



MINISTRY OF JUSTICE

STRATEGIC PLAN

(2010-2014)





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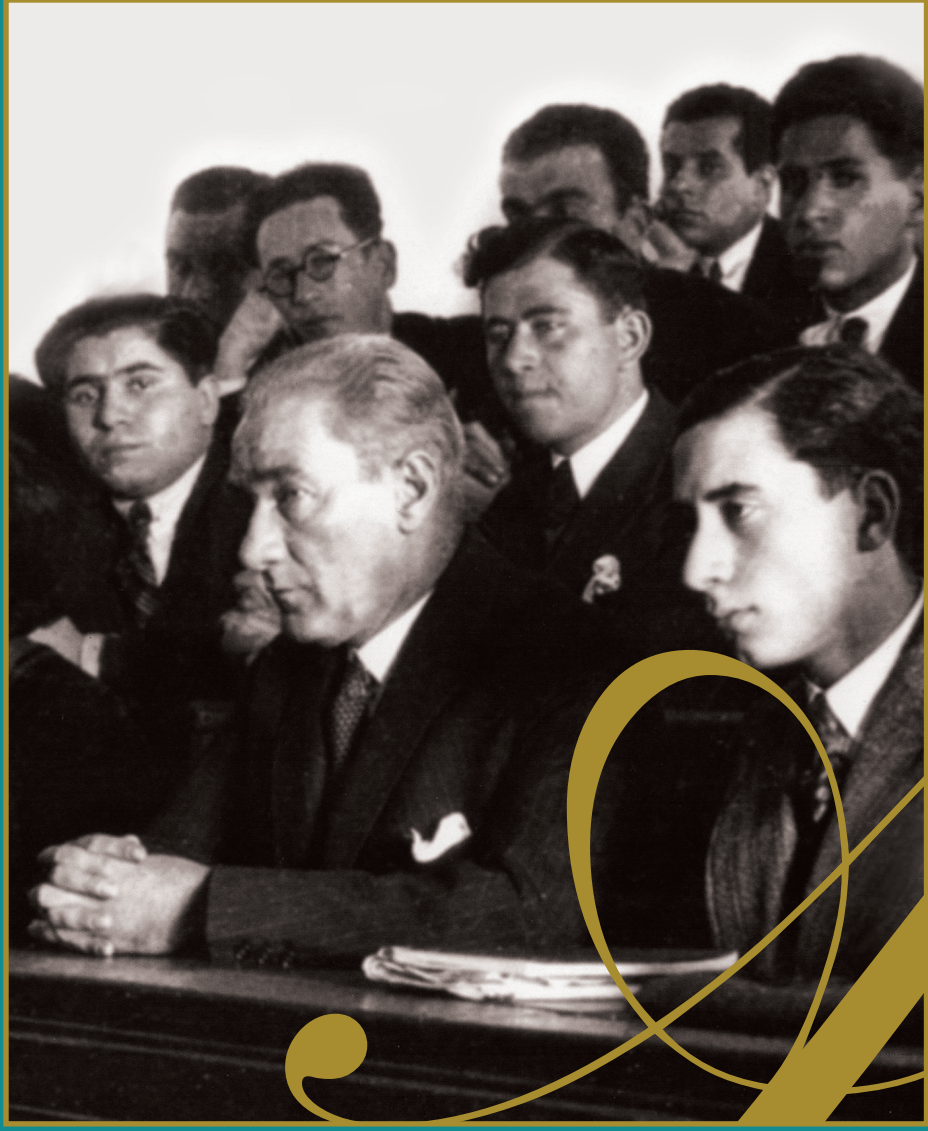


INDEPENDENCE, FREEDOM AND
THE FUTURE SHALL PREVAIL WITH JUSTICE



Atatürk visiting İstanbul University,
Faculty of Law

(15 December 1930)



It is the duty of the government to establish the rule of law and deliver justice evenly in the country. Justice is vital in this regard. Thus, I deem it useful to express our judicial policy. The goal of our judicial policy is to deliver justice to citizens smoothly and with utmost celerity, accuracy and trust. Secondly, it is natural and essential that our society be in communication with the rest of the world. Therefore, our task is to raise our justice level to that of all civilized societies. For that purpose, we are and we will be amending and renewing our laws and procedures from several perspectives.

Mustafa Kemal ATATÜRK



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* 2008 data, see www.adli-sicil.gov.tr

** See <http://www.coe.int/t/dg1/legalcooperation/cepej/> for 2008 CEPEJ report based on 2006 data.

*** 2008 data, see www.adli-sicil.gov.tr

DEFINITIONS

Members of the Judiciary	: Judges and Public Prosecutors
Judicial Worker	: All workers with the exception of Judges and Public Prosecutors
Judicial Professionals	: Members of the judiciary, judicial workers, lawyers and notaries
Judicial Actors	: High judiciary bodies, Union of Turkish Bar Associations and Bar Associations
Disadvantaged Groups	: Women, children and elderly and disabled individuals

ABBREVIATIONS & ACRONYMS

BIA	Board of Internal Auditing
BoI	Board of Inspection
CEPEJ	The European Commission for the Efficiency of Justice
CSOs	Civil Society Organizations
DAF	Department of Administrative and Financial Affairs
DGCA	Directorate General for Criminal Affairs
DGCRS	Directorate General for Criminal Records and Statistics
DGEU	Directorate General for European Union Affairs
DGILFA	Directorate General for International Law and Foreign Affairs
DGL	Directorate General for Legislation
DGLA	Directorate General for Legal Affairs
DGP	Directorate General for Personnel
DGPD	Directorate General for Prisons and Detention Facilities
DMS	Document Management System
DoP	Department of Publications
DoT	Department of Training
DSD	Department of Strategic Development
DTM	Department of Technical Matters
ECHR	European Court of Human Rights
EU	European Union
FMI	Forensic Medicine Institution
HCJP	High Council for Judges and Prosecutors
ITD	IT Department
PPR	Press and Public Relations Unit
SPO	State Planning Organization
SWOT	Strengths – Weaknesses – Opportunities – Weaknesses
TODAİE	Public Administration Institute for Turkey and the Middle East
UN	United Nations
UYAP	National Judiciary Informatics System



Sadullah ERGİN
Minister of Justice



Message from the Minister

The extraordinary global developments of the past five decades have pressed the socioeconomic and legal structures of countries for change which, ultimately, has caused reorganization of both national and supranational / international institutions and agencies. Turkey needs to take into account these developments in parallel with the demands for change in the society. Given the financial and administrative challenges facing the public administration, it is essential that public institutions get reorganized and plan their activities ahead. Strategic planning manifests itself as the key instrument for change and transformation.

Today, the perception that the judicial system is not functioning properly is prevalent across all segments of the society particularly including the judicial community. Our Ministry has taken significant steps in order to improve adverse conditions and ensure effective and efficient delivery of judicial services. In particular, efforts have focused on the legal reform, building courthouses, enhancing penal institutions in line with international standards and strengthening the quality and quantity on human resources.

However, it would not be reasonable to solve all these issues given the magnitude, complicated nature and length of problems concerning the judiciary. Another reason delaying solutions is the lack of desired social consensus in certain problematic areas.

It goes without saying that the Ministry of Justice which has overall responsibility for the functioning of the judicial system cannot solve all problems of the system on its own now that they pertain to all segments of the society. In addition to development of a relevant national policy, social consensus and involvement of the judicial community is needed.

Strategic planning which has become a legal obligation as stipulated by the Law No: 5018 on Public Financial Management and Control as well the strengthened understanding of planned working has a facilitative role in the implementation of improvements in the public sector in general and in the judiciary in particular.

As in the rest of the world, improvements limited to legal revision have not been successful in Turkey. Aware of the setbacks of this approach, our Ministry has chosen to deal with the issues voiced for long years and expectations for improving the judiciary with a reformist view and in an integrated, participatory and systematic manner in the Strategic Plan. The Strategic Plan does not limit itself to issues but reflects global best practices for better functioning of the judicial system as well.

People and organizations carry both positive and negative characteristics of the society as they are part of that society. They are also agents of change contributing to society with their unique colors and patterns. The goal is to achieve permanent solutions to the severe problems of the judicial system based on a change strategy through short- and medium-term steps. The parties that actually live with these issues have actively participated in the development of the Plan and supported the plan with powerful analysis and viable recommendations for solution.

When utilized properly, the intellectual capacity of individuals in the judicial system will not only provide significant input to solution of the problems regarding the judicial system but also contribute to attaining the objective of “Live and Let Live” in a “reassuring justice system”.

Unlike great inventions which require great geniuses, “volunteers of the judiciary” devoted to change for continuous improvement will suffice to attain that objective.

The Strategic Plan of our Ministry pursues the goal of “delivering justice to citizens smoothly and with utmost celerity, accuracy and trust” as pointed by Grand Leader Atatürk.

I extend my thanks to contributors of this first and foremost Ministry of Justice Strategic Plan 2010 – 2014 which will provide guidance to the future of the judiciary and I wish that the Plan will serve well our Country and all volunteers of the judiciary who are aware of their mission.



Ahmet KAHRAMAN
Undersecretary



Foreword by the Undersecretary

The need for change in our judicial system like in other areas of public administration is apparent in order to respond to expectations of the society and pave the way to the information age. The judicial system needs to revise its organizational structure, mandate and understanding in accordance with contemporary developments.

The Law No: 5018 on Public Financial Management and Control has introduced a new understanding of planning. It provides for that public administrations distribute scarce allocated resources according to strategic priorities and adopt a system based on accountability in transparency in the utilization of these resources.

Our Ministry has considered this new understanding of planning as a major opportunity in improving the effectiveness and efficiency of the judicial system and the Strategic Plan was developed based on this consideration.

Since the onset of Strategic Plan activities, special care has been taken to obtain views of relevant segments of the society particularly including the judicial actors and the empowering effect of participation has been fully utilized.

Moreover, the strategic planning process has looked at the European Union process, practices in other countries and scientific studies on judicial reform.

Mission refers to the *raison d'être* of an organization. The mission statement of our Ministry has been defined in accordance with the principles of the rule of law, respect for human rights and independence and impartiality of the judiciary.

The efforts for overcoming weaknesses in judicial services and improving the judiciary aim at restoring the marred sense of trust in justice in the society. Therefore, the vision of our Ministry is "a reassuring justice system". All the goals and objectives in the Strategic Plan set steps to reach this vision. I firmly believe that implementation of the goals and objectives in the Strategic Plan 2010 – 2014 will help reach the "reassuring justice system".

I extend my thanks to the Strategic Development Board, Steering Committee, Strategic Planning Team and all internal and external stakeholders for their hard work and the Department of Strategic Development for carrying out all activities in a coordinated manner.





Strategic Planning Process

Overview;

Strategic planning is one of the phases of strategic management. Therefore, our Ministry has not confined preparations for strategic planning to the notion of mere paperwork.

The preparatory phase of the Strategic Plan aimed to

- Create awareness
- Increase strategic management skills
- Enhance problem solving capacity, and
- Strengthen the institutional culture.

All these activities which can be summed up as increasing strategic management skills produced positive results in a short period of time.

The senior management of the Ministry displayed high level of ownership of strategic planning activities and participated actively in the activities.

Internal Circular;

The commencement of the strategic planning activities needs to be communicated to Ministry workers for their involvement.

An Internal Circular declaring the start of strategic planning activities was issued for this purpose and communicated across the Ministry organization.

The Internal Circular fostered awareness and interest of Ministry personnel at central and local level in the process.

Organizational Structure of Strategic Planning;

The following units were established in order to carry out strategic planning activities;

- **Unit Strategic Planning Teams** tasked with conducting strategic planning activities in all units of the Ministry of Justice and carrying out other tasks assigned by the Strategic Planning Team
- **The Ministerial Strategic Planning Team** composed of representatives of all units in order to carry out preparatory activities
- **The Steering Committee** chaired by the Head of Department of Strategic Development and composed of independent heads of department and unit deputy general directors in order to provide overall guidance to activities and discuss and conclude matters brought by the Strategic Planning Team
- **The Ministerial Strategic Development Board** chaired by the Undersecretary and composed of all unit chiefs in order to set Ministry policies.

Table 1: Strategic Planning Organization

ORGANIZATION	COMPOSITION
Strategic Development Board	Chair: Undersecretary; members: Deputy Undersecretaries and all unit chiefs
Steering Committee	Chair: Head of DSD; members: independent heads of department and deputy general directors
Ministerial Strategic Planning Team	Chair: Head of DSD; members: unit representatives
Unit Strategic Planning Teams	Teams to be set up by units chiefs; at least three members in each team

Preparatory Program;

An effective and efficient activity depends on a good preparatory process. Therefore, case was taken in the planning of the preparatory process which would bring together individuals from different levels units.

Within this mainframe, a “Strategic Plan Preparatory Program” setting the steps and timeframe of preparatory activities was developed and activities followed the timeframe laid down in the Program.

Review, Examination and Training;

The initial step of strategic management and planning was to raise the knowledge capacity in this area. A comprehensive national and international literature review was conducted on strategic management and several related areas and relevant sources were obtained.

On the other hand, national and international studies on judicial reform were examined with a focus on the unique nature of judicial services and an ongoing press-media scan was conducted throughout the process.

In addition, activities of other public institutions were assessed. In particular, study visits to pilot institutions and agencies were instrumental in effective exchange of experience.

Examination and review activities were conducted in order to identify alternatives and determine the most appropriate method regarding necessary training and consultancy services. In this context, meetings and discussions were held with relevant public and private agencies particularly including the Public Administration Institute for Turkey and the Middle East (TODAİE) and Turkish Institute for Industrial Management (TÜSSİDE).

The assessments concluded that training support would be sufficient and consultancy services would not be necessary due to the unique nature of judicial services and high competence of human resources of the Ministry. This option was desirable also for the sake of efficient use of public resources.

As a consequence training, information and awareness-raising activities aiming at strengthening the strategic management capacity were organized.

Firstly, an awareness-raising and information training on strategic management and global experiences was delivered by TODAİE professors to managers and personnel of the Department of Strategic Development.

This was followed by an awareness-raising briefing facilitated by TODAİE professors for senior management of the Ministry including the Minister himself.

In addition, training activities were conducted with contributions of TÜSSİDE at various dates for the regular and substitute members of the Ministerial Strategic Planning Team and members of the Steering Committee. These activities were held in Gebze facilities TÜSSİDE.

Following the basic trainings, practical training and working programs facilitated by TODAİE professors and a bureaucrat of the Ministry of Finance on “Strategic Planning Techniques” and “Situation Analysis Method in Strategic Planning” were organized for regular and substitute members of the Ministerial Strategic Planning Team.

Review of Judicial Strategic Plans of Other Countries;

Strategic plans of the justice ministries and high courts of countries experienced in strategic planning and relevant publications were reviewed.

Working and Training Programs;

As a consequence of the trainings and working meetings, a training team composed of Ministry of Justice staff was set up in order to conduct training and awareness-raising activities on strategic management and planning for Ministry personnel at central and local level. The training and working meetings were facilitated by this team of trainers with expert support on a needs basis.

Accordingly, training and awareness raising activities were conducted with the following groups at various dates:

- At the central Ministry level: director of private secretarial services, section directors, financial experts, staff of Department of Workshops, deputy directors of the Training Center of DGPD and staff of our Department,

- Chief clerks of civil and administrative judiciary, directors of administrative affairs, executive directors, wardens, social workers, pedagogues, psychologists and prison treasurers,
- Board of Inspection: President and Deputy Presidents, Judicial Inspectors and Chief Inspectors,
- Directorate General for Personnel: general director, deputy general directors, reporter judges and section directors
- Chief public prosecutors and deputy chief prosecutors
- Chairmen of justice commissions of civil courts of first instance.

The activities and programs conducted during the preparatory phase aimed at performing a situation analysis and identifying internal external stakeholders, mission, vision / core values, strategic goals and objectives of the Ministry. The outcomes of these activities and programs were reported. The Strategic Planning Team utilized these reports at every stage.

On the other hand, these activities significantly impacted the development and strengthening of the institutional identity.

During these programs, the trainers introduced key concepts and approaches in strategic management and planning. Moreover, it was aimed to raise motivation of participants through harmony and social activities as part of the programs.

Working Programs for High Courts;

The Law No: 5018 provides for involvement of high courts as crucial elements of the judicial system in strategic planning.

In line with the understanding of collaboration our mandate requires, separate practical working programs on “Strategic Management and Planning” were conducted for the Court of Cassation and Council of State with a view to providing technical assistance.

The programs included workshops on setting vision, mission, core values, goals and objectives and conducting stakeholder analysis to assist High Courts in their own strategic planning.

Surveys;

The Ministry of Justice is responsible for the overall operation of judicial services. Therefore, the Ministry attaches special importance to views of members and workers of the judiciary.

Following from this perspective, a broad list of stakeholders was developed for contribution and involvement of various groups.

Views and recommendations of civil society organizations concerning the judicial system have particular importance. Therefore, CSOs were included in the list of stakeholders in addition to all institutions and agencies relevant to judicial services.

In this context, separate surveys were implemented on the following stakeholders:

- Universities, public institutions, bar associations, trade unions, institutes and civil society organizations,
- Academics at faculties of law,
- Members of the judiciary, and
- Judicial workers.

The questionnaires were developed based on scientific methods and with support from academics. Content was developed in a way to fully incorporate views of target groups and results were scientifically evaluated by a group of academics from Ankara University.

The surveys provided different perspectives and thus proved to contribute immensely in the process of strategic planning.

Interviews with Presidents of High Courts;

Interview method was selected to obtain views of presidents of High Courts who directly interact with the performance of judicial services and who have a crucial role in judicial services.

Interviews were conducted with the presidents of the Constitutional Court, Court of Cassation and Council of State in order to get their views and recommendations which were later taken into account in the development of the strategic plan.

Contributions by Units;

All units of the Ministry provided their views and recommendations they considered relevant for the Strategic Plan in order to base the goals and objectives in the plan on realistic methods.

A preliminary draft of goals-objectives was prepared taking into account the feedback from the units, results of discussions with unit representatives and relevant key policy documents.

Working Meetings of the Strategic Planning Team, Steering Committee and Strategic Development Board

"The Ministerial Strategic Planning Team", "Steering Committee" and "Strategic Development Board" which are components of the strategic planning organization met regularly based on a defined timeframe.

The Ministerial Strategic Planning Team met throughout the strategic planning process in order to assess progress and work on draft plans to be submitted to the Steering Committee.

The outcomes of the meetings of the Ministerial Strategic Planning Team were evaluated in the Steering Committee meetings and submitted to the Strategic Development Board.

The Minister attended all meetings of the Strategic Development Board comprising the Undersecretary, deputy undersecretaries and all unit chiefs and joined the discussions on policy setting.



PART 1

SITUATION ANALYSIS

1.1. HISTORY*

TURKISH JUDICIAL SYSTEM IN THE CENTRAL ASIAN ERA

There were common principles of public administration across the Hun, Gokturk and Uygur States in the Central Asia and Karakhanid, Seljuk and Ottoman States.

The oldest state established in the Central Asia was the State of Hun. As in all monarchies, the judicial power rested with the ruler of Huns. As such, jurisdiction was exercised by a high court (Yargu) presided by the Khan and judges who used judicial powers on behalf of the Khan. Chinese sources report criminal laws Huns. The penalties in the reported laws are similar to those in the Islamic law and Ottoman codes.

Similar to the Hun practice, the Gokturks had a court chaired by the ruler and judges exercising power on behalf of the ruler in order to implement the customary law. The judicial system of Gokturks was progressive and ultimately more advanced. In the Gokturk period, the power to set and enforce penalty was taken from the aggrieved and given to the state. However, punishment was not personal in nature and punishment of relatives of criminals continued.

The Uygur period witnessed significant developments in the domain of the private law including family law, inheritance law and law of persons. Yusuf Has Hacıp's Kutadgu Bilig, one of the masterpieces of Turkish culture, is the most extensive reference concerning the period of Uygur State which was established after the collapse of Gokturk State.

The information regarding the Turkish States established in the Central Asia are especially provided from Orkhun Inscriptions, Kutadgu Bilig and Siyasetname (Book of Politics) by Nizamu'l Mulk apart from Chinese sources. Orkhun Inscriptions is one of the first documents of the Turkish history and it is the "oldest monument of the Turkish Language". According to these, the state was divided into provinces; the aim of the State was justice. "Khan" was the ruler. The source of the sovereignty was the public, was represented by the khan.

When the subjects regarding the justice are examined in the works such as Orkhun Inscriptions, Kutadgu Bilig and Siyasetname, it is seen that importance was given on justice, and the necessity

* See p. 159 for Bibliography



that the ruler should deviate from justice was stressed. It is understood that the government proceedings were actually left to the viziers and the ruler contented himself with the supervising of the implementation of the laws and administration of the justice.

Justice System in the Turkish States under the Influence of Islam in the Pre Ottoman Period

Many Turkish States have been established after adopting Islam. One of the first and most important of these states was the Karakhanid State. Besides adopting the Islamic culture, Karakhanids sustained the Uygur culture as well. As stated above, Kutadgu Bilig is the most important work on the state affairs in this period and the problems regarding these affairs take place. Together with this work Divan'ü Lügat'it Türk are the first two works to refer in order to observe the Central Asia Turkish culture in the Turkish States.

