



2020

Free to Think

Report of the Scholars at Risk
Academic Freedom Monitoring Project

Acknowledgements

Scholars at Risk (SAR) gratefully acknowledges the members of higher education communities worldwide who have inspired us through their courage and dedication. We acknowledge especially the researchers contributing to the Academic Freedom Monitoring Project by reporting and analyzing incidents, tracking down sources and witnesses, and helping to develop advocacy responses. We also acknowledge our publication partners—the Human Rights Foundation of Turkey; the University of Los Andes Human Rights Observatory, in Venezuela; and Aula Abierta, also in Venezuela—for their important contributions to this year’s report. We thank the Office of the Provost and New York University for hosting SAR, as well as the many other member institutions, associations, partners, and individuals that contribute to our work beyond the monitoring project. These include especially the Vivian G. Prins Foundation for core support for services for threatened and refugee scholars, the National Endowment for Democracy, the Open Society Foundations, the Andrew W. Mellon Foundation, the Charles Koch Foundation, the Carnegie Corporation of New York, the Winston Foundation, the Charina Endowment Fund, Demoret Stiftung, the Microsoft Corporation, Newman’s Own Foundation, our anonymous donors, the members of SAR’s Board and Ambassadors Council, and the many friends of SAR who help us each day to protect more scholars.

This report is the result of research conducted by the monitoring project and our publication partners, and thus may not reflect the views of individual network members, institutions, or participating individuals. SAR invites comments on this report or inquiries about our work at scholarsatrisk@nyu.edu.

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To donate, please visit www.scholarsatrisk.org.

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COVER: On August 18, 2020, students gesturing with the three-finger salute protested on Thailand’s Mahidol University campus, demanding the dissolution of parliament, the drafting of a new constitution, and an end to the harassment of pro-democracy activists and government critics.

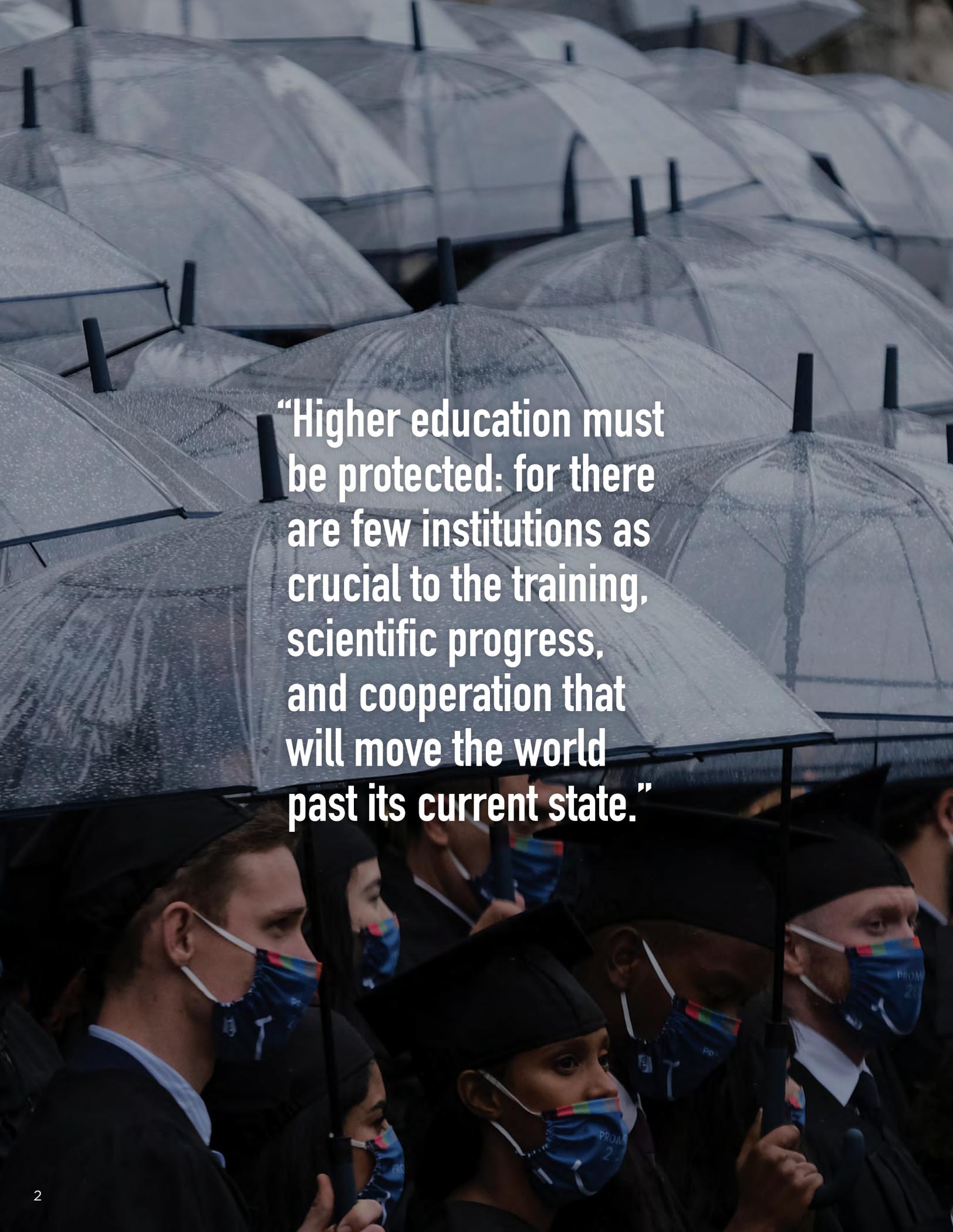
Photo: Kan Sangtong / Shutterstock.com

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A large group of graduates in black gowns and caps are gathered outdoors. They are wearing blue face masks with a rainbow stripe across the top. Many are holding clear umbrellas, suggesting it is raining or has recently rained. The scene is captured from a low angle, looking slightly upwards at the graduates.

“Higher education must be protected: for there are few institutions as crucial to the training, scientific progress, and cooperation that will move the world past its current state.”

The COVID-19 pandemic has disrupted higher education around the world, forcing universities and colleges to abandon on-campus teaching and discussions, and move most activities to virtual or hybrid environments. Here, mask-wearing students at the Université Libre De Bruxelles, in Belgium, participate in an in-person graduation ceremony.

Photo: Alexandros Michailidis / Shutterstock.com

Executive Summary

Attacks on scholars, students, staff, and their institutions occur with alarming frequency. Around the world, state and non-state actors, including armed militant and extremist groups, police and military forces, government authorities, off-campus groups, and even members of higher education communities, among others, carry out these attacks. They harm the individuals and institutions directly targeted. They undermine entire higher education systems by impairing the quality of teaching, research, and discourse on campus. They shrink everyone's space to think, question, and share ideas freely and safely, constricting public discourse and damaging social, political, cultural, and economic development from which everyone stands to benefit.

Through its Academic Freedom Monitoring Project, Scholars at Risk (SAR) responds to these attacks by identifying and tracking key incidents, with the aim of protecting vulnerable individuals, raising awareness, encouraging accountability, and promoting dialogue and understanding that can help prevent future threats. Since 2015, SAR has been publishing *Free to Think*, a series of annual reports analyzing attacks on higher education communities around the world.

Free to Think 2020 details a continuation of a global pattern of attacks. However, beginning with the global onset of the COVID-19 pandemic in March

2020, as universities around the world shut down, students and faculty left campus, and higher education transitioned (where possible) to an online model, the pattern changed, and the crisis revealed new vulnerabilities within higher education. In the months that followed, SAR reported an increase in online disruption, harassment, and related attacks. Higher education communities experienced new versions of old pressures, aware that their every lecture, communication, and in-class interaction could now be monitored and recorded; universities experienced unprecedented financial challenges; and state actors attacked scholars and students challenging official government narratives about the causes of and solutions to the crisis.

Thus, even as university life as we knew it came to a halt, the pressures SAR monitors and tracks continued (albeit in sometimes altered forms). The categories of attack that the monitoring project captures—killings, violence, and disappearances; wrongful prosecution and imprisonment; loss of position and expulsion from study; improper travel restrictions; and other severe or systemic issues (including, for example, military occupation of campuses, and this year in particular, online harassment of students and professors)—have remained sources of grave concern, and continued through the COVID-19 crisis. And indeed, while the circumstances have changed for the moment, the motivations behind the attacks remain the same: to control or silence higher education institutions and personnel. *Free to Think 2020* analyzes 341 reported attacks in 58 countries and territories that occurred between September 1, 2019, and August 31, 2020.

Armed groups and individuals continue to carry out severe, violent attacks on higher education communities. These include attacks in countries

experiencing extremism or conflict, where higher education communities may be targeted as perceived symbols of state authority or sources of opposition to radical ideologies. They also include attacks targeting individual scholars or students intended to retaliate against or deter academic activity and expression. Over the past year, SAR reported on violent attacks on campuses in Afghanistan, India, and Yemen; targeted attacks on individual scholars and students in Bolivia, Brazil, Burundi, Colombia, Haiti, India, Iraq, Kenya, Somalia, and Ukraine; and violent, sometimes lethal force against student protesters in Nigeria and Iraq.

State authorities around the world used detentions, prosecutions, and other coercive legal measures to punish and restrict hundreds of scholars' and students' research, teaching, and extramural expression and associations. These actions were frequently carried out under laws or on grounds ostensibly related to national security, terrorism, sedition, and defamation. Over the past year, in countries including Spain, Pakistan, India, Egypt, Russia, and Zimbabwe, scholars and students were arrested and/or imprisoned in connection with explicitly academic work, as well as nonviolent expression and activism.

Governments continued to restrict or frustrate academics' and students' freedom of movement through targeted actions including entry and exit denials and deportations against specific individuals traveling to or from Hong Kong, India, Russia, and

Venezuela; as well as broad, policy-level restrictions by governments in Israel, Turkey, and the United States. These actions have frustrated the free flow of ideas across borders that is essential to quality higher education and to building global understanding and cooperation. Of course, with the onset of the COVID-19 crisis, academic travel became virtually impossible, preventing or cutting short countless research trips, international conferences, and study abroad programs around the world.

Attacks on student expression also remained an all-too-frequent subset of the reported incidents. In the past year, SAR reported on more than one hundred incidents involving attacks on student expression, including violent attacks, arrests and prosecutions, and disciplinary measures, with sustained pressures found in Colombia, Iran, the Occupied Palestinian Territories (OPT), and South Africa. Such attacks threaten the future of strong, nonviolent student movements, which are important to understanding contemporary issues and to the development of future leaders.

Legislative and administrative actions were a particular source of concern in states including Ghana and Brazil, which threaten to seriously erode university autonomy by giving political actors and their allies an inappropriate amount of control over the functioning of university life. In Turkey and Hungary, universities have faced outright takeovers or have been forced out of the country as a result of

targeted government action. Political actors have also sought to outlaw specific areas of study, including in Romania, where Parliament effectively banned gender studies. And in Poland and Russia, pending and enacted legislation has threatened the freedom of scholars to engage with international counterparts and the ability of universities to independently manage disciplinary proceedings.

SAR has examined extensive damage to Yemen's higher education space brought about by half a decade of war and a humanitarian crisis; the ongoing struggle for freedom in Hong Kong and China as it has played out in and around the higher education space; and the heated political conflicts that appear to be worsening

REPORTED ATTACKS ON HIGHER EDUCATION

SEPTEMBER 1, 2019 - AUGUST 31, 2020

	Killings, Violence, Disappearance	124
	Imprisonment	96
	Prosecution	52
	Loss of Position	30
	Travel Restrictions	7
	Other	32
<hr/>		
TOTAL		341

on campuses throughout India. In this year's report, SAR's partners in Turkey and Venezuela take a close look at the cumulative impact of years of attacks on their higher education communities.

As in previous years, this year's *Free to Think* report reflects only a sample of attacks on higher education that have occurred over the past year. Despite months of campus closures around the world and a reduction in international scholarly travel, attacks on higher education continued at a staggering rate. Indeed, the COVID-19 crisis has created and exposed new vulnerabilities, some of which universities will be feeling for years to come. But the crisis has also underscored the reasons why higher education must be protected: for there are few institutions as crucial to the training, scientific progress, and cooperation that will move the world past its current state.

SAR calls on states, higher education communities, and civil society around the world to respond: to reject violence and coercion aimed at restricting inquiry and expression; to protect threatened scholars, students, and higher education institutions; and to reaffirm publicly their commitment to academic freedom and support for the principles that critical discourse is not disloyalty, that ideas are not crimes, and that everyone must be free to think, question, and share their ideas.



“States, higher education communities, and civil society have a responsibility to take action to protect this space for the free exchange of ideas.”

Higher education and human rights experts can work with Scholars at Risk to bring academic freedom concerns to the attention of intergovernmental bodies, including the United Nations.

Photo: Wikimedia Commons

Call to Action

From January 2011 through August 2020, Scholars at Risk documented more than seventeen hundred attacks on higher education communities in one hundred countries. They range from violent, premeditated attacks on higher education institutions, faculty, and students, to systemic efforts to limit scholars' travel and restrict student expression. These attacks punish scholars and students for their ideas and status within the sector, and they chill academic freedom across entire university communities. But their impact goes beyond higher education, undermining everyone's freedom to think and ask questions.

Society benefits from the knowledge and expertise developed within an open and secure higher education sector. States, higher education communities, and civil society have a responsibility to take action to protect this space for the free exchange of ideas. While action may look different for different parties, everyone has the capacity to help.

Free to Think raises awareness of the astonishing frequency of attacks on higher education, and it also serves as a call to action for everyone to do more to protect strong, healthy higher education communities and promote academic freedom. SAR invites readers

to consider the following opportunities for action and to propose their own novel approaches.*

International

Intergovernmental, regional, and supranational bodies should **develop policies and structures to protect academic freedom** regionally and globally. In November 2018, for example, the European Parliament adopted a recommendation to make academic freedom a human rights consideration in the European Union's foreign policy.¹ The Inter-American Commission on Human Rights held a hearing on "Reports of Restrictions and Reprisals Against Academic Freedom and University Autonomy in the Region" in February 2019—the first time the Commission had held a thematic hearing on academic freedom, laying the foundation for future efforts.² These multistate bodies should build upon these efforts by developing mechanisms for holding states accountable for upholding academic freedom.

Intergovernmental and supranational bodies should **create awards to highlight the efforts of individuals to advance human rights, including academic freedom.** In October 2019, for example, the European Parliament awarded imprisoned scholar Ilham Tohti its Sakharov Prize for Freedom of Thought.³ The prize, which is awarded annually to individuals and organizations defending human rights and fundamental freedoms, provided a prominent platform to highlight Professor Tohti's work to promote dialogue in China about the country's Uyghur minority community and to call for his release after more than six years in prison.⁴

* Please contact scholarsatrisk@nyu.edu to learn more about the activities noted here as well as other initiatives, and to propose new ideas for actions and partnerships.

States should join together, including through multistate bodies, to **provide funding opportunities to support higher education institutions and NGOs seeking to help at-risk scholars and students.**

Inspireurope, for example, is a European Union-funded initiative led by SAR Europe to support, promote, and integrate researchers at risk in Europe. Inspireurope works across sectors and countries to expand career opportunities and improve the policy environment in Europe for researchers at risk.⁵

States

States should **raise awareness of attacks on higher education** by publicly acknowledging them, including through written statements.

States should **assess their own country's respect for academic freedom** by consulting the Academic Freedom Index (AFi), a research mechanism that rates countries based on their level of respect for academic freedom.⁶ States should consult *Free Universities: Putting the Academic Freedom Index Into Action*, a joint report by the Global Public Policy Institute and SAR that introduces the AFi, for guidance on interpreting and using the data to safeguard and strengthen respect for academic freedom and institutional autonomy, and to improve higher education quality.⁷

States should **include discussion of attacks on higher education communities within their own reporting on human rights issues**, nationally and internationally. The United States Department of State, for example, includes a section on “Academic Freedom and Cultural Events” within their annual Country Reports on Human Rights Practices.⁸

States should **publicly commit to protecting higher education from attacks by endorsing the Safe Schools Declaration**,⁹ through which states express political support for and commit to implementing the *Guidelines for Protecting Schools and Universities from Military Use During Armed Conflict*, and encouraging peers to do the same.* States that have already endorsed the Declaration—105 as of this report—should further encourage the rest of the international community to take this step.

States should further **express concern about attacks on higher education communities, publicly or privately, through inquiries posed to other states regarding national conditions for academic freedom and higher education.** For example, the United Nations' Universal Periodic Review, a process that involves a review of the human rights records of all UN Member States, provides an opportunity for states to comment on or inquire into other states' efforts to protect higher education communities. In February 2020, for example, six states made recommendations regarding academic freedom and protections for academics as part of Turkey's review.¹⁰

States should also **review reports on topics related to academic freedom, and share findings with government counterparts and the public.** For example, the UN Special Rapporteur on the Protection and Promotion of the Right to Freedom of Opinion and Expression presented a report on academic freedom to the 75th Session of the General Assembly in October 2020.¹¹ The report, drawing in part on a three-day consultation supported by SAR, describes the legal framework around academic freedom, the various forms of restrictions and attacks on academic freedom, and recommendations for states, international organizations, the higher education community, and civil society. States should review this report, circulate its findings within relevant government agencies, and work with civil society and intergovernmental organizations to respond to and implement its recommendations.

Where possible, states should **establish funding mechanisms to support at-risk or displaced scholars and students.** Several national efforts—the Philipp Schwartz Initiative in Germany, the PAUSE program in France, and the Students-at-Risk program in Norway—offer direct funding to scholars and students to continue their academic work in safety.[†]

Higher education institutions

Scholars at Risk encourages universities, colleges, and community colleges to **join the SAR Network** to demonstrate solidarity for colleagues worldwide who suffer direct attacks, and to contribute to efforts to

* States can also implement the *Principles of State Responsibility to Protect Higher Education from Attack*, through which states commit to protecting higher education from present and future attacks, and publicize their efforts to do so. See http://www.protectingeducation.org/sites/default/files/documents/principles_of_state_responsibility_to_protect_higher_education_from_attack.pdf; and http://www.protectingeducation.org/sites/default/files/documents/guide_to_implementing_principles.pdf.

† In Germany, the Alexander von Humboldt Foundation partnered with the Federal Foreign Office and a number of philanthropic organizations to fund two-year fellowships for at-risk scholars through the Philipp Schwartz Initiative. In France, through the PAUSE program (National Program for the Urgent Aid and Reception of Scientists in Exile), the Ministry for Education and Research, Collège de France, and the Chancellery of Parisian Universities provide support to higher education establishments and public research organizations that host scientists at risk. In Norway, following the efforts of the Norwegian Students' and Academics' International Assistance Fund and the National Union of Students in Norway, the Norwegian Ministry of Foreign Affairs funded the Students-at-Risk program, which enables at-risk students to pursue degrees in Norway.

address the causes of and the fallout from attacks on higher education.

Institutions should, where possible, **support scholars impacted by attacks by offering temporary positions of academic refuge** to these individuals through SAR, the Council for At-Risk Academics (Cara), the Institute of International Education's Scholar Rescue Fund (IIE-SRF), PAUSE, the Philipp Schwartz Initiative, and others. Institutions can identify internal funding or seek governmental or philanthropic funds to create fellowships for scholars and students. They can also offer remote fellowships to scholars unable to travel at this time. Roger Williams University, in the United States, for example, has offered remote fellowships to four scholars from Turkey, providing these scholars an important form of academic connection and library resources to continue their research.

Leaders of higher education institutions should **condemn attacks on the sector**, including attacks targeting individual scholars and students, regardless of where they occur. In doing so, higher education leaders prevent the normalization of attacks, signaling that an attack on one scholar is an attack on all.

Institutions should **promote understanding and respect for core higher education values** like academic freedom, institutional autonomy, accountability, equitable access, and social responsibility, including by proactively **developing a set of ritualizing practices on their campuses**. This means creating and repeating regular, visible, and meaningful opportunities for all stakeholders to discuss core higher education values and their meaning in practice in the community. SAR can help with materials for trainings and workshops on academic freedom.

National and regional higher education networks and associations, such as SAR sections,¹² should also **speak out about attacks, including by addressing concerns to relevant state and non-state stakeholders**. The 12 rectors of the SAR-Italy Section, for example, issued a joint letter to President al-Sisi of Egypt on March 19, 2020, seeking the release of Patrick George Zaki, an Egyptian student at the University of Bologna, Italy, who was detained upon returning to Egypt to visit his family.¹³

Higher education networks should also **develop advocacy strategies aimed at strengthening academic freedom and related values** within their regions, including by forming committees to assess regional concerns and developing guidelines for action.

Higher education associations and societies

Higher education associations and societies should also contribute to efforts to assist threatened higher education communities and strengthen academic freedom. Action by discipline-based or regionally focused associations reinforces the fact that all scholars in all academic fields face attacks, and that the response must be a cross-discipline, global effort.

Associations and societies should seek opportunities to **engage displaced or at-risk scholars in their activities**. The Middle East Studies Association (MESA), for example, offers Global Academy Scholarships to displaced scholars from the MENA region currently located in North America. Scholarship recipients receive professional development training, collaborate on research with MENA-focused scholars in North America, and receive sponsorship to attend MESA's annual meeting.¹⁴

Associations and societies should **encourage research into academic freedom and into the root causes of attacks on higher education**. They can include the issue on the agendas of regional and annual meetings. They can also **form committees to address these attacks or develop ways to offer direct support to displaced scholars**, or task an existing committee with addressing threats to academic freedom in the context of the association's scope and membership. The International Society of Political Psychology (ISPP), for example, has established a Scholars Under Threat committee to "monitor and coordinate ISPP actions to support members whose academic freedom is under threat."¹⁵ MESA convenes a Committee on Academic Freedom that takes actions to raise awareness about academic freedom violations within the Middle East and North America "by protesting them at the highest government and diplomatic levels of the country where the violation occurs" and by writing to university leaders and other related officials, where appropriate.¹⁶ In 2018, the African Studies Association (ASA) launched a Task Force for the Protection of Academic Freedom that would "defend and advance scholars' ability to freely pursue, distribute, and discuss their research in academia and in public life."¹⁷

Regionally focused associations should **use data generated by the Academic Freedom Index (AFI), a dataset on several dimensions of academic freedom, as a reference point for academic freedom in their region of concern**.¹⁸ Associations, like MESA and ASA, that have academic freedom committees could use AFI data to inform and support their own advocacy efforts around issues of concern.

Associations and societies should also **develop or share existing resources that empower their members and partners to respond** to attacks on higher education and systemic pressures that endanger their communities. For example, the



Committee on Human Rights of the United States National Academies of Sciences, Engineering, and Medicine developed an online guide for supporting scientists, engineers, and health professionals facing threats. The guide, *Confronting Human Rights Abuse*, is an effort to “empower colleagues confronting harassment and abuse, along with their families and

other supporters, and to assist them in obtaining justice.”¹⁹

Associations should **conduct research that can drive regional protections for academic freedom**. The European University Association, for example, as part of the Inspireurope project led by SAR Europe is mapping existing support in Europe for researchers at risk. This will form the basis for Inspireurope policy recommendations to the EU and national governments on how to improve support in Europe for researchers at risk.²⁰

Faculty, staff, and students

Faculty, staff, and students should **learn more about academic freedom**, including by enrolling in the free online course, “Dangerous Questions: Why Academic Freedom Matters,” which explores the meaning of academic freedom and how it relates to other core higher education values.*

Further, faculty, staff, and students should **actively engage in dialogue and training on academic freedom**

on their campus, including by contacting SAR about campus training opportunities and workshops on academic freedom and core higher education values, through SAR’s *Promoting Higher Education Values* guidebook and accompanying workshop curriculum.²¹

Faculty and researchers at higher education institutions can **contribute directly to Free to Think** by advising SAR on the regional or national context around incidents identified through SAR’s Academic Freedom Monitoring Project.²² Those with expertise in the Americas can consider joining SAR’s Americas Academic Freedom Hub, a regional platform for information sharing, awareness raising, network building, and advocacy.²³

Faculty can also **lead an Academic Freedom Legal Clinic**, through which law students engage with practical and theoretical issues relating to academic freedom and responses to attacks on higher education. Clinics have developed submissions for the UN’s Working Group on Arbitrary Detention, the European Court of Human Rights, and the Inter-American Commission on Human Rights, among others.²⁴

Faculty can **lead a Student Advocacy Seminar**, a course through which students conduct research and advocacy in support of a wrongfully imprisoned scholar or student. By engaging in these experiential activities, faculty train the next generation of human rights and higher education defenders through hands-on research and advocacy work.† Faculty and students can write about their involvement in these activities for journals or other outlets to encourage peers to get involved.

Faculty and researchers can **support at-risk or displaced scholars on campus** by serving on a SAR committee at their institution, through which they provide assistance to hosted scholars and seek opportunities to engage them in on-campus activities.

Student groups and academic departments can **invite threatened scholars to speak to the campus community**, including virtually, through the Vivian G. Prins / Scholars at Risk Speaker Series, a speakers’ bureau that provides higher education institutions the opportunity to learn from current and formerly at-risk scholars.‡

Students, staff, and faculty can **support imprisoned academics and students through SAR’s Scholars**

* The online course was created by SAR and the University of Oslo as part of an Erasmus+ -funded “Academic Refuge” project. Learn more about the course at <https://www.futurelearn.com/courses/academic-freedom>.

† Learn more about the Legal Clinic program at <https://www.scholarsatrisk.org/actions/academic-freedom-legal-clinics/>, and the Student Advocacy Seminar program at <https://www.scholarsatrisk.org/actions/student-advocacy-seminars/>.

‡ Invite one of these scholars to speak to your campus community today: <https://www.scholarsatrisk.org/actions/speaker-series/>.

in Prison Project, through which SAR conducts advocacy on behalf of individual scholars and students wrongfully imprisoned in connection to their academic or expressive activities.* Faculty, students, and staff can take action by signing and sharing letters of appeal and organizing campus-wide campaigns to raise awareness about attacks on individuals and on higher education generally.

Media

The media has a central role in **raising awareness about the phenomenon of attacks on the higher education sector** through investigative reporting, interviews, and public discussions.

In addition to documenting attacks, members of the press can **explain the causes and impacts of such attacks** beyond their direct victims, including impacts on cross-border education and research, and on the economic, political, and security conditions in the countries and territories in which attacks occur.

Press and artistic freedom advocates can **partner with SAR and others on advocacy initiatives that seek greater protections for the intellectual, creative, and expressive freedoms** these groups need to thrive.

Civil society and the public

Attacks on higher education shrink the space for everyone to think, question, and share ideas. Civil society and members of the public should **actively support academic freedom**. For example, the Academic Freedom and Internationalisation Working Group is a coalition of concerned academics, members of the All-Party Parliamentary Human Rights Group, and relevant civil society representatives focused on strengthening protection for academic freedom and scholars exercising academic freedom within the context of the internationalisation of UK Higher Education.²⁵

Civil society and the public should **learn more about these issues** by enrolling in “Dangerous Questions: Why Academic Freedom Matters,” a free online course.²⁶

Those in industry or other nonacademic research careers can **offer expertise to displaced scholars** through programs, trainings, and workshops such as those organized by Inspireurope.

They can also **play a key awareness-raising role over social media by sharing this report**, using the hashtags

#AcademicFreedom and #Free2Think in their posts, following @ScholarsAtRisk on Twitter and Facebook, and re-posting SAR’s social media posts.

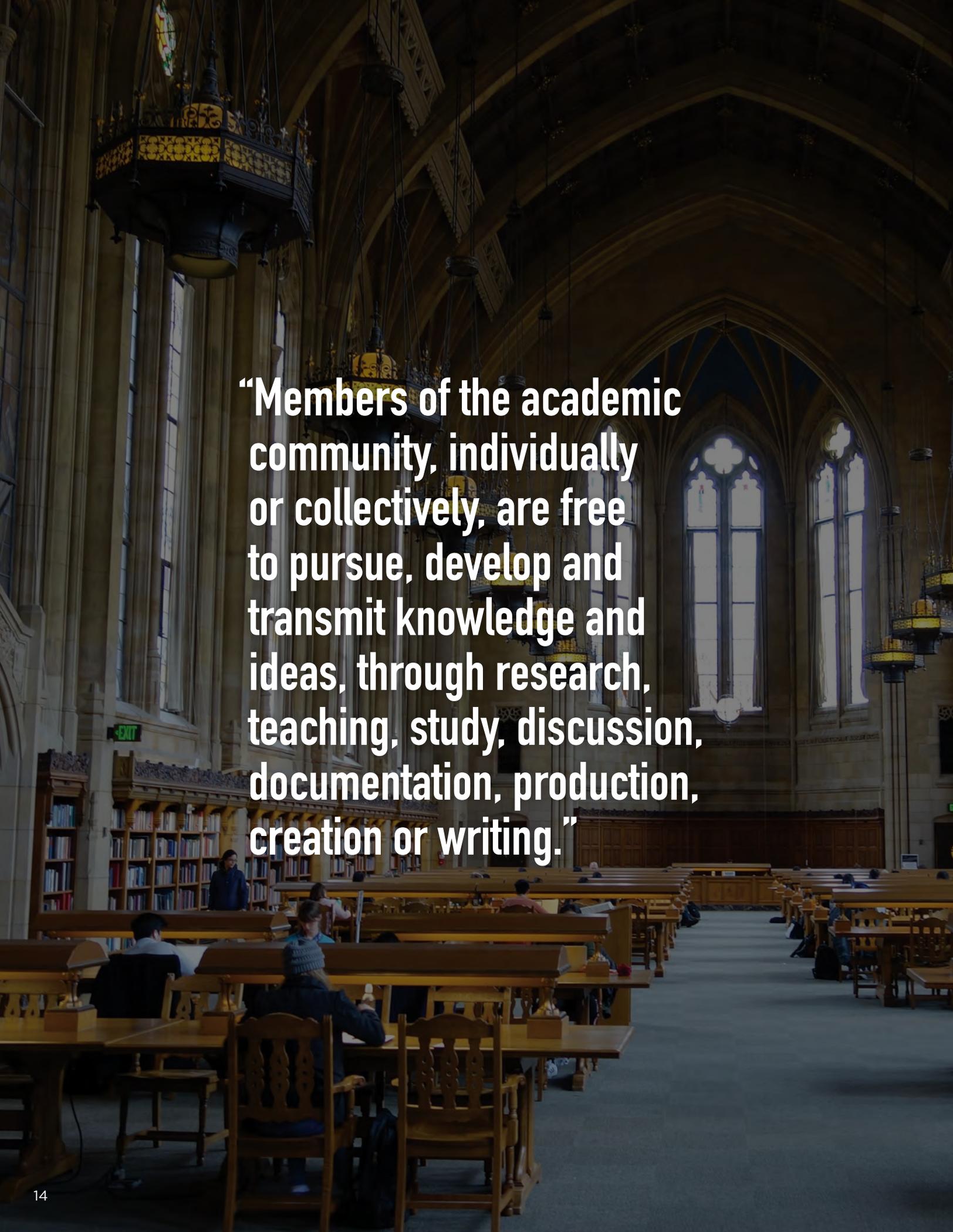
Protecting academic freedom and higher education communities from attacks demands the ingenuity and engagement of all sectors of society. SAR calls on everyone to join us in protecting those at risk, promoting academic freedom, and defending everyone’s freedom to think, question, and share ideas.

ENDNOTES

1. See European Parliament, “European Parliament recommendation of 29 November 2018 to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on Defence of academic freedom in the EU’s external action (2018/2117(INI)),” adopted November 29, 2018, http://www.europarl.europa.eu/doceo/document/TA-8-2018-0483_EN.pdf?redirect.
2. See Scholars at Risk, “Scholars at Risk speaks at the Inter-American Commission on Human Rights and launches the Americas Academic Freedom Hub,” February 28, 2019, <https://www.scholarsatrisk.org/2019/02/scholars-at-risk-speaks-at-the-inter-american-commission-on-human-rights-and-launches-the-americas-academic-freedom-hub/>.
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5. See SAR Europe, “Inspireurope,” <https://www.maynoothuniversity.ie/sar-europe/inspireurope>.
6. Data generated by the AFI is available at: <https://www.v-dem.net/en/analysis/>.
7. See Katrin Kinzelbach, Ilyas Saliba, Janika Spannagel, and Robert Quinn, *Free Universities: Putting the Academic Freedom Index Into Action*, March 2020, https://www.gppi.net/media/KinzelbachEtAl_2020_Free_Universities.pdf.
8. For more details and for the most recent set of reports, see <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>.
9. See Global Coalition to Protect Education from Attack (GCPEA), “Safe Schools Declaration and Guidelines on Military Use,” <https://protectingeducation.org/gcpea-publications/safe-schools-declaration-and-guidelines-on-military-use/>.

* Learn more about the Scholars in Prison Project on p. p. 44, and take action here: <https://www.scholarsatrisk.org/action/scholars-in-prison-project/>.

10. See UN Human Rights Council, “Report of the Working Group on the Universal Periodic Review, Turkey,” March 24, 2020, available at <https://undocs.org/A/HRC/44/14>; conclusions and/or recommendations at paras. 45.97 (Canada); 45.209 (Haiti); 45.157 (Norway); 45.179 (Peru); 45.151 (United States); and 45.94 (Uruguay).
11. David Kaye, “Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, David Kaye,” July 28, 2020, available in Arabic, Chinese, English, French, Russian, and Spanish at <https://digitallibrary.un.org/record/3883914?ln=en>.
12. See <https://www.scholarsatrisk.org/sar-sections/>.
13. For a copy of the rectors’ letter, see <https://www.scholarsatrisk.org/wp-content/uploads/2020/03/SAR-Italy-for-P.G.Zaki-Petition-19.3.2020.pdf>.
14. For more information on MESA’s Global Academy Scholarships, see <https://mesana.org/advocacy/2020/07/08/global-academy-scholarships>.
15. For more information on ISPP’s Scholars Under Threat committee, see ISPP, “ISPP Support for Scholars Under Threat,” https://www.ispp.org/about/scholars_under_threat.
16. See Middle East Studies Association, “Committee on Academic Freedom,” <https://mesana.org/advocacy/committee-on-academic-freedom>.
17. Derek Peterson, “New Task Force for the Protection of Academic Freedom Launched,” *ASA News*, Fall 2018, <https://africanstudies.org/asa-news/fall-2018-asa-news/fall-2018-asa-news-new-task-force-for-the-protection-of-academic-freedom-launched/>.
18. See Kinzelbach et al. (2020).
19. The guide, which is an interactive online tool, can be accessed here: <http://www.confront-rights-abuse.org/>.
20. See <https://www.maynoothuniversity.ie/sar-europe/inspireurope>.
21. See Scholars at Risk, *Promoting Higher Education Values: A Guide for Discussion*, updated April 2020, available at <https://www.scholarsatrisk.org/resources/promoting-higher-education-values-a-guide-for-discussion/>.
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23. Scholars at Risk (February 28, 2019).
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“Members of the academic community, individually or collectively, are free to pursue, develop and transmit knowledge and ideas, through research, teaching, study, discussion, documentation, production, creation or writing.”

States, national human rights institutions, courts, and the higher education sector should embrace existing protections for academic freedom under international law, and continue to develop standards that safeguard academic freedom at the national level.

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Academic Freedom and Its Protection under International Law

Academic freedom is legally grounded in multiple international human rights standards. It is fully and independently grounded in freedom of opinion and expression, the right to education, and the right to the benefits of science, respectively, and has elements of freedom of association, freedom of movement, and other rights. Numerous international statements from state sources reaffirm the right of academic freedom under these standards.

At the international level, protections for academic freedom begin within the documents collectively known as the International Bill of Human Rights: the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). Specifically, **ICCPR Article 19(2)** protects the right of everyone to hold opinions without interference and

the freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of [one's] choice.

The Human Rights Committee has stated that the right includes teaching and public commentary by researchers.¹

ICESCR Article 13 guarantees the right to education. The Committee on Economic, Social and Cultural Rights (CESCR) has explicitly found that the right to education “can only be enjoyed if accompanied by the academic freedom of staff and students.”² The CESCR further stated:

Members of the academic community, individually or collectively, are free to pursue, develop and transmit knowledge and ideas, through research, teaching, study, discussion, documentation, production, creation or writing. Academic freedom includes the liberty of individuals to express freely opinions about the institution or system in which they work, to fulfill their functions without discrimination or fear of repression by the State or any other actor, to participate in professional or representative academic bodies, and to enjoy all the internationally recognized human rights applicable to other individuals in the same jurisdiction.

ICESCR Article 15(3) protects the right to the benefits of scientific progress and requires state parties to “respect the freedom indispensable for scientific research and creative activity.” According to the CESCR, states have “a positive duty to actively promote the advancement of science through, inter alia, education and investment in science and technology.”³ The Committee continues:

This includes approving policies and regulations which foster scientific research, allocating appropriate resources in the budgets and, in general, creating an enabling and participatory environment for the conservation, development and diffusion of science and technology. This implies inter alia protection and promotion of academic and scientific freedom, including freedoms of expression and to seek,

receive and impart scientific information, freedom of association and movement; guarantees for equal access and participation of all public and private actors; and capacity-building and education.

International bodies have elaborated on the broad protections laid out in these core documents. Most especially, **UNESCO's 1997 Recommendation concerning the Status of Higher-Education Teaching Personnel (RSHETP)** articulates academic freedom to include, among other things, the

freedom of teaching and discussion, freedom in carrying out research and disseminating and publishing the results thereof, freedom [of higher education personnel] to express freely their opinion about the institution or system in which they work, freedom from institutional censorship and freedom to participate in professional or representative academic bodies.⁴

In order for academic freedom to be meaningfully realized, higher education institutions must be grounded in certain core values which support the quality of research, teaching, and learning. In addition to academic freedom, these core values include institutional autonomy, accountability, equitable access, and social responsibility.

UNESCO's 1997 Recommendation defines **institutional autonomy** as:

that degree of self-governance necessary for effective decision making by institutions of higher education regarding their academic work, standards, management and related activities consistent with systems of public accountability, especially in respect of funding provided by the state, and respect for academic freedom and human rights.⁵

Accountability is the institutionalization of clear and transparent systems, structures, or mechanisms by which the state, higher education professionals, staff, students, and the wider society may evaluate—with due respect for academic freedom and institutional autonomy—the quality and performance of higher education communities.⁶ It includes, inter alia: “effective communication to the public concerning the nature of their educational mission”; “effective support of academic freedom and fundamental human rights”; and “ensuring high quality education for as many academically qualified individuals as possible subject to the constraints of the resources available to them.”

The CESCR states, in relation to university autonomy, that self-governance:

must be consistent with systems of public accountability, especially in respect of funding provided by the State.

Given the substantial public investments made in higher education, an appropriate balance has to be struck between institutional autonomy and accountability. While there is no single model, institutional arrangements should be fair, just and equitable, and as transparent and participatory as possible.⁷

Equitable access is derived from ICESCR Article 13(2) (c), which provides that “Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education. . .”⁸

The CESCR has elaborated on this position, stating: “[e]ducational institutions and programmes have to be accessible to everyone, without discrimination, within the jurisdiction of the State party. . .”⁹ and noting further that accessibility includes three overlapping dimensions: non-discrimination and equal treatment, physical accessibility, and economic accessibility. The UNESCO RSHETP echoes this equality principle, providing:

Access to the higher education academic profession should be based solely on appropriate academic qualifications, competence and experience and be equal for all members of society without any discrimination.¹⁰

Social responsibility is the duty of members of the higher education community to use the freedoms and opportunities afforded by state and public respect for academic freedom and institutional autonomy in a manner consistent with the obligation to seek and impart truth, according to ethical and professional standards, and to respond to contemporary problems and needs of all members of society. The UNESCO RSHETP states:

Higher-education teaching personnel should recognize that the exercise of rights carries with it special duties and responsibilities, including the obligation to respect the academic freedom of other members of the academic community and to ensure the fair discussion of contrary views. Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research on an honest search for truth. Teaching, research and scholarship should be conducted in full accordance with ethical and professional standards and should, where appropriate, respond to contemporary problems facing society as well as preserve the historical and cultural heritage of the world.¹¹

Under existing international human rights standards, states have affirmative obligations (positive and negative) to protect and promote academic freedom. These include obligations to: refrain from direct or complicit involvement in violations of academic

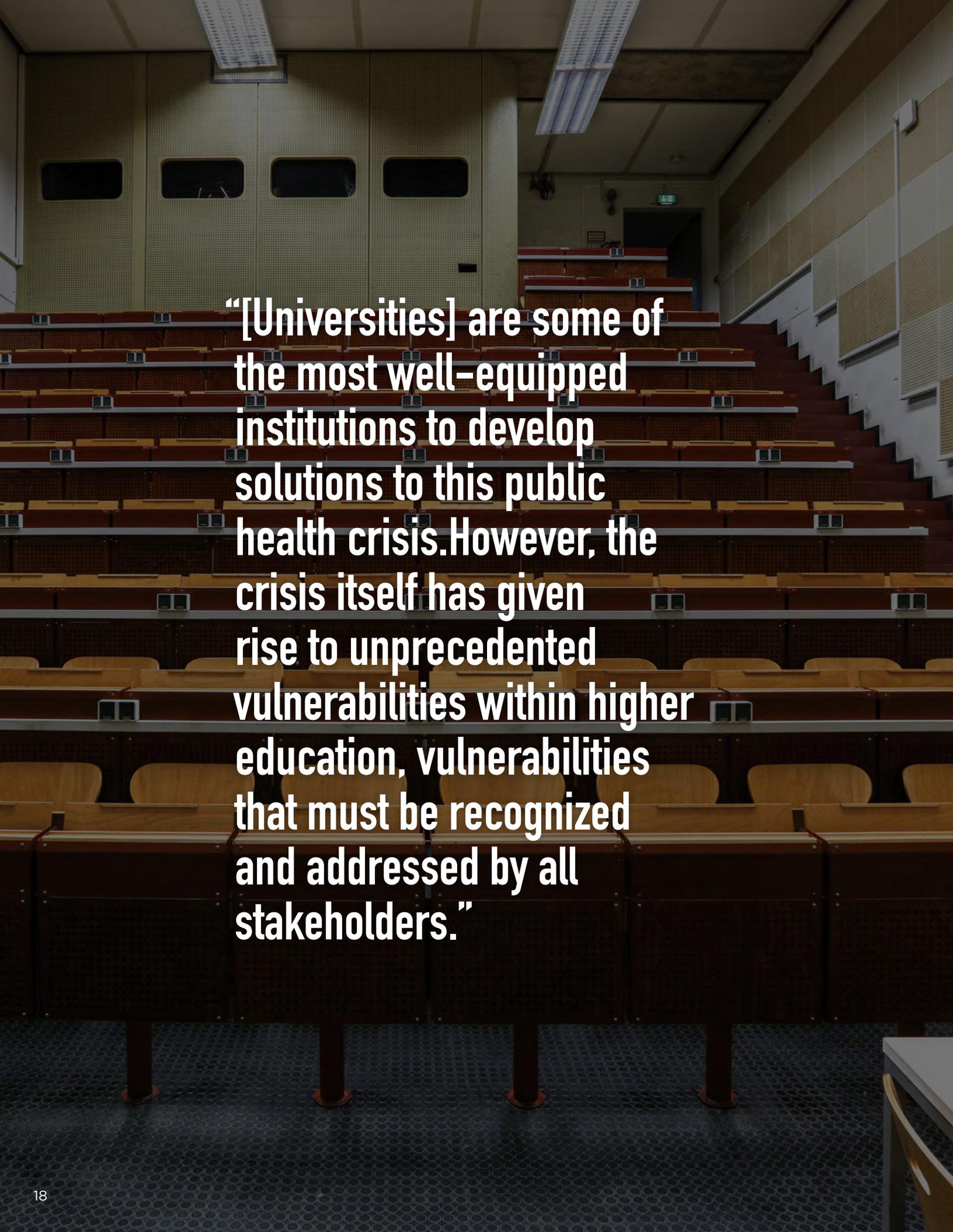
freedom; protect higher education communities against such violations; support victims of such violations; deter future violations, including by investigating violations and holding perpetrators accountable; promote the exercise of academic freedom, including by supporting higher education and international research cooperation; and promote greater understanding of academic freedom and its benefit to society.¹²

Jurisprudence around academic freedom and its components has developed within regional bodies including the European Parliament¹³ and European Court of Human Rights (ECtHR),¹⁴ the Inter-American Commission on Human Rights (IACHR),¹⁵ and the African Commission on Human and People's Rights (ACHPR).¹⁶ Complementing this jurisprudence are recognitions of academic freedom in state constitutions, national laws, decisions, and regulations, as well as in higher education policies and practices at the sectoral and institutional levels. Collectively, these demonstrate broad recognition of the right.

