



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

Press Unit
Unité de la Presse

Press country profile
Fiche pays pour la presse

Last updated: July 2023

Türkiye*

* Following the *note verbale* of 3 June 2022 from the Permanent Representation of Turkey to international organisations, the official name of the respondent State is now Türkiye.

Ratified the European Convention on Human Rights in 1954

National Judge: Saadet Yüksel (02 July 2019 -)

[Judges' CVs](#) are available on the ECHR Internet site

Previous Judges: Kemel Fikret Arik (1959-1965), Suat Bilge (1966-1972), Ali Bozer (1973-1977), Feyyaz Gölcüklü (1977-1998), Rıza Türmen (1998-2008), Işıl Karakaş (2008-2019)

[List of judges of the Court since 1959](#)

The Court dealt with 6,221 applications concerning Türkiye in 2021, of which 5,654 were declared inadmissible or struck out. It delivered 78 judgments (concerning 567 applications), 76 of which found at least one violation of the European Convention on Human Rights.

Applications processed in	2021	2022	2023*
Applications allocated to a judicial formation	9500	12528	6363
Communicated to the Government	4155	652	208
Applications decided:	6221	7245	2284
- Declared inadmissible or struck out (Single Judge)	5411	6034	2022
- Declared inadmissible or struck out (Committee)	200	448	212
- Declared inadmissible or struck out (Chamber)	43	11	2
- Decided by judgment	567	752	48

*January to July 2023

For information about the Court's judicial formations and procedure, see the [ECHR internet site](#).

Statistics on interim measures can be found [here](#).

Applications pending before the court on 01/07/2023	
Applications pending before a judicial formation:	24121
Single Judge	1600
Committee (3 Judges)	18513
Chamber (7 Judges)	4007
Grand Chamber (17 Judges)	1

Türkiye and ...

the Registry

The task of the Registry is to provide legal and administrative support to the Court in the exercise of its judicial functions. It is composed of lawyers, administrative and technical staff and translators. There are currently **643** Registry staff members.

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Noteworthy cases, judgments delivered

Grand Chamber

Cyprus v. Turkey

10.05.2001 (principal judgment)¹

Inter-State application lodged by Cyprus in 1994, concerning the situation in northern Cyprus since the division of the territory.

Continuing violation of Articles 2 (right to life), 5 (right to liberty and security), and 3 (prohibition of inhuman or degrading treatment) concerning Greek-Cypriot missing persons and their relatives

Continuing violation of Article 8 (right to respect for private and family life, home and correspondence) and Article 1 of Protocol No. 1 (protection of property) in conjunction with Article 13 (right to an effective remedy), concerning the homes and property of displaced persons

Violation of Article 9 (freedom of thought, conscience and religion), Article 10 (freedom of expression), Article 2 of Protocol No. 1 (right to education), Articles 3 (prohibition of inhuman or degrading treatment), 8 (right to respect for private and family life) and 13 (right to an effective remedy) and continuing violation of Article 1 of Protocol No. 1 (protection of property), concerning the living conditions of Greek Cypriots in the Karpas region of northern Cyprus

Violation of Article 6 (right to a fair hearing) on account of the practice, at the time, of authorising military courts to try Turkish civilians in northern Cyprus

¹ See also, with regard to the same case, the Grand Chamber [judgment](#) of 12 May 2014 on the question of just satisfaction. In this judgment, the Court held that the passage of time since the delivery of the principal judgment on 10 May 2001 did not preclude it from examining the Cypriot Government's just satisfaction claims. It concluded that Turkey was to pay Cyprus 30,000,000 euros (EUR) in respect of the non-pecuniary damage suffered by the relatives of the missing persons, and EUR 60,000,000 in respect of the non-pecuniary damage suffered by the enclaved Greek-Cypriot residents of the Karpas peninsula. These amounts, said the Court, are to be distributed by the Cypriot Government to the individual victims under the supervision of the Committee of Ministers of the Council of Europe.

Öneryıldız v. Turkey

30.11.2004

Homes located near a rubbish tip in a shanty town outside Istanbul buried following a methane explosion.

Violation of Article 2 (right to life) in respect of the deaths of nine of the applicant's family members

Violation of Article 1 of Protocol No. 1 (protection of property)

Violation of Article 13 (right to an effective remedy)

Mamatkulov and Askarov v. Turkey

04.02.2005

Extradition to Uzbekistan in 1999 of two members of the ERK opposition party

Violation of Article 34 (right of individual petition)

By failing to comply with the interim measures indicated by the Court under Rule 39 of the Rules of Court (interim measures), asking it not to extradite the applicants until further notice, Turkey was in breach of its obligations under Article 34 of the Convention

Öcalan v. Turkey

12.05.2005

Conditions of transfer to Turkey and detention of a man sentenced to death for activities designed to bring about the secession of part of Turkey's territory.

Several violations, including a violation of Article 3, the death penalty having been pronounced following an unfair trial

Leyla Sahin v. Turkey

10.11.2005

Disciplinary penalties for wearing the Islamic headscarf at university.

No violation of Article 9 (freedom of thought, conscience and religion)

No violation of Article 2 of Protocol No. 1 (right to education)

No violation of Article 8 (right to respect for private and family life)

No violation of Article 10 (freedom of expression)

No violation of Article 14 (prohibition of discrimination)

Yumak and Sadak v. Turkey

08.07.2008

Electoral threshold of 10% imposed for parliamentary elections.

No violation of Article 3 of Protocol No. 1 (right to free elections), in view of the State's margin of appreciation and the absence of a European standard

Demir et Baykara v. Turkey

12.11.2008

Annulment with retrospective effect of a collective agreement entered into by a trade union / prohibition on forming trade unions.

Violation of Article 11 (freedom of assembly and association) on account of interference with the exercise by the applicants, municipal civil servants, of their right to form trade unions

Violation of Article 11 of the Convention on account of the annulment, with retrospective effect, of a collective agreement between the trade union Tüm Bel Sen and the employing authority that had been the result of collective bargaining.

Salduz v. Turkey

27.11.2008

Restriction on applicant's right of access to a lawyer while in police custody for an offence falling under the jurisdiction of the state security courts, in spite of his age.

Violation of Article 6 § 3 (c) (right to defend oneself through legal assistance of one's own choosing) in conjunction with Article 6 § 1 (right to a fair trial)

Varnava and Others v. Turkey

18.09.2009

Disappearance of nine Cypriot nationals after they were arrested and detained by the Turkish army during military operations in northern Cyprus in 1974.

Continuing violation of Articles 2 (right to life) and 3 (prohibition of inhuman or degrading treatment)

Continuing violation of Article 5 (right to liberty and security) in respect of two missing men

No violation of Article 5 in respect of the other seven missing men

Kart v. Turkey

03.12.2009

Allegation by the applicant that he had been unable to defend his case in criminal

proceedings against him because of his parliamentary immunity

No violation of Article 6 § 1 (right to a fair trial)

Serife Yiğit v. Turkey

02.11.2010

Refusal to award the applicant social-security benefits based on the entitlements of her deceased partner, with whom she had contracted a religious but not a civil marriage.

No violation of Article 14 (prohibition of discrimination) in conjunction with Article 1 of Protocol No. 1 (protection of property).

No violation of Article 8 (right to respect for family life)

Sabri Güneş v. Turkey

24.05.2011

In this judgment, the Court defined compliance with the six-month time limit (Article 35 § 1 of the Convention), that was to say the starting date and the expiry date of the time-limit. It stated that the variable approach saw in its case-law was based on the principle that the six-month rule was autonomous and had to be construed and applied in each individual case in such a way as to ensure the effective exercise of the right to individual petition. On several occasions the Court confirmed the principle that compliance with the six-month time-limit was calculated in accordance with the Convention criteria and not on the basis of the conditions laid down by the domestic law of each respondent State.

The Court was unable to examine the merits of the case.

Nejdet Şahin and Perihan Şahin v. Turkey

20.10.2011

Divergence between the case-law of the ordinary administrative courts and that of the Supreme Military Administrative Court in cases about requests for supplementary pensions.

No violation of Article 6 § 1 (right to a fair trial). Discrepancy in case-law between two supreme courts of the same State does not breach Convention.

Aksu v. Turkey

15.03.2012

Allegation that passages in a book about Roma and definitions in two dictionaries were offensive and discriminatory.

No violation of Article 8 (right to respect for private and family life)

Mustafa Tunç and Fecire Tunç v. Turkey

14.04.2015

Death of a young man, Cihan Tunç, during his military service, while assigned to a site belonging to a private oil company for which the national gendarmerie was providing security services.

No violation of Article 2 (right to life)

İzzettin Doğan and Others v. Turkey

26.04.2016

The case concerned the domestic authorities' refusal to provide the applicants, who are followers of the Alevi faith (the country's second-largest faith in terms of the number of followers), with the public religious service which, in the applicants' assertion, is provided exclusively to citizens adhering to the Sunni understanding of Islam.

Violation of Article 9 (right to freedom of religion)

Violation of Article 14 (prohibition of discrimination) taken in conjunction with Article 9

Güzelyurtlu and Others v. Cyprus and Turkey

29.01.2019

The case concerned the investigation into the killing of three Cypriot nationals of Turkish Cypriot origin in the Cypriot-Government controlled area of Cyprus in 2005. The killers fled back to the "Turkish Republic of Northern Cyprus" (the "TRNC"). Parallel investigations into the murders were conducted by the authorities of the Cypriot Government and the Turkish Government, including those of the "TRNC". Both investigations reached an impasse in 2008.

No violation of Article 2 by Cyprus

Violation of Article 2 by Turkey

Selahattin Demirtaş v. Turkey (no. 2)

22.12.2020

The case concerned the arrest and pre-trial detention of Mr Selahattin Demirtaş, who at the time of the events was one of the co-chairs of the Peoples' Democratic Party

(HDP), a left-wing pro-Kurdish political party.

Violation of Article 10 (freedom of expression)

Violation of Article 5 § 1 (right to liberty and security)

Violation of Article 5 § 3 (right to liberty and security)

No violation of Article 5 § 4 (right to a speedy decision on the lawfulness of detention)

Violation of Article 3 of Protocol No. 1 (right to free elections)

Violation of Article 18 (limitations on use of restrictions on rights) in conjunction with Article 5

Kavala v. Türkiye

11.07.2022

The case concerned the question referred to the Court by the Committee of Ministers of the Council of Europe, as to whether the Republic of Türkiye had failed to fulfil its obligation under Article 46 § 1 of the Convention to abide by the Chamber judgment delivered by the Court in the case of [Kavala v. Turkey](#) on 10 December 2019.

Violation of Article 46 § 1 (binding force and execution of judgments)

Noteworthy cases, judgments and decisions delivered

Chamber

Cases concerning
the right to life
(Article 2)

Violation of Article 2

Öneryıldız v. Turkey

30.11.2004

Grand Chamber Judgment (see page 3)

Isaak v. Turkey and **Solomou v. Turkey**

24.06.2008

Death of the applicants' kin during a Greek-Cypriot demonstration and protest in the United Nations buffer zone east of Nicosia.

Opuz v. Turkey

09.06.2009

Assaults and injuries inflicted by a man on his wife and mother-in-law over several years, culminating in the murder of the mother-in-law, despite a number of complaints by the victims and the institution of several sets of criminal proceedings by the prosecution authorities. **The Court found its first violation of Article 14 in a case concerning domestic violence and held that the violence suffered by the applicant and her mother had been gender-based, amounting to a form of discrimination against women.**

Beyazgül v. Turkey

15.09.2009

Death of a 21-year-old man who fled in the face of warning shots fired by gendarmes on mission in the border area with Iran. (with reference, in particular, to the law on operations by security forces in border zones)

Oyal v. Turkey

23.03.2010

Refusal of the authorities to provide lifelong health care to a teenage boy infected with HIV as a result of blood transfusions at birth.

