

TÜRKİYE BÜYÜK MİLLET MECLİSİ BAŞKANLIĞINA

2/5018, 2/5001, 2/5002, 2/4986, 2/4974, 2/4932, 2/4923, 2/4861, 2/4862, 2/4842, 2/4817, 2/4798, 2/4788, 2/4791, 2/4771, 2/4748, 2/4730, 2/4701, 2/4681, 2/4668, 2/4669, 2/4621, 2/4617, 2/4606, 2/4567, 2/4568, 2/4547, 2/4541, 2/4542, 2/4543, 2/4522, 2/4513, 2/4494, 2/4481, 2/4482, 2/4463, 2/4464, 2/4456, 2/4437, 2/4413, 2/4361, 2/4341, 2/4308, 2/4285, 2/4286, 2/4287, 2/4280, 2/4272, 2/4262, 2/4261, 2/4234, 2/4235, 2/4236, 2/4213, 2/4219, 2/4196, 2/4189, 2/4174, 2/4175, 2/4176, 2/4168, 2/4154, 2/4155, 2/4149, 2/4107, 2/4110, 2/4103, 2/4094, 2/4095, 2/4085, 2/4086, 2/4064, 2/4057, 2/4035, 2/4036, 2/4037, 2/4008, 2/3997, 2/3970, 2/3856, 2/3837, 2/3838, 2/3839, 2/3828, 2/3829, 2/3819, 2/3820, 2/3817, 2/3797, 2/3796, 2/3765, 2/3736, 2/3731, 2/3703, 2/3589, 2/3584, 2/3548, 2/3531, 2/3532, 2/3472, 2/3473, 2/3451, 2/3440, 2/3414, 2/3381, 2/3382, 2/3377, 2/3375, 2/3358, 2/3341, 2/3320, 2/3286, 2/3257, 2/3220, 2/3109, 2/3102, 2/3103, 2/3079, 2/3075, 2/3076, 2/2988, 2/2914, 2/2911, 2/2912, 2/2894, 2/2897, 2/2936, 2/2891, 2/2863, 2/2864, 2/2865, 2/2851, 2/2852, 2/2853, 2/2831, 2/2798, 2/2627, 2/2577, 2/2574, 2/2564, 2/2559, 2/2540, 2/2541, 2/2531, 2/2532, 2/2493, 2/2474, 2/2470, 2/2446, 2/2449, 2/2426, 2/2437, 2/2398, 2/2387, 2/2367, 2/2263, 2/2239, 2/2211, 2/2210, 2/2185, 2/2186, 2/2181, 2/2182, 2/2183, 2/2160, 2/2161, 2/2162, 2/2145, 2/2136, 2/2099, 2/2059, 2/1994, 2/1983, 2/1989, 2/1977, 2/1913, 2/1906, 2/1812, 2/1769, 2/1737, 2/1742, 2/1717, 2/1720, 2/1721, 2/1711, 2/1627, 2/1628, 2/1629, 2/1656, 2/1658, 2/1619, 2/1620, 2/1604, 2/1690, 2/1691, 2/1633, 2/1679, 2/1559, 2/1558, 2/1528, 2/1498, 2/1420, 2/1403, 2/1404, 2/1378, 2/1349, 2/1373, 2/1304, 2/1307, 2/1309, 2/1311, 2/1292, 2/1272, 2/1273, 2/1250, 2/1184, 2/1156, 2/1142, 2/1145, 2/1112, 2/1115, 2/968, 2/1083, 2/1056, 2/1057, 2/1026, 2/1027, 2/1013, 2/1004, 2/996, 2/997, 2/989, 2/916, 2/866, 2/778, 2/451, 2/695, 2/722, 