States, national human rights institutions, courts, and the higher education sector should embrace this recognition and continue to develop pro-academic freedom standards and practices, applying them wherever possible at the national and local levels, and explicitly acknowledging the grounding of academic freedom within international human rights standards.

ENDNOTES

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4. See UNESCO, "Recommendation concerning the Status of Higher-Education Teaching Personnel," November 11, 1997, para. 27, http://portal.unesco.org/en/ev.php-URL_ID=13144&URL_DO=DO_TOPIC&URL_SECTION=201.html.
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6. *Ibid.*, paras. 22-24.
7. See CESCR (1999), para. 40. See also RSHETP, para. 22 (a), (c), (d).
8. See ICESCR, Article 13(2)(c). See also UNESCO, "Convention against Discrimination in Education 1960," December 14, 1960, available at http://portal.unesco.org/en/ev.php-URL_ID=12949&URL_DO=DO_TOPIC&URL_SECTION=201.html.
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10. See RSHETP, para. 25.
11. See RSHETP, para. 33.
12. See ICCPR, Art. 2(1); RSHETP, paras. 17-19; UNESCO, "Recommendation on Science and Scientific Researchers" November 13, 2017, paras. 32-33; Global Coalition to Protect Education from Attack (GCPEA), *Principles of State Responsibility to Protect Higher Education from Attack*, available at https://protectingeducation.org/wp-content/uploads/documents/documents_principles_of_state_responsibility_to_protect_higher_education_from_attack.pdf; GCPEA, *Safe Schools Declaration*, https://protectingeducation.org/wp-content/uploads/documents/documents_safe_schools_declaration-final.pdf; and GCPEA, *Guidelines for Protecting Schools and Universities from Military Use During Armed Conflict*, https://protectingeducation.org/wp-content/uploads/documents/documents_guidelines_en.pdf.
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“[Universities] are some of the most well-equipped institutions to develop solutions to this public health crisis. However, the crisis itself has given rise to unprecedented vulnerabilities within higher education, vulnerabilities that must be recognized and addressed by all stakeholders.”

By March 2020, universities and colleges in many parts of the world cancelled on-campus activities in order to stem the spread of COVID-19. Many higher education institutions moved to teach students remotely or have introduced hybrid approaches with some in-person activities.

Photo: Wilhelm Gunkel / Unsplash.com

COVID-19's Impact on Higher Education Around the Globe

The novel coronavirus known as COVID-19 was first identified in China's Hubei province in December 2019. By April 2020, the virus had been detected around the globe. As of October 2020, COVID-19 had infected more than 41 million people and resulted in more than 1 million deaths.¹

As the pandemic reached crisis levels, profoundly affecting social, political, and economic life around the world, higher education suffered a number of unique impacts which are likely to be felt for years to come. These included the suspension of in-person operations and challenges associated with the switch to online education, attempts to restrict research and the flow of information about the virus, attacks on academic voices critical of governments' responses to COVID-19, and efforts to target and disrupt universities, taking advantage of the vulnerability they suffered as a direct result of these shifts.

In the face of these unprecedented challenges, universities have held a central role in documenting and researching the COVID-19 crisis, and are among the spaces with the potential to lead the world out of it, making it all the more important that society supports and protects higher education and the freedom to conduct academic and scientific work.

University life freezes

As the virus spread in early 2020, schools, colleges, and universities around the world began suspending

in-person operations. According to UNESCO, by April, schools and higher education institutions in 185 countries had been shuttered, affecting more than 1.5 billion students worldwide.²

According to the International Association of Universities (IAU), which surveyed higher education institutions between March 25 and April 17 and received responses from 424 institutions in 109 countries and 2 administrative regions around the world, 59% of responding institutions had suspended all on-campus activities.³ Institutions in Africa were hit particularly hard, with 77% reporting that they had suspended operations entirely.⁴ The crisis produced unprecedented financial challenges for many universities, threatening some institutions with permanent closure.⁵

At the same time, universities with the capacities to do so moved to an online instruction model. This dramatic and unforeseen shift upended core aspects of university education: an education centered around campus life, built on in-person instruction, providing students and professors the opportunity to learn from their peers in and outside the classroom, with the universities' physical spaces as hubs for the exchange of ideas.

Virtual meetings and classes replaced the physical campus, narrowing access to those with internet connectivity. Communities without internet access, including in geographically remote settings or where governments curtailed internet connectivity, such as in the Jammu and Kashmir region of India, were effectively cut off from continuing research or studies.

What is more, as discussed in detail in a later chapter on travel restrictions,^{*} the crisis effectively eliminated international academic travel, forcing thousands of international students to return to their home countries in the middle of study abroad programs, and stranding abroad others who were unable to travel due to virus-related restrictions or who feared that they would be prohibited from returning even after the virus had passed. Untold numbers of research trips, in-person exchanges between scholars, and other international academic engagements were suspended indefinitely.

Online instruction creates new versions of old risks

While the COVID-19 crisis and the shift to online instruction compromised core aspects of academic life, higher education communities were left vulnerable to those who sought to monitor, censor, disrupt, or otherwise target academic expression. While political targeting of higher education was not novel, it became far easier as lectures, meetings, and other academic communications moved onto insecure online platforms.

Scholars began to express concern as their lectures and other engagements with students were now taking place exclusively online, where they could be viewed by anyone, recorded, saved, broadcast, taken out of context, and used to target them.⁶ This likely produced a chilling effect among scholars, who could not guarantee the security of their communications nor limit access to their classes, and students, some of whom feared surveillance by state and non-state actors.

Indeed, some political actors who, before the COVID-19 crisis, had expressed hostility toward scholars and sought to “expose” what they alleged was bias within academia by advocating measures such as the recording of in-class lectures, apparently saw the increased exposure of university instruction as an opportunity. In the United States, for example, Charlie Kirk, the head of the conservative group Turning Point USA, invited college students to monitor, record, and expose their professors’ political expression if they disagreed with it. In a March 22 tweet, Kirk said “[n]ow is the time to document & expose the radicalism that has been infecting our schools . . . Transparency!”⁷

Professors and their students quickly learned that online instruction did, in fact, leave them more

exposed. Almost as soon as universities switched to online instruction, a phenomenon known as “Zoombombing” emerged. The term derives from “photo-bombing,” (appearing uninvited behind or in front of someone whose photograph is being taken) and the popular videoconference platform Zoom. In “Zoombombing,” outside actors enter an online meeting, class, ceremony, or other gathering to interject disruptive, harassing, offensive, or intimidating content, comments, or images.

Reported incidents involve individuals targeting events held by minorities or focused on issues relating to minority rights, with the use of hateful, racist, homophobic, pornographic, and anti-Semitic language and/or imagery. In the United States, examples from this reporting period include a doctoral dissertation defense on the experience of African American high school students (AFMI 1152[†]); a meeting of an on-campus group dedicated to supporting the personal and academic development of African American men (AFMI 1154); a lecture by a professor of African American Literature (AFMI 1155); a virtual event for an Association of African American Students (AFMI 1168); a graduation, interrupting with racist images the recitation of the concluding prayer given by an African American graduate (AFMI 1173); a meeting of a Chinese Students’ Association (AFMI 1176); and a meeting led by a women’s center, including directors of LGBTQ and women’s centers around the world (AFMI 1178).

Even where it was not clear who was being targeted,⁸ the content of the Zoombombing was invariably deeply offensive and disruptive, forcing faculty and other university meeting hosts to abruptly end classes, discussions, and other gatherings.

Beyond Zoombombings, the pivot to virtual spaces has increased burdens on scholars and scientists arranging conferences and meetings, particularly international meetings with a significant human rights or other potentially sensitive component. Hosts of such gatherings need to explore and address the security limitations of videoconferencing platforms, ensure that access is provided only to invited participants, and advise concerned attendees on their participation, including by recommending that they use a pseudonym and turn off their camera.

Despite efforts to improve the security and integrity of virtual gatherings and the platforms on which they take place, SAR understands that many scholars,

* See “Restrictions on Scholar and Student Travel,” starting on p. 75.

† In the *Free to Think* report series, “AFMI” numbers are used to reference incidents included in the table found at the end of this report.

students, and their interlocutors from outside the university remain worried about safety and confidentiality. Indeed, those who are unconvinced by steps taken or turned off by the burdens of videoconferencing may decline to enter the virtual space. At the same time, those who cautiously choose to participate may ultimately cede the discussion to those who feel they can contribute safely, or their participation may be overshadowed by those who can participate in a more public way by displaying their video feed and/or actual name. Reduced attendance and limited participation in these forums leave out important voices and ideas. Without the free and full participation of scholars and students interested in such gatherings, the quality, exchange, and development of ideas suffers, to the detriment of society at large.

Attacks on COVID-related research and expression

Scholars, and scientists, and other members of the academic and scientific communities faced restrictions on and retaliation for research and discussion of COVID-19, especially public expression that challenged official narratives around the government response to the crisis.

In **China**, in early January, ophthalmologist Li Wenliang was summoned and interrogated by police after he told colleagues in a WeChat group that a coronavirus had been detected in Hebei province. Police accused Li of spreading rumors and issued him a formal warning. Days after being summoned by police, Li contracted COVID-19. He died on February 7.

Several prominent Chinese scholars who commented on the government's response to the virus would later face retribution, including literary scholar Guo Quan (AFMI 1101) and legal scholars Xu Zhiyong (AFMI 1122) and Xu Zhangrun (AFMI 1123).⁸

In addition to retaliating against discussion of COVID-19 and the government's response, Chinese state authorities have exercised heightened control over research into COVID-19. In March, the Science and Technology Department of the Ministry of Education reportedly issued a directive that introduced state vetting of academic papers relating to the origins of COVID-19.⁹ Under the directive, only papers approved by a task force overseen by China's State Council could be submitted to academic journals. Other COVID-19-related research would be vetted internally, "based on conditions such as the 'academic

value' of the study, and whether the 'timing for publishing' is right," according to reporting by CNN.¹⁰

State and non-state actors outside China have also taken measures to crack down on COVID-19 related expression and inquiry.

In **Venezuela**, on March 9, a governor ordered during a public address a criminal investigation into Dr. Freddy Pachano, Director of the School of Medicine of the University of the State of Zulia, after he publicly raised concerns over suspected cases of COVID-19 and the lack of adequate protective equipment (AFMI 1144). Omar Prieto, Governor of Zulia, stated that "[t]his is an issue of national security and this man has to be investigated." To avoid arrest, Dr. Pachano fled the country. Maracaibo, Zulia's capital, later became the epicenter of the virus within Venezuela.

In **Egypt**, Laila Soueif, a mathematics professor at the University of Cairo; Mona Seif, a human rights activist; Ahdaf Soueif, a prominent novelist and public intellectual; and Rabab el-Mahdy, an associate professor of political science at the American University in Cairo were arrested on March 18 for protesting to demand the release of prisoners whom they argued faced heightened risk of contracting COVID-19 (AFMI 1149). The group decried the conditions in Egyptian prisons, which they say lack sufficient sunlight and ventilation and are overcrowded. Similar concerns have been raised about conditions and heightened risk of virus transmission in prisons in countries around the world.

In **Bangladesh**, two professors, Kazi Zakia Ferdousi and Shahadat Ullah Kayser, were suspended from their positions for Facebook posts critical of the government's handling of COVID-19 and a reported lack of Personal Protective Equipment (PPE) for doctors and other healthcare workers (AFMI 1153).

In **Uganda**, prominent scholar-activist Stella Nyanzi was arrested during a protest outside the Prime Minister's office (AFMI 1180). Nyanzi and her fellow activists demanded the lifting of a national lockdown, the distribution of free face masks and food relief, and the release of people jailed for allegedly violating a curfew and other measures put in place to combat COVID-19.

In the **United States**, Florida's Department of Health fired Rebekah Jones, a data scientist who led the state's coronavirus mapping efforts, apparently for refusing to manipulate data in order to back the state's plans for reopening.¹¹

* Learn more about arrests of Chinese academics in "Academic Freedom Repression Under China's Central Government," starting on p. 83.

And in **Turkey**, Kayihan Pala, a professor at Uludağ University's School of Medicine and a member of the Turkish Medical Association's COVID-19 Monitoring Group, was subjected to a university disciplinary investigation after he alleged in an interview that COVID-19 cases and fatalities in the city of Bursa were higher than what was officially reported (AFMI 1207).

In some countries, increases in arrests of activists, including students and scholars, amidst nationwide lockdowns raised concerns that governments were taking advantage of the crisis in order to crack down on dissent. These concerns have been frequently raised in **India**, where members of the higher education community have decried an apparent uptick in arrests of student-activists, including Meeran Haider (AFMI 1158), Safoora Zargar (AFMI 1161), Asif Iqbal Tanha (AFMI 1179), Devangana Kalita (AFMI 1182), and Natasha Narwal (AFMI 1182), as well as prominent scholar-activists Anand Teltumbde (AFMI 1162) and Hany Babu (AFMI 1218). Supporters of the above scholars and students worry that courts are operating at significantly reduced capacity and detainees are unlikely to be able to make bail, and that prison conditions heighten their risk of contracting COVID-19.¹²

State authorities have a responsibility to ensure public safety and to protect and promote the ability of state and university health experts to carry out their work. At the same time, state authorities must refrain from restricting or retaliating against the nonviolent and responsible exercise of the rights to academic freedom, freedom of expression, and freedom of assembly. Undue restrictions on or punishment of expression relating to COVID-19 or other matters of public concern undermine the exchange of ideas societies need to solve such problems and to move forward.

Universities have held a central role in documenting and researching the COVID-19 crisis. Indeed, they are some of the most well-equipped institutions to develop solutions to this public health crisis. However, the crisis itself has given rise to unprecedented vulnerabilities within higher education, vulnerabilities that must be recognized and addressed by all stakeholders, including higher education institutions, states, private industry, and private citizens.

Videoconferencing platforms, like Zoom, must take steps to ensure that meetings and classes are as secure as possible, while higher education institutions should endeavor to ensure that users within their

communities receive the instruction necessary to allow them to ensure safe use of such platforms. Individuals must also refrain from targeting virtual lectures, meetings, and other higher education activities.

States and higher education institutions must refrain from arrests of and disciplinary measures against scholars and students as retaliation for nonviolent academic or expressive conduct related to COVID-19. Likewise, where possible, states should take action to help ensure the secure and autonomous function of the university, including by expanding internet connectivity or lifting restrictions on the same.

Society at large should encourage state and higher education leaders to take the above steps, to protect and promote academic freedom, and safeguard the integrity of science and research.

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A group of men wearing face masks, some holding a large flag with Arabic calligraphy, in front of a building with a dome.

“SAR calls on state authorities to investigate these incidents, to make every effort to hold perpetrators accountable, and to ensure the security of all members of the community.”

Mourners carry the coffin of Iraqi historian and security analyst Hisham al-Hashemi, who was shot dead outside his house in Baghdad on July 6, 2020.

Photo: AFP via Getty Images

Violent Attacks on Higher Education Communities

Violent attacks on scholars, students, and their institutions remain one of the most serious threats to the higher education sector. Campus bombings, targeted killings of scholars, and lethal force against student protesters result in loss of lives and injuries to many, compromise the safety of entire campuses, and incite fear in faculty, students, administrators, and society at large. This, in turn, can restrict access to higher education, threaten the functioning of the higher education space, and chill academic freedom.

This year, Scholars at Risk reported 124 violent attacks in 42 countries. At least 24 students, scholars, staff, campus security personnel, and others died as a result of these attacks, with countless more injured.

Attacks on campus communities

In Afghanistan, Yemen, and India, non-state actors and groups carried out violent attacks on higher education institutions. Attacks reported this year typically involved the use of explosive devices and sharp implements.

In **Afghanistan**, non-state actors and groups attacked higher education institutions in at least four instances.

These incidents appear to fit a years-long ongoing trend of violent, targeted attacks on higher education communities throughout the country.

Two attacks targeted the Ghazni University community. On September 16, 2019, unidentified individuals carried out a violent attack on a university-operated bus carrying Ghazni University students, killing the driver and injuring five students (AFMI 981). Roughly 3 weeks later, on October 8, a bomb exploded in a classroom on Ghazni's campus, injuring at least 21 students (AFMI 999). Reports indicate the explosive device was detonated in a classroom at the Faculty of Arts while classes were in session. Thirteen students were hospitalized for their injuries.

In Kabul, on February 4, 2020, a suicide bomber killed at least five people and injured over a dozen more, near the entrance to Afghanistan's Marshal Fahim Military Academy, a defense university in Kabul where the country's security officers undergo training (AFMI 1107).

And in eastern Afghanistan, on March 23, an explosive device was detonated outside the gates of Paktia University, killing a police officer and injuring a civilian (AFMI 1151).

Similar attacks in Afghanistan were carried out on June 2, July 19, and August 27, 2019.[†] SAR has reported on 12 violent attacks by non-state actors on scholars, students, and higher education institutions in the country since 2011.[†] While no group has publicly

* See SAR Academic Freedom Monitoring Project (AFMP), <https://www.scholarsatrisk.org/report/2019-06-02-kabul-education-university-of-rabbani/>, <https://www.scholarsatrisk.org/report/2019-07-19-kabul-university/>, and <https://www.scholarsatrisk.org/report/2019-08-27-nangarhar-university/>, respectively.

† For published reports of incidents in Afghanistan involving "killings, violence, and disappearances," see https://www.scholarsatrisk.org/academic-freedom-monitoring-project-index/?_snk_keyword=&taxes%5Bregions%5D%5Bafghanistan%5D=on&taxes%5Breports%5D%5Bkillings-violence-disappearances%5D=on&_snk_dt%5Bshowall%5D=y.

claimed responsibility for the attacks in Afghanistan, both Taliban forces and ISIS forces have been responsible for violent attacks in the country in recent years, including attacks targeting higher education personnel and facilities.

In **Yemen**, as discussed in detail in a later chapter, the country's ongoing civil war has left higher education infrastructure severely damaged and endangered the safety of the campus community.[†] On October 30, 2019, for example, an explosive device strapped to a vehicle detonated outside Dhamar University as a number of prominent pro-Houthi leaders were attending a graduation ceremony (AFMI 1017). No injuries or fatalities were reported.

In **India**, on November 26, an unidentified assailant detonated a grenade outside the University of Kashmir while exams were underway, leaving two people injured (AFMI 1042). The attack occurred several months after the revocation of Jammu and Kashmir's special status by India's Parliament.[‡] National and local news sources claimed that "suspected terrorists" carried out the attack.

Also in India, students reported attacks on campuses carried out by suspected Hindu nationalists. On January 5, 2020, for example, masked individuals carried out a politically motivated attack on students and professors at Jawaharlal Nehru University, leaving at least 34 injured (AFMI 1072). The individuals—roughly fifty men armed with iron rods, sticks, and broken bottles—stormed the campus and vandalized property while chanting Hindu-nationalist slogans. The attackers entered residence halls and beat students and faculty. Students claimed that the attackers belonged to the Akhil Bharatiya Vidyarthi Parishad (ABVP), a right-wing student organization and the student wing of the Rashtriya Swayamsevak Sangh (RSS). ABVP denied accusations that they were involved in the attack; however, screenshots of WhatsApp transcripts suggest that the attack was coordinated via chat groups run by alleged ABVP members. The attack at JNU was carried out amidst ongoing student protests over proposed hostel fee hikes as well as the controversial Citizenship Amendment Act, ratified on December 12, which

excludes Muslims from an expedited pathway to citizenship provided for in the same legislation. Police have arrested and used violent force against students in demonstrations at JNU and on other Indian university campuses.[‡]

Targeted violent attacks

Individual scholars and students in countries have also been the targets of violent, often sectarian attacks, at times in apparent retaliation for their activism and academic expression.

In **Ukraine**, on September 4, 2019, an explosive device detonated outside the home of Andrei Krisovaty, the rector of Ternopil National Economic University (TNEU) (AFMI 970). He and his wife, Oksana Krisovaty, were critically injured when he picked up a package that exploded. Doctors had to amputate his left hand. Law enforcement considered several possible motives for the targeted attack, including retaliation for Krisovaty's professional activity.[§] As of this report, however, there is no public information regarding the identity of the perpetrator, and it does not appear that authorities have completed or announced the results of their investigation into the attack.

In **Afghanistan**, geographer and retired Kabul University professor Aziz Ahmad Panjshiri was found dead after being abducted on November 5 (AFMI 1020). Panjshiri, who in recent years served as a cultural advisor to the mayor of Kabul, was traveling on a highway to the Kunduz province in northern Afghanistan at the time he was abducted. His captors reportedly extracted an \$18,000 ransom from his family in exchange for his safe return, but he was murdered nonetheless. Police and government officials hold the Taliban responsible in what they believe to be a politically motivated attack aimed at weakening the education sector. Although the Taliban denied responsibility for the killing, officials have connected Panjshiri's death to a string of violent attacks and kidnappings targeting public figures on this provincial highway.

In **Bolivia**, on November 10, individuals allegedly linked to Bolivia's former ruling party set fire to the

[†] For more discussion of developments in India, see "India's Clampdown on Dissent," starting on p. 49.

[‡] Following this incident, students told media outlets that police and security guards did little to stop the attackers and that some police joined in chanting nationalist slogans. In comments to the press, a police spokesperson denied such allegations and said that the university was under control and that police would investigate and hold the attackers accountable.

[§] Investigators explored whether the incident was connected to ongoing disputes concerning land owned by TNEU. In the 1990s, the Ternopil government granted sections of land to state farm employees; those parcels were later privatized and assigned to TNEU educational and research facilities. According to a report by *20 Minut*, state farmers filed a lawsuit with the district administrative court requesting that the decree, which transferred the state farmland to the institution, be declared illegal. For additional detail and media reporting, see SAR Academic Freedom Monitoring Project (AFMP), <https://www.scholarsatrisk.org/report/2019-09-04-ternopil-national-economic-university/>.

home of Waldo Albarracín, the Rector of the Higher University of San Andrés in La Paz (AFMI 1024). Alongside his position as rector, Albarracín is also a well-known human rights defender and an opposition political figure critical of former Bolivian President Evo Morales and his Movement for Socialism (MAS) party. On November 10, following weeks of nationwide protests, Morales resigned from office. That evening, Albarracín announced on social media that a mob which he claimed was linked to Morales and MAS had set fire to his home. Albarracín and his family were unharmed as they had evacuated the premises moments before.

In **India**, on December 30, a group of individuals alleged to be members of the Bharatiya Janata Party (BJP), the ruling Hindu nationalist political party, attacked Jadavpur University (JU) professor Doyeeta Majumder (AFMI 1068). The assailants beat her shortly after she protested a speaker's remarks about JU at a BJP meeting that occurred just outside the campus. BJP supporters also reportedly attacked two students who tried to help the professor.

In **Burundi**, on January 8, 2020, Jean de Dieu Nkunzimana, a third-year student at the University of Burundi and a member of the opposition party Conseil National pour la Liberté (CNL), was beaten and kidnapped in connection with an alleged meeting he held on campus (AFMI 1076). Suspected members of the Imbonerakure, the student wing of Burundi's ruling party, and a campus security official broke into Nkunzimana's dormitory, where they beat him and accused him of holding an allegedly illegal meeting of the CNL on campus. Imbonerakure members and the university security official reportedly demanded that Nkunzimana name other members of the CNL and show them their rooms on campus. Nkunzimana was reportedly taken off campus overnight after refusing their demands. The next day, Nkunzimana's captors took him to a police station in Bwiza. As of this report, there is no public information indicating Nkunzimana's status or whereabouts.

In **Iraq**, two scholars were killed and a third injured in apparently targeted attacks. On January 8, a group of unidentified men on motorcycles stabbed historian Ibrahim Saeed Al-Baidhani, in an assassination attempt just outside his home (AFMI 1075). Al-Baidhani, who is also the Secretary General of the International Historians Association for Culture, Development, and Social Sciences, was wounded

and rushed to a hospital following the incident. The attack on Al-Baidhani appeared to fit a pattern of violent incidents and kidnappings targeting activists and public figures since nationwide protests against corruption, poor economic conditions, and a lack of public services began in October 2019.*



KILLINGS, VIOLENCE, AND DISAPPEARANCES

During this reporting period, SAR issued 124 reports of killings, violence, and disappearances. These incidents include killings and disappearances either in retaliation for particular academic content or conduct, or targeting members of higher education communities, including higher education leaders, academic and nonacademic staff, and higher education students. Disappearance includes arrest, detention, abduction, or other deprivation of liberty by government or quasi-government officials, by groups, or by individuals acting on behalf of, with support, consent, or acquiescence of the government, followed by a refusal to disclose the fate or whereabouts of the persons concerned, or a refusal to acknowledge the deprivation of their liberty, which places such persons outside the protection of the law. Violence includes violent physical assaults causing serious harm to individual members of higher education communities, including beatings, shootings, or other injuries with weapons, and torture.

Roughly three weeks after the assassination attempt on Al-Baidhani, unidentified individuals shot and killed Mohammed Hussein Alwan, a professor in the College of Education at Al-Mustansiriya State University, in Baghdad (AFMI 1093). Media sources have suggested that Alwan, who was also a well-known journalist and member of the Iraqi Journalists Syndicate, had previously attended student-led protests in Baghdad and had expressed support for the protests over social media.

* Protesters, predominantly Iraqi youth and many of them students, were met with violence by Iraqi security forces and non-state actors, with hundreds reportedly killed. Many well-known figures have reportedly been attacked in apparent retaliation for their participation in the protests. The protests led to the resignation of Iraqi Prime Minister Adil Abdul Mahdi in December, and protests for further government action continued into 2020.

And on July 6, unidentified gunmen assassinated Dr. Hisham al-Hashemi, a prominent historian, journalist, and security analyst with expertise on extremist and terrorist groups in Iraq (*AFMI 1208*). The gunmen rode on motorcycles to his home in Baghdad where they reportedly fired multiple times at al-Hashemi outside his home in Baghdad. Al-Hashemi was taken to a hospital and pronounced dead. In the preceding weeks, Hashemi had been the target of repeated threats in apparent response to his reporting and commentary on militias operating in the country. No group has claimed responsibility for the attack.

In **Brazil**, Federal University of Paraíba (UFPB) philosophy student Clayton Tomaz de Souza went missing on February 6 and, two days later, was found dead outside the city of João Pessoa, on a site where locals say so-called “death squads” deposit bodies of their victims (*AFMI 1109*). A police autopsy indicated that de Souza had been shot in the back of the head. Police have not publicly identified a suspect as of this report. According to media sources and testimony from classmates and UFPB personnel, de Souza’s killing follows an intensification in his public criticism of the university’s security guards. UFPB established a commission, comprised of students, faculty, and administrators, to carry out their own investigation into de Souza’s killing.

In **Colombia**, on March 4, Sara Fernandez, a professor at the University of Antioquia and secretary of the university’s Association of Professors, was violently attacked in her home in what appeared to be a politically motivated incident (*AFMI 1142*). Sources indicate a man broke into Fernandez’s home and stabbed her in the chest, piercing her lung. The assailant fled and was arrested shortly thereafter. Fernandez was hospitalized for her injuries and survived. Investigations into the attack indicate that two days prior to the attack on Fernandez, pamphlets were circulated on the university’s campus, threatening student and faculty groups, including Fernandez’s association, and calling for an end to recent protest activities on campus.

In **Kenya**, also on March 4, security officials at the University of Nairobi (UoN) beat a student to death after arresting him near university housing (*AFMI 1141*). According to eyewitness reports, a private security guard stopped and arrested Elisha Otieno Odeng, a suspended UoN student. Reasons for the

arrest are unclear. Campus security reportedly claimed that they were taking Odeng to the Central Police Station in Nairobi; however, witnesses told police that security officers restrained and beat Odeng before dragging him to Nairobi’s Central Park, where they left him. He was found sometime later and taken to the hospital, where he died. A coroner’s report later showed the causes of death to be blunt force trauma to the head and strangulation. Police later arrested a campus security guard in connection with the killing.

In **Somalia**, on March 6, Mahmoud Jama Ahmed, a lecturer in humanities and social sciences at the University of Hargeisa who had recently been released from prison on blasphemy charges, was forced into hiding after a cleric called for his death during Friday prayers (*AFMI 1143*). Ahmed was accused of blasphemy in early 2019, after posting a message on Facebook suggesting that, in response to droughts, Somalis should look to the scientific approach of what he called “advanced societies,” instead of relying on prayer. He was arrested on March 21, 2019, convicted of blasphemy, and sentenced to two-and-a-half years in prison. He was released on January 27, 2020, after being granted a conditional amnesty by Somalia’s president, under which he was prohibited for five years from disseminating his writings, giving public lectures, or teaching in universities.[†] During Friday prayers on February 28, and then again on March 6, a local cleric reportedly claimed that Professor Ahmed could not repent for the sin of blasphemy, and that “killing this apostate is bad for him in this life but he will benefit from it in the afterlife.” Professor Ahmed went into hiding shortly thereafter.

In **Mexico**, on June 29, two unidentified individuals shot and killed Guadalupe Martínez, Rector of the University of Valladolid de Xalapa (*AFMI 1205*). According to police, the assailants broke into her home on campus and stole money and documents from Martínez’s safe. As of this report, the individuals have not been identified, and authorities are reportedly continuing their investigation into Martínez’s murder. Martínez’s death occurred against the backdrop of a reported rise in cases of femicide, the intentional killing of women based on their gender. Protests against femicide and sexual violence have occurred frequently in Mexico, including at universities.

And in **Haiti**, on August 28, Monferrier Dorval, a professor of law at the University of Haiti and head

* Students had been engaged in frequent protests against the government and the presence of riot police on campus. For additional discussion of related student protests in Colombia, see p. 63.

† For additional detail on Ahmed’s 2019 arrest and detention, see SAR Academic Freedom Monitoring Project (AFMP), <https://www.scholarsatrisk.org/report/2019-03-21-university-of-hargeisa/>.

of the Port-au-Prince Bar Association, was murdered shortly after he made comments critical of the government (AFMI 1225). The assailants stormed his home, located near the residence of the country's president. In the hours prior to his murder, Droval criticized the government in a radio interview, claiming a lack of leadership and decrying crises affecting the country. Dorval also suggested the country convene legal experts to draft a new constitution. News of his killing immediately drew protests and calls for an investigation. Three potential suspects were taken into custody on September 3.

Lethal force against student protesters

The use of violent and especially lethal force, especially the use of live ammunition, by state and private security forces against university student protesters is of particular concern.

For example, in **Nigeria**, on September 10, 2019, police clashed with and opened fire on student protesters, killing two students and injuring two others (AFMI 976). Sources indicate that a large group of students from the Federal University Oye-Ekiti (FUOYE) were in the street, protesting power supply issues affecting their campus. When protesters learned that a motorcade transporting the governor's wife, Bisi Fayemi, was passing nearby, they demonstrated outside her vehicle. Several sources indicate that some of the protesters allegedly attacked vehicles and smashed windows of the convoy transporting Fayemi. Clashes quickly broke out between the two sides, and police reportedly opened fire, striking an unknown number of protesters. Two FUOYE students, Oluwaseyi Kehinde and Okonofua Joseph, were shot and killed. At least two more students were hospitalized. Immediately following the incident, FUOYE officials closed the campus indefinitely. The campus reopened on November 11.

In **Iraq**, on February 10, 2020, security forces opened fire on students and other protesters in front of Al Ain University in Dhi Qar Governorate, leaving one protester dead and several others injured (AFMI 1112). Students and other protesters had gathered in front of Al Ain University to hold a demonstration expressing support for protests across Iraq, and to call for action to be taken against authorities who have used violence against, and in some cases killed, demonstrators. While the exact sequence of events is unclear, sources indicate that Iraqi security forces fired live ammunition at demonstrators in an attempt to disperse them. One protester was killed and an unknown number of other demonstrators were injured.

While state and university authorities have an obligation to ensure safety and maintain order on and off-campus, they must ensure that their response is proportional to the situation and respects the life and well-being of participants and bystanders alike. In addition to the harm to the immediate victims, lethal force used in response to student expression undermines academic freedom, institutional autonomy, and democratic society generally.

SAR condemns targeted, violent attacks on higher education communities and the use of lethal force against student protesters, and calls on state authorities to investigate these incidents, to make every effort to hold perpetrators accountable, and to ensure the security of all members of the community. State authorities must publicize investigations and accountability measures, so as to reach constituents, positively influence state and non-state actors, and make these measures effective.

SAR also calls on higher education institutions and civil society to press state authorities for greater protection and accountability, and to contribute to efforts to understand and reinforce principles of autonomy and academic freedom.



“Yemen risks losing a generation of scholars, research, and the societal progress that accompanies quality higher education.”

Taiz University reopened in 2016 after being closed for more than a year due to the war. Four years later, the conflict continues to threaten the safety of scholars, students, and personnel of Taiz and other universities throughout the country.

Photo: akramalrasny / Shutterstock.com

Yemen's Universities Under Attack

One of the world's greatest humanitarian disasters, the ongoing war in Yemen has ravaged the country, leaving more than one hundred thousand dead and many more injured, displacing an estimated four million, and devastating infrastructure and public services that are crucial to restoring peace and rebuilding society. On June 2, 2020, UN Secretary-General António Guterres underscored the significance of the crisis, stating that "four out of every five people, twenty-four million people in all, need lifesaving aid."¹

Five years of war have devastated Yemen's higher education community.^{*} Students, scholars, and university personnel have been killed and injured; universities, libraries, cultural sites, and other infrastructure that serve scholars and students have been destroyed or severely damaged; and a

sense of insecurity that impedes access to higher education and academic activity has permeated throughout society.[†]

For many universities throughout the country, combat and the presence of armed groups have severely undermined the right to education, academic freedom, and institutional autonomy. On some campuses, Houthi forces have taken control of operations and interfered in teaching and other academic activities. Scholars and students have also been subjected to detentions and dismissals for being critical of their authority. Lack of press freedom[‡] and internet connectivity, along with fear of retribution among victims, further constrict the ability to report particular attacks on institutions and individuals, making it difficult to provide a comprehensive accounting of the war's impact on higher education.

Compounding the immediate effects of combat and armed occupations is an overwhelming humanitarian crisis. Widespread poverty, food and medicine shortages, and electricity outages have devastated all of Yemeni society and further hampered research and access to education. Scholars in much of the country

^{*} In Yemen, modern higher education institutions began to develop in the 1970s, with the establishment of Sana'a University and the University of Aden. By 2014, the number of public universities grew to ten. Public institutions of higher education, with the exception of community colleges, operate under the Ministry of Higher Education and Scientific Research (MHSR). Starting in 1994, Yemen saw a rapid growth in private higher education institutions, with 42 private universities having been established by 2014. That year, more than 310,000 students were reportedly enrolled in public and private universities in Yemen. See Faisal Darem, "Yemen's Fast-Growing Private Universities Stir Debate," *Al-Fanar Media*, January 27, 2014, <https://www.al-fanarmedia.org/2014/01/yemens-fast-growing-private-universities-stir-debate/>; and Khalid Ahmed Al Qaidani, "Higher Education Systems and Institutions, Yemen" in *Encyclopedia of International Higher Education Systems and Institutions* (Springer: October 2019), <https://doi.org/10.1007/978-94-017-9553-1> (accessed on September 28, 2020).

[†] For additional discussion of the disastrous impact of conflict on primary and secondary education in Yemen, see "Yemen Country Profile" in Global Coalition to Protect Education from Attack (GCPEA), *Education Under Attack 2020* (New York: July 2020), https://protectingeducation.org/wp-content/uploads/eua_2020_yemen.pdf; and GCPEA, "Safeguard Yemen's Future: Protect Education from Attack," February 2019, http://www.protectingeducation.org/sites/default/files/documents/safeguard_yemens_future_2019.pdf.

[‡] Yemen received a score of 0 out of 4 in the 2020 *Freedom in the World* report by the US-based NGO Freedom House. According to the report, Houthi forces have taken over and enforced self-censorship at remaining media outlets, while also blocking select news websites and online forums within the country. See Freedom House, "Freedom in the World: Yemen," 2020, <https://freedomhouse.org/country/yemen/freedom-world/2020>.

War in Yemen

The war broke out in 2015, following the September 2014 takeover of Sana'a by the Houthis,^{*} a militia, largely comprised of Zaydi Shiites, that originated in northern Yemen in the 1990s as a theological movement known as the "Believing Youth," and, by 2004, took up arms as a resistance to President Ali Abdullah Saleh. With the onset of the 2011 Arab Spring, public outrage over dire economic conditions and corruption, and discontent with President Saleh grew, eventually leading to a transfer of power to Vice President Abdrabbuh Mansour Hadi in February 2012. Over the next two years, poor economic conditions, instability, and protests continued. By February 2015, with the capital Sana'a under Houthi control, President Hadi was forced to resign and fled the country; he has since largely resided in Saudi Arabia and is widely recognized within the international community as Yemen's president.

The takeover of Sana'a was followed by air, ground, and sea offenses by a number of groups attempting

to drive back the Houthis, including notably an international coalition of armed forces led by Saudi Arabia, known as the Saudi-led Coalition (SLC),[†] and, by 2018, the National Resistance Forces (NRF),[‡] a group largely comprised of former members of the Yemeni Republican Guard. Extremist groups Al-Qaeda and, to a lesser extent, ISIS are present in Yemen and have also engaged in the conflict.

Houthi forces currently hold de facto control over large areas of Yemen's northern governorates, including the cities of Sana'a and Sa'dah. Meanwhile, the internationally recognized Hadi-led government (supported by Saudi Arabia) and the Southern Transition Council (STC) (backed by the United Arab Emirates (UAE)) compete, including militarily, for control of the South, where the provisional capital of Aden is located, and the East. As of this report, fighting continues between the Houthis and the various Saudi and UAE-backed forces.

* The Houthis are officially known as "Ansar Allah," which roughly translates to "Supporters of God." The colloquial name "Houthis" has been used in reference to the movement's founder, Hussein Badreddin al-Houthi.

† In 2015, Saudi Arabia established a coalition of states in the Middle East and North Africa that would support Yemeni President Abdrabbuh Mansour Hadi, who had fled to Saudi Arabia after his ouster by the Houthis. The Coalition, which has at various points included Bahrain, Egypt, Jordan, Kuwait, Morocco, Qatar, Sudan, and the United Arab Emirates, has engaged in air and ground combat against the Houthi rebel forces. The United States has provided the SLC with material support.

‡ The NRF was formed by Tareq Saleh, the nephew of former President Saleh. It bears mentioning that, following the takeover of Sana'a, President Saleh aligned with the Houthis until late in 2017 when he stated his willingness to discuss with the Saudi government a path to ending the war. The Houthis assassinated President Saleh on December 4, 2017. By 2018, Tareq Saleh mobilized members of the Republican Guard who were loyal to his uncle, the late president, to combat the Houthis.

have been denied pay for years, leaving families further impoverished, famished, and struggling to survive. COVID-19 has aggravated this crisis, straining the country's limited resources, and, as in most countries, severely disrupted academic activity.

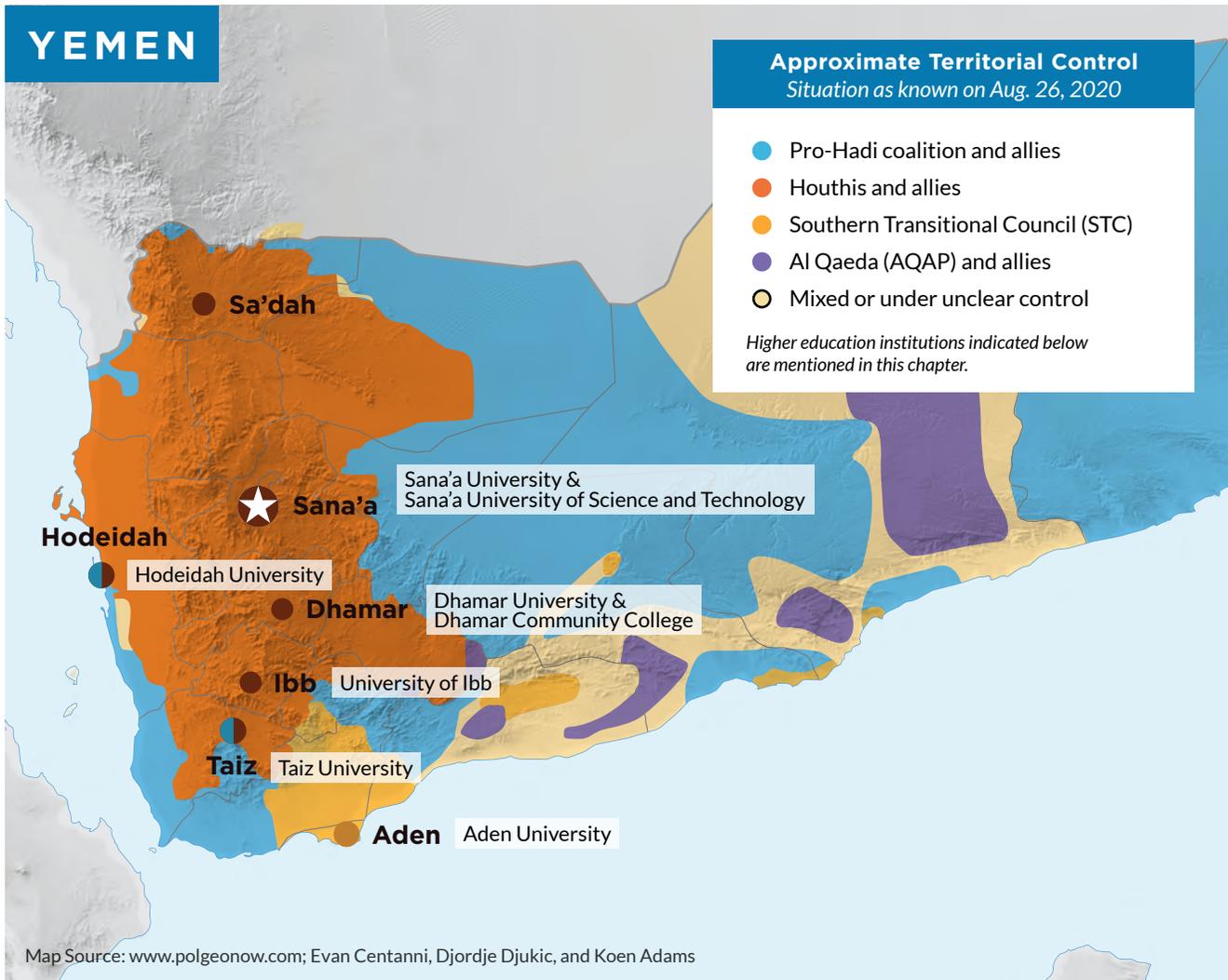
The overwhelming suffering of Yemen's higher education community and the population at large demands international action. Since 2015, SAR and other organizations offering scholar protection services have raced to respond to hundreds of requests for assistance from Yemeni scholars looking for safe harbor in a time of deep despair.^{*} Without commitments from all parties to end the conflict and protect higher education from attack, along with

robust assistance from the international community to support threatened scholars, students, and their institutions, Yemen risks losing a generation of scholars, research, and the societal progress that accompanies quality higher education.

