

UPR session of Türkiye scheduled for the 49th session of the UN Human Rights Council (April – May 2025)

Judicial Corruption in Türkiye

This submission to the Universal Periodic Review (UPR) highlights severe issues undermining the integrity of Türkiye's judiciary, particularly focusing on rampant judicial corruption and impunity as well as human rights abuses which they facilitate. Based on the most recent incidents of corruption concerning members of the judiciary who serve in courts in Istanbul, Izmir and Ankara, this report seeks to examine the high-level corruption within the judiciary and the Turkish government's failure or even wilful ignorance in addressing it. Coupled with Türkiye's reluctance in complying with anti-corruption standards as detailed by the Council of Europe's anti-corruption group, GRECO, these concerns reveal how judicial corruption helps the Turkish government in silencing dissent, persecuting political opponents, and eroding fundamental human rights.

The Institute for Diplomacy and Economy (instituDE) stands as an independent, research-driven NGO. Headquartered in Brussels, instituDE was established by a group of former Turkish diplomats. Driven by deep concerns about the descent into autocracy over the last decade, both Turkey and abroad, instituDE firmly believes that reembracing democratic norms and values, as well as restoring the rule of law is essential for achieving a peaceful, stable, and prosperous world.

The Arrested Lawyers Initiative (TALI) began its activities in 2016, in Brussels, Belgium. Since then, TALI has been monitoring the situation of lawyers and human rights defenders in Turkey and publishing periodic news reports and legal reports. TALI circulates these reports through bar associations in Europe, as well as UN Special Rapporteurs. TALI published reports in English, Italian and Spanish. TALI is a member of the International Observatory for Lawyers.

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UPR Submission for Türkiye's Fourth UPR Cycle
For the UPR session of Türkiye scheduled for the 49th session of the UN Human Rights Council (April – May 2025)

I. Previous UPR Cycle and Relevant Recommendations that Türkiye Supported

1. Türkiye was reviewed by UPR WG 35, in January 2020. It received 321 recommendations, and it supported 216 recommendations at the adoption of its UPR outcome at Human Rights Council 45.¹

2. Relevant fourth cycle UPR recommendations not yet implemented include the following:

- 45.117 Continue efforts to improve the administration of justice (Burundi);
- 45.113 Guarantee an independent and impartial judiciary and ensure respect for the separation of powers (Austria);
- 45.120 Guarantee the independence and impartiality of the judiciary in law and in practice (Costa Rica);
- 45.124 Reform the judicial system and ensure independent and impartial investigation, prosecution and trial (Finland);
- 45.128 Pursue judicial reform by strengthening the independence of the judiciary
- 45.129 Strengthen the independence of the judiciary (Italy);
- 45.133 Strengthen the independence of the judicial system and follow due judicial process according to Turkey's international obligations and standards (Norway);
- 45.156-157-163-171: Recommendations to ensure freedom of expression in all its forms by refraining from censorship of social and traditional media and by fully enabling and respecting academic and artistic freedom, equal and quality access to information and protecting the exercise of the right

¹ https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session35/TR/turkey_50750701.pdf

to freedom of expression by journalists, human rights defenders and all non-governmental organisations.

II. Judicial Corruption and Abuse of Power

3. In an official memo the Chief Public Prosecutor of Istanbul's Anatolian Judicial District, İsmail Uçar, sent to the Council of Judges and Prosecutor on 6 October 2023 included serious allegations as to the extent of corruption and abuse of office within Türkiye's second-largest judicial district.

4. Uçar's claims which he included in an official memo he sent to the Council of Judges and Prosecutors, and which which were later widely reported by Turkish media as follows;^{2 3}

- i. The memo is a damning indictment of the Turkish judiciary, which highlights particularly the role of the Chief Judge of Istanbul's Anatolian Judicial District (Bekir Altun) in the alleged corruption. The memo points to the chief justice Altun as being responsible for the most corrupt activities, including bribery, extortion, curtailing press freedom, and bullying fellow judges and prosecutors for his unlawful schemes.
- ii. Furthermore, the Chief Prosecutor Uçar lambasts unspecified "structures" within the judiciary. He states that these structures "turn a blind eye to drug (traffickers) release mafia bosses and terrorise their colleagues while doing so." The pervasive influence of these structures, Uçar suggests, has corrupted the judiciary to its core.
- iii. Talking about the time following the July 15 coup attempt, the Chief Prosecutor Uçar claims that many in the judiciary feel they have carte blanche to engage in illegal activities. **He stresses the need for a thorough purge, likening the current state of the judiciary to a cancer patient whose condition calls for an operation or chemotherapy.**
- iv. Uçar also points out a concerning trend where first instance criminal judges take bribes for delivering content removal and URL-blocking decisions. This claim resonates with a recent report by the Freedom of Expression Association (İFÖD) which highlights a significant number of URLs to which access is restricted in Türkiye.
- v. The İFÖD's 2022 Blocked Web report, prepared by Prof. Dr. Yaman Akdeniz and Researcher Ozan Güven from Istanbul Bilgi University's

