

Constitutional Court of the Republic of Turkey

# INDIVIDUAL APPLICATION STATISTICS

(23/9/2012 - 30/06/2019)



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### Table 1: Number of received/adjudicated applications by years

|               | 2012  | 2013  | 2014   | 2015   | 2016   | 2017   | 2018        | 2019/2 | Total   |
|---------------|-------|-------|--------|--------|--------|--------|-------------|--------|---------|
| Received      | 1.342 | 9.897 | 20.578 | 20.376 | 80.756 | 40.530 | 38.186      | 21.665 | 233.330 |
| applications  | 1 %   | 4 %   | 9%     | 9%     | 35 %   | 17 %   | 16 %        | 9%     |         |
| Adjudicated   | 4     | 4.924 | 10.926 | 15.371 | 16.097 | 89.653 | 35.375      | 14.351 | 186.701 |
| applications* | 0 %   | 3 %   | 6 %    | 9%     | 9%     | 48 %   | 19%         | 8 %    |         |
| Total ratio   | 0%    | 50 %  | 53 %   | 75 %   | 20 %   | 221 %  | <b>93</b> % | 66 %   | 80,0 %  |

\* There may be a little change, compared to the previous statistics, in the examination ratio of the received applications as the file is closed in case of an admissibility decision on administrative grounds and reopened upon the acceptance of the challenge to the inadmissibility decision.



## Table 2: Number of pending individual applications\*

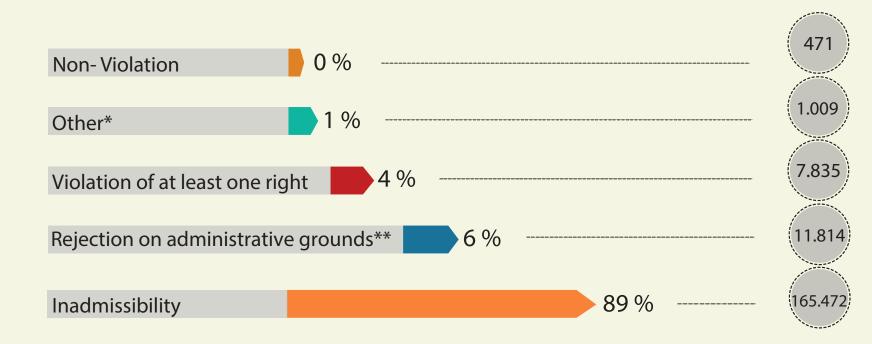
| 2013          | 2014               | 2015           | 2016        | 2017        | 2018   | 2019/2 |
|---------------|--------------------|----------------|-------------|-------------|--------|--------|
| 9             | 98                 | 357            | 1.415       | 4.083       | 19.940 | 20.727 |
| 0 %           | 0,2 %              | 0,8 %          | 3,0 %       | 8,8 %       | 42,8 % | 44,5 % |
| * Number of p | pending applicatio | ons by years 🔐 | otal nendia | n oppligati | ong    | • 46   |

\* Number of pending applications by years as of 31.12.2018 Total pendign applications : 46.629 Total applications : 233.330

Pending applications / Total applications :%20,0



## Table 3 : Adjudicated applications by judgment type



\* Rejection, strike-out, and closing of applications.

\*\* There may be a little change, compared to the previous statistics, in the examination ratio of the received applications as the file is closed in case of an inadmissibility decision on administrative grounds and reopened upon the acceptance of the challenge to the inadmissibility decision.