2/448, 2/449, 2/450, 2/453, 2/457, 2/458, 2/502, 2/697, 2/564, 2/584, 2/459, 2/461, 2/474, 2/611, 2/490, 2/504, 2/553, 2/690, 2/565, 2/582, 2/596, 2/600, 2/477, 2/659, 2/493, 2/649, 2/657, 2/682, 2/693, 2/705, 2/462, 2/469, 2/614, 2/495, 2/660, 2/526, 2/696, 2/566, 2/576, 2/723, 2/599, 2/470, 2/471, 2/608, 2/616, 2/632, 2/663, 2/534, 2/704, 2/726, 2/464, 2/617, 2/483, 2/485, 2/629, 2/531, 2/672, 2/540, 2/554, 2/572, 2/472, 2/613, 2/624, 2/625, 2/498, 2/671, 2/537, 2/692, 2/561, 2/714, 2/456, 2/594, 2/482, 2/488, 2/627, 2/497, 2/500, 2/539, 2/557, 2/563, 2/597, 2/601, 2/618, 2/619, 2/626, 2/630, 2/507, 2/536, 2/677, 2/701, 2/466, 2/621, 2/496, 2/637, 2/645, 2/510, 2/542, 2/684, 2/703, 2/569, 2/468, 2/508, 2/512, 2/648, 2/514, 2/650, 2/658, 2/680, 2/550, 2/571, 2/605, 2/607, 2/499, 2/511, 2/515, 2/651, 2/517, 2/662, 2/552, 2/709, 2/476, 2/636, 2/501, 2/639, 2/653, 2/519, 2/656, 2/664, 2/698, 2/574, 2/612, 2/479, 2/615, 2/638, 2/522, 2/525, 2/528, 2/529, 2/530, 2/706, 2/460, 2/463, 2/473, 2/487, 2/635, 2/527, 2/667, 2/668, 2/532, 2/670, 2/452, 2/610, 2/634, 2/505, 2/506, 2/643, 2/665, 2/669, 2/674, 2/538, 2/454, 2/455, 2/642, 2/509, 2/533, 2/676, 2/541, 2/679, 2/567, 2/577, 2/465, 2/602, 2/644, 2/646, 2/673, 2/543, 2/544, 2/547, 2/715, 2/592, 2/593, 2/641, 2/647, 2/681, 2/549, 2/699, 2/579, 2/717, 2/581, 2/583, 2/595, 2/598, 2/513, 2/516, 2/518, 2/686, 2/687, 2/691, 2/707, 2/719, 2/467, 2/652, 2/655, 2/688, 2/555, 2/556, 2/694, 2/558, 2/710, 2/721, 2/603, 2/604, 2/654, 2/521, 2/524, 2/559, 2/562, 2/712, 2/586, 2/587, 2/606, 2/523, 2/666, 2/675, 2/700, 2/708, 2/711, 2/578, 2/580, 2/724, 2/475, 2/478, 2/631, 2/661, 2/535, 2/678, 2/545, 2/702, 2/720, 2/589, 2/609, 2/480, 2/633, 2/546, 2/683, 2/548, 2/560, 2/568, 2/570, 2/588, 2/481, 2/484, 2/486, 2/492, 2/685, 2/573, 2/575, 2/716, 2/585, 2/591, 2/620, 2/622, 2/623, 2/520, 2/551, 2/689, 2/713, 2/718, 2/725, 2/590, 2/489, 2/491, 2/628, 2/494, 2/503, 2/640, 2/1096

