



## 1.4. EFFICIENCY OF THE JUDICIARY



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## I- BUDGET

- Ministry of Justice
  - Constitutional Court
  - Court of Cassation
  - Council of State
- have their own budgets.

- All first instance civil and criminal courts
- Administrative courts
- Regional administrative courts
- Public prosecution offices, do not have separate budgets, but their budgets are included in the budget of the Ministry of Justice.



## Legal Basis of Budgets of the High Courts

- Constitutional Court

Article 56 of the Law on Establishment and Procedures of Constitutional Court (Law No: 2949)

- Court of Cassation

Article 54 of the Law on Court of Cassation (Law No: 2797)

- Council of State (Supreme Administrative Court)

Article 93 of the Law on Council of State (Law No.2575)



## Budgets of the High Courts

INSTITUTION	2004	2005	2006
CONSTITUTIONAL COURT	5.380.516 YTL (3.045.000 Euro)	8.359.502 YTL (5.008.689 Euro)	19.687.000 YTL (11.931.515 Euro)
COURT OF CASSATION	22.832.700 YTL (12.921.731 Euro)	29.437.958 YTL (17.638.081 Euro)	32.449.000 YTL (19.666.060 Euro)
COUNCIL OF STATE	16.286.620 YTL (9.217.102 Euro)	19.715.593 YTL (11.812.817 Euro)	21.954.000 YTL (13.305.454 Euro)



## Other Units within the Budget of the Ministry of Justice

- Criminal Courts
- Civil Courts
- Regional Administrative Courts
- Administrative Courts
- Tax Courts
- Public Prosecution Offices



## Budget of The Courts and Public Prosecution Offices

BUDGET	2004	2005	2006	2007 (Proposal)
Approved Budget	571.390.145 YTL (323.367.371 Euro)	683.145.100 YTL (409.191.434 Euro)	759.048.000 YTL (460.029.000 Euro)	1.428.068.850 YTL (865.443.821 Euro)
Funds Spent	692.827.585 YTL (392,019.365 Euro)	786.791.535 YTL (471,273755 Euro)		



## 2004 Budget of the Courts and Public Prosecution Offices

The Budget of the Ministry of Justice includes salaries of the judges and public prosecutors and judicial personnel, their social security premiums etc and services and properties bought for judicial services.

Approximately 118.000.000 YTL (66.767.383 Euro) was allocated and 148.000.000 YTL (83.742.142 Euro) was spent for buying services and properties for civil, criminal and administrative courts and public prosecution offices.



## **2005 Budget of the Courts and Public Prosecution Offices**

Approximately 140.000.000 YTL (83.857.442 Euro) was allocated and 152.000.000 YTL (91.045.223 Euro) spent for buying services and properties for civil, criminal and administrative courts and public prosecution offices.

## **2006 Budget of the Courts and Public Prosecution Offices**

Approximately 147.500.000 YTL (89.388.521 Euro) was allocated for buying services and properties for civil, criminal and administrative courts and public prosecution offices.



## Budget of the Prisons Production Centers of the Ministry of Justice

YEAR	BUDGET	INVESTMENT	OTHERS
2004	276.136.000 YTL (156.273.910 Euro)	234.714.750 YTL (132.832.342 Euro)	41.420.250 YTL (23.441.001 Euro)
2005	333.064.000 YTL (199.559,017 Euro)	283.104.400 YTL (169.625.164 Euro)	49.959.600 YTL (29.933.852 Euro)
2006	358.510.000 YTL (217.278.787 Euro)	327.275.000 YTL (198.348.484 Euro)	31.235.000 YTL (18.930.303 Euro)



All the funds of the Prisons Production Centers of the Ministry of Justice are spent for the construction of modern courthouses, National Judicial Network Project (UYAP) modern prisons and needs of courts.



## Preparation and Implementation Process of the Budget of the Judiciary

The budgets of the Ministry of Justice, Constitutional Court, Court of Cassation and Council of State are prepared in accordance with the relevant provisions of the Constitution and the Law on Public Financial Management and Control (Law No: 5018).

In this process each court mentioned above submit their needs and expenses to the Ministry of Justice.



## Phases of Preparation of the National Budget

- Public administrations such as Ministries determine their expenses and prepare their own budget proposal for their needs every year.
- The proposals are submitted to the Ministry of Finance for examination.
- All proposals are transmitted to the Parliament as a draft national budget,
- Finally, the Parliament adopts the national budget.



