

# **The International Human Rights Network of Academies and Scholarly Societies – Recent Activities and Continuing Concerns**

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## **1. Introduction**

Good morning and my thanks to the Polish Academy of Sciences, the German Academy of Sciences Leopoldina, and everyone involved in organizing this conference. The topics are important, and I am certainly looking forward to learning from each of the speakers here today and tomorrow.

For my part, I want to tell you about recent activities, a number of successes, and continuing concerns of our International Human Rights Network of Academies and Scholarly Societies (Network). The Committee on Human Rights of the National Academies in the United States, of which I have been director for some 30 years, serves as the Network's secretariat.

## **2. The Network**

When, in 1993, it occurred to me to try to set up a network of science academies to support human rights, I solicited the help of three Nobel Laureates: François JACOB in France, Max PERUTZ in England, and Torsten WIESEL who is Swedish but was living in the United States, as well as a human rights legal scholar who was, at the time, a judge on the Netherlands Council of State, Pieter VAN DIJK.

### *2.1 The Network's Executive Committee*

Today, the Network has an international Executive Committee (EC), to which we are adding additional members from Asia, Africa, and Latin America in the coming year. I was delighted to see that one of our dedicated members, Professor Alenka ŠELIŠ from Slovenia, is giving a lecture here this afternoon. It is the individual EC members who speak to the public about Network concerns and make occasional public statements and issue press releases on particular issues. We often ask Network affiliated academies to endorse the EC's statements to the press, some of which I will describe during this talk.

I should stress that each academy that is affiliated with the Network acts independently and at its own discretion. Many have established Internet links to the Network from their academies' home pages and post our statements and reports, which is very helpful in gaining foreign press attention to urgent cases and issues.

## 2.2 *The Context of Our Activities*

When our founding members held the Network's first meeting at the Royal Netherlands Academy of Arts and Sciences, about a dozen European academies attended. Several meetings later we developed a statement of the Network's aims. It reads as follows:

"The International Human Rights Network of Academies and Scholarly Societies assists scientists, scholars, engineers, and health professionals around the world who are subjected to severe repression solely for having nonviolently exercised their rights as promulgated by the Universal Declaration of Human Rights (UDHR). It stands in solidarity with sister national academies and scholarly societies worldwide to support their independence and autonomy, and it promotes institutional human rights consciousness-raising and commitment to supporting such efforts."

Today, 79 national academies are affiliated with our Network. We meet about every two years at a different academy. The last meeting was hosted by the Academia Sinica in Taiwan. Unfortunately, only about 30 academies have created functioning human rights committees, and many are not very active, but we are persistent. If you are an academy member and have not yet been pestered, you are forewarned!

We are often asked how an academy becomes a member of the Network. Our response? "If your academy actively supports our work, you are considered to be a member." That said, we also understand that some academies in the developing world and in countries with repressive or autocratic governments risk reprimand, loss of funding, and sometimes worse from their governments if they become too outspoken on human rights issues.

If we have succeeded in raising these academies' awareness of the many human rights abuses perpetrated against scientists, engineers, and health professionals – that, in itself, is an important accomplishment. As we are all aware, human rights work takes patience, prudence so as to do no harm, determination, optimism, and sustained commitment. We never drop a case until it is successfully resolved. If a prisoner dies or disappears we go after those responsible and insist that both those who committed the crime and those who planned or ordered it be brought to justice. A bit of serendipity and some old fashioned good luck doesn't hurt our efforts either!

## 2.3 *Defense of Unjustly Accused Colleagues*

The Network undertakes the cases of scientists, engineers, and health professionals anywhere in the world who we decide, after careful investigation, are what Amnesty International (AI) calls "prisoners of conscience." The cases we undertake cannot be those of individuals who have advocated or practiced violence.

