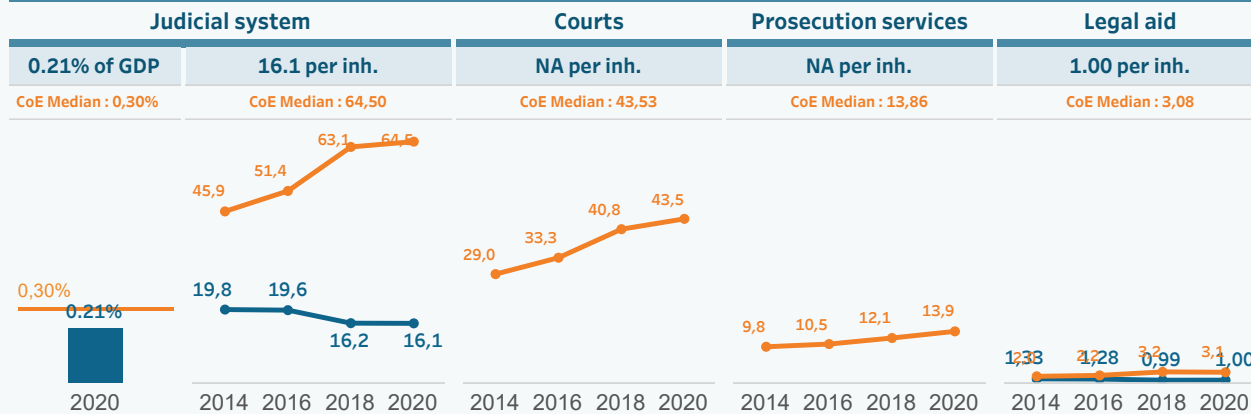# TÜRKİYE

**Population**
83 614 362

**GDP per capita**
7 519 €
CoE Median 20 301 €

**Avg gross annual salary**
NA
CoE Median 20 612 €

## Implemented judicial system budget

| Judicial system | | Courts | Prosecution services | Legal aid |
|---|---|---|---|---|
| 0.21% of GDP | 16.1 per inh. | NA per inh. | NA per inh. | 1.00 per inh. |
| CoE Median : 0,30% | CoE Median : 64,50 | CoE Median : 43,53 | CoE Median : 13,86 | CoE Median : 3,08 |

Judicial system budget:
0,30% — 0.21%

Per inhabitant: 45,9 — 51,4 — 63,1 — 64,5
19,8 — 19,6 — 16,2 — 16,1
(2014, 2016, 2018, 2020)

Courts: 29,0 — 33,3 — 40,8 — 43,5
(2014, 2016, 2018, 2020)

Prosecution services: 9,8 — 10,5 — 12,1 — 13,9
(2014, 2016, 2018, 2020)

Legal aid: 1,33 — 1,28 — 0,99 — 1,00
3,2 — 3,1
(2014, 2016, 2018, 2020)

## Efficiency

**Clearance rate (%)**

- 1st Instance
- 2nd Instance
- Highest Instance

**Disposition time (days)**

| | Clearance rate (%) | | | Disposition time (days) | | |
|---|---|---|---|---|---|---|
| | Civil | Criminal | Administrative | Civil | Criminal | Administrative |
| 1st Instance | 90.0% | 92.8% | 95.3% | 513 | 390 | 230 |
| 2nd Instance | 93.2% | 95.3% | 85.1% | 356 | 311 | 174 |
| Highest Instance | 129.6% | 98.5% | 106.7% | 192 | 353 | 612 |

(100% reference line shown)

**Budget :** Türkiye cannot separate the budget of courts and prosecution services, thus only the budget of judicial system can be analysed. The judicial system budget per inhabitant is 16,1€ in 2020 and 0,21% as percentage of GDP, both well below the respective COE medians. However, when analysing these data it should be born in mind that the national currency (lira) depreciated in relation to Euro from 2,84 in 2014 to 9,05 in 2020, and that some budget elements actually increased in the national currency.

**Court related mediation**
In 2020, as in previous cycle, Türkiye reported the highest number of criminal cases where parties agreed to start mediation (258 770) and made settlement agreements (219 639). These developments are due to the legislative amendments that expanded the application of mediation on a broader scope of criminal offences as of last cycle.