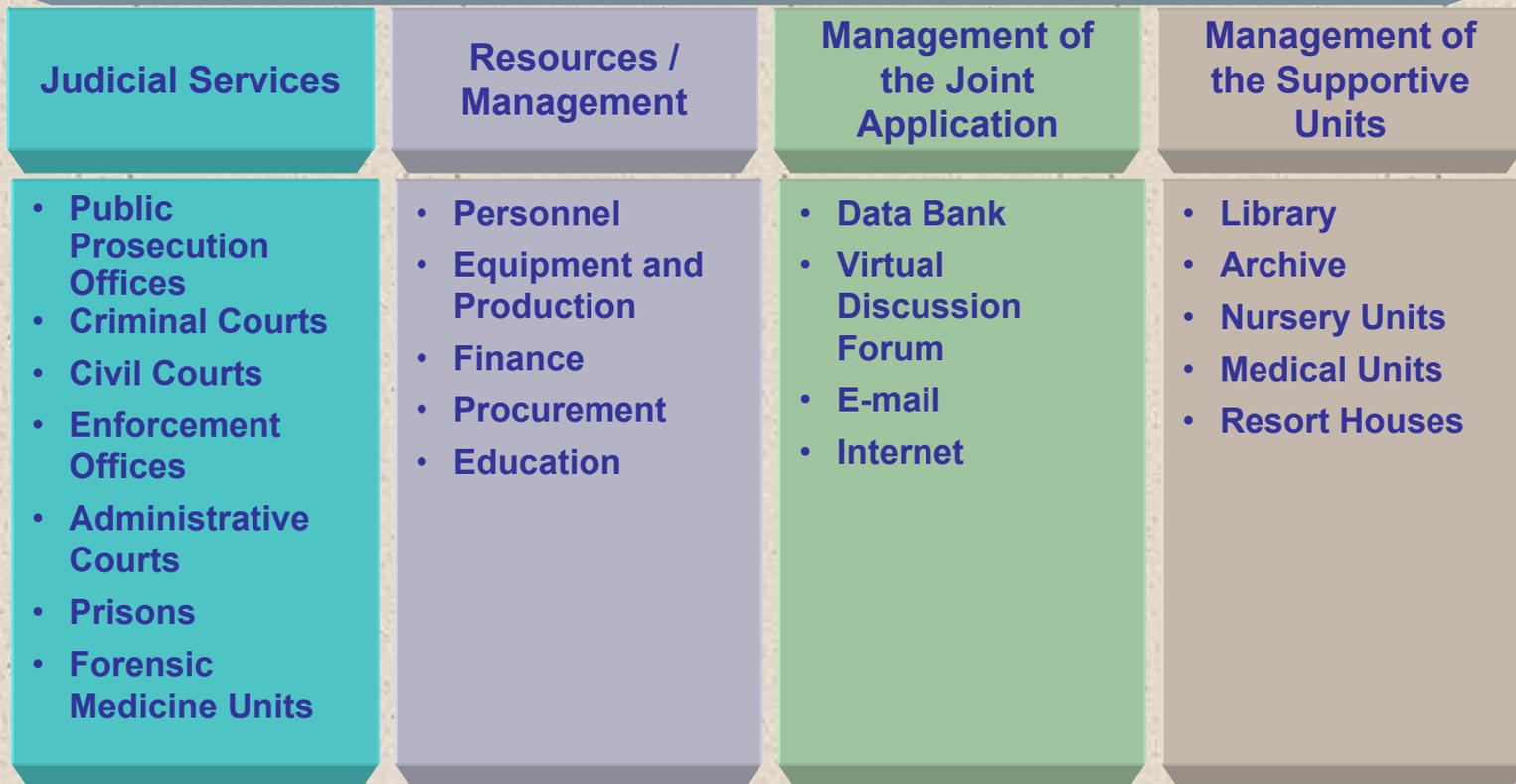
## II- INFRASTRUCTURE AND MODERNISATION

### 1- National Judiciary Network Project (UYAP)

UYAP is an information system, an e-justice system as a part of the e-government, which has been developed in order to ensure fast, reliable, soundly operated and accurate judicial system.

