



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

SECOND SECTION

CASE OF FELEMEZ AND OTHERS v. TÜRKİYE

(Applications nos. 30027/20 and 3 others – see appended list)

JUDGMENT

STRASBOURG

22 January 2026

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

In the case of Felemez and Others v. Türkiye,

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

Stéphane Pisani, *President*,

Juha Lavapuro,

Hugh Mercer, *judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar*,

Having deliberated in private on 18 December 2025,

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

PROCEDURE

1. The case originated in applications against Türkiye lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on the various dates indicated in the appended table.

2. The Turkish Government (“the Government”) were given notice of the applications.

THE FACTS

3. The list of applicants and the relevant details of the applications are set out in the appended table.

4. The applicants complained of the lack of reasoning or inadequate reasoning in court decisions.

THE LAW

I. JOINDER OF THE APPLICATIONS

5. Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single judgment.

II. ALLEGED VIOLATION OF ARTICLE 6 § 1 OF THE CONVENTION

6. The applicants complained of the lack of reasoning or inadequate reasoning in court decisions. They relied, expressly or in substance, on Article 6 § 1 of the Convention.

7. According to the Court’s established case-law reflecting a principle linked to the proper administration of justice, judgments of courts and tribunals should adequately state the reasons on which they are based. The extent to which this duty to give reasons applies may vary according to the nature of the decision and must be determined in the light of the circumstances of the case (see *García Ruiz v. Spain* [GC], no. 30544/96, § 26,

ECHR 1999-I). Without requiring a detailed answer to every argument advanced by the complainant, this obligation presupposes that parties to judicial proceedings can expect to receive a specific and explicit reply to the arguments which are decisive for the outcome of those proceedings (see, among other authorities, *Ruiz Torija v. Spain*, 9 December 1994, §§ 29-30, Series A no. 303-A, and *Xhoxhaj v. Albania*, no. 15227/19, § 327, 9 February 2021). Moreover, in cases relating to interference with rights secured under the Convention, the Court seeks to establish whether the reasons provided for decisions given by the domestic courts are automatic or stereotypical (see, *Moreira Ferreira v. Portugal (no. 2)* [GC], no. 19867/12, § 84, 11 July 2017).

8. Those principles relating to a right to a reasoned decision under Article 6 § 1 of the Convention have been applied in a number of Turkish cases (see, for example, *Emel Boyraz v. Turkey*, no. 61960/08, §§ 74-75, 2 December 2014; *Deryan v. Turkey*, no. 41721/04, §§ 35-42, 21 July 2015; *Cihangir Yıldız v. Turkey*, no. 39407/03, §§ 41-50, 17 April 2018; *Hülya Ebru Demirel v. Turkey*, no. 30733/08, §§ 48-52, 19 June 2018; *Murat Akın v. Turkey*, no. 40865/05, §§ 41-43, 9 October 2018; *Pişkin v. Turkey*, no. 33399/18, §§ 147-50, 15 December 2020; *Korkut and Amnesty International Türkiye v. Türkiye*, no. 61177/09, §§ 53-56, 9 May 2023; and *Onat and Others v. Türkiye*, nos. 61590/19 and 6 others, § 71, 25 March 2025).

9. Reviewing the facts of the present cases in the light of those principles, the Court considers that the domestic courts failed in their duty to provide reasons for their decisions and did not address pertinent and important arguments raised by the applicants. The specific procedural failings are indicated in the appended table, and they prompt the Court to conclude that the applicants' right to a reasoned court decision was not secured.

10. These complaints are therefore admissible and disclose a breach of Article 6 § 1 of the Convention.

III. APPLICATION OF ARTICLE 41 OF THE CONVENTION

11. Regard being had to the documents in its possession and to its case-law (see, in particular, *Pronina v. Ukraine*, no. 63566/00, 18 July 2006 and *Korkut and Amnesty International Türkiye*, cited above, § 95), the Court considers it reasonable to award the sums indicated in the appended table.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Decides* to join the applications;
2. *Declares* the applications admissible;
3. *Holds* that these applications disclose a breach of Article 6 § 1 of the Convention concerning the lack of reasoning or inadequate reasoning in court decisions;
4. *Holds*
 - (a) that the respondent State is to pay the applicants, within three months, the amounts indicated in the appended table, to be converted into the currency of the respondent State at the rate applicable at the date of settlement;
 - (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

