



Forthcoming Grand Chamber judgment in the case of *Yasak v. Türkiye*

The European Court of Human Rights will deliver its ruling in the case of *Yasak v. Türkiye* (application no. 17389/20) at a public hearing on 5 May 2026 at 11.30 a.m. in the Human Rights Building, Strasbourg. The delivery will be broadcast live on the European Court's [YouTube channel](#).

The case concerns the applicant's conviction, under Article 314 § 2 of the Turkish Criminal Code, for membership of an armed terrorist organisation – namely, the group referred to by the Turkish authorities as the "*Fetullahist Terror Organisation/Parallel State Structure*" (*Fetullahçı Terör Örgütü / Paralel Devlet Yapılanması – "FETÖ/PDY"*) – and the conditions of his detention in Çorum Prison.

Principal facts

The applicant, Şaban Yasak, is a Turkish national who was born in 1987 and lives in Stockhausen-Ilfurth (Germany). On the date that his application was lodged he was serving a prison sentence in the Çorum L-type prison (Türkiye).

Following the attempted *coup d'état* which took place in Türkiye on 15 July 2016, the Çorum prosecutor's office opened a criminal investigation into the FETÖ/PDY's activities in Çorum Province. On 4 August 2017 the applicant was accused of belonging to the organisation in question; this marked the start of the criminal proceedings against him.

On 4 August 2017 the Çorum Public Prosecutor's Office lodged an indictment against the applicant with the Çorum Assize Court. He was accused of being a member of the FETÖ/PDY, and of having carried out activities in Çorum Province in 2016 on behalf of that organisation, acts which fell within the scope of Article 314 § 2 of the Criminal Code. The indictment concluded that, in the applicant's case, having regard to the continuity, diversity and intensity of his activities, the offence of membership of an armed organisation had been made out.

On 14 February 2018 the Assize Court unanimously found the applicant guilty of the charges against him and sentenced him to seven years and six months' imprisonment.

Complaints

Relying on Article 3 (prohibition of inhuman or degrading treatment) of the European Convention on Human Rights, the applicant complains of the conditions in which he was held while in police custody and subsequently in Çorum Prison. Relying on Article 7 (no punishment without law), he submits that the acts that formed the basis of his conviction were lawful at the relevant time and that, in holding him criminally liable for those acts, the authorities relied on an expansive and arbitrary interpretation of the relevant laws, in violation of the principle enshrined in Article 7 of the Convention.

Procedure

The application was lodged with the European Court of Human Rights on 2 April 2020.

In a [judgment](#) of 27 August 2024 the Court concluded, unanimously, that there had been no violation of Article 3 (prohibition of inhuman or degrading treatment) of the European Convention on Human Rights, and no violation of Article 7 (no punishment without law) of the Convention.

On 26 November 2024 the applicant requested that the case be referred to the Grand Chamber under Article 43 (referral to the Grand Chamber) and on 16 December 2024 the panel of the Grand Chamber accepted that request.¹

The following persons and/or organisations were granted leave to intervene in the written proceedings as third parties: the United Nations Special Rapporteur on Human Rights and Counter-Terrorism; the European Criminal Bar Association; and the Italian Federation for Human Rights.

A [public hearing](#) was held on 7 May 2025.

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.

1 - Article 43 of the European Convention on Human Rights provides that, within a period of three months from the date of the judgment of a Chamber, any party to the case may, in exceptional cases, request that the case be referred to the Grand Chamber (17 judges) of the Court. In such an event, a panel of five judges shall consider whether the case raises a serious question affecting the interpretation or application of the Convention or the Protocols thereto, or a serious issue of general importance. If that is the case, the Grand Chamber gives a final decision. If that is not the case, the panel rejects the request and the judgment becomes final. Otherwise, Chamber judgments become final on the expiry of the above-mentioned three-month period or if the parties declare that they will not request that the case be referred to the Grand Chamber.