

17 January 2025

Rule 9.2 submission to the Committee of Ministers by the Turkey Human Rights Litigation Support Project, and Amnesty International on the measures required for the implementation of *Pişkin v. Turkey* (Application no. 33399/18)

I. Introduction

1. In line with Rule 9.2 of the Rules of the Committee of Ministers for the supervision of the execution of judgments, the Turkey Human Rights Litigation Support Project, and Amnesty International (“the NGOs”) hereby present this communication regarding the execution of the European Court of Human Rights (“the Court” or “the ECtHR”) judgment in the case of *Pişkin v. Turkey* (Application no. 33399/18). This complements two earlier submissions jointly made by the NGOs and the International Commission of Jurists dated 29 October 2021¹ and 1 September 2022² and responds to the Government’s reply to the NGO submissions submitted to the Committee of Ministers (“the Committee”) on 5 October 2022,³ as well as to two action reports dated 31 January 2022 and 20 December 2024.⁴
2. The *Pişkin v. Turkey* judgment is the first in which the Court has evaluated the compatibility with the European Convention on Human Rights (“the ECHR” or “the Convention”) of the dismissal of a public sector worker under the state of emergency. The findings of the Court are relevant to tens of thousands of individuals who have been affected by these dismissals, and whose rights to a fair trial, private life, and an effective remedy continue to be violated.
3. Ahead of the upcoming March 2025 meeting of the Committee, the NGOs underline once more the importance of exercising robust oversight in this important case, due to the continuing widespread and systematic violations of the rights of those dismissed in the aftermath of the coup attempt of 15 July 2016 and the subsequent state of emergency and are still facing the consequences of the violations they have endured as a result of their dismissals. In this connection, the NGOs urge the Committee to adopt a holistic approach to implementation and reparation measures in the case. To this end, it is crucial for the Committee to emphasise the importance of ensuring effective judicial review of the dismissals of individuals working in public institutions under the state of emergency and establishing safeguards to protect these public sector workers

¹ 1419th meeting (December 2021) (DH) - Rule 9.2 - Communication from NGOs (Amnesty International, the International Commission of Jurists and the Turkey Human Rights Litigation Support Project) (02/11/2021) in the case of *Pişkin v. Turkey* (Application No. 33399/18), <[https://hudoc.exec.coe.int/?i=DH-DD\(2021\)1210E](https://hudoc.exec.coe.int/?i=DH-DD(2021)1210E)>.

² 1443rd meeting (September 2022) (DH) - Rule 9.2 - Communication from NGOs (Turkey Human Rights Litigation Support Project, Amnesty International and the International Commission of Jurists) (01/09/2022) in the case of *Pişkin v. Turkey* (Application No. 33399/18), <[https://hudoc.exec.coe.int/?i=DH-DD\(2022\)959E](https://hudoc.exec.coe.int/?i=DH-DD(2022)959E)>.

³ 1451st meeting (December 2022) (DH) - Rule 9.6 - Reply from the authorities (05/10/2022) following communications from NGOs (Turkey Human Rights Litigation Support Project, Amnesty International and the International Commission of Jurists) (01/09/2022) and Diyarbakir Bar Association (22/08/2022) in the case of *Pişkin v. Turkey* (Application No. 33399/18), <[https://hudoc.exec.coe.int/?i=DH-DD\(2022\)1055E](https://hudoc.exec.coe.int/?i=DH-DD(2022)1055E)>.

⁴ 1428th meeting (March 2022) (DH) - Action Report (31/01/2022) - Communication from Turkey concerning the case of *Pişkin v. Turkey* (Application No. 33399/18) [DH-DD(2022)162]; and 1521st meeting (March 2025) (DH) - Action Report (20/12/2024) - Communication from Türkiye concerning the case of *Pişkin v. Turkey* (Application No. 33399/18) [DH-DD(2025)6].

from arbitrary interference with their private lives and to make recommendations on necessary and appropriate measures for Türkiye to give the judgment its meaningful effect.