The Turkish States established in those periods bear the stamps of the Central Asia in terms of perception of state, public institutions, traditions, and perceptions.

The sources of the justice were basically in religious nature in the Turkish States under the influence of Islam. However, customary law also applied with the rules in religious nature in the Turkish States.

Islamic law and customary law applied together in the Great Seljuk State too. *Kadıs* (Judges) heard the Islamic cases. There was *kadı'l kudat*, where all the judges were attached to, in the centre of the state. It was not possible for *kadı'l kudat*, who should be interpreted as the chief judge, to interfere with the decisions given by the judges. However, it is known that it was possible to submit an unjust verdict, which was intentionally given by the judges, to the khan. There was no other judge with the judges either in the Great Seljuks or in the Anatolian Seljuks.

Justice System in the Ottomans Before *Tanzimat* (Reformations)

There are two types of sources of law in the Ottoman State. The first is Islamic and the other one is customary. Customary law is composed of orders and mandates of the emperors as the result of their sovereignty as a tradition from the previous Turkish States and which were not based on religious authority.

This distinction regarding the sources of the law did not work in a conflicting view, but in harmony. Within this frame, separate courts for customary law were not established; all the cases were heard at the ecclesiastical courts.

Law and penalty distinction was not made in the procedural law applied by the courts and principles of Islamic law applied until *Tanzimat* period. This situation did not mean that all the applications had been the same.

The Judicial power was gathered under the personality of the emperor. As were in the precious Turkish States, it was among the duties of the emperor to secure the justice also in the Ottomans too.

There were three important institutions in the Ottoman judicial organization. These were *Kazasker* (Chief Justice), judge organizations and *Divan'ı Hümayun* (Imperial Council).

Chief Justice had important tasks regarding the judicial affairs of the emperor. Chief Justice organization was established either in 1360 or in 1363. The first Chief Justice was assigned to Bursa as the audit of all the judges; Number of the Chief Justices was increased to two in 1482. These are Rumelia and Anatolia Chief Justices. Anatolia Chief Justice was responsible for the judges in Anatolia and Arabia where Rumelia Chief Justice was responsible for the judges Rumelia and north of the Black Sea.

Kazasker, the Chief Justice, carried out important administrative and judicial tasks as a member of the academic class. Chief Justices, were also members of *Divan-ı Hümayun*, the Imperial Council, as the highest ranking *kadis*, judges, and came after the vizier in the state protocol. Chief Justices were appointed only from among the judges of provinces such as İstanbul, Bursa and Edirne.

Chief Justice had important tasks in the assignment of the judges. Chief Justice selected all the judges, *muderrises* (professors) and religious officers and submitted their names to the Grand vizier (prime minister of the day) until the end of 16th century. After the 16th century the authorities of Chief Justice in this issue was restricted and Sheikh Al Islam (Chief of Scholars and Scientists in Ottomans) was granted with the authority to assign some judges. Assignment of the judges were done in accordance with the extent of their jurisdiction area, in other words, with the amount of their income. Apart from their assignments, Chief Justices did not have the authority to control or dismiss the judges and professors.

In the Ottoman State, the Imperial Council carried out its tasks as a Supreme Court, pasha courts and courts of provincial governors together with other judicial bodies heard some other cases. Apart from trials, Imperial Council had also political, military and administrative tasks.

The Imperial Council was the examination authority of the decisions of the judges on behalf of the emperor and was formed of viziers, nişancı, the Imperial Advisor, treasurer, chief of janissaries, naval commander, and the governor of Rumelia. The works of the council was naturally subject to the control and interventions of the emperor. On the other hand, there were also some important cases where Imperial Council acted as the court of first instance.

Being the members of the academic class in the Ottomans and besides using the judicial power on behalf of the emperor, judges undertook important administrative duties as well. Judge was regarded as the symbol of the state power in the Ottomans and judges were immediately assigned to the conquered places. Judges, whose jurisdiction areas were called as "*kaza*" (province), were classified according to the extent of their area of jurisdictions. Assignment as a judge required a high *madrasah* (university) education and was under strict conditions.

Although the assignment of the judges had been subject to some changes in the course of time, the assignments were made according to the decisions of the grand vizier and Chef Justice and to their daily wages. Judge post was made subject to strict terms of duty as a rule. It is observed that these terms of duties were two or three years.

The dismissal of the judge before the completion of his term of duty could be possible upon the complaints of the public or observation of negligence of his duties and this kind of dismissal was called as "*azl*" or "*ref*".

Naips, the public defenders), katips, the court clerks, chief bailiffs, bailiffs, and court janitors were working under the command of the judges. *Kethüda* (Chamberlain) of artisans, trustees, military officers and holders of the timar holders were responsible to the judges for their activities.

After the Reformations

The innovation movements seemed to have increased in the fields of law, administration, and education following the declaration of reforms. An interest and drift began towards western legal system and some important codifications were made in some areas of Islamic law. A process in which western law governed together with the Islamic law was gone into with the implemented reforms.

Important changes in the judicial organization together with the legislative regulations were observed with the Era of Reforms.

While the basis of the judicial organization before the Era of Reforms, a judicial post called as “*Meclis-i Tahkikat*”, the Assembly of Investigation, was established in order to implement the new criminal code first in Istanbul then in the other provincial centers in this era. This improvement, which defines the way to the modern court structure, was followed by the commercial courts.

In this period, *Meclis-i Vala-yı Ahkam-ı Adliyye*, was divided into two parts, one part was called as *Şuray-ı Devlet*, the State Council, while the other one was called as *Divan-ı Ahkam-ı Adliyye*, Council of Judicial Provisions.

Law on *Mehakim-i Teşkilat*, Organization of Courts dated 1876 has an importance in the westernization efforts of Ottoman judicial organization. Two levels *Nizamiye* Courts were established by adapting the French court and judicial organization system on a large scale with this law. Another change brought by this Law, which was very important in the judicial history, was the representation of the minorities in the courts with equal number of the members.

By taking the sectarian issues of the non-Muslim groups from Foreign Affairs and addressing them to the judicial organization, it was aimed to bring the principle to keep the minorities out of the government policy. Dealing with the sectarian issues by the Ministry of Justice continued until the Treaty of Lausanne.

Although the transformation of Assembly of Judicial Provisions into a Ministry was with the Law “By-Law on the Duties of the Ministry of Justice and Sectarian Affairs and Affiliated Offices” enacted in 1879, it was in 1882 when the Assembly of Justice was fully established as a Ministry. The first Minister of Justice was Cevdet Pasha. With the organization made in 1879, the Ministry of Justice was composed of the following departments: Courts, Director of Transfers, Directorate of Penal Affairs, Directorate of Legal Affairs, Directorate of Criminal Records, Directorate of Sectarian Affairs, Directorate of Documentation, and Directorate of Accounts.

Ministry of Justice and Sectarian Affairs was inherited to the Republican period as it was formed with the Law enacted in 1911. The Departments of the Ministry of Justice and Sectarian Affairs were as follows just before the Republic: Undersecretariat, Private Secretary, Directorate of Penal Affairs, Directorate of Legal Affairs, Directorate of Registration, Directorate of Sectarian Affairs, Directorate of Statistics, Directorate of Preparation of Laws, and Directorate of Documentation.

The Ministry of Justice was strengthened with the arrangements made in 1916. According to this, Chief Justice and courts of foundations together with all the religious courts were attached to the Ministry of Justice and a new department named religious affairs was formed in the Court of Appeals.

The Establishment of Turkish Grand National Assembly and the Judicial System after the Proclamation of the Republic

When the process of our Republican history so far is examined, it is seen that the first structures of the Ministries of the day were formed after 1920. 1920s should be seen as the period when the public administration of Republic of Turkey was formed. As was Ministry of Justice, Ministries of Education, Health, Interior, Foreign Affairs, and National Defense began to be established in that period.

With the Article 1 of the Law on the Method of the Election of Turkish Grand National Assembly Executive Deputies No: 3 enacted on 3 May 1920, just after the establishment of Turkish Grand National Assembly, the basis of contemporary Ministry was formed under the name of Ministry of Justice and Sectarian Affairs of the Minorities. The Ministry was called as Ministry of Justice or Judicial Affairs in the first years.

With the Law No: 4 enacted by Turkish Grand National Assembly in the same period on 7 June 1920, the Council of Appeals, the first example of contemporary Court of Appeals in the history of the Republic, was established in Sivas. The files at Court

of Appeals in Istanbul were sent to the High Court in 1922. Because of the reasons such as the increase in Number of the case files and the difficulties of the period for reaching to Sivas, the Council of Appeals in Sivas was transferred to Eskişehir under the name of Court of Appeals with the Law No: 371 dated 14/11/1923.

There was no special provision regarding the Ministry of Justice or judiciary in the Constitution No: 85 dated 20/1/1337 (1921). All powers of the state were used by the Assembly because the Independence War was still going on. The 1924 Constitution, besides accepting all the State affairs within the powers of the Assembly and by considering that the laws would not be enforced in the lack of independent courts, gave the judicial affairs to the independent courts. These arrangements by 1924 Constitution were preserved as the same in 1961 and 1982 Constitutions.

Just keeping the independence of the courts out of the control of the Assembly as it was in the 1924 Constitution was not enough. The Law on Judges dated 1926 enacted for this purpose included arrangements regarding the appointment, transfer and promotion of the judges. With this mentioned law, the method for dealing with the said affairs by the boards formed with the participation of chief judges was adopted.

The Directorate of Sectarian Affairs, which was inherited from the Ottoman period, was abolished on 8/4/1924 for it was left without any duty after the Treaty of Lausanne.

At this point, it is necessary to mention about the “Law on Abolition of the Religious Courts and Equalization of Provisions on the Organization of Courts No: 469 dated 08/04/1924”, which is one of the important phases of our judicial history. With this law composed of 12 Articles, the religious courts were abolished and important changes were made in the organizational structure of the Ministry.

With the Law on Unification and Equalization of Salaries of Public Servants No: 1452 dated 1929 new positions were established in order to meet the new requirements. Within this frame, the Directorate General of Prisons and Detention Facilities, which had been attached to the Ministry of Interior before, was attached to Ministry of Justice.

The Directorate General of the Land Registry and Cadastre, which had been attached to the Prime Ministry before, was attached to the Ministry of Justice in 1939; however, it was detached again later. In the same year, the Forensic Medicine Institution established in Istanbul was attached to the Ministry of Justice and Undersecretariat, Directorate General of Legal Affairs, Directorate General of Penal Affairs, General Directorate of Personnel Affairs, Private Secretariat, Directorate of Publications, Directorate of Supplies, Directorate of Documentation, Commissions and the Forensic Medicine Institution were established in the central organization of the Ministry.

The name of the Ministry was accepted as the Ministry of Justice with the Law No: 4696 enacted in 1945.

With the Law No: 2992 on the Adoption of the Decree-Law on the Organization and Duties of the Ministry of Justice with Amendments, the Ministry of Justice was given its current form.

Among the departments given in the Organizational Chart (Table 2); Department of Technical Affairs was established in 1992; Directorate General for International Laws and Foreign Affairs, Directorate General for European Union and Department of Information Technologies were established in 2001; Department of Strategic Development and Board of Internal Auditing were established in 2006 with the amendments of Law.

On the other hand, Turkish Justice Academy was established as the related institution of Ministry of Justice with the Turkish Justice Academy Law No: 4954 enacted in 2003.

1.2. LEGISLATION ANALYSIS

1.2.1. Legislation

Regulations regarding the powers, duties, and responsibilities of the Ministry of Justice are mainly laid down in the Constitution and Law No: 2992 and in various other laws. The primary laws that regulate the authorities, duties, and responsibilities of our Ministry are listed below.

<ul style="list-style-type: none">the Law No: 2992 on Amending and Adopting of the Decree-Law on the Organization and Duties of the Ministry of Justice
<ul style="list-style-type: none">Law No: 2802 on Judges and Prosecutors
<ul style="list-style-type: none">Law No: 2461 on High Council for Judges and Prosecutors
<ul style="list-style-type: none">Law No: 2659 on Forensic Medicine Institution
<ul style="list-style-type: none">Law No: 4954 on Turkish Justice Academy
<ul style="list-style-type: none">Law No: 5352 on Criminal Records
<ul style="list-style-type: none">Law No: 5402 on Probation, Assistance Centers and Protection Boards
<ul style="list-style-type: none">Law No: 5235 on the Establishment, Duties, and Powers of Courts of First Instance and Regional Civil Courts
<ul style="list-style-type: none">Law No: 4301 on the Establishment and Administration of Prisons and Detention Facilities and Workshops
<ul style="list-style-type: none">Law No: 1721 on Administration of Prisons and Detention Facilities
<ul style="list-style-type: none">Law No: 4675 on Enforcement Judges
<ul style="list-style-type: none">Law No: 5275 on the Execution of Penal and Security Measures
<ul style="list-style-type: none">Attorneyship Law No: 1136
<ul style="list-style-type: none">Law No: 1512 on Public Notaries

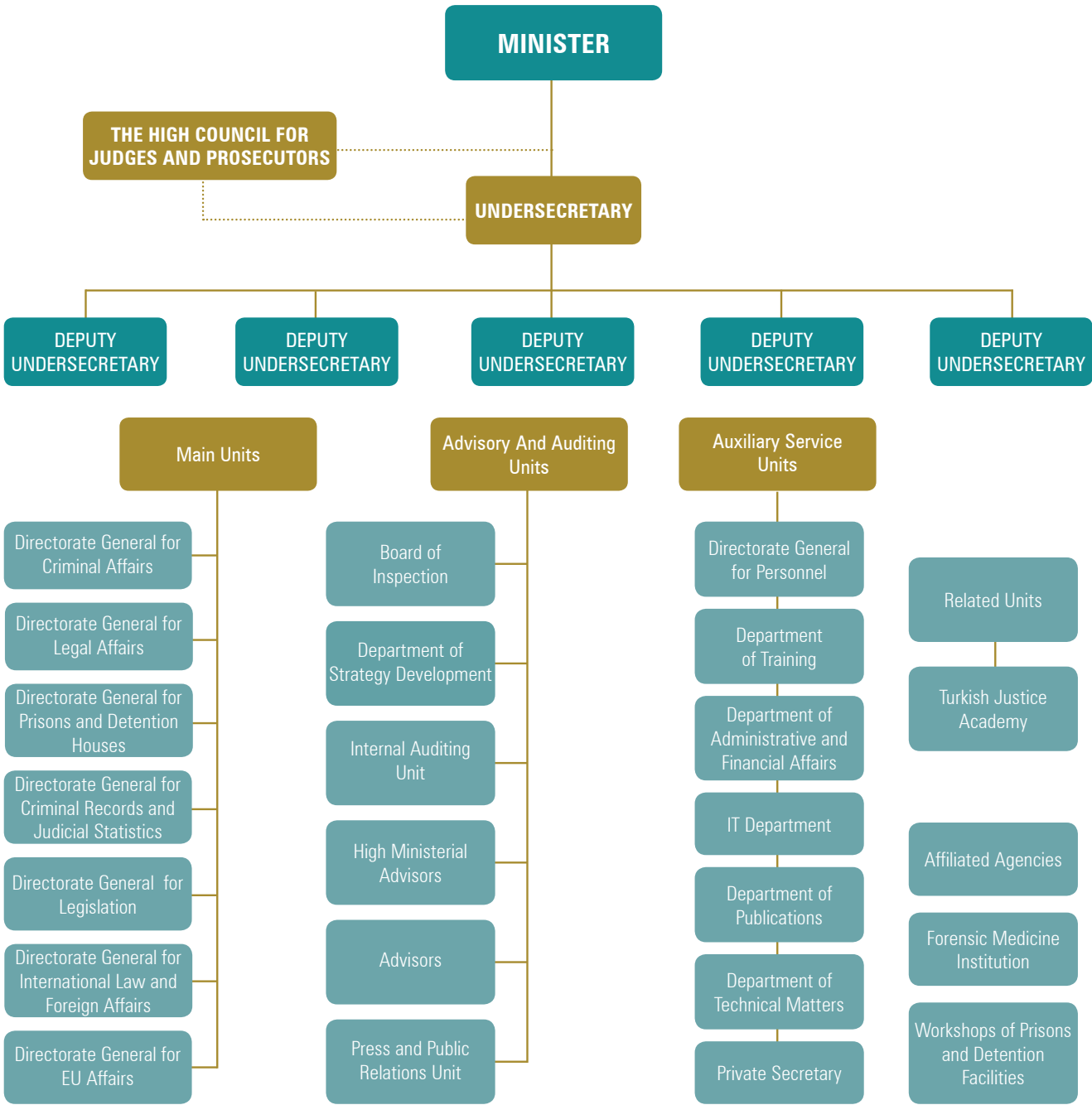
1.2.2. Powers and Duties

According to the Constitution, the Law No: 2992 on Amending and Adopting the Decree-Law on the Organization and Duties of the Ministry of Justice and other laws, primary duties of the Ministry of Justice are as follows:

- ▶ To establish and organize the courts as provided by the laws by obtaining assent of High Council for Judges and Prosecutors,
- ▶ To plan, establish, monitor and supervise administrative duties of and improve judicial institutions such as prisons and correctional institutions and execution and bankruptcy offices,
- ▶ To bring proposals to the High Council for Judges and Public Prosecutors on the abolition or changing competence of courts,
- ▶ To carry out the duties provided by the Attorneyship Law and Law on Public Notaries,
- ▶ To carry out services regarding keeping of criminal records in accordance with the Law on Criminal Records,
- ▶ To carry out procedures related with foreign countries concerning judicial services,
- ▶ To conduct necessary studies, make legal regulations, and provide opinions in the issues regarding the judicial services,
- ▶ To review compliance of laws and decree-laws drafted by the ministries with the Turkish legal system and legislative techniques before sending over to the Prime Ministry,
- ▶ To regulate penal and correctional affairs in accordance with the provisions of relevant legislation,
- ▶ To carry out execution and bankruptcy procedures through execution and bankruptcy offices,
- ▶ To perform the duties set forth in the Law on High Council for Judges and Prosecutors,
- ▶ To perform the duties set forth in the Law on Judges and Prosecutors,
- ▶ To perform the duties set out in the Law on the Establishment, Duties, and Powers of Courts of First Instance and Regional Civil Courts,
- ▶ To perform duties set forth in the Law on Turkish Justice Academy,
- ▶ To perform duties provided by the Law on the Establishment and Administration of Prisons and Detention Facilities, and Workshops,
- ▶ To perform duties set forth in the Law No: 298 on Basic Provisions on Elections and Voter Registers,
- ▶ To carry out other duties provided by the laws.

1.2.3 Organizational Structure

Table 2: Organizational Chart



1.3. STAKEHOLDER ANALYSIS

STAKEHOLDERS	INTERNAL STAKEHOLDERS	EXTERNAL STAKEHOLDERS	BENEFICIARY
Office of President of the Republic of Turkey		✓	
Grand National Assembly of Turkey		✓	
Council of Ministers		✓	
Office of the Prime Minister		✓	
The Ministry of Finance		✓	
The Ministry of Interior		✓	
Other Ministries		✓	
HCJP		✓	
High Judicial Bodies		✓	
Union of Turkish Bar Associations		✓	
Bar Associations		✓	
Union of Turkish Notaries		✓	
Chambers of Public Notaries		✓	
Judges and Public Prosecutors	✓		
Lawyers			✓
Notaries			✓
Workers	✓		
Academics			✓
Turkish Justice Academy		✓	
Universities		✓	
Law Faculties		✓	
Vocational School of Higher Education of Justice		✓	

STAKEHOLDERS	INTERNAL STAKEHOLDERS	EXTERNAL STAKEHOLDERS	BENEFICIARY
TODAİE		✓	
Police Academy		✓	
Turkish National Police		✓	
General Command of Gendarmerie		✓	
General Command of Coast Guard		✓	
State Planning Organization		✓	
State Personnel Presidency		✓	
Secretariat General for European Union Affairs		✓	
Undersecretariat of Treasury		✓	
Other Public Boards, Institutions, and Organizations		✓	
Supra-national and International Organizations		✓	
Organizations Providing Services and Goods		✓	
Civil Society Organizations		✓	
Trade Union Confederations		✓	
Employee Associations		✓	
Foundation for Strengthening the Judicial Organization		✓	
Media and Press Organizations		✓	
Inmates and Convicts			✓
Individuals			✓

1.4. SWOT (Strengths - Weaknesses - Opportunities - Threats) ANALYSIS

The situation analysis as the first step of the strategic planning process sought to answer the question “Where are we?” and SWOT analysis, a major method for situation assessments, was chosen for this stage. The analysis looked at all aspects of the judicial system with a view to assessment of the type of resources available to develop goals and objectives for the future as well as weaknesses, opportunities and threats in the fields of service delivery. The aim was to set realistic goals and objectives.

The SWOT analysis was conducted at two stages, i.e. internal analysis and analysis of external environment. The internal analysis of the institution covers conditions and trends which are intrinsic to the internal environment and which can be controlled by our Ministry and specifies strengths and weaknesses within this mainframe: the former refers to the advantages or positive constituents that can be used to attain the goals while the latter means issues that need to be solved.