Higher education in the crosshairs

Since the war began, many of Yemen's educational institutions have been surrounded by airstrikes, artillery and machine gun fire, and other military activity by multiple parties to the conflict. Armed groups have commandeered universities, colleges, and schools for military purposes, transforming these facilities into targets. Available data on armed

* Since 2015, organizations offering temporary relocation and protection services to threatened scholars—including SAR, the Institute of International Education's Scholar Rescue Fund, the Council for At-Risk Academics, and the PAUSE Program ("Programme d'aide à l'Accueil en Urgence des Scientifiques en Exil")—have collectively received more than five hundred applications from Yemeni scholars.



activity in Yemen suggest that the higher education communities in Yemen are routinely endangered by such attacks.*

Airstrikes, predominantly led by the SLC, have caused extensive damage to educational institutions. According to the Yemen Data Project (YDP), which monitors armed conflict in the country, universities, colleges, and other post-secondary education institutions were the targets of at least 133 airstrikes since March 2015.² These included Aden University, Sana'a University, and Taiz University, to name a few. Dhamar Community College was the target of one

of the deadliest SLC-led air attacks of 2019.[†] Houthi forces had repurposed at least one building of the college into a detention center for prisoners of war in 2015.³ The SLC claimed that it was conducting air raids on local Houthi targets, including a site allegedly storing drones and missiles.⁴ The attack left more than one hundred people dead.⁵ On July 1, 2020, another SLC-led airstrike reportedly hit an engineering college in Sana'a. No casualties were reported. Available sources offered conflicting descriptions of the institution, with one referring to it as the "faculty of engineering of Sana'a University" and another describing it as a "military" engineering college.⁶

* The Armed Conflict Location and Event Data Project (ACLED) has collected and made available extensive data on armed activity in Yemen. Upon review of ACLED's data from January 1, 2015 to August 30, 2020, SAR identified 181 records of alleged violent attacks on or nearby universities, colleges, and vocational institutes. (This figure accounts for de-duplication of record summaries and does not include military or naval colleges.) Due to limited available information, SAR was unable to verify each particular attacks contained in the dataset; however, their apparent frequency raises serious concerns and warrants further research and reporting by human rights professionals, journalists, and the academic community. To access ACLED's data, visit <https://acleddata.com/>.

† See SAR, Academic Freedom Monitoring Project (AFMP), <https://www.scholarsatrisk.org/report/2019-08-31-dhamar-community-college/>. Note that this incident occurred on the eve of this edition's reporting period. As such, it is not included in the table of incidents found at the end of this report.

Shelling, artillery, and machine gun fire have also hit higher education infrastructure. The Armed Conflict Location and Event Data Project (ACLED), a US-based NGO that maps, tracks, and analyzes conflict-related incidents and crises around the world, has gathered data on at least 72 reports of such attacks on or near universities, colleges, and other post-secondary institutions in Yemen since 2015, including 34 from this reporting period.⁷ The Civilian Impact Monitoring Project, a service under the United Nations Protection Cluster for Yemen, recorded 18 incidents involving artillery fire on or near higher education institutions since January 2018, with 9 of those attacks occurring during this reporting period.⁷ Most of the attacks reported since September 2019 targeted or occurred near the Faculty of Engineering at Hodeidah University, located in a strategic port city that serves as the entry point for goods, materials, and humanitarian aid. State armed forces (backed by the Hadi government) have engaged in frequent fighting with Houthi forces around the city; this has continued despite a peace deal instituted in 2018. Little information on the status of the engineering college, including the extent of the damage, is available.

In one violent attack it was unclear whether the perpetrator was a member of one of the major belligerent groups. On October 30, an explosive device attached to a vehicle was detonated outside Dhamar University during a graduation ceremony (AFMI 1017), where a number of prominent pro-Houthi leaders were in attendance. No casualties were reported.

Over the course of the war in Yemen, attacks on higher education institutions have resulted in the deaths and injuries of those on the ground; campus closures; the destruction of classrooms, laboratories, and other facilities; and students and scholars dealing with the effects of trauma.⁸ Such attacks, as well as the armed occupation of higher education institutions, may violate international humanitarian law and international human rights standards relating to the right to education and institutional autonomy.[†] All parties to the conflict should protect higher education institutions from violent attacks and refrain from using the same for military purposes.

Repression of faculty and students

Armed groups, mostly Houthi forces, have also targeted individual students, faculty, and university administrators throughout the conflict. Incidents reported over the past year include detentions or disappearances of members of the higher education community in Yemen, as well as one violent attack on a group of students. Victims in most reported incidents were apparently perceived as disloyal or a threat to the authority of armed groups. It is important to note that, due to limited in-country reporting and verification challenges, the following is in no way an exhaustive reporting of incidents from this year, but only a glimpse into the types of attacks scholars and students may face on a regular basis.

In late November 2019, it was reported that Houthi forces had detained a number of students at Sana'a University for allegedly forming an "opposition bloc" and for other expression critical of the Houthis (AFMI 1045). Houthi soldiers reportedly raided multiple university faculties in their search for the students. Reports of this incident described pro-Houthi students monitoring and reporting on classmates on behalf of the Houthis.

On January 1, 2020, Houthi forces stormed a law class at the University of Ibb and abducted an unspecified number of students who were apparently suspected of being critical of them (AFMI 1069). Here, too, sources indicated surveillance by pro-Houthi students who reported their classmates to militants following a WhatsApp group chat.

Four weeks later, on January 25, Houthi militants arrested Dr. Hamid Aqlan, President of the Sana'a-based University of Science and Technology (USTY), along with one of his administrative colleagues (AFMI 1088). The Houthis reportedly charged Aqlan with "aiding aggression" based on accusations that he smuggled the university's financial and electronic records, including those of the university hospital, to the private university's owners in Aden. Aqlan was brought to an undisclosed location, where Houthi soldiers denied him contact with family and colleagues. The day of his arrest, the Houthis

* In reviewing ACLED's dataset, SAR did not count reports with duplicate summaries or those that mentioned military or naval colleges. To access ACLED's data, visit <https://acleddata.com/>.

† In times of armed conflict, international humanitarian law (IHL) considers education facilities, such as universities, colleges, and schools, as civilian objects. Under IHL, state and non-state parties to a conflict are required to distinguish between such civilian objects and military objectives, and may only target the latter. The latter, however, may include education facilities that an armed group has taken over for military purposes. All occupying armed forces must endeavor to protect education facilities that are within their territory of control and that are not being used for military purposes. State parties to a conflict are also obliged to uphold commitments under international human rights law (IHRL), including the right to education (ICESCR, Article 13). For more information, see GCPEA, *Lessons in War 2015: Military Use of Schools and Universities during Armed Conflict* (2015), http://protectingeducation.org/wp-content/uploads/documents/documents_lessons_in_war_2015.pdf.

announced the appointment of a new president, Dr. Adel Al-Mutawakkil, who the Yemeni government has identified as a supporter of the Houthis. On February 2, Houthi forces released Aqlan; however, they detained him again on February 11 at a checkpoint in the Ibb governorate, along with his brother and three other companions (AFMI 1115). On March 4, Aqlan was charged with “falsifying a personal identity.” As of this report, Aqlan remains in custody, while his companions were released within weeks of their arrest.

At Sana'a University, on February 2, armed Houthi forces raided a lecture hall and assaulted sociology professor Ali Baalawi, apparently for allegedly criticizing the appointment of a military commander's relative as dean of the Faculty of Arts who lacked the appropriate qualifications (AFMI 1103). Baalawi was promptly removed from campus and reportedly barred from returning to the university.

And on May 19, Houthi forces detained Hodeidah University faculty member Wadih Al-Sharjabi, apparently for social media commentary critical of the militia (AFMI 1181). Al-Sharjabi, a communications lecturer, had reportedly demanded over Facebook that the militia release several university students who had recently been arrested for allegedly fighting alongside state armed forces.

As of this report, a group of thirty men, including scholars, students, and politicians, await the execution of a death sentence issued in July 2019.⁹ The men, who are allegedly members of the Al-Islah party, an affiliate of the Muslim Brotherhood, were arrested in 2016 and, in 2017, charged with “allegedly participating in an organized armed group with the intention of carrying out criminal, violent acts against Houthi-affiliated committees and personnel.”¹⁰ Human rights groups have reported serious flaws in court proceedings as well as credible allegations of torture and other ill-treatment.

Armed groups also detained scholars and students for reasons that remain unknown or unclear. On December 24, 2019, for example, Houthi forces assaulted and abducted Sana'a University professor Mohammed Nabil Al-Harazi while he was returning home from campus (AFMI 1066). And on April 28, 2020, Houthi troops detained at least twenty students from Dhamar University (AFMI 1169).

Detentions, disappearances, and other coercive or violent acts violate the human rights of scholars and students who are targeted for their expression, associations, or simply their identity as members of the higher education community. Beyond the impact

on the immediate victims, such attacks silence their colleagues and classmates and may chill expression across Yemeni society more generally.

“Houthi-fication” of universities

In northern governorates under Houthi control, higher education institutions have suffered from wide-ranging pressures that threaten the academic freedom of scholars and students. Such pressures also deeply erode institutional autonomy, which universities require not only to deliver quality education, but also to protect themselves from political and ideological interference that can precipitate or perpetuate violence by state and non-state actors.¹¹

Houthi forces have taken actions to deter campus activities that they find objectionable. For example, on February 2, 2020, Houthi soldiers and a number of pro-Houthi student informants shut down an academic competition hosted at the University of Ibb that they claimed was “immoral” and did not have their advance approval (AFMI 1102). The soldiers and students reportedly stormed the event, shouted pro-Houthi slogans, and ordered faculty, students, and their families to leave.

The next month, it was reported that students at the University of Science and Technology in Sana'a allegedly received threatening letters after holding a peaceful campus protest against the Houthi occupation of the university and the ongoing detention of the university's former president Dr. Hamid Aqlan.¹² Reporting by *Al Sahwa* did not specify the threats contained in the alleged letters.

The Houthis have also subjected scholars and students to a number of academic reforms apparently aimed at bolstering their influence and quashing opposition. The reforms include the imposition of lectures and apparently politicized courses developed by the Houthis, some of which reportedly include “Military Media” and the “Contemporary History of Yemen.”¹³ Students have reportedly been required to study speeches and sermons by Houthi military leaders.¹⁴ One Yemeni scholar in exile told SAR that Houthi forces have required faculty to attend lectures on the group's ideology.¹⁵ The same scholar and three others collectively remarked on pervasive self-censorship among faculty members and a common fear of retribution for expressing political views.¹⁶

Political favoritism has also been commonplace on campuses controlled by armed groups. Since early on in the war, Houthi forces have ordered the dismissal of many scholars and university administrators

considered to be disloyal, often replacing them with Houthi loyalists, chosen for their personal ties to the militia, their stated support for Houthi ideology, or for being followers of the Zaidiyyah sect of Shia Islam, which the Houthis favor.¹⁷ Houthi-appointed faculty reportedly lack the credentials and experience of their predecessors, which scholars say threatens the quality of teaching and research.¹⁸ Two news sources described Houthi-appointed faculty offering students special treatment, including “leaked exam questions,” for repeating a Houthi “death cry.”¹⁹ In recent years, scholars have told SAR and the IIE Scholar Rescue Fund that professors are also intimidated into giving passing grades to students who fight for the Houthis or other armed forces, or whose family members hold prominent positions in the same.

Faculty in Houthi-controlled governates have been hit especially hard by a salary freeze. Following the takeover of the capital Sana’a in 2014, Yemen’s Central Bank, which distributes the salaries of public university personnel, was moved to Aden, in the South. Faculty in Sana’a, Sa’dah, and other Northern cities with universities are required to travel to Aden to retrieve their salaries; however, roadblocks along the way have made it exceedingly difficult for faculty to do so. Some professors have been detained for attempting to travel to the provisional capital of Aden to collect salaries from the Yemeni government.²⁰

It bears mentioning that, while faculty in the North are often unable to collect their pay, those in the South experience infrequent salary disbursements and at times receive only a portion of their pay. Faculty at private universities have also suffered from denied payments. According to a May 2020 report by *Almasdar*, faculty at the now Houthi-occupied University of Science and Technology in Sana’a had been denied more than two months’ salary payments and annual emoluments.²¹

For those who receive payments, periods of hyperinflation have put basic living expenses out of reach. This has compelled many faculty to seek out low-wage jobs in the mornings and afternoons, including, for example, the cultivation and selling of qat, a mild narcotic grown in Yemen.²² With many faculty serving as the sole source of income for immediate and, sometimes, extended family, one cannot understate the dire consequences of the pay stoppages for scholars, their loved ones, and Yemeni society at large, which stands to see further brain drain.²³

Houthi intervention in higher education carries massive implications for all of Yemeni society.

Indeed, according to Dr. Mustafa Bahran, a physicist and former professor at Sana’a University,²⁴ the aforementioned changes to curricula, political favoritism and considerations in university affairs, and efforts to obstruct salary payments “risk leaving a more damaging mark on Yemeni higher education and society than the obviously destructive airstrikes and artillery fire we more commonly talk about.” For Dr. Bahran, now a visiting professor at Carleton University in Canada, urgently reestablishing the autonomy of Yemeni universities and undoing the destructive reforms introduced by the Houthis, as well as rebuilding war-destroyed infrastructure, are requisites to moving the country forward once conflict subsides.

The impact of armed conflict on Yemen’s higher education community has been brutal and systemic. Scholars, students, and administrators face physical insecurity due to the fighting, the threat of punishment based on their opinions, associations, and beliefs, and overwhelming economic pressures.

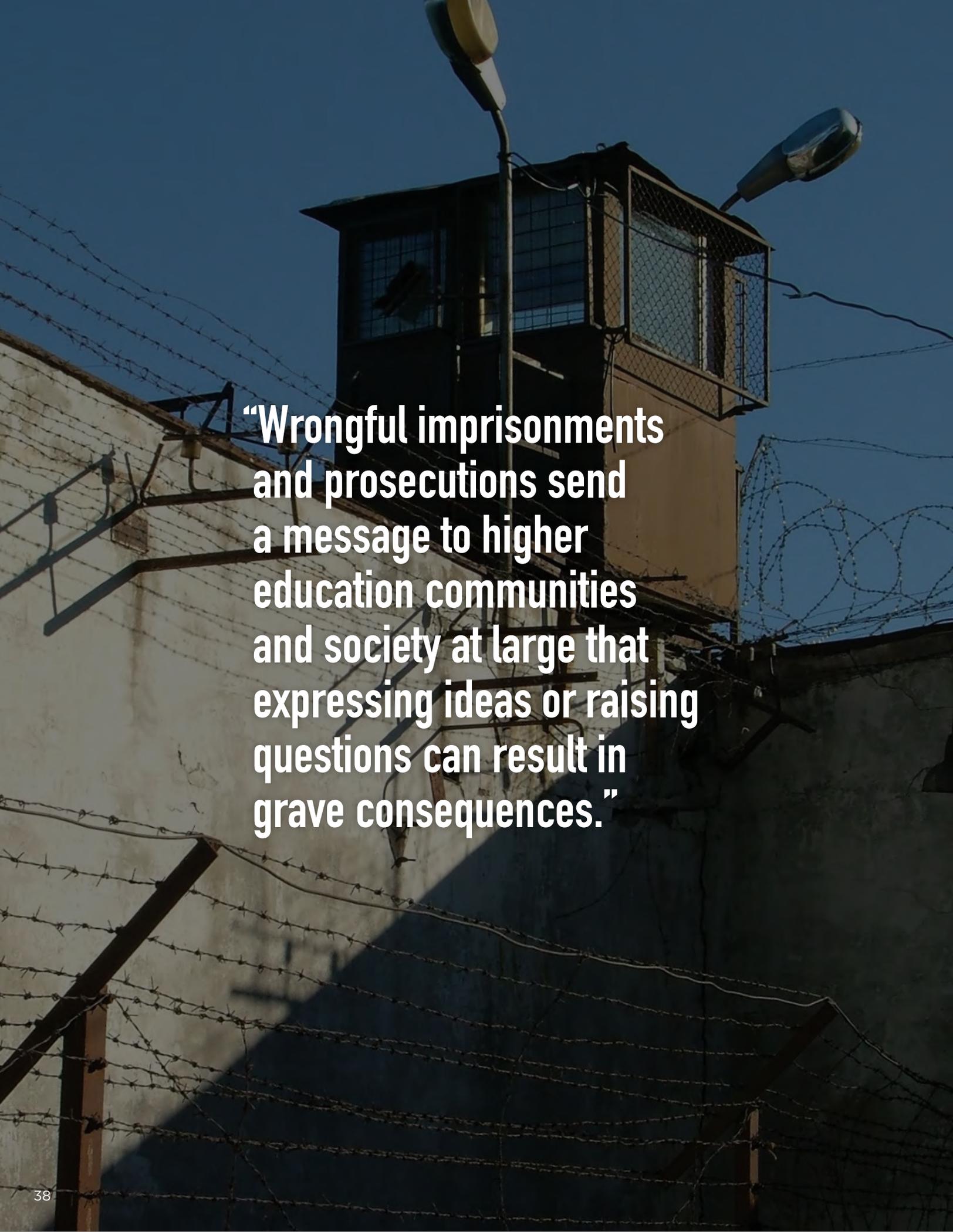
International peace-building efforts should take into account the devastating impact of the war on Yemen’s higher education community: sectarian pressures on entire campuses, violent attacks that result in the loss of life, and other resultant pressures that the country’s scholars and students have faced and will continue to face long after the fighting ends. International actors should take into account the need to rebuild Yemen’s higher education sector with due consideration for the right to education, academic freedom, and institutional autonomy.

SAR calls on all parties to the conflict, including both state and non-state armed groups, to immediately refrain from targeted or indiscriminate attacks on higher education personnel, students, or facilities, and to secure the release of wrongfully imprisoned scholars, students, and university administrators. SAR further calls on *all* parties to the conflict to endorse and implement the Safe Schools Declaration and the *Guidelines for Protecting Schools and Universities from Military Use During Armed Conflict* in their policies and practices, including by refraining from the military use of education infrastructure and securing the removal of all military personnel and equipment from those same facilities. Parties to the conflict must also restore universities’ institutional autonomy by returning all administrative and academic responsibilities to qualified civilian actors chosen by scholars and other higher education professionals.

SAR also calls on international state actors, intergovernmental bodies, higher education institutions and associations, and civil society at large to urge parties to the conflict to take the above steps, and to develop and support international efforts aimed at supporting Yemen's higher education community, including programs to support threatened scholars and students, and the expansion and improvement of internet access and related online learning and scholar exchange.

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“Wrongful imprisonments and prosecutions send a message to higher education communities and society at large that expressing ideas or raising questions can result in grave consequences.”

Every year, scholars are imprisoned for conducting research, speaking publicly, or sharing ideas that governments find objectionable. Imprisoned scholars often suffer from cramped, unsanitary conditions, maltreatment, and frequently denied access to medical care, family, and legal counsel while in state custody.

Photo: Ragne Kabanova / Shutterstock.com

Wrongful Imprisonment and Prosecution of Scholars

Scholars question dominant discourse and bring attention to a variety of important issues through their academic work, inquiry, expression, and associations. In an effort to maintain power and control, state authorities all too often clamp down on scholars through a range of coercive legal measures, including criminal investigations, arrests, prosecutions, and imprisonment.

During this reporting period, SAR documented 34 incidents involving the wrongful imprisonment or prosecution of professors, researchers, lecturers, or other scholars. Such actions are wrongful when intended to punish, deter, or impede nonviolent academic activity or the exercise of other protected rights, including freedoms of expression, association, or assembly.

Prosecutions of individual scholars are typically brought under laws aimed at restricting critical inquiry and expression. These include especially opaque and overbroad blasphemy, lèse-majesté, civil and criminal defamation, sedition, espionage, national security, and terrorism laws which make illegal the mere expression of opinions or ideas on certain topics, without any link

to violent or otherwise criminal acts or intentions whatsoever. Such laws raise concern for entire higher educating communities in that they sanction and impose artificial boundaries on research, teaching, publications, and discussion, undermining quality, creativity, and innovation that can benefit society at large.†

Scholars may also face legal actions brought under other laws of general application, including for example those proscribing financial impropriety, corruption, or immorality. Wrongful prosecutions under these laws damage the reputation of the targeted individuals and isolate them from their institutions, colleagues, and other sources of professional and personal support.

In many cases, legal proceedings and prosecutions of scholars involve questionable evidence, including forced confessions or fabricated evidence, arbitrary charges, and lengthy prison sentences or harsh penalties. Trials may be repeatedly delayed or held in secret or closed-door proceedings, denying access to media and family. Such legal actions raise serious due process concerns.

Scholars who have been arrested or convicted and sentenced to time in prison may be held in overcrowded cells or solitary confinement, denied access to appropriate medical care, family, or legal counsel, and subjected to lengthy interrogations, abuse, and torture. With the onset of the global

* Incidents involving wrongful imprisonment and prosecution of scholars may violate multiple provisions of international human rights law including those prohibiting arbitrary arrest, detention, and other unlawful deprivations of liberty. Arrests, prosecutions, and other deprivations of liberty intended to punish or deter academic speech, content, or conduct may be deemed arbitrary under such provisions, and therefore impermissible (unless justified, without pretext, by recognized limitations on free expression). They may also violate internationally recognized standards of academic freedom derived from the rights to freedom of opinion and expression.

† Even if they were narrowly drafted, limited in use, and conscientiously applied through fair and transparent legal proceedings fully compliant with recognized human rights standards, such laws would still impose a significant chill on academic freedom, free expression, and other rights. In practice, however, such limits are never in place.

COVID-19 pandemic, advocates have grown especially concerned about the health and well-being of wrongfully imprisoned scholars, in particular those who are elderly or have conditions that elevate their risk of contracting or suffering from the virus.

It cannot be understated the serious damage wrongful imprisonments and prosecutions cause to a scholar's physical and psychological well-being, as well as that of their family, friends, and colleagues. Wrongful imprisonments and prosecutions can permanently disrupt a scholar's career and education and may also result in undue financial burdens, reputational damage, and banishment from their higher education communities. Moreover, such use of coercive legal actions threatens the heart of higher education and deprives society of important voices that drive progress.

Due to challenges in identifying and verifying incidents, including limited in-country reporting and victim self-censorship resulting from the threat of retribution for public discussion of incidents, SAR suspects that its reporting likely captures only a fraction of the total number of wrongful imprisonments and prosecutions of scholars.

Nevertheless, the following incidents raise grave concern for scholars' rights to raise questions and think critically without fear of legal retaliation.

In **Saudi Arabia**, on September 11, 2019, it was reported that state authorities arrested Sheikh Omar al-Muqbil, a professor of Islamic law at Qassim University, in retaliation for comments he made regarding a relaxation in policies of the General Entertainment Authority (GEA) (AFMI 978). Sheikh al-Muqbil warned in a video that permitting certain Western performers to give concerts in Saudi Arabia would erode Saudi culture. His comments were in response to a recently promulgated set of GEA policies, including a large investment in the entertainment sector, designed to foster social and economic reforms and improve the country's image around the world. As of this report, it is not clear what crime Sheikh al-Muqbil was charged with committing.

In **Spain**, on September 18, 2019, the Court of Instruction in Barcelona summoned University of Barcelona (UB) criminal law professor Iñaki Rivera to testify as part of a criminal investigation into a televised interview he gave regarding prison conditions in Spain's Catalonia region (AFMI 983). In addition to his academic position, Rivera is the

Director of the Observatory on the Penal System and Human Rights (OSPDH) and oversees the System for the Registering and Reporting of Institutional Violence (SIRECOVI) at the UB. As part of his work at UB, Rivera monitors human rights abuses and institutional violence in Catalan prisons. During a November 29, 2018 interview with "Tots es meu" ("Everything moves") Rivera condemned human rights violations in the Catalan prison system. On December 18, 2018, the Comissions Obreres, a trade union representing penitentiary workers, filed a complaint accusing Rivera of slander for his comments, resulting in the September 18, 2019, court summons. On July 24, 2020, the court closed the case against Rivera, noting that his comments were not directed at "a specific official or officials, a union, association, foundation, or entity with legal personality." If convicted of slander, he could have been sentenced to up to two years in prison.

In **India**,^{*} on October 8, 2019, authorities reportedly arrested Tenzin Norbu, a Tibetan assistant professor at Hindustan College, in an apparent attempt to prevent protests while Chinese president Xi Jinping was visiting India (AFMI 997). Xi and Indian Prime Minister Narendra Modi were scheduled to hold a summit in Chennai on October 11, to discuss trade, development, and a long-standing border dispute between the two countries. In the days leading up to the summit, Indian authorities arrested several Tibetan activists and students to preemptively quash any potential protests. Following the arrest of eight students who allegedly planned to protest the summit, police summoned Norbu to appear at a local police station, apparently based on allegations that he had housed the students during their stay in Chennai. When Norbu arrived, he was arrested and placed under judicial remand. Police reportedly stated that they believed Norbu had planned to engage in protest activities. On October 15, Norbu, alongside 12 other Tibetan activists, were released.

As discussed in detail in the following chapter, authorities in India also arrested scholars based on their alleged affiliations, including Osmania University professor Chintakindi Kaseem (AFMI 1087), Goa Institute of Management professor Anand Teltumbde (AFMI 1162), and Delhi University professor Hany Babu (AFMI 1218).

In the **Occupied Palestinian Territories (OPT)**,[†] on November 13, Israeli military officers detained without charge Ubai Aboudi, a Palestinian-American

* For further discussion of developments in India, see "India's Clampdown on Dissent," starting on p. 49.

† For reports of wrongful imprisonments of students in the Occupied Palestinian Territories, see p. 64.

political economist, researcher, and the director of the Bisan Center for Research and Development in Ramallah, which produces research and policy papers on education, development, democracy, and environmentalism in the OPT (AFMI 1030). Authorities conducted a raid on Aboudi's home, confiscated his mobile phone and US passport, detained him, and transferred him to Ofer prison. Five days after his arrest, Aboudi was placed in administrative detention for two months.^{*} Authorities detained Aboudi roughly two months before the third annual meeting of Scientists for Palestine—an organization devoted to integrating the OPT into the international scientific community—was set to take place at the Massachusetts Institute of Technology in the US. Aboudi was reportedly a key organizer of the meeting and had recently been working on enhancing Palestinian education in the STEM fields.

Another member of Scientists for Palestine, Imad Barghouthi, was arrested by Israeli authorities on July 16, 2020 (AFMI 1215). Barghouthi, a renowned professor of Theoretical Space Plasma Physics at Al-Quds University, was returning to his home in Ramallah when Israeli soldiers stopped him at a military checkpoint outside Jerusalem and put him under administrative detention. Two weeks later, he was reportedly charged with “incitement” in connection with alleged social media activity. Barghouthi has been arrested on two previous occasions, in 2014 and 2016, also in connection with expressive activity. On September 2, a court granted Barghouthi bail; however, this decision was immediately followed by an order by Israeli military authorities to put him under administrative detention until November 15. Barghouthi has reportedly been denied communication with his spouse and daughter while in custody.

^{*} Through administrative detention, Israeli military authorities can detain individuals for suspected security reasons and hold them without charge for up to six months, with the ability to renew detention orders indefinitely. See B'Tselem, “Administrative Detention,” November 11, 2017, https://www.btselem.org/administrative_detention.

Scholars freed from prison

During this reporting period, SAR was encouraged by the release of several scholars, including Xiyue Wang, Peter Biar Ajak, and Roland Marchal. SAR invites readers to learn about its Scholars in Prison Project and efforts to support wrongfully imprisoned scholars at www.scholarsatrisk.org/action/scholars-in-prison-project/.



XIYUE WANG, IRAN

Xiyue Wang, a Princeton University PhD candidate, was released from Iran's Evin Prison after more than three years in state custody. Wang, who specializes in late 19th and early 20th-century Eurasian history, had traveled to Iran in May 2016 to research the Qajar dynasty for his dissertation and to continue his language studies. He was arrested, subsequently imprisoned, and subjected to solitary confinement and mistreatment. Wang was released as part of a prisoner swap between the US and Iran.



PETER BIAR AJAK, SOUTH SUDAN

Peter Biar Ajak, a PhD candidate at the University of Cambridge and a prominent political activist, was released from prison on January 2, 2020. Mr. Ajak was arrested on July 28, 2018, in apparent retaliation for his activism. He was subsequently held in the National Intelligence and Security Service headquarters' “Blue House,” a prison in Jebel notorious for its alleged use of torture on detainees. Mr. Ajak and thirty others were pardoned and released on presidential decree. In July 2020, Ajak and his family were compelled to flee to the US after hearing that South Sudan's President ordered a violent attack on him.



ROLAND MARCHAL, IRAN

Roland Marchal, a French sociologist at Sciences Po, was released from Iran's Evin Prison on March 21, 2020. Marchal was reportedly in Iran on personal travel to visit his colleague Fariba Adelhah while she was conducting research. The two were taken into custody around June 5, 2019. Marchal was released from prison in a prisoner swap with France. Adelhah was sentenced to six years in prison on charges of “gathering and conspiring against Iran's national security” and “for propaganda against the Islamic Republic.” She was released temporarily on October 3, 2020, and is living with family in Tehran as of this writing.

In **Pakistan**, on December 2, 2019, authorities arrested Akhtar Khan, a political science lecturer at Abdul Wali Khan University, for social media posts supporting a student protest movement and concerns over human rights violations against ethnic Pashtuns (AFMI 1048). Khan was charged with violating sections 10 and 11 of Pakistan’s controversial “Prevention of Electronic Crimes Act,” which, respectively, relate to “cyber terrorism” and “hate speech.” Critics of the law fear it could be used to stifle the right to free expression, especially by human rights and pro-democracy activists. On January 2, Khan was released on bail. It is unclear whether he continues to face charges as of this report.



WRONGFUL IMPRISONMENT AND PROSECUTION

During this reporting period, **SAR reported 52 incidents of wrongful prosecution and 96 incidents of wrongful imprisonment.** Wrongful prosecution includes administrative, civil, or criminal proceedings against higher education leaders, academic and nonacademic staff, or higher education students involving false or otherwise wrongful grounds; or charges directly relating to, or in retaliation for, the expression of academic opinions or other professional or student activity; or in retaliation for other exercise of fundamental human rights including freedom of expression and freedom of association. Wrongful imprisonment includes the arrest, interrogation, detention, and/or prosecution of scholars, students, or other members of higher education communities on false or otherwise wrongful grounds or charges, directly relating to, or in retaliation for, the expression of academic opinions, or other professional or student activity, as well as in retaliation against other exercise of fundamental human rights, including freedom of expression and freedom of association.

On June 10, 2020, another Pakistani scholar, Sajid Soomro, was also arrested for expressive activity (AFMI 1190). A police officer had filed a first information report (FIR) accusing Soomro, a professor in the Sindhi language department at Shah Abdul Latif University, of “spreading religious hatred” and

having “spoken against Islamic seminaries.” One police officer (it is unclear whether this is the same officer who filed the FIR) said that “Sajid has written things critical of seminaries, religious beliefs, the concept of heaven and polygamy. He has also criticized Pakistan. Therefore, he has been registered under the relevant sections of the law.” While the official evidentiary basis for the arrest is unclear, Soomro commented in a video taken shortly before his arrest that he was sought after for a post he wrote on Sufism, a mystical form of Islam. According to multiple accounts on Twitter, authorities released Soomro on bail on June 16. It is unclear whether he continues to face charges.

Within hours of Soomro’s arrest, internet users began making death threats against and calling for the arrest of University of Sindh chemistry professor and prominent women’s rights activist Arfana Mallah, who had expressed support for Soomro over social media and criticized Pakistan’s blasphemy law, calling it a “black law” (AFMI 1191). Shortly after Mallah posted her comments, conservative, Islamist political groups began calling for her arrest and prosecution, also for blasphemy. One political party, Jamiat Ulema-Islam-Fazl, filed a complaint against Mallah with the Federal Investigation. Around the same time, the hashtag #ArrestArfanaMallah295C began trending on Twitter (295C is a reference to the article of Pakistan’s penal code regarding blasphemy).

In **Egypt**, on February 7, 2020, Egyptian authorities arrested Patrick George Zaki, a postgraduate student of gender studies at the University of Bologna, in Italy, in apparent connection with his human rights activism and research (AFMI 1110). Zaki was arrested upon returning to Egypt for a brief family visit. Authorities interrogated him about his human rights activism and his time spent in Italy, and eventually transported him to an undisclosed location where he was allegedly subjected to torture. Zaki’s hearing has been postponed several times and, as of this report, he is being held in the Tora Prison Complex.*

Egyptian authorities also arrested groups of scholars in two additional incidents during this reporting period: on September 24, 2019, during a broad crackdown on government critics, authorities arrested four Cairo University scholars (AFMI 987) and on March 18, 2020, police arrested another group of four activists and intellectuals during a protest calling for the release of prisoners amidst the COVID-19 pandemic (AFMI 1149).

* SAR has conducted advocacy on behalf of Patrick George Zaki through the Scholars in Prison Project. Learn more on p. 44.

In **Russia**, on March 21, police detained Mikhail Lobanov, a professor in the Faculty of Mechanics and Mathematics at Moscow State University (MSU), for holding a “one-person picket” on campus to show his support for detained MSU student-activist Azat Miftakhov (AFMI 1150). Lobanov was released later that evening.

In **Iran**, on April 10, agents from Iran’s Islamic Revolutionary Guards Corps arrested Ali Younesi and Amir Hossein Moradi, both award-winning students at Sharif University of Technology (AFMI 1160). Roughly a dozen IRGC agents apprehended Younesi at an unknown location, beat him, and brought him to his home, where they conducted a warrantless raid and confiscated Younesi’s phone and computer. Authorities apprehended Moradi and confiscated his items in a similar manner. Younesi and Moradi were later transported to Evin Prison where they reportedly have been denied access to a lawyer. Gholam-Hossein Esmaili, a spokesperson for Iran’s judiciary, has accused the students of affiliation with the Mujahedin-e Khalq, an exiled political opposition group labeled by the Iranian government as a terrorist organization. Without demonstrable evidence, authorities claimed to have found explosives in their homes. As of this report, Younesi and Moradi remain in detention awaiting trial.

Over two months later, on June 24, authorities summoned Sedigheh Vasmaghi, a prominent scholar, lawyer, and activist, to the Revolutionary Court apparently for signing a petition concerning the widespread use of violent force by security forces during anti-government protests in November 2019 (AFMI 1203). Vasmaghi was among more than seventy signatories to the petition titled, “Respect the People’s Demands.” In response, Iran’s Ministry of Intelligence and the Revolutionary Guards’ Legal Division filed a complaint accusing Vasmaghi of “activities against the regime.” On August 4, Vasmaghi refused to appear at the Revolutionary Court when she was summoned for questioning. The Court sentenced Vasmaghi to one year in prison for “propaganda against the regime,” in addition to a prior five-year prison sentence issued in a separate case in 2017. (She was released on bail at that time.) Vasmaghi is reportedly planning to appeal the sentence.

In **Indonesia**, on April 21, Banda Aceh State Court convicted Saiful Mahdi, a Syiah Kuala University lecturer, on charges of criminal defamation related to his online criticism of the university dating back to February 2019 (AFMI 1167). Over a WhatsApp

group of academic and administrative personnel, Mahdi posted comments criticizing the university’s leadership and the university’s process of hiring candidates who passed a civil service test as members of the university’s engineering faculty. After Mahdi posted the comments to the WhatsApp group, the dean of the engineering faculty filed a complaint. By early September 2019, police opened an investigation into Mahdi, accusing him of criminal defamation. The court sentenced Mahdi to three months’ imprisonment and issued a fine of IDR 10 million (roughly USD \$2,000). Mahdi is reportedly free while appealing the conviction and sentencing.

In **Nigeria**, on April 29, police arrested Eyo Eminue, a political science lecturer, and Iquo Okon, a university administrator, at Akwa Ibom State University (AKSU) for alleged social mediate activity regarding the university administration’s withholding of the salaries of as many as 279 AKSU personnel (AFMI 1170). Eminue and Okon were accused of creating a Facebook page titled “SOS – Akwa Ibom State University/Government Pay Our Salaries.” The apparent purpose of the Facebook group is to advance demands that AKSU pay 16 months of unpaid salaries, which allegedly date from April 2014 to July 2015. Police claim that Eminue and Okon wrote in one post, “Farewell to a nasty, vindictive, wicked, heartless, shameless, most corrupt and the worst VC AKSU has ever produced.” According to an unnamed lecturer, as reported by *Premium Times*, AKSU’s vice-chancellor regularly receives reports from some university staff and students who monitor social media on his behalf. After their arraignment, both Eminue and Okon were released on bail of N3 million (roughly \$7,692 USD). The two were scheduled to appear in court on June 8, 2020; no further details on their case have been reported as of this writing.

In **Uganda**, on May 18, police arrested scholar-activist Stella Nyanzi during a protest over the government’s handling of COVID-19 (AFMI 1180). Nyanzi, an anthropologist and prominent activist known for her advocacy on behalf of women and the LGBTQ community and for her public criticism of President Yoweri Museveni and his administration, led a group of activists to march to the office of the prime minister. Once there, Nyanzi and the protesters were to present him with a petition containing demands including the lifting of a national lockdown, the distribution of free face masks and food relief, and the release of people jailed for allegedly violating a curfew and other measures put in place to combat COVID-19.

* In February 2020, Nyanzi was released from prison after serving nearly 16 months for “cyber harassment.”

Scholars in Prison

SAR monitors and advocates on behalf of wrongfully imprisoned scholars and students, including these twelve.

SAR monitors and advocates on behalf of wrongfully imprisoned scholars and students, including the 12 below. Collectively, these individuals, imprisoned for their peaceful academic and expressive activities, are subjected to judicial harassment, unfair or inadequate legal proceedings, lengthy sentences, abuse and torture in custody, and denial of access to legal counsel, appropriate medical care, or family, among other forms of mistreatment. These practices result in serious damage to their physical and psychological well-being, and that of their family members. But the effects go beyond directly targeted scholars, students, and their families, putting their

academic colleagues on watch and sending a message to the higher education community and society at large that expressing ideas or raising questions can result in grave consequences. SAR's Scholars in Prison Project drives advocacy efforts on behalf of these scholars and students. Its goals are to garner public support within and outside the higher education community, to urge state authorities to uphold legal obligations related to humane treatment and due process, to send a message to those imprisoned that they are not forgotten but rather have the backing of an international community of colleagues and friends, and ultimately to secure their release. Project partners—

including SAR's Student Advocacy Seminars, Academic Freedom Legal Clinics, higher education member institutions, and individuals—support these scholars and students by monitoring their cases, organizing social media campaigns, writing op-eds and blog posts, hosting events on- and off-campus, urging university leaders to show their support, and meeting with government officials, among other actions. SAR invites everyone to join SAR in advocating on behalf of wrongfully imprisoned scholars and students.

To learn more, visit <https://www.scholarsatrisk.org/action/scholars-in-prison-project/>.



Abdul Jalil Al-Singace

Mechanical Engineering | **Bahrain**

Dr. Al-Singace is a Bahraini scholar of mechanical engineering who was sentenced to life in prison in 2011 after participating in a pro-democracy protest. He has been denied access to appropriate medical care.



Khalil Al-Halwachi

Engineering | **Bahrain**

Professor Al-Halwachi is a scholar of engineering and a peaceful political activist who was arrested in a house raid in September 2014. On March 23, 2017, he was sentenced to ten years in prison.



Ilham Tohti

Economics | **China**

Professor Tohti, an economics professor and public intellectual, promoted dialogue between Uyghur and Han Chinese through his site, "Uighurbiz.net." In September 2014, he was convicted of separatism and sentenced to life in prison.



Scholars and Students Imprisoned in Xinjiang

Various fields | **China**

Starting in 2017, a growing number of scholars and students were reported missing or detained, including at so-called “re-education camps” in the Xinjiang Uyghur Autonomous Region (XUAR). Their detentions and disappearances appear connected to a campaign by Chinese state authorities targeting ethnic and religious minority communities in the XUAR, including Uyghurs, Kyrgyz, and Kazakhs. Literary scholar Abdulqadir Jalaeddin (c), Uyghur studies scholar Rahile Dawut (r), and scholar of geography Tashpolat Tiyip (l) are among those suspected of being in state custody.



Patrick George Zaki

Women and Gender Studies | **Egypt**

Mr. Zaki is a postgraduate student at the University of Bologna who has been detained in Egypt since February 7, 2020, in apparent retaliation for his peaceful human rights research.



Gokarakonda Naga Saibaba

English Literature | **India**

Professor Saibaba is an English literature professor who has engaged in human rights activism on behalf of vulnerable groups in India. On March 7, 2017, he was wrongfully convicted and sentenced to life in prison.



Ahmadreza Djalali

Disaster Medicine | **Iran**

Dr. Djalali is scholar of disaster medicine who was wrongfully convicted and sentenced to death in 2017. Djalali has been denied access to medical care despite severely worsening health conditions.



Niloufar Bayani

Biology | **Iran**

Ms. Bayani is a researcher, conservationist, and scholar, who was arrested in January 2018 on charges of espionage while conducting field research. On November 23, 2019, authorities convicted and sentenced Ms. Bayani to ten years in prison.



Hatoon al-Fassi

Women's History | **Saudi Arabia**

Dr. Al-Fassi is a women's history professor and a women's rights activist detained in June 2018 for protesting the ban on women driving. She has been temporarily released and is awaiting her next hearing.



Nasser bin Ghaith

Economics | **United Arab Emirates**

Dr. bin Ghaith is an economist and former lecturer at the University of Paris IV Abu Dhabi who was convicted and sentenced to ten years in prison after publicly calling for political reforms. Dr. bin Ghaith has been imprisoned since August 18, 2015.

Police arrested Nyanzi and the activists for “inciting violence.” While Nyanzi was on release, authorities again briefly arrested her during a July 13 protest over the apparent killing of a university student (AFMI 1213).

In **Bangladesh**, on June 14, authorities arrested Sirajum Munira, a lecturer in the Bangla Department of Begum Rokeya University, for allegedly publishing to her Facebook account comments insulting Mohammad Nasim, a former Health Minister and a member of the nationalist Bangladesh Awami League (BAL) political party, who died from COVID-19 (AFMI 1194). After facing condemnation from BAL members, Munira apologized and deleted the post. A university official filed a complaint with the police, who then arrested Munira the next morning under Bangladesh’s controversial Digital Security Act, which many activists criticize for its suppression of freedom of expression.

Days later, Bangladeshi authorities arrested another scholar under the Digital Security Act, also for allegedly criticizing the former Health Minister (AFMI 1196). Kazi Zahidur Rahman, an assistant professor in the Department of Computer Science and Engineering at Rajshahi University, allegedly commented on corruption within the health sector during Nasim’s tenure, but did not mention the former health minister by name. Rahman was released on bail on August 27.

In **Belarus**, on August 12, authorities detained George Washington University (GW) PhD candidate Stas Gorelik amid nationwide protests over widely condemned national election results (AFMI 1221). The official results of the August 9 election had President Alexander Lukashenko, who first took office in 1994, winning reelection for a sixth term with more than 80% of the vote. However, critics from inside Belarus, as well as international observers, immediately condemned the result, charging that the election was marked by widespread electoral fraud, triggering mass demonstrations across the country involving hundreds of thousands of protesters. In the days that followed, police responded by arresting and using violent force against thousands of people. Gorelik, a citizen of Belarus, had traveled to the country with his partner Marisa Durham, a US citizen, to renew his US visa; however, the couple was unable to return to the US due to travel restrictions implemented to curb the spread of COVID-19. According to Durham, at around 1:00 AM on August 12, state security agents broke down the door of Gorelik’s apartment

in Minsk, searched the couple’s belongings, and beat and arrested Gorelik. Two days later, Gorelik was charged with mass rioting under Article 293 of Belarus’s criminal code. According to Durham, she and Gorelik had not been involved in any of the protests. On August 15, it was reported that Gorelik had been released; however it is unclear whether he still faces charges.

