

TURKEY/EUROPEAN COURT: Registration of a Seventh-Day Adventist organization rejected

Altınkaynak et autres c. Turquie (no. 12541/06)

Strasbourg Consortium (15.01.2019) – <https://bit.ly/2T1i800> – Applicants are six Turkish nationals who attempted, in September 2004, to register a religious organization, Türkiye Yedincigün Adventisterli Vakfı (Foundation of the Seventh-day Adventists) in Istanbul. The tribunal of the first instance rejected their demand, judging that the objective of the organization was to meet the religious needs of people embracing the faith of Seventh-day Adventists and that this was contrary to provisions of the Turkish Civil Code prohibiting the establishment of foundations whose purpose is to support members of a particular community. The judgment was upheld in further court action.

The applicants brought the case before the European Court of Human Rights alleging violations of Articles 9, 11, 14, 17, and 18 in the abridgment of their rights to freedom on thought/conscience, freedom of peaceful assembly, and in contravention to prohibitions against discrimination, destruction of Convention rights and freedoms, and application of restrictions for unprescribed purposes.

In its judgment of 15 January 2019 the Court decided to

examine the applicants' complaints under Article 11 only and, finding a violation of their right to freedom of (religious) assembly, awarded EUR 2,724 (pecuniary damage), EUR 3,000 (non-pecuniary damage), and EUR 3,000 (costs and expenses) to the applicants jointly.

Court decision and other documents available at:
<https://www.strasbourgconsortium.org/portal.case.php?pageId=10#caseId=597>

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