

## Turkey

1. Fair	
<b>Regulatory framework</b>	<p>The asset declaration system is established by the 1990 Law No. 3628 on Asset Disclosure and Fighting against Bribery and corruption and the Regulation No. 748 on Submission of Asset Disclosures which implements the Asset Disclosure and Anticorruption Law.</p> <p>The 2005 Regulation on Procedure and Basis of Application of the Civil Servants Ethical Behavior Principles covers restrictions, conflict of interest and incompatibilities of civil servants.</p>
<b>Outreach to public officials about disclosure requirement</b>	<p>State Personnel Presidency has published an “Asset Disclosure Guideline” on its website for all civil servants and public agencies. (<a href="http://www.dpb.gov.tr/F/Root/duyurular/MAL_BiLDiRiMiNE_iLiSKiN_REHBER.pdf">http://www.dpb.gov.tr/F/Root/duyurular/MAL_BiLDiRiMiNE_iLiSKiN_REHBER.pdf</a>)</p> <p>For guidelines, HR departments of government institutions publish a copy of Regulation No. 748 on their respective official websites as the legislation covers information on who, what, where and when public officials must disclose. Examples from government institutions websites are below:</p> <ul style="list-style-type: none"> <li>• Human Resources Department of Ministry of Health: <a href="http://www.ailehekimligi.gov.tr/index.php?option=com_content&amp;view=article&amp;id=615:mal-bildiriminde-bulunulmas-hakkndaki-yonetmelik-&amp;catid=42:yonetmelikler&amp;Itemid=223">http://www.ailehekimligi.gov.tr/index.php?option=com_content&amp;view=article&amp;id=615:mal-bildiriminde-bulunulmas-hakkndaki-yonetmelik-&amp;catid=42:yonetmelikler&amp;Itemid=223</a></li> <li>• Federation of Private Security Associations: <a href="http://www.togf.org.tr/ekler/yonetmelikler/5.mht">http://www.togf.org.tr/ekler/yonetmelikler/5.mht</a></li> <li>• Human Resources Department of Ministry of Labour and Social Security: <a href="http://www.csgb.gov.tr/csgbPortal/ShowProperty/WLP%20Repository/csgb/mevzuat/genelgeler/genelge19">http://www.csgb.gov.tr/csgbPortal/ShowProperty/WLP%20Repository/csgb/mevzuat/genelgeler/genelge19</a></li> </ul>
<b>Type of information disclosed</b>	<p>Content of disclosure focuses predominantly on financial interests. Filers are required to disclose the following:</p> <ul style="list-style-type: none"> <li>• <b>Properties:</b> Movable and immovable properties (including personal residence, value, description and purchase date, owner ID number)</li> <li>• <b>Investments and Liabilities:</b> Stocks and securities, business relationship with financial institutions (amount and description)</li> <li>• <b>Incomes:</b> Sources</li> </ul>
<b>Other relevant information</b>	<p>Restrictions exist on receiving gifts. Regardless of its economic value, civil servants cannot receive gifts from persons who are within their purview. If the value of a gift received by international protocol rules is higher than ten times of minimum wage, these gifts must be submitted to the institution where the public official works.</p> <p>Public officials are responsible for avoiding conflicts of interest and must inform their superiors if a conflict arises.</p>
2. Transparent	
<b>Public accessibility of disclosed information</b>	<p>Legislation establishes financial disclosures as confidential documents with no public access. Only competent authorities such as prosecutors, judges, courts, inspectors etc. can access to the disclosed information during investigations and prosecutions.</p>

