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Item reference: Revised action report (25/10/2016)

Communication from Turkey concerning the Group of cases Demirel against Turkey (Application No. 39324/98)

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Communication de la Turquie concernant le Groupe d'affaires Demirel contre la Turquie (Requête n° 39324/98) (*anglais uniquement*)



REVISED ACTION REPORT

Demirel group of 196 cases¹

v.

Turkey

Precedent case application no. 39324/98
judgment of 28 January 2003, final on 28 April 2003

¹ A list of all cases concerned is enclosed in Annex 1.

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I. CASE DESCRIPTION

1. The European Court found in these cases a number of different violations. These cases primarily concern various violations of the applicants' right to liberty and security.
2. In its judgment in *Cahit Demirel* (application no. 18623/03, judgment final on 7/10/2009), the European Court considered that the violations in these cases "originated in widespread and systemic problems arising out of the malfunctioning of the Turkish criminal justice system and the state of the Turkish legislation, respectively" (§46). The European Court therefore indicated that "general measures at national level must be taken in order to ensure the effective protection of the right to liberty and security in accordance with the guarantees laid down in Article 5 §§ 3 and 4 of the Convention" (§48).

A. Principal violations concerning the right to liberty and security

3. These cases concern violations of the applicants' right to liberty and security within the context of their detention on remand (violations of Article 5 §§ 3, 4 and 5). The European Court found these violations on account of:
 - excessive length of applicants' detention on remand;
 - lack of sufficient reasons given by domestic courts for extending their detention;
 - lack of an effective remedy to challenge the lawfulness of their detention on remand;
 - lack of the right to compensation for their unlawful detention on remand.
4. *Tandogan* furthermore concerns a violation of the applicant's right to liberty on account of his continued detention after a release order (violation of Article 5 § 1).
5. In respect of the Article 5§3 violations, the European Court found that the domestic courts did not provide sufficient reasons justifying the applicants' detention as they used identical and stereotyped wording in their decisions. In a number of cases, the European Court also found that domestic courts did not consider applying preventive measures to replace detention on remand, such as prohibition to leave the country or release on bail, or the applicants' minor age at the time of their detention.
6. In one case, *Zehni Dogan*, the applicant's continued detention was examined at the end of every hearing, either of its own motion or upon the applicant's requests. On each occasion, the court ordered the applicant's continued detention, having regard to

the state of the evidence and nature of the offence. The European Court noted even if the grounds put forward could be deemed “relevant” and “sufficient”, the competent national authorities displayed no “special diligence” in the conduct of the proceedings on account of failing the transfer the applicant from prison before the domestic court, which resulted in postponing the hearings in the underlying criminal proceedings (violation of Article 5 § 3).

7. The European Court found furthermore that the domestic law did not provide a domestic remedy which was genuinely adversarial or which could offer reasonable prospect of success when challenging the lawfulness of the applicants’ detention on remand (violation of Article 5§§4,5).

B. Other violations

8. In some cases the European Court also found other violations, such as the violations of the applicants’ right to a fair trial and to their private life.

(i) Violations of the applicants’ right to a fair trial and the lack of an effective remedy in this respect

9. A total of 110 cases also concern violations of the applicants’ right to a fair trial on account of excessive length of criminal proceedings against them (violations of Articles 6 § 1).
10. Among the above-mentioned cases, 20 cases additionally concern the lack of an effective remedy under the domestic law whereby the applicants could have contested the length of the proceedings at issue (violations of Article 13).
11. *Dil, Dogan and Kalin, Feti Ates and Others* furthermore concern violations of the applicants’ right to a fair trial on account of the absence of legal assistance during their police custody (violations of Article 6 § 3 c).
12. *Demirel, Sevgin and Ince, Temel and Taskin* moreover concern violations of the applicants’ right to a fair trial on account of the lack of independence and impartiality of state security courts (violations of Article 6).
13. *Tekin and Baltaş* case as well concerns a violation of the applicants’ right to a fair trial, notably the right to adversarial proceedings and equality of arms, on account of the authorities’ failure to communicate them the prosecutors’ opinion filed with the Court of Cassation (violation of Article 6§1).
14. Lastly, *Urfi Cetinkaya* case concerns a violation of the applicant’s right to be presumed innocent until proved guilty (violation of Art 6§2).

(ii) *A violation of the applicant's right to respect for his private life*

15. Lastly, the *Fethullah Akpulat* case also concerns a violation of the applicant's right to respect of his private life on account of unjustified interference by the prison authorities with his correspondence (violation of Article 8).

II. INDIVIDUAL MEASURES

16. In response to the European Court's findings, the measures have been taken to ensure that the violations at hand are brought to an end and the applicants remedied for any negative consequences sustained on this account.

A. Measures aimed at bringing the violations to an end

17. At the outset, various measures were adopted to bring the violations at hand to an end depending on their nature as set out below.

(i) *Measures to bring the applicants' detention on remand to an end*

18. In 154 cases, including Tandogan, the applicants were already convicted or released before the European Court rendered the respective judgments. The other applicants, who were still in detention on remand in the remaining 42 cases, have been released or convicted subsequently. Therefore, no applicant is under detention on remand at the moment (for details see Annex 2).

19. The Turkish authorities therefore consider that the measures taken ensured that the violations of the applicants' right to liberty and security have been brought to an end.

(ii) *Violations of the applicants' right to a fair trial*

20. Specific measures have been taken to bring the applicants' right to a fair trial to an end.

(α) Situation with pending proceedings at domestic level

21. The proceedings in 39 out of the 110 cases in which the European Court found violations of the applicants' right to a fair trial on account of excessive length of criminal proceedings were terminated before the European Court rendered its judgments (see Annex 3 a).

22. In 66 cases out of the remaining 71 cases, the domestic courts subsequently rendered their final judgments. Today there are only five cases, notably *Ozturk* in *Alp and Others* (34396/05), *Kacar* (32420/03), *Basusta* in *Orman and Others* (9462/05), *Sahap Dogan* (29361/07), and *Latif Bal* in *Ugur and Others* (1968/07), pending before the Court of Cassation since the appeal process is still continuing. The Turkish authorities observe that the applicants in these cases have been released (see Annex 3 b).
23. The domestic proceedings pending before the Court of Cassation are being closely monitored by the Turkish authorities. Most recently, a letter to request information on the status of proceedings was sent to the Presidency of the Court of Cassation along with the European Court's judgments. The Turkish authorities consider that this approach will have an accelerating effect and is in compliance with the Committee of Ministers' practice in the past with respect to other member states (see, in particular, Resolution CM/ResDH(2012)59 concerning *Jakub* group of cases against Slovak Republic as well as Resolution CM/ResDH(2016)35 concerning *Atanasović* group of cases against "the former Yugoslav Republic of Macedonia").

(β) Reopening of the domestic proceedings

24. The Turkish authorities consider that the reopening of the domestic proceedings was in principle an appropriate measure to bring violations of the applicants' right to a fair trial to an end apart from the cases concerning excessive length of criminal proceedings.
25. The general rule administering the reopening of the impugned criminal proceedings is the article 311 of the Code of Criminal Procedure (CCP). According to this article reopening of the impugned proceedings may be requested within one year after the date of the European Court's final judgment. However, in the aforementioned article it is explicitly provided that this opportunity is only applicable to the cases lodged with the European Court after the date of 4 February 2003.
26. On the other hand, the "*Fourth Judicial Reform Package*" introduced in 2013 granted an exceptional opportunity for the cases not falling within the scope of above-mentioned provision due to time-limit set as 4 February 2003. In this way, it was provided by a provisional article inserted to the CCP that the applicants exceptionally could request reopening of the proceedings for the judgments that were pending before the Committee of Ministers for supervision of execution on the date of 15 June 2012. This article ensured that the applicants in such cases could request reopening within three months following the date when this article entered into force. As this exceptional article was entered into force by publication in the Official Gazette on 11 April 2013, the applicants were entitled to request reopening of the impugned criminal proceedings until 11 July 2013. These amendments received broad media coverage during its legislative process and thereafter. Consequently, their content is well known among the public and legal professionals alike and should be known by the applicants in these cases as well.

27. The Turkish authorities would like to indicate that all of the applicants in the following cases where the reopening of the impugned criminal proceedings would be an appropriate remedy were eligible to request this.

1st. Cases concerning absence of legal assistance during the police custody

28. None of the applicants in the cases of *Dil, Dogan and Kalin* and *Feti Ates* requested reopening of the impugned proceedings within the time-limit set by the CCP.

2nd. Cases concerning the lack of independence and impartiality of state security courts

29. The Turkish authorities would like to draw the Committee's attention to its Final Resolution closing the similar *Gençel* group of cases (CM/ResDH(2013)256). In this group the European Court considered that where an individual was convicted by a domestic court which did not meet the Convention requirements of independence and impartiality, a retrial or a reopening of the case, if so requested, represented in principle an appropriate way of redress for the violation.

30. Turning back to the present cases, notably *Demirel, Sevgin and Ince, Temel and Taskin*, the applicants did not request the reopening of the impugned proceedings. In addition, in the case of *Cahit Demirel*, the reopening of the impugned criminal proceedings became unnecessary as the charges against the applicant were discontinued because they became time-barred.

31. In view of the above, the Turkish authorities consider that the individual measures have been taken in compliance with the Committee of Ministers' practice in the past. At this juncture, the Turkish authorities would like to observe that the State Security Courts were abolished in 2004 (see in particular to this end the Final Resolution CM/ResDH(2008)83 closing *Sertkaya* group of cases). Under these circumstances, no further individual measures are required.

3rd. A case concerning the lack of adversarial proceedings and equality of arms

32. The Turkish authorities would like to draw the Committee of Ministers' attention to the Final Resolution CM/ResDH(2011)307 closing the *Göç* group of cases concerning the failure to communicate the prosecutor's opinion before the Court of Cassation. Therefore, the individual measures in *Tekin and Baltaş* should be taken in compliance with the Committee of Ministers' practice in the past.
33. At this juncture, the Turkish authorities would like to observe that taking into account the Committee's Recommendation Rec(2000)2 and the particular circumstances of

each case, the Committee of Ministers considered that the violations found by the Court in these cases concern procedural shortcomings which were not serious enough to pose doubt as to the outcome of the domestic proceedings complained of and that the domestic decisions at issue are not contrary to the Convention with respect to the merits.

34. To this end, the Turkish authorities would like to highlight that the just satisfaction awarded to the applicants has duly been disbursed. In view of the above-mentioned considerations, including the Committee's Recommendation Rec(2000)2, the reopening of the impugned proceedings is not required and necessary measures have been taken.

4th. A case concerning the violation of the presumption of innocence

35. The Turkish authorities would like to indicate that the applicant in the case of *Urfi Cetinkaya* was released on 15 June 2012. The applicant is therefore no longer detained on remand.
36. The applicant was eligible to request the reopening of the impugned proceedings notwithstanding, he did not avail himself of this opportunity.

(iii) Violation of the applicant's right to his private life

37. In *Fethullah Akpulat* the European Court found in addition violation of the applicant's right to respect for his private life on account of unjustified interference by the prison authorities with the applicant's right to respect for his correspondence.
38. The Turkish authorities would like to note in this respect that the applicant has been released in 2003 before the European Court rendered its judgment. In view of the above fact, no individual measure is required to bring the violation to an end.
39. Along the lines, the Turkish authorities would like to observe that the European Court awarded just satisfaction in respect of non-pecuniary damage sustained by the applicant in the amount of EUR 16 000. The necessary individual measures have therefore been taken.

