

Cairo University's termination of academic Kholoud Saber's scholarship in Belgium and ordering her to return is a flagrant violation of academic freedom

CAIRO UNIVERSITY'S DECISION DEMONSTRATES THE EROSION OF UNIVERSITY INDEPENDENCE AND ITS RELIANCE ON DICTATES OF MINISTRY OF HIGHER EDUCATION, WHICH ACTS AS A COVER FOR SECURITY INTERVENTION IN UNIVERSITIES

The undersigned organizations strongly condemn Cairo University's decision to terminate Prof. Kholoud Saber's scholarship abroad and its order for her to return to Egypt. Saber, an assistant lecturer in the Faculty of Humanities, is pursuing a doctorate at the Catholic University of Leuven in Belgium. The decision has serious consequences for academic freedom, in particular freedom of academic research. With this action, Cairo University has violated the principles of university independence in response to the interventions of the Ministry of Higher Education, an executive body, in contravention of the Egyptian constitution and laws and in clear breach of all international conventions and declarations on academic freedom and university independence. The step comes amid recent increasing violations of academic freedom, including the censorship of academic theses and the referral of researchers to questioning, the need for prior security approval for faculty travel abroad, teaching bans, and the termination of scientific agreements for political reasons.

Saber received an email from the administration of the Humanities Faculty on December 11, 2015 terminating her doctoral research sabbatical, which began on October 1, 2015, in response to a notice from the Department of Inquiry and Information at the Ministry of Higher Education in November 2015 that the department had denied approval for Saber's doctoral scholarship at the Catholic University of Leuven. On December 6, 2015, the dean of the Humanities Faculty received a letter from the university Cultural Relations Department on the recommendation of the Ministry of Higher Education ordering Saber to return to Egypt and take up a position in the university's psychology department.

The termination of Saber's sabbatical and ordering her to return to Egypt violates academic freedom, defined by international conventions as the freedom to research, teach, and publish in scientific disciplines without interference or restraint. In this case, Cairo University's decision prevents Saber from continuing to pursue her doctoral research and teach at the Leuven University and disregards her academic preparation for the scholarship,

which began in October 2015. The Egyptian constitution contains concrete references to academic freedom. Article 22 states, "Teachers, faculty members, and their aides are the basic pillar of education. The state shall guarantee the development of their scientific capacities and professional skills and protect their material and moral rights..." Article 23 states, "The state shall guarantee the freedom of scientific research and encourage its institutions..." By denying Saber the opportunity to complete her academic research abroad, Cairo University has thus violated constitutional provisions for the protection of teachers' rights and their academic and research freedom.

The undersigned organizations note that Cairo University's decision also contravenes provisions of Law 49/1972 on the regulation of universities, which protects the academic freedom of faculty members and teaching aides in connection with research sabbaticals. Article 146 of the law states, "Teaching assistants and assistant lecturers may be sent on missions abroad, receive foreign scholarships, or be allowed sabbaticals, paid or unpaid, pursuant to the decision of the university president, based on the suggestion of the faculty or institute board after soliciting the opinion of the department board, and pursuant to the approval of the university board of graduate studies and research..." Saber fulfilled all procedural requirements in the law prior to leaving for Belgium: the psychology department approved her sabbatical and the university vice-president for graduate studies, acting on behalf of the university president, gave final approval for her travel on August 12, 2015, allowing her to accept the scholarship offered by the Catholic University. Under the terms of the scholarship, which covers the period from October 1, 2015 to September 30, 2016, the university would pay Saber's salary and contribute to the plane ticket.

The decision not only violates academic freedom. It also demonstrates how Cairo University yields to interference from the executive, represented by the Ministry of Higher Education and specifically the Department of Inquiry and Information, which is thought to be linked to security bodies. Forms from faculty wishing to travel abroad on academic missions are sent to the department, which approves or denies travel applications.

The undersigned organizations reiterate the importance of respecting Article 21 of the Egyptian constitution, which requires the state to uphold the independence of universities. The Ministry of Higher Education and state security agencies may not intervene in the administrative, financial, and scientific affairs of universities. The Egyptian government must comply with the UNESCO Recommendation Concerning the Status of Higher-Education Teaching Personnel of 1997, which under Paragraph 19 requires UNESCO member states to protect institutions of higher learning from threats to their independence, regardless of the source. Paragraph 13 states, "...higher-education teaching personnel should be enabled

throughout their careers to participate in international gatherings on higher education or research, to travel abroad without political restrictions...”

Law 49/1972 on universities contains no provision requiring university faculty and teaching aides to obtain travel approval from the Department of Inquiry and Information, an office of unspecified remit. As no more than an internal department with the Ministry of Higher Education, it has no jurisdiction over faculty members or aides and possesses no decision-making authority on academic scholarships. We refer, however, to a description of the department on the website of Damanhour University. According to the website, one of the responsibilities of the university director of individual security is “offering an opinion on candidates for travel abroad based on relevant directives and rules after soliciting the opinion of security through the Department of Inquiry and Information in the Ministry of Higher Education.” This demonstrates that the security apparatus uses this office in the ministry as cover for its surveillance and monitoring of faculty members and staff and to restrict their right to travel abroad on academic missions. This was confirmed by Cairo University President Gaber Nassar in a phone interview with ONTV’s “Headline” on February 3, 2016. According to Nassar, “The university and security exchange information” and “the travel of assistant lecturers is decided by the Ministry of Higher Education. The acceptance of foreign research scholarships is a matter of state sovereignty and discretion. If there’s a problem related to national security, that’s for the [security] apparatus.”

Prof. Saber filed suit before the Administrative Court (no. 3163/63JY) on February 4, 2016, against the minister of higher education, the president of Cairo University, the dean of the Faculty of Humanities, the director of the Department of Inquiry and Intelligence, and the director of the Department of Cultural Relations at Cairo University. She is contesting the order to revoke the scholarship, seeking a stay of the order and its consequences, which would allow her to complete the sabbatical.

The undersigned organizations urge Cairo University to immediately revoke the decision to terminate Saber’s scholarship and to end all forms of security interference in faculty and staff affairs. The university must uphold its commitments to the autonomy of the university and academic freedom, as the only means to advance higher education in Egypt.

Signatory organizations

1. Nazra for Feminist Studies
2. Andalus Institute for Tolerance and Anti-Violence Studies
3. Appropriate Communications Techniques for Development (ACT)

4. Arab Network for Human Rights Information
5. Association for Freedom of Thought and Expression
6. Bashaier Development Foundation
7. Budgetary and Human Rights observatory
8. Cairo Center for Development CCD
9. Cairo Institute for Human Rights Studies
10. Center for Egyptian Women's Legal Assistance
11. El-Nadeem Centre for the rehabilitation of victims of violence
12. Habi Center for Environmental Rights
13. Masryoon Against Religious Discrimination
14. Mother Association for Rights and Development
15. National group for human rights and law
16. Salma Association for the Development of Women
17. The Egyptian Association for Community Participation Enhancement
18. The Egyptian Center for Economic and Social Rights
19. The Egyptian Initiative for Personal Rights
20. The New Woman Foundation
21. Women and Memory Forum