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Date: 04/11/2026

DH-DD(2026)1465

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Meeting: 1577th meeting (December 2026) (DH)

Item reference: Action Report (03/11/2026)

Communication from Türkiye concerning the case of Yaldız v. Türkiye (Application No. 9601/18) (Deryan group)

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Réunion : 1577e réunion (décembre 2026) (DH)

Référence du point : Bilan d'action (03/11/2026)

Communication de la Türkiye concernant l'affaire Yaldız c. Türkiye (Requête n° 9601/18) (Groupe Deryan)
[anglais uniquement]

DH-DD(2026)1465: Communication from Türkiye
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October 2026

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03 NOV. 2026
SERVICE DE L'EXECUTION DES ARRETS DE LA CEDH

ACTION REPORT

***Yaldız v. Türkiye* (no. 9601/18)**

Judgment of and final on 17 June 2025

Repetitive to

Deryan v. Türkiye (no. 41721/04, final on 21 October 2015)

I. CASE DESCRIPTION

1. The European Court ("the Court") found a violation of the applicant's right to a fair trial on account of the domestic courts' failure to provide sufficient reasons for their decisions in the criminal proceedings against the applicant, who was accused of being a member of the armed terrorist organisation (PKK) (violation of Article 6 § 1 of the European Convention on Human Rights ("the Convention")).

2. On 25 April 2008 the İzmir Chief Public Prosecutor's Office filed a bill of indictment against twenty-one individuals, including the applicant, charging him, *inter alia*, under Article 314 § 2 of the Criminal Code for being a member of an armed terrorist organisation, namely the PKK. On 13 December 2010 the trial court found the applicant guilty of being a member of an armed terrorist organisation and sentenced him to six years and three months' imprisonment (see §§ 2-4 of the judgment).

3. Under the heading "Assessment of Evidence and Reasons" in the judgment, the trial court merely listed the evidence without providing any further explanation and concluded that the applicant was guilty (see § 5 of the judgment).

4. On 11 November 2011 the applicant lodged an appeal, but Court of Cassation upheld the judgment (see §§ 7 and 8 of the judgment).

5. The Court emphasised that the trial court had not undertaken an individualised assessment of the applicant's case and therefore concluded that it had failed to discharge its duty under Article 6 § 1 of the Convention to deliver a reasoned judgment (see §§ 16-21 of the judgment).

II. INDIVIDUAL MEASURES

Just Satisfaction

6. The Court did not discern any causal link between the violation found and the pecuniary damage alleged; it therefore rejected this claim. However, it awarded the applicant EUR 6,000 in respect of non-pecuniary damage (see § 24 of the judgment).

7. The above amount was paid to the applicant within the deadline set forth by the Court. Payment information was published on HUDOC-EXEC.

Other Measures

8. The authorities would like to note that Article 311 § 1 (f) of the Code of Criminal Procedure provides the applicants with the opportunity to request the reopening of criminal proceedings within one year of a final judgment by the Court finding a violation.

9. According to the information at the disposal of the authorities, the applicants did not avail themselves of this remedy within the prescribed time limit.

III. GENERAL MEASURES

10. The Government would like to note that the case at hand is a repetitive case examined under *Deryan* (41721/04). 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 within the context of leading case.

Publication and dissemination measures

11. The judgment was translated into Turkish and published on the Court's official website.

12. In addition, the Turkish authorities ensured that the translated text of the judgment, with an explanatory note, was circulated to the relevant domestic courts and prosecutor's office, the Constitutional Court, the Court of Cassation, the Human Rights and Equality Institution of Türkiye, the Ombudsman Institution, the Council of Judges and Prosecutors and the Justice Academy of Türkiye.

IV. CONCLUSIONS

13. The authorities consider that no further individual measures are required in the present case and invite the CM to close its supervision.

14. As regards general measures, the Turkish authorities will continue to submit further information under the leading case of *Deryan* (41721/04).