² https://x.com/BirGun_Gazetesi/status/1712672005651353901

<https://www.birgun.net/haber/adliyede-rusvet-carki-haberinin-sansurlenmesine-itiraz-tek-cumle-ile-reddedildi-478053>

³ <https://arrestedlawyers.org/2023/10/14/chief-prosecutor-accuses-chief-justice-of-rampant-corruption/>

Faculty of Law, provided insights into the scale of these restrictions. Since 2006, a staggering 616,239 blocking decisions have been issued, resulting in 712,558 addresses being inaccessible from within Türkiye.⁴

- vi. In the official memo, chief prosecutor Uçar accuses the chief justice Altun also of manipulating the judiciary to facilitate the release and acquittal of suspects arrested for significant drug possession (citing an instance of 125 kg) or being involved in extortion and usurpation. He claims that the chief justice has appointed judges and courts strategically, promoting those who cooperate with him and demoting or sidelining those who resisted him.

5. Such high level corruption within the judiciary is not confined to Istanbul only. In Izmir and Ankara, key figures such as the former Chief Prosecutor Okan Bato and former Chief Prosecutor Yüksel Kocaman have been implicated in corruption, extortion, and obstruction of justice for their personal gain. Bato has also been accused of extorting money from businessmen under threat of arrest, embezzling money from companies to which he was appointed as a statutory trustee and accepting bribes.⁵

III. Systemic Failures and Government Complicity

6. The Turkish government's efforts to manage the political fallout of the 2013 corruption scandal marked a turning point in the judiciary's trajectory. It led to a widespread purge of judges and prosecutors who were then replaced with figures more willing to align themselves with the government. These newly appointed judges were rewarded for their loyalty through various forms of seemingly innocent financial incentives such as salary increases and opportunities to purchase property at a discount. They were also given preferential treatment by the government within the judicial system. The judiciary has thus become a useful and willing tool for the government to carry out an unprecedented political persecution of the opposition, particularly against opposition groups like the Gülen Movement.

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https://ankahaber.net/haber/detay/free_web_turkey_2023_internet_sansuru_raporu_2023_yilinda%C2%A014_bin_680%C2%A0habere_erisim_engeli_getirildi_187650

⁵ <https://arrestedlawyers.org/2024/06/09/new-revelations-of-corruption-about-senior-judicial-figure/>
<https://arrestedlawyers.org/2024/02/27/dethroned-mobsters-exposed-drugs-guns-bribery/>
<https://arrestedlawyers.org/2023/09/25/corruption-allegations-about-senior-turkish-judge-do-not-die-down/>
<https://arrestedlawyers.org/2023/09/19/mobster-exposes-deep-rot-in-the-turkish-judiciary/>
<https://arrestedlawyers.org/2023/09/15/akps-golden-boy-prosecutor-turned-out-to-be-corrupt/>

7. High-ranking judicial officials appointed by President Erdogan, including Istanbul's Chief Prosecutor Uçar, acknowledged that many judges and prosecutors, particularly those involved in the government's crackdown on dissent, began to view their positions as opportunities for personal enrichment—a reward for their loyalty to government objectives. This shift has compromised the judiciary's independence, making it complicit in the systemic erosion of justice in Türkiye.

8. Instead of investigating these allegations, Turkish authorities have opted to suppress those who express concerns about judicial corruption. Whistleblowers and journalists face legal harassment and gag orders. Most recently, lawyer Eyup Akinci was placed under house arrest after raising concerns about judicial misconduct on social media. This practice of prosecuting those who speak out against corruption, rather than addressing the underlying issues, has created a climate of fear and further entrenched corruption in the judiciary.⁶

9. Indeed, chief justice Altun implicated in the memo of the Chief Prosecutor has never been investigated, instead he was promoted by the Council of Judges and Prosecutors and has been assigned as the chief justice of Istanbul Courthouse at Çaglayan.

