



Türkiye'ye Karşı Başvuruda Bulunan Başvuruculara Yönelik Ek Bilgilendirmeler

I. İç Hukuk Yollarının Tüketilmesi

İç hukuk yollarının tüketilmiş olduğunu kanıtlayan başlıca belgelerin listesi

1. Hukuk Yargılamalarında

- İlk derece mahkemesinin gerekçeli kararı
- Şayet karara itiraz edilmiş ise veya karar istinaf edilmiş ise, ilgili mahkemenin gerekçeli kararı
- Şayet karar temyiz edilmiş ise, Yargıtay ilamı
- Anayasa Mahkemesi bireysel başvuru formu
- Anayasa Mahkemesi kararı

2. Ceza Yargılamalarında

- İlk derece mahkemesinin gerekçeli kararı
- İkinci derece mahkemesinin gerekçeli kararı
- Şayet karar temyiz edilmiş ise, Yargıtay ilamı
- Anayasa Mahkemesi bireysel başvuru formu
- Anayasa Mahkemesi kararı

3. İdari Yargılamalarda

- İlk derece mahkemesinin gerekçeli kararı
- Şayet karara itiraz edilmiş ise veya karar istinaf edilmiş ise, ilgili mahkemenin gerekçeli kararı
- Şayet karar temyiz edilmiş ise, Danıştay kararı
- Anayasa Mahkemesi bireysel başvuru formu
- Anayasa Mahkemesi kararı

II. 4 Aylık başvuru süresi

AİHS'nin 35. maddesi uyarınca 4 aylık başvuru süresi içerisinde yapıldığını kanıtlayan belgeler

- **Fiziki posta ile** tebligat: Şayet Anayasa Mahkemesi kararı başvuruçunun kendisine veya temsilcisine kapalı zarf olarak tebliğ edildiyse tebligat zarfının kopyası
- **Elektronik tebligat sistemi ile tebligat:** Şayet Anayasa Mahkemesi kararı başvuruçunun avukat olan temsilcisine e-tebligat ile tebliğ edildiyse e-tebligat delil belgelerinin tümü:
 - Tebligat Gönderim Sonuç Delili
 - Tebligat İletme Sonuç Delili
 - Tebligat Okunma Sonuç Delili ve
 - Tebligat Kanunen Tebliğ Edildi Delili

Dikkat: Gönderdiğiniz belgeler tarafınıza iade edilmeyeceğinden belgelerin asıllarından ziyade örneklerini göndermeniz tavsiye edilir.

Informations supplémentaires pour les requérants qui introduisent une requête contre la Türkiye

I. Épuisement des voies de recours internes

Liste des principaux documents requis pour démontrer l'épuisement des voies de recours internes

1. Procédure civile

- Jugement motivé de la juridiction de première instance
- Si un appel a été formé, jugement motivé de la juridiction de deuxième instance
- Si un pourvoi en cassation a été formé, arrêt de la Cour de cassation
- Formulaire du recours individuel formé devant la Cour constitutionnelle
- Décision de la Cour constitutionnelle

2. Procédure pénale

- Jugement motivé de la juridiction de première instance
- Jugement motivé de la juridiction de deuxième instance
- Si un pourvoi en cassation a été formé, arrêt de la Cour de cassation
- Formulaire du recours individuel formé devant la Cour constitutionnelle
- Décision de la Cour constitutionnelle

3. Procédure administrative

- Jugement motivé de la juridiction de première instance
- Si un appel a été formé, jugement motivé de la juridiction de deuxième instance
- Si un pourvoi en cassation a été formé, arrêt de la Cour administrative suprême
- Formulaire du recours individuel formé devant la Cour constitutionnelle
- Décision de la Cour constitutionnelle

II. Délai de quatre mois

Documents requis pour prouver le respect du délai de quatre mois prévu à l'article 35 de la CEDH

- **Notification par voie postale** : si la décision de la Cour constitutionnelle a été notifiée au requérant/représentant par voie postale, une copie de l'enveloppe de notification.
- **Notification par voie électronique** : si la décision de la Cour constitutionnelle a été notifiée par voie électronique, l'ensemble des éléments de preuves indiqués ci-dessous :
 - Preuve de l'envoi de la notification
 - Preuve de la réception de la notification
 - Preuve de la lecture de la notification
 - Preuve du respect des voies légales de notification

Attention : Aucun document ne vous sera restitué. Il est donc dans votre intérêt de soumettre à la Cour des copies et non les originaux des documents requis.

Additional information for applicants lodging a complaint against Türkiye

I. Exhaustion of domestic remedies

List of principal documents required to demonstrate exhaustion of domestic remedies

1. Civil proceedings

- Reasoned judgment of the first-instance court
- If an appeal was lodged, reasoned judgment of the second-instance court
- If an appeal on points of law was lodged, judgment of the Court of Cassation
- Individual application lodged with the Constitutional Court
- Decision of the Constitutional Court

2. Criminal proceedings

- Reasoned judgment of the first-instance court
- Reasoned judgment of the second-instance court
- If an appeal on points of law was lodged, judgment of the Court of Cassation
- Individual application lodged with the Constitutional Court
- Decision of the Constitutional Court

3. Administrative proceedings

- Reasoned judgment of the first-instance court
- If an appeal was lodged, reasoned judgment of the second-instance court
- If an appeal on points of law was lodged, judgment of the Supreme Administrative Court
- Individual application lodged with the Constitutional Court
- Decision of the Constitutional Court

II. Four-month application period

Documents required to demonstrate compliance with the four-month time-limit for lodging applications under Article 35 of the ECHR

- **Notification by postal service:** if the decision of the Constitutional Court was served on the applicant or his/her legal representative in a sealed envelope, a copy of the envelope
- **Notification by electronic means:** if the decision of the Constitutional Court was served on the applicant or his/her legal representative by electronic means, all items listed below:
 - Proof that e-notification was sent
 - Proof that e-notification was received
 - Proof that the e-notification was opened/read
 - Proof of compliance with legal notification procedures

Please note: As no documents will be returned to you, it is in your interests to submit copies, not originals.