Total : **186.701** 



## Table 4: Ratio of violation judgments

Based on the adjudicated cases

Based on the cases examined as to the merits

Including cases adjudicated with a Excluding cases adjudicated with a 94,3% decision on non-exhaustion of legal decision on non-exhaustion of legal remedies within the scope of the remedies within the scope of the 92,1% state of emergency\*\* state of emergency\*\* Judgments finding 6,8% a violation:7.835 Judgments finding a violation : 5.496 Examined on the merits : 8.306 Examined on the merits : 5.967 Adjudicated:7.835 4,9% 4,2% Total: 114.567 Adjudicated: 5.496 (excluding the right to a trial within a reasonable time, including joinder of Adjudicated: 7.835 including the right to a trial within a 3% (including the right to a trial within a Number of fcases finding a violation Number of cases finding a violation Number of cases finding a violation Total: 112.228 Total: 186.701 reasonable time and joinder of reasonable time and joinder of violation (excluding the right to a applications) (including the right to a trial trial within a reasonable time, Adjudicated: 5.496 Number of cases finding a within a reasonable time Number of fcases finding a Total: 184.362 (excluding the right to including joinder of applications)\* finding a violation and joinder of applications)\* applications) applications) Number of cases 'easonable time, a trial within a applications)\* violation ncludi

\* In the calculations excluding the right to *a trial* within a reasonable time the number of cases finding a violation of the right to a trial within a reasonable time (2.339) is extracted from the total number of adjudicated cases.

\*\* 72.134 cases found inadmissible due to non-exhaustion of legal remedies after the establishment of the Commission for the Examination of the Proceedings under the State of Emergency.



Table 5: Number of individual applications in which at least one right was found to have been violated (including the right to a trial within a reasonable time and joinder of applications)

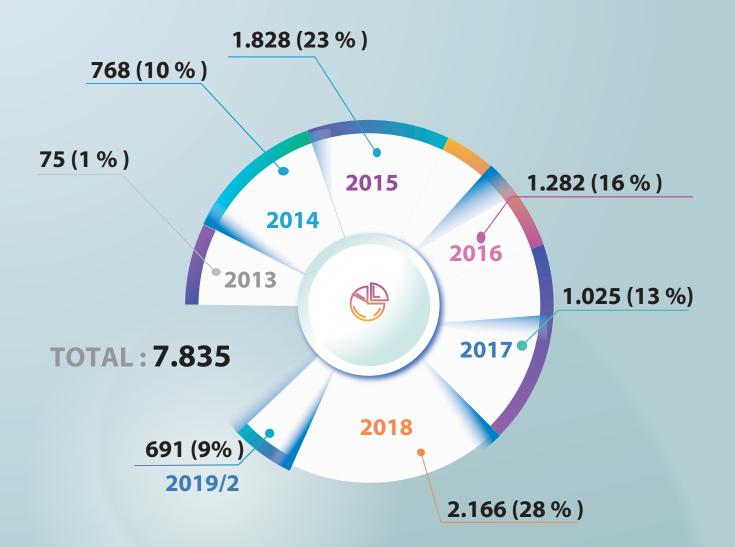




Table 6: Number of individual applications in which no violation was found\* (including th right to a trial within a reasonable time and joinder of applications)

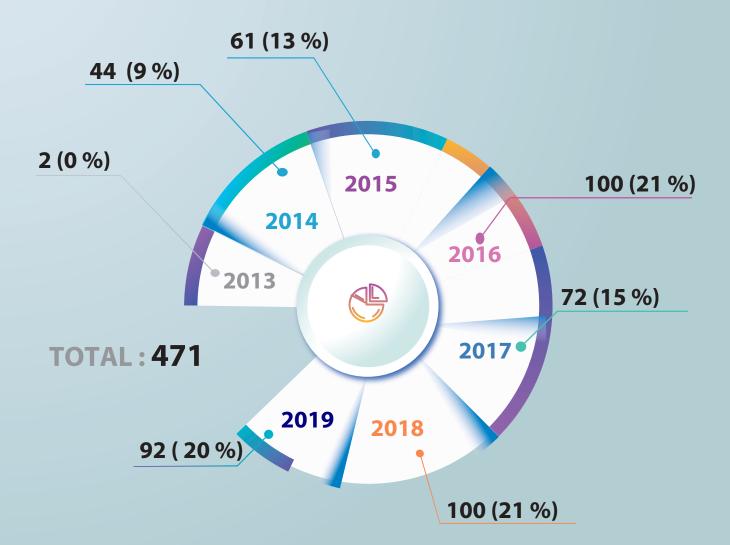
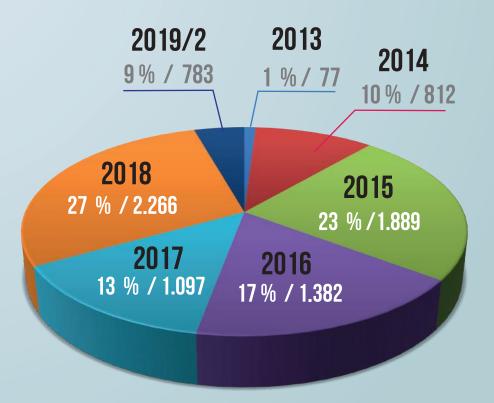