Dink v. Turkey

20.09.2010

See below, under freedom of expression.

İsmail Altun v. Turkey

21.09.2010

Applicant wounded by firearm during an operation to put a stop to a hunger strike by 83 detainees (on 19 December 2000, the date on which the security forces intervened simultaneously in 20 Turkish prisons where detainees had staged hunger strikes in protest against a plan for "F-type" prisons).

Çoşelav v. Turkey

09.10.2012

Juvenile's suicide in adult prison.

Aydan v. Turkey

12.03.2013

Accidental death of a passer-by who was shot by a gendarme on the fringes of a violent demonstration.

Mehmet Şentürk and Bekir Şentürk v. Turkey

09.04.2013

Death of a pregnant woman following a series of misjudgments by medical staff at different hospitals and the subsequent failure to provide her with emergency medical treatment when her condition was known to be critical.

Ataykaya v. Turkey

22.07.2014

Death of Mr Ataykaya's son, caused by a tear-gas grenade fired by the police during an illegal demonstration.

Asiye Genç v. Turkey

27.01.2015

Prematurely born baby's death in an ambulance, a few hours after birth, following the baby's transfer between hospitals without being admitted for treatment.

Altuğ and Others v. Turkey

30.06.2015

Death of Ms Keşoğlu at the age of 74 as the result of a violent allergic reaction to a penicillin derivative administered by intravenous injection in a private hospital.

Özel and Others v. Turkey

17.11.2015

Deaths of the applicants' family members, who were buried alive under buildings that collapsed in the town of Çınarcık in an earthquake on 17 August 1999, one of the deadliest earthquakes ever recorded in Turkey.

Civek v. Turkey

23.02.2016

The case concerned the murder of the applicants' mother, Selma Civek, by their father.

Halime Kılıç v. Turkey

28.06.2016

The case concerned the death of Ms Kılıç's daughter, Fatma Babatlı, who was killed by her husband despite having lodged four complaints and obtained three protection orders and injunctions.

Aydoğdu v. Turkey

30.08.2016

The case concerned the allegation by Mr and Mrs Aydoğdu that the death of their daughter – who had been born prematurely

and suffered from a respiratory disorder – had been caused by professional negligence on the part of the staff of the hospital where she had been treated.

[Karataş and Others v. Turkey](#)

12.09.2017

The case concerned an armed incident in south-eastern Turkey in September 2007. The applicants complained that soldiers had killed their relative Bülent Karataş and had severely injured one of the applicants, Rıza Çiçek, in the same incident; they maintained that the authorities had failed to conduct an effective investigation into the events.

[Elvan v. Türkiye](#)

07.02.2023

The case concerned the death of Berkin Elvan at the age of 15 following a wound sustained by a grenade launcher during the “Gezi events” in Istanbul.

No violation of Article 2

[Horoz v. Turkey](#)

31.03.2010

Death of a prisoner taking part in a hunger strike in protest against “F-type” prisons.

[Berü v. Turkey](#)

11.01.2011

Death of a child in an attack by stray dogs, which were already known to be dangerous.

[Cavit Tınarlıoğlu v. Turkey](#)

02.02.2016

The case concerned an accident at sea in which Mr Tınarlıoğlu was injured while on holiday at an activity centre, and the ensuing proceedings.

[Sarihan v. Turkey](#)

06.12.2016

The case concerned the explosion of an anti-personnel mine resulting in serious injuries to a young shepherd.

[Cases concerning suicides of conscripts during their military service](#)

[Kılınç and Others v. Turkey](#)

07.06.2005

[Abdullah Yılmaz v. Turkey](#)

17.06.2008

[Lütfi Demirci and Others v. Turkey](#)

02.03.2010

[Servet Gündüz and Others v. Turkey,](#)

11.01.2011

[Hüseyin Kaplan v. Turkey](#)

15.10.2013

The Court declared inadmissible the applications [Zeki Köşebaşı and Others v. Turkey](#) and [Yeşilyurt v. Turkey](#).

[Death in pre-trial detention](#)

[Yurtsever and Others v. Turkey](#)

08.07.2014

Inadmissible applications

[Cömert and Others v. Türkiye](#)

12.01.2023

The case concerned the death of the applicants’ relative, Abdullah Cömert, from a head wound caused by a tear-gas canister fired by a member of the security forces during a demonstration held in Hatay in June 2013 to protest against the demolition of Gezi Park in Istanbul.

Application declared inadmissible for failure to exhaust domestic remedies.

[Elçi v. Turkey](#)

[Ahmet Tunç and Others v. Turkey and Tunç and Yerbasan v. Turkey](#)

07.02.2019

The applications concerned events in the south-eastern Turkish town of Cizre, where a round-the-clock curfew was imposed on 14 December 2015 following clashes between the military and armed groups affiliated with the PKK (the Workers’ Party of Kurdistan), an illegal armed organisation. Applications declared inadmissible as manifestly ill-founded

The Court essentially found that the applicants in these two cases had not exhausted domestic remedies, either because the Turkish Constitutional Court was still considering applications about the

same circumstances, or because no application at all had been made to that or other courts.

Cases concerning inhuman and degrading treatment
(Article 3)
Violation of Article 3

[Öcalan v. Turkey](#)

12.05.2005

Grand Chamber judgment (see page 3)

[Öcalan v. Turkey](#)

18.03.2014

Complaint of Mr Öcalan - the founder of the Kurdistan Workers' Party (PKK), an illegal organisation) - about the irreducible nature of his sentence to life imprisonment and about the conditions of his detention (in particular his social isolation and the restrictions on his communication with members of his family and his lawyers).

Inadmissible applications

[Öcalan v. Turkey](#)

06.07.2010

Conviction of the applicant for activities aimed at bringing about the secession of part of Turkey's territory, and for training and leading a gang of armed terrorists.

In a [judgment](#) of 12 May 2005 the Court held that the proceedings before the State Security Court failed to meet the requirements of Article 6.

The Court declared Mr Ocalan's new application inadmissible, considering that the Turkish authorities' refusal to reopen criminal proceedings did not affect the execution of the judgment of the European Court of Human Rights, supervision of which was the task of the Committee of Ministers.

[Öcalan v. Turkey](#)

27.09.2018

The application mainly concerned allegations by Abdullah Öcalan that he was subjected to ill-treatment in 2008 during a search of his cell.

Application declared inadmissible as manifestly ill-founded.

[Camdereli v. Turkey](#)

17.07.2008

Ill-treatment inflicted by gendarmes and inadequacy of the criminal proceedings.

[Opuz v. Turkey](#)

09.06.2009

(see above under the right to life)

[Abdolkhani and Karimnia v. Turkey](#)

22.09.2009

Risk of ill-treatment of former members of the People's Mujahidin Organisation in the event of their deportation to Iran or Iraq.

[Abdolkhani and Karimnia v. Turkey \(no. 2\)](#)

27.07.2010

Detention of refugees in the basement of a police building for three months.

[Gülizar Tuncer v. Turkey](#)

21.09.2010

Use of force against the applicant by security forces dispersing a demonstration outside a post office in Istanbul in which she was taking part to send postcards to women detained in "F-type" prisons.

[Üzer v. Turkey](#)

21.09.2010

Ill-treatment of three young men, two of whom were minors, while in police custody, and subsequent police cover-up.

[Ebcin v. Turkey](#)

01.02.2011

Attack on the applicant in the street in the course of which acid was thrown in her face, and question of the authorities' obligation to protect people and diligence in the proceedings following the attack.

[Yazgül Yılmaz v. Turkey](#)

01.02.2011

Gynaecological examination to which the applicant, a minor, was subjected while she was in police custody - in order to ensure, according to the authorities, that she had not been assaulted - and failure to prosecute the doctors who had carried it out.

[Saçılık and Others v. Turkey](#)

05.07.2011

Complaint brought by Veli Saçılık and 24 other Turkish nationals, formerly detainees in Burdur Prison (Turkey), about a

large-scale security operation carried out in the prison on 5 July 2000.

Ali Güneş v. Turkey

10.04.2012

Complaint by a high-school teacher who took part in a demonstration against the 2004 NATO summit in Istanbul that the police had ill-treated him, including by spraying tear gas on him.

The Court found in particular that:

- 1) the authorities had been unable to justify the use of tear gas against Mr Güneş after he had already been apprehended by the police; and,
- 2) no effective investigation had been carried out into his related complaints.

X v. Turkey (no. 24626/09)

09.10.2012

A homosexual prisoner who, after complaining about acts of intimidation and bullying by his fellow inmates, was placed in solitary confinement for over 8 months in total.

Necati Yılmaz v. Turkey

12.02.2013

Injuries sustained by the applicant at the hands of the bodyguards for having allegedly publicly insulted the Turkish Prime Minister at a road-opening ceremony.

Gülay Çetin v. Turkey

05.03.2013

The applicant complained that she had been kept in prison, initially pending trial and later following her conviction for murder, despite suffering from advanced cancer.

İzci v. Turkey

23.07.2013

Ms Izci complained that she had been attacked by the police following her participation in a peaceful demonstration to celebrate Women's Day in Istanbul and that such police brutality in Turkey was tolerated and often went unpunished.

Gülizar Tuncer Güneş v. Turkey

11.02.2014

Allegations by the applicant that she had been assaulted by police officers during her arrest in 2000.

Tüfekçi v. Turkey

22.07.2014

Applicant's complaint that the police used force against him during a demonstration.

Alpar v. Turkey

26.01.2016

The applicants allege having been ill-treated during an identity check and during subsequent questioning at a police station.

Enver Aydemir v. Turkey

07.06.2016

The case concerned Mr Aydemir's refusal to perform military service because of his religious beliefs, and also the subsequent proceedings against him, and his alleged ill-treatment on account of his refusal.

A.S. v. Turkey (no. 58271/10)

13.09.2016

The case concerned the sexual assault and physical violence to which the applicant was subjected while in pre-trial detention in Maltepe young offenders' prison in Istanbul, and the lawfulness and duration of that detention.

G.U. v. Turkey (no. 16143/10)

18.10.2016

The case concerned a complaint by a young woman (G.U.), a minor at the relevant time, alleging that she had been raped and sexually assaulted by her step-father (M.S.), then aged 62.

Ebru Dincer v. Turkey

29.01.2019

The case concerned an operation conducted by the security forces in Bayrampaşa Prison (Istanbul) in December 2000, during which Ms Dincer suffered serious burns to various parts of her body, including her face, owing to a fire which broke out in the women's dormitory.

Gömi v. Turkey

19.02.2019

The case concerned the continued detention of the applicant, who has suffered from a psychotic illness since 2003.

G.B. and Others v. Turkey (no. 4633/15)

17.10.2019

The case concerned the immigration detention of a mother and her three young children pending their deportation from

Turkey. They had been released after nearly four months following a series of challenges about the lawfulness of their detention before the domestic courts.

Bayram v. Turkey

04.02.2020

The case concerned the conditions of detention of the applicant, who is paraplegic and cannot move around by his own means.

N.C. v. Turkey

09.02.2021

The case concerned shortcomings in the criminal proceedings against a number of individuals charged with prostitution offences in relation to a fourteen-year-old child.

Akkad v. Türkiye

21.06.2022

The case concerned the applicant's allegation that he had been subjected to forced and unlawful expulsion to Syria by the Turkish authorities under the guise of a "voluntary return". In 2018 the applicant, who had a valid residence permit in Türkiye and had been granted "temporary protection" status, was arrested near the Meriç river while attempting to enter Greece. He was removed to Syria two days later.

No violation of Article 3

Bayram v. Turkey

04.02.2020

The case concerned the conditions of detention of the applicant, who is paraplegic and cannot move around by his own means.

