

## **EVIDENCE: 22**

Voir Note explicative See  
Explanatory Note

### **COUR EUROPEENNE DES DROITS DE'L HOMME *EUROPEAN COURT OF HUMAN RIGHTS***

Conseil de l'Europe-Council of Europe-Avrupa Konseyi  
Strasbourg, France

### **REQUETE *APPLICATION***

presentee en application de l'article 34 de la Convention europeenne des Droits de l'Homme,  
ainsi que des articles 45 et 47 du Reglement de la Cour

*under Article 34 of the European Convention on Human Rights  
and Rules 45 and 47 of the Rules of Court*

**IMPORTANT:** La presente requete est un document juridique et peut affecter vos droits et obligations.  
*This application is a formal legal document and may affect your rights and obligations.*

I- LES PARTIES  
*THE PARTIES*

A. LE REQUERANT/LA REQUERANTE  
*THE APPLICANT*

(Renseignements a fournir concernant le requérant/la requérante et son/sa représentant(e) éventuel(le))  
(Fill in the following details of the applicant and the representative, if any)

01. Nom de famille <i>Surname</i>	<b>ÖZDİL</b>	02. Prenom(s) <i>First name(s)</i>	<b>MELİH</b>
Sexe: masculin/feminin <i>Sex: male/female</i>	<b>MALE</b>		
03. Nationalite <i>Nationality</i>	<b>T.C</b>	04. Profession <i>Occupation</i>	<b>PROFESSIONAL BRIDGE PLAYER, TRAINER, AUTHOR</b>
05. Date et lieu de naissance <i>Date and place of birth</i>	<b>20/NİSAN/1948, TRABZON</b>		
06. Domicile <i>Permanent address</i>	<b>GAZİ UMUR PAŞA SOK. NO: 5/4, BALMUMCU-İSTANBUL</b>		
07. Tel. No:	<b>0090 212 275 55 06</b>		
08. Adresse actuelle (si differente de 6.) <i>Present address (if different from 6.)</i>			
09. Nom et prenom du/de la representant (e) <i>Name of representative*</i>	<b>MEHMET EŞBER YAĞMURDERELİ</b>		
10. Profession du/de la representant (e) <i>Occupation of representative</i>	<b>LAWYER</b>		
11. Adress du/de la representant (e) <i>Address of representative</i>	<b>RIHTIM CAD. TAYYARECİ SAMİ SOK. DEMİRLİ İŞ MERKEZİ, NO: 18, KAT: 4, KADIKÖY-İSTANBUL</b>		
12. Tel No: <b>0090 216 450 65 00 PBX</b>	Fax No: <b>0090 216 450 65 00</b>		

\* Si le/la requérant(e) est represente(e), joindre une procuration signee par le/la requérant(e) en faveur du/de la representant(e).

\* A form of authority signed by the applicant should be submitted if a representative is appointed.

B. LA HAUTE PARTIE CONTRACTANTE  
*THE HIGH CONTRACTING PARTY*

13. (Indiquer ci-apres le nom de l'Etat/des Etats contre le(s) quel(s) la requete est dirigee)  
*(Fill in the name of the State(s) against which the application is directed)*

**REPUBLIC OF TURKEY**

II- EXPOSE DES FAITS

*STATEMENT OF THE FACTS*

*(Voir chapitre II de la note explicative)*

*(See Part II of the Explanatory Note)*

14. The applicant is a bridge player who was called to the Turkish National Bridge Team during 1977 Elsinor European Bridge Championships, 1980 Valkenburg Bridge Olympiad, 1983 Wiesbaden European Bridge Championships, 1988 Venice Bridge Olympiad, 1991 Killarney European Bridge Championships, 1992 Salsomaggiore Bridge Olympiad, 1995 Vilamoura European Bridge Championships and who also represented Turkey during World Bridge Championships in 1982 and 1994.

When the European Bridge Federation started to organize competitions accessible by everybody starting with 2003, the applicant got the opportunity to participate in World and European Championships as separately from the Turkish National Bridge Team.

