



Reference data 2018 (01/01/2018 - 31/12/2018)

Start/end date of the data collection campaign : 01/03/2019 - 01/10/2019

Objective :

The CEPEJ decided, at its 31th plenary meeting, to launch the eighth evaluation cycle 2018 – 2020, focused on 2018 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

The present questionnaire was adapted by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, for the sake of the European citizens.

Instruction :

The ways to use the application and to answer the questions are guided by two main documents:

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. The user manual is accessible in the "Documentation" tab of the application.

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

1.General and financial information

1.1.Demographic and economic data

1.1.1.Inhabitants and economic general information



001. Number of inhabitants (if possible on 1 January of the reference year +1)

[82 003 882]

Comments

002. Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €)

	Amount
State or federal level	200 085 076 268 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments Total of annual public expenditure at state level has increased in local currency but it hasn't increased in euro.

003. Per capita GDP (in €) in current prices for the reference year

[7 440]

Comments Per capita GDP has increased in local currency by 39% but due to the increase in exchange rates, it hasn't increased in euro.

004. Average gross annual salary (in €) for the reference year

[]

NA

Comments

005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year +1

[6.11]

Allow decimals : 5

NAP

Comments Exchange rate has increased compared to previous data.

A1. Please indicate the sources for answering questions 1 to 5

Sources: Sources:

- Ministry of Treasury and Finance
- Central Bank of Turkey
- Turkish Statistical Institute

1.1.2. Budgetary data concerning judicial system



006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budgets of public prosecution services and/or legal aid, please go to question 7. If you are able to answer this question 6, please

answer NA to the question 7.

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	[X] NA [] NAP	[X] NA [] NAP
1. Annual public budget allocated to (gross) salaries	[X] NA [] NAP	[X] NA [] NAP
2. Annual public budget allocated to computerisation	[X] NA [] NAP	[X] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	[X] NA [] NAP	[X] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	[X] NA [] NAP	[X] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	[X] NA [] NAP	[X] NA [] NAP
6. Annual public budget allocated to training	[X] NA [] NAP	[X] NA [] NAP
7. Other (please specify)	[X] NA [] NAP	[X] NA [] NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences:

007. If you cannot answer question 6 because you cannot isolate the public budget allocated to courts from the budget allocated to public prosecution services and/or legal aid, please fill only the appropriate line in the table according to your system:

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	1 024 679 541 [] NA [] NAP	1 245 426 704 [] NA [] NAP
Total annual public budget allocated to all courts and legal aid together	[X] NA [] NAP	[X] NA [] NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	1 086 887 238 [] NA [] NAP	1 326 430 821 [] NA [] NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: The budget allocated to the figures above has increased in TRY when comparing previous year's data. However, the exchange rate of national currency in € is 6.11 for this year and 3.71 for the previous year.

008. Are litigants in general required to pay a court fee to start a proceeding at a court of general jurisdiction:

	Litigants required to pay a court fee to start a proceeding at a court of general jurisdiction ?
for criminal cases	() Yes (X) No
for other than criminal cases	(X) Yes () No

If there are exceptions to the rule to pay these court fees, could you please provide comments on those exceptions?

008-1. Please briefly present the methodology of calculation of these court fees:

- In Turkey, there are two main ways in calculation of court fees.

First of all, there is a fixed fee for the cases which have no economic value, such as divorce cases, eviction cases etc. For 2018, the said fee is 6 euro.

On the other hand, for the cases which have economic value, such as debt recovery cases, the court fee is 7 % of the total amount of the value of a case. But the amount cannot be lower than 6 euro.

Also, only one-quarter of the calculated fee must be paid in advance at the beginning of the legal procedure. That amount does not include other case expenses, such as expenses for postal delivery services, expenses for expert, witness etc.

008-2. The amount of court fees requested to commence an action for 3000€ debt recovery:

[210]
 NA
 NAP

Comments The calculation of court fee of 3000 Euro debt for 2017 will require 7 % of the total amount as the case has an economic value. Thereby, 210 euro will be the court fee. However, only one-quarter of the calculated fee (53 euro) must be paid in advance at the beginning of the legal procedure.

009. Annual income of court fees received by the State (in €):

[699 324 429]
 NA
 NAP

Comments The annual income of court fees has increased in TRY when comparing previous year's data. However, the exchange rate of national currency in € is 6.11 for this year and 3.71 for the previous year.

012. Annual approved public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	62 207 697 [] NA [] NAP	38 770 048 [] NA [] NAP	23 437 649 [] NA [] NAP

12.1 for cases brought to court (court fees and/or legal representation)	62 207 697 [] NA [] NAP	38 770 048 [] NA [] NAP	23 437 649 [] NA [] NAP
12.2 for cases not brought to court (legal advice, ADR and other legal services)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments Please note that the budget allocated to legal aid has increased in TRY when comparing previous year's data. However, the exchange rate of national currency in € is 6.11 for this year and 3.71 for the previous year.

012-1. Annual implemented public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	81 004 117 [] NA [] NAP	56 933 736 [] NA [] NAP	24 070 381 [] NA [] NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	81 004 117 [] NA [] NAP	56 933 736 [] NA [] NAP	24 070 381 [] NA [] NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences: Please note that the budget allocated to legal aid has increased in TRY when comparing previous year's data. However, the exchange rate of national currency in € is 6.11 for this year and 3.71 for the previous year.

013. Annual (approved and implemented) public budget allocated to the public prosecution services, in €.

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in € (including 13.1)	[] NA [X] NAP	[] NA [X] NAP
13.1. Annual public budget allocated to training of public prosecution services	[] NA [X] NAP	[] NA [X] NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

014. Authorities formally responsible for the budgets allocated to the courts (multiple options possible):

	Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level
Ministry of Justice	(X) Yes () No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP

Other ministry	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Parliament	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP
Supreme Court	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
High Judicial Council	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Courts	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Inspection body	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP
Other	() Yes (X) No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP

If any other Ministry and/or inspection body and/or other, please specify:

014-1. (Former question 61) Who is entrusted with responsibilities related to the budget within the court?

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
Management Board	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Court President	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Court administrative director	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Head of the court clerk office	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Other	(X) Yes () No	(X) Yes () No	(X) Yes () No	(X) Yes () No

Comments - If "other", please specify:

A2. Please indicate the sources for answering questions 6 to 14:

Sources: Ministry of Justice, Ministry of Treasury and Finance, Union of Turkish Bar Associations

1.1.3. Budgetary data concerning the whole justice system



015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the judicial system budget - see 15-2 and other elements of the justice system - see 15-3)

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	2 382 317 184 [] NA [] NAP	2 880 825 713 [] NA [] NAP

Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: Please note that the budget allocated to the figures above has increased in TRY when comparing previous year's data. However, the exchange rate of national currency in € is 6.11 for this year and 3.71 for the previous year.

015-2. Elements of the judicial system budget (Q6, Q7, Q12 and Q13)

	Included	Not included	Does not exist (NAP)
Courts (see question 6 or 7)	(X)	()	()
Legal aid (see question 12 or 7)	(X)	()	()
Public prosecution services (see question 13 or 7)	(X)	()	()

Courts, legal aid and public prosecution services are included.

015-3. Other budgetary elements

	Included	Not included	Does not exist (NAP)
Prison system	(X)	()	()
Probation services	(X)	()	()
High Judicial Council	(X)	()	()
Constitutional court	(X)	()	()
Judicial management body	()	()	(X)
State advocacy	()	(X)	()
Enforcement services	(X)	()	()
Notariat	()	(X)	()
Forensic services	(X)	()	()

Judicial protection of juveniles	(X)	()	()
Functioning of the Ministry of Justice	(X)	()	()
Refugees and asylum seekers services	()	(X)	()
Immigration Service	()	(X)	()
Some police services (e.g. : transfer, investigation, prisoners' security)	(X)	()	()
Other	(X)	()	()

If "other", please specify:

A3. Please indicate the sources for answering questions 15-1, 15-2 and 15-3:

Sources: Ministry of Justice, Ministry of Treasury and Finance, Council of Judges & Prosecutors, Constitutional Court, Council of State, Court of Cassation and Turkish Justice Academy.

2. Access to justice and all courts

2.1. Legal Aid

2.1.1. Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP
Legal advice, ADR and other legal services	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP

016-1. Please briefly describe the organisation of the legal aid system in your country both before going to court and during court proceedings.

- According to Turkish criminal legal framework, legal aid is the assignment and appointment of a lawyer by the State for suspects or accused for certain individuals or within certain circumstances. (Code of Criminal procedure, number 5271)

In Turkey, the right to be defended and represented by a free lawyer/ attorney applies to every suspect, accused and victim in criminal matters defendant regardless of his or her financial or economic circumstances. This rule avoids the complicated question of determining proper income qualifications for free legal services.

In Criminal proceedings, the assignment of a lawyer is compulsory in case of the following conditions and there is no need to lodge an

application for the assignment of a lawyer:

1. - Where the defendant is a minor
2. - Where the defendant is deemed mentally disable
3. - Where the defendant is mute or deaf
4. - During the investigation and prosecution for crimes that require a punishment of imprisonment at the minimum level of more than five years. Thus there's no economic criterion regarding mandatory assignment of lawyers.

The Prosecutor asks the Bar Association of the place to appoint a lawyer and through a "robot" (IT Program), assignment is communicated straight to the Prosecutor and therefore to the suspect or prosecuted individual.

The scope of the Civil Legal Aid is regulated in the Code of Civil Procedure, number 6100; Code of Lawyers number 1136 and Union of Turkish Bar Associations Bylaw of legal aid.

According to these legal provisions, "the legal profession is a public service and a liberal profession." The goal of legal aid is to warrant access to justice to individuals who are partly or totally incapable of affording attorney fees, litigation and court costs due to their economic situation. In those cases, stated by law, beneficiaries are under the scope of the civil legal aid system.

Individuals requesting legal aid have to present evidence of their lack of economic resources to pay for a trial when completing the application form.

According to article 334 of the Code of Civil Procedure, beneficiaries of the legal aid service are: 1. - Persons who have no ability to partially or totally afford necessary litigation 2. - Public benefit institutions and foundations 3. - Foreigners (conditioned upon existence of reciprocity principle)

In case of individuals related above there's a no objective criteria established to apply or approve their request for legal aid as far as they comply with an apparent and significant difficult financial situation. There are no concrete and objective criteria for those individuals to prove their financial insufficiency.

A Legal Aid Office established at each bar association headquarters renders legal aid service. The legal aid office is composed of volunteer lawyers.

According to Turkish legal order, the applicant either before the Legal Aid Office or before the Court can submit a request for legal aid. In both cases, the application form must be accompanied by evidence: a list of documents, which prove the financial situation of the applicant. This list varies from one Bar Association to the other.

Judges and Legal Aid Offices are both entitled whether to grant legal aid to the applicant in line with the presented documents and raised reasons. In both situations, the decisions made upon the appeal are final. So the decision is being taken according to economic criteria and also grounds of the case. The Bar Association only assigns a lawyer. The Court will decide on exempting the applicant, totally or partially, of the litigation costs.

017. Does legal aid include the coverage of or the exemption from court fees?

Yes

No

NAP

If yes, please specify: Under Turkish legal order, legal aid is the legal assistance provided for everybody requesting the legal aid in

criminal jurisdiction and for those who are not able to open a civil litigation due to economic reasons. This assistance takes the form of exemption from court tax, fees and expenses or of the assignment of an attorney by the Bar Association

018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

- Yes
- No
- NAP

If yes, please specify: According to article 335 of the Code of Civil Procedure, legal aid can be granted for the fees that are related to the enforcement of decisions.

019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?

	Criminal cases	Other than criminal cases
Legal aid granted for other costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify: Legal aid can be granted for other costs; for example fees of experts, interpreters, etc.

2.1.2. Information on legal aid

020. Please indicate the number of cases for which legal aid has been granted:

	Total	Cases brought to court	Cases not brought to court
TOTAL	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
In criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
In other than criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify when appropriate: Despite the fact that we provide the data on the number of cases for which legal aid has been granted in 2016, for this cycle, we try to avoid giving the data that have not been proven correct by all parties that provide it. In addition to that, for cases brought to court, we changed our answer since legal aid is now granted for mediation and conciliation procedure both in civil and criminal disputes.

021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?

	Assisted by a free of charge lawyer
Accused individuals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Victims	(X) Yes () No
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Comments - If yes, please specify:

022. In criminal cases are these individuals free to choose their lawyer within the framework of the legal aid system?

	free selection of lawyer
Accused individuals	() Yes (X) No [] NAP
Victims	() Yes (X) No [] NAP

Comments

023-0. Does your country have an income and assets evaluation for granting full or partial legal aid?

(X) Yes

() No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above: According to Turkish legal framework, in the civil jurisdiction legal aid is the assistance of legal services provided to those who are not able to afford a lawyer fee and trial costs due to economic reasons. On the other hand, legal aid in the criminal jurisdiction is the legal services provided to all requestors and to those under certain conditions even without making a request.

023. If yes, please specify in the table:

	Annual income value (for one person), (in €)	Assets value (for one person), (in €)
Full legal aid to the applicant for criminal cases	[] NA [X] NAP	[] NA [X] NAP
Full legal aid to the applicant for other than criminal cases	[X] NA [] NAP	[X] NA [] NAP
Partial legal aid to the applicant for criminal cases	[] NA [X] NAP	[] NA [X] NAP
Partial legal aid to the applicant for other than criminal cases	[X] NA [] NAP	[X] NA [] NAP

024. Is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

(X) Yes

() No

Comments - If yes, please explain the exact criteria for denying legal aid: For criminal cases, it is not possible to refuse legal aid for lack

of merit of the case. However, in article 334/1 in Turkish Civil Procedure Code, it is set out that to be granted legal aid, the claims of applicant must not be manifestly ill founded.

025. Is the decision to grant or refuse legal aid taken by:

- the court
- an authority external to the court
- a mixed authority (court and external bodies)

Comments In criminal cases, for investigation phases, the Prosecutor asks the Bar Association to appoint a lawyer to suspect or victim. In prosecution phases, the Judge or the Court is the authority who decide to ask the Bar Association to appoint.

On the other hand, in civil cases, the applicant can submit a request for legal aid either to the Legal Aid Office in Local Bar Association or to the Court. In both cases, the application form must be accompanied by evidence: a list of documents, which prove the financial situation of the applicant. Therefore, the decision to grant or refuse legal aid belongs to either the Bar Associations or the Courts.

026. Is there a private system of legal expense insurance enabling individuals (this does not concern companies or other legal persons) to finance court proceedings?

- Yes
- No

Comments - If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon? There is a secondary legislation which covers the details of legal protection insurance in Turkey. With the aim to improve the implementation of this insurance branch, a working group was formed by the Moj with the participation of Turkish Bar Association, Ankara University and Insurance Association of Turkey. The working group has been working on the draft version of that secondary legislation.

027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:

	Judicial decisions direct how legal costs will be shared
in criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
in other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

B1. Please indicate the sources for answering questions 20 and 23 :

Sources: MoJ

2.2.Court users and victims

2.2.1.Rights of the users and victims

028. Are there official internet sites/portals (e.g. Ministry of Justice, etc.) where general public may have free of charge access to the following:

	Yes	Internet adresse(es)
legal texts (e.g. codes, laws, regulations, etc.)	()	(X) www.adalet.gov.tr; www.mevzuat.adalet.gov.tr; www.mevzuat.gov.tr
case-law of the higher court/s	()	(X) http://www.uyusmazlik.gov.tr/uyusmazlik-mahkemesi-kararlari http://emsal.danistay.uyap.gov.tr/BilgiBankasiIstemciWeb/ https://emsal.yargitay.gov.tr/BilgiBankasiIstemciWeb/yeniTasarim/index.jsp http://www.anayasa.gov.tr/icsayfalar/kararlar/kbb.html
other documents (e.g. downloadable forms, online registration)	()	(X) http://www.alternatifcozumler.adalet.gov.tr/http://bilirkisilik.adalet.gov.tr/index.html;http://www.evicesiddet.adalet.gov.tr/en/index.html;http://www.magdur.adalet.gov.tr/http://www.adb.adalet.gov.tr/; www.adalet.gov.tr; http://www.hukukiyardim.gov.tr/index.html;

Please specify what documents and information are included in "other documents": The websites included in "other documents" are designed to inform public on some specific subjects, such as alternative dispute resolution methods, rights of victim, etc.