Done in English, and notified in writing on 22 January 2026, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Viktoriya Maradudina
Acting Deputy Registrar

Stéphane Pisani
President

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APPENDIX

List of applications raising complaints under Article 6 § 1 of the Convention
(lack of reasoning or inadequate reasoning in court decisions)

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Subject matter of the domestic proceedings	Key argument the court failed to address	Date of the court decision Name of the court	Turkish Constitutional Court decision	Amount awarded for non-pecuniary damage per applicant (in euros) ¹	Amount awarded for costs and expenses per application (in euros) ²
1.	30027/20 29/06/2020	Öner FELEMEZ 1986	Mervan Eren Gül Diyarbakır	The applicant's request for reinstatement to his post following his dismissal from a private firm, which was a subcontractor of Mardin Municipality, under an emergency legislative decree, on account of his alleged links with PKK.	The reasons for the applicant's dismissal. Particularly, the applicant's key argument is that he was laid off from his position without any reasons, explanation, investigation or an inquiry and that the domestic courts did not examine the grounds of the suspicion regarding the applicant's affiliation with PKK. Gaziantep Court of Appeals dismissed his case mainly by stating that the applicant was dismissed in accordance with the Emergency Law Decree without carrying out an individualised assessment in respect of the applicant and explaining what sort of information or grounds were given concerning the applicant's affiliation with PKK.	27/04/2018 Mardin Court of First Instance (Asliye Hukuk Mahkemesi) 19/02/2019 Gaziantep Regional Court of Appeals	Decision number and date, 2019/11080 31/12/2019	2,000	250
2.	34403/20 13/07/2020	Zeynep YORGUN 1988	Sabahattin Kaya Van	The applicant's request for reinstatement to his post following his dismissal on the ground of suspicion of affiliation with the PKK/KCK.	The reasons for the applicant's dismissal. The Labour Court dismissed the case mainly by stating that the applicant was laid off from work because he was believed to be affiliated with the impugned group, without carrying out an individualised assessment in respect of the applicant and explaining what sort of information or grounds were given concerning the applicant's affiliation with a terrorist organisation.	02/05/2018 Van 2nd Labour Court 08/11/2018 Erzurum Regional Court of Appeals	Decision number and date, 2018/37791 09/12/2019, Notification date, 11/12/2019	2,000	250

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

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

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No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Subject matter of the domestic proceedings	Key argument the court failed to address	Date of the court decision Name of the court	Turkish Constitutional Court decision	Amount awarded for non-pecuniary damage per applicant (in euros) ¹	Amount awarded for costs and expenses per application (in euros) ²
3.	11548/21 21/01/2021	Fırat GÜMÜŞ 1971	Hediye Saltan Diyarbakır	The applicant's request for reinstatement to his post following his dismissal on the grounds of suspicion of affiliation with a terrorist organisation.	The reasons for the applicant's dismissal and in particular grounds on which the applicant was considered to be affiliated with such an organisation. The applicant submits in this respect that the courts determined he had been convicted of terrorist propaganda despite the fact that he had been acquitted from that offence while the reinstatement proceedings were pending.	19/06/2018 Diyarbakır 6th Labour Court 2017/1174 E. 2018/842 K.	Decision number and date, 2019/2868 04/11/2020	2,000	250
4.	36831/24 21/11/2024	İbrahim AY 1980	Rehşan Bataray Saman Diyarbakır	The applicant's request for reinstatement to his post following his dismissal on the grounds of suspicion of affiliation with a terrorist organisation on the basis of legislative decree no. 677.	The individualised reasons for the applicant's dismissal. Particularly, the applicant stated that he did not have any affiliation/ties with any terrorist organisation, and that no concrete arguments or evidence was included in his file to prove otherwise. The Labour Court dismissed the case by stating that the applicant was laid off from work because he was believed to be a member of or affiliated with a terror organisation or a group that is understood to be acting against the national security, without carrying out an individualised assessment in respect of the applicant and explaining what sort of information or grounds were given concerning the applicant's affiliation with a terrorist organisation.	07/06/2017 Diyarbakır Labour Court 15/11/2017 Gaziantep Regional Civil Court 02/07/2018 Court of Cassation	Decision number and date, 2023/2579 24/10/2024 Notification date, 01/11/2024	2,000	250