On August 28, another Belarussian scholar, Svetlana Volchek, was arrested based on protest-related allegations (AFMI 1226). Volchek, a professor and coordinator of the strike committee at Belarussian State University (BSU), was arrested, along with her husband, on charges of “participating in an unauthorized mass event.” Police arrested them at their home and confiscated phones, laptops, and documents belonging to the Volcheks. Nine days prior to her arrest, Volchek, with fellow members of the BSU community, submitted to university leadership a petition expressing concerns over the election and police violence during protests. On August 31, the Ivanovo district court found Volchek guilty of sharing information about a protest planned on August 23 in a chat with BSU faculty and students, and accused her husband of spreading information about the protest under a pseudonym, which he denied. The court subsequently sentenced the couple to 15 days of administrative arrest.

And in **China**,^{*} as discussed in detail a subsequent chapter, state authorities arrested at least five scholars during this reporting period, including Nobu Iwatani, a Japanese professor of Chinese history from Japan’s Hokkaido University (AFMI 1011), Wang Zhan, a Chinese postdoctoral researcher in meteorology at the Finnish Meteorological Institute (AFMI 1007), Guo Quan, a former associate professor of literature at Nanjing Normal University and a prominent human rights activist (AFMI 1101), prominent legal scholars Xu Zhiyong (AFMI 1122) and Xu Zhangrun (AFMI 1123 and AFMI 1209), and Chen Zhaozhi, a retired professor from the Beijing University of Science and Technology (AFMI 1163).

The incidents described provide a disturbing accounting of the range of punitive legal actions scholars too often suffer in connection with their research, publications, expressive activity, and associations. Such actions can leave scholars with physical and emotional scars and, in some cases,

* For further discussion of academic freedom developments in China, see “Academic Freedom Repression Under China’s Central Government,” starting on p. 83.

destroyed careers. Beyond the harm to those individual scholars and their families, wrongful imprisonments and prosecutions send a message to higher education communities and society at large that expressing ideas or raising questions can result in grave consequences. As a result, society risks losing the benefits of a diverse scholarly community, free to carry out their work or share their thoughts without fear of punishment by state authorities.

SAR urges state authorities around the world to release scholars imprisoned for their academic work or the nonviolent exercise of other protected human rights. With particular concern over the heightened risk COVID-19 presents incarcerated populations, SAR calls on state authorities to release immediately wrongfully imprisoned scholars, especially those who have health conditions that elevate their level of risk or who are being held in unsanitary or crowded conditions. Pending this, states must uphold their obligations under domestic and international law, including those related to due process and the humane treatment of prisoners.

SAR further urges state authorities to drop prosecutions against scholars in connection with nonviolent academic or expressive activity, to review laws that have been used wrongfully to prosecute scholars, and to amend or repeal them as necessary to ensure that scholars can think, question, and share ideas without retribution.



“The space for ideas and dialogue in India is being constricted, and dissent punished, endangering scholars and students whose views are disfavored by the ruling government.”

Students at Jawaharlal Nehru University protest one day after a violent attack on classmates by suspected members of a right-wing Hindu-nationalist student organization.

Photo: Punit Paranjpe / AFP via Getty Images

India's Clampdown on Dissent

In *Free to Think 2019, Scholars at Risk (SAR)* reported on mounting political tensions across India that threatened student expression on campus and scholars' speech and inquiry related to matters of the day. During this reporting period, SAR documented 71 attacks on higher education in India, suggesting a further erosion of academic freedom and institutional autonomy as Prime Minister Narendra Modi and his Hindu-nationalist Bharatiya Janata Party (BJP) continue to stoke division within and vie for influence over society, including higher education communities.

In August 2019, following the revocation of Jammu and Kashmir's special status, which offered some limited autonomy to the region, scholars and students in Kashmir found campuses shuttered and internet access cut for many months, leaving the academic community paralyzed. Four months later, students and scholars, among others, protesting the Citizenship

Amendment Act (CAA), a law that discriminates against Muslim migrants, were beaten, detained, and subjected to other coercive force by state and university actors, including student supporters of the BJP. And amidst the spread of COVID-19, police and prosecutors took aim at outspoken scholars and students, detaining and charging them under the Unlawful Activities (Prevention) Act in apparent retaliation for their activism and academic work relating to the CAA, caste, and other issues.

These attacks and pressures threaten the academic freedom of scholars and students across India, regardless of their field of study.[†] Moreover, they threaten to undermine the stated intentions and plans of Prime Minister Modi's government to invest in the country's universities and scientific research, attract top foreign academic institutions, and, ultimately, propel the Indian higher education sector as a leader on the world stage.[‡]

Lockdown in Jammu and Kashmir

On August 5, 2019, India's BJP-controlled parliament passed a resolution that repealed Article 370 of the constitution, resulting in the revocation of the special status of Jammu and Kashmir (J&K), an Indian-controlled, Muslim-majority region that the governments of India and Pakistan have disputed and

* Note that multiple attacks may be attributed to one incident.

† For more in-depth analysis of recent and long-standing academic freedom concerns in India, including pressures on university autonomy, as well as laws governing academic freedom, see Nandini Sundar and Gowhar Fazili, *Academic Freedom in India: A Status Report, 2020* (June 2020), <https://indianculturalforum.in/2020/09/01/growing-restrictions-on-academic-freedom/>.

‡ In July 2020, the Union Cabinet of India approved the "National Education Policy 2020," a road map for the development of the country's education system, from the primary to post-secondary levels. See Ministry of Human Resource Development, "National Education Policy 2020," July 29, 2020, https://www.mhrd.gov.in/sites/upload_files/mhrd/files/NEP_Final_English_0.pdf. See also Joyce Lau, "Questions over implementation as India approves system overhaul," *Times Higher Education*, August 4, 2020, <https://www.timeshighereducation.com/news/questions-over-implementation-india-approves-system-overhaul>; and Niraja Gopal Jayal, "NEP 2020 on Higher Education: Wishing Away Structural Problems, Wishing a Magical Solution," *The India Forum*, September 4, 2020, <https://www.theindiaforum.in/article/nep-2020-higher-education>.

fought over for decades. The BJP has made stripping J&K of its special constitutional status and advancing India's control over the region a key part of the party's nationalist political agenda.

Since August 5, higher education communities in the Kashmiri subregion of J&K have suffered from region-wide university closures, one of the world's longest telecommunications shutdowns, and arrests and other coercive force that violate the rights and freedoms of Kashmiri students, scholars, and activists.[†]

In a bid to quash anticipated protests related to the resolution, state authorities ordered the temporary closure of most[†] universities and colleges throughout Kashmir. The shutdown, which reportedly affected roughly one hundred thousand students, had a disastrous impact on higher education in the region.¹ University entrance exams scheduled for August and September 2019 were indefinitely deferred, upending universities' fall admissions processes.² Campus closures, combined with curfews, resulted in fewer days of classes, which put Kashmiri students preparing for national entrance exams at a disadvantage compared to their peers outside J&K. One graduate student in Kashmir told SAR that such disruptions result in a "permanent lag in students' ability to systematically build their educational foundations" and that they are ultimately "unable to cope up with the loss later."³

A number of higher education institutions in J&K, in addition to primary and secondary schools, were also reportedly occupied by police and military troops during the shutdown. Police and soldiers converted the campuses into barracks, a practice that has periodically occurred in the region since the 1990s.⁴ In an interview with *First Post*, a student described the scene at Kashmir Government Polytechnic College: "I was scared to walk inside my own college campus as I noticed that many bunkers were built along the main road of the college. All the college buildings, including the students' hostel were being used by the [Central Reserve Police Force (CRPF)] personnel. Concertina wire was spread over the length and breadth of college. Many CRPF vehicles were parked in the college ground. It seemed as if I was walking in the headquarters of the CRPF."⁵

Tensions in the region have threatened the safety of members of the higher education community and its ability to resume activity. On November 26, for example, a grenade was thrown and detonated just outside the University of Kashmir while exams were underway, leaving at least two people injured (AFMI 1042). National and local news sources claimed that "suspected terrorists" carried out the attack. That same day, another attack occurred in the city of Anantnag during a government outreach program, leaving two dead and several others injured.⁶

Compounding the impact of campus closures and an increase in the presence of police and military forces on campus was an unprecedented internet and telecommunications blackout by the Indian government.⁷ Apparently intended to constrict the flow of information in and out of J&K, the blackout left the region's scholars and students cut off from the outside world. Six weeks into the blackout, on September 18, a group of scholars issued a public statement commenting that "teaching and activities there have been dealt a devastating blow," and demanding that the government reconnect internet and telephone access.⁸ The scholars stated that scientists were "unreachable," that the University of Kashmir's domain had disappeared from Google search results, and that accessible university websites did not appear to have been updated since prior to the August 5 resolution. The blackout resulted in numerous challenges for access to higher education as well as research. Students were severely disrupted in their attempts to register for and seek scholarships from universities outside of J&K, according to the scholars' statement and reporting by *The Hindu*.⁹ PhD candidates and scholars interviewed by *Times of India* reported being unable to submit theses or communicate with academic journals regarding their submissions.¹⁰ Two scholars described having to travel hundreds of miles, even as far as Delhi, in order to access the internet for their academic work.¹¹ Another reported having to end his role as lead co-author of an international paper due to delays resulting from restricted internet service.¹²

Over the course of this reporting period, internet service was partially restored on several occasions; however, authorities in most cases throttled connection speeds far below what is required of

* Indian government policies and actions in J&K have a negative impact on most communities living in the state, not only those in higher education. Those interested in additional reporting on human rights violations in J&K may refer to annual bimonthly reports by the Jammu Kashmir Coalition of Civil Society. For more information, visit <https://jkccs.net/>.

† According to reporting by *University World News*, only one higher education institution, a government medical college, was left open. See "Students fail to turn up as Kashmir universities reopen," *University World News (UWN)*, October 10, 2019, <https://www.universityworldnews.com/post.php?story=20191010132944342>.

modern academic activities.¹³ As of this writing, only 2G internet connectivity is available in most of J&K, which, for students and scholars operating amidst the COVID-19 pandemic, is often insufficient for online lectures and accessing large files needed for research and learning.

In addition to the impact of campus closures, insecurity, and the telecommunications blackout, this discussion warrants mention of the pressures that Kashmiri students and scholars suffer in apparent connection with their identity and/or expression related to the situation in J&K. Reporting on particular incidents is limited, likely due in part to the telecommunications blackout in J&K and restrictions on journalists entering the region;^{*} however, accounts from scholars and the media¹⁴ provide a disturbing look at the pressures Kashmiri scholars and students face. One scholar of political theory and gender studies told SAR that Kashmiri students in India are regularly assaulted by members of the Rashtriya Swayamsevak Sangh (RSS), a Hindu nationalist paramilitary organization.¹⁵ According to the scholar, after the repeal of Article 370, Kashmiri students on Indian campuses were at a heightened risk for “simply appearing as Kashmiris.” Similarly, Aditya Nigam, professor of political theory based in Delhi, commented that Kashmiri students were subjected to physical attacks due to a “jingoistic atmosphere [that] had been created whereby all Kashmiris were represented as anti-national.”¹⁶ And one PhD candidate at Jawaharlal Nehru University (JNU) claimed to know scores of Kashmiri scholars who are occasionally summoned by state authorities for expression considered objectionable, including criticism of the armed forces and misgovernance.¹⁷ He also reported faculty at his university labelling him as “separatist” for a research proposal on the political economy of J&K. They allegedly pressured him to retitle his research proposal and make it more benign, including by omitting decades from his proposed historical analysis.¹⁸

State policies and actions directed at or inadvertently affecting the Kashmiri higher education community threaten the academic freedom of large numbers of scholars and students. To protect academic freedom and access to higher education in J&K, Indian state authorities must restore and maintain

telecommunications systems, including high-speed internet connectivity; provide government and higher education officials in J&K the autonomy they need to operate universities; protect and provide assistance to Kashmiri and other minority scholars and students, who are at heightened risk of attack; and refrain from coercive force that punish and chill nonviolent academic activity or expression.

The Citizenship Amendment Act and Hindu nationalism on India's campuses

On December 12, 2019, India's president signed into law the Citizenship Amendment Act (CAA), a controversial piece of legislation that discriminates against Muslim migrants by excluding them from a new pathway to citizenship included in the same bill. The CAA drew fierce condemnation in and outside India, with university students frequently leading protests against the legislation, which they described as an affront to the secular nature of India's constitution.

SAR recorded 44 attacks in connection with the anti-CAA protest movement during this reporting period, including the use of violence, arrests, prosecutions, travel restrictions, and university disciplinary measures.[†] While the incidents described in this chapter are only a fraction of those SAR reported in total, they nevertheless highlight the extent to which state and non-state actors have sought to silence ideas that run against the Hindu nationalist views of Prime Minister Modi and the BJP.

On December 13, police beat and fired tear gas at Jamia Millia Islamia (JMI) students and faculty participating in a protest march against the CAA's passage (*AFMI 1058*). Police had reportedly placed barricades near the university entrance as the march began. When students attempted to climb over police barricades, officers charged with batons, fired tear gas, and allegedly threw stones at protesters. Fifteen students were reportedly hospitalized for injuries suffered while another fifty were detained.

Two days later, police again responded violently to protests by students from JMI and Aligarh Muslim University.

On the morning of December 15, thousands of JMI students marched from the university on roads leading

* Data collected by the Armed Conflict Location and Event Database Project (ACLED) for the past two reporting periods (September 1, 2018 - August 31, 2020) indicated a sudden drop in reports of incidents implicating higher education communities in J&K following the parliamentary action of August 5, 2019. During SAR's 2018-2019 reporting period (September 1, 2018 - August 31, 2019), ACLED logged ten reports of violence, including instances of “armed clashes,” “attacks,” “protests with interventions,” and “sexual violence.” ACLED reported only three violent incidents that occurred during SAR's 2019-2020 reporting period. Learn more about ACLED, including how to access their database, at <https://www.acleddata.com/>.

† Note that multiple attacks may be attributed to one incident.

to Central Delhi (AFMI 1060). Hundreds of police officers deployed to the road erected barricades and began beating and firing tear gas at demonstrators as they approached. Several vehicles were reportedly stoned and burned during the clashes. Police then raided the JMI campus and fired tear gas canisters at the university's library, where students had sought shelter. Police continued to beat students, staff, and journalists on the campus. Reports suggest that hundreds were injured, some of whom claimed to have been struck by bullets. At least fifty people were detained and held in custody overnight; of ten individuals later arrested on arson and rioting charges, none were students. The university's library was forced to shut down for roughly four months after sustaining significant damage from the police raid.

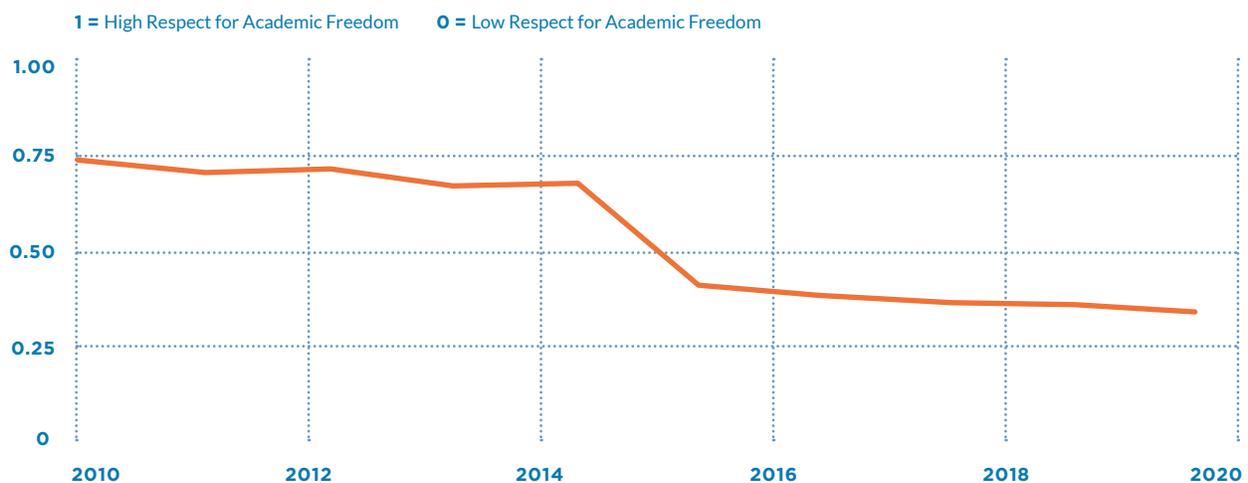
Later that day, on the AMU campus, police beat, launched tear gas, and fired rubber bullets and stun grenades at students attempting to march to a monument just outside the university's gates (AFMI 1059). As the students reached the gates, they were reportedly stopped by police who at one point charged at students with batons, forcing many of them to seek shelter in campus buildings. As students escaped, police in riot gear entered AMU's campus where

they continued to fire tear gas and beat dozens of protesters. One student was reportedly required to have his hand amputated after picking up a tear gas canister, which then exploded.

The next day, at Delhi University (DU), students were physically attacked by counterprotesters as the former protested the recent, violent police crackdowns on campus expression (AFMI 1062). About three hundred students participated in the protest, which was described as beginning peacefully. At one point, however, members of the Akhil Bharatiya Vidyarthi Parishad (ABVP), a right-wing student organization and the student wing of the Hindu-nationalist RSS, began throwing rocks and beating the protesters. Students told media outlets that police on the scene did little to stop the attacks from the ABVP members.

ABVP members were suspected of carrying out another violent attack on January 5, 2020, on the JNU campus, where students for weeks protested a hike in residence hall fees as well as the CAA (AFMI 1072). That evening, roughly fifty masked individuals—allegedly members of the ABVP—stormed the campus with iron rods, sticks, and broken bottles, and began vandalizing property and chanting slogans, including

ACADEMIC FREEDOM INDEX: INDIA



According to the Academic Freedom Index (AFi), India has experienced a significant drop in national respect for academic freedom since 2014. That year, Narendra Modi came to power as Prime Minister and the Bharatiya Janata Party (BJP) took control of India's Parliament. In 2014, India had an AFi score of 0.68. In 2019, India's AFi score dropped to 0.35, lower than that of neighboring Nepal (0.73), Pakistan (0.55), and Sri Lanka (0.51). Learn more about the AFi in *Free Universities: Putting the Academic Freedom Index Into Action*, available at: <https://www.gppi.net/2020/03/26/free-universities>.

“Hail Lord Ram,” which was popularized by the BJP in the 1990s and has been used in past attacks connected with Hindu nationalists. The attackers entered residence halls and beat leftist students and faculty, including JNU’s student union president Aishe Ghosh. According to one source, attackers asked one student about his ideological beliefs, sparing him after he allegedly pointed to a book he was holding titled “Hindu Nationalism.” The ABVP reportedly denied accusations that they were involved in the attack; however, screenshots of WhatsApp chat transcripts obtained and analyzed by journalists strongly suggest that the attack was coordinated via chat groups run by ABVP members. As with the December 16 attack at Delhi University, students claimed that police and security guards did little to stop the attackers and that some police joined in chanting nationalist slogans. At the time of this attack, students at JNU had organized numerous protests against the CAA as well as a proposed increase in residence hall fees.

Through the spring and summer, state authorities took retaliatory actions against students for their alleged participation in the anti-CAA protests. As discussed in the next section, a growing number of students have been arrested and prosecuted under India’s Unlawful Activities and Prevention Act (UAPA). And at least three international students—Jakob Lindenthal, a German student of physics at the Indian Institute of Technology Madras; Afsara Anika Meem, a Bangladeshi student of design at Visva Bharati University; and Kamil Siedcynski, a Polish student of comparative literature at Jadavpur University—were issued deportation orders for alleged participation in or expression relating to the protests (*AFMI 1067, 1120, and 1128, respectively*).

Universities have also punished students engaged in anti-CAA expression through disciplinary measures. For example, on December 22, Khwaja Moinuddin Chishti Urdu Arabi-Farsi University expelled history student Ahmed Raza Khan for criticizing the CAA over Facebook and calling on classmates to join a protest against the law (*AFMI 1065*). The university reportedly informed Khan of the decision via WhatsApp. One administrator later claimed that Khan’s call to protest represented an effort to disturb the atmosphere on the campus that impacted the safety of hundreds of students.

Through their academic work and activism, many scholars and students seek to protect and advance human rights, including by opposing discrimination in all its forms. The intense, frequent repression of student and scholar activists outraged by the CAA

marks a clear attack on members of higher education communities as socially engaged agents for change. Indian state and university authorities and the public at large should refrain from restricting or retaliating against peaceful student expression related to the CAA or other matters of public importance.

Unlawful Activities (Prevention) Act

Enacted by Parliament in 1967, India’s Unlawful Activities (Prevention) Act (UAPA) seeks to provide for the “effective prevention of certain unlawful activities of individuals and associations and for matters connected therewith.”¹⁹ While purportedly intended to prevent acts of terrorism or other threats to national security and state sovereignty, a growing number of arrests and prosecutions targeting government critics and dissidents, including student- and scholar-activists, suggests that Indian authorities have abused the UAPA to punish and stymie human rights activism, political opposition, and other nonviolent activities that the state finds displeasing.

Indian state authorities have frequently accused activists of violating the UAPA, based on alleged affiliations, protest activities, or other expression condemned by Prime Minister Modi and the BJP. Some scholars have been detained on UAPA-related accusations and held in custody for long periods of time without official charges or the disclosure of evidence. The following incidents from the past year illustrate how abuse of the UAPA risks silencing scholar and student voices. They also illustrate the consequences such abuse could present to those seeking to conduct research or other academic activity relating to the same topics or others that the government may find objectionable.

During this reporting period, Indian authorities arrested several scholars accused of affiliations with Communist Party of India (Maoist) (“CPI-Maoist,” also referred to as “Naxalites”), a group banned under the UAPA in 2009. CPI-Maoist was established in 2004 as a merger of several groups with ideologies aligned with the late Chinese leader Mao Zedong, with the goal of challenging the country’s caste system and promoting the rights of poor and otherwise marginalized communities. After its founding, the group reportedly began arming itself and members were later accused of involvement in attacks on elected officials and civilians.

On January 18, 2020, Indian police conducted a warrantless raid on the home of Osmania University professor Chintakindi Kaseem and detained him for alleged affiliations with CPI-Maoist (*AFMI 1087*).

The allegations against Kaseem, who is also a human rights activist and a magazine editor, were apparently based on evidence from a 2016 investigation into another alleged Maoist. The evidence reportedly includes a purported confession by Kaseem, which he has since said was forced, and records of alleged communications between Kaseem and CPI-Maoist leaders. During the January 18 raid, plainclothes officers seized Kaseem's phone, laptop, and dozens of books and documents. Police later arrested him under the UAPA for alleged Maoist links and activities. Kaseem was reportedly granted bail on May 19.

Anand Teltumbde, of the Goa Institute of Management, and Hany Babu, of Delhi University—both accused of ties to CPI-Maoist—were also arrested under the UAPA on April 14 (*AFMI 1162*) and July 28 (*AFMI 1218*), respectively. Teltumbde and Babu, who have both advocated on behalf of Dalits (formerly the “untouchable” caste) and other vulnerable communities, were brought under the so-called Bhima Koregaon case, which, since January 2018, has resulted in investigations and arrests targeting activists and scholars, including Nagpur University professor Shoma Sen, aspiring PhD candidate Rona Wilson,²⁰ and former lecturer Varavara Rao.²¹

Indian authorities accuse the scholars and activists of instigating violent clashes that broke out during the 2018 Bhima Koregaon memorial (the namesake of the case), an event commemorating the 1818 battle during which Dalit soldiers of the British army fought upper-caste Hindus. BJP members protested the event and clashed violently with participants, resulting in at least one person killed. Indian state authorities allege that Teltumbde, Babu, and their co-defendants incited communal violence one day prior to Bhima Koregaon at Elgar Parishad, a related event that marked the hundred-year-old battle and featured artistic performances and speeches that contained anti-caste and pro-democracy themes. The allegations are based on purported letters collected in house raids, telephone records, a pamphlet from Elgar Parishad, and other evidence that human rights groups have called into question for their veracity and relevance. Police had carried out a raid on Babu's home on September 10, 2019, confiscating his computer, USB drives, and documents (*AFMI 977*).

As of this report, Babu, Rao, Sen, Teltumbde, Wilson, and their co-defendants remain in custody. Two more scholars—Partho Sarothi Ray, of the Indian Institute of Science Education and Research, Kolkata, and Kusuma

Satyanarayana, of the English and Foreign Languages University, Hyderabad—have been summoned by the National Investigation Agency for questioning in connection with the same case.²²

Although having occurred outside this reporting period, it bears mentioning here the ongoing imprisonment of another scholar accused of affiliations with CPI-Maoist, Gokarakonda Naga (G.N.) Saibaba. An English professor at Delhi University and a human rights activist, Saibaba was arrested under the UAPA in 2014 and is currently serving a life prison sentence for “being a member of a terrorist gang or organization.” The evidentiary basis for the prosecution of Saibaba included electronic documents and correspondence that purportedly support their claim that he was an organizer in the party. Saibaba, who is wheelchair-bound and suffers from long-standing medical problems, has denied being a member of CPI-Maoist and maintains that he is being punished for his activism.^{*} In late July 2020, the Bombay High Court rejected Saibaba's request for bail on medical grounds, despite reports that he has been denied proper medical treatment, is vulnerable to contracting and suffering grave complications from COVID-19, and his wishes to see his dying mother.²³

Indian authorities have also used the UAPA to arrest students and other activists involved in the anti-CAA protest movement. Similar to the Bhima Koregaon case, those charged are accused of inciting violent riots in February 2020 that left 53 people dead, mostly Muslims, and hundreds injured and displaced. The riots occurred shortly after Kapil Mishra, a well-known BJP member, held a rally in New Delhi and called on authorities to clear the city of anti-CAA demonstrators. While some clashes broke out between Hindu nationalists and anti-CAA activists, the riots were largely marked by reports of Hindu nationalists violently attacking Muslim Indians and destroying their homes and businesses, as well as reports of police refraining from intervening and even stoking anti-Muslim violence.

From April to May of 2020, JMI students Meeran Haider (*AFMI 1158*), Safoora Zargar (*AFMI 1161*), and Asif Iqbal Tanha (*AFMI 1179*), and JNU students Devangana Kalita and Natasha Narwal (*AFMI 1182*) were arrested and have been accused of conspiring to incite the February riots. The students have disputed the authorities' allegations, claiming that they were not present during the riots and are being targeted for their peaceful activism against the CAA. Authorities have disclosed little evidence suggesting that the

* Since 2018, SAR has conducted advocacy campaigns on behalf of Saibaba through SAR's Scholars in Prison Project. Learn more on p. 44.

students were involved in the February 2020 riots. The evidence reportedly includes purported confessions that were allegedly obtained without the supervision of a magistrate and that reportedly contain nearly identical language.²⁴ Authorities also reportedly obtained call records from the students; however, the records only indicate calls made after the riots began and do not indicate the substance of any conversations.²⁵

In late August, another JNU student, Sharjeel Imam, was formally arrested under the UAPA in connection with the February riots. Imam, a PhD candidate, has been in custody since January 28, when he was arrested for a speech he gave 12 days earlier at an anti-CAA protest at AMU (AFMI 1094). Imam reportedly told protesters that a group of five hundred thousand people would be capable of temporarily separating India's northeastern state of Assam from the rest of the country and that such a demonstration would force the government to listen to the demands of the anti-CAA protesters. Imam later clarified that his remarks had been intended to encourage citizens to peacefully protest and engage in mass acts of civil disobedience, including blocking traffic along roads and railways in the region. Police have further accused Imam of inciting riots during anti-CAA protests on December 13 and 15, 2019, based on speeches he gave around the same time. In addition to his speeches, police have also cited in their charge sheet Imam's M.Phil thesis, titled "Exodus before partition: The attack on Muslims in Bihar in 1946," and books cited therein as evidence, suggesting that they "affirmed his religious bigotry (that) lacks faith in democratic and constitutional values."²⁶

Five of the six aforementioned students remain in custody, as of this report. Supporters of the students have expressed concern about COVID-19 and the threat it poses to those in detention. Zargar, who was four months pregnant at the time of her arrest and suffers from a number of medical complications, was only granted bail on June 23 after repeated calls for her release. Imam tested positive for COVID-19 on July 20 at Assam's Guwahati Central Jail.²⁷ In a joint statement, 13 UN human rights experts expressed concern over the arrests of the students and activists, stating that they "appear to have been arrested simply because they exercised their right to denounce and protest against the [CAA], and their arrest seems clearly designed to send a chilling message to India's vibrant civil society that criticism of government policies will not be tolerated."²⁸

In addition to the aforementioned individuals, Indian authorities have summoned and interrogated a growing number of students and scholars in connection with the February riots, including Apoorvanand, of Delhi University, Jayati Ghosh, of JNU, and Umar Khalid, an activist and former student leader at JNU.²⁹ Khalid was arrested under the UAPA on September 13.³⁰ Professor Apoorvanand and another scholar, JNU economist Jayati Ghosh, were reportedly named as instigators of the February riots in a supplemental chargesheet that refers to two unsigned disclosure statements from arrested students Devangana Kalita and Natasha Narwal. The students refused to sign the statements, which contained identical text, including the same typos, suggesting that police fabricated them.³¹

While state authorities have a right to protect national security, they must ensure that relevant legislation and its enforcement are consistent with national and international legal obligations to protect the rights to academic freedom, freedom of expression, and freedom of association. Incidents reported in recent years suggest that India's UAPA and its application in cases targeting scholars and students for nonviolent activity run counter to international human rights norms and responsibilities, risk criminalizing legitimate discourse and nonviolent dissent, and undermining scholars' and students' exercise of academic freedom.

Acute and chronic pressures on academic freedom and the rights of scholars and students in India are not new. However, over the past two years, an apparent surge in incidents reported by SAR alongside heightened nationalistic rhetoric by Prime Minister Modi underscore fears that the space for ideas and dialogue in India is being constricted, and dissent punished, endangering scholars and students whose views are disfavored by the ruling government. This pattern has the potential to shrink the space for academic inquiry and impede the development of a national higher education sector that benefits and is inclusive of *all* members of Indian society.

SAR calls on Indian state authorities to safeguard and promote academic freedom and the equitable access thereof by ensuring the autonomy and functioning of higher education institutions in Jammu and Kashmir, including by restoring telecommunications; releasing and dropping prosecutions of scholars and students in connection with nonviolent academic or expressive activity and alleged associations; and repealing the Unlawful Activities (Prevention) Act and similar

legislation, or revising the same in order to ensure compliance with obligations under its constitution and international human rights law.

SAR also calls on university leaders, scholars, students, and other non-state stakeholders, including faculty and student associations, to urge Indian state authorities to take the above steps; speak out on attacks on higher education communities; refrain from coercive conduct that interferes with their colleagues' exercise of academic freedom and related freedoms of expression, assembly, and association; and, above all, to safeguard such freedoms.

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A woman in the foreground is wearing a red face mask and a purple scarf. She is holding a wooden spoon in her right hand and a metal pot in her left hand, both raised. In the background, there is a crowd of people, some wearing face masks, and a street scene with a traffic light and buildings under a cloudy sky.

“Attacks on student expression chill the learning environment and the free inquiry and expression required for open, democratically legitimate societies.”

In Panama, on June 25, 2020, university students protested corruption and hunger amidst the COVID-19 pandemic.

Photo: Luis Acosta / AFP via Getty Images

Global Threats to Student Expression

Individual and organized student expression are integral parts of the higher education process and important contributors to public discourse generally. Recent incidents involving student expression are connected to a variety of issues, including the rising cost of tuition, education policy, police brutality, sexual assault, and government reform. Students bring attention to these issues through marches, sit-ins, petitions, vigils, and other forms of on- and off-campus expression.

Their right to do so is protected under international human rights standards relating to academic freedom, freedom of expression, freedoms of assembly and association, and the right to education. Despite these protections, state and institutional actors frequently restrict and retaliate against student expression through the use of violent force, detentions, and coercive legal and disciplinary actions. Beyond violating internationally recognized human rights and endangering members of the campus community, attacks on student expression chill the learning environment and the free inquiry and expression required for open, democratically legitimate societies.

During this reporting period, SAR reported 118 student expression-related incidents that directly impacted many hundreds of students and other victims. The vast majority of these included violent attacks, arrests, prosecutions, suspensions, and expulsions targeting students. A minority of incidents involved some students, often subsets of a broader

group, engaging in physical violence directed at fellow students, university personnel, or state security forces. Regardless of the type of perpetrator, the frequency and severity of incidents described in this chapter underscore both the importance and vulnerability of student expression around the world.

In addition to providing a brief overview of the types of incidents involving student expression, this chapter takes a closer look at four countries and regions where SAR reported significant student expression-related developments. For example, In Colombia, riot police repeatedly used violent force against student protesters demonstrating against alleged corruption and police brutality; in the West Bank of the Occupied Palestinian Territories (OPT), Israeli authorities conducted house raids and detained as many as eighty students, in apparent connection with their membership in student organizations; in Iran, authorities used violent force and detentions against students for their alleged participation in nationwide protests against the government; and in South Africa, security forces and students clashed violently during protests over student debt.

The magnitude and frequency of these incidents is striking; indeed, they constitute nearly half of the incidents SAR reported this year. Understanding student expression—its forms, presence around the globe, and significance to education and society—and working to protect it is essential to ensuring quality higher education that provides the maximum societal benefit.

Violent attacks on student expression

State and campus security forces around the world often resort to violent force against students in their response to protests, marches, and other on- and

off-campus forms of expression. In some incidents, the authorities' use of force—often including live ammunition, rubber bullets, tear gas, batons, and water cannons—has escalated tensions, turning peaceful protests into violent confrontations between security forces and protesters. Such violence threatens the safety of all parties involved, as well as bystanders. And, in incidents occurring on campus, violence undermines institutional autonomy and may lead university administrators to suspend academic activity or close campuses.

In **Hong Kong**, on November 17, 2019, police violently clashed for more than 24 hours with students engaged in pro-democracy protests at Hong Kong Polytechnic University (AFMI 1036).^{*} Police fired water cannons, tear gas, and blue dye,[†] while protesters defended themselves by throwing gasoline bombs and firing arrows. Hundreds were reportedly injured, including students, non-student protesters, journalists, and medical volunteers, and many more arrested.

In **Iraq**, on February 10, 2020, security forces opened fire on students and others participating in a nationwide day of protest in front of Al Ain University, leaving one protester dead and several others injured (AFMI 1112). During the protest, which decried authorities' use of lethal force against protests that began in October 2019, Iraqi security forces reportedly fired live ammunition at demonstrators in an attempt to disperse them. One protester was killed and an unknown number of other demonstrators were injured. It is not clear whether the protester killed was a student.

In the **United States**, on June 1, police pepper-sprayed three student reporters at The Ohio State University (OSU) during a series of nationwide protests sparked by the May 25 murder of George Floyd, a civilian, by a police officer (AFMI 1185). The OSU protest was one of hundreds across the country and throughout the world voicing outrage over police brutality against Black people and systemic racism. In several protests, police fired tear gas and rubber bullets and forcefully detained protesters. Several cities, including Columbus, Ohio, ordered curfews. Student journalists for *The Lantern* covered the June 1 Columbus protest, during which protesters marched to OSU's campus. Shortly after a 10:00 PM curfew went into effect, police confronted the protesters and fired pepper spray to disperse the crowd. Police approached the student journalists, who held press passes and

identified themselves as members of the news media who were therefore exempt from the curfew. Police reportedly threatened the student journalists with arrest, pushed one of them, and pepper-sprayed three more.

Non-state groups and individuals have also carried out violent attacks on students in an effort to restrict or retaliate against protest activity, social media expression, and affiliation with student groups.

In **Bangladesh**, on October 6, 2019, suspected members of the Bangladesh Chhatra League (BCL), the student wing of the ruling political party, killed Bangladesh University of Engineering Technology student Abrar Fahad in apparent connection with alleged social media activity and his association with Islami Chhatra Shibir, the student wing of Jamaat-e-Islami and an opposition group to the BCL (AFMI 995). One day earlier, Fahad allegedly posted to Facebook comments criticizing an agreement between Bangladesh and India to allow Bangladesh to draw water from the Feni river, which lies on the border. The following day, a group of suspected BCL members entered Fahad's dormitory, asked about his membership in the opposition group, and, over the course of four hours, brutally beat him with blunt objects, killing him.

In **France**, on December 5, 2019, a group of unidentified individuals attacked students preparing to protest on the University Paul-Valéry, Montpellier III (UPVM-3) campus, injuring two of them (AFMI 1051). Across France, students had joined others in a national strike, protesting President Emmanuel Macron's plans for pension reforms. On December 5, at least ten students met near the UPVM-3 campus and planned to block the entrance to the campus as part of the strike. A group of roughly eight masked men approached the students and allegedly shouted insults at them, including "dirty leftists" and "leave leftists, go back to work!" The men then began attacking the students (reports differed as to whether the attackers actually used their knives or batons) leaving two students injured. The assailants chased the students back to campus before fleeing.

Violent attacks on students in connection with protest activities, online expression, or associations all too often result in injuries and, in some cases, death, and send a signal that students should avoid voicing certain ideas. State authorities, higher education

* A subsequent chapter provides further discussion of this and other protest-related incidents in Hong Kong. See p. 87.

† Blue dye was used by police throughout the protests as a way of marking protesters, thereby enabling police to later identify them. Some have reported that the dye irritates the skin and can cause a burning pain.

communities, and civil society must reject violence targeting student expression and work together to ensure that students can share ideas without fear of such retribution.

Imprisonment and prosecution

State authorities arrested, detained, or prosecuted hundreds of students, frequently under laws or on grounds related to terrorism or insulting the government.

In **Algeria**, on October 8, 2019, police arrested at least 13 university students during a nonviolent protest calling for democratic reform in Algeria (AFMI 998). Nationwide protests began in February 2019, after former president Abdelaziz Bouteflika announced his plans to run for a fifth term. Although Bouteflika later resigned, students continued to hold weekly protests to call for broader political reform. During the October 8 protest, hundreds of students and other protesters marched in the streets of Algiers. Police beat students and other protesters with batons, blocking them from marching into the central square. Police reportedly released most of those detained the next day.

In **Pakistan**, on December 1, police in Lahore brought criminal sedition charges against as many as three hundred students for participating in a November 29 “Student Solidarity March” (AFMI 1047). Students participated in nonviolent marches across 38 cities to demand students’ right to form student unions, an end sexual harassment on campuses, and the cessation of the privatization of universities. Police allege the student protesters in Lahore chanted slogans against “state institutions.” The status of the charges remains unclear as of this report.

In **Turkey**, on January 31, 2020, the İstanbul 32nd Heavy Penal Court sentenced twenty students from Boğaziçi University to ten months’ imprisonment and fined seven more students on charges of “propagandizing for a terrorist organization,” in retaliation for their 2018 protest against Turkish military actions in northern Syria (AFMI 1100). On March 19, 2018, a group of students held a counter protest in response to a demonstration in support of the Turkish army led by student members of Turkey’s ruling Justice and Development Party (AKP). In the following days, police conducted a series of raids on student dormitories and houses, arresting dozens of students for their alleged participation in the counter protest. After the first hearing, on June 6, 2018, the students were released pending trial. Nearly a year

and a half later, on January 31, 2020, the students were given their sentences.

In **Thailand**, on August 7, authorities arrested Ramkhamhaeng University student-activist Panupong Jadnok on charges arising out of his participation in a July 18 “Free Youth” Rally in Bangkok (AFMI 1220). The rally was attended by more than one thousand protestors, who peacefully demanded the dissolution of parliament, a new constitution, and an end to the harassment of government critics. Similar student-led protests demanding reform had been taking place for months across Thailand. Panupong, who spoke at the rally, was charged with sedition, assembly with intent to cause violence, violating a ban on public gatherings, and other offenses. On August 8, authorities released Panupong on bail, on the condition that he refrain from engaging in the alleged offenses for which he was arrested. He was rearrested two weeks later based on his participation in a second rally at Thammasat University (AFMI 1224).

Thammasat University student-activist Parit “Penguin” Chiwarak was also arrested in connection with the protests (AFMI 1222). Parit was charged with “sedition,” “assembly with intention to cause violence,” and “violating a ban on public gatherings,” in connection with the aforementioned July 18 rally. In connection with rallies on June 5 and 24, he was reportedly charged with violating Thailand’s Covid-19–related prohibition on public gatherings, as well as traffic- and public cleanliness–related offenses. Parit was released one day after this arrest.

Arrests and prosecutions based on student activism, or mere allegations of expressive activity, may violate states’ obligations under national and international human rights laws. Moreover, they threaten the ability of higher education communities to raise questions and peacefully express dissent regarding a wide range of matters important to society. State authorities must refrain from arrests and prosecutions of students in connection with nonviolent expressive activity.

University disciplinary measures

University administrations and leaders used disciplinary measures, including suspensions, expulsions, and bans on students from entering higher education institutions, in response to students’ nonviolent expressive activities.^{*}

In **Russia**, on September 17, 2019, administrative authorities at Ural State Economic University

* Reporting on university disciplinary measures against student expression is challenging because victims often do not speak out in fear of further retaliation.

(UrGEU) summoned a student to a meeting on campus, where they threatened him with expulsion based on suspicions regarding his sexual orientation (AFMI 982). The student, who is unnamed in multiple media reports, informed news outlets that UrGEU administrators told the student that the university had established a group to monitor students' social media activity, and that they had seen that the student belonged to an LGBTQ+ group. Administrators reportedly told the student that he was "defiling the institute's name," and claimed that his social media activity and his ownership of a pink phone proved that he was gay. While university officials claimed they were not planning to expel the student, they stated that participation in LGBTQ+ groups online would not be tolerated. The student reportedly unsubscribed to the LGBTQ+ social media groups.

In **Iran**, on October 11, University of Tehran (UT) student Saha Mortezaei was denied enrollment into a PhD program in apparent retaliation for her political activism (AFMI 1002). Mortezaei was reportedly among as many as 150 students arrested in January 2018 for their participation in nationwide anti-government protests. In September 2018, Mortezaei was sentenced to six years in prison and banned from political activity for two years. She has reportedly been free on bail and waiting for a ruling on her case by the appeals court. Despite ranking tenth on the national exam for doctoral studies in political science, UT denied Mortezaei admission into the doctoral program.

In **India**, on December 22, Khwaja Moinuddin Chishti Language University expelled undergraduate student Ahmed Raza Khan for posting to Facebook comments critical of the Citizenship Amendment Act (CAA), a controversial law that discriminates against Muslim migrants by excluding them from a pathway to citizenship for immigrants belonging to a number of religious minorities (AFMI 1065). The CAA drew massive protests across the country, with many led by student groups. In his Facebook post, Khan allegedly included an image of a poster calling for students to protest the CAA. One university administrator later claimed that Khan's call to protest represented an effort to disturb the atmosphere on the campus that impacted the safety of hundreds of students.

Punitive measures against students engaging in nonviolent expressive activities on or off campus, as in the examples described above, have a chilling effect on the learning environment and everyone's right to academic freedom, freedom of expression, and freedom of assembly. University administrators should

promote and defend such freedoms, refraining from taking actions to retaliate against nonviolent student expression.

Student violence

While state and campus security forces and other off-campus groups have been responsible for the violence reported in most incidents, in some incidents students engaged in physical violence that put themselves and others in danger.

Rivalries between student groups resulted in acts of violence. In **Pakistan**, for example, opposing student groups violently clashed during a "Mega Educational Expo" held at the International Islamic University Islamabad, on December 12 (AFMI 1057). The expo was organized by the Islami Jamiat e Talaba (IJT), the student wing of Jamaat-e-Islami (JI), an Islamic, conservative political party. During a speech by JI secretary general Liaqat Baloch, members of the Islamians United Students Front, who were reportedly opposed to the expo, violently clashed with IJT members. Gunshots were fired during the clashes, causing many to flee and killing student Musmi Syed Tufail. Another 16 students were reportedly injured.

In other incidents, disproportionate or lethal force by state and non-state security agents escalated tensions and precipitated acts of violence by some students. In **Kenya**, for example, students violently clashed with police and allegedly set fire to an abandoned dormitory at the University of Nairobi in response to the killing of a student by security guards (AFMI 1145). Days later, police arrested a security guard suspected of killing the student.