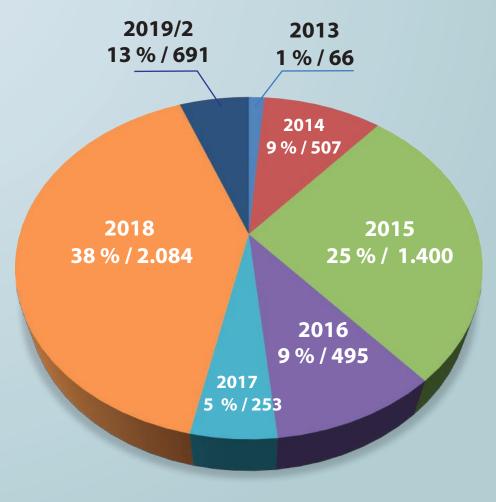
Table 7: Number of individual applications examined as to the merits (including the right to a trial within a reasonable time and joinder of applications)



TOTAL: 8.306



Table 8: Number of individual applications in which at least one right was found to have been violated (excluding the right to a trial within a reasonable time, including joinder of applications)



TOTAL : 5.496



Table 9: Number of individual applications examined as to the merits<br/>(excluding the right to a trial within a reasonable time,<br/>including joinder of applications)<br/>2019/22019/22013

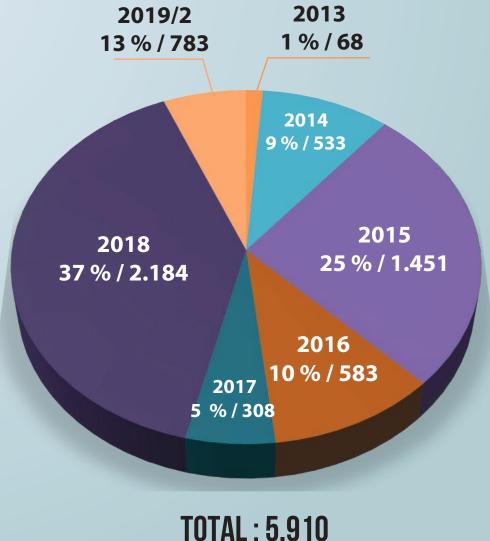
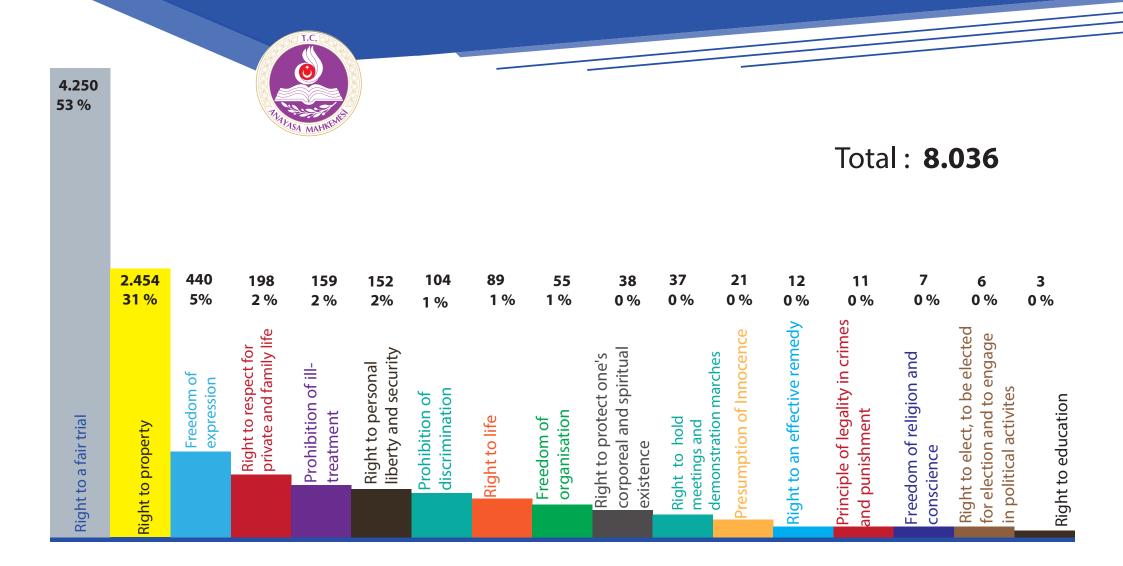