M.N. et autres c. Türkiye (n° 40462/16)

21.06.2022

L'affaire concernait le risque pour les requérants d'être expulsés de la Türkiye vers le Tadjikistan aux motifs qu'ils ne disposaient pas de visas valables et qu'ils représenteraient une menace pour la sécurité publique du fait de leur participation à des cours coraniques non enregistrés auprès des autorités turques.

Cases concerning the expulsion of former members of illegal organisations

Violations of Article 3

Charahili v. Turkey, Keshmiri v. Turkey, Ranjbar and Others v. Turkey and Tehrani and Others v. Turkey

13.04.2010

In its judgments of 13.04.2010 the Court held that Turkey should release or refrain from placing in detention certain applicants.

Alipour and Hosseinzadgan v. Turkey

13.07.2010

Cases dealing with domestic violence

Violations of Article 3

M.G. v. Turkey (no. 646/10)

22.03.2016

The case concerned the domestic violence experienced by M.G. during her marriage, the threats made against her following her divorce and the subsequent proceedings.

Inadmissible application

İldem and Others v. Turkey

15.02.2018

The case concerned allegations of ill-treatment by the police during an arrest. Application declared inadmissible as were manifestly ill-founded.

Cases concerning the right to liberty and security (Article 5)

Violation of Article 5

Pulatli v. Turkey

26.04.2011

Disciplinary sanction depriving the applicant, a Turkish serviceman, of his liberty, without any examination of his case by a judicial body.

The Court found that the most appropriate form of redress would be for Turkey to introduce a mechanism to ensure that disciplinary sanctions involving deprivation of liberty were imposed or reviewed in proceedings before a judicial body.

[Altınok v. Turkey](#)

29.11.2011

Failure to provide detainees or their lawyer with a copy of the public prosecutor's opinion during the examination of an objection to their continued detention and the total lack of any compensatory remedy.

[Agit Demir v. Turkey](#)

27.02.2018

The case concerned the placement in pre-trial detention of Mr Demir, who was a minor at the time, for participating in a demonstration and throwing stones at the security forces.

[Tarak and Depe v. Turkey](#)

09.04.2019

The case concerned the detention of an eight-year-old child, Birtan Sinan Depe. He was taken to a police station following a search carried out at the home of neighbour to whom his mother had entrusted him. He was detained alone in the station for at least one day.

[G.B. and Others v. Turkey \(no. 4633/15\)](#)

17.10.2019

The case concerned the immigration detention of a mother and her three young children pending their deportation from Turkey. They had been released after nearly four months following a series of challenges about the lawfulness of their detention before the domestic courts.

[Atilla Taş v. Turkey](#)

19.01.2021

The case concerned the pre-trial detention of the singer and columnist Atilla Taş because of tweets he posted on his Twitter account and articles and columns he wrote in the daily newspaper *Meydan*, between 2011 and 2016, criticising government policies. Mr Taş was prosecuted for terrorism related offences.

[Tuncer Bakırhan v. Turkey](#)

14.09.2021

The case concerned the initial and continued detention of a former mayor of Siirt, an urban area in south-east Turkey, on account of his activities and statements. The applicant had been elected in March 2014 as an opposition-party candidate. The authorities accused him of disseminating

propaganda in favour of a terrorist organisation (PKK, Kurdistan Workers' Party; an illegal armed organisation) and of being a member of that organisation.

[İlker Deniz Yücel v. Turkey](#)

25.01.2022

The case concerned the pre-trial detention of the journalist İlker Deniz Yücel, allegedly on account of his activities as a journalist. At the relevant time Mr Yücel had been the Turkish correspondent of the German daily newspaper *Die Welt*. He was detained from 14 February 2017 to 16 February 2018. He returned to Germany after his release.

[Alıcı and Others v. Turkey](#)

24.05.2022

The case concerned applicants who were arrested while travelling by bus from Adana to Ankara to take part in a demonstration and who incurred an administrative fine for withholding their identities from the police who stopped their bus.

[Taner Kılıç \(no. 2\) v. Turkey](#)

31.05.2022

The case concerned the initial and continued pre-trial detention of Mr Kılıç who, at the relevant time, was Chairperson of the Turkish branch of the NGO Amnesty International. Mr Kılıç was arrested in June 2017 on suspicion of belonging to the organisation FETÖ/PDY1

[Cases concerning arrests targeting the criminal organisation Ergenekon](#)

[Nedim Şener v. Turkey and Sik v. Turkey](#)

08.07.2014

Continued pre-trial detention of investigative journalists accused of aiding and abetting the criminal organisation Ergenekon, whose members were convicted in 2013 of fomenting a *coup d'état*.

[Mergen and Others v. Turkey and Ayşe Yüksel and Others](#)

31.05.2016

The cases concerned the arrest, placement in police custody and pre-trial detention of members of the Association for Supporting Contemporary Life (*Çağdaş Yaşamı Destekleme Derneği - ÇYDD* - an association that awards grants to students, especially with the aim of promoting education for girls) on suspicion of

belonging to a criminal organisation called Ergenekon, whose presumed members were accused of having engaged in activities aimed at overthrowing the Government by force and violence, and of planning a military coup.

[Erarslan and Others v. Turkey](#)

19.06.2018

The case concerned the applicants being held in police custody in the framework of a criminal investigation into a criminal organisation known as *Ergenekon*, whose presumed members had been suspected of carrying out activities geared to overthrowing the Government by force and violence.

Cases dealing with the arrest and the pre-trial detention of two journalists following the attempted military coup in July 2016

[Mehmet Hasan Altan v. Turkey](#)

[Şahin Alpay v. Turkey](#)

20.03.2018

Violation of Article 5 § 1

No violation of Article 5 § 4

Detention following the attempted coup of 15 July 2016

[Alparslan Altan v. Turkey](#)

16.04.2019

The case concerned the detention of a Turkish Constitutional Court judge following the attempted coup of 15 July 2016.

Violation of Article 5 § 1 on account of the unlawfulness of the applicant's initial pre-trial detention, and

Violation of Article 5 § 1 on account of the lack of reasonable suspicion, at the time of the applicant's initial pre-trial detention, that he had committed an offence

[Baş v. Turkey](#)

03.03.2020

The case concerned the pre-trial detention of Mr Baş, a judge at the time, following the attempted coup of 15 July 2016.

Violation of Article 5 § 1 as regards the alleged unlawfulness of the applicant's initial pre-trial detention

Violation of Article 5 § 1 of the Convention on account of the lack of reasonable suspicion, at the time of the applicant's initial pre-trial detention, that he had committed an offence

Violation of Article 5 § 4 (right to speedy review of the lawfulness of detention) on account of the length of the period during which the applicant had not appeared in person before a judge

[Sabuncu and Others v. Turkey](#)

10.11.2020

The case concerned the applicants' initial and continued pre-trial detention on account of the editorial stance taken by the daily newspaper Cumhuriyet in its articles and in posts on social media, criticising certain government policies.

[Şık v. Turkey \(no. 2\)](#)

24.11.2020

The case concerned the initial and continued pre-trial detention of the journalist Ahmet Şık, who was suspected of disseminating propaganda in favour of organisations considered to be terrorist organisations or of assisting them through articles and interviews published in the Turkish daily newspaper Cumhuriyet and social media posts, all of which criticised government policy.

[Demirtaş and Yüksekdağ Şenoğlu v. Türkiye](#)

06.06.2023

The case concerned two former co-chairs of the Peoples' Democratic Party (HDP) who are currently in prison. They complained that they had not had effective legal assistance in order to appeal against their pre-trial detention, on account of the prison authorities' surveillance of their meetings with their lawyers and the seizure of the documents exchanged with them. The measures in question were ordered by the Turkish courts for a three-month period under Emergency Legislative Decree No. 676, which was enacted following the attempted coup of 15 July 2016.

Violation of Article 5 § 4 (right to a speedy review of the lawfulness of detention)

Inadmissible applications

[Benli v. Turkey](#)

22.03.2018

The case concerned the lawfulness of the successive periods of detention imposed on Mr Benli.

Application declared inadmissible.

Doğan and Çakmak v. Turkey

06.06.2019

The case concerned the pre-trial detention of Mr Doğan and Mr Çakmak in the context of the Balyoz criminal investigation against them on charges of planning a military coup d'état between 2002 and 2003.

Application declared inadmissible as another international body had already ruled on the applicants' complaints

Mirgadirov v. Azerbaijan and Turkey

17.09.2020

The case concerned the arrest and pre-trial detention of the applicant, a well-known journalist, on charges of high treason as he had allegedly spied for Armenia.

No need to examine the complaint under Article 5 § 4, rest of complaints inadmissible.

Cases concerning Article 6

Right to a fair trial

Violation of Article 6

Göçmen v. Turkey

17.10.2006

Use at the applicant's trial of statements obtained through torture.

Mehmet and Suna Yigit v. Turkey

17.07.2007

Refusal to grant legal aid in civil proceedings because the applicants were represented by a lawyer.

Fazli Aslaner v. Turkey

04.03.2014

Administrative proceedings in which certain judges at the Turkish Supreme Administrative Court were involved on more than one occasion, in the context of successive appeals on points of law.

Balta and Demir v. Turkey

23.06.2015

Applicants' conviction for membership of an illegal organisation, on the basis of statements by an anonymous witness whom the applicants were unable to question at any stage of the proceedings.

Bursa Barosu Başkanlığı and Others v. Turkey

19.06.2018

The case concerned the failure to enforce numerous judicial rulings setting aside administrative decisions authorising the construction and operation of a starch factory on farmland in Orhangazi (a district of Bursa) by a US company (Cargill).

The Court declared the application admissible for only six of the applicants.

Hülya Ebru Demirel v. Turkey

19.06.2018

The case concerned the applicant's allegation of sexual discrimination because she was denied a job as a security officer at a state-run regional electricity distribution company.

Kursun v. Turkey

30.10.2018

The case concerned the applicant's claims for compensation following an oil explosion which damaged his property. He alleged that the State, in its handling of the situation, had failed to give him a fair trial and had violated his right to property.

Ali Rıza and Others v. Turkey

28.01.2020

The case concerned football disputes.

Mr Rıza's dispute was over his contract, while Mr Akal's concerned his downgrading. The TFF decisions on their cases were not subject to judicial review.

The Court found in particular that the executive body of the TFF, the Board of Directors, which had always largely consisted of members or executives of football clubs, had too strong an influence over the organisation and functioning of the Arbitration Committee. Nor did TFF law provide appropriate safeguards to protect members of the Arbitration Committee from any outside pressure.

The Court also declared three amateur football players' complaints inadmissible, in particular because Article 6 was not applicable in their cases.

Pişkin v. Turkey

15.12.2020

The case concerned Mr Pişkin's dismissal on the grounds that he had links with a terrorist organisation, in the wake of the declaration of a state of emergency in Turkey following the failed military coup of

15 July 2016, as well as the subsequent judicial review of that measure.

[Bilgen v. Turkey](#)

09.03.2021

The case concerned a senior judge at the Ankara Regional Administrative Court who had been transferred without his consent to another court in a lower judicial district by a decree of the High Council of Judges and Prosecutors that had not been subject to judicial review.

[Faysal Pamuk v. Turkey](#)

18.01.2022

The case concerned Mr Pamuk's trial on terrorism-related charges, in particular the use of evidence that had been given in other jurisdictions the absence of Mr Pamuk or his counsel following letters of request (talimat).

No violation of Article 6

[Eker v. Turkey](#)

24.10.2017

This case concerned the requirement for a newspaper publisher (Mr Eker) to print a reply correcting an article which he had written and published in his newspaper. The reply was written by the Sinop journalists' association in response to criticisms made by Mr Eker in his article.