We are sometimes asked why we defend only our colleagues. I should explain that. We certainly care about the human rights of everyone, be they children, young students, hairdressers, senators, bricklayers, or the unemployed. But we have limited resources. And national academies are scientific organizations that are concerned about human rights issues; but protecting and promoting them are not their *raison d'être*.

Many of the scientific issues on which our academies work help fulfil the positive rights of people around the globe: studies related to reduction of carbon emissions, clean water and access to it, healthier and more productive crops, rehabilitation of the environment, containment of weapons of mass destruction, priorities in government spending, safer highways and bridges and modes of transportation, cultural preservation and better education standards, and so on.

Our appeals for our colleagues help both science and scientists. They are viewed by governments for what they are – expressions of humanitarian concern, by colleagues, for colleagues. Given these boundaries, governments cannot accuse us of political motivations, which they often use against human rights organizations.

The Committee on Human Rights (CHR) of the U.S. National Academy of Sciences, National Academy of Engineering, and Institute of Medicine takes on dozens of cases, many of which are shared with the Network. Currently we are working on cases in Bahrain, China, Democratic Republic of Congo, Guatemala, India, Iran, Myanmar, Saudi Arabia, Syria, Turkey, Vietnam, and Yemen.

We communicate with the Network by sending out Action Alerts on individual cases, often every few weeks, and through our short electronic newsletter, “UPDATE,” every three or four months. Both are also available on our private website to Network participants.

Most of our cases are private – meaning that we do not discuss them publicly or post them on the Internet. We believe that, with certain exceptions, we should try our best to resolve cases “behind the scenes” in a polite, humanitarian, diplomatic manner. It is only when these efforts fail that we undertake a fact-finding mission to a specific country, release a report, or write a press release – or do all of the above – as we’ve done with regard to unjustly accused colleagues in Turkey this year.

#### *2.4 Independence of Science Academies*

We also work to promote and protect the independence of academies and scholarly societies worldwide, as well as the free exchange of ideas. We have spoken out recently on behalf of science academies in Turkey and Russia because their members believed their independence was under threat and asked for our support.

### **3. The UDHR and Other Human Rights Mechanisms**

#### *3.1 The UDHR*

I want to emphasize that our work is grounded in the Universal Declaration of Human Rights (UDHR). As most of you know, the UDHR was written following World War II. It was adopted by the United Nations General Assembly in 1948 and is part of international customary law. All member countries of the United Nations are expected to secure its recognition and observance. The UDHR includes rights which, if not respected, can have a significant detrimental effect on science and scientists, as well as a nation’s economy and the health and well-being of its people.

For example, who can do serious science without “freedom of opinion, expression, speech, and movement”? And what about the ability to freely “seek, receive, and impart information and ideas, through any media and regardless of frontiers”? There is the right to “peaceful assembly and association.” And then, there is the right to education and to share in scientific advancement and its benefits.

Scientists who exercise these rights can be arrested in many countries. Some face “arbitrary detention and arrest,” others are denied “an effective remedy by the competent national tribunals when such rights are violated.” Many, as we recently observed in Turkey, are denied

“presumption of innocence,” and “a fair and public hearing by an independent and impartial tribunal;” others are “subjected to torture or cruel, inhuman, or degrading treatment or punishment” – all of which are specifically prohibited in the UDHR.

### *3.2 Access to Science Information and Education*

Of late, our Network has done some work related to nondiscrimination and equal access to higher education on the basis of merit. For example, at about this time last year, Iran barred women from 77 fields of undergraduate education, including chemistry, nuclear physics, computer science, engineering, archaeology, and other scientific and non-scientific fields. The Network decided to speak out publicly about this blatant discrimination. We told the Iranian government that “to impose, in the 21<sup>st</sup> century, such restrictions on the higher education of Iranian women, who currently make up 65 % of university students and about 70 % of science graduates, is appalling. The harmful consequences of this ‘alignment’ against women for the future of Iran are incalculable, as are its effects on the reputation of the Iranian government in the eyes of the world.”