The opportunities identified as a result of the analysis of the external environment includes factors which can be turned into advantages even if they are not controlled by our Ministry. Likewise, the threats refer to the issues to be solved although they fall outside the scope of Ministry control. All national and international developments were taken into account during identification of opportunities and threats.

Special care was taken to make sure that the developed concepts cover economic, social, cultural, demographic, political, environmental and technological factors and to incorporate global developments in the field of law.

As in all the stages of the strategic plan, participation in situation analysis stage is very important. First of all, it is necessary to identify all the stakeholders regarding the service area and to receive the opinions of the stakeholders through convenient tools in order to ensure participation. Within this scope, the stakeholders were identified and their opinions obtained by taking the peculiar structure of the judicial services into account. With the belief that the opinions of the academics of the law faculties as well as the public institutions and agencies, universities and civil society organizations have great importance, the opinions of the academics at all levels of the hierarchical order from all the law faculties were received. It was aimed to reflect the scientific experience in the field of law in Turkey into the Planning studies with this method.

It is necessary to take the opinions of the judicial professionals in making a complete situation analysis. For this reason, many training activities and meetings were held with the Judges, Public Prosecutors and the other judicial workers, and many surveys were sent to them. Within this scope, opinions of the Union of Turkish Bar Associations, Union of Turkish Notaries, bar and notary chambers were also taken through surveys.

The idea was to incorporate previous analyses and reviews on the judicial system, development plans starting with the 9th Development Plan, Reports of the Expert Commission on Judicial Services, National Programmes Regarding the Transposition of the European Union *Acquis*, The Programme for Harmonization with the EU *Acquis*, other basic policy documents and the studies on the problems of the judicial system, all of which were prepared as the basis of the development plans.

During the exercise, special care was taken for the integrity of all statements and to make them broad in scope. Moreover, all the statements were linked with relevant parts of the Plan. Attention has been paid for the concepts to be generally accepted and use of the unclear expressions was especially avoided.

1.4.1. Strengths

1	Well established institutional culture
2	The National Judiciary Informatics System which allows the use of information technologies in judicial services
3	The authority to review legislation in Turkey in terms of compliance with the legal system and legislative technique
4	The Ministry is represented at HCJP
5	The Board of Inspection which has a Constitutional basis is composed of inspectors from the class of judges and prosecutors
6	The system has in place the opportunity of contribution to the legal security through reversal/appeal for the sake of law in criminal and civil proceedings
7	The understanding of strategic management is developing
8	The staff are committed
9	Attention is paid to the construct buildings appropriate to the prestige of the Judiciary
10	Penal system is open to development
11	Central management comprising judges is open for changes
12	An important role is undertaken in the European Union accession process
13	Effective and continuous in-service trainings on matters required by the judicial organization
14	A Forensic Medicine Institution with advanced technology
15	Ministry is attentive to academic studies conducted by the Ministerial staff and eager to improve their foreign language skills



1.4.2. Weaknesses

1	The extensive workload of the courts and the fact that the time of trial exceeds the reasonable duration
2	The Ministry budget is below the desired amount
3	Personal rights of judicial workers are inadequate
4	Staff shortage
5	Lack of expert cadres to operate between Judges, Public Prosecutors and chief clerks/administrative affairs
6	Judges and Public Prosecutors have to perform many administrative duties along with their judicial functions
7	Physical capacity and technical infrastructure are not at a satisfactory level
8	Problems in the operation of execution and bankruptcy offices
9	Unsatisfactory level of access to justice
10	Judicial organizations lacking efficiency are still in active
11	Inadequate institutional monitoring and performance evaluation activities
12	Weak public relations
13	The lack of awareness of communication, participation and commitment
14	Establishment of regional penal institutions across the country is not complete
15	Ongoing confusion in terms of legislation in some areas



1.4.3. Opportunities

1	Public faith in the necessity of a judicial reform
2	Economic and political stability
3	The process of constitutional amendments
4	The positive effects of ECHR judgments on domestic legal system
5	E-government practices are becoming prevalent
6	Technological developments and facilitation of access to information
7	The European Union membership process
8	International cooperation in the fight against crime is increasing
9	Cooperation opportunities with national and international institutions
10	Turkish Justice Academy is established
11	The capacity of law enforcement agencies with regard to judicial services is increasing
12	There are developments regarding alternative dispute resolution
13	Democratic culture is continuously developing
14	Opportunities for cooperation with civil society organizations are increasing
15	Scientific studies regarding judicial services are increasing
16	Increasing attention is paid to the R&D studies in social sciences
17	The young population of Turkey and increasing level of education

1.4.4. Threats

1	The level of public confidence in the judiciary is not at the desired level
2	Principles of independence and impartiality of the judiciary, and rule of law are not adequately understood
3	Tendency of the media to influence the judiciary
4	Number of convicts and inmates is increasing
5	The personnel employment policy is restrictive policy in terms of quality and quantity
6	Policies concerning law education are unsatisfactory
7	The expert witness mechanism does not operate properly
8	The way judicial law enforcement is organized does not fit with its proper function
9	The profession of attorneyship problems concerning quality and quantity
10	Organized crimes are increasing
11	Sociological effects of the unemployment, migration, and unequal distribution of income
12	There are problems in the effectiveness of mechanisms for protecting the rights of women and children





PART 2

FUTURE PERSPECTIVES

2.1. MISSION

Our mission is to develop and implement policies to ensure delivery of judicial services fairly, quickly and effectively in accordance with the principles of the rule of law, respect for human rights and independence and impartiality of the judiciary.

Judicial services which are part of public services need to function smoothly without undue delay. The services which are part of essential needs of the society are governed by the State and the Ministry of Justice is responsible for executing the services. The concept of judicial services includes a broad area including enforcement of penalties, execution and bankruptcy, criminal records and statistics and forensic medicine.

Effective policies need to be implemented in order to carry out these services effectively and efficiently.

The Ministry of Justice is responsible for developing and implementing judicial policies and taking all necessary measures in a timely manner in order to ensure performance of judicial services in a modern working environment and delivery of effective and quality judicial services.

The word “policy” included in the mission statement that states the duties of the Ministry of Justice is used for delivering a service to the public in a certain method and procedure in public administration. Within this scope, the Ministry is responsible for designating the policies enabling the delivery of the judicial services in the society in the most appropriate way by considering the independence of the judiciary.

Mission ensures the establishment or the development of institutional culture. Therefore, we tried to make sure that the mission statement reflects the common culture contributed by all segments of the judiciary.

The mission of our Ministry was determined in accordance with the principles of the rule of law, respect for the human rights, and independence and impartiality of the judiciary.



2.2. VISION

A REASSURING JUSTICE SYSTEM

A vision statement is a bridge between today and tomorrow for an institution and a guide which provides confidence in future and direction to activities. The vision of the Ministry of Justice needs to apply to the judicial community first and then the whole society. Therefore, special attention was paid to take the opinions from all parts of the society while defining the vision of the Ministry.

The modern state is not only responsible for the establishment of the rules of law but for setting up, improvement and operation of a judicial system for the implementation these rules. The effective and proper operation of the judicial system established depends on the level of confidence in the society. A reliable judicial system constitutes the necessary reassurance for human rights and democracy as well.

Today, the perception that the judicial system is not functioning properly is prevalent across all segments of the society. The problems regarding the judiciary have increased throughout the years and become complex for reasons that are not unknown. These problems which have grown in size and number have impaired the public confidence in justice. This unwanted image is constantly disseminated by the media, discussed at national and international level and finds place in the basic texts regarding the judiciary.

As a result of the efforts to overcome these problems, our legislation has been renewed substantially in accordance with the European Union norms and modern concepts in the recent years. Also, significant progress has been achieved in the “National Judiciary Informatics System”. In addition, courthouses are upgraded and penal institutions are reorganized in line with international standards.

Despite these achievements, the public confidence in justice is not yet fully restored now that different perceptions prevail concerning the independence and impartiality of the judiciary. The judicial process does not function effectively and quickly and the judiciary still lacks human resources in sufficient numbers and quality. Moreover, the judiciary cannot maintain effective media and public relations and the problems concerning physical and technical infrastructure are ongoing. All these factors continue to influence confidence in justice.

The steps under the Strategic Plan which aim at solving these problems and increasing effectiveness and efficiency of judicial services will help achieve the vision of a reassuring justice system. In order to achieve this objective the judicial matters need to be tackled using multidimensional, holistic, participatory and scientific methods and not unidimensional perspectives.

It is not the responsibility of the Ministry of Justice alone to establish a reliable and strong judicial system. As in the practices of other countries, the Ministry comes to the forefront in this field as the responsible institution for general functioning of the judicial system within the constitutional framework. Effective cooperation and support of the society particularly including the judicial actors will help achieve the vision of a reassuring justice system.

2.3. BASIC PRINCIPLES

● Competency and merit
● Accessibility
● Commitment to ethical values
● Effective, quality and solution-oriented service
● Being open to development
● Reliability
● Respect for people and the law
● Participation
● Objectivity
● Transparency and accountability







PART 3

3.1. GOALS - OBJECTIVES - STRATEGIES - PERFORMANCE INDICATORS

STRATEGIC GOALS

Strategic goals are the results expected to be achieved within specified periods of time. The defined goals need to make sure that they take the institution ahead. In addition, the goals should be in harmony with the mission, vision and core values.

The strategic goals were specified to achieve “a reassuring justice system” by taking into consideration the situation analysis results and the best practices worldwide in the field of justice.

The goals can be achieved only if relevant parties are involved at the designing stage and they are they are adopted by everyone. Therefore, the strategic goals and the objectives of our Ministry have been developed by taking into account the opinions of judicial workers at all levels and external stakeholders.

Within this scope, 12 strategic goals in achieving the vision nature were specified by in accordance with the fields of activities of our Ministry.

	Strategic Goals
1	To contribute to the efforts for strengthening the judicial independence and impartiality and improving the cooperation with judicial actors in this respect
2	To make regulations for the purpose of increasing the effectiveness and efficiency of the judiciary and conclusion of the trials within a reasonable period of time
3	To ensure the improvement of professional competency
4	To activate measures to prevent disputes and improve alternative dispute resolution methods
5	To improve the penal system and probation services in accordance with international standards
6	To ensure the use and improvement of state-of-the-art technologies and IT systems in judicial services
7	To continue with construction of justice service buildings observing requirements of judicial architecture and deliver of technical infrastructure services at a satisfactory level
8	To increase means for access to justice and enhance effective use of the means
9	To strengthen scientific capacity of the forensic medicine institution and scale up services
10	To improve international cooperation and harmonize with the European Union acquis
11	To improve the administration system of the judicial organization
12	To carry out media and public relations effectively



1. TO CONTRIBUTE TO THE EFFORTS FOR STRENGTHENING THE JUDICIAL INDEPENDENCE AND IMPARTIALITY AND TO IMPROVE COOPERATION WITH JUDICIAL ACTORS IN THIS RESPECT

Independence of the judiciary is a key element which affects the confidence of the society in the judicial system.

In democratic regimes a fair and equitable judicial system and effective protection of fundamental rights and freedoms of individuals depend on an independent and impartial judiciary.

Judicial independence aims for judges to adjudicate in accordance with the law and their conscience without any pressures or improper influences. This is certainly not a privilege granted to judges but acknowledges the trust and understanding that justice shall remain free of all influence, pressure and bias.

The fulfillment of this function by the judiciary as a natural consequence of the principle of separation of powers requires closure to interferences of other power groups particularly including the executive and legislative bodies.

An independent judiciary is essential in attaining the target of institutionalized rule of law. An independent judiciary is instrumental sustainable democracies which promote freedom and participation and a stable system.

According to the Constitutional Court, an independent and impartial judicial control is the assurance of other elements of the rule of law. *

Obviously, it is essential to adopt a multidimensional and holistic approach to judicial independence which has been a matter years in Turkey. On the other hand, it is not possible to ensure the independence of the judiciary only with legal arrangements. What is important is to raise public awareness for stronger implementation of this principle.

Constitutional Guarantees of Independence of the Judiciary

Articles 138, 139 and 140 of the Constitution constitute the basic norms of the domestic law for the judicial independence. According to Article 138, judges are independent in the discharge of their duties, and shall not receive any orders or instructions from any bodies or authorities; no questions may be raised in the Legislative Assembly and no debates may be held with judges regarding a case under trial. Similarly, the tenures of judges and public prosecutors are secured in Article 139 which provides that judges shall not be dismissed or retired arbitrarily or deprived of their post in a manner to hinder discharge their duties independently.

On the other hand, the High Council for Judges and Public Prosecutors is established by Article 159 of the Constitution in order to carry out the appointment, transfer, promotion and disciplinary procedures of judges and public prosecutors.

Obligations of Turkey in Arising from the International Law

The judicial independence is defined in Basic Principles on the Independence of the Judiciary by the United Nations. The principles regarding the judiciary were adopted by the UN General Assembly in 1985. The Assembly called for the countries to comply with these principles and take them into consideration in their national laws and practices.

The basic principles are considered as the first governmental standards stating the minimum criteria of judicial independence and contain elements through which the international community could measure the independence of the judiciary.

Currently, human rights are gradually perceived as the basis of all the legal systems including the international law. Within this scope, the UN principles regarding the judiciary protect human rights and constitute a significant part of the international law.

* (Decision numbered Case-1946/43 and dated 27.01.1977)

The UN General Assembly took the resolution regarding 20 basic principles including the judicial independence and the necessity to ensure the judicial independence in Constitutions and laws.

On the other hand, Article 10 of Universal Declaration on Human Rights, Article 6 of the European Convention on Human Rights and Article 14 of the Convention of Civil and Political Rights cover regulations on judicial independence. Besides, a recommendation was adopted by the Committee of Ministers of the Council of Europe pertaining to the role and independence of judges and the efficiency and functions of the judiciary.

The issue of judicial independence is important also for the relations between Turkey and the European Union. It was included in the Accession Partnership Document which sets forth the expectations of EU from Turkey. On the other hand, independence of the judiciary comes up in the annual progress reports. Besides, the 2007 Screening Report laid down a judicial reform strategy to strengthen the independence, impartiality and effectiveness of the judiciary as a criterion of negotiation for the opening of Chapter 23 within the scope negotiations with the EU.

In Turkey, there are various perspectives and criticisms raised by different segments of the society concerning the judicial independence, especially on the composition and operational method of High Council for Judges and Prosecutors, appointment, transfer and promotion of members of the judiciary, an effective remedy system against the decisions of the council, discipline processes and provisions, and freedom of organization. These are also included in the Report of the Expert Commission for the Ninth Development Plan, EU Progress Reports, Consultative Visit Reports and other documents.

The principles of judicial independence and impartiality are broadly covered in the abovementioned international documents particularly including the "Bangalore Principles of Judicial Conduct" and "European Guidelines on Ethics and Conduct for Prosecutors (The Budapest Guidelines)". The High Council for Judges and Prosecutors has accepted the European Guidelines on Ethics and Conduct for Prosecutors (The Budapest Guidelines).^{**} On the other hand, those principles were also adopted by the Court of Cassation.^{***}

One of the other elements that affect the confidence in the judiciary is the impartiality of the judiciary. Although it is an abstract concept, justice is mainly defined within the scope of impartiality and equality. Impartiality is among the essential and vital prerequisites for the judiciary.

In the discharge of their duties, members of the judiciary may not pursue the interest of either of the parties including themselves. In addition, they must set aside all personal emotions, preconceptions and prejudices regarding the resolution of a dispute before them should seek the solution only within the framework of laws.

Although the provisions set forth in the Constitution appear to be emphasizing judicial independence rather than impartiality, it can be claimed that the principle of impartiality is guaranteed together with other basic rights and principles regarding the judiciary.

According to the European Court of Human Rights judgments, the courts must give the parties the impression of impartiality and independence.

There are no problems regarding the impartiality of the judiciary in positive law texts and the criticisms mainly focus on problems in practice. Therefore, the goals are defined with a view to deepening the understanding of the principle of impartiality among judicial professionals and raising public awareness.

Considering the importance and sensitive nature of the issue, the activities under the Strategic Plan aiming at strengthening the independence and impartiality of the judiciary do not assign the whole task on the Ministry of Justice but provide for the involvement of all relevant parties particularly including the judicial actors.

^{**} HCJP adopted the Bangalore Principles of Judicial Conduct (decision dated 27.06.2006 and numbered) 315 and the European Guidelines on Ethics and Conduct for Prosecutors (The Budapest Guidelines) (decision numbered 10.10.2006 and numbered 414).

^{***} The decision of the Criminal General Council of the Court of Cassation dated 20.11.2007 and numbered 2007/244.

Objective 1.1



By the end of 2010, to work on restructuring HCJP in accordance with the principles of objectivity, impartiality, and transparency based on a broad-based representation in the light of international documents, establishment of an effective remedy system and introduction of judicial review against its decisions and, in parallel, organization of secretarial services and the auditing system of the judicial organization

Strategies

- Organize events (e.g. meetings, seminars, symposia, workshops) with participation of judicial actors and civil society organizations in order to obtain views of relevant parties and reach a broad consensus
- Identify the views of members of the judiciary using scientific methods (e.g. surveys, interviews, workshops, seminars.)
- Review practices in other countries through cooperation and report results to the public
- Make necessary regulations to ensure the transparency, preserving the personal information in HCJP's proceedings
- Contribute to the constitutional amendment efforts and drafting of legislative amendments

Performance Indicators

- Number of events organized
- Number of members of the judiciary whose views are identified
- Amendment in legislation prepared
- Report prepared

Unit Relation

Lead Responsibility

➤ DGL

Related Units

➤ DSD ➤ BoI ➤ DGP ➤ DGCA



Objective 1.2



To work on revising the appointment, transfer, and promotion system of members of the judiciary by the end of 2010

Strategies

- Identify views of members of the judiciary using scientific methods (e.g. surveys, interviews, workshops, seminars).
- Review practices in other countries through cooperation and report results to the public
- Draft legislative amendments

Performance Indicators

- Number of events organized
- Number of members of the judiciary whose views are identified
- Amendment in legislation prepared
- Report prepared

Unit Relation

Lead Responsibility

➤ DGP

Related Units

➤ DGL ➤ DSD



Objective 1.3



To cooperate with the judicial actors, media and civil society organizations for raising public awareness on judicial independence and impartiality by the end of 2014

Strategies

- Organize events (e.g. meetings, seminars, symposia, workshops) with the participation of judicial actors and civil society organizations
- Organize activities (e.g. trainings, seminars, symposia,) for judicial and media professionals
- Prepare publications (e.g. books and booklets) and make them available online for raising public awareness

Performance Indicators

- Number of public events organized
- Number of events organized for judicial professionals and the members of media
- Number of the types of publications

Unit Relation

Lead Responsibility

➤ DSD ➤ DoT

Related Units

➤ PPR ➤ DoP



Objective 1.4



To carry out the necessary activities in order to improve the freedom of association of members of the judiciary by the end of 2010

Strategies

- Identify views of members of the judiciary using scientific methods (e.g. surveys, interviews, workshops, seminars)
- Review practices in other countries through cooperation and report results to the public
- Prepare amendment in legislation

Performance Indicators

- Number of events organized
- Number of members of the judiciary whose views identified
- Amendment in legislation prepared
- Number of cooperated countries and/or country practices reviewed

Unit Relation

Lead Responsibility

➤ DGL

Related Units

➤ DGP



Objective 1.5



To identify and improve the judicial rules of ethics for the members of the judiciary within the framework of universal principles by the end of 2012

Strategies

- Identify views of members of the judiciary using scientific methods (e.g. surveys, interviews, workshops, seminars)
- Review practices in other countries through cooperation and report results to the public
- Prepare amendment in legislation

Performance Indicators

- Number of events organized
- Number of members of the judiciary whose views identified
- Number of cooperated countries and/or country practices reviewed
- Amendment in legislation prepared

Unit Relation

Lead Responsibility

➤ DGP

Related Units

➤ DGL ➤ Bol ➤ DGCA ➤ DSD



Objective 1.6



To work on opening decisions of the judiciary to public access in observance of the protection of private information by the end of 2012

Strategies

- Prepare amendment in legislation in cooperation with high judicial bodies
- Complete the IT infrastructure

Performance Indicators

- Amendment in legislation prepared
- Rate of increase in access to decisions online

Unit Relation

Lead Responsibility

➤ DGL ➤ ITD

Related Units



Objective 1.7



To regulate the disciplinary provisions concerning members of the judiciary by developing objective criteria by the end of 2012

Strategies

- Identify views of members of the judiciary using scientific methods (e.g. surveys, interviews, workshops, seminars)
- Review practices in other countries through cooperation and report results to the public
- Prepare amendment in legislation

Performance Indicators

- Number of events organized
- Number of reports prepared
- Amendment in legislation prepared

Unit Relation

Lead Responsibility

➤ DGL

Related Units

➤ Bol ➤ DGCA ➤ DGP ➤ DSD



2. TO MAKE ARRANGEMENTS FOR INCREASING EFFECTIVENESS AND EFFICIENCY OF THE JUDICIARY AND CONCLUSION OF TRIALS WITHIN A REASONABLE TIME

Today, “effectiveness and efficiency” are key to the delivery of judicial services as in all private and public sector services. *Effectiveness* and *efficiency* imply establishment of a system with tools fit to get the best results and achieve goals using limited resources (i.e. human, financial, technological etc.) in judicial services. The statement in our Constitution which reads “*It is the duty of the judiciary to conclude trials as quickly as possible and at minimum cost*” refers to the concepts of effectiveness and efficiency as an obligation.