029. Is there an obligation to provide information to the parties concerning the foreseeable timeframes of proceedings?

(X) Yes, always

() No

() Yes, only in some specific situations

Comments - If yes, only in some specific situations, please specify: There is a regulation regarding judicial timeframes which requires all parties to be informed in public prosecution service and first instance criminal, civil and administrative proceedings. According to this regulation, parties in said proceedings have started to be informed as of January 1st, 2019.

030. Is there a public and free-of-charge specific information system to inform and to help victims of offences?

(X) Yes

() No

Comments - If yes, please specify: There is an Internet website "www.magdur.gov.tr" which is open to public and free of charge for all individuals. This website includes information on where to apply when victims encounter a legal problem.

031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	(X) Yes () No	(X) Yes () No	(X) Yes () No
Victims of terrorism	(X) Yes () No	(X) Yes () No	(X) Yes () No
Minors (witnesses or victims)	(X) Yes () No	(X) Yes () No	(X) Yes () No
Victims of domestic violence	(X) Yes () No	(X) Yes () No	(X) Yes () No
Ethnic minorities	() Yes (X) No	() Yes (X) No	() Yes (X) No
Disabled persons	(X) Yes () No	(X) Yes () No	(X) Yes () No
Juvenile offenders	(X) Yes () No	(X) Yes () No	(X) Yes () No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	(X) Yes () No	(X) Yes () No	(X) Yes () No

Comments - If “other vulnerable person” and/or “other special arrangements”, please specify: There has been significant developments in Turkey to promote the rights of the persons with disabilities. In order to strengthen the access to justice for disabled persons in courthouses, a separate budget is allocated within the Ministry of Justice's budget. This financial resource shall be only dedicated to services for disabled court users. Moreover, a separate unit for victims rights which has been established under Ministry of Justice in 2013 aims to support the rights of vulnerable groups like disabled persons, elderly persons, minors, victims of violence, sexual assault, etc. The website of the unit includes comprehensive information for the vulnerable groups and contributes public awareness.

031-1. Is it possible for minors to be a party to a judicial proceeding:

- () Yes
(X) No

Comments - If yes, please specify which procedures can be concerned (civil, criminal, administrative / normal or accelerated procedure) and at which conditions (can minor benefit from legal aid, be represented by a lawyer, etc.):

032. Does your country allocate compensation for victims of offences?

(X) Yes, please specify for which kind of offences: Victims of all types of crime can claim compensation before the civil courts. Also, through penal mediation (reconciliation) the pecuniary and non-pecuniary damages of the victims can be compensated for some specific offences like threat, insult, violation of privacy, damage to property, disturbing an individuals' peace and harmony, theft, etc.. Also there are some special arrangements for terror victims and security forces. (please see comment box below)

- () No

Comments

032-1. Is a court decision necessary in the framework of the compensation procedure?

- () Yes
(X) No

Comments In general, a court decision is necessary in the framework of the compensation procedure. However, there is a specific arrangement for victims of terror. “The Code on Compensation for Losses Sustained As a Result of Terrorism or the Fight Against

Terrorism" (Code no. 5233) came into force on 27 July 2004. It seeks to provide redress for pecuniary damage of real persons and legal entities as a result of terrorist or anti-terrorist activities. Compensation commissions, made up of experts and a lawyer, have the task of establishing the nature of the losses sustained and determining appropriate amounts of compensation. They carry out assessments and draw up friendly-settlement declarations regarding the compensation. The amount of compensation is covered by the budget of Ministry of Interior. The State, due to compensation paid, revokes those who are responsible. Another special arrangement is for security forces.

033. If yes, does this compensation come from:

- a public fund
- damages and interests to be paid by the person responsible
- a private fund

Comments

034. Are there studies that evaluate the recovery rate of the damages awarded by courts to victims?

- Yes
- No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

035. Do public prosecutors have a specific role with respect to victims (protection and assistance)?

- Yes
- No

Comments - If yes, please specify: The rights of the victim and the complainant is laid down in article 234 of Criminal Procedure Code. In this article, the rights of victims in investigation phase are explained in detail. The victim can request the collection of evidence, if it does not jeopardize the secrecy and aim of the investigation, the victim can also request copies of documents from the public prosecutor, in cases where he/she has no attorney, the victim can request the appointment of a lawyer by the Bar Association, for the offence of sexual assault and for offences requiring imprisonment, the minimum limit of which is more than five years, in cases where it is in accordance with Article 153, the victim can have the documents of investigation and the property seized and taken under protection reviewed through his/her attorney, the victim can use his/her right of opposition against the decision of non-prosecution rendered by the public prosecutor according to the procedure laid down in the Code.

(2) In cases where the victim has not attained the age of 18, is deaf or dumb, or is handicapped so far that he/she cannot express himself/herself, and has no attorney, an attorney shall be appointed on his/her behalf, without seeking his/her request.

(3) These rights shall be told and explained to the victims of the offence, as well as to the complainant and this issue shall be taken into the minute.

036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answer with that of the question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge". (The answer NAP means that the public prosecutor cannot decide to discontinue a case on his/her own. A decision by a judge is needed.)

- Yes
- No
- NAP

Comments - If necessary, please specify: According to Criminal Procedure Code, article 173, the victim of the offence may file a motion of opposition, within 15 days as of the notification of the "decision of non-prosecution", to the criminal judgship of peace, which is in the district of the assize court which serves in the judicial district of where the public prosecutor who rendered this decision serves.

037. Is there a system for compensating users in the following circumstances:

	Number of requests for compensation	Number of condemnations	Total amount (in €)
Total	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Excessive length of proceedings	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Non-execution of court decisions	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful arrest	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful conviction	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Other	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions):

2.2.2 Confidence and satisfaction of citizens with their justice system

038. Does your country implement surveys aimed at legal professionals and court users to measure their trust in justice and their satisfaction with the services delivered by the judicial system? If yes, how frequently and up to what level?

	National level	Court level
1. Surveys aimed at judges	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
2. Surveys aimed at court staff	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
3. Surveys aimed at public prosecutors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
4. Surveys aimed at lawyers	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
5. Surveys aimed at the parties	<input checked="" type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input checked="" type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

6. Surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
7. Surveys aimed at victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
8. Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

Comments - Please, indicate the references and links to the satisfaction surveys you mentioned above: Turkish Statistical Institute annually conducts life satisfaction surveys aimed at citizens. In addition to that, surveys aimed at court staff are conducted through an intranet system.

040. Is there a national or local procedure for filing complaints about the functioning of the judicial system? (for example, handling of the case by a judge or the duration of a proceeding)

Yes

No

Comments

041. If yes, please specify certain aspects of this procedure:

	Authority responsible for dealing with the complaint	Existence of a time limit to deal with the complaint for this authority
Court concerned	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Higher court	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Ministry of Justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
High Judicial Council	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other external bodies (e.g. Ombudsman)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments High Judicial Council is responsible for dealing with the complaints regarding judges and prosecutors while Ministry of Justice is responsible for the complaints regarding non judge court staff.

041-1. If yes, please specify certain aspects of this procedure:

	Number of complaints	Compensation amount granted
Court concerned	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Higher court	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Ministry of Justice	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
High Judicial Council	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Other external bodies (e.g. Ombudsman)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment:

3. Organisation of the court system

3.1. Courts

3.1.1. Number of courts

042. Number of courts considered as legal entities (administrative structures) and geographic locations.

	Number of courts
42.1 First instance courts of general jurisdiction (legal entities)	4 588 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.2 First instance specialised courts (legal entities)	1 706 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts)	668 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The number of first instance courts of general jurisdiction has been increased and the number of first instance specialised courts has been decreased compared to 2016 data. These differences are due to the analysis of the need of specialised courts and first instance courts with general jurisdiction by Council of Judges and Prosecutors (CJP). There is no specific policy dedicated in this cycle to decrease or increase the number of courts rather than those analysis regularly carried out by CJP.

043. Number (legal entities) of first instance specialised courts (or specific judicial order)

	Number of courts
Total (must be the same as the data given under question 42.2)	1 706 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Commercial courts (excluded insolvency courts)	192 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Insolvency courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Labour courts	331 [] NA [] NAP
Family courts	305 [] NA [] NAP
Rent and tenancies courts	[] NA [X] NAP
Enforcement of criminal sanctions courts	136 [] NA [] NAP
Fight against terrorism, organised crime and corruption	[] NA [X] NAP
Internet related disputes	[] NA [X] NAP
Administrative courts	136 [] NA [] NAP
Insurance and / or social welfare courts	[] NA [X] NAP
Military courts	[] NA [X] NAP
Other specialised 1st instance courts	606 [] NA [] NAP

Comments - If “other specialised 1st instance courts”, please specify: We can not exclude insolvency courts from commercial courts because commercial courts are in charge of insolvency cases. There is no separate court for insolvency cases.

The first instance juvenile criminal courts, juvenile heavy criminal courts, civil courts of intellectual and industrial property rights, criminal courts of intellectual and industrial property rights, consumer courts, cadastral courts are included in other specialised 1st instance courts.

On the other hand, while there were 28 military courts in 2016, we gave the answer "Nap", as military courts were abolished in 2017 Constitutional amendment. Other differences between 2016 data and 2018 data is because of the analysis of the need of specialised courts and first instance courts with general jurisdiction by Council of Judges and Prosecutors (CJP).

044. Is there a foreseen change in the structure of courts [for example a reduction of the number of courts (geographic locations) or a change in the powers of courts]?

(X) Yes

() No

Comments - Please specify: In Judicial Reform Strategy which shared with public in 2019, it is foreseen that special courts will be established in fields requiring expertise such as environment, development and energy.

045. Number of first instance courts (geographic locations) competent for a case concerning:

Number of courts

a debt collection for small claims	[] NA [X] NAP
an employment dismissal	331 [] NA [] NAP
a robbery	463 [] NA [] NAP
an insolvency case	[] NA [X] NAP

Comments The number of first instance courts (geographic locations) competent for a case concerning employment dismissal has been slightly changed due to the need in this field. For the changes in robbery cases compared to 2016 data, considering the judicial workload, new courts have been established to deal with.

045-1. Is your definition for small claims the same as the one in the Explanatory note?

() Yes

(X) No

Comments - If not, please give your definition for small claims:

045-2. Please indicate the value in € of a small claim:

[0]

Comments

C. Please indicate the sources for answering questions 42, 43 and 45:

Sources: Council of Judges and Prosecutors, MoJ

3.2. Court staff

3.2.1. Judges and non-judge staff

046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). (Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts)

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	12 801 [] NA [] NAP	6 840 [] NA [] NAP	5 961 [] NA [] NAP
1. Number of first instance professional judges	9 583 [] NA [] NAP	5 088 [] NA [] NAP	4 495 [] NA [] NAP

2. Number of second instance (court of appeal) professional judges	1 653 [] NA [] NAP	1 110 [] NA [] NAP	543 [] NA [] NAP
3. Number of Supreme Court professional judges	1 565 [] NA [] NAP	642 [] NA [] NAP	923 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above: Efforts regarding raising the number of judges, prosecutors and judicial staff have been made in recent years. The aim is to reach the average number laid down by the CEPEJ (European average number of judges per one hundred thousand people is 25.1, European average of prosecutors per one hundred thousand people is 11.7) and policy of recruitment and appointment of judges and prosecutors has been determined accordingly. Therefore, the numbers of judges and prosecutors provided here is actually judges recruited and appointed. On the other hand, after the establishment of regional court of justice (2nd instance), the workload of supreme court is expected to decrease. Because of this reason, the number of judges working in supreme court has decreased.

047. Number of court presidents (professional judges).

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	758 [] NA [] NAP	663 [] NA [] NAP	95 [] NA [] NAP
1. Number of first instance court presidents	737 [] NA [] NAP	643 [] NA [] NAP	94 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	18 [] NA [] NAP	18 [] NA [] NAP	0 [] NA [] NAP
3. Number of Supreme Court presidents	3 [] NA [] NAP	2 [] NA [] NAP	1 [] NA [] NAP

Comments Efforts regarding raising the number of judges, prosecutors and judicial staff have been made in recent years. The aim is to reach the average number laid down by the CEPEJ (European average number of judges per one hundred thousand people is 25.1, European average of prosecutors per one hundred thousand people is 11.7) and policy of recruitment and appointment of judges and prosecutors has been determined accordingly. Therefore, the numbers of judges and prosecutors provided here is actually judges recruited and appointed. On the other hand, after the establishment of regional court of justice (2nd instance), the workload of supreme court is expected to decrease. Because of this reason, the number of judges working in supreme court has decreased.

048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible on 31 December of the reference year):

	Figure
Gross figure	[] NA [X] NAP
In full-time equivalent	[] NA [X] NAP

Comments - If necessary, please provide comments to explain the answer provided:

048-1. Do these professional judges sitting in courts on an occasional basis deal with a significant

part of cases?

Yes If yes, please give specifications on the types of cases and an estimate in percentage.

No

NAP

Comments

049. Number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (if possible on 31 December of the reference year) (e.g. lay judges or “juges consulaires”, but not arbitrators or persons sitting in a jury):

	Figure
Gross figure	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In full time equivalent	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

049-1. If such non-professional judges exist at first instance in your country, please specify for which types of cases:

	Yes	No	Echevinage
criminal cases (severe)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
criminal cases (misdemeanour and/or minor)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
family law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
labour law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
social law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
commercial law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
insolvency cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
other civil cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NAP

Comments - If “other”, please specify:

050. Does your judicial system include trial by jury with the participation of citizens?

Yes

No

Comments

050-1. If yes, for which type of case(s)?

- Criminal cases
- Other than criminal cases

Comments

051. Number of citizens who were involved in such juries for the year of reference:

- []
- NA
- NAP

Comments

052. Number of non-judge staff who are working in courts (if possible on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for permanent posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Technical staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other non-judge staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “other non-judge staff”, please specify: In Turkey, prosecution offices and courts serve in the same building. Although there are non judge staff and staff working for prosecution offices, they can be assigned for different positions in the courthouses due to the organisational needs. This situation makes it rather hard to provide data which is separated for non judge staff and staff working for prosecution offices.

052-1. Number of non-judge staff by instance (if possible on 31 December of the reference year)

(this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for permanent posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1+2+3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Total non-judge staff working in courts at first instance level	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

053. If there are Rechtspfleger (or similar bodies) in your judicial system, please specify in which fields do they have a role:

- legal aid
- family cases
- payment orders
- registry cases (land and/or business registry cases)
- enforcement of civil cases
- enforcement of criminal cases
- other cases not mentioned (please describe in comment)
- non-litigious cases
- NAP

Comments - Please briefly describe their status and duties:

054. Have the courts outsourced certain services under their responsibilities to external providers?

- Yes
- No

Comments

054-1. If yes, please specify which services have been outsourced:

- IT services
- Training of staff
- Security
- Archives
- Cleaning
- Other types of services (please specify):renting vehicles

Comments Within Turkish system, expenses of many services (it services, training of staff, security, archives, cleaning, etc.) are met by courts' own budget while a few (such as renting of needed vehicles..) are outsourced. In 2016 data, it was indicated that IT services, training of staff, security, archives and cleaning are outsourced. However, due to the enhanced capacity in some specific areas, these mentioned services have started to be operated within courts own budget. For instance, personnel training centers have been established in Ankara and Rize recently and regular trainings for personnel have been conducted at these centers.

C1. Please indicate the sources for answering questions 46, 47, 48, 49 and 52

Sources: Council of Judges and Prosecutors, MoJ

3.3. Public prosecution

3.3.1. Public prosecutors and staff

055. Number of public prosecutors (on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts.

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	6 071 [] NA [] NAP	5 281 [] NA [] NAP	790 [] NA [] NAP
1. Number of prosecutors at first instance level	5 712 [] NA [] NAP	4 971 [] NA [] NAP	741 [] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	171 [] NA [] NAP	160 [] NA [] NAP	11 [] NA [] NAP
3. Number of prosecutors at Supreme Court level	188 [] NA [] NAP	150 [] NA [] NAP	38 [] NA [] NAP

Please indicate any useful comment for interpreting the data above: The aim is to reach the average number laid down by the CEPEJ (European average of prosecutors per one hundred thousand people is 11.7) and policy of recruitment and appointment of judges and prosecutors has been determined accordingly. Therefore, the numbers of judges and prosecutors provided here is actually prosecutors recruited and appointed.

