



UN Development Programme Turkey - Ankara

Award ID: 00096325
Award Title: Court of Cassation
Transparency & Code of Ethics
Start Year: 1 March 2016
End Year: 30 November 2018

Budget (US\$)

Donor	Fund	Amount
TUR	30071 Programme Cost Sharing	USD 1,000,000.00
Total Budget (from 01/03/2016 until 30/11/2018)		USD 1,000,000.00
Total Expenditure (as of 25/10/2017)		USD 489,791.11
Remaining Amount		USD 510,208.89

Implementing Partner

(Executing Agency): Court of Cassation of Turkey

Responsible Party

(Implementing Agent): United Nations Development Programme (UNDP)

Revision Type: No-cost Project Extension

Brief Description:

The Project for Strengthening Transparency and Code of Ethics for Enhanced Public Confidence in Court of Cassation (CoC) targets developing and implementing strategies in the CoC for "disseminating code of ethics", "strengthening transparency" and "increasing trust in the judiciary" in line with universal values, good practices and lessons learned in other countries. The Project implementation is being carried out very effectively, even with additional activities which have not been foreseen in the Project Document, such as i) adopting comprehensive consultation processes to ensure participation and inclusiveness throughout the development of codes of conduct, ii) carrying out meetings for wide-dissemination and further elaboration of the Istanbul Declaration on Transparency in Judicial Process and iii) producing soft and hard copy publications for promoting transparency, raising awareness and strengthening ownership on the conducted studies. This fact resulted with the necessity to postpone some of the foreseen activities under the components on transparency and trust. Moreover, the results of the activities under the components on ethics and transparency are expected to provide inputs for the activities under the component on trust, therefore the initiation of the activities under the component on trust had also been subject to postponement. Furthermore, in order to adopt above referred comprehensive approach throughout all project activities and allocate a dedicated time for the technical and logistical preparation of the 4th International Summit of High Courts, the project implementation period is required to be extended. In this scope, in line with the agreement reached during the Third Project Steering Committee Meeting held on 25 October 2017, the Project implementation period has been decided to be extended from 31 December 2017 to 30 November 2018 with no additional cost.

Dr. Mustafa SALDIRIM

**Hakim
Genel Sekreter Yardımcısı**

Agreed by the Court of Cassation of Turkey

Agreed by the United Nations Development Programme (UNDP)



**ETHICS, TRANSPARENCY AND TRUST PROJECT OF THE COURT OF
CASSATION**

MINUTES FOR THE 3rd STEERING COMMITTEE MEETING

25.10.2017

ANKARA

Table of Contents

- I. Opening Remarks*
- II. Process*
- III. Decisions Taken at the Meeting*
- IV. Annex I – Meeting Agenda*
- V. Annex II – List of Participants in the Meeting*
- VI. Annex III – Presentation Delivered at the Meeting*

I. OPENING REMARKS

- The Deputy Secretary-General of the Court of Cassation, Dr. Mustafa SALDIRIM, opened the meeting and provided information on activities realised in the scope of the project. He emphasized that the website of the Court of Cassation featured an “Ethics and Transparency” section, and the developments about the project are shared in this section. He further noted that the Ethics component of the project has nearly come to completion, and the Guidelines on Ethics has started to be prepared.
- He stated that Evaluative framework: Codes of Conduct questionnaire from the Implementation Guide and Evaluative Framework for Article 11 of UNODC has been included in “Assessment of Views on the Court of Cassation Draft Code of Judicial Conduct” booklet where institutional and non-institutional opinions on the code of conduct of Court of Cassation have been compiled.
- The Ministry of Development Planning Expert Hasan DURSUN made a brief opening speech noting that it was necessary to develop a code of conduct specific to judges, therefore the project is very important. He added that while constituting the code of conduct, the difference between judges and prosecutors, which are two different professional groups, has been sometimes overlooked; but he was happy that the two sets of ethics codes for the two groups were prepared in the context of the project.
- UNDP Turkey Assistant Resident Representative Seher ALACACI stated that while the project could be a good example to the other countries, Turkey could also be a promoter for them for its efforts on ethics. Ms. ALACACI added that they are keen on the inclusion of works of UNDP and the Court of Cassation in the Eleventh Development Plan of the Ministry of Development, and that they are awaiting an invitation on the issue. Further, the publications prepared under the project would continue to be very important after the project would come to an end, and will be an asset to the fund of knowledge.
- UNDP Rule of Law and Human Rights Cluster Lead Gözde ATA briefed on the project activities realised in the reporting period. Please refer to the presentation in the annex for further information.

