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Meeting: 1310th meeting (March 2018) (DH)

Item reference: Action plan (20/12/2017)

Communication from Turkey concerning the case of ATAMAN v. Turkey (Application No. 74552/01)

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Réunion : 1310^e réunion (mars 2018) (DH)

Référence du point : Plan d'action

Communication de la Turquie concernant l'affaire ATAMAN c. Turquie (requête n° 74552/01)
(anglais uniquement)

Ankara, December 2017

ACTION PLAN

Oya Ataman v. Turkey Group of Cases

(No.74552/10)

I. CASE DESCRIPTION

1. There are currently 58 judgments supervised under the *Ataman* group of cases. The Turkish Government would respectfully like to recall the Committee of Ministers the information that she provided previously regarding the steps undertaken for the execution of the *Ataman* group of cases (11 September 2007 (*Şahin and others*), 21 April 2008, 29 July 2010, June 2013, 3 July 2014, 31 December 2014, 15 July 2015 (*Ataykaya*), 7 April 2016 and 16 March 2017).

2. These cases concern violations of the applicants' right to freedom of peaceful assembly and/or ill-treatment of the applicants by the law enforcement officers on account of the force used by the law enforcement officers to disperse demonstrations. Certain cases also concern the failure to carry out an effective investigation into the applicants' allegations of ill-treatment or lack of an effective remedy in this respect (violations of Articles 3, 11 and 13 of the Convention).

II. INDIVIDUAL MEASURES

3. The Turkish authorities have taken the necessary measures to ensure that the violations in question had been brought to an end and that the applicants had been properly redressed for the negative consequences sustained. These measures included reopening of the impugned investigations which would lead to establishment of the relevant facts and if appropriate would bring the responsible to justice as well as redressing the applicants by way of payment of the just satisfaction awarded by the Court.

II.a Just Satisfaction

4. The just satisfaction amounts awarded by the Court in the *Ataman* group of cases have been paid within the deadlines, and relevant payment documents have been submitted to the Committee of Ministers.

II.b Reopening of the Proceedings

II.b.1 Cases of which applicants did not request for reopening of the proceedings

5. As for totally 51 cases, the applicants did not request for reopening of the proceedings/investigations within the time limits prescribed in Articles 172 § 3, 311 § 1 (f) or Provisional Article 2 of the Code of Criminal Procedure. In this regard, the Government considers that it cannot be held responsible for failure of the applicants to submit a request to initiate a fresh investigation or proceedings (see Annex 1).

II.b.2 Cases of which prescription period have been expired

6. Regarding the impossibility of reopening of proceedings (the matter on retroactive application for the non-applicability of statutory limitations), the Government would like to remind its explanations in the action plan submitted on 7 April 2016 and considers that reopening of trials or investigations is not possible for the cases which have already been subjected to expiration of prescription periods in order to prevent new human rights violations (see *Ataman* action plan §§ 19 - 29, 7 April 2016).

7. Majority of the domestic legal systems contain a provision providing for the principle of legality. Therefore, the principle of legality prohibits retroactive legislation by the legislature, as well as its application by the judiciary.

8. Moreover prescription periods at 38 judgments, for which the applicants did not request reopening of the investigation/proceedings as well, had already failed to request within the time limit for reopening of proceedings. In those incidents detailed in the judgments, prescription period has been expired and the suspects will benefit from grandfather clause. So, it is not possible to conduct *ex officio* evaluations as to the reopening of investigations/proceedings.

II.b.3 Cases in which fresh proceedings/investigations are still pending before the domestic courts or prosecution offices.

9. In the cases of *İşeri and others* (29283/07) and *Kemal Baş* (38291/07), the requests for reopening of the investigations were accepted. However, the fresh investigation is still pending before the Ankara Chief Public Prosecutor's Office for the *İşeri* case.