It is crucial that law enforcement, university authorities and security personnel, and students understand and adhere to their obligations with respect to student expression. State authorities and security personnel have a responsibility to ensure that students can express themselves safely and to refrain from actions that restrict or retaliate against nonviolent student expression. When students engage in violent activity, state and higher education authorities must prioritize de-escalation and ensure that their actions are proportionate to the situation. Students are likewise reminded that academic freedom and freedom of expression are not licenses to commit violent or coercive acts against fellow students or others.

Sustained attacks on organized student expression

In this reporting period, SAR noted sustained attacks on organized student expression in Colombia, the Occupied Palestinian Territories (OPT), Iran, and South Africa. (Student expression in Hong Kong and India faced similar threats, as discussed in separate chapters in this report.)^{*} In Colombia and Iran, students who participated in nationwide anti-government protests faced violent force and arrests; in Palestine, Israeli forces carried out raids and detained a large number of students in the West Bank of the OPT, apparently based on alleged associations with campus groups; and in South Africa, students and security forces clashed during protests over student debt.

Colombia

Starting in early September 2019, students held protests over allegations of corruption in universities, including faculty misuse of university funds and threats by rectors to defund universities. These and other protests led largely by university students were frequently met with violent force by the Mobile Police Anti-Disturbances Squadron (ESMAD). The dissolution of ESMAD, in response to their excessive use of force, would become one of the students' major protest demands.

On September 4, 2019, University of Cundinamarca students gathered to demonstrate peacefully against the reelection of the university rector, who planned to defund the university. As many as one hundred ESMAD officers entered the university campus and violently beat and briefly detained twenty student protesters (AFMI 971). ESMAD officers reportedly used batons, launched tear gas, and fired live ammunition into the air. At least 12 students were injured by police.

On September 24, ESMAD officers fired stun grenades and tear gas at students protesting on Carrera 7, a busy street in front of Francisco José de Caldas District University (FJCDU) in Bogotá (AFMI 988). When students from Javeriana University, located across the street, shouted their support for the FJCDU students, ESMAD officers fired tear gas and stun grenades at the Javeriana University students as well. The tear gas and stun grenades reportedly affected patients and staff in the nearby university hospital.

Following ESMAD's use of violent force against student protesters at FJCDU, students from several universities in Bogotá held protests, during which

both security forces and protesters engaged in violent activity (AFMI 989). During a protest at the National Pedagogic University, a homemade explosive device detonated, injuring five people. At FJCDU, at least two hundred students reportedly attempted to forcibly enter an administrative building on campus. ESMAD officers violently clashed with students in both instances. Similar incidents of violent force used by ESMAD officers on student protesters occurred in October (AFMI 991, 1001, 1006, and 1015).

On November 21, a national strike was launched by students, Colombian pensioners, social leaders, union workers, indigenous groups, women, Afro-Colombians, and members of the LGBTQ+ community, among others. Protesters took to the streets of the country's main cities to protest over labor, pension, and tax reforms being discussed in the Colombian National Congress, the killings of grassroots leaders, the lack of financial support for public universities, and the government's alleged failure to implement a peace process with the Revolutionary Armed Forces of Colombia (FARC).¹

Diana Pinzón and Cristian Angartia, both graduate students in audiovisual production at the National Pedagogic University, attended the November 21 protests in Bogotá for an academic assignment. While returning from the protests, police confronted the two students and violently beat them with batons (AFMI 1041). Police then reportedly detained Angarita and pressured him to sign a statement acknowledging that he was arrested for aggressive behavior. Hours after refusing to comply, Angarita was released. Both Angarita and Pinzón sustained serious injuries from the attack.

On November 25, protests intensified after news broke of the death of Dilan Cruz, a high school student who was struck by a projectile fired by police during a protest two days earlier. Protests would continue into December, with more reports of violent clashes between state security forces and students and protesters to follow. According to a March 10 report by Human Rights Watch, authorities detained 213 people and transferred 1,662 others to administrative detention in connection with the strikes that began in November.² The National Police had opened 44 disciplinary investigations in connection to the protests, including 27 for "abuse of authority" and 2 for "homicide," according to the same report.³

The excessive use of violent force in response to student expression raises grave concern for academic

* For Hong Kong, see p. 87. For India, see p. 51.

freedom, freedom of expression, and freedom of assembly in Colombia.

Occupied Palestinian Territories

The 2019-2020 academic year in the West Bank began with apparently heightened reports of Israel Defense Forces (IDF), the Israeli military, carrying out arrests and raids that targeted students, particularly those affiliated with on-campus organizations. Student councils and other student organizations on Palestinian university campuses often serve as crucial venues for young Palestinians to voice concerns and opinions on politics and other important matters.

Many of those taken into Israeli custody, including the individuals described in this section, were put under administrative detention, a procedure under Israeli military law permitting the incarceration of an individual without trial or charge for up to six months, with the possibility of renewal, based on undisclosed evidence that they intended to commit a crime. While these tactics are not new—the use of raids and administrative detention to target Palestinian students and scholars has been a routine practice for years—the heightened crackdown just prior to and during this reporting period warrants discussion.

According to the Right to Education Campaign (RtEC), a grassroots movement committed to documenting, researching and raising awareness about threats to Palestinian students, teachers, and higher education institutions, more than 74 Birzeit University students were detained by IDF forces between July 2019 and January 2020.⁴ The US-based Middle East Studies Association, citing Palestinian sources, suggested that as many as three hundred Palestinian students may be in custody, according to a public letter the association issued on June 19, 2020.⁵ Reports suggest that students from Birzeit University were particularly targeted during this past academic year.

On August 29, 2019, for example, IDF soldiers raided the home of Mays Abu Ghosh, a media and journalism student at Birzeit University. Abu Ghosh was detained allegedly in connection with her affiliation with the student activist group al-Qutub.⁶ Abu Ghosh was reportedly subjected to judicial and custodial mistreatment after being detained. On May 3, 2020, an Israeli military court convicted her of “affiliation to an illegal organization” and “communication with an enemy party,” in apparent connection to her student group affiliations. She was sentenced to 16 months’ imprisonment, an additional 12-month suspended prison sentence, and issued a fine of 2,000 Israeli Shekels (roughly USD \$575).

Just over a week after the raid on Abu Ghosh’s home, IDF soldiers targeted another Birzeit student, Samah Jaradat (AFMI 973). Jaradat, who had graduated only days earlier, was detained in a raid on her family’s home. Israeli forces reportedly subjected Jaradat to a strip search, lengthy interrogations, torture, and denied her access to counsel while in custody. Seven months later, on June 4, 2020, Israeli authorities released Jaradat. She was reportedly detained in connection to her membership on the Birzeit University student council.

On December 12, IDF soldiers arrested Shatha Hasan, a student of psychology and the president of Birzeit’s student council (AFMI 1056). The arrest occurred during a raid on Hasan’s home in Ramallah. Five days later, on December 17, an Israeli military court sentenced Hasan to three months’ imprisonment on an administrative detention order.

The secretary of the planning committee for Birzeit’s student council, Yahya Sadiq al-Qarout, was detained by Israeli forces during a June 4, 2020, raid on his home (AFMI 1188). Few details are available regarding the detention of al-Qarout, who reportedly has no prior arrest history.

And on July 9, IDF soldiers detained Birzeit student Ruba Assi, also during an overnight raid on her home in Ramallah (AFMI 1211). As many as 18 individuals were reportedly detained in nearby raids that same night.

The arrests have sparked protests demanding the release of these and other detained students. On October 5, 2019, for example, students gathered on the Birzeit University campus and marched to Ofar Prison. The students protested peacefully, chanting slogans and holding signs; however, as the students continued to make their way to the prison, Israeli troops reportedly launched tear gas in an effort to disperse them (AFMI 993).

The detentions of Palestinian students and student leaders appear to be part of an effort by Israeli authorities to quash organizing or political activity that could question Israel’s occupation. Students should not have to fear detention or other coercive actions because of their identity, nonviolent academic or expressive activity, opinions, or associations.

Iran

Iranian authorities used violent force against and arrested students during a series of nationwide protests against the government that began in November 2019. As in 2018, students protested dire economic conditions, corruption, and the country’s

political leadership. Related concerns were raised in January, when students decried a lack of transparency and criticized the government over its role in the downing of a Ukrainian airliner that left 176 people dead. In the months that followed the protests, a growing number of students would be convicted and sentenced to lengthy prison terms for their alleged participation in the protest movements.

On November 16, authorities shut down internet access in response to the protests over poor economic conditions and the country's top leaders. The protests, instigated in part by a recent hike in fuel prices, were led largely by low-income or unemployed youths and students and quickly spread across the country. On November 18, University of Tehran (UT) students reportedly gathered on campus to march to Enghelab Square to join a demonstration with protesters and students from other universities. Paramilitary forces apparently prevented them from leaving campus, arrested students, placed them inside ambulances, and brought them to Evin Prison and the Greater Tehran Central Penitentiary (AFMI 1037).

Use of force by state security forces and paramilitary troops largely quashed the protests by November 19, with distressing reports of casualties to follow. Although a final accounting of fatalities is not available as of this report, Iranian state officials claimed that 230 people were killed over the course of the protests,⁷ while *Reuters* estimated more than 1,500 fatalities.⁸ According to Amnesty International, which later reported 304 fatalities, the majority of those killed were in their teens and twenties.⁹ On November 26, Hossein Naghavi Hosseini, a spokesperson for Iran's parliamentary committee for national security and foreign policy, said authorities arrested at least seven thousand people in connection to the protests.¹⁰

On January 11, 2020, student protests erupted again in response to news that the Iranian military was responsible for the downing of Ukraine International Airlines Flight 752, on January 8, 2020.^{*} The Iranian government initially rejected allegations that the plane had been shot down, claiming that it had crashed due to mechanical issues. However, by the morning of January 11, Iranian officials announced that its military had unintentionally shot down Flight 752, having mistaken it for a hostile target.

Hours after the government's announcement, university students and others held a vigil, attended by hundreds, outside of Amirkabir University of

Technology (AUT). Attendees mourned the victims and protested the government's role in and response to the plane's downing. While AUT students protested peacefully, blocking roads and chanting slogans, riot police deployed to the scene fired tear gas at them (AFMI 1078).

Days later, on January 16, plainclothes state security forces raided student dormitories, arresting at least eight students they accused of preparing to participate in one of the related protests (AFMI 1084). As of this report, there is no public information indicating when the detained students are expected to appear in court or what charges they face, if any.

In the subsequent months, authorities began arresting and prosecuting students for their alleged participation in protest activities. Some of those arrested include Bahareh Hedayat, a UT student and a well-known human rights activist, who was arrested after being summoned by campus security on February 10 (AFMI 1113); Amir Mohammad Sharifi, a UT student, who was convicted of "propaganda against the state" and sentenced to 3 months in prison for his alleged participation in protests (AFMI 1172); and Mostafa Hashemizadeh, a UT civil engineering student, who was convicted of "disturbing public order" and "colluding against national security," and sentenced to 6 years in prison, 74 lashes, a 2-year ban from entering student dormitories, and 3 months of community service at Tehran's Niayesh Psychiatric Hospital (AFMI 1171).

The incidents captured in this reporting period raise grave concern for the ability of students in Iran—and, by extension, the country's entire higher education sector—to engage in expression without fear of reprisal, negatively impacting academic freedom in Iran.

South Africa

Starting in late January 2020, students at a number of South African universities held protests demanding increased student funding, the cancellation of students' historical debt, and the enrollment of students who owe historical debt.

Since the 1994 end of apartheid, South African students have organized protest movements over racial and economic inequality, including the Fees Must Fall movement, which began in October 2015 when students at the University of the Witwatersrand

* Ukraine International Airlines Flight 752 crashed outside Tehran shortly after takeoff, leaving 176 passengers and crew members dead, only hours after the Iranian military began firing a series of ballistic missiles at US military sites in Iraq, in retaliation for the US killing of Iranian General Qasem Soleimani days earlier, on January 3.

(commonly known as “Wits”) held a protest in response to a proposed tuition hike.¹¹ Over the two years that followed, students across the country held similar demonstrations, demanding a reduction in tuition and increased access to higher education for students of all backgrounds. In December 2017, then-President Jacob Zuma announced free higher education for poor students, but many students unable to afford tuition did not meet the poverty threshold set by the government.*

On January 16, 2020, the South African Union of Students (SAUS) reportedly submitted a memorandum to the Higher Education, Science, and Technology Minister, listing demands around student funding and historical debt. According to the University of Johannesburg’s Center for Education Rights and Transformation, the state’s funding allocations to universities did not meet the needs of around 200,000 to 250,000 students.¹² The Center’s findings further highlighted the disproportionate impact this had on universities that do not have strong donor bases and are predominantly black.¹³

After negotiations reportedly fell apart on January 27, SAUS called for a national shutdown of all universities until the Higher Education, Science, and Technology Minister met their demands. That day, during protests at the University of South Africa and the University of KwaZulu-Natal’s (UKZN) Howard College campus, police fired tear gas and rubber bullets at students (AFMI 1090 and 1091).

Through to March, protests were often marked by violent clashes, with police and private security personnel firing tear gas, stun grenades, and rubber bullets, and subsets of protesters throwing sticks, stones, and petrol bombs, and engaging in property damage (AFMI 1095, 1096, 1104, 1125, 1129, 1130, 1139, 1140, and 1146). As of this report, there is no official accounting of injuries and arrests connected to the protests.

Campus protests continued until mid-March, when universities shuttered their campuses and switched to online learning in an effort to curb the spread of the global COVID-19 pandemic. While the Ministry of Higher Education, Science and Technology provided funding and online learning materials to students

receiving full higher education funding through the National Student Financial Aid Scheme (NSFAS), the ministry had not yet fully addressed the heart of the protests—student fees and debt, especially for students who do not qualify for NSFAS funding.

On August 17, 2020, the NSFAS announced it took funds away from five thousand students who had received funding for the 2020 academic year because their families’ annual incomes were later found to have been above ZAR 350,000 (roughly USD \$21,300), the threshold to receive funding for higher education.¹⁴ The decision to defund students received wide criticism, reflecting concern for the growing number of students who do not meet the government’s poverty line for funding and are unable to afford tuition.

Students in South Africa were met with violent force for raising concern about student debt and tuition fees, which are significant barriers to their access to higher education. Authorities must respond in a proportionate manner to student expression and prioritize de-escalation. Likewise, students also have an obligation to refrain from physical violence. Violence during student protests, by any actor, threatens institutional autonomy, freedom of expression, and freedom of assembly.

Student expression, both organized and individual, is vital to the higher education process and public discourse on a variety of important issues. In this reporting period, students brought attention to police brutality, gender-based violence, government reform, education policy, and deep social inequalities, among other issues. Government and university authorities often responded to peaceful student expression with acts of violence, imprisonment and prosecution, and disciplinary measures.

SAR condemns violent and coercive attacks against students, from whatever source. SAR urges governments and higher education leaders to ensure that security officials, both state and private, exercise restraint and respond to student expression and protest activities in an appropriate and proportional manner, focused on de-escalation and consistent with recognized international human rights standards.

* Under the current system, students whose families’ annual incomes are below ZAR 350,000 (USD \$21,300) receive full funding by the Department of Higher Education through the National Student Financial Aid Scheme (NSFAS). The students whose families’ annual incomes are higher but are still unable to afford higher education do not receive any funding and are often referred to as the “missing middle.” See Edwin Naidu, “A glimpse into the heart of student unrest,” *University World News*, March 12, 2020, <https://www.universityworldnews.com/post.php?story=20200312074655799>.

States should not use weapons* when responding to nonviolent student expression. If force is necessary, as a last resort to maintain safety, it must be proportionate and limited as to reduce unnecessary risk of harm to protesting students and others. State authorities must further ensure appropriate protections for nonviolent student expression—especially when on a campus or in an academic setting. SAR calls on state authorities to immediately release students in custody and drop any charges that stem from their peaceful academic or expressive activity. SAR urges higher education leaders to refrain from taking disciplinary actions against students in retaliation for or to restrict nonviolent student expression, inquiry, assembly, or association.

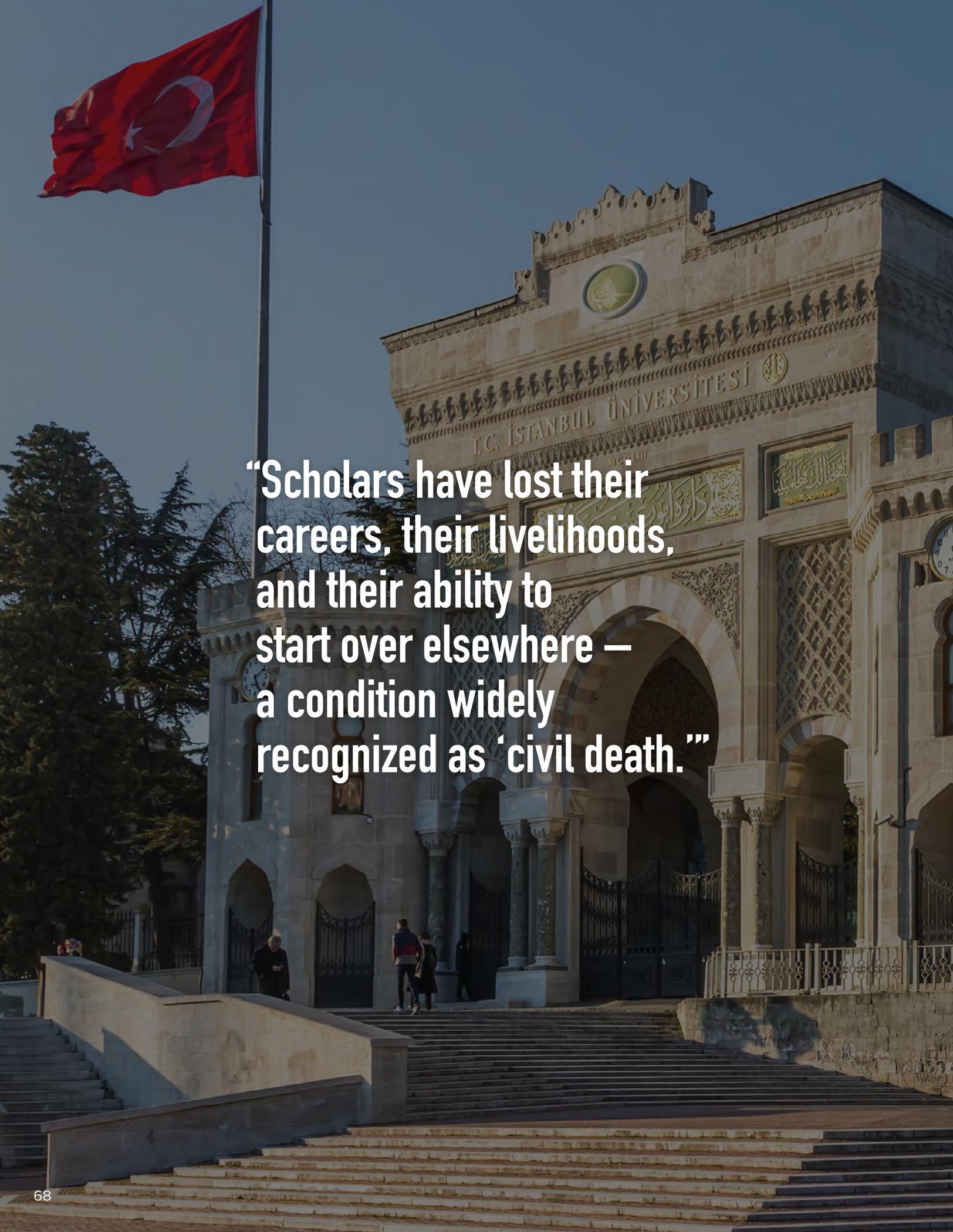
SAR also calls on students engaged in expressive activity, on or off campus, to do so consistent with higher education values and human rights principles. This includes abstaining from using physical violence to advance the objectives of student expression. Members of higher education communities and civil society should commit to respecting the campus space, both physical and virtual, as a safe, free space, where ideas can be expressed and debated without fear of physical harm or undue restriction.

Under the protections of academic freedom, higher education institutions should be exemplars of communities in which the rights to the freedoms of expression, assembly, and association are protected by authorities and broadly respected. Failure to protect student expression has severe consequences for everyone's right to ask questions and develop and share ideas.

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* The use of less-lethal weapons, including tear gas and baton, while less dangerous than more lethal alternatives, such as firearms, may nevertheless result in injuries and fatalities, especially when used improperly. See Office of the United Nations Office of the High Commissioner for Human Rights, "Guidance on Less-Lethal Weapons in Law Enforcement," 2020, https://www.ohchr.org/Documents/HRBodies/CCPR/LLW_Guidance.pdf.



“Scholars have lost their careers, their livelihoods, and their ability to start over elsewhere — a condition widely recognized as ‘civil death.’”

Since 2016, many thousands of personnel from Turkish higher education institutions, including Istanbul University (featured here), have been arrested, prosecuted, fired from their positions, and barred from leaving the country. State authorities have targeted signatories to a “Peace Petition” and university personnel who they claimed were members of or propaganized on behalf of terrorist organizations.

Photo: Rugged Studio / Shutterstock.com

PARTNER PERSPECTIVE

The University under Siege: Turkey’s Academic Community in Paralysis

Following a four-year crackdown and a massive purge of scholars, Turkey’s academic community is now severely paralyzed, while thousands of dismissed academics still await justice, facing lengthy delays in appealing their dismissals and unable to work in academia.

As readers of *Free to Think* might well remember, the crackdown began dramatically in January 2016 with the case of Academics for Peace.¹ Publicly denouncing the gross human rights violations committed by Turkish security forces against civilians in the embattled Kurdish regions of Turkey, Academics for Peace released a petition (known as the “Peace Petition”) urging the state authorities to resume peace negotiations. In a chilling response, prompted by President Recep Tayyip Erdoğan in particular, state and higher education authorities retaliated against more than 2,200 scholars who had endorsed the Peace Petition by launching administrative and criminal investigations, issuing suspensions, and firing and blacklisting academics.²

Following the failed military coup on July 15, 2016, the government declared a State of Emergency, which lasted for two years. From July 2016 to July 2018, Turkey’s higher education system hit a new low.³ A total of 6,081 academics, including 406 signatories of the Peace Petition, were dismissed through emergency decrees based on arbitrary accusations of “affiliations with a terrorist organization,” which were not substantiated before a court of law. Banned from academic employment and civil service for life, and with their passports confiscated by decree, these scholars have lost their careers, their livelihoods, and their ability to start over elsewhere—a condition widely recognized as “civil death.”

During the State of Emergency, moreover, a number of crucial changes to the Higher Education Law dismantled all mechanisms of institutional mediation in the nominations and elections of university rectors, thereby making President Erdoğan the sole arbiter of university leadership. Rectors directly appointed by President Erdoğan often play a repressive role, stifling student dissent and critical scholarship. Self-censorship among academics has reached an alarming level, as discussed here.

HUMAN RIGHTS FOUNDATION OF TURKEY | Established in 1990, HRFT is a non-governmental and nonprofit organization providing treatment and rehabilitation services for torture survivors and documenting human rights violations in Turkey. Following the academic crackdown, HRFT initiated a specific program, “Supporting academics as human rights actors in a challenging context,” with financial support from the European Commission.

Scholars at Risk is grateful to the HRFT for contributing a Partner Perspective on ongoing restrictions on academic freedom in Turkey. Learn more about HRFT at <https://en.tihv.org.tr/>.



Ongoing injustice for dismissed academics

As crucially noted by the Venice Commission of the Council of Europe, the emergency measures of the Turkish government, including mass firings without due process, were implemented in such a way that “those measures may affect a large number of innocent people and organizations which have nothing to do with the conspiracy.”⁴ Yet, public employees dismissed by emergency decrees cannot bring their grievances directly to a court of law. They must first apply to the State of Emergency Appeals Commission for a reassessment and may seek review through administrative courts only if the Commission rejects their application.

Since its inception in 2017, the Commission has been sharply criticized for bias and for its lack of transparency. The fact that it is an administrative organ appointed by the same executive responsible for dismissals creates an inherent conflict of interest. Moreover, the procedure before the Commission gives rise to grave due process concerns: applicants are not even allowed to “see any allegations/evidence against them in advance of their application,”⁵ raising justified concern about its apparent functioning as a stalling mechanism.

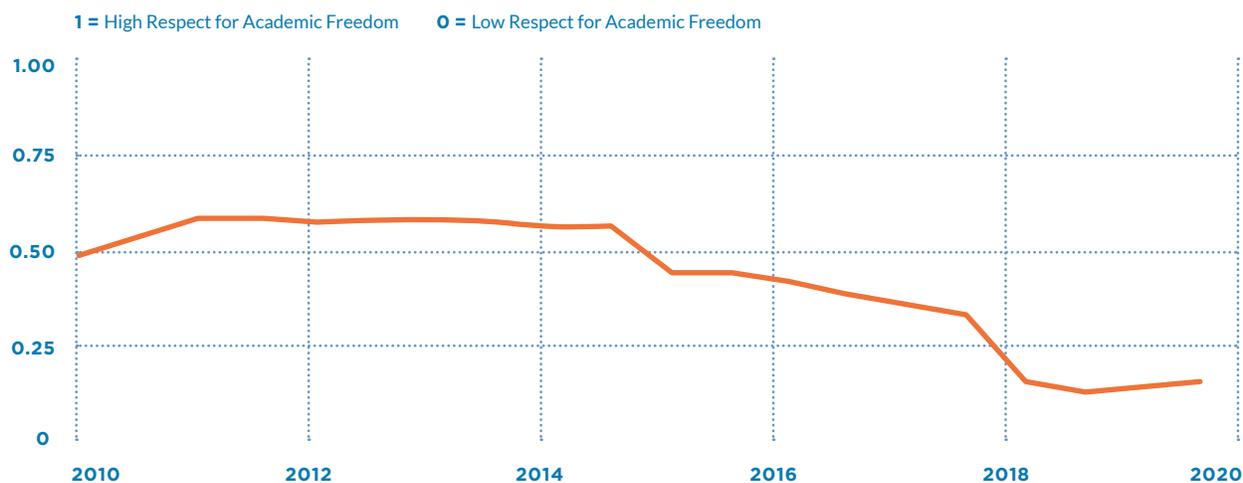
As of July 2020, the Commission had received a total of 126,300 appeals; of those, it had issued decisions in 108,200 cases, with 11.3% of cases approved and 88.7% rejected.⁶ It is unclear how academics’ cases fared, but given the significantly low rate of approval, there is no reason to be optimistic for Turkey’s dismissed academics.

Notably, the appeals by Academics for Peace are among the cases “not yet concluded” by the Commission, despite the Constitutional Court’s ruling in July 2019 that endorsement of the Peace Petition was strictly under the protection of freedom of speech.⁷

Not only dismissed but also “stigmatized”: life under civil death

The Human Rights Foundation of Turkey conducted extensive fieldwork on Turkey’s dismissed academics in 2018-2019.⁸ Our findings suggest that dismissal by an emergency decree is much more than a job loss. It is an act of social and political stigmatization, which deprives individuals of a basic sense of personal safety and undermines their agency in myriad ways, leaving deep scars in their life stories.

ACADEMIC FREEDOM INDEX: TURKEY



Turkey’s national level of respect for academic freedom has dropped steeply since 2014 following sweeping attacks on scholars and students ordered by President Recep Tayyip Erdoğan’s government. Learn more about the Academic Freedom Index in *Free Universities: Putting the Academic Freedom Index Into Action*, available at: <https://www.gppi.net/2020/03/26/free-universities>.

Feelings of permanent threat and psychological preparation for the worst are very common among dismissed academics. An overwhelming majority of them do not feel safe in Turkey (97%), and believe that, even if reinstated to their academic positions by the Commission, they will be exposed to further intimidation at the university setting (93%)—a justified concern given the current repressive climate at Turkish universities, as discussed below.

Banned from civil service and academic employment for life, dismissed academics cope with immense difficulties in their daily lives. They work all sorts of jobs (mostly part-time and piecework) often with no relation to their academic expertise and for which they are vastly overqualified. Many of them have been denied a job at least once after employers reviewed social security records reflecting their dismissal by emergency decree (60%). Apparently, employers fear facing pressure themselves if they were to hire a dismissed person. The “stigma” is thus real and visible.

The rate of mental and emotional disorders among dismissed academics is much higher than that of the same age groups within the general population. It even approximates the rate of similar disorders among victims of torture. Of those who consulted

with a medical institution, many were diagnosed with depression (47%), anxiety disorder (31%), and post-traumatic stress disorder (21%).

Fear and self-censorship on campuses

To get a full sense of the chilling effects of the academic purge, it would be useful to take a look at the campuses and the situation of academics who were *not* dismissed. Are they able to continue academic business as usual?

The short answer is no. Recent research by Taştan & Ördök (2020) on the effects of the State of Emergency on academic freedom at Turkish universities reveals that fear and self-censorship are very common among professors and graduate students.⁹

According to a key finding in the research, half of the academics report that they, too, had fears of being dismissed through an emergency decree (49%). One is tempted to recall what Robert Maynard Hutchins, the former president of the University of Chicago, said during the McCarthy era: “The question is not how many professors have been fired for their beliefs, but how many think they *might* be. The entire teaching profession is intimidated.”¹⁰ The same holds true for Turkey’s academic community today.

# OF DISMISSED ACADEMICS BY TITLE	
Specialist	88
Instructor	194
Lecturer	662
Professor	820
Associate Professor	967
Research Assistant	1,671
Assistant Professor	1,679
TOTAL	6,081

Source: HRFT

# OF DISMISSED ACADEMICS BY FIELD	
Applied Sciences	3,067
Social Sciences & Humanities	2,493
Basic Sciences	342
Art & Sports	81
Unspecified	98
TOTAL	6,081

Source: HRFT

A clear majority of academics “do not feel free” to share expert knowledge and opinion in their publications (54%) and academic events (57%). Approximately one-third of the participants admit that they impose self-censorship to avoid “sensitive issues” such as the Kurdish question, Armenian genocide, and LGBTQ+ rights in the classroom (34%), in academic publications (31%), and in professional gatherings (32%). And most of them are worried about retribution for their social media posts criticizing the government and its policies (84%).

Intimidation consolidated

The crucial point supported by the foregoing research findings is clear: Turkey’s academic community is now severely paralyzed, which inevitably raises concerns about the future of higher education in Turkey. The sense of trust among academics, as well as between professors and students, seems to have seriously eroded under political pressure. Fearing that their research and teaching are subject to surveillance by their colleagues and students, academics conform to an ever-expanding culture of docility and avoid critical engagement with issues of social and political relevance. While the number of documented human rights violations suffered by Turkey’s scholars has apparently decreased since the State of Emergency was lifted, this should not be understood as a sign of rehabilitation, but rather as one of consolidated intimidation. The more academics avoid critical discourse, the less likely they are to face repression.

Rectors contribute to this state of intimidation. Rectors’ repression of critical discourse and inquiry is a common phenomenon in Turkey. Since the beginning of the State of Emergency, rectors, who are now directly appointed (and can be discharged at will) by President Erdoğan, have become more systematic and aggressive, taking it upon themselves to retaliate against criticism, sometimes scandalously. In one striking example, university rectors and senates released bitter public statements denouncing the Constitutional Court of Turkey for its July 2019 ruling that the Peace Petition was a legitimate exercise of freedom of speech.¹¹

Recent amendments to the Higher Education Law in April 2020 make it clear that Turkish authorities have no intention of restoring even the minimal conditions required of academic freedom, including extramural speech.¹² Quite to the contrary, through a set of ill-defined disciplinary clauses that contain deliberately vague phrases such as “attitudes contrary to public morality” or “supporting activities that qualify as terror,” the new legislation provides

university administrators with an expanded toolbox for criminalizing dissent. The sense in which Turkish universities are “autonomous” today has more to do with the choice of repressive instruments against critical speech rather than collegial self-governance in service of academic freedom.

One case recently reported to HRFT raises further concerns about the extent of official censorship of academic research and discourse in Turkey. Gullistan Yarkin, a Kurdish citizen of Turkey who completed her PhD in Sociology at the State University of New York at Binghamton (SUNY Binghamton), has been recently denied the recognition of her doctoral degree by Turkey’s Interuniversity Board, which holds the exclusive authority to grant equivalency certificates to doctoral degrees earned abroad. According to the opinion of the Board, dated September 23, 2020, Dr. Yarkin’s dissertation does not qualify for recognition in Turkey because it violates Turkish law, and in particular the country’s anti-terror law, by approaching the Kurdish question as an instance of colonialism and featuring Kurds as a colonized people. The Board based its decision on a number of phrases from Dr. Yarkin’s dissertation, including, among others, “modern Turkish colonialism,” “atrocities and massacre against non-Muslims,” and “Armenian Genocide.” The basis of the Board’s decision makes it clear that such expressions and related academic approaches are banned in Turkey’s state-controlled academic discourse.

Advocacy through partnership

Meanwhile, the “solidarity academies” created by dismissed scholars in various provinces of Turkey constitute an alternative, “grassroots” venue of free research and learning. Vibrant initiatives embedded in civil society, they host seminars and workshops, addressing a broad variety of topics. As such, they offer a much-needed space for critical exchange between dismissed academics, students and civil society actors. We urge the global academic community to establish one-to-one partnerships with these emerging initiatives.¹³

To that end, academic institutions all over the world should consider, among other courses of action:

- developing joint research and teaching programs with Turkey’s solidarity academies;
- providing online teaching opportunities for dismissed scholars who continue to reside in Turkey;

- creating honorary affiliations for a limited number of dismissed scholars and granting them access to online scientific resources; and
- providing academic mentorship and free access to online language courses to support graduate students directly affected by the academic crackdown in Turkey.

Following a five-year crackdown, academic freedom and freedom of expression in Turkey are today severely damaged. Scholars who were unduly dismissed during the State of Emergency still await justice, apparently in vain, while fear and self-censorship are pervasive on campuses.

The global academic community and higher education leaders around the world are urged to publicly express on all possible platforms their concerns about academic freedom in Turkey, convey their criticisms to Turkey's Higher Education Council (YÖK), and uncompromisingly insist on academic freedom as a condition of their partnership with Turkish institutions.

9. İnvan Özdemir Taştan and Aydın Ördök, *A Report on Academic Freedoms in Turkey in the Period of the State of Emergency*, trans. Fahri Öz (April 2020), <https://insanhaklariokulu.org/a-report-on-academic-freedoms-in-turkey-in-the-period-of-the-state-of-emergency/#page-content>.
10. Quoted by Jonathan R. Cole, "Academic Freedom as an Indicator of a Liberal Democracy," *Globalizations*, Vol. 14, No. 6 (2017), p. 864.
11. Mehmet Uğur, "Legal vindication does not end the problems for Turkey's Academics for Peace," *Times Higher Education*, August 13, 2019, <https://www.timeshighereducation.com/opinion/legal-vindication-does-not-end-problems-turkeys-academics-peace>.
12. Law no. 7243, date April 15, 2020. For a clear statement of various concerns regarding this legislation, see the Middle East Studies Association's (MESA) letter to President Erdoğan concerning "Recent amendments made to Turkey's Higher Education Law," June 8, 2020, <https://mesana.org/advocacy/committee-on-academic-freedom/2020/06/08/recent-amendments-made-to-turkeys-higher-education-law>.
13. A list of these alternative venues is available in HRFT's April 2019 newsletter: <https://www.tihvakademi.org/wp-content/uploads/2019/04/BULTEN04.2019ENG.pdf>.

ENDNOTES

1. See *Scholars at Risk, Free to Think* (2016), pp. 9-12; (2017), pp. 12-19; (2018), pp. 28-34; (2019) pp. 25-30, all available at <https://www.scholarsatrisk.org/tag/free-to-think/>.
2. HRFT, *Academics for Peace: A Brief History* (March 2019), <https://www.tihvakademi.org/wp-content/uploads/2019/03/AcademicsforPeace-ABriefHistory.pdf>.
3. HRFT, *Üniversitenin Olağanüstü Hali [State of Emergency at the University]* (November 2019), <https://tihvakademi.org/wp-content/uploads/2020/02/universiteninolanaganustuhaliy.pdf>.
4. European Commission for Democracy through Law (Venice Commission), "Opinion on Emergency Decree Laws Nos. 667-676 Adopted Following the Failed Coup of 15 July 2016" (December 2016), §§ 91-94, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2016\)037-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2016)037-e).
5. Amnesty International, *Purged beyond Return? No Remedy for Turkey's Dismissed Public Sector Workers* (October 2018), p. 5: <https://www.amnesty.org/download/Documents/EUR4492102018ENGLISH.PDF>.
6. The official website of the Commission: <https://ohalkomisyonu.tccb.gov.tr/> (last accessed July 3, 2020).
7. The ruling of the Constitutional Court, dated July 26, 2019, can be found at <https://kararlarbilgibankasi.anayasa.gov.tr/BB/2018/17635>.
8. HRFT, *Academic Purge in Turkey: Human Rights Violations, Losses, and Empowerment* (November 2019). While the full report is in Turkish, the executive summary in English is available at https://tihvakademi.org/wp-content/uploads/2020/02/Academic_Purge_in_Turkey_Executive_Summary.pdf. Note: The research is based on 244 face-to-face surveys with dismissed

A Turkish Airlines airplane is captured in flight, positioned horizontally across the middle of the frame. The aircraft is white with a prominent red tail fin featuring the airline's logo. The words "TURKISH AIRLINES" are visible on the fuselage. Below the plane, a multi-lane highway curves into the distance, lined with a series of tall, curved streetlights that create a rhythmic pattern against the twilight sky. The overall scene is set during the "blue hour" of dusk, with a soft, dim light. The text is overlaid in the center of the image, partially obscuring the plane and the highway.

“Restrictions on academic travel [. . .] repress and often penalize the international exchange of ideas that is a hallmark of modern academia.”

Every year, scholars and students are denied freedom of movement in connection with their academic activity. Turkey, for example, continues to restrict the outbound travel of large numbers of scholars for expression and alleged associations disfavored by the government.

Photo: Mohamed Shaffaf / Unsplash.com

Restrictions on Scholar and Student Travel

International and intrastate mobility are cornerstones of today's academia. Freedom of movement is fundamental to quality higher education, advancing the exchange of new ideas and bolstering international academic collaborations to address the world's problems. Scholars' international fieldwork and conference participation, students' participation in study abroad programs, and the short- or long-term appointment of international professors are all foundational elements of a functioning global higher education community. System-wide disruptions to international academic exchange brought on by the COVID-19 pandemic have underscored the importance of freedom of movement to modern higher education.

Scholar and student mobility, however, is routinely under threat by state actors seeking to limit the flow of knowledge and ideas. Visas are cancelled or denied outright, students and scholars are denied entry and deported, and governments enact policies that seek to or unintentionally limit or frustrate academic travel.

To be clear, states have the right to control entry into their territories; however, they must do so consistent with their obligations under domestic and

international law. Restrictions on travel intended to limit particular academic content or conduct, or that of particular scholars or students, may violate academic freedom, freedom of expression, and other internationally recognized freedoms. Indeed, Article 19 of the International Covenant on Civil and Political Rights (ICCPR) speaks directly to this issue, providing that the right to freedom of expression “shall include [the] freedom to seek, receive, and impart information and ideas of all kinds, *regardless of frontiers...*” (emphasis added).

Thus, while states may restrict travel to protect national security and public health, and to support other legitimate state interests, policy-level decisions intended to restrict or frustrate access to higher education, or that have a disproportionate impact on higher education, may violate state obligations to protect the right to education and freedom of expression. Likewise, policies or restrictions aimed at retaliating against or preventing academic inquiry or expression may violate academic freedom.

This chapter examines particular incidents of scholars and students being subjected to travel restrictions, broad restrictions on academic travel by governments in Israel, Turkey, and the United States, and the impact of the COVID-19 pandemic on scholarly travel around the globe.

Targeted restrictions

Over this reporting period, SAR continued to report incidents of states denying entry and exit or issuing deportation orders to scholars and students.^{*} In most incidents reported over the past year, scholars and

* It bears mentioning here that travel restrictions often go unreported. Scholars and students may decline to publicly report their experiences out of fear or retribution, including further restrictions on movement. Limited public sources may further complicate corroboration efforts, leaving some incidents unverified.

students were either conducting academic work on protest movements or allegedly participating in protest-related activities.

SAR reported two incidents in **Hong Kong** involving authorities refusing entry to international scholars. On September 28, 2019, amidst months of intense protests against Beijing's growing influence over the Special Administrative Region,^{*} Hong Kong border authorities barred entry to American political scientist Dan Garrett (*AFMI 990*). Garrett has previously written on protest movements in Hong Kong and was seeking to enter the region to conduct work on related projects. After four hours of questioning at the airport, Garrett was given vague explanations and told by border officials that the decision to deny him entry was the purview of Hong Kong's Immigration Department alone, claiming they were not required to provide an explanation.

Months later, on January 2, Hong Kong border authorities refused to permit entry to Matthew Connors, a professor of photography at the US-based Massachusetts College of Art and Design (*AFMI 1071*). Connors, like Garrett, has also covered Hong Kong's protest movements. He, reportedly, was not provided a specific reason for being denied entry.

In **Russia**, on November 27, border officials denied entry to French sociologist Carine Clément, who was scheduled to participate in an academic conference on protest movements (*AFMI 1044*). Upon her arrival in Moscow, border officials took Clément aside and informed her that she was banned from entering Russia for ten years under a Russian federal law that permits the state to restrict entry "in order to ensure the defense or security of the state." Border officials did not provide further information about the ban. Clément, who spent years living in Russia and previously worked for the Institute of Sociology at the Russian Academy of Sciences, was due to speak at the conference about the *Gilets Jaunes* ("Yellow Vests"), an economic justice protest movement, which was sparked by rising fuel prices in October 2018.

In **Venezuela**, on December 9, the Supreme Court of Justice ordered travel restrictions, among other sanctions, against University of Central Venezuela (UVC) professors Manuel Rachadell Sánchez and Miguel Eduardo Albuja following their appointment to the National Council of Universities (*AFMI 1052*). Amid a struggle for administrative control over Venezuela's autonomous universities, the country's

National Assembly—controlled by opposition parties—appointed Rachadell and Albuja on the basis of their demonstrated concern for the future of Venezuela's universities. On December 9, the Constitutional Chamber of the Supreme Court of Justice (controlled by the ruling party) annulled the appointments for "colliding with the Constitution," claiming that the National Assembly was in contempt, and that its actions had no legal effect. In addition to the annulment, the Constitutional Chamber issued sanctions against Rachadell and Albuja, including a travel ban, a freeze on their bank accounts, and a ban prohibiting them from selling property and other assets. The court also ordered criminal investigations against the scholars.

Between December 2019 and February 2020, at least three international students studying in **India** were targeted with deportation orders in connection with protests against a controversial immigration law known as the Citizenship Amendment Act (CAA).[†] Enacted on December 12, 2019, the CAA discriminates against Muslim migrants by excluding them from a pathway to citizenship established by the same law, violating the secular nature of India's constitution. Students at some of India's top universities organized near-daily protests, to which state authorities frequently responded with arrests and the use of violent force. Over the course of the protest movement, Indian state authorities accused three students—Jakob Lindenthal, a German student of physics at the Indian Institute of Technology Madras; Afsara Anika Meem, a Bangladeshi student of design at Visva Bharati University; and Kamil Siedcynski, a Polish student of comparative literature at Jadavpur University—of violating the terms of their visas by participating in protests against the CAA or commenting on them over social media (*AFMI 1067, 1120, and 1128*, respectively). Siedcynski successfully appealed the deportation order; however, Lindenthal returned to Germany where India's embassy informed him that his student visa had been revoked. As of this writing, there are no public reports indicating that authorities deported Meem.

