Academy Policy: Response to violation of freedom of scientific pursuit
18 September 2017

The Academy is actively involved in assisting scientists worldwide whose freedom to pursue their scientific work is severely restricted, or whose scientific views put their own or their loved ones’ personal freedom at risk, in the most extreme case under threat of imprisonment or worse.

Committee for Freedom of Scientific Pursuit
The Committee for the Freedom of Scientific Pursuit is a permanent advisory committee of the Academy Board. The Committee prepares the Academy’s official responses to violations of the freedom of scientific pursuit, either of its own volition or at the request of the Academy Board. For example, the Committee will draft letters by the Academy’s president to the relevant government leaders in countries that suppress and threaten scientists. The Committee maintains contacts with international human rights organisations, networks of academies and other parties in this regard, because collective and/or coordinated action may be more effective.

The Committee’s activities focus on the freedom of scientific pursuit around the world and – should any such occasions arise – in the Netherlands as well.

Committee’s assignment
The Committee takes action in the event of violations of the freedom of scientific pursuit or the human rights of researchers (or groups of researchers) and academic institutions. The Committee focuses specifically on researchers or skilled professionals who work or have worked as scientific researchers in an academic setting. This means that skilled professionals working as physicians, psychiatrists, judges, lawyers or other occupations do not fall within the Committee’s remit; there are other organisations that defend these occupational groups.

There are several relevant international conventions, declarations and national laws that serve to determine whether the freedom of scientific pursuit has been violated:
- Article 27 of the Universal Declaration of Human Rights (UDHR), which states: ‘Everyone has the right freely to share in scientific advancement and its benefits. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.’
- Freedom of speech as guaranteed in Article 7 of the Dutch Constitution, Article 10 of the European Convention on Human Rights (ECHR), and Article 19 of the International Covenant on Civil and Political Rights (ICCPR).
- Article 15 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), in which the signatory states undertake to ‘respect the freedom indispensable for scientific work’.
- Article 13 of the Charter of Fundamental Rights of the European Union, which explicitly protects academic freedom.

1 See ‘Academische vrijheid en wetenschappelijke integriteit - Een onderzoek naar vrijheid en verantwoordelijkheid in wetenschappelijk onderwijs en onderzoek’ (January 2016) by J.R. (Joris) Groen
http://academievoorwetgeving.nl/publication/academische-vrijheid-en-wetenschappelijke-integriteit
• The Dutch Higher Education and Research Act (WHW), which addresses academic freedom in Section 1.6.

The Committee’s procedures

Notifications often reach the Committee via international and national networks, Academy members or Academy Board members. The Committee only recommends whether the Academy should take action and, if so, in what way, after a careful assessment.

Assessment: For the most part, the Committee bases its assessments of notifications on the knowledge and expertise of its international networks. After consulting the Academy president, the Committee may itself direct the attention of these international networks to an issue and ask whether action is required. In assessing a notification, the Committee considers the following questions:
• Are standard proceedings under way concerning the relevant research entity, or have such proceedings already been concluded? If so, were the proceedings properly conducted? The Committee first waits to learn the outcome of standard proceedings before taking action, unless such proceedings are not being properly conducted or are taking an immoderately long time.
• Which research entity is under threat? Who or what? This can vary from individual scientific researchers to academic institutions.
• In what respect is academic freedom being restricted (for example, restrictions on the reporting of results)?
• What consequences will these restrictions have for the research entity (for example dismissal, threats of violence, liability claims or termination of an organisation)?

Based on the answers to the above questions and whether all the facts are known, the Committee will recommend whether the Academy should take action and, if so, in what way. The Committee operates according to the principle of subsidiarity in this respect.

Activities: If the Committee’s assessment is such that it advises the Academy to take action, it will prepare letters by the Academy president to the relevant authorities (for example government leaders, embassies, institutional boards) or put the Academy’s views into words for publication on the Academy website. In exceptional cases, it will initiate contact with the media. In all cases, the Committee will bear in mind that the Academy’s response may become public knowledge, even responses meant only for a closed circle. At the Board’s request, the Committee will draft publications concerning subjects associated with academic freedom. One recent example is the booklet International Scientific Cooperation (published in English in 2014).

Process: In most cases, the official secretary will deal with the notification after consulting the chairperson and/or the Committee’s administrative secretary and upon the approval of the Academy president. If there is doubt as to whether action should be taken and/or what such action should entail, the full Committee will be consulted. Although this will preferably take place during a Committee meeting, pressure of time will often dictate consultation by e-mail. In urgent cases, the Academy president, Committee chairperson and official secretary will consult and take a decision.

The Academy Board may decide to deviate from these procedures if a ‘custom’ approach is required.

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2 In reality, the Committee now mainly draws on information provided by the International Human Rights Network of Academies and Scholarly Societies (IHRN) – part of the Human Rights Committee of the United States National Academy of Sciences – which has long shown itself to be a reliable source.
Academy policy concerning the Freedom of Scientific Pursuit

The foregoing can be summarised in the following Academy policy: The Committee for the Freedom of Scientific Pursuit is a permanent advisory committee of the Academy Board. It takes the initiative when the Academy receives notification of a violation of the freedom of scientific pursuit. For the most part, the Committee bases its assessment of a notification on the knowledge and expertise of its international networks. The Committee advises the Academy president as to whether the Academy should take action and, if so, in what way. The Committee operates according to the principle of subsidiarity in this respect. The president can decide to deviate from the Committee’s recommendation or to follow a fast-track procedure.