Table 10: Judgments finding a violation by rights and freedoms (including the right to a trial within a reasonable time and joinder of applications)\*



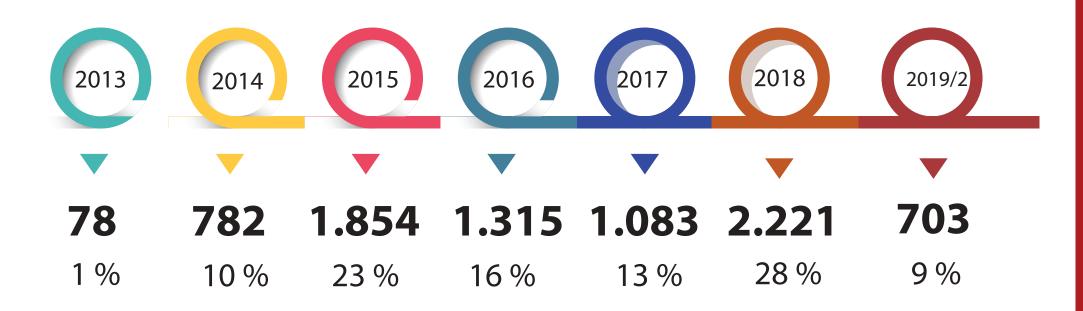
10

\* More than one right may be found to have been violated in one application.



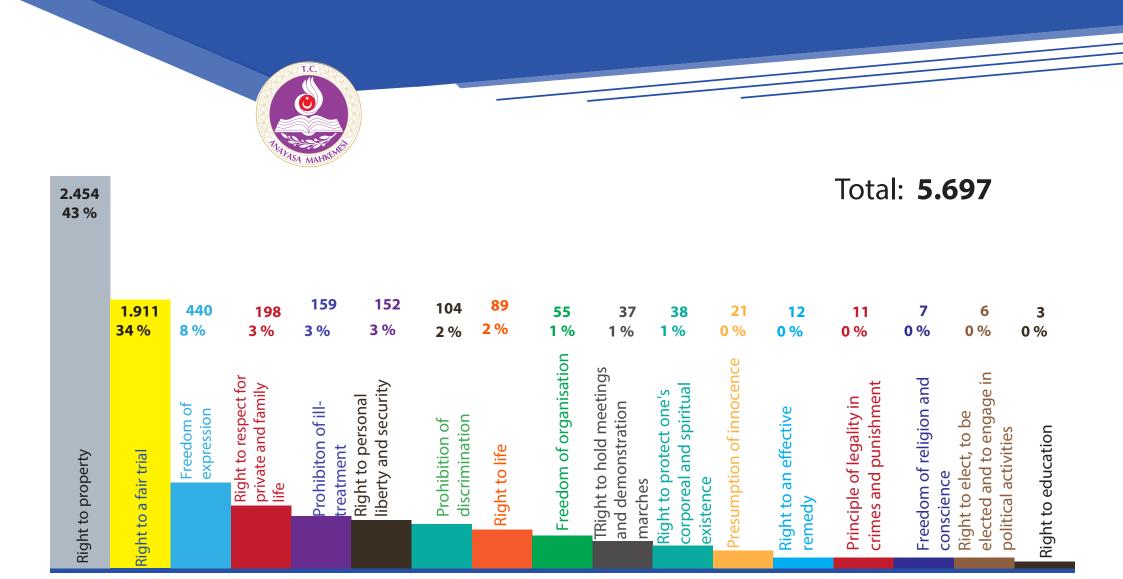
Table 11: Judgments finding a violation by years (Based on rights and freedoms) (including the rigth to a trial within a reasonable time and joinder of applications)\*

