

# **Turkey: Arrest and arbitrary detention of Dr. Serdar Küni (TIHV) and release of Mr. Ismail Akbulut (IHD)**

Friday 4 November 2016

**The Observatory has been informed by reliable sources about the arrest and arbitrary detention of Dr. Serdar Küni, Cizre Representative of the Human Rights Foundation of Turkey (TIHV) and former President of the Şırnak Chamber of Medicine and the release of Mr. Ismail Akbulut, President of Hakkâri Branch of Human Rights Association (İHD).**

The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), requests your urgent intervention in the following situation in Turkey.

## **Description of the situation:**

The Observatory has been informed by reliable sources about the arrest and arbitrary detention of Dr. **Serdar Küni**, Cizre Representative of the Human Rights Foundation of Turkey (TIHV) and former President of the Şırnak Chamber of Medicine and the release of Mr. **Ismail Akbulut**, President of Hakkâri Branch of Human Rights Association (İHD).

According to the information received, on October 19, 2016, Dr. Serdar Küni appeared before the Cizre Prosecutor to testify, pursuant to an arrest warrant previously issued against him. He was arrested on the spot. His arrest is apparently linked with his work as a physician, providing health service in Cizre which witnessed intensified armed conflict. He is currently being held in the prison of Şırnak within the framework of an investigation on accusations of “providing treatment to alleged militants”, under Article 314/2 of Penal Code of Turkey.

On October 18, 2016, Ismail Akbulut was brought to the Hakkari Security Directorate for questioning, before being released on October 29. He would not have been charged as of issuing this urgent appeal, and the official grounds for his arrest and detention have not been provided.

The Observatory strongly condemns the ongoing arbitrary detention of Dr. Serdar Küni as well as the arrest of Mr. Akbulut, as they seem to only aim at sanctioning his legitimate human rights activities.

Accordingly, the Observatory calls upon the Turkish judicial authorities to immediately and unconditionally release Dr. Serdar Küni, and to more generally comply in all circumstances with international law standards.

## **Actions requested:**

Please write to the authorities in Turkey, urging them to:

- i. Guarantee in all circumstances the physical and psychological integrity of Dr. Serdar Küni and Mr. Ismail Akbulut as well as of all human rights defenders in Turkey;

- ii. Release Dr. Serdar Küni immediately and unconditionally, as his detention is arbitrary since it only aims at sanctioning his legitimate human rights activities;
- iii. Put an end to all forms of harassment, including at judicial level, against them, as well as all human rights defenders in Turkey;
- iv. Comply with all the provisions of the United Nations Declaration on Human Rights Defenders, in particular with:
  - its Article 1, which provides that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels”;
  - its Article 6(a), which foresees that “everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms”;
  - its Article 9, which provides that “in the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights as referred to in the present Declaration, [...] everyone has the right, individually and in association with others, inter alia: [...] (c) to offer and provide professionally qualified legal assistance or other relevant advice and assistance in defending human rights and fundamental freedoms”.
  - its Article 11, which provides that “everyone has the right, individually and in association with others, to the lawful exercise of his or her occupation or profession”.
  - its Article 12.2, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;
- v. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by Turkey.

**Addresses:**

- President of Turkey, Recep Mr. Tayyip Erdoğan, Cumhurbaşkanlığı Külliyesi 06560 Beştepe-Ankara, Phone: (+90 312) 525 55 55, Fax: (+90 312) 525 58 31, E-mail: contact@tccb.gov.tr
- Prime Minister of Turkey, Mr. Binali Yıldırım, Vekaletler Caddesi Başbakanlık, Kızılay/Ankara Phone: +90 (312) 422 10 00; Fax +90 (312) 403 62 82 Email: ozelkalem@basbakanlik.gov.tr
- Minister of Foreign Affairs, Mr. Mevlüt Çavuşoğlu, Dr. Sadık Ahmet Cad, No: 8 Balgat/ Ankara - Turkey 06100; Phone : +90 (312) 292 10 00
- Minister of Justice, Mr. Bekir Bozdağ, 06659 Kizilay, Ankara; Phone: +90 (312) 417 77 70; Fax: +90 (0312) 419 33 70; E-mail: info@adalet.gov.tr
- Minister of Interior, Mr. Süleyman Soylu, Bakanlıklar Ankara; Phone: +90 (312) 422 40 00; Fax: 90 312 418 1795; Email: ozelkalem@icisleri.gov.tr
- Minister of Health, Mr. Recep Akdağ, Mithatpaşa Cad. Sıhhiye / Ankara 06434-Turkey; Phone: +90 (312) 585 10 00; eposta@saglik.gov.tr
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- Ambassador Izzet Selim Yenel, Diplomatic Mission of Turkey to the European Union in Brussels, Avenue des Arts 36-38, 1000 Bruxelles, Belgium; Fax: + 32 2 511 04 50
- Ambassador Mehmet Ferden Çarıkçı, Permanent Mission of Turkey to the United Nations in Geneva, Chemin du Petit-Saconnex 28B 1211 Geneva 19, Tel: +41 22 918 50 80; Fax: +41 22 734 08 59; Email: mission.turkey@ties.itu.int

Please also write to the diplomatic mission or embassy of Turkey in your respective country.

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Paris-Geneva, November 4, 2016

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

The Observatory, an FIDH and OMCT venture, is dedicated to the protection of human rights defenders and aims to offer them concrete support in their time of need.

To contact the Observatory, call the emergency line:

- E-mail: [Appeals@fidh-omct.org](mailto:Appeals@fidh-omct.org)
- Tel and fax FIDH + 33 (0) 1 43 55 25 18 / +33 1 43 55 18 80
- Tel and fax OMCT + 41 (0) 22 809 49 39 / + 41 22 809 49 29