10. For the *Kemal Baş* case; on 16 October 2014, the İzmir Public Prosecutor filed a bill of indictment to the perpetrators of the incident which the applicant Kemal Baş was a victim of intentional injury. On 20 April 2015, the 34th chamber of İzmir Criminal Court decided that the prescription period had been expired from the date of the incident had taken place namely in 2005. But the judgment has not become final and is still pending before the Court of Cassation.

II.b.4 Cases in which fresh proceedings became final

11. As the Government mentioned in the former action plan dated 16 March 2017, in the *Lütfiye Zengin and others* (36443/06) and *Gün and others*(8029/07) cases, the application lodged for reopening of the proceedings was admitted by the domestic courts, and the applicants were acquitted of the alleged accusations.

12. Moreover, in *Gülcü* (17526/10) case, as in detailed in the judgment of the European Court; the Diyarbakır Juvenile Court convicted the applicant for the offence of obstructing the security forces in the execution of their duties by way of resistance together with other persons and using the influence of an organization pursuant to the section 32 § 2 of the Law no. 2911 and Article 265 § 1 of the Criminal Code. This judgment became final on 20 December 2012. However, following the judgment of the Court, Diyarbakır Juvenile Assize Court re-initiated the proceeding on 10 November 2016 and the applicant was acquitted of the

alleged crimes on 4 May 2017 having taken into account of the findings of the European Court.

II.c Explanations concerning the reopening of the investigations in some cases

13. The Government would like to remind its explanations in the former action plan regarding the investigation processes in *İşeri and others* and *Ataykaya* cases and would like to inform the Committee concerning fresh progressions below as well.

İşeri and Others Case (no. 29283/07):

14. Decision of non-prosecution was rendered on 1 September 2006 in respect of the investigation initiated by the Ankara Chief Public Prosecutor's Office upon the allegations of the applicants, Murat İŞERİ, Hüseyin GÖLPINAR, Fevzi AYBER and Abdurrahman DAŞDEMİR, as regards alleged police abuses. Upon the application lodged by Mr. İŞERİ with the European Court of Human Rights, the case file was *ex officio* re-initiated. Those CDs containing the pictures of the crime scene and perpetrators as well were submitted to the expert. On the color printout CD images, the complainants Fevzi AYBER, Murat İŞERİ and Hüseyin GÖLPINAR identified three police officers in the crime scene. Following the identification, the Ankara Public Prosecutor initiated a search process and sent a letter to the relevant Police Office to provide clear identity verification of these officers. The investigation is pending in respect of the identity verification aiming at determining the clear identities of the three police officers in question.

Ataykaya Case (no. 50275/08):

15. The authorities would like to inform the Committee that the Diyarbakır Chief Public Prosecutor's Office carries out multilateral investigation with a view to identify the perpetrator or perpetrators of the lethal shot fired against Tarık ATAYKAYA. In order to achieve this goal; investigation case was transferred to specialist homicide bureau and a deputy chief public prosecutor was specially tasked by the Diyarbakır Chief Public Prosecutor. The Deputy Chief Public Prosecutor initiated a fresh progress and sent a letter to the relevant police office to determine new witnesses and other concrete evidences for identifying perpetrators. In this regard, the fresh progress is still is pending. Further information regarding the outcome of this investigation will be provided.

Mızrak and Atay Case (65146/12)

16. As detailed in the judgment, on 3 November 2009, the Diyarbakır Public Prosecutor's Office initiated a criminal case for the offence of intentional homicide in respect of B.O., N.O. and H.A. before the Diyarbakır Assize Court. On 17 April 2014, the domestic court filed criminal denounce to the Public Prosecutor's Office for the investigation in respect of Enes ATA's death in order to find out whether there may be other perpetrators on the basis of another cue, namely a cartridge found from Enes ATA's body. In its last trial held on 31 October 2017, the domestic court has asked the Diyarbakır Chief Public Prosecutor's Office whether the investigations about that denounce have been finalized. In order to proceed on the basis of the suspects, it is crucial for the domestic court to wait for that investigation. The scrutiny in proceeding is still pending before the Diyarbakır Assize Court.