B. Measures aimed at redressing the applicants for the violations sustained

40. The measures have been taken to ensure that the applicants are redressed for the violations sustained.

(i) Just satisfaction awarded

41. At the outset, the Turkish authorities would like to highlight that in 183 out of 196 cases concerned the European Court awarded the applicants just satisfaction in respect of non-pecuniary damage sustained. In 13 remaining cases, the European Court did not award the applicants just satisfaction in respect of non-pecuniary damage because they had not submitted their claims in this respect or indicated that finding violations at hand constituted sufficient just satisfaction in respect of non-pecuniary damage sustained.
 42. In four cases out of 196 cases concerned the European Court awarded the applicants just satisfaction in respect of pecuniary damage sustained. In remaining 192 cases concerned the European Court awarded the applicants no just satisfaction in respect of pecuniary damage either because the applicants did not claim it or the applicants' claims submitted in this respect were rejected by the European Court.
- (ii) *Payment of just satisfaction*
43. In 151 cases the just satisfaction awarded to the applicants was paid within the time limit set by the European Court.
 44. In 9 cases, notably in *Kutlar* (41433/06), *Yoldas* (23706/07), *Fethullah Akpulat* (22077/03), *Ulu* (29545/06), *Feti Ates and others* (34759/04), *Alp and others* (34396/05), *Orman and others* (9462/05), *Mehmet Ozcan and others* (4018/07), *Ugur and others* (1968/07) and *Tunce* (2422/06) the payment of the just satisfaction was made with a delay between 17 and 93 days. The Turkish authorities ensured that in these cases an appropriate default interest was calculated and paid to the applicants.
 45. In the remaining 23 cases there have been short delays in the payment of just satisfaction amounts. The interest amounts in these cases are very low and, to this date, the applicants have neither objected to the delay in payment nor requested the payment of interest amounts. The Turkish authorities therefore consider, in accordance with the Committee of Ministers' practice, that the delayed payment in these cases should not prevent their closure (see, in particular, Resolution CM/ResDH(2014)298 concerning *Ormanci* group of cases against Turkey as well as Resolution CM/ResDH(2016)35 concerning *Atanasović* group of cases against "the former Yugoslav Republic of Macedonia"). The authorities therefore consider that these applicants were redressed for the damage sustained by way of the just satisfaction awarded by the European Court.

III. GENERAL MEASURES

46. A number of measures have been taken to prevent similar violations as set out below.

A. Measures aimed at preventing violations of the right to liberty and security

47. The measures taken focused on ensuring that the length of detention on remand is brought in compliance with the Convention standards, the reasoning given by the domestic courts for extending detention on remand is sufficient and adequate as well as an effective remedy is made available and the right to compensation in respect of unlawful detention on remand is enforceable.

(i) Measures aimed at bringing the length of detention on remand in compliance with the Convention standards

48. The measures taken with a view to bringing the length of detention on remand in compliance with the Convention standards included the legislative measures, aligning the case-law of the domestic courts with the Convention, training and awareness-raising as well as capacity building measures.

(α) Legislative measures and their impact

49. The current CCP was adopted in 2005 with strict time-limits on the detention on remand. According to article 102 of the CCP the maximum length of detention on remand is:

- two years in the case of crimes within the jurisdiction of the assize courts, which may be extended for an additional period of three years;
- one year in the case of crimes that are not within the jurisdiction of the assize courts, with the possibility of extension for six months.

50. Furthermore, the minimum level of imprisonment to order detention was increased from one to two years by the amendments in 2012. Accordingly, the offences requiring imprisonment for up to two years as well as judicial fine shall not be subject to detention on remand.

51. The Turkish authorities would like to recall that the above-mentioned legislative measures were assessed by the Committee of Ministers at its 1172nd DH meeting in 2013. In particular, the Committee noted with satisfaction the statistical information demonstrating that there is a significant decrease in the length of detention on remand.

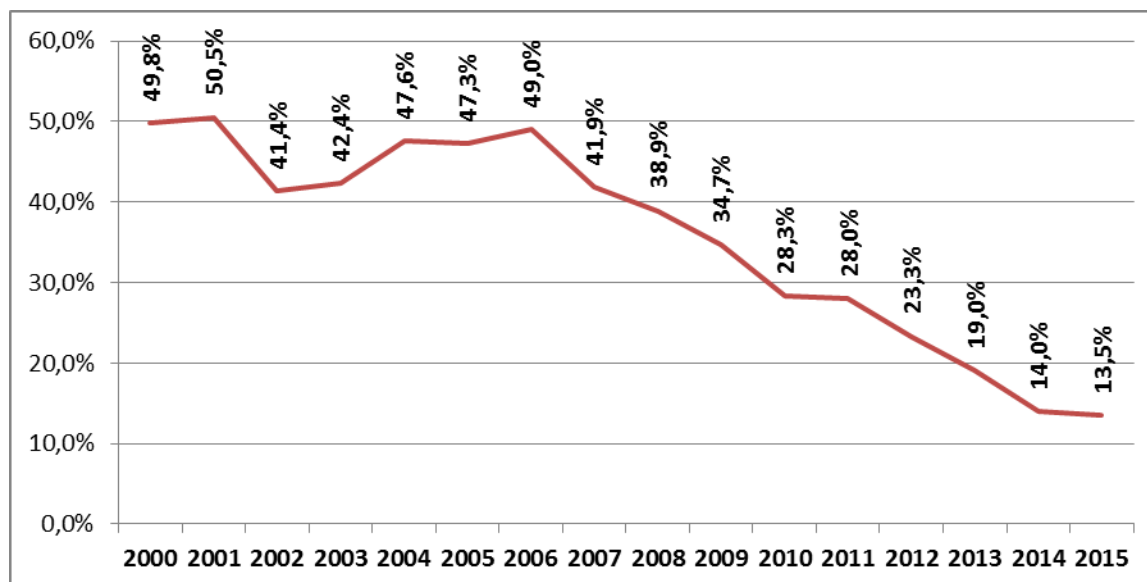
52. On the other hand, in the same meeting, the Committee of Ministers noted that Turkish legislation still allowed for the possibility of extension of detention on remand up to 10 years for certain crimes, including terrorism, and invited the authorities to provide specific statistical information on the detention periods of persons detained in proceedings related to such crimes.

53. In response to the Committee of Ministers' decision adopted in 2013 in *Demirel*, the Turkish Parliament abrogated Article 10 of the Anti-terrorism Act in 2014, which allowed to detention on remand for up to 10 years. Following to the legal amendments, the domestic courts released 127 terror suspects immediately due to the fact that they had been kept in detention for over five years. As a result of the legal amendments, today all the offences are within the scope of the CCP and its above-mentioned provisions in respect of the length of detention. Thus, the maximum time-limit for aggravated crimes is five years without any discrimination.
54. As a result of the measures mentioned above the average length of detention on remand considerably dropped. In this respect the Turkish authorities would like to point out that in 2015, over 90% of the detainees on remand were held in detention for less than two years.

Period of detention on remand (as of 1 June 2015)		
Period	Number	Rate
0-1 year	19 449	85,4%
1 - 2 years	2 107	9,3%
2-3 years	752	3,3%
More than 3 years	465	2%
Total	22 773	100%

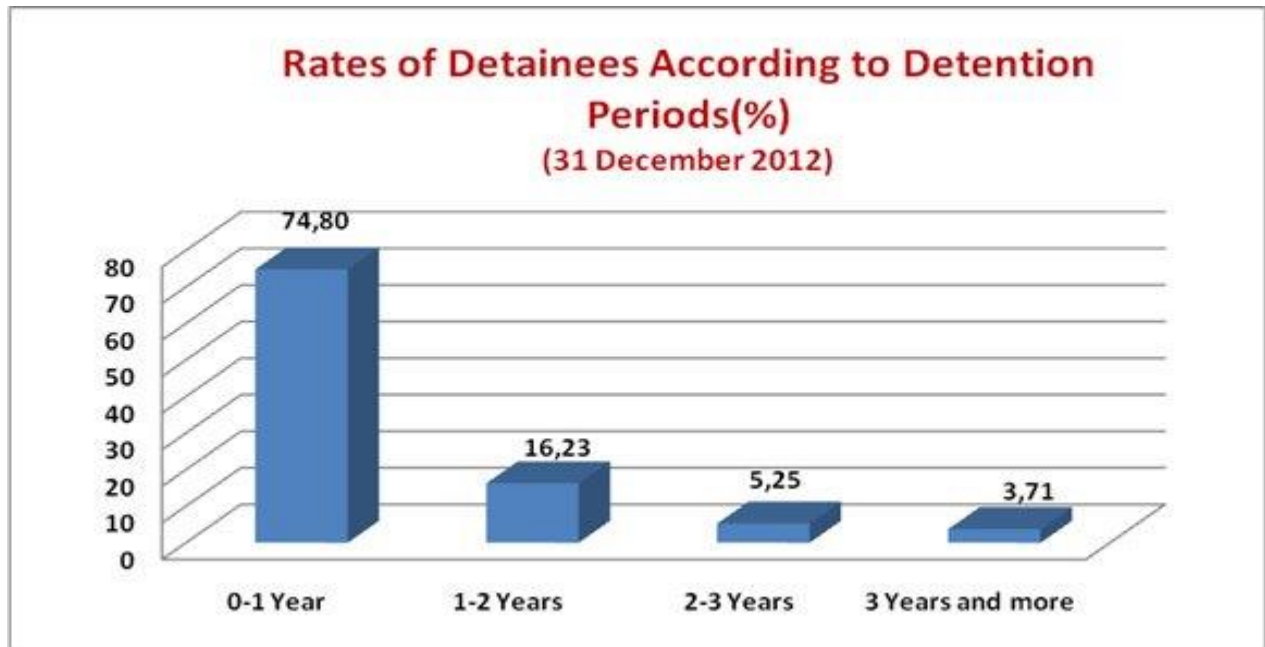
55. Another indicator displaying that the number of detainees has been diminishing steadily is the rate of detainees on remand in the overall prison population. As a result of the dropped length of detention on remand the number of detainees has been reduced steadily.

