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MAGISTRAȚILOR DIN
ROMÂNIA

Membru al Uniunii Internaționale a Magistratilor • Membru al Asociației Europene a Magistratilor • Membru al Alianței pentru o Justiție Europeană în România

N^o 103/19.06.2024

TO THE MINISTER OF JUSTICE OF REPUBLIC OF TÜRKIYE,

To Mr. Yılmaz TUNÇ

Your Excellency,

With respect, I write on behalf of the Romanian Magistrates' Association concerning a matter of grave concern regarding Mr. Murat Arslan, the esteemed president of the Turkish Association of Judges and Prosecutors (YARSAV). Our Association is deeply committed to protecting democracy, upholding the rule of law and ensuring the independence of the judiciary, principles that are essential and form the foundation of a fair and just society.

Mr. Arslan, a distinguished recipient of the Václav Havel Human Rights Prize in 2017, has been subjected to an unjust 10-year prison sentence due to his unwavering dedication to an independent judiciary and human rights. For almost eight years, he has endured incarceration and it is with sorrow and concern that we bring to your attention the recent developments regarding his conditional release.

Despite meeting all legal prerequisites for conditional release, Mr. Arslan's right to a conditional release has been denied by the Committee. His next interview is scheduled for July, further prolonging this unjust situation.

We have observed a troubling trend where certain prison committees are wielding their discretionary powers arbitrarily, rejecting applications for conditional release without valid justification. These decisions, based on vague and unsubstantiated grounds, are not only unjust but also discriminatory in nature.

This selective and arbitrary practice is also contrary to the principles of impartiality and equality before the law, fundamental values that we highly respect and promote in our quest for a just and fair society. Every person's application for parole should be subject to a fair, transparent and impartial assessment in accordance with established legal criteria and human rights principles.

We respectfully urge Your Excellency to promptly intervene in this matter and ensure that Mr. Arslan is afforded a fair interview and a fair and lawful decision regarding his conditional release. It is imperative that these decisions are taken in accordance with the rule of law and respect for human rights, without any form of bias or discrimination.

Your attention and swift action on this issue are greatly appreciated.

Respectfully submitted for your attention and consideration,

Judge Andreea Ciucă, PhD,
President of the Romanian Magistrates' Association (AMR)