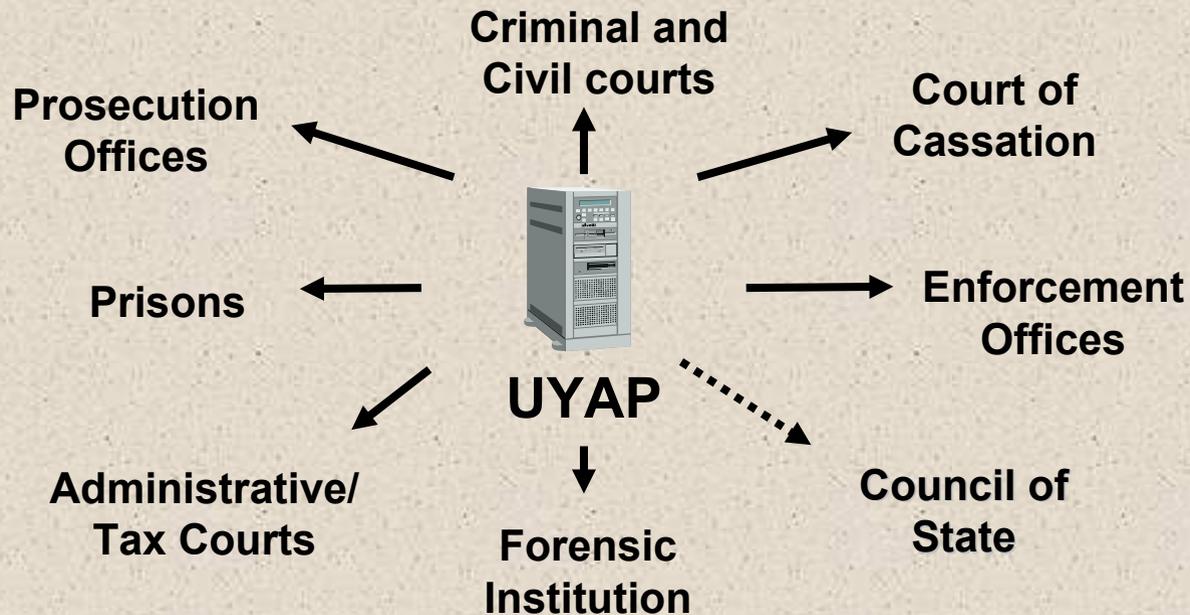


## Functional Scope of UYAP





UYAP applications are prepared in view of the needs of all units of the judiciary. Therefore, there is no need for departments in the Ministry of Justice, Public Prosecution Offices and Courts to establish separate information technology units or prepare softwares. Thus, different projects were cancelled in order to prevent reinvestments and data inconsistency.