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	247 [] NA [] NAP	246 [] NA [] NAP	1 [] NA [] NAP
1. Number of heads of prosecution offices at first instance level	235 [] NA [] NAP	234 [] NA [] NAP	1 [] NA [] NAP

2. Number of heads of prosecution offices at second instance (court of appeal) level	12 [] NA [] NAP	12 [] NA [] NAP	0 [] NA [] NAP
3. Number of heads of prosecution offices at Supreme Court level	2 [] NA [] NAP	2 [] NA [] NAP	0 [] NA [] NAP

Please provide any useful comment for interpreting the data above:

057. Do other persons have similar duties to those of public prosecutors?

- Yes
- No

Comments - If yes, please specify their title and functions:

057-1. Please specify their number (in full-time equivalent):

[]
[] NA

059. If yes, is their number included in the number of public prosecutors that you have indicated under question 55?

- Yes
- No
- [] NAP

Comments

059-1. Do prosecution offices have specially trained prosecutors in domestic violence and sexual violence ?

- Yes
- No

Comments Domestic violence and sexual violence issues are important parts of the initial and in-service training of prosecutors working in prosecution offices.

060. Number of staff (non-public prosecutors) attached to the public prosecution services (on 31 December of the reference year) (without the number of non-judge staff, see question 52) (in full-time equivalent and for permanent posts actually filled).

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	[X] NA	[X] NA	[X] NA

Comments In Turkey, prosecution offices and courts serve in the same building. Although there are non prosecutor staff working for prosecution offices, they can be assigned for different positions in the courthouses due to the organisational needs. This situation makes it rather hard to provide data regarding the number of staff (non public prosecutors) in public prosecution offices.

C2. Please indicate the sources for answering questions 55, 56 and 60

3.4. Gender equality

3.4.1 Specific provisions for facilitating gender equality

061-2. Are there specific provisions for facilitating gender equality within the framework of the procedures for recruiting :

	Yes, please specify	No
judges	(X)	()
prosecutors	(X)	()
non-judge staff	(X)	()
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify: There are some circulars regarding the recruitment procedure of civil servants which are enforceable for the recruitment of judges, prosecutors and non judge staff. According to these circulars, recruitment of women is encouraged and state institutions are advised to increase the number of working women.

061-3. Are there specific provisions for facilitating gender equality within the framework of the procedures for promoting :

	Yes, please specify	No
judges	(X)	()
prosecutors	(X)	()
non-judge staff	(X)	()
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify: There are specific provisions included in Principles on The Promotion of Judges and Prosecutors (675/1) published by Council of Judges and Prosecutors. This Principle was published on 5 th of April 2017. Before this Principle, there was another version of Principle on the promotion. (Namely this is a new and updated one.) In this Principle, it is laid down that if a woman judge or woman prosecutor is on maternity leave, the promotion period of that judge or prosecutor will not be intercepted. It means, the period of time which is obligatory to be completed for being promoted is facilitated for women judges and prosecutors. Furthermore, there is also a regulation in the Law on Civil Servants (art.108) which facilitates the promotion of non-judge women staff even if they are given non paid day off.

3.4.2 At national level

061-4. Do you have, at national level, one or more recent surveys or reports related to - wholly or partly - the distribution males/females within the judicial system concerning:

	Yes	No
judges	(X)	()
prosecutors	(X)	()
non-judge staff	(X)	()
lawyers	(X)	()
notaries	()	(X)
enforcement agents	(X)	()

Comments - If the situation changed since the reference year, please specify in the comments. Could you specify the reference or internet link of this/these document(s) or send it/them to us? There are activity reports showing the distribution of males/females judges, prosecutors, non-judge staff and enforcement agents on www.hsk.gov.tr and www.sgb.adalet.gov.tr. Moreover, the numbers of males/females lawyers are available on www.barobirlik.org.tr.

061-5. Is there a national programme or an orientation document to promote males/females equality within the judicial system?

(X) Yes

() No

Comments - if the situation changed since the reference year, please specify in the comments. Could you specify the reference or internet link of this/these document(s) or send it/them to us? New Judicial Reform Strategy Document which were shared with public in May, 2019 has many actions to promote males/females equality within the judicial system. For instance, according to objective 3.7; "The principle of gender equality will continue to be looked after in the recruitment of judges, prosecutors and staff." and objective 6.4; "Practices related to women's rights in the justice system will be improved."

061-6. At national level, is there any specific person (e.g. an equal opportunities commissioner)/institution dealing with gender issues in the justice system concerning:

	Yes, please specify	No
the recruitment of judges	()	(X)

the promotion of judges	()	(X)
the recruitment of prosecutors	()	(X)
the promotion of prosecutors	()	(X)
the recruitment of non-judge staff	()	(X)
the promotion of non-judge staff	()	(X)

Comments - if other than recruitment and/or promotion, please specify. If the situation changed since the reference year, please specify in the comments

061-6-1. Please specify the text which set up this person/institution :

(title, date, nature of the text)

[X] NAP

061-6-2. Please specify the status of this person/institution:

(e.g. independent, attached to the Ministry of Justice, to the High Judicial Council or equivalent or to an inter-ministerial institution specifically dedicated to gender equality)

[X] NAP

061-6-3. Please specify if this person/institution has an information and consultative function or if its opinions/decisions have legal consequences:

(e.g. block a decision or allow an appeal)

[X] NAP

3.4.3 At court/public prosecution services level



061-7. At the court or public prosecution services level, is there a person (e.g. an equal opportunities commissioner)/institution specifically dedicated to ensure the respect of gender equality in the organisation of judicial work:

Yes	No
-----	----

in courts (judges)	()	(X)
in public prosecution services (prosecutors)	()	(X)
for courts' non-judge staff	()	(X)

Comments - If yes, please specify their titles and tasks. If the situation changed since the reference year, please specify in the comments.

061-8. Does the feminisation of certain functions, if it exists in your country, within courts or public prosecution services, lead to concrete changes in the organisation of the work in the following areas:

	Yes	No
Assignment in different positions	()	(X)
Workload distribution	()	(X)
Working hours	(X)	()
Modalities of teleworking and presence in the work space	()	(X)
Replacement of absent persons	()	(X)
Organisation of the hearings	()	(X)
Other	()	(X)

Comments - If other, please specify. Could you also indicate concrete examples referring to the various possibilities mentioned? If the situation changed since the reference year, please specify in the comments. According to the Law on Civil Servants (art.104), after giving birth, the working hours of women judges, prosecutors and non judge staff are significantly decreased. In addition to that, women judges, prosecutors and non judge staff who have given birth shall not work night shift up to 2 years after the birth (art.101).

061-9. In order to improve gender balance in access to different judicial professions and equality in promotion and in access to functions of responsibility, what are the measures, in your country, which:

have been already implemented (please specify) : Judicial Reform Strategy(2015 - 2019) had some specific actions to improve gender balance. These actions can be classified from training of judges, prosecutors and non judge staff to prioritise women in different areas.

are planned (please specify) : New Judicial Reform Strategy Document which were shared with public in May, 2019 has many actions to promote males/females equality within the judicial system. For instance, according to objective 3.7; "The principle of gender equality will continue to be looked after in the recruitment of judges, prosecutors and staff." and objective 6.4; "Practices related to women's rights in the justice system will be improved."

Comments - If the situation changed since reference year, please specify in the comments. After the launch of Judicial Reform Strategy Document, action plan has been prepared. There will be some details, such as timetable and budget of all activities included in this plan.

NAP

061-10. In your judicial system, and eventually based on evaluation, studies or official reports, what are the main causes of inequalities in:

recruitment procedures (please specify):

promotion procedures and access to the functions of responsibility (please specify) :

Comments - If the situation changed since reference year, please specify in the comments.

NAP

061-11. In your courts, is there particular attention given to gender issues regarding the public and users of justice, in particular:

	Yes, please specify	No
judges and court staff are more chosen among males or females according to the type of cases	()	(X)
the composition of hearings with several judges is always mixed	()	(X)
statistics exist concerning males and females who initiate a case/victims, accused persons, etc.	(X) There is data on the numbers of males/females victims, accused persons, etc. in Judicial Statistics Report which are annually prepared and shared with public.	()

Comments - if you have additional comments please specify. If the situation changed since reference year, please specify in the comments. Please note that Judicial Statistics Report 2018 is available on

<http://www.adliscil.adalet.gov.tr/Resimler/SayfaDokuman/1982019170455istatistik2018.pdf>

3.5 Use of information technologies in courts

3.5.1 General policies in Information Technology in judicial systems

062-1. Basic principles and models used in Information technology policies and strategies definition

	Organisation
IT policies and strategies	<input checked="" type="checkbox"/> defined and coordinated at national level by one institution <input type="checkbox"/> defined and coordinated at national level by several institutions <input type="checkbox"/> defined and coordinated at unit/stakeholder level <input type="checkbox"/> other
IT Governance	<input checked="" type="checkbox"/> governed on national level by one institution <input type="checkbox"/> governed on national level by several institutions <input type="checkbox"/> organised at unit/stakeholder level <input type="checkbox"/> other

Comments

065-1. In case there is a national structure in charge of the strategic policy making and governance of the judicial system modernisation (including also IT) what is the composition of this structure?

- administrative, technical and scientific staff only
 mixed teams of judicial staff (judges/prosecutors/etc.) and administrative/technical/scientific staff
 other (please specify in a comment)

Comments - (please specify if there are other modernisation approaches that have been implemented):

065-2. Which is the organisational model primarily chosen for conducting structural IT projects in courts and the management of applications (maintenance, evolution)?

	Implementing new projects	Management of applications
Mainly by an IT department with the help of professionals in the field (judges, prosecutors, non-judge judicial staff, etc.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Non
Mainly by professionals in the field (judges, prosecutors, non-judge judicial staff, etc.) with the help of an internal IT department and/or an external service provider	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Non
Other alternatives (external service provider only – specify in a comment)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Non

Comments - please also describe in case of “other alternatives”

065-3. Is there a device of detection and promotion of innovations regarding IT coming from personal and/or local/court level initiatives?

Yes

No

Comments (please specify projects that have experienced national developments) There is a platform for judges, prosecutors and non judge staff to reveal their own opinion freely. Furthermore, there are mail groups and help desks application to enable professionals to share their opinions.

065-4. Have you measured the impact resulting from the implementation of one or several components of your new information system?

Yes

No

065-4-1. If yes, have you measured the impact on (multiple answers possible):

Business processes

Workload

Human resources

Costs

Other, please specify

Comments (please specify examples of the impact) With the introduction of new electronic notification, the cost of delivery has significantly decreased and staff dealing with the notification procedure has started to be working on different needed positions.

3.5.2 Security of courts information system and personal data protection

065-5. Are there independent audits or other mechanisms to contribute to the global security policy regarding the information system of the judiciary ?

Yes

No

Comments (please specify in particular if national frameworks of information security exist): UYAP is awarded the ISO:27001:2005 Information Security Management System standard upon independent audits by Turkish Standards Institution. Information security audits and all other operational steps in the UYAP system are conducted by IT Department of MoJ in charge of the ISO27001:2005 standard.

065-6. Is the protection of personal data managed by courts ensured at legislative level?

Yes

No

Comment - If yes, please specify among others: if there are authorities specifically responsible for protection of personal data; the extent of the rights granted to citizens in the specific framework of software used by courts; if there are controls or limitations by law regarding the sharing of databases managed by courts with other administrations (police, etc.) Code on Protection of Personal Data No 6698, came into force in 2016. The Board for protection of personal data is responsible of the processing of personal data in compliance with fundamental rights and freedoms.(article 22) Those who do not delete or anonymise personal data contrary to this Code shall be punished in accordance with Turkish Criminal Code No.5237. (article 17)

Judges and public prosecutors are responsible for the protection of personal data to which they have accessed during the judicial

proceedings accordingly. Citizens through UYAP citizen's portal can access information on their cases. Via e-signature, they can exchange documents/informations and make requests before the judicial authorities. Controls and limitations regarding the sharing of databases managed by courts with other administrations are mainly regulated by protocols between MoJ and the relevant institution, like police. Those protocols shall not be contrary to fundamental rights and freedoms laid down by the legislation, otherwise shall be annulled by the courts.

3.5.3 Centralised databases for decision support

062-4. Is there a centralised national database of court decisions (case-law, etc.)?

Yes

Non

Comments

062-4-1. If yes, please specify the following information:

	For 1st instance decisions	For 2nd instance decisions	For 3rd instance decisions	Link with ECHR case law	Data anonymised	Case-law database available free online	Case-law database available in open data
Civil and/or commercial	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Criminal	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Administrative	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - if it exists in other matters please specify

062-6. Is there a computerised national record centralising all criminal convictions?

Yes

No

Comments

062-6-1. If yes, please specify the following information:

Linkage with other European records of the same nature

Content directly available through computerised means for judges and/or prosecutors

Content directly available for purposes other than criminal (civil and administrative matters)



3.5.4 Writing assistance tools

**062-7. Are there writing assistance tools for which the content is coordinated at national level?
(models or templates, paragraphs already pre-written, etc.)**

Yes

No

Comment – if it exists in other matters please specify

062-7-1. If yes, please specify the following information:

	Availability rate
Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA

062-8. Are there voice recording tools?

Yes

No

Comments

062-8-1. If yes, please specify:

Availability of simple dictation tools	Availability of multiple speakers recording tools	Voice recognition feature

Civil and/or commercial	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input type="checkbox"/> No <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input type="checkbox"/> No <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input type="checkbox"/> No <input type="checkbox"/> NA

062-9. Is there an intranet site within the judicial system for distribution of news/novelities?

Availability rate:

- 100% - accessible to everyone in judiciary
- 50-99% - accessible for most judges/prosecutors in all instances
- 10-49% - in some courts only
- 1-9% - in one court only
- 0% (NAP) - No access

NA

Comments The availability rate of intranet has increased compared to 2016 data. The reason of this change is based on the establishment of intranet with an approach to meet everyone's needs. Moreover, the information on intranet is regularly updated, if needed.

3.5.5 Technologies used for administration of the courts and case management

063-1. Is there a case management system (CMS) ? (Software used for registering judicial proceedings and their management)

- Yes
- No

Comments - if it exists in other matters please specify

063-1-1. If yes, please specify the following information:

	CMS deployment rate	Status of case online	Centralised or interoperable database	Early warning signals (for active case management)	Status of integration/connection of a CMS with a statistical tool
Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input type="checkbox"/> publication of decision online <input checked="" type="checkbox"/> both <input type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input checked="" type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input type="checkbox"/> publication of decision online <input checked="" type="checkbox"/> both <input type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input checked="" type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input type="checkbox"/> publication of decision online <input checked="" type="checkbox"/> both <input type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input checked="" type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP

063-2. Computerised registries managed by courts

	Deployment rate	Data consolidated at national level	Service available online	Statistical module integrated or connected
Land registry	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Business registry	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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Comment – if it exists in other matters please specify

063-6. Budgetary and financial management systems of courts

	Tool deployment rate	Data consolidated at national level	System communicating with other ministries (financial among others)
Budgetary and financial management of courts	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Justice expenses management	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other (please specify in comments)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments Name of the system is e-budget.

063-7. Measurement tools to assess the workload of judges, prosecutors and/or non-judge/non-prosecutor staff (tool quantifying the activity of judges, prosecutors and/or non-judge/non-prosecutor staff – for example the number of cases resolved)

Yes

No

Comments

063-7-1. If yes, please specify the following information:

Tools deployment rate	Data used for monitoring at national level	Data used for monitoring at court local level	Tool integrated in the CMS
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For judges	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
For prosecutors	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
For non-judge/non-prosecutor staff	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

3.5.6 Technologies used for communication between courts, professionals and/or court users

users

064-2. Is there a possibility to submit a case to courts by electronic means?(possibility to introduce a case by electronic means, for example an e-mail or a form on a website)

Yes

No

Comments

064-2-1. If yes, please specify the following information:

	Availability rate	Simultaneous submission of cases in paper form remains mandatory	Specific legislative framework authorising the submission of a case	An integrated/connect ed tool with the CMS
Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
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Comments - if it exist in other matters please specify UYAP Citizen's Portal, UYAP Lawyer's Portal

064-3. Is it possible to request legal aid by electronic means?

