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Turkey: ICJ Hopes Leyla Zana Release Is a Step Towards Rule of Law

The Centre for the Independence of Judges and Lawyers (CIJL) of the ICJ welcomes the release yesterday of Leyla Zana, a Sakharov prize winner, and her co-defendants, all Kurdish former parliamentarians who were tried and sentenced in 1994 to a term of 15 years of imprisonment for their alleged membership in an armed gang (the Kurdistan Workers' Party or PKK).

"Leyla Zana and her co-defendants have waited ten years for this day. We hope it is a sign that Turkey will continue to make essential human rights reforms on the road to the rule of law," said Linda Besharaty-Movaed, Legal Advisor for the Centre for the Independence of Judges and Lawyers (CIJL) of the ICJ. The release came weeks after Turkey took another important step by abolishing State Security Courts - the source of many violations of the right to a fair trial.

"The defendants are free, but the charges against them have not yet been dismissed and we will watch carefully what happens in the appeal hearing on 8 July," reminded Linda Besharaty-Movaed. "The ICJ continues to monitor trials of other lawyers and human rights defenders who are still being prosecuted for lawfully exercising their right to freedom of expression, such as Huseyin Cangir who was recently sentenced to pay a hefty fine for putting up posters in the Kurdish language" added Linda Besharaty-Movaed. "Turkey has much further to go before it can be said that freedom of expression is respected in the country."

Background

After having monitored thirteen of the fifteen hearings that took place over the course of 2003-2004, the ICJ/CIJL concluded that the charge against Leyla Zana and her co-defendants was politically motivated and that the defendants were not given a fair trial by an independent and impartial tribunal. The ICJ/CIJL also found that the former parliamentarians' ten-year detention constituted a violation of their right to liberty and security.

The re-trial was based on a ruling by the European Court of Human Rights, (EctHR), that the defendants had not received a fair trial at the Ankara State Security Court in 1994 which, at the time, included a military judge. State Security Courts have recently been abolished in constitutional changes urged by the EU as part of Turkey's campaign for EU membership.

The ICJ/CIJL has been closely monitoring trials of human rights lawyers in Turkey who are prosecuted for discharging their professional functions. Recently, the President of the Diyarbakir Bar Association and three other lawyers were charged with "professional misconduct" for having represented villagers who sought compensation from State

The ICJ is an international non-governmental organisation comprising sixty of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations

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authorities for the destruction of their homes in South-East Turkey by Security Forces. The defendants were later acquitted.

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