II. Background

4. Following the coup attempt of 15 July 2016, the Turkish Government declared a nationwide state of emergency, issuing 32 executive decrees over a two-year period. During this time, approximately 130,000 public sector workers⁵ were dismissed *en masse* from their positions.⁶ Reports suggest the actual number is higher,⁷ but the Government has never disclosed the precise number.
5. Emergency measures, including the summary dismissals and the lack of effective judicial remedies for serious human rights violations occurring during this period, faced widespread criticism from prominent NGOs and oversight bodies.⁸ The dismissals were deemed to exceed the permissible limits of emergency powers under both domestic and international law.⁹ The Venice Commission condemned the practice of dismissals “on the basis of emergency decree laws, without individualised decisions and without the possibility of timely judicial review,” finding it in breach of international human rights standards.¹⁰ The UN High Commissioner for Human Rights at the time raised serious concerns about the absence of due process,¹¹ while the Council of Europe Commissioner for Human Rights highlighted the “great deal of confusion” surrounding the remedies available to those affected by the emergency measures.¹²
6. The initial confusion surrounding emergency measures is evident from a range of judicial and administrative avenues pursued by affected public sector workers attempting to challenge their dismissals. These efforts to obtain redress through domestic mechanisms consistently failed.¹³ During the state of emergency, dismissals were made through two different processes, each corresponding to two different avenues for challenging the decisions. First, public sector workers listed for dismissal in executive decree were required to apply to the State of Emergency Measures

⁵ “Public sector work” applies to a wide variety of sectors in Türkiye and includes people who would not be considered “civil servant” elsewhere.

⁶ Amnesty International, “No End in Sight: Purged Public Sector Workers Denied a Future in Turkey”, 22 May 2017, <https://www.amnesty.org/download/Documents/EUR4462722017ENGLISH.PDF>.

⁷ Office of the United Nations High Commissioner for Human Rights, “Report on the impact of the state of emergency on human rights in Turkey, including an update on the South-East, January-December 2017”, March 2018, para. 61.

⁸ Nils Muižnieks, Council of Europe Commissioner for Human Rights, “Memorandum on the human rights implications of the measures taken under the state of emergency in Turkey”, CommDH (2016) 35, 7 October 2016, p.5-8; Office of the United Nations High Commissioner for Human Rights, “Report on the impact of the state of emergency on human rights in Turkey, including an update on the South-East, January-December 2017”, (n 7) , p.9-12; Amnesty International, “Weathering the Storm: Defending Human Rights in Turkey’s Climate of Fear”, 26 April 2018, p.4, <https://www.amnesty.org/download/Documents/EUR4482002018ENGLISH.PDF>; Human Rights Watch, “World Report 2019, Events of 2018”, Chapter: Turkey, pg. 588, https://www.hrw.org/sites/default/files/world_report_download/hrw_world_report_2019.pdf.

⁹ Office of the United Nations High Commissioner for Human Rights, “Report on the impact of the state of emergency on human rights in Turkey, including an update on the South-East, January-December 2017”, (n 7), para 66; see also, Venice Commission, Opinion on the measures provided in the recent emergency decree laws with respect to freedom of media, March 2017, CDL-AD(2017)007.

¹⁰ Venice Commission, Opinion on the measures provided in the recent emergency decree laws with respect to freedom of media, (n 9), para. 92.

¹¹ Office of the United Nations High Commissioner for Human Rights, “Report on the impact of the state of emergency on human rights in Turkey, including an update on the South-East, January-December 2017”, (n 7), pp 14-17.

¹² Nils Muižnieks, “Memorandum on the Human Rights Implications of the Measures Taken Under the State of Emergency in Turkey”, (n 8), para. 44.

¹³ Abdullah Tekbaş, Anayasa Mahkemesi İstatistiklerinin Değerlendirilmesi (Evaluation of the Statistics of the Constitutional Court), p. 13, <https://dergipark.org.tr/download/article-file/939052>; ECtHR, Turkey Country Profile, May 2019, https://www.echr.coe.int/Documents/CP_Turkey_ENG.pdf.