Yes

No

Comments

064-3-1. If yes, please specify the following information:

	Requesting legal aid electronically
Availability rate	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Formalisation of the request in paper form remains mandatory	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Specific legislative framework regarding requests for legal aid by electronic means	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Granting legal aid is also electronic	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Information available in CMS	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

064-4. Is it possible to transmit summons to a judicial meeting or a hearing by electronic means? (a judicial meeting relates to stages prior to a court hearing, with a view to mediation or conciliation)

Yes

No

Comments

064-4-1. If yes, please specify the following information:

	Summons produced by CMS	Simultaneous summon in paper form remains mandatory	Consent of the user to be notified by electronic means	Modalities (if other please specify in comments)	Specific legislative framework
Civil and/or commercial	[X]	[]	[X]	[X] SMS [X] E-mail [] Specific computer application [] Other	[X]
Criminal	[X]	[]	[X]	[X] SMS [X] E-mail [] Specific computer application [] Other	[X]
Administrative	[X]	[]	[X]	[X] SMS [X] E-mail [] Specific computer application [] Other	[X]

Comments Electronic notification has become obligatory for some public institutions, lawyers, notaries, mediators and court experts after the amendment of Law on Notification which came into effect on 1 January 2019.

064-6. Are there possibilities of electronic communication between courts and lawyers and/or parties? (sending of electronic files and data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

Communication between court and lawyers representing parties

(X) Yes

() No

Communication between court and parties not represented by lawyer

() Yes

(X) No

Comments

064-6-1. If yes, please specify the following information:

Tool deployment rate	Trial phases concerned	Modalities (if there are different according to the trial phases or if other, please specify in a comment)	Specific legal framework

Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Submission of a case to a court <input checked="" type="checkbox"/> Phases preparatory to a hearing <input checked="" type="checkbox"/> Schedule of hearings and/or appeals management <input checked="" type="checkbox"/> Transmission of court decisions	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input checked="" type="checkbox"/> Phases preparatory to a hearing <input checked="" type="checkbox"/> Schedule of hearings and/or appeals management <input checked="" type="checkbox"/> Transmission of court decisions	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Submission of a case to a court <input checked="" type="checkbox"/> Phases preparatory to a hearing <input checked="" type="checkbox"/> Schedule of hearings and/or appeals management <input checked="" type="checkbox"/> Transmission of court decisions	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes

Comments

064-7. Terms and conditions of electronic communication used by professionals other than lawyers (sending of electronic data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

	Tool deployment rate	Modalities (if there are different according to the deeds or if other, please specify in a comment)	Specific legal framework
Enforcement agents (as defined in Q169 and following)	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes

Notaries (as defined in Q192 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
Experts (as defined in Q202 and following)	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
Judicial police services	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes

Comments

064-9. Are there online processing devices of specialised litigation? (low value litigation, undisputed claims, preparatory phases to the resolution of family conflicts, etc. – please, specify in “comments” section)

Yes

No

Comments – Please describe the system that exists.

064-10. Videoconferencing between courts, professionals and/or users (this concerns the use of audio-visual devices in the framework of judicial proceedings such as the hearing of parties, etc.)

Yes

No

Comments

064-10-1. If yes, please specify the following information and describe in comments of this section the cases of actual use of videoconferencing and the expected benefits (for example, the use of this device to reduce the number of detainees’ transfers to the court):

	Deployment rate (chose one only)	Proceeding phase	Specific legislative framework
Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input checked="" type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Prior to the hearing <input checked="" type="checkbox"/> During the hearing <input checked="" type="checkbox"/> After the hearing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input type="checkbox"/> Yes <input type="checkbox"/> No

Comments Audio-Visual Information System (SEGBIS) is available in courts, prosecution offices and prison and detention offices. Judicial proceedings at those facilities can be conducted and recorded via SEGBIS. SEGBIS contributes right to a fair trial and right to a fair hearing within a reasonable time.

064-11. Recording of hearings or debates (sound or audio-visual recording during the investigation and/or trial phase(s))

Yes

No

Comments

064-11-1. If yes, please specify the following information:

	Tool deployment rate	Type of recording	Specific legislative framework
Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input checked="" type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Sound <input type="checkbox"/> Video <input checked="" type="checkbox"/> Both <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input checked="" type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Sound <input type="checkbox"/> Video <input checked="" type="checkbox"/> Both <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Sound <input type="checkbox"/> Video <input checked="" type="checkbox"/> Both <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

064-12. Is electronic evidence admissible?

Admissibility of electronic evidence	Legislative framework
--------------------------------------	-----------------------

Civil and/or commercial	(X) Yes () No	() General law only (X) General and specialised law () Specialised law only
Criminal	(X) Yes () No	() General law only (X) General and specialised law () Specialised law only
Administrative	(X) Yes () No	() General law only (X) General and specialised law () Specialised law only

Comments

3.6. Performance and evaluation

3.6.1. National policies applied in courts and public prosecution services

066. Are quality standards determined for the judicial system at national level (are there quality systems for the judiciary and/or judicial quality policies)?

(X) Yes

() No

Comments - If yes, please specify: The quality standards for judges and prosecutors are determined by Council of Judges and Prosecutors through the promotion and inspection system. Judicial Reform Strategy (2019) and Strategic Plan (2019) of MoJ determines quality standards for the judicial system at national level including judges, prosecutors and judicial staff.

067. Do you have specialised personnel entrusted with implementation of these national level quality standards?

	Yes / No
within the courts	() Yes (X) No
within the public prosecution services	() Yes (X) No

Comments

3.6.2. Performance and quality objectives at court level/public prosecution services

077. Concerning court activities, have you defined performance and quality indicators?

(X) Yes

() No

Comments

078. If yes, please select the main performance and quality indicators that have been defined for courts:

[X] number of incoming cases

- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of judges and court staff
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures
- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify):

Comments

077-1. Concerning public prosecution activities, have you defined performance and quality indicators?

- Yes
- No

Comments

078-1. If yes, please select the main performance and quality indicators for the public prosecution services that have been defined:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the public prosecutors)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):

Comments

073. Do you have a system to evaluate regularly court performance based primarily on the defined

indicators?

Yes

No

Comments

073-0. If yes, please specify the frequency:

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify: Inspection of the court activities (in terms of performance and output) is held regularly in every two year by Council of Judges and Prosecutors.

Also, starting from 2016, all first instance and second instance courts and prosecution offices shall publish annual activity reports in civil, criminal and administrative proceedings. All courthouses along Turkey have published their 2018 activity reports on their website in 2019 accordingly. Those websites are free of charge and accessible by all. The activity reports include data on average timeframes of the cases, clearance rates, numbers of judges&prosecutors&staff, numbers of suspects, accused, budget, technological tools, numbers of MLA requests, etc..

073-1. Is this evaluation of the court activity used for the later allocation of resources within this court?

Yes

No

Comments

073-2. If yes, which courses of action are taken?

Identifying to the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance (treatment)

Reengineering of internal procedures to increase efficiency (treatment)

Other (please specify):

Comments

073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based primarily on the defined indicators?

Yes

No

Comments

073-4. If yes, please specify the frequency:

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify: Inspection of the prosecution services activities (in terms of performance and output) is held regularly in every two year by Council of Judges and Prosecutors.

Also, starting from 2016, all prosecution offices shall publish annual activity reports. All prosecution offices along Turkey have published their 2018 activity reports on their website in 2019 accordingly. Those websites are free of charge and accessible by all. The activity reports include data on average timeframes of the cases, clearance rates, numbers of prosecutors & staff, numbers of suspects, accused, budget, technological tools, numbers of MLA requests, etc..

073-5. Is this evaluation of the activity of public prosecution services used for the later allocation of resources within this public prosecution service?

Yes

No

Comments

073-6. If yes, which courses of action are taken?

Identifying to the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance (treatment))

Reengineering of internal procedures to increase efficiency (treatment)

Other (please specify):

Comments

079. Who is responsible for evaluating the performance of the courts (multiple options possible) :

High Judicial Council

Ministry of Justice

Inspection authority

Supreme Court

External audit body

Other (please specify):

Comments Council of Judges and Prosecutors is responsible for the evaluation of courts. There are some criteria of the evaluation of courts' performance. As of 2017, after the new regulation entered into force, CJP has started to consider the evaluation of supreme court and regional court of justice on specific cases of monitored court.

079-1. Who is responsible for evaluating the performance of the public prosecution services (multiple options possible) :

Public prosecutorial Council

Ministry of Justice

Head of the organisational unit or hierarchical superior public prosecutor

Prosecutor General /State public prosecutor

External audit body

Other (please specify):

Comments Council of Judges and Prosecutors is responsible for the evaluation of prosecution offices. There are some criteria of the evaluation of prosecution offices' performance. As of 2017, after the new regulation entered into force, CJP has started to consider the evaluation of supreme court and regional court of justice on specific cases of monitored prosecution office.

3.6.3. Measuring courts' / public prosecution services activity



070. Do you regularly monitor court activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of judges and court staff
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures
- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify):

Comments Through the judicial IT system (UYAP), number of incoming cases, decisions delivered, postponed cases, length of proceedings, age of cases, types of cases and offences, number of suspects, accused, victims can be monitored.

070-1. Do you regularly monitor public prosecution activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the by the public prosecution)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):

Comments Through the judicial IT system (UYAP), number of incoming cases, decisions delivered, postponed cases, length of proceedings, age of cases, types of cases and offences, number of suspects, accused, victims can be monitored.

071. Do you monitor the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs) for:

civil law cases

criminal law cases

administrative law cases

Comments

072. Do you monitor waiting time during judicial proceedings?

	Yes (If yes, please specify)	No
within the courts	<input checked="" type="checkbox"/> In Criminal Procedure Code and Code of Civil Procedure, there are monitoring procedure for some implementations to prevent unnecessary delays.	<input type="checkbox"/>
within the public prosecution services	<input checked="" type="checkbox"/> In Criminal Procedure Code, there are monitoring procedure for some implementations to prevent unnecessary delays.	<input type="checkbox"/>

Comments

3.6.4. Information regarding courts /public prosecution services activity

080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts?

Yes (please indicate the name and the address of this institution):DG for Criminal Records and Statistics, MoJ,
<http://www.adlisicil.adalet.gov.tr/>,Devlet Mahallesi Vekaletler Caddesi 06420 Çankaya/Ankara

No

Comments

080-1. Does this institution publish statistics on the functioning of each court:

Yes, on internet

No, only internally (in an intranet website)

No

Comments

080-2. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the public prosecution services?

Yes (please indicate the name and the address of this institution):DG for Criminal Records and Statistics, MoJ,
<http://www.adlisicil.adalet.gov.tr/>,Devlet Mahallesi Vekaletler Caddesi 06420 Çankaya/Ankara

No

Comments

080-3. Does this institution publish statistics on the functioning of each public prosecution

service?

- Yes, on internet
- No, only internally (in an intranet website)
- No

Comments

081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of resolved cases or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?

- Yes
- No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended): The activity reports include data on average timeframes of the cases, clearance rates, numbers of judges&prosecutors&staff, numbers of suspects, accused, budget, technological tools, numbers of MLA requests, etc..

081-1. If yes, please specify in which form this report is released:

- Internet
- Intranet (internal) website
- Paper distribution

Comments Starting from 2016, all first instance and second instance courts and prosecution officies shall publish annual activity reports in civil, criminal and administrative proceedings. All courthouses along Turkey have published their 2018 activity reports on their website in 2019 accordingly. Those websites are free of charge and accessible by all. Also the supreme courts publish activity reports annually on their website, accessible to all and free of charge. The reports are public and posted on the internet. All of the courts' and prosecution offices' reports are available on their own website.

081-2. If yes, please, indicate the periodicity at which the report is released:

- Annual
- Less frequent
- More frequent

Comments

081-3. Are public prosecution services required to prepare an activity report (that includes, for example, data on the number of incoming cases, the number of decisions, the number of public prosecutors and administrative staff, targets and assessment of the activity)?

- Yes
- No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended): The activity reports include data on average timeframes of the cases, clearance rates, numbers of judges&prosecutors&staff, numbers of suspects, accused, budget, technological tools, numbers of MLA requests, etc..

081-4. If yes, please specify in which form this report is released:

- Internet

Intranet (internal) website

Paper distribution

Comments Starting from 2016, all first instance and second instance courts and prosecution offices shall publish annual activity reports in civil, criminal and administrative proceedings. All courthouses along Turkey have published their 2018 activity reports on their website in 2019 accordingly. Those websites are free of charge and accessible by all.

081-5. If yes, please, indicate the periodicity at which the report is released:

Annual

Less frequent

More frequent

Comments

3.6.5 Courts administration

082. Is there a process or structure of dialogue between the public prosecution services and courts regarding the way cases are presented before courts (for example the organisation, number and planning of hearings, on-call service for urgent cases, selection of simplified procedures of prosecution...)?

Yes

No

Comments - If yes, please specify:

082-1. Is there in general a process or structure of dialogue between lawyers and courts regarding the way cases are presented before courts in other than criminal matters (e.g. organisation, number and planning of hearings, on-call service for urgent cases)?

Yes

No

Comments - If yes, please specify:

3.6.6 Performance and evaluation of judges and public prosecutors

083. Are there quantitative performance targets defined for each judge (e.g. the number of resolved cases in a month or year)?

Yes

No

Comments There are quantitative performance targets defined in principles of promotions of judges and prosecutors announced by Council of Judges and Prosecutors (CJP). According to these principles, the promotion system is defined considering the number of cases that judges deal with in a specific period of time.

083-1. Who is responsible for setting the individual targets for each judge?

Executive power (for example the Ministry of Justice)

Legislative power

Judicial power (for example the High Judicial Council, Supreme Court)

President of the court

Other (please specify):

Comments

114. Is there a system of qualitative individual assessment of the judges' work?

Yes

No

Comments Judges are given grades by supreme courts according to the quality of the decisions which are detailed in secondary legislation and principles of CJP. These grades have an influence on judges' promotion.

114-1. If yes, please specify the frequency of this assessment:

Annual

Less frequent

More frequent

083-2. Are there quantitative performance targets defined for each public prosecutor (e.g. the number of decisions in a month or year)?

Yes

No

Comments There are quantitative performance targets defined in principles of promotions of judges and prosecutors published by Council of Judges and Prosecutors (CJP). According to these principles, the promotion system is defined considering the number of cases that prosecutors deal with in a specific period of time.

083-3. Who is responsible for setting the individual targets for each public prosecutor

Executive power (for example the Ministry of Justice)

Prosecutor General /State public prosecutor

Public prosecutorial Council

Head of the organisational unit or hierarchical superior public prosecutor

Other (please specify):

Comments

120. Is there a system of qualitative individual assessment of the public prosecutors' work?

Yes

No

Comments

120-1. If yes, please specify the frequency of this assessment:

Annual

Less frequent

More frequent

Comments Prosecutors are given grades by supreme courts according to the quality of the indictments/decisions which are detailed in secondary legislation and principles of CJP. These grades have an influence on prosecutors' promotion.

C4. Please indicate the sources for answering the questions in this chapter:

Sources: CJP, MoJ

4.Fair trial

4.1.Principles

4.1.1.Principles of fair trial



084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor is represented by a lawyer)?

[5]

[] NA

[] NAP

Comments - Please add methodology for calculation used. In principle, no hearings shall be held without the accused being present at the court. However, if the court will give a judgement other than conviction, for instance rule on acquittal, the hearing can be held without him/her being present. (Article 193 of Criminal Procedure Code)

Under Turkish legislation, suspects and accused can represent themselves at criminal courts. Nevertheless there are exceptions to this rule. For instance, it is obligatory to appoint a free of charge lawyer for minors and disabled persons, individuals who cannot make his/her own defense. These legal aid lawyers must attend all the hearings.

085. Is there a procedure to effectively challenge a judge, if a party considers that the judge is not impartial?

(X) Yes

() No

Comments - Please could you briefly specify:

085-1. Ratio between the total number of initiated procedures of challenges and total number of finalised challenges (in the reference year):

[100]

[] NA

Comments According to article 24 of Criminal Procedure Code, "The recusal of the judge may be requested both in cases where the judge is not entitled to hear the proceedings, and for other grounds that raise doubt concerning his/her impartiality. The public prosecutor; the suspect, the accused person or their defence counsel; the intervening party or his/her attorney shall be entitled to request the recusal of the judge." In addition to that in Civil Procedure Code article 36, "If there is an important reason leading suspicion of the impartiality of the judge, one of the parties may request the recusal of the judge or the judge may withdraw himself." In both procedures, the proceedings of recusal of the judge is considered among the urgent matters. Therefore, all initiated procedures are finalised immediately.

086. Is there in your country a monitoring system for the violations related to Article 6 of the

European Convention on Human Rights?

