

## Resolution CM/ResDH(2024)322

### Execution of the judgments of the European Court of Human Rights

### Two cases against Türkiye

(Adopted by the Committee of Ministers on 5 December 2024  
at the 1514<sup>th</sup> meeting of the Ministers' Deputies)

Application No.	Case	Judgment of	Final on
12336/03	PERİŞAN AND OTHERS	20/05/2010	20/08/2010
3434/05	YERME	24/07/2012	24/10/2012

The Committee of Ministers, under the terms of Article 46, paragraph 2, of the Convention for the Protection of Human Rights and Fundamental Freedoms, which provides that the Committee supervises the execution of final judgments of the European Court of Human Rights (hereinafter “the Convention” and “the Court”),

Having regard to the final judgments transmitted by the Court to the Committee in these cases and to the violations established on account of unjustified use of lethal force and ill-treatment to suppress a prison riot, as well as the lack of effective investigation into these events;

Recalling the respondent State's obligation, under Article 46, paragraph 1, of the Convention, to abide by all final judgments in cases to which it has been a party and that this obligation entails, over and above the payment of any sums awarded by the Court, the adoption by the authorities of the respondent State, where required:

- of individual measures to put an end to violations established and erase their consequences so as to achieve as far as possible *restitutio in integrum*; and
- of general measures preventing similar violations;

Having invited the government of the respondent State to inform the Committee of the measures taken to comply with the above-mentioned obligation;

Having examined the action report provided by the government indicating the individual measures adopted to execute the judgments including the information provided regarding the payment of the just satisfaction awarded by the Court (see document DH-DD(2024)1113);

Noting with deep regret that no further measures could be taken in these cases because of the applicable prescription periods;

Recalling that the question of general measures required in response to the shortcomings found by the Court in these judgments continues to be examined within the framework of the *Gomi and Others v. Turkey* (35962/97) and *Batı and Others* groups of cases, also in the light of the Court's findings in these cases, and that the closure of these cases therefore in no way prejudices the Committee's evaluation of the general measures required;

DECLARES that it has exercised its functions under Article 46, paragraph 2, of the Convention in these cases;

CONCLUDES that no further individual measures could be taken in these cases because of the applicable prescription periods;

DECIDES to continue to supervise the adoption of the necessary general measures concerning the unjustified use of lethal force and ill-treatment to suppress prison riots, as well as the lack of effective investigations, within the framework of the *Gömi and Others* and *Batı and Others* groups;

DECIDES to close the examination of these cases.