Inquiry Commission (“the Inquiry Commission”), established under Emergency Decree Law No. 685, whose decisions are subject to judicial review by administrative courts.¹⁴ Second, those dismissed through administrative decisions delivered under the extraordinary powers provided by the decrees could apply directly to the courts, as was the case for Mr. Pişkin.¹⁵ Both processes were marred by systematic arbitrariness, significant human rights violations, and the denial of access to effective remedies for the affected public sector workers.¹⁶ Eight and a half years after the initial declaration of the state of emergency in July 2016, many dismissed public sector workers still await decisions from domestic courts, reflecting the persistent failure to ensure effective remedies.

7. The NGOs submit that the ECtHR’s judgment in *Pişkin v. Turkey* must be read against this background. This ruling marked the first time the Court examined the compatibility of a public sector worker’s dismissal, carried out as part of Türkiye’s mass dismissals under the state of emergency, with the ECHR. The supervision of its implementation holds significant potential to impact thousands of similar cases, highlighting the ongoing violations and the failure of domestic courts to guarantee the right to an effective remedy, the right to a fair hearing, and protection against arbitrary interference with the right to private life of those dismissed under the state of emergency.

III. Findings of the Court

8. The case of *Pişkin v. Turkey* concerns a former Ankara Development Agency employee dismissed under Emergency Decree No. 667 on vague allegations of “affiliation” or “links” to “illegal structures.”¹⁷ In its 15 December 2020 ruling, the ECtHR found violations of Articles 6 and 8 of the Convention due to the lack of due process, the absence of meaningful judicial review, and the significant impact of the dismissal on the applicant’s private life. The judgment became final on 19 April 2021.
9. Regarding the civil limb of Article 6(1), the ECtHR confirmed that fair trial protections apply to mass dismissals during a state of emergency. It stressed that the applicant’s case required a detailed analysis of evidence and arguments, with explicit reasons provided for rejecting claims (paragraphs 131 and 139). However, domestic courts failed to examine the relevant facts, disregarded evidence, and offered no valid justification for dismissing the applicant’s arguments (paragraph 147). The Court criticised the Constitutional Court’s summary inadmissibility ruling, which lacked any substantive analysis of the legal and factual issues (paragraph 148).
10. In response to the Turkish Government’s claim that the applicant’s dismissal fell under emergency measures and was protected by the derogation in Article 15 of the Convention, the ECtHR noted that the relevant emergency decree did not restrict judicial review by domestic courts (paragraph 152). It further emphasised that the rule of law must prevail even during a state of emergency (paragraph 153).
11. Under Article 8 of the ECHR, the Court examined Mr. Pişkin’s inability to secure future employment

¹⁴ The Inquiry Commission was established following dialogue between the Council of Europe and Türkiye, see <https://rm.coe.int/1680717465>. Its stated aim was “to provide an effective domestic remedy for individuals affected by measures under the decree laws.” Turkey Human Rights Litigation Support Project (TLSP), Access to Justice in Turkey: A Review of the State of Emergency Inquiry Commission, October 2019 (TLSP’s 2109 report). <https://static1.squarespace.com/static/5b8bbe8c89c172835f9455fe/t/5e13373ddbd43712f438077a/1578317708753/State+of+Emergency+Commission+Report+Edited+Version+final.pdf>.

¹⁵ 1443rd meeting (September 2022) (DH) - Rule 9.2 - Communication from NGOs (Turkey Human Rights Litigation Support Project, Amnesty International and the International Commission of Jurists) (01/09/2022) in the case of *Pişkin v. Turkey* (Application No. 33399/18), (n 2), para. 5.

¹⁶ *Ibid.*

¹⁷ The employer took the decision to terminate the employment contracts of six persons, including the applicant, pursuant to section 4 (1) (g) of Emergency Legislative Decree No. 667, on account of their alleged “belonging to structures posing a threat to national security” or of “affiliation or links with such structures” (see paragraph 14 of *Pişkin v. Turkey*).

and the discrimination he faced due to being labelled a “terrorist” and “traitor” (paragraphs 28 and 162). It concluded that his dismissal had profound repercussions on his professional and social reputation, impairing his ability to form and maintain relationships, including employment ties (paragraph 186). The dismissal, based on presumed links to illegal structures, severely impacted his private life, exceeding the threshold for arbitrary interference (paragraphs 187–188). The Court further determined that the measure was not strictly necessary under the state of emergency’s special circumstances (paragraph 229).