The applicant was very successful at the international championships that he participated in and he won a bronze medal at the 2006 Verona World Bridge Championships. And he was the captain of Ozdil Team at the 2005 Tenerife Second European Open Championships and he won a bronze medal. The name of the applicant is listed among the "medal winning players" at Europe Bridge Federation's (EBL) Website (Appendix-2); however, although he won a bronze medal, Turkey was not included in the class of medal winning countries (Appendix-3).

The applicant applied to the Turkish Bridge Federation (TBF) on 12.12.2005 explaining the matter (Appendix-4) and he demanded the reasons for not including Turkey in the country class of the 2005 Tenerife European Bridge Championships to be examined stating that it is against the conventions not including Turkey in the country class, that the countries of the players included in Miroglio Team that won the bronze medal during the 2003 Menton First European Open Championships were listed in the country class (Appendix-5) in spite of the fact that they were from different countries .

Following the response dated 06.01.2006 of the TBF to the effect that "there is no injustice done" (Appendix-6), this time the applicant presented TBF with another petition dated 20.02.2006 reiterating the same request (Appendix-7). TBF, in the response dated 14.03.2006 to this second application, repeated the explanation that "necessary attempts were made before EBL" and made untrue comments such as "maybe only the teams consisting of the players from the same country are enlisted in the country class" (Appendix-8).

The applicant thought that he could not get a successful result before the TBF and by the petitions to the Ministry of Youth and Sports and the General Directorate of Youth and Sports dated 29.03.2006, he told the ministry and the general directorate that the TBF did not undertake the necessary attempts, that the countries of the players in Miroglio Team were enlisted in the "medal winning countries" during 2003 Menton First European Open Championships and that the managers of TBF could not even find out this point and he informed the ministry and general directorate about the developments. The applicant used a language criticizing the TBF officials in this petition (Appendix-9).

The Disciplinary Committee of the Turkish Bridge Federation initiated an action about the applicant claiming that the applicant insulted the officials of the federation by the petition dated 29.03.2006 submitted to the Ministry of Youth and Sports and General Directorate of Youth and Sports under the Disciplinary Instructions for the Amateur Players of the General Directorate of Youth and Sports (Appendix-10,11,12). Neither the decision for the action nor the document informing the applicant about such disciplinary action provides any explanations as to what kind of an insult is found in the said petition. The applicant, in the defense dated 05.07.2006 sent to the Committee, shortly told that although

he had won a bronze medal during the 2005 Tenerife European Open Championships and although it had been a year since then, Turkey was still not enlisted as a medal winning country and that the TBF officials did not exercise sufficient attempts in this respect, that he did not intend to insult by the petition, that his only effort was to warn the officials so that the country would be enlisted as a medal winning country (Appendix-13). The Disciplinary Committee of the TBF, by the decision dated 18.10.2006 with merits no 2005/3 and decision no 2005/3, concluded that the applicant crossed over the borders of criticism in the petition addressed to the Ministry of Youth and Sports and the General Directorate of Youth and Sports by saying that "TBF management and the EBL representative adopt a line that is irresponsible to our nation, our country and the Turkish sports and that does not consider the country's interests" and, that the applicant wrote such petition with the intention to show some people from the federation as his antagonists and to insult and humiliate them before the competent authorities, beyond making a complaint against the federation officials before the relevant authorities, that the applicant was penalized for similar behaviors before, that such penalty was cancelled by the Arbitration Committee as the Arbitration Committee evaluated such action subject to penalty as criticism, and that the applicant made a habit of such behaviors and penalized the applicant with prohibition from the competitions for a period of 1 year under article 12 of the Disciplinary Instructions of the Turkish Bridge Federation (Appendix-14).