Rate of Detainees on Demand



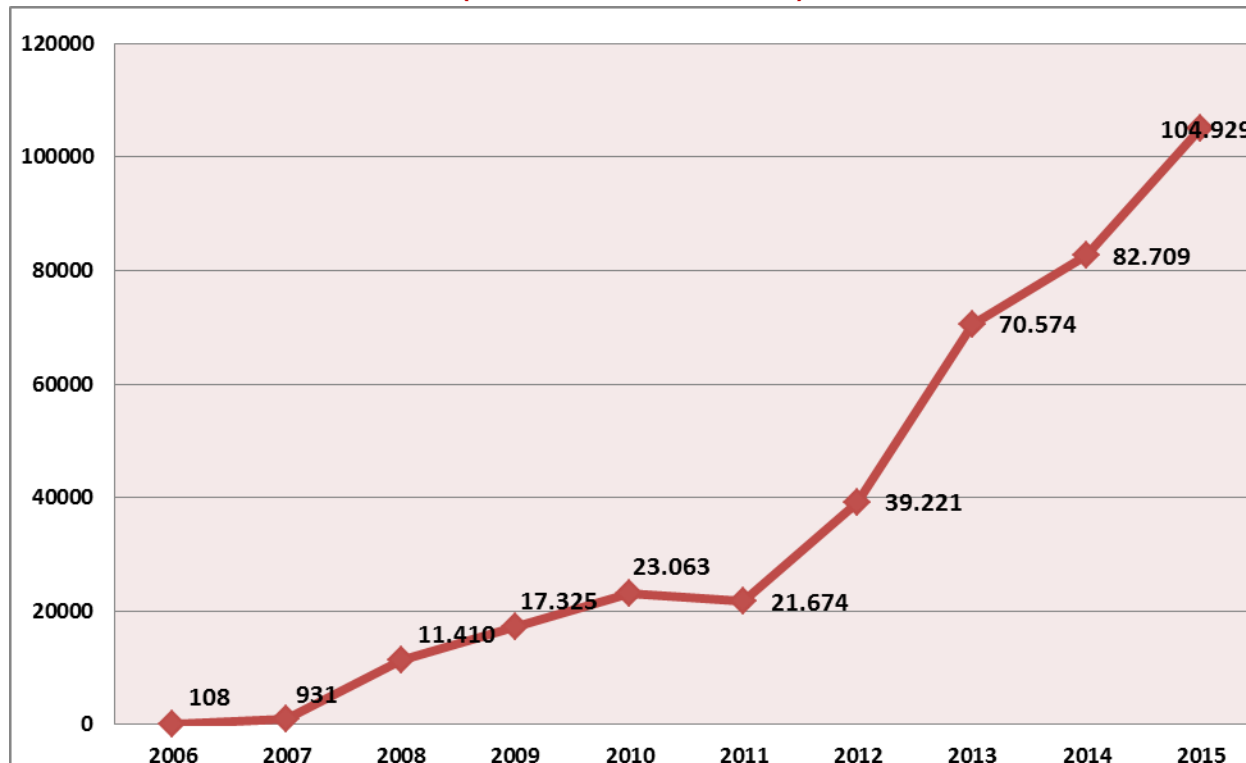
56. As regards the statistical information on terror-related offences the Turkish authorities would like to highlight that only one detainee in 2014 and only one detainee in 2015 were kept in detention for between one to two years. On the other hand there was no detainee who was kept in detention for between two to three years in 2015.

Number of detainees for terror-related crimes					
	2012	2013	2014	2015	01.06.2016
0-1 year	147	11	104	98	180
1-2 year	93	18	1	1	4
2-3 year	40	15	1		
3-4 year	40	5	3		
4-5 year	13	17			
5-6 year		2	1		



57. In respect of measures alternative to the detention on remand the Turkish authorities would like to recall that in 2012 the amendments were introduced to the Code of Criminal Procedure (the “Third Reform Package”). Pursuant to those amendments, alternative measures can be applied to all crimes irrespective of any upper limit of sentences laid down. While 25 911 suspects benefited from these measures in the 2012, this number increased to 70 574 in 2013 and 104 929 in 2015. It is recalled in this respect, that in its last examination in 2013 the Committee of Ministers noted with satisfaction the statistical information demonstrating that the use of preventive measures as an alternative to detention has been increasing thanks to the reforms adopted.

Number of Persons on whom the conditional bail measures were applied (Between 2006 and 2015)



58. The Turkish authorities would also like to highlight that the measures aiming to ensure that the domestic courts take into account the age of minors when deciding on their detention on remand resulted in a significant progress. In this respect, the current Juvenile Protection Law was adopted in 2005. Pursuant to Article 21 of this law the minors under the age of fifteen cannot be placed under detention on remand unless the offences prosecuted do not require more than five years of imprisonment. The measures taken with respect to minors' detention were examined within the context of *Selçuk*. The Committee of Ministers considered that these measures were effective and adequate (see the Final Resolution CM/ResDH(2010)115).

(β) Aligning the case-law of the domestic courts with the Convention

59. The domestic courts aligned their case-law concerning detention on remand in light of the European Court's findings in these cases. To this end, the Constitutional Court has established case-law reflecting the European Court's case-law in this matter. The Constitutional Court assesses the compliance of the length of detention on remand taking into account specific circumstances of the case at hand and its complexity.
60. The above mentioned five-year period set as a time-limit for the most serious offences does not mean that the suspects shall *per se* be placed under detention for five years.

As can be seen in the domestic judgments explained below, the Constitutional Court found violation in several cases even though the applicants were held under detention less than five years.

61. For instance, in a judgment dated 21 November 2013 the Constitutional Court found that the applicants' detention on remand between three to four years was not reasonable (appl. no 2012/1158). Likewise, in its judgment of 6 March 2014, the Constitutional Court found a violation due to the unreasonableness of the length of the applicant's detention on remand for a period of more than four years on account of establishing an organization in order to commit offences (appl. no. 2013/6149). In another judgment dated 23 July 2014 the Constitutional Court similarly held that the detention period of three years and five months for the offence of homicide and possession of unregistered firearm was not reasonable (appl. no. 2013/8694). Following all these judgments, the Constitutional Court remanded the judgments to the first-instance courts for necessary action. As a result, the persons that were under detention were released by the first-instance courts pursuant to the Constitutional Courts judgments. The European Court recognised the alignment of the case-law of the domestic courts. In *Hebat Aslan and Firas Aslan* (final as of 28 January 2015), the European Court found the application partially inadmissible in respect of the length of detention on remand.

(y) Training and awareness-raising measures

62. Continuous training and awareness raising measures aimed at domestic judges are an important step ensuring that the domestic courts adhere to the Convention standards concerning the right to liberty and security. The appropriate trainings have been carried out for this purpose.
63. In particular, since its foundation in 2003 the Justice Academy of Turkey has been providing trainings on this point. Their curriculum includes, *inter alia*, ordering alternatives to detention on remand, sufficient and adequate reasoning of detention orders and in general the European Court's findings in these cases.
64. In 2012 the Ministry of Justice initiated a project, which is still running. It is aimed at raising awareness of judges and prosecutors on the European Court's case-law. The project is continuously drawing attention of domestic judges to the Convention requirements and the European Court's standards concerning detention on remand. Within the scope of this project, 800 judges and prosecutors participated in study visits to the Strasbourg Court with a view to receiving the most updated information on its case-law. The project made it possible for around 250 judges and prosecutors to take part in study visits to the European Court every year.

65. In view of the above, the training and awareness measures will be capable of preventing similar violations and ensuring that the domestic courts are adhering to the Convention standards in matters concerning detention on remand.

(δ) Capacity building measures

66. The Turkish authorities attach great importance to strengthening the technical capacities of the judiciary in order to increase its efficiency and ensure that justice is administered properly. To this end, it was ensured that the state-of-art IT technology has been made available to the criminal courts and prosecutors to ensure their efficient communication and decision-making. In this respect, in 2009, the Turkish authorities introduced an integrated IT system across the judiciary nationwide. This measure resulted in significant increase in expeditious and efficient work of the domestic courts, including criminal courts.
67. Within this context, the introduction of the above-mentioned IT system also contributed to acceleration of procedures concerning detention on remand. Thanks to this system, decisions on release are transmitted to the relevant authority without delay ensuring immediate release of individuals concerned. The capacity building and strengthening of technical capabilities of domestic courts will be capable of ensuring that the length of detention on remand is reduced to the necessary level.

(ii) *Measures aimed at ensuring that the sufficient reasons are given in court decisions for extending detention on remand*

68. The Turkish authorities recall that the European Court found in a number of cases that the domestic courts failed to provide sufficient reasons for ordering or extending detention on remand. In Article 101 of the current CCP of 2005 it is explicitly provided that the the reasons of the detention shall be demonstrated and the judge or court ordering the detention shall set forth the legal and factual reasons as to why alternative measures cannot be applied in the particular circumstances of a case.
69. In 2012 within the context of third reform package the above-mentioned provision was further ameliorated by a legislative amendment. This amendment introduced an additional condition in order to ensure that sufficient reasons are given. Accordingly, courts must clearly indicate in the decisions of placing under detention the evidence against the suspect which should be based on concrete facts.
70. Pursuant to these amendments, domestic courts must today indicate sufficient legal and factual reasons when ordering detention on remand. Further, the domestic courts are required to explain why an alternative measure is not possible. In its last examination in 2013 the Committee of Ministers invited the Turkish authorities to provide information on the development of the judicial practice in line with Convention

requirements following the legislative reform aimed at improving the reasons given in decisions extending detention on remand, including for crimes related to terrorism.

71. At this juncture, the Turkish authorities would like to indicate that the measures mentioned above resulted in a significant progress in judicial practise. In this respect the Constitutional Court's judgments might be regarded as example as its decisions are binding on all judicial bodies.
72. In a decision rendered on 21 November 2013 (appl. No. 2012/1158 - *Firas Aslan ve Hebat Aslan Başvurusu*) the Constitutional Court found a violation on account of the fact that no sufficient and relevant reasons had been provided although the applicants, who had been tried for membership of an armed terrorist organization, had been kept in detention between three to four years and that the length of their detention was not reasonable. Following to this judgment, the applicants lodged an application with the European Court. The Court rendered an inadmissibility decision on the ground that the application is incompatible *ratione personae* as the applicants victim status had no longer existed (§48).
73. In another decision rendered on 6 March 2014 (appl. No. 2013/6149), the Constitutional Court found a violation of the applicant's right to security and liberty on account of, *inter alia*, abstract and general wording in a decision ordering detention.
74. As can be seen from the sample judgments, the Constitutional Court followed the line of reasoning adopted by the European Court. Considering that the case-law of the Constitutional Court has become by now well-established and its judgments are binding on all domestic courts, the Turkish authorities would like to point out that the legislative measures taken have been effectively applied by the Turkish judicial authorities.

(iii) *Measures aimed at introducing an effective remedy to challenge the lawfulness of detention*

75. The European Court found in a number of cases that the domestic law did not provide an effective remedy to challenge the lawfulness of the detention on remand in adversarial proceedings. In several cases the authorities' failure to communicate the prosecutors' opinion on continuation of detention to applicants was particularly pointed out.
76. According to Article 103 and 104 of the CCP, an accused or a defendant who is under detention on remand may request his/her release anytime. Upon this request, the court shall obtain the opinion of the public prosecutor, the suspect or defendant and his/her legal counsel. The court is required to render its decision on prolongation of detention or release within three days (Article 105 of the CCP). This decision is subject to appeal.

77. Even if the detainee does not request his/her release under this procedure, the public prosecutor has an obligation to request every 30 days the court to review whether conditions for detention continued to exist. If the prosecution stage is over and trials are underway the court shall review between two consecutive hearings or in any event every 30 days whether conditions for detention continued to exist (Article 108 of the CCP). The suspect and his/her lawyer shall also be heard in this *ex officio* review procedure.
78. Furthermore, in 2013 the article 270 of the CCP was amended by the fourth reform package and the communication of public prosecutors' opinion on the detention to the applicant, defendant or his/her lawyer was introduced.
79. In its last examination in June 2013 the Committee of Ministers examined these measures. In this meeting it was indicated that the reforms adopted within the context of the "Fourth Reform Package" provide a solid legal basis for ensuring that anyone claiming that his/her detention is unlawful will be able to bring his/her claims before a judge or a court in an adversarial procedure in conformity with the principle of equality of arms. Further, in its decisions the Committee stated that it welcomed the introduction of a remedy to challenge the lawfulness of detention on remand.