Table 3: Budget Allocated for and Revenues Received from the Judiciary (Euro) (CEPEJ)

COUNTRY	Total budget allocated to the judiciary	Revenue of court fees or taxes received	Share of court fees in the court budget
Turkey	522.486.876*	279.094.188	% 53,4
France	3.350.000.000	N/A	N/A
Germany	8.731.000.000	3.977.000.000	% 45,6
Italy	2.751.910.175	229.284.156	% 8,3
UK	1.504.095.309	671.000.000	% 44,6
The Netherlands	774.368.000	170.237.000	%22
Spain	2.983.492.000	N/A	N/A
Austria**	572.013.000	614.000.000	% 107,3

In recent years, the public institutions in developed countries have focused efforts on change and transformation in order to fulfill organizational purposes effectively in line with the approach of “good governance” and “best practices”. Therefore, the principle of “effectiveness and efficiency” should be a key priority in the delivery of judicial services as well as other public services in Turkey.

The concepts of effectiveness and efficiency are directly related with the quality of the proceedings. There are universal criteria available for the determination of quality of judicial services. One such criterion is the Council of Europe Guiding Principles. According to this, the judicial quality is described as the implementation of the accurate decisions, low appeal rates, decisions taken in time (conclusion within a reasonable period of time), low number of technical legal mistakes, and fair trial principles.

* Including the budget for High Courts, High Election Council and Turkish Justice Academy

** The only European country with more judiciary income than judiciary expenses

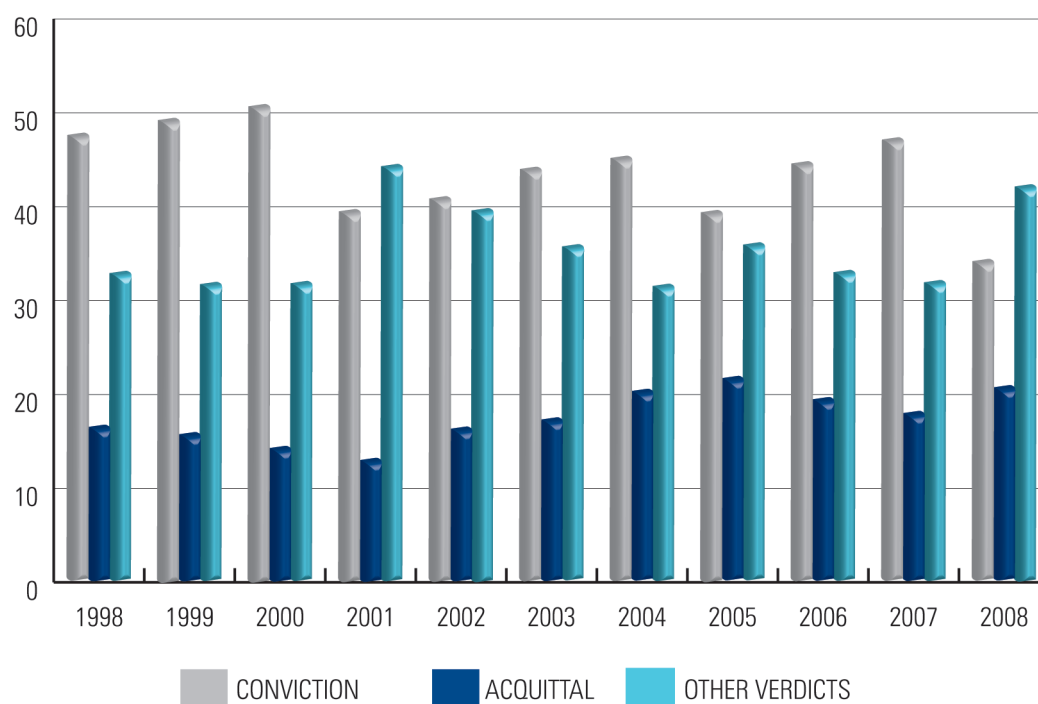
*Table 4: Proportional Distribution (%) of the Suspects in Cases Concluded in Criminal Courts According to the Decision Types and Years**

YEARS	DECISION TYPES (%)			
	CONVICTION	ACQUITTAL	OTHER VERDICTS**	TOTAL
1998	49,2	16,9	33,9	100
1999	51,1	16,1	32,7	100
2000	52,6	14,6	32,8	100
2001	40,9	13,3	45,8	100
2002	42,3	16,7	41,0	100
2003	45,5	17,7	36,8	100
2004	46,7	20,8	32,5	100
2005	40,8	22,2	37,0	100
2006	46,1	19,9	34,0	100
2007	48,7	18,4	32,9	100
2008	35,2	21,2	43,6	100

* Number of the suspects in other judgments covers incompetence, lack of jurisdiction, merging, postponement of the trial in accordance with special laws, abatement of action, adjournment of the judgment, the decision for non-punishment, dismissal of the case, removal of the decisions in accordance with Article 32/1 of TPC and of the cases in accordance with Article 75 of TPC.

** The increase occurred in other judgments in 2001 is due to the Law No: 4616

Chart 1: Proportional Distribution (%) of the Suspects in Cases Concluded in Criminal Courts According to the Decision Types and Years



(*): Total number of the cases filed and reversed cases within a year are included as number of cases

Effective and solution-oriented policies, and cooperation and communication of the judicial actors are essential to increase the effectiveness and efficiency of judicial services. The institutional communication with the judicial actors, which are inseparable parts of justice system, is important in terms of rational and integrated identification of problems and finding solutions for them. Therefore, methods which do not exclude the judicial actors but incorporate their opinions should be preferred. Participatory and solution-oriented activities are aimed in order to attain the specified goals.

Failure to conclude the trials within a reasonable period of time is among the most important factors that affect the confidence of the individuals and the institutions in judiciary. The principle of trial within a reasonable time aims concluding cases without delay and in a fair manner. Extended trials lead to delayed justice, which ultimately mars the faith the justice system.

Table 5: Distribution of Average Trial Duration in Criminal Courts According to the Court Types and Years

AVERAGE TRIAL PERIOD (DAY)									
YEARS	HIGH CRIMINAL COURTS UNDER ART. 250 of CODE of CRIMINAL PROCEDURE	CHILDREN	CHILDREN HIGH CRIMINAL COURT	HIGH CRIMINAL COURT	CRIMINAL COURT OF FIRST INSTANCE	CRIMINAL COURT OF PEACE	TRAFFIC	ENFORCEMENT CRIMINAL	INTELLECTUAL AND INDUSTRIAL RIGHTS CRIMINAL COURT
1998	380	525		358	337	132	10	116	
1999	307	665		357	368	142	12	131	
2000	406	755		363	406	167	23	140	
2001	336	408		331	311	160	24	127	
2002	364	557		347	427	169	19	147	
2003	363	433		354	400	180	13	136	
2004	450	357		347	338	178	13	97	200
2005	393	326	267	343	326	174	24	130	423
2006	352	335	323	337	367	217	193	119	512
2007	341	517	619	342	365	240	264	143	580
2008	373	414	502	282	321	258	238	172	500

Table 6: Distribution of workload of Chief Public Prosecutors' Offices According to the Years

	YEARS	WORK			COMPLETED WITHIN A YEAR	TRANSFERRED TO THE NEXT YEAR	M*
		CARRIED OVER FROM THE PREVIOUS YEAR	RECEIVED WITHIN THE YEAR	TOTAL			
INVESTIGATION PHASE	1998	750996	1802068	2553064	1739031	814033	159
	1999	814033	1858829	2672862	1793396	879466	167
	2000	879466	1777083	2656549	1732155	924394	185
	2001	924394	1988941	2913335	1913099	1000236	178
	2002	1000236	1935064	2935300	1761716	1173584	212
	2003	1173584	2109011	3282595	1809206	1473389	243
	2004	1473389	2300954	3774343	2027025	1747318	268
	2005	1747318	2567448	4314766	2094317	2220449	306
	2006	2220449	2733767	4954216	2410772	2543444	333
	2007	2543444	2899593	5443037	2716826	2726211	338
	2008	2726211	2898212	5624423	2839943	2784480	346
WRITS	1998	408296	860613	1268909	798691	470218	191
	1999	470218	1016300	1486518	966956	519562	180
	2000	519562	1038559	1558121	996847	561274	191
	2001	561274	976168	1537442	992165	545277	202
	2002	545277	871462	1416739	801697	615042	250
	2003	615042	856601	1471643	898939	572704	244
	2004	572704	1014306	1587010	957077	629933	220
	2005	629933	732326	1362259	832814	529445	267
	2006	529445	788802	1318247	744316	573931	259
	2007	573931	1053136	1627067	917218	709849	235
	2008	709849	920018	1629867	922682	707185	277

M* : The average duration (day) has been calculated as the period of time between arrival of the files to Chief Public Prosecutor's Office and their exit from there.

Chart 2: Distribution of workload of Chief Public Prosecutors' Offices According to the Years (Investigation)

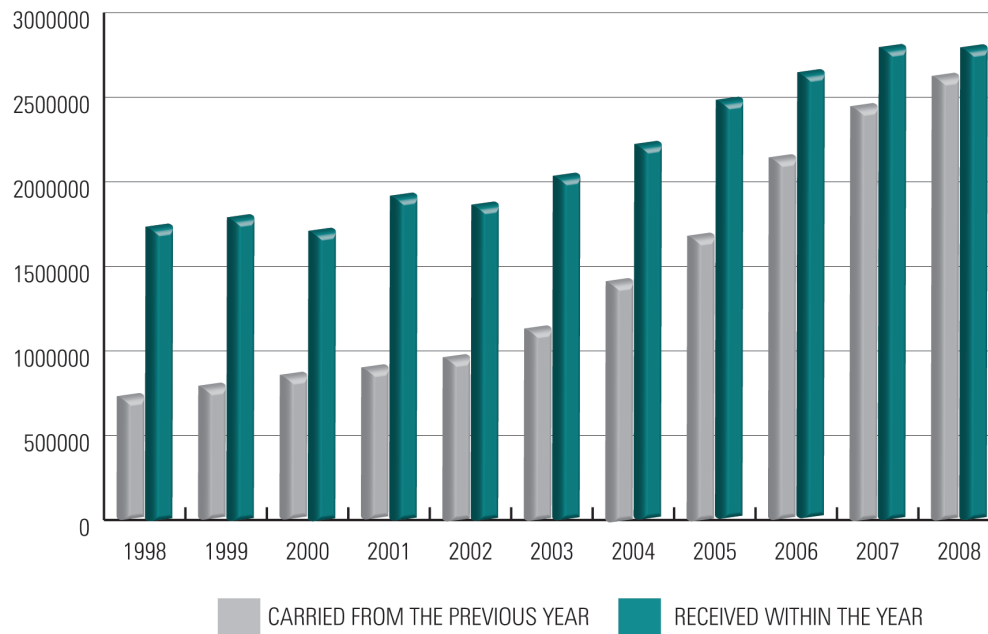


Chart 3: Distribution of workload of Chief Public Prosecutors' Offices According to the Years (Writs)

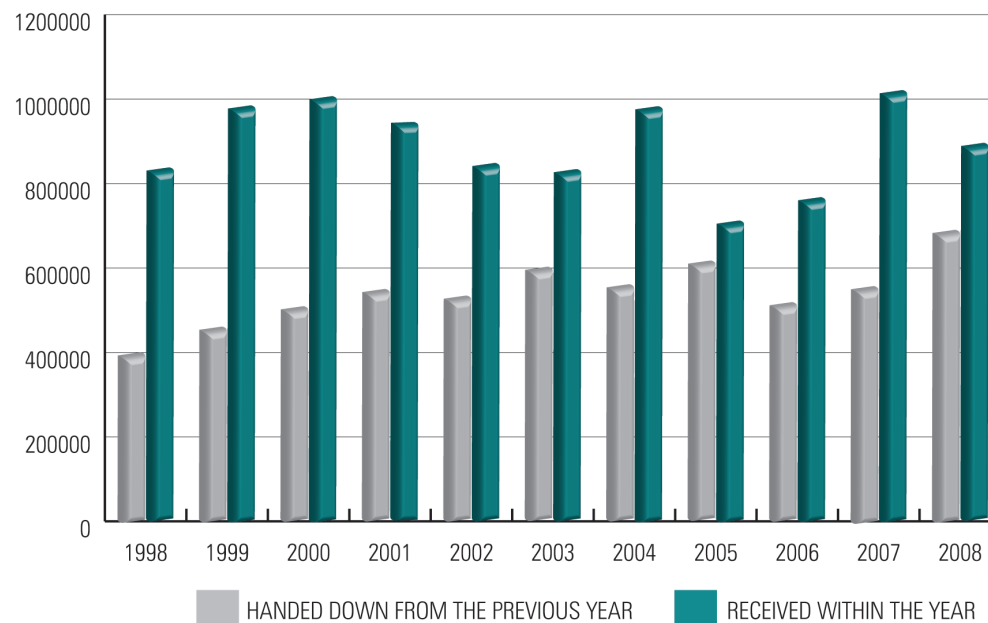


Chart 4: Distribution of workload of Chief Public Prosecutors' Offices According to the Years (Average Duration)

AVERAGE DURATION (Day)
(Calculated as the time between receipt of documentation by the Prosecutor's Office and leaving the Prosecutor's Office)

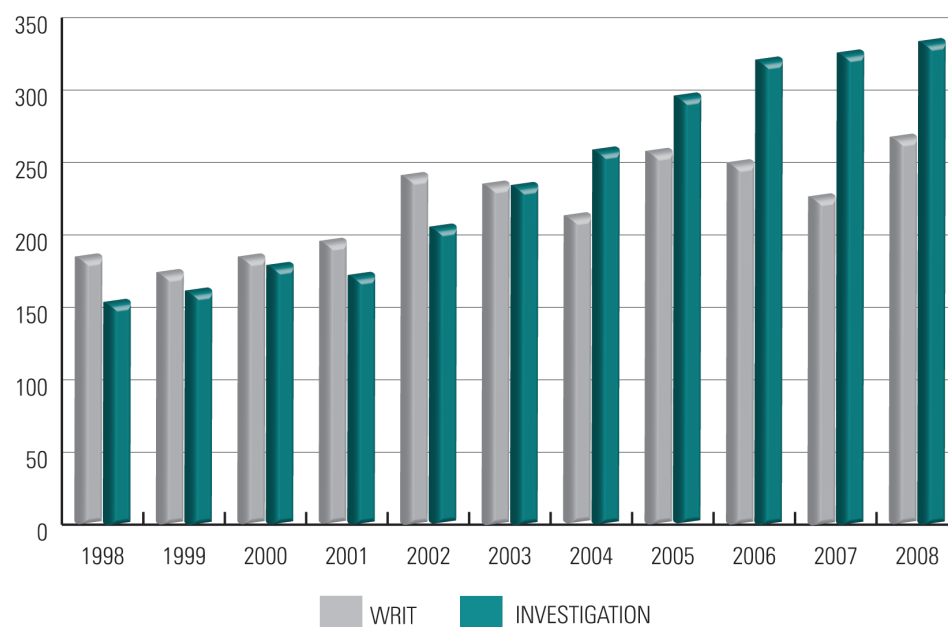
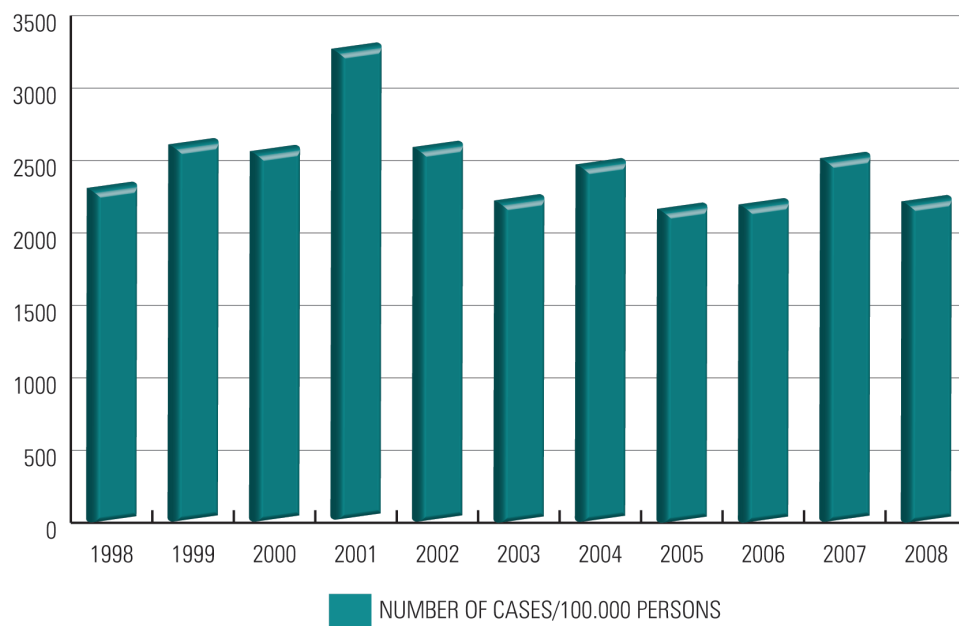


Table 7: Distribution of Number of Criminal Cases /100.000 Persons over the Years

YEARS	NUMBER OF THE CASES PER 100.000 PERSONS
1998	2390
1999	2697
2000	2649
2001	3370
2002	2678
2003	2302
2004	2556
2005	2243
2006	2274
2007	2600
2008	2296

* Total number of the cases filed and reversed cases within a year are included as Number of the cases

Chart 5: Distribution of Number of Criminal Cases/100.000 Persons over the Years



(*)Total number of the cases filed and reversed cases within a year are included as Number of the cases

One of the important problems regarding the structure of judicial services is the need for human resources. The ever-increasing workload in the judiciary has not been matched with a proportionate increase in the number of members of the judiciary and judicial workers. Today, the workload of members of the judiciary hinders their capacity to make healthy decisions; and that affects the respectability and the reliability of the judiciary.

Table 8: Number of the judges in some Council of Europe Member States (CEPEJ)

Country	Population	Number of the Professional (career) Judges	Number of the Professional Judges per 100.000 Persons	Number of the Non-Professional Judges (Lay judges)	Number of the Non-Professional Judges per 100.000 Persons
Germany	82 351 000	20 138	24.5	98 002	119.0
Belgium	10 511 382	1 567	14.9	2 557	24.3
France	63 195 000	7 532	11.9	3 299	5.2
The Netherlands	16 334 210	2 072	12.7	-	-
UK	53 728 000	3 774	7.0	28 865	53.7
Spain	43 758 250	4 437	10.1	7 681	17.6
Italy	58 751 711	6 450	11.0	7 321	12.5
Poland	38 125 479	9 853	25.8	43 613	114.4
Russian Federation	142 000 000	30 539	21.5	-	-
Turkey	73 425 000	6 593	9.0	-	-
Ukraine	46 646 000	6 893	14.8		

Table 9: Number of the public prosecutors in some Council of Europe Member States (CEPEJ)

Country	Population	Number of the Public Prosecutors	Number of the Public Prosecutors per 100.000 Persons	Number of the Public Prosecutors' Office Staff
Germany	82 351 000	5 084	6.2	11 731
Belgium	10 511 382	790	7.5	2 814
France	63 195 000	1 834	2.9	5 067
The Netherlands	16 334 210	675	4.1	3 575
UK	53 728 000	2 446	4.6	6.183
Spain	43 758 250	1 974	4.5	1 929
Italy	58 751 711	2 231	3.8	9 795
Poland	38 125 479	5 951	15.6	4 692
Russian Federation	142 000 000	29 311	20.6	11 874
Turkey	73 425 000	3 936	5.4	-
Ukraine	46 646 000	9 786	21.0	3 950

Table 10: Number of the judicial workers in some Council of Europe Member States (CEPEJ)

Country	Population	Number of the Auxiliary workers (Full Time Employees)	Assistant Judges	The Workers with Clerical Duties	Workers with Various Duties in the Administration of Courts	Technical Workers
Germany	82 351 000	57 530	11 820	37 035	11 977	-
Belgium	10 511 382	5 835	-	1 872	2 888	1 075
France	63 195 000	15 199	-	1 864	-	-
The Netherlands	16 334 210	5 160	-	-	-	-
UK	53 728 000	26 000	-	-	-	-
Spain	43 758 250	40 513	3 020	-	-	-
Italy	58 751 711	27 067	-	-	-	-
Poland	38 125 479	31 623	1 417	20 543	5 915	3 748
Russian Federation	142 000 000	62 075	-	39 369	22 506	200
Turkey	73 425 000	23 832	-	20 050	138	229

The studies indicating international data demonstrate that Turkey is in quite an unsatisfactory situation in terms of the number of judicial workers and members of the judiciary compared to the developed countries. Therefore, reaching to the international standards with regard to the quantity of human resources is taken as a criterion.

