



## European Court of Human Rights looks into complaints about curfew measures in Turkey

The European Court of Human Rights (the ECtHR) has decided to communicate<sup>1</sup> various complaints to the Turkish Government in the 34 applications listed below concerning the curfew measures taken in Turkey since August 2015 and has asked them to submit their observations. Some other complaints were declared inadmissible. The ECtHR's ruling in the cases will be given at a later date.

The complaints which have been communicated are related, among other things, to allegations of: unlawful killings and failure to take steps to protect the right to life; ill-treatment; and, unlawful deprivation of liberty on account of some of the applicants' confinement to their homes for extended periods. They rely on Article 2 (right to life), Article 3 (prohibition of inhuman or degrading treatment) and Article 5 (right to liberty and security) of the European Convention on Human Rights. Some of the applicants also complain about the arrest and detention in prison of their legal representative and the Government's alleged failure to comply with a number of interim measures under Rule 39 of the Rules of Court, in breach of Article 34 (right to individual application).

The ECtHR started receiving these 34 applications in December 2015, including more than 40 requests for interim measures from (or on behalf of) over 160 persons in the context of the curfews imposed by local governors in certain towns and villages of south-eastern Turkey (see also the press releases of [13 January 2016](#) and [5 February 2016](#)). Most of the requests concerned incidents that had taken place in the towns of Cizre and Sur.

Notably, five of those requests for interim measures were subsequently accepted and the ECtHR indicated to the Turkish Government to take all measures within their powers to protect the lives and physical integrities of five injured applicants who were waiting to be taken to hospitals. Following the deaths of four of the applicants, allegedly because of the Government's failure to comply with the interim measures to take them to hospital, and the taking into hospital of the fifth applicant, the ECtHR lifted the interim measures.

A further 43 persons in six of the applications, claiming to have been injured and trapped in the basements of three buildings in Cizre at the time of the introduction of their applications, lost their lives shortly afterwards, allegedly when the buildings in which they had taken refuge were bombed by members of the security forces. Relatives of some of those deceased persons expressed their wish to pursue the applications.

In the context of its examination of the requests for interim measures, the ECtHR decided to give priority treatment to the majority of these 34 applications in accordance with Rule 41 (order of dealing with cases) of the Rules of Court.

**Abdullah Kaplan v. Turkey** (no. 4159/16)

**Adem Tunc v. Turkey** (no. 4552/16)

**Ahmet and Zeynep Tunc v. Turkey** (no. 4133/16)

**Ahmet Tunc v. Turkey** (no. 39419/16)

**Alpaydinci and Others v. Turkey** (no. 10088/16)

**Altun v. Turkey** (no. 4353/16)

**Balcal and Others v. Turkey** (no. 8699/16)

<sup>1</sup> In accordance with Rule 54 of the Rules of Court, a Chamber of seven judges may decide to bring to the attention of a Convention State's Government that an application against that State is pending before the Court (the so-called "communications procedure").

**Bedri and Halime Duzgun v. Turkey** (no. 901/16)  
**Caglak v. Turkey** (no. 2200/16)  
**Cengiz Abis and Others v. Turkey** (no. 10079/16)  
**Dagli and Others v. Turkey** (no. 6990/16)  
**Dolan v. Turkey** (no. 9414/16)  
**Erkaplan v. Turkey** (no. 10085/16)  
**Eroglu v. Turkey** (no. 478/16)  
**Gecim v. Turkey** (no. 5332/16)  
**Gorgoz v. Turkey** (no. 480/16)  
**Inan v. Turkey** (no. 2105/16)  
**Irmak v. Turkey** (no. 5628/16)  
**Karaduman and Cicek v. Turkey** (no. 6758/16)  
**Karaman v. Turkey** (no. 5237/16)  
**Kaya v. Turkey** (no. 9712/16)  
**Koc and Others v. Turkey** (no. 8536/16)  
**Omer Elci v. Turkey** (no. 63129/15)  
**Oncu v. Turkey** (no. 4817/16)  
**Oran v. Turkey** (no. 1905/16)  
**Paksoy v. Turkey** (no. 3758/16)  
**Sariyildiz v. Turkey** (no. 4684/16)  
**Seniha Surer and Others v. Turkey** (no. 10073/16)  
**Seviktek v. Turkey** (no. 2005/16)  
**Sultan and Suleyman Duzgun v. Turkey** (no. 891/16)  
**Tunc and Yerbasan v. Turkey** (no. 31542/16)  
**Uysal v. Turkey** (no. 63133/15)  
**Vesek v. Turkey** (no. 63138/15)  
**Yavuzel and Others v. Turkey** (no. 5317/16)

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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.