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SECRETARIAT OF THE COMMITTEE OF MINISTERS
SECRÉTARIAT DU COMITÉ DES MINISTRES

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Date: 06/11/2026

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Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

Meeting:	1577th meeting (December 2026) (DH)
Item reference:	Action Plan (05/11/2026)

Communication from Türkiye concerning the case of Yasak v. Türkiye (Application No. 17389/20)

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Réunion :	1577e réunion (décembre 2026) (DH)
Référence du point :	Plan d'action (05/11/2026)

Communication de la Türkiye concernant l'affaire Yasak c. Türkiye (Requête n° 17389/20) ***[anglais uniquement]***

DH-DD(2026)1490: Communication from Türkiye
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DGI
05 NOV. 2026
SERVICE DE L'EXECUTION DES ARRETS DE LA CEDH

ACTION PLAN

***Yasak v. Türkiye* (no. 17389/20)**

Grand Chamber judgment of 5 May 2026, final on the same date

I. CASE DESCRIPTION

1. The European Court of Human Rights ("the Court") found a violation of the principle of no punishment without law on account of the applicant's conviction for membership of an armed terrorist organisation, namely the Fetullahist Terrorist Organisation/Parallel State Structure ("FETÖ/PDY"), without an individualised assessment of his *criminal intent* by the national courts (Article 7).
2. The Court also found a violation of the prohibition of degrading treatment on account of the cumulative effect of the conditions of the applicant's detention in prison, especially overcrowding, inadequate sanitary facilities and the lack of an individual bed for over a year (Article 3).

II. INDIVIDUAL MEASURES

Just Satisfaction

3. The Court held that the finding of a violation of Article 7 constituted in itself sufficient just satisfaction for any non-pecuniary damage sustained by the applicant.

4. The Court awarded the applicant EUR 2,800 in respect of non-pecuniary damage sustained as a result of the violation of Article 3, and EUR 9,050 in respect of costs and expenses.
5. The above amounts were paid to the applicant within the deadline set forth by the Court.

Reopening of Domestic Proceedings

6. The authorities would like to indicate that Article 311 § 1 (f) of the Code of Criminal Procedure ("Law no. 5271") 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.
7. The applicant used this remedy and requested the reopening of the proceedings on the basis of the Court's judgment. The request was granted, and the criminal proceedings are currently pending before the Çorum 2nd Assize Court. The Committee of Ministers ("the CM") will be informed of the outcome of the proceedings.

Other Measures

8. As regards the violation of Article 3, the applicant is no longer detained in prison. Therefore, no further individual measure is required in this respect.

III. GENERAL MEASURES

9. The Turkish authorities will keep the CM informed, in due time, of the general measures taken/envisaged with a view to preventing similar violations.

Publication and Dissemination Measures

10. The judgment was translated into Turkish and published on the Court's official website.
11. 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 public prosecutor's offices, the Court of Cassation, the Constitutional Court, the Human Rights and Equality Institution of Türkiye, the Ombudsman Institution and the Justice Academy of Türkiye.

IV. CONCLUSIONS

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