



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

SECOND SECTION

CASE OF TANRIVERDİ v. TÜRKİYE

(Application no. 16088/17)

JUDGMENT

STRASBOURG

24 September 2026

This judgment is final but it may be subject to editorial revision.

In the case of Tanrıverdi v. Türkiye,

The European Court of Human Rights (Second Section), sitting as a Committee composed of:

Stéphane Pisani, *President*,

Juha Lavapuro,

Hugh Mercer, *judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar*,

Having deliberated in private on 3 September 2026,

Delivers the following judgment, which was adopted on that date:

PROCEDURE

1. The case originated in an application against Türkiye lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on 23 January 2017.

2. The applicants were represented by Mr M. Beştaş, a lawyer practising in Diyarbakır.

3. The Turkish Government (“the Government”) were given notice of the application.

THE FACTS

4. The case concerns complaints brought by six applicants, namely Mr Aziz Tanrıverdi, Mr Muhittin Tanrıverdi, Mr Murat Tanrıverdi, Mr Salih Tanrıverdi, Mr Ramazan Tanrıverdi and Mr Mehmet Emin Tanrıverdi, in connection with the criminal proceedings instituted against them.

5. Four of the six applicants, Mr Aziz Tanrıverdi, Mr Muhittin Tanrıverdi, Mr Murat Tanrıverdi and Mr Salih Tanrıverdi, complained under Article 5 § 3 of the Convention that their pre-trial detention had not been justified by relevant and sufficient reasons and that its duration had been excessive (see the annexed table). All six applicants also complained under Article 6 § 1 of the Convention about the excessive length of the proceedings.

THE LAW

I. ALLEGED VIOLATION OF ARTICLE 5 § 3 OF THE CONVENTION

6. The applicants, Mr Aziz Tanrıverdi, Mr Muhittin Tanrıverdi, Mr Murat Tanrıverdi and Mr Salih Tanrıverdi, listed in detail in the annexed table, complained principally that their pre-trial detention had been unreasonably long, and that their detention was ordered and extended without relevant and sufficient reasons. They relied on Article 5 § 3 of the Convention.

7. The Court observes that the general principles regarding the right to trial within a reasonable time or to release pending trial, as guaranteed by Article 5 § 3 of the Convention, have been stated in a number of its previous

judgments (see, among many other authorities, *Kudla v. Poland* [GC], no. 30210/96, § 110, ECHR 2000-XI, and *McKay v. the United Kingdom* [GC], no. 543/03, §§ 41-44, ECHR 2006-X, with further references).

8. In the leading cases of *Cahit Demirel v. Turkey* (no. 18623/03, 7 July 2009), *Galip Doğru v. Turkey*, (no. 36001/06, 28 April 2015) and *Tercan v. Turkey* (no. 6158/18, 29 June 2021), the Court already found a violation in respect of issues similar to those in the present case.

9. Having examined all the material submitted to it, and having considered the Government's objections, the Court has not found any fact or argument capable of persuading it to reach a different conclusion on the admissibility (see, for instance, *Selahattin Demirtaş v. Turkey (no. 2)* [GC], no. 14305/17, §§ 212-14, 22 December 2020; *Baş v. Turkey*, no. 66448/17, §§ 118-21, 3 March 2020; *Alparslan Altan v. Turkey*, no. 12778/17, §§ 84-85, 16 April 2019; and *Turan and Others v. Turkey*, nos. 75805/16 and 426 others, §§ 57-64, 23 November 2021) and merits of these complaints.

10. These complaints are therefore admissible and disclose a breach of Article 5 § 3 of the Convention.

II. REMAINING COMPLAINTS UNDER THE WELL-ESTABLISHED CASE-LAW OF THE COURT

11. All the applicants also raised a complaint under Article 6 § 1 of the Convention concerning excessive length of the proceedings (see appended table).

12. The Court has examined that part of the application and considers that the applicants obtained an acknowledgment of the alleged breach and appropriate redress at the domestic level. The Turkish Constitutional Court found a violation of their rights in view of the excessive length of the criminal proceedings and awarded them an adequate compensation. The applicants therefore can no longer claim to be victims of a violation of the Convention as required by Articles 34 and 35 § 3 a) of the Convention.