## Total: 8.036



\*More than one right may be found to have been violated in one application.

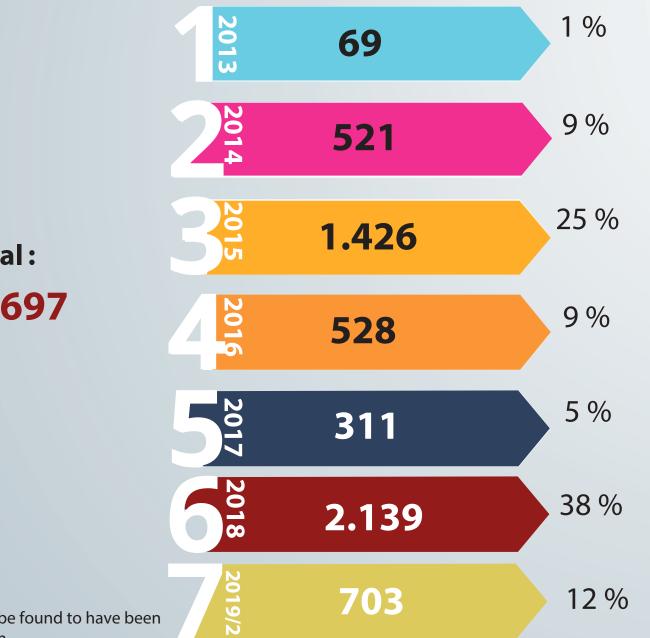
# Table 12: Judgments finding a violation by rights and freedoms (excluding the right to a trial within a reasonable time, including the joinder of applications)\*



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Table 13: Judgments finding a violation by years (based on rights and freedoms) (excluding the right to a trial within a reasonable time, including the joinder of applications\*

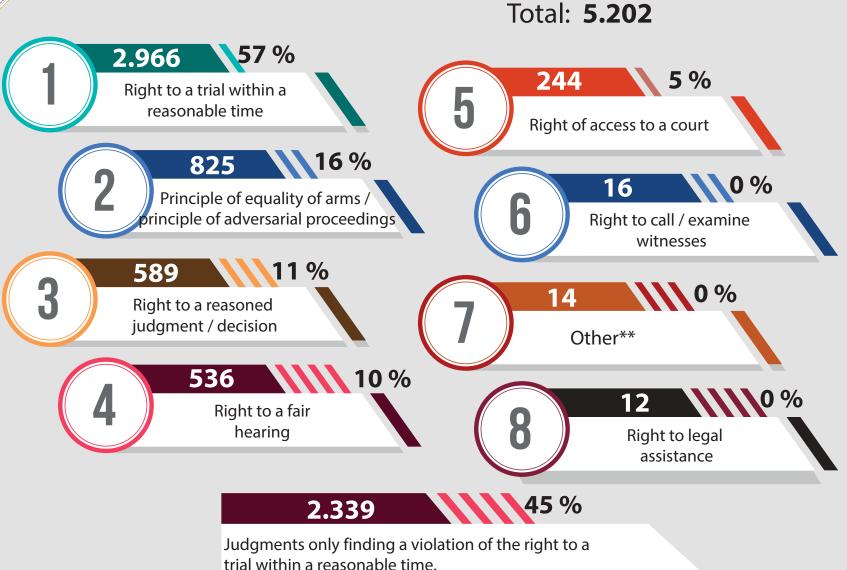


Total: 5.697

\*More than one right may be found to have been violated in one application.



