



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

SECOND SECTION

DECISION

*This version was rectified on 21 June 2011
under Rule 81 of the Rules of Court*

Application no. 4372/08
by Müyesser KARATAŞ and 69 other applications
against Turkey

The European Court of Human Rights (Second Section), sitting on
7 December 2010 as a Committee composed of:

Danutė Jočienė, *President*,

Nona Tsotsoria,

Guido Raimondi, *judges*,

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

Having regard to the above applications lodged on 15 January 2008,

Having regard to the formal declarations accepting a friendly settlement
of the case,

Having deliberated, decides as follows:

PROCEDURE

The applications were lodged by ninety Turkish nationals, whose names appear in the appendix hereto. The applicants were represented before the Court by Mr A. F. Demirkan, a lawyer practising in Bursa. The Turkish Government (“the Government”) were represented by their Agent.

The applicants complained under Article 6 § 1 of the Convention and Article 1 of Protocol No. 1 about the failure of the domestic authorities to execute final domestic court judgments in their favour.

On 27 July and 25 August 2010 the Court received friendly settlement declarations signed by the parties under which the applicants agreed to waive any further claims against Turkey in respect of the facts giving rise to these applications against an undertaking by the Government to pay them the sums indicated in the annexed table to cover any pecuniary and non-pecuniary damage as well as costs and expenses, which will be converted into Turkish liras at the rate applicable on the date of payment, and will be free of any taxes that may be applicable. They will be payable within three months from the date of notification of the decision taken by the Court pursuant to Article 37 § 1 of the European Convention on Human Rights. In the event of failure to pay these sums within the said three-month period, the Government undertake to pay simple interest on them, from expiry of that period until settlement, at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points. The payment will constitute the final resolution of the cases.

THE LAW

1. Having regard to the similar subject matter of the applications, the Court finds it appropriate to join them.

2. The Court takes note of the friendly settlement reached between the parties. It is satisfied that the settlement is based on respect for human rights as defined in the Convention and its Protocols and finds no public policy reasons to justify a continued examination of the applications (Article 37 § 1 *in fine* of the Convention).

In view of the above, it is appropriate to strike the cases out of the list.

For these reasons, the Court unanimously

Decides to join the applications,

Decides to strike the applications out of its list of cases.

Françoise Elens-Passos
Deputy Registrar

Danutė Jočienė
President

APPENDIX

APPLICATION NO.	APPLICANT'S NAME	AMOUNT AGREED ON FOR EACH APPLICATION (in euros (EUR))
4372/08	Müyesser Karataş	1,700
4373/08	Müyesser Karataş	1,700
4377/08	Mülkü Koçyiğit	1,476
4380/08	Sedat Karakaşlar	1,996
4388/08	Yücel Yavuz Mücella Sevinç Erol Yavuz	1,398
4392/08	Mehmet Pınar	1,049
4393/08	Fahri Yıldırım	1,548
4528/08	Sebahat Yüksel	1,322
4551/08	Şerif Akdoğan Sevinç	1,702
4561/08	Mehmet Kaya	1,610
4563/08	Osman Yıldıztepe	1,584
4566/08	Ayşe Kavas Selime Aydemir Kemal Kavas Sabiha Güven	1,388
4572/08	Hasan Hüseyin Karabıyık	1,584

APPLICATION NO.	APPLICANT'S NAME	AMOUNT AGREED ON FOR EACH APPLICATION (in euros (EUR))
4575/08	Şerif Karalar	1,702
4576/08	Emin Şenyaz	1,536
4579/08	Cevat Korkmaz	1,694
4714/08	Kadir Songür	1,476
4734/08	Güler Keskin	1,694
4740/08	Emine Yılmaz	1,472
4747/08	Osman Öznarin	1,584
4758/08	Fikriye Ügüdür ¹ Hasan Kaymak Fevzi Kaymak	1,584
4762/08	Mehmet Tiren Gönül Özbek	1,392
4764/08	İsmail Özkan	1,990
4765/08	Zefure Yavaş Elfide Özden Güler Özok	1,482
4768/08	Hayriye Kahraman	1,990
4769/08	Tuncay Temel İbrahim Temel	1,476

1. Rectified on 21 June 2011: The applicant's last name read "Ügüdür" in the former version of the decision.

APPLICATION NO.	APPLICANT'S NAME	AMOUNT AGREED ON FOR EACH APPLICATION (in euros (EUR))
4770/08	Fecriye Kirez	1,472
4774/08	Ahmet Kaplan	1,636
4782/08	Recai Tırnavalı	1,702
4785/08	Emine Önel	1,584
4786/08	Ayşe Özcan	1,388
4788/08	Kadir Takım Halil İbrahim Takım Nurcan Ateş	1,476
4793/08	Kadir Takım Halil İbrahim Takım	1,406
10429/08	Bünyamin Denizhan	1,988
10430/08	Semiha Ceyhan Vedat Ceyhan Tahir Ceyhan Remziye Gündoğdu Hülya Aydın (parcel no. 590)	1,702
10431/08	İbrahim Can	1,696
10432/08	Burhan Bayındır	1,470
10436/08	Kani Güneş İrfan Güneş	1,992
10437/08	Arif Aydoğan	1,584
10438/08	Veli Akkoyun	1,644

APPLICATION NO.	APPLICANT'S NAME	AMOUNT AGREED ON FOR EACH APPLICATION (in euros (EUR))
10439/08	Mehmet Can	1,698
10440/08	Yusuf Çakmak	1,562
10441/08	Kaya Acıhan	1,308
10444/08	Necmi Akkuş	2,622
10445/08	Mücahit Demir Vedat Aydemir	1,992
10447/08	Cahide Akay	1,584
10448/08	İsmail Ekin	1,584
10451/08	Mehmet Ali Çakır	1,698
10452/08	Mustafa Ertürk	1,698
10453/08	Ali Dinç	1,694
10455/08	Mümin Çintan	1,992
10456/08	Mustafa Durgut	1,482
10459/08	Hasan Aydın	1,988
10460/08	Mürşit Benek	1,994
10461/08	Hayriye Akın	1,402
10462/08	Mustafa Irmak Recep Irmak	1,584

APPLICATION NO.	APPLICANT'S NAME	AMOUNT AGREED ON FOR EACH APPLICATION (in euros (EUR))
10463/08	Feride Çeliktaş	1,472
10464/08	Ziya Acar	2,058
10465/08	Hasan Diler	1,468
10466/08	İsmail Altın	1,470
10467/08	Hüseyin Altın	1,470
10468/08	Mehmet Ali Arpa	1,392
10469/08	Şaban Aşırt Yusuf Aşırt	1,482
10470/08	Şaban Aşırt	1,482
10471/08	Nurettin Aytaç	1,476
10472/08	Hasan Ertürk	1,468
10474/08	Fevziye Güler Gülbin Bahar Orhan Güler	1,694
10475/08	Naim Demirbaş	1,474
10476/08	Levent Arslan	1,698
10477/08	Aycan Sönmez Çetinkaya	1,472