The applicant applied within due time to the Arbitration Committee of the Directorate of Youth and Sports under Prime Ministry, which is the only competent authority for challenge, for the cancellation of such penalty applied against the applicant by the petition dated 15.11.2006 (Appendix-11). In the challenge petition, the applicant pointed out in short that TBF considered the attempts 'to seek justice' as 'an insult', that however there was no insult in question; that due to the events that followed the 2005 Tenerife Second European Open Championships the applicant was subjected to a disciplinary penalty for 1 year, which was cancelled upon the report of the Supervisory Committee of the General Directorate of Youth and Sports dated 30.10.2005 and numbered TK.02.F/11.11 (Appendix: 21), which concluded that the applicant was right in all respect, that the criminal complaint placed by the TBF management before the Kadikoy Public Prosecutor's Office was also dismissed, that the actions always taken by the federation against the applicant had become a habit in terms of preventing the applicant's achievements in sports, that while the TBF Disciplinary Committee had started the action against the applicant according to the "Penal Regulations for Amateur Players", the period for the action was extended and the 'Disciplinary Instructions for the Turkish Bridge Federation' were waited for and asked for the cancellation of the decision of the Disciplinary Committee (Appendix-15). Although the applicant said that the Disciplinary Instructions were issued, this error is due to the fact that the Turkish Bridge Federation published such instructions at its website as if they were enforced.

The Arbitration Committee decided to dismiss the challenge under article 13 of the Regulations for Arbitration Committee by the decision dated 24.11.2006 with merits no 2006/35 and decision no 2006/33, on ground that, in short, that the applicant crossed the borders of freedom of expression, right to complain and criticism with the humiliating and insulting expression used in the petition dated 29.03.2006 addressed to the Ministry in charge of Sports and the General Directorate of Youth and Sports and he insulted the President of the Federation, Representative of the Federation and the Vice President of the Federation in absentia and that such decision of the Disciplinary Committee was not in conflict with the legislation (Appendix-16).

This decision of the Arbitration Committee was forwarded by the TBF to the 180 Bridge Clubs in Turkey and to the European Bridge Federation, in an unexampled manner, and it was demanded that the applicant not be allowed to participate in the competitions and championships (Appendix-20). General Directorate of EBL, on the other hand, again in an unexampled manner, sent a letter to the bridge federations of the 48 European Countries, members to EBL, and asked for the participant to be prohibited from the bridge tournaments held in those countries (Appendix-17).

Upon this decision, the applicant applied again to the Arbitration Committee by the petition dated 29.12.2006. In short, the applicant stated in the petition that the TBF requested a defense from the applicant under the Penal Regulations for the Amateur Players of the General Directorate of Youth and Sports, but the applicant was penalized under article 12 of the Disciplinary Regulations of the TBF; that the applicant gave

Turkey many international successes, that the fact that he was penalized by disciplinary action not only overshadowed his career throughout the world but also made a negative contribution to the discussions about

the “freedom of thought” in Turkey and disturbed the image of Turkey in Europe, that the case was a cornerstone in the history of Turkey and the world due to its nature, that article 52 of the Disciplinary Instructions of the TBF stipulated that “These instructions enter into force by the date of publication in the Official Gazette” meaning that the instructions had to be published in Official Gazette for entering into force but that the research and survey undertaken did not show any records as to publication in the Official Gazette and asked all the transactions, taken in conflict with article 38 of the Constitution and according to instructions that are considered unenforceable, to be held invalid (Appendix-18).

The Arbitration Committee decided to dismiss the challenge by the decision dated 12.01.2007 with merits no 2007/1 and decision no 2007/5 stating that that the Committee decision are final under article 12 of the Regulations on Arbitration Committee and that such decisions cannot be challenged and pointing out that the case does not have any error in fact or any conditions that may lead to the renewal of the trial (Appendix-19).

Being a very successful player in the international realm, the applicant may not participate in the national and international competitions at present as this penalty about the applicant is notified to the European Bridge Federation. Moreover, the proposal of the Israel Bridge Federation for the position of a trainer is also cancelled for the same reason.

This application is submitted as the decisions of the Arbitration Committee are final according to the legal regulations in Turkey and as there is no other domestic means of recourse for a player penalized illegally according to the decisions of the TBF Disciplinary Committee and the Arbitration Committee of the General Directorate of Youth and Sports.