**Professionals**
The number of professional judges (17,2), prosecutors (8,2) and lawyers (171,5) per 100 000 inhabitants increased far above average compared to the European trends between 2010 and 2020. Women still occupy less than half of judgeship positions (47%) and take only 15% of the public prosecutor's positions. However, women are majority among judges in the highest instance (61%).

**ICT in judiciary**
With regard to ICT developments, the judicial system of Türkiye demonstrates a very high ICT index (9,1), and it continues developing. Many applications have been developed to strengthen the access to justice for beneficiaries, such as mobile information system for lawyers, audio-visual information system, online application for legal aid, electronic sales of movables and immovables which are subject to enforcement proceedings.
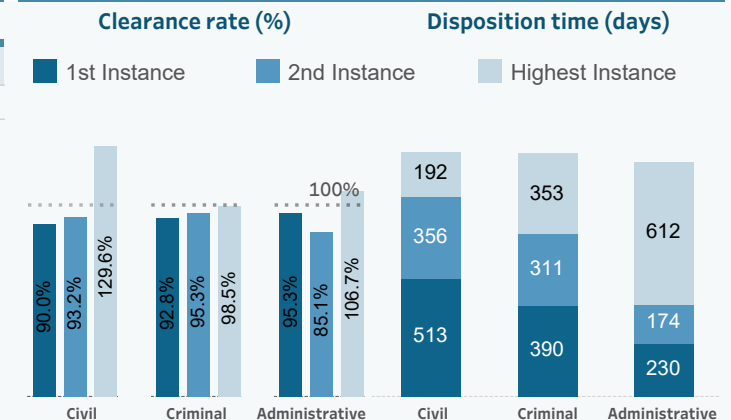
**Efficiency:** In 2020, the courts were most efficient at the second instance, while achieving similar levels of efficiency in all three areas of law. Specifically, the courts have the lowest Disposition Time in the second instance administrative cases, while the highest Disposition Time is in the third instance administrative cases.
The courts' efficiency mostly decreased in 2020 compared to the previous cycle, partially due to impact of the COVID-19 pandemic, but it improved in the Supreme court civil and commercial litigious and criminal cases.

## Human resources (per 100 000 inhabitants)

**■ Türkiye  ■ CoE Median**

| | Professional judges | | Non-judge staff | | Prosecutors | | Non-prosecutor staff | | Lawyers | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Türkiye | CoE Median | Türkiye | CoE Median | Türkiye | CoE Median | Türkiye | CoE Median | Türkiye | CoE Median |
| **2020** | 17.20 | 17,60 | NA | 56,13 | 8.21 | 11,10 | NA | 15,22 | 171.44 | 134,51 |
| **2018** | 15.61 | 17,94 | NA | 59,69 | 7.40 | 11,22 | NA | 14,98 | 142.41 | 127,08 |
| **2016** | 14.06 | 17,63 | NA | 59,30 | 6.01 | 10,86 | NA | 14,60 | 125.87 | 120,25 |
| **2014** | 11.37 | 18,06 | NA | 55,33 | 6.83 | 10,27 | 17.29 | 14,57 | 111.95 | 110,17 |
| **2012** | 10.74 | 17,41 | NA | 54,46 | 5.76 | 10,44 | 17.17 | 14,56 | 98.50 | 112,56 |
| **2010** | 10.65 | 16,88 | 30.33 | 61,05 | 5.84 | 9,83 | 17.95 | 12,94 | 96.93 | 102,03 |

## Gender balance

- ● % Male
- ● % Female
- — % Female CoE Median

### Judges
| | 2012 | 2020 |
|---|---|---|
| % Male | 66% | 53% |
| % Female | 34% | 47% |
| % Female CoE Median | 55% | 62% |

### Court presidents
| | 2012 | 2020 |
|---|---|---|
| % Male | 93% | 86% |
| % Female | 7% | 14% |
| % Female CoE Median | 37% | 38% |

### Prosecutors
| | 2012 | 2020 |
|---|---|---|
| % Male | 93% | 85% |
| % Female | 7% | 15% |
| % Female CoE Median | 51% | 52% |

### Heads of prosecution offices
| | 2012 | 2020 |
|---|---|---|
| % Male | 10% | 99% |
| % Female | 0% | 1% |
| % Female CoE Median | 25% | 28% |