Inadmissible applications

[Öcalan v. Turkey](#)

06.07.2010

Conviction of the applicant for activities aimed at bringing about the secession of part of Turkey's territory, and for training and leading a gang of armed terrorists.

In a [judgment](#) of 12 May 2005 the Court held that the proceedings before the State Security Court failed to meet the requirements of Article 6.

In its decision of 06.07.2010 it declared Mr Ocalan's new application inadmissible, considering that the Turkish authorities' refusal to reopen criminal proceedings did not affect the execution of the judgment of the European Court of Human Rights, supervision of which was the task of the Committee of Ministers.

Right of access to a court

Violation of Article 6

[Altıntaş v. Turkey](#)

10.03.2020

The case concerned a judicial fine imposed on Mr Altıntaş for an article published in 2007 in his periodical *Tokat Demokrat*, describing the perpetrators of the "Kızildere events", among others as "idols of the youth". The events in question took place in March 1972, when three British nationals working for NATO were abducted and executed by their kidnappers.

Mr Altıntaş was convicted in 2008 by the Criminal Court, which found that the article glorified the insurgents involved in those events.

[Eminağaoğlu v. Turkey](#)

09.03.2021

The case concerned the imposition on a judicial officer of a disciplinary sanction (post relocation), decided by the Council of Judges and Prosecutors, on account of statements and criticisms that he had made to the media about certain high-profile court cases. At the material time the applicant was also the Chairman of Yarsav, an association of judges and prosecutors.

Inadmissible application

[Bıdık v. Turkey](#)

15.12.2016

The case concerned the termination of Ms Bıdık's employment as headteacher following the entry into force of a law.

[Application declared inadmissible for failure to exhaust domestic remedies \(Article 35 §§ 1 and 4 of the Convention\).](#)

Right to legal assistance of own choosing

Violation of Article 6

Cases concerning access to a lawyer while in police custody

[Salduz v. Turkey](#)

27.11.2008

Grand Chamber judgment (see page 1)

[Dayanan v. Turkey](#)

13.10.2009

Also concerning the right to remain silent

Gökbulut v. Turkey

29.03.2016

The case concerned the inability of Mr Gökbulut, who was convicted of membership of an illegal organisation, to examine or have examined witnesses whose statements were relied on for his conviction, and the lack of legal assistance when he was held in police custody.

Akdağ v. Turkey

17.09.2019

The case concerned access to a lawyer in police custody. The applicant alleged that she had confessed to being a member of an illegal organisation after being threatened and ill-treated by the police, without access to a lawyer.

Ekrem Can and Others v. Turkey

08.03.2022

The case concerned the applicants' convictions for having staged a protest in a courthouse, during which they chanted slogans, displayed a banner, threw leaflets around, and locked themselves in one of its corridors, thereby leading to the cancellation of some of the hearings scheduled for that day.

Right to the assistance of an interpreter

Violation of Article 6

Baytar v. Turkey

14.10.2014

Questioning in police custody, without the assistance of an interpreter, of an individual who did not have a sufficient command of the national language.

Right to a fair hearing within a reasonable time

Violation of Article 6

Göçmen v. Turkey

17.10.2006

(see case under 'the right to a fair trial/hearing')

Alkin v. Turkey

13.10.2009

Length of compensation proceedings in the case of an applicant whose leg was amputated when she was 11 years old after

she stepped on a landmine while playing with other children near the village of Ortabağ.

Ümmühan Kaplan v. Turkey

20.03.2012 (pilot judgment) ²

Proceedings instituted in 1970 by the applicant's father, since deceased, in relation to some plots of land.

The Court held that with regard to all cases raising the same general problem of length of judicial proceedings:

- Turkey had to put in place, within one year, an effective remedy affording adequate and sufficient redress, as concerned pending applications and those lodged between now and 22 September 2012;

- The following would be adjourned for one year: pending applications not yet communicated to the Turkish Government (2,373 applications as of 31 December 2011) and all those lodged between now and 22 September 2012

- The Court reserved the right to continue to examine under the normal procedure the 330 pending applications already communicated.

Behçet Taş v. Turkey

10.03.2015

Damage sustained by the applicant as a result of the explosion of an antipersonnel mine, and the fairness and length of the compensation proceedings instituted by him.

Mehmet Günay et Güllü Günay v. Turkey

20.02.2018

The case concerned allegations of medical negligence in relation to the death of

² Since 2004 and in response to the large number of cases deriving from systemic or structural problems in certain countries the Court has developed a pilot-judgment procedure. This consists in identifying in a single judgment systemic problems underlying a violation of the European Convention on Human Rights and indicating in that judgment the remedial measures required to resolve such situations. The pilot-judgment procedure is not only intended to facilitate effective implementation by respondent states of individual and general measures necessary to comply with the Court's judgments, but also induces the respondent State to resolve large numbers of individual cases arising from the same structural problem at domestic level, thus reinforcing the principle of subsidiarity which underpins the Convention system.

Mr and Mrs Günay's daughter ten days after a hospital operation.

Yılmaz v. Turkey

04.06.2019

The case concerned the refusal by the Ministry of Education to appoint Mr Yılmaz to a teaching post abroad even though he had passed a competitive examination. Mr Yılmaz contended that his appointment had been refused for reasons relating to his and his wife's private life.

Inadmissible application

Müdür Turgut and Others v. Turkey

26.03.2013 (decision on the admissibility)

The applicants were arrested in Istanbul on grounds of their suspected links with a terrorist organisation.

The Court held in this case that Law no. 6384 was a direct and practical consequence of the pilot-judgment procedure applied in Ümmühan Kaplan v. Turkey (no. 24240/07) of 20 March 2012, designed to remedy complaints relating to the excessive length of proceedings.

Although that Law was not in force when the applicants lodged their application, the Court declared that it was not in a position to state at the present stage of the proceedings that the remedy currently available was not effective and accessible. It followed that the complaint had to be rejected for failure to exhaust domestic remedies.

Right to a fair hearing and equality of arms

No violation of Article 6

Diriöz v. Turkey

31.05.2012

Complaint by an accused that there had been an infringement of the principle of equality of arms in so far as the prosecutor stood on a raised platform whereas he and his lawyer had been placed, as was the rule, at a lower level in the courtroom.

Cases concerning the right to respect for family and private life (Article 8)

Violation of Article 8

Mentes and Others v. Turkey

28.11.1997³

Houses burned during an operation by the security forces in June 1993 in the context of the conflict in south-east Turkey between the security forces and members of the PKK (Workers' Party of Kurdistan), an illegal party.

Y.F. v. Turkey (no. 24209/94)

22.07.2003

Forced gynaecological examination of a detainee in police custody on suspicion of aiding and abetting the illegal PKK party.

Fazil Ahmet Tamer v. Turkey

05.12.2006

Censorship of prisoners' correspondence.

Güzel Erdağöz v. Turkey

21.10.2008

Refusal of the courts to allow an application to correct the spelling of a forename as it was a "regional word" not found in the dictionary published by the Turkish Language Institute.

Mustafa and Armagan Akin v. Turkey

06.04.2010

Brother and sister separated following their parents' divorce (father awarded custody of son and mother custody of daughter).

Perisan and Others v. Turkey

20.05.2010

Detainees injured or killed during an operation of the security forces on 24 September 1996 at Diyarbakir prison.

Özpınar v. Turkey

19.10.2010

Dismissal of a judge by the Judicial Service Commission for reasons relating to her private life (allegations, for example, of a personal relationship with a lawyer and of her wearing unsuitable attire and makeup).

³ In the same case, in its [judgment](#) of 24 July 1998, the Court decided on the question of just satisfaction.

Mehmet Nuri Özen and Others v. Turkey

11.01.2011

Refusal to dispatch prisoners' letters written in a language other than Turkish because their content was incomprehensible and therefore impossible to check.

Aydemir v. Turkey

24.05.2011

Search conducted in 2001 at the applicants' home, and at 48 neighbouring addresses, all situated in the vicinity of Aydın Prison. The searches were intended to prevent any assistance being provided to escaping prisoners via a tunnel. During the search of their home a relative of the applicants died.

Cengiz Kılıç c.Turquie

06.12.2011

Excessive length of divorce proceedings involving the issues of parental responsibility and contact for the parent not living with the child.

Alkaya v. Turkey

09.10.2012

Disclosure by the press of the home address of a Turkish actress whose apartment had been burgled.

Nusret Kaya and Others v. Turkey

22.04.2014

Concerned the fact that Turkish prisoners were not allowed to use the Kurdish language in their telephone conversations with their relatives.

Gözüm v. Turkey

20.01.2015

Refusal of Ms Gözüm's request, as a single adoptive mother, to have her own forename entered on the personal documents for her adopted son E. in place of the name of the child's biological mother.

Y. Y. v. Turkey (no. 14793/08)

10.03.2015

Refusal by the Turkish authorities to grant authorisation for gender reassignment surgery on the grounds that the person requesting it, a transsexual, was not permanently unable to procreate.

Bremner v. Turkey

13.10.2015

The case concerned the broadcasting of a television documentary in which the applicant, Mr Bremner, who was shown

promoting his evangelical Christian beliefs, was described as a "foreign pedlar of religion" engaged in covert activities in Turkey.

Sodan v. Turkey

02.02.2016

The case concerned the applicant's transfer from his senior post within the governor's office in the capital to a similar post in the provinces following a report on his conduct pointing out that his wife wore an Islamic veil and that he himself had an introverted personality.

Karabeyoğlu v. Turkey

07.06.2016

The case concerned a telephone surveillance operation in respect of Mr Karabeyoğlu, a public prosecutor, during a criminal investigation into an illegal organisation known as *Ergenekon*, and the use of the information thus obtained in the context of a separate disciplinary investigation.

No violation of Article 8 as regards the telephone tapping in connection with the criminal investigation

Violation of Article 8 as regards the use in disciplinary proceedings of the information obtained by means of telephone tapping

Violation of Article 13 (right to an effective remedy)

Eylem Kaya v. Turkey

13.12.2016

The case concerned, in particular, the prison authorities' systematic monitoring of a prisoner's correspondence with her lawyer.

Erdinç Kurt and Others v. Turkey

06.06.2017

The case concerned two high-risk operations performed on a patient which left her with severe neurological damage (92% disability).

Gülbahar Özer and Yusuf Özer v. Turkey

29.05.2018

The case concerned the refusal of the national authorities to allow the Özers to bury the bodies of their two children, who were killed by soldiers in January 2005 in southeast Turkey.

The applicants complained about the refusal to allow them to bury the bodies of their children where they wanted.

Kaboğlu and Oran v. Turkey

30.10.2018

The case concerned newspaper articles containing threats and hate speech against the applicants, attacking them for the ideas they had presented in a report addressed to the government regarding questions of minority and cultural rights. The applicants lost their cases before the domestic courts, which took the view that the offending articles fell within legislation protecting freedom of expression.

Yılmaz v. Turkey

04.06.2019

The case concerned the refusal by the Ministry of Education to appoint Mr Yılmaz to a teaching post abroad even though he had passed a competitive examination. Mr Yılmaz contended that his appointment had been refused for reasons relating to his and his wife's private life.

Ulusoy v. Turkey

25.06.2019

In this case Mr and Ms Ulusoy attributed their son's permanent and irreversible disability to medical negligence during the prenatal and delivery phases of Ms Ulusoy's pregnancy. They also complained about the lack of an effective investigation into their allegations.

Kırdök and Others v. Turkey

03.12.2019

In this case the applicants, who are lawyers, complained about the seizure of their electronic data by the judicial authorities for the purposes of criminal proceedings against another lawyer (Ü.S.), who had shared their office.