SAR recognizes that the actual number of travel restrictions is likely much higher than what is reported here. This is due in part to the challenges in proving a nexus to academic activity. In many cases, scholars and students simply fear additional retribution and are thus inclined to refrain from publicly discussing their experiences with travel restrictions. Nevertheless,

^{*} See p. 87 for discussion of student protests in Hong Kong.

[†] See "India's Clampdown on Dissent," starting on p. 49.

even isolated, known efforts to restrict scholar and student travel are likely to chill the academic activity or expression of colleagues, who fear being barred entry or exit in connection with their work.

Broad pressures on academic travel

This year, governments in Israel, Turkey, and the United States restricted the travel of large numbers of scholars and students through both new and old policies and practices. These included the use of emergency decrees, intrastate checkpoints, changes to visa policies, and opaque travel regulations that constrict mobility within and across higher education communities and place devastating limits on academic inquiry, learning, and exchange for scholars and students around the world.

Israel

Israeli authorities continue to impose restrictions on scholars and students attempting to enter, exit, or remain in the Occupied Palestinian Territories (OPT). These include longstanding restrictions such as checkpoints and travel permits required of Palestinians, as well as heightened pressures that directly impact the global academic community.

As reported in *Free to Think 2019*, Israeli authorities continued to obstruct the travel of international scholars to the West Bank. Many of these scholars—who, like other foreign passport holders, are eligible only for temporary visitor visas—have had visa renewal requests denied, despite holding long-term university appointments and not posing a credible security risk. Other scholars have been burdened by severe administrative hurdles, including fluctuating visa documentation requirements; arbitrarily shortened visa periods; restrictions on movement within the West Bank; demands for financial bonds of up to 80,000 NIS (roughly USD \$23,000); and a lack of transparency regarding the application of visa-related rules.

The opaque and costly process imposed by Israeli authorities has prevented international scholars from taking up or resuming appointments at universities in the West Bank. Birzeit University, for example, reported that, by the start of the 2019-2020 academic year, a third of their international faculty were missing from campus due to visa-related difficulties.¹ Sixty percent of the international faculty who were on the Birzeit campus at the time held lapsed or short-term visas that were due to expire by the end of the fall, according to a university statement. One Birzeit faculty member told SAR that, for many students and

faculty, such pressures and restrictions severely limit their ability to exchange ideas with members of the international academic community and, consequently, to improve the quality of their teaching and research.²

Attention to international scholars' access to the OPT warrants discussion of decades' long restrictions on the mobility of Palestinian students and faculty in the West Bank, East Jerusalem, and Gaza. Checkpoints, roadblocks, the separation wall, and the opaque and lengthy processing of travel permits restrict Palestinians' travel within the OPT, into Israel, and abroad, constricting their ability to study, teach, research, and exchange ideas with colleagues within and outside the OPT.



TRAVEL RESTRICTIONS

During this reporting period, SAR issued seven reports of travel restrictions. Restrictions on travel or movement include improper travel restrictions on higher education leaders, academic and nonacademic staff, and higher education students. These include, but are not limited to, legal, administrative, or physical restrictions on travel within a state; restrictions on travel between states; arbitrary restrictions on a scholar or student's ability to obtain a visa, or other entry or exit documents; denial of future permissions for travel; and retaliation for attempting to travel or after return from travel. Travel restrictions may be imposed by government authorities of the scholar or student's home state, government authorities of the state to be visited, and/or higher education institutions, leadership, or professional associations.

In Gaza, Israeli authorities continue to maintain a blockade, established in 2007, that limits most Palestinians' travel in and out of the territory to medical emergencies and other narrow circumstances. The blockade is devastating for students from Gaza, effectively barring them from pursuing studies in the West Bank, where they once were able to freely enroll in universities.³ Scholars from Gaza are similarly restricted in their ability to teach, research, and engage with colleagues in the West Bank and beyond.

In the West Bank, Israeli authorities regulate entry and exit points, including checkpoints providing access

to annexed East Jerusalem. Long waits at permanent and temporary checkpoints and arbitrary denials for passage imposed by the IDF routinely impede daily academic commutes within the West Bank and those leading to East Jerusalem and Israel. These obstacles routinely burden scholars and students, and threaten to cancel their plans for international academic travel, including by obstructing visits to consular offices in Jerusalem. Further, scholars and students waiting at checkpoints are also subjected to arbitrary searches and may be detained for simply being members of the Palestinian higher education community. For example, on July 16, 2020, Israeli forces stationed at a checkpoint outside Jerusalem detained Imad Barghouthi, a renowned professor of theoretical space plasma physics at Al-Quds University (AFMI 1215). Barghouthi was returning from campus to his home in Ramallah when he was stopped at the checkpoint. As of this writing, Barghouthi remains in administrative detention after reportedly being charged with “incitement” in connection with alleged social media activity.

Beyond limiting personal mobility of scholars and students from the OPT, Israel’s border restrictions also impede the importation of equipment, books, and school materials that quality higher education requires.⁴ The aforementioned scholar from Birzeit University told SAR that faculty are compelled to request electronic copies of current academic publications from overseas colleagues.⁵ In other cases, they may need to book an appointment with their university library in order to obtain the same materials, using their institution’s limited number of online accounts for JSTOR and other digital libraries.

Travel restrictions limiting the flow of scholars, students, and academic materials in and out of the OPT constrict the meaningful exercise of the right to education and academic freedom. Moreover, such broad barriers to movement threaten the long-term development of quality higher education in the OPT and, by consequence, Palestinians’ scientific, social, and economic progress.

Turkey

In Turkey, many higher education personnel and civil servants remain unable to travel internationally after the government cancelled their passports for expressive activity and alleged affiliations with groups disfavored by the government.⁶

In July 2016, Turkish President Recep Tayyip Erdoğan declared a state of emergency following a violent coup attempt. Under the state of emergency, the government issued a series of decrees that, among other things, sanctioned more than 125,000 civil servants, including academics and other university personnel, accused of having affiliations with Fethullah Gülen, a Muslim cleric who the Turkish government claims coordinated the coup attempt. Among the dismissed were 406 signatories to the Academics for Peace petition, which condemned the Turkish government’s anti-terrorism policies in the predominantly Kurdish southeastern part of the country and urged state authorities to resume peace negotiations.

Faculty and other university personnel named in the decrees were dismissed from their positions, barred from future civil service posts, and put under an international travel ban; spouses of those individuals were also subject to a travel ban. By July 8, 2018, more than 7,500 university personnel had been sanctioned by the emergency decrees.

While the decrees only bar future employment within public higher education institutions, private institutions, generally speaking, will not consider applicants named in the decrees. Being named in the decrees has effectively amounted to blacklisting within much of Turkish society.⁷ Indeed, one Turkish scholar dismissed by decree told SAR that participation in academic conferences in Turkey was generally off-limits due to the stigma surrounding the decrees.⁷ Unable to obtain academic employment in Turkey or abroad, scholars and others targeted by the decrees have often and collectively described being subjected to a “civil death.” The aforementioned scholar reported having to pursue odd jobs in copyediting and translation over the last four years in order to live.⁸

In October 2019, a law was passed that would allow dismissed scholars (and other civil servants) to apply for new passports. However, the law stipulated conditions for potential applicants: they must not have been convicted in connection with a case related to the basis of their dismissal or, if convicted, their sentence must have been executed or fully postponed; and they cannot be the subject of an ongoing administrative or criminal investigation in connection with the basis of their dismissal.⁹ As of this report, it is unclear how many dismissed academics have successfully appealed and are eligible for new

* For more discussion of the decrees and their impact on Turkey’s higher education community, see “The University under Siege: Turkey’s Academic Community in Paralysis,” starting on p. 69.

passports. Scholars may be acquitted of one charge (e.g., membership with a Gülen-affiliated organization) only to be charged with another (e.g., membership in a terrorist organization), thus making them ineligible for a new passport. Those eligible may also face a lengthy, opaque process applying to Turkey's Passport Commission, which may base their decision on the advice of prosecutors, police, and the university from which they were dismissed. The law and the practices ostensibly aimed at returning freedom of movement to those sanctioned by decree have been described by one scholar as a prime example of "dictator benevolence."¹⁰

United States

Heightened restrictions on international scholar and student travel to the US raised serious concerns that further put into question the country's long-standing status as global convener of academic exchange.

In January 2020, President Donald Trump expanded a January 2017 executive order restricting travel from Iran, Libya, North Korea, Somalia, Syria, Venezuela, and Yemen, by adding six more countries to the list: Eritrea, Kyrgyzstan, Myanmar, Nigeria, Sudan, and Tanzania. During the 2018-2019 academic year, the six countries that were added to the ban in February collectively sent more than seventeen thousand students and scholars to the US, according to data collected by the Institute of International Education.¹¹

The executive order, commonly referred to as the "Muslim Ban," has faced widespread condemnation and multiple legal challenges on grounds that it discriminates against Muslims and does little to address national security concerns, the purported intent of the Trump administration. Higher education and scientific associations have further criticized the order for the constraints it puts on international scholars, scientists, and students. For example, the executive order restricts scholars of the designated countries from traveling to the US to attend international conferences and workshops or taking up faculty positions.¹² For junior scholars, whose participation at conferences is especially important for career advancement, the ban is especially punitive. Beyond its direct effects on scholars and students from the designated countries, the order threatens to decrease diversity among faculty and student bodies, limit opportunities for scholars and students in the US to learn from international counterparts, and decrease the attractiveness of US higher education institutions as spaces of open and diverse intellectual and cultural exchange.

In addition to the ongoing impact of the executive order, US authorities reportedly exercised heightened restrictions on the inbound travel of students from Iran. Some Iranian students who were granted visas despite lengthy and costly processes were informed at airports that their visas had been cancelled and that they would be deported back to Iran. At the time of the denials, military tensions between the two countries were rapidly escalating in the Middle East and Persian Gulf. As of February 2020, *Al Jazeera* reported that at least 17 Iranian students had been deported upon arrival to the US since August 2019.¹³

According to one report by the *Los Angeles Times*, a 29-year-old graduate student named Amin was deported at an airport in Boston after immigration officials pulled him aside, searched his computer and phone, and asked him a number of questions, including about photos of him wearing a military uniform (from his days in compulsory military service).¹⁴ Amin had reportedly spent eight months securing a visa on top of two years working to apply for graduate studies in the US. According to the *Times*, Amin was denied a second request for a visa.

In late May 2020, the Trump administration announced plans to cancel the visas of Chinese students in unspecified "sensitive" fields who have ties to Chinese universities that are affiliated with the People's Liberation Army (PLA) and support China's "military-civil fusion strategy."¹⁵ The government purported that this would help tackle the theft of sensitive research produced in the US. The State Department would later confirm that the visas of more than one thousand Chinese students and scholars were cancelled as part of these efforts.¹⁶

And by July, the Trump administration was reportedly considering a ban on Chinese Communist Party (CCP) members and their families entering the US.¹⁷ Almost three million Chinese citizens visited the US in 2018, although it is not clear how many have CCP members in their family. If moved forward, the ban could directly implicate hundreds of thousands, possibly millions, of Chinese nationals seeking to visit the US each year for business, tourism, or education.

States everywhere must refrain from overly broad measures that restrict the academic travel of entire classes of scholars and students. Politically motivated efforts to restrict academic travel are especially harmful to international education and the free exchange of ideas. States should instead endeavor to promote cross-border academic collaboration and dialogue.

Global COVID-19 travel restrictions

Although discussed at greater length in an earlier chapter,⁶ the global coronavirus (COVID-19) pandemic and its impact on the ability of scholars and students to engage in international academic travel warrants discussion here, especially given its wide-ranging and potentially long-term impact.

As COVID-19 rapidly spread in early 2020, governments around the world began enacting strict restrictions on in-bound travel, often limiting entry to citizens and permanent residents and requiring self-quarantine upon arrival. Meanwhile, most higher education institutions suspended on-campus activities, transitioning to virtual learning, and in many cases called on scholars and students abroad to return home.

Orders to halt travel and shelter in place, while necessary to control the spread of COVID-19, resulted in systemwide disruptions to research, teaching, conferences, and other academic activities that benefit from, if not depend on, freedom of movement. At the same time, the virtual spaces have presented unique opportunities for international academic and scientific exchange. Indeed, higher education communities have been inventive in their efforts to bring scholars and students together online through virtual conferences, workshops, and dialogues. In some cases, such efforts have brought together scholars and students online who would have otherwise been unable to participate due to time required for travel, financial costs, or politically motivated restrictions on their freedom of movement. It bears mentioning, however, that such online opportunities may not be advisable for scholars living under governments that routinely monitor online activity. Higher education faculty and administrators should take all available steps to maximize the security of videoconferencing platforms and to ensure that members of their community understand the necessary protocols for safe use of the same.

As the threat from the virus recedes, state and higher education leaders, in consultation with public health experts, should promote and strengthen policies and practices that enhance international academic and scientific exchange. Failing to maximize such exchanges will limit our collective ability to respond to public health emergencies and offer everyone the benefits of research and dialogue.

Society's movement forward requires the free movement of scholars, students, and their ideas. Restrictions on academic travel—whether they involve interstate or intrastate travel, denial of exit or entry, or policies that limit the movement of entire classes of higher education personnel—repress and often penalize the international exchange of ideas that is a hallmark of modern academia.

SAR calls upon state and international authorities to adopt and respect policies that fully protect the right to academic travel, including the “freedom to seek, receive and impart information and ideas of all kinds, *regardless of frontiers.*”¹⁸ State authorities should not deny scholars and students entry or exit visas, cancel their passports, force their return to their home countries, or otherwise attempt to impede or interfere with academic expression or conduct.

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“Without the urging of local and international higher education leaders, [...] the status and ambitions of China and Hong Kong’s higher education communities will be severely hindered.”

On November 17, 2019, police fired tear gas and sponge grenades while surrounding the Hong Kong Polytechnic University. Pro-democracy demonstrators sought refuge on campus as clashes with police intensified.

Photo: Vernon Yuen / NurPhoto via Getty Images

Academic Freedom Repression Under China's Central Government

In mainland China and the Hong Kong Special Administrative Region (HKSAR), scholars and students continue to suffer targeted and broad-based attacks on academic freedom, institutional autonomy, and other conditions needed for quality higher education.

State authorities in mainland China arrested outspoken scholars, with a particular focus on academics critical of the Central Government and its response to the COVID-19 pandemic. Scholars suffered retaliation by their universities, including dismissal, for related expression. As reported in previous editions of *Free to Think*, scholars and students in China's Xinjiang Uyghur Autonomous Region remain missing, with many suspected of being held in so-called "reeducation facilities."

In Hong Kong, state security forces clashed intensely with students protesting the government of Chief Executive Carrie Lam, who for months sought to advance a controversial extradition bill. Thousands of protesters would face arrest after days of defending themselves from assault by police. By July 2020, Hong Kong entered a new era with the imposition of sweeping national security legislation and the removal of two prominent scholar-activists from their university posts.

The events of the past reporting period recall and mark a continuation of threats to academic freedom SAR has documented at length.^{*} Without the urging of local and international higher education leaders, and a demonstrated commitment by the Central and HKSAR governments to adhere to national and international human rights standards, including especially a commitment to protect and promote academic freedom, the status and ambitions of China and Hong Kong's higher education communities will be severely hindered.

Mainland China

As reported in *Free to Think 2019*,¹ state authorities in mainland China arrested, prosecuted, and took other coercive actions against scholars. These include scholars who have conducted research on topics that may be considered sensitive by the Central Government, as well as members of the higher education community who expressed views objectionable or contrary to those of the Party-state.

SAR understands that restrictions on press freedom in China and the risks associated with sharing one's experiences with repression limit the practicalities of collecting information on attacks on members of the higher education community. Nevertheless, the following incidents underscore the degree to which the space for creating, sharing, and questioning ideas in mainland China has narrowed.

^{*} *Obstacles to Excellence: Academic Freedom and China's Quest for World-Class Universities* (Scholars at Risk, 2019) maps diverse threats to academic freedom and institutional autonomy that undermine the development of quality higher education in China and the ability of the international community to engage with scholars and students in mainland China, Hong Kong, and Macau. To download the report, visit <https://www.scholarsatrisk.org/resources/obstacles-to-excellence-academic-freedom-chinas-quest-for-world-class-universities/>.

On September 8, 2019, Chinese authorities detained Nobu Iwatani, a Japanese professor of Chinese history from Japan's Hokkaido University, on suspicion of spying (AFMI 1011). Iwatani had travelled to China, at the invitation of the Chinese Academy of Social Sciences (CASS), a government-affiliated research institution. Iwatani's arrest was not reported until October 21. Details regarding the basis of his detention were largely unavailable until his release on November 15. China's Foreign Ministry reported that authorities had "seized materials related to Chinese state secrets" in the scholar's hotel room, and that the scholar had confessed to illegally collecting state secrets, expressed regret, and was granted bail. Authorities did not publicly state the contents of the alleged materials or whether they were classified. At least two media sources reported that the scholar was taken into custody for possession of a book containing documents relating to the Kuomintang (KMT), often translated as the "Chinese Nationalist Party," which was first established in mainland China in the early twentieth century and is currently headquartered in Taiwan. Nobu's research reportedly focuses on the KMT during the Second Sino-Japanese War.

On October 15, a second scholar was detained after travelling to China (AFMI 1007). Wang Zhan, a Chinese postdoctoral researcher at the Finnish Meteorological Institute, was detained upon his entry to China for a personal visit. Authorities reportedly took Wang into custody for "subversion of state power." Authorities have not publicly disclosed the evidentiary basis for his detention; however, sources suggest that Wang was targeted for online expression that allegedly included criticism of the Chinese Communist Party (CCP) and support for the independence of Manchuria, areas of Northeastern China that fell under various states' control during the first half of the twentieth century. If convicted for "subversion of state power," Wang could face up to ten years' imprisonment.

In late December, news broke of another overseas Chinese scholar's detention during a visit to China.^{*} Yuan Keqin, a Chinese professor of East Asian political history at Hokkaido University of Education (HUE),[†] traveled to China in late May 2019 to attend his mother's funeral. Days later, authorities arrested Yuan and his wife under unknown circumstances.

Authorities released her on the condition that she travel to Japan, retrieve his laptop and academic materials, and return to China with them. In a March 2020 press briefing, a spokesperson for China's Foreign Ministry stated that Yuan was "suspected of spying and has been investigated by China's national security authority in accordance with law." The spokesperson did not specify the basis of the espionage accusation, but reported that Yuan "made a full confession" and that his case was "transferred to the procuratorial authorities for investigation and prosecution." According to a scholar familiar with Yuan's situation, one lawyer described Yuan's case file as "beyond ridiculous," while another commented that it "contained no proof Yuan had deliberately committed espionage, but there were vague intimations that his 'words and actions' had possibly 'harmed the national interest.'"

By January 2020, China was beleaguered with the onset of a novel coronavirus, now known as COVID-19. The virus was first publicly reported in Hubei province and within months was being detected in countries around the world. In their efforts to control the spread of the virus and information regarding the same, Chinese authorities used arrests and intimidation tactics to silence whistle-blowers, journalists, scholars, and government critics.

Early victims of such tactics included ophthalmologist Li Wenliang, who warned colleagues of a number of novel coronavirus infections in late December 2019. On January 3, Li was summoned to a public security bureau and accused of "spreading rumors." Li would later die as a result of contracting COVID-19.

In the weeks and months after the onset of the COVID-19 outbreak, Chinese state and university authorities took a number of actions against scholars critical of the government's handling of the virus.

On January 31, 2020, Chinese authorities reportedly arrested Guo Quan,[‡] a former associate professor of literature at Nanjing Normal University and a prominent human rights activist, for "suspicion of inciting subversion of state power" (AFMI 1101). Police in Nanjing reportedly accused Guo of publishing hundreds of posts online about COVID-19.

^{*} See SAR Academic Freedom Monitoring Project (AFMP), <https://www.scholarsatrisk.org/report/2019-05-29-hokkaido-university-of-education/>, noting that news of this incident was not public or brought to SAR's attention until December 2019.

[†] HUE is not affiliated with the Hokkaido University mentioned in the incident involving Professor Nobu Iwatani.

[‡] Guo has been arrested twice before for his peaceful activism and expression. In 2008, authorities arrested and sentenced Guo to ten years imprisonment for "subversion of state power," in apparent connection with alleged writings that were critical of the government. In April 2019, roughly five months after finishing his prison sentence, authorities detained Guo for ten days for alleged social media activity, including his calling on the Chinese government to release information about a chemical explosion that left over seventy people dead. See SAR AFMP, <https://www.scholarsatrisk.org/report/2019-04-18-unaffiliated/>.

Just over a week after Guo's arrest, the CASS announced that they had dismissed Zhou Peiyi, a lecturer in the Department of Social Work, for a social media post criticizing China's political system amid the coronavirus outbreak (AFMI 1111). On February 6, Zhou, a registered social worker who had worked at the CASS since 2013, allegedly posted a comment to WeChat that was critical of the government and its response to the coronavirus. According to the CASS, a student had reported Zhou for "inappropriate speech." The next day, the CASS terminated Zhou's contract, claiming that she was a bad influence and violated Article 1 of the Ministry of Education's "Ten Guidelines for Professional Behaviour of University Teachers in the New Era."

Within one week, news broke of two more scholars arrested for their criticism of the Chinese government. On February 15, Chinese authorities detained prominent scholar-activist Xu Zhiyong (AFMI 1122). In December 2019, Xu attended a meeting with other lawyers and activists in the city of Xiamen to discuss human rights and political developments in China. More than ten of the meeting's participants were subsequently arrested or summoned for questioning, prompting Xu to go into hiding. On February 4, Xu published an essay calling for Chinese President Xi Jinping to resign and criticizing the government's response to COVID-19 and pro-democracy protests in Hong Kong, among other issues. Nine days later, authorities arrested Xu at a friend's home in the city of Guangzhou after tracking his location with the aid of facial recognition technology. Authorities temporarily detained the friend hosting Xu along with her husband and son. By March 7, Xu's friends told media outlets that he was being held in "residential surveillance at a designated location," which permits Chinese authorities to detain suspects and restrict their access to family and legal counsel for up to six months. On June 20, authorities reportedly told Xu's family that he was arrested on a charge of "inciting subversion against state power." If convicted, Xu could face up to 15 years in prison.

One day after Xu Zhiyong's arrest, media outlets announced news that authorities placed under house arrest Tsinghua University law professor Xu Zhangrun after he published an essay critical of the government's response to COVID-19 (AFMI 1123). Xu, a vocal critic of the CCP, stated in his essay titled, "When Fury Overcomes Fear" ("愤怒的人民已不再恐惧") that

the "systemic impotence" of President Xi Jinping's government is to blame for the "national calamity" of the coronavirus outbreak. The essay was reportedly taken down shortly after its publication. According to one of Xu's friends, two individuals were stationed in front of the scholar's house for several days and security officers entered his home and issued warnings to Xu. Starting on February 14, the IP address to Xu's house was blocked, cutting off his access to the internet. Xu's friends also reported that he was barred from social media.

On June 30, authorities reportedly released Xu from house arrest. However, days later, on July 6, as many as twenty police officers detained him a second time at his home in the Beijing suburbs (AFMI 1209). Police reportedly confiscated papers and Xu's computer during the operation. Police later told Xu's wife he was accused of soliciting sex work during a trip to Chengdu in December 2019. Police released Xu six days later, on July 12. Supporters of Xu contend that the sex work accusation was intended to stigmatize and punish Xu; Chinese authorities have previously used such accusations to tarnish the reputation of government critics. Xu denied the police accusations and hired legal counsel in an effort to overturn the charge.

Following his release, Xu announced that Tsinghua University fired him for "corrupted morals," referring to the sex work accusation and, apparently, his recent writings (AFMI 1212). Not long before the July 6 arrest, Xu had published a collection of ten articles critical of the CCP through a US-based publishing house.

On April 14, police formally arrested retired professor Chen Zhaozhi in retaliation for online expression regarding COVID-19 (AFMI 1163). Chen, a retired professor from the Beijing University of Science and Technology, commented in an online debate that the coronavirus should be referred to as a "Chinese Communist Party virus" rather than a Chinese virus. Police summoned Chen on March 10 and detained him the next day for "fabricating and deliberately disseminating fake information." It is unclear whether he was remanded in custody until his formal arrest on April 14, when police charged him with "picking quarrels and stirring up trouble" and detained him at Haidian Detention Center in Beijing. Chen reportedly told his lawyer during their first meeting on April 23 that police unsuccessfully tried to force him

* According to one translation of the "Ten Guidelines," Article 1 reads, "First, strengthen political orientation. We should adhere to the socialist ideology with Chinese characteristics in Xi Jinping's new era, support the leadership of the Communist Party of China and implement the Party's educational policy. We should not undermine the authority of the Party Central Committee and violate the Party's line, principles and policies in educational and teaching activities and other occasions." See http://www.shunmaixuexiao2014.com/eng/index.php?p=news_show&id=1045&c_id=54&lanmu=36.

to confess. Reports indicate that Chen previously suffered from a stroke and has had high blood pressure, raising concerns about his health in jail, particularly if he is infected with the coronavirus. He also reportedly suffers from Alzheimer's disease.

Constitutional law scholar Zhang Xuezhong was briefly detained one day after publishing an open letter that criticized China's National People's Congress (NPC) and the country's system of government more broadly (AFMI 1174). The open letter, published to WeChat and addressed to members of the NPC, questioned the legitimacy of the NPC, criticized the country's constitution, referring to it as a "pseudo-constitution," offered a number of reforms for the NPC to consider, and proposed a new draft constitution. Commenting on COVID-19, Zhang denounced the government for not being transparent, and for restricting and punishing medical experts who were sharing information about the virus. Zhang's letter reportedly went viral on Chinese social media. The next evening, police detained Zhang in front of his home in Shanghai and held him until the next day.

And on June 20, Liang Yanping, a scholar of literary criticism at Hubei University, was banned from teaching and supervising graduate students in apparent retaliation for social media activity (AFMI 1198). According to the *South China Morning Post*, Liang had been under investigation since April for publishing an article that supported Wang Fang (also known as "Fang Fang"), a writer who was the subject of intense public criticism for publishing an online diary about life in Wuhan during the COVID-19 pandemic. Internet users criticized Liang for the article and called attention to other posts she published or shared, including one that suggested support for pro-democracy protesters in Hong Kong.

The incidents described here depict a disturbing affront to China's scholars and their ability to comment on issues of the day, including especially through online channels. Concerns over the ability to exchange ideas in virtual environments were exacerbated in August 2020, when Peking University issued new regulations that require scholars and students to seek approval for participation in online conferences and webinars organized by foreign parties (including parties in Hong Kong, Macau, and Taiwan) at least 15 days in advance.² The regulations demand scholars and students to provide an invitation letter that clarifies the theme, discussion topics, and agenda of the event or meeting, and to "strictly abide by relevant provisions on keeping secrets." The new regulations are similar to Peking's existing

(and concerning) rules that govern overseas travel.³ Expanding the university's control over scholarly exchange in online settings—at a time when academic convenings are largely limited to virtual spaces—will likely cut off many in the Peking University community from participating in important opportunities for research and dialogue concerning timely topics, including how the world should respond to the COVID-19 pandemic. Replication of these regulations at other Chinese universities and continued targeting of outspoken scholars will only serve to damage China's aspirations for establishing a globally attractive higher education sector.

Missing and detained in China's Xinjiang Uyghur Autonomous Region

In *Free to Think 2018*, SAR reported on alarming developments in the Xinjiang Uyghur Autonomous Region (XUAR), where a growing number of scholars and students belonging to ethnic and religious minority communities were reported missing or having been detained at so-called "reeducation camps" since 2017. Little information is available regarding the status of many of the victims.

The detentions and disappearances of scholars and students in the XUAR apparently fit within a campaign by the Chinese government, purporting to address security and economic development objectives in the region. Human rights groups have reported that detainees are subjected to physical and psychological abuse, including beatings, solitary confinement, sterilization, and sexual harassment; they are also reportedly forced to recite CCP anthems, attend indoctrination classes, and consume pork and alcohol, in contravention of their religious beliefs.⁴ While an official accounting of detainees is unavailable, the UN Committee on the Elimination of Racial Discrimination cited in its August 2018 report estimates ranging from "tens of thousands to upwards of a million." According to data collected by the Australian Strategic Policy Institute (ASPI), as many as 380 reeducation camps and detention facilities were constructed in the XUAR between 2017 and July 2020, with at least 61 facilities having undergone construction since January 2020.⁵

Available information suggests that detainees were taken into custody based on their religious practices and other non-criminal activity, including, for example, having attended religious services, having a long beard, or having spoken with overseas family or friends.⁶ Some incidents involving scholars suggest that one's relationship with or views regarding the CCP have also served as the basis for detentions.⁷

Prominent scholars disappeared and suspected of being in state custody include, to name a few, Rahile Dawut, a world-renowned ethnographer and scholar of Uyghur studies at Xinjiang University (XJU) who disappeared in December 2017;⁸ Tashpolat Tiyip, the former president of XJU and a scholar of geography who was detained in March 2017, convicted of “separatism,” and issued a suspended death sentence following a “secret” trial;⁹ and Abdulqadir Jalaaluddin, a poet and professor of literature at Xinjiang Pedagogical University, who was arrested in a January 2018 raid on his home.¹⁰

As of this writing, there have been few public reports of missing scholars or students being released from state custody. In May 2020, it was reported that Gulgine Tashmemet, a Uyghur doctoral student in computer science who went missing in December 2017,¹¹ had made contact with her sister.¹² Her sister, who resides in Germany, told *Radio Free Asia* that Tashmemet was now staying with her parents, apparently living under state surveillance, and teaching English. In August 2020, news broke that Abdukerim Rahman, a former professor of literature at Xinjiang University who was detained in January 2018, had died at the age of 77.¹³ Rahman was

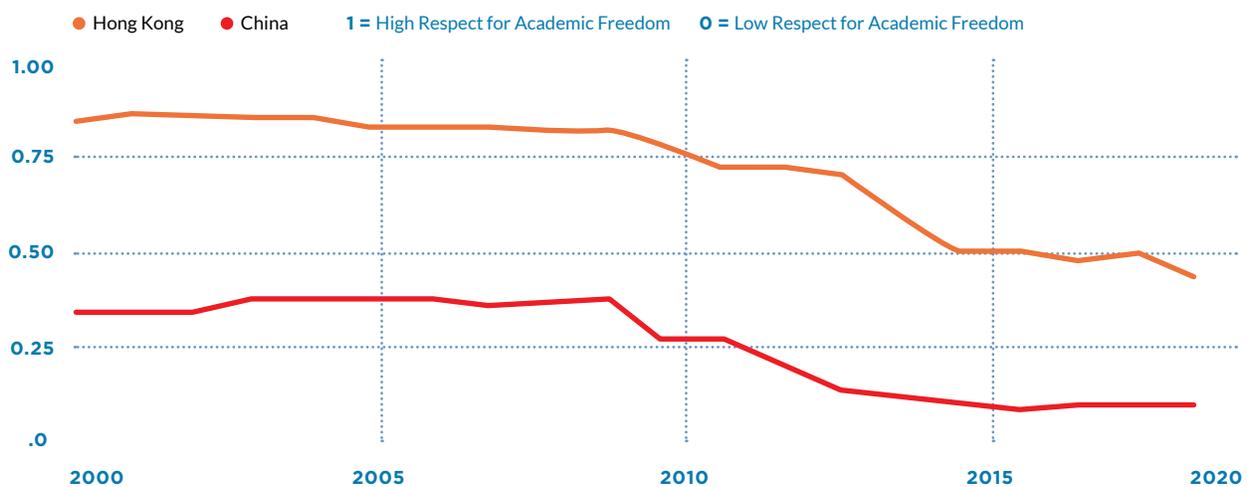
reportedly released after spending more than one year in a reeducation camp.

Reports of “reeducation” efforts and detentions targeting staggering numbers of ethnic and religious minorities in China are deeply distressing and demand condemnation and action by the international community. The use of such tactics against scholars and students for their writings, ideas, associations, or simply their identity as scholarly members of religious or ethnic minority communities raises serious concerns about the ability of intellectuals in China to conduct scholarship and exchange ideas safely and freely. Discrete measures as well as policies that silence and punish inquiry and the nonviolent exchange of ideas undermine China’s stated goals of establishing world-class higher education.

Hong Kong

During this reporting period, Hong Kong scholars and students’ academic freedom and the autonomy of their higher education institutions were further eroded amidst sweeping developments that tie back to Beijing’s growing interference in the Special Administrative Region. Restrictions on foreign scholar travel, weeks of intense clashes between

ACADEMIC FREEDOM INDEX: CHINA & HONG KONG



Mainland China and Hong Kong both began to experience precipitous declines in respect for academic freedom in the late 2000s. Low Academic Freedom Index (AFI) scores have continued in recent years, amidst a heightened crackdown on dissident scholars and students in the mainland and increased efforts by Beijing to assert authority over Hong Kong in ways that threaten the Special Administrative Region’s academic freedom and institutional autonomy. Learn more about the AFI in *Free Universities: Putting the Academic Freedom Index Into Action*, available at: <https://www.gppi.net/2020/03/26/free-universities>.

police and student protesters, the imposition of a controversial National Security Law, and the firings of two prominent scholars marked one of the most distressing years for Hong Kong's higher education community.

Since the spring of 2019, Hong Kong and its universities witnessed an unprecedented series of protests that shook the Special Administrative Region. The protests were first sparked by a controversial extradition bill that would have permitted the transfer of detainees in Hong Kong to countries and territories with which Hong Kong has no formal extradition agreements, including Taiwan and mainland China. Critics of the bill feared it would put political activists and dissidents at heightened risk of imprisonment and prosecution in mainland China. Although the bill was withdrawn, the protests, largely led by university students and other young Hong Kongers, grew and expanded their focus to the leadership of Hong Kong's pro-Beijing Chief Executive, Carrie Lam, Hong Kong's waning autonomy, increasing interference by the Central Government, and the use of violent force by police against protesters.

The protests attracted the interest of scholars and journalists eager to research and document the movement. However, in two incidents reported by SAR, foreign scholars attempting to travel to the region for related work were denied entry. On September 28, 2019, border authorities barred entry to American political scientist Dan Garrett (*AFMI 990*). After four hours of questioning at the airport, Garrett was given vague explanations and told by border officials that the decision to deny him entry was the purview of Hong Kong's Immigration Department alone, claiming they were not required to provide an explanation. And on January 2, border authorities refused to permit entry to Matthew Connors, a professor of photography at the US-based Massachusetts College of Art and Design (*AFMI 1071*). Connors, like Garrett, has also covered Hong Kong's protest movements. He was also not provided a specific reason for being denied entry.

Local and international concerns about the protests largely centered on authorities' use of force against demonstrators. UN human rights experts issued a statement on September 12, 2019, condemning the response by police, pressing for peace and open discussion with Hong Kongers, and reminding HKSAR authorities of their obligations under international human rights law.¹⁴ The experts stated: "The way forward is not through the repression of dissenting voices and the use of excessive force. We urge

authorities to engage in a genuine dialogue with a view to addressing the concerns of an enormous number of protesters who are worried about the future of Hong Kong."¹⁵

The police's sustained use of force, including the October 2 close-range shooting of an 18-year-old protester,¹⁶ drew more protesters into the streets, intensifying the police response. Police, responding to alleged acts of vandalism, carried out arrests and raids targeting students and other protesters, including at higher education institutions. On October 6, for example, roughly forty police officers carried out a warrantless search of the Chinese University of Hong Kong and detained five students who were putting up protest-related posters (*AFMI 994*).

In early November, the protests further intensified following the death of Alex Chow Tsz-lok, a student at the Hong Kong University of Science and Technology (HKUST), who was found unconscious after falling from the third floor of a parking garage during police intervention at a protest. Thousands attended a vigil held on November 9 to mourn Chow's death.

Starting on November 11, police laid siege to the University of Hong Kong (HKU), Hong Kong Polytechnic University (PolyU), the Chinese University of Hong Kong (CUHK), and other institutions in an effort to remove students and other protesters who moved on to the campuses (*AFMI 1027*). Police fired thousands of rounds of tear gas, rubber bullets, and sponge grenades at protesters; in some cases, medics treating the injured and journalists covering the protests were also targeted and hit. Students and other protesters responded by barricading campus entry points and, in some cases, throwing bricks and molotov cocktails, and firing arrows at police.

On November 13, CUHK announced that it would cancel on-campus academic activities for the remainder of the semester and resume activities in January 2020, due to the clashes on campus; several other universities issued similar announcements around the same time. On November 15, protesters had reportedly largely vacated the campus of CUHK, while many protesters remained at PolyU and HKU, where police continued to lay siege.

On November 17, violent clashes continued between police and protesters at PolyU for more than 24 hours, with police firing water cannons, tear gas, and blue dye, while protesters responded by throwing gasoline bombs and firing arrows (*AFMI 1036*). Protestors retreated into the PolyU campus while many guarded the campus entrances. Clashes continued as police

established a perimeter around the campus and shortly after issued a statement describing the protesters as rioters and announced to protesters that they were prepared to use live ammunition if necessary. Police required students, reporters, and medics leaving campus to pass through a police checkpoint for identification and searches. Some protestors attempted to flee by rope from a footbridge near the campus while police reportedly fired tear gas at drivers parked off-campus who were apparently helping protesters escape.

For the next 11 days, scores of protesters described being trapped inside the PolyU campus, fearing arrest and suffering from dwindling supplies of water and food. On November 28, police entered the campus in an effort to remove any remaining protesters.

According to Hong Kong's Education Secretary, Kevin Yeung, authorities had arrested about 2,000 students and 10 faculty over the course of the protests,¹⁷ with more than 1,100 arrested in and around the PolyU campus alone.¹⁸ Roughly nine months later, on September 2, 2020, police announced that they had rearrested 25 individuals accused of being involved in protests on the PolyU campus.¹⁹

It bears mentioning that, amidst the 2019 protests, tensions grew between members of the mainland and Hong Kong higher education communities. Some mainland Chinese students and scholars based at Hong Kong universities reported being subjected to or fearing harassment and violence for political opinions contrary to those of the protesters, but also for simply being identified as mainlanders.²⁰ At the same time, overseas Hong Kong and mainland students reported being on the receiving end of harassment and threats for supporting the pro-democracy movement, and fearing surveillance of their in-person and online interactions.²¹

By January 2020, the COVID-19 pandemic slowed much of the momentum that pro-democracy protesters had built up over the fall. However, by May, Hong Kongers were confronted with news that a National Security Law (NSL) was being drafted by the Standing Committee of the National People's Congress in Beijing.

Opponents of Beijing's growing interference in the HKSAR immediately criticized these developments,

in particular mainland officials' total lack of transparency and the fact that the law was being drafted and imposed by mainland officials, not by Hong Kong's legislators, as per Article 23 of the Basic Law, Hong Kong's "mini constitution." The pending legislation prompted public declarations of concern by governments around the world that this would mean the end of the "one country, two systems" principle that followed the transfer of Hong Kong's sovereignty from the United Kingdom to the PRC in 1997.

On June 30, China's National People's Congress enacted the NSL, with the purported intents of "safeguarding national security" and "preventing, suppressing and imposing punishments for the offences of secession, subversion, organisation and perpetration of terrorist activities, and collusion with a foreign country or with external elements to endanger national security in relation to the Hong Kong Special Administrative Region." Those convicted under the NSL can face lengthy prison sentences, including, in "grave" cases, life imprisonment.

Critics raised issue with the process by which the law was enacted, that it was unilateral and that not even Hong Kong's Chief Executive was familiar with the text prior to June 30. Criticism of the NSL also center around the absence of due process, transparency, and judicial independence. Specifically: individuals arrested under the NSL are only to be granted bail if a judge "has convincing reasons to believe he/she will *not continue* acts that endanger national security," (emphasis added) contradicting the common law principle of presumption of innocence;²² Hong Kong judges overseeing trials are to be handpicked by the HKSAR Chief Executive, who is effectively chosen by Beijing;²³ trials involving "State secrets or public order" may be entirely or partially closed to the media and the public, with judgements delivered in an open court;²⁴ the NSL will prevail where local laws of the HKSAR are "inconsistent with" the NSL;²⁵ and under certain circumstances, PRC authorities may exercise jurisdiction over cases.[†] This last point has raised further concerns that defendants transferred to mainland China might face the death penalty if convicted of committing an offense under the NSL.

Within hours of the law's passage, prominent pro-democracy group Demosisto dissolved while many social media users shut down their accounts.²⁶

* Officially titled, "Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region." An English translation of the law may be found at "In Full: Official English translation of the Hong Kong national security law," *Hong Kong Free Press*, July 1, 2020, <https://hongkongfp.com/2020/07/01/in-full-english-translation-of-the-hong-kong-national-security-law/>.

† According to Article 55, such circumstances include: if "(1) the case is complex due to the involvement of a foreign country or external elements, thus making it difficult for the Region to exercise jurisdiction over the case; (2) a serious situation occurs where the Government of the Region is unable to effectively enforce this Law; or (3) a major and imminent threat to national security has occurred."

Shortly thereafter, reports circulated of pending publications being scrapped and censored while certain political books were pulled from library and store shelves.²⁷ These rapid developments illuminated the chilling effect many observers expected the law would have on Hong Kong society.



LOSS OF POSITION

During this reporting period, SAR reported thirty incidents of loss of position. Loss of position includes discharge, demotion, loss of promotion, or other professional penalty for a scholar's academic work, including statements made in the classroom, writings, research, professional association/union activity, engagement with (and criticism of) higher education leadership or education policy, etc. Relevant incidents involving students include dismissal or expulsion from studies based on academic work or student activities, including statements made in the classroom, writings, research, student association/union activity, engagement with (and criticism of) higher education leadership or education policy, etc.

The NSL prompted serious concerns that it would threaten academic freedom and the future of the HKSAR's higher education community. Notably, the criminal offenses outlined in the NSL—secession, subversion, terrorism, and collusion with a foreign country or with external elements to endanger national security—are defined in broad, vague manners that force scholars, students, and the public at large to determine whether their academic inquiry, expression, or collaboration risks prosecution under the NSL. For example, would authorities interpret research or academic discussions of the NSL and the Central Government's interference in the Hong Kong judiciary as violating the NSL? (One scholar at the City University of Hong Kong was told by international polling company YouGov that he would not be able to ask certain questions about the NSL in a survey he commissioned the company to administer.)²⁸ Are university students free to peacefully protest policies or actions imposed by the Central Government, without fear of prosecution under the NSL? Unsure of where to draw the line, many scholars and students will likely self-censor or otherwise compromise their own teachings and writings.

It is not only Hong Kong scholars and students who risk punishment under the Law. Article 38 stipulates that the NSL “shall apply to offences [...] committed against the [HKSAR] from outside the Region by a person who is not a permanent resident of the Region.” Under Article 29, “collusion” with foreign entities in order to “provok[e] by unlawful means hatred among Hong Kong residents towards the Central People's Government or the Government of the Region” would be considered an offense. For the international higher education community, the NSL may result in a chilling of international academic work and collaboration. Especially when considering questions or topics perceived to be sensitive or objectionable by the HKSAR or Central Government authorities, scholars may fear eventual retribution, no matter their location.²⁹ A joint statement coordinated by the Association for Asian Studies and endorsed by more than twenty scholarly societies declared that the NSL “will significantly inhibit the possibilities for academic inquiry and exchange in and relating to Hong Kong,” and called on the PRC government to “respect the rights of our colleagues in Hong Kong to engage in scholarly research and exchange without fear of political and legal reprisal, and to take steps to ensure the continued protection of their academic freedom, as defined in the 1997 UNESCO Recommendation.”³⁰

One major international scholarly association changed plans in light of the NSL. Citing concern about the new law, the American Political Science Association announced that it would move to South Korea a workshop on “Contentious Politics and its Repercussions in Asia.” The workshop was originally scheduled to take place in Hong Kong.³¹

The NSL contains two articles that would introduce further government intervention into university teachings and administration, similar to what can be found in mainland China. Article 9 orders the HKSAR government to “take necessary measures to strengthen public communication, guidance, supervision and regulation over matters concerning national security, including those relating to schools, universities, social organisations, the media, and the internet.” Article 10 instructs the HKSAR to “promote national security education in schools and universities [...] to raise the awareness of Hong Kong residents of national security and of the obligation to abide by the law.” Days after the NSL was enacted, Chief Executive Carrie Lam reportedly asked the Hong Kong Education Bureau to “make plans to carry out all-round education on the Constitution, the Basic Law, the National Anthem Ordinance and the national security law.”³²

How university faculty would adjust their teaching practices in light of the NSL is unclear; however, there is some anecdotal evidence of lecturers declining to record classes³³ in order to “encourage learners to ‘actively engage,’” and reviewing curriculum and materials to understand how they treated topics that may be considered sensitive.³³ Overseas, faculty have taken steps aimed at building trust among students in mainland China and Hong Kong taking remote courses at their institutions, including the use of code names, restrictions on recording lectures, and anonymous paper submissions.³⁴

As of this report, a growing number of individuals have been arrested or issued arrest warrants under the NSL, including current and former student-activists, Tony Chung, Agnes Chow, and Nathan Law (who left Hong Kong for the US shortly after the NSL passed), as well as *Apple Daily* founder Jimmy Lai.³⁵

Long-standing concerns over Beijing's interference in Hong Kong's universities heightened in late July 2020 with news of two prominent scholar-activists losing their jobs.