# Table 14: Judgments finding a violation of the right to a fair trial based on safeguards (including the right to a trial within a reasonable time and joinder of applications)\*



\*More than one right may be found to have been violated in one application.

\*\* Other: Right of self - defence, right of effective participation in the trial, manifestly erroneous judgment and etc.



Table 15: Judgments finding a violation of the right to a fair trial by years (based on safevards)(including the right to a trial within a reasonable time and joinder of applications)\*





\*More than one guarantee of the right to a fair trial may be found to have been violated.

Table 16: Judgments finding a violation by rights and freedoms (including the right to a trial within a reasonable time, excluding joinder of applications)\*

T.C.

2.278

**68** %

|                       | 367               | 152  | 129                   | 120                                       | 76                              | 75            | 38                      | <b>36</b>  | 22  | 19                                  | 10                               | 10  | 10                              | 6  | 6                                     | 3                  |
|-----------------------|-------------------|--|-----------------------|---|---------------------------------|---------------|-------------------------|--|---|-------------------------------------|----------------------------------|---|---------------------------------|--|---------------------------------------|--------------------|
|                       | 11 %              | 5 %  | 4 %                   | 4 %                                       | 2 %                             | 2 %           | 1 %                     | 1 %  | 1 %   | 1 %                                 | 0 %                              | 0 %   | 0 %                             | 0 %  | 0 %                                   | 0 %                |
| Right to a fair trial | Right to property | Right to respect<br>for private and<br>family life | Freedom of expression | Right to personal<br>liberty and security | Prohibition of<br>ill-treatment | Right to life | Freedom of organisation | Right to protect one's<br>corporeal and spiritual<br>existence | Right to hold meetings<br>and demonstration | marches<br>Presumption of innocence | Prohibition of<br>discrimination | Principle of legality in<br>crimes and punishment | Right to an effective<br>remedy | Right to elect, to be<br>elected and to engage | Freedom of religion and<br>conscience | Right to education |

\*More than one right may be found to have been violated in one application. Calculated only with regard to adjudicated cases without the consideration of joinder of applications.

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Total: 3.357

Table 17: Judgments finding a violation by rights and freedoms (excluding the right to a trial within a reasonable time and joinder of applications)\*



Total: 1.629

17

| 550                   | 367               | 152  | 129                   | 120                                       | 76                              | 75            | 38                      | 36   | 22   | 19                       | 10                               | 10  | 10                              | 6   | 6                                  | 3   |
|-----------------------|-------------------|--|-----------------------|---|---------------------------------|---------------|-------------------------|--|--|--------------------------|----------------------------------|---|---------------------------------|---|------------------------------------|-----|
| 34 %                  | 23 %              | 9 %  | 8 %                   | 7 %                                       | 5 %                             | 5 %           | 2 %                     | 2 %  | 1 %  | 1 %                      | 1 %                              | 1 %   | 1%                              | 0 %   | 0 %                                | 0 % |
| Right to a fair trial | Right to property | Right to respect<br>for private and<br>family life | Freedom of expression | Right to personal<br>liberty and security | Prohibition of<br>ill-treatment | Right to life | Freedom of organisation | Right to protect one's<br>corporeal and spiritual<br>existence | Right to hold meetings<br>and demonstration<br>marches | Presumption of innocence | Prohibition of<br>discrimination | Principle of legality in<br>crimes and punishment | Right to an effective<br>remedy | Right to elect, to be<br>elected and to engage<br>in political activities | Freedom of religion and conscience |     |

\*More than one right may be found to have been violated in one application. Calculated only with regard to adjudicated cases without the consideration of joinder of applications.