10. Similarly, former Chief Public Prosecutor of Ankara, Yüksel Kocaman who has been implicated in corruption, extortion, and obstruction of justice for his personal gain, is currently a member of the Court of Cassation, and has never faced an investigation for his conduct.

11. Chief Justice of Samsun, who was photographed while participating in the birthday party of a mafia boss who was being sought by the police for murder, eventually retired and was allowed to work as a lawyer.

IV. Corruption as a Catalyst for Human Rights Violations

12. Corruption is directly linked to widespread human rights violations. According to a United Nations report, corruption not only instigates human rights abuses but also impedes the fulfilment of human rights obligations.

13. In Türkiye, judicial corruption has enabled the government to repress civil rights, and the judiciary's role in human rights abuses has become routine, starting from 2014 intensifying after the failed coup attempt in 2016. This period marked the normalisation of corruption, leading to the routine infringement of human rights and a judiciary that serves political agendas over justice.

⁶ <https://arrestedlawyers.org/2023/12/01/istanbul-lawyer-akinci-faces-prosecution-over-his-tweet/>

V. Failures in Anti-Corruption Compliance

a) GRECO's Assessment of Türkiye

14. In December 2023, the Group of States against Corruption (GRECO) released a report stating that Türkiye's compliance with anti-corruption standards is "globally unsatisfactory." The report highlights Türkiye's failure to implement essential measures aimed at ensuring judicial transparency and independence, with only three of 22 recommendations being fully implemented, nine partially implemented, and ten unaddressed. This lack of compliance is a significant barrier to judicial integrity in Türkiye, contributing to ongoing corruption and abuse within the system.⁷

b) Specific Deficiencies in Judicial Integrity

15. GRECO emphasised the need to strengthen the independence of the High Council of Judges and Prosecutors and to implement stricter ethical conduct guidelines. The report expressed disappointment that the Judicial Ethics Declaration of 2019, issued by Türkiye's Court of Cassation, remains insufficient for addressing corruption within the judiciary. Key recommendations, such as establishing comprehensive codes of ethics for judges and prosecutors, remain only partially implemented. Concerns persist regarding the lack of clear guidelines on recusal for public prosecutors, allowing unethical behaviour to flourish unchecked.

16. In the judicial sphere, the report underscored the critical need to reinforce the independence of the High Council of Judges and Prosecutors and to institute more stringent ethical conduct and integrity checks for judiciary candidates. GRECO emphasised the necessity for evaluations of judges and prosecutors with regard to their ethical conduct and integrity, which were to be guided by precise and objective criteria, publicly accessible and in conformity with European standards. However, GRECO noted that the Turkish authorities' responses mostly reiterate information from previous reports. The report expressed disappointment in relation to the continued reference to the Judicial Ethics Declaration of 2019, made by the Court of Cassation of Türkiye, which GRECO had already deemed insufficient in addressing specific recommendations. For instance, Recommendation XI, which calls for a clear code of ethics for judges, one that is inclusive of practical examples for handling conflicts of interest and other integrity matters, remains only partly implemented with a need for more detailed guidance. Similarly, the recommendation for establishing a code of ethics

⁷ <https://www.coe.int/en/web/human-rights-rule-of-law/-/greco-publication-of-the-fourth-interim-compliance-report-of-4th-evaluation-round-on-t%C3%BCrkiye>

for prosecutors, offering guidance on conflicts of interest and related matters, and allowing it to be accessible to the public for training purposes, is still only partially implemented. Concerns also persist about the lack of clear rules or guidelines on recusal for public prosecutors, including mandatory reporting within the hierarchical structure of the prosecution service.⁸

c) The Root of the Problem: Corruption and Human Rights Abuses

17. The roots of judicial corruption in Türkiye can be traced back to the 2013 corruption scandal, which led to the mass purge of independent judicial and law enforcement officials. The government's aim was to replace independent judges and prosecutors with those who were either already corrupt or politically aligned to the government, who were often rewarded for their loyalty through material incentives, such as houses at a heavily discounted price, promotions, and salary increases. This restructuring has transformed the judiciary into a political tool rather than an independent branch of government, deeply compromising the rule of law.

d) Interplay Between Corruption and Human Rights Violations

18. There is a strong correlation between corruption and human rights abuses. The United Nations has noted that corruption not only contributes to but actively instigates human rights violations. Following the failed coup attempt in 2016, both corruption within the judiciary and human rights abuses became increasingly normalised, leading to a situation in which ethical standards have eroded, and judicial integrity has been compromised. High-ranking judicial officials appointed by the government have publicly acknowledged that many judges began to perceive themselves as "creditors" of the state, entitled to benefits for their loyalty, thereby justifying their involvement in illicit activities. This corrupt mindset has resulted in a judicial system that prioritises personal and political gain over justice.