Attorneys are subjects of proceedings and they have a role in the effectiveness and efficiency of judicial services. Therefore, taking steps for the solution of the problems of the profession of Attorneyship related to execution of judicial services would facilitate the efforts to reach that goal. The objective on relevant steps to be taken by the Ministry in cooperation with Union of Turkish Bar Associations and bar associations includes strategies to determine the framework of necessary activities.

In addition, activities planned in a number of areas including the organizational structure, legislative infrastructure are expected to contribute to increase the effectiveness and efficiency of the proceedings and conclusion of the cases within a reasonable time period.

Another important factor which affects effectiveness and efficiency of the judiciary is the disproportionate distribution of the judicial organization around the country. With the developments in communication and transportation, it is necessary to work on this issue considering the means to access justice.

Table 11: Number of the existing courts in 2006 (CEPEJ)*

COUNTRY	Number of general courts of first instance	Number of special courts of first instance	Total number of courts (based on geographic regions)
Turkey	4723	868	5767
Germany	782	261	1136
Italy	1014	58	1292
France	1138	1246	773
UK	660	25	595
Spain	2016	760	703
The Netherlands	19	2	52

Another important issue in this scope is the execution and bankruptcy system. A legal system which is unable to establish necessary tools in the field of legal compulsory execution cannot fulfill the function of serving justice. Therefore, the state has to establish an effective and functional execution and bankruptcy system. Lack of an effective execution system is an important factor contributing to lack of confidence in the justice system.

The function carried out by the execution and bankruptcy system is closely related with the right to a fair trial. As a matter of fact, The European Court of Human Rights considered execution and bankruptcy proceedings within the framework of the notion of “reasonable period of time” laid down in Article 6 of European Convention on Human Rights.

An execution and bankruptcy system which is the practical medium of the legal forced proceedings is an essential element of the legal order and the system cannot pursue the interest of claimants regardless of method of collecting the debts. It is the requirement of the contemporary understanding to build the system in a way to properly balance rights of the claimant and debtor.

Similar to the other fields of the law, the execution and bankruptcy law is undergoing rapid changes and developments globally. They provide new means to the execution law and some of the old procedures are gradually abandoned. It is necessary to follow this trend of transformation and attune our perspectives to the future. On the other hand, harmonization with the European Union Acquis is very important as in other areas of the judicial system.

The activities under the Strategic Plan of the Ministry will work on solutions with a view to observance of the principle of balancing the rights of claimants and debtors and establish an effective execution and bankruptcy system. This, ultimately, will contribute to the efforts for achieving the vision of a reassuring justice system.

Given that effectiveness and efficiency are overarching concepts, it is obvious that other goals to attain the vision are related with these concepts.

* While determining Number of courts, in some countries such as Turkey, the separate organizations of courts are counted one by one while there is one civil court in a judicial locality which contains sufficient courts as sub-courts. Thus, as an example, although there are 25 civil courts of first instance in Berlin, they are counted as one.

Objective 2.1



To strengthen the corps of judicial members and workers in line with international standards by the end of 2014

Strategies

- Identify the human resources requirements through task analyses, task measurement and work force and staff analyses as part of human resources planning
- Recruit civil judiciary judges and public prosecutors and candidate administrative judiciary judges every year based on data from the situation analyses
- Establish the courts needed according to the annual work situation

Performance Indicators

- Number of courts established
- Rate of decrease in the number of case files per court
- Ratio of increase in the number of judicial members and workers to the population

Unit Relation

Lead Responsibility

➤ DGP

Related Units



Objective 2.2



To increase the communication among judicial actors and develop joint solutions for the problems of the judiciary by the end of 2014

Strategies

- Organize scientific events (e.g. meetings, seminars, symposia, workshops) in cooperation with the judicial actors and publish outcomes
- Develop contents of symposia and seminars in a way to contribute to enhanced communication and provide solutions to the problems of the judiciary

Performance Indicators

- Number of events organized
- Number of the types of the publications

Unit Relation

Lead Responsibility

➤ DSD

Related Units

➤ DoT



Objective 2.3



To cooperate with Union of Turkish Bar Associations and bar associations regarding the solution of the problems of attorneys and strengthening their role in judicial activities by the end of 2013

Strategies

- Organize scientific events (e.g. meetings, seminars, symposia, workshops) in cooperation with judicial actors and with participation of related civil society organizations and report results to the public
- Prepare amendment in legislation

Performance Indicators

- Number of events organized
- Report
- Rate of implemented recommendations for solution

Unit Relation

Lead Responsibility

➤ DGL

Related Units

➤ DGCA ➤ DGL ➤ DSD ➤ DoT



Objective 2.4



To finalize activities for introducing regional civil courts and prepare amendment in legislation to initiate appeal as a legal remedy in the administrative judiciary by the end of 2010

Strategies

- Identify recommendations of the members of the judiciary and the judicial actors on the effective and efficient operation of the regional civil courts using scientific methods (e.g. meetings, seminars, symposia, workshops)
- Complete the service buildings and technical infrastructure of regional civil courts
- Identify the human resources requirements of the regional civil courts and to complete appointments
- To complete the secondary legislation activities for regional civil courts
- Organize scientific events (e.g. meetings, seminars, symposia, workshops) in cooperation with the judicial actors and academics regarding appeal as a legal remedy in the administrative judiciary
- Prepare amendment in legislation appeal as a legal remedy in the administrative judiciary

Performance Indicators

- Number of service buildings completed
- Number of appointments
- Number of courts established
- Amendment in legislation prepared

Unit Relation

Lead Responsibility

➤ DGP ➤ DSD ➤ DTM ➤ ITD ➤ DGL

Related Units

➤ DGCA ➤ DAF



Objective 2.5



To work on establishment of judicial service specialty by the end of 2010

Strategies

- Organize scientific events (e.g. meetings, seminars, symposia, workshops) in cooperation with the judicial actors and academics
- Review practices of other countries through cooperation and report results to the public
- Prepare amendment in legislation

Performance Indicators

- Number of events organized
- Number of appointments

Unit Relation

Lead Responsibility

➤ DGP

Related Units

➤ DSD ➤ DGL



Objective 2.6



To complete combining courthouses close to each other and/or with less workload with the closest courthouses by the end of 2010

Strategies

- Define combining criteria by obtaining opinions of members of the judiciary
- Prepare a priority report for courthouses to combine

Performance Indicators

- Report
- Number of combined courthouses
- Rate of savings in human and financial resources

Unit Relation

Lead Responsibility

➤ DGD

Related Units

➤ DSP ➤ DAF



Objective 2.7



To develop activities concerning specialty in the by the end of 2014

Strategies

- Revise the mechanism of enforcement judges
- Increase type and number of specialized courts
- Scale up specialized courts
- Organize in-service trainings in specialization for members of the judiciary in cooperation with Turkish Justice Academy
- Identify views of members of the judiciary, judicial actors, and academics through scientific methods (e.g. surveys, interviews, workshops, seminars).
- Prepare amendment in legislation

Performance Indicators

- Number of activities organized
- Amendment in legislation prepared
- Rate of increase in the number and type of specialized courts
- Number of trainings and trainees

Unit Relation

Lead Responsibility

➤ DGP

Related Units

➤ DSD ➤ DGL ➤ DoT



Objective 2.8



To make amendments in legislation in order to enhance effectiveness and pace of proceedings by the end of 2012

Strategies

- Organize scientific events (e.g. meetings, seminars, symposia, workshops) in cooperation with the members of the judiciary, judicial actors and academics
- Set up commissions in order to sort out outdated or repetitive legislation
- Set up a working group in order to identify the provisions of legislation which slows down proceedings
- Prepare amendment in laws (procedural laws, Notification Law, etc) in order to enhance effectiveness and pace of proceedings
- Prepare legislation amendments required by UYAP practices

Performance Indicators

- Number of events organized
- Amendment in legislation prepared

Unit Relation

Lead Responsibility

➤ DGL

Related Units



Objective 2.9



To work on improving the expert witness mechanism by the end of 2010

Strategies

- Organize scientific events (e.g. meetings, seminars, symposia, workshops) in cooperation with the members of the judiciary, judicial actors and academics
- Conduct a needs assessment and review practices in other countries through cooperation in order to increase the effectiveness of the expert witness mechanism
- Prepare amendment in legislation
- To define the ethical principles of experts

Performance Indicators

- Number of events organized
- Amendment in legislation prepared

Unit Relation

Lead Responsibility

➤ DGCA

Related Units

➤ DGL



Objective 2.10



To improve communication within the institution by organizing social and cultural activities for members of the judiciary and judicial workers and work on improving the personal rights of judicial workers by the end of 2014

Strategies

- Obtain views of members of the judiciary and judicial workers regarding the social and cultural activities to be organized
- Prepare publications (books, journals, etc) with contribution from the members of the judiciary and judicial workers in order to increase the communication in the institution
- Identify themes of social and cultural activities and choose appropriate locations and times to carry out these activities
- Review practices in other countries through cooperation regarding personal rights of the judicial workers and report results to the public
- Conduct a field study with broad participation in order to clearly define the work flows, work processes and job descriptions

Performance Indicators

- Number of events organized
- Satisfaction rate of members of the judiciary and judicial workers
- Number of types of publications

Unit Relation

Lead Responsibility

➤ DGP

Related Units

➤ DSD ➤ DAF ➤ DGL ➤ ITD ➤ DGPD



Objective 2.11



To work on increasing effectiveness of legal advisors and lawyers working in the public sector in order to decrease the workload of the judiciary by the end of 2010

Strategies

- Organize scientific events (e.g. meetings, seminars, symposia, workshops) with the participation of bar associations, legal advisors and lawyers working in the public sector, Ministry of Finance and related institutions
- Review practices in other countries through cooperation and report results to the public

Performance Indicators

- Number of events organized
- Number of reports prepared

Unit Relation

Lead Responsibility

➤ DGLA

Related Units

➤ DGL ➤ DSD



Objective 2.12



To work on increasing effectiveness and efficiency of specialists (e.g. psychologists, sociologists, pedagogues, social workers, teachers) work in judicial institutions (family courts, child courts, penal institutions, probation section directorates, etc)

Strategies

- Organize scientific events (e.g. meetings, seminars, symposia, workshops) with participation of members of the judiciary, academics and the experts on identification and solution of the problems
- Review practices in other countries through cooperation and report results to the public
- Set working principles and define job descriptions of specialists and organize trainings
- Provide appropriate physical space and technical means for the specialists in the courthouses

Performance Indicators

- Number of events organized
- Number of trainings and trainees
- Satisfaction rate of members of the judiciary and specialists

Unit Relation

Lead Responsibility

➤ DGP

Related Units

➤ DGPD ➤ DoT ➤ DAF



Objective 2.13



To work on increasing effectiveness and pace of investigations by the end of 2012

Strategies

- Organize scientific events (e.g. meetings, seminars, symposia, workshops) in cooperation with judicial actors and academics
- Set up a working group in order to identify the provisions of legislation which slow down investigations; review practices in other countries through cooperation and report results to the public
- Work on making the judicial law enforcement mechanism more functional

Performance Indicators

- Number of events organized
- Amendment in legislation prepared
- Rate of decline number of the reversed cases
- Rate of decline in number of the cases concluded with acquittal
- Rate of decrease in the investigation period

Unit Relation

Lead Responsibility

➤ DGCA

Related Units

➤ DGL



Objective 2.14



To work on increasing effectiveness of the testimony mechanism in practice by the end of 2012

Strategies

- Organize scientific events (e.g. meetings, seminars, symposia, workshops) in cooperation with the members of the judiciary, judicial actors and academics
- Review practices in other countries through cooperation and report results to the public
- Carry out activities to raise awareness of testimony (education activities, symposia, seminars, books, brochures, etc)

Performance Indicators

- Number of events organized
- Numbers of reports prepared

Unit Relation

Lead Responsibility

➤ DGCA

Related Units

➤ DGL ➤ DSD



Objective 2.15



To work on increasing the effectiveness and the efficiency of the execution and bankruptcy system by the end of 2012

Strategies

- Organize scientific events (e.g. meetings, seminars, symposia, workshops) in cooperation with the judicial actors and academics
- Review practices in other countries through cooperation and report results to the public
- Make arrangements regarding the operation of trustee depots for sequestered property
- Establish a unit to carry out the procedures concerning execution and bankruptcy offices at the central Ministry level
- Work on increasing efficiency of audits of the execution and bankruptcy offices
- Establish cadres of execution and bankruptcy staff in order to improve professional competency and prevent appointment of other staff members at execution and bankruptcy offices
- Organize in-service training activities
- Define the rules of ethics for execution and bankruptcy staff
- Prepare amendment in legislation

Performance Indicators

- Amendment in legislation prepared
- Increase in the number of personnel graduated from the vocational justice schools and law faculties
- Number of trainings and trainees

Unit Relation

Lead Responsibility

➤ DGL ➤ DGP

Related Units

➤ DGLA



3. TO IMPROVE PROFESSIONAL COMPETENCY

Failure to base dispensing of justice on sufficient information would impair the right to a fair trial and legal remedies, disturb public order and threaten societal peace.

One of the keys to raising quality of judicial services is to assign well-educated jurists with good understanding of the law who keep themselves up-to-date and who are capable of making sound interpretations and reaching the right conclusions. On the other hand, only good education of jurists could lead to professional ethics and objectivity.

The quality of education at law faculties is crucial for obtaining and strengthening these qualifications through education. The purpose of modern education should be to train self-confident jurists with strong reasoning skills, profound understanding justice and faith in the rule of law.

Today, there is a wide-spread perception in the judicial community that education at law faculties lack adequate quality. The solution of the problems regarding the law education should become a priority for judicial actors and a national policy in Turkey. In this respect, our Ministry plans to take steps for cooperation with all the related parties particularly including the universities.

Providing pre- and in-service training for the members of the judiciary is instrumental for the quality of judicial services. The Recommendation of the Committee of Ministers of the Council of Europe to Member States on the Independence, Efficiency and Role of Judges emphasizes the importance of providing appropriate training to judges before and after appointment.

Candidacy training of the judges and public prosecutors is the first step for them to begin their career. This training which is delivered given by the academicians and practitioners helps candidates begin their careers equipped with the necessary knowhow and contributes to developing professional culture. Further improvement of the candidacy process is one of the objectives in the Strategic Plan.

In parallel with the extraordinary developments of today's world, legal problems and disputes also vary considerably in terms of quality and quantity and become more complex every day. Therefore, in-service trainings of the members of the judiciary become even more important in the effective performance of their duties.

Increasing number of members of the judiciary with good command of foreign language is important in order to raise professional competencies in the judiciary. The contributions by the members of the judiciary with advanced language skills who follow comparative law practices and current judicial developments to the judicial services will be invaluable.

The Turkish Justice Academy which has added tremendous value to the judicial organization is vital in the training of members of the judiciary. Pre- and in-service trainings have accelerated after establishment of the academy. Activities under the Strategic Plan aim to enhance the capacity of the Academy further.

Improved access of members of the judiciary to scientific studies and case laws is another important element of professional competency. In addition to the availability of national publications, important publications in other countries need to be translated into Turkish in order to facilitate access of the members of the judiciary. Such significant publications in the field of law will no doubt contribute to the development of the science of law and broaden the experience of our jurists. Moreover, significant rulings of high courts of other developed countries including the ECHR need to be translated into Turkish.

Carrying out the judicial activities with the help of academic studies is one of the important factors which ensures further development of the area of jurisprudence of law and legal practices. Therefore, the relevant objective aims to foster collaboration with academics in order to bridge theory with practice.

In addition judges and public prosecutors, judicial workers are another important component of judicial services. Appropriate education and training of this group of workers is crucial for the effectiveness and efficiency of judicial services. Therefore, it is aimed to increase effectiveness of pre- and in-service training for judicial workers.

The vocational justice schools have an important role in the education of judicial workers. Therefore, cooperation with these institutions is planned in order to enhance professional competencies of judicial workers.

Objective 3.1



To work on solutions for the problems of law education and training by organizing scientific events by the end of 2012

Strategies

- Organize joint scientific events (e.g. meetings, seminars, symposia, workshopss) with the Ministry of National Education, Turkish Justice Academy, the Council of Higher Education, universities and bar associations
- Contribute to education and training models in order to increase professional competencies
- Make the necessary preparations in order to implement the developed recommendations for solution

Performance Indicators

- Number of events organized
- Rate of implemented recommendations

Unit Relation

Lead Responsibility

➤ DoT ➤ DSD

Related Units

➤ DGP



Objective 3.2



To work on increasing the capacity of the Academy in cooperation with the Turkish Justice Academy

Strategies

- Organize scientific events (e.g. meetings, seminars, symposia, workshops) in cooperation with members of the judiciary, judicial actors and academics
- Review practices of other countries through cooperation and report results to the public
- Establish a permanent cadre of trainers
- Activate the specialty training

Performance Indicators

- Number of events organized
- Number of reports prepared
- Number permanent trainer staff

Unit Relation

Lead Responsibility

➤ DGP

Related Units

➤ DGL ➤ DoT ➤ ITD ➤ DSD



Objective 3.3



To establish information sources needed by members of the judiciary and the judicial workers by following national and international developments

Strategies

- Identify publications needed by members of the judiciary by closely following national and international developments
- Procure or publish important law sources and periodicals in cooperation with the publishers
- Make inventory studies on and increase the capacities of central Ministry library and libraries at the courthouses
- Identify and subscribe to electronic libraries

Performance Indicators

- Rate of increase in the type and number of the materials published and procured
- Rate of increase in publications distributed to members of the judiciary
- Number of subscribed electronic libraries

Unit Relation

Lead Responsibility

➤ DoP

Related Units

➤ DoT ➤ ITD ➤ DSD



Objective 3.4



To ensure translation of the judgments of ECHR and high courts of other countries, international instruments which concern the judiciary and other prominent works of law into Turkish and translation of main Turkish legislation into other languages by the end of 2014

Strategies

- Translate the judgments of ECHR and high courts of some countries including the USA, Switzerland, Germany, France and Italy into Turkish
- Translate main Turkish legislation into other languages
- Translate international instruments and other prominent works of law into Turkish
- Print and provide online access to sources translated into Turkish and other languages

Performance Indicators

- Number of sources translated into Turkish and published
- Number of legislations translated into other languages
- Number of sources published online

Unit Relation

Lead Responsibility

➤ DGILFA

Related Units

➤ DSD ➤ DoT ➤ DGEU ➤ DoP



Objective 3.5



To organize in-service trainings to members of the judiciary in various areas by the end of 2014

Strategies

- Assess training needs by taking into account legislation amendments, latest developments and practical problems and develop annual training plans
- Organize in-service trainings on continuously developing topics (e.g. European Union legislation, fraud and financial crimes, informatics, forensic medicine and forensic sciences, various fields of commercial law)
- Organize in-service trainings for a minimum of 150 judicial members at high courts (i.e. Court of Cassation and Court of Auditors) every year
- Identify and announce selection criteria for trainings

Performance Indicators

- Number of trainings and trainees
- Rate of increase in in-service training topics
- Number of members of the judiciary trained at high courts

Unit Relation

Lead Responsibility

➤ DoT

Related Units

➤ DGCA ➤ ITD ➤ DGEU ➤ DSD ➤ DGP



Objective 3.6



To work on the development of professional cooperation among the members of the judiciary, lawyers and academics by the end of 2014

Strategies

- Organize scientific events (e.g. meetings, seminars, symposia, workshops) on the theory and practice of the law with the participation of members of the judiciary, lawyers and academics and publish proceedings
- Work on arrangements to allow members of the judiciary to deliver lectures and seminars in law faculties and vocational justice schools

Performance Indicators

- Number of events organized
- Number of types of publications
- Rate of increase in Number of members of the judiciary teaching at law faculties and vocational justice schools

Unit Relation

Lead Responsibility

➤ DoT

Related Units

➤ DSD ➤ DGLA ➤ DGP



Objective 3.7



To provide training for all the judicial workers and to establish personnel training centers by the end of 2014

Strategies

- Identify target groups and topic for training and develop programs
- Review practices of other countries through cooperation
- Improve training programs through continuous measurement and evaluation
- Complete the necessary infrastructure to establish training centers in order to organize the pre- and in-service trainings of the judicial workers
- Prepare amendment in legislation

Performance Indicators

- Number of trainings and trainees
- Number of the personnel training centers established
- Legislation amendment prepared
- Ratio of trained personnel to total number of personnel

Unit Relation

Lead Responsibility

- DoT
- DGP

Related Units

- DGCRS

* Indicated in the part regarding the training of the staff of penal institutions



Objective 3.8



To organize foreign language education for 20% of the members of the judiciary and increase the number of members of the judiciary attending postgraduate education within the country or abroad by the end of 2014

Strategies

- Enhance cooperation with universities within the country or abroad, international institutions and private education institutions in order to provide members of the judiciary with opportunities of foreign language education or postgraduate education in the field law
- Develop programs for members of the judiciary with foreign languages in order to improve their command of legal terminology
- Work on the identification of fields for postgraduate education
- Work on providing members of the judiciary working at specialized courts with the opportunity of attending postgraduate studies in their field of practice or specialty

Performance Indicators

- Number of the members of the judiciary receiving studying foreign languages
- Rate of increase in the number of staff attending on postgraduate education compared to the previous year

Unit Relation

Lead Responsibility

➤ DoT ➤ DGP

Related Units

➤ DGEU ➤ DGILFA ➤ DSD



Objective 3.9



To work on reviewing the practices in other countries in various areas of judicial services and exchanging experience by the end of 2014

Strategies

- Increase number of the study visits and professional internship
- Identify the focus subjects for the study visits and include relevant individuals in the program
- Prioritize participation of members of the judiciary and the judicial workers working at courts in the programs abroad

Performance Indicators

- Number of the visits abroad and number of participants
- Number of cooperated countries

Unit Relation

Lead Responsibility

- DGILFA
- DGEU

Related Units

- DGPD
- DoT



Objective 3.10



To work on increasing effectiveness and efficiency of the candidacy periods of the members of the judiciary in cooperation with relevant institutions by the end of 2012

Strategies

- Organize scientific events (e.g. meetings, seminars, symposia, workshops) in cooperation with the Turkish Justice Academy and universities and publish the results/proceedings
- Obtain views of members of the judiciary, candidates and judicial actors using scientific methods (e.g. surveys, interviews, workshops, seminars)
- Review practices in other countries through cooperation
- Work on the legislation amendments and other preparations to implement the developed recommendations as a result of the abovementioned activities in cooperation with the related groups

Performance Indicators

- Number of events organized
- Number of members of the judiciary and candidates whose views are obtained
- Rate of implemented recommendations

Unit Relation

Lead Responsibility

➤ DGP

Related Units

➤ DoT ➤ DSD



4. TO ACTIVATE MEASURES TO PREVENT DISPUTES AND IMPROVE ALTERNATIVE DISPUTE RESOLUTION METHODS

Developments in alternative dispute resolution have emerged due to challenges in concluding cases within a reasonable period of time have led to endeavors for friendly settlement of disputes and social conciliation.

