

Grand Chamber Panel's decisions

At its last meeting on 16 December 2024, the Grand Chamber panel of five judges decided to refer the case **Yasak v. Türkiye** (application no. 17389/20) and to reject requests to refer 6 other cases¹.

A legal summary of this case will be available in the Court's database HUDOC ([link](#)).

Referral accepted

Yasak v. Türkiye (application no. 17389/20)

The applicant, Şaban Yasak, is a Turkish national who was born in 1987 and lives in Stockhausen-Ilfurth (Germany).

The case concerned the applicant's conviction for membership of an armed terrorist organisation described by the Turkish authorities as the "Fetullahist Terror Organisation/Parallel State Structure" (*Fetullahçı Terör Örgütü / Paralel Devlet Yapılanması – "FETÖ/PDY"*).

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

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

In its judgment of 27 August 2024, the Court unanimously found 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 16 December 2024 the case was referred to the Grand Chamber at the applicant's request.

Requests for referral rejected

Judgments in the following 6 cases are now final²

M.A. and Others v. France (application nos. 63664/19 and 4 others), [judgment](#) of 25 July 2024

D.H. and Others v. Sweden (no. 34210/19), [judgment](#) of 25 July 2024

Alpaslan v. Türkiye (no. 2832/21), [judgment](#) of 4 June 2024

İ.G. v. Türkiye (no. 32887/19), [judgment](#) of 27 August 2024

Kurkut and Others v. Türkiye (no. 58901/19 and 6 others), [judgment](#) of 25 June 2024

¹ Under Article 43 of the European Convention on Human Rights, within three months from the date of a Chamber judgment, any party to the case may, in exceptional cases, request that the case be referred to the 17-judges Grand Chamber of the Court. In that event, a panel of five judges considers whether the case raises a serious question affecting the interpretation or application of the Convention or its protocols, or a serious issue of general importance, in which case the Grand Chamber will deliver a final judgment. If no such question or issue arises, the panel will reject the request, at which point the judgment becomes final. Otherwise Chamber judgments become final on the expiry of the three-month period or earlier if the parties declare that they do not intend to make a request to refer.

² Under Article 44 § 2 (c) of the European Convention on Human Rights, the judgment of a Chamber becomes final when the panel of the Grand Chamber rejects the request to refer under Article 43.

Namık Yüksel v. Türkiye (no. 28791/10), [judgment](#) of 27 August 2024

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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.