17. Moreover, concerning the proceeding pending before the 1st Chamber of the Diyarbakır Administrative Court, it is considered that it could have been established that the Administration had had negligence of the death of Mahsum Mızrak and decided to award the two applicants compensation for pecuniary damage of 14,533.08 Turkish Liras. Following the judgment; on 15 September 2014, the 10th Chamber of the Council of State upheld the negligence of the administration but also found the compensation insufficient awarded and quashed that part of the judgment. Proceedings are still pending.

Hasan Yaşar and others case (50059/11)

18. The investigation concerning the death of İkbâl Yaşar is still pending before the Yüksekova Chief Public Prosecutor's Office. Further information regarding the outcome of this investigation will be provided.

III. GENERAL MEASURES

19. The Turkish authorities have envisaged or taken a number of measures aimed at preventing similar violations. These measures are in particular aimed at legislative arrangements regarding freedom of association, training and awareness-raising measures as well as an array of other measures aimed at preventing similar violations.

20. At the outset, the authorities would like to point out that in its decision dated 7 June 2016, the Committee of Ministers had decided to examine the issues regarding the lack of effective investigations and the conduct of the authorities and the courts in criminal investigations and proceedings for the allegations of ill-treatment within the context of the *Bati and Others* group of cases.

21. The Government would also like to remind its explanations in the former action plan dated 16 March 2017 about the recent failed terrorist coup attempt which took place all around the country on 15 June 2016, during execution of this group of judgments.

22. As the Committee is aware of the fact that all necessary measures are taken by the Government to eliminate any possible armed coup threat aiming to overthrow the democratic constitutional order and to ensure not to experience the night of the 15th July again. In order to eliminate the grave threat against the rule of law, human rights and democracy, a state of emergency was declared within the context of the Constitution in line with the Convention standards.

III.a Measures taken in accordance with the decision adopted by the Committee of Ministers in the 1288th DH meeting (6 June 2017);

23. The authorities would like to give information concerning the measures taken within the scope of the Committee's decision dated 6 June 2017. As the Committee referenced in the 1288th meeting, it also includes the measures taken within the context of the decision given in the 1259th meeting.

III.a.1 Informal Working Group

24. The Government would like to express some details about the informal working group consisted of the experts from the COE and the ECHR and of the experts from Ministry of Justice and Ministry of Interior each before the coup attempt.

25. Within the scope of “the Action Plan on Prevention of ECHR Violations”, an Unofficial Working Group ("Working Group") was formed by the mutual will of Thorbjørn Jagland, the Council of Europe Secretary General, and Minister of Justice of the Republic of Turkey at expert level.

26. Within the scope of the Working Group, the freedoms of expression, assembly and association were handled. In this context, the issues on the application of the provisions of the Law on Meetings and Demonstrations, the Turkish Criminal Code and the Anti-Terror Law, concerning the freedom of expression and assembly.

27. Although the studies envisaged to be performed were interrupted due to the coup attempt; the Government would like to state that the Working Group had re-initiated its studies on 7 September 2017 as regards the issues of counter terrorism, freedom of expression, assembly and association in Ankara. The Group got together for its 9th meeting on 7 and 8 December 2017 and studied the practices of the judges and prosecutors within the context of the violations found by the ECHR in Strasbourg. In its last meeting, high judges of Court of Cassation gave a presentation to the Working Group concerning the case-law defining the constituent elements of terrorism related crimes.

III.a.2 Inter - institutional working group

28. The authorities would like to remind its explanations in the action plan submitted on 7 April 2016 concerning the establishment of the inter-institutional working group for the assessment of the Meetings and Demonstration Marches Act (Law no. 2911) in terms of those provisions which fall in contradiction with the European Convention on Human Rights.