Today, developed countries utilize alternative methods in the resolution of disputes. Although the methods vary, they generally imply a conciliator bringing together concerned parties in order to encourage them to settle a specific dispute. The methods which were mainly used for resolution of simple disputes initially in countries of origin have become more comprehensive within time.

Table 12: Type of cases concerned by mediation (CEPEJ)

COUNTRY	Civil and commercial case	Family law cases	Administrative cases	Employment dismissals	Criminal cases
Turkey					*
France	*	*		*	*
Germany	*	*	*	*	
Italy	*	*		*	*
UK	*	*			
Netherlands	*	*	*	*	
Spain	*	*		*	

The interest in alternative dispute resolution methods is increasing also at international level. For instance, the Council of Europe recommends use of alternative dispute resolution methods to reduce workload of courts.

Studies on judicial reforms worldwide suggest that delay in justice due to excessive workload of courts is a primary problem. Alternative dispute resolution methods gradually become an inseparable part of judicial reforms now that they serve the judiciary by reducing workload of courts. Reduced workload will provide an enabling environment for the courts to conduct proceedings in accordance with the principle of fair trial in its true sense.

Alternative dispute resolutions which also imply the will to friendly settlement allow parties to get actively involved in the resolution of disputes, seek different solutions and are preferred because publicity is not a requirement.

It is expected that alternative dispute resolution methods which are widely used in developed countries will enhance effectiveness and efficiency of the judiciary and access to justice. Therefore, alternative dispute resolution methods which cover disputes concerning rights persons can freely exercise and which do not contradict the governing provisions of the Constitution, laws and the right to legal remedy.

The first and most common alternative dispute resolution method is arbitration. In arbitration, parties select an arbitrator or arbitrators instead of opting for the state judiciary for the settlement of a legal dispute. Today, many countries use arbitration in their legal systems. Arbitration was adapted into the Turkish law in 1925 from Switzerland with minor changes. Amendments in legislation have not taken into account developments in arbitration and no changes have been applied to related provisions. Therefore, it is necessary to revisit and turn the arbitration into a operational mechanism.

Turkey introduced a new criminal justice system in 2005. Conciliation is one of the novelties in this system. It is very important to enhance enforceability of provisions on conciliation. It is planned under the Strategic Plan to discuss all aspects of conciliation, identify issues and take action for solution.

In this regard, awareness of the public of alternative resolution methods is crucial. Therefore, it is planned to work on raising public awareness and extend these practices.

Prevention of disputes is as important as resolving them using alternative methods. For this, raising public awareness on legal matters will be useful. A better understanding of the law and proper knowledge on legal procedures will enhance respect for rights of others and may help prevent certain disputes.

The activities under the Strategic Plan aim to work on integrating topics including the law, the concept of the state governed by the rule of law and rights and responsibilities into curricula starting from primary education and develop practical programs with a view to establishment of a basis of education on the legal culture.

Objective 4.1



To work on integrating topics concerning legal culture into curricula starting from primary education by the end of 2011

Strategies

- Collaborate with the Ministry of National Education
- Set up a commission comprising jurists and experts from relevant disciplines in order to develop basic topics on the law
- Work on arrangements to allow members of the judiciary to deliver lectures and seminars in education and training institutions

Performance Indicators

- Number of law related topics integrated into curricula
- Number of lecturing members of the judiciary

Unit Relation

Lead Responsibility

➤ DoT

Related Units

➤ DSD



Objective 4.2



To work on strengthening the conciliatory capacity in the criminal justice system by the end of 2011

Strategies	<ul style="list-style-type: none"> ➤ Organize scientific activities and events (e.g. projects, seminars, symposia, workshops) with the participation of members of the judiciary, judicial actors and other experts (e.g. psychologists, sociologists etc.) in order to increase effectiveness of the conciliation ➤ Cooperate with the faculties of law for integration of conciliation related topics into law education ➤ Review practices in other countries and work on legislation amendment and changes in administrative structure ➤ Organize trainings for members of the judiciary ➤ Organize public information activities (e.g. TV and radio programs, newspaper coverage etc.) and develop materials (e.g. books, brochures etc.)
Performance Indicators	<ul style="list-style-type: none"> ➤➤ Number of activities and events organized ➤➤ Legislation amendment prepared ➤➤ Number of trainings and trainees ➤➤ Number of public information activities ➤➤ Number of conciliated investigations and prosecutions
Unit Relation	Lead Responsibility ➤ DGCA
	Related Units ➤ DGL ➤ DoT ➤ DGPD



Objective 4.3



To work on introducing a mechanism for legal disputes and complete infrastructure activities regarding implementation by the end of 2012

Strategies

- Review practices in other countries and work on legislation amendment including the administrative structure
- Organize trainings for members of the judiciary and mediators
- Cooperate with the faculties of law for integration of topics related with mediation into law education
- Organize public information activities (e.g. TV and radio programs, newspaper coverage etc.) and develop materials (e.g. books, brochures etc.)

Performance Indicators

- Number of trainings and trainees
- Number of public information activities
- Number of mediated investigations and prosecutions

Unit Relation

Lead Responsibility

➤ DGLA

Related Units

➤ DGL ➤ DoT



Objective 4.4



To work on scaling up and increasing effectiveness on arbitration by the end of 2012

Strategies

- Organize scientific events (e.g. meetings, seminars, symposia, workshops) to discuss challenges in arbitration practice and develop recommendations for solution
- Draft legislation amendment including solutions to increase effectiveness of arbitration and reduce workload of the judiciary
- Organize trainings and inform public using appropriate tools for adoption and implementation of new practices introduced

Performance Indicators

- Number of events organized
- Legislation amendment prepared
- Number of trainings and trainees

Unit Relation

Lead Responsibility

➤ DGL ➤ DoT

Related Units

➤ DGLA



Objective 4.5



To develop procedures for resolution of administrative disputes before bringing to judicial review by the end of 2011

Strategies

- Identify views of members of the judiciary and judicial actors using scientific methods (e.g. surveys, interviews, workshops, seminars)
- Review practices in other countries through cooperation
- Prepare legislation amendment
- Inform public using appropriate tools for adoption and implementation of new practices introduced

Performance Indicators

- Number of events organized
- Legislation amendment prepared

Unit Relation

Lead Responsibility

➤ DGL

Related Units



5. TO IMPROVE THE PENAL SYSTEM AND PROBATION SERVICES IN ACCORDANCE WITH INTERNATIONAL STANDARDS

A criminal proceeding commences upon suspicion of criminal act and aims at seeking the truth, that is, serving concrete justice. Punishment or probation enforcement starts when a criminal proceeding is concluded with conviction or when cautionary measures are imposed as part of the criminal justice system in the course of an investigation or proceeding. They include punishments restricting freedom, fines and enforcement of probation measures.

In modern democracies, penal systems need to be humanitarian as much as effective. The new approaches to the penal system emphasize reintegration of criminals and prevention of repeat offense.

The first step Turkey took toward a modern penal system was the enactment of the Law No: 1721 on the Administration of Prisons and Detention Centers in 1930. In the following years, Workshops for convicts were established and the Law on the Organization and Duties of the Directorate General for Prisons and Detention Centers entered into force in 1943.

After 1940s, penal systems focusing on confinement of criminals in order to protect the society was gradually abandoned and the new approach aimed to correct and reintegrate convicts after release through various trainings.

The Turkish penal system has undergone significant changes and transformation in recent years in line with the modern penal approach. The new criminal justice system established with the Turkish Criminal Code and Turkish Criminal Procedure Code adopts modern approaches in the penal and correctional policy. On the other hand, the legal ground of a modern penal system was laid with the Law No: 5275 on the Execution of Penalties and Security Measures and the Law No: 4402 on Probation and Assistance Centers and Protection Boards.

Our Ministry develops and implements intervention programs for reintegration of criminals and prevention of repeat offense. Active participation of public institutions, civil society organizations and volunteers in the rehabilitation process is crucial. Activities under the Strategic Plan will enhance collaboration with civil society organizations in the area of enforcement of penalties. Another priority will be to set up a measurement and evaluation system which focuses on effective convict management. This is essential to monitor outcomes of activities.

Another important aspect of humanitarian and effective penal systems is the physical infrastructure of penal institutions. Modern and secure penal institutions which primarily aim at rehabilitation of convicts are needed. In addition, the accommodation capacity of these institutions should be enhanced parallel to increasing needs. For this purpose, regional penal institutions with high living standards which allow better rehabilitation are built and plans are in place to build additional ones. Moreover, many small penal institutions which do not have room for improvement are closed.

Table 13: Number of Capacity of Penal Institutions

	2002	2003	2004	2005	2006	2007	2008	2009
ADULT								
Number of Penal Institutions	520	500	440	436	423	419	418	403
Number of Beds	73.205	70742	68882	69361	73396	92627	99924	105085
JUVENILE								
Number of Penal Institutions	4	4	4	5	5	8	8	8
Number of Beds	420	420	420	480	744	744	1694	1694

Trained and motivated penal workers who are open to change are crucial for overcoming deficiencies in the penal system and making success sustainable. With the activities under the Strategic Plan, the Ministry aims to increase number and improve personal rights of staff, strengthen training centers and enhance human resources capacity in order to ensure sustainable improvement and renewal in the penal system.

Another reform in the criminal justice system is the probation services. It is very important to increase effectiveness and efficiency of these services. Probation services provide for judicial control versus detention, education or public work instead of imprisonment, or supervised work for convicts released on probation.

Health services for inmates and convicts are another priority of our Ministry in the context of a humanitarian penal system. Activities in collaboration with other institutions aim to establish fully-equipped health units.

The purpose of all the activities is to establish a more effective mechanism in order to monitor all developments in the penal system and ensure reintegration of convicts in the society.

Objective 5.1



To raise living standards of convicts and inmates in penal institutions and increase accommodation capacity by 40% in accordance with increasing needs by the end of 2014

Strategies

- Raise subsistence allowances of convicts and inmates every year in line with changing conditions and amend legislation to increase effectiveness of collecting subsistence allowances from convicts
- Increase capacity of penal institutions to 142.000 by way of constructing new penal institutions and additional units
- Close down low-capacity penal institutions and establish regional penal institutions aiming at improved effectiveness of educational and correctional activities
- Establish open penal institutions in every heavy criminal center with a closed penal institution and other localities in need

Performance Indicators

- Number of penal institutions closed
- Number of penal institutions opened
- Number of additional buildings constructed
- Percentage of capacity increase
- Amount of subsistence allowance collected

Unit Relation

Lead Responsibility

➤ DGPD

Related Units

➤ DTM



Objective 5.2



To enhance human resources and management capacity of penal institutions and probation and assistance centers by the end of 2014

Strategies

- Increase efficiency of supervision in penal institutions and probation and assistance centers
- Functionalize monitoring committees
- Conduct scientific analyses in penal institutions and probation and assistance centers in order to identify real number of personnel needed
- Establish a career profession (i.e. norm cadre) of penal experts and recruit experts
- Strengthen the corps of specialists (e.g. physicians, psychologists, social workers etc.) and other staff in sufficient numbers
- Ensure establishment of a directorate in every penal institution
- Organize events (e.g. meetings, seminars, symposia, workshops) on monitoring committees for judiciary members, members of monitoring committees, civil society organizations and academics
- Disseminate reports of monitoring committees to the public every year and communicate results and recommendations to workers of penal institutions and the public
- Organize trainings for managers and workers of penal institutions in press and public relations

Performance Indicators

- Norm cadre activity performed
- Ratio of number of staff to norm cadre
- Number of appointments

Unit Relation

Lead Responsibility

➤ DGPD

Related Units



Objective 5.3



To improve and increase efficiency of the probation system by the end of 2014

Strategies

- Set national standards on probation practices
- Set up a viable model for tracking and supervision of convicts after release on probation
- Introduce an electronic monitoring system for effective tracking of convicts in the community
- Revise and increase functionality of protection committees
- Ensure organization of local units at provincial level
- Prepare needed amendments in legislation

Performance Indicators

- Number of legislation amendments prepared

Unit Relation

Lead Responsibility

➤ DGPD

Related Units

➤ DGL



Objective 5.4



To increase activities for correction and reintegration of convicts in penal institutions and strengthen cooperation with public agencies and civil society organizations in the penal system by the end of 2014

Strategies

- Take steps in ensuring effective use of the probation system
- Revise the system of standards for educational and correctional activities, develop new national standards and conduct necessary trainings
- Develop measurement and evaluation tools, conduct necessary trainings and establish infrastructure in order to ensure measurability of activities of services in penal institutions
- Develop appropriate software and displays and provide suitable physical space under UYAP for monitoring activities of education, health, psychosocial, supervision and management services
- Develop intervention programs for convicts in penal institutions, revise and improve existing programs and ensure implementation of programs
- Organize in-service training activities for all experts and managers working at penal institutions and develop training materials on international prison standards for staff of penal institutions
- Make protocols with relevant public institutions and agencies for strengthened cooperation and set national standards on working methods of civil society organizations to be cooperated
- Organize events (e.g. meetings, seminars, symposia, workshops) on results of scientific studies by universities on prevention of delinquency
- Improve various sports branches (e.g. badminton, squash, volleyball, basketball, chess, handball) in cooperation with related federations
- Organize scientific events (e.g. meetings, seminars, symposia, workshops) on prevention of delinquency and probation practices
- Organize scientific events (e.g. meetings, seminars, symposia, workshops) on education of families in prevention of child and juvenile delinquency in cooperation with civil society organizations

Performance Indicators

- Ratio of repeat offenders
- Ratio of educational and correctional areas in institutions which comply with the standards
- Ratio of convicts benefiting from the psychosocial support programs
- Ratio of expert staff implementing the psychosocial support programs
- Ratio of convict attendance to educational, social, sports and cultural activities
- Ratio of increase in the number of cooperated CSOs and agencies

Unit Relation

Lead Responsibility

➤ DGPD

Related Units

➤ ITD

Objective 5.5



To establish psychosocial support programs for adults, children and victims on probation by the end of 2012

Strategies

- Establish psychosocial support programs for convicted adults and children on probation
- Develop training materials for staff and managers working with children on probation
- Develop psychosocial support intervention programs for victims of crime
- Develop basic training materials on working with victims
- Develop training materials on international standards for public penalties and measures for probation staff

Performance Indicators

- Number of psychosocial support programs
- Number of users of programs

Unit Relation

Lead Responsibility

➤ DGPD

Related Units



Objective 5.6



To conduct activities for minimizing security risk level of penal institutions by the end of 2014

Strategies

- Upgrade physical and electronic security means in all penal institutions, collaborate with scientific organizations to that effect and set up fully-equipped emergency response teams in penal institutions
- Identify the annual number of staff to be trained in occupational defense techniques and organize trainings
- Set national standards on dynamic security practices and train relevant staff
- Develop risk assessment standards on risk status after admission of convicts and inmates in penal institutions and train relevant staff in risk assessment standards
- Set standards on referral and transfer of convicts and inmates

Performance Indicators

- Rate of decline in disruptive incidents in lockdown situations
- Rate of increase in the number of institutions with emergency response teams

Unit Relation

Lead Responsibility

➤ DGPD

Related Units



Objective 5.7



To improve cooperation opportunities with other countries on penal systems by the end of 2014

Strategies

- Conduct study visits and organize joint scientific events (e.g. meetings, seminars, symposia, workshops)
- Arrange participation of workers of penal institutions in training courses in the institutions of cooperated countries in order to facilitate exchange
- Implement joint projects with other countries with the on strengthening management capacities of penal institutions and correction of convicts

Performance Indicators

- Number of countries cooperated
- Number of events organized

Unit Relation

Lead Responsibility

➤ DGPD

Related Units



Objective 5.8



To improve health services provided in penal institutions by the end of 2014

Strategies

- Work on necessary legislation and develop health service standards in order to raise quality and quantity of health services to international standards
- Establish fully-equipped health units in collaboration with relevant institutions in campuses with more than one penal institution

Performance Indicators

- Rate of decline in referrals to external health facilities
- Rate of satisfaction with health services

Unit Relation

Lead Responsibility

➤ DGPD

Related Units



Objective 5.9



To enhance capacity of training centers for workers of prisons and detention facilities by the end of 2013

Strategies

- Strengthen the corps of trainers, experts and assistant staff in number in training centers
- Improve advancement programs through the basic training curriculum and pre- and in-service training programs
- Set standards for training, subsistence and accommodation and upgrade infrastructure
- Develop an internal control system and risk management policy in order to supervise effectiveness and efficiency of trainings

Performance Indicators

- Rate of increase in the number of staff in training centers
- Rate of increase in the number of training centers
- Rate of increase in satisfaction level of trainees

Unit Relation

Lead Responsibility

➤ DGPD

Related Units



Objective 5.10



To evaluate human rights practices in penal institutions and eliminate deficiencies

Strategies

- Review practices of other countries through cooperation and report results to the public
- Train staff of penal institutions in human rights
- Strengthen supervision for human rights in penal institutions

Performance Indicators

- Number of reports prepared
- Number of trainings and trainees

Unit Relation

Lead Responsibility

➤ DGPD

Related Units



6. TO ENSURE USE AND IMPROVEMENT OF STATE-OF-THE-ART TECHNOLOGIES AND IT SYSTEMS IN JUDICIAL SERVICES

The advancements in information and communication technologies in the past quarter of a century have impacted socioeconomic life deeply and urged the understanding of management in the public and private to change. The information society has come into being as a result of these developments which have transformed our age.

Today, the public sector has to integrate with information and communication technologies in order to meet changing demands of users and continue to serve in an effective, efficient and reliable manner. Approaches and efforts pursuant to this goal and thus use of IT in public services are increasing worldwide every day.

The recent years have seen a particular acceleration in the endeavor of becoming an information society globally. Increased productivity levels and economic growth based on information and communication technologies have changed the nature of international competition. To keep up with this pace of change, the European Union developed the e-Europe action plans under the Lisbon Strategy.

The developments in Turkey have been similar. The rising IT trends in the country have fostered increased use of IT practices in the public sector mainly in the form of e-transformation strategies. Moreover, they were included in the Development Plans and other main policy documents. Recently, an “Information Society Strategic and Action Plan” has been developed in order to speed up e-state practices in a coordinated manner and within the framework of investment plans.

The judiciary needs to integrate with information and communication technologies also in order to operate effectively and efficiently in the process of transition to the information society. A recommendation by the Committee of Ministers of the Council of Europe to member states highlights the fact that adequate infrastructure and particularly office automation and data processing need to be made available to judges for effective trials without undue delays.

The National Judiciary Informatics System (UYAP) is an important pillar of the e-transformation strategy of Turkey. In line with the goal of achieving the information society, the Ministry of Justice has completed the hardware and software infrastructure, set up internal automation and information automation systems and launched UYAP after external unit integration. As a result, UYAP has proven to be a leading network in Turkey and set a global example.

UYAP aims at effective performance of judicial activities and all types of administrative and other work processes electronically. In addition to accelerating case management, UYAP also contributes to equal and effective delivery of justice to citizens and thus increasing access to justice.

As in all policy development efforts, the success of activities concerning the judicial system depends on collection and evaluation of reliable basic data. Collection of data from all areas of the judicial system and evaluation of relevant data with a view to identification of problems will ensure sustainable development. In this respect, the data collection capabilities of UYAP provide the judicial system with comprehensive opportunities.

The activities under the Strategic Plan aim maintain the sustainability of the system in tune with other e-State practices and upgrade technical infrastructure in line with the developments in information and communication technologies.

Other planned activities include increasing capacity of human resources, activation of the organizational structure and developing judicial data mining.