For civil procedures (non-enforcement)

For civil procedures (timeframe)

For criminal procedures (timeframe)

NAP

Comments - Please specify what are the terms and conditions of this monitoring system (information related to acknowledged violations by ECHR at the State/courts level; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations): Department of Human Rights is an independent unit established in The Ministry of Justice. This department has been strengthened in recent years as it is in charge of the monitoring of enforcement of the decisions made by ECHR on the violations of the Convention. This department submits action plans and reports to the Committee of Ministers of European Council regarding the activities to prevent violations. In addition to that, decisions of ECHR are interpreted into Turkish and shared with courts and related institutions.

086-1. Is there in your country a possibility to review a case after a decision on violation of human rights by the European Court of Human Rights?

Yes

No

NAP

Comments There are different and separate provisions for administrative, criminal and civil cases. According to article 53 of the administrative procedure code, article 375 of civil procedure code and article 311 of the criminal procedure code; if a final judgement of the European Court of Human Rights has established that the decision has violated the Convention on the Protection of Human Rights and Fundamental Freedoms or its annexed protocols, this violation is considered as a motion for retrial of that case.

D1. Please indicate the sources for answering questions in this chapter.

Sources: MoJ

4.2. Timeframe of proceedings

4.2.1. General information

087. Are there specific procedures for urgent matters regarding:

civil cases

criminal cases

administrative cases

There is no specific procedure for urgent matters

Comments - If yes, please specify:

088. Are there simplified procedures for:

civil cases (small disputes)

criminal cases (misdemeanour cases)

administrative cases

There is no simplified procedure

Comments - If yes, please specify:

088-1. For these simplified procedures, may judges deliver an oral judgement with a written order and without the full reasoning of the judgement ?

civil cases

criminal cases

administrative cases

Comments - If yes, please specify: There is no such a way in Turkey that judges deliver an oral judgement without the full reasoning of the judgement.

089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings)?

Yes

No

Comments - If yes, please specify: It is the courts who decide the organisation, number and planning of hearings in Turkey. But in practice, when setting the date of a hearing, judges consider the requests of lawyers.

4.2.2. Case flow management – first instance



091. First instance courts: number of other than criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of other than criminal law cases (1+2+3+4)	1 774 470 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 964 689 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 913 539 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 825 620 <input type="checkbox"/> NA <input type="checkbox"/> NAP	325 757 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	1 480 715 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 831 177 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 798 124 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 513 768 <input type="checkbox"/> NA <input type="checkbox"/> NAP	313 080 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	146 848 <input type="checkbox"/> NA <input type="checkbox"/> NAP	805 953 <input type="checkbox"/> NA <input type="checkbox"/> NAP	795 715 <input type="checkbox"/> NA <input type="checkbox"/> NAP	157 086 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 987 <input type="checkbox"/> NA <input type="checkbox"/> NAP

2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	129 430 [] NA [] NAP	767 685 [] NA [] NAP	758 644 [] NA [] NAP	138 471 [] NA [] NAP	7 709 [] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	17 418 [] NA [] NAP	38 268 [] NA [] NAP	37 071 [] NA [] NAP	18 615 [] NA [] NAP	2 278 [] NA [] NAP
2.2.1. Non litigious land registry cases	3 801 [] NA [] NAP	8 068 [] NA [] NAP	8 466 [] NA [] NAP	3 403 [] NA [] NAP	449 [] NA [] NAP
2.2.2 Non-litigious business registry cases	9 528 [] NA [] NAP	23 933 [] NA [] NAP	22 786 [] NA [] NAP	10 675 [] NA [] NAP	937 [] NA [] NAP
2.2.3. Other registry cases	4 089 [] NA [] NAP	6 267 [] NA [] NAP	5 819 [] NA [] NAP	4 537 [] NA [] NAP	892 [] NA [] NAP
2.3. Other non-litigious cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP
3. Administrative law cases	146 907 [] NA [] NAP	327 559 [] NA [] NAP	319 700 [] NA [] NAP	154 766 [] NA [] NAP	2 690 [] NA [] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments As GD for Criminal Records and Judicial Statistics has launched new implementations after the decision taken by the Data Monitoring and Assessment Council regarding the review of inserting data to the system, some changes can be seen comparing to the previous cycle. Thanks to this review of inserting data system, we've been able to submit the data on non-litigious business registry cases (2.2.2) and other registry cases (2.2.3) about which we couldn't be able to submit data in previous cycle.

Moreover, a meticulous work has been conducted to reach exact data on other types of cases, especially for the data given in previous cycle. As a result of this work, there are some changes that were made on the 2016 data of registry cases (2.2), non litigious land registry cases (2.2.1) non-litigious business registry cases (2.2.2), other registry cases (2.2.3) in previous cycle.

092. If courts deal with “civil (and commercial) non-litigious cases”, please indicate the case categories included:

- . Change of name & surname
- Request for inheritance certificate
- Assignment and dismissal of a trustee
- Birth certificate corrections
- Protection of the properties of children, etc.

093. Please indicate the case categories included in the category "other cases":

. NAP

094. First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2+3)	1 213 275 [] NA [] NAP	1 676 226 [] NA [] NAP	1 580 017 [] NA [] NAP	1 309 484 [] NA [] NAP	145 853 [] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases" please specify: According to our system, there is no distinction such as 'serious offences' and 'minor offences.' Because of that reason, there is no data specifically determined for these type of offences. On the other hand, it is obviously seen that the number of resolved cases has increased. There are two reasons of this fact; one of which is the increase of the number of judges in criminal courts and the second one is the other reforms in the field.

On the other hand, the number of incoming cases and pending cases older than 2 years has also increased. Having considered that it is a significant issue to analyse thoroughly, there have been foreseen specific measures to resolve disputes before brought to court in Judicial Reform Strategy.

4.2.3. Case flow management – second instance



097. Second instance courts (appeal): Number of "other than criminal law" cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of other than criminal law cases (1+2+3+4)	154 072 [] NA [] NAP	652 704 [] NA [] NAP	521 118 [] NA [] NAP	285 658 [] NA [] NAP	482 [] NA [] NAP

1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.1. Non litigious land registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.2 Non-litigious business registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.3. Other registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.3. Other non-litigious cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Administrative law cases	40 748 [] NA [] NAP	221 603 [] NA [] NAP	217 118 [] NA [] NAP	45 233 [] NA [] NAP	479 [] NA [] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If “Other cases” please specify Courts of appeal (2nd instance courts) in nine locations started to operate in civil and criminal jurisdiction by July 20th, 2016. In 2018 two other courts of appeal and in 2019 four other planned courts of appeal have started to operate. Although we can reach the data of pending cases, incoming cases, resolved cases, the system does not enable to reach more detailed data, such as registry cases and general civil (and commercial) non-litigious cases. However, there is a work underway on the system to reach that specific data. Furthermore, 2nd instance courts in administrative matters have also started to operate in 2016. The noticeable increase in the number of administrative cases compared to previous data is due to this change. 2nd instance administrative courts have been tasked with wide competence. Many decisions taken by 1st instance are now handled by 2nd instance as a legal remedy.

098. Second instance courts (appeal): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2+3)	67 617 [] NA [] NAP	462 003 [] NA [] NAP	319 287 [] NA [] NAP	210 333 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify. Courts of appeal (2nd instance courts) in nine locations started to operate in civil and criminal jurisdiction by July 20th, 2016. In 2018 two other courts of appeal and in 2019 four other planned courts of appeal have started to operate. Although we can reach the data of pending cases, incoming cases, resolved cases, the system does not enable to reach more detailed data, such as registry cases and general civil (and commercial) non-litigious cases. However, there is a work underway on the system to reach that specific data. Previous data regarding this question included data between July 20th 2016 and December 31st 2016. Namely, data for 4 months were provided at that time. Please consider that, for this cycle we provide the data for whole year and the number of courts of appeals has increased in 2018.

4.2.4. Case flow management – Supreme Court

099. Highest instance courts (Supreme Court): Number of "other than criminal law" cases:

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of other than criminal law cases (1+2+3+4)	529 120 [] NA [] NAP	268 836 [] NA [] NAP	403 244 [] NA [] NAP	394 712 [] NA [] NAP	134 680 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	316 494 [] NA [] NAP	166 099 [] NA [] NAP	262 956 [] NA [] NAP	219 637 [] NA [] NAP	80 854 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	6 415 [] NA [] NAP	2 979 [] NA [] NAP	4 920 [] NA [] NAP	4 474 [] NA [] NAP	2 574 [] NA [] NAP

2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	1 909 [] NA [] NAP	1 280 [] NA [] NAP	1 952 [] NA [] NAP	1 237 [] NA [] NAP	762 [] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	2 856 [] NA [] NAP	1 111 [] NA [] NAP	1 592 [] NA [] NAP	2 375 [] NA [] NAP	1 506 [] NA [] NAP
2.2.1. Non litigious land registry cases	2 327 [] NA [] NAP	647 [] NA [] NAP	937 [] NA [] NAP	2 037 [] NA [] NAP	1 439 [] NA [] NAP
2.2.2 Non-litigious business registry cases	528 [] NA [] NAP	463 [] NA [] NAP	653 [] NA [] NAP	338 [] NA [] NAP	67 [] NA [] NAP
2.2.3. Other registry cases	1 [] NA [] NAP	1 [] NA [] NAP	2 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
2.3. Other non-litigious cases	1 650 [] NA [] NAP	588 [] NA [] NAP	1 376 [] NA [] NAP	862 [] NA [] NAP	306 [] NA [] NAP
3. Administrative law cases	206 211 [] NA [] NAP	99 758 [] NA [] NAP	135 368 [] NA [] NAP	170 601 [] NA [] NAP	51 252 [] NA [] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If "Other cases", please specify There have been some changes in the competence of supreme court for both criminal and other than criminal cases after the new network of second instance courts. For instance, there is a limit of cases that supreme court deals with and this limit is determined considering the monetary value of the case in civil cases. In addition to that, for criminal cases, this limit is determined by considering the type of the verdict and the limit of the sentence. In the near future, the effect of the new network of 2nd instance on judiciary will be more distinct.

099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?

(X) Yes

() No

Comments

099-1-1. If yes, please indicate the number of:

cases received by the Highest court? [452 044]

cases closed by this procedure? [12 650]

Comments The number of cases received by the Highest court equals to all incoming cases to supreme courts in criminal law, civil law

100. Highest instance courts (Supreme Court): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of criminal law cases (1+2+3)	342 774 [] NA [] NAP	183 208 [] NA [] NAP	243 632 [] NA [] NAP	282 350 [] NA [] NAP	88 984 [] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify. Although we can reach the data of pending cases, incoming cases, resolved cases, the system does not enable to reach more detailed data, such as severe criminal cases and misdemeanour cases. However, there is a work underway on the system to reach that specific data. There have been some changes in the competence of supreme court for both criminal and other than criminal cases after the new network of second instance courts. Because of these changes, the number of incoming cases and pending cases has decreased. The number of pending cases older than 2 years has increased because these cases are mostly complicated to resolve in terms of the numbers of parties and seriousness of the cases.

4.2.5. Case flow management and timeframes – specific cases

101. Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases, intentional homicide cases, cases relating to asylum seekers and cases relating to the right of entry and stay for aliens received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year
Litigious divorce cases	103 297 [] NA [] NAP	136 690 [] NA [] NAP	131 211 [] NA [] NAP	108 776 [] NA [] NAP
Employment dismissal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Insolvency	1 436 [] NA [] NAP	925 [] NA [] NAP	1 093 [] NA [] NAP	1 268 [] NA [] NAP
Robbery case	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Intentional homicide	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Cases relating to the right of entry and stay for aliens	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Number of resolved cases in litigious divorce cases has increased because of the fact that the number of judges dealing with family cases has increased. There is a slight increase in incoming litigious divorce cases but there is no specific reason to explain that. Please note that it is not possible in our system to distinguish attempted and completed robbery, attempted and completed homicide. Because of this reason, we can't give data regarding these cases. In addition to that, the number of insolvency cases has decreased. It is because of the amendment in the law (Law no 7101, entered into force 15th of March 2018) to encourage concordat which aims to protect both the debtors in poor financial standing as well as their creditors. If a debtor and a creditor agree on a concordat, the debtor clears his/her debts by paying the debt in line with the agreement stipulated under the concordat. That is, the new amendment facilitates the payment procedure for parties.

101-1. Could you briefly describe the system in your country dealing with judicial remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

. Entry into and exit from Turkey shall be through the border gates with a valid passport or travel document. (Code on Foreigners and International Protection No 6458, Article 5.)

Foreigners who would stay in Turkey beyond the duration of a visa or a visa exemption or in any case longer than ninety days should obtain a residence permit. (Article 19)

No one shall be returned to a place where he or she may be subjected to torture, inhuman or degrading punishment or treatment or, where his/her life or freedom would be threatened on account of his/her race, religion, nationality, membership of a particular social group or political opinion. (Article 4.)

A person who as a result of events occurring in European countries and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his citizenship and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country; or who, not having a nationality and being outside the country of his former residence as a result of such events, is unable or, owing to such fear is unwilling to return to it, shall be granted refugee status upon completion of the refugee status determination process. (Article 61)

A person who as a result of events occurring outside European countries and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country; or who, not having a nationality and being outside the country of former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it, shall be granted conditional refugee status upon completion of the refugee status determination process. Conditional refugees shall be allowed to reside in Turkey temporarily until they are resettled to a third country. (Article 62)

A foreigner or a stateless person, who neither could be qualified as a refugee nor as a conditional refugee, shall nevertheless be granted subsidiary protection upon the status determination because if returned to the country of origin or country of [former] habitual residence would:

- a) be sentenced to death or face the execution of the death penalty;
- b) face torture or inhuman or degrading treatment or punishment;
- c) face serious threat to himself or herself by reason of indiscriminate violence in situations of international or nationwide armed conflict; and therefore is unable or for the reason of such threat is unwilling, to avail himself or herself of the protection of his country of origin or country of [former] habitual residence. (Article 63)

Against those administrative decisions, the concerned person, his/her legal representative or lawyer may appeal to the International Protection Assessment Commission and also may file an appeal before the administrative courts. The person shall be allowed to stay in Turkey until the completion of the administrative process or judicial proceedings. (Article 80)

In cases where the applicant and international protection beneficiary is unable to afford the attorney's fee for their judicial appeals in respect of the applications and proceedings covered by this Code, legal aid shall be provided pursuant to the provisions in the Attorneyship Code No. 1136. (Article 81)

102. Average length of proceedings, in days (from the date the application for judicial review is lodged). The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the enforcement procedure.

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
Civil and commercial litigious cases	3 [] NA [] NAP	59 [] NA [] NAP	136 [] NA [] NAP	457 [] NA [] NAP	217 [] NA [] NAP	[X] NA [] NAP
Litigious divorce case	13 [] NA [] NAP	287 [] NA [] NAP	173 [] NA [] NAP	485 [] NA [] NAP	315 [] NA [] NAP	[X] NA [] NAP
Employment dismissal case	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Insolvency	16 [] NA [] NAP	75 [] NA [] NAP	107 [] NA [] NAP	605 [] NA [] NAP	262 [] NA [] NAP	[X] NA [] NAP
Robbery case	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Intentional homicide	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments The average length in insolvency cases in third instance has increased as it is shown. These cases have not been affected by the amendment made in Law 7101 as it is explained above. In the near future, it is expected that the effect of the amendment for these cases will be seen as well. For litigious divorce cases, there is no specific reason for the increase in 2nd and 3rd instances.

103. Where appropriate, please indicate the specific procedure regarding divorce cases (litigious and non-litigious):

. Divorce cases are handled by family courts. Before considering the merits of the case, family courts, if appropriate, shall encourage the parties to solve the problems peacefully. If the conflict is not solved in this way, then courts are entitled to hear the case. Also, the judge may, upon a request of the parties, decide to hear the case in a closed session. (Code on the Establishment, Functions and Trial Procedure of Family Courts)

104. How is the length of proceedings calculated for the six case categories of question 102?

Please give a description of the calculation method.

. The calculation is made through judicial IT system (UYAP).

The calculation method of the length of proceedings of cases at the first instance courts:

1- In criminal cases, the date of accepting the public prosecution office's indictment by the court is considered the beginning of the proceeding. The date of the service of the court verdict is the end of the proceedings for first instance courts. The length of proceedings is the period between these two dates.

2- In cases other than criminal cases, the date of filing the case in a court is considered the beginning of the proceeding. The date of the service of the court decision is the end of the proceedings for first instance courts. The length of proceedings is the period between these two dates.

