

Evaluation of the dismissed forensic medicine specialists and other forensic professionals in Turkey

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The right to work, one of the fundamental human rights, expresses the right of all individuals to maintain a dignified life by having an income, earned through work (UDHR, 1948). Following the coup attempt on 15 July 2016, the Turkish government declared a state of emergency on 20 July 2016. This lasted 730 days until 20 July 2018. During this period, 32 decrees were issued by the Turkish government. With these decrees, 150,348 public officials including judges, prosecutors, civil servants, teachers, bureaucrats, medical doctors and academics were dismissed without any investigation (Turkey Purge, 2019). With regard to the group of forensic professional experts, many have been dismissed following decrees issued by the Turkish government.

It was found that 105 forensic experts and/or forensic professionals were dismissed by government decrees. Nearly all of the dismissed specialists were male ($n = 101$, 96.04%). Nine (8.57%) were doctors of medicine working in forensic medical sciences and 96 (91.43%) were forensic specialists. Thirty (14.25%) of these were working at a higher educational institution and 75 (85.75%) were working at the Council of Forensic Medicine. Five (4.76%) of these cases were professors and directors of an institute. Thirteen (12.38%) were associate professors, 3 (2.85%) were assistant professors, 54 (51.42%) were specialists, and 30 (14.25%) were assistants.

Protecting freedom and human rights in various ways is essential to democracy. The freedom of the press and civil society movements was significantly suppressed by the Turkish government. Many professional groups, including forensic specialists and medical doctors, have an important role in preventing the abuse of power. Following the coup attempt, many forensic experts were dismissed by the Turkish government. The number of forensic experts dismissed in Turkey is higher than the sum of forensic experts found in many European countries.

Forensic services in Turkey are mainly provided by forensic institutions. There is also a forensic medicine department in almost all medical faculties in Turkey. According to official data, there were nearly 600 forensic experts in Turkey (The Society of Forensic Medicine Specialists, personal communications, July 15-19, 2019). When the number of dismissed forensic experts is examined, it is seen that approximately 20% have lost their jobs. As in Continental Europe, an important function of forensic experts in Turkey is to identify and prevent human rights violations. Forensic experts should perform these tasks objectively according to international protocols (Istanbul Protocol, The Minnesota Protocol, etc.). The expulsion and detention of many forensic experts without investigation has led to many undesirable effects, including the discontinuation of forensic services and intimidation of other experts. However, the dismissal of so many forensic experts is used to intimidate other professionals and prevent them from

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objectively reporting and investigating human rights violations. In addition, it is difficult for forensics experts to exercise their profession freely within the established legal practices in Turkey, since they are actually prohibited from working as independent experts. This situation is controversial in terms of universal legal norms that provide occupational safety (UDHR,1948).

Many international organisations have reported on these human rights violations. Nils Melzer, the United Nations Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, has noted an increase in torture and maltreatment practices in Turkey and has suggested, that these are carried out by designated teams within the state's security services. According to his report, the Turkish State has refused to comment on the allegations (OCHCR, 2016). Furthermore, The Stockholm Freedom Center reports that family members of detainees are also under threat (2017). In another report on the subject, the US-based human rights organisation, Human Rights Watch (HRW), provides further details on torture and also alleges, that kidnappings by state forces are also present (HRW, 2017).

Prof Dr. Sebnem Korur Fincanci, who is a forensics expert and president of the Turkish Human Rights Association, was sentenced to prison and dismissed from her job as a university lecturer after signing a so-called peace statement, which urged an end to state-sponsored violence in Turkey. She had decided to independently investigate the case of a detainee who allegedly died from torture in detention (Cumhuriyet, 2018).

She found, that the official autopsy records made no mention of torture, despite previous allegations by the detainee that he was subjected to torture in detention, which raises questions about forensics experts' objectivity when carrying out their duties.

The Turkish State also issued a decree that permanently prevented persons dismissed, in

the aftermath of the attempted coup d'état and the subsequent state of emergency from working in civil service again. They are also often intentionally prevented from completing the administrative and legal procedures that would allow them to work privately and employees of public administration are given the right to subjectively refuse service to anyone without facing any legal action. This leaves many highly qualified forensic science and other experts unable to find employment and support themselves and their families.

The suppression or dismissal of forensic experts or other medical professionals for political reasons can lead to serious human rights issues. In order to prevent such issues, necessary policies should be developed within legal limits by the international community.

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