Esas numaralı kanun tekliflerimin, TBMM İç Tüzüğü'nün 77. Maddesinin 1. Fıkrası uyarınca 28. Yasama Döneminde yenilenmesini arz ve talep ederim. **07.06.2023**

Av.Mahmut Tanal
Şanlıurfa Milletvekili

TBMM BAŞKANLIĞI		
Tali Komisyon		
Esas Komisyon	Adalet Komisyonu	
Tarih: 19 Haziran 2023		Esas No: 2 /922

T B M M KANUNLAR ve KARARLAR BSK.LİĞİ
0 8 Haziran 2023
Numara:

T B M M GENEL YÜRÜK
0 8 Haziran 2023
No: 1226586



Av. Mahmut TANAL
İstanbul Milletvekili
İnsan Haklarını İnceleme Komisyonu Üyesi

TÜRKİYE BÜYÜK MİLLET MECLİSİ BAŞKANLIĞINA

2/2300, 2/2292, 2/2248, 2/2247, 2/2222, 2/2221, 2/2219, 2/2185, 2/2139, 2/2133, 2/2109, 2/2105, 2/2104, 2/2095, 2/2090, 2/2046, 2/2026, 2/2020, 2/2019, 2/2018, 2/2017, 2/2015, 2/2012, 2/2006, 2/2005, 2/1993, 2/1992, 2/1991, 2/1983, 2/1982, 2/1980, 2/1979, 2/1976, 2/1975, 2/1974, 2/1973, 2/1972, 2/1971, 2/1960, 2/1959, 2/1953, 2/1952, 2/1951, 2/1943, 2/1942, 2/1939, 2/1935, 2/1934, 2/1928, 2/1927, 2/1925, 2/1922, 2/1915, 2/1911, 2/1910, 2/1909, 2/1908, 2/1899, 2/1897, 2/1892, 2/1891, 2/1890, 2/1883, 2/1882, 2/1878, 2/1876, 2/1874, 2/1871, 2/1867, 2/1866, 2/1865, 2/1855, 2/1853, 2/1852, 2/1848, 2/1847, 2/1846, 2/1845, 2/1844, 2/1843, 2/1842, 2/1841, 2/1840, 2/1839, 2/1824, 2/1818, 2/1816, 2/1815, 2/1804, 2/1803, 2/1797, 2/1796, 2/1795, 2/1794, 2/1792, 2/1791, 2/1790, 2/1789, 2/1788, 2/1775, 2/1761, 2/1749, 2/1745, 2/1740, 2/1736, 2/1730, 2/1721, 2/1680, 2/1661, 2/1655, 2/1646, 2/1645, 2/1635, 2/1630, 2/1627, 2/1621, 2/1591, 2/1577, 2/1565, 2/1555, 2/1549, 2/1548, 2/1539, 2/1526, 2/1522, 2/1521, 2/1503, 2/1494, 2/1493, 2/1490, 2/1442, 2/1404, 2/1403, 2/1394, 2/1374, 2/1373, 2/1372, 2/1371, 2/1342, 2/1338, 2/1333, 2/1326, 2/1264, 2/1239, 2/1228, 2/1227, 2/1226, 2/1219, 2/1209, 2/1193, 2/1083, 2/1066, 2/1062, 2/1035, 2/1030, 2/1029, 2/1013, 2/1012, 2/1011, 2/1010, 2/1009, 2/996, 2/984, 2/982, 2/981, 2/976, 2/973, 2/972, 2/970, 2/969, 2/963, 2/961, 2/959, 2/957, 2/956, 2/954, 2/943, 2/898, 2/897, 2/885, 2/882, 2/872, 2/857, 2/851, 2/837, 2/812, 2/749, 2/746, 2/727, 2/725, 2/724, 2/718, 2/711, 2/699, 2/698, 2/697, 2/679, 2/670, 2/645, 2/644, 2/643, 2/642, 2/640, 2/639, 2/635, 2/634, 2/611, 2/610, 2/607, 2/606, 2/605, 2/596, 2/595, 2/568, 2/567, 2/566, 2/563, 2/560, 2/537, 2/536, 2/535, 2/508, 2/507, 2/506, 2/491, 2/488, 2/487, 2/481, 2/480, 2/472, 2/436, 2/413, 2/412, 2/399, 2/396, 2/386, 2/379, 2/375, 2/374, 2/373, 2/369, 2/368, 2/339, 2/337, 2/336, 2/335, 2/334, 2/333, 2/332, 2/322, 2/309, 2/304, 2/303, 2/302, 2/301, 2/300, 2/299, 2/298, 2/297, 2/292, 2/291, 2/237, 2/236, 2/233, 2/231, 2/230, 2/229, 2/227, 2/226, 2/225, 2/224, 2/218, 2/132, 2/131, 2/130, 2/129, 2/128, 2/49, 2/26 Esas Numaralı Kanun Tekliflerimin, İç Tüzüğün 77. Maddesinin 1. Fıkrası uyarınca 27. Yeni yasama döneminde yenilenmesini arz ve talep ederim.