The calculation method of the length of proceedings of cases at the second instance courts (Regional Courts of Appeal):

In both criminal cases and other than criminal cases, the date of receiving the petition of appellate by the Court of Appeal is considered the beginning of the proceeding. The date of the service of the final decision of Court of Appeal to the first instance courts is the end of the proceedings. The length of proceedings is the period between these two dates.

The calculation method of the length of proceedings of cases at Supreme Courts (Court of Cassation and Council of State):

In both criminal cases and other than criminal cases, the date of receiving the petition of appellate by the Court of Cassation or the Council of State is considered the beginning of the proceeding. The date of the service of the final decision of these of courts to the first instance courts is the end of the proceedings. The length of proceedings is the period between these two dates.

4.2.6. Case flow management – public prosecution



105. Role and powers of the public prosecutor in the criminal procedure (multiple options possible):

- [X] to conduct or supervise police investigation
- [X] to conduct investigations
- [X] when necessary, to request investigation measures from the judge
- [X] to charge
- [X] to present the case in court
- [X] to propose a sentence to the judge
- [X] to appeal
- [X] to supervise the enforcement procedure
- [X] to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)
- [] to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- [] other significant powers (please specify):

Comments

106. Does the public prosecutor also have a role in:

- [X] civil cases
- [X] administrative cases

insolvency cases

Comments - If yes, please specify: According to article 70 of Civil Procedure Code, Public Prosecutor may file a case or be a party to a pending case if there is an explicit regulation on the Law. For instance; on Civil Registration Services Law article 36, public prosecutor may file a case on rectification of civil registrations records. In administrative cases, according to article 18 of Administrative Procedure Code, public prosecutors must be present in hearings at Council of State (Dantay).

107. Cases processed by the public prosecutor - Total number of first instance criminal cases:

	Received during the reference year	Discontinued during the reference year (see Q108 below)	Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases brought to court
Total number of first instance cases processed by the public prosecutor	4 087 707 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 170 215 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 103 248 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Numbers of discontinued cases has increased due to the appointment of new prosecutors and more effective training for prosecutors on well-executed prosecutorial work as well as the protection of right to fair trial. The number of cases received by public prosecutor offices has increased yet there is no specific reason to explain that. It requires more detailed analysis.

107-1. If the guilty plea procedure exists, how many cases were brought to court by the prosecutor through this procedure?

	Number of guilty plea procedures
Total	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Before the court case	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
During the court case	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

108. Total number of cases which were discontinued by the public prosecutor.

	Number of cases
Total number of cases which were discontinued by the public prosecutor (1+2+3+4)	2 170 215 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Discontinued by the public prosecutor because the offender could not be identified	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Discontinued by the public prosecutor for reasons of opportunity	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

4. Other

NA

NAP

Comments

109. Do the figures include traffic offence cases?

Yes

No

Comments

D2. Please indicate the sources for answering questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 107-1 and 108.

Sources: Moj, Court of Cassation, Council of State.

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1. Recruitment and promotion of judges

110. How are judges recruited?

mainly through a competitive exam (open competition)

mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

a combination of both (competitive exam and working experience)

other (please specify):

Comments There are 2 different procedures for administrative judges and other than administrative judges. Administrative judges shall have a bachelor's degree in either law faculties or faculty of economics, administrative, social science. Candidates shall also succeed in written competitive examination and interview. Before appointed as a judge, those candidates should also be successful in 2 years of internship and a final exam.

Furthermore, lawyers experienced at least 3 years of profession are subject to another written competitive examination and interview. Before appointed as a judge, those candidates should also be successful in 1 year of internship and a final exam.

Other than administrative judges shall have a bachelor's degree in law faculties only. Candidates shall also succeed in written competitive examination and interview. Before appointed as a judge, those candidates should also be successful in 2 years of internship and a final exam. Furthermore, lawyers experienced at least 3 years of profession are subject to another written competitive examination and interview. Before appointed as a judge, those candidates should also be successful in 1 year of internship and a final exam.

111. Authority(ies) responsible for recruitment. Are judges initially/at the beginning of their career recruited and nominated by:

an authority made up of judges only

an authority made up of non-judges only

an authority made up of judges and non-judges

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles: It is a two-stage process. In the first stage, the candidates who are willing to become a judge or a prosecutor, and who succeeded to pass a written exam and an interview, are assigned as “candidate judges” or “candidate prosecutors”.

The interview committee, who decides on the candidates to be chosen, consists of totally five members. The committee shall be presided by the Deputy Minister of the MoJ. In the second stage, the candidate judges-prosecutors who have successfully completed their periods of candidacy, are accepted to work as judges or prosecutors by the Council of Judges and Prosecutors.

112. Is the same authority (Q111) competent for the promotion of judges?

Yes

No

Comments

113. What is the procedure for the promotion of judges? (multiple answers possible)

Competitive test / Exam

Other procedure (interview or other)

No special procedure

Comments - Please specify how the promotion of judges is organised (especially if there is no competition or examination):

113-1. Please indicate the criteria used for the promotion of a judge? (multiple answers possible)

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”):

5.1.2. Status, recruitment and promotion of prosecutors

115. What is the status of public prosecution services?

statutory independent

under the authority of the Minister of Justice or another central authority

other (please specify): Public prosecutors have the same constitutional status as judges. They are fully independent in the fulfillment of their judicial tasks. However, they have administrative duties as well, and they are subordinate to the MoJ in this context.

Comments - When appropriate, please specify the objective guarantees of this independence (transfer, appointment...). They are fully independent in the fulfillment of their judicial tasks. Public prosecutors have the same constitutional status as judges. In article 139 of Turkish Constitution, "Judges and public prosecutors shall not be dismissed, or unless they request, shall not be retired before the age prescribed by the Constitution; nor shall they be deprived of their salaries, allowances or other rights relating to their status, even as a result of the abolition of a court or a post." In article 140, "The qualifications, appointment, rights and duties, salaries and allowances of judges and public prosecutors, their promotion, temporary or permanent change in their posts or place of duties, the initiation of disciplinary proceedings against them and the imposition of disciplinary penalties, the conduct of investigation concerning them and the subsequent decision to prosecute them on account of offences committed in connection with, or in the course of,

their duties, the conviction for offences or instances of incompetence requiring their dismissal from the profession, their in-service training, and other matters relating to their personnel status shall be regulated by law in accordance with the principles of the independence of the courts and the security of tenure of judges."

115-1. Does the law or another regulation prevent specific instructions to prosecute or not, addressed to a public prosecutor?

- Yes
- No

Comments - If yes, please specify: Turkish Constitution and Criminal Procedure Code comprises specific guarantees for prosecutors to fulfil their duties regarding investigations. Under Turkish legislation, attempting to influence persons in charge of a judicial duty by using force, giving instruction or by any other ways is a crime that shall be sentenced to a penalty of imprisonment for a term of two to four years. (Turkish Criminal Code No 5237, Article 277)

Also, during the investigation phase or a court phase, attempting to influence persons in charge of a judicial duty with the aim of influencing a fair trial is a crime that shall be sentenced to monetary sanction. (Turkish Criminal Code No 5237, Article 288)

116. How are public prosecutors recruited?

- mainly through a competitive exam (open competition)
- mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- a combination of both (competitive exam and working experience)
- other (please specify):

Comments Prosecutors shall have a bachelor’s degree in law faculties only. Candidates shall also succeed in written competitive examination and interview. Before appointed as a prosecutors, those candidates should also be successful in 2 years of internship and a final exam. Furthermore, lawyers experienced at least 3 years of profession are subject to another written competitive examination and interview. Before appointed as a prosecutor, those candidates should also be successful in 1 year of internship and a final exam.

117. Authority(ies) responsible for recruitment. Are public prosecutors initially/at the beginning of their career recruited by:

- an authority composed of public prosecutors only
- an authority composed of non-public prosecutors only
- an authority composed of public prosecutors and non-public prosecutors

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles: It is a two-stage process. In the first stage, the candidates who are willing to become a judge or a prosecutor, and who succeeded to pass a written exam and an interview, are assigned as “candidate prosecutors”.

The interview committee, who decides on the candidates to be chosen, consists of totally five members. The committee shall be presided by the Deputy Minister of the MoJ. In the second stage, the candidate judges-prosecutors who have successfully completed their periods of candidacy, are accepted to work as judges or prosecutors by the Council of Judges and Prosecutors.

118. Is the same authority (Q.117) formally responsible for the promotion of public prosecutors?

- Yes
- No, please specify which authority is competent for promoting public prosecutors Council of Judges and Prosecutors

Comments

119. What is the procedure for the promotion of prosecutors? (multiple answers possible)

- Competitive test / exam

Other procedure (interview or other)

No special procedure

Comments - Please, specify the procedure (especially if it is a procedure different from a competitive test or an exam):

119-2. Please indicate the criteria used for the promotion of a prosecutor:

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"):

5.1.3.Mandate and retirement of judges and prosecutors

121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:65

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

121-1. Can a judge be transferred to another court without his/her consent:

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards):

No

Comments

122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?

Yes, duration of the probation period (in years):

No

Comments

123. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:65

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

124. Is there a probation period for public prosecutors? If yes, how long is this period?

Yes, duration of the probation period (in years):

No

Comments

125. If the mandate for judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)?

[]

NA

NAP

Comments

125-1. Is it renewable?

Yes

No

NAP

Comments

126. If the mandate for public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)?

[]

NA

NAP

Comments

126-1. Is it renewable?

Yes

No

NAP

Comments

E1. Please indicate the sources for answering the questions in this chapter:

Sources: Council of Judges and Prosecutors

5.2. Training

5.2.1. Training of judges

127. Types of different trainings offered to judges:

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in the court)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions of the court (e.g. court president)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in courts	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training on ethics	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

128. Frequency of the in-service training of judges:

	Frequency of the judges training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input checked="" type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions of the court (e.g. court president)	<input checked="" type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in courts	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on ethics	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges:

5.2.2. Training of prosecutors

129. Types of different trainings offered to public prosecutors:

	Compulsory	Optional	No training proposed
Initial training	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for specialised functions (e.g. public prosecutors specialised on organised crime)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for management functions (e.g. Head of prosecution office, manager)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for the use of computer facilities in office	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training on ethics	() Yes (X) No	(X) Yes () No	() Yes (X) No

Comments

130. Frequency of the in-service training of public prosecutors :

	Frequency of the in-service training
General in-service training	[X] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	[X] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training for management functions (e.g. Head of prosecution office, manager)	[X] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training for the use of computer facilities in office	[] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training on ethics	[] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors:

131. Do you have public training institutions for judges and / or prosecutors?

Initial training only	Continuous training only	Initial and continuous training

One institution for judges	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
One institution for prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
One single institution for both judges and prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments

131-0. If yes, what is the budget of such institution(s)?

	Budget of the institution for the reference year, in €
One institution for judges	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
One institution for prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
One single institution for both judges and prosecutors	3 696 399 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Turkish Justice Academy is responsible for training of judges and prosecutors. The budget of The Academy has increased in local currency however due to fluctuation in euro - tl exchange rate, the budget seems to decrease in euro.

131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how these judges and/or prosecutors are trained?

. Judges and prosecutors have compulsory initial training.

131-2. Number of in-service training courses (in days) organised by the judicial training institution for judges, prosecutors, non-judge and non-prosecutor staff

	Number of training courses in days organised, without e-learning	Online training courses available during the reference year (e-learning)
Total	664 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Only for judges	191 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Only for prosecutors	12 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Only for other non-judge staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

4. Only for other non-prosecutor staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other common training	461 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments: It is not possible to have separate data on training courses for non judge staff and non prosecutor staff. Therefore, the numbers of trainings for staff (non judge and non prosecutor) is included in other common training. On the other hand, there are huge number of common trainings for judges and prosecutors. We also include these numbers to other common trainings.

E2. Please indicate the sources for answering the questions in this chapter:

Sources: Moj, Turkish Justice Academy

5.3.Practice of the profession

5.3.1.Salaries and benefits of judges and prosecutors



132. Salaries of judges and public prosecutors on 31 December of the reference year:

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	21 728 <input type="checkbox"/> NA <input type="checkbox"/> NAP	16 976 <input type="checkbox"/> NA <input type="checkbox"/> NAP	132 762 <input type="checkbox"/> NA <input type="checkbox"/> NAP	103 725 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	39 882 <input type="checkbox"/> NA <input type="checkbox"/> NAP	29 405 <input type="checkbox"/> NA <input type="checkbox"/> NAP	243 682 <input type="checkbox"/> NA <input type="checkbox"/> NAP	179 669 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	21 728 <input type="checkbox"/> NA <input type="checkbox"/> NAP	16 976 <input type="checkbox"/> NA <input type="checkbox"/> NAP	132 762 <input type="checkbox"/> NA <input type="checkbox"/> NAP	103 725 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	39 882 <input type="checkbox"/> NA <input type="checkbox"/> NAP	29 405 <input type="checkbox"/> NA <input type="checkbox"/> NAP	243 682 <input type="checkbox"/> NA <input type="checkbox"/> NAP	179 669 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The salaries of judges and prosecutors have increased in local currency.

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Special pension	() Yes (X) No	() Yes (X) No
Housing	(X) Yes () No	(X) Yes () No
Other financial benefit	(X) Yes () No	(X) Yes () No

Comments

134. If “other financial benefit”, please specify:

. Judges and prosecutors, as well as other judicial staff, can benefit of a reduction in the installations (hotels, resorts etc.) operated by the Judicial Support Foundation.

[] NAP

135. Can judges combine their work with any of the following other functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	() Yes (X) No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No
Mediator	() Yes (X) No	() Yes (X) No
Other function	() Yes (X) No	() Yes (X) No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify.

137. Can public prosecutors combine their work with any of the following other functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No

Research and publication	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Arbitrator	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Consultant	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Cultural function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Political function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Mediator	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If "other function", please specify:

139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the number of resolved cases (e.g. number of cases resolved over a given period of time)?

Yes

No

Comments - If yes, please specify the conditions and possibly the amounts:

5.3.2 Body/institution of ethics

138. Is there in your country an institution / body giving opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)

Yes

No

Comments The principles of ethics to be observed by members of the judiciary were shared with judiciary and public by Council of Judges and Prosecutors in 2019. These principles were prepared in accordance with the United Nations and Council of Europe standards.

138-1. If yes, how is this institution / body formed

only by judges

by judges and other legal professionals

other, please specify: Council of Judges and Prosecutors is the body that is responsible for ethical questions of judges and prosecutors.

Comments Council of Judges and Prosecutors is the body giving opinions on ethical questions of judges and prosecutors. The unit which is called "Judicial Ethic Unit" was specifically formed under the Council body in 2016.

138-2. Are the opinions of this institution / body publicly available?

Yes

No

[] NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

[] NAP

138-3. Is there in your country an institution / body giving opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)

(X) Yes

() No

Comments The principles of ethics to be observed by members of the judiciary were shared with judiciary and public by Council of Judges and Prosecutors in 2019. These principles were prepared in accordance with the United Nations and Council of Europe standards.

138-4. If yes, how is this institution / body formed

() only by prosecutors

() by prosecutors and other legal professionals

(X) other, please specify: Council of Judges and Prosecutors is the body that is responsible for ethical questions of judges and prosecutors.

Comments Council of Judges and Prosecutors is the body giving opinions on ethical questions of judges and prosecutors. The unit which is called "Judicial Ethic Unit" was specifically formed under the Council body in 2016.

138-5. Are the opinions of this institution / body publicly available?

() Yes

(X) No

[] NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

[] NAP

5.4. Disciplinary procedures

5.4.1. Authorities responsible for disciplinary procedures and sanctions

140. Who is authorised to initiate disciplinary proceedings against judges (multiple options possible)?

[] Court users

[] Relevant Court or hierarchical superior

[] High Court / Supreme Court

[X] High Judicial Council

[] Disciplinary court or body

[] Ombudsman

[] Parliament

[] Executive power (please specify):

[] Other (please specify):

[] This is not possible



141. Who is authorised to initiate disciplinary proceedings against public prosecutors (multiple options possible):

- Citizens
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments

142. Which authority has disciplinary power over judges? (multiple options possible)

- Court
- Higher Court / Supreme Court
- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):

Comments

143. Which authority has disciplinary power over public prosecutors? (multiple options possible):

- Supreme Court
- Head of the organisational unit or hierarchical superior
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):

Comments

5.4.2. Number of disciplinary procedures and sanctions

144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Judges	Prosecutors
Total number (1+2+3+4)	[X] NA [] NAP	[X] NA [] NAP
1. Breach of professional ethics	[X] NA [] NAP	[X] NA [] NAP
2. Professional inadequacy	[X] NA [] NAP	[X] NA [] NAP
3. Criminal offence	[X] NA [] NAP	[X] NA [] NAP
4. Other	[X] NA [] NAP	[X] NA [] NAP

Comments - If "other", please specify: Judges and prosecutors are subject to the same legislation and have the same status. Disciplinary actions are carried out by the Council of Judges and Prosecutors for both. It is not possible to separate the disciplinary proceedings initiated against judges than the ones against prosecutors.

