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SECRETARIAT OF THE COMMITTEE OF MINISTERS
SECRÉTARIAT DU COMITÉ DES MINISTRES



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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: 1507th meeting (September 2024) (DH)

Communication from NGOs (Justice Square Foundation, Italian Federation for Human Rights, Statewatch, Cross Border Jurists Association, The Arrested Lawyers Initiative, Solidarity with OTHERS) (09/07/2024) concerning the case of Yuksel Yalcinkaya v. Türkiye (Application No. 15669/20).

Information made available under Rule 9.2 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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Réunion : 1507^e réunion (septembre 2024) (DH)

Communication d'ONG (Justice Square Foundation, Italian Federation for Human Rights, Statewatch, Cross Border Jurists Association, The Arrested Lawyers Initiative, Solidarity with OTHERS) (09/07/2024) relative à l'affaire Yuksel Yalcinkaya c. Türkiye (requête n° 15669/20) **[anglais uniquement]**

Informations mises à disposition en vertu de la Règle 9.2 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.



Council of Europe

DGI - Directorate General of Human Rights and Rule of Law

Department for the Execution of Judgments of the ECHR

Amsterdam, 8 July 2024

Madam, Sir,

We, the undersigned non-governmental organizations operating across various European countries, extend our deep consideration and appreciation to the Committee of Ministers of the Council of Europe and the Execution Department for their crucial role in the implementation of the judgments of the European Court, thereby safeguarding and advancing human rights and freedoms.

The Yalçinkaya judgment, which relates to more than one hundred thousand victims in Turkey, was delivered on 26 September 2023. Although the Court has identified the violation as systemic, neither the Turkish government nor the Turkish judiciary has provided any positive indications regarding its implementation. Furthermore, the Turkish government has not yet submitted its action plan to the Committee of Ministers, which should have been conveyed by 26 May 2024.

In this context, Justice Square's submissions to the Committee of Ministers dated 31 October 2023¹ and 13 February 2024² outlined the current status of the implementation of the Yalçinkaya judgment.

As the Court rightly pointed out in Yalçinkaya v. Turkey (15669/20), there are hundreds of thousands of cases pending in Turkey based on violations of the principle of "no crime and punishment without law" under Article 7 of the Convention. There are over

¹ [https://hudoc.exec.coe.int/ENG?i=DH-DD\(2023\)1389E](https://hudoc.exec.coe.int/ENG?i=DH-DD(2023)1389E)

² [https://hudoc.exec.coe.int/ENG?i=DH-DD\(2024\)217E](https://hudoc.exec.coe.int/ENG?i=DH-DD(2024)217E)

8,000 cases pending before the Court, and these figures are increasing daily. The Court has already communicated 3,000 similar files to the Turkish government in December 2023 and April and July 2024.

The genuine and ideal solution is the proper implementation of the *Yalçınkaya* judgment to the ongoing cases and the reopening of similar cases that have already been brought before the European Court.

Considering the historic aspects of this violation judgment, we, the signatory NGOs, urge the Committee of Ministers to schedule supervision of the implementation of this judgment at the earliest convenience, preferably in your session to be held in September 2024.

As signatory non-governmental organizations, we convey our sincere appreciation for the vital mission of the Committee of Ministers in safeguarding and promoting human rights and freedoms, as well as its dedicated efforts in remedying human rights violations committed by States Parties. We express our unwavering belief in the positive approach and cooperative spirit of the Committee's administration in addressing the issues raised in this communication.

Yours sincerely



Mustafa ÖZMEN

**Chairman of the Justice Square
Foundation**

On behalf of all co-signatories

Co-signatories:

- **Justice Square Foundation** (Netherlands)
- **Italian Federation for Human Rights** (Rome)
- **Statewatch** (London)
- **Cross Border Jurists Association** (Germany)
- **The Arrested Lawyers Initiative** (Belgium)
- **Solidarity with OTHERS** (Belgium)