



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

**MINUTES FOR THE 2<sup>nd</sup> STEERING COMMITTEE MEETING**

**11.07.2017**

**ANKARA**

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### **I. OPENING REMARKS**

- The Deputy Secretary-General of the Court of Cassation, Dr. Mustafa SALDIRIM, opened the meeting and provided information on the objectives of the project. He pointed out that the prepared Court of Cassation Draft Code of Ethics would be submitted for consulting the views of both internal and external staff provided that they give feedback in September 2017, then the Court of Cassation Code of Ethics would be finalized based on the feedback received.
- UNDP Turkey Inclusive and Democratic Governance Portfolio Manager, Seher ALACACI, stated that the robust cooperation between the Court of Cassation and UNDP enabled the project to proceed very well. She thanked the project team of the Court of Cassation for their efforts and mentioned the staff changes in the UNDP project team and also introduced to the Project Steering Committee members the UNDP Human Rights and Rule of Law Cluster Lead, Gözde ATA.
- UNDP Human Rights and Rule of Law Cluster Lead Gözde ATA mentioned the activities carried out for the project during the reporting period (Please refer to the presentation in Annex III for details).

### **II. PROCESS**

- Project Expert Prof. Dr. Gülriz UYGUR was absent for an excuse.
- The particular focus point of the meeting was the 4<sup>th</sup> International Summit of High Courts - Transparency in Judiciary to be organized in the scope of the project and the date for the Summit was decided as April 2018. UNDP Turkey Inclusive and Democratic Governance Portfolio Manager Seher ALACACI indicated that preparations should commence at least six months prior, things to be done to initiate the preparations for the 4<sup>th</sup> Summit were discussed and it was decided to request assistance from Project Expert Prof. Dr. Nihal JAYAWICKRAMA in preparing a conceptual note for the 4<sup>th</sup> Summit.
- UNDP Human Rights and Rule of Law Cluster Lead Gözde ATA delivered a presentation on the project activities carried out in the scope of the project as well as those planned for the next period (Please refer to Annex III for details).
- The dissemination of the Istanbul Declaration was discussed; Deputy Secretary-General of the Court of Cassation Dr. Mustafa SALDIRIM recommended to post the

Declaration on the project website within the UNDP website and send Declaration booklets and badges developed for the project to UN offices. It was also highlighted that re-establishing contact with the Law Association for Asia and the Pacific (LAWASIA) would be beneficial for the dissemination of the Declaration.

- The trust survey and satisfaction survey which were previously planned were mentioned, a decision was made not to conduct the trust survey due to the low level of information held across Turkey on the Court of Cassation. It was decided that the satisfaction survey to be conducted by the Union of Bar Associations of Turkey on lawyers at the front office of the Court of Cassation would start in November 2017.
- Project expert Prof. Dr. Rifat MISER provided information on the training of trainers designed by himself. He stated that he would prepare a "Facilitators' Manual" and complete it in early September 2017 and deliver to the project team. For the preparation process of the manual, he requested assistance from the Court of Cassation project team, to find a role-playing example, a question and answer example, a case study and a behaviour example for each ethics principle.
- The Deputy Secretary-General of the Court of Cassation Dr. Mustafa SALDIRIM emphasized that, for the transparency component of the project, it would be appropriate to organize an international technical meeting in October, and with the participation of representatives from both UNODC and the Council of Europe, as well as experts from the field, this meeting would contribute to the finalization of the Istanbul Declaration.
- UNDP Turkey Inclusive and Democratic Governance Portfolio Manager Seher ALACACI pointed out that the Strategy and Action Plan for Enhancing Transparency and Confidence in High Judiciary to be developed in the scope of the project would be effective in demonstrating the willingness of Turkey for implementing the principles laid down in the Istanbul Declaration as well as its concrete efforts in this regard, both at national and international level.
- A decision was made to request training module examples from International Expert Shiranee TILAKAWARDENE. In addition, the idea of requesting her participation in the Training of Trainers planned to be held in September as well as the international technical meeting to be held in October for the finalization of the Istanbul Declaration and enrichment of its contents was discussed and a decision was made to invite her to Turkey between 14 and 24 September.
- The Ministry of Development Planning Expert Açelya ŞAHİN stated that if the 4<sup>th</sup> Summit would be held in April 2018, the project team must submit a project extension request to the Ministry of Development to extend the project and emphasized that she would provide feedback for detailed information on the procedures.

### **III. DECISIONS MADE AT THE MEETING**

In the light of the items in the agenda, the following decisions were made at the Steering Committee.