Total number of disciplinary proceedings initiated against judges and prosecutors in 2018 is 287.

145. Number of sanctions pronounced during the reference year against judges and public prosecutors:

	Judges	Prosecutors
Total number (total 1 to 10)	[X] NA [] NAP	[X] NA [] NAP
1. Reprimand	[X] NA [] NAP	[X] NA [] NAP
2. Suspension	[X] NA [] NAP	[X] NA [] NAP
3. Withdrawal from cases	[X] NA [] NAP	[X] NA [] NAP
4. Fine	[X] NA [] NAP	[X] NA [] NAP
5. Temporary reduction of salary	[X] NA [] NAP	[X] NA [] NAP

6. Position downgrade	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
7. Transfer to another geographical (court) location	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
8. Resignation	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
9. Other	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
10. Dismissal	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “other”, please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. Judges and prosecutors are subject to the same legislation and have the same status. Disciplinary sanctions are carried out by the Council of Judges and Prosecutors for both. It is not possible to separate the sanctions pronounced against judges than the ones against prosecutors.

Total number of sanctions pronounced against judges and prosecutors in 2018 is 233.

E3. Please indicate the sources for answering questions 144 and 145:

Sources: Council of Judges and Prosecutors

6. Lawyers

6.1. Profession of lawyer

6.1.1. Status of the profession of lawyers

146. Total number of lawyers practising in your country:

	Total	Male	Female
Number of lawyers	116 779 <input type="checkbox"/> NA	65 423 <input type="checkbox"/> NA	51 356 <input type="checkbox"/> NA

Comments Total number of lawyers practising in Turkey has increased due to the increase in the number of new law faculties and the number of graduates.

147. Does this figure include “legal advisors” who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

Yes ()

No (X)

Comments

148. Number of legal advisors who cannot represent their clients in court:

[]

[] NA

[X] NAP

Comments

149. Do lawyers have a monopoly on legal representation in (multiple options are possible):

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	[X]	[X]	[X]
Dismissal cases	[X]	[X]	[X]
Criminal cases – Defendant	[X]	[X]	[X]
Criminal cases – Victim	[X]	[X]	[X]
Administrative cases	[X]	[X]	[X]

[] NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' monopoly: Under Turkish legislation, real persons can represent themselves at all courts. Nevertheless there are some exceptions to this rule. For instance, minors and disabled persons, individuals who cannot make his/her own defense, etc.. must be appointed with a lawyer.

On the other hand, it is lawyers who have a monopoly on legal representation. Providing opinion on legal matters; litigating and defending the rights of real persons and legal entities before courts, arbitrators or other bodies invested with jurisdictional powers; following judicial proceeding; and managing all documentation in connection therewith are the sole prerogative of attorneys enrolled at bar associations. (Attorneyship Code, article 35)

149-0. If there is no monopoly, please specify the organisations or persons that may represent a client in court:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	() Yes (X) No	() Yes (X) No	() Yes (X) No
Family member	() Yes (X) No	() Yes (X) No	() Yes (X) No
Self-representation	(X) Yes () No	(X) Yes () No	(X) Yes () No
Trade union	() Yes (X) No	() Yes (X) No	() Yes (X) No
Other	() Yes (X) No	() Yes (X) No	() Yes (X) No

Comments - If "other", please specify. In addition, please specify for the categories mentioned the types of cases concerned by this/these representation(s): Under Turkish legislation, real persons can represent themselves at all courts. Nevertheless there are some exceptions to this rule. For instance, minors and disabled persons, individuals who cannot make his/her own defense, etc.. must be appointed with a lawyer.

On the other hand, it is lawyers who have a monopoly on legal representation. Providing opinion on legal matters; litigating and defending the rights of real persons and legal entities before courts, arbitrators or other bodies invested with jurisdictional powers; following judicial proceeding; and managing all documentation in connection therewith are the sole prerogative of attorneys enrolled at bar associations. (Attorneyship Code, article 35)

149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?

- Notarial activity
- Arbitration / mediation
- Proxy / representation
- Property manager
- Real estate agent
- Other law activities (please specify):Lawyers can give lectures, courses to intern lawyers.

Comments

149-2. What are the statuses for exercising the profession of lawyer?

- Self-employed lawyer
- Staff lawyer
- In-house lawyer

Comments

150. Is the lawyer profession organised through:

- a national bar association
- a regional bar association
- a local bar association

Comments

151. Is there a specific initial training and/or exam to enter the profession of lawyer?

- Yes
- No

Comments - If not, please indicate if there are other specific requirements as regards diplomas or university degrees:

152. Is there a mandatory general in-service professional training system for lawyers?

- Yes
- No

Comments

153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?

- Yes
- No

Comments - If yes, please specify:

F1. Please indicate the sources for answering questions 146 and 148:

Sources: Union of Turkish Bar Associations

6.1.2. Practicing the profession

154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?

Yes

No

Comments

155. Are lawyers' fees freely negotiated?

Yes

No

Comments

156. Do laws or bar association standards provide any rules on lawyers' fees (including those freely negotiated)?

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

Comments

6.1.3. Quality standards and disciplinary procedures

157. Have quality standards been determined for lawyers?

Yes

No

Comments - If yes, what are the quality criteria used?

158. If yes, who is responsible for formulating these quality standards:

the bar association

the Parliament

other (please specify):

Comments

159. Is it possible to file a complaint about:

the performance of lawyers

the amount of fees

Comments - Please specify:

160. Which authority is responsible for disciplinary procedures?

a judge

Ministry of Justice

a professional authority

other (please specify):

Comments

161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	1 100 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: The subcategories of the disciplinary proceedings initiated against lawyers in Turkey are more different than above. Therefore, it is only possible to give the total number which is 1100. There are disciplinary proceedings can be undertaken for several reasons; it is not possible to calculate those proceedings only once and for only the main reason.

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	519 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	182 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	85 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

4. Fine	31 [] NA [] NAP
5. Other	221 [] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. The subcategory of other is correspond to the warning sanction.

The reason for the increase in the total number of sanctions pronounced and subcategories is consistent with the increase of the number of practising lawyers.

7. Court related mediation and other alternative Dispute Resolution

7.1 Court related mediation

7.1.1 Details on court related mediation

163. Does the judicial system provide for court-related mediation procedures?

Yes

No

Comments According to article 13 of The Law on Mediation on Civil Disputes, parties may agree to apply for mediation before going to court or during the court proceedings. The court can give details to parties on mediation and encourage them in this regard. Furthermore, there is also mediation procedure in Criminal Procedure Code which is called reconciliation. According to this procedure, if a case in which the offence under investigation depends on mediation, and there is sufficient suspicion to initiate public prosecution, the file shall be sent to office of mediation. In this office, there are public prosecutor and staff to direct and monitor the procedure of reconciliation (mediation in criminal procedure). In addition to this, pursuant to article 254 of Criminal Procedure Code, in cases where it is understood, after the indictment has been filed that the offence under prosecution is under the scope of the reconciliation the prosecution file shall be sent to the office of reconciliation in order to carry out the proceedings of reconciliation under the principles and procedures specified in Article 253. There are offices of reconciliation in many courthouses.

163-1. In some fields, does the judicial system provide for mandatory mediation with a mediator?

Before/instead of going to court

Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding

No mandatory mediation

Comments - If there is mandatory mediation, please specify which fields are concerned: Law on Labour Courts has been adopted by Turkish Parliament on 12.10.2017. This Law ensures mandatory mediation procedures for some labour disputes before going to court. In addition to that after the amendment of Turkish Commerce Law, mandatory mediation procedure has started to be implemented for some disputes on commerce.

For criminal cases, mandatory reconciliation procedure for some offences is ruled out in Criminal Procedure Code article 253. For example, offences, that are investigated and prosecuted upon complaint and some malicious wounding and reckless wounding offences can be counted among those offences which reconciliation can apply.

163-2. In some fields, does the legal system provide for mandatory informative sessions with a mediator?

Yes

No

Comments - If there are mandatory informative sessions, please specify which fields are concerned: As explained above, there are

mandatory informative sessions in both criminal and civil disputes mediation.

164. Please specify, by type of cases, who provides court-related mediation services:

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Family cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Labour cases including employment dismissals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Consumer cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments

165. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?

- Yes
 No
 NAP

Comments - If yes, please specify (only one or both options):: For Mediation in criminal disputes, the proceedings are free of charge pursuant to article 253. This article states that the fee of the reconciler shall be paid according to the tariff determined by the Ministry of Justice. The fee of the reconciler and other expenses of reconciliation shall be considered as court expenses. In cases where the reconciliation is accomplished, these payments shall be compensated by the state treasury. On the other hand, for civil disputes pursuant to article 13 of The Law on Mediation on Civil Disputes, parties who are in need can apply to the court to be granted legal aid. There is an amendment made in article 13 of the Law on Mediation in Civil Disputes (Law 6325) regarding legal aid in mediation in civil disputes entered into force on 12th of October 2017. (Law 7036) Pursuant to that amendment, parties who need legal aid to cover mediation fee shall apply to the civil court where the mediation office is located.

166. Number of accredited or registered mediators for court-related mediation:

	Total	Males	Females
Number of mediators	37 680 <input type="checkbox"/> NA <input type="checkbox"/> NAP	21 908 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 772 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Because of the importance given by our system on alternative dispute resolution methods, significant increase has been seen in the number of mediators.

167. Number of court-related mediations:

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
Total (1 + 2 + 3 + 4 + 5 + 6)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil and commercial cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Family cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Labour cases including employment dismissal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Criminal cases	255 962 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	208 014 <input type="checkbox"/> NA <input type="checkbox"/> NAP
6. Consumer cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate the source: Although there is court related mediation in civil disputes, it is hard to provide separate data for different cases. Number of cases resolved by mediation (conciliation) in criminal proceedings has increased due to the amendment made by the Parliament which increases the number of offences which can be resolved through mediation.

168. Do the following alternative dispute resolution (ADR) methods exist in your country?

- Mediation other than court-related mediation
- Arbitration
- Conciliation (if different from mediation)
- Other ADR (please specify):

Comments In Turkey, in addition to court related mediation as detailed in Q 163, there is mandatory mediation methods in civil disputes (Some disputes on labour and commerce.) Therefore, we've opted for mediation other than court related mediation. Additionally, arbitration is a kind of alternative dispute resolution that enables parties to settle their disputes by the help of arbitrators instead of going to court.

Conciliation in Turkey is an alternative method which is applicable to criminal disputes mostly before going to court. (This method is exactly same as we pointed in Q 163.)

G1. Please indicate the source for answering question 166:

Source: MoJ, DG for Legal Affairs, Department of Mediation.

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1.Functioning

169. Do you have enforcement agents in your judicial system?

Yes

No

Comments

170. Number of enforcement agents

	Total	Male	Female
Number of enforcement agents	5 395 [] NA	3 269 [] NA	2 126 [] NA

Comments The number of enforcement agents has increased compared to 2016 data by 32%. It is because of the endeavour to enhance the human resource and to have more efficient, quicker and improved services for citizens. Namely, this is a consequence of certain policy. There is also a twinning project "Improved Capacity of Civil Enforcement Offices" has been conducted in cooperation with the EU.

171. Are enforcement agents (multiple options are possible):

judges

bailiffs practising as private professionals under the authority (control) of public authorities

bailiffs working in a public institution

other

Comments - Please specify their status and powers: Enforcement agents in Turkey are all public officials (bailiffs) having the status of civil servant and working in enforcement offices. These officials are responsible for the implementation of debt collection procedures.

171-1. Do enforcement agents have the monopoly in exercising their profession?

Yes

No

Comments - Please indicate any useful clarifications regarding the content of the enforcement agents' monopoly or on the opposite regarding the competition they have to deal with:

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

	Option
Seizure of movable tangible properties	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No [] NAP
Seizure of immovable properties	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No [] NAP

Seizure from a third party of the debtor claims regarding a sum of money	(X) Yes with monopoly () Yes without monopoly () No [] NAP
Seizure of remunerations	(X) Yes with monopoly () Yes without monopoly () No [] NAP
Seizure of motorised vehicles	(X) Yes with monopoly () Yes without monopoly () No [] NAP
Eviction measures	(X) Yes with monopoly () Yes without monopoly () No [] NAP
Enforced sale by public tender of seized properties	(X) Yes with monopoly () Yes without monopoly () No [] NAP
Other	(X) Yes with monopoly () Yes without monopoly () No [] NAP

Comments

171-3. Apart of the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

- Service of judicial and extrajudicial documents
- Debt recovery
- Voluntary sale of moveable or immovable property at public auction
- Seizure of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments

172. Is there a specific initial training or exam to become an enforcement agent?

Yes

No

Comments

172-1. Is there a system of mandatory general continuous training for enforcement agents?

Yes

No

Comments

173. Is the profession of enforcement agents organised by (the answer NAP means that the profession is not organised):

a national body

a regional body

a local body

NAP

Comments

174. Are enforcement fees easily established and transparent for court users?

Yes

No

Comments

175. Are enforcement fees freely negotiated?

Yes

No

Comments

176. Do laws provide any rules on enforcement fees (including those freely negotiated)?

Yes

No

Comments

H0. Please indicate the sources for answering question 170

Source: MoJ

8.1.2. Efficiency of enforcement services

177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

Yes

No

Comments

178. Which authority is responsible for supervising and monitoring enforcement agents?

professional body

judge

Ministry of Justice

public prosecutor

other (please specify):

Comments

179. Have quality standards been determined for enforcement agents?

Yes

No

Comments - If yes, what are the quality criteria used?

180. If yes, who is responsible for establishing these quality standards?

professional body

judge

Ministry of Justice

other (please specify):

Comments

181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?

Yes

No

Comments - If yes, please specify:

182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

Yes

No

Comments - If yes, please specify:

183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

no execution at all

non execution of court decisions against public authorities

lack of information

- excessive length
- unlawful practices
- insufficient supervision
- excessive cost
- other (please specify):

Comments

184. Has your country prepared or established concrete measures to change the situation concerning the enforcement of court decisions – in particular regarding decisions against public authorities?

Yes

No

Comments - If yes, please specify: Efforts to increase the efficiency of the enforcement and bankruptcy system are also of great importance. The most important work carried out within this scope, has been abolishing of the practice of operating more than one debt collection office in the same city area and establishing a single debt collection office, replacing these with the “New Enforcement Office Model”, which has been designed with the purpose of conducting enforcement services by specialized sub-offices. In this context, the new enforcement office model has been put into operation in 45 locations. In addition, enforcement offices have been improved with regards to human resources and physical infrastructure.

185. Is there a system measuring the length of enforcement procedures:

	Existence of the system
for civil cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
for administrative cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments There is a system via UYAP to monitor the length of enforcement procedures and the statistics can be reachable on Judicial Statistics annually published by the MOJ.

186. Regarding a decision on debt collection, please estimate the average timeframe to notify the decision to the parties who live in the city where the court sits (one option only):

between 1 and 5 days

between 6 and 10 days

between 11 and 30 days

more (please specify):

NA

Comments

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	1 922 [] NA [] NAP
1. For breach of professional ethics	32 [] NA [] NAP
2. For professional inadequacy	0 [] NA [] NAP
3. For criminal offence	1 745 [] NA [] NAP
4. Other	145 [] NA [] NAP

Comments - If "other", please specify:

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	82 [] NA [] NAP
1. Reprimand	[X] NA [] NAP
2. Suspension	[X] NA [] NAP
3. Withdrawal from cases	[X] NA [] NAP
4. Fine	[X] NA [] NAP
5. Other	[X] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons: Total number of sanctions pronounced against enforcement agents is 82. The sub categories of the sanctions in Turkey are more different than above.

