

SCHOLARS AT RISK

NETWORK EUROPE

Scholars at Risk Europe: Input to the Neighbourhood, Development and International Cooperation Instrument (NDICI) programming for human rights and democracy 2021-2024

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I. Summary

[Scholars at Risk Europe](#) welcomes the inclusion of academic freedom and protection of academics in the EU Action Plan on Human Rights and Democracy 2020-2024. Concrete support for academic freedom and at-risk scholars too often slips between the cracks of higher education and human rights policies and programmes. Inclusion of these issues in the recent EU Action Plan is an important step towards bridging the gap between higher education and human rights support mechanisms, and serves to publicly highlight the crucial role of scholars and academic freedom in democratic societies.

To support the implementation of the Action Plan, SAR Europe submits five recommendations on concrete ways to advance protections for at-risk scholars and academic freedom within the programming of the NDICI. Our recommendations include proposed areas of intervention for thematic and geographic programmes, primarily relating to human rights and democracy, but intersecting with NDICI's education, training and migration priorities. SAR Europe's recommendations align primarily with the first three lines of action in the EU Action Plan on Human Rights and Democracy, and are consistent with Annex III of the NDICI. With regard to recommendation (4) below, we would be happy to share the detailed recommendation of the EU-funded [Inspireurope](#) project, coordinated by SAR Europe, for an EU fellowship scheme for researchers at risk. The Inspireurope recommendation contains relevant definitions and further information on why existing EU funding is not adequately meeting the needs of at-risk scholars. We are, of course, available to discuss the following recommendations in further detail with the EEAS, DG INTPA and other relevant parties.

II. About Scholars at Risk Europe

[Scholars at Risk Europe](#) is the European office of the global Scholars at Risk network. [Scholars at Risk](#) was founded in 2000 and is an international network of over 540 higher education institutions in 42 countries working to protect threatened scholars and to promote academic freedom. SAR's European office, hosted by Maynooth University, Ireland supports and coordinates the activities of 11 Scholars at Risk national sections and 10 partner networks across Europe to strengthen our collective voice at the European level and contribute to informed policymaking for the greater protection of scholars and increased respect for academic freedom worldwide. SAR Europe coordinates [Inspireurope](#), an EU-funded, 10-partner initiative to support researchers at risk. SAR Europe also works to expand, coordinate and support advocacy in Europe to promote academic freedom, including convening the [European Coordinating Committee for Academic Freedom Advocacy](#).

III. Recommendations to advance protections for at-risk scholars and academic freedom

- 1) Expansion of **monitoring and reporting** of attacks on scholars and academic freedom. There is an urgent need to (a) collect more data on attacks, threats and undue restrictions on academic freedom and individual scholars around the world and (b) ensure reporting on academic freedom in official records, reports and action plans of national, regional and international human rights mechanisms. A more complete base of evidence will lead to more robust global monitoring, and provide a basis for advocates to raise awareness, hold perpetrators to account and improve efforts to prevent and respond to attacks on academic freedom. The [Academic Freedom Index](#) and [SAR's Academic Freedom Monitoring Project](#) provide good starting points, but there is an urgent need to extend monitoring efforts to more countries, more regions, and more languages, and to expand their use by policymakers in order to achieve broad and lasting impact.

- 2) Stronger **advocacy for academic freedom and at-risk scholars**, grounded in data and analysis on both de jure and de facto conditions, with practical corrective measures for violations. There is a need to strengthen the capacity of local, regional and international academic freedom advocates to press states, intergovernmental, regional and supranational bodies to protect scholars and academic freedom and increase accountability for attacks. Such advocacy efforts include raising individual cases of scholars in prison or situations of concern with national, regional or UN authorities, including through regular submissions to courts, regional and UN human rights systems, and the development of (model) policies and strategies for integrating academic freedom concerns into national and regional norms and standards.
- 3) **Targeted training on academic freedom** for EU delegations, member states' embassies, National Human Rights Institutions, ministries, higher education and human rights networks, civil society organisations and other local human rights advocates. Trainings should introduce the meaning and scope of academic freedom; its protections under existing international human rights law; related international, regional and national standards; how academic freedom intersects with its constituent freedoms of expression, opinion, thought, association, and travel; the societal implications when academic freedom is repressed; and practical strategies and policies to protect academic freedom on the ground.
- 4) **Funding for placements for at-risk scholars:** EU-level support for individual at-risk scholars is slipping between the cracks of higher education and human rights programming. Individual at-risk scholars are not currently availing of EU funding in significant numbers, whether funding for HRDs or for EU-funded research fellowships. The scale and eligibility criteria of existing EIDHR/ProtectDefenders.eu support for human rights defenders means that current mechanisms are not meeting the needs of at-risk scholars. With regard to EU fellowships funded through Horizon 2020, their eligibility criteria (particularly mobility rules), application and evaluation processes make them inaccessible to most at-risk scholars. An October 2020 mapping report, [Researchers at Risk: Mapping Europe's Response](#), authored by the European University Association as part of the EU-funded [Inspireurope](#) project provides more detail and calls for an EU fellowship scheme for researchers at risk. More material support for at-risk scholars is urgently needed to enable individual scholars to continue their work in safety, either through the provision of remote fellowships if the scholar can remain in the home country or home region or through temporary positions elsewhere, until such time as a safe return is possible. In addition to providing urgent support to individual scholars, dedicated EU support for at-risk scholars would serve to publicly highlight the crucial role of scholars, free inquiry, and free expression in democratic societies. To address this urgent gap in support, a dedicated EU fellowship scheme for researchers at risk could be cross-supported by the NDICI. We would be happy to provide the detailed proposal prepared by the Inspireurope project for such a scheme.
- 5) **Transnational coordination** to promote academic freedom: Although threats to scholars and academic freedom range in scale and severity across countries and regions, certain patterns have emerged over time and attacks show similar features. Academic freedom advocates may exploit these similarities to develop more effective responses. Support for transnational coordination of academic freedom advocacy allows advocates in different countries to work together on a set of standards, actions and strategies that over time could produce significant positive gains across widely divergent political, social, cultural, historical and economic contexts. Such support would help mobilise a greater concern for academic freedom issues and channel this into focused transnational responses.