### Non-judge staff
| | 2012 | 2020 |
|---|---|---|
| % Female CoE Median | 75% | 71% |
| | NA | NA |

### Non-prosecutor staff
| | 2012 | 2020 |
|---|---|---|
| % Female CoE Median | 67% | 72% |
| | NA | NA |

### Lawyers
| | 2020 |
|---|---|
| % Male | 54% |
| % Female | 46% |
| % Female CoE Median | 36% |

## Absolute gross salaries

### Salary at the begining of career
| | Türkiye | CoE Median |
|---|---|---|
| Judges | 15 475 € | 46 149 € |
| Prosecutors | 15 475 € | 37 304 € |

### Salary at the end of career
| | Türkiye | CoE Median |
|---|---|---|
| Judges | 28 467 € | 90 287 € |
| Prosecutors | 28 467 € | 67 051 € |

## Ratio with the average annual gross salary

### Salary at the begining of career
| | Türkiye | CoE Median |
|---|---|---|
| Judges | 15 475 | 2,3 |
| Prosecutors | 15 475 | 1,8 |

### Salary at the end of career
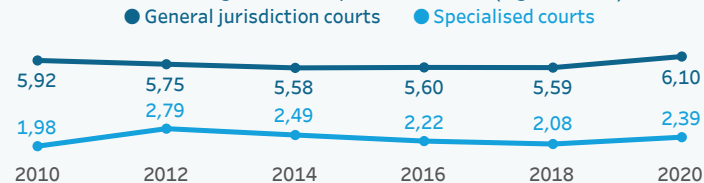| | Türkiye | CoE Median |
|---|---|---|
| Judges | 28 467 | 4,5 |
| Prosecutors | 28 467 | 3,6 |

## Courts (per 100 000 inhabitants)

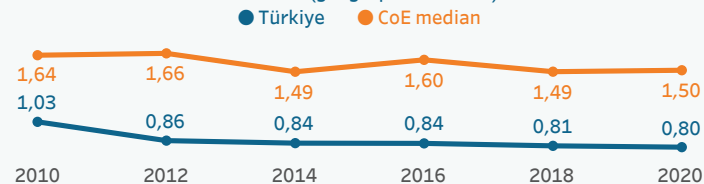### Distribution (%) of 1st instance specialised and general jurisdiction courts

- 27%
- 43%
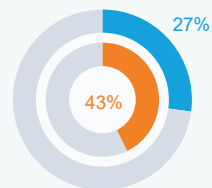
- ● Specialised courts
- ● General courts
- ● CoE median

### First instance general and specialised courts (legal entities)
- ● General jurisdiction courts  ● Specialised courts

| | 2010 | 2012 | 2014 | 2016 | 2018 | 2020 |
|---|---|---|---|---|---|---|
| General jurisdiction courts | 5,92 | 5,75 | 5,58 | 5,60 | 5,59 | 6,10 |
| Specialised courts | 1,98 | 2,79 | 2,49 | 2,22 | 2,08 | 2,39 |

### All courts (geographic location)
- ● Türkiye  ● CoE median

| | 2010 | 2012 | 2014 | 2016 | 2018 | 2020 |
|---|---|---|---|---|---|---|
| CoE median | 1,64 | 1,66 | 1,49 | 1,60 | 1,49 | 1,50 |
| Türkiye | 1,03 | 0,86 | 0,84 | 0,84 | 0,81 | 0,80 |

## ICT in judiciary
(index from 0 to 10)

| | | | CoE median |
|---|---|---|---|
| Index | Total | 9.05 | 6,5 |
| Deployment rate | Civil | 9.53 | 6,6 |
| | Criminal | 9.17 | 5,7 |
| | Administrative | 8.33 | 6,1 |
| Communication with courts | Civil | 9.94 | 6,1 |
| | Criminal | 9.25 | 4,1 |
| | Administrative | 7.69 | 5,0 |
| Courts and case management | Civil | 9.03 | 7,3 |
| | Criminal | 9.03 | 7,3 |
| | Administrative | 9.03 | 7,4 |
| Decision support | Civil | 9.13 | 7,0 |
| | Criminal | 9.23 | 7,3 |
| | Administrative | 9.13 | 7,2 |