III- EXPOSE DE LA OU DES VIOLATION(S) DE LA CONVENTION ET/OU DES PROTOCOLES ALLEGUEE(S) AINSI QUE DES ARGUMENTS A L'APPUI  
*STATEMENT OF ALLEGED VIOLATION(S) OF THE CONVENTION AND/OR PROTOCOLS AND OF RELEVANT ARGUMENTS*

(Voir chapitre III de la note explicative)

*(See part III of the Explanatory Note)*

15. **ARTICLE 5 OF THE CONVENTION HAS BEEN VIOLATED**

Penalizing the applicant according to Disciplinary Instructions (Regulations) that does not exist in conflict with the law and prohibiting the applicant from the competition for a period of 1 year is a violation of the “right to freedom” set out in article 5 of the convention.

The High Contracting State has not applied measures such as arrest and seizure for the applicant. We do not claim that article 5 of the convention has been violated in this respect. However, prohibiting the applicant from all the national and international competitions for a period of 1 year means the violation of the applicant’s freedom to participate in the competitions. In this case, if our claims below about the violation of article 6 of the convention are to be approved, in other words, if it is concluded that the applicant is penalized in conflict with the law, then this directly leads to the conclusion that article 5 has been violated as well.

The participation of the applicant in bridge competitions, which is the lifestyle of the applicant and which has resulted in many successes for the applicant, is prohibited arbitrarily for a period of 1 year. This arbitrary practice of the High Contracting Party has resulted in the applicant being deprived of the freedom within the context of participating in bridge competitions and championships.

The convention stipulates the cases of deprivation from freedom through “legal procedures”. The applicant has been deprived of freedom in a manner that is in conflict with the laws in terms of both the procedures and the merits.

**The High Contracting Party has therefore violated the right to freedom stipulated under article 5 of the European Convention on Human Rights.**

## **ARTICLE 6 OF THE CONVENTION HAS BEEN VIOLATED**

The trial procedures regarding to application of a disciplinary penalty against the applicant have taken place in conflict with article 6 of the convention. Because;

-The petition of the applicant dated 29.03.2006, which was addressed to the Ministry in Charge of Youth and Sports and General Directorate of Youth and Sports and which was subjected to the disciplinary action, does not include any phrases that require disciplinary action. This petition is a natural result of the “right to issue a petition” and “right to apply” duly guaranteed under the laws of the Republic of Turkey. This petition does not include any insults or criminal elements. The petition has a content that complains from the behaviors and attitudes of the TBF officials, who remain irresponsible and inefficient against an unfair practice, and therefore does not require a disciplinary action. In fact, when the petition subject to the action is examined, it is evident that the applicant does not insult the officials of the federation in any manner. Although the TBF Disciplinary Committee resolved that the applicant’s expressions to the effect that “TBF Management and our EBL representative adopt an attitude that is sarcastic and irresponsible towards our nation, country and the Turkish Sports. This manner of behavior, which is listed by items below and which I will prove with evidences, shows that it is unacceptable for people who are so disrespectful to their country and the name of their country, who fail to observe the interests of their country, and who disregard the interests of their country for their own interests, to assume such positions” can lead to offense, this decision is made without considering that such a definition can never constitute an “offence” or “insult” anywhere in the world. The petition of the applicant which is subjected to the disciplinary action includes no statements with personal intentions. In respect of the points set out above, the applicant was not given a fair disciplinary trial and thus the trial applied violated article 6 of the convention.

-The Disciplinary Committee of the TBF did not inform the applicant by which expressions the offense of “insult” took place in the letter dated 29.03.2006, which was served to inform the applicant that a disciplinary action was taken against the applicant and in the decision to initiate a disciplinary action against the applicant. In other words, the Disciplinary Committee did not provide any concrete and specific allegations to the applicant in terms of the expressions constituting insult in the applicant’s petition. The applicant, in response, provided a defense viewing the events in general as the applicant was not aware of the expressions considered as insult as may be seen in the petition of defense. In this respect, there is no concrete allegation to the applicant in the notice about the initiation of a disciplinary action. Thus the right to defense of the applicant has been clearly limited. As the applicant could not learn the allegations against the applicant thoroughly during the stage of defense, the applicant could not duly employ the right to defense. Both the manner of initiation of the disciplinary action and the fact that the applicant cannot employ the right to defense duly constitute clear violations of article 6 of the convention.

