

# Press Release

**Council of Europe Press Division**

**Ref: 219a07**

**Tel: +33 (0)3 88 41 25 60**

**Fax: +33 (0)3 88 41 39 11**

**[pressunit@coe.int](mailto:pressunit@coe.int)**

**internet: [www.coe.int/press](http://www.coe.int/press)**



46 members

Albania  
Andorra  
Armenia  
Austria  
Azerbaijan  
Belgium  
Bosnia and Herzegovina  
Bulgaria  
Croatia  
Cyprus  
Czech Republic  
Denmark  
Estonia  
Finland  
France  
Georgia  
Germany  
Greece  
Hungary  
Iceland  
Ireland  
Italy  
Latvia  
Liechtenstein  
Lithuania  
Luxembourg  
Malta  
Moldova  
Monaco  
Netherlands  
Norway  
Poland  
Portugal  
Romania  
Russia  
San Marino  
Serbia  
Slovakia  
Slovenia  
Spain  
Sweden  
Switzerland  
"The former Yugoslav Republic of Macedonia"  
Turkey  
Ukraine  
United Kingdom

## **Turkey: reopening of proceedings and compliance with judgment of European Court of Human Rights**

Strasbourg, 05.04.2007 - In an Interim Resolution adopted yesterday the Committee of Ministers of the Council of Europe strongly urged Turkey to remove the obstacles to the reopening of certain criminal proceedings and so as to allow redress for the violations of the right to a fair trial found by the European Court of Human Rights in the Hülki Güneş case.

The Interim Resolution noted that the applicant's request for the reopening of proceedings had been rejected by domestic courts solely on the basis of a temporal limitation on the right to obtain a reopening of proceeding without any assessment of the need for a new trial to remedy the specific violations found by the European Court.

The reopening of domestic criminal proceedings found to be unfair by the European Court can so far not be granted in certain cases due to special provisions in Turkish law which make it impossible to reopen any case that was pending before the European Court on 4 February 2003 (date of adoption of the relevant provisions).

This is the second Interim Resolution adopted by the Committee of Ministers since the Court's judgment in the Hülki Güneş case, became final in September 2003. The Court found several violations of the right to a fair trial in the criminal proceedings which resulted in the applicant's conviction to life imprisonment.

[Full text of the Interim Resolution ResDH\(2007\)26](#)

\* \* \*

Under the European Convention on Human Rights, the European Court's judgements require the adoption by the respondent states, under the Committee supervision, of all measures necessary to grant the applicants appropriate redress and to prevent new similar violations in future ([http://www.coe.int/T/E/Human\\_Rights/execution/](http://www.coe.int/T/E/Human_Rights/execution/)).

To receive our press releases by e-mail, contact : [Council.of.Europe.Press@coe.int](mailto:Council.of.Europe.Press@coe.int)

**A political organisation set up in 1949, the Council of Europe works to promote democracy and human rights continent-wide. It also develops common responses to social, cultural and legal challenges in its 46 member states.**