The Network went on to say, “We call on the government of Iran to rethink this ill-advised policy for the sake of the future development of its country and the well-being of its entire people.”

## **4. Submission of Cases to UNESCO’s CCR**

The Network, through the CHR secretariat, makes regular use of the confidential process for submitting human rights cases to the United Nations Educational, Scientific and Cultural Organization, known by the acronym UNESCO. The past year has been no exception.

We prepare new cases, updates, and responses to ongoing submissions for UNESCO’s Committee on Conventions and Recommendations (CCR) every six months. This requires substantial work on the part of the secretariat’s staff, but the process is one of the few ways in which human rights concerns are brought directly to high-level government officials – usually ambassadors or supreme court justices – of a government which we believe has unjustly imprisoned a scientific colleague. It is an important and unique process which abusive governments have tried for years to do away with.

## **5. Status of the Network’s Cases**

### *Releases and Cases of Ongoing Concern*

Between 2011 and mid-2013, 52 cases in 10 countries were resolved, and conditions of confinement were improved in other cases for which we had appealed – some for many years. I’ll mention just a few.

#### **5.1 Russia**

In November 2012, Russian physicist Valentin DANILOV was released on parole. He had spent more than nine years in a prison in the Siberian city of Krasnoyarsk. This had followed an

unjust second trial held after an initial jury trial found him innocent. He had served more than two-thirds of his 13-year prison sentence. Prior to his arrest, Professor DANILOV had been head of the Thermo-Physics Centre at Krasnoyarsk State Technical University. He was charged with espionage and fraud for allegedly selling classified satellite information to a Chinese company. This is a complicated case because of the espionage charges. When cases are resolved, we post them on our public website so you can read the details there if you would like to know more about the circumstances.

## 5.2 United Arab Emirates

Another recently resolved case involved a well-known 78-year-old South African pediatric oncologist and professor emeritus of the University of Cape Town, Dr. Cyril KARABUS. He was arrested while on a stopover in Abu Dhabi. It was only then that he learned he had been charged, tried, and convicted in absentia 10 years earlier, following a complaint about his treatment of a 3-year-old terminally ill leukemia patient. She died while he was working as a locum for five weeks in 2002 in a medical centre in Abu Dhabi. After two months in jail, he was released on bail; his conviction was set aside on the grounds that he had been denied the right to defend himself. A retrial was ordered, and, after numerous delays and the failure of the prosecution to provide the court and the defence with the complete medical file of the patient, a medical review committee finally met and absolved Dr. KARABUS of any wrong doing. Subsequently, he returned to South Africa. During his time in the UAE, we were in contact with his daughter in South Africa, who provided us with information, updates, and advice on strategies. We issued several Action Alerts in his behalf, and many of the Network's members wrote him letters of support, to which he often replied, with gratitude.

## 5.3 Bahrain and Syria

The biggest issue in Bahrain and Syria, in terms of the Network's cases, is the targeting of health professionals for injury, arrest, and sometimes torture and outright assassination. In short, Bahrain and Syria have shown a contempt for medical neutrality. In Bahrain the crack-down on health professionals began in February 2011, when street demonstrations, primarily by the Shiite majority, were organized to demand political and economic reforms, the release of political prisoners, and an end to torture and discrimination against Shiites. Security forces of the Sunni-dominated government responded by using violence throughout the country to suppress the peaceful demonstrations. Several demonstrators were killed, and hundreds were injured. Arrests included health professionals who were providing medical care to the injured on the streets, in makeshift hospitals, and in the central hospital in Manama.

We were in direct contact by Skype with a number of female medical doctors in Bahrain who had been detained, tortured, and charged. Subsequently, we established contacts with the Bahrain Independent Commission of Investigation (BICI) and a medical doctor who examined some of the torture victims for the commission.

