



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

Published on 5 October 2026

SECOND SECTION

Application no. 4168/24
Ünal ÇETİN
against Türkiye
lodged on 10 January 2024
communicated on 14 September 2026

SUBJECT MATTER OF THE CASE

The application concerns a disciplinary sanction, namely dismissal, imposed on the applicant on account of political statements that he had made against the ruling party, the Justice and Development Party (the AKP), in the context of the 2014 elections.

At the material time, the applicant was an *imam* (religious officer with civil servant status), employed by a State body, the Directorate of Religious Affairs. On 9 June 2015 the Appointment and Relocation Board of the Directorate dismissed the applicant from his post pursuant to section 25 of the Law on the Establishment and Duties of the Directorate of Religious Affairs (Law no. 633), which stipulates that the employment of the Directorate staff who praise or denigrate any political party or their actions shall be terminated if such acts are proven by an investigation.

According to the Board's decision, in the run-up to the 2014 elections the applicant had distributed to local shopkeepers brochures containing statements directed against the AKP, advised them not to vote for that party, and engaged in political discussions in which he had alleged that the AKP government was concealing corruption and bribery within the State.

The administrative courts dismissed the applicant's objection against this decision. On 23 November 2023 the Constitutional Court declared the application inadmissible as being manifestly ill-founded.

Invoking Article 10 of the Convention, the applicant complains that the disciplinary sanction in question breached his right to freedom of expression.

QUESTIONS TO THE PARTIES

1. Has there been an interference with the applicant's right to freedom of expression, within the meaning of Article 10 § 1 of the Convention, on account of the sanction imposed upon him (see *Vogt v. Germany*, 26 September 1995, § 44, Series A no. 323, and *Kula v. Turkey*, no. 20233/06, §§ 36-40, 19 June 2018)?

2. If so, was that interference prescribed by law and necessary in a democratic society within the meaning of Article 10 § 2 (see, for the general principles, *Baka v. Hungary* [GC], no. 20261/12, §§ 158-62, 23 June 2016)?

In particular, having regard to the circumstances of the case, notably the content of the statements made by the applicant and the context in which they were expressed, did the national courts carry out a sufficient examination and strike a proper balance between the interests at stake, in the light of the criteria set out by the Court in its case-law on civil servants' freedom of expression (see *Baka*, cited above, § 162, and *Kula*, cited above, §§ 44-52)?