

The Circular of Turkish Prime Ministry on Increasing Transparency and Strengthening the Fight against Corruption

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On April 30th, 2016, the Turkish Prime Ministry published on the Official Gazette, the Circular No. 2016/10 on Increasing Transparency and Strengthening the Fight against Corruption (“Circular”). The Circular succeeds the Strategy on Increasing of Transparency and the Fight against Corruption, which was promulgated to be enforced within the years 2010 and 2014. The new Action Plan annexed to the Circular is promulgated to encompass the period between 2016 and 2019.

As per the Circular, the Commission for Increasing Transparency and Strengthening the Fight against Corruption is appointed to approve the action plans within the scope of the Circular. The Executive Committee for Increasing Transparency and Strengthening the Fight against Corruption on the other hand, is responsible for the execution and coordination of the action plans in an effective manner. Both the commission and the executive committee will use the secretariat of the Prime Ministry Inspection Board while discharging their duties. Further, the Circular appoints a monitoring group, tasked with preparing a monitoring report in relation to the action plan.

The action plan is organized under three chapters of precautions, namely (i) precautions aimed at prevention, (ii) precautions aimed at enforcement of sanctions and (iii) precautions aimed at enhancing social awareness.

Under the precautions aimed at prevention, the action plan mainly prescribes (i) that the studies on political ethics be completed; (ii) the review of the legislations and the effectiveness of the enforcement of these legislations regarding the works which cannot be undertaken by those who leave public service; (iii) determination of ethics rules for public service professions by the Public Officials Ethics Council; (iv) increasing the effectiveness of the ombudsman institution; (v) a single window system be enforced with regard to customs (which aims to increase the use of technology in customs); (vi) determination of ethics rules for members of the judiciary; (vii) strengthening the accountability mechanisms in municipalities; (viii) improving the implementation of openness and transparency and enabling the control of the financing of political parties and election campaigns; and (ix) review of the Public Procurement Law in light of the European Union legislations.

Under the precautions aimed at enforcement of sanctions, the action plan prescribes (i) the review of the permission system regarding the investigations against public officials and (ii)

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preparation of regulations regarding the protection of whistleblowers within the public sector, private sector and non-governmental organizations.

Under the precautions aimed at social awareness, the action plan mainly prescribes (i) increasing the influence of the ethical behavior principles in the Ministry of National Education curricular and (ii) supporting social actions regarding fighting against corruption and clean society.

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