

## TO ANKARA 32ND HIGH CRIMINAL COURT

**File no:** 2018/361

**Subject:** My testimony concerning charges in the indictment

1. Esteemed president, members and friends, I greet you all. I hope the justice will be done at the end of this trial.
2. I agree with statements made by my colleagues taking the floor earlier.
3. As members of TMA-CC, we made the press statement **“War is a public health problem!”** within the framework of our professional values and in loyalty to the science of medicine. Then we faced treatment that is not reconcilable with law. We faced various pressures and received messages of threat. Shortly after we learned from the press that the Office of Prosecution in Ankara launched an investigation about us. Our lawyers visited the office and informed that **“CC members are ready to make their statements before the Prosecution at any time.”** In spite of this the police raided our homes and detained us within few days. Our colleague Taner Gören was even hand-cuffed. It was the first time since its establishment in 1953 that eleven CC members of TMA were detained altogether. In the morning following our detention the door of our association was opened by a locksmith upon the instruction of the prosecutor and it was also for the first time.
4. Even before taken to Diyarbakır Security Directorate “presumption of innocence” was violated in my case. The Diyarbakır Branch of Central Bank where I served with commitment for 7 years unilaterally terminated my contract. After 5 days of detention I was released on judicial control.
5. Leaving aside my years of internship in School of Medicine, I have been working as a doctor for the last 16 years. There are my seniors here in this courtroom, so I hope they will excuse me when I talk about my professional experience. I worked in health centres, emergency services and infirmaries of many hospitals. I worked as work safety doctor in plants, construction sites, workshops, towers and mines. I have been on night and weekend duty and polyclinic services and tried to give treatment to many people differing in their age, sex, religion, race, occupation, sexual orientation, colour, etc. I described them how to use their prescriptions and informed them about risks to their health. A physician has to be on duty 7/24. I acted as health counsellor in many different spaces and environments including flights, streets and restaurants. I was engaged in health screening in villages and gave training in hygiene to children in poverty-stricken rural areas. I took part in child immunization campaigns in preventive medicine. I delivered training to over hundred workplace doctors and nurses. In the period 2013- 2018 I trained 500 first aid workers to save lives. I was a volunteer disaster worker in 2003-Bingöl and 2005-Doğubayazıt earthquakes and in 2006 Batman flood disaster. I was in the team for combating oriental boil in Dicle and Hani districts. I tried to help in their health problems finding hundreds of people fleeing from conflicts in Iraq and Syria. I visited tent camps in Diyarbakır, Suruç and Akçakale and I served as voluntary infirmary doctor in some. The following is what I observed as reality after this experience:
  - a. Physical, biological, psychological and social factors determine the status of health of communities and individuals. Biological factors such as tuberculosis

microbe and intestinal parasites and psychological factors like stress and depression cause black holes in health status of individuals.

- b. In working life, **noise** as a physical factor may cause hearing loss while **dust** may lead to Asthma-Bronchitis. Respiratory problems like bronchitis are observed more frequently among children living close to factory chimney emitting fume. In earthquakes, people remaining under debris have function loss in their kidneys.
  - c. Social factors like unemployment, poverty, lack of education, malnutrition and poor housing affect the health status of individuals negatively in a vicious circle.
  - d. Wars and armed conflicts where instruments of death are used directly entail all kinds of risk factors detrimental to health and lead to mass deaths and injuries. They lead to mass migration and exhaustion of ground and underground resources; pollution of water sources and lack of access to food are among other outcomes along with cessation of health services. Besides human beings wars and armed conflicts also harm the environments of other species.
6. We cannot close our eyes to realities and we cannot step back from expressing what we observe as reality. Hence, our statement “war is a public health problem” is clear enough not to allow any absurd interpretation or any distortion. The idea of “**protecting the life of human being**” as the oldest value of medicine embraces the “**right to live in a peaceful environment**” and the conduct of physicians in environments of armed conflict.
  7. The most fundamental human right that cannot be given up, delayed or transferred is the right to **healthy and dignified** life. The essential duty of physicians is to defend the right to life of all without any distinction, combat any factor that jeopardizes individual/public health, and to protect and improve health status of people.
  8. Wherever they may take place, war and armed conflict is a preventable public health problem in terms of its consequences. As a physician it is not possible for me to support the solution of problems by resorting to armed conflict and violence. I believe disputes should be settled by methods other than violence.
  9. I just took a look at my twitter page and found 1,218 sharing. Some of them selected probably by using “tweezers” are now presented as evidence of crime. Mentioned social media comments are my critical opinions stated without any insult or motion to provoke hatred and enmity. These are nothing else but comments made with the motion of advancing the democratic qualities of our republic and protecting and promoting public health.
  10. I refuse charges made in the “indictment” and plead my acquittal.

Dr. Şeyhmus Gökalp