We undertook the cases of two groups of health professionals: 20 charged with felony crimes in the first group and 28 charged with misdemeanour crimes in the second group. Fifteen of the 20 Bahraini health professionals were convicted of felony crimes and received sentences ranging from 5 to 15 years in prison. Today, of the two who remain in prison, both are serving reduced sentences of three years and five years respectively.

The cases of the second group of health professionals – 28 charged with misdemeanour crimes – were resolved in 2013. Throughout this period, the Network urged Bahrain to make changes recommended in the BICI report, including respect for medical neutrality, and it made a public appeal that was published in several journals.

We also continue to work on the case of an engineer and long-time professor at the University of Bahrain. In addition to his academic work, he is a prominent human rights defender, opposition leader, and spokesperson for the Human Rights Bureau of the Haq Movement for Civil Liberties and Democracy, an opposition political organization. This professor was outspoken in his peaceful criticism of the Bahraini government and, in early March 2011, the government brought unjust charges of “setting up terror groups to topple the royal regime and change the constitution.” This professor testified in court that he was tortured, and Amnesty International reported that no credible evidence was presented in court to support the charges brought against him. He was sentenced, nonetheless, to life in prison. Of course, we continue to appeal, and seek other effective approaches.

In Syria, given the continuing chaotic situation, we are at a loss as to what to do – except to continue to “name and shame.” We do know that one medical doctor was released but another was tortured to death and used as an example to other doctors. Dozens more are imprisoned or disappeared. We must continue to condemn President ASSAD for allowing or, in fact, encouraging such criminal behaviour toward health professionals and to seek press coverage of the situation.

#### 5.4 Iran

In Iran, Ebrahim YAZDI, a 79-year-old pharmacologist and secretary-general of the banned political party, Freedom Movement of Iran (FMI), was released from Evin Prison in March 2011 after being detained without charge for more than five months. Just prior to his release, Dr. YAZDI issued a statement in which he said that he had officially resigned as secretary-general of the FMI. This was the third time he had been detained since June 2009. One dares not speculate about what tactic induced him to resign.

Also in Iran, a number of Baha’i leaders who are scientists, and often teachers, are imprisoned for giving lectures at the Baha’i Institute for Higher Education (BIHE). The BIHE provides university-level courses to Iranian Baha’i students who are otherwise prohibited from attending Iranian institutions of higher learning because of their faith.

The accused, two of whom are women, are charged with “membership in the deviant Baha’ist sect with the goal of taking action against the security of the country.” Others are charged with “teaching and counselling without valid accreditation” and “assembly and collusion with the intent to disrupt national security.” This, despite that Nobel Peace Prize Laureates Desmond TUTU and Jose RAMOS-HORTA have said the BIHE is “taught by accredited professors” and “the quality of the coursework has been recognized and accepted for credit by more than fifty universities outside of Iran.”

We are urging the Iranian government to uphold Articles 18 and 19 of the UDHR – which promulgate the rights to freedom of religion and freedom to seek, receive, and impart information and ideas – and to release the imprisoned Baha’i educators so that they may continue peacefully to provide education to young Iranians eager to learn.

## 5.5 Turkey

I will finish by telling you about last February, when our meeting organizer, Hans-Peter ZENNER, Peter DIAMOND (an MIT professor emeritus and Nobel Laureate in economics), and I travelled to Ankara and Istanbul on a week-long fact-finding mission on behalf of eight colleagues. We did not give interviews to the press during our visit. Peter DIAMOND gave a talk at the Turkish National Bank in a demonstration of good will.

During our mission we met with Turkish government officials, the U.S. and German ambassadors to Turkey, staff of the European Union delegation to Turkey, lawyers, journalists (on background), family members of the prisoners, and academics who were knowledgeable about the cases of concern to us and the overall situation in Turkey.

We also received government permission to visit three colleagues detained in Silivri High Security Prison, about an hour and a half drive from Istanbul, and a colleague held in Sincan High Security Prison outside Ankara.

