



July 12, 2013

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Dear Prime Minister Erdoğan,

As physicians, we express our grave concerns that the Turkish government has used unnecessary and excessive force to repress peaceful protests and has deliberately attacked independent medical personnel who have courageously provided care to the injured in accordance with international medical ethical standards and Turkish law.

We support everyone's right to peaceful assembly, freedom of expression, the right to health, and freedom from torture and other cruel, inhuman, and degrading treatment or punishment. Unfortunately, the unnecessary use of violence against peaceful protestors in Gezi Park has ignited widespread protests throughout Turkey. The subsequent and continued use of excessive force by police and the treatment of protestors and medical first responders as criminals have only served to escalate the scale of the protests and violent police actions.

The Turkish Medical Association, the Human Rights Foundation of Turkey and Physicians for Human Rights (PHR) have gathered medical evidence indicating that:

- Police have systematically used tear gas as a weapon on hundreds of thousands of demonstrators, firing tear gas canisters and capsules directly at protestors at close range and in closed spaces or other areas with no outlet for escape. Some 130,000 canisters have reportedly been used against protestors.
- The police have fired rubber bullets and live ammunition directly at protestors at close range, used water cannons spiked with tear gas, and beaten and illegally detained hundreds of protestors.
- As of July 2, 2013, the Turkish Medical Association collected medical information on more than 8,000 injuries due to tear gas, rubber bullets, water cannons, beatings, and live ammunition. Fifty-nine protestors have been seriously wounded and 11 others have lost their eyes. There have been five civilian deaths, caused by unnecessary and/or excessive use of force against protestors and other demonstration-related injuries.
- As of July 10, 2013, the Human Rights Foundation of Turkey had conducted approximately 200 medical evaluations of injured protestors in accordance with the Istanbul Protocol standards. The physical and psychological evidence in each case is consistent with torture and/or ill treatment.
- In addition, the police and other law enforcement officials have deliberately attacked clearly identifiable, independent medical personal and medical facilities with tear gas, water cannons, and rubber bullets. Police

have beaten and illegally detained dozens of physicians and other medical personnel for providing emergency medical care to those injured by police.

- We are deeply concerned that the Ministry of Health not only has failed to provide adequate medical care to injured demonstrators—as it does in earthquakes and other medical emergencies—but it has also required medical personnel to report the names of injured demonstrators and medical personnel providing care to the injured.
- As you know, in the absence of adequate emergency services by the Ministry of Health, thousands of independent physicians and other medical personnel have provided emergency care as individuals and through the organization of the Turkish Medical Association.
- The Ministry of Health submitted a health bill that remains on the agenda in parliament, which—if passed—would criminalize the provision of emergency medical care, not only to demonstrators, but anyone in need of emergency medical assistance in Turkey. Such legislation would be in direct conflict with Articles 97 and 98 of the Turkish Penal Code, which makes it a crime for medical personnel to neglect their duty of providing emergency care to those in need.<sup>1</sup>
- In addition, on July 8<sup>th</sup>, 2013, Dr. Ali Çerkezoğlu the secretary general of Istanbul Chamber of Medicine was detained with 35 other Taksim Solidarity Platform members while on their way to Gezi Park. His home was searched without a warrant and he was detained for more than three days.

**We call upon you, Prime Minister Erdoğan, and the Turkish government to:**

- End policies of contempt and criminalization of basic rights and freedoms, including peaceful assembly and freedom of speech.
- Immediately end *all* use of tear gas in Turkey, as it has been systematically used as a weapon on a massive scale with devastating health consequences.
- Prohibit all forms of violence against peaceful protestors and respect United Nations standards for the use of force, which must always be based on the principles of necessity, proportionality (minimum level of force), legality, and accountability.<sup>2</sup>
- Immediately release and cease further detention of those who are simply exercising their right to peaceful protests.
- Respect articles 97 and 98 of the Turkish Penal Code, which makes it a crime for medical personnel to neglect their duty of providing emergency medical care to those in need, and immediately suspend recent legislation that criminalizes the provision of emergency medical care by independent medical personnel.
- Prohibit all attacks on medical personnel who provide emergency assistance to injured protestors.
- Repeal the recent Ministry of Health circular requiring medical personnel to report the names of injured protestors and medical providers to authorities.
- Support the independence and autonomy of the Turkish Medical Association and the Human Rights Foundation of Turkey for their critical contributions to the health and human rights of Turkish citizens. These organizations are highly respected by the international medical community for their integrity and the quality of their work.
- Ensure comprehensive training on the proper use of force and adherence to international law for all current and future members of law enforcement.
- Ensure accountability mechanisms for all those responsible for excessive use of force, and other human rights violations.

<sup>1</sup>Turkish Penal Code, Article 97 and 98. See: <http://legislationline.org/documents/action/popup/id/6872/preview>

<sup>2</sup>SEE: Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, U.N. Doc. A/CONF.144/28/Rev.1 (18 Dec.1990), and Code of Conduct for Law Enforcement Officials, U.N. Doc. A/34/46 (17 Dec. 1979).

**We also call upon the international community to:**

- Immediately ban the sale of tear gas to Turkey.
- Ensure that policy decisions regarding Turkey support basic human rights protections and respect for medical neutrality.

Yours Sincerely,



Donna McKay, Executive Director, Physicians for Human Rights



Dr. Otmar Kloiber, Secretary General, World Medical Association (WMA)



Prof. Dr. Frank Ulrich Montgomery, President, German Medical Association (Bundesärztekammer, GMA)



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