

PUBLIC

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To: Health professionals
From: Medical Office / Western Europe Team
Date: 28 January 1999

MEDICAL LETTER WRITING ACTION

**Dr Cumhuri Akpınar
TURKEY**

Theme: detention of health professional / POC / medical ethics

Profession: medical doctor

Summary

Dr Cumhuri Akpınar, a doctor employed at the Ankara branch of the State Forensic Medicine Institute and former executive member of the Ankara Medical Chamber, has been detained by police in Ankara since 15 January 1999. Dr Akpınar had first been arrested on 8 January 1999 but released pending trial five days later after charges of “aiding the [*Association for Solidarity with the Relatives of Arrested Prisoners and for Human Rights*] via preparing forensic reports” had formally been brought against him.

The Ankara State Security Court prosecution reportedly claims that Dr Akpınar has been preparing “exaggerated” medical reports for prisoners who have been interrogated in police custody for membership of an illegal armed organization. Amnesty International is not aware of any evidence to connect Dr Akpınar with an illegal armed organization, as suggested by the prosecution. Amnesty International believes that the charges against Dr Akpınar are intended to intimidate doctors from preparing forensic reports which clearly record signs of torture, and is calling on the Turkish authorities to release Dr Akpınar and to drop all charges against him.

Recommended Actions

Appeals are requested from health professionals to the addresses below:

- introducing yourself as a member of Amnesty International’s health professional network
- expressing concern at the reported re-arrest on 15 January of Dr Cumhuri Akpınar and calling for the charges against him to be dropped
- noting that there is a well documented pattern in Turkey of misleading medical reports being prepared in order to cover up cases of torture, and that the Turkish Medical Association has reported that doctors have complained of being intimidated by police
- urging that doctors are permitted to exercise their profession impartially and independently and in conformity with international ethical principles

If you receive no reply from the government or other recipients within two months of dispatch of your letter, please send a follow up letter seeking a response. Please check with the medical team if you are sending appeals after 25 March 1999, and send copies of any replies you do receive to the International Secretariat (att: medical team).

ADDRESSES

Mr Bülent Ecevit
Prime Minister
Office of the Prime Minister
Ba_bakanl_k
06573 Ankara, Turkey
Fax: +90 312 417 0476
Salutation: Dear Prime Minister

Mustafa Güven Karahan
Minister of Health and Social Welfare
Ministry of Health and Social Welfare
Sa_l_k ve Sosyal Yard_m
Bakanl____
06434 Ankara, Turkey
Salutation: Dear Minister

Prof Selçuk Öztekin
Minister of Justice
Ministry of Justice
Adalet Bakanl____
06659 Ankara, Turkey
Fax: +90 312 417 3954 or 418 5667
Salutation: Dear Minister

COPIES TO:

Turkish Medical Association
Mithatpasa Cad. N° 62/15-17-18
06420 Yenisehir
Ankara
Turkey
Tel: +90.312.418.3156 or 418.3963
Fax: +90.312.417.2672
Email: TTBO@Servis2.Net.TR

Adli Tip Grup Baskanligi
Yargic Sokak No:10
Iç Cebeci Ankara
Director: Dr. Esen Kaynak
Tel/Fax: +90.312.319 15 33
or 319 31 16 or 319 31 17

Adli Tip Kurumu Baskanligi
[Istanbul Headquarters of Forensic Medicine
Institute]
Esekapi-cerrahpasa
Istanbul
President: Doc. Dr. Bilge Kirangil
Tel: +90.212.585 06 60
Fax: +90.212.530 74 38; 530 74 51

and to Dr Cumhuriyet Akpınar himself at:

K_r_ehir Prison
K_r_ehir Cezaevi
K_r_ehir
Turkey

and to diplomatic representatives of Turkey accredited to your country.

'Everyone has the right to freedom of opinion and expression'

**Universal Declaration of Human Rights
Article 19**

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**Dr Cumhur Akpınar
TURKEY**

Dr Cumhur Akpınar, a doctor employed at the Ankara branch of the State Forensic Medicine Institute and former executive member of the Ankara Medical Chamber, has been detained by police in Ankara since 15 January 1999. Reportedly Dr Akpınar was arrested on 8 January 1999 after police found his name listed in the telephone book of the People's Law Office (a law firm which deals largely with the defence of political prisoners). A lawyer working at this office was detained by police on 8 January, remanded in custody on 13 January and has now been charged under Articles 168 and 169 of the Turkish Penal Code. Dr Akpınar was released pending trial on 13 January but re-arrested on 15 January allegedly after the State Security Court Prosecutor raised objections against the release.

Following his arrest on 8 January, Dr Akpınar was questioned by police at the Ankara State Security Court Prosecution office in Ankara. The authorities then formally brought charges of "aiding the [Association for Solidarity with the Relatives of Arrested Prisoners and for Human Rights] via preparing forensic reports" under Article 169 of the Turkish Penal Code. According to reports received by Amnesty International, police have searched Dr Akpınar's house and confiscated forensic reports that he had prepared for the Forensic Medicine Institute as well as publications from the Human Rights Foundation of Turkey [HRFT].

In a statement, the Central Council of the Turkish Medical Association [TTB] protested at the detention of Dr Akpınar, stating that

"The detention of Dr Cumhur Akpınar does not only address him, but the values he represents. The subject of the threats and danger is not Dr Akpınar, but all doctors in Turkey who want to do the best in their profession. The detention of Dr Cumhur Akpınar was not only an act against him, but all the forensic specialists working with the forensic Medicine Institute."

The Ankara Medical Chamber also issued a statement, saying that

"Dr Cumhur Akpınar ... is a colleague who is known for his honesty while performing his occupation. It is evident that his performance in his occupation has disturbed certain persons and bodies. This implementation by the SSC Prosecution Office should be regarded as a threat aiming at all doctors who have nothing in mind but performing their duties. The doctors will continue to undersign the reports they prepare, without taking into account the pressure wherever it may stem from."

Background information

There is a well documented pattern in Turkey of misleading medical reports being prepared in order to cover up cases of torture. This suppression of medical evidence and the production of false medical reports are elements in a system which facilitates human rights violations such as torture and extrajudicial execution.

State-employed doctors in Turkey can be put under enormous pressure to write 'clean' reports for detainees who display medical evidence of torture. Detainees are told that if they disclose their injuries to the doctor, they will be taken back to police headquarters for further interrogation. Doctors who resist police intimidation put themselves at risk, and the Turkish Medical Association has repeatedly reported that doctors have complained of being intimidated by police. Even when there is medical evidence that detainees have suffered human rights violations, and doctors are prepared to face personal and professional risks in recording it, the judicial authorities frequently make no effort to investigate the allegations, let alone to find and prosecute the torturers.

Further reading

Coercion of doctors in Turkey has been documented by Amnesty International and other human rights organizations in various reports, including:

Amnesty International
Turkey - Human Rights and the Health Professions
AI Index: EUR 44/159/96, December 1996

Physicians for Human Rights
Torture in Turkey and Its Unwilling Accomplices
August 1996