EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

SECOND SECTION

# DECISION

Application no. 50432/21
Murat DEMİÇ
against Türkiye
(see appended table)

The European Court of Human Rights (Second Section), sitting on 18 December 2025 as a Committee composed of:

Stéphane Pisani*, President*,
Juha Lavapuro,
Hugh Mercer*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 21 September 2021,

Having regard to the observations submitted by the respondent Government and the observations in reply submitted by the applicant,

Having deliberated, decides as follows:

## FACTS AND PROCEDURE

The applicant's details are set out in the appended table.

The applicant was represented by Mr E. Demiç, a lawyer practising in Konya.

The applicant's complaints under Article 6 § 1 of the Convention concerning the excessive length of civil proceedings before the administrative courts were communicated to the Turkish Government ("the Government").

## THE LAW

In the present application, having examined all the material before it, the Court considers that for the reasons stated below, the applicant's complaint about the excessive length of the impugned civil proceedings is inadmissible.

The Court notes that the applicant made an individual application before the Constitutional Court on 21 August 2020, complaining about the excessive length of proceedings before the administrative Court. Following the Constitutional Court's rejection of his complaint as manifestly ill-founded,

he lodged the present application. The Government submitted that only the period in respect of which the applicant complained before the Constitutional Court could be reviewed by the Court.

The Court reiterates that an applicant is normally not required to resort repeatedly to a remedy in respect of the length of proceedings where the effects produced by the decision of the competent authority in response to that applicant's first use of that remedy do not satisfy the criteria applied by the Court. Such is the case, for example, where the domestic authority, unlike the Court, concluded that the length of the proceedings in issue was not excessive; or where a low amount of just satisfaction was granted, due consideration being given in this connection, if appropriate, to whether or not the proceedings were subsequently accelerated in accordance with the domestic authority's order; or where the remedy in issue was incapable of providing redress in respect of the overall length of the proceedings complained of (see, for example*, Sukobljević v. Croatia*, no. 5129/03, § 52, 2 November 2006, *Sika v. Slovakia,* no. 2132/02, § 31, 13 June 2006; *Šidlová v. Slovakia,* no. 50224/99, §§ 49 and 50, 26 September 2006*, Tomláková v. Slovakia*, no. 17709/04, §§ 34-35, 5 December 2006*;* and *Becová v. Slovakia* (dec.), no. 23788/06, 18 September 2007).

At the time of the Constitutional Court's decision, the length of the proceedings was almost four years and four months for one level of jurisdiction without a single decision on the merits having been taken. Moreover, the Constitutional Court rejected the applicant's complaint without assessing whether there were any circumstances that justified the delay.

It therefore follows that, unlike in the case of *Becová* (cited above), in the case at hand the Constitutional Court's decision cannot be considered to be compatible with Convention principles (see *Sukobljević,* cited above, § 45).

In view of the above considerations the Court finds that the applicant was not required, for the purposes of Article 35 § 1 of the Convention, to make an individual application before the Constitutional Court anew. For the same reason, the Court is not precluded from assessing the entire length of proceedings, that is to say including the period post the Constitutional Court's review.

Thus, the period to be taken into consideration began on 23 January 2017 until 29 June 2022, when the applicant's case was dismissed in a final manner in appeal proceedings. The proceedings lasted approximately five years and five months before two levels of jurisdiction. They began under a state of emergency; they were subsequently affected by the restrictions necessitated by the Covid-19 pandemic, and they were of a highly complex nature. The Court also considers the unexpected workload of the first-instance court which resulted not from a structural problem but from a temporary backlog arising in an exceptional situation of this kind (see *Buchholz v. Germany*, 6 May 1981, Series A no. 42, § 51). In these circumstances, the Court does

not find the period in question unreasonable (see, for example, *Predota v. Austria* (dec.), no. 28962/95, 18 January 2000, and *mutatis mutandis*, *Von Maltzan and Others v. Germany* (dec.) [GC], nos. 71916/01 and 2 others, § 135, ECHR 2005-V and *Predota v. Austria* (dec.), no. 28962/95, 18 January 2000).

In view of the above, the Court finds that the complaint is manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.

For these reasons, the Court, unanimously,

*Declares* the application inadmissible.

Done in English and notified in writing on 22 January 2026.

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| Viktoriya Maradudina<br>Acting Deputy Registrar | Stéphane Pisani<br>President |

# APPENDIX

## Application raising complaints under Article 6 § 1 of the Convention (excessive length of civil proceedings)

| Application no.<br>Date of introduction | Applicant's name<br>Year of birth | Representative's name and location | Start of proceedings | End of proceedings | Total length<br>Levels of jurisdiction | Award by the Constitutional Court (in euros)<br>File number | Final decision by the Constitutional Court<br>Date |
|---|---|---|---|---|---|---|---|
| 50432/21<br>21/09/2021 | **Murat DEMİÇ**<br>1986 | Ebubekir Demiç<br>Konya | 23/01/2017 | 29/06/2022 | 5 year(s) and 5 month(s) and 7 day(s)<br>2 level(s) of jurisdiction | 0<br><br>2017/599 | 03/06/2021 |