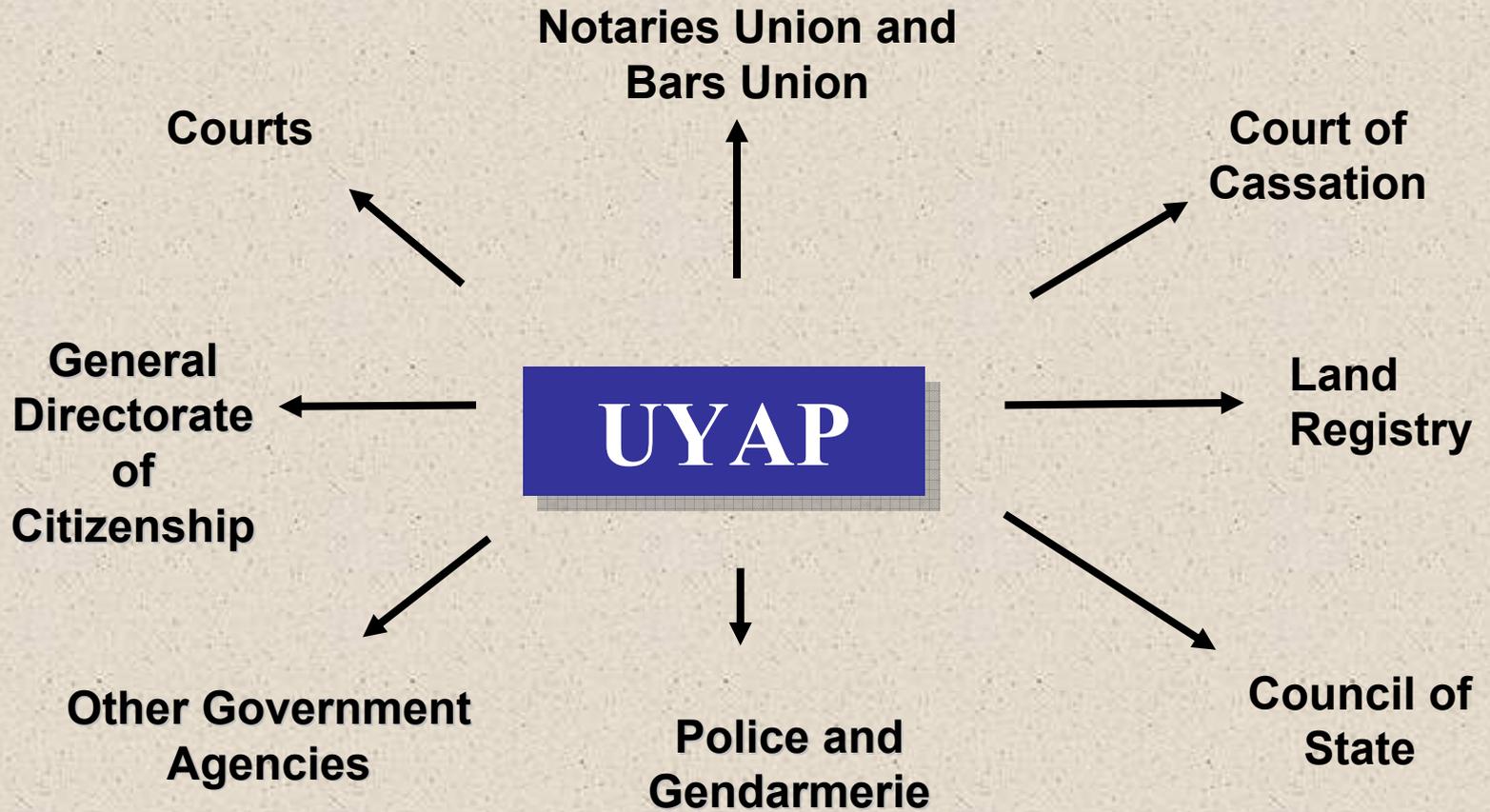




UYAP is cooperating with other public agencies in order to increase the quality of the judiciary services.

Transaction of the data received from courts by the Directorate General of Citizenship can be automatically processed by UYAP.

Likewise court decisions prohibiting persons from going abroad can be sent automatically by UYAP to the relevant units of the Ministry of Interior.





## DELIVERED HARDWARE

<b>Computer</b>	<b>22.883</b>
<b>Laser printer</b>	<b>11.265</b>
<b>Uninterruptible power supply</b>	<b>5.090</b>
<b>Laptop</b>	<b>9.950</b>
<b>Laptop printer</b>	<b>2.800</b>
<b>Colour Printer</b>	<b>418</b>
<b>Scanner</b>	<b>2.437</b>

Cable was laid in 807 units to deliver 40.700 connection points across Turkey.



# UYAP SYSTEM CENTRE AND DISASTER RECOVERY CENTRE

In establishment of the system centre,

- magnitude of the system,
- the speed of technological change,
- targets for the system upgrade and promotion,
- processes of guarantee for the system,
- costs of the contracts for the services and
- maintenance after guarantee have been taken into account.



## UYAP Distance Training

Within the project of UYAP, a central control system for distance training was established for all users which had been given training according to their roles and duties by trainers.



## Benefits to judicial system in terms of time

1. Instructions to other courts or other public offices in order to collect evidence can be instantly sent and received.
2. Serving term of offenders can be calculated automatically by considering all related enforcement laws in detail. Miscalculations, discrepancies and waste of time are prevented.
3. Warrants about fugitives can be sent to all units of judiciary in a very short time.



## **Benefits to judicial system in terms of cost**

1. Due to removal of the expenses for corresponding with the related institutions for registry of persons and records of previous convictions, significant costs are reduced.
2. With the on-line connection of courts, expenses of bureaucracy and postal costs are removed.
3. The payments of the experts and taxes can be controlled in a more reliable way.



## Benefits to judicial system in terms of labour force

1. All cases in courts can be accessible on line by judges.
2. Warrant about fugitives can be announced to all judicial units in Turkey at the same time.
3. All takeover files from previous year can be prepared within instantly.
4. Easy and fair dispatch of the files and works of courts and enforcement units is ensured.



In every stage of investigations, especially during the hearings, the system may suggest some proposals to the users whenever they request or may warn the users in order to prevent basic judicial errors. Thus, it is expected that there can be 80% decrease in the number of cases returned from Court of Cassation because of proceeding error.

All documents, processes and files are standardised and nearly 30% labour force is saved.



It is very easy to access their case information for lawyers and citizens via internet and this provides 20% save in working hours of the judicial staff.

<http://avukat.adalet.gov.tr/>



## The number of courts taken into operation according to years





- 1998 courts were taken into UYAP operation in total.
- It is expected that the project will be completed by the end of 2007.



## 2. Information on Construction of Courthouses

The Ministry of Justice started to construct new and modern courthouses in Turkey in recent years in the context of modernization of the judiciary.

### - Constructed Courthouses

Since the year 2003, 66 Courthouses have been constructed and 396.906.000 YTL (237.810.665 Euro) has been spent.



## - Courthouses under Construction

26 courthouses are under construction in Turkey.

By the end of 2006, 6 courthouses are expected to be completed and 66.248.000 YTL (40.150.303 Euro) will have been spent.

The amount of 543.336.000 YTL (329.294.545 Euro) will be spent in total when the remaining 20 courthouses will be completed.



## - Projects

New courthouses in the project phase are as follows:

- a) Projects of 9 courthouses have been completed by the Ministry of Justice. The amount envisaged for construction of these 9 Courthouses is 30.750.000 YTL (18.636.363 Euro).
- b) Work is carried out for project of 29 courthouses and 681.600.000 YTL (413.090.909 Euro) will be spent for construction.
- c) 15 courthouses are also in the investment programme and their projects will be prepared.



All projects and construction work are carried out by the Ministry of Justice by using the budget and resources of the Ministry.



