

**EMERGENT LIFE CALL
FREE GÜLER ZERE**

Turkish prisons where Isolation/Treatment model is applied, are on the verge of a new death. Although Turkey has executed all international agreements relating to protection of human rights and rights of prisoners/convicted, violation of rights and deaths continue in its prisons. The new target of the new system in which, according to the findings of independent human right organizations, 306 people died only between the years of 2000-2009, is Güler Zere, who is destitute of her freedom 37 years old political woman prisoner.

Güler Zere had cancer while she was kept in Elbistan Clsed Prison in order to serve the execution of imprisonment sentence given by Malatya State Security Court. Her illness was diagnosed late due to the prison conditions. She was not benefited from physician aid within the required time. Also after her illness was diagnosed, her treatment was not commenced by reason of “treatment queue” and “no space in prisoner dorm”. As a result of that, her illness progressed and became life-critical. Today, her doctors state that even with an effective and sufficient medical aid, her chance to live is 30%.

It must be accepted as an exact ill-treatment to increase her sorrow and grief relating to a punishment formed of “being divested of freedom for the sentenced period”. Likewise, it is not required to have an intent to do harm on a prisoner for ill-treatment. Negligence as a result of “complete insufficiency or a series of individual events” in service providing may lead the same result. Failure/negligence in providing treatment possibilities should be evaluated in this scope. As a matter of fact, negligence exhibited by the execution office during the treatment period lead it to bring to an irreversible point in terms of health. In this case, it is understood that “right to life” guaranteed by Article 2 and “prohibition of torture and ill-treatment” guaranteed by Article 3 of Human Rights European Charter were violated.

As per Article 16 of the Law on the Execution of Sentences and Security Measures numbered 5275 in force in Turkey, it is regulated to revoke the execution in cases where the sentence may create an effect beyond its purposes. As per the Paragraph 2 of the same article, execution of the sentence shall be revoked in cases where execution of the sentence in the hospital detention ward constitutes a definite danger for the life of the prisoner for some illnesses for which there is no possibility of treatment medically or the treatment of which may last long. When the type of the illness Güler ZERE had and the problems experienced during the treatment period are evaluated together, it is obligatory to evaluate the case in this scope. However, despite such obligation, no result could be obtained from applications made for such purpose until today.

Güler ZERE must be freed immediately considering the clear law provisions. It must not be forgotten that behavior and application on the contrary will lead to a new death. We hereby call the public opinion not to let this death.

LEGAL BUREAU OF THE PEOPLE

For solidarity with GÜLER ZERE

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