-The action about the applicant was first started subject to the Disciplinary Instructions for the Amateur Players of the General Directorate of Youth and Sports and the applicant provided the defense accordingly. TBF Disciplinary Committee then waited for approximately 4 months and penalized the applicant under article 12 of the Disciplinary Instructions (Regulations) of the TBF this time. The decisions and practices of the Disciplinary Committee as well as the Arbitration Committee, which is the competent authority for challenges, have the nature of restricting the applicant’s right to defense and article 6 of the convention has been violated in this respect.

-The applicant was penalized under article 12 of the Disciplinary Instructions (Regulations) of the TBF. Article 52 of these Regulations stipulates that “These instructions enter into force on the date when published in the Official Gazette”. These instructions were not published in the Official Gazette on the date of such penalization and they have also not been published in the Official Gazette since then; therefore, the penalty was applied based on an arrangement that was not in force then. This is in conflict with articles 52 and 45 of the said Instructions as well as with the “legality of the penalizations” acknowledged both on a national and international scale beyond any debates. Such a practice is the most concrete indicator of how great and grave conflicts with the law were adopted for this disciplinary action against the applicant. This practice clearly violates article 6 of the convention.

-Both the TBF Disciplinary Committee and the Arbitration Committee of the General Directorate of Youth and Sports under Prime Ministry are organizations that are not independent in structural as well as institutional terms. Each of these bodies has the nature of an “administrative institution” and there is no independent and impartial body to supervise their actions. The penalty action taken against the applicant is not taken by legal, impartial and objective bodies; and therefore article 6 of the convention has also been violated within this context.

-When the defenses and objections of the applicant both against the Disciplinary Committee of the TBF and the Arbitration Committee of the General Directorate of Youth and Sports under Prime Ministry are taken into consideration, the necessity for face-to-face defense with trial is evident. However, the applicant was denied the right to be heard face-to-face by trials during the processes when the decisions of both the Disciplinary Committee and the

Arbitration Committee were made; moreover, no investigation took place about the events that the applicant complains

about and the applicant was not given the opportunity to provide the evidence of the defense clearly and face-to-face.

Thus, article 6 of the convention, which states that everybody is entitled to a fair and public hearing, has been violated.

-The applicant acted on the assumption that the instructions of the disciplinary committee was enforced in the objection to the decision of the disciplinary committee as the Disciplinary Instructions of TBF were published at TBF Website; however, after the decision of the Arbitration Committee, the applicant found out that the Disciplinary Instructions of the TBF were not published in the Official Gazette although published at the TBF Website and applied to the Arbitration Committee by the petition dated 29/12/2006 and stated, to summarize, that the applicant found that the Disciplinary Instructions of the TBF had not been enforced as they had not been printed in the Official Gazette and that therefore the disciplinary action against the applicant could not be based on such instructions and asked for all the decisions made about the applicant to be cancelled and invalidated. Article 13 of the Regulations of the Arbitration Committee of the General Directorate of Youth and Sports has a provision which points out that the “Provisions of the Code of Civil Procedures numbered 1086 about announcing the decisions, correcting material defects or renewal of the trials shall be reserved”; which clearly shows that it is against the laws to create an action of penalty against the applicant according to the instructions not printed in the Official Gazette and therefore not made enforceable and that the disciplinary action taken against the applicant should be revised and terminated. Accordingly, article 6 of the convention is evidently violated by the failure to evaluate the petition of challenge of the applicant dated 29/12/2006, by neglecting the justifications for challenge listed in such petition, by duly considering such challenges and by failing to cancel any disciplinary actions taken against the applicant through renewal of the trial.