19. Finally, it should be noted that Türkiye banned access to 219,059 URLs in 2023 as per a report of [the Free Web Turkey 2023 Internet Censorship Report](#). The report highlights that the censored URLs included **14,680 news articles, predominantly covering allegations of corruption and misconduct**.

20. The report details the scope of censorship in 2023, presenting a comprehensive list of blocked digital materials. It reveals that 197,907 domain names, 14,680 news articles, 5,641 social media posts, 743 social media accounts and 38 reviews on Google Maps were blocked. Additionally, 33 Google search

⁸ GRECO: Turkey fails to uphold anti (judicial) corruption standards, <https://arrestedlawyers.org/2023/12/07/greco-turkey-fails-to-uphold-anti-judicial-corruption-standards/>

results, nine mobile applications, five Google Drive files, two email addresses and one Google document were also blocked.

21. Among topics, alleged corruption and misconduct were the most censored, with 5,881 articles blocked. Crimes against women and children followed with 2,256 articles, and organized crime with 1,733 articles. Corruption and misconduct articles often named public officials (3,192 articles) and individuals close to the AKP (1,133 articles) and President Recep Tayyip Erdoğan and his family (646 articles). Articles covering crimes against women and children frequently implicated public officials (693 articles), businesspeople (244 articles), political party representatives (219 articles), religious groups (157 articles), public institutions (125 articles), AKP affiliates (13 articles) and companies (4 articles).⁹

VI. Conclusion

22. The integrity of Turkey's judiciary is severely compromised by systemic corruption and government interference, which have turned it into an instrument of political repression. The pervasive corruption not only facilitates the erosion of judicial independence but also directly results in widespread human rights abuses. To restore confidence in the judiciary, it is essential to undertake comprehensive reforms aimed at reinforcing judicial independence and eliminating the influence of corruption.

23. The current state of Turkey's judiciary poses a fundamental threat to the rule of law and the protection of human rights. Corruption within the judiciary not only undermines the independence of this essential branch of government but also facilitates the persecution of opposition groups, activists, and legal professionals. Without significant reforms aimed at restoring judicial independence and eliminating corruption, the Turkish judiciary will continue to serve as a tool for political repression rather than as a guardian of justice and the rule of law. Comprehensive reform is essential for ensuring justice, accountability, and the protection of human rights in Turkey.

VII. Recommendations to the Turkish Government

24. **Strengthen Judicial Independence:** Urgently reinforce the independence of the Council of Judges and Prosecutors, ensuring that appointments, promotions, and disciplinary actions are free from political influence.

25. **Full Implementation of GRECO Recommendations:** Implement all 22 GRECO recommendations to improve transparency, accountability, and ethical standards within the judiciary.

⁹ <https://www.freewebturkey.com/free-web-turkey-2023-internet-sansuru-raporunun-yayimlandigi-gun-cumhurbaskanligi-idari-isler-baskani-hakkindaki-101-haber-erisime-engellendi>

26. **Develop and Enforce Ethical Guidelines:** Establish a clear and comprehensive code of ethics for judges and prosecutors, with practical guidelines for handling conflicts of interest and ensuring transparency.
27. **End the Culture of Impunity:** Take decisive actions to investigate and prosecute cases of judicial corruption without bias. Judges and prosecutors found guilty of corruption must face appropriate legal consequences.
28. **Effectively Investigate the Allegations Made in the Official Memo of the Chief Prosecutor Uçar, also against the allegations about the former chief prosecutor of Ankara.**
29. **Scrutinize the cases which corrupt members of the judiciary involved as prosecutors or judges.**
30. **Publish the results of disciplinary proceedings about which corrupt members of the judiciary.**
31. **Protect Legal Professionals:** Cease the persecution of lawyers and other legal professionals and ensure their independence is respected.
32. **Ensure Freedom of Expression:** Halt the practice of censoring media and public commentary on judicial and government misconduct, corruption and incompetence.