situation, which derogate the guarantees embodied in the Constitution, provided that obligations under international law are not violated.”

Even under the circumstances indicated in the first paragraph, [...] no one may be compelled to reveal his or her religion, conscience, thought or opinion, nor be accused on account of them; offences and penalties may not be made retroactive, nor may anyone be held guilty until so proven by a court judgment.”

As such, even in a state of emergency, the law places a series of limits on the actions of the executive branch. These limits include respect for international agreements, the European Convention on Human Rights and the judgments of the European Court of Human Rights, which is responsible for ensuring compliance with the said Convention. Furthermore, administrative actions have to be measured and the presumption of innocence must be taken into consideration. If these constitutional mandates are disregarded, not only scientific freedoms but also the rule of law will be seriously jeopardized in Turkey. Rule of law is the only path which will allow Turkey to come out of this extraordinary period stronger than before. From individuals to the highest echelons of the state, esteem for the rule of law is the sine qua non for a fair and peaceful social order free of arbitrary action.

**The Science Academy Executive Board
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