



European Court gives notification to Türkiye of 1,000 applications concerning convictions for terrorism offences based on use of ByLock

The European Court of Human Rights has today given notice¹ to the Government of Türkiye of five cases covering 1,000 applications concerning convictions for membership of an armed terrorist organisation, based on the alleged use of the encrypted messaging application called “ByLock”.

The statements of facts in the five cases have been submitted to the parties and are available on the Court’s website:

[Büyükgün v. Türkiye](#) (no. 27927/21) and 199 others
[Berber v. Türkiye](#) (application no. 31954/21) and 199 others
[Subaşı v. Türkiye](#) (no. 32039/21) and 199 others
[Yıldız v. Türkiye](#) (no. 49867/21) and 199 others
[Dönmez v. Türkiye](#) (no. 45699/22) and 199 others

The Court’s rulings in the cases will be made at a later stage.

On the face of it, the core issues raised by the applicants, under **Article 7 (no punishment without law)** and **Article 6 § 1 (right to a fair trial)** of the European Convention on Human Rights, have already been judged in the Court’s Grand Chamber case [Yüksel Yalçinkaya v. Türkiye](#) (no. 15669/20) of September 2023. In that judgment the Court highlighted that there were over 8,000 applications on the Court’s docket involving similar complaints. These 1,000 apparent follow-up applications are the first batch to be notified to the Turkish Government.

Against that background, the Court decided not to put any questions to the parties or to require any observations on the applications. However, the Government may submit observations so long as they refer essentially to the factual aspects of the applications and not to preliminary objections or legal issues already decided by the Court in *Yüksel Yalçinkaya*.

The applicants are 1,000 Turkish nationals. They lodged their applications with the European Court of Human Rights between 2019 and 2023.

The applications mainly concern their convictions for membership of an armed terrorist organisation, namely the *Fetullahçı Terör Örgütü / Paralel Devlet Yapılanması* (FETÖ/PDY), formerly known as the “Gülen movement” and considered by the Turkish authorities to be behind the attempted *coup d’état* of 15 July 2016.

According to the applicants, their convictions were based on their alleged use of the encrypted messaging application called “ByLock”, which the domestic courts held had been designed for the exclusive use of FETÖ/PDY members under the guise of a global application. That meant that anyone who had used Bylock could, in principle, be convicted on that basis alone of membership of an armed terrorist organisation.

The applicants mainly complain that their trial and conviction for membership of the FETÖ/PDY violated the principle of no punishment without law under Article 7 of the European Convention and/or the right to a fair trial under Article 6 § 1 of the Convention.

¹ Under Rule 54 § 2 (b) of the Rules of Court: “the Chamber or the President of the Section may decide to give notice of the application or part of the application to the respondent Contracting Party and invite that Party to submit written observations thereon and, upon receipt thereof, invite the applicant to submit observations in reply.”

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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.