(iv) Measures aimed at ensuring an enforceable right to compensation to victims of unlawful detention on remand
80. The European Court found in a number of cases that the domestic law did not secure an enforceable right to compensation in respect of unlawful detention on remand. Measures were taken to prevent similar violations.
81. First of all, in 2005, with the adoption of the CCP the legal framework was completely changed. Articles 141-143 of the CCP ensured an enforceable right to compensation to victims of unlawful detention on remand. This right has been further extended with the amendments introduced in 2013. Pursuant to these legislative measures adopted, victims of unlawful detention on remand are able to make a claim for compensation.
82. The European Court also assessed the efficiency of the measures taken in a number of cases (*Demir*, appl.no. 51770/07, *Celik*, appl.no. 36505/10, *Kocintar*, appl.no. 77429/12, *Yildiz*, appl.no. 48448/11 and *Inan*, appl. no. 14129/11). The European Court in particular found that the domestic law provides an effective domestic remedy providing for an award of compensation and the applicants should have made use of this.
83. In its last examination the Committee of Ministers noted that as the European Court found in the case of *Demir*, the right to compensation can effectively be exercised after the termination of criminal proceedings. The Committee, however, raised a question as

to whether the right to compensation could also be exercised effectively while detention on remand was continuing and proceedings were pending.

84. In response, the Turkish authorities would like to point out that the Court of Cassation changed its case law in 2012. The 12th Criminal Chamber of the Court of Cassation, which is exclusively competent chamber with the compensation claims related to unlawful detention, held that the right to compensation can be exercised without awaiting the final judgment on the underlying matter unless the clarification of all the case facts are required to decide on compensation for unlawful detention (appl. no. 2011/20114). In its judgments the Court of Cassation held that the article 5 of the Convention can directly be applicable by reference to the article 90 § 5 of the Constitution, which lays down that the European Convention on Human Rights is superior over the domestic statutes.
85. Furthermore, individuals may also claim compensation for unlawful detention by lodging individual application with the Constitutional Court. If they do so the Constitutional Court separately examines this claim irrespective of the on-going criminal procedures. If it finds a violation with respect to unlawful detention it might award just satisfaction for pecuniary or non-pecuniary damages sustained by the claimant. For example, in an individual application case (appl. no. 2013/68) the applicant requested his release pending trial from the assize court however his request was rejected. Subsequently, the applicant appealed against this decision but this request was also rejected. Upon this decision the applicant lodged an individual application with the Constitutional Court. As a result, while the criminal procedures against the applicant were pending before the assize court, the Constitutional Court found violation and granted compensation in respect of non-pecuniary damage on account of excessive length of detention on remand and lack of sufficient reasoning in the decisions extending detention.
86. As of 10 April 2015, there have been 2 660 individual applications lodged with the Constitutional Court, and according to the relevant information, in 46 applications, the Constitutional Court found a violation as regards the complaints of unlawful detention.
87. Recalling the Court of Cassation's recent case law and the individual application procedure before the Constitutional Court, the Turkish authorities would like to indicate that the compensation to victims of unlawful detention on remand can be claimed before the underlying criminal proceedings are brought to an end.

(v) *Measures aimed at preventing continued detention following the release order*

88. In *Tandogan* the European Court found an additional violation of the applicant's right to liberty and security on account of his continued detention for twenty hours following the release order.

89. The measures aimed at preventing continued detention following the release order have been taken within the framework of the *Hamşioğlu* group of cases (see CM/ResDH(2014)123).

90. The authorities furthermore note that the impugned facts in *Tandogan* took place before the measures have been taken within the framework of the *Hamşioğlu* group of cases. The authorities therefore consider that no further general measures are necessary.

(vi) *Measures aimed at ensuring timely transfer of detainees from prisons before the domestic courts*

91. In *Zehni Dogan* the European Court found that the competent national authorities did not display “special diligence” in the conduct of the proceedings whereby failing to transfer the applicant from prison before the domestic court which resulted in postponing the hearings in the underlying criminal proceedings.

92. At the outset the Turkish authorities would like to point out that the postponement of the hearings did not affect the review of the applicant’s detention on remand. As the European Court noted, the Izmir Assize Court examined the applicant’s continued detention at the end of every hearing, either of its own motion or upon the applicant’s requests (§23). As regards the failure of displaying special diligence, the Turkish authorities indicate that this is an isolated incident which resulted from the presence of two other decisions of two different courts on pre-trial detention in respect of the same applicant at the same time. The detainee was released respectively on 1 November 2001 and 8 July 2002. Furthermore this isolated incident occurred before the introduction of the Audio/Visual Information System (SEGBIS) and the “Regulation on the Usage of the Audio/Visual Information System in the Criminal Procedure”, which was published in the Official Gazette of 20 September 2011. The SEGBIS provided the opportunity to have video recordings of the processes of hearing statements, interrogations and hearings, to hear the individuals who are outside the judicial locality of the court or the public prosecutor’s office or to hear those who do not appear before the court (suspect, accused, witness, complainant, intervener, etc.) through video conference and to record their statements. With this system, it was aimed to prevent human rights violations in accordance with the principles of “being promptly brought before a judge” and “in the determination of any criminal charges, being entitled to a hearing within a reasonable time by a tribunal” which were enshrined in Articles 5 § 3 and 6 § 1 of the Convention, respectively. As of the date of 10 July 2015, transfer processes of the persons convicted of judicial offences and the persons on remand pending appeal on account of judicial offences are electronically carried out, and the relevant processes are automatically assessed within the scope of the “Convict Transfer System (HÜNSİS) Programme”. In this respect, the Turkish authorities would like to refer to the capacity-building measures described above. These measures will

be capable of ensuring smooth and efficient communication between the courts and prison authorities and timely transfer of detainees before the domestic courts.

B. Measures aimed at preventing other violations

93. The Turkish authorities have taken measures to prevent other violations found by the European Court, in particular those concerning the right to a fair trial, prohibition of inhuman and degrading treatment, the lack of an effective remedy in their regard as well as the right to be presumed innocent. The details are set out below.

(i) Measures aimed at preventing violations of the right to fair trial

94. The measures have been taken to prevent similar violations of the right to fair trial as those found by the European Court in these cases. They are set out below.

(α) Measures aimed at preventing excessive length of proceedings and introducing an effective remedy in this respect

95. The measures aimed at preventing excessive length of proceedings and introducing an effective remedy in this respect have been taken within the framework of the *Ormanci* group of cases. The Turkish authorities recall that the Committee of Ministers found these measures effective and decided to close the supervision of *Ormanci* group in 2014 (see CM/ResDH(2014)298).

96. The authorities furthermore note that the impugned facts took place before the measures have been taken within the framework of the *Ormanci* group of cases. The authorities therefore consider that no further general measures are necessary

(β) Measures aimed at preventing the lack of legal assistance in the police custody

97. The measures taken and envisaged by the Turkish authorities in order to prevent the absence of a legal assistance during the police custody are being examined by the Committee of Ministers within the context of *Salduz* group of cases (appl. no. 36391/02)

(γ) Measures taken in respect of lack of an independence and impartiality of the state security courts

98. The measures aimed at preventing similar violations of this nature have been taken within the context of the cases of the *Gençel* and *Çıraklar* groups of cases (see Final

Resolutions (CM/ResDH(2013)256) and (DH (99)555) respectively). In this regard, the Turkish authorities recall that in May 2004 the state security courts were abolished.

(δ) Measures aimed at preventing failure to communicate prosecutor's opinions to adversary parties before the Court of Cassation

99. The measures aimed at preventing failure of the authorities to communicate prosecutors' opinions in the proceedings before the Court of Cassation have been taken within the framework of the *Göç* group of cases (see CM/ResDH(2011)307).
100. The authorities furthermore note that the events in the *Tekin and Baltaş* case took place before the measures have been taken within the framework of the *Göç* group of cases. The authorities therefore consider that no further general measures are necessary in this respect.

(ε) Measures aimed at preventing violation of the right to be presumed innocent until proved guilty

101. The measures envisaged in respect of this point are being examined by the Committee of Ministers within the context of *Dicle and Sadak* (appl. no. 48621/07).

(ii) *Measures aimed at preventing violation of right to respect for private life, in particular private correspondence*

102. The measures taken and envisaged in respect of the violations of right to respect for correspondence by the prison authorities are being examined by the Committee of Ministers within the context of *Tamer* group of cases (appl. no. 6289/02).

C. Publication and dissemination measures

103. The Turkish authorities ensured that the publication and dissemination measures have been taken to draw the attention of the members of the legal community to the European Court's findings and the need to abide by its case-law. To this end, the Turkish authorities ensured that the European Court's judgments at hand were translated into Turkish. The translated texts of the judgments have been made available on the HUDOC website (<http://hudoc.echr.coe.int>).
104. In addition, the translated texts were disseminated across the relevant judicial bodies and to the domestic courts which rendered the impugned decisions. They are also transmitted to the institutions which contributed to the violations at hand.
105. Lastly, the Turkish authorities ensured that "factsheets" on the European Court's case-law were translated into Turkish by the Turkish Ministry of Justice, including the

factsheets concerning the right to liberty and security. The translated factsheets have been made available in Turkish both on the website of the Human Rights Department (http://www.inhak.adalet.gov.tr/inhak_bilgi_bankasi/tematik_bilginotu/tematik.html) and on the website of the European Court. The Turkish authorities would also like to highlight that it ensured that the Guide on Article 5 of the European Convention published by the European Court has been translated in Turkish. The authorities made available 1 500 copies of this Guide in Turkish to domestic courts to draw their attention to the European Court's findings in these cases.

106. The Turkish authorities therefore consider that these measures ensured that domestic authorities are now aware of the Convention standards concerning the right to liberty and security, in particular on the standards concerning detention on remand.

IV. JUST SATISFACTION

107. The Turkish authorities ensured that the amounts of just satisfaction awarded have been disbursed to the applicants in compliance with the European Court's indications and practice of the Committee of Ministers.

V. CONCLUSIONS

108. The Turkish authorities consider that the measures taken ensured that the violations at hand have ceased and have provided full redress to the applicants for the consequences sustained.
109. The Turkish authorities furthermore consider that the measures taken are capable of preventing similar violations.
110. The Turkish authorities are therefore of the opinion that Turkey has complied with its obligation under Article 46 § 1 of the Convention.

ANNEX 1

List of cases of the Demirel group

Application No.	Case	Judgment of	Final on
39324/98	DEMIREL	28/01/2003	28/04/2003
10512/02	A. YILMAZ	22/07/2008	22/10/2008
19332/04	ABAY	01/12/2009	01/03/2010
17681/04	ABDO	26/01/2010	26/04/2010
28069/07	ABDULKERIM KAYA	05/01/2010	05/04/2010
31595/07	ABDULSITAR AKGUL	25/06/2013	25/09/2013
15234/05	ACAN AND OTHERS	13/05/2014	13/05/2014
61442/00	ACUNBAY	31/05/2005	31/08/2005
38372/06	ADYAMAN	26/10/2010	26/01/2011
77331/01	AGDAS	19/09/2006	19/12/2006
23480/06	AKALIN	23/11/2010	23/02/2011
8076/08	AKAN AND CELIK	25/11/2014	25/11/2014
35561/06	AKPOLAT	08/01/2009	08/04/2009
6178/04	AKYAZ	07/07/2009	07/10/2009
23438/02	AKYOL	20/09/2007	20/12/2007
483/02	ALGUR AND OTHERS	20/11/2007	20/02/2008
24597/08	ALI RIZA KAPLAN	13/11/2014	13/02/2015
34396/05	ALP AND OTHERS	07/12/2010	07/03/2011
73038/01	ALTIN	24/05/2005	24/08/2005
31610/08	ALTINOK	29/11/2011	29/02/2012
44319/04	ARAZ	20/05/2010	20/08/2010
33746/02	ARI AND SEN	02/10/2007	02/01/2008
7933/05	ATES	26/01/2010	26/04/2010
7987/07	ATSIZ AND OTHER	23/06/2009	23/09/2009
30441/08	AYDOGAN	08/02/2011	08/05/2011
43550/04	AYGUL	16/06/2009	16/09/2009
29287/02	AYHAN AND OTHERS	14/10/2008	14/01/2009
20259/06	AYTIMUR	20/05/2010	20/08/2010
43256/04	BAGRIYANIK	05/06/2007	05/09/2007
35257/04	BAHCELI	06/10/2009	06/01/2010
495/02	BALTACI	18/07/2006	18/10/2006
26170/03	BARIS	30/03/2009	30/06/2009
74337/01	BASTIMAR AND OTHERS	05/12/2006	05/03/2007
26896/02	BAYAM	31/07/2007	31/10/2007
28053/10	BILAL DOGAN	27/11/2012	27/02/2013
8610/02	BILGIN	14/06/2007	14/09/2007
26891/02	BOYRAZ	20/05/2008	20/08/2008
18623/03	CAHIT DEMIREL	07/07/2009	07/10/2009
16777/06	CAN	31/03/2009	30/06/2009
7940/05	CARKCI	26/06/2007	10/12/2007
26808/08	CATAL	17/04/2012	17/07/2012
37912/04	CAYAN BILGIN	08/12/2009	08/03/2010

