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Turkey: Arbitrary Detention of woman human rights defender Şebnem Korur Fincancı

On 20 October 2022, the Ankara Chief Prosecutor launched a criminal investigation against the woman human rights defender and the head of Turkish Medical Association Şebnem Korur Fincancı over her remarks during a live interview she gave to Medya News TV on 19 October 2022. The woman human rights defender is being accused of “terrorist propaganda” and “degrading the Turkish nation, the State of Turkish Republic and the Institutions of the State”. The investigation was initiated following the complaint made by the Ministry of Defence.

[Şebnem Korur Fincancı](#) is a woman human rights defender and the President of the Turkish Medical Association. She is a member and the former head of the Turkish Human Rights Foundation. She is also one of the founding members of the Forensic Doctors’ Association and has played a major role in the development of the Istanbul Protocol, which sets the United Nations reference standards on the investigation and documentation of the cases of torture. She has conducted forensic investigations, at times undercover, to expose torture in multiple countries. In 2014 she received the International Hrant Dink Award and the Hessian Peace Prize in 2018.

During the TV interview, the woman human rights defender was asked to give her expert opinion about a video footage, where she said that “it obviously reveals that chemical and toxic gases were used which directly affects the central nervous system” and “it is important that an effective investigation must be held to hold the people, the states who use such weapons accountable and this investigation must be conducted by independent delegations.” Although there was no mention of any particular institution or state in her comments, the criminal investigation claimed that Şebnem Korur Fincancı made propaganda of an armed terrorist organisation (PKK) and that she had publicly proposed that an independent investigation be conducted into the alleged use of a toxic chemical gas which affects the nervous system by the Turkish military in the Iraqi Kurdistan.

Pro-government media outlets and social media accounts initiated a targeting and defamation campaign against the human rights defender. Additionally, senior government officials made statements regarding legal action against Şebnem Korur Fincancı and Turkish Medical Association. On 25 October 2022, President Recep Tayyip Erdoğan said that the authorities in Turkey would do whatever it takes to stop the Turkish Medical Association and Şebnem Korur Fincancı, including legal action. Additionally, the chair of the coalition partner Nationalist Movement Party Devlet Bahçeli said that TMA should be closed down and Şebnem Korur Fincancı should be stripped of her Turkish citizenship.

On 26 October 2022, woman human rights defender Şebnem Korur Fincancı was arbitrarily arrested by anti-terror police officers with an early morning raid in her home in Istanbul despite that her lawyers had already informed the prosecutor’s office that she would voluntarily testify. The arrest was upon orders from the Ankara Chief Public Prosecutor for “propaganda for a terrorist organisation” as per Article 7 (2) of Anti-Terror Law, and for “degrading the military or security services of the State” as per Article 301 (2) of the Turkish Penal Code. The Public Prosecutor’s office also requested her dismissal as the chair of the Turkish Medical Association and the election of a new president.

On 27 October 2022, Şebnem Korur Fincancı was brought before the Ankara 3rd Criminal Judgeship of Peace which ruled for the arrest of the woman human rights defender on accusations of making propaganda for a terrorist organisation. Şebnem Korur Fincancı was then transferred to Sincan F-type high security prison in Ankara where she is still being held.

On 22 November 2022, upon reviewing and the indictment submitted by Ankara Chief Prosecutor's Office, the Ankara 4th Heavy Penal Court decided to transfer the case to Istanbul 24th Heavy Penal Court on the basis of lack of jurisdiction. Şebnem Korur Fincancı will be transferred to Istanbul before the first hearing which will be held on 23 December 2022 at 9.30 in Istanbul.

Front Line Defenders condemns the charges and arbitrary detention of woman human rights defender Şebnem Korur Fincancı as it believes they are directly linked to her legitimate and peaceful human rights work in Turkey. Front Line Defenders is gravely concerned about the Turkish Government's continued use of anti-terrorism legislation and laws on degrading and insulting the state and its organs to prevent human rights defenders from exercising their legitimate and peaceful human rights work in the country.

Front Line Defenders urges the authorities in Turkey to:

1. Immediately and unconditionally release Şebnem Korur Fincancı and end all legal proceedings against her, as she is being targeted solely for her legitimate and peaceful work in the defence of human rights;
2. Ensure the protection of Şebnem Korur Fincancı physical and psychological integrity;
3. Guarantee in all circumstances that all human rights defenders in Turkey are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions.