



The Norwegian
Medical Association
DEN NORSKE LEGEFORENING

International
Forensic
Expert
Group



Mr. Recep Tayyip Erdoğan
President of the Republic of Turkey
Cumhurbaşkanlığı Külliyesi
06560 Beştepe, Ankara, Turkey
Email: contact@tccb.gov.tr
Phone: (+90 312) 525 5555

Dear President Erdoğan,

We are writing to demand the immediate dismissal of all charges against Dr. Serdar Küni, the Human Rights Foundation of Turkey's representative in Cizre and former president of the Şırnak medical chamber. Dr. Küni was arrested and detained on October 19, 2016 on charges that he provided medical treatment to alleged members of Kurdish armed groups while they occupied parts of the city in 2015 and 2016. The first hearing in his case will be held in Sirnak on Monday, March 13.

Dr. Küni, who is originally from Cizre, has worked as a physician since 2005 with the Biseng Public Health Centre in Cizre, and became the representative of the Human Rights Foundation of Turkey's center in Cizre in October 2015. On October 19, 2016, he was detained by the Cizre Magistrate Judge and sent to Şırnak Prison. The authorities subsequently charged Dr. Küni with being a member of an armed organization, based on allegations that he provided medical treatment to members of armed organizations during the unrest in Cizre.

The arrest and detention of Dr. Küni is emblematic of ongoing arrests, detentions, and dismissals of hundreds of doctors, forensic experts, and other health professionals in Turkey since July 2015, when unrest broke out in the southeast. We urge you to cease the arbitrary arrest and detention of health professionals for the legitimate exercise of their freedom of association and expression and for providing medical treatment without discrimination as required by medical ethics.

Legal actions, both criminal and administrative, that serve to punish health professionals for carrying out their duties are in direct violation of the Turkish state's international human rights obligations. International humanitarian law and international human rights law both mandate the protection of health professionals in order to allow them to fulfill their duties to provide care for those in need, without regard to any element of identity, affiliation, or political opinion; therefore, these medical professionals should not be criminalized.

Further, the recent UN Security Council Resolution on Health Care in Armed Conflict (S/RES/2286) mandates that states should not punish medical personnel for carrying out medical activities compatible with medical ethics, or compel them to undertake actions that contravene these standards. The UN General Assembly resolution on the Principles of Medical Ethics (A/RES/37/194), which is applicable in and outside of armed conflict situations, likewise obligates states not to compel medical personnel to undertake actions that contravene medical ethics, including refusing to provide treatment. Under international human rights law, states have the obligation to maintain a functioning health care system in both peacetime and in times of armed conflict or internal unrest. States are also obligated to provide care and treatment to all people without discrimination.

We urge you to do all that is necessary to uphold international law and human rights in Turkey. In particular, we urge you to:

1. Immediately release Dr. Serdar Küni, and drop all legal actions immediately and unconditionally;
2. Respect and fulfill Turkey's obligation to protect the right to health, medical neutrality, and freedom of association and expression; and
3. Provide an effective remedy and reparation to victims of arbitrary arrest, detention, and judicial and legal harassment.

Sincerely,



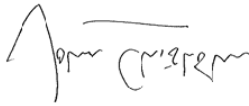
Donna McKay, Executive Director, Physicians for Human Rights



Ketan Desai, President, World Medical Association



Asger Kjaerum, Director of Advocacy, International Rehabilitation Council for Torture Victims (IRCT)



Dr. John Chisholm (CBE), Chair British Medical Association Ethics Committee



Prof. Dr. Frank Ulrich Montgomery, President, German Medical Association

Marit Hermansen, President, Norwegian Medical Association



Dr. Jacques de Haller, President, Standing Committee of European Doctors



Dr. Pierre Duterte, Member of the Steering Committee, Independent Forensic Expert Group (IFEG)



Michael J. Klag, MD, MPH, Dean, Johns Hopkins Bloomberg School of Public Health



Adriaan van Es, MD, Secretary, International Federation of Health and Human Rights Organizations

CC:

1. Prime Minister of Turkey, Mr. Binali Yıldırım, Vekaletler Caddesi Başbakanlık, Kızılay/Ankara Phone: +90 (312) 422 10 00; Fax +90 (312) 403 62 82 Email: ozelkalem@basbakanlik.gov.tr
2. Minister of Foreign Affairs, Mr. Mevlüt Çavuşođlu, Dr. Sadık Ahmet Cad, No: 8 Balgat / Ankara - Turkey 06100; Phone : +90 (312) 292 10 00
3. Minister of Justice, Mr. Bekir Bozdađ, 06659 Kizilay, Ankara; Phone: +90 (312) 417 77 70; Fax: +90 (0312) 419 33 70; E-mail: info@adalet.gov.tr
4. Minister of Interior, Mr. Süleyman Soylu, Bakanlıklar Ankara; Phone: +90 (312) 422 40 00; Fax: 90 312 418 1795; Email: ozelkalem@icisleri.gov.tr
5. Minister of Health, Mr. Recep Akdađ, Mithatpaşa Cad. Sıhhiye / Ankara 06434-Turkey; Phone: +90 (312) 585 10 00; eposta@saglik.gov.tr