**The High Contracting Party has violated article 6 of the Convention due to the reasons listed above.**

#### **ARTICLE 7 OF THE CONVENTION HAS BEEN VIOLATED**

**The applicant has been penalized based on Disciplinary Instructions, which were not in force at the time of the penalty,** and in spite of the fact that the applicant did not have any behaviors requiring any disciplinary actions. The Disciplinary Regulations of the TBF has not been published in the Official Gazette and has not been made enforceable. In this case, article 7 of the convention addressing the “legality of the penalties” has been clearly violated.

## **ARTICLE 10 OF THE CONVENTION HAS BEEN VIOLATED**

The applicant expressed his opinions in the petition subjected to the disciplinary action. There is no expression that crosses the boundaries of criticism aimed at anyone. The applicant tried to invite the TBF to act duly as Turkey was not enlisted among the countries; and then the applicant used the right to apply to the Ministry and General Directorate as the officials of the federation treated the matter incompetently and insensitively. The expressions of the applicant in this petition did not cross over the boundaries of criticism. The expressions of the applicant in the petition subjected to the disciplinary action are meant for criticism and do not include insults in any manner. However, the applicant was penalized for this petition in clear conflict with the law. Penalizing the applicant because of employing the right to “apply and issue petitions” is a violation of the freedom of expression.

## **ARTICLE 13 OF THE CONVENTION HAS BEEN VIOLATED**

**In relation with the events, whose development and outcome is summarized above, the applicant’s right to efficient application has been restricted. The authorities applied by the applicant addressed the matter in an unfair manner and with clear conflict of the law. In this respect, the applicant’s applications have proven abortive due to the insensitive behaviors of the prejudiced authorities. Article 13 of the convention has been violated.**

### **IV- EXPOSE RELATIF AUX PRESCRIPTIONS DE L’ARTICLE 35 & 1 DE LA CONVENTION STATEMENT RELATIVE TO ARTICLE 35 & 1 OF THE CONVENTION**

(Voir chapitre IV de la note explicative. Donner pour chaque grief, et au besoin sur une feuille seperee, les renseignements demandes sous les point 16 a 18 ci-apres)

(See part IV of the explanatory note. If necessary, give the details mentioned below under points 16 to 18 on a separate sheet for each separate sheet for each separate complaint)

16. Decision interne definitive (date et nature de la decision, organe-judiciaire ou autre-l’ayant rendue)  
Final decision (date, court or authority and nature of decision)

Decision of the Arbitration Committee of the General Directorate of Youth and Sports under Prime Ministry of the Republic of Turkey dated 24.11.2006 and numbered 2006/33 about the applicant. (However, as the petition of the applicant dated 29/12/2006 requires the applicant to be heard again and the disciplinary action about the applicant to be cancelled; the next decision of the Arbitration Committee dated 12/01/2007 with merits no 2007/01 and decision no 2007/5 has the nature of a “finalized decision” that is clearly against the law. In this respect, we herewith left it to the discretion of the esteemed court to decide whether the decision of the Arbitration Committee dated 12/01/2007 with merits no 2007/01 and decision no 2007/5 is a finalized decision or not.

17. Autres decisions (enumerees dans l’orde chronologique en indiquant pour chaque decision, sa date, sa nature et l’organe-judiciaire ou autre-l’ayant rende)  
Other decisions (list in choronological order, giving date, court or authority and nature of decisions for each of them)

All the documents regarding the application of the applicant are listed in the section of the “appendices”. Please find below the decisions only regarding the applicant.

1- Decision of the Disciplinary Committee of the Turkish Bridge Federation dated 18.10.2006 with merits no 2005/3 and decision no 2005/3 stipulating the applicant to be prohibited from the competitions for a period of 1 year.



2- The decision of the Arbitration Committee dated 12.01.2007 with merits no 2007/1 and no 2007/5 made in response to the petition of the applicant dated 29.12.2006 addressed to the Arbitration Committee of the General Directorate of Youth and Sports under the Prime Ministry to challenge the decision of the Arbitration Committee dated 24/11/2006 and numbered 2006/33

18. Dispos (i) ez-vous d'un recours que vous n'avez pas exerce? Si, oui, lequel et pour quel motif n'a-t-il pas ete exerce?