## CEPEJ efficiency indicators

**Clearance Rate (CR) = (Resolved cases / Incoming cases) *100**
CR > 100%, court/judicial system is able to resolve more cases than it received => backlog is decreasing
CR < 100%, court/judicial system is able to resolve fewer cases than it received => backlog is increasing
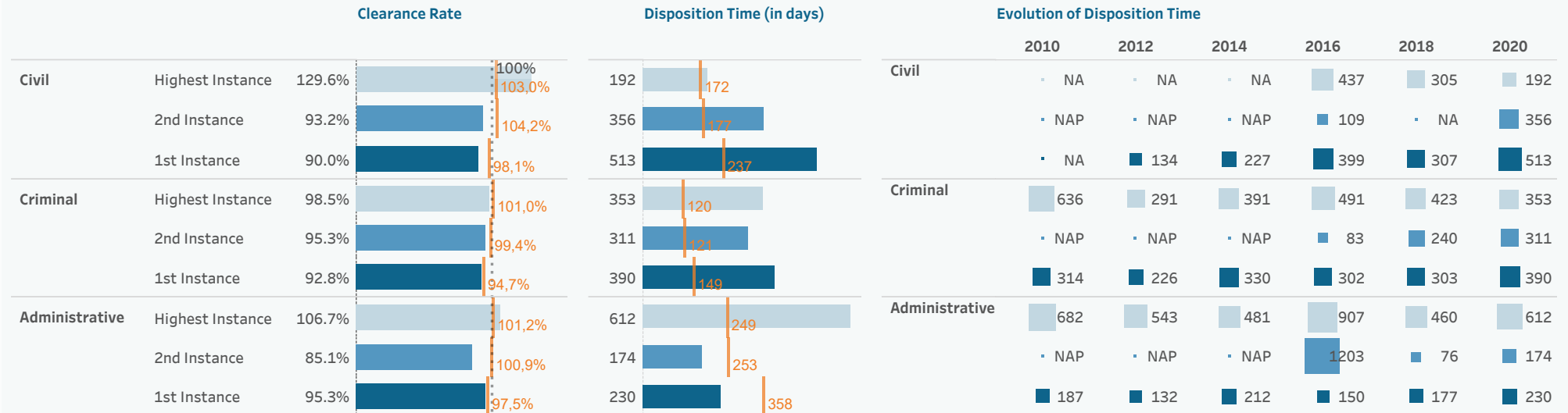
**Disposition Time (DT) = (Pending cases / Resolved cases) *365**
The Disposition Time (DT) is the theoretical time for a pending case to be resolved, taken into consideration the current pace of work
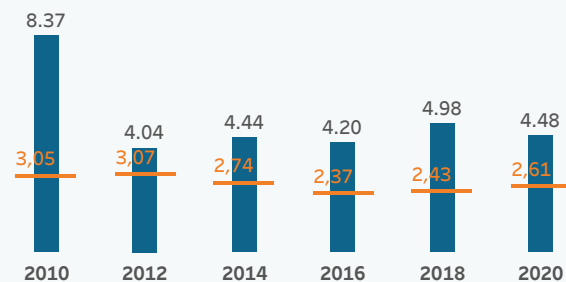
**Instance**
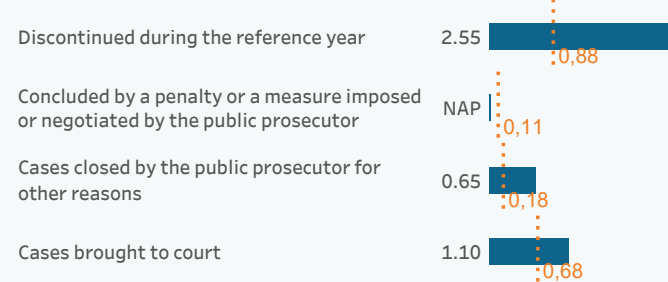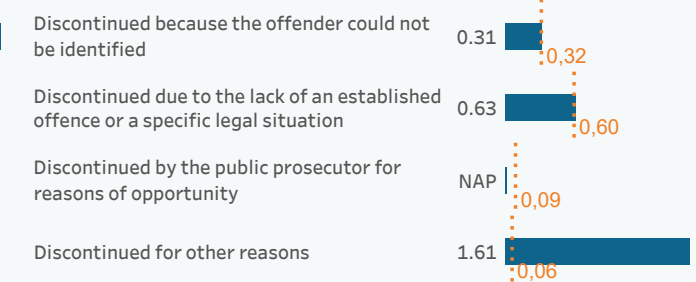- Highest Instance
- 2nd Instance
- 1st Instance

