



ELDH European Association of Lawyers for Democracy & World Human Rights

WITH LAWYERS
IN 22 COUNTRIES

EJDM Europäische Vereinigung von Juristinnen & Juristen für Demokratie und Menschenrechte in der Welt

EJDH Asociación Europea de los Juristas por la Democracia y los Derechos Humanos en el Mundo

EJDH Association Européenne des Juristes pour la Démocratie & les Droits de l'Homme

EGDU Associazione Europea delle Giuriste e dei Giuristi per la Democrazia e i diritti dell'Uomo nel Mondo

Equality Privacy Social Rights
No Racism Peace No Torture No War
Self-Determination of Peoples Democracy
Human Rights Rights of Migrants

Bologna, Donostia, Düsseldorf, Vienna, 9-Jan-24

ELDH supports the rally organised by the Basque civic organisation “Sare” demanding the end of exceptional measures applied to Basque Political Prisoners

The European Lawyers for Democracy and Human Rights (ELDH), with members in 22 European countries, notes that it is more than 12 years since ETA (Euskadi Ta Askatasuna, "Basque Homeland and Liberty"), declared the end of its armed campaign in the Basque Country.

The Basque Country has transited through a long journey of healing and remembering.

The dissolution of ETA, the legalisation of political parties and the end of policies such as solitary confinement, segregation and the incarceration of Basque prisoners in remote penal facilities have brought the Basque Country closer to lasting peace.

Nevertheless, there is still a need to continue moving towards a reconciliation that makes possible fair and equal treatment for all victims of the violence generated during the conflict.

In order to achieve that reconciliation, the application must end of exceptional legal measures to Basque political prisoners that make any chance of early release impossible.

Failure to grant remission for persons convicted accused of terrorism, in accordance with the 7/2003 Law on full and effective compliance with sentences, affects up to sixty Basque prisoners who do not have the right to the benefit of the ordinary penitentiary legislation, and are thus serving 40 years imprisonment with no expectation of early release.

The fact that periods of prisonment already served in a third country are not taken into account for the calculation of the maximum duration of prison sentences to be served in Spain once extradited from such a third country is impeding any earlier release of 45 prisoners.

Of the current 142 Basque political prisoners 45 have served three quarters of of the sentence and would be released if the ordinary legislation was applied.

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We demand the ordinary application of the law to Basque political prisoners, and the cancellation of the exceptional measures that have been applied to them for decades.

Legislation should be interpreted and applied according to the new context of peace and reconciliation in the Basque Country.

For all these reasons, ELDH supports the march organised by the social movement in favor of the Basque prisoners' rights "SARE" and backed by many civic organizations for the 13 of January 2024 on the streets of Bilbao.