



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

**MINUTES OF THE 3<sup>rd</sup> STEERING COMMITTEE MEETING**

**25.10.2017**

**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 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 emphasized that the future stages of the preparation of the Guidelines should adopt a design which will not be further limited by the future developments.
- He stated that the questionnaire from the Implementation Guide and Evaluative Framework for Article 11 of UNODC has been filled in from the scope of the Court of Cassation Draft Codes of Conduct and has been included in the booklet on the “Assessment of Views on the Court of Cassation Draft Codes of Conduct”, where the views on the Codes of Conduct have been compiled from the representatives both within and out of the institution.
- The Ministry of Development Planning Expert Hasan DURSUN made a brief opening speech noting that it was crucial to develop a Code of Conduct specific to the judges, therefore the project bears significant importance. He added that while developing the Codes of Conducts, the difference between judges and prosecutors, who are two different professional groups, has been sometimes overlooked; but he was happy that the two separate sets of codes of conduct were developed for the referred two groups and also a separate code of conduct for the personnel is being developed in the context of the project.
- UNDP Turkey Assistant Resident Representative Seher ALACACI stated that while the project could be considered as a good example for other countries, Turkey could also support them throughout their efforts on ethics. In this context, the ethical principles developed with the support of UNDP and Turkish Cooperation and Coordination Agency (TIKA) set a good example for other countries. She 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. Furthermore, the publications prepared under the project would continue to be very important after the project closure, and will be an asset for the accumulation of knowledge.
- UNDP Human Rights and Rule of Law 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 could not attend the meeting due to her excuse.
- The project activities, particularly in the context of the Transparency component in the upcoming period were mentioned.
- At the Experts Group Meeting, held on 20 October 2017, with the participation of the international experts, elaboration of the Istanbul Declaration has been completed. Experts from five different continents were invited to the meeting. Hon. Justice John DOWD from the Australian High Court; Prof. Dr. Nihal JAYAWICKRAMA, UNODC Judiciary Integrity Group Coordinator; Hon. Justice Shiranee TILAKAWARDANE from Sri Lanka High Court; Hon. Justice Kashim ZANNAH, President of Nigerian High Court, participated to the meeting from Ankara while 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 to the meeting through video-conference system. Judge Wojciech POSTULSKI, Secretary-General of European Judicial Training Network (EJTN) supported the work on detailing the Istanbul Declaration by providing views in written. 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 with the elaboration on implementation measures would be presented to the endorsement of the high court justices in the 4<sup>th</sup> International Summit of High Courts planned to be held in 2018.
- Preparations will be initiated for the 4<sup>th</sup> 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 started as of December 2017.
- 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 implemented at the front office of the Court of Cassation and among the lawyers with the support of the Union of the Turkish Bar Associations and bar associations.
- A video has been developed under the Trust component of the project; further active 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 reforms as multi-door court, mediation realised by the Court of Cassation and note good practices from Turkey in the 4<sup>th</sup> International Summit of High Courts. In this context, it would have high significance that the 4<sup>th</sup> International Summit of High Courts be held in 2018 which would mark the 150<sup>th</sup> 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 scope, he stated that it would be appropriate to extend the project until November 2018 in order to effectively realise the activities under Transparency and Trust

components, and complete the preparations for the 4<sup>th</sup> 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 4<sup>th</sup> International Summit of High Courts in October 2018.
- UNDP Human Rights and Rule of Law Cluster Lead Güzde ATA will communicate the formal correspondence on Project extension to the Ministry of Development Planning Expert 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 organised; thereby, a reduction will be made in the respective budget item.
- It was decided that the project expert Justice Shiranee TILAKAWARDANE from Sri Lanka High Court would examine the French High Court system and include it in her report.
- The project expert Prof. Dr. Rifat MİSER noted that the ethics trainings were 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 Guidelines prepared by the project expert Prof. Dr. Rifat MİSER was effective. He noted that the adoption of the Code of Conduct in the Board of Heads of Chambers Meeting unanimously on the 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.
- For the 4<sup>th</sup> International Summit of High Courts, the invitees should be determined. Alongside with delivery of the necessary documents to the participants, the Court Of Cassation should actualise the judicial reforms in the context of the Istanbul Declaration principles and the preparations for the Summit should be commenced around eight to nine months before the Summit.
- It is stated that it is necessary to publish the Istanbul Declaration Implementation Measures on the website of the Court of Cassation.