Is there or was there any other appeal or other remedy available to you which you have not used? If so, explain why you have not used it.

**There is no other solition that we have looked for and tried.**

#### **V- EXPOSE DE L'OBJET DE LA REQUETE ET PRETENSIONS PROVISOIRE POUR UNE SATISFACTION EQUITABLE**

STATEMENT OF THE OBJECT OF THE APPLICATION AND PROVISIONAL CLAIMS FOR JUST SATISFACTION

(Voir chapitre V de la note explicative)

(See Part V of the Explanatory Note)

**19. It is our opinion that the High Contracting Party breached the contract provisions explained above due to the events and the trial process referred above. This breach also resulted in the applicant to suffer from losses.**

The application is intended to make sure that the High Contracting Party observes the national and especially the international law in its actions and acts. The High Contracting Party acted arbitrarily and with no legal grounds both for the action taken and also during the trial stage. If these applications become ordinary, arbitrariness will become applicable; which should concern every citizen in the country.

Moreover, the application is also intended for making up for both the breach and the losses suffered as a result of the breach by a fair and equitable compensation under article 41 of the European Convention of Human Rights.

Because, the contract breaches of the High Contracting Party as explained above caused the applicant, one of the most successful bridge players of the country, suffer great pecuniary and non-pecuniary damages. As the applicant was not allowed to national and international competitions and as the Turkish Bridge Federation informed the international bridge organizations about the penalty process and the result thereof, which is in conflict with the law, the applicant is in great pain for his loss of prestige in an area, where he is respected and where he has attained many successes. TBF informed the 180 bridge clubs in Turkey and the 48 European countries through EBL about this penalty without explaining why and by which actions and behaviors the applicant was penalized and without showing any grounds and concrete explanation; and thus caused a great loss of prestige for the application both nationally and internationally. We herewith demand the High Contracting Party to indemnify the pecuniary and non-pecuniary damages suffered by the applicant due to these actions in breach by the High Contracting Party.

#### **VI- AUTRES INSTANCES INTERNATIONALES TRAITANT OU AYANT TRAITE L'AFFAIRE STATEMENT CONCERNING OTHER INTERNATIONAL PROCEEDINGS**

(Voir chapitre IV de la note explicative)

(See part IV of the explanatory Note)

20. Avez-vous soumis a autre instance internationale d'enquete ou de reglement les griefs enonces dans la presente repuate? Si oui, fournir des indications detailees a ce sujet.

Have you submitted the above complaints to any other procedure of international investigation or settlement? If so, give full details.

**The complaints in our application have not been submitted to any international organisation.**

VII- PIECES ANNEXEES (PAS D'ORIGINAUX, UNIQUEMENT DES COPIES)  
LIST OF DOCUMENT (NO ORIGINAL DOCUMENTS ONLY PHOTOCOPIES)

(Voir chapitre VII de la note explicative. Joindre copie de toutes les decisions mentionees sous ch. IV et VI cidessus. Se procurer, au besoin, les copies necessaires, et en cas d'impossibilite, expliquer pourquoi celles-ci ne peuvent pas etre obtenues. Ces documents ne vous seront pas retournes)

(See Part VII of the explanatory Note, Include copies of all decisions referred to in parts IV and VI above. If you do not copies, you should obtain them. If you cannot obtain them, explain why not. No documents will be returned to you)

21. Regarding the subject, the copy of the all documents established by authorized offices and applicant are stated below.