<b>Public access to information concerning disclosure system functioning</b>	There is no specific public access system to information regarding asset disclosure system functioning.
<b>Other relevant information</b>	
<b>3. Targeted at senior leaders and those in at-risk positions</b>	
<b>Legislative</b>	Members of the Grand National Assembly of Turkey as well as their related staff must all disclose.
<b>Executive</b>	The Prime Minister and Ministers must disclose.
<b>Judiciary</b>	All members of the judiciary must disclose.
<b>Other</b>	All civil servants, the military, senior political party leaders, trade union leaders, newspaper owners, municipal councils, mayors, provincial councils, administrators of charities, notaries, and the organizations Red Crescent and Turkish Aeronautical Association must all submit.  All spouses and dependent children must also disclose.  Tax and custom officials, procurement agents, and officials of the Financial Authorities are required to disclose their assets, liabilities, income source, and income amount, non-paid outside positions, gifts and previous employment. The disclosed information is not publicly available.
<b>Risk-based approach to the disclosure requirement</b>	Legislation indicates that all public officials, regardless of their seniority and functions/responsibilities must disclose.
<b>Other relevant information</b>	
<b>4. Supported with adequate resources</b>	
<b>Legislative</b>	The Speaker of the Assembly receives the disclosures. The Speaker is elected by the Grand National Assembly.
<b>Executive</b>	The Speaker of the Assembly receives the disclosures.
<b>Judiciary</b>	The Minister of Justice receives the disclosures of members of the judiciary.
<b>Other entities</b>	Other civil servants submit their disclosures to different institutions depending on their positions: civil servants generally submit to the HR department of their own institution, while senior civil servants submit to the relevant Minister; political party senior officials submit to the Public Prosecutor; trade union leaders submit to the Audit Institutions; and newspaper owners submit to relevant local authorities; Red Crescent and Turkish Aeronautical Association submit either to the Ministry of Interior Affairs or the director of the Red Crescent and Turkish Aeronautical Association depending on if they are senior level staff or not; administrators of charities must submit to General Directorate of Charities and notaries must submit to the Ministry of Justice.

	Sub-national public officials submit to the government institution above them ie. Municipal Council members submit to Mayors, Mayors submit to the Ministry of Interior Affairs, Provincial Council members submit to Governors.
<b>Other relevant information</b>	
<b>5. Useful</b>	
<b>Frequency of filing requirement</b>	<p>All public officials must disclose within one month of taking office. This period is extended to two months for those in elected positions except Ministers. Following this, each official must disclose every five years (ie years ending in (0) and (5)).</p> <p>Officials cannot assume their position until the financial disclosure has been submitted. All officials must also disclose within one month of leaving their position. Furthermore, if there have been substantial changes to the financial situation of a public official, they must update their disclosure form within one month of the changes occurring.</p>
<b>Validation &amp; Verification</b>	Those who receive the disclosures must compare them with previous disclosures. The content of disclosures is verified on-line basis with regard to the records of public bodies.
<b>Uses of disclosed information</b>	Disclosure forms can be shared with other governmental agencies under specific circumstances. During investigations, prosecutors and government inspectors may have direct access to the disclosures.
<b>Other relevant information</b>	
<b>6. Enforceable</b>	
<b>Types of applicable sanctions</b>	<p>For failure to submit, and if an official does not act on receipt of a warning, the official may be imprisoned for up to three months. If no disclosure is submitted within the inspection timeframe of five years, this leads to a prison sentence of between 3 months and 1 year.</p> <p>Criminal and civil sanctions apply to submitting false information: between 3 and 5 years imprisonment and a fine.</p>
<b>Mechanism and entities responsible for enforcing measures</b>	<p>If the authorities who receive the disclosures find a non-compliance (either non-submission or false declaration) they inform the public prosecutor. The public prosecutor then investigates the case to find evidence of corrupt acts and notifies the filer to respond within ten days to the allegations and evidence submitted.</p> <p>For non-submission cases, the authorities receiving the disclosures file a criminal complaint.</p> <p>For any violations committed by military personnel, the army prosecutors are responsible for the investigation.</p>

<b>Other relevant information</b>	If disclosures are made public, a criminal sanction is applied of between 3 months and 1 year prison sentence. This sentence can increase by 50 percent if disclosures were made public through the media. Those guilty of publishing disclosure information face the administrative sanction of a permanent ban from public positions.