45490/05	CELIK and ABATAY	29/11/2011	29/02/2012
6670/10	CELIK	17/03/2015	17/03/2015
41746/04	CEVEN	24/11/2009	24/02/2010
8140/08	CEVIZ	17/07/2012	17/10/2012
14899/03	CICEKLER	22/12/2005	22/03/2006
16963/07	CIGDEM	21/04/2009	21/07/2009
45977/99	COBANOGU AND BUDAK	30/01/2007	30/04/2007
42138/07	DEMIR	26/01/2010	26/04/2010
77845/01	DERECI	24/05/2005	24/08/2005
2611/09	DIL	24/09/2013	24/09/2013
66066/09	DINC AND CAKIR	09/07/2013	09/10/2013
28551/06	DINC	20/05/2010	20/08/2010
61443/00	DINLER	31/05/2005	31/08/2005
1651/05	DOGAN AND KALIN	21/12/2010	21/03/2011
54625/09	DURMUS AND TANSANCIK	31/07/2012	31/07/2012
17765/02	DURUN	03/05/2007	03/08/2007
57963/00	DUYUM	27/03/2007	09/07/2007
47280/09	EKICI	05/03/2013	05/03/2013
18992/03	ELGAY	20/01/2009	20/04/2009
6194/04	ENGIN	13/10/2009	13/01/2010
41810/06	ERCAN KARTAL	29/03/2011	29/03/2011
73359/10	ERGEZEN	08/04/2014	08/07/2014
13176/05	ERKAN INAN	23/02/2010	23/05/2010
32008/05	ETEM KARAGOZ	15/09/2009	15/12/2009
42956/09	EVLIAOGLU	05/03/2013	05/03/2013
22077/03	FETHULLAH AKPULAT	15/02/2011	15/05/2011
34759/04	FETI ATES AND OTHERS	21/12/2010	21/03/2011
28827/04	FETI ATES	10/06/2008	10/09/2008
28074/08	FILIZ	04/03/2014	04/06/2014
37291/04	FIRAT	30/06/2009	30/09/2009
21292/07	GAMZE ULUDAG	10/12/2013	10/03/2014
22478/06	GEDIK	20/05/2010	20/08/2010
71517/01	GEZICI AND IPEK	10/11/2005	10/02/2006
51839/99	GOKCE AND DEMIREL	22/06/2006	22/09/2006
6257/02	GUZEL (ZEYBEK)	20/11/2007	20/02/2008
28485/03	HABIP CIFTCI	23/09/2008	23/12/2008
18378/02	HANBAYAT	17/07/2007	17/10/2007
58398/00	HASAN CEYLAN	23/05/2006	23/08/2006
44027/09	HASDEMIR	22/05/2012	22/05/2012
43918/08	HATICE DUMAN	22/05/2012	22/05/2012
15048/09	HEBAT ASLAN ET FIRAS ASLAN	28/20/2014	28/01/2015
19637/05	INAN	13/10/2009	13/01/2010
58231/09	ISMAIL YILMAZ	24/09/2013	24/09/2013
32420/03	KACAR	03/05/2007	03/08/2007
43648/05	KACMAZ	02/02/2010	02/05/2010
16779/02	KALAY	22/09/2005	22/12/2005
43654/05	KALAYLI	11/10/2011	11/01/2012
24917/04	KAMA	10/06/2008	10/09/2008
20648/02	KAMIL OALAN	12/12/2006	12/03/2007

7328/03	KAPAR	03/05/2007	03/08/2007
5701/02	KARAGOZ	20/10/2005	20/01/2006
76991/01	KARAKAS	13/06/2006	13/09/2006
11468/02	KARATAY AND OTHERS	15/02/2007	15/05/2007
40994/98	KATAR AND OTHERS	18/04/2006	18/07/2006
7263/04	KESIKKULAK	08/01/2009	08/04/2009
61440/00	KIMRAN	05/04/2005	05/07/2005
34683/07	KINAY	02/02/2010	02/05/2010
30689/05	KIRLANGIC	25/09/2012	25/12/2012
10262/04	KOKLU	14/10/2008	14/01/2009
74321/01	KOSTI AND OTHERS	03/05/2007	03/08/2007
56493/07	KURUM	26/01/2010	26/04/2010
41433/06	KUTLAR	01/02/2011	01/05/2011
17403/10	KUZU AND ABAY	08/10/2013	08/10/2013
70026/10	LEVENT BEKTAS	16/06/2015	16/09/2015
33104/04	M. TOSUN	18/11/2008	18/02/2009
6840/08	MAHMUT OZ	03/07/2012	03/10/2012
33631/04	MAHMUT YAMAN	20/01/2009	20/04/2009
42296/07	MEHMET ALI CELIK	27/01/2009	27/04/2009
58405/10	MEHMET ALI POLAT	21/01/2014	21/01/2014
9603/07	MEHMET GARIP OZER	05/01/2010	05/04/2010
61908/00	MEHMET GUNES	21/09/2006	21/12/2006
54614/07	MEHMET MANSUR DEMIR	24/07/2012	24/07/2012
4018/07	MEHMET OZCAN AND AUTRES	26/10/2010	11/04/2011
48545/99	MEHMET SAH CELIK	24/07/2010	24/10/2010
47043/99	MEHMET YAVUZ	24/07/2010	24/10/2010
7605/05	MUCEK	16/07/2009	16/10/2009
2623/04	MUDET KOMURCU	23/09/2008	23/12/2008
5346/03	MUNIRE DEMIREL	20/05/2008	20/08/2008
47359/09	MURAT AKTAS	24/09/2013	24/09/2013
60225/11	MURAT OZDEMIR	15/04/2014	15/07/2014
35065/97	N.M.	25/10/2005	25/01/2006
69812/11	NAMAZ AND SENOGLU	11/07/2013	11/07/2013
2694/06	NIHAT ATEŞ	22/10/2013	22/10/2013
59860/10	ONER AKTAS	29/10/2013	29/01/2014
9462/05	ORMAN AND OTHERS	07/12/2010	07/03/2011
61441/00	OZDEMIR	02/08/2005	02/11/2005
23601/10	OZKAN	22/05/2012	22/08/2012
13017/02	PAKKAN	31/10/2006	31/01/2007
4233/03	PEHLIVAN	09/12/2008	09/03/2009
40593/04	POLAT	11/12/2007	11/03/2008
61446/00	POLAT	05/04/2007	05/07/2007
9572/05	RAHMAN	15/02/2011	15/05/2011
30911/04	REMZI AYDIN	20/02/2007	20/05/2007
24267/07	RIFAT DEMIR	04/06/2013	04/09/2013
28489/04	RUZGAR	27/05/2008	27/05/2008
44324/09	SABAHATTIN ALKAN	22/10/2013	22/10/2013
4220/02	SADIKOGULLARI	21/10/2008	21/01/2009
45465/04	SAGNAK	13/10/2009	13/01/2010

29361/07	SAHAP DOGAN	27/05/2010	27/08/2010
28807/05	SAHIN	22/02/2011	24/05/2011
1947/09	SARAR	27/03/2012	27/03/2012
1966/07	SAYIK AND OTHERS	08/12/2009	08/03/2010
9961/08	SEKERCI	01/07/2014	01/07/2014
46262/99	SEVGIN AND INCE	20/09/2005	20/12/2005
7540/07	SEVIM	05/01/2010	05/04/2010
4020/07	SINEGU	13/10/2009	13/01/2010
27561/02	SOLMAZ	16/01/2007	16/04/2007
34623/03	SOLMAZ	14/06/2003	14/09/2013
74657/01	SOYLU	18/12/2007	02/06/2008
19985/04	STOICA	29/11/2012	29/02/2012
48846/07	SUDAN AND OTHERS	05/04/2011	05/04/2011
38283/04	SULEYMANOGLU	21/12/2011	21/03/2011
1508/08	SUUT AYDIN	24/09/2013	24/09/2013
25324/02	TACIROGLU	02/02/2006	02/05/2006
1636/02	TAMAMBOGA AND GUL	29/11/2007	29/02/2008
28150/03	TAMCAN	12/06/2007	12/09/2007
235/02	TAMER AND OTHERS	22/06/2006	22/12/2006
9244/02	TANDOGAN	20/09/2007	20/12/2007
18711/02	TARAK	08/04/2004	29/09/2008
21179/02	TAS	20/09/2005	20/12/2005
23623/10	TASCI AND DEMIR	03/05/2012	03/08/2012
33153/04	TEKIN	17/01/2012	17/01/2012
42554/98	TEKIN	07/02/2005	07/05/2005
40159/98	TEMEL AND TASKIN	30/06/2005	30/09/2005
16185/06	TOKMAK	16/02/2010	16/05/2010
13244/02	TORE	11/07/2006	11/10/2006
11855/04	TUM	17/06/2008	17/09/2008
2422/06	TUNCE	13/10/2009	13/01/2010
11798/03	TUTAR	10/10/2006	10/01/2007
1968/07	UGUR AND OTHERS	19/10/2010	11/04/2011
49651/06	UGUR	24/01/2012	24/04/2012
29545/06	ULU	07/12/2010	14/03/2011
10317/03	UMIT ISIK	16/03/2010	16/06/2010
24801/05	UNAY	22/09/2009	22/12/2009
19866/04	URFI CETINKAYA	23/07/2013	23/10/2013
40555/04	UTEBAY	17/07/2008	17/10/2008
7945/05	UYANIK AND KABADAYI	22/09/2012	22/12/2012
18078/02	VAYIC	20/06/2006	20/09/2006
43824/07	VELI OZDEMIR	23/06/2009	23/09/2009
23639/10	YAKAR	22/05/2008	22/08/2008
11339/03	YAKISAN	06/03/2007	06/06/2007
15041/03	YALCIN	19/02/2008	19/05/2008
2723/07	YALCIN	21/04/2009	21/07/2009
53214/09	YASAR ERIS	28/05/2013	28/05/2013
62581/12	YAYGIN	03/02/2015	03/02/2015
21521/06	YER AND GUNGOR	07/12/2010	07/03/2011
41481/05	YESILMEN AND OTHERS	16/02/2010	16/05/2010

15649/05	YESILYURT	23/02/2010	23/05/2010
20827/08	YIGITDOGAN	16/03/2010	16/06/2010
46048/06	YILDIZ	10/06/2008	10/09/2008
23706/07	YOLDAS	15/03/2011	15/03/2011
31152/04	YUCEL (NO 2)	08/04/2008	08/07/2008
12439/03	YURT	20/02/2007	20/05/2007
1515/04	ZEHNİ DOĞAN	02/02/2010	02/05/2010