On July 27, Hong Kong Baptist University (HKBU) declined to renew the contract of Shiu Ka-chun, a social work lecturer and a leading activist in the 2014 pro-democracy protests (AFMI 1217). Shiu was convicted in April 2019 for his role in the protests, on two public nuisance charges. He was released in October after serving six months of his eight-month sentence. HKBU had relieved Shiu of his teaching responsibilities in January 2020 while the university carried out an investigation into his role in the 2014 protests (AFMI 1086); officials found Shiu “not suitable for carrying out his duties, while he was neither dismissed nor suspended.”³⁶ On July 27, HKBU informed Shiu that his teaching contract would not be renewed after expiring on August 30; however, they did not inform Shiu of the basis for the decision. Shiu, who taught at the university for 11 years, claimed that HKBU was repeatedly “told by people representing Beijing's interests that he was too high profile and political, and that he shouldn't continue as deputy director of the HKBU social work research center.”

One day after Shiu's termination, HKU's governing council ordered the dismissal of Associate Professor of Law Benny Tai (AFMI 1219). Tai, like Shiu, came under fire for his active role in the 2014 protest movement, and was likewise convicted and sentenced to time in prison on public nuisance charges. He was released on bail in August 2019 pending an appeal. Prior to his

release, HKU established a Committee of Inquiry into Possible Good Cause, with the purpose of determining whether Tai would be able to continue teaching given his past conviction. The inquiry committee submitted a report on its findings to the University Senate in May 2020. In early July, HKU's Senate—comprised of university faculty, administrators, and student representatives—determined that, although Tai had been guilty of “misconduct” for his involvement in the 2014 protests, this behavior did not warrant his removal from the Law School faculty. On July 28, HKU's Council rejected the Senate's recommendation, voting 18-2 in favor of dismissing Tai from his teaching position.

It is important to note here that less than half of HKU's Council is comprised of faculty and staff from the university; remaining seats are assigned to individuals outside of the institution, including six that are assigned by Hong Kong's Chief Executive, who holds the position of Chancellor of Hong Kong's public universities. Since the transfer of Hong Kong's sovereignty to the PRC government, public university councils have increasingly been described as being politicized and under the influence of pro-Beijing actors.³⁷

The vote ordering Tai's dismissal was received with considerable condemnation in and outside of Hong Kong. Tai, in a social media post, lamented that the decision “marks the end of academic freedom in Hong Kong [. . .] Academic institutions in Hong Kong cannot protect their members from internal and outside interferences.” HKU's Students' Union expressed support for Tai and stated its intention to begin a petition calling for a reexamination of Tai's case, while fellow faculty noted that his dismissal sacrificed the institution's reputation. Tai, who now publishes and offers private lectures online, vowed to appeal the Council's decision.³⁸

The range, frequency, and impact of attacks on academic freedom and institutional autonomy in mainland China and Hong Kong this past year further elevate concerns for two of the world's most important higher education communities.

Scholars in and outside Hong Kong have cast serious doubt on the future of the Special Administrative Region, long considered a premier, international hub for academic exchange, as Central Government authorities look to increase their control over inquiry and dissent. As the space for permissible academic

* Faculty at the City University of Hong Kong, reportedly, would normally record lectures for students who missed class.

activity continues to shrink, academics and students in the HKSAR will question their ability to study, teach, research, and discuss ideas without fear of retribution, compelling some to move abroad. Leaders of higher education institutions around the world may also reconsider plans for engaging with the local academic community, raising the specter of an increasingly isolated Hong Kong.

On the mainland, scholars and students remain under intense pressure to “toe the line” or risk dramatic consequences for academic and expressive activities the government finds objectionable. Without an about-face in its demonstrated commitment to fulfill its constitutional and international human rights obligations, including especially to uphold academic freedom, countless more scholars and students will face imprisonment, prosecution, and other forms of retaliation, Chinese and global society will be further deprived of the benefits of academic freedom, and China’s government may find its ambitions for world-class universities diminished.

SAR urges state authorities in mainland China and the HKSAR to publicly affirm and demonstrate their commitment to academic freedom and human rights. State authorities must secure the immediate release of scholars and students wrongfully imprisoned in connection to their academic activity, opinions, associations, or ethnic or religious identity, and, pending this, disclose the location of all detainees and uphold national and international legal obligations related to due process and the humane treatment of prisoners. State authorities must also refrain from so-called “reeducation” efforts, travel restrictions, pressures on universities to carry out disciplinary measures, and other actions that restrict academic freedom and its constituent freedoms of expression, opinion, thought, association, and travel.

SAR urges mainland and Hong Kong governments to repeal the National Security Law. Absent this, they should revise the Law in order to comply with Hong Kong’s obligations under international human rights laws, and, pending this, they must ensure that the law does not restrict or punish the nonviolent exercise of internationally protected rights, including especially academic freedom, freedom of expression, freedom of assembly, and freedom of association. SAR further calls on state and higher education authorities in Hong Kong to protect and promote institutional autonomy and take steps to shield higher education institutions from undue government interference by Hong Kong or mainland authorities.

SAR calls on governments, higher education communities, and civil society outside the PRC to urge mainland Chinese and Hong Kong authorities to swiftly take the above actions, ensure that international standards of academic freedom and human rights are expressly noted in their agreements and joint activities with counterparts in the PRC, and ensure that academic freedom and human rights are respected in the same joint activities and partnerships.

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“[These efforts] pose a threat to society at large, which has a right to the benefits of research, inquiry, and debate.”

On June 16, 2020, Romania's Parliament passed an amendment to the nation's education law, without public debate, that would prohibit all educational institutions from "propagating theories and opinion on gender identity according to which gender is a separate concept from biological sex."

Photo: LCV / Shutterstock.com

Legislative and Administrative Threats to Institutional Autonomy and Academic Freedom

Over the past year, governments around the world took legislative and administrative actions that undermined academic freedom and institutional autonomy of particular higher education institutions and entire national higher education sectors.

These included the introduction of legislation in Ghana and executive orders in Brazil that would erode the independence of university governance, including the ability of universities to appoint their own leadership; legislation and administrative actions by Turkey's government that closed down Istanbul Şehir University; continuing impacts of the effective closure of the Central European University and the conversion of the University of Theatre and Film Arts into a foundation-run institution, in Hungary; legislation banning gender studies in Romania; and increasing regulatory encroachments on university autonomy and academic freedom in Poland and Russia.

These efforts erode the freedom of scholars, students, and their institutions to research, teach, and exchange ideas without undue pressure or restrictions from non-higher education actors. Moreover, they pose a threat to society at large, which has a right to the benefits of research, inquiry, and debate.

Ghana

In February 2020, Ghana's Education Minister, Dr. Matthew Opoku Prempeh, submitted to Parliament

draft legislation known as the "Public University Bill, 2020."¹ The bill contains a number of provisions that threaten the institutional autonomy and academic freedom of Ghana's state universities.

In brief, the bill would give the country's president the power to appoint university chancellors, the chairs of university councils, and the majority of seats on university councils; give those councils the power to appoint vice-chancellors; give the president the power to dissolve a university council if he or she considers there to be an "emergency" and appoint an interim council; and replace university-established admissions processes with a new centralized system.² These provisions would effectively vest the executive branch with broad influence over all major academic, financial, and administrative aspects of university life at public institutions throughout the country.

According to a memorandum contained in the draft legislation, the bill "seeks to provide for the establishment of a public university and also spell out the governance structure, finance, administration, and regulation of the activities of a public university in a structured, harmonious, and coordinated manner."³ The memorandum declares that "almost all of the public universities have veered away from their core discipline," and there is a "need for greater accountability in the utilisation of resources allocated to the public universities."⁴

Critics claim the bill is unnecessary: that policies and government actors are already in place to guide adjustments to teaching and research according to changing needs within the sector, as well as to address issues relating to university finances.

Regarding the streamlining of financial management, University of Ghana scholars Nana Akua Anyidoho and Akosua Adomako wrote that “the idea that public universities would fare better under the direct control of ministries and politicians who are regularly embroiled in corruption scandals is almost farcical.”⁵ Relatedly, Kwadwo Appiagyei-Atua, a law professor at the same university, wrote that “The bill will create more problems than it seeks to solve. For example, it will mean that the Minister of Education will have to approve applications for grants and even the purchase of equipment to furnish a lecture theatre.”⁶

Moreover, Ghanaian scholars worry that passage of the bill would severely erode university autonomy, politicize university management, and constrict the exercise of academic freedom. According to Professor Appiagyei-Atua, the bill could result in a negative impact on the “congenial atmosphere required to promote creativity, innovation, and competition on university campuses.”⁷ Without the freedom to carry out institutional affairs free of political influence, higher education quality in Ghana could suffer tremendously.

International human rights and higher education groups have publicly raised similar concerns ahead of an anticipated vote on the bill. In a joint letter to Ghanaian officials, Scholars at Risk, AfricanDefenders, and the African Studies Association highlighted the consequences of politicizing higher education: “Where elected authorities control or exercise undue influence over curricula, the allocation of resources, and other administrative matters, the freedom of scholars and university staff to exercise appropriate professional judgment, based on their expertise, inevitably diminishes.”⁸ The UN Special Rapporteur on the Right to Education, Dr. Koumbou Boly Barry, and the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, Dr. Irene Khan, issued a joint letter that underscored Ghana’s obligations under international human rights law, in particular those that relate to the right to education and freedom of opinion and expression, and commented that the bill, as written,

would have a negative impact on the enjoyment of those rights.⁹

On October 22, 2020, it was reported that Ghana’s Parliament had suspended consideration of the Public University Bill.¹⁰ Peter Nortsu Kotoe, a ranking member for Parliament’s Education Committee, said that he and his colleagues on the Committee “looked at the Public Universities Bill and [...] recommended that in view of the criticism and the number of petitions that we have received, it will be better for government to hold on with the passing of the bill because there is a need for greater consultation.”¹¹

The suspension of the bill is a promising development for public universities throughout Ghana. Should the bill be taken up again in any form, SAR urges Ghanaian authorities to remove from the bill those provisions which negatively impact academic freedom and institutional autonomy.

Brazil*

In Brazil, President Jair Bolsonaro issued two provisional measures[†] intended to provide the executive branch enhanced control over the appointment of leadership at the country’s 16 federal universities.

Through Provisional Measure 914/2019 (PM 914), issued on December 24, 2019, President Bolsonaro officially rejected a tradition, dating back to 2003, of choosing rector nominees that won the most votes by faculty, staff, and students. Under PM 914, the president would be able to pick freely among the top three candidates, referred to as the “triple list.”

President Bolsonaro has previously ignored the tradition of appointing candidates with the most votes and choosing instead candidates of his liking. According to reporting by Juliana Sayuri, out of 12 rector elections, President Bolsonaro appointed only 6 first-place candidates.¹² The remaining picks included one candidate who only received 4.61% of the vote (appointed to the Federal University of Ceará) and two who had not made it on the triple lists; they were appointed in temporary capacities.¹³

* In *Free to Think 2019*, SAR described concerns over growing pressures on academic freedom and institutional autonomy in Brazil. Just prior to and following the October 2018 presidential elections, police carried out raids on Brazilian campuses, questioning faculty, and confiscating or ordering the removal of “political” materials posted on campus. Individual scholars and students—particularly those from vulnerable communities—were threatened and harassed, while some suffered violent attacks, including one black, female student who was raped. Since the election, President Bolsonaro and members of his administration have openly mocked particular higher education institutions, threatened to cut funding for philosophy and sociology departments, and issued a decree that allows the executive branch to veto nominations for university leadership positions and vests the same branch the authority to appoint candidates for leadership positions within federal universities. See *Scholars at Risk, Free to Think 2019* (New York: November 2019), <https://www.scholarsatrisk.org/resources/free-to-think-2019/>.

† Provisional measures can be issued by the president under urgent or exceptional circumstances. Provisional measures go into effect immediately upon being issued; however, Congress has the ability to approve, amend, or reject the provisional measure within 120 days. If not approved within 120 days, a provisional measure lapses and loses its validity.

PM 914 also imposed on federal universities a weighted system for the voting of rector nominees. Under the PM, faculty votes would have a fixed weight of 70%, while students and staff votes would each carry weights of 15%. Universities previously had the autonomy to determine their own nomination process. As it relates to the weighting of votes, faculty, students, and staff generally had parity in their voting for rector nominees at federal universities.

PM 914 further vests the executive branch with the power to appoint a temporary rector (rector pro tempore) of its choosing until a new rector could be approved. According to precedent, the outgoing rector would have remained in office until the approval of their successor.

Public consultation revealed a general sense of disapproval of PM 914, with 413,617 (58%) voting against the PM and 297,983 (42%) voting in favor of it.¹⁴ A Congressional committee reviewing PM 914 had compiled 204 amendments that they submitted to the president; however, by June 1, the PM lapsed and lost the force of law. For Antonio Gonçalves, president of the National Lecturers Union for Higher Education (ANDES-SN), PM 914's expiration was far from a win: "The damage PM 914 has already caused will not be repaired, since the nominations will not be revised. We are worried about the elections scheduled to take place during the pandemic."¹⁵

Within days of PM 914 losing its validity, President Bolsonaro again took aim at federal university leadership. On June 10, amidst rapid escalation of the COVID-19 pandemic in Brazil, President Bolsonaro signed PM 979/2020 (PM 979) that would give the Minister of Education the authority to designate rectors and vice-rectors pro tempore at federal universities, without consulting those same institutions.¹⁶

Under PM 979, federal universities would be removed from the process of appointing rectors whose four-year terms would expire during the COVID-19 pandemic. Instead, then-Minister of Education Abraham Weintraub would appoint temporary rectors who would remain in power until electoral processes resume, after the public health emergency is lifted.

On June 12, the president of Brazil's Congress rejected the PM, claiming that it violated the autonomy of federal universities, which is enshrined in the country's constitution.¹⁷ While the PM was technically in force at the time it was issued, it still required approval by Congress. Returning the PM

to the president invalidated the same. On June 16, President Bolsonaro revoked PM 979.¹⁸

While the above two PMs ultimately were not written into Brazilian law, they nevertheless represent a concerted effort by the current administration to curtail the independence of the country's federal universities. State authorities in Brazil, as in any country, should refrain from interfering in university management, ensure the autonomy of those same communities to determine and oversee procedures for appointing leadership, and consult with higher education leaders on the most effective means of supporting quality higher education.

OTHER ATTACKS

During this reporting period, SAR issued reports for 32 "other" incidents. These include incidents that do not fit squarely within one or more of the five defined types of conduct, yet are of such importance, scale, scope, and/or duration that they already have, or have the potential to, significantly impair higher education functions, academic freedom, or the exercise of human rights by members of higher education communities. Such incidents may include occupation or closing of higher education campuses; destruction of higher education facilities, materials, or infrastructures; systematic or prolonged harassment, or threats against members of higher education communities; systematic limits on access to higher education; and/or systematic discrimination based on gender, race, or other grounds in access to, employment within, or other elements relating to higher education.

Turkey

On June 30, 2020, Turkish President Recep Tayyip Erdoğan issued a decree effectively closing Istanbul Şehir University (İŞU), an institution established by former Turkish Prime Minister Ahmet Davutoğlu (AFMI 1206). The decision to close the university followed the apparent deterioration of the relationship between Davutoğlu and Erdoğan.

İŞU was established by Turkey's Foundation for Science and Arts (BISAV) in 2008, and opened its doors to students during the 2010-2011 academic

year. Davutoğlu was among its founders, while President Erdoğan was an early supporter of the university, delivering a speech at its opening. Davutoğlu served as the country's prime minister from 2014 until he was reportedly forced to resign in 2016 following a disagreement with Erdoğan over the scope of the prime minister's powers.

In September 2019, Davutoğlu, who had recently become an increasingly vocal critic of Erdoğan, resigned from Erdoğan's ruling Justice and Development Party (AKP) and launched his own opposition party, known as the New Future Party. The following month, one of İŞÜ's state-owned creditors, Halkbank, announced that it had determined that land it had previously accepted as collateral for a loan to the university was worthless; consequently, the bank froze the university's accounts. An Istanbul court approved this action, leaving the university unable to pay back its loans and other expenses.

In December 2019, İŞÜ was seized and placed under the control of Marmara University, which had been designated as the university's guarantor. On June 30, 2020, Erdoğan issued a presidential decree stripping İŞÜ of its permit to operate, effectively shuttering it.

According to İŞÜ, the decision to close the university impacted 400 faculty, 300 staff, and more than 7,000 students, 15% percent of whom were international students from 87 different countries. The decision has resulted in a massive upending of research projects and severely disrupted student progress in their degree programs.

Beyond the impact on the immediate ISU community, President Erdoğan's actions serve as a warning to universities across Turkey to disengage from, if not prevent, acts, ideas, or expression that suggest anything but allegiance to his administration.

Hungary

In Hungary, academic freedom advocates remain concerned about the impact of targeted legislative threats to higher education institutions. The most prominent recent legislative attack on higher education was the case of Central European

University (CEU), which was forced to cease its foreign-accredited programs in Hungary after the 2018-2019 academic year, and reopen them in Vienna on November 15, 2019.¹⁹

As reported in *Free to Think 2018*, CEU was effectively forced out of Hungary after that country's government passed legislation that appeared intended exclusively to target CEU and its founder George Soros.^{*} Specifically, the new law, known as "lex CEU," modified conditions that foreign institutions were required to meet in order to operate in Hungary, requiring, among other things, that foreign-accredited higher education institutions maintain a campus in their countries of accreditation. (CEU was accredited in the US, but did not maintain a campus there.) Despite the apparently targeted nature of the law, CEU attempted to comply by entering into an agreement with Bard College in New York to engage in joint teaching activities there. However, Hungarian authorities refused to approve the agreement, forcing CEU to relocate.²⁰

Prior to CEU's departure from Hungary, a group of ten vocational colleges issued a joint statement urging that CEU be allowed to remain in Hungary. The statement read in relevant part: "[CEU's continued presence] in Budapest is a fundamental interest of Hungary: international education, high-level research work at the university, and the significant network of contacts and knowledge of the university teaching staff build and enrich Hungary." In December 2019, news emerged suggesting that Hungarian authorities had denied or reduced the signatories' funding in apparent response to their public support for CEU.[†]

On October 6, 2020, the European Court of Justice (ECJ) ruled that the requirements included in lex CEU—to enable foreign universities to carry out activities in Hungary—were incompatible with EU law. The court found that the law violates Hungary's commitments under the World Trade Organization, infringes on academic freedom as enshrined in the EU Charter of Fundamental Rights, and that the changes to Hungary's higher education law deprived "the universities concerned of the autonomous infrastructure necessary for conducting their scientific research and for carrying out their educational activities."²¹

* Soros has been a frequent target of the Hungarian government, which has passed various laws, known as "Stop Soros", to target his efforts to promote democratic values in Hungary. Soros is the founder of Open Society Foundations (formerly, the Open Society Institute), which over the years has provided financial support to Scholars at Risk. See "Hungary passes anti-immigration 'Stop Soros' laws," *The Guardian*, June 20, 2018, <https://www.theguardian.com/world/2018/jun/20/hungary-passes-anti-immigrant-stop-soros-laws>.

† Eight of the signatory institutions had applied for an annual grant from Hungary's Ministry of Human Resources. Of those, six reportedly received the minimum allowable award of 500,000 Hungarian Forints (HUF) (about USD \$1,700), while another two received grants of HUF 700,000 (about USD \$2,400); 59 other institutions sought grants in 2019, reportedly receiving a minimum of HUF 1 million and, on average, HUF 2.3 million (about USD \$7,560). The six signatory institutions who had applied for the grant in the prior year had received funding ranging from HUF 1.7 million (about USD \$5,590) to HUF 3 million (about USD \$9,860). See Juhász Edina, "Támogatták a CEU-t, aztán kevesebb pénzt kaptak," *Index*, December 15, 2019, https://index.hu/belfold/2019/12/15/ceu_tamogatas_forrasmegvonas/.

The landmark ECJ decision reinforces the importance of academic freedom within EU law. The Court emphasized that academic freedom has “an individual dimension in so far as it is associated with freedom of expression and, specifically in the field of research, the freedoms of communication, of research and of dissemination of results thus obtained,” but it also has “an institutional and organisational dimension reflected in the autonomy of those institutions.”²² Academic freedom is protected by provisions of the Charter of Fundamental Rights of the European Union, including Article 13 which specifically states that “the arts and scientific research shall be free of constraint. Academic freedom shall be respected.”²³

Public universities in Hungary have also come under fire since the targeting of CEU. On July 3, Hungarian Parliament passed a law that transferred ownership of the University of Theatre and Film Arts (SZFE), a world-renowned, public arts university also located in Budapest, to a foundation that would be established by the same law (now known as the Foundation for Theatre and Film Arts).²⁴ SZFE was reportedly the seventh Hungarian state university to be subjected to such a transformation in 2020.²⁵

The law was passed under a parliament controlled by the right-wing, nationalist Fidesz party. Following its passage, Hungary’s State Secretariat for Higher Education, Innovation and Vocational Training claimed the law will make SZFE more independent and competitive.²⁵ However, the law actually erodes much of the university’s autonomy and threatens higher education quality by handing over crucial decision-making powers, long held by the university’s senate, to a new government-appointed board of trustees. These include decisions on matters ranging from finances, hiring, and curriculum.

Shortly after the law was passed, Hungary’s Ministry of Technology and Innovation appointed Attila Vidnyanszky, a self-described “cultural nationalist” and friend of Prime Minister Viktor Orbán, as chair of the new board of trustees. The Ministry rejected candidates proposed by SZFE’s senate, appointing instead more supporters of Orbán to the remaining seats.

The law generated intense opposition at SZFE, with prominent faculty and members of the university senate resigning in protest on August 31.²⁶ The

next day, when the law went into effect, thousands demonstrated in the streets, including students and non-students concerned about the law’s impact.²⁷ Students would go on to occupy SZFE’s campus, demanding Vidnyanszky’s resignation and dissolution of the new board of trustees. As of this writing, the students continue to occupy the SZFE campus while staff have vowed to go on strike until power is restored to the senate and institutional autonomy is ensured.²⁸

Romania

In Romania, scholars and students suffered an attack on gender studies, similar to what occurred in neighboring Hungary two years earlier.

On June 16, 2020, Romania’s Parliament passed an amendment to the nation’s education law—without public debate—that would prohibit all educational institutions from “propagating theories and opinion on gender identity according to which gender is a separate concept from biological sex.”²⁹ The amendment amounted to an effort to effectively ban the field of gender studies.

Romania is considered to be more culturally conservative than other European Union member states, having decriminalized homosexuality as late as 2001. The passage of the amendment occurred roughly one month after neighboring Hungary passed a law preventing transgender and intersex people from changing their gender on official documents,³⁰ and within days of Polish President Andrzej Duda commenting that LGBT “ideology” is more destructive than communism.³¹

News of the amendment’s passage was met with vocal opposition from scholars, students, and university leaders, who decried the amendment for violating academic freedom and institutional autonomy. The University of Bucharest issued a statement commenting that the amendment “contradicts fundamental rights guaranteed by the Romanian constitution and international conventions such as: freedom of conscience, freedom of opinion, and university autonomy.”³² On June 18, protesters demonstrating outside President Klaus Iohannis’s residence waved banners that read “this is an attack on the autonomy of the universities,” “open minds not closed doors,” and “biological sex is not gender

* Additional universities that were placed under the control of a government-established foundation in 2020 include John von Neumann University, Moholy-Nagy University of Art and Design, Széchenyi István University, the University of Veterinary Medicine in Budapest, the University of Miskolc, and the University of Sopron. See Ábrahám Vass, “Number of Controversial Law Changes Voted by Ruling Parties’ Majority in Parliament,” *Hungary Today*, May 20, 2020, <https://hungarytoday.hu/controversial-law-changes-voted-ruling-majority-parliament/>.

identity,” according to reporting by the *Associated Press*.³³ They demanded that President Iohannis refrain from signing the amendment into law.

On July 10, President Iohannis submitted an appeal to Romania’s Constitutional Court regarding the “unconstitutionality” of the amendment, specifically citing provisions relating to “freedom of conscience,” “freedom of expression,” “access to education,” and “university autonomy,” among others.³⁴ As of this report, the country’s president has yet to sign the amendment into law and the appeal remains with the Constitutional Court.

Poland

In Poland, state authorities began pushing aggressive free speech legislation that carries major consequences for the state of academic freedom in the country. The legislation was triggered by students’ complaints about a professor who allegedly made offensive and anti-scientific statements in class.

During a required course at the University of Silesia, sociology professor Ewa Budzynska reportedly remarked that “contraception is abortion”; “abortion is murder”; “gender ideology is like communism”; and defined the family as husband and wife, father, mother and child.³⁵ In March 2019, a group of her students brought an anonymous complaint before the university’s rector, accusing Budzynska of “forcing anti-choice ideology, homophobic views, anti-Semitism, denominational discrimination, information inconsistent with modern scientific knowledge, and promoting radical Catholic views.”³⁶ In October 2019, consistent with Polish law, the administration commenced a disciplinary investigation against Budzynska, which culminated in a January 2020 report recommending that Budzynska be subject to a disciplinary reprimand. Budzynska resigned her position from the university in protest, and subsequently filed a complaint with the local prosecutor’s office for alleged “falsification of evidence” in connection with the administrative action. Budzynska has been supported by a religious organization known as *Ordo Iuris*, in both her administrative proceeding and the criminal action.³⁷ In connection with the criminal proceeding, police summoned the seven students who brought the complaint against Budzynska and interrogated them in the presence of *Ordo Iuris* lawyers, although *Ordo Iuris* has asserted that the university administration, and not the students, are the targets of the criminal action.³⁸

Responding to the University of Silesia case, then-Minister of Higher Education Jaroslaw Gowin vowed to adopt an amendment to legislation defending free speech and preventing censorship at Polish universities. In defence of Budzynska, the Minister tweeted that “we will not allow the extremely ideologized groups to censor” Polish universities.³⁹ The draft bill, reportedly based on an earlier draft provided by *Ordo Iuris*, proposes to create a committee for free speech on campus, comprised at least in part of individuals appointed by the Minister.⁴⁰

While packaged as an attempt to defend free expression on campus, Polish academics expressed concern that the bill would impose outside pressure on teaching and disciplinary matters.⁴¹ Such legislation would subject fundamental aspects of academic freedom to the political whims of the party in power. It would also ask elected officials and their appointees to engage in a task for which they are generally unqualified: to assess whether particular forms of teaching, learning, and research are proper consistent with norms related to academic freedom, as well as discipline-specific standards.

Although the status of the draft legislation is unclear for now, its support from a top government higher education official has raised serious concerns among members of Poland’s higher education community.

Russia

In Russia, national security-related laws and regulations threaten to undermine university autonomy and academic exchange.

In August 2019, news broke that the Russian Ministry of Education and Science (MoES) had issued in February new rules that would endanger contact between Russian scientists and their international counterparts.⁴² Under the rules, Russian scientists at institutions run by the MoES must notify the MoES five days in advance of meetings with foreign scientists and provide the names of all foreign participants. Those meetings would require the presence of another Russian scientist. Following the meeting, the head of the Russian scientist’s institution would file a formal report to summarize the conversation and provide copies of attendees’ passports. The rules further prohibit foreign scientists from using any device with recording or copying capabilities, which may include watches, laptops, and mobile phones, while visiting a Russian scientific institution, unless otherwise noted in international agreements. Scientists would need to seek permission in order to hold meetings outside the institution. The rules were purportedly

established to guard against espionage and protect national security.

News of the rules, which came roughly five months after they were issued, generated significant pushback within the Russian and international scientific communities. Scientists expressed concern that the rules would do little to advance the Ministry's purported objectives; rather they would stifle the international exchange required of modern research endeavors and further isolate Russia from the global community.⁴³ In response to criticism from the scientific community, the Ministry reportedly stated that the rules should be considered as "recommendations."⁴⁴

On February 10, 2020, Valery Falkov, the newly appointed Minister of Education and Science, announced that the rules would be scrapped. Falkov commented, "we're interested in pursuing cooperation based on the principles of open science."⁴⁵

Related to the above rules are amendments made in December 2019 to an existing law that label as "foreign agents" NGOs that receive foreign sources of income and conduct "political activity." The amendment to the so-called "Foreign Agent Law" expands its scope to include individuals who receive any funding from abroad and cooperate with "foreign agent" media, which may include the use of social media platforms.⁴⁶ Individuals classified as foreign agents would have future publications tagged with a foreign agent label.

While Russian authorities have downplayed the law's applicability to academia, calling it "recommendations," some universities have already taken steps to implement it. For example, Kazan Federal University has introduced regulations requiring its professors to have a "unified position of the Russian Side" when meeting with foreign nationals.⁴⁷

According to Katarzyna Kaczmarek, lecturer in politics and international relations at the University of Edinburgh, the seemingly broad definition of "foreign agents" risks deterring Russian scholars from engaging in research supported by foreign funding.⁴⁸ The same scholars may also be reluctant to form ties with international counterparts, according to Kaczmarek.

The developments described in this chapter demonstrate a spectrum of the tactics states may enact to retaliate, restrict, or otherwise impede the research, teaching, or management of higher education institutions. While not all of these pressures

involve particularized threats to individual scholars or students, they nevertheless represent serious threats to academic freedom and institutional autonomy for entire higher education communities.

States should refrain from enacting legislation or taking other actions that interfere with the functioning of higher education institutions, constrict academic activity, or otherwise limit the nonviolent exercise of rights fundamental to quality education, including academic freedom, freedom of expression, and freedom of association, among others. Rather, states should work with higher education communities to protect these rights and to promote institutional autonomy and quality teaching and research.

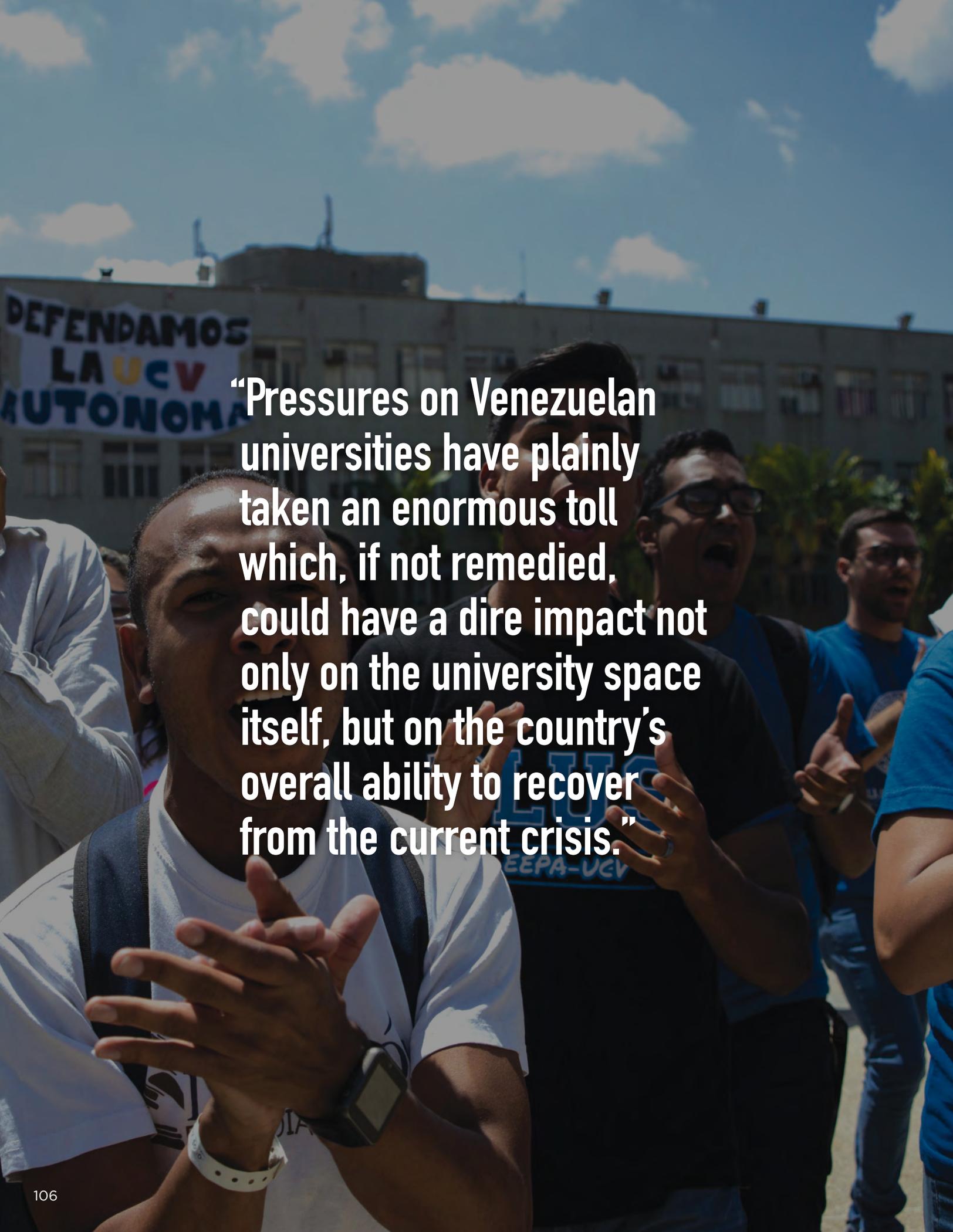
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“Pressures on Venezuelan universities have plainly taken an enormous toll which, if not remedied, could have a dire impact not only on the university space itself, but on the country’s overall ability to recover from the current crisis.”

Central University of Venezuela students protest against President Nicolás Maduro's government and a deadline set by the Supreme Court of Justice to hold rector elections.

Photo: Jonathan Lanza / NurPhoto via Getty Images

PARTNER PERSPECTIVE

The Decline of the Venezuelan University

After twenty years of Bolivarian government, Venezuela is now facing a complex humanitarian crisis, resulting from the long-term erosion of democratic institutions, combined with the country's economic collapse, which has been exacerbated by the paralysis of oil production, the country's main source of income.

The higher education space has been hit particularly hard, as a combination of policy—some of which targets universities directly—and economic circumstance, including the economic crisis of the past decade and the COVID-19 pandemic, have combined to erode academic freedom and shrink university budgets nearly to the disappearing point.¹ Indeed, the sustained political and economic pressures that

Venezuela's universities have faced for more than a decade have rendered them uniquely vulnerable to the current crisis, and must be understood as the country works to revive its higher education sector and its democracy.

The deterioration of Venezuelan higher education can be traced back to the 1999 election of Hugo Chávez. Beginning in the early 2000s, and continuing through the presidency of his successor Nicolás Maduro, a series of policy decisions and other factors led to the erosion of academic freedom and the functioning of Venezuelan universities generally. These include: the imposition of laws and policies that undermine autonomy; budgetary restrictions; the use of the judiciary to control universities; the persecution of university professors and students; and the establishment of a parallel, non-autonomous university system whose objectives include political indoctrination and political control over educational and research programs.²

* Today, ninety percent of universities in Venezuela belong to the parallel system. See University of Los Andes Human Rights Observatory, *Doctrinal universities vs. knowledge universities: The parallel university system in Venezuela, 2003-2019* (March 2020), <http://www.uladdhh.org.ve/en/wp-content/uploads/2020/03/Report-Doctrinal-universities-vs.-knowledge-universities-The-parallel-university-system-in-Venezuela-2003-2019.pdf>.

AULA ABIERTA & THE UNIVERSITY OF LOS ANDES HUMAN RIGHTS OBSERVATORY

Founded in 2014, Aula Abierta (“Open Classroom”) seeks to promote research and advocacy initiatives by university students, professors, and researchers in favor of democracy and human rights, especially academic freedom, university autonomy, the right to education and freedom of expression and information. The University of Los Andes Human Rights Observatory, also founded in 2014, aims to defend and promote academic freedom and related human rights through documentation, workshops, and awareness-raising initiatives.

Scholars at Risk is grateful to Aula Abierta and the Human Rights Observatory for contributing a joint Partner Perspective on ongoing threats to academic freedom and institutional autonomy in Venezuela. Learn more about Aula Abierta at <http://aulaabiertavenezuela.org/> and the Human Rights Observatory at: www.uladdhh.org.ve/en/about-us/.



In May 2009, Chávez hinted at his government's broader view of the place of the university in society, stating in a national broadcast, "Researchers should stop working on obscure projects, and instead should go into the barrios (slums) to make themselves useful."²

Many agree that the past two decades represent a significant lost opportunity for Venezuelan higher education and society more generally: to use the country's extraordinary resources to strengthen its universities, further develop its research capacities, and promote academic freedom and institutional autonomy.³ Indeed, many of the policies that were begun during the prosperous early 2000s left universities particularly vulnerable as oil prices began to drop and the country fell into prolonged economic crisis.

Budget asphyxiation

Public universities in Venezuela depend entirely on the budget assigned by the state, within the framework of an oil rent economy in which the government is the main distributor of resources from the export of raw materials. This leaves public universities open to politicization of funding decisions and can expose universities seen as ideologically unaligned with the ruling government to funding shortfalls. Indeed, long before the current economic crisis, scholars had expressed concern about the distribution of resources to open (non-Chavista) universities.⁴

As the country's economic crisis grew, resources appear to have been increasingly diverted away from open universities and toward Chavista ones. One analysis noted that, in 2017, the Central University of Venezuela had "received just 28% of its requested annual funding, down from 44% in 2014."⁴

Legitimate exercises of academic freedom by university leaders—including public statements criticizing the ruling government concerning the humanitarian crisis in higher education[†] or refusing to recognize Maduro as the legitimate leader of

Venezuela[‡]—have likely led to further retaliation, in budget decisions and elsewhere, against autonomous universities by government authorities.

Indeed, at present, budgets assigned to universities range between 1% and 30% of what is requested, and 90% of that budget is generally allocated solely for the payment of salaries, rendering the budgets for operating expenses practically nonexistent and making much academic work impossible.⁵ To provide one recent, stark example, in 2019, the University of Zulia operated at a 99.86% deficit, with operational demands requiring Bs. 667,849,997,430 (roughly USD \$101 million); however, only Bs. 933,583,563 (roughly USD \$142,156) were approved and assigned, barely 0.14% of what was needed. The National Government's approved spending proved to be the highest budget deficit in the history of Venezuela.⁶

Similarly, according to Professor Alejandro Gutiérrez, director of the Scientific Development Council of the University of Los Andes, his institution's budget is so depleted that researchers are frequently left to fund their research out of their own pockets or with assistance from research groups abroad.⁷

Technological equipment and services, including internet access and supplies necessary for laboratory research are in many cases impossible to acquire. Similar shortfalls are seen in funding for academic travel by professors, researchers, and students, threatening Venezuelan scholars' membership in international alliances and participation in research networks and academic exchange. Likewise, the acquisition of books, subscription to international journals, and the maintenance of university infrastructures are all at risk.

These massive budget shortfalls, very low professors' salaries—roughly equivalent to USD \$5-\$20 per month⁸—and a high rate of emigration among professors and students had already eroded the quality of education and research at the onset of the COVID-19 crisis. Now, with in-person learning gone,

* In June 2009, for example, Claudio Bifano, former president of the Venezuela Academy of Physical, Mathematical and Natural Sciences, raised concerns that universities and centers of research had been subjected to drastic budget cuts that severely affected most research programs, and that restrictions had been imposed on the acquisition of scientific literature and information, as well as internet access. See Claudio Bifano, "Venezuelan Science at Risk," *Science*, June 19, 2009, <https://science.sciencemag.org/content/324/5934/1514.1>.

† On September 25, 2018, the National Assembly—which is currently not aligned with the Maduro government—officially declared the situation within Venezuelan education a humanitarian emergency. See Aula Abierta, "La Universidad del Zulia declara sobre la emergencia humanitaria compleja en el sector educativo en Venezuela," October 22, 2018, <http://aulaabiertavenezuela.org/index.php/2018/10/22/la-universidad-del-zulia-declara-sobre-la-emergencia-humanitaria-compleja-en-el-sector-educativo-en-venezuela/>. The main autonomous universities, including the Central University of Venezuela and University of Zulia, quickly followed with their own statements about the crisis. See Aula Abierta, "Declarada Emergencia Humanitaria compleja en la UCV," October 5, 2018, <http://aulaabiertavenezuela.org/index.php/2018/10/05/declarada-emergencia-humanitaria-compleja-en-la-ucv/>; and Aula Abierta (October 22, 2018).

‡ The members of AVERU, Venezuela's association of university rectors, were threatened with "criminal inquiries" for maintaining a critical position before the "de facto" government. See Aula Abierta, "Rectores de AVERU Bajo Amenaza por Cuestionar Gobierno de facto," August 2, 2019, <http://aulaabiertavenezuela.org/index.php/2019/08/02/rectores-de-averu-bajo-amenaza-por-cuestionar-gobierno-de-facto/>.

and remote learning nearly impossible due to frequent electrical and internet outages caused by crumbling infrastructure, the situation is as dire as it has ever been.

University elections and governance

University elections and governance have been at risk consistently since 2009, when the government passed the Organic Law on Education, which eroded university autonomy by, among other things: giving the national government significant control over a number of university functions, including research, formation of new academic programs, and allocation of financial resources; expanding the population of those who could elect university authorities to include nonacademic personnel and workers (an action seen as intended to give power over university governance to a more pro-Maduro voting bloc); and requiring that universities be directed toward the goals of Bolivarian socialism.⁹

In 2010, university rectors challenged the legislation in court on the grounds that it violated Article 109 of Venezuela's constitution, which explicitly protects university autonomy. As part of the lawsuit, the rectors sought an injunction ordering university elections of rectors, deans, and representatives of professors before the National Council of Universities (CNU)—which had been stalled as a result of several previous court decisions—to commence immediately. The court failed to issue a decision until August 2019, resulting in stalled university elections, and leaving university officials who had been elected to nonrenewable, four-year terms, in office for a decade or more. This created significant governance problems in a number of universities. First, it left in power authorities whose terms had ended years ago, raising questions within universities about the legitimacy of their decisions. More importantly, it meant that when these authorities died or left their universities, they could not be replaced through a normal university election process. Under these circumstances, government authorities argued, Venezuelan law permitted the CNU—a state body aligned with the ruling government, which is tasked with overseeing university relations, universities' compliance with laws governing higher education, and the coordination of university plans with national priorities—to appoint their replacements.

In several cases since 2009, the CNU designated allies of the ruling government as university authorities, including Luis Holder, a military officer appointed in 2017 as the academic vice-rector of Simón Bolívar University,¹⁰ and Clotilde Navarro, appointed in 2019 as the administrative vice-rector of Zulia University.¹¹

On August 27, 2019, the Constitutional Chamber of the Supreme Court of Justice finally issued a judgment on the injunction requested nearly a decade earlier, lifting the suspension of university elections and ordering that elections occur within six months. But the judgment (Judgment 0324) mandated election procedures similar to those provided in the Organic Law on Education, encroaching on university autonomy in violation of the explicit mandate of the Venezuelan constitution. The decision triggered nationwide protests.