## **3- HUMAN RESOURCES**

### **Judges and Public Prosecutors in Judiciary**

#### **Civil and Criminal Judiciary**

- 4584 Civil and Criminal Judges
- 3246 Public Prosecutors

#### **Court of Cassation**

- 465 Rapporteur Judges
- 126 Court of Cassation Public Prosecutors

#### **Administrative Judiciary**

- 689 Administrative Judges

#### **Council of State**

- 225 Rapporteur Judges
- 44 Council of State Prosecutors



**Constitutional Court**

- 15 Raporteur Judges

**Ministry of Justice**

- 323 Raporteur Judges

**Other Units**

- 8 Judges

**TOTAL**

**9449**



## Candidate Judges and Public Prosecutors

- 1402 candidate judges and public prosecutors for civil and criminal courts and public prosecution offices
- 401 candidate judges for administrative courts

### Vacancies

- 4483 posts are vacant for criminal and civil courts and for public prosecution offices
- 1007 posts are vacant for administrative courts



## Judicial Personnel

- 28020 judicial personnel in criminal and civil courts and public prosecution offices and enforcement directories
- 1429 judicial personnel in administrative courts



## 4- WORKLOAD OF COURTS, AVERAGE TRIAL PERIOD IN THE COURTS AND STATISTICAL DATA

Workload and average trial period of:

- Court of Cassation
- Chief Public Prosecution Office of Court of Cassation
- Civil and Criminal Courts
- Council of State
- Administrative and Tax Courts



## Workload of Court of Cassation

### Criminal Division of Court of Cassation

<b>YEAR</b>	<b>Cases Transferred From Previous Year and New Cases</b>	<b>Finalised Cases</b>	<b>Cases Transferred to Next Year</b>	<b>Average Trial Period (Daily)</b>
<b>2002</b>	244.223	156.794	87.429	138
<b>2003</b>	251.246	118.221	133.025	283
<b>2004</b>	327.622	139.372	188.498	348
<b>2005</b>	336.176	200.063	136.113	339



## Workload of Court of Cassation

### Civil Division of Court of Cassation

<b>YEAR</b>	<b>Cases Transferred From Previous Year and New Cases</b>	<b>Finalised Cases</b>	<b>Cases Transferred to Next Year</b>	<b>Average Trial Period (Daily)</b>
<b>2002</b>	320.547	284.478	36.069	67
<b>2003</b>	324.111	273.664	50.447	86
<b>2004</b>	361.837	298.259	63.578	102
<b>2005</b>	388.106	318.645	69.461	105



## Workload of Court of Cassation

### Workload of the Chief Public Prosecution Office of Court of Cassation

<b>YEAR</b>	<b>Cases Transferred From Previous Year and New Cases</b>	<b>Finalised Cases</b>	<b>Cases Transferred to Next Year</b>
<b>2002</b>	317.481	207.722	109.759
<b>2003</b>	317.567	206.141	111.426
<b>2004</b>	354.803	214.699	140.104
<b>2005</b>	364.485	280.826	83.659



## Workload of Criminal Courts

<b>YEAR</b>	<b>Cases Transferred From Previous Year and New Cases</b>	<b>Finalised Cases</b>	<b>Cases Transferred to Next Year</b>	<b>Average Trial Period (Daily)</b>
<b>2002</b>	3.116.632	1.924.873	1.191.759	232
<b>2003</b>	2.819.886	1.749.753	1.070.133	241
<b>2004</b>	2.888.958	1.832.204	1.056.754	210
<b>2005</b>	2.673.374	1.622.748	1.050.256	234



## Workload of Civil Courts

<b>YEAR</b>	<b>Cases Transferred From Previous Year and New Cases</b>	<b>Finalised Cases</b>	<b>Cases Transferred to Next Year</b>	<b>Average Trial Period (Daily)</b>
<b>2002</b>	1.982.920	1.324.068	658.852	174
<b>2003</b>	2.026.554	1.347.053	679.501	177
<b>2004</b>	2.116.746	1.398.786	717.960	177
<b>2005</b>	2.180.305	1.422.745	757.560	184



## Workload of Council of State

### Lawsuit Division of Council of State

<b>YEAR</b>	<b>Cases Transferred From Previous Year and New Cases</b>	<b>Finalised Cases</b>	<b>Cases Transferred to Next Year</b>	<b>Average Trial Period (Daily)</b>
<b>2002</b>	131.233	57.785	73.448	443
<b>2003</b>	125.960	58.118	67.842	460
<b>2004</b>	139.873	64.642	75.231	377
<b>2005</b>	155.397	73.863	81.534	366



## Workload of Council of State

### Administrative Division of Council of State

<b>YEAR</b>	<b>Cases Transferred From Previous Year and New Cases</b>	<b>Finalised Cases</b>	<b>Cases Transferred to Next Year</b>	<b>Average Trial Period (Daily)</b>
<b>2002</b>	6.061	4.956	1.105	322
<b>2003</b>	2.637	2.536	101	107
<b>2004</b>	1.492	1.141	351	64
<b>2005</b>	1.744	1.550	194	67