ANNEX 2

Cases from Demirel group in which pre-trial detention was brought to an end following the European Court's judgments

Application	Case	Judgment of	Final on	Pre-trial detention ended on
28069/07	ABDULKERIM KAYA	05.01.2010	05.04.2010	03.01.2011
23480/06	AKALIN	23.11.2010	23.02.2011	03.01.2011
34396/05	ALP AND OTHERS 1-Bülent Alp 2-Fahri Önder 3-Serpil Cabadan 4-Hüseyin Durmaz 5-Abdulmecit Öztürk 6-Heval Öztürk 7-Metin Sarıgül 8-Metin Karaman	07.12.2010	07.03.2011	1- 01.11.2005 2-08.05.2007 3-12.01.1998 4-05.01.2011 5-01.07.2007 6-24.12.2003 7-25.12.2006 8-29.02.2008
44319/04	ARAZ	20.05.2010	20.08.2010	11.05.2004
495/02	BALTACI	18.07.2006	18.10.2006	19.04.2005
16777/06	CAN	31.03.2009	30.06.2009	19.01.2008
7940/05	CARKCI	26.06.2007	10.12.2007	11.03.2009
42138/07 42143/07	DEMİR / Ipek	26.01.2010	26.04.2010	03.01.2011
6194/04	ENGİN	13.10.2009	13.01.2010	05.01.2011
19637/05	İNAN	13.10.2009	13.01.2010	16.02.2011
76991/01	KARAKAS	13.06.2006	13.09.2006	10.04.2007
7263/04	KESİKKULAK	08.01.2009	08.04.2009	09.03.2011
34683/07	1-KINAY/ 2- İsmail/ 3- Şeymus	02.02.2010	02.05.2010	30.12.2009
56493/07	KURUM	26.01.2010	26.04.2010	03.11.2009
41433/06	KUTLAR	01.02.2011	01.05.2011	13.10.2010
17403/10	KUZU AND ABAY	08.10.2013	08.10.2013	14.11.2013
33631/04	MAHMUT YAMAN	20.01.2009	20.04.2009	17.11.2003
42296/07	MEHMET ALI CELİK	27.01.2009	27.04.2009	01.04.2010

58405/10	MEHMET ALI POLAT	21.01.2014	21.01.2014	08.05.2014
9603/07	MEHMET GARIP OZER	05.01.2010	05.04.2010	26.01.2011
4018/07	<p>MEHMET OZCAN AND AUTRES</p> <p>1- Mehmet Özcan (4019/07)</p> <p>2- Fatih Duman (23562/07)</p> <p>3- Veysi Elbahadır (20437/09)</p> <p>4-Murat Elhakan (20440/09)</p> <p>5- Recep Taş (36595/07)</p> <p>6- Mustafa Ozan (4019/07)</p> <p>7- Cafer Selçuk (4172/07)</p> <p>8- Abdülaziz Çelik(16353/08)</p> <p>9- Mustafa Bozkurt (2539/08)</p> <p>10 -Mehmet Emin Can (34350/08)</p> <p>11 Feysel Gürses (35269/08)</p> <p>12- Mehmet Yıldız (20460/09)</p> <p>13- Abdülcabbar Kırtay (56422/08)</p> <p>14- Mahmut Avcı (37798/08)</p> <p>15-Murat Demir (20568/09)</p> <p>16-Mehmet Beşir Demir (20604/09),</p> <p>17-Mehmet Mansur Demir (20608/09)</p> <p>18- Mehmet Şerif Bayındır (20613/09)</p> <p>19- Kaan Aktaş (20636/09)</p> <p>20 -Kemal Gülşen (37818/08)</p> <p>21- Fahrettin Özdemir (20453/09)</p> <p>22-Mehmet Çiçek</p>	40477	11.04.2011	<p>1-10.10.2006</p> <p>2- 10.10.2006</p> <p>3- 10.10.2006</p> <p>4- 10.10.2006</p> <p>5- 01.10.2004</p> <p>6- 09.10.2007</p> <p>7- 09.10.2007</p> <p>8-19.09.2007</p> <p>9- 17.02.2009</p> <p>10- 29.01.2008</p> <p>11- 29.01.2008</p> <p>12- 27.11. 2008</p> <p>13- 12.10.2009</p> <p>14- 19.01.2008</p> <p>15-19.01.2008</p> <p>16- 19.01.2008</p> <p>17- 19.01.2008</p> <p>18- 19.01.2008</p> <p>19- 19.01.2008</p> <p>20 - 03.01.2011</p> <p>21- 29.11.2007</p> <p>22- 07.06.2010</p> <p>23- 15.11.2010</p> <p>24- 08.11.2007</p>

	(54508/07) 23- Nurullah Gülsever (54520/07) 24-Nevzat Ekitici (34379/08)			
47359/09	MURAT AKTAS	24.09.2013	24.09.2013	24.06.2014
69812/11	NAMAZ AND SENOGLU	11.07.2013	11.07.2013	06.09.2012 (Şenoğlu) 08.05.2014 (Namaz)
13017/02	PAKKAN	31.10.2006	31.01.2007	02.12.2005
9572/05	RAHMAN	15.02.2011	15.05.2011	04.01.2011
30911/04	REMZI AYDIN	20.02.2007	20.05.2007	05.01.2011
29361/07	SAHAP DOGAN	27.05.2010	27.08.2010	03.01.2011
1966/07	SAYIK AND OTHERS 1. Hayrettin Şayık 2. Murat Aslan 3. Turgay Bilge 4. Mehmet Salih Şimşek 5. Mehmet Ali Oğuzhan 6. Fahri Arcagök 7. Mehmet Özboğa	08.12.2009	08.03.2010	1- 19.01.2008 2- 12.03.2007 3- 16.05.2008 4-29.07.2010 5- 29.09.2009 6-12.03.2007 7-16.05.2008
7540/07	SEVIM	05.01.2010	05.04.2010	19.01.2008
4020/07	SINEGU	13.10.2009	13.01.2010	19.01.2008
19985/04	STOICA	29.11.2012	29.02.2012	30.09.2010
23623/10	TASCI AND DEMIR	03.05.2012	03.08.2012	02.12.2010

2422/06	<p>TUNCE vd.</p> <p>1-Mesut Tuncce</p> <p>2- Naşit Tutar</p> <p>3- İhsan Baran</p> <p>4-Asif Güneş</p> <p>5-Hasan Süsli</p> <p>6-Murat Salur</p> <p>7- Şahin Yapıcı</p> <p>8-Mustafa Demir</p> <p>9-Mehmet Duman</p> <p>10-Seyfettin Kinay</p> <p>11-Mehmet Ali Eneze</p> <p>12-Veysi Ülsen</p> <p>13-Sedat Şeran</p> <p>14-Kasım Erkan</p> <p>15-Remezan Elaltuntaş</p> <p>16-Güro Adem</p> <p>17-Mehmet Zeki İnal</p> <p>18-Mustafa Sevim</p> <p>19-Sıdık Kurt</p> <p>20-Mahsum Nazli</p>	13.10.2009	13.01.2010	10.04.2008
11798/03	TUTAR	10.10.2006	10.01.2007	26.01.2011

1968/07	UGUR AND OTHERS 1. Şehmus Uğur 2. Mustafa Akbaş 3. İbrahim Halil Kaya 4. Mehmet Selçuk 5. Mehmet Çiğdem 6. Şevket Aktaş 7. Mehmet Nuri Alpşen 8. Zekeriya Ezer 9. Ramazan Kalkan 10. Latif Bal 11. Süleyman Çiftsüren 12. Cihan Yeşil 13. Ali Kaya 14. Misbah Sayan 15. Reşat Ekitici 16. İdris Şayık 17. Halil Askan 18. İdris Şimşek 19. Mehmet Kaya 20. Coşkun Yazar 21. Hüsamettin Çiçek	19.10.2010	11.04.2011	1. 19.01.2008 2. 24.12.2009 3-19.03.2007 4. 16.04.2009 5. 10.04.2008 6. 11.11.2008 7-23.10.2003 8. 29.04.2009 9. 09.10.2007 10-18.05.2004 11. 12.03.2007 12. 26.01.2010 13-24.01.2008 14. 12.10.2009 15-06.05.2004 16-18.05.2004 17-23.06.2004 18-10.04.2008 19-06.05.2004 20. 05.10.2006 21. 10.04.2008
24801/05	UNAY	22.09.2009	22.12.2009	03.11.2009
43824/07	VELI OZDEMIR	23.06.2009	23.09.2009	10.12.2013
11339/03	YAKISAN	06.03.2007	06.06.2007	05.04.2007
2723/07	YALCIN	21.04.2009	21.07.2009	17.03.2011
41481/05	YESILMEN AND OTHERS	16.02.2010	16.05.2010	05.01.2011
46048/06	YILDIZ	10.06.2008	10.09.2008	03.01.2011
23706/07	YOLDAS AND OTHERS 1- SERVET YOLDAS 2- BEDRAN SALAMBOĞA 3- HASAN KUTULMAN 4-HACI BAYANCUK 5-AHMET ŞAHİN 6-CEMAL TUTAR 7-BİLAL ÇETİNER 8-MEHMET FİDANCI	15.03.2011	15.03.2011	1-28.11.2013 2-15.02.2011 3-16.12.2009 4-19.10.2011 5-05.05.2008 6-03.01.2011 7-17.02.2009 8-07.07.2009

ANNEX 3

a) Cases from Demirel group in which the domestic proceedings were concluded when the European Court rendered its judgments

Application	Case	Judgment of	Final on	Domestic proceedings ended on
39324/98	DEMIREL	28/01/2003	28/04/2003	12/05/1999
10512/02	A. YILMAZ	22/07/2008	22/10/2008	15/04/2002
17681/04	ABDO	26/01/2010	26/04/2010	29/04/2004
35561/06	AKPOLAT	08/01/2009	08/04/2009	10/06/2003
483/02	ALGUR AND OTHERES	20/11/2007	20/02/2008	Several dates (see §34)
73038/01	ALTIN	24/05/2005	24/08/2005	08/10/2001
26170/03	BARIS	30/03/2009	30/06/2009	16/04/2007
18623/03	CAHIT DEMIREL	07/07/2009	07/10/2009	02/05/2005
37912/04	CAYAN BILGIN	08/12/2009	08/03/2010	02/03/2005
41746/04	CEVEN	24/11/2009	24/02/2010	01/12/2008
45977/99	COBANOGU AND BUDAK	30/01/2007	30/04/2007	17/10/2000
2611/09	DIL	24/09/2013	24/09/2013	07/04/2010
57963/00	DUYUM	27/03/2007	09/07/2007	02/06/2004
41810/06	ERCAN KARTAL	29/03/2011	29/03/2011	29/05/2010
73359/10	ERGEZEN	08/04/2014	08/07/2014	21/12/2010 and 10/06/2013
32008/05	ETEM KARAGOZ	15/09/2009	15/12/2009	07/03/2008
22077/03	FETHULLAH AKPULAT	15/02/2011	15/05/2011	12/04/2004
34759/04	FETI ATES AND OTHERS	21/12/2010	21/03/2011	03/02/2010
71517/01	GEZICI AND IPEK	10/11/2005	10/02/2006	06/11/2000
18378/02	HANBAYAT	17/07/2007	17/10/2007	19/10/2005

