

Review Article

An Update on the Situation of Women Human Rights Defenders in Medicine – A New Case Example

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Abstract

Women Human Rights defenders encounter increasing dangers, as demonstrated by our case example, the renewed arrest of Prof. Sebnem Korur Fincanci, a leading human rights expert and defender, in Turkey. Many countries with autocratic regimes have in fact increased their attacks on women, especially those from ethnic minorities, such as Kurdish minorities, in spite of all efforts by the UN, World Medical Association, and other international umbrella organisations. Support for WMA and UN activities and local women's organisations are to be seen as crucial to face these raising challenges.

Keywords: Human Rights, Istanbul Declaration, Istanbul Protocol, Turkey, Iran, Afghanistan

As a follow-up to our article from 2021 in this journal [1], we have to note, that the situation of women as human rights defenders has not improved.

In our opinion, autocratic regimes and dictatorships have started to encourage each other, also in the face of usually complete impunity in order to persecute women standing up for women, and in general, human rights. Women can have a strong symbolic role in public if they publicly support human rights and humanitarian standards, that clash with grandiose, mostly male dreams of empire and unlimited power. The denying of important documents protecting women [2], such as the Istanbul convention, that was developed in Turkey, but suspended in this land by its present autocratic ruler (with "effect of 1 July 2021, Turkey withdrew from the Istanbul Convention and is no longer a state party to this convention"), is apparently part of this strategy targeting especially women. In spite of the creation of a special rapporteur on human rights defenders by the UN ("Special Rapporteur on the situation of human rights defenders", at present the highly respected Ms. Mary Lawlor), apparently not much progress was made in some countries since our last critical analyses in this journal, probably to the overwhelming challenges in the global rise on violence, as demonstrated by the present situation of women speaking out in countries such as Iran and Afghanistan.

This is further underlined by the renewed [1] arrest of Professor Sebnem Korur Fincanci [3], former head of Istanbul University Department of Forensic Medicine, president of the Turkish Medical Association, world-renowned expert on forensic investigation of severe human rights related crimes such as torture, coauthor of the UN and WMA supported "Istanbul Protocol" [4-6] (for the documentation and investigation of torture supported by the UN

and other organisations). She also received the German "Hessian Peace Prize" among other international decorations honoring her dedication to peace and human rights. She was arrested and accused of "supporting terror propaganda" after her proposing an independent investigation into the alleged use of poison gas in Kurdish regions. At the same time, the Turkish government took steps to discredit and take control of the Turkish Medical Association that should be guaranteed to have an independent status, following World Medical Association guidelines. This has created a massive international wave of solidarity and the demand to release and end persecuting her. It was published by nearly all international professional organisations, foremost the WMA, the World Psychiatric Association, national medical associations, and a large number of NGOs.

The World Medical Association leadership for example on October, 26, 2022 quoted Dr. Frank Ulrich Montgomery, Chair of the WMA Council: "It is totally unacceptable that Dr. Korur Fincanci has been detained and that members of the Turkish Medical Association are being threatened with suspension." and confirms:

"The World Medical Association has issued a strong condemnation about the arrest in Turkey of Dr. Şebnem Korur Fincancı, President of the Turkish Medical Association."

WMA has recently updated this international appeal stating that:

"Millions of physicians around the world have joined forces to demand the release of Turkey's physician leader, Prof. Şebnem Korur Fincancı. Dr. Fincancı, President of the Turkish Medical Association, has been held in prison for almost two months after calling for an independent investigation into allegations about the use of chemical weapons. This week, the Istanbul 24th Heavy Penal Court will hold

the first hearing of Dr. Fincani on charges of ‘propaganda for a terrorist organisation.’ WMA, together with the Standing Committee of European Doctors (CPME) and four other European medical organisations, has already earlier written again to the President of Turkey protesting that Dr. Fincani was in detention for merely expressing an opinion.”

Dr. Frank Ulrich Montgomery, further comments: ‘Such denial of liberty constitutes a gross violation of the freedom of speech. Her detention is arbitrary, abusive, and contrary to the most elementary fair trial rules, guaranteed by the International Covenant on Civil and Political Rights that Turkey has ratified in 2003.’

He further reminds the Turkish President that the use of chemical weapons was prohibited under international law ratified by Turkey in 1997.

He concludes: ‘It seems to us incongruous at the least that the Turkish authorities punish one of its citizens for recommending an investigation into the use of weapons which they precisely committed to prohibit.

The international medical community urges you to deliver justice fairly and impartially and calls for the immediate release of Prof. Şebnem Korur Fincancı and to drop all charges against her.’

This can be seen as the global position of medical doctors in this case, applying also to similar cases of medical doctors active as human rights defenders and human rights in general. The persecution of women human rights defenders in Iran and observations on their torture, sexual abuse, lack of adequate medical care and on the other hand, abuse of medicine, have been raised and should be investigated with urgency, using international standards of medical examination and investigation such as the already mentioned recently updated UN “Istanbul Protocol” [7-9], making use of the option of an independent investigation by the UN, for example by the Special Rapporteur on Torture.

So far, UN has already excluded Iran from the UN Commission on the Status of Women. Women of ethnic minorities, such as Kurdish groups appear to be at special risk for all acts of persecution [10,11].

We further want to note, that also other professions, such as especially journalists [12], are part of the defense of human rights. In addition to the protection given to defenders, being the primary necessary intervention, both legal and psychological support should be offered to all groups, such as medical doctors, care givers [13], journalists and also witnesses that give testimony in international and national courts.

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