Sağdıç v. Turkey

09.02.2021

In this case the applicant alleged a breach of his right to protection of his reputation on account of a series of articles published in the daily newspapers *Taraf* and *Yeni Şafak* in November and December 2009, accusing him of involvement in an action plan codenamed "Cage", allegedly aimed at creating conditions favourable to the overthrow of the government.

N.C. v. Turkey

09.02.2021

The case concerned shortcomings in the criminal proceedings against a number of individuals charged with prostitution offences in relation to a fourteen-year-old child.

Telek and Others v. Türkiye

21.03.2023

The case concerned the withdrawal of the three academics' passports in connection with their dismissal from the civil service following the state of emergency declared after the attempted coup d'état of 15 July 2016 in Türkiye. The measure lasted two years and eight months for the first two applicants and three years and ten months for the third applicant.

[Violation of Article 8 in respect of the three applicants](#)

[Violation of Article 2 of Protocol No. 1 \(right to education\) in respect of the first two applicants](#)

Nuh Uzun and Others v. Turkey

29.03.2022

The case mainly concerned the uploading of the applicants' correspondence, while they were in detention, onto the National Judicial Network Server (Ulusal Yargı Ağı Bilişim Sistemi – "UYAP").

Telek and Others v. Türkiye

21.03.2023

The case concerned the withdrawal of the three academics' passports in connection with their dismissal from the civil service following the state of emergency declared after the attempted *coup d'état* of 15 July 2016 in Türkiye. The measure lasted two years and eight months for the first two applicants and three years and ten months for the third applicant.

[Violation of Article 8 \(right to respect for private life\) in respect of the three applicants](#)

[Violation of Article 2 of Protocol No. 1 \(right to education\) in respect of the first two applicants](#)

Nurcan Bayraktar v. Türkiye

27.06.2023

The case concerned the legal obligation for divorced women to observe a 300-day waiting period before remarrying – to someone other than their ex-husband – unless they could prove they were not

pregnant by undergoing a medical examination.

No violation of Article 8

[Kemal Taşkın and Others v. Turkey](#)

02.02.2010

Ban in official documents on names spelt with letters not found in the official Turkish alphabet.

[Küçük v. Turkey and Switzerland](#)

17.05.2011

International abduction of a child by his mother. The father complained in his own name and on behalf of his son that Turkey (their country) and Switzerland (where the child had been sighted) had not taken the necessary steps to secure the child's prompt return. Once the father had eventually recovered the child, the two were detained for several hours at Esenboğa Airport while travelling back to Turkey.

[Kaboğlu and Oran v. Turkey \(no. 2\)](#)

20.10.2020

The case concerned two university professors (Mr Kaboğlu and Mr Oran) who had been the target of various reactions following the publication of a report on minority and cultural rights prepared by a public body in which they held positions of responsibility.

Inadmissible application

[S.A. v. Turkey \(no. 62299/09\)](#)

15.02.2018

The case concerned the applicant's claim that his son had sustained physical harm as a result of an allegedly botched circumcision.

[Application declared inadmissible](#)

[Ahunbay and Others v. Turkey](#)

21.02.2019

In this application, five applicants complained that the planned construction of the İlisu dam threatened the Hasankeyf archaeological site, a place of archaeological and cultural interest dating back more than 12,000 years.

[The Court declared the application inadmissible, finding that the complaints were incompatible *ratione materiae* with](#)

[the provisions of the Convention \(Article 35 §§ 3 \(a\) and 4\).](#)

Cases concerning freedom of thought, conscience and religion (Article 9)

Violation of Article 9

[Leyla Sahin v. Turkey](#)

10.11.2005 (Grand Chamber)

Grand Chamber judgment (see page 3)

[Sinan Isik v. Turkey](#)

02.02.2010

Rejection of the applicant's request to have the word "Islam", indicating his faith on his identity card, changed to "Alevi".

[Arslan and Others v. Turkey](#)

23.02.2010

Criminal conviction of members of a religious group for displaying their religious beliefs by wearing clothing peculiar to their faith.

[Güler and Uğur v. Turkey](#)

02.12.2014

Applicants' conviction for propaganda promoting a terrorist organisation on account of their participation in a religious service organised on the premises of a political party in memory of three members of an illegal organisation (the PKK) who had been killed by security forces.

[Association for Solidarity with Jehovah Witnesses and Others v. Turkey](#)

24.05.2016

The case concerned the inability of the Mersin and İzmir Jehovah's Witnesses to obtain an appropriate place in order to engage in worship.

[Abdullah Yalçın \(No.2\) v. Türkiye](#)

14.06.2022

The case concerned the Diyarbakır high-security prison's refusal to allow the applicant's request for congregational Friday prayers (jumuah) to be held and for him to take part

Cases concerning conscientious objection

Ülke v. Turkey

24.01.2006

Mr Ülke refused to do his military service, on the ground that he had firm pacifist beliefs, and publicly burned his call-up papers at a press conference. He was initially convicted of inciting conscripts to evade military service and, having been transferred to a military regiment, repeatedly convicted for his refusals to wear a military uniform. He served almost two years in prison and later hid from the authorities.

Violation of Article 3 (prohibition of inhuman and degrading treatment)

Ercep v. Turkey

22.11.2011

Refusal by the applicant, a Jehovah's Witness and conscientious objector, to perform military service for reasons of conscience.

Violation of Article 9

Violation of Article 6 (right to a fair trial)

Turkey invited to enact legislation concerning conscientious objectors and to introduce an alternative form of service.

Savda v. Turkey

12.06.2012

Failure to recognise the right to conscientious objection, which would enable refusals to carry out military service to be legitimised in Turkey.

Violations of Article 3 (prohibition of degrading treatment) and 9

Violation of Article 6 § 1 on account of the lack of independence and impartiality of the military court

Cases concerning freedom of
expression
(Article 10)

Violation of Article 10

Falakaoglu and Saygili v. Turkey

19.12.2006

Criminal conviction of the applicants under the Prevention of Terrorism Act for publishing articles in the press designating State agents as targets for terrorist organisations.

Ulusoy and Others v. Turkey

03.05.2007

Prohibition on performing a play in Kurdish in municipal theatres.

Asan v. Turkey

27.11.2007

Seizure of a book by the applicant, for disseminating separatist propaganda.

Nur Radyo Ve Televizyon Yayıncılığı

A.Ş. v. Turkey

27.11.2007

Nur Radyo Ve Televizyon Yayıncılığı

A.Ş. v. Turkey (n° 2)

12.10.2010

Ban imposed on broadcaster for airing religious programmes.

Sorguç v. Turkey

23.06.2009

University professor ordered to pay damages for distributing a paper at a scientific conference criticising the recruitment and promotion procedure for assistant professors and at the same time denigrating a colleague.

Cox v. Turkey

20.05.2010

American academic barred from Turkey for voicing her opinions on Kurdish and Armenian issues.

Bingöl v. Turkey

22.06.2010

Conviction of a member of DEHAP (the Democratic People's Party) for comments criticising the Turkish State's handling of the Kurdish question.

Gözel and Özer v. Turkey

06.07.2010

In its judgment, the Court pointed out that it had found violations of Article 10 in numerous cases against Turkey where media professionals had been convicted for publishing statements made by terrorist organisations, without proper analysis by the courts. It considered this virtually automatic repression incompatible with the freedom to receive and impart information or ideas.

Dink v. Turkey

20.09.2010

Murder of a journalist convicted of "denigrating the Turkish identity".

Fatih Tas v. Turkey

05.04.2011

Publication of a book describing the anti-terrorist activities of the Turkish security forces, attributing murders to them and disclosing the names of officials directly involved.

Altuğ Taner Akçam v. Turkey

25.10.2011

The applicant alleged that the fear of prosecution for his views on the Armenian issue had caused him considerable stress and anxiety and had even made him stop writing on the subject.

Ahmet Yıldırım v. Turkey

18.12.2012

Court decision to block access to Google Sites, which hosted an Internet site whose owner was facing criminal proceedings for insulting the memory of Atatürk. As a result of the decision, access to all other sites hosted by the service was blocked.

Cumhuriyet Vakfı and Others v. Turkey

08.10.2013

Injunction issued in May 2007 against the daily national newspaper, *Cumhuriyet* ("the Republic"), preventing further publication of a political advertisement allegedly quoting an interview given by the current Turkish President, Mr Abdullah Gül, to *The Guardian* newspaper in 1995. The paper's publisher, its owner and two of its journalists complained that the injunction was a violation of their right to freedom of expression.

Dilipak and Karakaya v. Turkey

04.03.2014

Judgment against two journalists, after hearings in their absence, for having written articles that were considered offensive towards a high-ranking dignitary of the army.

Akdeniz v. Turkey

11.03.2014

Blocking of access to two websites on the grounds that they streamed music without respecting copyright legislation.

Application inadmissible: the Court noted that the two music streaming websites had

been blocked because they operated in breach of copyright law.

Mustafa Erdoğan and Others v. Turkey

27.05.2014

Complaint by a law professor, editor and publisher that they were ordered by the Turkish courts to pay damages to three judges of the Constitutional Court for insulting them in a journal article which reported on a decision dissolving a political party. The article was published in a quarterly law journal in 2001.

Murat Vural v. Turkey

21.10.2014

Mr Vural's complained about the lengthy prison sentence he had to serve for pouring paint over statues of Mustafa Kemal Atatürk, the founder of the Republic of Turkey, as a political protest.

Müdür Duman v. Turkey

06.10.2015

The case dealt with the complaint by a local leader of a political party that his conviction on account of illegal pictures and publications found in the office of his party had amounted to an unjustified interference with his right to freedom of expression.

Belek and Velioğlu v. Turkey

06.10.2015

Applicants' conviction by a State Security Court for publishing an article in a daily newspaper containing a statement by an illegal armed organisation.

Cengiz and Others v. Turkey

01.12.2015

The case concerned the blocking of access to YouTube, a website enabling users to send, view and share videos, from 5 May 2008 to 30 October 2010.

Görmüş and Others v. Turkey

19.01.2016

The case concerned three different aspects of freedom of expression, namely the protection of journalistic sources, the disclosure of confidential information and the protection of whistle-blowers.

Erdener v. Turkey

02.02.2016

The case concerned the upholding of a civil defamation claim against Ms Erdener, who at the time was a Member of the Turkish Parliament, on account of her remarks,

reported in the press, criticising the medical care given to the Prime Minister, Bülent Ecevit, in a private university hospital.

Bilen and Çoruk v. Turkey

08.03.2016

The case concerned the conviction of two members of the Youth Movement of the Labour Party (*Emek Partisi*), who were fined for distributing the party's leaflets without prior authorisation.

Semir Güzel v. Turkey

13.09.2016

The case concerned the prosecution of a politician because he had permitted participants at a congress of his political party to speak in Kurdish.

Savda v. Turkey (no. 2)

15.11.2016

The case concerned Mr Savda's criminal conviction for having read out a statement to the press entitled "*We are in solidarity with the Israeli conscientious objectors*".

Kaos GL v. Turkey

22.11.2016

The case concerned the seizure of all the copies of a magazine published by Kaos GL, a cultural research and solidarity association for gays and lesbians.

Sarıgül v. Turkey

23.05.2017

The case concerned the seizure, by the prison authorities, of a draft novel that Mr Sarıgül had written in prison, and the seizure of a letter he wanted to send to his lawyer.

Ali Çetin v. Turkey

19.06.2017

The case concerned the criminal conviction of an accountant (Mr Çetin) for insulting a civil servant, as a result of comments made by Mr Çetin in a letter relating to a professional conflict. Mr Çetin accused the civil servant in question of having launched a "*fatwa*⁴, *displaying the mentality of a Bekçi Murtaza*⁵" when drawing up a tax

⁴ A "fatwa" is a decision issued by a competent religious authority, setting out the solution to a question concerning Islamic law.