H1. Please indicate the sources for answering questions 186, 187 and 188:

Source: MoJ

8.2. Execution of decisions in criminal matters

8.2.1. Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple options possible)

- Judge
 Public prosecutor
 Prison and Probation Services
 Other authority (please specify):

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions).

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

- Yes
 No

Comments

191. If yes, what is the recovery rate?

- 80-100%
 50-79%
 less than 50%

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1. Number and status of notaries

192. Number and type of notaries in your country. If you do not have notaries skip to question 197.

	Total	Male	Female
TOTAL (1+2+3+4)	1 660 <input type="checkbox"/> NA <input type="checkbox"/> NAP	830 <input type="checkbox"/> NA <input type="checkbox"/> NAP	830 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Private professionals (without control from public authorities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Professionals appointed by the State	1 660 <input type="checkbox"/> NA <input type="checkbox"/> NAP	830 <input type="checkbox"/> NA <input type="checkbox"/> NAP	830 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Public officials	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

4. Other	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP

Comments - If "other", please specify the status:

192-1. What are the access conditions to the profession of notary (multiple options possible):

- diploma
- professional experience/professional training
- exam
- appointment procedure by the State
- other (please specify):

Comments

192-2. Are notaries appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- yes, please indicate the age of retirement:65
- no, please specify the duration of the appointment:

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

194. What kind of activities do notaries perform (multiple options possible):

- Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)
- Authentication
- Certification of signatures
- Legality control of documents submitted by the parties
- Mediation
- Taking of oaths
- Other, for example collect taxes, keep registers etc. (please specify):

Comments Notaries have duties within the framework of civil procedure, but those duties are related to the certification of the authenticity of documents, either issuing documents or approving the validity. Furthermore, notaries do perform some activities that are laid down in the law, such as giving of certificate of inheritance and issuing of invitation letter to spouse who left the home in a marriage. (Law 1512, article 71/A)

194-1. Do notaries have the exclusive rights when exercising their profession:

- Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)
- Authentication
- Certification of signatures
- Legality control of documents submitted by the parties
- Mediation
- Taking of oaths
- Other, for example collect taxes, keep registers etc. (please specify):certify the authenticity of translations

Comments - Please indicate any useful clarifications regarding the content of the notaries' exclusive rights or on the opposite regarding

the competition they have to deal with:

194-2. In which areas of law do notaries perform their activities (multiple options possible)?

- Real estate transaction
- Family law
- Succession law
- Company law
- Legality control of gambling activities
- Other

Comments

194-3. Do notaries use specialised digital systems in their activity?

- In establishing authentic instruments
- In recording authentic instruments (archives)
- Other activity (please specify):

Comments

195. Is there an authority entrusted with supervising and monitoring the notaries' work?

- Yes
- No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries (multiple options possible)?

- professional body
- court
- Ministry of Justice
- public prosecutor
- other (please specify):

Comments

196-1. Is there a system of general continuous training for all notaries?

- Yes
- No

Comments

I1. Please indicate the sources for answering question 192:

Sources: Turkish Notaries Union

10. Court interpreters

10.1. Details on profession of court interpreter

10.1.1. Status of court interpreters

197. Is the title of court interpreters protected?

Yes

No

Comments Court interpreters are indeed accepted as experts. Experts involved in judicial proceedings, are subject to the Code on Experts No.6754, Regulation on Experts and Regulation on Ethical Codes for Public Officials. It is the first time that, under those legislation, binding provisions are set for professional inadequacy, integrity, reputation and ethical performance regarding the quality of the experts' services. Code on Experts No. 6754 came into force by 24.11.2016.

198. Is the function of court interpreters regulated by legal norms?

Yes

No

Comments Court interpreters are indeed accepted as experts. Experts involved in judicial proceedings, are subject to the Code on Experts No.6754, Regulation on Experts and Regulation on Ethical Codes for Public Officials. It is the first time that, under those legislation, binding provisions are set for professional inadequacy, integrity, reputation and ethical performance regarding the quality of the experts' services. Code on Experts No. 6754 came into force by 24.11.2016.

199. Number of accredited or registered court interpreters:

[3 539]

NA

NAP

Comments These court interpreters are all registered to the system. 3336 interpreters work in criminal courts and 203 interpreters work in civil courts. The number of interpreters has increased due to the effective implementation of abovementioned Law and the importance given to strengthen access to justice for all.

200. Are there binding provisions regarding the quality of court interpretation within judicial proceedings?

Yes

No

Comments - If yes, please specify (e.g. having passed a specific exam):

201. Are the courts responsible for selecting court interpreters?

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects court interpreters

Comments

J1. Please indicate the sources for answering question 199

11. Judicial experts

11.1. Profession of judicial expert

11.1.1. Status of judicial experts

202. In your system, what types of judicial experts can be requested to participate in judicial procedures (multiple choices possible):

experts who are requested by the parties to bring their expertise to support their argumentation,

experts appointed by a court to put their scientific and technical knowledge on issues of fact at the court's disposal,

"legal experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision).

Other (please specify):

Comments According to Law on Experts (Law 6754) published on Official Gazette on 24 November 2016, it is underlined in article 2/1.b that an expert is a natural person or a legal person under private law whose opinions are sought for issues that require specific or technical knowledge. It is also laid down in article 3/3 that the court can not seek expert opinions for issues that can be resolved with the judge's general knowledge, experience or legal knowledge that is required by the judge's profession. Therefore, in our legislation it is not allowed to get expert opinions on specific legal issues or support the judge in preparing the judicial work.

202-1. Are there lists or databases of registered judicial experts?

Yes

No

Comments - Please indicate any useful comment regarding these lists or databases of experts, if they do exist (e.g. : Does the expert take an oath? How is his/her skill evaluated? By whom?): There are 11 expert district boards established along Turkey. These boards are responsible for the preparation of lists of experts who will be tasked by judge in courts. There are some conditions taken into account by these boards as the lists are prepared. Expert district boards evaluates the skill of the applicants before deciding of the registration on the list. While giving this decision, the boards consider the professional experience and background, in service training programmes. Experts must take oath to be able to work as experts in courts.

202-2. Who is responsible for registering judicial experts?

Ministry of justice

Courts

Independent body (association of judicial experts)

Other

Comments After expert district boards have formed the lists of experts, these lists are sent to the Ministry of Justice the Department of Court Experts and this department keeps these lists in a national database.

202-3. Is the registration of judicial experts limited in time?

Yes, for how long 3 years

No

Comments

203. Is the title of judicial experts protected?

Yes

No

Comments - If appropriate, please explain the meaning of this protection:

203-1. Does the judicial expert have an obligation of training?

	Obligation of training
Initial training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Continuous training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

203-2. If yes, does this training concern:

judicial proceedings

the profession of expert

other

Comments

204. Is the function of judicial experts regulated by legal norms?

Yes

No

Comments

204-1. On the occasion of a task entrusted to him/her, does the judicial expert have to report any potential conflicts of interest?

Yes

No

Comments

205. Number of accredited or registered judicial experts:

	Total	Male	Female
Number of experts	48 189 <input type="checkbox"/> NA <input type="checkbox"/> NAP	36 538 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 651 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Code on Experts no 6754 came into force in 2016. According to this Code, expert district boards decide of the registration on the list. The registration is limited for 3 years. (Article 11) According to this new Code, it is not possible to apply for the consultation of an expert on the matters that can be solved by general knowledge or experience or by the legal information required by the judge's

profession.

205-1. Who sets the expert remuneration?

- There is a tariff on the remuneration of the experts. This tariff is regulated by MoJ annually, Department of Expertise.
(Code on Experts no 6754 Article 6, MoJ Regulation on Experts Article 19)

206. Are there binding provisions regarding the exercise of the function of judicial expert within judicial proceedings?

Yes

No

Comments - If yes, please specify, in particular the given time to provide a technical report to the judge: There are specific rules regarding the function of judicial expert in both civil and criminal proceedings. In addition to that, there are general provisions in Code on Experts no 6754 on the general and ethical principles that experts must regard when they fulfil their profession.

206-1. Number of cases where expert opinion was ordered by a judge or requested by the parties

	Number of cases
Total (1+2+3+4)	869 100 [] NA [] NAP
1.Civil and commercial litigious cases	557 593 [] NA [] NAP
2.Administrative cases	12 953 [] NA [] NAP
3.Criminal cases	132 137 [] NA [] NAP
4.Other cases	166 417 [] NA [] NAP

Comments

207. Are the courts responsible for selecting judicial experts?

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects judicial experts

Comments

207-1. Does the judge control the progress of the expertise?

Yes

No

K1. Please indicate the sources for answering question 205

Sources: MoJ

12.Reforms in judiciary**12.1.Foreseen reforms****12.1.1.Reforms**

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there foreseen reforms? Please inform whether these reforms are under preparation or have only been envisaged at this stage. Have innovative projects been implemented? If possible, please observe the following categories:

1. (Comprehensive) reform plans New Judicial Reform Strategy Document has been shared with public recently. In this Document there are 9 aims, 63 objectives and 256 activities. The aims are set out as protection and improvement of rights and freedoms, improving independence, impartiality and transparency of the judiciary, increasing the quality and quantity of human resources, enhancement of performance and productivity, ensuring efficient use of the right to self defence, ensuring access to justice and enhancing satisfaction from service, enhancing the efficiency of the criminal justice system, simplification and enhancement of the efficiency of civil and administrative trial, spreading of alternative dispute resolution methods.

On the other hand, "Project of The Regulation on Determination and Implementation of Target Time Periods of Prosecution and Investigation" has launched in 2019. As of 1 January 2019, all courtusers in first instance criminal, civil and administrative proceedings started to be informed on foreseen completion time of the case they have been involved in. Also, it is planned to carry out this project in 2nd instance courts in the near future.

To strengthen access to justice, Regional Courts of Cassation in 4 more locations have started to operate in 2019. That is, in Turkey, there are 15 Regional Courts of Cassations are currently in operation. Alternative dispute resolution is of great importance in Turkish judiciary. Being aware of this fact, in 2017, mediation in labour courts became a requirement for action and put into effect as of 01/01/2018. In 2018, the same regulation was brought to effect in commercial disputes. Within this period, the number of disputes resolved by either mandatory mediation or voluntary mediation has increased significantly. Similarly, conciliation in criminal proceedings has brought significant progress in the system. Through the amendment mentioned above, there has been a remarkable increase in the number of cases settled through the conciliation since 2017.

Furthermore, a regulation was introduced in 2017 in order to ensure that the citizens will not be subject to investigation due to ill-founded reports and complaints and thus if the report and complaint have an abstract, general nature, an investigation shall not be carried out in order to protect the right not to be labelled as criminal.

To have more efficient judiciary, efforts have been made on notification system. In this regard, a regulation has entered into force on electronic notification in 2019. With the help of this new regulation, the notification time has significantly decreased.

2. Budget The budget of Ministry of Justice has been increasing in the recent years. MoJ's budget increased % 11.46 in between

2017-2018 and increased % 31.51 in between 2018-2019.

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings) Number of inhabitants, work load, number of staff and geographical location of the region of each courthouse is monitored regularly. Court buildings' maintenance or investments in new court buildings are conducted accordingly. To decrease the backlog of courts and public prosecutor offices, the number of judges, prosecutors and staff has increased.

3.1. Access to justice and legal aid In Turkey, significant steps regarding the access to justice were taken. In this regard, the budget allocated for legal aid has increased steadily. In addition to this, through "Strengthening the Legal Aid Services in Turkey EU Twinning Project" that was initiated in 2016 and completed as of July 2018, the deficiencies in the legal aid system were determined. Another activity filling an important gap in the area of access to the justice has been the Protective Legal Practices. Through "Protective Legal Practices Project", it was aimed to teach the basic knowledge on law at early ages in schools and to create a social legal culture. To achieve the objective, the scope of "Law and Justice Subject" that had been implemented since the academic year of 2013-2014 was expanded, it is observed that the number of students who chose this course increased.

Separate interview rooms have been established in courthouses for victims of sexual assault and domestic violence, witnesses, juvenile offenders. In service trainings are being prepared for the social workers assigned in these rooms. There are currently 59 interview rooms are in operation in 49 cities.

4. High Judicial Council Through the constitutional amendment in 2017, the structure of the Council of Judges and Prosecutors was based on the principles of independence and impartiality. The Parliament was granted the power to elect members to the Council, whereby the democratic legitimacy of the Council was strengthened.

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. It is aimed to develop human resources in Turkish Judiciary both in terms of quantity and quality. The hours of training has significantly increased. Subject of the trainings was approached not only from the point of vocational training but also from a perspective, including foreign language education. Within this scope, it was enabled that members of the judiciary could learn a foreign language and make an academic career. In terms of training of staff working in judiciary, progress has been made. Personnel Training Centres in Ankara and Rize were put into operation for this purpose.

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities Law on International Judicial Cooperation in Criminal Matters was adopted by the Turkish Grand National Assembly and came into force in

2016. This Law enhances the provisions of international agreements -which Turkey is a party to- at national level. A guideline on International Legal Assistance in Criminal Matters was prepared. Many bilateral and international agreement has been signed by Turkey recently.

7. Enforcement of court decisions There has been an ongoing study on the amendment of Law of enforcement (of court decisions) and bankruptcy.

8. Mediation and other ADR Alternative dispute resolution is of importance in Turkish judiciary. Being aware of this fact, in 2017, mediation in labour courts became a requirement for action and put into effect as of 01/01/2018. In 2018, the same regulation was brought to effect in commercial disputes. Within this period, the number of disputes resolved by either mandatory mediation or voluntary mediation has increased significantly. Similarly, conciliation in criminal proceedings has brought significant progress in the system. Through the amendment mentioned above, there has been a remarkable increase in the number of cases settled through the conciliation since 2017.

9. Fight against crime Law on International Judicial Cooperation in Criminal Matters was adopted by the Turkish Grand National Assembly and came into force in 2016. Through this law, dispersed provisions of legislation and regulations regarding the area of judicial cooperation were gathered in a basic law.

9.1. Prison system The prisons that did not comply with the standards were closed and the construction of modern prisons was continued. The use of electronic monitoring systems in the monitoring and supervision of suspects, detainees and convicts, has been extended. To date, many EU funded projects have been successfully carried out in the penal enforcement area.

9.2 Child friendly justice As mentioned above, The “Law and Justice Subject” , as a course was prepared for children (who are 11, 12 and 13 years old) to ensure legal awareness among children. A total of 126.847 children have taken the course in 2018. To have more effective implementation of the Law, MoJ prepared and announced a new circular called "Investigations on The Sexual Offences Committed Against Women and Children".

9.3.Violence against partners There is a strong cooperation between Ministry of Justice, Ministry of Family Labour and Social

Policies and Ministry of Interior to prevent domestic violence. In the context of this cooperation, National Action Plan on The Prevention of Violence Against Women is in progress. The implementation of Plan is monitored by these Ministries. There are specialised staff working in courts to support victims of violence against women, such as physiologists, pedagogues and social workers. These staff are trained particularly on domestic violence and violence against women. To have more effective implementation of the criminal procedure on offences on violence, MoJ prepared and announced a new circular called "Investigations on The Sexual Offences Committed Against Women and Children".

10. New information and communication technologies In addition to the integration of UYAP information system with other institutions, many applications have been developed to strengthen the access to justice for beneficiaries. In particular, the integration with law enforcement units has been one of the most important developments in this area. The application "Mobile Information System for Lawyers" which was prepared to increase the variety of services provided to lawyers and enable them to follow up the trial processes more easily, was also put into service in this period.

Audio-Visual Information System (SEGBIS) is available in courts, prosecution offices and prison and detention offices. Judicial proceedings at those facilities can be conducted and recorded via SEGBIS. SEGBIS contributes right to a fair trial and right to a fair hearing within a reasonable time. IT Department of MoJ is in charge of this system and promotes the efficiency of it. Via judicial IT system (UYAP), all citizens can access information about their cases and exchange documents by using citizens' portal. Lawyers can monitor their cases and exchange documents via lawyers' portal. They can log into the system either with an e-signature or national ID number. In addition, parties and other persons, who have subscribed to UYAP SMS Information System, receive information about the case files and proceedings as SMS.

Specific portals within UYAP have been created to ensure electronic sales of movables and immovables which are subject to enforcement proceedings. Parties and third-party can make online payments for judicial fees via UYAP. Inheritance certificates can be prepared by courts through electronic means in 2 minutes.

11. Other Judicial ethic principles have been determined and shared with judiciary by Council of Judges and Prosecutors. CJP is the responsible body to monitor and supervise these principles.