In our report, for which we got excellent press coverage, we conclude that, “despite being charged with terrorism-related offenses in four different, enormous, and highly flawed political trials, none of our eight colleagues has advocated or practiced violence and that there appears to be no credible basis on which to judge any of them guilty of committing the crimes of which they have been accused.”

We asked that the 13-year sentence of Faruk YARMAN, a nuclear engineer with a Ph.D. from MIT, be immediately abrogated and that he be released from prison. He is one of only two people not in the military who were tried and sentenced in the Operation Sledgehammer trial. Three hundred and twenty members of the military were also sentenced in that trial – some to life in prison, subsequently reduced to 20 years. Most are elderly so their sentences may well amount to life imprisonment as they are likely to die there.

When we met with Dr. YARMAN in Silivri prison, he seemed in good spirits and determined to get a new and fair trial. His sentence is currently before the high court of appeal. Meanwhile, in response to a petition, the United Nations Working Group on Arbitrary Detention has decided in favour of those sentenced in the Sledgehammer trial and has requested that the government of Turkey remedy the situation in accordance with the provisions of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

In the Ergenekon trial, we met all three of those colleagues who were being held in prison and subsequently corresponded with the three others who were not under arrest but had been charged also with terrorism crimes. The sentences in that trial were handed down a week after our report was released in pre-publication form. Of the three we had visited, two were released pending the outcome of their appeals.

One of the released was Dr. Mehmet HABERAL – a 69-year-old university rector and prominent transplant surgeon, who had been held for 4 years pending the outcome of his trial. He had suffered serious heart problems, requiring several hospitalizations during his time in prison. He was subsequently sentenced to 12 years and 6 months in prison, but he was released pending the outcome of his appeal.

A second prisoner, Kemal GÜRÜZ, a chemical engineer, and former university rector who was head of Turkey’s Council of Higher Education, had been imprisoned for about six months when we met with him, and he faced two trials. Last June, after a year in prison, he attempted suicide out of utter despair. In the Ergenekon trial he was sentenced to 13 years and 11

months. He could have gone home pending the outcome of his appeal except that he had to remain in prison because he faced a second trial, called the Postmodern Coup trial, which did not begin until this month. When the trial began about a week ago, he was granted release pending its outcome – which could last for many months.

Unfortunately, the last person we visited, Fatih HILMIOĞLU, a medical doctor and former university rector, who appeared to us to be the worst off, both physically and mentally, was sentenced to 23 years without release (less the four years he has already served) and thus remains in prison. One of his sons was killed in an automobile accident while he has been in prison, and his wife was so ill during our visit that she could not meet with us. We are extremely concerned for his well-being.

Another university rector and medical doctor, Kemal ALEMDAROĞLU, was sentenced to 15 years and 8 months and immediately taken to prison. We are in contact with his wife and daughters, who are, of course, devastated, and we will continue to seek his release pending the decision of the appeals court.

Two of the other former university rectors who are also medical doctors, Drs. Ferit BERNAY and Mustafa Abbas YURTKURAN, were sentenced to 10 years in prison but remain free pending the decision of the appeals court.

Our last case in Turkey is that of a prominent political scientist, Professor Büsra ERSANLI, who was imprisoned for seven months before being released on bail. Peter DIAMOND and I met with her at her home in Istanbul. She is being tried along with dozens of others – mostly Kurds, many elected to office, who are accused of terrorism related to the KCK trial. We have urged the Turkish judiciary to take immediate and concrete steps to ensure that Dr. ERSANLI's trial is expedited and that it meets international standards of justice; of our eight cases in Turkey, she is the only one who is a human rights advocate. In a highly-polarized society, Professor ERSANLI defends those whose rights are abused – whether she agrees with them or not – a rarity in Turkey today. We hope that our report and continuing press attention will help in her case as well.

I will end now – on the hope that those of you who are academy members will feel inspired to help us or to do more. Clearly, there is no shortage of worthwhile work to be done.

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