- 1) UNDP Prof. Dr. Nihal JAYAWICKRAMA would be contacted and contact information would be requested for re-establishing contact with LAWASIA which would be significant for the dissemination of the Istanbul Declaration.
- 2) Prof. Dr. Gülriz UYGUR would be requested to submit the in-depth interview and focus group discussions report.
- 3) The letter prepared to the Special Rapporteur of the UN Secretary-General on the Independence of Judges and Lawyers would be submitted for the signature of United Nations Turkey Resident Coordinator Irena VOJACKOVA SOLLORANO and then shared with Dr. Mustafa SALDIRIM.
- 4) Notes and materials for enhancing visibility would be added to the UNDP website for the dissemination of the Istanbul Declaration and Istanbul Declaration booklets and badges developed for the project would be sent to UN offices.
- 5) Preparations would commence for the 4<sup>th</sup> International Summit of High Courts - Transparency in Judiciary to be held in April 2018.
- 6) Invitations would be sent to the Director and Judges of the European Court of Human Rights, Special Rapporteur of the UN Secretary-General on the Independence of Judges and Lawyers, representatives from UNODC and the Council of Europe for their participation in the 4<sup>th</sup> International Summit of High Courts.
- 7) UNDP Prof. Dr. Nihal JAYAWICKRAMA would be contacted and requested to prepare a conceptual note for the Summit comprising information on the countries and bodies recommended to be invited.
- 8) UNDP would contact and request Prof. Dr. Nihal JAYAWICKRAMA and International Consultant Shiranee TILAKAWARDENE to share their recommendations on the contents of the international technical meeting planned to be held in October and possible experts to be invited.
- 9) The representatives of the Court of Cassation would send a note to UNDP comprising of the activities carried out with regard to ethics and transparency in the judiciary as well as concrete outputs.
- 10) Activities regarding the confidence survey on transparency in the judiciary were decided to be cancelled due to the low levels of recognition about the Court of Cassation.
- 11) Countries for technical study visits would be decided after receiving the report from the international expert Shiranee TILAKAWARDENE on comparative country reviews.
- 12) It was decided to extend to July 2018. Since the project is carried out with national contribution, extension procedure would be investigated by the Ministry of

Development representative and relevant parties would be informed. In an effort to prevent any setback in the project activities, the extension request would be submitted as soon as possible.

- 13)** Pursuant to the payment schedule included in the project document, the last payment request would be submitted to the Court of Cassation by UNDP.
- 14)** Shiranee TILAKAWARDENE would be requested to deliver training module examples. In addition, the module prepared by Prof. Dr. Rifat MISER would be translated into English and shared with her.
- 15)** Shiranee TILAKAWARDENE would be invited to Ankara between 14 and 24 September 2017 to participate in the training of trainers in September as well as the meeting of the Board of Presidents.
- 16)** Shiranee TILAKAWARDENE would be invited to Ankara to participate in the international technical meeting to be held in October.
- 17)** The Code of Ethics Manual would be finalized after the completion of training to be delivered to 400 people.
- 18)** Prof. Dr. Rifat MISER would deliver the project team during the first week of September the final version of the Facilitators' Manual for the training of trainers to be held in September.
- 19)** The title of the training to be given by the trainers would be "Court of Cassation Code of Ethics Evaluation Seminar".
- 20)** A 5-minute short film promoting the process with visual materials to be used at the beginning of the training in September would be developed.
- 21)** The Court of Cassation Project Team would assist Prof. Dr. Rifat MISER in finding a role-playing example, a question and answer example, a case study and a behaviour example for each ethics principle.
- 22)** Activities 3.1, 3.2, 3.3 would be carried out after January 2018 (Please refer to the presentation in Annex III for details on the dates of the activities).
- 23)** The date would be set for the meeting with the Council of Europe with the participation of UNDP Turkey Country Director Claudio TOMASI and representatives from the Court of Cassation.
- 24)** A Training of Facilitators session would be held in Kızılcahamam on 15-16 September 2017 with 13 Bench Members (Please refer to the presentation in Annex III for details on the dates of the activities).
- 25)** A Training of Facilitators session would be held in Kızılcahamam on 17-18 September 2017 with 10 Prosecutors, Chief Prosecutors and Deputy Chief prosecutors (Please refer to the presentation in Annex III for details on the dates of the activities).
- 26)** A Training Program and the meeting of Board of Presidents would be held in Bolu Abant on 22-23 September 2017 with 40 Presidents, Chief Prosecutors and Deputy

- Chief Prosecutors (Please refer to the presentation in Annex III for details on the dates of the activities).
- 27) A training session would be held in Ankara on 26 September 2017 with 20 Prosecutors. (Please refer to the presentation in Annex III for details on the dates of the activities).
  - 28) A training session on ethics would be held in Ankara on 28 September 2017 at 14.30 with 240 Members of the Court of Cassation with the participation of Prof. Dr. İnalet Aydın (Please refer to the presentation in Annex III for details on the dates of the activities).
  - 29) A training session would be held in Ankara on 29 September 2017 with 80 Members of the CoC and Facilitators (Please refer to the presentation in Annex III for details on the dates of the activities).
  - 30) A training session would be held in Ankara on 6 October 2017 with 80 Members of the CoC and Facilitators (Please refer to the presentation in Annex III for details on the dates of the activities).
  - 31) A training would be held in Ankara on 13 October 2017 with 80 Members of the CoC and Facilitators (Please refer to the presentation in Annex III for details on the dates of the activities).
  - 32) A General Assembly Meeting would be held on 19 October 2017 at 15.00 (Please refer to the presentation in Annex III for details on the dates of the activities).
  - 33) In November and December 2017, Training sessions for Facilitators would be held with Reporter Judges and Court of Cassation Staff (Please refer to the presentation in Annex III for details on the dates of the activities).
  - 34) Scheduled dates would be shared with Prof. Dr. Rifat MISER and Prof. Dr. Gülriz UYGUR.

