

## Mediation in Turkey

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**Abstract :** In recent years, alternative dispute resolution methods have attracted the attention of many country's legislators. Instead of solving the disputes by litigation, putting the end to a dispute by parties themselves is more important for the preservation of social peace. Therefore, alternative dispute resolution methods (ADR) have been discussed more intensively in Turkey as well as the whole world. After these discussions, Mediation Act was adopted on 07.06.2012 and entered into force on 21.06.2013. According to the Mediation Act, it is only possible to mediate issues arising from the private law. Also, it is not compulsory to go to mediation in Turkish law, it is optional. Therefore, the parties are completely free to choose mediation method in dispute resolution. Mediators need to be a lawyer with experience in five years. Therefore, it is not possible to be a mediator who is not lawyers. Beyond five years of experience, getting education and success in exams about especially body language and psychology is also very important to be a mediator. If the parties compromise as a result of mediation, a document is issued. This document will also have the ability to exercising availability under certain circumstances. Thus, the parties will not need to apply to the court again. On the contrary, they will find the opportunity to execute this document, so they can regain their debts. However, the Mediation Act has entered into force in a period of nearly two years of history; it is possible to say that the interest in mediation is not at the expected level. Therefore, making mediation mandatory for some disputes has been discussed recently. At this point, once the mediation becomes mandatory and good results follows it, this institution will be able to find a serious interest in Turkey. Otherwise, if the results will not be satisfying, the mediation method will be removed.

**Keywords :** alternative dispute resolution methods, mediation act, mediation, mediator, mediation in Turkey

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