

Fast-Track Procedure Regulations Introduced into Turkish Criminal Procedure

25 Feb 2020

Fast-Track Procedure Regulations in Criminal Procedure ("**Regulation**") regulating the procedures and principles regarding the implementation of article 250 of the Criminal Procedure Law Number 5271, was published in the Official Gazette dated 31 December 2019 and entered into force on 1 January 2020.

Fast-track procedure is a special trial procedure applied instead of filing a public lawsuit, even when there is sufficient suspicion.

The Regulation covers the following issues:

- Fast-track procedure's scope of application,
- Regulations regarding the procedure,
- Procedure proposal,
- Procedure for determining sanctions,
- Matters to be included in the request issued by the Public Prosecutor,
- The court's evaluation of the request,
- Decisions to be made on request and the procedure for appeal against these decisions,
- Other issues regarding implementation.

Fast-track procedure depends on acceptance of the Public Prosecutor's proposal by the suspect in the presence of his/her attorney. In case the suspect accepts this proposal, fast-track procedure will be applied, and the basic penalty will be reduced by half. The suspect may be given a reasonable time, not exceeding one month, for the consideration of public prosecutor's proposal before accepting this procedure. Moreover, the suspect may withdraw his/her consent at any stage, until the judgment is rendered. In case the suspect does not appear at the end of the period given without an excuse or withdraws his admission, the proceedings will continue according to the general provisions.

Upon the acceptance of proposal, public prosecutor requests the court to apply fast-track procedure to the suspect with a written request. On the day written request submitted to the court by the public prosecutor, the competent court reviews this request hears the suspect in the presence of his/her attorney and finalizes the procedure.

Crimes within the scope of pre-payment and mediation are not subject to fast-track procedure. Even if the crime is within the scope of fast-track trial, this procedure will not be applied in cases of age deficit, mental illness, deafness, and blindness. In addition, cases, where one of the suspects does not accept the crimes committed in complicity, lie outside the scope.

Please see this [link](#) for the full text of the Regulation published in the Official Gazette dated 31 December 2019 and numbered 30995 (only available in Turkish).

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