

TO ANKARA 32ND HIGH CRIMINAL COURT

File no: 2018/361

Subject: My testimony concerning charges in the indictment.

Esteemed Panel of Judges,

As a result of the declaration “War is a Public Health Problem” that we published on our website while I was a Central Council member we were first detained and now we are on trial. I am a physician at age 66; and academic contributing to the training of hundreds of students and tens of medical specialists. I have contributed to the science of medicine with many articles and book parts that I wrote. I am trying to perform in my profession within the framework of professional ethics evolving over long years and my mission is to make others live. I took an oath that “**I will keep the highest respect for human life**” when I graduated. Article 4 of the TMA Law No. 6023 assigns me the duty of “**protecting people’s health.**” The document on armed conflicts adopted by the World Medical Association in 2017 states the following: “*Physicians should encourage politicians, governments, and others in positions of power to be more aware of the consequences, including the impact on health, of their decisions on the commencement or continuation of armed conflict.*” 11 CC members made that statement under the responsibility that I mentioned above. But unbelievably enough, this statement was considered as an offense by authorities. Our homes were raided early in the morning of 29 January 2018, our offices were searched. And I was taken out of my office in İstanbul Faculty of Medicine handcuffed in front of my colleagues. After 7 days of detention with my colleagues we were released on judicial control and visited police station every day to prove our presence.

According to United Nations, as of February 2016 470,000 people were killed in the Syrian Civil War now in its seventh year with the interventions of some other parties including Turkey. According to BBC Turkish, the UK-based Syrian observatory for Human Rights documented the death of 353,000 people as of March 2018, 106,000 of whom were civilians. At least 6.1 million Syrians were internally displaced and 5.6 million Syrians fled the country. There are 3.5 million Syrian refugees in Turkey. Since 2014 ten persons died every day while trying to cross the Mediterranean. Cities were ruined together along with buildings of cultural heritage. And it was women and children affected worst from the vagaries of war. Environmental pollution and unavailability of safe water caused epidemics while food shortage led to hunger. Children’s education was interrupted. Survivors, particularly children experienced heavy psychological trauma. Hospitals and other health facilities were damaged; children, elderly people and those who were injured could not receive healthcare. One need not be a doctor to be affected by the picture, being human is enough... This destruction I tried to describe is the common feature of all wars and inevitable. For a physician, war is not acceptable whatever its motives may be.

For physicians in Turkey there is something unique to this land reminding them war is not acceptable. In Turkey when a person is discharged from a health facility after recovery we use the term “taburcu”. Everybody in Turkey knows that “taburcu olmak” means being discharged from hospital. This term has its rather tragic origin. There was almost no modern healthcare in this country until the 19th century. It was in 14 March 1827 that the first medical facility was established. Then there was a long period of wars including the 1st World

War, Gallipoli, and the War of Liberation. The country was under the rule of poverty, famine and epidemics. During the 1st World War and Gallipoli the only school giving education in medicine sent all its students and teaching staff to various fronts and stopped education. The building was fully converted into a hospital. The military officer there used to send all those who recovered and able to fight back to the front again, to their battalions (tabur). So leaving a hospital meant going back to the battalion (taburcu olmak). In the 1st World War 90,000 soldiers died in Sarıkamış Front only. Total casualties in this war amounted to 10 million. It must be this devastating effect and high human cost that made Commander Mustafa Kemal Atatürk say “Peace at home; peace in the world.” It is a pity that humanity failed to take its lesson from this and the 2nd World War broke out within shorter than 2 decades. The number of human loss in this war is appalling: 65 million. It was recorded that 33 % were civilians and 67% were soldiers. It took long years to recover from the devastation of this war. However, it appears that necessary lesson is still not taken since there are still wars in our world.

It can be explained only with malignancy to charge 11 TMA leaders who are committed to human life with the following:

”.....trying to give legitimacy to the organization with their statement on 24 January 2018 by creating the impression that the operation launched by the Turkish Military Forces on 20 January 2018 is targeting civilian population...” As TMA we have been making statements against war for decades and the latest statement is neither the first nor will it be the last. We had also spoken against the war in Iraq. We have been speaking against the war in Syria since its start. In the statement concerned, it is clear that there is no reference to any specific local war or military operation. This statement is addressed to all who seek solution in arms and wars. It is beyond any reason to attribute to us any other purpose but contributing to the settlement of an on-going war and reminding authorities that **war is a public health problem**. No universal norm of law allows producing a crime from the text of this statement. I reject all charges and ask for our acquittal.

Prof. Dr. M. Taner Gören