⁵ *Bekçi Murtaza*" is a fictional character in Turkish literature, who is viewed as placing his own principles and truths above everything else and seeking to impose them on others.

audit report on the foundation which had employed Mr Çetin.

Aydoğan and Dara Radyo Televizyon Yayıncılık Anonim Şirketi v. Turkey

13.02.2018

The case concerned administrative proceedings following an application for a national security clearance certificate for the shareholders and directors of "Aydoğan and Dara Radyo Televizyon Yayıncılık Anonim Şirketi", a television company whose main purpose was to broadcast programmes in the Kurdish language.

Kula v. Turkey

19.06.2018

The case concerned a disciplinary sanction (reprimand) imposed on Mr Kula, a university professor, for taking part in a television programme in a town other than that in which he resided without his university's authorisation.

Fatih Taş v. Turkey (5)

04.09.2018

The case concerned the criminal proceedings instituted against the owner of a publishing company (Mr Taş) for denigrating the Republic of Turkey on account of the publication of a book concerning the disappearance of a journalist in south-east Turkey in 1994.

Ali Gürbüz v. Turkey

12.03.2019

The case concerned seven sets of criminal proceedings brought against Mr Gürbüz for publishing, in his daily newspaper *Ülkede Özgür Gündem*, statements by the leaders of organisations characterized as terrorist under Turkish law. He was acquitted after proceedings which had lasted between five and over seven years, without having been remanded in custody.

Mart and Others v. Turkey

19.03.2019

The case concerned the conviction of the three applicants in criminal proceedings for disseminating propaganda in favour of an illegal organisation (the MKLP, the Marxist-Leninist Communist Party).

Selahattin Demirtaş v. Turkey (no. 3)

09.07.2019

The case concerned Mr Demirtaş's criminal conviction for statements made during a television broadcast.

The Court held that the criminal proceedings instituted against the applicant on charges of disseminating propaganda in favour of a terrorist organisation had not met a pressing social need, had not been proportionate to the legitimate aims pursued and had consequently not been necessary in a democratic society.

Hatice Çoban v. Turkey

29.10.2019

The case concerned Ms Çoban's criminal conviction for disseminating propaganda in favour of a terrorist organisation on account of a speech she had given.

Özer v. Turkey (no. 3)

11.02.2020

The case concerned criminal proceedings brought against Mr Özer over an article published in his magazine. Mr Özer was prosecuted and convicted of the criminal offence of providing propaganda for a terrorist organisation, under section 7(2) of Law No. 3713.

Özer v. Turkey (No. 3)

11.02.2020

The case concerned criminal proceedings brought against Mr Özer over an article published in his magazine. Mr Özer was prosecuted and convicted of the criminal offence of providing propaganda for a terrorist organisation, under section 7(2) of Law No. 3713.

Kaboğlu and Oran v. Turkey (no. 2)

20.10.2020

The case concerned two university professors (Mr Kaboğlu and Mr Oran) who had been the target of various reactions following the publication of a report on minority and cultural rights prepared by a public body in which they held positions of responsibility.

Kılıçdaroğlu v. Turkey

27.10.2020

The case concerned a civil judgment ordering Kemal Kılıçdaroğlu, leader of the main opposition party, to pay compensation for tarnishing the reputation of the then Prime Minister, Recep Tayyip Erdoğan, on account of remarks made by him in two speeches delivered in 2012 on the parliamentary estate.

Sabuncu and Others v. Turkey

10.11.2020

The case concerned the applicants' initial and continued pre-trial detention on account of the editorial stance taken by the daily newspaper Cumhuriyet in its articles and in posts on social media, criticising certain government policies.

Atilla Taş v. Turkey

19.01.2021

The case concerned the pre-trial detention of the singer and columnist Atilla Taş because of tweets he posted on his Twitter account and articles and columns he wrote in the daily newspaper *Meydan*, between 2011 and 2016, criticising government policies. Mr Taş was prosecuted for terrorism-related offences.

Ramazan Demir v. Turkey

09.02.2021

The case concerned the prison authorities' refusal to grant a request for access to certain Internet sites, lodged by Mr Demir in the course of his pre-trial detention in Silivri Prison in 2016.

Eminağaoğlu v. Turkey

09.03.2021

The case concerned the imposition on a judicial officer of a disciplinary sanction (post relocation), decided by the Council of Judges and Prosecutors, on account of statements and criticisms that he had made to the media about certain high-profile court cases. At the material time the applicant was also the Chairman of Yarsav, an association of judges and prosecutors.

Akdeniz and Others v. Turkey

04.05.2021

The case concerned an interim injunction ordered by the domestic courts banning the dissemination and publication (on any medium) of information on a parliamentary inquiry into allegations of corruption against four former ministers, which had been instigated following an operation conducted by the Istanbul police and prosecutor's office on 17 and 25 December 2013.

[Violation of Article 10 in respect of Banu Güven](#)

Kerestecioğlu Demir v. Turkey

04.05.2021

The case concerned the withdrawal of parliamentary immunity from the applicant,

an elected member of the Turkish National Assembly, a decision which in her submission was the result of her political opinions. She also complained of a violation of her right to freedom of expression.

Sedat Doğan v. Turkey, Naki and Amed Sportif Faaliyetler Kulübü Derneği v. Turkey and Ibrahim Tokmak v. Turkey

18.05.2021

These cases concerned sports sanctions and financial penalties imposed on the applicants by the Turkish Football Federation on account of statements to the media or messages posted or shared on social media, and the appeal proceedings lodged against those sanctions by the applicants before the Federation's Arbitration Committee.

Öğreten and Kanaat v. Turkey

18.05.2021

The case concerned the detention (from December 2016 to December 2017) of two journalists for membership of terrorist organisations. Both journalists had published, in the press entities in which they worked, emails from the account of the then Turkish Energy Minister (Mr Berat Albayrak, son-in-law of the President of the Republic), which had been hacked and published on the Wikileaks site in December 2016.

Melike v. Turkey

15.06.2021

The case concerned the dismissal of Ms Melike, a contractual employee at the Ministry of National Education, for having clicked "Like" on various Facebook articles (posted on the social networking site by a third party). The authorities considered that the posts in question were likely to disturb the peace and tranquillity of the workplace, on the grounds that they alleged that teachers had committed rapes, contained accusations against political leaders and related to political parties.

Ömür Çağdaş Ersoy v. Turkey

15.06.2021

The case concerned the criminal conviction of a student (Mr Ersoy) of the ODTÜ (*Ortadoğu Teknik Üniversitesi*) who was charged with insulting a public official on account of his functions.

Üçdağ v. Turkey

31.08.2021

The case concerned Mr Üçdağ's criminal conviction for disseminating propaganda in favour of a terrorist organisation on account of two posts published on his Facebook account, as well as the rejection of his individual application to the Constitutional Court as being out of time.

[Violation of Article 6 § 1 \(right of access to a tribunal\) and a violation of Article 10](#)

Mehmet Ciftci and Suat İncedere v. Turkey

18.01.2022

The case concerned the sanction of one month's deprivation of means of communication imposed on the applicants by the prison management for singing anthems and reading out poems (in December 2016) in memory of the prisoners who had lost their lives during the "Return to life" operation conducted by the authorities in prisons in December 2000.

Kozan v. Turkey

01.03.2022

The case concerned a disciplinary sanction (reprimand) imposed on Mr Kozan, a serving judge, for having shared in May 2015, in a private Facebook group, a press article headed "Judicial rehabilitation for closing the 17 December investigation, dismissal for conducting the investigation", without posting any comment himself.

No violation of Article 10

Poyraz v. Turkey

07.12.2010

Civil judgment against the applicant for defamation on the basis of a report which he had compiled as chief inspector of the Ministry of Justice and which had been leaked to the press, concerning allegations of professional misconduct on the part of a senior judge.

Altıntaş v. Turkey

10.03.2020

The case concerned a judicial fine imposed on Mr Altıntaş for an article published in 2007 in his periodical *Tokat Demokrat*, describing the perpetrators of the "Kızıldere events", among others as "idols of the youth". The events in question took place in March 1972, when three British nationals

working for NATO were abducted and executed by their kidnapers.

Mr Altıntaş was convicted in 2008 by the Criminal Court, which found that the article glorified the insurgents involved in those events.

[Sarisu Pehlivan v. Türkiye](#)

06.06.2023

The case concerned a disciplinary penalty imposed by the Council of Judges and Prosecutors (CJP) on the applicant, a judge who at the relevant time was secretary-general of the judges' trade union, following the publication of an interview she had given to a national daily newspaper.

Inadmissible applications

[Demirbaş and Others v. Turkey](#)

09.11.2010

Question of the standing before the European Court of Human Rights of a municipal authority represented by individuals, namely, members constituting the municipal council, who complained, relying on Article 10, of the municipal council's dissolution following publications in Kurdish.

[Application inadmissible: local authorities did not have standing to lodge an application under Article 34.](#)

[Wikimedia Foundation, Inc. v. Turkey](#)

24.03.2022

The case concerned a request by the Telecommunications and Information Technology Directorate for the removal of certain pages from the applicant's website and the subsequent order blocking access to the entire website as it was not technically feasible to block only certain pages.

[Application declared inadmissible.](#)

[Seizure of publications and conviction of the publishers](#)

Violation of Article 10

[Akdas v. Turkey](#)

16.02.2010

Turkish edition of an erotic novel by Guillaume Apollinaire

[Sapan v. Turkey](#)

08.06.2010

Book about the singer Tarkan

[Examples of cases concerning suspension of newspapers](#)

Violations of Article 10

[Ürper and Others v. Turkey](#)

20.10.2009

[Saygili and Bilgiç v. Turkey](#)

20.05.2010

[Turgay and Others v. Turkey](#)

15.06.2010

Cases concerning freedom of assembly and association (Article 11)

Violation of Article 11

[Demir et Baykara v. Turkey](#)

12.11.2008

Grand Chamber judgment (see page 3)

[Enerji Yapi-Yol Sen v. Turkey](#)

21.04.2009

Disciplinary sanctions against civil servants for taking part in a national one-day strike to secure the right to a collective-bargaining agreement.

[Saime Özcan v. Turkey](#)

[Kaya et Seyhan v. Turkey](#)

15.09.2009

Penalties against teachers for taking part in national strikes organised by their trade union.

[HADEP and Demir v. Turkey](#)

14.12.2010

Dissolution of the People's Democracy Party, "HADEP", by a decision of the Turkish Constitutional Court in 2003 (it concluded that it had become a centre of illegal activities which included aiding and abetting the PKK – the illegal Workers Party of Kurdistan).

[Gazioğlu and Others v. Turkey and Akgöl and Göl v. Turkey](#)

17.05.2011

Intervention by the police in demonstrations in which the applicants participated.

Eğitim Ve Bilim Emekçileri Sendikası v. Turkey

25.09.2012

Proceedings to dissolve a teachers' union one section of whose statutes expressed the aim to defend the right to be taught "in one's mother tongue".

İsmail Sezer v. Turkey

24.03.2015

A disciplinary measure taken against a teacher, who held office in a union, for taking part in a panel discussion organised by a political party.

Party for a Democratic Society (DTP) and Others v. Turkey

12.01.2016

The case concerned the dissolution of the Party for a Democratic Society ("the DTP", *Demokratik Toplum Partisi*), part of the pro-Kurdish left-wing political movement, and the forfeiture of the parliamentary mandates of certain of its members of parliament, including those of its co-presidents.

Gülcü v. Turkey

19.01.2016

The case concerned in particular the conviction and detention of a minor for two years for membership of the PKK (Kurdish Workers' Party), an illegal armed organisation, after he participated in a demonstration held in Diyarbakır in July 2008 and threw stones at police officers. He was also convicted of disseminating propaganda in support of a terrorist organisation and resistance to the police.