Objective 6.1



To ensure performance of all procedures and transactions of the Ministry organization and judicial organization electronically upon UYAP and complete external integration of UYAP with relevant institutions by the end of 2012

Strategies

- Establish infrastructure to measure UYAP utilization performance of users
- Take steps to introduce paper free offices in central and local units
- Increase use of e-signature in procedures and transactions
- Organize necessary trainings for users and technical staff, develop and introduce distance training software modules for effective use of UYAP
- Ensure execution of information and document flow with security forces upon UYAP and integrate with IT systems of ministries, institutions and professional organizations with central information systems

Performance Indicators

- Rate of e-signature use
- Rate of procedures and transactions performed electronically
- Rate of savings in human and financial resources
- Rate of acceleration in work processes
- Number of integrated institutions
- Rate of electronic data flow from other institutions

Unit Relation

Lead Responsibility

➤ ITD

Related Units

➤ DSD ➤ DoT



Objective 6.2



To upgrade and backup UYAP communications infrastructure using state-of-the-art technologies for rapid and uninterrupted operation by the end of 2014

Strategies	<ul style="list-style-type: none"> ➤ Use fiber optic cables or new technologies for communications in localities with high user density and fiber optic infrastructure ➤ Backup UYAP systems center with alternate fiber optic connections ➤ Create terrestrial / satellite redundancy ➤ Obtain up-to-date software in order to continuously monitor communications infrastructure and take immediate action in case of interruption ➤ Procure hardware and software for increased security of the communications infrastructure ➤ Train relevant staff in communication infrastructure technologies, develop and use distance training modules ➤ Set up a Satellite Ground Station (HUB Center) ➤ Obtain expertise and field support on needs basis for maintenance of the communications infrastructure and related activities ➤ Upgrade domain servers in units
Performance Indicators	<ul style="list-style-type: none"> ➤➤ Line capacity per user ➤➤ Rate of satellite backup for terrestrial lines ➤➤ Number of copper lines replaced with fiber optic lines ➤➤ Number of upgraded Domain Servers ➤➤ Rate of uninterrupted operability in communications lines
Unit Relation	Lead Responsibility ➤ ITD
	Related Units



Objective 6.3



To upgrade computers, auxiliary hardware and active network devices every five years at the latest in accordance with needs and up-to-date technologies and provide necessary software

Strategies

- Produce and develop new software and obtain maintenance and support services
- Obtain necessary for creating hardware inventory and associated fault tracking
- Renew computers, auxiliary hardware and active network devices with expired economic lifecycle
- Procure computers and auxiliary hardware for candidate judges and prosecutors and judicial workers
- Procure licenses of and update software to be used
- Contract maintenance, repair and support services for computers, auxiliary hardware and active network devices
- Procure uninterrupted power supplies, power generators and other technical equipment for service buildings
- Ensure training of technical staff to be assigned to hardware maintenance and troubleshooting
- Introduce a software infrastructure allowing operation of UYAP software mostly upon central servers and easier updating of software
- Ensure development of a common display infrastructure for all modules under UYAP, facilitation of support services and standardized applications
- Carry out activities to foster use of open source software under UYAP

Performance Indicators

- Rate of renewed computers, auxiliary hardware and active network devices
- Number of newly produced and/or developed software
- Rate of decline in the number of units without uninterrupted power supply and power generator
- Number of developed or modified modules, displays and reports
- Rate of decline in the number of errors and requests brought to the helpdesk

Unit Relation

Lead Responsibility

➤ ITD

Related Units

Objective 6.4



To upgrade or renew UYAP systems and contingency center every three years on the basis of functions provided, needs and up-to-date modern technologies

Strategies

- Upgrade or renew UYAP systems and contingency center every three years
- Train staff to be assigned at UYAP systems and contingency center
- Obtain expertise and support as necessary
- Establish UYAP implementation, training and performance testing systems
- Create data warehouse and data mining systems
- Upgrade licenses of out-of-the-box software used in UYAP systems and contingency center parallel to increase in number of users

Performance Indicators

- Rate of decline in the complaints forwarded to helpdesk due to system interruption or slowdown

Unit Relation

Lead Responsibility

➤ ITD

Related Units



Objective 6.5



To increase number of users of judicial services informed and capable of performing transactions electronically by the end of 2014

Strategies

- Ensure performance of financial transactions (e.g. deposit of fees, expenses, collections, objection fees) at courthouses upon UYAP through establishment of automation mechanisms with the banks
- Enable citizens to examine details of case files, execution and bankruptcy files, append documents for their files, litigate, and initiate execution and bankruptcy procedures on UYAP using e-signature or mobile signature
- Enable institutions and corporations to examine details of case files, execution and bankruptcy files and append documents for their files on UYAP using e-signature
- Enable attorneys to litigate, initiate execution and bankruptcy procedures and execute all related transactions online on UYAP using e-signature
- Roll out use and enhance effectiveness of UYAP SMS Information System
- Establish infrastructure required for e-notifications and e-notices
- Establish infrastructure required for performance of all transactions electronically in execution and bankruptcy offices
- Collaborate with bar associations on activities to introduce the aforementioned functionalities of UYAP to attorneys and the public
- Develop an "UYAP Expert System Project" which provides for creating an advanced user information system

Performance Indicators

- Rate on increase in number of users
- Rate of procedures and transactions performed electronically
- Number of registered SMS users
- Rate of savings in human and financial resources
- Rate of increase in the number of e-notifications, e-notices and e-sales

Unit Relation

Lead Responsibility

➤ ITD

Related Units



Objective 6.6



To monitor modern technologies in detection of IT crimes, finalize infrastructure and execute judicial IT services by the end of 2014

Strategies

- Set up laboratories with necessary equipment and software infrastructure in place for detection of evidence in IT crimes
- Recruit or train IT crime experts in sufficient numbers
- Review practices of other countries through cooperation
- Train members of the judiciary in IT crimes, develop and use distant education training modules on IT crimes
- Cooperate with other institutions and agencies (e.g. Gendarmerie General Command, Turkish National Police, universities, civil society organizations) in order to improve judicial IT services

Performance Indicators

- Number of processed files on IT crimes
- Number of trainings and trainees
- Number of experts
- Number of laboratories and equipment

Unit Relation

Lead Responsibility

➤ ITD

Related Units

➤ DoT



Objective 6.7



To develop an information security system and recruit technical staff by the end of 2011

Strategies

- Fulfill requirements of ISO/TSE 27001 standard and complete certification process
- Implement ISO/TSE 27001 standard and obtain monitoring tools
- Work in improving personal rights of technical staff
- Recruit technical staff and assign at every courthouse
- Develop legislation

Performance Indicators

- Rate of 27001 standard requirements met
- Rate of increase in the number of technical staff specialized in IT

Unit Relation

Lead Responsibility

➤ ITD

Related Units

➤ GDH ➤ DGCRS



Objective 6.8



To review IT practices of other countries and improve cooperation by the end of 2014

Strategies

- Conduct study visits
- Organize joint scientific events (e.g. meetings, seminars, symposia, workshops)
- Work in introducing UYAP to other countries and organizations and technology transfer

Performance Indicators

- Number of countries UYAP is introduced and transferred
- Number events organized

Unit Relation

Lead Responsibility

➤ ITD

Related Units



Objective 6.9



To work on improving procedures concerning criminal records in connection with UYAP considering latest developments by the end of 2014

Strategies

- Upgrade and renew software and hardware used in procedures concerning criminal records
- Upgrade central system hardware
- Train unit staff at central and local level

Performance Indicators

- Increase in the number of procedures
- Rate of acceleration in work processes
- Number of trainings and trainees
- Rate of reduction in errors in work processes

Unit Relation

Lead Responsibility

➤ DGCRS

Related Units

➤ ITD ➤ DGP



Objective 6.10



To improve activities concerning criminal statistics and increase effectiveness of use of UYAP for data mining by the end of 2014

Strategies

- Introduce electronic generation of statistics currently produced out of print criminal records
- Reduce response load as a result of electronic compilation of data in the judicial system
- Review practices of other countries through cooperation

Performance Indicators

- Rate of statistical procedures performed electronically
- Rate of savings in human and financial resources
- Rate of acceleration in work processes

Unit Relation

Lead Responsibility

➤ DGCRS

Related Units

➤ ITD

➤ DSD



7. TO CONTINUE WITH CONSTRUCTION OF JUSTICE SERVICE BUILDINGS OBSERVING REQUIREMENTS OF JUDICIAL ARCHITECTURE AND DELIVER OF TECHNICAL INFRASTRUCTURE SERVICES AT A SATISFACTORY LEVEL

The respect for and trust in the judiciary is directly related with the importance attached at the physical infrastructure of the judicial organization. Delivery of judicial services in modern working environments using advanced technology is crucial for facilitating access and of users to services and their satisfaction as well as efficiency of judicial workers. Moreover, all these elements have a positive effect on the quality, dignity and respectability of judicial proceedings.

This subject is highlighted in the recommendations of international organizations. For example, the Recommendation of the Committee of Ministers of the Council of Europe to Member States on the Independence, Efficiency and Role of Judges emphasizes the importance of providing adequate infrastructure support to ensure that judges can act efficiently and without undue delay.

Our Ministry has implemented significant activities in this field. The square footage of completed and ongoing courthouse buildings is already four times higher compared to 2002.

The need to make buildings functional and conducive to working conditions of the judiciary in accordance with modern architectural characteristics is taken into consideration in designing new justice service buildings. When a decision is made for constructing a new service building in a particular region the population size, population growth rate and competence in that region are taken into account in order to assess needs properly for designing long-lasting buildings.

On the other hand, the buildings need to satisfy bar associations, attorneys and other users and facilitate use of the premises and judicial services by citizens with disabilities. These aspects are incorporated in designs as much as possible.

Despite all the efforts, it is not yet possible to say that the need for justice service buildings is fulfilled altogether. Buildings in different parts of the country still do not fit the requirements of judicial activities.

The activities under the Strategic Plan aim to detach all court buildings in provincial centers and ensure construction of at least 10 service buildings every year in other centers.



Objective 7.1



To work on meeting the need for service buildings for the judicial organization according to criteria to be set by the end of 2014

Strategies

- Prioritize needs for service buildings for the judicial organization according to criteria to be set
- Detach all courthouses in provincial centers
- Construct at least 10 service buildings every year in localities other than provincial centers
- Create needs lists and develop projects to facilitate access to justice
- Design new service buildings with a view to serving needs of the disabled in collaboration with civil society organizations

Performance Indicators

- Number of completed service buildings
- Satisfaction rate of members of the judiciary and judicial workers

Unit Relation

Lead Responsibility

➤ DTM

Related Units

➤ DAF

➤ ITD

➤ DGP



Objective 7.2



To work on providing adequate physical means necessary to carry out attorneyship services in courthouses by the end of 2014

Strategies

- Designate adequate waiting rooms for use of attorneys in the needs lists for new courthouses
- Set up hearing notification systems in courthouses in order to facilitate work of attorneys

Performance Indicators

- Number of courthouses with hearing notification system

Unit Relation

Lead Responsibility

➤ DAF

Related Units

➤ DTM ➤ ITD



Objective 7.3



To renew furniture and technical infrastructure in judicial service buildings and replace service vehicles as necessary by 2014

Strategies

- Equip and furnish existing, constructed and planned courthouses considering number of courts and potential needs in the future
- Replace service vehicles with expired economic lifecycle

Performance Indicators

- Rate of replaced service vehicles
- Satisfaction rate of members of the judiciary and judicial workers

Unit Relation

Lead Responsibility

➤ DAF

Related Units

➤ ITD



8. TO INCREASE MEANS FOR ACCESS TO JUSTICE AND ENHANCE EFFECTIVE USE OF THE MEANS

Access to justice is a concept whereby the state makes available all means for all citizens to access justice whenever they need and seek legal remedies effectively and efficiently introduces availability of such means. Lack of adequate effectiveness of access to justice may impair the trust of the society in the judicial system and thus the state.

The concept of access to justice covers several areas of the judicial system. The main elements of access to justice include court settlement of disputes within a reasonable period of time, affordability of costs of proceedings for the concerned parties, resolution of simple disputes without bringing before the courts, simplification of rules of procedure and increasing effectiveness of legal aid.

Application of measures merely based on positive legal regulations for effective means for access to justice does not appear to be possible. Therefore information activities, counseling offices, brochures, court case guides websites and similar means aiming at raising the knowledge level of the public on ways to use right to legal remedies and awareness of the law facilitate access of citizens to justice.

An essential element of the rule of law is to create a system which enables all citizens have full and fair access to judicial services.

In addition, facilitated access to justice is a key priority for the European Union, Council of Europe and European Court of Human Rights.

Table 2: Types of Legal Aid Granted in Criminal and other than Criminal Cases [Civil Cases] (CEPEJ)

COUNTRY	CRIMINAL CASES		OTHER THAN CRIMINAL CASES	
	Representation in courts	Legal advice	Representation in courts	Legal advice
France	Yes	Yes	Yes	Yes
Germany	Yes	Yes	Yes	Yes
Italy	Yes	No	Yes	No
UK	Yes	Yes	Yes	Yes
Netherlands	Yes	Yes	Yes	Yes
Spain	Yes	Yes	Yes	Yes
Turkey	Yes	No	Yes	No

Access to justice in Turkey is secured by the provisions of the right to legal remedy and the concept of social state governed by the rule of law in the Constitution.

In this context, mechanisms to facilitate access to justice such as obligatory representation by lawyers, alternative dispute resolution methods and legal aid in civil cases are established. However, improvement is still needed in certain aspects. Therefore, the activities under the Strategic Plan aim at increasing effectiveness of the procedure of legal aid in civil cases in order to eliminate challenges in practice, informing users on legal issues and case flow processes, developing courthouse websites, standardizing translation and interpretation services at courts and taking measures to facilitate access to justice for disadvantaged groups.

Given its broad and comprehensive nature, access to justice is associated with other goals and objectives in the Plan. Therefore, objectives and activities pertaining to access to justice not mentioned under this specific goal are stated under other goals.

Objective 8.1



To work on increasing effectiveness of the procedure of legal aid in civil proceedings by the end of 2011

Strategies

- Identify views of members of the judiciary and judicial actors using scientific methods (e.g. surveys, interviews, workshops, seminars)
- Prepare legislation amendments
- Develop clear, understandable and guiding documents (e.g. brochures, handbooks) on the procedure of legal aid in collaboration with practitioners and academics and disseminate to users
- Post practical information on the procedure of legal aid on the websites of the Ministry and courthouses
- Simplify the procedure of legal aid and set up legal aid centers

Performance Indicators

- Amendment in the legislation prepared
- Rate of increase in the number of users of legal aid
- Rate of increase in the amount of financial resources allocated to legal aid services
- Number of legal aid centers set up

Unit Relation

Lead Responsibility

➤ DGLA

Related Units

➤ DAF ➤ PPR



Objective 8.2



To inform users on legal issues and case flow processes and develop and standardize courthouse websites by the end of 2011

Strategies

- Identify relevant legal issues and matters; develop clear, understandable and guiding documents (e.g. brochures, handbooks) and disseminate online for easy access
- Set standards for the websites and make websites user friendly

Performance Indicators

- Number and types of documents developed
- Number of websites conforming to standards
- Rate of increase in the number of hits on websites

Unit Relation

Lead Responsibility

➤ DSD ➤ ITD

Related Units

➤ DoT ➤ DoP ➤ DGLA ➤ DGCA



Objective 8.3



To work on standardizing translation and interpretation services at courts by the end of 2010

Strategies

- Review practices of other countries
- Prepare necessary amendment in the legislation

Performance Indicators

- Amendment in legislation prepared

Unit Relation

Lead Responsibility

➤ DGCA

Related Units



Objective 8.4



To work on taking measures to facilitate access to justice for disadvantaged groups by the end of 2011

Strategies

- Organize scientific events (e.g. meetings, seminars, symposia, workshops) with relevant institutions, agencies, universities and civil society organizations in order to identify challenges experienced by disadvantaged groups in access to justice
- Organize scientific events in collaboration with practitioners and academics on evaluation of legal remedies and procedures for proceedings in written and similar topics with a view to access to justice
- Review practices in other countries through cooperation
- Take measures in collaboration with relevant institutions and prepare legislation amendments

Performance Indicators

- Number of events organized
- Number of implemented recommendations

Unit Relation

Lead Responsibility

➤ DSD

Related Units

➤ DGCA ➤ DGP ➤ DTM



9. TO STRENGTHEN SCIENTIFIC CAPACITY OF THE FORENSIC MEDICINE INSTITUTION AND SCALE UP SERVICES

Today, scientific and technical reports of the science of forensic medicine are instrumental in solving several matters significant for criminal law as well as other fields of the law.

Forensic science was originally built upon classical forensic medicine and has gradually become more extensive and comprehensive parallel to the scientific and technical developments across the world. Today, activities of the forensic medicine cover a wide range of areas including DNA analyses, physics-ballistics tests, reconstruction, chemical analyses, opioids-narcotics examinations, forensic anthropology, entomology, forensic meteorology and forensic psychiatry.

On the other hand, conducting effective investigations while protecting human rights now widely depends on using data from forensic sciences. Aware of this fact, developed countries conduct and conclude investigations based on scientific evidence provided by forensic sciences. Today, the precept of “go to suspect from the evidence” is accepted and not the other way around.

Following these global trends, Turkey has attached particular importance to scientific evidence with the new criminal justice system introduced in 2005.

The Forensic Medicine Institution is the sole expert witness agency in Turkey. In addition to this role, the Institution has forensic medicine specialty and subspecialty programs, organizes symposia, conferences and similar events and conducts training programs in forensic medicine.

In recent years, our Ministry taken important steps in order to strengthen the organizational capacity and upgrade the physical and technical infrastructure of the Institution. These efforts have enhanced the human resources capacity as well as technical and scientific infrastructure of the Institution. Today, the technology used by the Institution is ahead of many developed countries. Efforts for certification of laboratories and international accreditation activities are ongoing.

The Strategic Plan includes several activities in order to take forensic services further ahead in the future.

A key priority for our Ministry is to scale up forensic services across the country. Delivery of services at local level is instrumental for celerity, quality and efficiency.

Other activities under the Plan include establishment of accredited laboratories conforming international standards, continuous upgrade of technological equipment used for forensic services and improving human resources capacity of the institution.

Objective 9.1



To scale up Forensic Medicine Institution units across the country by the end of 2014

Strategies

- Establish section directorates for forensic medicine in all provincial centers and relevant heavy criminal courts
- Appoint staff in sufficient numbers
- Designate service buildings and equip units
- Cooperate with the Ministry of Health and universities for assistance

Performance Indicators

- Number of local units established
- Rate of acceleration in work processes

Unit Relation

Lead Responsibility

➤ FMI

Related Units

➤ DGP

➤ DTM



Objective 9.2



To establish accredited laboratories in conformity with international quality standards and enhance technological capacity in forensic sciences by the end of 2014

Strategies

- Identify priority areas for accreditation
- Cooperate with related international agencies and organizations
- Equip laboratories in order to meet standards
- Conduct trainings in collaboration with universities in order to meet standards
- Monitor technological developments at national and international level
- Continuously upgrade technological equipment used in forensic sciences

Performance Indicators

- Number of accredited laboratories
- Ratio of upgraded equipment
- Rate of acceleration in work processes

Unit Relation

Lead Responsibility

➤ FMI

Related Units



Objective 9.3



To organize scientific activities and strengthen international cooperation in order to improve areas of forensic sciences by the end of 2014

Strategies	<ul style="list-style-type: none"> ➤ Set up a documentation center and e-library linked with international agencies and organizations ➤ Organize scientific events (e.g. congresses, seminars, symposia, workshops) in collaboration with universities, relevant agencies and international organizations and publish proceedings of events ➤ Enhance attendance to international symposia and increase number of study visits and international activities for training purposes ➤ Identify relevant institutions and areas for exchange and cooperate ➤ Make international agreements with countries for sending staff of Forensic Medicine Institution abroad for training in their institutions
Performance Indicators	<ul style="list-style-type: none"> ➤➤ Number of events organized ➤➤ Number of cooperated countries and/or country practices reviewed ➤➤ Number of international events and participants
Unit Relation	<div>Lead Responsibility</div> <div>➤ FMI</div>
	<div>Related Units</div> <div></div>



Objective 9.4



To strengthen human resources capacity in forensic sciences by the end of 2014

Strategies

- Increase number of experts and staff of all areas of forensic sciences with a view to establishment of new units and scaling up services
- Monitor national and international developments and conduct in-service trainings on a continuous basis

Performance Indicators

- Rate of decline in shortage of staff in cadres
- Number of trainings and trainees

Unit Relation

Lead Responsibility

➤ FMI

Related Units

➤ DGP



10. TO IMPROVE INTERNATIONAL COOPERATION AND HARMONIZE WITH THE EUROPEAN UNION ACQUIS

Today, international relations intensify and cross national borders easily as a consequence of the advancements in transportation and economic and social developments. Therefore, countries and supranational / international organizations have increased efforts for cooperation.

Not indifferent to these developments, the international law develops depending on bilateral or multilateral agreements among countries rather than traditions. In particular, governments and supranational / international organizations need to act in concert to effectively deal with common problems heedless of national borders such as terrorism, environment and human and drug trafficking.