IV. Obstacles for at-risk scholars accessing existing EU funding for HRDs

As noted above, in the experience of SAR and partners, a significant number of at-risk scholars are human rights defenders, whether by nature of their academic work, extramural advocacy work, or expressive activities¹. Of these,

¹ Robert Quinn & Jesse Levine (2014) Intellectual-HRDs and claims for academic freedom under human rights law, The International Journal of Human Rights, 18:7-8, 898-920, DOI: 10.1080/13642987.2014.976203, available at: <https://www.scholarsatrisk.org/wp-content/uploads/2016/05/Intellectual-HRDs-and-claims-for-academic-freedom-under-human-rights-law.pdf>

only a relatively small number of at-risk scholars have managed to access EU funding for human rights defenders (HRDs), primarily through the European Instrument for Democracy & Human Rights (EIDHR) or ProtectDefenders.eu emergency grants. Organisations supporting at-risk scholars routinely cooperate with ProtectDefenders.eu, Front Line Defenders, International Cities of Refuge Network (ICORN), Freedom House, and many other NGOs supporting human rights defenders, artists and writers at risk, referring candidates to each other as appropriate. However, existing EU-funded support for HRDs has not been of widespread use to at-risk scholars.

The two main reasons that existing support for HRDs is not meeting the needs of significant numbers of at-risk scholars include:

- 1) Eligibility criteria: Many scholars at risk are and consider themselves HRDs, either due to the content of their academic work or expression, or their extramural advocacy activities. These scholars will usually meet the definition of human rights defenders as currently articulated for EU-funded emergency grants for human rights defenders, which states that the applicant “is facing risks because of his/her human rights work” (ProtectDefenders.eu). However, an overly narrow interpretation of the HRD eligibility to focus only on specific targeting of the content of work will eliminate from consideration many at-risk scholars who experience systemic restrictions (e.g. on travel) or situational violations of human rights. Many scholars are targeted not because of their work, but are targeted based on professional or social status; ethnicity, gender, identity or other characteristic; or as a consequence of broad situational violence or repression.

In addition to those targeted because the content of their work is deemed politically sensitive (e.g., research on the reliability of census data and transparency of census procedures), a significant number of other scholars are targeted because they undertake international travel to conferences and as a result are accused of espionage, or because they are caught up in a situation of war or conflict. For example, a marine biologist detained upon return from an international conference and accused of sharing state secrets; or a food scientist conscripted to the army in Syria, defecting and fleeing, or a literature professor facing charges of “membership in a terrorist organization,” apparently based on studies at a Gülen-affiliated educational institution in Turkey and possession of US dollar bills. Such scholars are in need of urgent support not only because they are subject to human rights violations, but also because they are representatives of a structurally important community for rights respecting, democratic societies.

- 2) Scale of existing support: SAR and its partners refer a small number of candidates for emergency grants implemented by the EU HRD mechanism, ProtectDefenders.eu, (estimated at less than 5 candidates referred per year). Such emergency grants are very modest in scale (in the region of 10,000 euro) and can be useful in the provision of living expenses for a few months until such time as a temporary position can be organised for the HRD-scholar at a university, or in order to extend an already-arranged position for 1-2 months. This type of support is not comparable, however, to the fellowship support currently needed in order to place at-risk scholars in temporary positions of safety, which can range from 35,000 euro to 100,000 euro per year depending on where the scholar is temporarily relocated, and the stage they are at in their academic career.

V. Related Resources

[*Researchers at Risk, Mapping Europe’s Response*](#), Report of the [Inspireurope](#) Project, European University Association, October 2020.

[Free to Think 2020](#), Report of Scholars at Risk Academic Freedom Monitoring Project

2020 [UN Special Rapporteur for Freedom of Opinion and Expression: Report on Academic Freedom](#)

2018 [European Parliament Recommendation on Defence of Academic Freedom in the EU’s External Action](#)

2020 [Council of Europe Recommendation and Resolution on Threats to Academic Freedom and Autonomy of Higher Education Institutions in Europe](#)

Monitoring: [Academic Freedom Index](#) & [SAR’s Academic Freedom Monitoring Project](#)