

URGENT ACTION

TÜRKİYE: FREE PROF ŞEBNEM KORUR FİNCANCI

In the early hours of 26 October 2022, police detained Prof Şebnem Korur Fincancı, the head of the Union of Turkish Medical Associations. A criminal investigation was launched against Prof Fincancı, a prominent human rights defender and forensic medicine expert, after she called for an independent investigation into allegations that Turkish armed forces might have used chemical weapons in Kurdistan Region of Iraq in comments during a live TV interview. Prof Fincancı must be released immediately and unconditionally from detention and must not be prosecuted for her human rights work.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Ankara Chief Public Prosecutor

Mr Ahmet Akça

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Dear Chief Public Prosecutor,

I am writing to express my concerns at the arrest and unjust detention of human rights defender Prof Şebnem Korur Fincancı. The accusations against her are unfounded and her arrest is arbitrary.

On 21 October, Prof Fincancı's lawyers became aware that a criminal investigation had been launched against Prof Fincancı on the request of the Ministry of Defence regarding her public comments calling for an independent investigation into allegations of possible chemical weapons use in the Kurdistan Region of Iraq. Prof Fincancı is a prominent human rights defender and a forensic medicine expert. Subsequently, in the early hours of 26 October 2022, Prof Şebnem Korur Fincancı was taken into police custody for allegedly 'making propaganda for a terrorist organization'.

Launching a criminal investigation against Prof Fincancı simply because she called for an inquiry into allegations of banned weapons use amounts to misuse of the criminal justice system to silence a human rights defender and is in contravention of the state authorities' duty to respect, protect and fulfil human rights.

States are duty bound to protect human rights defenders in the course of their work to prevent human rights violations and report them when they occur, as well as provide an enabling environment for their work as defenders. Authorities must ensure criminal investigations, detentions and prosecutions are not misused to target human rights defenders as such proceedings are unjust for the individuals and may create a chilling effect on all those who speak out about possible human rights abuses.

I urge you to request the immediate and unconditional release Prof Fincancı. I also urge you to refrain from prosecuting her for expressing herself in the context of her work as a human rights defender.

Yours sincerely

ADDITIONAL INFORMATION

Prof Şebnem Korur Fincancı is a prominent forensic medicine doctor, a member of the Human Rights Foundation of Türkiye and the head of the Union of Turkish Medical Associations. As a human rights defender, she has been subjected to baseless criminal investigations, detentions and prosecutions in the past. In 2016, she was briefly remanded in pre-trial detention when prosecuted for 'propaganda for a terrorist organization' for her role as a symbolic editor of the shuttered Kurdish daily *Özgür Gündem*. Along with her two co-defendants, she was acquitted in 2019 but their acquittals were overturned on appeal and their retrial is ongoing.

Over the last seven years, the Union of Turkish Medical Associations has also been targeted in multiple criminal investigations under Türkiye's overly broad anti-terrorism laws, their prominent members subjected to detention and prosecutions.

On 19 October, Prof Fincancı joined a live television broadcast on the Medya TV channel to comment on video images that had been circulating on social media of armed PKK members, allegedly suffering the aftereffects of a chemical weapons attack. According to the Union of Turkish Medical Associations, Prof Fincancı's live comments were subsequently edited and recirculated by Medya TV, presenting them as if she had established the use of the banned weapons. In her subsequent comments, Prof Fincancı repeatedly stated that she had simply called for the allegations to be investigated independently.

On 20 October, the Ministry of Defence requested a criminal investigation be opened under Article 217/a of the Turkish Penal Code criminalising 'deliberately spreading false information to the public', Article 216 criminalising 'inciting the public to hatred and enmity', Article 267/1 for 'defamation', Article 301 for 'insulting the State, state institutions and organs' and Article 7/2 of the Anti-Terrorism Law for 'propaganda for a terrorist organization'.

On 21 October, on becoming aware of the investigation, Prof Fincancı's lawyers requested the file from the Ankara Chief Prosecutor and informed them that Prof Fincancı would be available for an interview from Monday 24 October, following her return from a visit in Germany on 23 October. The file was not provided to Prof Fincancı's legal representatives by the time she was detained following a police raid to her home in Istanbul in the early hours of 26 October. She was brought to Ankara during the day and was detained at the Ankara Security Directorate Anti-Terrorism Branch.

Under international human rights law and standards, the state has the ultimate responsibility to protect and promote human rights and consequently, protect human rights defenders who highlight human rights violations. States have the duty to prevent human rights violations and abuses committed against human rights defenders and related to their work as HRDs, and to ensure that they can carry out their work in a safe and enabling environment.

PREFERRED LANGUAGE TO ADDRESS TARGET: Turkish, English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 30 November 2022

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Prof Şebnem Korur Fincancı (she, her)

LINK TO PREVIOUS UA: n/a