## Workload of Regional Administrative Courts

<b>YEAR</b>	<b>Cases Transferred From Previous Year and New Cases</b>	<b>Finalised Cases</b>	<b>Cases Transferred to Next Year</b>	<b>Average Trial Period (Daily)</b>
<b>2002</b>	58.307	48.503	9.804	57
<b>2003</b>	60.535	54.162	6.373	56
<b>2004</b>	59.885	49.799	10.086	57
<b>2005</b>	76.113	62.933	13.180	65



## Workload of Administrative Courts

<b>YEAR</b>	<b>Cases Transferred From Previous Year and New Cases</b>	<b>Finalised Cases</b>	<b>Cases Transferred to Next Year</b>	<b>Average Trial Period (Daily)</b>
<b>2002</b>	125.764	79.860	45.904	192
<b>2003</b>	142.529	87.338	55.191	198
<b>2004</b>	187.085	105.446	81.639	208
<b>2005</b>	221.710	124.602	97.108	243



## Workload of Tax Courts

<b>YEAR</b>	<b>Cases Transferred From Previous Year and New Cases</b>	<b>Finalised Cases</b>	<b>Cases Transferred to Next Year</b>	<b>Average Trial Period (Daily)</b>
<b>2002</b>	104.924	66.416	38.508	183
<b>2003</b>	97.568	71.041	26.527	180
<b>2004</b>	87.714	60.749	26.965	158
<b>2005</b>	92.489	58.511	33.978	177



## Activities for Decreasing Backlog and Average Trial Period in Courts

- 1- Increasing number of judges, public prosecutors and judicial personnel.
- 2- National Judicial Network Project
- 3- Regional Courts of Appeal Project
- 4- Support to Court Management System Project
- 5- Alternative Dispute Resolution Systems



6- Construction of new courthouses

7- In-service training of judges, public prosecutors and judicial personnel

8- Increasing number of specialized courts

9- Excluding minor crimes from the scope of the Turkish Criminal Code

10- Rejection of the indictment



# 1- Increasing the number of judges, public prosecutors and judicial personnel.

- 4000 new posts for judges and public prosecutors have been allocated to cover the needs of the judiciary.
- In this framework 1803 candidate judges and public prosecutors are in the training period.
- 2000 new posts have been allocated for judicial personnel



## 2- National Judicial Network Project

- The project is now operational in 1.998 courts throughout Turkey and expected to be completed by the end of next year.
- Trial periods will be shortened when the project is fully operational.

### 3- Regional Courts of Appeal

- Establishment of courts of appeal and introducing this system as a third tier to the existing two-tier system has been put as a short term priority in the 2003 Accession Partnership Document. As a response to this Document, the National Programme endorsed the establishment of courts of appeal as a short term priority in 2003.
- The legal basis of the courts of appeal is the Law on Establishment, Duties and Competences of the First Instance Courts and Regional Courts of Appeal. (Law No: 5235 O.G.7.10.2004, No:25606)



- The Ministry of Justice runs two separate EU funded projects which are aimed to support the establishment of regional courts of appeal in Turkey.
- The Twinning Project on Support to the Establishment of Courts of Appeal in Turkey focuses on meeting the training needs of the future judges, prosecutors and judicial personnel of the prospected courts of appeal.
- Project has been launched on 19 January 2006 and will be finalized on 19 July 2007. The Netherlands and Sweden are twinning partners of the project and it has a budget of 1.4 million Euro.



- The Project is composed of 4 components: International conferences at the Court of Cassation, preparation of three different handbooks as training materials for judges, prosecutors and judicial personnel (completed), training seminars and a study visit for Turkish authorities to the Netherlands and France.
- Under this Project 1500 judges/prosecutors and 1200 judicial personnel will have basic knowledge on courts of appeal system.



- The backbone of the project is the training activities. The Project will first train a group of trainers who will train their colleagues through regional seminars. For the first phase of training activities 40 judges/prosecutors and 25 judicial personnel will assume trainer mission. Those 40+25 trainers will afterwards share their knowledge and experience with remaining 1500 judges/prosecutors and 1200 judicial personnel in regional seminars which will last two days.
- It is aimed to finish all training activities before the start date of the courts of appeal, which is 1 June 2007.



- The second project on the establishment of courts of appeal in Turkey is a construction project. This project has been prepared in order to present a model structure for the future courts of appeal in Turkey. The EU Member States' standards and practices have been taken as a model for building three new modern courts of appeal in the provinces of Ankara, Diyarbakır and Erzurum.
- 22,5 million Euro has been allocated from EU sources and 7,5 million Euros from the national sources.



