POLICY BRIEF

Judicial independence in Türkiye from 2013 to 2026

SRL Swiss | EN | 25.10.2026

Scope and principal conclusion

The SRL Swiss monitoring report examines interference with judicial independence through 126 numbered case records covering 17 December 2013 to 20 October 2026. It identifies recurring problems affecting judicial officers' professional safeguards, review of detention and implementation of binding judgments. Effective remedies require scrutiny of individual decisions and their practical consequences, alongside institutional reform.

Findings from the case records

Professional measures following release decisions, acquittals or dissents recur in the chronology. Transfers, reassignment, suspension and dismissal must be distinguished. Official appointment lists establish changes of duties; they do not by themselves establish a punitive motive.

The access-to-court cases, including Bilgen, Eminağaoğlu and Kartal, concern the ability to challenge professional measures before an independent court. Preserving salary or judicial status does not eliminate the consequences of losing a particular office.

The report examines implementation through concrete outcomes in cases including Alpay, Atalay, Demirtaş and Kavala. In Yalçınkaya and Yasak, the central question is whether retrials correct the defects identified in the judgments rather than merely reopen proceedings.

Priorities for action

1. Publish individual reasons for contested transfers and reassignments and enable effective independent judicial review. Examine posting preferences, length of service and the outcome of challenges when evaluating professional measures.

2. Monitor implementation by recording the receiving court's decision, its reasoning and the practical effect on liberty and rights. Formal transmission of a judgment or the opening of a retrial is insufficient evidence of redress.

3. In retrials, assess individual conduct, knowledge and intent and the defence's opportunity to contest digital evidence. Monitor release, compensation and measures preventing recurrence as separate obligations where relevant.

4. Keep an auditable case register that distinguishes judicial findings, official measures, monitoring assessments and contemporaneous accounts. Avoid counting applications, case records and individuals as interchangeable units.

Evidence and limits

The 126 records are not 126 judicial findings or a nationwide victim count. HRD's 2019 report is cited in 49 records and is the sole cited source in 31; these accounts are not independently verified merely by inclusion. Missing disciplinary files and individual appointment reasons limit conclusions about motive. Grouped applications may overlap.

SRL Swiss, Judicial Independence Monitoring Report, 17 December 2013–20 October 2026, pp. 2–5 and 73–76. Summarises that source and its stated cut-off; not a subsequent case-status update.Source PDF