- 01- Original Form of Authority
- 02- The results of 2005 Tenerife 2nd European Open Teams Championships internet printout
- 03- The Classification of Country Medals 2005 Tenerife 2nd European Open Team Championships internet printout
- 04- Copy of applicants application form adressng Turkish Bridge Federation dated 12/12/2005
- 05- Internet printout of 2003 Menton 1st European Open Teams Championships Results and Classification of Country Medals
- 06- Response of Turkish Bridge Federation dated 06/01/2006
- 07- Application letter dated 20/02/06
- 08- Response of Turkish Bridge Federation dated 14/03/2006
- 09- Applicants application subjected to the investigation written to The Ministry of Youth and Sport Directorate dated 29/03/2006
- 10- Turkish Bridge Federation Discipline Committee's Declaration dated 22/06/2006
- 11- Copy of 17/05/2006 dated letter of Turkish Bridge Federation
- 12- Copy of 01/05/2006 dated letter of Turkish Bridge Federation
- 13- Copy of applicants defence letter dated 05/07/06
- 14- Copy of Turkish Bridge Federation Discipline Committee's Decision dated 18/10/2006 with merits no 2005/3 and decision no 2005/5
- 15- Copy of applicants objection letter dated 15/11/2006
- 16- Turkey Youth and Sport Ministry Directorate Arbitration Committee's Decision dated 24/11/2006 with merits no 2006/35 and decision no 2006/33
- 17- Copy and translation of 15/12/2006 dated EBL's letter sent to 48 European Bridge Federations
- 18- Copy of letter dated 29/12/2006 submitted to Arbitration Committee
- 19- Copy of Arbitration Committee's Decision dated 12/01/2007 with merits no 2007/1 and decision no 2007/5
- 20- Copy of letter dated 04/12/2006 sent to 180 Turkish Bridge Club by Turkish Bridge Federation
- 21- Report of The Ministry of Youth and Sports Directorate Inspection Committee dated 30/10/2005 and no TK.02.F/11.11

**Not: The information requested from European Bridge League (EBL) will be anexed in our evidences list.**

VIII- DECLARATION EN SIGNATURE  
DECLARATION AND SIGNATURE  
(Voir chapitre VIII de la note explicative)  
(See part VIII of the explanatory Note)

22. Je declare en toute conscience et loyauté que les renseignements qui figurent sur la présente formule de requête sont exacts.

I hereby declare that., to the best of my knowledge and belief, the information I have given in the present application form is correct.

Lieu/ Place/: **ISTANBUL**  
Date/ Date/ : **7.May.2007**

(Signature du/da la requérant (e) ou du/de la représentante (e))  
(Signature of the applicant or of the representative)

**Lawyer M. Esber Yagmurdereli**

European Court of Human Rights  
Council of Europe  
Strasbourg

Attorney Mehmet Esber Yagmurdereli  
Rihtim Cad. Tayyareci Sami Sok.  
Demirli Is Merkezi No. 18 Kat 4  
TR-Istanbul (Kadikoy)

The Second Section

CEDH-11.1TUR  
20, 2007  
AN/SKS/ie

Strasbourg, June

Application No. 22341/07  
Melih Ozdil versus Turkey

Dear Attorney Mehmet Esber Yagmurdereli,

The application you made on behalf of Melih Ozdil with the mail dated May 10, 2007 has been received. **Your file was given the number stated above; you are required to refer this number in all of our correspondences.**

Your application will be submitted to the Court as soon as possible under the light of the information and documents you have provided. **If you send supplementary documents to complete your application, please do not send the original documents; for the Court will not return those to you.** The legal proceeding is in writing as principle. Applicants can only be summoned to the Court, in the events that the Court deems it necessary. You will be informed regarding the decision of the Court.

It is your own responsibility to notify the Court of any address changes. Moreover, you are required to inform important developments regarding your application in shortest time possible, and you need send all the relevant national court decisions.

In order to ensure the correct recording of personal information such as name, surname, date of birth, to the Court's application database, I kindly request from you to send a photocopy of your client's ID card's front page.

Finally, due to heavy workload of the Court, I would like to clarify that no response will be send regarding the receipt of your every letter you send thereafter, and also no information will be provided on this matter via telephone. If you want to make sure that your letters have been received by the court, you are required to send registered letters.

Yours sincerely,  
(İmza)  
A. Nalbant  
Lawyer  
Chief Editor

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