### Clearance Rate

| | | CR | Reference |
|---|---|---|---|
| Civil | Highest Instance | 129.6% | 103,0% |
| | 2nd Instance | 93.2% | 104,2% |
| | 1st Instance | 90.0% | 98,1% |
| Criminal | Highest Instance | 98.5% | 101,0% |
| | 2nd Instance | 95.3% | 99,4% |
| | 1st Instance | 92.8% | 94,7% |
| Administrative | Highest Instance | 106.7% | 101,2% |
| | 2nd Instance | 85.1% | 100,9% |
| | 1st Instance | 95.3% | 97,5% |

### Disposition Time (in days)

| | | DT | Reference |
|---|---|---|---|
| Civil | Highest Instance | 192 | 172 |
| | 2nd Instance | 356 | 177 |
| | 1st Instance | 513 | 237 |
| Criminal | Highest Instance | 353 | 120 |
| | 2nd Instance | 311 | 121 |
| | 1st Instance | 390 | 149 |
| Administrative | Highest Instance | 612 | 249 |
| | 2nd Instance | 174 | 253 |
| | 1st Instance | 230 | 358 |

### Evolution of Disposition Time

| | 2010 | 2012 | 2014 | 2016 | 2018 | 2020 |
|---|---|---|---|---|---|---|
| Civil | | | | | | |
| Highest Instance | NA | NA | NA | 437 | 305 | 192 |
| 2nd Instance | NAP | NAP | NAP | 109 | NA | 356 |
| 1st Instance | NA | 134 | 227 | 399 | 307 | 513 |
| Criminal | | | | | | |
| Highest Instance | 636 | 291 | 391 | 491 | 423 | 353 |
| 2nd Instance | NAP | NAP | NAP | 83 | 240 | 311 |
| 1st Instance | 314 | 226 | 330 | 302 | 303 | 390 |
| Administrative | | | | | | |
| Highest Instance | 682 | 543 | 481 | 907 | 460 | 612 |
| 2nd Instance | NAP | NAP | NAP | 1203 | 76 | 174 |
| 1st Instance | 187 | 132 | 212 | 150 | 177 | 230 |

## Public prosecution services

### Total number of criminal cases of 1st instance per 100 inhabitants

| 2010 | 2012 | 2014 | 2016 | 2018 | 2020 |
|---|---|---|---|---|---|
| 8.37 | 4.04 | 4.44 | 4.20 | 4.98 | 4.48 |
| 3,05 | 3,07 | 2,74 | 2,37 | 2,43 | 2,61 |

### Distribution of processed cases per 100 inhabitants

| | Value | Reference |
|---|---|---|
| Discontinued during the reference year | 2.55 | 0,88 |
| Concluded by a penalty or a measure imposed or negotiated by the public prosecutor | NAP | 0,11 |
| Cases closed by the public prosecutor for other reasons | 0.65 | 0,18 |
| Cases brought to court | 1.10 | 0,68 |

### Distribution of discontinued cases per 100 inhabitants

| | Value | Reference |
|---|---|---|
| Discontinued because the offender could not be identified | 0.31 | 0,32 |
| Discontinued due to the lack of an established offence or a specific legal situation | 0.63 | 0,60 |
| Discontinued by the public prosecutor for reasons of opportunity | NAP | 0,09 |
| Discontinued for other reasons | 1.61 | 0,06 |

Note: There are different methodologies on calculating number of cases in prosecution statistics by event or by perpetrator. CEPEJ collects data per case (event) but some countries present it by perpetrator.

## Judiciary related websites

**1. Legal texts**

www.adalet.gov.tr; www.mevzuat.adalet.gov.tr

**2. Case-law of the higher court/s**

http://emsal.danistay.uyap.gov.tr/BilgiBankasiIstemciWeb/
https://kararama.yargitay.gov.tr/YargitayBilgiBankasiIstemciW..

**3. Information about the judicial system**

https://magdurbilgi.adalet.gov.tr/