

**International Conference «Constitution and Constitutional Supervision:
Developing the Doctrine and Advancing the Case-Law»**

11 May 2023, Saint Petersburg

Session III «Constitutional Supervision: Current Practices»

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«Strategic Management of the Changes in Constitutional Court»

The elements in the environment in which institutions operate are constantly changing. No element in the environment remains stable. Every change basically involves a risk. Therefore institutions should take into account, observe and evaluate the changes in their environment, and take the necessary measures regarding these changes.

The general aim of organisational change is an adaptation to the environment or an improvement in performance.

The responses to changes and their management are central issues for organisations.

Strategic management is central issue for organisations, when responding to changes and implementing innovations.

There are the fundamental components of models of change. There are some forces affecting organisational change. There are metaphors and constructed realities. There should be suitable climate for implementing of change. Communication in strategies for change has a crucial importance.

There are Resistance, Barriers and Constraints to change in organisations.

The most common reaction to change is undoubtedly resistance. Resistance, is often viewed by Managers, as the enemy of change, which must be overcome if it is desired a change effort to be successful. Professionals often learned

helplessness and become passive.

The barriers may be connected to paradigms and organisational culture, and also professional boundaries.

The constraints include external and internal constraints.

Communication in strategies for change has a crucial importance.

The Constitutional Court is one of the most prominent institutions in the country. The Court's decisions are important and concern many people, institutions and issues within the country. The members of the Court consist of intellectual and distinguished persons. For these reasons, the Constitutional Court must be managed effectively.

The Constitutional Court, which is responsible for constitutional supervision and review, must adopt a Strategic Management approach in order to be prepared for, and respond effectively to, changes in the environment. The Strategic Management Approach ensures that institutions in an ever-changing environment survive, maintain their existence, perform quality work, be responsive to changes and have a competitive advantage.

The role and importance of the judicial process in the formulation of the Court's decision should be acknowledged. The judicial process should be well organised and well managed. There should be communication, harmony and cooperation between the elements, actors and components of the judicial process. As for the Constitutional Court to adapt the changes successfully, the Court must be managed effectively and sound.

In order to explain the relationship between the judicial decision and the judicial process, it will be useful to use the example of the relationship between the clock and its mechanism.

It is important for the individual to know the time. The device indicating time is the clock. The clock must indicate the time correctly.

There is a mechanism/a system that enables the clock to run. If the system runs correctly, the Clock will indicate the time correctly.

So, if it is desired the Clock to display the time accurately, the Clock system

has to be ensured to run correctly.

Court decision must be accurate, fair and of high-quality; competent and convincing in both legal and professional terms; inspire confidence to persons; and meet the expectations.

Court decision is formulated at the end of the judicial process. Judicial process consists of many actors, elements and components. Judicial process has a bearing on the quality of the Court decision. A proper and sound judicial process results in an accurate, fair and high-quality court decision. Thus, judicial process must be conducted properly and soundly.

Objectives of the strategic management of the Court include carrying out activities efficiently, economically, productively and in high quality; ensuring compliance with the principles of fair trial; ensuring the delivery of fair court decisions; enhancing the individuals' confidence in the Court; ensuring the independence and impartiality of the Court; ensuring the Court's being responsive to the ever-changing environmental factors and taking the necessary actions.

Members of the Court should be acquainted with the statutory regulations on professional matters. They should have general knowledge. In performing their profession they should have the ability to implement, comply with code of conduct, and have communication and pedagogical skills. They should constantly renew and update their knowledge. They should adopt the principles of professional ethics and the basic values of the institution.

The Court Administration should take the following actions effectively within the scope of the Court's vision, mission and main values: planning, organising, executing, coordinating and controlling activities, identifying and solving problems, identifying changes in the environment and taking the necessary steps in this regard; maintaining independence and impartiality; promoting confidence in the Court; increasing the satisfaction of its members; and ensuring the establishment of an effective communication with its stakeholders.

Some problems encountered by the Court include inadequacy of institutional capacity; inadequacy of resources and technological infrastructure as well as

scarcity of logistical supports; inadequacy of professional competencies of its members; complexity, invalidity, insufficiency and obsolescence of the rules; communication and harmonisation problems with stakeholders; and inability to carry out to take necessary steps against the changes that occur in external environmental factors.

Some changes that the Court should keep up with include globalisation and changes at the international level; technological innovations and scientific developments, economic mobility; developments in the concepts of democracy, rule of law and fundamental rights; changes in the expectations and demands of individuals; and different approaches between the Legislature, Executive, Judiciary, Press, Academia, Political Parties, Companies, groups, etc.

The Court, as an institution, should have the following characteristics: it must be managed effectively; it must be operated in a sound manner; it must increase its capacity; it must identify its problems through scientific and technical methods; it must be responsive to the changes in the environment; it must engage in adequate dialogue with stakeholders.

Rules of the Court should be accessible and clear; simple and applicable; and not superfluous.

Members of the Court must comply with the principles of professional ethics; adopt the corporate culture; acknowledge the basic values of the Institution; be acquainted with the vision, mission and scope of the institution; and have professional competence, skills and knowledge.

In conclusion, the Constitutional Court, within the scope of its vision, mission and main values should be managed effectively, operated soundly, responsive to the changes in the environment; render fair and appropriate decisions; The Court should function as a Clock; The Court's decisions should be like Scales; and Members of the Court, like Saints, should be trustworthy, truthful and fair; like philosophers, they must have broad idea and also, have a good grasp of their subject matter as a successful professional.

Thank you for your attention! I wish you all health and prosperity.