These supranational / international organizations which represent institutionalization of international cooperation are becoming more important every day. They play a particular role for enhancing international cooperation and adapting to the changing world. Since its foundation, Turkey has closely monitored these developing trends and ultimately become a member to several international organizations party to many international treaties.

Closer international relations have also changed the nature of problems. Many problems which were considered to be domestic previously concern the whole humanity today. In this regard, the fundamental human rights and freedoms which are indispensable and non-assignable are no more a domestic issue of states but have reached an international dimension and assurance. The European Convention on Human Rights is part of the domestic law in Turkey which ratified the binding nature of the judgments of the European Court of Human Rights and amended its domestic law to that effect.

In addition, the process of accession to the European Union is an important factor affecting our domestic law. Unlike other international organization which provide for cooperation in specific areas, the EU is a supranational organization aiming at economic, political and legal integration. For this, integration with the EU and transposition of the EU law is necessary. Therefore, harmonization of the norms of the domestic law with EU norms is very important for full accession. Aware of the importance of this process, our Ministry has taken major steps for harmonization with the EU law and efforts for harmonizing our legislation with the *acquis* are ongoing.

The activities under the Strategic Plan including assigning liaison judges or legal advisors in countries Turkey has intensive judicial relations with and at EU institutions and other international organizations and, in accordance with the principle of reciprocity, accepting focal points in Turkey. A necessity out of intensified judicial relations, this will contribute to carrying out of judicial services in a more effective manner.

ECHR is an international mechanism for protection of human rights. Therefore, its judgments are very important for countries. Currently, the Ministry of Foreign Affairs is responsible defense in cases brought against Turkey before the Court. Given the nature of ongoing cases before the Court and now that the Ministry of Justice is responsible from judicial services, the Ministry needs to assume duties concerning these cases in order to render these services more effectively and efficiently.

Objective 10.1



To finalize international judicial assistance procedures and make organizational arrangements for more effective cooperation with EU institutions and other international organizations by the end of 2011

Strategies

- Assign liaison judges or legal advisors in countries Turkey has intensive judicial relations with and at EU institutions and other international organizations and accept focal points in Turkey in accordance with the principle of reciprocity
- Amend legislation in collaboration with relevant institutions
- Identify countries and agencies for assignment in collaboration with the Ministry of Foreign Affairs and complete institutional organization
- Organize trainings on legal terminology in foreign languages and other topics the duty may require

Performance Indicators

- Amendment of legislation prepared
- Number of trainings and participants
- Number of cooperated countries and/or country practices reviewed
- Rate of acceleration and improvement in work processes

Unit Relation

Lead Responsibility

➤ DGILFA

Related Units

➤ DGEU ➤ DGP



Objective 10.2



To increase number of mutual judicial assistance agreements with countries Turkey has intensive relations with and enhance capacity the judicial organization concerning mutual judicial assistance procedures by the end of 2014

Strategies

- Work on increasing the number of bilateral and multilateral agreements
- Collaborate with the Ministry of Foreign Affairs and relevant institutions
- Make necessary assignments, develop training materials and organize trainings in order to build competence among staff in mutual judicial assistance and enable them to engage in direct correspondence in matters concerning mutual judicial assistance
- Enhance competence among sufficient number of public prosecutors working at Offices of Chief Public Prosecutors of Heavy Criminal Courts in matters concerning mutual judicial assistance

Performance Indicators

- Rate of increase in the number of bilateral and multilateral agreements concluded
- Number of trainings and participants
- Rate of acceleration and improvement in work processes

Unit Relation

Lead Responsibility

➤ DGILFA

Related Units

➤ DGEU ➤ DoT



Objective 10.3



To work on assumption of duties concerning cases brought against Turkey before ECHR by the Ministry of Justice by the end of 2014

Strategies

- Work on developing legislation in collaboration with the Ministry of Foreign Affairs and related institutions
- Take over the duty which rests with the Ministry of Foreign Affairs within the period of transition to be set
- Establish cadres for relevant duties and work on enhancing language skills of members of the judiciary and experts selected for these duties
- Cooperate with relevant authorities to organize trainings for selected members of the judiciary and experts at the Permanent Representation in Strasbourg and ECHR
- Organize specialty trainings in different disciplines of legal processes to follow
- Set up the overseas organization of our Ministry to follow legal processes at ECHR in collaboration with the Ministry of Foreign Affairs

Performance Indicators

- Legislation amendment prepared
- Number of members of the judiciary and experts trained
- Institutional organization completed

Unit Relation

Lead Responsibility

➤ DGILFA

Related Units

➤ DGEU ➤ DGCA ➤ DGLA



Objective 10.4



To enhance project development capacity to benefit from European Union Funds and assistance programs by the end of 2014

Strategies

- Organize briefings for Ministry units and project development trainings for members of the judiciary
- Identify potential project areas using participatory methods and increase number and scope of projects

Performance Indicators

- Rate of increase in the amount of funds and number of assistance programs
- Number members of the judiciary and judicial workers trained in project development

Unit Relation

Lead Responsibility

➤ DGEU

Related Units



Objective 10.5



Out of the priorities laid down in the Accession Partnership and other negotiation/accession instruments, to fulfill requirements relevant to the Ministry of Justice

Strategies

- Organize briefings for Ministry units and project trainings for members of the judiciary

Performance Indicators

- Rate of fulfillment of chapter opening and closing criteria
- Rate of timely fulfillment of priorities laid down in the Accession Partnership

Unit Relation

Lead Responsibility

➤ DGEU

Related Units



11. TO IMPROVE THE ADMINISTRATION SYSTEM OF THE JUDICIAL ORGANIZATION

Change and developments in social, economic and technological areas are the main drivers of the need for reform in public services. Such developments will invariably have to be taken into account in order for public administration to become an effective instrument in meeting the needs of the society.

The primary goal of public reform initiatives is to increase effectiveness and efficiency of public services. As in the general public domain, the Ministry of Justice needs to restructure its organizational structure and processes in line with the conditions of the day and the understanding of strategic management.

A “Judicial Informatics Authority” is planned in order to coordinate IT activities to enable carrying out of all judicial and administrative procedures concerning the judiciary including court procedures electronically with the ultimate goal of maximizing reliability and accuracy and accelerating the operation of the judicial system.

The workload arising from socioeconomic developments, population growth and similar factors has led to the need to build huge courthouses. Professional management of large courthouses will contribute to the effectiveness and efficiency of judicial services.

Lack of competent support staff is another important issue in judicial administration. Currently, certain non-judicial tasks are carried out by members of the judiciary. The steps to be taken to address this issue will, as highlighted in the recommendation by the Committee of Ministers of the Council of Europe, serve as a milestone for a comprehensive judicial reform.

Objective 11.1



To work on reducing administrative tasks and duties of members of the judiciary by the end of 2011

Strategies

- Organize scientific events (e.g. meetings, seminars, symposia, workshops) involving members of the judiciary and academics
- Review legislation which assigns administrative tasks on members of the judiciary and prepare a needs assessment and situation analysis report
- Review practices in other countries through cooperation and report results of review to the public
- Prepare amendment in legislation

Performance Indicators

- Amendment in legislation prepared
- Rate of decline in administrative tasks
- Number of cooperated countries and/or country practices reviewed

Unit Relation

Lead Responsibility

➤ DGP

Related Units

➤ DGL ➤ DSD ➤ DGCA ➤ DGPD ➤ DAF



Objective 11.2



To work on reorganizing the Ministry organization in accordance with the new understanding of public administration by the end of 2010

Strategies

- Work on establishment of an institution to coordinate IT services across the central Ministry level, high judicial bodies and other judicial services units
- Prepare amendment in legislation
- Complete administrative organization
- Organize training and awareness-raising activities, develop training materials (books, brochures etc.) in order to strengthen strategic management capacity of Ministry units at central and local level
- Increase in-service trainings of staff involved in financial processes

Performance Indicators

- Amendment in legislation prepared
- Number of events organized
- Number and types of documents developed

Unit Relation

Lead Responsibility

- DSD
- ITD

Related Units

- DGL
- DGCRS



Objective 11.3



To work on modernizing and increasing efficiency of the notary profession in cooperation with the Union of Turkish Notaries by the end of 2012

Strategies

- Review practices in other countries through cooperation and report results of review to the public
- Organize scientific events (e.g. meetings, seminars, symposia, workshops) in cooperation with the Union of Turkish Notaries on the notary profession and issues
- Prepare amendment in legislation
- Set rules of ethics for notary profession

Performance Indicators

- Number of events organized
- Amendment in legislation prepared

Unit Relation

Lead Responsibility

➤ DGL

Related Units

➤ DGCA ➤ DGLA



Objective 11.4



To work on strengthening internal auditing capacity of the Ministry by the end of 2010

Strategies

- Organize training activities on developing internal auditing practices in accordance with relevant legislation and standards
- Carry out activities for raising awareness and enhancing effectiveness of internal auditing

Performance Indicators

- Number of audit reports prepared after internal auditing activities
- Number of consultant reports
- Number trainings and trainees

Unit Relation

Lead Responsibility

➤ BIA

Related Units

➤ DGL ➤ DSD



12. TO CARRY OUT MEDIA AND PUBLIC RELATIONS EFFECTIVELY

We live in an information and communication age. Relations with the media and public become more important every day in democratic societies. For good governance, tasks of citizens should not end after elections. They need to continue to show interest and involve in and contribute to management processes particularly concerning the actions and activities of the public administration. Therefore, public support is crucial for good governance. The success of any public institution primarily depends on the level of contribution and support by the public.

True, the judicial system does not focus on public relations much, as the case is in the public sector in general. However, public relations are inseparable from judicial services. Proper and healthy public relations in the justice organization are instrumental in the effectiveness and efficiency of judicial services. Among other factors, failure to attach due importance at public relations affects perception of justice and impairs public trust in justice.

Many challenges the judiciary faces today including image, media relations, lack of due care for the principle of respecting the law, independence and impartiality are closely related with the public relations process.

A proper and healthy public relations approach will enhance public trust in justice.

The success of steps toward the judicial reform relies on effective public support. Any effort for improving the judiciary which lacks public faith will fail. On the other hand, a well functioning public relations process will strengthen public faith in the rule of law and awareness of rights.

Media relations are inseparable from public relations and very important for the judicial system.

Although not in the sense of positive law, media is defined as an alleged “fourth power”. This allegation gives resilience to the media on the one hand and causes a variety of issues on the other. The processes and methods the media (i.e. audio, visual and print media) follows today in publicizing judicial cases at the beginning of investigation, prosecution or judicial process tend to impair the “the right to privacy”, “right to fair trial”, “independence and impartiality of the judiciary” and “presumption of innocence”. The media needs to balance the freedom of communication with the aforementioned principles in dealing with newsworthy judicial cases.

On the other hand, failure to employ adequate and proper communication channels between the media and the judiciary continues to cause problems. Members of the judiciary cannot talk when judicial proceedings are ongoing as their tasks require so. However, timely and proper information sharing with the media is crucial now that investigations, cases and other developments on the judicial agenda are closely followed by the public and the media. Lack of such timely and proper information sharing often leads to hearsay, speculations and news reports and comments based on imperfect and misleading information. Most of the time, it is not possible to completely make up for such reports or comments with statements to refute or rectify.

To deal with these problems, activities under the Strategic Plan aim to increase efficiency of the Press and Public Relations Unit at the Ministry of Justice and set up offices to ensure timely and proper flow of information to the media.

With these units, it is expected to improve relations between the judiciary and the media, reduce number of misleading and wrong information regarding judicial services and thus restore image of the judiciary and enhance public trust in justice.

On the other hand, the quality of information regarding judicial services depends on knowledge level of media professionals about how the judicial system functions as much as on sound news sources. Given that inadequate knowledge underlies some of the misleading news reports, it will be useful to develop informative programs for the media in cooperation with relevant agencies.

Moreover, comprehensive periodical public surveys are planned in order to identify public perceptions about the justice mechanism and complaints about and expectations from the judiciary.

Table 15: Assessment of Satisfaction of Users with Judicial Services (CEPEJ)

COUNTRY	Satisfaction assessed via surveys etc.
Germany	Yes
Italy	Yes
UK	Yes
Spain	No
Turkey	No
Netherlands	Yes
France	Yes
Greece	No

Objective 12.1



To improve communication between the judiciary and the media by the end of 2014

Strategies

- Enhance cooperation with relevant professional organizations
- Organize joint events (e.g. meetings, seminars, symposia, workshops) with professional organizations on basic concepts of the law and judicial processes for judicial correspondents
- Organize awareness-raising events (e.g. meetings, seminars) on media and public relations for members of the judiciary and judicial workers

Performance Indicators

- Number of events organized
- Number of press and public relations offices set up

Unit Relation

Lead Responsibility

➤ DSD

Related Units

➤ DoT ➤ PPR



Objective 12.2



To conduct periodical comprehensive public surveys in order to identify public perceptions about the judicial system and expectations from the judiciary by the end of 2014

Strategies

➤ Conduct surveys periodical surveys in order to learn opinions of all users

Performance Indicators

➤➤ Number of public surveys and respondents

Unit Relation

Lead Responsibility

➤ DSD

Related Units

➤ PPR



Objective 12.3



To set up press and public relations offices in all courthouses by the end of 2010

Strategies

- Prioritize courthouses to open press and public relations offices
- Collaborate with universities and professional organizations in order to train relevant members of the judiciary and office staff
- Set working procedures and principles of offices

Performance Indicators

- Number of units set up
- Number of trainers and trainees

Unit Relation

Lead Responsibility

➤ DGP

Related Units

➤ PPR ➤ DSD ➤ DoT



3.2. CONFORMITY WITH BASIC POLICY DOCUMENTS

It is essential that the Strategic Plan conform with basic policy documents and macro-level national strategies.

Therefore, the Strategic Planning process has taken the following instruments into consideration:

- The Ninth Development Plan
- The National Program
- The Information Society Strategy
- The Medium-Term Program
- The Medium-Term Financial Plan.

3.3. UNIT RELATION

GOAL	OBJECTIVE	BoI	DSD	BIA	DGCA	DGLA	DGPD	DGCRS	DGL	DGILFA	DGEU	PPR	DGP	DoT	DoP	DAF	DTM	ITD	FMI
G 1	01								✓										
	02												✓						
	03		✓											✓					
	04								✓										
	05												✓						
	06								✓									✓	
	07								✓										
G 2	01												✓						
	02		✓																
	03					✓													
	04		✓						✓				✓				✓	✓	
	05												✓						
	06		✓																
	07												✓						
	08								✓										
	09				✓														
	010												✓						
	011					✓													
	012												✓						
	013				✓														
	014				✓														
	015								✓				✓						

GOAL	OBJECTIVE	Bol	DSD	BIA	DGCA	DGLA	DGPD	DGCRS	DGL	DGILFA	DGEU	PPR	DGP	DoT	DoP	DAF	DTM	ITD	FMI
G 3	01		✓											✓					
	02												✓						
	03														✓				
	04									✓									
	05													✓					
	06													✓					
	07												✓	✓					
	08												✓	✓					
	09									✓	✓								
	010												✓						
G 4	01													✓					
	02				✓														
	03					✓													
	04								✓					✓					
	05								✓										
G 5	01						✓												
	02						✓												
	03						✓												
	04						✓												
	05						✓												
	06						✓												
	07						✓												
	08						✓												
	09						✓												
	010						✓												

GOAL	OBJECTIVE	Bol	DSD	BIA	DGCA	DGLA	DGPD	DGCRS	DGL	DGILFA	DGEU	PPR	DGP	DoT	DoP	DAF	DTM	ITD	FMI
G 6	01																	✓	
	02																	✓	
	03																	✓	
	04																	✓	
	05																	✓	
	06																	✓	
	07																	✓	
	08																	✓	
	09							✓											
	010							✓											
G 7	01																✓		
	02															✓			
	03															✓			
G 8	01					✓													
	02		✓															✓	
	03				✓														
	04		✓																
G 9	01																		✓
	02																		✓
	03																		✓
	04																		✓

GOAL	OBJECTIVE	BoI	DSD	BIA	DGCA	DGLA	DGPD	DGCRS	DGL	DGILFA	DGEU	PPR	DGP	DoT	DoP	DAF	DTM	ITD	FMI
G 10	01									✓									
	02									✓									
	03									✓									
	04										✓								
	05										✓								
G 11	01												✓						
	02		✓															✓	
	03								✓										
	04			✓															
G 12	01		✓																
	02		✓																
	03												✓						

3.4. MONITORING AND EVALUATION

The success of strategic plans relies heavily on effective coordination within an organization. Haphazard activities which lack coordination will be a barrier to attainment of the vision.

Following from this fact, effective coordination at implementation stage is essential. The legislation assigns this task to departments for strategic development. However, the organizational structure involved in development of the plan needs to take part in this stage as well.

Therefore, the Ministry of Justice will maintain the following groups under the said organizational structure in order to carry out monitoring and evaluation activities in the 2010 – 2014 period:

- Unit Strategic Planning Teams
- Ministerial Strategic Planning Team
- Steering Committee
- Strategic Development Board.

The results of the activity reports of monitoring and evaluation activities will be disseminated to the public.

THE NINTH DEVELOPMENT PLAN / ECONOMIC AND SOCIAL DEVELOPMENT AXES

VISION

TURKEY, A COUNTRY OF INFORMATION SOCIETY, GROWING IN STABILITY, SHARING MORE EQUITABLY, GLOBALLY COMPETITIVE AND FULLY COMPLETED HER COHERENCE WITH THE EUROPEAN UNION

Increasing Competitiveness	Increasing Employment	Strengthening Human Development and Social Solidarity	Ensuring Regional Development	Increasing Quality and Effectiveness in Public Services
1- Making Macroeconomic Stability Permanent	1- Improving the Labor Market	1- Enhancing the Educational System	1- Making Regional Development Policy Effective and the Central Level	1- Rationalizing Powers and Responsibilities Between Institutions
2- Improving the Business Environment	2- Increasing the Sensitivity of Education to Labor Market	2- Making the Health System Effective	2- Ensuring Development Based on Local Dynamics and Internal Potential	2- Increasing Policy Making and Implementation Capacity
3- Reducing the Informal Economy	3- Developing Active Labor Market Policies	3- Improving Income Distribution, Social Inclusion and Fight Against Poverty	3- Increasing Institutional Capacity at the Local Level	3- Developing Human Resources in the Public Sector
4- Improving the Financial System		4- Increasing Effectiveness of the Social Security System	4- Ensuring Development in Rural Areas	4- Ensuring the Dissemination and Effectiveness of e-Government Applications
5- Improving the Energy and Transportation Infrastructure		5- Protecting and Improving Culture and Strengthening Social Dialogue		5- Improving the Justice System
6- Protecting the Environment and Improving the Urban Infrastructure				6- Making Security Services Effective
7- Improving R&D and Innovation				
8- Disseminating Information and Communication Technologies				
9- Improving Efficiency of the Agricultural Structure				
10- Ensuring the Shift to High Value-Added Production Structure in Industry and Services				

THE LINK BETWEEN THE NINTH DEVELOPMENT PLAN AND STRATEGIC PLAN OF THE MINISTRY OF JTICE

VISION "A REASSURING JUSTICE SYSTEM"

Rationalizing Powers and Responsibilities Between Institutions	Increasing Policy Making and Implementation Capacity	Developing Human Resources in the Public Sector	Ensuring the Dissemination and Effectiveness of e-Government Applications	Improving the Justice System
	• 0 11.4, 0 11.2	• 0 2.1	• 0 6.1, 0 6.2, 0 6.3, 0 6.4, 0 6.5, 0 6.6, 0 6.7, 0 6.8, 0 6.9, 0 6.10	• 0 1.1, 0 1.2, 0 1.3, 0 1.4, 0 1.5, 0 1.6, 0 1.7
		• 0 3.1, 0 3.2, 0 3.3, 0 3.4, 0 3.5, 0 3.7, 0 3.8, 0 3.9, 0 3.10	• 0 8.3,	• 0 2.1, 0 2.2, 0 2.3, 0 2.4, 0 2.5, 0 2.6, 0 2.7, 0 2.8, 0 2.9, 0 2.10, 0 2.11, 0 2.12, 0 2.13, 0 2.14, 0 2.15
		• 0 9.4		• 0 3.1, 0 3.2, 0 3.3, 0 3.4, 0 3.5, 0 3.6, 0 3.7, 0 3.8, 0 3.9, 0 3.10
				• 0 4.1, 0 4.2, 0 4.3, 0 4.4, 0 4.5
				• 0 5.1, 0 5.2, 0 5.3, 0 5.4, 0 5.5, 0 5.5, 0 5.6, 0 5.7, 0 5.8, 0 5.9, 0 5.10
				• 0 6.1, 0 6.2, 0 6.3, 0 6.4, 0 6.5, 0 6.6, 0 6.7, 0 6.8, 0 6.9, 0 6.10
				• 0 7.1, 0 7.2, 0 7.3
				• 0 8.1, 0 8.2, 0 8.3, 0 8.4
				• 0 9.1, 0 9.2, 0 9.3, 0 9.4
				• 0 10.1, 0 10.2, 0 10.3, 0 10.4, 0 10.5
				• 0 11.1, 0 11.2, 0 11.3, 0 11.4
				• 0 12.1, 0 12.2, 0 12.3

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