- The project has 18 months of implementation period which will start after the signing of contracts with the tender awarded companies.
- As of 1 October 2006, tender notices both for work contract and supervision contracts have been announced and offers collected. The evaluation process is underway.



## 4- Support to Court Management System Project (proposed in 2006 programming year)

### Overall objective

To improve the functioning and efficiency of the judiciary according to European standards as foreseen in the Accession Partnership and the National Program for the Adoption of the Acquis.

### Project purpose

To reconstruct the court management system, strengthening the effectiveness of the judiciary and facilitated speedy judicial processes.



## Expected Results

- 1- New court management system including, fiscal, case flow and human resources management of the courts, developed and implemented.
- 2- Backlog of the cases from previous years reduced.
- 3- The average trial duration shortened.
- 4- Professional skillfulness of the auxiliary personnel in pilot court s raised, especially effectiveness and responsibility of administrative staff enhanced
- 5- Effective technological solutions and technology management system serving to the more satisfactory and rapid judiciary obtained.



## 5- Alternative Dispute Resolutions

- Alternative dispute resolutions (ADR) is a mechanism to improve the efficiency of judiciary and decrease the number of cases brought to the courts by diverting resolution of minor disputes outside the courts.
- The practice of ADR is stated in various laws.



## A) Law on Attorneys (Article 35/A)

If the client claims for conciliation, the attorney invites the opponent to conciliation before the case or trial commences. If the parties agree, a written agreement is signed.



## **B) Criminal Procedure Code (Article 253)**

### **Turkish Criminal Code (Article 73)**

These two Codes, contain provisions on victim-offender mediation in criminal cases. Mediation is applicable if the crime can be investigated on the condition of complaint of the victim. It is a requirement for mediation that the accused and the victim accept the main fact of the case. The accused must accept to compensate fully or to a large extent for material or immaterial damages to the victim. Mediation is available both during preliminary and final proceedings. After agreeing on mediation, parties will appoint a lawyer as mediator. If they cannot, prosecutor or judge shall contact the local bar association to appoint a mediator.



Mediator completes the mediation at most in 30 days as of the appointment. If mediation is successful in bringing about an agreement on compensating the damage and paying the cost of mediation between the parties, prosecutor decide not to prosecute. If the court refers a criminal case to mediation, the same procedure is followed.



## **C) Civil Procedure Code (Article 213, 513)**

Civil court judges advise the parties to conciliation.

## **D) Law on Consumer Protection (Article 22)**

All disputes emerging because of consuming and purchasing of any property, have to be brought to the consumer boards founded in cities and towns. The boards resolve disputes of which the value is lower than 500 YTL.



## E) Law on Ombudsman

The Law on Ombudsman No. 5548 was adopted by the Parliament on 28 September 2006. Ombudsman institution can be assessed as an ADR. Though it is not an alternative to the administrative courts, it will decrease the number of administrative cases. The aim of the Law is to establish the Ombudsman institution which will initiate investigation upon the complaint and make suggestions to the competent authorities.



## F) Law on Tax Procedure (Law no: 213)

If the taxpayer objects to tax amount and requests mediation, the mediation commission convenes (Additional Article 1).

Mediation is possible before the trial.

If tax administration and taxpayer agree on the amount of tax, taxpayer cannot bring the case to tax court (Additional Article 2).



## **G) Law on Protection of Minors (Law No: 5395)**

For offences committed by minors and offences related to minors, the public prosecutor may suspend bringing the case to the court, in accordance with the principles of Law on Protection of Minors (Article 19).

Mediation which is regulated in the Turkish Criminal Code (Article 73) and Criminal Procedure Code (Article 253) is implemented to minors as well as to adults. Scope of mediation for minors is more extensive than provisions for adults (Article 24) .



## **H) Law on Compensation of Damages Arising from Terrorism and Fight Against Terrorism (Law no: 5233)**

A person who has damages because of terrorism, can apply to the commissions established in all provinces and request compensation (Article 6-7).

The commission examines the request and determine the damage. Afterwards the commission prepares a conciliation paper and invites the applicant.

If the applicant signs this paper, the government pays the amount shown in the conciliation paper.

If the applicant does not sign the paper, she/he can bring the case to the court (Article 12).



## 6- Construction of New Courthouses

- 66 New Courthouses were constructed.
- 26 New Courthouses are under construction.
- 53 New Courthouses are in the project phase.



## 7- In-service training of judges, public prosecutors and judicial personnel

In-service training for judges and public prosecutors in Justice Academy is shown in the charts.