43648/05	KACMAZ	02/02/2010	02/05/2010	09/04/2008
40994/98	KATAR AND OTHERS	18/04/2006	18/07/2006	27/10/1999
61908/00	MEHMET GUNES	21/09/2006	21/12/2006	17/02/2004
48545/99	MEHMET SAH CELIK	24/07/2010	24/10/2010	15/11/1999
4233/03	PEHLIVAN	09/12/2008	09/03/2009	08/04/2004
24267/07	RIFAT DEMIR	04/06/2013	04/09/2013	26/01/2011
4220/02	SADIKOGULLARI	21/10/2008	21/01/2009	14/11/2002
1966/07	SAYIK AND OTHERS	08/12/2009	08/03/2010	Several dates
9961/08	SEKERCI	01/07/2014	01/07/2014	24/06/2009
46262/99	SEVGIN AND INCE	20/09/2005	20/12/2005	09/11/1999
1636/02	TAMAMBOGA AND GUL	29/11/2007	29/02/2008	17/03/2003
21179/02	TAS	20/09/2005	20/12/2005	07/02/2002
42554/98	TEKIN	07/02/2005	07/05/2005	24/02/2003
40159/98	TEMEL and TASKIN	30/06/2005	30/09/2005	14/05/1998
13244/02	TORE	11/07/2006	11/10/2006	12/11/2004
2422/06	TUNCE	13/10/2009	13/01/2010	10/04/2008 and 16/04/2009
40555/04	UTEBAY	17/07/2008	17/10/2008	14/07/2005
15041/03	YALCIN	19/02/2008	19/05/2008	29/04/2004
21521/06	YER AND GUNGOR	07/12/2010	07/03/2011	09/07/2008

b) Cases in which the domestic proceedings have been brought to an end following the European Court's judgments (except in the cases *Alp And Others (34396/05)*, *Kaçar (32420/03)*, *Orman And Others (9462/05)*, *Şahap Doğan (29361/07)*, *Uğur and Others (1968/07)*)

	App.	Case	Judgment of	Final on	The domestic courts	Trial before domestic courts	
						Beginning date	Ending date
1	38372/06	ADIAMAN	26/10/2010	26/01/2011	İstanbul 14.Ass. C.. 2008/100E. 2010/119K.	18.12.1996	3.5.2011
2	77331/01	AGDAS	19/09/2006	19/12/2006	Gebze 1.Ass. C.. 2011/132 E.	7.5.1996	25.2.2009
3	23480/06	AKALIN	23/11/2010	23/02/2011	İstanbul 10. Ass. C.. 2003/178 E. 2009/121 K	3.3.1997	
4	6178/04	AKYAZ	07/07/2009	07/10/2009	İstanbul 12. Ass. C.. 1996/185E 2008/29 K.	27.4.1996	4.5.2009
5	23438/02	AKYOL	20/09/2007	20/12/2007	İstanbul 11. Ass. C.. 2004/191 E. 2008/172K	5.12.1992	9.11.2009
6	34396/05	ALP AND OTHERS	07/12/2010	07/03/2011	İstanbul 9.Ass. C.. 1999/128E 2008/148K.	22.3.1999	11.2.2010
		Bülent Alp			İstanbul 13.Ass. C.. 2006/361 E. 2007/95K.	6.1.2001	8.11.2010
		Fahri Önder			İstanbul 10.Ass. C.. 2004/119E. 2013/115K.	24.9.1998	24.6.2014
		Serpil Cabadan			İstanbul 10.Ass. C.. 2004/119E. 2013/115K.	24.9.1998	24.6.2014
		Hüseyin Durmaz			İstanbul 15.Ass. C.. 2014/156E. 2014/138K.	18.8.1998	Appealed
		Abdilmecit Öztürk			İstanbul 15.Ass. C.. 2010/3 E. 2013/6 K.	20.8.1998	9.6.2014
		Heval Öztürk			İstanbul 13.Ass. C.. 2001/108E. 2007/161K.	27.3.2001	4.12.2012
		Metin Sarıgül			İstanbul 9.Ass. C.. 1996/180E. 2008/129K.	29.11.1995	11.3.2009
7	44319/04	ARAZ	20/05/2010	20/08/2010	İstanbul 3. Juvenile Ağ.CM 2013/1E. 2013/758K.	8.7.1999	27.2.2014
8	7987/07	ATSIZ AND OTHERS	23/06/2009	23/09/2009	Diyarbakır 6. Ass. C.. 2005/58E. 2007/422K.	11.5.1994	01.06.2009
9	43550/04	AYGUL	16/06/2009	16/09/2009	İstanbul 11. Ass. C.. (İstanbul 3 DGM)	14.10.1992	26.9.2012
10	43256/04	BAGRIYANIK	05/06/2007	05/09/2007	İstanbul 12.Ass. C.. 1996/185E 2008/29K	25.12.1995	4.5.2009
11	35257/04	BAHCELI	06/10/2009	06/01/2010	İstanbul 14.Ass. C.. 2003/315E. 2009/260K.	20.8.1996	27.2.2012
12	495/02	BALTACI	18/07/2006	18/10/2006	Diyarbakır 5. Ass. C.. 2002/208E. 2004/301K.	16.10.1992	19.4.2005
13	16777/06	CAN	31/03/2009	30/06/2009	Diyarbakır 6.Ass. C.. 2007/54E. 2007/403K	8.3.1995	19.1.2008
14	26808/08	CATAL	17/04/2012	17/07/2012	İstanbul 13.Ass. C.. 2003/291E. 2012/66K.	27.3.1997	18.9.2014
15	45490/05	CELIK AND ABATAY	29/11/2011	29/02/2012	İstanbul 11. Ass. C.. 2005/181E. 2009/306K.	28.11.1992	23.9.2011
16	42138/07	DEMİR	26/01/2010	26/04/2010	Diyarbakır 6.Ass. C.. 2000/171E. 2009/727K.	31.1.2000	26.1.2011
17	77845/01	DERECİ	24/05/2005	24/08/2005	İstanbul 12. Ass. C.2008/164E. 2011/176K.	10.2.1994	25.6.2012
	1651/05	DOGAN AND KALIN	21/12/2010	21/03/2011	İstanbul 12. Ass. C.. 2000/100 E, 2010/169K.	24.2.1994	21.6.2011
	54625/09	DURMUS AND TANSANCIK	31/07/2012	31/07/2012	Diyarbakır 6.Ass. C.. 2000/7 E. 2009/559 K.	12.11.1999	24.3.2011

17765/02	DURSUN	03/05/2007	03/08/2007	İstanbul 9.Ass. C.. 2004/269 E. 2012/201K	18.7.1992	24.6.2014
51839/99	GOKCE AND DEMIREL	22/06/2006	22/09/2006	İstanbul 11.Ass. C. 2006/221E 2010/214K	9.3.1995	26.9.2011
28485/03	HABIP CIFTCI	23/09/2008	23/12/2008	İstanbul 9.Ass. C.. 1996/276E.2007/456K.	15.7.1996	25.12.2013
44027/09	HASDEMİR	22/05/2012	22/05/2012	İstanbul 9.Ass. C.. 2005/31E.2011/263K	3.5.2000	13.3.2014
19637/05	İNAN	13/10/2009	13/01/2010	İstanbul 9.Ass. C.. 1998/259E. 2009/258K	8.9.1998	16.2.2011
32420/03	KACAR	03/05/2007	03/08/2007	İstanbul 18. Ass. C.. 2014/219E. 2016/20 K	21.11.1996	Appealed
16779/02	KALAY	22/09/2005	22/12/2005	İstanbul 11.Ass. C. 2006/124E 2008/147K	6.11.1992	13.7.2009
24917/04	KAMA	10/06/2008	10/09/2008	İstanbul 11.Ass. C. 2006/124E 2008/147K	3.2.1993	13.7.2009
20648/02	KAMIL OÇALAN	12/12/2006	12/03/2007	İstanbul 11 Ass. C.. 2005/125 E. 2012/182	27.7.1995	25.9.2014
5701/02	KARAGOZ	20/10/2005	20/01/2006	İstanbul 11 Ass. C.. 2004/90E. 2008/260K.	6.3.2007	27.1.2011
76991/01	KARAKAS	13/06/2006	13/09/2006	İstanbul 11 Ass. C.. 2005/167E.	10.4.1996	10.4.2007
34683/07	KINAY	02/02/2010	02/05/2010	Diyarbakır 6.Ass. C. 2000/171 E.	24.5.2000	26.1.2011
10262/04	KOKLU	14/10/2008	14/01/2009	İstanbul 14 Ass. C.. 2001/297E. 2009/365K.	10.3.1998	11.6.2012
56493/07	KURUM	26/01/2010	26/04/2010	İstanbul 13 Ass. C.. 2003/291E. 2012/66K.	1.4.1997	18.9.2014
17403/10	KUZU AND ABAY	08/10/2013	08/10/2013	İstanbul 9.Ass. C.. 2005/197E. 2012/341K.	7.8.2005	14.11.2013
33104/04	M. TOSUN	18/11/2008	18/02/2009	İstanbul 13. Ass. C.. 2007/1E. 2007292 K.	10.11.1995	23.2.2012
6840/08	MAHMUT OZ	03/07/2012	03/10/2012	Bakırköy Juvenile 1. Ass. C.. 2007/200E. 2008/411 K.	15.1.2007	14.7.2014
33631/04	MAHMUT YAMAN	20/01/2009	20/04/2009	İstanbul 12. Ass. C.. 1999/285E. 2009/17K.	26.7.1999	27.4.2010
42296/07	MEHMET ALI CELİK	27/01/2009	27/04/2009	Diyarbakır 6.Ass. C.. 2004/259E. 2009/258K.	12.10.1998	1.4.2010
58405/10	MEHMET ALI POLAT	21/01/2014	21/01/2014	İstanbul 10. Ass. C.. 2007/303E. 2013/192K.	8.9.2006	2.5.2016
9603/07	MEHMET GARİP ÖZER	05/01/2010	05/04/2010	Diyarbakır 6.Ass. C. 2000/171 E.	3.12.2001	26.1.2011
4018/07	MEHMET ÖZCAN AND AUTRES Mehmet Özcan (4019/07), Fatih Duman (23562/07), Veysi Elbahadır (20437/09), ve Murat Elhakan (20440/09) Recep Taş (36595/07)	26/10/2010	11/04/2011	Diyarbakır 4. Ass. C. 2004/100 E.	24 Subat 1997 (M.Ö)	10.10.2006
					14 Mayıs 1997 (FD)	
					23 Subat 1997 (ME- VE)	
				Diyarbakır 6. Ass. C. 2005/5 E.	7.5.1996	
				Diyarbakır 4. Ass. C. 1998/297 E. 2007/103 K.	30.10.1998 (M.Ozan)	
	Mustafa Ozan (4019/07) ve Cafer Selçuk (4172/07)				31.10.1998 (C.Selçuk)	9.10.2007
	Abdülaziz Çelik(16353/08)			Diyarbakır 4. Ass. C. 2006/381 E. 2007/41 K.	12.8.1998	19.9.2007
	Mustafa Bozkurt (2539/08)			Diyarbakır 5. Ass. C. 2002/76 E. 2007/169 K.	24.1.2002	17.2.2009