29. However, the studies of the working group were adjourned because of the coup attempt which took place on 15 July 2016 (see the explanations in the action plan dated 16 March 2017, §§ 20 - 24).

30. The Government would be pleased to inform the Committee that Working Group has re-initiated its studies with an inter-ministerial meeting at the Ministry of Justice ("MoJ") recently. Studies will be continued in the upcoming period within the context of the Law No.2911, the practice of the Law, and assessment of the necessities regarding violations found by the ECHR. Relevant information and outputs of the studies will be provided.

III.a.3 Legislative Arrangements (establishing a system of adequate ex-post facto review in dispersing a demonstration)

31. The Government would like to remind that on 28 May 2016, the “Directive on Tear Gas, Gas and Defense Rifles and Use and Storage of Equipments and Ammunitions belonging to them and Training of the User Personnel” entered into force.

32. With this directive, the stages of use of force by the security forces in controlling of the events and the stages of interventions with tear gas in public events were determined with a view to determining clearly the tactics to be used by them, the orders and equipments for use of force, attaining a standard around the country and ensuring proportionate use of force by the police officers. According to the directive;
33. It is mandatory that educated personnel shall only use tear gas, gas and defense rifles. Moreover, only 4 departments namely; riot force, collective force, anti-terror and security department personnel shall use tear gas, gas and defense rifles. Personnel names that are on duty to use these weapons shall be listed before an event.
34. Where interference with public events is necessary, before using gas cartridges, attention is paid on whether there are any institutions and organizations such as schools, hospitals, nurseries and old-age asylums within the impact area of the tear gas. Maximum diligence is paid in order to ensure that citizens who are not involved in unlawful public events are not affected by tear gases.
35. Interference with tear gas is avoided unless there are serious risks of the public order being disturbed and physical attacks against the environment or security forces. Tear gas cannot be used by any means against persons or groups that ceased to resist and attack.
36. Tear gas cartridges cannot be fired by any means by targeting human body and defensive ammunition cannot be fired by targeting the head and neck area of human body.
37. Prior to interference, a special risk analysis of possible events is made in the meeting held before deployment. The personnel are informed of the material and ammunition to be used in the interference and the stages of interference under the responsibility of the competent superior.
38. Where interference is necessary and compulsory, assignment of a negotiator, granting time for dispersal, warning and announcement are the priority. In the event that the demonstrators nevertheless have an offensive attitude, it is necessary to interfere in a manner proportionate to their attack. However, such interference may be carried out gradually. The Government would like to mention that use of gas cartridges and defence rifles during interference is the last resort.
39. Subsequent to interferences with public events, an “Interference Assessment Meeting” is held under the chairmanship of the branch chief of the relevant department with the participation of the superiors of the departments that performed during the interference. During this meeting, the type, amount and usage duration of the ammunition used in the interference is assessed within the framework of the principle of use of proportionate force. Furthermore, the information obtained is added to the relevant interference form to provide the basis for subsequent interferences.
40. A mechanism was established by way of designing official forms within the directive, with a view to making assessments following the demonstration. The interference form includes information such as the department giving the order, reason for interference, number of the protestors interfered with, number of the personnel taking part in the interference, type of the interference, number of the injured personnel and protestors and the material used by

the protestors to attack and the ammunition used by the personnel. Furthermore, high resolution cameras are mounted on the vehicles used in interferences with public events and on the helmets of the personnel, and the footages are examined during and after interferences within the framework of the principle of proportionality.

41. Pursuant to the directive, it is compulsory to provide training to the personnel on interferences with public events and the ammunition to be used during interferences. Moreover, the instruction manual describing in detail the gases, defense rifles and their equipment was made available for the personnel under the “restricted” category simultaneously with the directive.

42. The Turkish Government considers that these measures are capable to establish an *ex-post facto* review mechanism for meetings and demonstrations and all necessary general measures have been taken for that sort of violation and therefore no other general measures are required.