II. PROCESS

- Project Expert Prof. Dr. Gülriz UYGUR was absent for an excuse.

- The project activities, particularly in the context of the Transparency component in the upcoming period were mentioned.
- At the Experts Group Meeting, held with the participation of the foreign experts on 20 October 2017, elaboration of the Istanbul Declaration Action Plan has been completed. Experts from five different continents contributed to the meeting. Hon.Justice John DOWD of the Australian High Court; Prof. Dr. Nihal JAYAWICKRAMA, General Coordinator of UNODC Judiciary Integrity Group; Hon.Justice Shiranee TILAKAWARDANE of Sri Lanka High Court; Hon.Justice Kashim ZANNAH, President of Nigerian High Court, participated in the meeting from Ankara whereas Mr. Jeffrey APPERSON, Vice-President of the National Centre for State Courts of the United States of America and Mr. Michael BUENGER, the Administrative Director of Ohio High Court participated the meeting through video-conferencing. Judge Wojciech POSTULSKI, Secretary-General of European Judicial Training Network (EJTN) supported the work on detailing the Istanbul Declaration by providing views in written form. The Deputy Secretary-General of the Court of Cassation, Dr. Mustafa SALDIRIM emphasized that the meeting was very productive.
- It was decided that the finalised version of the Istanbul Declaration would be presented to the endorsement of the high court justices in the 4th International Summit of High Courts planned to be held in 2018.
- Preparations will be commenced for the 4th International Summit of High Courts.
- A satisfaction questionnaire will be prepared under the Transparency component.
- The contracts of project experts Barış SÜRÜCÜ and İnayet AYDIN will be commenced as of 17 December.
- The Deputy Secretary-General of the Court of Cassation Dr. Mustafa SALDIRIM stated that the project expert Barış SÜRÜCÜ would develop the satisfaction questionnaire to be administered at the front office of the Court of Cassation and to lawyers with the support of the Union of Bar Associations of Turkey and bar associations.
- A video was prepared under the Trust component of the project; more works will take place on this matter in the upcoming period.
- The Deputy Secretary-General of the Court of Cassation Dr. Mustafa SALDIRIM stated that they would like to introduce such reforms as multi-door court, mediation as realised by the Court of Cassation and note good practices from Turkey in the 4th International Summit of High Courts. In this context, it would have high significance that the 4th International Summit of High Courts be held in 2018 which would mark the 150th anniversary of the Court of Cassation. In addition, the project activities progressed efficiently, including the additional activities not foreseen in the project document. In this context, he stated that it would be appropriate to extend the project until the November 2018 in order to effectively realise the activities under Transparency and Trust components, and complete the preparations for the 4th International Summit of High Courts in a comprehensive manner.
- It was decided, by the joint decision of the Court of Cassation, Ministry of Development and UNDP to extend the project to 30 November 2018.
- UNDP Turkey Assistant Resident Representative Seher ALACACI noted that two months would be needed for the official finalisation of the project; therefore, it would be appropriate to hold the 4th International Summit of High Courts in October 2018.

