



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

SECOND SECTION

DECISION

AS TO THE ADMISSIBILITY OF

Application no. 12574/07
by Yasin AYDIN
against Turkey

The European Court of Human Rights (Second Section), sitting on 25 May 2010 as a Chamber composed of:

Françoise Tulkens, *President*,

Ireneu Cabral Barreto,

Danutė Jočienė,

András Sajó,

Nona Tsotsoria,

Işıl Karakaş,

Kristina Pardalos, *judges*,

and Françoise Elens-Passos, *Deputy Section Registrar*,

Having regard to the above application lodged on 18 December 2006,

Having regard to the observations submitted by the respondent Government and the observations in reply submitted by the applicant,

Having deliberated, decides as follows:

THE FACTS

1. The applicant, Mr Yasin Aydın, is a Turkish national who was born in 1967 and is currently serving his prison sentence in the Muş F-type Prison. The Turkish Government (“the Government”) are represented by their Agent.

2. On 6 March 2006 the applicant wrote a petition to the Ministry of Justice and requested his transfer to the Imrali Prison, where Abdullah Öcalan was imprisoned. On 5 April 2006 the Prison Disciplinary Board found the applicant guilty of making propaganda in favour of an illegal organisation and sentenced him to twelve days' solitary confinement. The applicant's appeal requests were rejected on 17 April 2006 and 30 June 2006 respectively by the Enforcement Judge and the Assize Court.

THE LAW

3. The applicant invoked Articles 3, 6, 7 and 10 of the Convention.

4. The Court notes that this set of disciplinary proceedings is already the subject of another application (no. 43641/05) lodged by the same applicant, and which was also communicated to the Government on 1 October 2008. As a result, the present case should be declared inadmissible under Article 35 §§ 2 (b) and 4 of the Convention for being substantially the same as application no. 43641/05.

For these reasons, the Court unanimously

Declares the application inadmissible.

Françoise Elens-Passos
Deputy Registrar

Françoise Tulkens
President