12. In light of these findings, the ECtHR ruled that the dismissal violated Articles 6 and 8 of the Convention. Considering the nature of these violations and the specific circumstances of the case, the Court ordered the reopening of civil proceedings against the applicant at his request (paragraph 240).

III. Individual measures

13. The Government claims in its two action reports that it has addressed the ECtHR’s findings by ceasing the violations and providing redress to the applicant, stating that the just satisfaction for non-pecuniary damage awarded by the Court was paid, that the reopened domestic proceedings resulted in the labour court declaring the applicant’s dismissal invalid, and that the applicant returned his work as of 28 March 2023.¹⁸
14. The NGOs emphasise that the Government’s action reports lack sufficient details for the Committee to evaluate whether all necessary individual measures to ensure restitution (*restitutio in integrum*) have been implemented.¹⁹ In particular, the Government must clarify the practical legal impact of the local court’s decision and Mr. Pişkin’s claimed return to work, and whether these steps have provided meaningful restitution that adequately reflects the gravity of the violations and their serious material and social implications over a prolonged period of many years. The NGOs stress that, in determining adequate restitution for Mr. Pişkin, the Committee must consider not only the loss of jobs and income experienced by dismissed public sector workers, but also the stigma, harassment, and social ostracism they have faced.²⁰ Therefore, the NGOs argue that it would be premature to close the supervision of the individual measures in the absence of sufficient information and evidence from the Government on this matter.

IV. General measures

15. The NGOs note that the Government’s action reports lack necessary data on the issues the judgment raise and profoundly fail to demonstrate that the violations found in *Pişkin v. Turkey* have been adequately addressed. The Government requests closure of the Committee’s supervision, arguing that domestic legislation and practice align with the Convention and that the violation under Article 6 was due to an isolated judicial practice rather than structural issues.²¹ However, to comply with Article 46(1) of the ECHR and address the violations identified by the Court in *Pişkin v. Turkey*, Türkiye must: (1) stop practices violating rights of the applicant, (2) provide reparation for the violations, and (3) implement measures to prevent similar violations, including ensuring that domestic legislation and practice of the authorities complies with the Convention and protects individuals in similar situations. Ensuring non-repetition in this case requires Türkiye to take robust general measures which “transcend the individual case and are also aimed at

¹⁸ Action Reports of 20 December 2024 and 31 January 2022, (n 4).

¹⁹ Ibid.

²⁰ FIDH and OMCT, “A perpetual Emergency: Attacks on Freedom of Assembly and Repercussions for Civil Society”. https://www.omct.org/files/2020/07/25998/rapport_obs_turkey_july_2020_final.pdf.

²¹ Ibid.

protecting persons who are in a situation similar to that of the applicant by ensuring that domestic legislation is in conformity with the Convention.”²²