#### **ANNEXES:**

- Annex-I: Meeting Agenda
- Annex-II: List of Participants in the Meeting
- Annex III: Presentation Delivered at the Meeting

**IV. ANNEX-I**

**MEETING AGENDA  
2<sup>nd</sup> STEERING COMMITTEE MEETING  
11 July 2017, Ankara**

| <b>Time</b>          | <b>Subject</b>   |
|----------------------|--|
| <b>09.30 – 10:00</b> | <b>Opening Remarks</b><br><br><b>Mr. Mustafa Saldırım</b><br><i>Deputy Secretary-General of the Court of Cassation</i><br><br><b>Ms. Açelya Şahin</b><br><i>Ministry of Development, Planning Expert</i><br><br><b>Ms. Seher Alacacı</b><br><i>UNDP Inclusive and Democratic Governance Portfolio Manager</i><br><br><b>Adoption of the Agenda</b> |
| <b>10:00 – 10.15</b> | <b>1. Presentation on the Project Activities Carried out After the 1<sup>st</sup> Steering Committee Meeting and Activities Planned for the Next Period</b><br><br><b>Ms. Gözde Ata</b><br><i>UNDP Human Rights and Rule of Law Cluster Lead</i>   |
| <b>10.15-11.15</b>   | <b>1. Evaluation of the Project Activities Carried out After the 1<sup>st</sup> Steering Committee Meeting</b><br><br><b>Prof. Dr. Rifat Miser</b><br><i>UNDP Adult Education Expert</i><br><br><b>Court of Cassation Representatives</b>  |
| <b>11:15 – 11:30</b> | <b>Tea/Coffee Break</b>  |
| <b>11:30– 12.30</b>  | <b>Exchange of Ideas on the Project Activities Planned for the Next Period 1</b><br><br><b>Court of Cassation Representatives</b><br><br><b>Ministry of Development Representatives</b><br><br><b>UNDP Representatives</b>   |
| <b>12:30 – 13:30</b> | <b>Lunch Break</b>   |
| <b>13:30 – 14:30</b> | <b>Exchange of Ideas on the Project Activities Planned for the Next Period 2</b>   |
| <b>14:30 – 15.00</b> | <b>Setting the Date for the Next Steering Committee Meeting</b><br><b>Additional Recommendations and Opinions</b>  |

**V. ANNEX II**

**LIST OF PARTICIPANTS IN THE MEETING**

**2<sup>nd</sup> STEERING COMMITTEE MEETING**

**11 July 2017, Ankara**

| <b>No</b> | <b>Name-Surname</b>   | <b>Institution</b>         | <b>Position</b>                 | <b>Phone Number</b>                 | <b>E-mail</b>              |
|-----------|-----------------------|----------------------------|---------------------------------|-------------------------------------|----------------------------|
| <b>1</b>  | Dr. Mustafa SALDIRIM  | The Court of Cassation     | Deputy General-Secretary        | (505) 7769260                       | msaldirim@gmail.com        |
| <b>2</b>  | Gülşah Sibel AKBULUT  | The Court of Cassation     | Rapporteur Judge                | (507) 3136795                       | gulsahso@hotmail.com       |
| <b>3</b>  | Özlem KARAMAN         | The Court of Cassation     | General Coordinator             | (505) 5112004<br>– (312)<br>4161433 | ozlemkaraman74@hotmail.com |
| <b>4</b>  | Gözde HÜLAGÜ          | The Court of Cassation     | Planning Specialist             | (532) 4766641<br>– (312)<br>4161544 | gozdehulagu@gmail.com      |
| <b>5</b>  | Açelya ŞAHİN          | Ministry of Development    | Planning Expert                 | (312) 2946237                       | aoker@dpt.gov.tr           |
| <b>6</b>  | Seher ALACACI         | UNDP                       | Portfolio Manager               | (312) 4541167                       | seher.alacaci@undp.org     |
| <b>7</b>  | Gözde ATA             | UNDP                       | Cluster Lead                    | (533) 4155778                       | gozde.ata@undp.org         |
| <b>8</b>  | Görkem Özer BAĞCI     | UNDP                       | Project Associate               | (535) 1072319                       | gorkem.bagci@undp.org      |
| <b>9</b>  | Nazlı ERSOY           | UNDP                       | Project Assistant               | (545)813 97 10                      | nazli.ersoy@undp.org       |
| <b>10</b> | Prof. Dr. Rifat MİSER | Ankara University/<br>UNDP | Professor/Adult Training Expert | (536) 3925827                       | rmiser@ankara.edu.tr       |