On December 3, 2019, as the struggle for administrative control over Venezuela's autonomous universities continued, the National Assembly (now controlled by opposition parties) appointed Manuel Rachadell Sánchez and Miguel Eduardo Alujas as representatives to the CNU. Both scholars were selected on the basis of their demonstrated concern for the autonomy of Venezuela's universities. On December 9, however, the Supreme Court of Justice's Constitutional Chamber annulled the appointment of the two scholars, claiming that the National Assembly was in contempt and that its actions had no legal effect. In addition to the annulment, the Constitutional Chamber issued sanctions against Professors Rachadell and Alujas, including a travel ban, a freeze on their bank accounts, and a ban prohibiting them from selling property and other assets. The court further ordered criminal investigations against the scholars (*AFMI 1052*).

In February 2020, amid national protests, as the deadline set by the court for university elections approached, the Constitutional Chamber suspended Judgment 0324.¹² As of this report, the status of university elections, as well as the larger question of the constitutionality of the Organic Law on Education, remain unsettled.

* Among other things, the decision mandated that certain university personnel, including administrative and campus workers, be permitted to vote in university elections. Article 109 provides in relevant part: "The State shall recognize the autonomy of universities as a principle and status that allows teachers, students and graduates from its community. . . Autonomous universities shall adopt their own rules for their governance and operation and the efficient management of their property, under such control and vigilance as may be established by law to this end. Autonomy of universities is established in the planning, organization, preparation and updating of research, teaching and extension programs. The inviolability of the university campus is established."

Violent and coercive attacks

Government violence and other forms of coercive force against members of the higher education community has been commonplace for more than a decade. In 2009, Chavez ordered both police and military forces to violently repress students on the streets in Venezuela whenever a demonstration was held and told state forces to “give them plenty of good tear gas.” Such acts of violence, by both state (police and/or military) and paramilitary forces were particularly common in the 2014-2019 time period.¹³

Between 2017 and 2019, Aula Abierta, an NGO devoted to academic freedom in Venezuela, documented arbitrary detentions of at least 450 university students and 19 university professors during demonstrations.¹⁴ Many of the victims were wounded. Some were subjected to torture or otherwise cruel, inhumane, and degrading treatment. While direct, violent targeting of members of the higher education community has diminished in the past year, some attacks on groups of students and professors have continued.

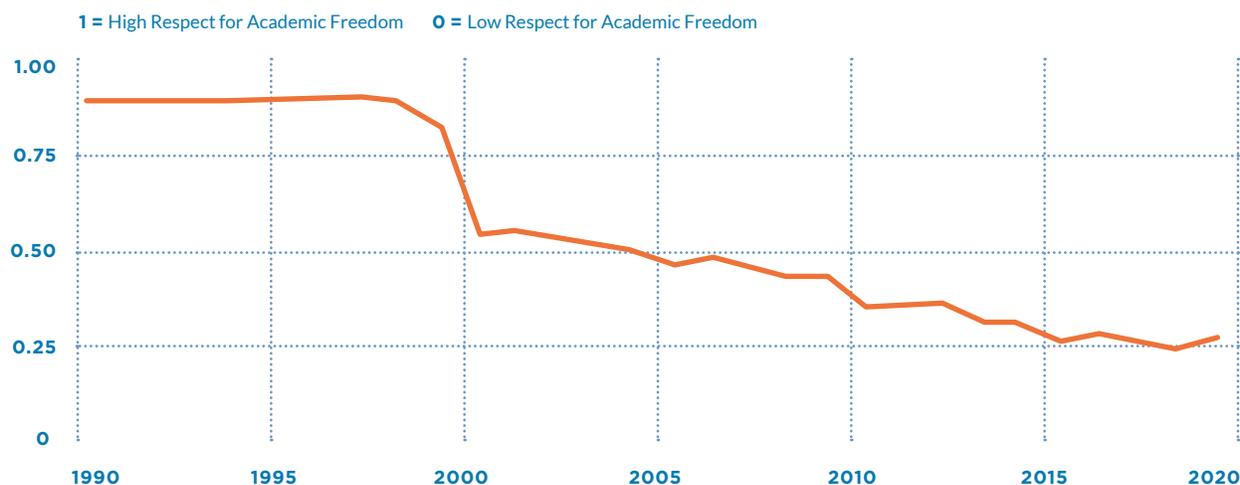
For example, on November 14, 2019, security forces reportedly shot tear gas and pepper spray at university students protesting in Caracas, as they

demonstrated against threats to university autonomy, as well as the dire economic and social conditions under Maduro’s government (AFMI 1031). On February 12, 2020, unidentified individuals discharged tear gas during a master class at the Central University of Venezuela Law School, in an apparent effort to prevent students from discussing a court ruling’s impact on the university autonomy (AFMI 1116). A similar attacked occurred one week later on the UCV campus (AFMI 1124).

Threats against individual scholars have been frequent and—not surprisingly given the recent history of government reprisals against scholars—effective.

In March 2020, for example, Dr. Freddy Pachano, the director of the School of Medicine of the University of the State of Zulia, publicly raised concerns during the onset of COVID-19 about the lack of adequate protective equipment for medical staff. In response, Omar Prieto, the governor of Zulia, stated that “this is an issue of national security and this man has to be investigated,” and ordered a criminal investigation against Dr. Pachano (AFMI 1144). To avoid arrest, Dr. Pachano fled the country. Maracaibo, Zulia’s capital, later became the epicenter of the virus within Venezuela.¹⁵

ACADEMIC FREEDOM INDEX: VENEZUELA



Experts reported a sharp drop in respect for academic freedom following the election of Hugo Chávez as Venezuela’s president in 1999. The decline has continued under President Nicolás Maduro, who has eroded the autonomy of Venezuela’s universities. Learn more about the AFI in *Free Universities: Putting the Academic Freedom Index Into Action*, available at: <https://www.gppi.net/2020/03/26/free-universities>.

On May 14, Diosdado Cabello, the president of the National Constituent Assembly, and vice president of the ruling Socialist party, publicly suggested that “tun-tun” (or, knock-knock) operations—essentially raids and arrests—were appropriate retaliation against members of the Academy of Physics, Mathematics, and Natural Sciences who authored a report indicating that the number of COVID-19 cases might be much higher than reported. Cabello stated that the report was “an invitation for state security agencies to call” the scientists.¹⁶

Fear of government reprisals has also triggered self-censorship. In September 2019, Aula Abierta held a conference on the campus of the University of Zulia, in which engineering professors were asked to analyze Venezuela’s electrical problems. Although Zulia has experienced blackouts of ten hours a day or more, professors privately informed Aula Abierta personnel that neither they, nor their colleagues, were willing to speak at the conference.¹⁷

And, in October 2019, a criminal court in Caracas issued an order prohibiting a planned screening of a film titled “Chavismo: The Plague of the 21st Century” at Simón Bolívar University, or, for that matter, in any other public space.¹⁸ The order followed a media campaign by supporters of the Maduro government, and an investigation by the local prosecutor’s office for the crime of “promoting or inciting hatred.”

Decline in scientific research and migration of qualified personnel

The above factors have weakened individual universities, led alarming numbers of higher education personnel to flee Venezuela, and, consequently, diminished the overall functioning of Venezuela’s public universities.¹⁹

National and university-based research support programs have been politicized and, over the years, have begun to disappear. In 2010, Professor Alejandro Gutiérrez, director of the Scientific Development Council of the University of Los Andes, indicated that funds for fundamental research programs were cut by 60% since 2009.²⁰ According to a 2019 report by *Crónica Uno*, the last call that the Central University of Venezuela made for new research proposals was in 2013.²¹

These challenges, combined with the above-described restrictions on academic freedom and university autonomy—which target both individual scholars and the higher education space more broadly—have given rise to a manifestly hostile environment for scholars throughout Venezuela. It is thus unsurprising that the country has seen a mass migration of qualified professors. By 2019, approximately 50% of professors from all Venezuelan universities had reportedly left the country.²² Likewise, 30% of the country’s researchers had emigrated by April 2019.²³ And by 2018, budget constraints and migration of researchers had reportedly left 77% of laboratories in Venezuela—including labs that until recently were major contributors to the country’s public health system—paralyzed or abandoned.²⁴

As a result, Venezuela’s research output, published articles, and its place in international university rankings have all declined significantly.* According to SCImago Journal & Country Rank, a publicly available online portal that ranks countries by journal output, in 1998, Venezuelan universities provided 4.8% of the journal articles from Latin America (roughly proportional to Venezuela’s population as a percentage of the overall population of Latin America at the time).²⁵ By 2019, that number dropped to 0.8%.²⁶

Moreover, twenty years of eroding institutional autonomy and academic freedom, and mounting government repression of dissent by students and scholars have tarnished Venezuela’s international standing as an environment for the free exchange of ideas. According to the Academic Freedom Index (AFI), a global analysis of national levels of respect for academic freedom, Venezuela received a score of 0.28 out of 1.00 (a “D” ranking), placing it near the bottom quintile of the 140 countries evaluated and well below the average for countries in Latin America and the Caribbean (0.77).²⁷

The overall pressures on Venezuelan universities have plainly taken an enormous toll which, if not remedied, could have a dire impact not only on the university space itself, but on the country’s overall ability to recover from the current crisis.

* In 1997, Simón Bolívar University had 165 research programs; programs dropped to 26 in 2018. According to the National Observatory of Science and Technology, in 2012, the university financed 974 research projects; only 62 projects were financed in 2015. For data on Venezuelan research publications, see Red de Indicadores de Ciencia y Tecnología -Iberoamericana e Interamericana (“Ibero-American and Inter-American Network for Science and Technology Indicators”), available at http://app.riicyt.org/ui/v3/bycountry.html?country=VE&subfamily=CTI_BIB&start_year=2009&end_year=2018. According to the QS World University rankings, featured Venezuelan higher education institutions have fallen in the rankings in recent years. See “QS World University Rankings,” available at <https://www.topuniversities.com/university-rankings/world-university-rankings/2020>.

Venezuela may be the only country in the region whose higher education sector has faced as many threats—including legal and government policies, persecution of university professors and students, and budget restrictions—for as long as it has.

What is at stake is not only the preservation of universities and knowledge generation, but also the core values that are essential elements of university life, such as critical thought, a culture of independence, and individual responsibility—values that are also essential for democracy. Healthy, free universities will be critical if Venezuela is to have a chance at rebuilding democracy and rule of law, and of overcoming the complex humanitarian and political emergency the country is currently facing.

It is therefore necessary that international bodies such as the United Nations and Inter-American Commission on Human Rights, universities around the world, and international political institutions monitor the crisis in Venezuela, use available leverage to demand Venezuelan authorities to protect academic freedom, university autonomy, and the right to education, not only by refraining from future attacks, but also by addressing past attacks and ensuring that Venezuelan higher education is appropriately funded, regardless of the perceived ideology of the institution.

Universities can and must play a key role in Venezuela's political and economic recovery. To ensure that they are able to do so, the international community must work today to protect them.

ENDNOTES

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Recommendations

The data reflected in *Free to Think 2020* presents a distressing phenomenon of attacks on higher education communities around the world, with notable pressures in mainland China, Hong Kong, India, Turkey, Venezuela, and Yemen. Violent attacks on the university space; imprisonments and prosecutions; the use of force against students; terminations and expulsions; travel restrictions; threats to institutional autonomy; and other pressures shrink the space for higher education communities to develop and convey knowledge and serve society, especially on issues of critical importance to scientific advancements, public policy, and democratic debate. Recognizing these incidents—despite variations in target, type of attack, and location—as a single global phenomenon is a critical first step in devising solutions. The next step is to encourage a robust response at the international and state levels, from within higher education itself and from civil society and the public at large.



Scholars at Risk (SAR) urges states, higher education leaders, civil society, and the public at large in all countries to:

- **Recognize publicly the problem of attacks on higher education**, their negative consequences, and the responsibility of states to protect higher education communities within their territories against such attacks;
- **Abstain from direct or indirect involvement in attacks** of any type on higher education, including by undue external interference or compulsion, by criminal, legislative, or administrative actions, or by travel restrictions that punish or deter nonviolent academic conduct, expression, or associations;
- **Demand prompt, thorough, and transparent investigations** of attacks on higher education communities, as well as all reasonable efforts to **hold perpetrators accountable**;
- Take all reasonable measures to **ensure adequate security** for all members of higher education communities;
- **Review laws used to prosecute scholars and students, and amend or repeal them as necessary** to ensure that scholars and students can exercise

their rights to academic freedom and other constituent rights;

- **Respect the right of students to engage in organized peaceful expression** and refrain from violence or other inappropriate responses to such expression;
- **Lift restrictions on the travel, movement, or residence** of scholars, students, and other higher education personnel, and refrain from future restrictions that are based on nonviolent academic conduct, expression, or associations;
- **Ensure the security and integrity of virtual higher education spaces** for faculty and students, and hold accountable individuals and groups that attempt to violate those spaces;
- **Assist threatened scholars and students**, including by offering on-campus and virtual opportunities for research, teaching, and study, extending access to online resources, and providing career advice and referrals; and
- **Contribute to efforts aimed at reinforcing principles of academic freedom and institutional autonomy**, including by reaffirming their commitment in public statements, policies, and practices to the principles that ideas are not crimes and that critical discourse is not disloyalty.



In Turkey especially, SAR urges state authorities and higher education leaders to:

- **suspend and reverse actions** taken against Turkish higher education institutions and personnel, including wrongful arrests, terminations, suspensions, restrictions on travel, and university closures; and, barring this,
- **ensure an effective and transparent review** for all higher education personnel who have been subject to suspension, termination, expulsion, or other professional retaliation in connection with the Peace Petition, investigations related to the 2016 coup attempt, or related events;
- **ensure due process**, consistent with international human rights standards, for all professors, students, and other higher education personnel subject to civil or criminal actions; and
- **restore and strengthen institutional autonomy**, including by returning to university faculty and higher education council officials their role in the rector appointment process.



China & Hong Kong

In mainland China and the Hong Kong Special Administrative Region especially, SAR urges state authorities and higher education leaders to:

- **Unconditionally release detained scholars and students**, including those held in “reeducation camps” and other facilities, and pending this, to disclose their location and ensure access to medical care, legal counsel, and family;
- **Refrain from “reeducation” efforts, travel restrictions, pressures on universities to carry out disciplinary measures, and other actions that restrict academic freedom** and its constituent freedoms of expression, opinion, thought, association, and travel; and
- **Repeal the National Security Law** or revise the same in order to comply with Hong Kong’s obligations under its Basic Law and international human rights law, and, pending this, ensure that the Law does not restrict, chill, or punish the nonviolent exercise of rights protected under international human rights law, including especially academic freedom, freedom of expression, and freedom of association.



Yemen

In Yemen especially, SAR urges parties to the conflict, responsible state authorities, and higher education leaders to:

- **Refrain immediately from targeted or indiscriminate attacks** on higher education personnel, students, or facilities, and to secure the release of wrongfully imprisoned scholars, students, and university administrators;
- **Endorse and implement the Safe Schools Declaration (endorsed by Yemen in 2017) and the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict** in their policies and practices, including by refraining from the military use of education infrastructure and securing the removal of all military personnel and equipment from those same facilities, including at the higher education level; and
- **Ensure universities’ institutional autonomy** by returning all administrative and academic responsibilities to qualified civilian actors chosen by scholars and other higher education professionals.



India

In India especially, SAR urges state authorities and higher education leaders to:

- **Ensure the autonomy and functioning of higher education institutions in Jammu and Kashmir**, including by fully restoring telecommunications systems and removing security forces from higher education campuses;
- **Refrain from the use of force** when responding to student and faculty expression on and off campus, and ensure that actions by security forces are proportional and do not interfere with peaceful expressive activities;
- **Refrain from detentions, prosecutions, and university disciplinary measures** that retaliate against, restrict, or otherwise frustrate peaceful academic conduct, expression, or associations; and
- **Repeal the Unlawful Activities (Prevention) Act** or revise the same in order to ensure compliance with obligations under its constitution and international human rights law, and, pending this, ensure that the Law does not restrict, chill, or punish the nonviolent exercise of rights protected under international human rights law, including especially academic freedom, freedom of expression, and freedom of association.



Venezuela

In Venezuela especially, SAR urges state authorities to:

- **Affirm publicly a commitment to nonviolence and social responsibility** and to take all necessary measures to ensure that student expression—on campus and elsewhere—is protected;
- **Ensure the enforcement of legal protections for institutional autonomy** under Venezuelan law;
- Take measures consistent with the fullest exercise of institutional autonomy and academic freedom to **ensure the security of higher education communities** throughout Venezuela, to **prevent future attacks**, and to **hold perpetrators of past attacks accountable**; and
- **Reject partisan political considerations** when preparing budgets for public institutions of higher education.

Appendix I: Table of Incidents

The below table includes 341 attacks arising from 259 verified incidents in 58 countries, as reported by Scholars at Risk’s Academic Freedom Monitoring Project from September 1, 2019, to August 31, 2020. Note that the total number of attacks exceeds the total number of incidents reported because one incident may involve more than one type of conduct. Figures cited only include independently verified incidents. Over this reporting period, the project evaluated more

than 415 reported attacks. Incidents are listed below in reverse chronological order and are described by the location where the incident took place, the institution(s) implicated in the incident, and the type(s) of attack associated with the incident. For more detailed information on the below incidents, including links to sources cited in incident reports, please visit the Monitoring Project website at <https://www.scholarsatrisk.org/monitoringproject>.

AFMI	Date	Location	Institution(s)						
1227	08/30/20	Russia	Higher School of Economics	X			X		
1226	08/28/20	Belarus	Belarusian State University		X	X			
1225	08/28/20	Haiti	University of Haiti	X					
1224	08/24/20	Thailand	Ramkhamhaeng University		X	X			
1223	08/14/20	Rwanda	University of Rwanda				X		
1222	08/14/20	Thailand	Thammasat University		X	X			
1221	08/12/20	Belarus	George Washington University	X	X	X			
1220	08/07/20	Thailand	Ramkhamhaeng University		X	X			
1219	07/28/20	Hong Kong	University of Hong Kong				X		
1218	07/28/20	India	Delhi University		X	X			
1217	07/27/20	Hong Kong	Hong Kong Baptist University				X		
1216	07/17/20	India	Roorkee Institute of Technology	X					
1215	07/16/20	Palestine (OPT)	Al Quds University		X	X			
1214	07/14/20	Indonesia	National University			X	X		
1213	07/13/20	Uganda	Makerere University		X				
1212	07/12/20	China	Tsinghua University				X		
1211	07/09/20	Palestine (OPT)	Birzeit University		X				
1210	07/09/20	Serbia	University of Belgrade		X				
1209	07/06/20	China	Tsinghua University		X				
1208	07/06/20	Iraq	Unaffiliated	X					
1207	07/01/20	Turkey	Uludağ University				X		X
1206	06/30/20	Turkey	Istanbul Şehir University						X
1205	06/29/20	Mexico	University of Valladolid de Xalapa	X					
1204	06/25/20	Iran	University of Mohaghegh Ardabili				X		
1203	06/24/20	Iran	Unaffiliated		X	X			
1202	06/24/20	Pakistan	Various Institutions	X	X				
1201	06/23/20	United Kingdom	University of Cambridge	X					
1200	06/22/20	India	Delhi University		X				
1199	06/22/20	Zimbabwe	Chinhoyi University of Technology		X	X			

AFMI	Date	Location	Institution(s)						
1198	06/20/20	China	Hubei University				X		
1197	06/20/20	Pakistan	Forman Christian College				X		
1196	06/18/20	Bangladesh	Rajshahi University		X	X	X		
1195	06/18/20	Nigeria	Various Institutions		X	X			
1194	06/14/20	Bangladesh	Begum Rokeya University, Rangpur		X	X			
1193	06/12/20	Peru	National University of San Antonio Abad of Cusco		X				
1192	06/10/20	Indonesia	National University				X		
1191	06/10/20	Pakistan	University of Sindh	X					
1190	06/10/20	Pakistan	Shah Abdul Latif University Khairpur		X	X			
1189	06/05/20	Philippines	University of the Philippines		X				
1188	06/04/20	Palestine (OPT)	Birzeit University		X				
1187	06/01/20	Azerbaijan	Baku State University		X	X			
1186	06/01/20	USA	University of California, Los Angeles						X
1185	06/01/20	USA	Ohio State University	X					
1184	05/28/20	India	Aligarh Muslim University		X	X			
1183	05/25/20	Poland	University of Silesia						X
1182	05/23/20	India	Jawaharlal Nehru University		X	X			
1181	05/19/20	Yemen	Hodeidah University		X				
1180	05/18/20	Uganda	Unaffiliated		X				
1179	05/17/20	India	Jamia Millia Islamia		X	X			
1178	05/15/20	USA	Northwestern University						X
1177	05/14/20	Egypt	College of Staten Island (CUNY)		X				
1176	05/12/20	USA	California Polytechnic State University						X
1175	05/11/20	Uganda	Makerere University		X				
1174	05/10/20	China	Unaffiliated		X				
1173	05/09/20	USA	Oklahoma City University						X
1172	05/02/20	Iran	University of Tehran		X	X			
1171	05/01/20	Iran	University of Tehran		X	X			
1170	04/29/20	Nigeria	Akwa Ibom State University		X	X			
1169	04/28/20	Yemen	Dhamar University		X				
1168	04/24/20	USA	University of South Carolina						X
1167	04/21/20	Indonesia	Syiah Kuala University			X			
1166	04/20/20	Cameroon	University of Buea				X		
1165	04/20/20	USA	Bakersfield College						X
1164	04/20/20	USA	California State University, Fresno						X
1163	04/14/20	China	Unaffiliated		X	X			
1162	04/14/20	India	Goa Institute of Management		X	X			
1161	04/10/20	India	Jamia Millia Islamia		X	X			
1160	04/10/20	Iran	Sharif University of Technology		X				
1159	04/06/20	USA	University of Georgia						X
1158	04/01/20	India	Jamia Millia Islamia		X	X			

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AFMI	Date	Location	Institution(s)						
1157	04/01/20	India	Jawaharlal Nehru University	X					
1156	03/31/20	USA	University of Florida						X
1155	03/31/20	USA	Loyola University Chicago						X
1154	03/30/20	USA	University of Texas at Austin						X
1153	03/27/20	Bangladesh	Barisal Government Women's College; Gafargaon Government College				X		
1152	03/26/20	USA	California State University, Long Beach						X
1151	03/23/20	Afghanistan	Paktia University	X					
1150	03/21/20	Russia	Moscow State University		X	X			
1149	03/18/20	Egypt	American University of Cairo; University of Cairo; University of Lancaster		X	X			
1148	03/18/20	India	Indian Institute of Technology-Guwahati				X		
1147	03/14/20	India	Aligarh Muslim University		X				
1146	03/11/20	South Africa	University of KwaZulu-Natal	X					
1145	03/09/20	Kenya	University of Nairobi	X					
1144	03/09/20	Venezuela	University of Zulia			X			
1143	03/06/20	Somalia	University of Hargeisa	X					
1142	03/04/20	Colombia	University of Antioquia	X					
1141	03/04/20	Kenya	University of Nairobi	X					
1140	03/03/20	South Africa	Cape Peninsula University of Technology	X					
1139	03/02/20	South Africa	University of Zululand	X					
1138	03/01/20	India	English and Foreign Languages University						X
1137	02/28/20	Colombia	Industrial University of Santander	X					
1136	02/28/20	India	Gurucharan College		X	X			
1135	02/28/20	Pakistan	University of Punjab	X					
1134	02/27/20	Chile	University of Concepcion	X					
1133	02/26/20	Colombia	Distrital University	X					
1132	02/26/20	Colombia	Cundinamarca University; Minuto de Dios University	X					
1131	02/26/20	Mexico	National Autonomous University of Mexico	X					
1130	02/25/20	South Africa	University of Fort Hare	X					
1129	02/24/20	South Africa	University of Limpopo	X					
1128	02/22/20	India	Jadavpur University					X	
1127	02/21/20	Colombia	Distrital University	X					
1126	02/19/20	Colombia	Pedagogical University	X					
1125	02/19/20	South Africa	University of KwaZulu-Natal	X					
1124	02/18/20	Venezuela	Central University of Venezuela	X					
1123	02/16/20	China	Tsinghua University		X				
1122	02/15/20	China	Unaffiliated		X	X			
1121	02/15/20	India	KLE Institute of Technology		X	X	X		
1120	02/14/20	India	Visva Bharati University					X	
1119	02/13/20	Italy	University of Turin	X					
1118	02/12/20	Colombia	National University of Colombia at Medellin	X					

 Killings, Violence, Disappearances  Imprisonment  Prosecution  Loss of Position  Travel Restrictions  Other

AFMI	Date	Location	Institution(s)						
1117	02/12/20	South Sudan	University of Juba				X		
1116	02/12/20	Venezuela	Central University of Venezuela	X					
1115	02/11/20	Yemen	University of Science and Technology		X	X			
1114	02/10/20	India	Jamia Millia Islamia	X					
1113	02/10/20	Iran	University of Tehran		X				
1112	02/10/20	Iraq	Al Ain University	X					
1111	02/07/20	China	Chinese Academy of Social Sciences				X		
1110	02/07/20	Egypt	University of Bologna	X	X	X			
1109	02/06/20	Brazil	Federal University of Paraíba	X					
1108	02/06/20	Colombia	National University of Colombia	X					
1107	02/04/20	Afghanistan	Marshal Fahim Military Academy	X					
1106	02/04/20	Iran	University of Tehran	X	X	X			
1105	02/04/20	Mexico	National Autonomous University of Mexico	X					
1104	02/03/20	South Africa	University of KwaZulu-Natal	X					
1103	02/02/20	Yemen	Sana'a University	X					X
1102	02/02/20	Yemen	University of Ibb						X
1101	01/31/20	China	Unaffiliated		X	X			
1100	01/31/20	Turkey	Boğaziçi University			X			
1099	01/30/20	Bahrain	Unaffiliated		X				
1098	01/30/20	India	Aligarh Muslim University		X	X			
1097	01/30/20	India	Jamia Millia Islamia	X					
1096	01/29/20	South Africa	University of KwaZulu-Natal	X					
1095	01/29/20	South Africa	University of KwaZulu-Natal	X					
1094	01/28/20	India	Jawaharlal Nehru University		X	X			
1093	01/28/20	Iraq	Al-Mustansiriya State University	X					
1092	01/27/20	India	Visva Bharati University				X		
1091	01/27/20	South Africa	University of South Africa	X					
1090	01/27/20	South Africa	University of KwaZulu-Natal	X					
1089	01/26/20	India	University of Hyderabad		X				X
1088	01/25/20	Yemen	University of Science and Technology		X				
1087	01/18/20	India	Osmania University		X	X			
1086	01/17/20	Hong Kong	Hong Kong Baptist University				X		
1085	01/16/20	India	Visva Bharati University	X					
1084	01/16/20	Iran	University of Tehran		X				
1083	01/16/20	Senegal	Alioune Diop University, Bambey	X					
1082	01/13/20	Kenya	Egerton University	X					
1081	01/12/20	Iraq	Various Institutions	X					
1080	01/12/20	Iraq	University of Wasit	X					
1079	01/11/20	Ethiopia	Hawassa University	X					
1078	01/11/20	Iran	Amirkabir University of Technology	X					
1077	01/09/20	India	Jawaharlal Nehru University	X	X				
1076	01/08/20	Burundi	University of Burundi	X	X				

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AFMI	Date	Location	Institution(s)						
1075	01/08/20	Iraq	International Historians Association for Culture, Development, and Social Sciences	X					
1074	01/07/20	India	Various Institutions	X					
1073	01/06/20	Congo (DRC)	University of Kinshasa	X					
1072	01/05/20	India	Jawaharlal Nehru University	X					X
1071	01/02/20	Hong Kong	Massachusetts College of Art and Design					X	
1070	01/02/20	Turkey	Istanbul University	X					
1069	01/01/20	Yemen	University of Ibb		X				X
1068	12/30/19	India	Jadavpur University	X					
1067	12/24/19	India	Indian Institute of Technology-Madras					X	
1066	12/24/19	Yemen	Sana'a University	X	X				
1065	12/22/19	India	Khwaja Moinuddin Chishti Language University				X		
1064	12/19/19	India	University of Hyderabad		X				
1063	12/18/19	India	University of Madras		X				
1062	12/16/19	India	Delhi University	X					
1061	12/16/19	India	Indian Institute of Management in Ahmedabad		X				
1060	12/15/19	India	Jamia Millia Islamia	X	X				X
1059	12/15/19	India	Aligarh Muslim University	X	X				X
1058	12/13/19	India	Jamia Millia Islamia	X	X				
1057	12/12/19	Pakistan	International Islamic University Islamabad	X					
1056	12/12/19	Palestine (OPT)	Birzeit University		X				
1055	12/09/19	India	Banaras Hindu University	X					
1054	12/09/19	India	Dhanamanjuri University		X				
1053	12/09/19	India	Jawaharlal Nehru University	X	X				
1052	12/09/19	Venezuela	Central University of Venezuela					X	X
1051	12/05/19	France	University Paul-Valéry, Montpellier III	X					
1050	12/04/19	Ethiopia	Dembi Dollo University		X				
1049	12/02/19	Indonesia	Khairun University; Muhammadiyah University	X	X	X	X		
1048	12/02/19	Pakistan	Abdul Wali Khan University		X	X			
1047	12/01/19	Pakistan	Punjab University; University of Balochistan			X	X		
1046	11/30/19	Pakistan	Punjab University		X	X			
1045	11/28/19	Yemen	Sana'a University		X				
1044	11/27/19	Russia	École des hautes études en sciences sociales					X	
1043	11/27/19	Uganda	Kampala International University		X				
1042	11/26/19	India	University of Kashmir	X					
1041	11/21/19	Colombia	National Pedagogic University	X	X				
1040	11/21/19	Costa Rica	University of Costa Rica	X					
1039	11/20/19	Costa Rica	University of Costa Rica	X					
1038	11/18/19	India	Jawaharlal Nehru University	X					
1037	11/18/19	Iran	University of Tehran	X	X				

Recommendations

AFMI	Date	Location	Institution(s)						
1036	11/17/19	Hong Kong	Hong Kong Polytechnic University	X					X
1035	11/17/19	Iran	University of Tehran		X				
1034	11/17/19	Pakistan	Sindh University, Jamshoro			X			
1033	11/15/19	Iran	Razi University				X		
1032	11/14/19	Mexico	National Autonomous University of Mexico	X					
1031	11/14/19	Venezuela	Central University of Venezuela	X					
1030	11/13/19	Palestine (OPT)	Bisan Center for Research and Development		X				
1029	11/12/19	Ethiopia	Dembi Dollo University	X					
1028	11/11/19	Greece	Athens University of Economics and Business	X					
1027	11/11/19	Hong Kong	Chinese University of Hong Kong; Hong Kong Polytechnic University; University of Hong Kong	X					X
1026	11/11/19	India	Jawaharlal Nehru University	X					
1025	11/11/19	Kenya	Jomo Kenyatta University of Agriculture and Technology	X	X				
1024	11/10/19	Bolivia	Higher University of San Andrés	X					
1023	11/10/19	Ethiopia	Woldia University	X					
1022	11/08/19	Chile	Pedro de Valdivia University	X					
1021	11/06/19	Chile	University of Atacama	X					
1020	11/05/19	Afghanistan	Unaffiliated	X					
1019	11/05/19	Bangladesh	Jahangirnagar University	X					
1018	11/04/19	Swaziland	Southern Africa Nazarene University	X					
1017	10/30/19	Yemen	Dhamar University	X					
1016	10/30/19	Uganda	Makerere University	X	X				
1015	10/24/19	Colombia	University of Atlántico	X					
1014	10/24/19	Uganda	Makerere University	X					X
1013	10/23/19	Uganda	Makerere University	X					
1012	10/22/19	Uganda	Makerere University		X	X	X		
1011	10/21/19	China	Hokkaido University		X				
1010	10/20/19	Sudan	Alzaiem Alazhari University	X					
1009	10/20/19	Venezuela	Central University of Venezuela	X					
1008	10/19/19	India	North Eastern Hill University	X					
1007	10/15/19	China	Finnish Meteorological Institute		X	X			
1006	10/15/19	Colombia	University of La Guajira	X					
1005	10/15/19	Malaysia	University of Malaya			X			
1004	10/14/19	Peru	Inca Garcilaso de la Vega University	X					
1003	10/11/19	Greece	Various Institutions	X					
1002	10/11/19	Iran	University of Tehran				X		
1001	10/10/19	Colombia	Various Institutions	X	X				
1000	10/09/19	India	Mahatma Gandhi Antarrashtriya Hindi Vishwavidyalaya				X		
999	10/08/19	Afghanistan	Ghazni University	X					
998	10/08/19	Algeria	Various Institutions	X	X				

 Killings, Violence, Disappearances
  Imprisonment
  Prosecution
  Loss of Position
  Travel Restrictions
  Other

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AFMI	Date	Location	Institution(s)						
997	10/08/19	India	Hindustan College		X				
996	10/08/19	Venezuela	University of Simón Bolívar						X
995	10/06/19	Bangladesh	Bangladesh University of Engineering Technology	X					
994	10/06/19	Hong Kong	Chinese University of Hong Kong		X				X
993	10/05/19	Palestine (OPT)	Various Institutions	X					
992	10/03/19	Bangladesh	Jagannath University	X					
991	10/03/19	Colombia	Distrital University	X					
990	09/28/19	Hong Kong	Unaffiliated					X	
989	09/25/19	Colombia	Francisco José de Caldas District University; National Pedagogic University	X					
988	09/24/19	Colombia	Francisco José de Caldas District University; Javeriana University	X					
987	09/24/19	Egypt	Cairo University		X	X			
986	09/24/19	Indonesia	Various Institutions	X					
985	09/19/19	India	Jadavpur University	X					
984	09/19/19	Sri Lanka	University of Jaffna						X
983	09/18/19	Spain	University of Barcelona			X			
982	09/17/19	Russia	Ural State Economic University				X		
981	09/16/19	Afghanistan	Ghazni University	X					
980	09/15/19	Hong Kong	Hong Kong Baptist University		X	X			
979	09/11/19	Peru	National University of San Marcos	X					
978	09/11/19	Saudi Arabia	Qassim University		X				
977	09/10/19	India	Delhi University						X
976	09/10/19	Nigeria	Federal University Oye-Ekiti	X					
975	09/09/19	Bangladesh	Cox's Bazar International University				X		
974	09/09/19	Nicaragua	Central American University						X
973	09/07/19	Palestine (OPT)	Birzeit University		X	X			
972	09/06/19	Tunisia	Tunis El Manar University				X		
971	09/04/19	Colombia	University of Cundinamarca	X	X				
970	09/04/19	Ukraine	Ternopil National Economic University	X					
969	09/02/19	South Africa	Nelson Mandela University	X					
TOTALS (September 1, 2019 – August 31, 2020)				124	96	52	30	7	32

TOTAL ATTACKS: 342

 Killings, Violence, Disappearances  Imprisonment  Prosecution  Loss of Position  Travel Restrictions  Other

Appendix II: Methodology

The Scholars at Risk Academic Freedom Monitoring Project aims to identify, assess, and track incidents involving one or more of six types of conduct which may constitute violations of academic freedom and/or the human rights of members of higher education communities. The project consists of SAR staff working in partnership with higher education professionals, researchers, students participating in SAR's Academic Freedom Legal Clinics, and advocates around the world serving as monitors. Monitors may work within or external to the country or region being covered, following a detailed system developed by Scholars at Risk for identifying, reporting on, and analyzing incidents of attacks on higher education systems, institutions, or personnel. Anonymity of monitors is maintained where warranted by personal security or other concerns.

The six types of conduct monitored include: (1) killings, violence, and disappearances; (2) wrongful imprisonment/detention; (3) wrongful prosecution; (4) wrongful dismissal/loss of position/expulsion from study; (5) restrictions on travel or movement; and (6) other. The "other" type acknowledges that it is not easy to anticipate all relevant types of attacks that the monitoring project might expose and leaves room for researchers to include significant incidents which do not fit squarely elsewhere. Over time, regular reports of similar kinds of conduct in the "other" type may justify adding an additional delimited type. "Other" types of attacks identified by the project may include military targeting, occupation or use of higher education facilities; forced university closures; and systematic discrimination in access to higher education. For three of the types—travel, dismissal/loss of position/expulsion, and prosecution—the project reports only on incidents bearing some nexus to academic activity or content, expression, or association. For the other three types—imprisonment; killings, violence, and disappearances; and other significant events—the project requires only a nexus to members of higher education communities or higher education institutions and infrastructures. For example, the dismissal of a professor or student is included if there appears to be a nexus between the professor or student's academic activity, expression, or the content of research, writing, teaching, or lecturing. The killing of a professor or student is included even if there is no specific link to academic speech, conduct or the content, if it satisfies the definition of "attack" and is therefore likely to

contribute to insecurity or have a chilling effect on higher education, intentional or otherwise.

Monitors submit reports to SAR on a rolling basis. Monitors are encouraged to focus on the defined types of attacks, but are also instructed to exercise an "inclusion preference," reporting corroborated incidents that may be difficult to fit within the five defined types, but which raise significant concerns about the security and freedom of higher education communities. This allows the broadest collection of initial data, data that over time will help support analysis of scope and frequency. In all cases, Scholars at Risk staff provide a secondary level of review and work within the limits of available resources, and with individual monitors, to corroborate reported incidents and to evaluate when an incident rises to the level of reportable "attack" for project purposes. Sources typically include local, national, and international media outlets and, where possible, primary sources such as interviews with victims, witnesses, or bystanders, and court, government, or university documents. Incidents corroborated by sufficient reliable sources are deemed "verified" and published as warranting public attention, including via email digests, website, social media, and summary reports. SAR welcomes submissions of additional corroborating, clarifying, or contradictory information that may be used to further research or otherwise improve data reported.

SAR Publications and Materials



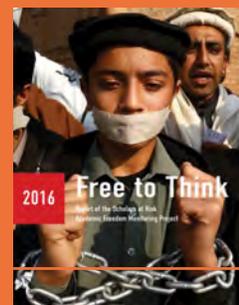
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2019**



**Free to Think
2018**



**Free to Think
2017**



**Free to Think
2016**



**Obstacles to Excellence:
Academic Freedom &
China's Quest for
World-Class Universities**



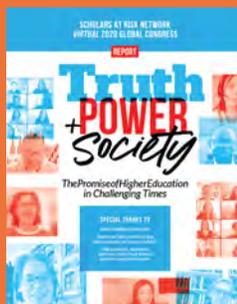
**Intellectual-HRDs & Claims
for Academic Freedom
Under Human Rights Law**



**Dangerous Questions:
Why Academic
Freedom Matters**



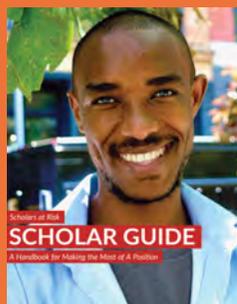
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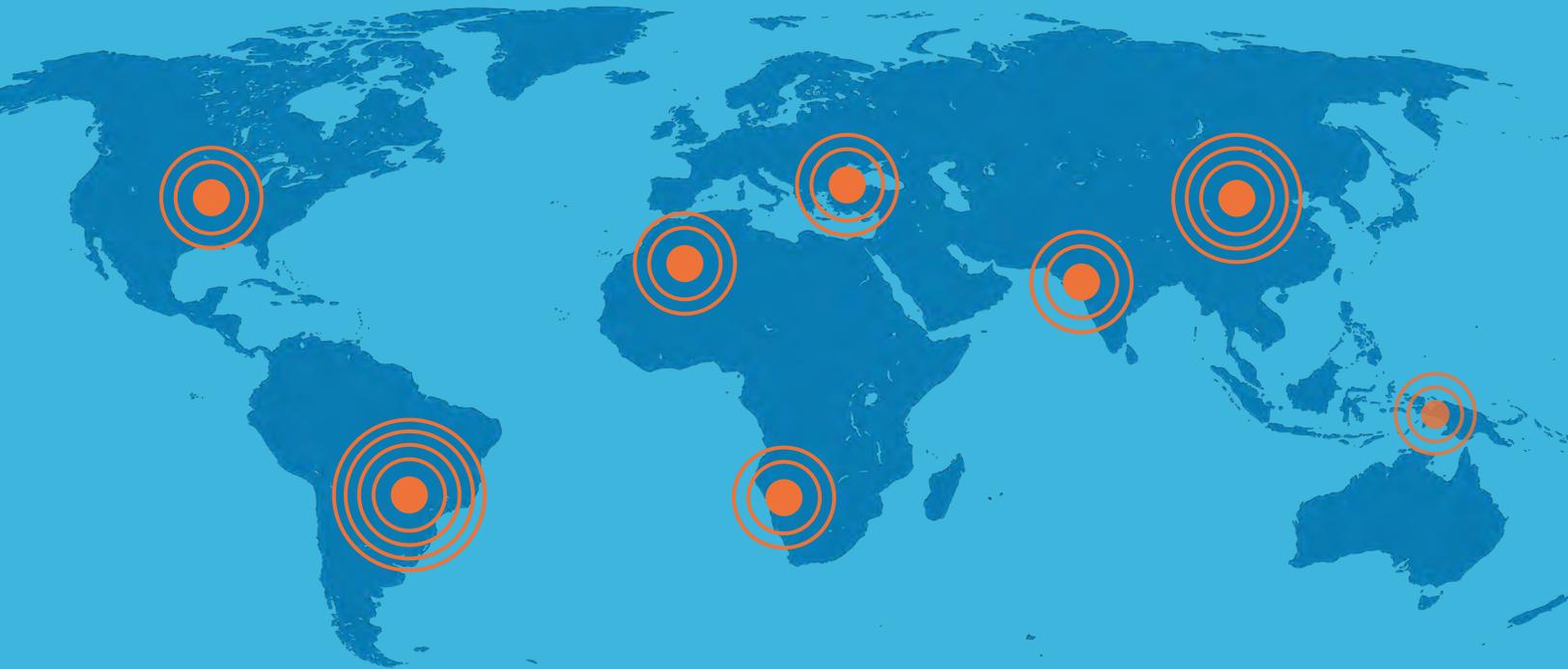


THOUSANDS OF EDUCATORS AND ACADEMICS are killed, imprisoned, attacked, or threatened around the world each year because of what they teach, write, or say. This is dangerous for all of us. It not only destroys lives, but it also denies everyone the benefit of expert knowledge, destabilizes vulnerable societies, and cripples the healthy public discourse that sustains democracy.

Scholars at Risk (SAR) is an international network of over 500 higher education institutions and thousands of individuals in 39 countries that is leading the charge in protecting and offering sanctuary to threatened scholars and students. Our mission is to protect higher education communities and their members from violent and coercive attacks, and by doing so to expand the space in society for reason and evidence-based approaches to resolving conflicts and solving problems. We meet this mission through direct protection of individuals, advocacy aimed at preventing attacks and increasing accountability, and research and learning initiatives that promote academic freedom and related values.

Institutions and individuals are invited to take part in this important work by joining the network, offering to host at-risk scholars, organizing campus events, advocating on behalf of imprisoned academics and students, conducting research through SAR's Academic Freedom Monitoring Project and working groups, proposing your own projects, and donating to SAR to sustain these activities. To learn more about SAR activities, network membership, or how you or your institution might benefit, please visit :

www.scholarsatrisk.org



2020

Free to Think

Report of the Scholars at Risk
Academic Freedom Monitoring Project

*Scholars at Risk is an independent not-for-profit
corporation hosted at New York University*

SCHOLARS AT RISK
NETWORK

 protection  advocacy  learning

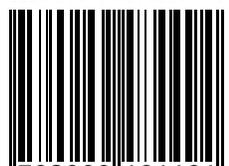
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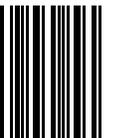
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