16. As detailed above, the *Pişkin v. Turkey* judgment is a landmark ruling, addressing violation of the right to a fair trial and private life of a dismissed public sector worker during the state of emergency. The case reflects the broader reality for over 130,000 public sector workers summarily dismissed, many of whom still face judicial failures and violations condemned by the ECtHR.²³
17. The NGOs underline that both dismissal processes -whether directly through a decree subject to the Inquiry Commission procedure followed by administrative court review, or through an employer’s termination decision based on a decree subject to labour court scrutiny- under emergency decrees suffered from the same systemic arbitrariness, profound human rights violations, and the lack of effective remedies.²⁴ Specifically, and in relation to the principles outlined by the Court in *Pişkin v. Turkey*, domestic judicial and administrative authorities have failed to: (i) guarantee effective oversight to prevent arbitrary dismissals (Article 6); (ii) conduct individualised and thorough reviews of evidence in dismissal cases (Article 6); (iii) provide well-reasoned decisions that address all relevant legal and factual issues (Article 6); (iv) safeguard individuals’ private and family lives against stigma and arbitrary interference (Article 8); and (v) maintain judicial scrutiny and uphold human rights standards even during state of emergency (Articles 6 and 8).
18. Rather than submitting and implementing a comprehensive action plan addressing these failures and continuing violations, the Turkish Government’s action report selectively highlights isolated examples of decisions from the Court of Cassation, the Regional Court of Appeal and Labour Courts without providing supporting statistics or detailed facts about the cases. This approach does not adequately reflect the broader challenges faced by tens of thousands of dismissed public sector workers, who continue to lack judgment-compliant, effective, and timely remedies, as well as the opportunity to return to their jobs. Additionally, the Government has yet to address critical concerns about ongoing deficiencies, including structural issues within the judiciary and the Inquiry Commission, whose term of office ended on 22 January 2023,²⁵ or take genuine steps to resolve these shortcomings.²⁶
19. Research by the TLSP and other NGOs highlights these systemic issues. First, the Inquiry Commission, established to address challenges by public sector workers dismissed under emergency decrees, lacked independence, applied vague standards, relied on weak or non-

²² Rule 9.2 - Communication from NGOs (Turkey Human Rights Litigation Support Project, Amnesty International and the International Commission of Jurists) (01/09/2022) in the case of *Pişkin v. Turkey* (Application No. 33399/18), (n 2), paras. 6-27.

²³ International Commission of Jurists, *Justice Suspended: Access to Justice and the State of Emergency in Turkey*, 2018, p. 3, available at <https://www.icj.org/wp-content/uploads/2018/12/Turkey-Access-to-justice-Publications-Reports-2018-ENG.pdf>; Turkey - Memorandum prepared by the Ministry of Justice of Turkey for the visit of the delegation of the Venice Commission to Ankara on 3 and 4 November 2016 in connection with the emergency decree laws (CDL-REF(2016)067-e), 23 November 2016, available at [https://www.venice.coe.int/webforms/documents/?pdf=CDL-REF\(2016\)067-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-REF(2016)067-e); Amnesty International, *Purged Beyond Return? No Remedy for Turkey’s Dismissed Public Sector Workers*, (n 6).

²⁴ 1443rd meeting (September 2022) (DH) - Rule 9.2 - Communication from NGOs (Turkey Human Rights Litigation Support Project, Amnesty International and the International Commission of Jurists) (01/09/2022) in the case of *Pişkin v. Turkey* (Application No. 33399/18), (n 2), para. 5.

²⁵ Commission’s Activity Report (2017-2022), pp. 1, 25-28.

²⁶ Rule 9.2 - Communication from NGOs (Turkey Human Rights Litigation Support Project, Amnesty International and the International Commission of Jurists) (01/09/2022) in the case of *Pişkin v. Turkey*, (n 2), paras 21-23; Rule 9.2 - Communication from NGOs (Amnesty International, the International Commission of Jurists and the Turkey Human Rights Litigation Support Project) (02/11/2021) in the case of *Pişkin v. Turkey* (Application No. 33399/18), (n 1), para. 20.

existent evidence and failed to provide timely relief.²⁷ The Inquiry Commission's records show that out of 109,332 applications submitted, 86% were rejected.²⁸