Cumhuriyet Halk Partisi v. Turkey

26.04.2016

The case concerned the confiscation of a substantial part of the assets of Turkey's main opposition party, Cumhuriyet Halk Partisi, by the Constitutional Court following an inspection of its accounts for the years 2007 to 2009.

Işıkırık v. Turkey

14.11.2017

The case concerned the applicant's criminal conviction of membership in an illegal organisation, after having participated in a funeral of four members of the PKK (Kurdish Workers' Party, an illegal organisation) and in a demonstration.

Aqit Demir v. Turkey

27.02.2018

The case concerned the placement in pre-trial detention of Mr Demir, who was a minor at the time, for participating in a demonstration and throwing stones at the security forces.

Bakır and Others v. Turkey
İmret v. Turkey (no. 2)

10.07.2018

The cases concerned complaints brought by 13 Turkish nationals about their criminal convictions for participating in demonstrations in 2005/2006. Five of the applicants were convicted of membership of illegal armed organisations, while the other eight were convicted of disseminating terrorist propaganda. They all served prison sentences, ranging between one year and eight months and seven years.

Adana Tayad v. Turkey

21.07.2020

The case concerned the dissolution of the applicant association, known as Adana Tayad, ordered by the District Court on the grounds of illegal activities of certain members of the association's board of directors, while the judgments handed down in the proceedings relating to those offences were not yet final.

No violation of Article 11

Zehra Foundation and Others v. Turkey

10.07.2018

The case concerned the foundation *Zehra Eğitim Vakfı*, which was dissolved in 2005 and remained inactive until 2013, on the grounds that its covert aim was to disseminate the vision of the theologian Said Nursi, namely the creation of a Kurdish State based on Sharia.

MİHR Foundation v. Turkey

07.05.2019

The case concerned the dissolution of the MİHR Foundation (*Medeniyet, İrfan, Hayır, Refah Vakfı* – foundation of civilisation, knowledge, welfare and prosperity) on the ground that its financial resources were insufficient to cover its expenses and to fulfil its registered aims.

Inadmissible applications

[Demokrat Parti v. Turkey](#)

30.09.2021

The case concerned the refusal by the Ministry of Finance to pay the applicant – a political party – public funding for the year 2006, following the repeal in May 2005 of section 16 of the Political Parties Act (Law no. 2820). The applicant party relied on Articles 11 (freedom of association) and 14 (prohibition of discrimination) of the European Convention on Human Rights.

Application declared inadmissible as manifestly ill-founded.

Cases on Article 13 (right to an effective remedy)

[G.B. and Others v. Turkey](#) (no. 4633/15)

17.10.2019

The case concerned the immigration detention of a mother and her three young children pending their deportation from Turkey. They had been released after nearly four months following a series of challenges about the lawfulness of their detention before the domestic courts.

Violation of Article 13 in conjunction with Article 3 because of the lack of effective remedies for the applicants to complain about the conditions of detention at one of the removal centres

Cases on prohibition of discrimination (Article 14)

Violation of Article 14 taken together with Article 8 (right to respect for private and family life)

[Ünal Tekeli v. Turkey](#)

16.11.2004

Impossibility for the applicant to use only her maiden name after getting married.

[Emel Boyraz v. Turkey](#)

02.12.2014

Dismissal of Ms Boyraz from public sector employment on grounds of gender.

[Hülya Ebru Demirel v. Turkey](#)

19.06.2018

The case concerned the applicant's allegation of sexual discrimination because she was denied a job as a security officer at a state-run regional electricity distribution company.

Violation of Article 14 taken together with Article 9 (freedom of thought, conscience and religion)

[Cumhuriyetçi Eğitim Ve Kültür Merkezi Vakfi v. Turkey](#)

02.12.2014

Possibility under Turkish law for places of worship to be granted an exemption from paying electricity bills and the refusal to grant this privilege to the applicant foundation.

Violation of Article 14 taken together with Article 1 of Protocol No. 1 (protection of property)

[Dimici v. Türkiye](#)

05.07.2022

The case concerned the conditions regulating the allocation of surplus income by the Örfioğlu Foundation (created in Diyarbakır in 1536, during the Ottoman period), which introduced a difference in treatment based on the sex of the entitled persons.

Violation of Article 14 taken together with Article 2 of Protocol No. 1 (right to education)

[Çam v. Turkey](#)

23.02.2016

The case concerned a refusal to enrol Ms Çam as a student at the Turkish National Music Academy because she was blind.

[Enver Şahin v. Turkey](#)

30.01.2018

The case concerned the impossibility for a paraplegic person (Mr Şahin) to gain access to the university buildings for the purpose of his studies owing to the lack of suitable facilities.

Exhaustion of domestic remedies (Article 35 § 1)

Inadmissible application

[Hasan Uzun v. Turkey](#)

30.04.2013

In its decision the Court reiterated that the rule of the exhaustion of domestic remedies was an indispensable part of the functioning of the Convention mechanism. Having examined the main aspects of the new remedy before the Turkish Constitutional Court, the Court found that the Turkish Parliament had entrusted that court with powers that enabled it to provide, in principle, direct and speedy redress for violations of the rights and freedoms protected by the Convention.

[Application declared inadmissible for non-exhaustion of domestic remedies.](#)

Cases concerning the protection of property (Article 1 of Protocol No. 1)

Violation of Article 1 of Protocol No. 1

[N.A. and Others v. Turkey](#) (no. 37451/97)

11.10.2005

[FenerRum Erkek Lisesi Vakfi v. Turkey](#)

09.01.2007

Annulment with final effect of title to property belonging to a foundation set up in accordance with Turkish law by a religious minority with legal personality.

[Turgut and Others v. Turkey](#)

08.07.2008

Annulment without compensation of title to land forming part of the coastline or the State forest.

[Uzan and Others v. Turkey](#)

05.03.2019

The case concerned attachment measures which had been ordered against the property of the applicants (Jasmin Paris Uzan, Renç Emre Uzan, Ayla Uzan-Ashaboğlu, Nimet Hülya Talu and Bilge Doğru) on the grounds that their relatives,

or their managers in some cases, were being prosecuted for the misuse of public funds in a case concerning the activities of the bank Türkiye İmar Bankası, which had been controlled since 1984 by the Uzan group and whose banking licence had been withdrawn after it had registered a loss of several billion euros.

[Kamoy Radyo Televizyon Yayıncılık ve Organizasyon A.Ş. v. Turkey](#)

16.04.2019

The case concerned the applicant company's proceedings to protect a trademark, which led to the domestic courts applying a piece of legislation retroactively and its action being rejected.

[Kaynar and Others v. Turkey](#)

07.05.2019

The case concerned civil proceedings dealing with claims in respect of the ownership of land purchased by the applicants and classified as a "natural site". The domestic courts decided to register the land in the name of the Treasury on the basis of a new law which came into force during the proceedings. The applicants did not receive any compensation.

No violation of Article 1 of Protocol No. 1

[Aktürk and Others v. Türkiye](#)

13.06.2023

The case concerned the applicants' complaint about a decision by the administrative authorities to annul the sale of a plot of agricultural land – which their deceased relative had occupied continuously since 1966 and had purchased from the Polatlı District Governor's office in 2017, a few weeks before his death – since it was being claimed on public-interest grounds by the authorities.

Inadmissible applications

[Uzan and Others v. Turkey](#)

29.03.2011

The applicants, the founder of the Rumeli Elektrik company and three Turkish companies (Rumeli Elektrik A.Ş., ÇEAŞ and KEPEZ A.Ş) complained about the transfer to the State of electricity distribution sites without any compensation.

Application declared inadmissible as manifestly ill-founded.

Arioğlu and Others v. Turkey

06.11.2012

The applicants complained about the loss of their property rights without payment of compensation.

Application declared inadmissible for non-exhaustion of domestic remedies.

Yeşil and Others v. Turkey and Danyanikli v. Turkey

27.09.2018

The applicants owned land in a region known for its major tourist attractions and which is listed as a mountain pasture area. The case concerned proceedings to have their title deeds annulled.

Applications declared inadmissible as manifestly ill-founded.

Expropriations: a structural problem

Violation of article 1 of Protocol No. 1

Sarica and Dilaver v. Turkey

27.05.2010

Occupation of plots of land for years on end without any formal expropriation decision being taken.

The Court considered that the practice of *de facto* expropriation represented a structural problem in Turkey

Yetis and Others v. Turkey

06.07.2010

The Court found that there was a structural problem in the expropriation procedure in Turkey

Cases concerning the right to education
(Article 2 of Protocol No. 1)

Violation of Article 2 of Protocol No. 1

Zengin v. Turkey

09.10.2007

Refusal to exempt a State school pupil from compulsory lessons in "religious culture and ethics" with emphasis on knowledge of the Sunni branch of Islam.

Temel and Others v. Turkey

03.03.2009

Suspension of eighteen students from university for two terms for requesting the introduction of optional Kurdish language classes.

Mansur Yalçın and Others v. Turkey

16.09.2014

The applicants, who are adherents of the Alevi faith, an unorthodox minority branch of Islam, complained that the content of the compulsory classes in religion and ethics in schools was based on the Sunni understanding of Islam.

Mehmet Reşit Arslan and Orhan Bingöl v. Turkey

18.06.2019

The case concerned the right to education of two convicted prisoners.

Cases concerning the right to free elections
(Article 3 of Protocol No. 1)

Violation of Article 3 of Protocol No. 1

Söyler v. Turkey

17.09.2013

Complaint brought by a businessman convicted for unpaid cheques that he was not allowed to vote in the 2007 Turkish general elections while he was being detained in prison or in the 2011 general elections after his conditional release.

The Court found in particular that the ban on convicted prisoners' voting rights in Turkey was automatic and indiscriminate and did not take into account the nature or gravity of the offence, the length of the prison sentence or the prisoner's individual conduct or circumstances. The application of such a harsh measure on a vitally important Convention right had to be seen as falling outside of any acceptable room for manoeuvre of a State to decide on such matters as the electoral rights of convicted prisoners.

Murat Vural v. Turkey

21.10.2014

(see cases concerning Article 10 among others)

**No violation of Article 3 of Protocol
No. 1**

**Özgürlük ve Dayanisma Partisi v.
Turkey**

10.05.2012

Refusal to grant direct public financing, provided for by the Turkish Constitution, to a political party, the ÖDP, which did not meet the minimum representativeness criterion.

The Court found in particular that the difference in treatment between the ÖDP and the parties which received funding was reasonably proportionate to the legitimate aim of strengthening democratic pluralism while avoiding fragmentation of the candidate lists.

Inadmissible application

Cumhuriyet Halk Partisi v. Turkey

30.11.2017

The case concerned a complaint by a Turkish opposition party about the referendum held on 16 April 2017, on the modification and repeal of constitutional provisions dealing with presidential powers. The Court found that the applicants' complaint was incompatible *ratione materiae* with the provisions of the Convention; therefore it declared the application inadmissible.

**Cases concerning the situation
in northern Cyprus**

Loizidou v. Turkey

18.12.1996

(First ECHR judgment concerning Turkey): no access to property in northern Cyprus for the owner, a Cypriot national.

Violation of Article 1 of Protocol No. 1 (protection of property)

No violation of Article 8 (right to respect for private and family life)

Similar applications have been lodged and the same violations found by the Court⁶:

⁶ 27.01.09: Evagorou Christou (18403/91), Ioannou (18364/91), Kyriacou (18407/91), Michael (18361/91), Nicola (18404/91), Sophia Andreou (18360/91); 20.01.09: Gavriel (41355/98), Orphanides (36705/97)

Xenides-Arestis v. Turkey

22.12.2005 ⁷

No possibility since 1974 for the applicant, a Cypriot national, to gain access to her home in northern Cyprus.