III.a.4 Project and Training Activities

43. The Government would like to emphasize that training and project activities are carried out promptly to achieve practice at which the ECHR pointed out regarding freedom of assembly and use of force in this respect.

Gendarmerie

44. Within the scope of *the EU Project for Strengthening Institutional Infrastructure in Interference with Public Events*; establishment of training and exercise centers, which would allow for joint training and exercises on both the national and international level, was aimed. The Project included forming a trainer pool of 40 personnel and training 1100 personnel to the basic level, 300 personnel to the advanced level, 40 personnel as negotiators, 100 personnel in crisis management and crisis interference. Furthermore, conducting study visits to the EU member countries and construction of training and exercise were envisaged. Accordingly, the objective of training 30,000 personnel over the course of the Project was established.

45. In this regard, as of September 2017, training of 41 trainer personnel and 179 personnel at the basic level were completed and 23 personnel received crisis management training. The training efforts are still ongoing.

46. Under the title of “course for negotiators in public events”; trainings on the concept of negotiation and its necessity, social psychology, stress and fear management, communication techniques and skills practice, tracking methods, effective negotiation techniques, tactics and strategies were provided.

Police Officers

47. In the meetings, courses of "Measures that must be taken before, in the course of and after public events", "Judicial procedures carried out in the public events", and "Negotiation strategies in public events and activities" have been introduced continuously to the managers from the Security and the Department of Rapid Response Force (*Çevik Kuvvet Şube Müdürlüğü*).

48. In the courses - held for the personnel from General Directorate of Security and Security Branches - of "Security Services Basic Course", "Judicial Process for Meetings and Demonstration Marches and Analysis of Judgements of High Judicial Bodies", and "The Meeting of Security and the Department of Rapid Response Force on the Negotiation in Public Events and the Legislation on Meetings and Demonstration Marches, Analysis of Judgments of High Judicial Bodies” ”, judgements of the European Court of Human Rights and the Court of Cassation have been instructed and the awareness are being provided.

49. The courses held by the General Directorate of Security namely; "Legislation on Meetings and Demonstration Marches", "Application of the Meetings and Demonstration Marches Act and Legislation on Meetings and Demonstration Marches", and "Analysis of Judgments of High Judicial Bodies" have been given to 1365 personnel.

50. In addition, within the context of "Use of Force and Arms", "Proportional Use of Force and Arms" training was given to 7056 personnel between 1 March 2016 and 1 September 2017.

III.a.7 Impact analysis in this respect:

51. The Government would be pleased to inform the Committee that with the amendments mentioned above and the activities carried out had a significant impact regarding the intervention made by the police officers to the peaceful gatherings and demonstrations which is showed below.

STATISTICS RELATED TO MEETINGS AND DEMONSTRATIONS IN THE POLICE REGION			
2015-2016-2017 YEARS			
YEARS	TOTAL NUMBER OF MEETINGS/ DEMONSTRATIONS	NUMBER OF COMPLETED MEETINGS/ DEMONSTRATIONS NOT INTERFERED	PERCENTAGE
2015	48.863	47.303	%97
2016	38.689	37.876	%98
2017 (1December)	33.779	33.480	%99

52. The authorities would like to inform the Committee that the number of meetings/demonstrations in which the police did not interfere has an impact of % 97, 98, and 99 respectively for the last three years. As it is understood from the diagram, the Government would like to indicate that with the legislative reforms including “the Directive on Tear Gas, Gas and Defense Rifles and Use and Storage of Equipments and Ammunitions belonging to them and Training of the User Personnel” and awareness raising activities mentioned above,

the police department has a growing awareness of the ECHR's principles concerning peaceful gatherings.

53. Moreover, concerning Gendarmerie region, 189 events have been settled with negotiation without any intervention for the last three years.

