



Curfew measures in south-eastern Turkey: Court decides to give priority treatment to a number of complaints

Since December 2015 the European Court of Human Rights (ECtHR) has received more than twenty requests for the indication of interim measures in the context of the curfew measures imposed by local governors in certain towns and villages of south-eastern Turkey since August 2015.

In two applications, concerning the requests made by 14 people, the ECtHR decided on 2 February 2016 not to indicate to the Turkish Government the interim measures sought by the applicants (under Rule 39 (interim measures) of the Rules of Court). It took note of a decision adopted by the Turkish Constitutional Court on 29 January 2016 by which that court had rejected the applicants' requests for an interim measure. The ECtHR considered the Constitutional Court's decision to be relevant and potentially capable of providing interim relief for the applicants for their complaints. It also took note of the Constitutional Court's willingness to monitor the applicants' situation.

At the same time, the ECtHR decided to give priority treatment to the applications in accordance with Rule 41 (order of dealing with cases) of the Rules of Court.

The 14 applicants in the cases of *Yavuzel and Others v. Turkey* (application no. 5317/16) and *Irmak v. Turkey* (no. 5628/16) allege that they were injured in the town of Cizre, which has been under curfew since mid-December 2015. They requested the ECtHR to indicate to the Turkish Government to enable their immediate access to medical institutions with a view to protecting their right to life and physical integrity, and to indicate to the Government to put an end to the disproportionate limitations on their rights and liberties as a result of the curfew declared in Cizre. On 26 January 2016 the ECtHR adjourned the examination of the requests for interim measures and urged the applicants to apply to the Turkish Constitutional Court, a request with which the applicants complied.

In its decision of 2 February 2016 the ECtHR also underlined that it expects that the Turkish Government will take all necessary steps within their powers to protect the right to life and physical integrity of the applicants regardless of their identities. It invited the Government to keep it informed of any developments regarding the applicants' situation and their health status. The ECtHR also stated that it remains open to the applicants to make a fresh request for interim measures, after having duly applied again to the Constitutional Court, if further developments occur.

An interim measure applied in another case, in which the ECtHR had indicated to the Turkish Government to take all measures within their powers to protect the life and physical integrity of the applicant who had been injured, remains in place.

What is a request for interim measures?

The Court may, under Rule 39 of its Rules of Court, indicate interim measures to any State party to the Convention. Interim measures are urgent measures which, according to the Court's well-established practice, apply only where there is an imminent risk of irreparable harm. Such measures are decided in connection with proceedings before the Court, without prejudging any subsequent decisions on the admissibility or merits of the case in question.

For further information, see the [Factsheet on interim measures](#).

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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.