20. Second, thousands of these rejected cases by the Inquiry Commission have either been turned down or remain pending before administrative courts, highlighting the inefficiency of the domestic system in providing timely and meaningful redress.²⁹ Research by TLSP, which examined the judicial reviews of the Inquiry Commission's decisions, revealed that from 2018 to 2021, the Ankara Administrative Courts (nos. 19–22 and 24–28) handled 99,446 cases, delivering 78,057 decisions on these cases -many of which were rejections-, while by the end of 2021, 21,389 cases remained unresolved. Similarly, between 2019 and 2021, the Regional Administrative Court received 63,997 appeals and resolved 29,011, leaving thousands more pending before the Council of State.³⁰ TLSP's detailed analysis of judicial reviews of the Inquiry Commission decisions, which included 435 decisions and 31 interlocutory decisions from the Ankara Administrative Courts, as well as additional rulings from the Regional Administrative Court and the Council of State, identified systemic shortcomings in the judicial review process. Accordingly, Ankara Administrative Courts rejected 89% of cases reviewed by the TLSP, and 96% of appeals were unsuccessful.³¹ Plaintiffs faced excessively long delays, often waiting years for their cases to progress.
21. Third, the domestic courts and the Inquiry Commission consistently when considering the challenges to the dismissals failed to define the vague concepts of "affiliation" and "link" with a "terrorist organisation" used as grounds for dismissals, undermining principles of legal certainty and predictability. Domestic avenues inadequately addressed claims of human rights violations stemming from dismissals, including breaches of the right to respect for private life, and fair trial guarantees (equality of arms, presumption of innocence, and adversarial procedures). In spite of the gravity of the allegations made against the plaintiffs and the serious consequences they faced, the administrative courts simply adopt the same formulaic verbatim text in their decisions without an adequately individualised analysis of the plaintiffs' responses to these allegations. This approach taken by the administrative courts reflects a systemic failure to ensure meaningful judicial review and undermines the rights and freedoms of individuals.³²
22. Fourth, while statistics from the Inquiry Commission were made public by the Government, data in relation to administrative judiciary and labour court proceedings related to dismissals remain unavailable, including their success rates. It is unclear how many cases have been concluded to date or how many dismissed public sector workers rejected by the Inquiry Commission have succeeded in administrative courts or in challenging the termination of their contracts before

²⁷ TLSP, Access to Justice in Turkey: A Review of the State of Emergency Inquiry Commission, (n 14); Amnesty International, Purged Beyond Return? No Remedy for Turkey's Dismissed Public Sector Workers, (n 6): Report analysed a total of 193 decisions and 71 pending applications to the Commission as of December 2018. See also Human Rights Joint Platform, Updated Situation Report - State of Emergency in Turkey; International Commission of Jurists, Justice Suspended: Access to Justice and the State of Emergency in Turkey (n 28), pp.27-34.

²⁸ European Commission, Türkiye 2023 Report, 8 November 2023, SWD(2023) 696 final. p. 30; TLSP, Access to Justice in Turkey: A Review of the State of Emergency Inquiry Commission (n 14); TLSP, Access to Justice for Dismissed Public Servants in Türkiye: An Analysis of Judicial Review of Decisions of the State of Emergency Inquiry Commission, August 2023, <https://www.turkeylitigationssupport.com/s/TLSP-Report-FINAL-website-clean.pdf>.

²⁹ The Ankara Administrative Courts (the first-instance court), the Ankara Regional Administrative Court (the second-instance appeal court) and the Council of State (the last-instance appeal court) are the domestic courts reviewing the challenges against the Commission decisions.

³⁰ TLSP, Access to Justice for Dismissed Public Servants in Türkiye: An Analysis of Judicial Review of Decisions of the State of Emergency Inquiry Commission (n 33): These numbers were calculated based on figures in the Activity Report of Ankara Regional Administrative Court and Associated Administrative and Tax Courts between 2018 and 2021 (hereinafter "Administrative Courts Activity Report"), [2019 Report](#), pp. 40, 41, 130; [2020 Report](#), p. 37; [2021 Report](#), p. 37.

³¹ TLSP, Access to Justice for Dismissed Public Servants in Türkiye: An Analysis of Judicial Review of Decisions of the State of Emergency Inquiry Commission (n 33).

³² Ibid.

labour courts. Moreover, despite eight and a half years having passed since the first dismissals and six and a half years since the formal end of state of emergency, the Constitutional Court has yet to issue a single judgment examining the merits of these cases. No substantial changes in judicial practice have been observed since 2021, further underscoring the need for systemic reform. In the absence of concrete statistical information on proceedings before labour and administrative courts, the Government cannot substantiate its claim that the *Pişkin* judgment has been duly implemented. Considering that tens of thousands of cases remain unresolved after an extensively long period of time, there is significant uncertainty about when the entire judicial process will conclude. The Committee should, therefore, request the Government to provide detailed statistics concerning the status of all of the dismissal cases.

