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Meeting: 1514th meeting (December 2024) (DH)

Item reference: Action Plan (03/10/2024)

Communication from Türkiye concerning the case of Cangı and Others v. Türkiye (Application No. 48173/18)

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Réunion : 1514^e réunion (décembre 2024) (DH)

Référence du point : Plan d'action (03/10/2024)

Communication de la Türkiye concernant l'affaire Cangı et autres c. Türkiye (requête n° 48173/18) (**anglais uniquement**)

ACTION PLAN

Cangı and Others v. Türkiye (no. 48173/18)

Judgment of 14 November 2023 and Final on 8 April 2024

I. CASE DESCRIPTION

1. The case concerns a violation of the applicants' right to adversarial proceedings on account of the failure to communicate to the applicants, in the course of the administrative proceedings, the other expert opinions submitted by the other party and assessed by the court-appointed experts (Article 6 § 1).

II. INDIVIDUAL MEASURES

Just Satisfaction

2. The Court rejected the applicants' claim for just satisfaction in the absence of a specific claim to that effect.

Reopening of the Proceedings

3. The authorities would like to indicate that Article 53 § 1 (I) of the Code of Administrative Procedure ("Law no. 2577") provides the applicants with the opportunity to request the reopening of proceedings within one year as from a final judgment by the Court finding a violation.

4. The applicants have not availed themselves of this remedy so far. However, they can make such a request until 8 April 2025. The authorities will provide updated information in this respect.

III. GENERAL MEASURES

5. The Turkish authorities will keep the Committee of Ministers ("the CM") informed, in due time, of the general measures taken/envisaged with a view to preventing similar violations.

Publication and dissemination measures

6. The judgment was translated in Turkish and published on the Court's official website.

7. In addition, the Turkish authorities ensured that the translated text of the judgment, with an explanatory note, was circulated to the relevant courts. The judgment was also circulated to the Constitutional Court, the Supreme Administrative Court, the Human Rights and Equality Institution of Türkiye and the Ombudsman Institution.

IV. CONCLUSIONS

8. The CM will be duly informed of the individual and general measures in due time.