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

In the light of the agenda items, the following decisions were taken at the Steering Committee Meeting;

- 1) It was decided that the finalised version of the Istanbul Declaration with the elaboration on implementation measures would be presented to the endorsement of the high court justices in the 4<sup>th</sup> International Summit of High Courts planned to be held in 2018.
- 2) Preparations will be initiated for the 4<sup>th</sup> 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 İnayet AYDIN will be started as of December 2017.
- 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 at no cost.
- 6) UNDP Human Rights and Rule of Law Cluster Lead Gözde ATA will communicate the formal correspondence on Project extension to the Ministry of Development Planning Expert Hasan DURSUN, following the signing of the document by the officials of the Court of Cassation and UNDP.
- 7) In the scope of the project, one technical study visit will be organised; thereby, a reduction will be made in the respective budget item.
- 8) The Istanbul Declaration Implementation Measures will be published on the website of the Court of Cassation.

#### **ANNEXES:**

- Annex 1: Agenda of the Meeting
- Annex 2: List of Participants
- Annex 3: Presentation Deleivered at the Meeting

**IV. ANNEX-I**

**MEETING AGENDA  
3<sup>rd</sup> STEERING COMMITTEE MEETING  
25 October 2017, Ankara**

<b>Time</b>	<b>Subject</b>
<b>09.30 – 09.45</b>	<b>Opening Remarks</b>  <b>Mr. Mustafa Saldırım</b> <i>Deputy Secretary-General of the Court of Cassation</i>  <b>Mr. Hasan Dursun</b> <i>Ministry of Development Planning Expert</i>  <b>Ms. Seher Alacaci</b> <i>UNDP Assistant Resident Representative</i>  <b>Adoption of the Agenda</b>
<b>09.45 – 10.00</b>	<b>Presentation on the Project Activities Carried out After the 2<sup>nd</sup> Steering Committee Meeting and Activities Planned for the Next Period</b>  <b>Ms. Gözde Ata</b> <i>UNDP Human Rights and Rule of Law Cluster Lead</i>
<b>10.00 – 10.30</b>	<b>Evaluation of the Project Activities Carried out After the 2<sup>nd</sup> Steering Committee Meeting</b>  <b>Prof. Dr. Rifat Miser</b> <i>UNDP Project Expert</i>  <b>Court of Cassation Representatives</b>
<b>10:30 – 10.50</b>	<b>Exchange of Ideas on the Project Activities Planned for the Next Period</b>  <b>Court of Cassation Representatives</b>  <b>Ministry of Development Representative</b>  <b>UNDP Representatives</b>
<b>10.50 – 11.00</b>	<b>Setting the Date for the Next Steering Committee Meeting</b>  <b>Additional Recommendations and Opinions</b>

**V. ANNEX II**

**LIST OF PARTICIPANTS  
3<sup>rd</sup> STEERING COMMITTEE MEETING  
25 October 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	Court of Cassation	Deputy Secretary General	(505) 7769260	msaldirim@gmail.com
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<b>4</b>	Gözde HÜLAGÜ	Court of Cassation	Project Expert	(532) 4766641 – (312) 4161544	gozdehulagu@gmail.com
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<b>6</b>	Seher ALACACI	UNDP	Assistant Resident Representative	(312) 4541167	seher.alacaci@undp.org
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<b>9</b>	Nazlı ERSOY	UNDP	Projecy Assistant	(545) 8139710	nazli.ersoy@undp.org
<b>10</b>	Prof. Dr. Rifat MİSER	Ankara University/ UNDP	Professor/ Project Expert	(536) 3925827	rmiser@ankara.edu.tr