54. Thus, the Government is of the opinion that within the context of legislative amendments; intervention to peaceful gatherings has no longer been a structural problem based on the practice of officers.

III.b. Recently Established Institutions as General Measures

III.b.1 Establishment of Human Rights Mechanisms

55. Turkey has undertaken a series of initiatives to establish mechanisms at the domestic level to uphold human rights. These measures may potentially lead to stronger protection of the rights set out in the Convention. To this end, the Turkish Government has set up a number of human rights institutions such as Ombudsman Institution, Institution of Human Right and Equality etc.

III.b.2 The Turkish Institution of Human Rights and Equality

56. The national and independent Turkish Institution of Human Rights and Equality was established and started to operate in 2012 in line with the system and structure of the United Nations. Following the adoption of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2011, the Turkish Institution of Human Rights and Equality was determined as the national prevention mechanism by the Decree of the Council of Ministers dated 28 October 2014.

57. Furthermore, the Law on the Turkish Institution of Human Rights and Equality was adopted by the Turkish Grand National Assembly, and it entered into force on 20 April 2016. Since that date, the Institution has been continuing its activities under the name of Turkish Institution of Human Rights and Equality. In this sense, legal framework and institutional structure concerning the prohibition of discrimination and equal treatment have been rearranged in accordance with the main goal of activating human rights protection mechanisms.

58. On 16 March 2017, board members of the Institution were appointed. This board is the decision making body of the Institution. In the meeting dated 25 May 2017, the President and Vice President of the Turkish Institution of Human Rights and Equality were appointed. The Institution still receives individual applications.

III.b.3 Individual Application to the Constitutional Court

59. Along the lines, the Turkish authorities would also like to indicate that, in 2012, legislative amendments were adopted to introduce a possibility of an individual application before the Constitutional Court ("the CC") in respect of violation of human rights. Although this is not a major response to the shortcomings identified by the European Court in this case,

the Turkish authorities would like to observe that an individual in the applicant's situation could today pursue the avenue of lodging an individual application to uphold his or her Convention rights, including in the present case. In this respect, the Turkish authorities would like to recall that the European Court indicated in *Hasan Uzun* (10755/13) case that the individual application to the Constitutional Court should be considered an effective remedy as of 23 September 2012.

60. In its judgment of *Ali Rıza Özer and others* (no. 2013/3924, 6 January 2015), the CC pointed out its principles regarding freedom of assembly in line with the ECHR. The CC declared that where demonstrators did not engage in acts of violence, it was important for the public authorities to show a degree of tolerance towards peaceful gatherings. With reference to this judgment, the CC has rendered a new judgment namely; *Eğitim Sen and others* (no. 2014/920; 25 May 2017). With this judgment; the court decided that even it is a few amount; it is unlawful to impose a fine without any concrete reason by administration to teachers who had made a press statement at the school territory.

61. Finally the Government would like to summarize the *Osman Erbil* judgment (no.2013/2394, 25 March 2015). In this judgment the CC; beyond the formal description of a crime in the law, the authorities have to put into account the real purpose of this law while it is inevitable to restrict the rights. The CC found that it should be admitted that the peaceful gathering in the incident which was not 1 km far from Turkish Grand National Assembly, was not an incident against the Assembly but a protest against United States of America. Finally, the CC is of the opinion that the law which punish persons gathering 1 km close to Assembly; should not be used strictly to protect freedom of assembly.

III.b.4 Action Plan on the Prevention of Human Rights Violations

62. An Action Plan prepared by the Ministry of Justice was adopted by the Council of Ministers on 24 February 2014 and published in the Official Gazette no. 28928 of 1 March 2014.

63. The measures required to be taken, the activities to be carried out and the arrangements to be made as well as the institutions responsible for these were identified in detail in the Action Plan.

