

Covid 19a Giza Eskubide kontua da espetxeetan

Euskal Preso ahulenak gupidaz askatuz gero, bizitzak salbatuko dira orain eta bakea eraikiko da

Hitzaurrea: Gutun hau idatzi zenetik, Covid kasuak eman dira gutxienez 59 espetxeetan Espainiar Estatuan eta 38tan estatu frantsean. Horien artean euskal presoak dituzten Roanne, Muret eta La Santéko espetxeetan. Estatu espainiarrean, besteak beste, Albolote, Herrera de la Mancha , Puerto II eta III eta Sevillan eman dira.

Euskal Herriko gatazka konpontzeko prozesuak modu historikoan egin du aurrera azken hamarkadan, eta aldatu egin du historiaren ibilbidea, milaka familia eta komunitateren bizitzak ukitzeaz gain. Bederatzi urte igaro dira ETAk indarkeriari amaiera eman zionetik, eta bi erakunde hura desegin zenetik. Baina prozesua osatu gabe dago oraindik, motibazio politikoko 230 preso baino gehiago baitaude espetxean.

Nazioarteko esperientziagatik badakigu edozein bake prozesuk ez duela aurrera egiten presoen auzia kudeatu gabe. Euskal Herrian gatazkaren konponbidea sustatzeko Nazioarteko Konferentziak, nazioarteko eragile nabarmenak buru zirela, Kofi Annan, Gro Harlem Brundtland, Bertie Ahern, Jonathan Powell eta Gerry Adams barne, gai horri irtenbide bat bilatzeko deia egin zien Espainiako eta Frantziako gobernuei (Aiete 2011). Hori ez da oraindik gertatu. Ondorioz, burutu gabeko prozesu bat dugu. Gatazka ez dago konponduta. Harremanak hautsita daude, eta ez da akordio politiko iraunkor eta egonkorrik aurkitu.

Orain, bai prozesuak bai gizateria osoak aurre egin behar diote Covid 19aren pandemiaren erronka berriari. Antonio Guterres Nazio Batuen idazkari nagusiak honela deitu dio: “Erakunde hau sortu zenetik egin

den testik garrantzitsuena”. Horregatik, dei orokor bat egin du bakea gauzatzeko eta “gatazka armatuak konfinatzeko eta gure bizitzen aldeko egiazko borroka elkarrekin bideratzeko”. Espetxean dauden pertsonentzat Covid 19a arrisku larria dela ohartarazi dute Observatoire International des Prisons-ek, Gurutze Gorriaren Nazioarteko Komiteak, Amnesty Internationalek eta Torturaren eta tratu edo zigor anker edo apalesgarriaren Prebentziorako Europako Batzordeak. Era berean neurri bereziak aplikatzea gomendatu dute horiek guztiek, arriskuak gutxitzeko eta espetxeratutako pertsonen eskubideak osoki bermatzeko.

Presondegietan koronabirusa agertzeak ez die bakarrik espetxeratutako pertsoneri eragiten. Espetxe seguruagoek ere komunitate seguruagoak dakartzate. Michelle Bachelet Giza Eskubideetarako Nazio Batuen Erakundeko ordezkariaren esanetan, “ezinbestekoa da gobernuek presoen egoerari erantzutea”. Eta zera gaineratu du: “Agintariek aztertu beharko lukete nola jarri aske birusarekiko bereziki zaurgarriak diren pertsonak, besteak beste, adin handienekoak eta gaixoak, bai eta arrisku gutxien duten atxilotuak ere”. Dunja Mijatović-ek, Europako Kontseiluko Giza Eskubideen komisarioak, dei egin die estatu kide guztiei “eskura dituzten espetxeratzearen alternatiba guztiak erabil ditzaten, ahal izan den guztietan eta diskriminaziorik gabe”.

Irmoki uste dugu berehalako ekintza humanitarioari heltzeko ordua dela, Nelson Mandela Arauetan¹ datozenei heltzekoa alegia, Espainiako eta Frantziako gobernuek bere egin zituzten horiei. Ezin dugu denborarik galdu. Birus honek elkarri konektatuta gaudela erakusten digu, nahiz eta kolektibo batzuek arrisku handiagoa izan beste batzuek baino, hala nola adinekoen egoitzetan, espetxeetan edo ontzietan bizi diren pertsonak. Beraz, preso dauden herritarrak babestu nahi baditugu eta Euskal Herriko bake prozesuan aurrera egin nahi badugu, neurri sendoagoak beharrezkoak dira. Hori dela eta, premiaz

honako neurri ausart eta eskuzabal hauek hartzea eskatzen diegu Espainiako eta Frantziako gobernuei:

1. Bereziki zaugarriak diren euskal presoak berehala askatzea, 60 urtetik gorakoak eta aurretik patologiaren bat edo gaixo larriren bat dutenak barne.
2. Zigorren hiru laurdenak bete edo baldintzapeko askatasunaren baldintzak betetzen dituzten eta duela bi urte ETA desegin zenetik inolako reinzidentzia arriskurik ez duten presoak askatzea.

Onartzen dugu garrantzi handiko erabakia dela bere epaia bete aurretik preso dagoen pertsona bat askatzea. Erabaki hau konplexua da edozein sistema judizialentzat eta biktimak eta hauen senideak atsekabetu ditzake. Edonola ere, aurre egin behar diogun pandemiaren testuinguruan, eta ahal den neurrian espetxeetako langileen eta biztanleen ongizatea eta segurtasuna ziurtatzearen, eta bakearen mesedetan, urrats egokia eta zentzuzkoa dela uste dugu.

Pertsona guztien oinarrizko duintasuna eta gizatasuna aitortzea garrantzitsua da.

Zalantzarik ez dago Nelson Mandelak zer egingo zukeen.

Orain da ordua, orain da haien ordua.

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The compassionate release of vulnerable Basque prisoners now will save lives and build peace

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