23. Any action plan, to be effective, must include measures to address these issues at all levels, ensuring the ECtHR's findings are implemented and justice is accessible and served for thousands of dismissed public sector workers. It must outline concrete legislative, judicial, and policy changes to ensure that domestic courts offer effective judicial review, including examining and addressing the reasons for dismissals in line with domestic and international law. The Constitutional Court must fulfil its role in safeguarding fair trial rights, private life, and access to effective remedies, ensuring dismissed public sector workers receive justice and reparation. The revised action plan should also include detailed information on dismissals, such as procedures followed, the institutions involved, the number of reinstatements, rejected applications, and pending cases.
24. For these reasons, the NGOs urge the Committee to adopt the recommendations outlined below, ensuring the judgment is placed in its proper context and addressing the ongoing challenges in Türkiye related to the dismissal of public sector workers.

V. Recommendations to the Committee of Ministers

Regarding **procedural matters**, the NGOs urge the Committee to:

- i. Prioritise the review of the judgment's implementation under the enhanced procedure, given the systemic, widespread, and urgent nature of the violations that have remained unresolved for over six years.

Regarding **general measures** to address and implement the ECtHR's findings (Articles 6 and 8), the NGOs urge the Committee to:

- i. Emphasise the need for robust legislative and judicial reforms to align domestic law with the Convention, preventing further violations of fair trial rights and the right to respect for private life of public sector workers dismissed under the state of emergency;
- ii. Request Türkiye to provide comprehensive factual information and statistics, including:
 - the exact number of public sector workers dismissed under the state of emergency;
 - procedures and criteria used for dismissals;
 - institutions from which public sector workers were dismissed;
 - the number of cases successfully challenged before labour courts, the Inquiry Commission, administrative courts, or other domestic tribunals;
 - actions taken following decisions in favour of the applicants, including a breakdown of those reinstated, reassigned, provided with compensation -along with details of the formula used to calculate it- or other remedies;
 - the number of those who were placed in different positions or workplaces;
 - the number of public sector workers or whose legal challenges were rejected;

- the number of public sector workers whose appeals or judicial reviews are still pending before the domestic courts, including the number of individual applications pending at the Constitutional Court;
- iii. Urge Türkiye to ensure administrative and labour courts adopt consistent interpretations of the legal questions arising in dismissals cases, in alignment with the principles of Articles 6 and 8 highlighted by the ECtHR in its judgment;
- iv. Request Türkiye to revise its Action Report and clearly define steps to ensure independence and impartiality of labour courts, administrative courts and other domestic administrative and judicial avenues, ensuring an effective judicial review of dismissal cases;
- v. Outline how the domestic avenues, including the Constitutional Court, provide for effective remedies for the breaches of the rights of those dismissed under the state of emergency;
- vi. Invite Türkiye to incorporate in its revised action plan the issues raised by the Council of Europe Commissioner for Human Rights in her February 2020 report³³ and by the NGOs in this submission and their previous two submissions;³⁷
- vii. Urge Türkiye to adopt a clear and binding time-limit within which the domestic authorities must conclude fair and effective determinations of challenges to the dismissal decisions, taking into account the lapse of eight and a half years since the first dismissals took place; and
- viii. Ensure that Mr. Pişkin and other the dismissed public sector workers who obtained decisions recognising violations or reinstatement are provided with effective remedy including, as appropriate, reparation, including restitution and/or appropriate compensation, and guarantees of non-repetition.

³³ Commissioner for Human Rights of the Council Europe (2020), Report Following Her Visit to Turkey From 1 to 15 July 2019: <https://rm.coe.int/report-on-the-visit-to-turkey-by-dunja-mijatovic-council-of-europe-com/168099823e> , para. 87.