64. In the Action Plan, "*Elimination of Obstacles Against the Freedom of Assembly and Organization*" has been determined as one of the main goals. In respect of this main goal, another fundamental goal was set as the "*Prevention of Interferences with the Assemblies and Demonstrations that Do Not Aim at Encouraging Violence and Do Not Include Violent Elements*". Under this goal, three different sub-goals have been envisaged which are concerning the "*Revision of Law No. 2911 on Meetings and Demonstration Marches in accordance with the standards set out in the ECtHR the case-law*", "*Functional continuation of the vocational trainings, which raise awareness among law-enforcement officers in terms of the standards set out in the ECtHR case-law concerning the interference with the peaceful demonstrations made without notifying*" and "*Taking alternative measures in line with the standards set out in the ECHR case-law, instead of banning, when it is notified that a meeting*

or demonstration march will be made, in the event that the existence of a clear, substantial and imminent risk as to the fact that an offence will be committed, which will disturb public order, cannot be put forth". The application of the action plan is monitored by the Ministry of Justice and results are reported to the Prime Minister's Office in yearly basis.

65. The Action Plan foresees one- and three-year-long actions as to the amendments on the Law No.2911 in compliance with the standards set forth in the case-law of the ECHR. The Committee of Ministers will be informed regarding the actions taken in this respect.

66. With a view to the implementation of this aims and reach the goals, collaborative works carried out with relevant institutions in this respect.

67. The Government would like to express that by the Action Plan, success has been achieved with an actualization rate of over 75% from 2014 to 2017. Even only two months after a bloody coup attempt such as the one of July 15, the responsible institutions and organizations submitted the activities carried out within the scope of the implementation of the Action Plan on Prevention of Human Rights Violations. As regards these activities, a report has drawn up and submitted to the Prime Ministry in April 2017. This is an indication that the Turkish Government insists on the respect for human rights even in such an environment resulting from a coup attempt.

III.c Publication and Dissemination Measures

68. 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>).

69. 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.

70. 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.

71. The authorities therefore are of the opinion that these measures ensured that domestic authorities are now aware of the Convention standards concerning the right to freedom of assembly.

72. The Turkish authorities furthermore consider that the measures taken are capable of preventing similar violations.

IV. CONCLUSION

73. In light of the measures taken or envisaged, and progresses made, the authorities consider that supervision of this group of cases should be continued under the standard supervision hereafter.

74. The Government shall provide information to the CM in case of further developments.

ANNEX 1

No	Title	App Number	Judgment Date	Final Judgment Date	ECHR Violations
1	ALI ABA TALIPOGLU v. Turkey	16408/10	18/10/2016	18/01/2017	3
2	HASAN YASAR AND OTHERS v. Turkey	50059/11	11/10/2016	06/03/2017	2;2-1
3	EGITIM VE BILIM EMEKCILERI SENDIKASI AND OTHERS v. Turkey	20347/07	05/07/2016	05/10/2016	3;11;11-1
4	SULEYMAN CELEBI AND OTHERS v. Turkey	37273/10	24/05/2016	24/08/2016	3;11;11-1
5	YILDIZ AND OTHERS v. Turkey	4524/06	14/10/2014	14/01/2015	11;11-1
6	ABDULLAH YASA AND OTHERS v. Turkey	44827/08	16/07/2013	16/10/2013	3
7	HAKIM IPEK v. Turkey	47532/09	10/11/2015	10/02/2016	2;2-1
8	OZBENT AND OTHERS v. Turkey	56395/08	09/06/2015	09/09/2015	11;11-1