	Mehmet Emin Can (34350/08), Feysel Gürses (35269/08) Mehmet Yıldız (20460/09) Abdülcabbar Kırtay (56422/08) Mahmut Avcı (37798/08), Murat Demir (20568/09), Mehmet Beşir Demir (20604/09), Mehmet Mansur Demir (20608/09), Mehmet Şerif Bayındır (20613/09) Kaan Aktaş (20636/09) Kemal Gülşen (37818/08) Fahrettin Özdemir (20453/09) Mehmet Çiçek (54508/07) Nurullah Gülsever (54520/07) Nevzat Ekitici (34379/08)			Diyarbakır 5. Ass. C. 2000/85 E. 2006/84 K.	22.2.2000 (MEC - FG 14.4.2000 (MY)	29.1.2008
				Diyarbakır 5. Ass. C. 2000/115 E. 2008/265 Diyarbakır 6. Ass. C. 2007/54 E. 2007/403K.	22.2.2000	12.10.2009
					3.10.2001 (M.A) 14.12.2000 (M.D. – MBD MMD) 20.2.1995 (KA) 14.5.1995 (MŞB)	19.1.2009
				Diyarbakır 6. Ass. C. 2000/171 E. 2009/727 K	24.1.2000 (KG) 6.3.2000 (FÖ)	26.1.2011
				Diyarbakır 6. Ass. C. 2008/447E. 2009/223K.	21.5.2003 (NG- MÇ)	7.6.2010
				Diyarbakır 6. Ass. C. 2009/39 E.2009/342 K. Gaziosmanpaşa 4.Cr. C: 2088/1899E.20147816K İstanbul 11.Ass. C..	6.10.1996 14.11.2008 İddianame	23.5.2011 13.5.2014
2694/06	NIHAT ATES	22/10/2013	22/10/2013	2003/167E. 2007/361K	19.3.1999	15.4.2010
9462/05	ORMAN AND OTHERS Nedim Orman, (9462/05) Ramazan Kayuk, Bülent Orman Nedim Serihan Murat Başusta (20369/05) Tahsin Eriş (32652/05) Mehmet Vahit Avcı (33193/05) Doğan AKÇİÇEK (43845/05) Erkan Tepeli (5295/06) Oktay Yalaç, (48090/08) Mehmet Ferit Elalmış, İsmail Cengiz Oğurtan	07/12/2010	07.03.2011	İstanbul 11.Ass. C.. 2003/167E. 2007/361K İstanbul 11.Ass. C.. 2003/167E. 2007/361K İstanbul 11.Ass. C.. 2003/167E. 2007/361K İstanbul 13.Ass. C.. 1999/328E. 2013/120K. İstanbul 9.Ass. C.. 1995/143E. 2008/227K. Diyarbakır 6. Ass. C.. 1999/88E. 2007/76K İstanbul 14.Ass. C.. 2001/138E. 2011/184K. İstanbul 14.Ass. C.. 2004/248E. 2012/60K. İstanbul 11.Ass. C.. 2003/82E 2008/50K İstanbul 11.Ass. C.. 2003/82E 2008/50K İstanbul 11.Ass. C.. 2003/82E 2008/50K İstanbul 11. Ass. C. 2005/181E. 2009/306K. İstanbul 11. Ass. C.. 2006/124E. 2008/147K. Ankara 8.Ass. C.. 2012/23E. 2014/288 K. İstanbul 10.Ass. C.. 2004/119 E. 2013/115K İstanbul 11. Ass. C.. 2006/124E. 2008/147K.	18.3.1999 20.3.1999 20.3.1999 20.3.1999 8.1.1999 31.1.1995 7.2.1994 4.4.2001 28.9.1996 23.2.2003 23.2.2003 25.2.2003 28.11.1992 6.2.1993 14.7.1999 30.7.1998 3.2.1993	15.4.2010 15.4.2010 15.4.2010 15.4.2010 Appealed 22.5.2012 7.3.2008 10.12.2013 27.4.2012 24.6.2009 24.6.2009 24.6.2009 23.9.2011 13.7.2009 1.11.2014 26.4.2014 13.7.2009
13017/02	PAKKAN	31/10/2006	31/01/2007			
40593/04	POLAT	11/12/2007	11/03/2008			
9572/05	RAHMAN	15/02/2011	15/05/2011			
30911/04	REMZI AYDIN	20/02/2007	20/05/2007			
28489/04	RUZGAR	27/05/2008	27/05/2008			

45465/04	SAGNAK	13/10/2009	13/01/2010	İstanbul 14. Ass. C.. 2003/153E. 2012/111K.	25.4.1999	19.6.2014
29361/07	SAHAP DOGAN	27/05/2010	27/08/2010	İstanbul 18. Ass. C.. 2014/219E. 2016/20K.	19.6.1996	Appealed
7540/07	SEVİM	05/01/2010	05/04/2010	Diyarbakır 6.Ass. C.. 2007/54E. 2007/403K.	8.11.2000	19.01.2008
4020/07	SINEGU	13/10/2009	13/01/2010	Diyarbakır 6.Ass. C.. 2007/54E. 2007/403K.	14.5.1995	19.01.2008
27561/02	SOLMAZ	16/01/2007	16/04/2007	İstanbul 11.Ass. C.. 2006/124E 2008/147K	23.1.1994	13.7.2009
48846/07	SUDAN AND OTHERS Mehmet Sudan Murat Nart	05/04/2011	05/04/2011	Diyarbakır 6.Ass. C.. 2000/171E. 2009/727K Diyarbakır 4.Ass. C.. 2010/181 E. 2010/349 K İstanbul 13.Ass. C.. 2000/112E. 2012/16K.	27.10.2000 5.2.2004 7.5.2000 20.5.2000 (A.Y- MBE-BE)	26.1.2011 22.3.2011 15.5.2013
28150/03	İlyas Kutulman, Burhan Ekineker, Abdulsetar Yıldızbakan, Mehmet Bayram Eren TAMCAN	12/06/2007	12/09/2007	İstanbul 9. Ass. C.. 2003/222E. 2006/281K.	13.7.1992	9.4.2007
9244/02	TANDOĞAN	20/09/2007	20/12/2007	İstanbul 11. Ass. C.. 2005/181E. 2009/306K.	5.4.1994	23.9.2011
11798/03	TUTAR	10/10/2006	10/01/2007	Diyarbakır 5.Ass. C.. 1994/636E. 2007/73K.	10.09.1994	16.04.2009
1968/07	UGUR AND OTHERS Şehmus Uğur Mustafa Akbaş	19/10/2010	11/04/2011	Diyarbakır 6. Ass. C.. 2007/54E. 2007/403K Diyarbakır 5. Ass. C.. 1993/391 E 2007/451 K. Diyarbakır 5. Ass. C.. 2007/261 E 2007/392 K Diyarbakır 5. Ass. C.. 1994/636 E 2007/73 K. Diyarbakır 5. Ass. C.. 2000/182 E Diyarbakır 6. Ass. C.. 1994/106 E 2007/258 K. Diyarbakır 6. Ass. C.. 1994/106 E Diyarbakır 5. Ass. C.. 1996/636 E 2007/73 K. Diyarbakır 4. Ass. C.. 1998/297 E Diyarbakır Juvenile Ass. C.. 2010/274 E. 2014/20 Diyarbakır 5. Ass. C.. 1997/425 E Diyarbakır 6. Ass. C.. 2004/246 E 2008/124 K Diyarbakır 6. Ass. C.. 2005/83 E Diyarbakır 5. Ass. C.. 2000/115 E Diyarbakır 5. Ass. C.. 1996/636 E 2007/73 K. Diyarbakır 6. Ass. C.. 2007/109 E. Diyarbakır 5. Ass. C.. 1996/636 E 2007/73 K.	8.3.1995 21.1.1998 4.11.2007 10.9.1994 30.12.1999 13.1.1994 24.12.1993 10.05.2000 6.3.1999 12.1.1996 4.11.1997 14.3.2000 16.1.2004 29.8.2001 6.9.1994 12.6.1995 4.10.1994 23.11.2002 11.9.1994 31.10.1998	19.01.2009 24.12.2009 30.11.2007 29.4.2009 10.4.2008 11.11.2008 29.4.2009 9.10.2007 Appealed 21.3.2007 26.1.2010 28.1.2010 12.10.2009 7.6.2007 17.7.2009 7.6.2007 10.4.2008 7.6.2007 5.10.2006
	İbrahim Halil Kaya					
	Mehmet Selçuk					
	Mehmet Çiğdem					
	Şevket Aktaş					
	Mehmet Nuri Alpşen					
	Zekeriya Ezer					
	Ramazan Kalkan					
	Latif Bal					
	Süleyman Çiftsüren					
	Cihan Yeşil					
	Ali Kaya					
	Misbah Sayan					
	Reşat Ekitici					
	İdris Şayık					
	Halil Askan					
	İdris Şimşek					
	Mehmet Kaya,					
	Coşkun Yazar					

	Hüsamettin Çiçek			Diyarbakır 5. Ass. C. 2000/182 E	3.6.1994	10.4.2008
49651/06	UGUR	24/01/2012	24/04/2012	Gaziosmanpaşa Juvenile Ass. C.. 2011/879K	1.6.2006	27.6.2013
29545/06	ULU	07/12/2010	14/03/2011	İstanbul 10. Ass. C.. 2013/178E. 2009/121K.	29.5.1996	11.3.2011
10317/03	UMIT ISIK	16/03/2010	16/06/2010	Diyarbakır 6. Ass. C.2001/248 E. 2012/47 K.	9.6.1994	27.5.2014
7945/05	UYANIK AND KABADAYI	22/09/2012	22/12/2012	İstanbul 12. Ass. C. 2004/94E. 2008/68 K.	16.5.1996	6.7.2009
18078/02	VAYIC	20/06/2006	20/09/2006	İstanbul 11. Ass. C.2004/254 E. 2009/305K.	9.9.1996	13.7.2011
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11339/03	YAKISAN	06/03/2007	06/06/2007	Diyarbakır 6. Ass. C.2001/248 E. 2012/47 K.	1994	27.5.2014
41481/05	YESILMEN AND OTHERS	16/02/2010	16/05/2010	İstanbul 9.Ass. C.. 2009/183E. 2011/272K.	12.8.1998	28.11.2013
15649/05	YESILYURT	23/02/2010	23/05/2010	Batman 1.Ass. C. 2006/160E. 2007/288 K.	25.10.1995	4.12.2007
46048/06	YILDIZ	10/06/2008	10/09/2008	İstanbul 18. Ass. C.. 2014/219E.	21.11.1996	5.4.2016
23706/07	YOLDAS Servet Yoldaş ,	15/03/2011	15/03/2011	Diyarbakır 4. Ass. C.2009/349	29.9.2001	28.11.2013
	Bedran Salamboğa,			Diyarbakır 5.Ass. C. 2001/239 E	1.6.2001	15.02.2011
	Hasan Kutulman,			Diyarbakır 6. Ass. C. 2004/360 E	20.5.2000	16.12.2009
	Hacı Bayancuk,			Diyarbakır 6. Ass. C. E. 2010/465 K:2011/65	14.9.2001	19.10.2011
	Ahmet Şahin,			Diyarbakır 4. Ass. C.. E:2002/12, K:2006/295	3.12.2001	5.5.2008
	Cemal Tutar,			Diyarbakır 6. Ass. C. 2000/171 E.	30.1.2000	26.01.2011
	Bilal Çetiner			Diyarbakır 5. Ass. C. 2002/76 E.	24.1.2002	17.2.2009
	Mehmet Fidancı			Diyarbakır 6.Ass. C. E:2005/56,K:2008/54	13.4.2001	7.7.2009
12439/03	YURT	20/02/2007	20/05/2007	İstanbul 11. Ass. C.. 2008/128 E. 2009/19 K.	25.11.1997	8.3.2011