### In-service Training of Judges and Public Prosecutors (2004)

Subject	Attendees	Days
Family law	95	5
Enforcement of sentences	17	5
Labour Law	73	5
Land Registry Law	80	5



## In-service Training of Judges and Public Prosecutors (2005)

Subject	Attendees	Days
Family law	71	5
Enforcement and Bankruptcy	103	5
Labour Law	89	5
Land Registry Law	39	5
Juvenile Law	32	5
Intellectual Property Law	19	5
Public Prosecutors	155	5
Chief P. Prosecutors/Head of Justice Commissions	118	5
Consumer Law	39	5
Administrative and Tax Law	49	5



## In-service Training of Judges and Public Prosecutors (2006)

<b>Subject</b>	<b>Attendees</b>	<b>Days</b>
Family law	51	5
Foundations law	14	5
Labour law	78	5
Land registry law	72	5
Juvenile law	32	5



In the following charts training activities of the Training Department and number of attendees in the last 5 years is given.

<b>Subject</b>	<b>Attendees</b>
Civil Code Seminars	1832
EU Harmonization Packages and EU Law	934
Turkish Criminal Code	6266
Criminal Procedure Code	5577
Foreign Language Courses (in various languages and institutions)	787
Specialized Civil Law Seminars	478
Extradition	89



<b>Subject</b>	<b>Attendees</b>
Private International Law Seminar	106
Juvenile Law (5 activities)	211
Anti-corruption law+Financial Crimes	125
Judicial Police	103
Illegal Migration (5 activities)	200
Trafficking in Human Beings (4 activities)	89
Administrative Law	70
Forensic Medicine Law	2051
Criminal Justice System	654
Freedom of Expression	150
Judicial Network Project (Software)	6587



<b>Subject</b>	<b>Attendees</b>
Enforcement of Sentences+Probation System	282
Reform in Judicial System (4 activities)	788
In-service training at the Court of Cassation	496
Judicial Statistics	5
Intellectual Property Law	122
Prison Management	18
Combating Terrorism	91
Human Rights Law (9 activities)	13605
Access to Justice	52



## Human Rights Training

<b>YEAR</b>	<b>Cooperation with International Institutions</b>	<b>Cooperation with National Institutions</b>	<b>TOTAL</b>
<b>2001</b>	1323	542	1865
<b>2002</b>	5244	86	5330
<b>2003</b>	275	-	275
<b>2004</b>	9207	-	9207
<b>2005</b>	54	80	134
<b>TOTAL</b>	<b>16103</b>	<b>708</b>	<b>16811</b>



## 8- Increase in the Specialized Courts

<b>COURT</b>	<b>01.01.2005</b>	<b>14.09.2006</b>
LABOUR COURTS	81	125
FAMILY COURTS	131	160
COMMERCIAL COURTS	53	55
CONSUMER COURTS	11	24
INTELLECTUAL PROPERTY COURTS	8	12
JUVENILE COURTS		60
JUVENILE HEAVY CRIMINAL COURTS	16	19



## 9- Minor Crimes Were Excluded From the Scope Of the Turkish Criminal Code

- Minor crimes were excluded from the scope of Turkish Criminal Code and regulated in the Law on Misdemeanors (Law No: 5326, dated 31.03.2005) which foresees administrative penalties for these type of crimes decreasing the workload of courts.



## 10- Rejection of the Indictment

- Criminal Procedure Code, entered into force on 01.06.2005, provides that when an indictment is submitted to the competent court, the court shall give a decision whether to accept the indictment or return it back to the public prosecution office.
- This new system prevents criminal cases to be opened with inadequate evidence.



# V- ENFORCEMENT AUTHORITIES AND PROFESSIONAL ETHICS

## Enforcement Officials

- Candidate enforcement officials are admitted to the profession after written and oral exams.
- Enforcement officials must be graduated from law schools or justice department of universities.
- Enforcement officials have to read and sign document on ethics for public servants.
- After admission to the profession, enforcement officials have to take in-service training on their post where necessary.
- Disciplinary provisions of Code of Civil Servants No: 657 are applied to enforcement officials.



## All Enforcement Officials Are Bound by the Principles of the Ethical Board for Public Servants

- They take an oath and sign a contract, the text of which is stated below:

With the awareness and consciousness that public service is beyond all kinds of private benefit, I commit to;

- working to facilitate the daily life of the public, to provide for their need efficiently and quickly, to increase the quality of service and the satisfaction of the public,



- performing duty in line with the principles of respect to human rights, transparency, participation, honesty, accountability, public interest and the rule of law;
- behaving in line with the service necessities without any discrimination on language, religion, philosophical belief, political opinion, race, age, disability and gender;
- performing duty without taking any gift from anybody who has a business relation with the duty and without benefiting and expecting benefit;
- not using public properties and sources except for public interest and public necessities and not misusing them;



- behaving respectful to right of petition, right of access to information, right to litigate, and behaving respectfully, kindly, willingly to workmates, interlocutors and persons benefiting from public service;
- performing duty in line with the principles stated in the By-law prepared by the Ethical Board for Public Servants.