



*Europe, 29 April 2024*

Mr. Yılmaz TUNÇ, Minister of Justice

Adalet Bakanlığı 06659 KIZILAY / ANKARA-TURKIYE

Honorable Minister of Justice,

the undersigned representatives of major European organizations of judges and prosecutors hereby address you regarding the situation of Murat Arslan, president of the independent judicial association YARSAV, and Václav Havel Human Rights Prize winner in 2017.

Murat Arslan is currently detained at Sincan T Type Closed Penal Execution Institution B8 – Cell. Despite unequivocally meeting all legal prerequisites for conditional release, Murat Arslan remains unjustly detained without substantiated reasons.

Our associations are engaged in the monitoring of legal developments and judicial proceedings, including those within Türkiye, in the perspective of safeguarding the rule of law. Regrettably, it has come to our attention that numerous inmates at Sincan Penal Execution facilities - including Murat Arslan - face undue obstacles in obtaining conditional release, notwithstanding the fulfillment of the criteria established by law.

The circumstances surrounding Murat Arslan's detention are particularly worrying, given his undisputed good behaviour and the presence of all further objective prerequisites for conditional release. Nonetheless, his request was rejected on the basis of arbitrary grounds, such as purportedly insufficient societal integration efforts and unsubstantiated risks of recidivism.

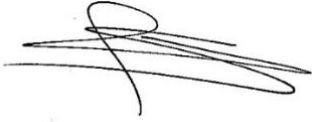
Furthermore, we observed the presence of discriminatory practices between prisons in Türkiye. Unfortunately the Sincan Prison is known for a pattern of refusing conditional release without valid justification. This while other detainees with similar backgrounds who have been transferred to different correctional facilities are routinely granted such relief. This discriminatory practice is in conflict with the principles of impartiality and equality before the law. Requests for conditional release of all detainees should be treated in a fair and transparent way.

Consequently, we respectfully urge you to promptly intervene in Murat Arslan's case, ensuring his request of conditional release is reconsidered in a fair and impartial manner in accordance with the law.

Respectfully,

Sylvain Mérenne

President of the Association of European Administrative Judges (AEAJ)



Mikael Sjöberg

President of the European Association of Judges (EAJ)



Tamara Trotman

President of Judges for Judges



Mariarosaria Guglielmi

President of Magistrats Européens pour la Démocratie et les Libertés (MEDEL)