Av. Mahmut Tanal
İstanbul Milletvekili

TBMM BAŞKANLIĞI	
Tarih	
Komisyon/lar	
Esas Komisyon	Adalet
Tarih:01.10.2018	Esas No:726

TBMM	
KANUNLAR ve KARARLAR BŞK.LİĞİ	
09	Temmuz 2018
Numara:	

313051



T.B.M.M.
CUMHURİYET HALK PARTİSİ
Grup Başkanlığı
Tarih : 20 Aralık 2015
Sayı : 39

TÜRKİYE BÜYÜK MİLLET MECLİSİ BAŞKANLIĞINA

6100 Sayılı Hukuk Muhakemesi Hakkında Kanunda Değişiklik Yapılmasına Dair Kanun Teklifim gerekçesiyle ekte sunulmuştur. Gereğini saygılarımla arz ederim.

Av. Mahmut TANAL
İstanbul Milletvekili

TBMM BAŞKANLIĞI				
Tali Komisyon				
Esas Komisyon	Adalet			
Tarih:	08 Aralık 2015		E. No: 2/26	
Ysm.Uzm.	Bşk.Yrd.	Başkan	Gn.Sek.Yrd.	Gn.Sek.
em	zc	wr	ms	lem
TBMM BAŞKANI	Ali			

TBMM KANUNLAR ve KARARLAR BŞK.LİĞİ
20 Kasım 2015
Numara:

TBMM GENEL EVRAK
20 Kasım 2015
No : 4214

GENEL GEREKÇE

Ceza Muhakemesi Kanunu'nun 202'nci maddesinin 1'inci fıkrası şu şekildedir; *"Sanık veya mağdur, meramını anlatabilecek ölçüde Türkçe bilmiyorsa; mahkeme tarafından atanan tercüman aracılığıyla duruşmadaki iddia ve savunmaya ilişkin esaslı noktalar tercüme edilir."*

6100 sayılı Hukuk Muhakemeleri Kanunu'nun 263'üncü maddesinin 1'inci fıkrası da şu şekildedir; *"Tanık Türkçe bilmezse tercümanla dinlenir."*

Görüleceği üzere Türkçe bilmeyen sanığa Ceza Muhakemesi Kanunu'na göre gerekli tercüman Mahkeme tarafından atanmakta olup, Hukuk Mahkemeleri'nde tercümanlar Mahkeme tarafından atanmamaktadır.

Hukuk Muhakemesi Kanunu'nda yer alıp, uygulamada da çeşitli problemlere ve hak kayıplarına yol açan bu eksiklik giderilmelidir. Ceza yargılamasında verilen bir hakkın hukuk yargılamasında verilmemesi olağan değildir. Yasa koyucunun bu eksikliği bir an önce giderilmelidir.

Bu eksikliğin giderilmesi için de 6100 sayılı Hukuk Muhakemeleri Kanunu'nun 263'üncü maddesinin 1'inci fıkrası şu şekilde değiştirilmelidir; *"Tanık Türkçe bilmezse mahkeme tarafından atanan tercümanla dinlenir."*

İşbu nedenle Hukuk Muhakemeleri Kanunu'nun 263'üncü maddesinin 1'inci fıkrasının değiştirilerek tercümanların mahkeme tarafından atanması, amacıyla söz konusu kanun teklifi hazırlanmıştır.

MADDE GEREKÇELERİ

MADDE 1- Bu deęişiklikle hukuk mahkemelerinde aynen ceza yargılamasında olduęu gibi tanıkların Mahkemenin atayacağı tercüman ile dinlenmesinin sağlanması ve bunun açık bir şekilde yasada yer alması planlanmıştır.

MADDE 2- Yürürlük maddesidir.

MADDE 3- Yürütme maddesidir.

**6100 SAYILI HUKUK MUHAKEMELERİ KANUNU'NDA DEĞİŞİKLİK
YAPILMASINA DAİR KANUN TEKLİFİ**

MADDE 1- 6100 sayılı Hukuk Muhakemeleri Kanunu'nun 263'üncü maddesinin 1'inci fıkrası şu şekilde değiştirilmiştir.

“Tanık Türkçe bilmezse mahkeme tarafından atanan tercümanla dinlenir.”

MADDE 2- Bu Kanun yayımı tarihinde yürürlüğe girer.

MADDE 3- Bu Kanunun hükümlerini Bakanlar Kurulu yürütür.