- UNDP Rule of Law and Human Rights Cluster Lead Gözde ATA will communicate the formal correspondence on extension to the Planning Expert from the Ministry of Development Hasan DURSUN, following the signing of the document by the officials of the Court of Cassation and UNDP.
- In the scope of the project, one technical study visit will be held; thereby, a reduction will be made in the budget item.
- It was decided that the project expert Justice Shiranee TILAKAWARDANE of Sri Lanka High Court examine the French High Court and include it in her report.
- The project expert Prof.Dr.Rifat MİSER noted that ethics training was effectively delivered and the participation was high, noting that the works were productive. He added that it was very important that the initial sessions of the training to be taken into account.
- The Deputy Secretary-General of the Court of Cassation Dr. Mustafa SALDIRIM underlined that the Adult Education Guide prepared by the project expert Prof.Dr.Rifat MİSER was effective. He noted that the fact that the code of conduct was adopted in the Board of Head of Chambers Meeting at the Overall Evaluation of the Draft Code of Conduct held on 22-23 September 2017 at Abant, Bolu was the biggest indicator of that.
- The National Conference on Introduction of the Code of Conduct will be realised in the format of an ethics panel with participation from the Court of Cassation, Ministry of Development and UNDP.

III. DECISIONS TAKEN AT THE MEETING

In the light of the items in the agenda, the following decisions were made at the Executive Board.

- 1) It was decided that the finalised version of the Istanbul Declaration would be presented to the endorsement of the high court justices in the 4th International Summit of High Courts planned to be held in 2018.
- 2) Preparations will be commenced for the 4th International Summit of High Courts.
- 3) A satisfaction questionnaire will be prepared under the Transparency component.
- 4) The contracts of project experts Barış SÜRÜCÜ and İlayet AYDIN will be commenced as of 17 December.
- 5) It was decided, by the joint decision of the Court of Cassation, Ministry of Development and UNDP to extend the project to 30 November 2018.
- 6) UNDP Rule of Law and Human Rights Cluster Lead Gözde ATA will communicate the formal correspondence on extension to the Ministry of Development Planning Expert Hasan DURSUN, following the document is signed by the officials of the Court of Cassation and UNDP.
- 7) In the scope of the project, one technical study visit will be held; thereby, a reduction will be made in the budget item.

EKLER:

- Ek-1:Toplantı Gündemi
- Ek-2:Katılımcı Listesi

I. ANNEX-I

**MEETING AGENDA
3rd STEERING COMMITTEE MEETING
25 October 2017, Ankara**

Time	Subject
09.30 – 09:45	Opening Remarks Mr. Mustafa Saldırım <i>Deputy Secretary-General of the Court of Cassation</i> Mr. Hasan Dursun <i>Ministry of Development, Planning Expert</i> Ms. Seher Alacacı <i>UNDP Assistant Resident Representative</i> Adoption of the Agenda
09:45 – 10.00	Presentation on the Project Activities Carried out After the 2nd Steering Committee Meeting and Activities Planned for the Next Period Ms. Gözde Ata <i>UNDP Human Rights and Rule of Law Cluster Lead</i>
10.00 – 10.30	Evaluation of the Project Activities Carried out After the 2nd Steering Committee Meeting Prof. Dr. Rifat Miser <i>UNDP Adult Education Expert</i> Court of Cassation Representatives
10:30 – 10.50	Exchange of Ideas on the Project Activities Planned for the Next Period Court of Cassation Representatives Ministry of Development Representatives UNDP Representatives
11:30– 12.30	Setting the Date for the Next Steering Committee Meeting Additional Recommendations and Opinions

II. ANNEX II

LIST OF PARTICIPANTS IN THE MEETING 3rd STEERING COMMITTEE MEETING 25 October 2017, Ankara

No	Name-Surname	Institution	Position	Phone Number	E-mail
1	Dr. Mustafa SALDIRIM	The Court of Cassation	Deputy General-Secretary	(505) 7769260	msaldirim@gmail.com
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5	Hasan DURSUN	Kalkınma Bakanlığı	Planning Expert	(312) 2946237	hasan.dursun@kalkinma.gov.tr
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9	Nazlı ERSOY	UNDP	Projecy Assistant	(545)813 97 10	nazli.ersoy@undp.org
10	Prof. Dr. Rifat MİSER	Ankara University/ UNDP	Professor/Adult Training Expert	(536) 3925827	rmiser@ankara.edu.tr