It follows that this part of the application must be rejected in accordance with Articles 34 and 35 § 3 a) and of the Convention.

III. APPLICATION OF ARTICLE 41 OF THE CONVENTION

13. Regard being had to the documents in its possession and to its case-law (see, in particular, *Cahit Demirel*, *Galip Doğru* and *Tercan*, cited above), the Court considers it reasonable to award the sum indicated in the appended table to the applicants Mr Aziz Tanrıverdi, Mr Muhittin Tanrıverdi, Mr Murat Tanrıverdi and Mr Salih Tanrıverdi, plus any tax that may be chargeable on those amounts.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Declares* the complaints raised by Mr Aziz Tanrıverdi, Mr Muhittin Tanrıverdi, Mr Murat Tanrıverdi and Mr Salih Tanrıverdi concerning the excessive length of their pre-trial detention and lack of relevant and sufficient reasons for detention admissible and the remainder of the application inadmissible;
2. *Holds* that these complaints disclose a breach of Article 5 § 3 of the Convention concerning the excessive length of the pre-trial detention;
3. *Holds*
 - (a) that the respondent State is to pay the applicants Mr Aziz Tanrıverdi, Mr Muhittin Tanrıverdi, Mr Murat Tanrıverdi and Mr Salih Tanrıverdi, within three months, the amounts indicated in the appended table, to be converted into the currency of the respondent State at the rate applicable at the date of settlement;
 - (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

Done in English, and notified in writing on 24 September 2026, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Viktoriya Maradudina
Acting Deputy Registrar

Stéphane Pisani
President

APPENDIX

Application raising complaints under Article 5 § 3 of the Convention
(excessive length of pre-trial detention and lack of relevant and sufficient reasons for detention)

Application no. Date of introduction	Applicant's name Year of birth	Period of detention	Name of the competent court	Length of detention	Specific defects	Grounds for detention	Other complaints under well-established case-law	Amount awarded for non-pecuniary damage (in euros) ¹	Amount awarded for costs and expenses per application (in euros) ²
16088/17 23/01/2017	Aziz TANRIVERDİ 1973	15/09/2010 to 11/12/2013 and 09/07/2015 to 18/05/2016	Diyarbakır 1st and 3rd Magistrates' Courts	4 years, 1 month and 7 days	fragility and repetitiveness of the reasoning employed by the courts (<i>Tercan v. Turkey</i> , no. 6158/18, § 183, 29 June 2021)	state of evidence, nature of the offences, length of their detention, upper limit of the sentences, suspicion of tampering with evidence, facts indicating strong suspicion of a criminal offence	Art. 6 (1) - excessive length of criminal proceedings - All the applicants, including Mehmet Emin Tanriverdi, born in 1955, and Ramazan Tanriverdi, born in 1965, also complain about the length of criminal proceedings started on 28/08/2010 and ended on 23/09/2021. The final TCC decision was dated and notified on 17/11/2021.	5,000, to be paid to each of the applicants Mr Aziz Tanriverdi, Mr Muhittin Tanriverdi, Mr Murat Tanriverdi and Mr Salih Tanriverdi	250, to be paid jointly to the applicants Mr Aziz Tanriverdi, Mr Muhittin Tanriverdi, Mr Murat Tanriverdi and Mr Salih Tanriverdi
	Muhittin TANRIVERDİ 1985	02/09/2010 to 11/12/2013 and 09/07/2015 to 18/05/2016	Turkish Constitutional Court Decision date 18/03/2016	4 years, 1 month and 20 days					
	Murat TANRIVERDİ 1988	31/08/2010 to 11/12/2013 and 09/07/2015 to 18/05/2016	Notification date 26/07/2016	4 years, 1 month and 22 days					
	Salih TANRIVERDİ 1978	02/09/2010 to 11/12/2013 and 09/07/2015 to 18/05/2016		4 years, 1 month and 20 days					

¹ Plus any tax that may be chargeable to the applicants.

² Plus any tax that may be chargeable to the applicants.