9	AKARSUBASI v. Turkey	70396/11	21/07/2015	14/12/2015	11;11-1
10	GAZIOGLU AND OTHERS v. Turkey	29835/05	17/05/2011	17/08/2011	3;11
11	ALDEMIR v. Turkey	32124/02	18/12/2007	02/06/2008	11
12	TURAN BICER v. Turkey	3224/03	30/11/2010	28/02/2011	11
13	ACIK and Others v. Turkey	31451/03	13/01/2009	13/04/2009	3;10
14	DUR v. Turkey	34027/03	18/09/2008	18/12/2008	3
15	AHMET AKMAN v. Turkey	33245/05	13/10/2009	13/01/2010	3
16	GULIZAR TUNCER GUNES v. Turkey	32696/10	11/02/2014	11/05/2014	3
17	BICICI v. Turkey	30357/05	27/05/2010	22/11/2010	3;11
18	CELIK v. Turkey (no. 3)	36487/07	15/11/2012	29/04/2013	10;10-1
19	SAYA AND OTHERS v. Turkey	4327/02	07/10/2008	07/01/2009	3
20	MEHMET UMIT ERDEM v. Turkey	42234/02	17/07/2008	17/10/2008	3
21	EKSI and OCAK v. Turkey	44920/04	23/02/2010	23/05/2010	11;3
22	PEKASLAN v. Turkey	4572/06	20/03/2012	20/06/2012	3;11;11-1
23	IZCI v. Turkey	42606/05	23/07/2013	23/10/2013	3;11;11-1
24	IZGI v. Turkey	44861/04	15/11/2011	15/02/2012	3

25	SAHIN AND OTHERS v. Turkey	68263/01	21/12/2006	21/03/2007	3;13
26	AYTAS AND OTHERS v. Turkey	6758/05	08/12/2009	08/03/2010	3;11
27	EVRIM OKTEM v. Turkey	9207/03	04/11/2008	04/02/2009	2
28	EMINE YASAR v. Turkey	863/04	09/02/2010	09/05/2010	11;3
29	OZALP ULUSOY v. Turkey	9049/06	04/06/2013	04/09/2013	3;11;11-1
30	ALI GUNES v. Turkey	9829/07	10/04/2012	10/07/2012	3
31	AKGÖL v. Turkey	28495/06	17/05/2011	17/08/2011	11
32	GULER v. Turkey	29612/05	04/10/2011	04/01/2012	3
33	KARATEPE v. Turkey	33112/04	07/04/2009	07/07/2009	3;11;11-1
34	TUNCER v. Turkey	12903/02	08/02/2011	08/05/2011	3;11
35	KOP v. Turkey	12728/05	20/10/2009	20/01/2010	3
36	TIMTIK v. Turkey	12503/06	09/11/2010	09/02/2011	3
37	TASARSU v. Turkey	14958/07	18/12/2012	18/03/2013	3
38	KARABULUT v. Turkey	16999/04	27/01/2009	27/04/2009	3;11
39	ASICI AND OTHERS v. Turkey	17561/04	15/06/2010	15/09/2010	11
40	SUBASI and COBAN v. Turkey	20129/07	09/07/2013	09/10/2013	3
41	UZUNGET AND OTHERS v. Turkey	21831/03	13/10/2009	13/01/2010	6;6-1;11

42	NISBET OZDEMIR v. Turkey	23143/04	19/01/2010	19/04/2010	3;11
43	GULIZAR TUNCER v. Turkey	23708/05	21/09/2010	21/12/2010	3
44	ERGUN v. Turkey	238/06	24/07/2012	24/10/2012	3
45	BALCIK AND OTHERS v. Turkey	25/02	29/11/2007	29/02/2008	3;11;11-1
46	SERKAN YILMAZ AND OTHERS v. Turkey	25499/04	13/10/2009	13/01/2010	3;11
47	CANLI v. Turkey	26235/04	09/02/2010	09/05/2010	3
48	ASICI v. Turkey (no. 2)	26656/04	31/01/2012	30/04/2012	11;11-1
49	ARPAT v. Turkey	26730/05	15/06/2010	15/09/2010	3;11
50	ATAMAN v. Turkey	74552/01	05.12.2006	05.03.2007	11
51	TÜFEKÇİ v. Turkey	52494/09	22.07.2014	22.10.2014	3