Unlike the applicant in *Loizidou*, Mrs Xenides-Arestis had her home in northern Cyprus and lived there.

Violation of Article 8 (right to respect for the applicant's home)

Violation of Article 1 of Protocol No. 1 (protection of property)

Isaak v. Turkey and Solomou v. Turkey

24.06.2008

(see above under the right to life)

Inadmissible applications

**Demopoulos and seven other
applications**

05.03.2010

In these applications, the Court found that the law as amended afforded an accessible, effective remedy for Greek Cypriots deprived of their property in northern Cyprus.

**Cases concerning the
measures taken after
the attempted *coup d'état* on
15 July 2016**

Mercan v. Turkey

17.11.2016

The case concerned the pre-trial detention of a judge who was dismissed from office following the attempted *coup d'état*.

Application declared inadmissible for failure to exhaust domestic remedies.

Press release in [Turkish](#).

Zihni v. Turkey

08.12.2016

The case concerned the dismissal of a teacher from his duties by a legislative decree issued by the Council of Ministers in the context of the state of emergency introduced after the attempted *coup d'état*.

⁷ In the same case, in its Chamber [judgment](#) of 7 December 2006, the Court decided on the question of just satisfaction.

Application declared inadmissible for failure to exhaust domestic remedies (Article 35 §§ 1 and 4 of the Convention).

Press release in [Turkish](#).

Catal v. Turkey

10.03.2017

Dismissal of a judge by the Supreme Council of Judges, pursuant to a legislative decree adopted during the state of emergency, as one of a number of measures taken after the attempted *coup d'état*.

Press release in [Turkish](#).

Köksal v. Turkey

23.06.2017

The case concerned Mr Köksal's dismissal by legislative decree in the context of measures taken after the attempted *coup d'état*.

Application declared inadmissible for failure to exhaust domestic remedies.

Press release in [Turkish](#).

Alparslan Altan v. Turkey

16.04.2019

The case concerned the detention of a Turkish Constitutional Court judge following the attempted *coup d'état*.

Violation of Article 5 § 1 (right to liberty and security) on account of the unlawfulness of the applicant's initial pre-trial detention

Violation of Article 5 § 1 on account of the lack of reasonable suspicion, at the time of the applicant's initial pre-trial detention, that he had committed an offence

Baş v. Turkey

03.03.2020

The case concerned the pre-trial detention of Mr Baş, a judge at the time, following the attempted coup of 15 July 2016.

Violation of Article 5 § 1 (right to liberty and security) as regards the alleged unlawfulness of the applicant's initial pre-trial detention

Violation of Article 5 § 1 on account of the lack of reasonable suspicion, at the time of the applicant's initial pre-trial detention, that he had committed an offence

Violation of Article 5 § 4 (right to speedy review of the lawfulness of detention) on account of the length of the period during which the applicant had not appeared in person before a judge

Kaman v. Turkey

04.06.2020

The case concerned the applicant's custody on remand from 29 December 2017 until 25 October 2019, in the aftermath of the attempted *coup d'état* in July 2016.

Application declared inadmissible for failure to exhaust domestic remedies.

Pişkin v. Turkey

15.12.2020

The case concerned Mr Pişkin's dismissal on the grounds that he had links with a terrorist organisation, in the wake of the declaration of a state of emergency in Turkey following the failed military coup of 15 July 2016, as well as the subsequent judicial review of that measure.

Violation of Article 6 § 1 (right to a fair trial)

Violation of Article 8 (right to respect for private and family life).

Selahattin Demirtaş v. Turkey (no. 2)

22.12.2020

The case concerned the arrest and pre-trial detention of Mr Selahattin Demirtaş, who at the time of the events was one of the co-chairs of the Peoples' Democratic Party (HDP), a left-wing pro-Kurdish political party.

Violation of Article 10 (freedom of expression)

Violation of Article 5 § 1 (right to liberty and security)

Violation of Article 5 § 3 (right to liberty and security)

No violation of Article 5 § 4 (right to a speedy decision on the lawfulness of detention)

Violation of Article 3 of Protocol No. 1 (right to free elections)

Violation of Article 18 (limitations on use of restrictions on rights) in conjunction with Article 5

Atilla Taş v. Turkey

19.01.2021

The case concerned the pre-trial detention of the singer and columnist Atilla Taş because of tweets he posted on his Twitter account and articles and columns he wrote in the daily newspaper *Meydan*, between 2011 and 2016, criticising government policies. Mr Taş was prosecuted for terrorism related offences.

Violation of Article 5 § 1 (right to liberty and security)

Violation of Article 10 (freedom of expression)

No violation of Article 5 § 4 (inability to consult the investigation file).

Tercan v. Turkey

29.06.2021

The case concerned the remanding in custody of a former judge of the Turkish Constitutional Court (Mr Tercan) and his continued pre-trial detention, together with a search of his home, in the aftermath of the attempted coup of 15 July 2016, on suspicion of belonging to a terrorist organisation.

Violation of Article 5 § 1 (right to liberty and security)

Violation of Article 5 § 3 (right to liberty and security: reasoning of decisions to remand in custody and length of detention)

Violation of Article 8 (right to respect for private and family life and for one's home)

Akgün v. Turkey

20.07.2021

The case concerned the applicant's placement in pre-trial detention on suspicion of being a member of an organisation referred to by the Turkish authorities as "FETÖ/PDY" ("Gülenist Terrorist Organisation/ parallel State structure").

Violation of Article 5 § 1 (right to liberty and security)

Violation of Article 5 § 3 (entitlement to trial within a reasonable time or to release pending trial)

Violation of Article 5 § 4 (right to a speedy decision on the lawfulness of detention)

Cases dealing with the arrest and the pre-trial detention of journalists following the attempted military coup in July 2016

Violation of Article 10

Mehmet Hasan Altan v. Turkey

Şahin Alpay v. Turkey

20.03.2018

Sabuncu and Others v. Turkey

10.11.2020

The case concerned the applicants' initial and continued pre-trial detention on account of the editorial stance taken by the daily newspaper Cumhuriyet in its articles

and in posts on social media, criticising certain government policies.

Violation of Article 5 § 1 (right to liberty and security)

violation of Article 10 (freedom of expression)

No violation of Article 5 § 4 (right to speedy review of the lawfulness of detention)

No violation of Article 18 (limitation on use of restrictions on rights)

Şık v. Turkey (no. 2)

24.11.2020

The case concerned the initial and continued pre-trial detention of the journalist Ahmet Şık, who was suspected of disseminating propaganda in favour of organisations considered to be terrorist organisations or of assisting them through articles and interviews published in the Turkish daily newspaper Cumhuriyet and social media posts, all of which criticised government policy.

Violation of Article 5 § 1 (right to liberty and security)

Violation of Article 10 (freedom of expression)

No violation of Article 5 § 4 (right to speedy review of the lawfulness of detention)

No violation of Article 18 (limitation on use of restrictions on rights)

Murat Aksoy v. Turkey

13.04.2021

The case concerned the pre-trial detention of a journalist in connection with articles and publications he had written for newspapers or social media in which he had criticised the government. Mr Aksoy was taken into custody a few weeks after the attempted coup of 15 July 2016 and the subsequent declaration of a state of emergency. The authorities accused him of belonging to a terrorist organisation and of attempting, by force and violence, to overthrow the constitutional order and the government.

Violation of Article 5 § 1 (right to liberty and security)

Violation of Article 10 (freedom of expression)

No violation of Article 5 § 4 (inability to access investigation file)

Ahmet Hüsrev Altan v. Turkey

13.04.2021

The case concerned the pre-trial detention of the applicant, who is a well-known

novelist and journalist, following his arrest on suspicion of membership of the Fetullahist Terrorist Organisation/Parallel State Structure. The events took place around the attempted coup d'état in July 2016 and the subsequent state of emergency.

Violation of Article 5 § 1 (right to liberty and security)

Violation of Article 5 § 4 (right to have lawfulness of detention decided speedily by a court) concerning the lack of access to the investigation file

No violation of Article 5 § 4 concerning the speediness of the judicial review

Violation of Article 5 § 5 (right to liberty and security)

Violation of Article 10 (freedom of expression)

No violation of Article 18 (limitation on the use of restrictions of rights)

Bulaç v. Turkey

08.06.2021

This case concerned the pre-trial detention of a journalist for membership of a terrorist organisation.

Violation of Article 5 § 1

Violation of Article 10

Other noteworthy cases, judgments and decisions delivered

Tendik and Others v. Turkey

22.12.2005

Lack of a remedy in respect of the length of judicial proceedings.

Violation of Article 13 (right to an effective remedy)

Inadmissible applications

Applications concerning the compensation procedure for victims of terrorism in Turkey

İçyer v. Turkey

12.01.2006

The Court examined a newly established remedy - Law on compensation for losses sustained as a result of terrorism or the fight against terrorism which came into force on 27 July 2004 - and held that it was "accessible" and afforded "reasonable

prospects of success". On that basis, 800 applications pending before the Court were declared inadmissible.

Akbayır and Others v. Turkey, Fidanten and Others v. Turkey, Bingölbali and 54 Others v. Turkey and Boğuş and 91 other applications v. Turkey

08.07.2011

Noteworthy pending cases

Grand Chamber

Yalçınkaya v. Turkey (no. 15669/20)

The case concerns the trial and conviction of Mr Yalçınkaya for membership of the FETÖ/PDY. The trial took place in the aftermath of the attempted coup d'état of 15 July 2016.

On 19 February 2021 the Turkish Government were given [notice](#) of the application, with questions from the Court.

The Chamber to which the case had been allocated [relinquished jurisdiction in favour of the Grand Chamber on 3 May 2022](#).

A Grand Chamber [hearing](#) took place on 18 January 2023.

Chamber

Interstate case

There is one pending case Armenia v. Turkey.

For more information, see the [Q and A on inter-State cases](#).

Cases communicated cases in 2017 (non-exhaustive list)

Cases concerning the measures taken after the attempted *coup d'état* on 15 July 2016

Députés:

Yüksekdağ Şenoğlu v. Turkey (no. 14332/17)

Baluken v. Turkey (no. 24585/17)

Konca v. Turkey (no. 25445/17)

Zeydan v. Turkey (no. 25453/17)

Akdoğan v. Turkey (no. 25462/17)

Irmak v. Turkey (no. 25463/17)

Encu v. Turkey (no. 25464/17)

Yıldırım v. Turkey (no. 31033/17)
Aydoğan v. Turkey (no. 36268/17)
Demirel v. Turkey (no. 39732/17)
Bilgen v. Turkey (no. 41087/17)
Cases [communicated](#) in June 2017

Enseignants:

[Gülmen v. Turkey \(no. 46171/17\)](#) and
[Özakça v. Turkey \(no. 45940/17\)](#)

**Cases communicated cases in 2018
(non-exhaustive list)**

Cases concerning the measures taken after
the attempted *coup d'état* on 15 July 2016

[Güler v. Turkey](#) (no. 62170/17)
[Kiliç v. Turkey](#) (no. 43979/17)
[Ablak v. Turkey](#) (no. 28566/17)

**Cases communicated cases in 2019
(non-exhaustive list)**

Cases concerning, in particular, the
provisional detention of members of the

legal service following the attempted coup
d'état of 15 July 2016

[Altun v. Turkey \(no. 60065/16\)](#) and
[545 other applications](#)

**Cases communicated cases in 2021
(non-exhaustive list)**

Cases concerning the premature
termination of Turkish judges' tenures in
2014 and 2016

[Kartal and 48 other applications v. Turkey
\(application no. 54699/14 and others\)](#)
[Olçay and 119 other applications v. Turkey
\(application no. 59481/16 and others\)](#)

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